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SARA OCHOA, BRANDEN COSTA, JAJUAN JOHNSON, ANTONIO MAY,
and MICHAEL PERR individually and on behalf of a class of similarly situated
persons,

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

SARA OCHOA, BRANDEN COSTA,	)	CASE NO.:
JAJUAN JOHNSON, ANTONIO MAY,)	
and MICHAEL PERR, individually and	)	CLASS ACTION COMPLAINT
on behalf of a class of similarly situated	)	FOR DAMAGES
persons,)	
	)	1. Fourth Amendment Violations
Plaintiffs,	)	(42 U.S.C. § 1983);
	)	2. Fourteenth Amendment -
v.	)	Substantive Due Process
	)	(42 U.S.C. § 1983);
CITY OF LOS ANGELES, a legal	)	3. First Amendment Violations
subdivision of the State of California;	)	(42 U.S.C. § 1983)
CHIEF MICHEL MOORE; and DOES	)	4. Municipal Liability (<i>Monell</i>)
1 through 10, inclusive,	)	(42 U.S.C. § 1983)
)	
Defendants.)	
	)	DEMAND FOR JURY TRIAL

COMPLAINT FOR DAMAGES

1
2 1. Public trust is the bedrock of community policing. The allegations of
3 this Complaint speak to the very core of that foundation. This action stems from the
4 misclassification of hundreds, if not thousands of City of Los Angeles residents as
5 gang members by at least twenty-seven (27) Los Angeles Police Department
6 (hereinafter “LAPD”) officers, including Braxton Shaw, Michael Coblenz, and
7 Nicholas Martinez, who have been charged with fifty-nine (59) criminal counts.

8 2. Los Angeles Police Department officers routinely falsified field
9 interview (hereinafter “FI”) cards by classifying people who are not gang members,
10 as gang members or gang associates. LAPD and its officers further violated public
11 trust and numerous laws by entering false descriptions of innocent civilians as gang
12 members into an official state-wide database. In many instances LAPD officers
13 falsely stated in official records that the individuals had “self-admitted” gang
14 affiliation when no such admissions had occurred. This resulted in devastating
15 consequences to putative class members, almost all of whom were Black and Latino,
16 including imprisonment, deprivation of civil rights, and practical consequences such
17 as not being able to obtain a job, rent an apartment, or receive financial aid for
18 college.

19 3. As an example, class member, Sara Ochoa is a young Latina woman
20 who grew up in East Los Angeles and made it out of the low income neighborhood
21 to become a correctional officers of the State of California. Ms. Ochoa served as a
22 public servant for the State of California up until she became a victim of LAPD
23 Officers on January 18, 2020 when Ms. Ochoa was misclassified as a “gang
24 associate” simply for going back to visit the neighborhood she grew up in.
25 Unfortunately, not only was Ms. Ochoa misclassified as a “gang associate,” Ms.
26 Ochoa was subjected to an unreasonable detention by being handcuffed on the street
27 in public display for approximately twenty (20) minutes while her vehicle and
28 belongings in her vehicle were ransacked by LAPD officers.

1 4. Another putative class member is Jajuan Johnson. Mr. Johnson recently
2 graduated from high school in south Los Angeles. Notably, he scored sixty-two (62)
3 points in a varsity basketball game during his 2018 senior year. He is soft-spoken and
4 has no criminal record. On January 13, 2019, Johnson was a passenger in a car being
5 driven in Los Angeles when LAPD officers pulled over the vehicle, ostensibly for
6 tinted windows. Officers came up with a reason to search the car. LAPD officers then
7 blatantly lied in the police report they authored by contending that Mr. Johnson, a
8 college student, Jamba Juice employee and aspiring writer was a member of a Blood
9 street gang. The LAPD officers reasoned that because Mr. Johnson's cousin was an
10 alleged gang member, he too must be gang affiliated. As a result, Mr. Johnson is
11 currently being prosecuted by the Los Angeles City Attorney's Office pursuant to a
12 fabricated gang allegation under Penal Code Section 186.22. Mr. Johnson
13 consistently denied any gang membership to no avail. Because of the LAPD's false
14 claims against him, Mr. Johnson has suffered the loss of employment, damage to his
15 reputation and severe depression. If convicted, Mr. Johnson will be required to
16 register as a gang member.

17 5. Branden Costa, a young Black man, had just graduated from a Palisades
18 area high school and was a Division 1 prospect athlete. One afternoon he was
19 returning home from visiting a friend at the California Hospital in Downtown Los
20 Angeles. That day a shooting occurred at a park a short distance from Mr. Costa's
21 home. Time-verified security footage from the hospital showed Mr. Costa exiting the
22 lobby ten minutes before the shooting. The shooting location, however, was a twenty-
23 minute commute from the hospital. Nonetheless, LAPD officers falsely accused Mr.
24 Costa of being the shooter. In an effort to unlawfully convict Mr. Costa, LAPD
25 officers prepared and submitted false police reports claiming Mr. Costa was a gang
26 member, even though LAPD officers had no credible evidence to support this claim.
27 Mr. Costa expressly told LAPD officers he was not a gang member. Although Mr.
28 Costa was acquitted of all charges, the falsely contrived gang identification followed

1 him and has plagued his life every day since, causing him incalculable suffering and
2 damage.

