

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

THEDA WILSON,)	
)	
Plaintiff,)	
)	
vs.)	Case No.
)	
POLICE OFFICER BELLER,)	JURY TRIAL DEMANDED
<i>in his individual capacity only,</i>)	
)	
POLICE OFFICER JEREMY BUEHNER,)	
<i>in his individual capacity only,</i>)	
)	
POLICE OFFICER RICH ERWIN,)	
<i>in his individual capacity only,</i>)	
)	
CITY OF KINLOCH, and)	
)	
CITY OF BEL-RIDGE,)	
)	
Defendants.)	

COMPLAINT

COMES NOW Plaintiff Theda Wilson, by and through counsel Samuel Henderson and ArchCity Defenders Inc. for her Complaint, states and alleges the following:

INTRODUCTION

Defendants Officers Beller, Buehner and Erwin violated Plaintiff Wilson’s constitutional rights when they caused her to sustain a torn anterior cruciate ligament and contusions of face, scalp and neck during an unlawful arrest.

PARTIES

1. Plaintiff Theda Wilson is an individual residing in St. Louis County, Missouri.
2. Defendant Police Officer Beller is an officer of the City of Kinloch Police Department, who acted under color of law and sued in his individual capacity.

3. Defendant Police Officer Jeremy Buehner is an officer of the City of Bel-Ridge Police Department, who acted under color of law and sued in his individual capacity.
4. Defendant Police Officer Rich Erwin is an officer of the City of Bel-Ridge Police Department, who acted under color of law and sued in his individual capacity.
5. The City of Kinloch is a properly organized municipality in St. Louis County, Missouri. For the purposes of this action and in said capacity, Defendant City of Kinloch is responsible for and administers the Kinloch Police Department, which in turn promulgates policies and practices in Kinloch.
6. Defendant City of Kinloch runs, operates, oversees, administers, supervises, and is otherwise responsible for the conduct of Kinloch officers, including both acts and omissions of the officers.
7. Defendant City of Kinloch possessed the power and authority to adopt policies and prescribes rules, regulations, and practices affecting all facets of the training, supervision, control, employment, assignment and removal of individual officers of Kinloch, and to assure that said actions, policies, rules, regulations, practices, and procedures of Kinloch Police Department and its employees comply with the laws and Constitutions of the United States and of the State of Missouri.
8. The City of Bel-Ridge is a properly organized municipality in St. Louis County, Missouri. For the purposes of this action and in said capacity, Defendant City of Bel-Ridge is responsible for and administers the Bel-Ridge Police Department, which in turn promulgates policies and practices for patrolling and policing.

9. Defendant City of Bel-Ridge runs, operates, oversees, administers, supervises, and is otherwise responsible for the conduct of Bel-Ridge officers, including both acts and omissions of the officers.
10. Defendant City of Bel-Ridge possessed the power and authority to adopt policies and prescribes rules, regulations, and practices affecting all facets of the training, supervision, control, employment, assignment and removal of individual officers of Bel-Ridge, and to assure that said actions, policies, rules, regulations, practices, and procedures of Bel-Ridge Police Department and its employees comply with the laws and Constitutions of the United States and of the State of Missouri.

JURISDICTION

11. Plaintiff brings this action pursuant to 42 U.S.C. § 1983 and § 1988 and the Fourth and Fourteenth Amendment to the United States Constitution.
12. The court has jurisdiction pursuant to 28 U.S.C. § 1343, and 28 U.S.C. § 1331. The court has supplemental jurisdiction to hear and decide claims arising under State law pursuant to 28 U.S.C. § 1367.

VENUE

13. The events complained of occurred in the Eastern District of Missouri, in the Eastern Division and in accordance with 28 U.S.C. § 1391.

COLOR OF STATE LAW

14. At all relevant times, Defendants Officers were in uniform and acting under color of law. Particularly, at all relevant times Defendant Officers acted under color of the laws, statutes, ordinances, regulations, policies, customs and usage of the State of Missouri, and its political subdivisions.

