

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO
CIVIL DIVISION

CLIFTON A. JACKSON #A652-163 :
Lake Erie Correctional Institution :
501 Thompson Road / P.O. Box 8000 :
Conneaut, Ohio 44030 :

-and- :

ALEXANDER JEMISON :
Buffalo, New York :

-and- :

CIVIL No.

AMBER POWLAK :
Buffalo, New York :

-and- :

MASON JACKSON :
Buffalo, New York :

-and- :

JUDGE:

MONEH FULLER :
Buffalo, New York :

-and- :

ROMAN MOTLEY :
Buffalo, New York :

CIVIL RIGHTS COMPLAINT UNDER
CIVIL RULE 3

-and- :

-and-

42 U.S.C. SECTIONS 1981, 1983,
1985(3), 1986, and 1988(b)(c)

ELIJAH FULLER :
Buffalo, New York :

-and- :

JURY TRIAL DEMAND ATTACHED

LORRIONNA JACKSON :
Buffalo, New York :

-and- :

APRIL BURNS :
Detroit, Michigan :
-and- :
ANGEL BURNS MYLES :
Detroit, Michigan :
-and- :
BRENDA JACKSON :
Detroit, Michigan :
-and- :
JAMEL PITTMAN :
Detroit, Michigan :
Plaintiff(s), :
-against- :
OHIO'S STATE HIGHWAY PATROL :
1970 W. Broad Street :
P.O. Box 182074 :
Columbus, Ohio 43218-2074 :
-and- :
STATE TROOPER, CHRISTOPHER BEYER :
1970 W. Broad Street :
P.O. Box 182074 :
Columbus, Ohio 43218-2074 :
-and- :
STATE TROOPER, MICHAEL TRADER :
1970 W. Broad Street :
P.O. Box 182074 :
Columbus, Ohio 43218-2074 :
-and- :
STATE TROOPER. K-9 ARGO :
1970 W. Broad Street :
P.O. Box 182074 :
Columbus, Ohio 43218-2074 :
-and- :

DRUG ENFORCEMENT ADMINISTRATION (DEA) :
SPECIAL AGENT, GENO TALIANO :
1375 E. 9th Street, Ste. 700 :
Cleveland, Ohio 44114 :

-and- :

DRUG ENFORCEMENT ADMINISTRATION (DEA) :
SPECIAL AGENT, CAITLIN SZCZEPLNSKI :
1375 E. 9th Street, Ste. 700 :
Cleveland, Ohio 44114 :

-and- :

LORAIN COUNTY PROSECUTOR, DENNIS P. WILL :
THE JUSTICE CENTER, 3rd Floor :
225 Court Street :
Elyria, Ohio 44035 :

-and- :

LORAIN COUNTY ASSISTANT PROSECUTOR, MARY :
SLANCZKA, THE JUSTICE CENTER, 3rd Floor :
225 Court Street :
Elyria, Ohio 44035 :

-and- :

LORAIN COUNTY ASSISTANT PROSECUTOR, JENN- :
IFER M. RIEDTHALER, THE JUSTICE CENTER, :
3rd Floor :
225 Court Street :
Elyria, Ohio 44035 :

-and- :

LORAIN COUNTY ASSISTANT PROSECUTOR, PETER :
J. GAUTHIER, THE JUSTICE CENTER, 3rd Flo- :
or, :
225 Court Street :
Elyria, Ohio 44035 :

-and- :

LORAIN COUNTY ASSISTANT PROSECUTOR, LAURA :
ANN DEZORT, THE JUSTICE CENTER, 3rd Floor, :
225 Court Street :
Elyria, Ohio 44035 :

-and- :

JACK W. BRADLEY, ATTORNEY AT LAW, :
520 BROADWAY, 3rd Floor :
Lorain, Ohio 44052 :

-and- :

MARK A. AUFDENKAMPE, ATTORNEY AT LAW, :
33399 Walker Road, Ste. A :
Avon Lake, Ohio 44012 :

-and- :

PAUL A. GRIFFIN, ATTORNEY AT LAW, :
600 Broadway, 2nd Floor :
Lorain, Ohio 44052 :

-and- :

PAUL A. MANCINO, JR., ATTORNEY AT LAW, :
75 Public Square, Ste. 1016 :
Cleveland, Ohio 44113-2098 :

-and- :

EDWARD ZALESKI, Retired Judge, :
The Justice Center, 7th Floor :
225 Court Street :
Elyria, Ohio 44035 :

-and- :

JOHN R. MIRALDI, JUDGE, :
The Justice Center, 7th Floor :
225 Court Street :
Elyria, Ohio 44035 :

(These defendant(s) are sued in their :
official and individual capacities) :

Defendant(s). :

JURISDICTION:

1. This court has jurisdiction of this Civil Rights Action pursuant to the provisions of 28 U.S.C. §1343(a)(3). In addition, this is an action in equity that arises out of 42 U.S.C. §§1981, 1983, 1985(3), 1986, and 1988(b)(c), and the rights, privileges and immunities sought to be secured by this action are rights, privileges and immunities guaranteed by the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States. Therefore, this court also has jurisdiction of this action under 28 U.S.C. §1331.

