

1 Jose DeCastro
1258 Franklin St.
2 Santa Monica, CA 90404
(310) 963-2445
3 chille@situationcreator.com

5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

7 JOSE DECASTRO,
Plaintiff,

8 v.

9 EVAN MCKNIGHT; PAM WAGNER;
10 BRAD SPOLJARIC; JOHN CHAPMAN;
CHANCE BLANKENSHIP; ROBERT
11 FOUCH; LAWRENCE COUNTY
COMMISSIONERS; CITY OF IRONTON
12 OHIO; DOE GOVERNMENT ENTITY; and
DOES 1 to 10 inclusive,
13 Defendants.

) Case No.: 2:24-cv-00435-DJA
)
) COMPLAINT
)
) (Claim of Unconstitutionality)
) (Demand for Jury Trial)
)
) **28 U.S. Code § 2403 Certification**
) **Requested by Clerk RE O.R.C. 2911.21**

14 COMPLAINT

15 1. Plaintiff Jose Maria DeCastro (“Plaintiff” or “I”), a member of the press who was
16 investigating police corruption in Ironton Ohio, was recording police and peacefully protesting,
17 in exercise of his first amendment rights, at the Ironton Ohio City Hall in the Lawrence County
18 of Ohio. Defendants, under the guise of enforcing the city hall’s business hours and disorderly
19 conduct, after wrongfully denying Plaintiff a permit which Plaintiff protested against, without
20 reasonable suspicion that Plaintiff was involved in any criminal activity, without probable cause
21 of Plaintiff having violated a crime, and without a warrant, did interfere with and rob Plaintiff of
22 his liberties while he was in a place that he was lawfully allowed to be, while Plaintiff was
23

1 performing constitutionally protected activities. The officers arrested, battered, handcuffed,
2 searched Plaintiff and his possessions without a warrant, and seized and destroyed his property.

3 2. Sadly, the abusive treatment Plaintiff endured for merely asserting his rights and
4 recording the police is not unusual or surprising. This civil rights action seeks to vindicate
5 Plaintiff's constitutional and statutory rights and hold the officers and their departments
6 accountable for biased policing practices and the policies (or absence of policies) that resulted in
7 these practices.

8 PARTIES

9 3. Plaintiff Jose Maria DeCastro is an adult over the age of eighteen, a member of the press,
10 and a resident of Las Vegas, Nevada.

11 4. Defendant City of Ironton Ohio ("Ironton") is a municipal corporation, a body politic
12 which may be sued. Ironton Police Department ("IPD") is a department of the City of Ironton
13 Ohio created under Chapter 238 of Ironton, OH Code of Ordinances. Defendant Ironton at all
14 times relevant hereto, operated, oversaw, and managed employees Pam Wagner, Brad Spoljaric,
15 Chance Blankenship, Evan McKnight, Robert Fouch, and Does 1 to 7.

16 5. Defendant Lawrence County Commissioners ("Lawrence County") operate and govern
17 the Lawrence County Sheriff's Office ("Sheriff") and the Lawrence County Jail ("Jail") under
18 the color of state law and may be sued under Ohio Rev. Code § 305.12. Defendant Lawrence
19 County at all times relevant hereto, operated, oversaw, and managed employees John Chapman
20 and Does 9 to 10.

21 6. Defendant Evan McKnight ("McKnight") is, and at all relevant times was, an officer
22 with the IPD. In doing the things herein alleged, McKnight was acting under the color of state
23 law and in the course and scope of his employment with Ironton. McKnight is sued in his

1 individual capacity.

2 7. Defendant Brad Spoljaric (“Spoljaric”) is, and at all relevant times was, an officer with
3 the IPD. In doing the things herein alleged, Spoljaric was acting under the color of state law and
4 in the course and scope of his employment with Ironton. Spoljaric is sued in his individual
5 capacity.

6 8. Defendant Chance Blankenship (“Blankenship”) is, and at all relevant times was, an
7 officer with the IPD. In doing the things herein alleged, Blankenship was acting under the color
8 of state law and in the course and scope of his employment with Ironton. Blankenship is sued in
9 his individual capacity.

10 9. Defendant Robert Fouch (“Fouch”) is, and at all relevant times was, an officer with the
11 IPD. In doing the things herein alleged, Fouch was acting under the color of state law and in the
12 course and scope of his employment with Ironton. Fouch is sued in his individual capacity.

13 10. Defendant Pam Wagner (“Wagner”) is, and at all relevant times was, a supervisor with
14 the IPD. In doing the things herein alleged, Wagner was acting under color of state law and in
15 the course and scope of her employment with Ironton. Wagner is sued in her individual capacity,
16 including in her capacity as a supervisor.

17 11. Defendant John Chapman (“Chapman”) is, and at all relevant times was, a supervisor
18 with the Sheriff’s department. In doing the things herein alleged, Chapman was acting under
19 color of state law and in the course and scope of his employment with Lawrence County.
20 Chapman is sued in his individual capacity.

21 12. Doe #1 is believed to be an employee of either the Ironton Municipal Court or
22 Lawrence County Court or Lawrence County Court of Common Pleas, possibly a clerk, and
23 possibly with the first name of Samantha (“Samantha”). Samantha can only be identified as the

1 person making the defamatory statement about Plaintiff by telephone to Darin Haberkorn on
2 April 1, 2022 who identified herself as “Samantha at the Clerk of Courts”. Plaintiff will amend
3 this complaint to show the true name and capacity of Samantha if and when the same are
4 ascertained. Doe #8 is believed to be Samantha’s supervisor.

5 13. Doe Government Entity is the employer of Doe #1 and Doe #8. Most likely to be the
6 Ironton Municipal Court created under Ohio Rev. Code §§ 1907.01 through 1907.57 or
7 Lawrence County Court created under Ohio Rev. Code §§ 1901.44 through 1901.44. Both of
8 which are created not under the Ohio Constitution, but under statute, and can be sued. Doe
9 Government Entity may also be Lawrence County Court of Common Pleas, which has Eleventh
10 Amendment immunity from suit. Plaintiff is not suing the State of Ohio.

11 14. The true names and capacities, whether individual, corporate, associate, or otherwise,
12 of Defendants sued herein as Does 1-10, inclusive, are unknown to Plaintiff, who therefore sues
13 said defendants by such fictitious names. Plaintiff will amend this Complaint to show the true
14 names and capacities if and when the same are ascertained. Plaintiff is informed and believes,
15 and thereon alleges, that said Defendants, and each of them, are responsible in some manner for
16 Plaintiff’s damages as herein alleged. Each reference in this complaint to “defendant”,
17 “defendants”, “Defendants”, or a specifically named defendant also refers to all “Doe”
18 defendants. Any reference to “Police” includes IPD and officers of the Sheriff’s office.

19 15. Plaintiff is informed and believes and thereon alleges that each of the Defendants sued
20 herein was negligently, wrongfully, and otherwise responsible in some manner for the events and
21 happenings as hereinafter described, and proximately caused injuries and damages to Plaintiff.
22 Further, one or more Doe Defendants was at all material times responsible for the hiring,
23 training, supervision, and discipline of other defendants, including the individually named and

1 Doe Defendants.

2 16. Plaintiff is informed and believes and thereon alleges that at all times herein mentioned
3 each of the Defendants, including all defendants sued under fictitious names, was the agent
4 and/or employee of each of the other Defendants, and in doing the things hereinafter alleged was
5 acting within the course and scope of such agency and employment.

6 17. Plaintiff is informed and believes, and thereon alleges, that each of the Defendants was
7 at all material times an agent, servant, employee, partner, joint venturer, co-conspirator, an/or
8 alter ego of the remaining Defendants, and in doing the things herein alleged, was acting within
9 the course and scope of that relationship. Plaintiff is further informed and believes, and thereon
10 alleges, that each of the Defendants herein gave consent, aid, and assistance to each of the
11 remaining Defendants, and ratified and/or authorized the acts or omissions of each Defendant as
12 alleged herein, except as may be hereinafter otherwise specifically alleged. At all material times,
13 each Defendant was an integral participant, jointly engaged in constitutionally violative,
14 unlawful, and/or tortious activity, resulting in the deprivation of Plaintiff's constitutional rights
15 and other actionable harm.

16 **JURISDICTION AND VENUE**

17 18. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and
18 1343(a)(3)-(4) because it arises under the Constitution and laws of the United States, as it is
19 being brought to obtain compensatory and punitive damages for the deprivation, under color of
20 state law, of the rights of a citizen of the United States that are secured by the United States
21 Constitution, pursuant to 42 U.S.C. §§ 1981, 1983, 1985, and 1988. This Court has supplemental
22 jurisdiction over the claims arising under Ohio, Nevada, and Common law pursuant to 28 U.S.C
23 § 1367(a). Claims for federal law violations also fall within the jurisdiction of this Court.

1 23. Shortly after, I went to the Ironton Municipal Court where I was battered by court
2 officer Mark Harmon and court officer Rick Robinson who threatened to arrest me if I didn't
3 leave a public area because I was somehow interfering with what was going on in an adjacent
4 room. John Doe officer refused to identify himself. Three other employees refused to provide
5 John Doe's name, including Judge Kevin Waldo ("Waldo"). Before being elected as the judge of
6 the municipal court, Waldo was the assistant prosecuting attorney for Lawrence County and
7 Ironton City Council member.