3 **JURISDICTION AND VENUE**

4 6. This action is properly filed in the Central District of the United States
5 District Court for the redress of alleged deprivations of constitutional rights as
6 protected by 42 U.S.C. §§ 1983, 1985, 1986, 1988, the Fourth and Fourteenth
7 Amendment of the United States Constitution, and the California Constitution.
8 Jurisdiction is founded on 28 U.S.C. §§ 1331, 1343, and 1367.

9 7. Venue is proper in the Central District of California pursuant to 28
10 U.S.C. § 1391, as all Defendants and events giving rise to the claims herein occurred
11 in the Central District of California.

12 **PARTIES**

13 8. At all relevant times, SARA OCHOA is an individual residing in the
14 County of Los Angeles, California.

15 9. At all relevant times, BRANDEN COSTA is an individual residing in
16 the County of Los Angeles, California.

17 10. At all relevant times, JAJUAN JOHNSON is an individual residing in
18 the County of Los Angeles, California.

19 11. At all relevant times, ANTONIO MAY is an individual residing in the
20 County of Los Angeles, California.

21 12. At all relevant times, MICHAEL PERRY is an individual residing in the
22 County of Los Angeles, California.

23 13. The Plaintiff classes consist of: 1) approximately one thousand (1,000)
24 individuals, if not more, who were subjected to misclassification as gang members in
25 Los Angeles City reports; 2) approximately five hundred (500) individuals, if not
26 more, who were made part of a gang database; and 3) approximately five thousand
27 (5,000) individuals who were misclassified as gang associated.

28 ///

1 14. Defendant City of Los Angeles is a municipal corporation duly
2 organized and existing under the Constitution and laws of the State of California. The
3 Los Angeles Police Department is a local government entity and an agency of
4 Defendant City of Los Angeles, and all actions of the LAPD are the legal
5 responsibility of the City of Los Angeles. The City of Los Angeles is sued in its own
6 right on the basis of its policies, customs, and practices which gave rise to Plaintiffs'
7 federal rights claims.

8 15. Defendant Chief Michel Moore is and was, at all times relevant to this
9 action, the LAPD Chief of Police and a policymaker for his department. He is sued
10 in both his individual and official capacities.

11 16. Plaintiffs are informed, believe, and thereupon allege that Does 1
12 through 10 were the agents, servants, and employees of Defendants City of Los
13 Angeles and/or the LAPD. Plaintiffs are ignorant of the true names and capacities of
14 Defendants sued herein as Does 1 through 10, inclusive, and therefore sue these
15 Defendant by such fictitious names. Plaintiffs will amend this Complaint to allege
16 their true names and capacities when ascertained. The individual Doe Defendants are
17 sued in both their individual and official capacities.

18 17. Plaintiffs are informed, believe, and thereupon allege at all times
19 relevant, Does 1 through 10, in addition to the named Defendants, are responsible in
20 some manner for the damages and injuries alleged herein.

21 18. Plaintiffs are informed, believe, and thereupon allege that at all times
22 relevant, Defendants, and each of them, were the agents, servants and employees of
23 the other Defendants and were acting at all times within the scope of their agency
24 and employment and with the knowledge and consent of their principal and
25 employer. At all times Defendants were acting under color of state law.

26 19. Plaintiffs are informed, believe, and thereupon allege that the practices,
27 policies, and customs of the City of Los Angeles and/or the LAPD caused the
28 unlawful action taken against Plaintiffs.

FACTUAL ALLEGATIONS

20. The City of Los Angeles Police Department has manipulated the law to criminalize innocent people. Specifically, California Penal Code Section 186.22 is a statute that gives police officers broad discretion to arrest individuals on the premise that the person committed a crime for the benefit, at the direction and in association with a criminal street gang. LAPD officers, since the inception of the statute, created a unwritten custom and practice of using CPC 186.22 to criminalize innocent people and classify them as gang members.

21. In many cases, LAPD officers falsely incriminated members of this class by applying gang enhancements to simple offenses like marijuana possession or receiving stolen property. This practice exposed these criminal defendants to extremely harsh sentences. With exposure to aeonic terms of imprisonment, many individuals accepted plea deals to lesser offenses to avoid being locked up for decades. Others, who had the audacity to insist on their innocence, were found guilty by juries based on perjurious LAPD officers' testimony, then sentenced to many years including, in numerous instances, life in prison. Those same individuals have been forced to register annually as gang members at the very police stations where they were framed in the first place.

22. In June of 2020, the California Department of Justice department announced it suspended the use of CalGangs, citing questions about its accuracy and the desire to "avoid any adverse impact on individuals, particularly in communities of color." CalGangs is used by law enforcement agencies across the state of California to store names and personal details of nearly eighty thousand (80,000) people suspected of being active gang members or possibly associating with them but has long been controversial.

23. LAPD records account for about 25% of all CalGangs entries.

24. On July 14, 2020, the California Department of Justice revoked LAPD's access to the California statewide CalGangs database. In 2016, a state audit found

1 that CalGangs was riddled with questionable entries and errors such as the inclusion
2 of year-old children. CalGangs represents racial profiling with little proof to back up
3 the allegations of gang membership. The majority of those in the database are Black
4 and Latino men.