FACTS

15. On or about Thursday, January 22, 2015, at 8134 Scudder Avenue, Kinloch, Missouri 63140, Theda Wilson (“Plaintiff Wilson”) opened her front door and observed three men standing near her apartment.
16. Plaintiff Wilson wanted to leave her apartment to go to her friend’s house to use his laptop.
17. Plaintiff Wilson felt uncomfortable leaving her apartment while the men were standing outside.
18. At her apartment building, there are numerous vacant and abandoned units that have been vandalized and used for criminal activity.
19. Plaintiff Wilson had not seen the men in the area before, which caused her to be alarmed when they entered into a vacant unit across from her apartment.
20. Fearing for her safety, Plaintiff Wilson called the police and requested the police to come by to check the unit.
21. When the police did not respond to the scene promptly, Plaintiff Wilson contacted her friend, Darryl William, to come by and to bring his laptop so she could avoid having to leave the apartment.
22. Darryl William thereafter arrived at the apartment and informed Plaintiff Wilson that he and a passenger, Erik Jones, were outside and would bring her the laptop.
23. Plaintiff Wilson informed Darryl William that she would meet them outside to get the laptop.
24. When Plaintiff Wilson met with Darryl William, he gave her the laptop and told her to hurry up and get back in her apartment.

25. As Plaintiff Wilson was returning to her apartment, she observed a Kinloch police vehicle pulling up.
26. Plaintiff Wilson then observed a Kinloch police officer, Beller, exiting the vehicle and approaching the vehicle of Darryl William.
27. As Officer Beller was approaching the vehicle, he began asking Darryl William in an aggressive manner, why he was parked on the wrong side of the street.
28. Darryl William attempted to explain that he was just giving a laptop to Plaintiff Wilson.
29. At the same time Darryl William was providing an explanation, Officer Beller repeatedly shouted at Darryl William that he was parked on the wrong side.
30. Plaintiff Wilson heard the commotion and heard Darryl William responding to Officer Beller in a shaky and nervous voice.
31. To provide a clear explanation, Plaintiff Wilson informed Officer Beller that Darryl William gave her the laptop and that she was the person who called the police.
32. When Officer Beller continued to shout at Darryl William and ignored her, Plaintiff Wilson began asking Officer Beller why he was harassing Darryl William.
33. Officer Beller then began yelling at Plaintiff Wilson that he was not harassing him.
34. When Plaintiff Wilson responded, "Yes you are," the police officer shouted at Plaintiff Wilson that he would come and harass her.
35. Officer Beller approached Plaintiff Wilson and made statements about physically harming her and indicated that he would say that she just fell.
36. After Officer Beller threatened her, Plaintiff Wilson took out her phone and began recording the encounter.

37. As Officer Beller approached her, he stated to Plaintiff Wilson that she was the lady that has been impersonating the mayor and that she was not allowed in City Hall.
38. Officer Beller then indicated that he would take Plaintiff Wilson to jail.
39. Plaintiff Wilson did not resist and began asking Officer Beller why he was harassing her and why he would take her to jail.
40. Officer Beller then responded that he would make up a bunch of stuff and that is what she wanted to hear.
41. Officer Beller began shining a light in Plaintiff Wilson's face and calling for assistance.
42. Plaintiff Wilson repeatedly asked Officer Beller why he was harassing her and what his name and badge number was.
43. Officer Beller stated his last name and began arguing with Plaintiff Wilson that she was interfering with police.
44. Plaintiff Wilson indicated that she was recording the incident and that she will speak with her attorney.
45. Officer Beller told Plaintiff Wilson that she was still going to jail even if she calls her attorney.
46. Officer Beller then accused Plaintiff Wilson of calling the police for no reason. He never attempted to search or investigate the circumstances of the 911 call.
47. When the two Bel-Ridge Officers, Jeremy Buehner and Rich Erwin, arrived on the scene, Plaintiff Wilson was ordered to put down her things.
48. Plaintiff Wilson was never given any opportunity to comply with any such police directive.

49. At no time did Plaintiff Wilson attempted to resist arrest by the police officers or offer violence or threats to the police officers.
50. As Plaintiff Wilson was lowering and attempting to place her items on the ground, Officers Beller, Jeremey Buehner and Rich Erwin surrounded her. They gave no commands and did not inform Plaintiff Wilson that she was under arrest.
51. Before Plaintiff Wilson placed her items on the ground, the policer officers immediately grabbed her arms and began yelling “She’s resisting arrest.”
52. Plaintiff Wilson told the police officer that she was not resisting, but the police officers grabbed her right and left arms.
53. Officers Beller, Jeremey Buehner and Rich Erwin began pulling Plaintiff Wilson aggressively in opposite directions.
54. All three police officers continued to pull Plaintiff Wilson back and forth in manner that caused extreme pain in her shoulders and arms.
55. While the police officers were aggressively pulling Plaintiff Wilson, they began violently punching her in the face and on the right and left side of her head.
56. Plaintiff Wilson was struck numerous times by the police officers. She specifically recalls receiving three hard punches on different sides of her head, one causing excruciating pain on the right side of her face.
57. Officers Beller, Jeremey Buehner and Rich Erwin then grabbed Plaintiff Wilson and knocked her to the ground, causing her knee to strike the ground.
58. The police officers drove their knees into Plaintiff Wilson’s back and placed their body weight on her.