8 24. Shortly after, in the IPD parking lot, Page asked Wagner for complaint forms. Wagner
9 again refused to take a complaint, lied that there were complaint forms on the IPD website, and
10 said, "If you moved forward with a false police report, you can be prosecuted for it." (As of the
11 date of this complaint, there are still no complaint forms available on the IPD website.)

12 25. **March 22, 2022.** I returned to the Ironton Municipal court to talk to Waldo about the
13 corruption of his Police. On the way in, I verbally confronted Fouch for violating people's rights,
14 as he was one of the ones harassing Page. Fouch and I discussed meeting at the gym for a
15 wrestling match.

16 26. After leaving my meeting with Waldo, I stopped for coffee where I spoke to a citizen
17 and told him that I wanted to talk to people who had issues with the IPD. The citizen said that it
18 would not be hard to find people out on the street who have complaints about the IPD.

19 27. Later, I verbally confronted McKnight outside of the IPD station, for stealing Page's
20 wallet. I confronted one of the Blankenships (there are two at the IPD), asking if it was true that
21 his father was a drug dealer, and asked McKnight if he'd blinded mail carrier Teresa Ward
22 ("Ward"), referring to when he had illegally pepper sprayed Ward, which still affects her vision.
23 I also had a chance to ask Wagner if she was going to watch my video premiere of Page's story,

1 and Wagner said, "I don't do videos."

2 28. After my video premier on Page, eleven people reached out to me with complaints
3 about the IPD, with the majority of the complaints being about McKnight, followed by Wagner,
4 and then a Blankenship and Fouch. The majority of the complaints were about pretextual stops
5 and excessive force. Many victims of the IPD had scars on their wrists and suffered neuropathy
6 from abusive handcuff procedures. Additionally, the majority of them were afraid of further
7 retaliation and wanted me not to reveal their names. There are also many complaints about
8 misdemeanor arrests. At the Jail, there are numerous complaints about illegal body cavity
9 searches without reasonable suspicion, overcrowding, and unnecessary violence from guards and
10 prisoners. There was a significant number of people mentioning the phrase "squat and cough" in
11 relation to body cavity searches. The Ironton Tribune interviewed Sheriff Tim Sexton in 2005,
12 who admitted to overcrowding, and that the jail was originally built to house only 52 inmates.

13 29. **March 23, 2022.** I went with Page to file a complaint with the Sheriff about the
14 violation of Page's civil rights. We met with Sheriff Jeff Lawless ("Lawless"), who was also the
15 previous warden at the jail. At this time, I'd communicated with approximately 50 people who
16 had similar stories of their rights being violated by the IPD.

17 30. Later, I published interviews with two victims of the IPD. The abuses by the IPD
18 included excessive force and illegal seizure. I also interviewed Chance Blakenship's own brother,
19 Derik, whom Branden Blankenship arrested.

20 31. In the evening, I published an interview with a victim of Jason Newman. Newman is an
21 officer at the Sheriff's office. The victim has filed a civil rights lawsuit.

22 32. **March 24, 2022.** I published interviews of two victims of McKnight and a
23 Blankenship. Also, an interview with a family member of Larry Kinstler. Kinstler filed a civil

1 rights lawsuit against the county after being beaten and choked in the Jail by guards. Kinstler
2 won the suit and suspiciously died a few days later.

3 33. Deputy Jeremy Hanshaw ("Hanshaw") is famous for being indicted by the DOJ for
4 being captured on video choking the above-mentioned Kinstler at the Jail. After being found
5 innocent of the criminal charges, Hanshaw was placed as the resource officer at Ironton High
6 School. Lawless said because of the union agreement, he had to return Hanshaw to work since he
7 was found innocent. However, one of Hanshaw's co-defendants was terminated because he
8 hadn't been a deputy long enough to have union protection. The deputy fired contributed far less
9 to the abuse than Hanshaw.

10 34. Another victim was a high school kid who had been sleeping in front of the school in
11 his truck. Hanshaw did a wellness check on him which included forcing the victim's truck door
12 open and when the victim grabbed for his phone to record the incident, Hanshaw "double-handed
13 choked" the victim over his center console, pulled him out of the car, handcuffed him and
14 arrested him. The high school kid was strip-searched at the jail.

15 35. I also interviewed the family members of a victim who was tased and beaten by
16 McKnight and a Blankenship. The family members had recorded the beating, but Wagner was
17 called to the family's house, where Wagner demanded the family members delete the recordings
18 or they would have their devices taken, after which the family members did delete the
19 recordings.

20 36. A victim was arrested on his own property, without a warrant, for openly carrying a
21 firearm by Hanshaw, who said "I hate you wannabee YouTube stars."

22 37. I interviewed a woman who spat her long hair out of her mouth while being processed
23 at the county jail which resulted in a Spoljaric choking her until a female employee named Joy at

1 the jail told him to stop, shortly before the woman passed out. The woman was arrested for being
2 the victim of a domestic violence complaint and the charges were dropped before her first
3 hearing. At another time the same woman was arrested for an out-of-date warrant even though
4 the woman had evidence that the warrant had been quashed. This woman is one of the victims
5 with scars on her wrists and neuropathy.

6 38. I heard from parents that were pulled over by McKnight for "leaving a known drug
7 area". Multiple times McKnight pulled the couple over, and he asked the passenger for a driver's
8 license each time. One time, their front door was kicked in by the Police for a bench warrant on
9 one of the parents, the officers pointed their weapons at the other parent and said that the couple
10 "have no rights".

11 I also heard from citizens who claimed the Police were corrupt and confiscating drugs for
12 their own use. This was later proven when IPD officer Brad Spoljaric admitted to doing this.

13 39. I interviewed a first cousin of the Blankenship officer brothers who said that officers of
14 the IPD are bringing women to the IPD station and having sex with them to have tickets dropped.
15 The officers named by this man were McKnight and Hanshaw. This man also reported
16 occasional overpopulation of the jail with over 100 inmates. He also said that after having an
17 inmate use their hands to spread their butt cheeks and lift their scrotum, the inmate next has to
18 put their dirty fingers in their mouth. This man also continues to be harassed and retaliated
19 against because he started a Facebook page critical of the IPD. To corroborate this story, I also
20 had a telephone interview with a person who reported that IPD officer Joe Akers ("Akers") had
21 sex with an intoxicated woman who came to the IPD station to make a report.

22 40. By this time, I'd heard from over 100 citizens with complaints about police, county
23 sheriffs, and corrections officers.

1 41. Later, I was informed by multiple citizens that the Police were having a private meeting
2 regarding my presence in the city at "The Armory".

3 42. Multiple people reported that the Ironton PD maintains a list of people that they harass.

4 43. **March 25, 2022.** WOWK-TV, the CBS channel 13 news in Ironton, reported "Ironton
5 PD says that both Ironton High School and Ironton Elementary School are on a soft lockdown.
6 They say the lockdown is due to a 'concerning' video from [Plaintiff] that was sent to a student or
7 a parent." Later the same day, the news station confirmed with the school superintendent that the
8 reporting was not accurate. No schools in the district were under lockdown. A reporter with
9 WOWK-TV also confirmed with me that they found that I didn't send any video.

10 44. My reputation was harmed by this defamatory claim, including statements from school
11 leaders saying that they were "hyper-aware" of my presence in the community. This report also
12 led to my being harassed, including being threatened on the streets of Ironton by an angry parent.
13 Yahoo Money picked up the false story by the Ironton Tribune, who never listed a retraction.
14 Later the same day, WOWK-TV reported further false attacks on my character by the IPD,
15 saying, "According to Ironton Police, a local restaurant closed out of safety concerns, and at least
16 two other restaurants asked YouTuber Chille DeCastro to leave." This further harmed my
17 reputation.

18 45. I went to the mayor's office and attempted to get a meeting with Mayor Sam Cramblit
19 ("Cramblit") but was unable to. Cramblit's own father and paternal grandmother had both filed a
20 § 1983 claim against the IPD in the 1990s. (While in Ironton, I would visit the Mayor's office
21 almost daily to try to get an interview with Cramblit, but he always avoided me. At one time, he
22 literally ran away from me and hid around a corner.)

23 46. I interviewed a woman that said she was raped by the Horsecreek Riders Motorcycle

1 Club, which works with the Blankenship family dealing drugs. When the woman went to file a
2 report with the IPD, she was interviewed behind the station and warned not to file the report, or
3 the motorcycle club would come for her family.

4 47. I interviewed a man who was arrested by Spoljaric for disorderly conduct for being
5 annoyed and refusing to leave a public area after a "lawful order" to do so. Once in jail, the man
6 was beaten up by the jailers, put in a restraint chair at the jail for several hours, and told to pee
7 himself, which he did.

8 48. I tried to interview Blankenship and McKnight. Blankenship said, "No comment".
9 McKnight tried to order me from the public street.

10 49. In the evening, I found Akers, of the IPD, dressed in civilian clothes and driving a
11 Chevy pickup, following me around when I turned around and confronted him.