5 25. On July 9, 2020, the L.A. County District Attorney's Office filed a 59-
6 count criminal complaint against 3 of the officers -- Braxton Shaw, Michael
7 Coblentz, and Nicolas Martinez. The criminal complaint accuses Braxton Shaw,
8 Michael Coblentz, and Nicolas Martinez of conspiring to file false police reports and
9 fabricate documents for court.

10 26. On July 10, 2020, an LAPD memorandum confirmed that a total of
11 twenty-four (24) LAPD officers are under investigation for falsifying police reports
12 and misclassifying civilians as gang members or gang associates.

13 27. One putative class member is Jajuan Johnson. Mr. Johnson recently
14 graduated from high school in south Los Angeles. Notably, he scored sixty (62)
15 points in a varsity basketball game during his 2018 senior year. He is soft-spoken and
16 has no criminal record.

17 28. On January 13, 2019, Johnson was a passenger in a car being driven in
18 Los Angeles when LAPD officers pulled over the vehicle, ostensibly for tinted
19 windows. Officers came up with a reason to search the car. LAPD officers then
20 blatantly lied in the police report they authored by contending that Mr. Johnson, a
21 college student, Jamba Juice employee and aspiring writer was a member of a Blood
22 street gang. The LAPD officers reasoned that because Mr. Johnson's cousin was an
23 alleged gang member, he too must be gang affiliated.

24 29. As a result, Mr. Johnson is currently being prosecuted by the Los
25 Angeles City Attorney's Office pursuant to a fabricated gang allegation under Penal
26 Code Section 186.22. Mr. Johnson consistently denied any gang membership to no
27 avail. Because of the LAPD's false claims against him, Mr. Johnson has suffered the
28 loss of employment, damage to his reputation and severe depression. If convicted,

1 Mr. Johnson will be required to register as a gang member.

2 30. Branden Costa is another putative class member. Branden Costa is a
3 young Black man, had just graduated from a Palisades area high school and was a
4 Division 1 prospect athlete.

5 31. One afternoon he was returning home from visiting a friend at the
6 California Hospital in Downtown Los Angeles. That day a shooting occurred at a
7 park a short distance from Mr. Costa's home. Time-verified security footage from
8 the hospital showed Mr. Costa exiting the lobby ten minutes before the shooting. The
9 shooting location, however, was a twenty-minute commute from the hospital.
10 Nonetheless, LAPD officers falsely accused Mr. Costa of being the shooter. In an
11 effort to unlawfully convict Mr. Costa, LAPD officers prepared and submitted false
12 police reports claiming Mr. Costa was a gang member, even though LAPD officers
13 had no credible evidence to support this claim. Mr. Costa expressly told LAPD
14 officers he was not a gang member. Although Mr. Costa was acquitted of all charges,
15 the falsely contrived gang identification followed him and has plagued his life every
16 day since, causing him incalculable suffering and damage.

17 32. The named Plaintiffs are suing on behalf of a class of similarly situated
18 persons throughout Los Angeles who have been victims of scofflaw Los Angeles
19 Police Department officers who filed fraudulent reports, lied under oath, and abused
20 gang database systems.

21 **CLASS ACTION ALLEGATIONS**

22 33. The named Plaintiffs bring this action individually and on behalf of a
23 proposed class of all other persons similarly situated pursuant to Federal Rules of
24 Civil Procedure Rule 23(b)(1), (b)(2) and (b)(3). The damages classes are defined as:

25 A. Approximately one thousand (1,000) individuals, if not more, who were
26 subjected to misclassification as gang members in Los Angeles City reports;

27 B. Approximately five hundred (500) individuals, if not more, who were
28 made part of a gang database; and

1 C. Approximately five thousand (5,000) individuals, if not more, who were
2 misclassified as gang associates.

3 34. Each class is inclusive of people who were misclassified either as gang
4 members of gang associated by LAPD officials. The first class of a presently
5 unknown number but is estimated as in excess of one thousand (1,000) individuals,
6 the second class consists of a presently unknown number but is estimated as in excess
7 of five hundred (500) individuals, and the third class consists of a presently unknown
8 number but is estimated as in excess of five thousand (5,000) individuals.

9 35. Because the issues in the three (3) classes are substantially the same and
10 arise from the same events, the Federal Rules of Civil Procedures Rule 23 criteria for
11 the classes are discussed jointly without differentiating between the different classes.

12 36. Questions of law or fact common to putative class members
13 predominate over any questions affecting only individual members and a class action
14 is superior to other available methods for fairly and efficiently adjudicating this
15 lawsuit.

16 37. The claims of the putative class satisfy the requirements of Federal Rule
17 of Civil Procedure 23(b)(3) and, alternatively, Rule 23(b)(2).

18 38. Defendants detained and/or arrested the putative class and sub-classes
19 as a group and treated all similarly, acting on ground applicable to the putative class.
20 The named Plaintiffs claim that the First, Fourth, and Fourteenth Amendment rights
21 were violated raise common question of law and fact. The named Plaintiffs claim
22 also claim their constitutional rights were also violated as a result of a long standing
23 or widespread custom and/or practice which was the moving force behind the
24 constitutional violations and therefore, the City of Los Angeles it liable under
25 municipal liability.