59. When Plaintiff Wilson was on the ground, she had difficulty breathing and pleaded for help.
60. Plaintiff Wilson did not resist arrest. She allowed the police officers to handcuff her.
61. The police officers handcuffed Plaintiff Wilson in a manner certain to inflict severe and intense physical pain to her wrists. The police officer tightened the handcuffs with excessive force, rendering the handcuffs painfully tight.
62. Plaintiff Wilson was yanked up from the ground and placed in the backseat of the patrol car and was transported to the Kinloch police department.
63. While being transported to Kinloch police department, Plaintiff Wilson repeatedly requested for help and stated that she had difficulty breathing. Officer Beller ignored her requests.
64. When Officer Beller arrived at the police station with Plaintiff Wilson, he walked her past a poster depicting a picture of her in City Hall.
65. Officer Beller then belittled Plaintiff Wilson and stated that she should be ashamed and that she was betraying the City of Kinloch.
66. Officer Beller placed Plaintiff Wilson on a bench and handcuffed her to the bench in the same manner certain to inflict severe and intense physical pain to her wrist. Officer Beller tightened the handcuffs with excessive force, rendering the handcuffs painfully tight.
67. While sitting on the bench, Plaintiff Wilson continued to complain of shortness of breath and stated that she needed an inhaler.
68. After several hours, Officer Beller then contacted the paramedics and stated he had Plaintiff Wilson in custody who was complaining of shortness of breath.

69. The paramedics arrived and transported Plaintiff Wilson to Christian Northeast Hospital where she received medical treatment for her injuries.
70. Plaintiff Wilson was treated at the emergency room because she continued to have excruciating pain in her face, side of her head, jaw, neck, wrists and knee, and she was later diagnosed with contusion of face, scalp and neck. Subsequent treatment revealed she sustained a torn anterior cruciate ligament.
71. Due to the excessive force used by the police officers in arresting Plaintiff Wilson, she suffered the above injuries for an extended period of time for which she received additional medical treatment after the emergency room visit.

COUNT I
(ARREST WITHOUT PROBABLE CAUSE)
VIOLATIONS OF THE FOURTH AMENDMENT TO THE U.S. CONSTITUTION
ACTIONABLE PURSUANT TO 42 U.S.C. § 1983
AGAINST DEFENDANTS BELLER, BUEHNER AND ERWIN

72. Plaintiff Wilson realleges and incorporates by reference, as though fully contained herein, the allegations set forth in paragraphs 1 through 71, above.
73. The Fourth Amendment provides: “The right of the people to be secured in their persons . . . papers, and effects, against unreasonable searches and seizures, shall not be violated . . . but upon probable cause”
74. Defendants’ actions violated the Fourth Amendment to the U.S. Constitution, which prohibits arrest without probable cause. Acting individually and in concert, Defendants – through their own actions – asserted false assaults, impersonation, reporting and interfering charges against Plaintiff Wilson and illegally arrested her.
75. Alternatively, each Defendant in this Count failed to prevent the constitutional violations committed by one or more of the others.

76. Plaintiff Wilson was charged with Assault on Three Officers, Interfering with Police, False Misrepresentation of Authority, False Report to Law Enforcement, and False Impersonation.
77. As a result, Plaintiff Wilson had to retain a private counsel and attended court appearances to challenge the charges against her.
78. On or about October 15, 2015, the City of Kinloch dismissed all charges against Plaintiff Wilson.
79. As a result of Defendants' action, Plaintiff Wilson was falsely arrested for crimes she did not commit.
80. The acts and/or omissions of each of the Defendant named in this Count were the legal and proximate cause of Wilson's injuries as described herein.
81. As a direct and proximate result of the arrest and detention of Plaintiff Wilson, she suffered severe and permanent injuries and continues to suffer severe mental anguish and emotional distress.
82. The acts of the Defendants Beller, Buehner and Erwin, and each of them as described, were intentional, wanton, malicious, oppressive, reckless and callously indifferent to the rights of Plaintiff Wilson, thus entitling the Plaintiff Wilson to an award of punitive damages against the individually named Defendants Beller, Buehner and Erwin.
83. If Plaintiff Wilson prevails, she is entitled to an award of attorney's fees, pursuant to 42 U.S.C. § 1988.