12 50. I interviewed Angela Ratcliff who was handcuffed and then tased in her back while in
13 handcuffs, in her own porch. Ratcliff was one of many people who reported that when the Police
14 show up for a domestic disturbance, they arrest everyone, not just the abuser. She had also been
15 strip-searched in jail, even though she was arrested for domestic abuse and not drugs. Ratcliff's
16 family member also told stories of being arrested and was one of many people who reported that
17 when arrested in Ironton, the Police take cash that you're carrying and keep it.

18 52. **March 26, 2022.** A confidential informant called me and told me that the Blankenships
19 planned on planting drugs on me and arresting me.

20 53. **March 27, 2022.** I interviewed Eugene Aldridge who said the IPD barged into his
21 house, looking for his brother. Aldridge was arrested for refusing to aid in the investigation and
22 charged with felony harboring a fugitive. Aldridge was required to lay on his cuffs in the back of
23 the car, causing bruising on his wrists. He was also strip-searched at the county jail. Aldridge

1 was also directed to put his fingers in his mouth after using them to spread his butt cheeks and
2 lift his scrotum, by the same officer that arrested him. Aldridge said that the jail was
3 overcrowded with over 100 people in the jail. The police found his Aldridge's brother two days
4 later, not in Aldridge's house. Aldridge was denied a jury trial and found guilty, mostly because
5 the police report said that Aldridge had admitted to being guilty, which Aldridge hadn't done.

6 54. Spoljaric pulled his car up and pointed his headlights at me while I was parked at a gas
7 station, to intimidate me. I verbally confronted him, and he admitted to maintaining a log of my
8 location and activities.

9 55. I published an interview with Beth Rist, the first female police officer in Ironton. She
10 witnessed Wagner unnecessarily kicking Jesse Johnson in the leg while he was sleeping outside.
11 Rist had been hit in the back randomly by IPD Officer William Garland, for which she was
12 offered a cash settlement. Rist witnessed IPD Officer Rich Atkins pull a handcuffed subject out
13 of his patrol car and beat him for flicking a cigarette into the front seat. At the time, when Rist
14 would report violations, she was told not to rock the boat. She was investigating a murder once,
15 and while she was writing up the report, her fellow officers were rummaging through the house
16 stealing guns and cash. Rist witnessed IPD Officer Chad Gue ("Gue") unnecessarily hit a subject
17 in the back of the head to get the subject into the back of a car. IPD Officer Grover Carter would
18 regularly steal guns from the evidence room, and it was common knowledge among the IPD.

19 56. **March 28, 2022.** I interviewed a citizen that told me the story of Carl Clutters. Clutters
20 had died in Lawrence County Jail due to a subdural hematoma from hitting his head from being
21 pushed into his cell by a guard. Clutters was also being denied his medication. Clutter's family
22 sued for civil rights violations and won a settlement.

23 57. I interviewed a citizen who said he was arrested for using derogatory words about a

1 police officer. He was subsequently denied his medication in jail and had a seizure as a result.
2 All his money was also stolen. He was also beaten by guards while in a restraint chair and tased
3 in the back while handcuffed. This man also said that his uncle was beaten by guards while in
4 jail. Finally, this man was one of several who reported to me that guards pay inmates to beat up
5 other inmates and the guards disable cell cameras to enable the beatings.

6 58. I interviewed a citizen who said her father had been arrested for possession of illegal
7 drugs and is being confined in a rehab facility as a condition of bail. I heard from other citizens
8 that Judge Waldo gives a similar post-conviction order.

9 59. I was told by several citizens that Waldo sends victims to rehab clinics that Judge Andy
10 Ballard benefits from, and that Ballard sends victims to rehab clinics that Waldo benefits from. I
11 was also told that commissioners, judges, and prosecutors benefit from the local rehab clinics.

12 60. I interviewed Donald Roberts, a relative of IPD officer Joe Akers, who felt above the
13 law due to that association. I witnessed Roberts batter a colleague member of the press who was
14 standing there filming. Roberts also assaulted me, threatening to murder me. I reported the
15 incident to IPD Officer Steve Wilson. Roberts was not cited. This attack was the result of IPD
16 and WOWK-TV's defamatory reporting.

17 61. There was a small group of Ironton citizens and IPD officers that did a "back the blue"
18 rally in downtown Ironton, targeting me and my presence in town. This rally was additionally the
19 result of IPD and WOWK-TV's defamatory reporting.

20 62. **March 29, 2022.** I published security camera footage showing Sheriff's Deputy
21 Jonathan Spojaric, who was responding to a 911 call that Kent Freeman had made. Spojaric
22 pepper sprayed Freeman from the porch when Freeman refused to immediately exit his own
23 home. Spojaric tased Freeman repeatedly for pain compliance while Freeman declared his

1 innocence and begged Spoljaric to stop tasing him. Freeman experienced a heart attack during
2 the incident and filed a § 1983 claim in April of 2022 that is still ongoing.

3 **63. March 29, 2022 Unlawful Arrest of Plaintiff.** At 3:05 P.M., I entered the Ironton City
4 Hall, a traditional public forum at 301 South 3rd Street, Ironton, Ohio 45638, through an
5 unlocked door.

6 **64.** Less than a minute later, I inquired about renting the common area of the city hall with
7 an employee behind a service window. The employee stated that the Mayor's office does that. I
8 mentioned that Cramblit had been avoiding me, but was told that Cramblit's secretary handles it,
9 and not Cramblit himself.

10 **65.** At 3:07 P.M. I reached Cramblit's office upstairs and was told that he had left for the
11 day already. I inquired about renting the lobby area. I was told that I would be given a piece of
12 paper to fill out. I was then given conflicting information that Cramblit had to approve the
13 request, so that I would be unable to rent the space today. I mentioned that since I'd been in
14 town, I'd been unable to get ahold of Cramblit and demanded that Cramblit be called on the
15 phone for authorization, or he could do a signature remotely. I continued to protest against the
16 violation of my right to use the public space. I offered to pay a fee and filled out the application,
17 checking the "Assemblage" box to rent the lobby starting at 3:15 P.M. on March 29, 2022. I left
18 the ending time blank. I updated my team and my invite for the constitutional rights class that I
19 had planned with the new location, expecting that we would be allowed to use the space without
20 our rights being violated, and that Cramblit would do the right thing and authorize the request.

21 **66.** At 3:16 P.M. I saw a sign erected by the City of Ironton in the City Hall that said that
22 "ANDERSON & ANDERSON, LAW FIRM" was a proud supporter of the IPD. Ironton
23 Prosecutor Brigham Anderson ("Anderson") is a member of this law firm, which clearly has

1 contributed financially to the IPD, creating a conflict of interest.

2 67. At 3:21 P.M. I exited the City Hall to ask someone to lock up my gun, after witnessing
3 a no weapons sign in the City Hall. I re-entered the building about a minute later, through an
4 unlocked door.

5 68. While waiting for people to attend the constitutional rights class, I continued to ask for
6 attendees to remain peaceful and non-violent.

7 69. At 4:20 P.M. an unknown person with unknown status and unknown authority said that
8 “We have a policy here, that if you want to rent the building, it has to be approved [with] 24
9 hours’ notice.” I continued to assert my rights to have equal access to the space. I had now heard
10 different fabrications that continued to escalate the denial of my rights. First, that Cramblit’s
11 secretary could approve the usage of the space. Then, Cramblit himself had to authorize the
12 space. Then, Cramblit had conveniently left early, unable to authorize the use of the space. After
13 I demanded that they get Cramblit to remotely authorize the space, this unknown person
14 approached me and would have me believe that even after they got ahold of Cramblit for
15 authorization, that Cramblit had suddenly fabricated a new “policy” requiring 24 hours’ notice.
16 A citizen, in a position to know, confirmed with me that the lobby was regularly used for
17 weddings and birthday parties.

18 70. At 4:58 P.M. the lights were turned off in the lobby, to further interfere with my right to
19 use the lobby. The public facing lobby door was still unlocked and the building was still open to
20 the public, with members of the public besides me still in the building lobby.

21 71. At 4:59 P.M. Pam Wagner entered the back door from the IPD station, followed by five
22 IPD officers. I started filming them.

23 72. At 4:59 P.M. and 32 seconds, Wagner raised her right hand and said, “Jose M.

1 DeCastro, cease and desist your disorderly conduct, or you will be arrested.” I was engaging in
2 no disorderly conduct, but just standing there holding a camera. At the time, the public facing
3 lobby door was still unlocked and the building was still open to the public, with members of the
4 public besides me still in the building lobby.

5 73. I said, “I’m more than willing...” but Wagner yelled over me. Wagner yelled “Jose M.
6 DeCastro”, and she paused. I said “I hear you. I hear you ma’am.” Wagner then continued with
7 “Vacate right now or you will be arrested.” It was 4:59 P.M. and 44 seconds when she finished
8 saying this. I did not feel free to leave, due to her commands and hand gestures, which were an
9 open hand indicating stop followed then by a raised finger. I was not afforded an opportunity to
10 leave the building or an opportunity to ask if I was being threatened with trespass.

11 74. I said, “I’m more than willing to go with you.” Wagner then started repeating herself,
12 “Jose M. DeC...”, before she realized what I said. Wagner then said, “You will?”, and then
13 motioned me toward her with her fingers. She said, “Let’s go!”.