26 39. Questions of law and fact are common to the class and sub-classes,
27 including whether the putative class and sub-classes were misclassified as gang
28 members or gang associates.

1 40. The legal theories and factual predicates upon which the damages
2 classes and sub-classes seek relief predominate over any questions affecting only
3 individual members. The legal harms suffered by the named Plaintiffs and the class
4 Plaintiffs are identical.

5 41. The named Plaintiffs' claims are typical of those of the putative class
6 and sub-class each represents, as each was engaged in or associated with peaceable
7 and lawful free speech and assembly activity when each was subjected to excessive
8 force and/or arrested.

9 42. The named Plaintiffs will fairly and adequately represent the common
10 class interest. The named Plaintiffs have a strong interest in achieving the relief
11 requested in this Complaint, they have no conflicts with members of the Plaintiff
12 class, and they will fairly and adequately protect the interests of the class.

13 43. Counsel for the named Plaintiffs know of no conflicts among or between
14 members of the class, the named Plaintiffs, or the attorneys in this action.

15 44. The Defendants have acted and refused to act on grounds generally
16 applicable to the putative class.

17 45. The prosecution of separate actions by individual members of the class
18 would create a risk of inconsistent standards of conduct for the Defendants, thereby
19 making a class action a superior method of adjudicating this lawsuit.

20 46. Plaintiffs do not know the identities of all class members. Plaintiffs are
21 informed and believe and thereon allege the identities of class members in the
22 arrestee class may be obtained from the personal information compelled by
23 Defendants through arrest records.

24 47. Plaintiffs are informed and believe and thereon allege that the LAPD
25 officers acted in accordance with orders given by supervisors from the highest
26 command positions, in accordance with policies and procedures instituted by the
27 LAPD and the City of Los Angeles.

28 ///

1 48. As a direct and proximate cause of the conduct described herein, the
2 named individual Plaintiffs have been denied their constitutional statutory, and legal
3 rights as stated herein, and have suffered general and special damages, including but
4 not limited to, mental and emotional distress, physical injuries and bodily harm, pain,
5 fear, humiliation, embarrassment, discomfort, and anxiety and other damages in an
6 amount according to proof.

7 49. Defendants' acts were willful, wanton, malicious, and oppressive, and
8 done with conscious or reckless disregard for, and deliberate indifference to,
9 Plaintiffs' rights.

10 50. Defendants' policies practices, customs, conduct and acts alleged herein
11 resulted in, and will continue to result in, irreparable injury the Plaintiffs, including
12 but not limited to violation of their constitutional and statutory rights. Plaintiffs have
13 no plain, adequate, or complete remedy at law to address the wrong described herein.
14 The Plaintiffs and class members intend in the future to exercise their constitutional
15 rights of freedom of speech and association by engaging in expressive activities in
16 the City of Los Angeles. Defendants' conduct described herein has created
17 uncertainty among Plaintiffs with respect to their exercise now and in the future of
18 these constitutional rights.

19 51. An actual controversy exists between Plaintiffs and Defendants in that
20 Plaintiffs contend that the policies, practices, and conduct of Defendants alleged
21 herein are unlawful and unconstitutional, whereas Plaintiffs are informed and believe
22 that Defendants contend that said policies, practices, and conduct are lawful and
23 constitutional. Plaintiffs seek a declaration of rights with respect to this controversy.

24 52. In accordance with Federal Rules of Civil Procedure, Rule 23(a) the
25 members of the class are so numerous that joinder of all members is impracticable.
26 Plaintiffs do not know the exact number of class members. Plaintiffs are informed
27 and believe and thereon allege that there are more than six thousand five hundred
28 (6,500) individuals who were classified as gang members or gang associates by the

1 Los Angeles Police Department. Plaintiffs are informed and believe and thereon
2 allege that the number of persons in the proposed class is in the thousands.

3 53. In accordance with Federal Rules of Civil Procedure, Rule 23(a), there
4 are questions of fact common to the class. Plaintiffs are informed and believe and
5 thereon allege that the common questions of fact include, but are not limited to the
6 following: (1) individuals who were subjected to misclassification as gang members
7 in Los Angeles City reports; (2) individuals who were made part of a gang database;
8 and (3) individuals who were misclassified as gang associates.

9 54. In accordance with Federal Rules of Civil Procedure, Rule 23(a), there
10 are questions of law common to the class. Plaintiffs are informed and believe and
11 thereon allege that the common questions of law include but are not limited to the
12 following: (1) Whether the City of Los Angeles violated the Fourth Amendment
13 rights of people misclassified as gang members or gang associates; (2) Whether the
14 City of Los Angeles violated the Fourteenth Amendment rights of people
15 misclassified as gang members or gang associates; (4) Whether the City of Los
16 Angeles violated the First Amendment rights of people misclassified as gang
17 members or gang associates.

18 55. In accordance with Federal Rules of Civil Procedure, Rule 23(a) the
19 claims of the representative plaintiffs are typical of the class. Plaintiffs were victims
20 of at least twenty-seven (27) Los Angeles Police Department officers, including
21 Braxton Shaw, Michael Coblenz, and Nicholas Martinez who have already been
22 charged with fifty-nine (59) criminal counts. Los Angeles Police Department officers
23 lied on field interview cards by classifying people who are not gang members, as
24 gang members, and/or classifying people who are not associated with a gang as “gang
25 associates.”