WHEREFORE, Theda Wilson prays for judgment against Defendants Beller, Buehner and Erwin jointly and severally for compensatory damages in an amount which is fair and

reasonable; for punitive damages, for her costs incurred herein; for attorney's fees; and, for such further relief as the Court deems just and proper.

COUNT II
(EXCESSIVE FORCE)
VIOLATIONS OF THE FOURTH AMENDMENT TO THE U.S. CONSTITUTION
ACTIONABLE PURSUANT TO 42 U.S.C. § 1983
AGAINST DEFENDANTS BELLER, BUEHNER AND ERWIN

84. Plaintiff Wilson realleges and incorporates by reference, as though fully contained herein, the allegations set forth in paragraphs 1 through 71, above.
85. Plaintiff Wilson was seized at the instant Defendants Beller, Buehner and Erwin grabbed her. At that moment Plaintiff Wilson's Fourth Amendment rights, as applied to the states by the Fourteenth Amendment, were fully implicated.
86. At that moment Plaintiff Wilson:
- a. Had not committed either a serious crime or even any crime.
 - b. Presented no threat to the safety of the officers or others,
 - c. Was not actively resisting arrest, and
 - d. Was not attempting to evade arrest by flight.
87. In some cases no use of force is permitted at all because none is required.
88. The use of force by Defendants Beller, Buehner and Erwin against Plaintiff Wilson was excessive and objectively unreasonable under the circumstances.
89. The use of force against Plaintiff Wilson by Defendants Beller, Buehner and Erwin was therefore in violation of Plaintiff Wilson's rights protected by the Fourth Amendment to the United States Constitution.
90. As a direct and proximate result of the unreasonable and excessive force used against Plaintiff Wilson, she suffered severe and permanent injuries and continue to suffer

severe mental anguish and emotional distress.

91. The acts of the Defendants Beller, Buehner and Erwin, and each of them as described, were intentional, wanton, malicious, oppressive, reckless and callously indifferent to the rights of Plaintiff Wilson, thus entitling the Plaintiff Wilson to an award of punitive damages against the individually named Defendants Beller, Buehner and Erwin.

92. If Plaintiff Wilson prevails, she is entitled to an award of attorney's fees, pursuant to 42 U.S.C. § 1983.

WHEREFORE, Theda Wilson prays for judgment against Defendants Beller, Buehner and Erwin jointly and severally for compensatory damages in an amount which is fair and reasonable; for punitive damages, for her costs incurred herein; for attorney's fees; and, for such further relief as the Court deems just and proper.

COUNT III
(CONSPIRACY TO VIOLATE CIVIL RIGHTS)
ACTIONABLE PURSUANT TO 42 U.S.C. § 1983
AGAINST DEFENDANTS BELLER, BUEHNER AND ERWIN

93. Plaintiff Wilson realleges and incorporates by reference, as though fully contained herein, the allegations set forth in paragraphs 1 through 71, above.

94. A civil conspiracy is a combination of two or more person acting in concert to commit an individual act. The principal element of the conspiracy are an agreement between the parties to inflict a wrong against another, and an overt act that results in damage.

95. Defendants in this Count, acting within the scope of their employment and under color of law, agreed among themselves with other individuals to act in concert to

deprive Plaintiff Wilson of her clearly established federal and state constitutional rights, as alleged above.

96. In furtherance of the conspiracy, Defendants Beller, Buehner and Erwin engaged in a facilitated numerous overt acts, including, without limitation, the following:

- i. Defendants Beller, Buehner and Erwin in concert proceeded to use unreasonable and excessive force against Plaintiff Wilson;
- ii. Defendants Beller, Buehner and Erwin in concert proceeded to arrest Theda Wilson without probable cause and proceeded to assert false assaults, impersonation, reporting and interfering charges against Plaintiff Wilson. Defendant Beller filed a police report with false charges and allegations.
- iii. Defendants Beller, Buehner and Erwin shared the general conspiratorial objective, which was to harm Plaintiff Wilson and cause her arrest and detention, and
- iv. Defendants Beller, Buehner and Erwin failed to act as Plaintiff Wilson's constitutional rights were being violated.

97. As a result of Defendants' conspiracy and actions in furtherance thereof, Plaintiff Wilson was falsely incarcerated and suffered numerous other injuries – all for crimes she did not commit. But for Defendants in this Count –their own actions or lack thereof- Plaintiff Wilson endured serious injuries and violations of her constitutional rights.