14 75. I said, “If you’re going to arrest me?”. They did confirm that they were going to arrest
15 me by not denying it and Wagner then waved me toward the back door to the IPD. Additionally,
16 the other officers kept approaching me. I then said in a calm voice, to indicate my compliance,
17 “If I’m under arrest, I’ll go with you.” It was 4:49 P.M. and 51 seconds when I finished saying
18 this. Immediately after I said this, McKnight said, “Put your hands behind your back. You’re
19 under arrest.” It was 4:49 P.M. and 53 seconds when he finished saying that. I started protesting
20 for specific medical needs, that I couldn’t be handcuffed behind my back while also continuing
21 to voice my compliance in a calm voice, and the officers all escorted me calmly through the back
22 door of the lobby into the IPD station. Spoljaric offered to handcuff me in the front. At the time,
23 the public facing lobby door was still unlocked and the building was still open to the public, with

1 members of the public besides me still in the building lobby. I did not wish to be arrested. The
2 officers did not have and did not present a warrant for my arrest.

3 76. As soon as I was in the IPD, out of the view of the public, I was immediately, and
4 unnecessarily grabbed, with unnecessary force, by McKnight who tried to handcuff me in the
5 back. Spoljaric advocated for handcuffing me in the front, and once McKnight let go of me after
6 I pleaded multiple times, I was handcuffed in the front. The officers took my cell phone, which
7 was an iPhone 12 Max Pro.

8 77. There were other members of the public in the building. None of them were arrested,
9 even though Wagner had to step around one of them to confront me. I had no intention of
10 trespassing, disorderly conduct, or resisting arrest. I did not engage in disorderly conduct, I did
11 not resist arrest, and I did not trespass. I did not witness any owner or duly authorized person ask
12 the IPD to trespass me from the building. My invitation to the building was never revoked as a
13 result of the building being closed to the public. I was threatened that I would be arrested if I
14 didn't stop my disorderly conduct, but I was not engaging in disorderly conduct.

15 78. (My original complaint and first amended complaint used the time on the City Hall's
16 wall clock, seen in my YouTube video of the arrest, to determine the time of events. This
17 complaint uses the more accurate time recorded by YouTube for the arrest video, which was
18 streamed to YouTube in real time as it was recorded. Since 2019, YouTube's meta data servers
19 are hosted on Google's Spanner technology, which has some of the world's most accurate
20 clocks, with an atomic clock assigned to each cluster. The timestamps on YouTube meta data are
21 expected to be accurate to within a few nanoseconds. YouTube's timestamps are more accurate
22 than the wall clock at the City Hall, which apparently was at least a few minutes fast, and which
23 the defendants already knew about, but have failed to provide any exculpatory evidence in the

1 criminal case as required.)

2 **79. March 29, 2022 Abuse of power by Jailer.** At the Lawrence County Jail, they had a
3 man follow me with a camcorder. After exiting the full body scanner, I was asked my name and
4 date of birth, which I provided. I was asked for my social security number. I told the requestor
5 that he didn't need it. I asked one of the officers there that I only know as Steve, "Do you know
6 that that's not right to ask my social security number?" Steve said, "Yes sir". Other officers said
7 that they can ask me anything, and that I cannot answer. Although the Jail sent me some video,
8 the video of John Chapman's abuse of power was suspiciously missing.

9 **80.** At one time, while in a room with John Chapman, he asked me to provide my social
10 security number. He said that if I refused that the jail would list me as a "John Doe" and that I
11 would be incarcerated for up to three months until the FBI came back with confirmation of my
12 identity. Besides the threats, Chapman delayed my processing into the jail while I refused to
13 provide my social security number. After two hours, Chapman came back to me and threatened
14 to charge me with felony obstruction if I didn't provide my social security number. Chapman did
15 not indicate a statutory authority for mandatory access to my social security number and he did
16 not say what it would be used for. Chapman had my driver license number which works just as
17 well for verifying someone's identity in government databases. Under continued threats to my
18 civil rights and further denial of my civil rights, I provided my social security number. The
19 guards showed me a computer screen listing over 20 inmates with social security numbers that
20 they had also obtained through the same methods.

21 **81.** When released from Jail on bail, my cell phone was not returned to me. I called the IPD
22 later demanding the return of my cell phone. I then had to rent a cell phone. (I later had to
23 purchase a replacement cell phone because it would be a while before the IPD returned my cell

1 phone and because they returned it in an unusable state).

2 **82. March 30, 2022.** The IPD released false police reports to the press and to prosecutors
3 accusing me of a crime when none was committed. This defamation and abuse of process
4 harmed my reputation when the press reported on the false information and I had to initiate a
5 costly criminal defense against false charges of Resisting Arrest (O.R.C. 2921.33), Criminal
6 Trespass (O.R.C. 2911.21), and Disorderly Conduct (2917.11), brought against me by Anderson.

7 **83.** I called the IPD demanding the return of my cell phone.

8 **84. March 31, 2022.** I called the IPD demanding the return of my cell phone.

9 **85. April 1, 2022.** IPD's search warrant application for my cell phone was denied by
10 Ironton Municipal Court. In the same denial, Waldo ordered the IPD to return my cell phone to
11 me "forthwith". They did not do that.

12 **86. April 4, 2022.** I filed a complaint for replevin with the Ironton Municipal Court for the
13 return of my cell phone.

14 **87. April 5, 2022.** I published an interview with a woman who was groomed as a middle
15 schooler by Jonathan Spoljaric and had a sexual relationship with him, while he was married and
16 while she was a minor. Spoljaric was also having a sexual relationship with another high
17 schooler at the same time. IPD Officer Adam Koch was also having a sexual relationship with a
18 high schooler. Koch had already resigned prior to my interview. I reported this to the FBI.

19 **88,** I delivered a demand letter for the return of my cell phone to the IPD.

20 **89. April 10, 2022.** Samantha, who identified herself as "Samantha at the Clerk of Courts"
21 allegedly returned a call to a number from where a caller had allegedly said something obscene.
22 Samantha's phone call was to Darin Haberkorn. Haberkorn returned Samantha's call at which
23 time Samantha told Haberkorn that Plaintiff had spoofed Haberkorn's phone number and had

1 used it to make obscene calls to the “local court offices”, and that Plaintiff had also spoofed other
2 numbers to do the same thing in order to make “really vulgar remarks”. My reputation was
3 harmed by this untrue defamatory claim of multiple criminal acts committed by me. Samantha
4 should have known by the alleged obscene call, that it wasn’t my voice, if any obscene call had
5 even actually been made. Samantha was responsible for the untrue statements of fact that she
6 deliberately and maliciously made against my character when she used my name and asserted as
7 fact to a third party that I had committed several crimes.

8 90. **April 13, 2022.** I filed the instant case.

9 91. **April 28, 2022.** The prosecuting attorney for my trespass case asked the court that I not
10 be allowed to come within 100 feet of or in any way confront Pam Wagner, Robert Fouch, Brad
11 Spoljaric, Matt McGraw, Shannon Litton, Samuel Cramblit, Lisa Adkins, Terry Smith, Chance
12 Blankenship, Brandon Blankenship, Attorney Warren Morford, and Evan McKnight. Judge
13 Waldo granted the request, chilling my civil rights.

14 92. Terry Smith is the assistant of Cramblit, whose offices I visited regularly to try to get an
15 interview with him. I had only ever been polite when dealing with Smith. As the mayor is the
16 executive of the City of Ironton, Ohio, this restraining order deliberately and maliciously chilled
17 many of my rights to address the government regarding violations of civil rights committed by
18 the IPD.

19 93. Wagner of the IPD returned parts of my cell phone to me after a replevin hearing and
20 after the replevin action was dismissed. The phone showed signs of being searched and or cloned
21 in that it was missing the following items: 1) sim card, 2) sim card tray. Additionally, the hole
22 where the sim card tray goes into the phone was damaged. I asked about the damage and missing
23 parts, but Wagner simply said that she did not know what had happened to it. I was not afforded

1 an opportunity before the replevin action was dismissed to address the damage or have it
2 corrected. Wagner simply verbally dismissed my damage complaint.

3 94. **April 30, 2022.** I publicly announced that I was headed to the sheriff's auto auction. As
4 a result, four IPD officers were dispatched by Wagner to the auction and arrived ahead of me.
5 While at the auction, I heard from two other citizens who complained about their vehicles being
6 seized. One person was required to pay an impound fee to recover their own stolen car. I also
7 heard from two other people who had their cash illegally stolen when arrested. One of them had
8 been arrested for not wearing a seatbelt. A man I interviewed said that Gue unnecessarily closed
9 the patrol car door on his legs after Gue unnecessarily tackled him to the ground for an
10 obstruction arrest.

11 95. I would later found out that IPD officers tried calling the parole officer to get my bail
12 revoked while they were at the auction.

13 96. **May 11, 2022.** Ironton Prosecutor Anderson tried to revoke my bond for violating the
14 conditions of my bond for "coming into contact with witnesses" at a city council meeting on
15 April 28, 2022. This was the same day that the restriction was put in place, and before I was
16 aware of it. Additionally, Wagner called that witness to the city council meeting that I was
17 attending, and that witness arrived after me. Additionally, the prosecutor cited the above
18 mentioned April 30, 2022 event, where the police were dispatched ahead of me to the auction,
19 which they had never attended before.