26 56. Thus, Plaintiffs have the same interests and have suffered the same type
27 of damages as the class members. Plaintiffs' claims are based upon the same or
28 similar legal theories as the claims of the class members. Each class member suffered

1 actual damages from being subjected to misclassification as gang members or gang
2 associates.

3 57. In accordance with Federal Rules of Civil Procedure, Rule 23 (a), the
4 representative plaintiffs will fairly and adequately protect the interests of the class.
5 The interests of the representative plaintiffs are consistent with and not antagonistic
6 to the interests of the class.

7 58. In accordance with Federal Rules of Civil Procedure, Rule 23(b)(1)(A),
8 prosecutions of separate actions by individual members of the class would create a
9 risk that inconsistent or varying adjudications with respect to individual members of
10 the class would establish incompatible standards of conduct for the parties opposing
11 the class.

12 59. In accordance with Federal Rules of Civil Procedure, Rule 23(b)(1)(B),
13 prosecutions of separate actions by individual members of the class would create a
14 risk of adjudications with respect to individual members of the class which would, as
15 a practical matter, substantially impair or impede the interests of the other members
16 of the class to protect their interests.

17 60. In accordance with Federal Rules of Civil Procedure, Rule 23(b)(2),
18 plaintiffs are informed and believe, and thereon allege the defendants have acted on
19 grounds generally applicable to the class.

20 61. In accordance with Federal Rules of Civil Procedure, Rule 23(b)(3), the
21 questions of law or fact common to the members of the class predominate over any
22 questions affecting only individual members, and this class action is superior to other
23 available methods for the fair and efficient adjudication of the controversy between
24 the parties. Plaintiffs are informed and believe, and thereon allege that the interest of
25 class members in individually controlling the prosecution of a separate action is low
26 in that most class members would be unable to individually prosecute any action at
27 all. Plaintiffs are informed and believe, and thereon allege that the amounts at stake
28 for individuals are such that separate suits would be impracticable in that most

1 members of the class will not be able to find counsel to represent them. Plaintiffs are
2 informed and believe and allege that it is desirable to concentrate all litigation in one
3 forum because all of the claims arise in the same location, i.e., the City of Los
4 Angeles. It will promote judicial efficiency to resolve the common questions of law
5 and fact in one forum, rather than in multiple courts.

6 62. Plaintiffs do not know the identities of all class members. Plaintiffs are
7 informed and believe, and thereon allege the identities of the class members are
8 ascertainable from the Los Angeles County District Attorney's Office, the Los
9 Angeles City Attorney's Office and/or LAPD records, in particular the computer
10 records used to track who are or were alleged gang members and alleged gang
11 associates.

12 63. Plaintiffs are informed and believe, and thereon allege that Los Angeles
13 County District Attorney's Office, the Los Angeles City Attorney's Office and/or
14 LAPD records reflect the identities, including addresses and telephone numbers, of
15 the persons who are or were alleged gang members and alleged gang associates.

16 64. Plaintiffs know of no difficulty that will be encountered in the
17 management of this litigation that would preclude its maintenance as a class action.
18 The class action is superior to any other available means to resolve the issues raised
19 on behalf of the class. The class action will be manageable because reliable records
20 systems exist from which to ascertain the members of the class. Liability can be
21 determined on a class-wide basis. Damages can be determined on a class-wide basis
22 using a damages matrix set by a jury, or by trying the damages of a statistically valid
23 sample of the class to a jury and extrapolating those damages to the class as a whole.
24 Moreover, plaintiffs are represented by counsel with class action litigation
25 experience, particularly against the City of Los Angeles and the Los Angeles Police
26 Department.

27 65. In accordance with Federal Rules of Civil Procedure, Rule 23(b)(3),
28 class members must be furnished with the best notice practicable under the

1 circumstances, including individual notice to all members who can be identified
 2 through reasonable effort. Plaintiffs are informed and believe that LA City Attorney's
 3 Office and/or LAPD computer records, and certainly police reports and F.1. cards
 4 etc., contain a last known address for class members. Plaintiffs contemplate that
 5 individual notice be given to class members at such last known address by first class
 6 mail. Plaintiffs contemplate that the notice inform class members of the following:

- 7 a. The pendency of the class action, and the issues common to the class;
- 8 b. The nature of the action;
- 9 c. Their right to 'opt out' of the action within a given time, in which event
 10 they will not be bound by a decision rendered in the class action;
- 11 d. Their right, if they do not 'opt out,' to be represented by their own counsel
 12 and enter an appearance in the case; otherwise, they will be represented by the named
 13 plaintiffs and their counsel; and
- 14 e. Their right, if they do not 'opt out,' to share in any recovery in favor of the
 15 class, and conversely to be bound by any judgment on the common issues adverse to the
 16 class.

17 66. All of the following claims for relief are asserted against all Defendants

18 **FIRST CLAIM FOR RELIEF**

19 **FOURTH AMENDMENT VIOLATIONS**

20 **(42 U.S.C. § 1983)**

21 **(ALL DEFENDANTS)**

22 67. Plaintiffs repeats and re-alleges each allegation in all the preceding
 23 paragraphs of this Complaint with same force and effect as if fully set forth herein.