98. The acts of the Defendants were intentional, wanton, malicious, oppressive, reckless and callously indifferent to the rights of Plaintiff Wilson, thus entitling the Plaintiff

to an award of punitive damages against the individually named Defendants Beller, Buehner and Erwin.

99. If Plaintiff Wilson prevails, she is entitled to an award of attorney's fees, pursuant to 42 U.S.C. § 1988.

WHEREFORE, Theda Wilson prays for judgment against Defendants Beller, Buehner and Erwin, jointly and severally for compensatory damages in an amount which is fair and reasonable; for punitive damages, for her costs incurred herein; for attorney's fees; and, for such further relief as the Court deems just and fair.

COUNT IV
(ASSAULT AND BATTERY)
AGAINST DEFENDANTS BELLER, BUEHNER AND ERWIN

100. Plaintiff Wilson realleges and incorporates by reference, as though fully contained herein, the allegations set forth in paragraphs 1 through 71, above.

101. The Defendants Beller, Buehner and Erwin assaulted and battered Plaintiff Wilson, as described above, including the excessive force in effecting the arrest.

102. The acts of Defendants Beller, Buehner and Erwin, as described, were committed without cause or provocation and with the intent to cause Plaintiff Wilson offensive contact, bodily harm, apprehension of offensive contact and apprehension of bodily harm, constituting an intentional battery and assault of Plaintiff Wilson.

103. In battering and assaulting Plaintiff Wilson, Defendants Beller, Buehner and Erwin acted in bad faith and with malice with an actual intent to cause injury.

104. As a direct and proximate result of the malicious, brutal and outrageous conduct of the Defendants Beller, Buehner and Erwin, Plaintiff Wilson suffered physical injuries. Plaintiff Wilson was placed in fear of additional injuries to her body, she

was placed in great fear for her safety, and she continues to suffer substantial emotional distress.

105. The conduct of Defendants Beller, Buehner and Erwin, as described, was outrageous because of their evil motive and or reckless indifference to Plaintiff Wilson's rights and therefore she entitled to an award of punitive damages against each Defendant.

WHEREFORE, Theda Wilson prays for judgment against Defendants Beller, Buehner and Erwin jointly and severally for compensatory damages in an amount which is fair and reasonable; for punitive damages; for interest thereon; for his costs incurred herein; and, for such further relief as the Court deems just and proper.

COUNT V
(MALICIOUS PROSECUTION)
AGAINST DEFENDANTS BELLER, BUEHNER AND ERWIN

106. Plaintiff Wilson realleges and incorporates by reference, as though fully contained herein, the allegations set forth in paragraphs 1 through 71, above.

107. As more fully set forth above, Defendants Beller, Buehner and Erwin willfully, unlawfully, and maliciously caused the commencement and/or continuation of a baseless prosecution against Plaintiff Wilson without probable cause, and, as result of this prosecution, Plaintiff Wilson suffered significant damages.

108. Defendants Beller, Buehner and Erwin allege false and baseless charges against Plaintiff Wilson to the extent that they provided a false evidence against her.

109. Plaintiff Wilson was charged with Assault on Three Officers, Interfering with Police, False Misrepresentation of Authority, False Report to Law Enforcement and False Impersonation.

110. Plaintiff Wilson spent significant amount of time and resources to defend the

charges against her.

111. On or about October 15, 2015, the City of Kinloch dismissed all charges against Plaintiff Wilson.

112. As a result, the criminal proceedings terminated in Plaintiff Wilson's favor when all charges against her were dismissed.

113. The acts and/or omissions of each of the Defendants named in this Count were the legal and proximate cause of Plaintiff Wilson's injuries as described herein.

WHEREFORE, Theda Wilson prays for judgment against the Defendants Beller, Buehner and Erwin jointly and severally for compensatory damages in an amount which is fair and reasonable; for punitive damages; for interest thereon; for her costs incurred herein; and, for such further relief as the Court deems just and proper.

COUNT VI
(MONELL MUNICIPAL LIABILITY/VIOLATION OF CONSTITUTIONAL RIGHTS)
ACTIONABLE PURSUANT TO 42 U.S.C. § 1983
AGAINST DEFENDANTS CITIES OF KINLOCH AND BEL-RIDGE

114. Theda Wilson realleges and incorporates by reference, as though fully contained herein, the allegations set forth in paragraphs 1 through 71, above.