PARTIES:

2. Clifton A. Jackson #A652-163, Lake Erie Correctional Institution [LaECI],
501 Thompson Road, P.O. Box 8000, Conneaut, Ohio 44030 -Plaintiff;

3. Alexander Jemison, 117 Weaver Street, Buffalo, New York 14206 -Plaintiff;
4. Amber Powlak, 117 Weaver Street, Buffalo, New York 14206 -Plaintiff;
5. Mason Jackson, 117 Weaver Street, Buffalo, New York 14206 -Plaintiff;
6. Moneh Fuller, 117 Weaver Street, Buffalo, New York 14206 -Plaintiff;
7. Roman Motley, 117 Weaver Street, Buffalo, New York 14206 -Plaintiff;
8. Elijah Fuller, 117 Weaver Street, Buffalo, New York 14206 -Plaintiff;
9. Lorrionna Jackson, 117 Weaver Street, Buffalo, New York 14206 -Plaintiff;
10. April Burns, 8900 East Jefferson Avenue, Apt. 304, Detroit, Michigan 48214 -Plaintiff;
11. Angel Burns Myles, 8900 East Jefferson Avenue, Apt. 304, Detroit, Michigan 48214 -Plaintiff;
12. Brenda Jackson, 8900 East Jefferson Avenue, Apt. 304, Detroit, Michigan 48214 -Plaintiff;
13. Jamel Pittman, 8900 East Jefferson Avenue, Apt. 304, Detroit, Michigan 48214 -Plaintiff;
14. STATE OF OHIO OFFICE OF THE STATE HIGHWAY PATROL, 1970 West Broad Street, P.O. Box 182074, Columbus, Ohio 43215-2074 -Defendant;
15. STATE TROOPER, Christopher Beyer, Office of the State Highway Patrol, 1970 West Broad Street, P.O. Box 182074, Columbus, Ohio 43215-2074 -Defendant;
16. STATE TROOPER, Michael Trader, Office of the State Highway Patrol, 1970 West Broad Street, P.O. Box 182074, Columbus, Ohio 43215-2074 -Defendant;
17. STATE TROOPER, K-9 Argo, Office of the State Highway Patrol, 1970 West Broad Street, P.O. Box 182074, Columbus, Ohio 43215-2074 -Defendant;
18. DRUG ENFORCEMENT ADMINISTRATION (DEA) SPECIAL AGENT, Geno Taliano, 1375 East 9th Street, Ste. 700, Cleveland, Ohio 44114 -Defendant;
19. DRUG ENFORCEMENT ADMINISTRATION (DEA) SPECIAL AGENT, Caitlin Szczeplnski, 1375 East 9th Street, Ste. 700, Cleveland, Ohio 44114 -Defendant;
20. LORAIN COUNTY PROSECUTOR, Dennis P. Will, The Justice Center, 3rd Floor, 225 Court Street, Elyria, Ohio 44035 -Defendant;
21. LORAIN COUNTY ASSISTANT PROSECUTOR, Mary Alanczka, The Justice Center, 3rd Floor, 225 Court Street, Elyria, Ohio 44035 -Defendant;
22. LORAIN COUNTY ASSISTANT PROSECUTOR, Jennifer M. Riedthaler, The Justice Center, 3rd Floor, 225 Court Street, Elyria, Ohio 44035 -Defendant;
23. LORAIN COUNTY ASSISTANT PROSECUTOR, Peter J. Gauthier, The Justice Center, 3rd Floor, 225 Court Street, Elyria, Ohio 44035 -Defendant;
24. LORAIN COUNTY ASSISTANT PROSECUTOR, Laura Ann Dezort, The Justice Center, 3rd Floor, 225 Court Street, Elyria, Ohio 44035 -Defendant;
25. Jack W. Bradley, Attorney at Law, 520 Broadway, 3rd Floor, Lorain, Ohio 44052 -Defendant;
26. Mark A. Aufdenkampe, Attorney at Law, 33399 Walker Road, Ste. A, Avon Lake, Ohio 44012 -Defendant;
27. Paul A. Griffin, Attorney at Law, 600 Broadway, 2nd Floor, Lorain, Ohio 44052 -Defendant;
28. Paul A. Mancino, Jr., Attorney at Law, 75 Public Square, Ste. 1016, Cleveland, Ohio 44113-2098 -Defendant;

29. Edward Zaleski [retired Judge], The Justice Center, 7th Floor, 225 Court Street, Elyria, Ohio 44035 -Defendant;
30. John R. Miraldi, Judge, The Justice Center, 7th Floor, 225 Court Street, Elyria, Ohio 44035 -Defendant;

CLAIM NUMBER 1:

31. Plaintiffs alleges that Defendant - Ohio's State Highway Patrol by it's act or failure to act in protecting the Plaintiffs from acts of discrimination committed under the color of law by it's troopers and employees of conspiring to deprive Plaintiffs of constitutional rights [equal protection & due process] under provisions of the Fourth, Fifth, Eighth and Fourteenth Amendments to the United State Constitution by engaging in an overt act in furtherance of the conspiracy and as a direct result of Defendant's troopers and employees overt act, Plaintiff has suffered injuries of intentional infliction of emotional distress, intentional discriminatory prosecution, intentional tort, consortium and intentional deprivation of the above-stated state and federally protected rights to the Constitution of the United States and Laws. Said deprivations commencing on June 14, 2011 and continuing to date, which intentional acts were racially motivated and substantially certain to produce deprivation of Plaintiffs' constitutional rights. Defendant's troopers and employees engaged in an overt act with **malicious purpose, in bad faith, or in a wanton or reckless manner**, which form the basis for stating Civ.R. 3; 42 U.S.C. §§1981, 1983, 1985(3), and 1986 Claim Number 1. See Affidavit In Support Of Request For Leave To File Appellant's Application For Reopening Of His Direct Appeal Under App.R. 26(B) Delayed And His Assignments Of Error I Through IV and Appendix of Exhibits A Through AAAE. This Defendant is sued in it's official capacity under the "Doctrine of Respondeat Superior";

CLAIM NUMBER 2:

32. Plaintiffs alleges that Defendant - Christopher Beyer a trooper employed by the Ohio State Highway Patrol while acting under the color of law conspired to deprive Plaintiffs of constitutional rights [equal protection & due process] under provisions of the Fourth, Fifth, Eighth and Fourteenth Amendments to the United States Constitution by engaging in an overt act in furtherance of the conspiracy and as a direct result of Defendant's overt act, Plaintiffs has suffered injuries of intentional infliction of emotional distress, intentional discriminatory prosecution, intentional tort, consortium and intentional deprivation of the above-stated state and federally protected rights to the Constitution of the United States and Laws. Said deprivations commencing on June 14, 2011 and continuing to date, which intentional acts were racially motivated and substantially certain to produce deprivation of Plaintiffs' constitutional rights. Defendant engaged in an overt act with **malicious purpose, in bad faith, or in a wanton or reckless manner**, which form the basis for stating Civ.R. 3; 42 U.S.C. §§1981, 1983, 1985(3), and 1986 Claim Number 2. See Affidavit In Support Of Request For Leave To File Appellant's Application For Reopening Of His Direct Appeal Under App.R. 26(B) Delayed And His Assignments Of Error I Through IV and Appendix of Exhibits A Through AAAE. This Defendant is sued in his official and individual capacities;

CLAIM NUMBER 3:

33. Plaintiffs alleges that Defendant - Michael Trader a trooper employed by the

Ohio State Highway Patrol while acting under the color of law conspired to deprive Plaintiffs of constitutional rights [equal protection & due process] under provisions of the Fourth, Fifth, Eighth and Fourteenth Amendments to the United States Constitution by engaging in an overt act in furtherance of the conspiracy and as a direct result of Defendant's overt act, Plaintiffs has suffered injuries of intentional infliction of emotional distress, intentional discriminatory prosecution, intentional tort, consortium and intentional deprivation of the above-stated state and federally protected rights to the Constitution of the United States and Laws. Said deprivations commencing on June 14, 2011 and continuing to date, which intentional acts were racially motivated and substantially certain to produce deprivation of Plaintiffs' constitutional rights. Defendant engaged in an overt act with **malicious purpose, in bad faith, or in a wanton or reckless manner**, which form the basis for stating Civ.R. 3; 42 U.S.C. §§1981, 1983, 1985(3), and 1986 Claim Number 3. See Affidavit In Support Of Request For Leave To File Appellant's Application For Reopening Of His Direct Appeal Under App.R. 26(B) Delayed And His Assignments Of Error I Through IV and Appendix of Exhibits A Through AAAE. This Defendant is sued in his official and individual capacities;

CLAIM NUMBER 4:

34. Plaintiffs alleges that Defendant - Argo is a canine trooper employed by the Ohio State Highway Patrol while acting under the color of law conspired to deprive Plaintiffs of constitutional rights [equal protection & due process] under provisions of the Fourth, Fifth, Eighth and Fourteenth Amendments to the United States Constitution by engaging in an overt act in furtherance of the conspiracy and as a direct result of Defendant's overt act, Plaintiffs has suffered injuries of intentional infliction of emotional distress, intentional discriminatory prosecution, intentional tort, consortium and intentional deprivation of the above-stated state and federally protected rights to the Constitution of the United States and Laws. Said deprivations commencing on June 14, 2011 and continuing to date, which intentional acts were racially motivated and substantially certain to produce deprivation of Plaintiffs' constitutional rights. Defendant engaged in an overt act with **malicious purpose, in bad faith, or in a wanton or reckless manner**, which form the basis for stating Civ.R. 3; 42 U.S.C. §§1981, 1983, 1985(3), and 1986 Claim Number 4. See Affidavit In Support Of Request For Leave To File Appellant's Application For Reopening Of His direct Appeal Under App.R. 26(B) Delayed And His Assignments Of Error I Through IV and Appendix of Exhibits A Through AAAE. This Defendant is sued in his official and individual capacities;

CLAIM NUMBER 5:

35. Plaintiffs alleges that Defendant - Geno Tallano is a Special Agent employed by the Drug Enforcement Administration (DEA) while acting under the color of law conspired to deprive Plaintiffs of constitutional rights [equal protection & due process] under provisions of the Fourth, Fifth, Eighth and Fourteenth Amendments to the United States Constitution by engaging in an overt act in furtherance of conspiracy and as a direct result of Defendant's overt act, Plaintiffs has suffered injuries of intentional infliction of emotional distress, intentional discriminatory prosecution, intentional tort, consortium and intentional deprivation of the above-stated state and federally protected rights to the Constitution of the United States and Laws. Said deprivation commencing on June 14, 2011 and continuing to date, which intentional acts were racially motivated and substant-

ially certain to produce deprivation of Plaintiffs' constitutional rights. Defendant engaged in an overt act with **malicious purpose, in bad faith, or in a wanton or reckless manner**, which form the basis for stating Civ.R. 3; 42 U.S.C. §§1981, 1983, 1985(3), and 1986 Claim Number 5. See Affidavit In Support Of Request For Leave To File Appellant's Application For Reopening Of His Direct Appeal Under App.R. 26(B) Delayed And His Assignments Of Error I Through IV and Appendix of Exhibits A Through AAAE. This Defendant is sued in his official individual capacities;

CLAIM NUMBER 6:

36. Plaintiffs alleges that Defendant - Caitlin Szczeplnski is a Special Agent employed by the Drug Enforcement Administration (DEA) while acting under the color of law conspired to deprive Plaintiffs of constitutional rights [equal protection & due process] under provisions of the Fourth, Fifth, Eighth and Fourteenth Amendments to the United States Constitution by engaging in an overt act in furtherance of the conspiracy and as a direct result of Defendant's overt act, Plaintiffs has suffered injuries of intentional infliction of emotional distress, intentional discriminatory prosecution, intentional tort, consortium and intentional deprivation of the above-stated state and federally protected rights to the Constitution of the United States and Laws. Said deprivations commencing on June 14, 2011 and continuing to date, which intentional acts were racially motivated and substantially certain to produce deprivation of Plaintiffs' constitutional rights. Defendant engaged in an overt act with **malicious purpose, in bad faith, or in a wanton or reckless manner**, which form the basis for stating Civ.R. 3; 42 U.S.C. §§1981, 1983, 1985(3), and 1986 Claim Number 6. See Affidavit In Support Of Request For Leave To File Appellant's Application For Reopening Of His Direct Appeal Under App.R. 26(B) Delayed And His Assignments Of Error I Through IV and Appendix of Exhibits A Through AAAE. This Defendant is sued in his official and individual capacities;

CLAIM NUMBER 7:

37. Plaintiffs alleges that Defendant - Dennis P. Will is the Lorain County Prosecutor while acting under the color of law conspired to deprive Plaintiffs of constitutional rights [equal protection & due process] under provisions of the Fourth, Fifth, Eighth and Fourteenth Amendments to the United States Constitution by engaging in an overt act in furtherance of the conspiracy and as a direct result of Defendant's overt act, Plaintiffs has suffered injuries of intentional infliction of emotional distress, intentional discriminatory prosecution, intentional tort, consortium and intentional deprivation of the above-stated state and federally protected rights to the Constitution of the United States and Laws. Said deprivation commencing on June 14, 2011 and continuing to date, which intentional acts were racially motivated and substantially certain to produce deprivation of Plaintiffs' constitutional rights. Defendant engaged in an overt act with **malicious purpose, in bad faith, or in a wanton or reckless manner**, which form the basis for stating Civ.R. 3; 42 U.S.C. §§1981, 1983, 1985(3), and 1986 Claim Number 7. See Affidavit In Support Of Request For Leave To File Appellant's Application For Reopening Of His Direct Appeal Under App.R. 26(B) Delayed And His Assignments Of Error I Through IV and Appendix of Exhibits A Through AAAE. This Defendant is sued in his official and individual capacities;

CLAIM NUMBER 8:

38. Plaintiffs alleges that Defendant - Mary Slanczka is a Lorain County Assistant Prosecuting Attorney while acting under the color of law conspired to deprive of constitutional rights [equal protection & due process] under provisions of the Fourth, Fifth, Eighth and Fourteenth Amendments to the United States Constitution by engaging in an overt act in furtherance of the conspiracy and as a direct result of Defendant's overt act, Plaintiffs has suffered injuries of intentional infliction of emotional distress, intentional discriminatory prosecution, intentional tort, consortium and intentional deprivation of the above-stated state and federally protected rights to the Constitution of the United States and Laws. Said deprivation commencing on June 14, 2011 and continuing to date, which intentional acts were racially motivated and substantially certain to produce deprivation of Plaintiffs' constitutional rights. Defendant engaged in an overt act which form the basis for stating Civ.R. 3; 42 U.S.C. §§1981, 1983, 1985(3), 1986, and 1988(b)(c) Claim Number 8. See Affidavit In Support Of Request For Leave To File Appellant's Application For Reopening Of His Direct Appeal Under App.R. 26(B) Delayed And His Assignments Of Error I Through IV and Appendix of Exhibits A Through AAEE. This Defendant is sued in her official and individual capacities;

CLAIM NUMBER 9:

39. Plaintiffs alleges that Defendant - Jennifer M. Riedthaler is a Lorain County Assistant Prosecuting Attorney while acting under the color of law conspired to deprive Plaintiffs of constitutional rights [equal protection and due process] under provisions of the Fourth, Fifth, Eighth and Fourteenth Amendments to the United States Constitution by engaging in an overt act in furtherance of the conspiracy and as a direct result of Defendant's overt act, Plaintiffs has suffered injuries of intentional infliction of emotional distress, intentional discriminatory prosecution, intentional tort, consortium and intentional deprivation of the above-stated state and federally protected rights to the Constitution of the United States and Laws. Said deprivation commencing on June 14, 2011 and continuing to date, which intentional acts were racially motivated and substantially certain to produce deprivation of Plaintiffs' constitutional rights. Defendant engaged in an overt act which form the basis for stating Civ.R. 3; 42 U.S.C. §§1981, 1983, 1985(3), 1986, and 1988(b)(c) Claim Number 9. See Affidavit In Support Of Request For Leave To File Appellant's Application For Reopening Of His Direct Appeal Under App.R. 26(B) Delayed And His Assignments Of Error I Through IV and Appendix of Exhibits A Through AAEE. This Defendant is sued in her official and individual capacities;

CLAIM NUMBER 10:

40. Plaintiffs alleges that Defendant - Peter J. Gauthier is a Lorain County Prosecuting Attorney while acting under the color of law conspired to deprive Plaintiffs of constitutional rights [equal protection and due process] under provisions of the Fourth, Fifth, Eighth and Fourteenth Amendments to the United States Constitution by engaging in an overt act in furtherance of the conspiracy and as a direct result of Defendant's overt act, Plaintiffs has suffered injuries of intentional infliction of emotional distress, intentional discriminatory prosecution, intentional tort, consortium and intentional deprivation of the above-stated state and federally protected rights to the Constitution

of the United States and Laws. Said deprivation commencing on June 14, 2011 and continuing to date, which intentional acts were racially motivated and substantially certain to produce deprivation of Plaintiffs' constitutional rights. Defendant engaged in an overt act which form the basis for stating Civ.R. 3; 42 U.S.C. §§1981, 1983, 1985(3), 1986, and 1988(b)(c) Claim Number 10. See Affidavit In Support Of Request For Leave To File Appellant's Application For Reopening Of His Direct Appeal Under App.R. 26(B) Delayed And His Assignments Of Error I Through IV and Appendix of Exhibits A Through AA-AE. This Defendant is sued in his official and individual capacities;

CLAIM NUMBER 11:

41. Plaintiffs alleges that Defendant - Laura Ann Dezort is a Lorain County Prosecuting Attorney while acting under the color of law conspired to deprive Plaintiffs of constitutional rights [equal protection and due process] under provisions of the Fourth, Fifth, Eighth and Fourteenth Amendments to the United States Constitution by engaging in an overt act in furtherance of the conspiracy and as a direct result of Defendant's overt act, Plaintiffs has suffered injuries of intentional infliction of emotional distress, intentional discriminatory prosecution, intentional tort, consortium and intentional deprivation of the above-stated state and federally protected rights to the Constitution of the United States and Laws. Said deprivation commencing on June 14, 2011 and continuing to date, which intentional acts were racially motivated and substantially certain to produce deprivation of Plaintiffs' constitutional rights. Defendant engaged in an overt act which form the basis for stating Civ.R. 3; 42 U.S.C. §§1981, 1983, 1985(3), 1986, and 1988(b)(c) Claim Number 11. See Affidavit In Support of Request For Leave To File Appellant's Application For Reopening Of His Direct Appeal Under App.R. 26 (B) Delayed And His Assignments Of Error I Through IV and Appendix of Exhibits A Through AA-AE. This Defendant is sued in her official and individual capacities;

CLAIM NUMBER 12:

42. Plaintiffs alleges that Defendant - Jack W. Bradley is an attorney of law in the private practice of law in the State of Ohio, Lorain County while acting under the color of law conspired to deprive Plaintiffs of constitutional rights [right to counsel and fair trial] under provisions of the Fourth, Fifth, Sixth and Fourteenth Amendments to the United States Constitution by engaging in an overt act in furtherance of the conspiracy and as a direct result of Defendant's overt act, Plaintiffs has suffered injuries of intentional infliction of emotional distress, intentional malpractice, intentional tort of malpractice, consortium and intentional deprivation of the above-stated state and federally protected rights to the Constitution of the United States and Laws. Said deprivation commencing on or about June 17, 2011 and continuing to date, which intentional malpractice acts were personally motivated and substantially certain to produce deprivation of Plaintiffs' constitutional rights. Defendant engaged in overt act which form the basis for stating Civ.R. 3; 42 U.S.C. §§1981, 1983, 1985(3), 1986, and 1988(b)(c) Claim Number 12. See Affidavit In Support Of Request For Leave To File Appellant's Application For Reopening Of His Direct Appeal Under App.R. 26(B) Delayed And His Assignments Of Error I Through IV and Appendix of Exhibits

A Through AAAE. This Defendant is sued in his official and individual capacities;

CLAIM NUMBER 13:

43. Plaintiffs alleges the Defendant - Mark A. Aufdenkampe is an attorney of law in the private practice of law in the State of Ohio, Lorain County while acting under the color of law conspired to deprive Plaintiffs of constitutional rights [right to counsel and fair trial] under provisions of the Fourth, Fifth, Sixth and Fourteenth Amendments to the United States Constitution by engaging in an overt act in furtherance of the conspiracy and as a direct result of Defendant's overt act, Plaintiffs has suffered injuries of intentional infliction of emotional distress, intentional malpractice, intentional tort of malpractice, consortium and intentional deprivation of the above-stated state and federally protected rights to the Constitution of the United States and Laws. Said deprivation commencing on or about November 25, 2013 and continuing to date, which intentional malpractice acts were personally motivated and substantially certain to produce deprivation of Plaintiffs' constitutional rights. Defendant engaged in an overt act which form the basis for stating Civ.R. 3; 42 U.S.C. §§1981, 1983, 1985(3), 1986, and 1988 (b)(c) Claim Number 13. See Affidavit In Support Of Request For Leave To File Appellant's Application For Reopening Of His Direct Appeal Under App.R. 26(B) Delayed And His Assignments Of Error I Through IV and Appendix of Exhibits A Through AAAE. This Defendant is sued in his official and individual capacities;

CLAIM NUMBER 14:

44. Plaintiffs alleges that Defendant - Paul A. Griffin is an attorney of law in the private practice of law in the State of Ohio, Lorain County while acting under the color of law conspired to deprive Plaintiffs of constitutional rights [right to counsel and fair appellate review] under provisions of the Fourth, Fifth, Sixth and Fourteenth Amendments to the United States Constitution by engaging in an overt act in furtherance of the conspiracy and as a direct result of Defendant's overt act, Plaintiffs has suffered injuries of intentional infliction of emotional distress, intentional malpractice, intentional tort of malpractice, consortium and intentional deprivation of the above-stated state and federally protected rights to the Constitution of the United States and Laws. Said deprivation commencing on or about April 9, 2014 and continuing to date, which intentional malpractice acts were personally motivated and substantially certain to produce deprivation of Plaintiffs' constitutional rights. Defendant engaged in an overt act which form the basis for stating Civ.R. 3; 42 U.S.C. §§1981, 1983, 1985(3), 1986, and 1988(b)(c) Claim Number 14. See Affidavit In Support Of Request For Leave To File Appellant's Application For Reopening Of His Direct Appeal Under App.R. 26(B) Delayed And His Assignments Of Error I Through IV and Appendix of Exhibits A Through AAAE. This Defendant is sued in his official and individual capacities;

CLAIM NUMBER 15:

45. Plaintiffs alleges that Defendant - Paul A. Mancino, Jr., is an attorney of law in the private practice of law in the State of Ohio, Cuyahoga County while acting under the color of law conspired to deprive Plaintiffs of constitu-

TIONAL RIGHTS [right to counsel and fair appellate review] under provisions of the Fourth, Fifth, Sixth and Fourteenth Amendments to the United States Constitution by engaging in an overt act in furtherance of the conspiracy and as a direct result of Defendant's overt act, Plaintiffs has suffered injuries of intentional infliction of emotional distress, intentional malpractice, intentional tort of malpractice, consortium and intentional deprivation of the above-stated state and federally protected rights to the Constitution of the United States and Laws. Said deprivation commencing on or about May 1, 2014 and continuing to date, which intentional malpractice acts were personally motivated and substantially certain to produce deprivation of Plaintiffs' constitutional rights. Defendant engaged in an overt act which form the basis for stating Civ.R. 3; 42 U.S.C. §§1981, 1983, 1985(3), 1986, and 1988 (b)(c) Claim Number 15. See Affidavit In Support Of Request For Leave To File Appellant's Application For Reopening Of His Direct Appeal Under App.R. 26(B) Delayed And His Assignments Of Error I Through IV and Appendix of Exhibits A Through AAAE. This Defendant is sued in his official and individual capacities;

CLAIM NUMBER 16:

46. Plaintiffs alleges that Defendant - Edward Zaleski is an Retired Lorain County Court of Common Pleas Judge while acting under the color of law conspired to deprive Plaintiffs of constitutional rights [equal protection & due process] under provisions of the Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments to the United States Constitution by engaging in an overt act in furtherance of the conspiracy and as a direct result of Defendant's overt act, Plaintiffs has suffered injuries of intentional infliction of emotional distress, intentional discriminatory prosecution, intentional tort, consortium and intentional deprivation of the above-stated state and federally protected rights to the Constitution of the United States and Laws. Said deprivations commencing on June 14, 2011; June 4, 2012; and August 14, 2012 and continuing to date, which intentional acts were racially motivated and substantially certain to produce deprivation of Plaintiffs' constitutional rights. Defendant engaged in an overt act with **malicious purpose, in bad faith, or in a wanton or reckless manner**, which form the basis for stating Civ. R. 3; 42 U.S.C. §§1981, 1983, 1985(3), 1986, and 1988(b)(c) Claim Number 16. See Affidavit In Support Of Request For Leave To File Appellant's Application For Reopening Of His Direct Appeal Under App.R. 26(B) Delayed And His Assignments Of Error I Through IV and Appendix of Exhibits A Through AAAE. This Defendant is sued in his official and individual capacities;

CLAIM NUMBER 17:

47. Plaintiffs alleges that Defendant - John R. Miraldi is an Lorain County Court of Common Pleas Judge while acting under the color of law conspired to deprive Plaintiffs of constitutional rights [equal Protection & due process] under provisions of the Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments to the United States Constitution by engaging in an overt act in furtherance of the conspiracy and as a direct result of Defendant's overt act, Plaintiffs has suffered injuries of intentional

infliction of emotional distress, intentional discriminatory prosecution, intentional tort, consortium and intentional deprivation of the above-stated state and federally protected rights to the Constitution of the United States and Laws. Said Deprivations commencing on or about June 14, 2011; November 18, 2013; and November 25, 2013 and continuing to date, which intentional acts were racially motivated and substantially certain to produce deprivation of Plaintiffs' constitutional rights. Defendant engaged in an overt act with malicious purpose, in bad faith, or in a wanton or reckless manner, which form the basis for stating Civ.R. 3; 42 U.S.C. §§1981, 1983, 1985(3), 1986, and 1988(b)(c) Claim Number 17. See Affidavit In Support Of Request For Leave To File Appellant's Application For Reopening Of His Direct Appeal Under App.R. 26(B) Delayed And His Assignments Of Error I Through IV and Appendix of Exhibits A Through AAAE. This Defendant is sued in his official and individual capacities;

48. Plaintiffs avers that a jury trial as demand and attached is the only proper proceeding for redress of the intentional injuries herein stated in Claim Numbers 1 through 17, wherein said trial by jury, proof of the Defendants' actions will be properly placed before a jury to determine where the truth lies, regardless of the Defendants' actual intent to the conspiracy, and each Defendant shall be treated by the law as if they had in fact desired to produce intentional deprivation of Plaintiffs' that has resulted from Defendants overt acts. Whenever it appears to a Court [as in the instant cause of action] upon complaint that any defendant has deprived Plaintiffs of rights, privileges and immunities, in violation of Civ.R. 3; 42 U.S.C. §§1981, 1983, 1985(3), 1986, and 1988, secured by the United States Constitution and Laws, this Court shall enter judgment appropriately in favor of the Plaintiffs, so pray the Plaintiffs.
49. Plaintiff(s) swear that the statements alleged in Claim Numbers 1 through 17 herein, are true and correct to the best of his knowledge and belief and states a claim upon which relief of violations of their Civil and Constitutional Rights may be addressed.

FURTHER AFFIANT SAYETH NAUGHT.

Clifton A. Jackson

FIRST PLAINTIFF PRO SE

Sworn to and subscribed to in my presence on this 13 day of July, 2016.

Rebecca Pryor
NOTARY PUBLIC



REBECCA PRYOR
Notary Public, State of Ohio
Recorded in Ashtabula County
My Commission Expires
November 08, 2020

DEMAND FOR RELIEF

THEREFORE, Plaintiffs demands judgment against the Defendants, as their liabilities appears: Compensatory, / Punitive, / Monetary Damages (C.D., P.D., and M.D.)

1. Defendant-State of Ohio's Highway Patrol, in it's official capacity for Monetary Damages (M.D.) of \$58,823,529.41;
2. Defendant-Christopher Beyer, in his official capacity for Punitive Damages (P. D.) of \$29,411,764.205;
Defendant-Christopher Beyer, in his individual capacity for Monetary Damages (M. D.) of \$29,411,764.205;
3. Defendant-Michael Trader, in his official capacity for Punitive Damages (P.D.) of \$29,411,764.205;
Defendant-Michael Trader, in his individual capacity for Monetary Damages (M.D.) of \$29,411,764.205;
4. Defendant-K-9 Argo, in his official capacity for Punitive Damages (P.D.) of \$29,411,764.205;
Defendant-K-9 Argo, in his individual capacity for Monetary Damages (M.D.) of \$29,411,764.205;
5. Defendant-Geno Taliano, in his official capacity for Punitive Damages (P.D.) of \$29,411,764.205;
Defendant-Geno Taliano, in his individual capacity for Monetary Damages (M.D.) of \$29,411,764.205;
6. Defendant-Caitlin Szczepinski, in his official capacity for Punitive Damages (P. D.) of \$29,411,764.205;
Defendant-Caitlin Szczepinski, in his individual capacity for Monetary Damages (M.D.) of \$29,411,764.205;
7. Defendant-Dennis P. Will, in his official capacity for Punitive Damages (P.D.) of \$29,411,764.205;
Defendant-Dennis P. Will, in his individual capacity for Monetary Damages (M.D.) of \$29,411,764.205;
8. Defendant-Mary Slanczka, in her official capacity for Punitive Damages (P.D.) of \$29,411,764.205;
Defendant-Mary Slanczka, in her individual capacity for Monetary Damages (M.D.) of \$29,411,764.205;
9. Defendant-Jennifer M. Riedthaler, in her official capacity for Punitive Damages (P.D.) of \$29,411,764.205;
Defendant-Jennifer M. Riedthaler, in her individual capacity for Monetary Damages (M.D.) of \$29,411,764.205;
10. Defendant-Peter J. Gauthier, in his official capacity for Punitive Damages (M. D.) of \$29,411,764.205;
Defendant-Peter J. Gauthier, in his individual capacity for Monetary Damages (M.D.) of \$29,411,764.205;
11. Defendant-Laura Ann Dezort, in her official capacity for Punitive Damages (P.D.) of \$29,411,764.205;
Defendant-Laura Ann Dezort, in her individual capacity for Monetary Damages (M. D.) of \$29,411,764.205;