24 68. In subjecting plaintiffs and class members to the unnecessary, unlawful,
 25 demeaning, and outrageous seizures and/or searches when plaintiffs and class
 26 members went outside, defendants, and each of them, violated plaintiffs' and class
 27 members' rights to be secure in their persons against unreasonable searches and
 28 seizures, as guaranteed by the Fourth and Fourteenth Amendments to the United

1 States Constitution. Therefore, plaintiffs and class members are entitled to bring suit
2 and recover damages pursuant to 42 U.S.C. §1983.

3 69. As a direct and proximate cause of the aforementioned acts, plaintiffs
4 and class members were damaged in an amount to be proven at trial.

5 **SECOND CLAIM FOR RELIEF**
6 **FOR VIOLATION OF SUBSTANTIVE DUE PROCESS**
7 **(42 U.S.C. § 1983)**
8 **(ALL DEFENDANTS)**

9 70. Plaintiffs repeats and re-alleges each allegation in all the preceding
10 paragraphs of this Complaint with same force and effect as if fully set forth herein.

11 71. In subjecting plaintiffs and class members to the unnecessary, unlawful,
12 demeaning, and outrageous confinement and prohibition from going outside and/or
13 seizure, detention arrest, jailing and/or prosecution when plaintiffs and class
14 members went outside, defendants, and each of them, violated plaintiffs' and class
15 members' rights to travel and move freely about this state and/or the several states,
16 as guaranteed by the United States Constitution. Therefore, plaintiffs and class
17 members are entitled to bring suit and recover damages pursuant to 42 U.S.C. §1983.

18 72. As a direct and proximate cause of the aforementioned acts, plaintiffs
19 and class members were damaged in an amount to be proven at trial.

20 **THIRD CLAIM FOR RELIEF**
21 **FIRST AMENDMENT**
22 **(42 U.S.C. § 1983)**
23 **(ALL DEFENDANTS)**

24 73. Plaintiffs repeats and re-alleges each allegation in all the preceding
25 paragraphs of this Complaint with same force and effect as if fully set forth herein.

26 74. In subjecting plaintiffs and class members to the unnecessary, unlawful,
27 demeaning, and outrageous confinement and prohibition from going outside and/or
28 seizure, detention arrest, jailing and/or prosecution when plaintiffs and class

1 members went outside, defendants, and each of them, violated plaintiffs' and class
2 members' rights to freely associate, communicate and assemble with persons, at
3 times, and in places of their choosing, as guaranteed by the First and Fourteenth
4 Amendments to the United States Constitution. Therefore, plaintiffs and class
5 members are entitled to bring suit and recover damages pursuant to 42 U.S.C. §1983.

6 75. As a direct and proximate cause of the aforementioned acts, plaintiffs
7 and class members were damaged in an amount to be proven at trial.

8 **FOURTH CLAIM FOR RELIEF**

9 **MUNICIPAL LIABILITY (*MONELL*)**

10 **(42 U.S.C. § 1983)**

11 **(By Plaintiffs against Defendant CITY OF LOS ANGELES)**

12 76. Plaintiffs repeats and re-alleges each allegation in all the preceding
13 paragraphs of this Complaint with same force and effect as if fully set forth herein.

14 77. The City, through Chief Moore, and his predecessors, including former
15 Chief Charles Beck, and the LAPD, have failed to train their officers in the
16 constitutional treatment of innocent civilians vis-a-vis misclassification of Los
17 Angeles City residents as gang members or gang associates as revealed by the above
18 allegations. The City has a custom and policy of misclassifying people as gang
19 members or gang associates, submitting fraudulent reports affirming the
20 misclassification, inputting fraudulent information into gang databases and
21 encouraging LAPD officers into further perpetuating the foregoing. The City is well
22 aware of its constitutional duties. The need for training and discipline to enforce
23 Constitutional guarantees in such circumstances is obvious and necessary.

24 78. On information and belief, Chief Moore and his predecessors delegated
25 responsibility and authority to persons within his command staff to act as the final
26 policy maker in determining whether to terminate, reprimand, or terminate LAPD
27 officers who were falsely classifying people and filing false reports which unlawfully
28 identified individuals. The persons who made these decisions, acted as the delegated

1 policy maker for the City of Los Angeles on these matters. There was no time,
2 opportunity, or procedure for anyone other than the policymakers to review or revise
3 the decisions prior to their final implementation.

4 79. Moreover, on and for some time prior to June 1, 2020 (and continuing
5 to the present date), Defendants CITY, and DOES 1-10, acting with gross negligence
6 and with reckless and deliberate indifference to the rights and liberties of the public
7 in general, and of Plaintiffs, and of persons in their class, situation and comparable
8 position in particular, knowingly maintained, enforced and applied an official
9 recognized custom, policy, and practice of:

10 A. Unreasonably detaining and unreasonably arresting Los Angeles City
11 civilians under the guise that said civilians were “gang members;”

12 B. Unreasonably detaining and unreasonably arresting Los Angeles City
13 and County residents under the guise that said civilians were “gang associates;”

14 C. Falsifying official CITY reports affirming the misclassification of a
15 civilian as gang members or gang associates;

16 D. Falsifying information placed into statewide California gang databases
17 including CalGangs by the misclassification of a civilians as a gang members or gang
18 associates;

19 E. Committing perjury in open court by further affirming the
20 misclassification of civilians who were facing criminal charges;

21 F. Acquiescing, ratifying, and condoning the imposition of a criminal
22 sentencing enhancements of an individuals who were misclassified as a gang
23 members or gang associates.