20 97. Anderson is a known financial support of the IPD, creating a conflict of interest. As a
21 result of the close relationship with the IPD, Anderson is hesitant to challenge or investigate
22 potential misconduct by the IPD. Anderson is also exposed to undue pressure or influence to
23 pursue certain cases or charges submitted by the IPD. This causes a conflict of interest when

1 holding police officers accountable for misconduct. At a minimum, this at least provides the
2 perception of a conflict of interest.

3 98. **June 4, 2022.** Sheriff's Deputy Jonathan Spoljaric resigns after an Ironton Tribune
4 article about him being sued by Kent Freeman for the abuse captured in the video that I
5 published on March 29, 2022.

6 99. **July 27, 2022.** IPD Officer Brad Spoljaric was arrested for domestic violence, drug
7 trafficking, and tampering with evidence. Spoljaric was residing with McKnight when Spoljaric
8 was arrested. The drugs were found in McKnight's home. Twenty grams of meth, and eight
9 grams of fentanyl. Waldo asked Spoljaric if he would like to be found indigent to qualify for a
10 free public defender, instead of having him apply and qualify under actual financial grounds.
11 (Spoljaric would later plead guilty.)

12 100. **August 14, 2022.** Beth Rist, the first female police officer in Ironton, released a
13 YouTube video about 17 women who were coerced to have sex with IPD officers to get out of
14 traffic tickets. Since then, she has published a book on the corruption in Ironton. "Rist vs
15 Ironton... The Real Story". Rist sued the department for sexual harassment in 2001 and won in
16 arbitration but was fired in retaliation. Although she'd won the binding arbitration with the union,
17 the city had a judge overrule it. After she filed the suit, a cat, that had been cut open, was thrown
18 into her backyard. When she went to work after that, William Garland, who was now the captain
19 told Rist. "I smell dead pussy." After she left the department, Rist would be working at her new
20 job, and police officers would drive by, honk their horns, and laugh at her. Although she was
21 hated in the police department, Rist ran for city council and won.

22 101. **August 22, 2022.** Ironton Mayor Sam Cramblit was charged with operating a vehicle
23 while impaired by the Ohio State Highway Patrol. At the traffic stop, Cramblit said, "This is off

1 the record. I'm the mayor here in Ironton, I'm just wondering what you guys are doing in town."
2 He wasn't used to having anyone but his local corrupt police force in his town, but he still wasn't
3 taken to jail, but released at the scene to a sober driver. Cramblit's attorney said that he was
4 disappointed that anyone was pursuing the charges. (The previous Mayor, Rich Blankenship
5 pleaded guilty to a DUI in 2012.)

6 102. **November 13, 2022.** IPD Officer Matthew McGraw died suspiciously at his own
7 home.

8 103. **January 31, 2023.** Pam Wagner retires from the IPD, to "Play with my grand
9 babies!"

10 104. **November 22, 2023.** I was pulled over for a traffic infraction in Las Vegas, Nevada
11 by the Nevada Highway Patrol. The officers read in their database a warrant for contempt of
12 court out of Ohio "with a flag for violent tendencies", placed there by the IPD, the City of
13 Ironton, and individual IPD officer defendants in this action. As a direct result of the "violent
14 tendencies" defamatory comment in the database placed there by the above defendants, the
15 Nevada Highway Patrol said that I must be handcuffed while detained. I was aggressively
16 detained, battered, and painfully handcuffed.

17 **COUNT 1**

18 105. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
19 the allegations of said paragraphs as though expressly set forth at length at this point.

20 106. Arrest without probable cause or a warrant under the Ohio Constitution and Bill of
21 Rights, the Nevada Constitution and Bill of Rights, U.S. Constitution, federal statute, state
22 statute, and common law, against Pam Wagner, Brad Spoljaric, Chance Blankenship, Evan
23 McKnight, Robert Fouch, and Does 1 to 7.

1 107. The factual allegations show that I was intentionally deprived of my liberty, that I was
2 aware of my confinement, I did not consent to the confinement, and the officers lacked privilege
3 or a warrant to confine me. I was not trespassing as the building was still open to the public. I
4 was not engaging in disorderly conduct in that I was simply standing there exercising my First
5 Amendment rights by filming the police in a traditional public forum. I was speaking in a calm
6 voice and encouraged my constitutional class members to be peaceful and non-violent. Finally, I
7 did nothing to resist arrest, and in fact continued to voice my compliance. Defendants only
8 needed to give me clear verbal commands and did not need to touch me for my compliance.
9 Further, even if I'm found guilty of trespass, it's only as a direct and proximate result of being
10 denied equal access to the City Hall, and due to trespass statutes being enforced or codified
11 contrary to the civil rights guaranteed by the United States Constitution.

12 108. I was harmed as a direct and proximate result by being deprived of my liberty for a
13 period of time, being unable to do what I wanted or go where I wanted.

14 109. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
15 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
16 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
17 and deter such conduct.

18 **COUNT 2**

19 110. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
20 the allegations of said paragraphs as though expressly set forth at length at this point.

21 111. Unreasonable search under the Ohio Constitution and Bill of Rights, the Nevada
22 Constitution and Bill of Rights, U.S. Constitution, federal statute, state statute, and common law,
23 against Pam Wagner, Brad Spoljaric, Chance Blankenship, Evan McKnight, Robert Fouch, and

1 Does 1 to 7.

2 112. The factual allegations show that I was arrested without probable cause and without a
3 warrant, and so the subsequent search of my person, including pockets, wallet, and cell phone
4 was a violation. The totality of the circumstances further show that my cell phone was searched
5 illegally without a warrant, including the fact that the sim card tray had been removed, the sim
6 card had been taken out to be cloned, the sim card slot was damaged as if a cloning cable had
7 been forced into the hole, the fact that a search warrant was applied for, and the fact that my
8 phone was not returned to me until two weeks after the judge ordered it, and when it was
9 returned it was still missing critical parts that would further show that it had been searched and
10 or cloned.

11 113. I was harmed as a direct and proximate result by the violation of my privacy of the
12 contents of my person, by the negative psychological and emotional impact on my rights being
13 violated and the chilling effect that this had on the future exercise of my rights for fear of further
14 abuse.

15 114. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
16 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
17 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
18 and deter such conduct.

19 **COUNT 3**

20 115. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
21 the allegations of said paragraphs as though expressly set forth at length at this point.

22 116. Excessive force in the course of an arrest under the Ohio Constitution and Bill of
23 Rights, the Nevada Constitution and Bill of Rights, U.S. Constitution, federal statute, state

1 statute, and common law, against Evan McKnight.

2 117. The factual allegations show that defendant Evan McKnight unnecessarily used force
3 against me while I was being arrested.

4 118. I was harmed as a direct and proximate result by feeling physical pain and discomfort,
5 negative psychological and emotional impact of being battered and the chilling effect that this
6 had on the future exercise of my rights for fear of further abuse.

7 119. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
8 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
9 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
10 and deter such conduct.

11 **COUNT 4**

12 120. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
13 the allegations of said paragraphs as though expressly set forth at length at this point.

14 121. Defamation under the Ohio Constitution and Bill of Rights, the Nevada Constitution
15 and Bill of Rights, U.S. Constitution, federal statute, state statute, and common law, against Pam
16 Wagner, Brad Spoljaric, Chance Blankenship, Evan McKnight, Robert Fouch, and Does 1 to 7.

17 122. The factual allegations show that Pam Wagner, Brad Spoljaric, Chance Blankenship,
18 Evan McKnight, Robert Fouch, and Does 1 to 7 did share false police reports with third parties,
19 including a note in national databases saying that I had "violent tendencies" and did make false
20 reports to third party media relating to the negative effect of the safety of children when I'm
21 present and about restaurants closing for safety reasons caused by me. The totality of the facts
22 further indicate that the defamation was done deliberately and maliciously and that the
23 defendants knew that the defamatory statements were about me and were asserted as the truth

1 even though they were false.

2 123. I was harmed as a direct and proximate result by this damaging of my reputation,
3 which directly resulted in 1) my being harassed by parents in Ironton; and 2) public rallies
4 protesting against my presence in Ironton; 3) being forcefully detained at a traffic stop. The
5 defamation also had a direct and proximate negative psychological and emotional impact on me.

6 124. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
7 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
8 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
9 and deter such conduct.

10 **COUNT 5**

11 125. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
12 the allegations of said paragraphs as though expressly set forth at length at this point.

13 126. Chilling of First Amendment under the Ohio Constitution and Bill of Rights, the
14 Nevada Constitution and Bill of Rights, U.S. Constitution, federal statute, state statute, and
15 common law, against all defendants.

16 127. The totality of the circumstances in the factual allegations shows that corruption was
17 afoot in Ironton and that my investigative journalism was bringing the corruption to light. As a
18 result, the perpetrators and their supporters conspired and did take actions that were intended to
19 and did chill my First Amendment rights. Specifically, but not limited to, following me, tracking
20 my movements, defaming me, attempting to find pretextual reasons for my arrest, arresting me,
21 and trying to revoke my bail. This resulted in intimidation and direct restriction of my movement
22 and freedoms to petition the government, perform functions of the press, and to speech.

23 128. I was harmed as a direct and proximate result by having to refrain from exercising my

1 rights, the government suppressing dissent, and loss of public participation. I also experienced,
2 as a direct and proximate result, the negative psychological and emotional impact of the abuse
3 and the chilling effect that this had on the future exercise of my rights for fear of further abuse.