115. The Cities of Kinloch and Bel-Ridge as municipal entities, through its law enforcement officers caused the constitutional violations described above.

116. The constitutional violations described above were done pursuant to "policy and practices" of the Defendants in this Count.

117. At the time of these constitutional violations, Defendants had ratified customs and practices, which permitted and encouraged their police officers to unjustifiably, unreasonably and unlawfully arrest persons without probable cause in violation of the Fourth and Fourteenth Amendments of the United States

Constitution.

118. The customs, policies, practices and usages established by the Defendants were the moving force behind the violations of Plaintiff Wilson's constitutional rights.
119. The Cities of Kinloch and Bel-Ridge allow and encourage their police officers to use unreasonable and excessive force when arresting and detaining unarmed and non-threatening individuals.
120. The City of Kinloch has a sign visibly posted in its police department for public display, encouraging its officers to use unreasonable and excessive force against individuals. The sign provides that "Stupidity will be dealt with Accordingly," depicting a person striking another person on his head with a baton.
121. Upon information and belief, the acts of the officers were part of a pattern of transgression, of which Defendants Cities of Kinloch and Bel-Ridge knew or should have known. The failure of Defendants in this Court to act proactively to prevent such a pattern of transgressions, and particularly to prevent the constitutional violations outline herein, establishes the policy of the Defendants Cities to condone or otherwise tolerate such constitutional violations.
122. Said customs and practices also called for the Cities of Kinloch and Bel-Ridge to not discipline, prosecute, or objectively and/or independently investigate or in any way deal with or respond to known incident and complaints of false and unlawful arrests without probable cause, falsification of evidence, the preparation of false police reports to justify such wrongful conduct of the officers.
123. The policies, practices and customs described in this Court were adopted and use

of force or in effect prior to the arrest of Plaintiff Wilson and with deliberate indifference to Plaintiff Wilson's constitutional rights and rights of those similarly situated.

124. Defendants Cities of Kinloch and Bel-Ridge are also accountable under 42 U.S.C. § 1983 because they, through their law enforcement officers, were deliberately indifferent to an obvious need to train the Defendants Beller, Buehner and Erwin, respectively, to avoid constitutional violations arising from inadequate training pertaining to the lawful making of arrests, police ethics, the law pertaining to search and seizures, reporting police misconduct, and the preparation of the police report.

125. Those deficiencies caused Plaintiff Wilson damages.

126. In light of the fact that it was Defendants Beller, Buehner and Erwin who engaged in the constitutional violation, the need to correct deficiencies is so obvious, and the inadequately so likely to result in the violation of constitutional rights, which the policymakers of the municipalities can reasonably be said to have been deliberately indifferent to the need.

127. The Defendants named in this Count disregarded the obvious need for training on these matters and continued to retain and adhere to the constitutionally deficient training programs despite an obvious need for training was carried out with a deliberate indifference to the rights of Plaintiff Wilson and those similarly situated.

128. The acts and/or omissions of each of the Defendants named in this Count were

the legal and proximate cause of Plaintiff Wilson's injuries as described herein. WHEREFORE, Theda Wilson prays for judgment against the Defendants Cities of Kinloch and Bel-Ridge for compensatory damages and attorney's fees in an amount which is fair and reasonable; for interest thereon; for her costs incurred herein; and, for such further relief as the Court deems just and proper. Plaintiff Wilson is not requesting for punitive damages against the Defendants Cities of Kinloch and Bel-Ridge.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Theda Wilson respectfully prays that this Court will:

- a. assume jurisdiction of this cause to determine this controversy and case for hearing on the merits;
- b. award compensatory and actual damages to Plaintiff Wilson, and against the Defendants, jointly and severally, in the amount that fair and reasonable.
- c. award punitive damages to Plaintiff Wilson against individual Defendants, but not against the municipal Defendants, and
- d. award to Plaintiff Wilson her costs and attorney's fees, pre-judgment interest, post-judgment interest, all other damages allowed by law; and such other and further relief the Court deems just and proper.

JURY DEMAND

Plaintiff Wilson demands trial by jury as to all issues so triable.

December 22, 2015

ARCHCITY DEFENDERS INC.

Respectfully Submitted,

By: /s/ Samuel Henderson
Samuel Henderson, #56330 MO

/s/ Thomas B. Harvey
Thomas B. Harvey, #61734 MO

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CERTIFICATE OF SERVICE

I, Samuel Henderson, hereby certify that on this 22nd of December, 2015, a true and correct copy of the foregoing was filed on the e-filing system

/s/ Samuel Henderson