24 G. Inadequately supervising, training, controlling, assigning, and
25 disciplining CITY employees and other personnel, in gang intelligence, the reporting
26 of gang intelligence, and the misclassification of civilians as gang members or gang
27 associates;

28 ///

1 H. By maintaining grossly inadequate procedures for reporting,
2 supervising, investigating, reviewing, disciplining and controlling the intentional
3 misconduct by Defendants.

4 I. By having and maintaining the aforementioned unconstitutional policy,
5 custom, and practice with a deliberate indifference to individuals' safety and rights;

6 80. By reason of the policies and practices of Plaintiffs and the class
7 Plaintiffs represent were severely injured and were subjected to constitutional
8 violations while the CITY ratified and condoned said conduct. The aforementioned
9 policies and practices of Defendants, including the custom, policy and practice of
10 Defendant CITY in allowing its officers to misclassify civilians and file false reports
11 was a violation of the First, Fourth, and Fourteenth Amendments of the Constitution.

12 81. Defendants CITY and DOES 1-10, together with various other officials,
13 whether named or unnamed, had either actual or constructive knowledge of the
14 deficient policies, practices and customs alleged in the paragraphs above. Despite
15 having knowledge as stated above, these defendants condoned, tolerated and through
16 actions and inactions thereby ratified such policies. Said defendants also acted with
17 deliberate indifference to the foreseeable effects and consequences of these policies
18 with respect to the constitutional rights of Plaintiffs, and other individuals similarly
19 situated.

20 82. Accordingly, Defendants CITY and Does 1-10 each are liable to
21 Plaintiffs for compensatory damages under 42 U.S.C. § 1983.

22 83. Plaintiffs further claim all of Plaintiffs' attorneys' fees and costs
23 incurred and to be incurred in Plaintiffs presenting, maintaining and prosecuting this
24 action under 42 U.S.C. Section 1988.

25 **PRAYER FOR RELIEF**

26 WHEREFORE, Plaintiff requests entry of judgment in their favor and against
27 Defendants as follows:

28 A. General and special damages according to proof;

- 1 B. As against the individual defendants only, punitive damages according to
2 C. For interest;
3 D. For reasonable costs of this suit and attorneys' fees, including pursuant to 42
4 U.S.C. § 1988;
5 E. For all other damages allowed under federal and state law and;
6 F. For such further other relief as the Court may deem just, proper, and
7 appropriate.

8 Respectfully Submitted,

9 Dated: August 2, 2020

THE JUSTICE X LAW GROUP

10
11 By: 

12 HUBERTO GUIZAR
13 AUSTIN R. DOVE
14 STEPHEN A. KING
15 CHRISTIAN CONTRERAS
16 Attorney for Plaintiffs

DEMAND FOR JURY TRIAL

17 Plaintiffs hereby demands a trial by jury.

18 Dated: August 1, 2020

THE JUSTICE X LAW GROUP

19
20 By: 

21 HUBERTO GUIZAR
22 AUSTIN R. DOVE
23 STEPHEN A. KING
24 CHRISTIAN CONTRERAS
25 Attorney for Plaintiffs
26
27
28

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I. (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>)	DEFENDANTS (Check box if you are representing yourself <input type="checkbox"/>)
(b) County of Residence of First Listed Plaintiff _____ <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i>	County of Residence of First Listed Defendant _____ <i>(IN U.S. PLAINTIFF CASES ONLY)</i>
(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.	Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1. U.S. Government Plaintiff <input type="checkbox"/> 3. Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2. U.S. Government Defendant <input type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES -For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant) <table border="1" style="width:100%"><thead><tr><th></th><th>PTF</th><th>DEF</th><th></th><th>PTF</th><th>DEF</th></tr></thead><tbody><tr><td>Citizen of This State</td><td><input type="checkbox"/> 1</td><td><input type="checkbox"/> 1</td><td>Incorporated or Principal Place of Business in this State</td><td><input type="checkbox"/> 4</td><td><input type="checkbox"/> 4</td></tr><tr><td>Citizen of Another State</td><td><input type="checkbox"/> 2</td><td><input type="checkbox"/> 2</td><td>Incorporated and Principal Place of Business in Another State</td><td><input type="checkbox"/> 5</td><td><input type="checkbox"/> 5</td></tr><tr><td>Citizen or Subject of a Foreign Country</td><td><input type="checkbox"/> 3</td><td><input type="checkbox"/> 3</td><td>Foreign Nation</td><td><input type="checkbox"/> 6</td><td><input type="checkbox"/> 6</td></tr></tbody></table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	PTF	DEF		PTF	DEF																				
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Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.)							
<input type="checkbox"/> 1. Original Proceeding	<input type="checkbox"/> 2. Removed from State Court	<input type="checkbox"/> 3. Remanded from Appellate Court	<input type="checkbox"/> 4. Reinstated or Reopened	<input type="checkbox"/> 5. Transferred from Another District (Specify) _____	<input type="checkbox"/> 6. Multidistrict Litigation - Transfer	<input type="checkbox"/> 8. Multidistrict Litigation - Direct File	

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☐ Yes ☐ No (Check "Yes" only if demanded in complaint.)

