

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

ABEL SANCHEZ : Case No.

v. :

:

DENNIS O'CONNELL :

Individually.

PARTIES

1. ABEL SANCHEZ is a resident of Connecticut.
2. DENNIS O'CONNELL is a citizen of Connecticut whose address is 1 Union Avenue, New Haven, CT 06519 and who is employed as an officer by the New Haven Department of Police Services. Defendant was acting under color of state law when he arrested the plaintiff on or about January 6, 2008.

JURISDICTION

Jurisdiction is asserted pursuant to 42 U.S.C. section 1983 and 28 U.S.C. sections 1331, 1343(a) (3) and 1367(a).

NATURE OF THE CASE

This is an action for money damages and declaratory relief to redress the deprivation of rights secured to the plaintiff by the Eighth and Fourteenth Amendments to the United States Constitution and for assault. On or about January 6, 2008 the defendant used excessive force to arrest the plaintiff and caused the plaintiff physical and emotional injuries.

FIRST CAUSE OF ACTION

The defendant violated the plaintiff's right to liberty and due process of law under the Fourteenth Amendment to the United States Constitution and inflicted cruel and unusual punishment in violation of the Eighth Amendment. Specifically:

1. Officer O'Connell arrested the plaintiff on or about January 6, 2008.
2. The defendant used excessive and wanton force to arrest the plaintiff, specifically; he punched him in the face and sprayed the plaintiff's eyes

and nose with chemical spray while the plaintiff was already handcuffed and offering no resistance.

3. There was no arrest warrant for the plaintiff.

SECOND CAUSE OF ACTION – ASSAULT

The defendant assaulted the plaintiff by using excessive force upon him, causing serious physical and psychological injuries to him. Specifically:

1. Officer O'Connell arrested the plaintiff on or about January 6, 2008.
2. There was no arrest warrant for the plaintiff.
3. Officer O'Connell used unreasonable, excessive, painful and damaging force upon the plaintiff's person by repeatedly punching him in the face, kneeing him in the ribs, throwing him to the ground, kicking his face, and spraying his eyes and ears with chemical spray while the plaintiff was handcuffed inside a police vehicle.

REQUEST FOR RELIEF

The plaintiff requests:

1. Expungement of the record against him on this charge.
2. Compensatory damages of \$1,500,000.
3. Punitive damages.
4. Costs and Attorney Fees.
5. Trial by jury.

The Plaintiff, ABEL SANCHEZ

By _____
Paul A. Garlinghouse
His Attorney
129 Church Street, Suite 804
New Haven, CT 06510
(203) 865-0139
Fed. Bar No. CT25143