4 129. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
5 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
6 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
7 and deter such conduct.

8 **COUNT 6**

9 130. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
10 the allegations of said paragraphs as though expressly set forth at length at this point.

11 131. First Amendment retaliation under the Ohio Constitution and Bill of Rights, the
12 Nevada Constitution and Bill of Rights, U.S. Constitution, federal statute, state statute, and
13 common law, against all defendants.

14 132. The facts show that while exercising my first amendment rights recording police
15 under freedom of speech and freedom of press and protesting against police misconduct, I did
16 not do or say anything that would have provided reasonable suspicion or probable cause for the
17 arrest, excessive use of force, and subsequent searches. The totality of the circumstances show
18 that the defendants were in fact motivated by one or more of the three factors enumerated above.
19 There were similarly situated individuals in the lobby that had not made their views known and
20 that were not filming the police, who were not arrested. The arrest did stop me from further
21 exercising my rights.

22 133. I was harmed as a direct and proximate result by having to refrain from exercising my
23 rights, the government suppressing dissent, and loss of public participation. I also experienced,

1 as a direct and proximate result, the negative psychological and emotional impact of being
2 battered and the chilling effect that this had on the future exercise of my rights for fear of further
3 abuse. I was harmed as a direct and proximate result by being deprived of my liberty for a period
4 of time, being unable to do what I wanted or go where I wanted.

5 134. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
6 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
7 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
8 and deter such conduct.

9 **COUNT 7**

10 135. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
11 the allegations of said paragraphs as though expressly set forth at length at this point.

12 136. Monell Policy and Supervisor Liability claim under the Ohio Constitution and Bill of
13 Rights, the Nevada Constitution and Bill of Rights, U.S. Constitution, federal statute, state
14 statute, and common law, against Pam Wagner, and Ironton.

15 137. The unconstitutional actions and/or omissions of Pam Wagner, Brad Spoljaric, Chance
16 Blankenship, Evan McKnight, Robert Fouch, and Does 1 to 7 were pursuant to the following
17 customs, policies, practices, and/or procedures of defendants Ironton and Wagner, and which
18 were directed, encouraged, allowed and/or ratified by policymaking officials with Wagner and
19 Ironton:

- 20 a. To carry out or tolerate unlawful arrests without probable cause;
- 21 b. To carry out or tolerate detentions and arrests based on citizens' exercise of
- 22 their First Amendment right to criticize and verbally protest officers' actions;
- 23 c. To use or tolerate excessive force;

- 1 d. To carry out or tolerate unlawful searches of persons and properties;
- 2 e. To carry out or tolerate discriminatory and biased policing and/or racial
- 3 profiling;
- 4 f. To carry out or tolerate unlawful seizures of property;
- 5 g. To allow officers to file false police reports.

6 138. The totality of the circumstances of IPD's consistent abuse of citizens including
7 myself are indicative of the existence of a written or unwritten municipal policy and minimally a
8 longstanding practice. Additionally, Wagner has admitted to dispatching the IPD to intercept me
9 at the auction and at a city council meeting in order to chill my rights. Finally, the factual
10 allegations show that Wagner was present multiple times and witnessed in the behaviors by her
11 subordinates. Discovery will show further proof.

12 139. I was harmed as a direct and proximate result by violations a – g and those harms are
13 enumerated in the separate claims for each primary claim.

14 140. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
15 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
16 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
17 and deter such conduct.

18 **COUNT 8**

19 141. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
20 the allegations of said paragraphs as though expressly set forth at length at this point.

21 142. Monell Policy and Supervisor Liability claim under the Ohio Constitution and Bill of
22 Rights, the Nevada Constitution and Bill of Rights, U.S. Constitution, federal statute, state
23 statute, and common law, against Lawrence County and Does 9 to 10.

1 143. The unconstitutional actions and/or omissions of John Chapman and Does 9 to 10
2 were pursuant to the following customs, policies, practices, and/or procedures of defendants
3 Lawrence County and Does 9 to 10, and which were directed, encouraged, allowed and/or
4 ratified by policymaking officials with Lawrence County and Does 9 to 10:

5 a. Making mandatory the disclosure of social security numbers from inmates without
6 providing statutory authority and what the numbers will be used for;

7 b. Denying rights and benefits unless a social security number is provided;

8 c. Using position as a jailer to unnecessarily put fear of the loss of rights into inmates.

9 144. The totality of the circumstances of Lawrence County's consistent abuse of inmates
10 including myself are indicative of the existence of a written or unwritten municipal policy and
11 minimally a longstanding practice. Discovery will show further proof.

12 145. I was harmed as a direct and proximate result by violations a – c and those harms are
13 enumerated in the separate claims for each primary claim.

14 146. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
15 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
16 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
17 and deter such conduct.

18 **COUNT 9**

19 147. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
20 the allegations of said paragraphs as though expressly set forth at length at this point.

21 148. Monell Policy and Supervisor Liability claim under the Ohio Constitution and Bill of
22 Rights, the Nevada Constitution and Bill of Rights, U.S. Constitution, federal statute, state
23 statute, and common law, against Doe Government Entity and Doe # 8.

1 149. The unconstitutional actions and/or omissions of Sarah were pursuant to the following
2 customs, policies, practices, and/or procedures of defendants Doe Government Entity and Doe #
3 8, and which were directed, encouraged, allowed and/or ratified by policymaking officials with
4 Doe Government Entity and Doe # 8:

5 a. Allowing and or authorizing employees to make defamatory phone calls to third parties
6 in retaliation for the exercise of First Amendment Rights including freedom of the press and
7 freedom of speech.

8 150. The totality of the circumstances of Doe Government Entity's consistent misconduct
9 including against myself are indicative of the existence of a written or unwritten municipal
10 policy and minimally a longstanding practice. Discovery will show further proof.

11 151. I was harmed as a direct and proximate result by violations and those harms are
12 enumerated in the separate claims for each primary claim.

13 152. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
14 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
15 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
16 and deter such conduct.

17 **COUNT 10**

18 153. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
19 the allegations of said paragraphs as though expressly set forth at length at this point.

20 154. Selective enforcement and unequal police action under the Ohio Constitution and Bill
21 of Rights, the Nevada Constitution and Bill of Rights, U.S. Constitution, federal statute, state
22 statute, and common law, against Pam Wagner, Brad Spoljaric, Chance Blankenship, Evan
23 McKnight, Robert Fouch, and Does 1 to 7.

1 155. The totality of the allegations shows that defendants selectively enforced laws against
2 people with criminal records, against people that expressed criticism towards law enforcement,
3 and against those publicizing information on Police misconduct. The allegations also show the
4 effect of the discrimination under the totality of the circumstances but also directly in that
5 Cramblit was released at the scene of his OVI without being taken to jail, and at the failure of
6 defendants to arrest other citizens that were in the Ironton City Hall when I was arrested.

7 156. I was harmed as a direct and proximate result by having to refrain from exercising my
8 rights, the government suppressing dissent, and loss of public participation. I also experienced,
9 as a direct and proximate result, the negative psychological and emotional impact of the abuse
10 and the chilling effect that this had on the future exercise of my rights for fear of further abuse.

11 157. I was further harmed, as a direct and proximate result, by the unlawful arrest,
12 excessive force, battery, unlawful search, and abuse of process and those harms are enumerated
13 under those primary claims.

14 158. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
15 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
16 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
17 and deter such conduct.

18 **COUNT 11**

19 159. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
20 the allegations of said paragraphs as though expressly set forth at length at this point.

21 160. Battery under the Ohio Constitution and Bill of Rights, the Nevada Constitution and
22 Bill of Rights, U.S. Constitution, federal statute, state statute, and common law, against Evan
23 McKnight.

1 161. The factual allegations show that defendant intentionally, and without consent or legal
2 justification, touched Plaintiff in a harmful and offensive manner.

3 162. I was harmed as a direct and proximate result by feeling physical pain and discomfort,
4 negative psychological and emotional impact of being battered and the chilling effect that this
5 had on the future exercise of my rights for fear of further abuse.

6 163. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
7 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
8 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
9 and deter such conduct.

10 **COUNT 12**

11 164. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
12 the allegations of said paragraphs as though expressly set forth at length at this point.

13 165. Monell Failure to Train under the Ohio Constitution and Bill of Rights, the Nevada
14 Constitution and Bill of Rights, U.S. Constitution, federal statute, state statute, and common law,
15 against Doe Government Entity.

16 166. Defendant failed to properly screen, hire, train, instruct, monitor, supervise, evaluate,
17 investigate, discipline and/or terminate defendants Sarah and Doe #8, with deliberate
18 indifference to Plaintiff's constitutional rights in the following manner:

19 a. To fail to institute, require, and enforce proper and adequate training, supervision,
20 policies, and procedures concerning engaging in defamation in retaliation of those exercising
21 their First Amendment rights;

22 b. To fail to institute, require, and enforce proper and adequate training, supervision,
23 policies, and procedures within the government entity concerning the fear experienced by people

1 of different minorities (including cop watching activists) when interacting with government
2 employees in light of well documented, highly publicized, and disproportionate amount of
3 discrimination committed by government employees against said groups, and the tactics that
4 employees should employ in dealing with said groups in light of such fears (especially where, as
5 here, they have been explicitly made known to the employees);

6 c. To ignore and/or fail to properly investigate, supervise, discipline, and/or terminate
7 employees who have engaged in unlawful or unconstitutional activities.