CLASS ACTION under F.R.Cv.P. 23: ☐ Yes ☐ No ☐ **MONEY DEMANDED IN COMPLAINT:** \$ _____

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

VII. NATURE OF SUIT (Place an X in one box only).

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	Habeas Corpus:	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	TORTS	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 140 Negotiable Instrument	PERSONAL INJURY	PERSONAL PROPERTY	<input type="checkbox"/> 530 General	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	Other:	SOCIAL SECURITY
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 340 Marine	BANKRUPTCY	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	FORFEITURE/PENALTY	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	FEDERAL TAX SUITS
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	REAL PROPERTY	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 440 Other Civil Rights	LABOR	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 740 Railway Labor Act	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 751 Family and Medical Leave Act	
<input type="checkbox"/> 950 Constitutionality of State Statutes			<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 790 Other Labor Litigation	
			<input type="checkbox"/> 448 Education	<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

FOR OFFICE USE ONLY:

Case Number: _____

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

QUESTION A: Was this case removed from state court? <input type="checkbox"/> Yes <input type="checkbox"/> No If "no," skip to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question E, below, and continue from there.	STATE CASE WAS PENDING IN THE COUNTY OF:		INITIAL DIVISION IN CACD IS:
	<input type="checkbox"/> Los Angeles, Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino		Eastern

QUESTION B: Is the United States, or one of its agencies or employees, a PLAINTIFF in this action? <input type="checkbox"/> Yes <input type="checkbox"/> No If "no," skip to Question C. If "yes," answer Question B.1, at right.	B.1. Do 50% or more of the defendants who reside in the district reside in Orange Co.? <i>check one of the boxes to the right</i> ➔	<input type="checkbox"/> YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there. <input type="checkbox"/> NO. Continue to Question B.2.
B.2. Do 50% or more of the defendants who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.) <i>check one of the boxes to the right</i> ➔	<input type="checkbox"/> YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there. <input type="checkbox"/> NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there.	

QUESTION C: Is the United States, or one of its agencies or employees, a DEFENDANT in this action? <input type="checkbox"/> Yes <input type="checkbox"/> No If "no," skip to Question D. If "yes," answer Question C.1, at right.	C.1. Do 50% or more of the plaintiffs who reside in the district reside in Orange Co.? <i>check one of the boxes to the right</i> ➔	<input type="checkbox"/> YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there. <input type="checkbox"/> NO. Continue to Question C.2.
C.2. Do 50% or more of the plaintiffs who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.) <i>check one of the boxes to the right</i> ➔	<input type="checkbox"/> YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there. <input type="checkbox"/> NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there.	

QUESTION D: Location of plaintiffs and defendants?	A. Orange County	B. Riverside or San Bernardino County	C. Los Angeles, Ventura, Santa Barbara, or San Luis Obispo County
Indicate the location(s) in which 50% or more of <i>plaintiffs who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location(s) in which 50% or more of <i>defendants who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D.1. Is there at least one answer in Column A? <input type="checkbox"/> Yes <input type="checkbox"/> No If "yes," your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question E, below, and continue from there. If "no," go to question D2 to the right. ➔	D.2. Is there at least one answer in Column B? <input type="checkbox"/> Yes <input type="checkbox"/> No If "yes," your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question E, below. If "no," your case will be assigned to the WESTERN DIVISION. Enter "Western" in response to Question E, below. ↓
--	--

QUESTION E: Initial Division?	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, C, or D above: ➔	

QUESTION F: Northern Counties?
Do 50% or more of plaintiffs or defendants in this district reside in Ventura, Santa Barbara, or San Luis Obispo counties? <input type="checkbox"/> Yes <input type="checkbox"/> No

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

IX(a). IDENTICAL CASES: Has this action been previously filed in this court?

☐ NO

☐ YES

If yes, list case number(s): _____

IX(b). RELATED CASES: Is this case related (as defined below) to any civil or criminal case(s) previously filed in this court?

☐ NO

☐ YES

If yes, list case number(s): _____

Civil cases are related when they (check all that apply):

- ☐ A. Arise from the same or a closely related transaction, happening, or event;
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges.

Note: That cases may involve the same patent, trademark, or copyright is not, in itself, sufficient to deem cases related.

A civil forfeiture case and a criminal case are related when they (check all that apply):

- ☐ A. Arise from the same or a closely related transaction, happening, or event;
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. Involve one or more defendants from the criminal case in common and would entail substantial duplication of labor if heard by different judges.

X. SIGNATURE OF ATTORNEY

(OR SELF-REPRESENTED LITIGANT): _____

DATE: _____

Notice to Counsel/Parties: The submission of this Civil Cover Sheet is required by Local Rule 3-1. This Form CV-71 and the information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. For more detailed instructions, see separate instruction sheet (CV-071A).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))