- 12. Defendant-Jack W. Bradley, in his official capacity for Punitive Damages (P.D.) of \$29,411,764.205;
 Defendant-Jack W. Bradley, in his individual capacity for Monetary Damages (M.D.) of \$29,411,764.205;
- 13. Defendant-Mark A. Aufdenkampe, in his official capacity for Punitive Damages (P.D.) of \$29,411,764.205;
 Defendant-Mark A. Aufdenkampe, in his individual capacity for Monetary Damages (M.D.) of \$29,411,764.205;
- 14. Defendant-Paul A. Griffin, in his official capacity for Punitive Damages (P.D.) of \$29,411,764.205;
 Defendant-Paul A. Griffin, in his individual capacity for Monetary Damages (M.D.) of \$29,411,764.205;
- 15. Defendant-Paul A. Mancino, Jr., in his official capacity for Punitive Damages (P.D.) of \$29,411,764.205;
 Defendant-Paul A. Mancino, Jr., in his individual capacity for Monetary Damages (M.D.) of \$29,411,764.205;
- 16. Defendant-Edward Zaleski, in his official capacity for Punitive Damages (P.D.) of \$29,411,764.205;
 Defendant-Edward Zaleski, in his individual capacity for Monetary Damages (M.D.) of \$29,411,764.205;
- 17. Defendant-John R. Miraldi, in his official capacity for Punitive Damages (P.D.) of \$29,411,764.205;
 Defendant-John R. Miraldi, in his individual capacity for Monetary Damages (M.D.) of \$29,411,764.205;

Total Damages Amount Sought - \$1,000,000,000.00

Together with the costs and disbursement. So Prays your Plaintiffs.

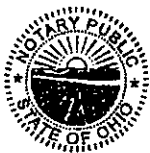
Dated: 7/13/16

Clifton A. Jackson

Clifton A. Jackson #A652-163
 Lake Erie Correctional Inst.
 501 Thompson Road
 P.O. Box 8000
 Conneaut, Ohio 44030

PLAINTIFF(S)

SWORN TO ME THIS 13th DAY OF JULY,
 2016.
 Rebecca Pryor - NOTARY



REBECCA PRYOR
 Notary Public, State of Ohio
 Recorded in Ashtabula County
 My Commission Expires
 November 08, 2020

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO
CIVIL DIVISION

Clifton A. Jackson #A652-163, Et Al., :
Plaintiffs, : Civil Case No.
-against- : JUDGE:
OHIO'S STATE HIGHWAY PATROL, Et Al., : JURY DEMAND CIV.R. 38
Defendants. :

NOW COMES the Plaintiffs, Clifton A. Jackson, and makes their demand for trial by "Jury" of the above-styled cause of action pursuant to Civil Rule 38 of the Ohio Rules of Civil Procedure.

NOTARY - REBECCA PRYOR
SWORN TO ME THIS 13 DAY OF
July, 2016.

REBECCA PRYOR - NOTARY



REBECCA PRYOR
Notary Public, State of Ohio
Recorded in Ashtabula County
My Commission Expires
November 08, 2020

Respectfully submitted,

Clifton A. Jackson
Clifton A. Jackson #A652-163
Lake Erie Correctional Inst.
501 Thompson Road
P.O. Box 8000
Conneaut, Ohio 44030

PLAINTIFF(S)

PROOF OF SERVICE

I, Clifton A. Jackson, certify that a true copy of the foregoing "CIVIL RIGHTS COMPLAINT UNDER CIV.R. 3 and 42 U.S.C. SECTIONS 1981, 1983, 1985(3), 1986, and 1988 (b)(c)" and "Jury Demand pursuant to Civ.R. 38" and "AFFIDAVIT OF PLAINTIFF "CLIFTON A. JACKSON'S PRIOR CIVIL ACTIONS FILED IN THE PAST 5 YEARS" was filed with the Franklin County Clerk of Courts, with instructions to serve Defendants, being mail to 373 S. High Street, 23rd Floor, Columbus, Ohio 43215-4591 on this 13 day of July , 2016.

Clifton A. Jackson
PLAINTIFF(S)

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO
CIVIL DIVISION

Clifton A. Jackson #A652-163, Et Al., :
Plaintiffs, :
-against- : Civil Case No.
OHIO'S STATE HIGHWAY PATROL, Et Al., :
Defendants. :

STATE OF OHIO)
)ss: AFFIDAVIT OF PLAINTIFF "CLIFTON A. JACKSON'S PRIOR
COUNTY OF ASHTABULA) CIVIL ACTIONS FILED IN THE PAST 5 YEARS


I, Clifton A. Jackson, do hereby swear that I am the First Plaintiff in this Civil Action filed under Civ.R. 3 and 42 U.S.C. §§1981, 1983, 1985(3), 1986, and 1988(b)(c). And in compliance with R.C. §2969.25, states that I have not filed any Civil Actions in the past 5 years.

Further Affiant sayeth naught.

Clifton A. Jackson
Plaintiff

Sworn to and subscribed to in my presence on this 13 day of July, 2016.

Rebecca Pryor
NOTARY PUBLIC

 **REBECCA PRYOR**
Notary Public, State of Ohio
Recorded in Ashtabula County
My Commission Expires
November 08, 2020