8 167. The totality of the circumstances of Doe Government Entity's consistent misconduct
9 including against myself are indicative of a Monell failure to train liability. Discovery will show
10 further proof.

11 168. I was harmed as a direct and proximate result by violations and those harms are
12 enumerated in the separate claims for each primary claim.

13 169. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
14 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
15 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
16 and deter such conduct.

17 **COUNT 13**

18 170. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
19 the allegations of said paragraphs as though expressly set forth at length at this point.

20 171. Invasion of privacy under the Ohio Constitution and Bill of Rights, the Nevada
21 Constitution and Bill of Rights, U.S. Constitution, federal statute, state statute, and common law,
22 against Pam Wagner, Brad Spoljaric, Chance Blankenship, Evan McKnight, Robert Fouch, and
23 Does 1 to 7.

1 172. During the incident giving rise to this action, Plaintiff had a reasonable expectation of
2 privacy in his personal affairs, including the contents of his personal belongings such as vehicles,
3 pockets, wallets, cell phones and other electronic devices.

4 173. In doing the things herein alleged, defendants intentionally invaded and intruded into
5 Plaintiff's personal and private affairs by searching his belongings without a warrant or other
6 legal justification.

7 174. Defendants' invasion of Plaintiff's privacy would have been offensive to any
8 reasonable person.

9 175. I was harmed as a direct and proximate result by the violation of my privacy of the
10 contents of my person, by the negative psychological and emotional impact on my rights being
11 violated and the chilling effect that this had on the future exercise of my rights for fear of further
12 abuse.

13 176. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
14 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
15 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
16 and deter such conduct.

17 **COUNT 14**

18 177. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
19 the allegations of said paragraphs as though expressly set forth at length at this point.

20 178. Negligence under the Ohio Constitution and Bill of Rights, the Nevada Constitution
21 and Bill of Rights, U.S. Constitution, federal statute, state statute, and common law, against all
22 individual defendants.

23 179. The individual defendants owed Plaintiff a duty to use reasonable care in connection

1 with the parties' interactions as described herein. In particular, said defendants had a duty to
2 carefully investigate any criminal activity, to use care to avoid subjecting Plaintiff to an illegal
3 detention, arrest, seizure, retaliation for exercise of free speech, free press, or petition for redress
4 of grievances, use of force, or deprivation of any of the other rights enumerated herein, and to
5 use reasonable care to avoid engaging in biased policing or racial and political affiliation
6 profiling.

7 180. In doing the things herein alleged, defendants breached the applicable duty of care by
8 acting unreasonably, carelessly, negligently and/or recklessly.

9 181. As a direct and proximate result of defendants' conduct, Plaintiff suffered injuries and
10 damages as set forth above in the separately enumerated primary claims.

11 182. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
12 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
13 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
14 and deter such conduct.

15 **COUNT 15**

16 183. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
17 the allegations of said paragraphs as though expressly set forth at length at this point.

18 184. Monell Failure to Train under the Ohio Constitution and Bill of Rights, the Nevada
19 Constitution and Bill of Rights, U.S. Constitution, federal statute, state statute, and common law,
20 against Lawrence County.

21 185. Defendant failed to properly screen, hire, train, instruct, monitor, supervise, evaluate,
22 investigate, discipline and/or terminate defendants John Chapman and Does 9 - 10, with
23 deliberate indifference to Plaintiff's constitutional rights in the following manner:

1 a. To fail to institute, require, and enforce proper and adequate training, supervision,
2 policies, and procedures concerning engaging in defamation in retaliation of those exercising
3 their First Amendment rights;

4 b. To fail to institute, require, and enforce proper and adequate training, supervision,
5 policies, and procedures within the government entity concerning the fear experienced by people
6 of different minorities (including cop watching activists) when interacting with government
7 employees in light of well documented, highly publicized, and disproportionate amount of
8 discrimination committed by government employees against said groups, and the tactics that
9 employees should employ in dealing with said groups in light of such fears (especially where, as
10 here, they have been explicitly made known to the employees);

11 c. To ignore and/or fail to properly investigate, supervise, discipline, and/or terminate
12 employees who have engaged in unlawful or unconstitutional activities.

13 186. The totality of the circumstances of Lawrence County's consistent misconduct
14 including against myself are indicative of a Monell failure to train liability. Discovery will show
15 further proof.

16 187. I was harmed as a direct and proximate result by violations and those harms are
17 enumerated in the separate claims for each primary claim.

18 188. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
19 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
20 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
21 and deter such conduct.

22 **COUNT 16**

23 189. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference

1 the allegations of said paragraphs as though expressly set forth at length at this point.

2 190. Failure to intervene under the Ohio Constitution and Bill of Rights, the Nevada
3 Constitution and Bill of Rights, U.S. Constitution, federal statute, state statute, and common law,
4 against all individual defendants.

5 191. The factual allegations show that the individual defendants had a 1) a realistic
6 opportunity to intervene to prevent harm; 2) a reasonable person in the defendant's position
7 would have known that my constitutional rights were being violated; and 3) the defendants did
8 not take reasonable steps to intervene.

9 192. I was harmed as a direct and proximate result by violations and those harms are
10 enumerated in the separate claims for each primary claim.

11 193. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
12 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
13 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
14 and deter such conduct.

15 **COUNT 17**

16 194. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
17 the allegations of said paragraphs as though expressly set forth at length at this point.

18 195. Civil conspiracy and racketeering under the Ohio Constitution and Bill of Rights, the
19 Nevada Constitution and Bill of Rights, U.S. Constitution, federal statute, state statute, and
20 common law, against all individual defendants.

21 196. The totality of the circumstances show that 1) there was an agreement between
22 defendants to violate my civil rights, defame me, and batter me; 2) there was a single plan that
23 the defendants shared; 3) that defendants committed at least one overt act in furtherance of the

1 conspiracy; and 4) I was harmed by that conspiracy. Discovery will show further proof.

2 197. I was harmed, as a direct and proximate result, by the underlying crimes as
3 enumerated in the separate primary claims.

4 198. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
5 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
6 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
7 and deter such conduct.

8 **COUNT 18**

9 199. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
10 the allegations of said paragraphs as though expressly set forth at length at this point.

11 200. Abuse of power of a jailer under the Ohio Constitution, U.S. Constitution, federal
12 statute, state statute, and common law, against John Chapman.

13 201. The factual allegations show that John Chapman employed his power of a jailer over
14 an inmate in an extravagant manner, contrary to the law of its use, improperly, and to excess.

15 202. I was harmed as a direct and proximate result by being deprived of my liberty for a
16 period of time, being unable to do what I wanted or go where I wanted. I was harmed as a direct
17 and proximate result by having to refrain from exercising my rights, the government suppressing
18 dissent, and loss of public participation. I also experienced, as a direct and proximate result, the
19 negative psychological and emotional impact of the abuse and the chilling effect that this had on
20 the future exercise of my rights for fear of further abuse.

21 203. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
22 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
23 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish

1 and deter such conduct.

2 **COUNT 19**

3 204. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
4 the allegations of said paragraphs as though expressly set forth at length at this point.

5 205. Abuse of process under the Ohio Constitution and Bill of Rights, the Nevada
6 Constitution and Bill of Rights, U.S. Constitution, federal statute, state statute, and common law,
7 against Pam Wagner, Brad Spoljaric, Chance Blankenship, Evan McKnight, Robert Fouch, and
8 Does 1 to 7.

9 206. The factual allegations show that defendants 1) initiated process to achieve an
10 unlawful purpose; and 2) denying me due process.

11 207. I was harmed as a direct and proximate result by being deprived of my liberty for a
12 period of time, being unable to do what I wanted or go where I wanted. I further had to initiate a
13 costly defense. My daily life was disrupted by the defendants as a direct and proximate result. I
14 was harmed as a direct and proximate result by having to refrain from exercising my rights, the
15 government suppressing dissent, and loss of public participation. I also experienced, as a direct
16 and proximate result, the negative psychological and emotional impact of being battered and the
17 chilling effect that this had on the future exercise of my rights for fear of further abuse. I was
18 harmed as a direct and proximate result by being deprived of my liberty for a period of time,
19 being unable to do what I wanted or go where I wanted.

20 208. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
21 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
22 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
23 and deter such conduct.

COUNT 20

1
2 209. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
3 the allegations of said paragraphs as though expressly set forth at length at this point.

4 210. Defamation under the Ohio Constitution and Bill of Rights, the Nevada Constitution
5 and Bill of Rights, U.S. Constitution, federal statute, state statute, and common law, against
6 Sarah and Doe #8.

7 211. The factual allegations show that Sarah and Doe #8 did share false factual statements
8 with a third party about my committing the crime of making harassing phone calls. The totality
9 of the facts further indicate that the defamation was done deliberately and maliciously and that
10 the defendants knew that the defamatory statements were about me and were asserted as the truth
11 even though they were false.

12 212. I was harmed as a direct and proximate result by this damaging of my reputation,
13 which directly resulted in 1) my being harassed by trolls online; and 2) public rallies protesting
14 against my presence in Ironton. The defamation also had a direct and proximate negative
15 psychological and emotional impact on me.

16 213. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
17 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
18 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
19 and deter such conduct.

COUNT 21

20
21 214. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
22 the allegations of said paragraphs as though expressly set forth at length at this point.

23 215. Inequal access to rent the lobby under the Ohio Constitution and Bill of Rights, the

1 Nevada Constitution and Bill of Rights, U.S. Constitution, federal statute, state statute, and
2 common law, against Ironton and Does 1 to 7.

3 216. The factual allegations show that 1) plaintiff is a member of a political affiliation that
4 is critical of police and police corruption, which is a protected class under § 1985; 2) plaintiff
5 was exercising his First Amendment Rights in support of his political viewpoints; and 3)
6 defendants denied him access to use the City Hall lobby for those First Amendment Rights due
7 to his political viewpoints.

8 217. I was harmed as a direct and proximate result by being arrested for trespassing. I was
9 further harmed, as a direct and proximate result, by the unlawful arrest, excessive force, battery,
10 unlawful search, and abuse of process and those harms are enumerated under those primary
11 claims.

12 218. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
13 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
14 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
15 and deter such conduct.

16 **COUNT 22**

17 219. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
18 the allegations of said paragraphs as though expressly set forth at length at this point.

19 220. Unreasonable seizure under the Ohio Constitution and Bill of Rights, the Nevada
20 Constitution and Bill of Rights, U.S. Constitution, federal statute, state statute, and common law,
21 against Ironton.

22 221. The facts show that although Waldo justified the initial seizure of my cell phone while
23 being arrested, under the normal and customary course of arrest, which I don't dispute. Inmates

1 usually aren't allowed to bring their cell phone with them to jail. However, the facts show that
2 my cell phone was not used to facilitate trespass, disorderly conduct, or resisting arrest. Nor was
3 my cell phone returned to me when I was released from Jail. Further, my cell phone was not
4 returned to me until two weeks after Waldo ordered that it be returned to me. When it was
5 returned, all of it was not returned, it was damaged, and it was left in an unusable state.

6 222. Since the phone contained video in the exercise of my First Amendment rights of free
7 speech, and it contained contacts and text messages valuable to my investigation into
8 government corruption, this was a blatant attempt to harm not only my civil rights but the civil
9 rights of others. This was despicable and malicious. I was harmed as a direct and proximate
10 result by having to refrain from exercising my rights, the government suppressing dissent, and
11 loss of public participation. I also experienced, as a direct and proximate result, the negative
12 psychological and emotional impact of the abuse and the chilling effect that this had on the
13 future exercise of my rights for fear of further abuse. Further, as a direct and proximate result, I
14 had to initially rent a phone and then replace the phone.

15 223. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
16 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
17 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
18 and deter such conduct.

19 **COUNT 23**

20 224. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
21 the allegations of said paragraphs as though expressly set forth at length at this point.

22 225. Conversion under the Ohio Constitution and Bill of Rights, the Nevada Constitution
23 and Bill of Rights, U.S. Constitution, federal statute, state statute, and common law, against

1 Ironton.

2 226. The facts show that although Waldo justified the initial seizure of my cell phone while
3 being arrested, under the normal and customary course of arrest, which I don't dispute. Inmates
4 usually aren't allowed to bring their cell phone with them to jail. However, the facts show that
5 my cell phone was not used to facilitate trespass, disorderly conduct, or resisting arrest. Nor was
6 my cell phone returned to me when I was released from Jail. Further, my cell phone was not
7 returned to me until two weeks after Waldo ordered that it be returned to me. When it was
8 returned, all of it was not returned, it was damaged, and it was left in an unusable state.

9 227. Since the phone contained video in the exercise of my First Amendment rights of free
10 speech, and it contained contacts and text messages valuable to my investigation into
11 government corruption, this was a blatant attempt to harm not only my civil rights but the civil
12 rights of others. This was despicable and malicious. I was harmed as a direct and proximate
13 result by having to refrain from exercising my rights, the government suppressing dissent, and
14 loss of public participation. I also experienced, as a direct and proximate result, the negative
15 psychological and emotional impact of the abuse and the chilling effect that this had on the
16 future exercise of my rights for fear of further abuse. Further, as a direct and proximate result, I
17 had to initially rent a phone and then replace the phone.

18 228. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
19 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
20 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
21 and deter such conduct.

22 **COUNT 24**

23 229. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference

1 the allegations of said paragraphs as though expressly set forth at length at this point.

2 230. Denial of rights and benefits for failure to provide social security number under the
3 Ohio Constitution and Bill of Rights, the Nevada Constitution and Bill of Rights, U.S.
4 Constitution, federal statute, state statute, and common law, against John Chapman.

5 231. The facts show that John Chapman did make it mandatory for me to provide my social
6 security number, did not provide a statutory authority when doing so, did not say how the social
7 security number would be used, and did willfully and maliciously deny me federal benefits and
8 civil rights as a result of my refusal to provide my social security number.

9 232. I was harmed as a direct and proximate result by having to refrain from exercising my
10 rights, the government suppressing dissent, and loss of public participation. I also experienced,
11 as a direct and proximate result, the negative psychological and emotional impact of being
12 threatened and the chilling effect that this had on the future exercise of my rights for fear of
13 further abuse. I was harmed as a direct and proximate result by being deprived of my liberty for a
14 period of time, being unable to do what I wanted or go where I wanted. I was harmed as a direct
15 and proximate result by the delay of receiving federal benefits including food, drink, bedding,
16 telephone, and restroom facilities that an inmate would normally enjoy.

17 233. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
18 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
19 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
20 and deter such conduct.

21 **COUNT 25**

22 234. Plaintiff refers to paragraphs 1-104 of this Complaint and incorporates by reference
23 the allegations of said paragraphs as though expressly set forth at length at this point.

1 235. Monell Failure to Train under the Ohio Constitution and Bill of Rights, the Nevada
2 Constitution and Bill of Rights, U.S. Constitution, federal statute, state statute, and common law,
3 against Ironton.

4 236. Defendant failed to properly screen, hire, train, instruct, monitor, supervise, evaluate,
5 investigate, discipline and/or terminate defendants Pam Wagner, Brad Spoljaric, Chance
6 Blankenship, Evan McKnight, Robert Fouch, and Does 1 to 7, with deliberate indifference to
7 Plaintiff's constitutional rights in the following manner:

8 a. To fail to institute, require, and enforce proper and adequate training, supervision,
9 policies, and procedures concerning engaging in defamation in retaliation of those exercising
10 their First Amendment rights;

11 b. To fail to institute, require, and enforce proper and adequate training, supervision,
12 policies, and procedures within the government entity concerning the fear experienced by people
13 of different minorities (including cop watching activists) when interacting with government
14 employees in light of well documented, highly publicized, and disproportionate amount of
15 discrimination committed by government employees against said groups, and the tactics that
16 employees should employ in dealing with said groups in light of such fears (especially where, as
17 here, they have been explicitly made known to the employees);

18 c. To ignore and/or fail to properly investigate, supervise, discipline, and/or terminate
19 employees who have engaged in unlawful or unconstitutional activities.

20 237. The totality of the circumstances of Ironton's consistent misconduct including against
21 myself are indicative of a Monell failure to train liability. Discovery will show further proof.

22 238. I was harmed as a direct and proximate result by violations and those harms are
23 enumerated in the separate claims for each primary claim.

1 239. Defendants' malicious, oppressive, and despicable conduct, carried out in a full and
2 conscious disregard for my rights and safety entitles Plaintiff to punitive damages and penalties
3 allowable under 42 U.S.C. § 1983 and Ohio and Nevada law in an amount sufficient to punish
4 and deter such conduct.

5 **PRAYER FOR RELIEF**

6 Plaintiff prays for damages as follows:

- 7 a. For compensatory damages in the amount of \$100,000;
- 8 b. For punitive damages in the amount of \$5,000,000 or in an amount sufficient to punish
9 Defendants conduct and deter similar conduct in the future, pursuant to 42 U.S.C. § 1983.
- 10 c. For all applicable statutory penalties;
- 11 d. For attorneys' fees pursuant to 42 U.S.C. § 1988;
- 12 e. For costs of suit;
- 13 f. This Court declare what is lawful and unlawful in my factual allegations;
- 14 g. This Court order defendants to stop violating my rights;
- 15 h. Quash the restraining order from the bail requirements in the related criminal case;
- 16 i. For such other and further relief as the Court deems just and proper.

17 **DEMAND FOR JURY TRIAL**

18 Plaintiff hereby demands a trial by jury.

19 **LR 7.1-1 CERTIFICATE OF INTERESTED PARTIES**

20 The undersigned, pro se party, certifies that the following may have a direct, pecuniary
21 interest in the outcome of this case: pro-police organizations and individuals.

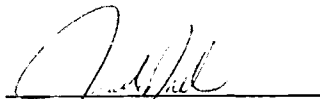
22 **DECLARATION OF JOSE MARIA DECASTRO**

23 I declare under penalty of perjury, that the foregoing is true and correct.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Dated: March 4, 2024

Respectfully submitted,



Jose DeCastro
1258 Franklin St.
Santa Monica, CA 90404
chille@situationcreator.com
(310) 963-2445
Pro Se

