

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS

ANDREW WHITE,

Plaintiff,

v.

JOSEPH FELCHNER, and ELLEN
SWEENEY,

Defendants.

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Case No. 18-cv-3181-SEM-TSH

ANSWER

Now comes the defendant, JOSEPH FELCHNER, by and through his undersigned attorneys, PIERCE LAW FIRM, P.C., and for his Answer to the plaintiff's Complaint, states as follows:

I. Defendant admits that this Court has jurisdiction over this matter.

II. A. Defendant admits the allegations contained in paragraph II A.

B. Defendant admits that Ellen Sweeney is employed by the Illinois Secretary of State Police but denies that there are any policies or customs which caused any violation of plaintiff's rights.

C. Defendant admits that Joseph Felchner is a police officer with the Rochester Police Department but denies that there is any policy or custom which violated plaintiff's rights and deny that plaintiff is entitled to any relief.

III. Defendant makes no response to paragraph III as there are no allegations of fact contained therein.

IV. Defendant admits that on August 10, 2018, at approximately 3:10 p.m., he arrested plaintiff for possession of a stolen vehicle, driving with revoked registration, failure to

surrender revoked registration, and operating a vehicle with a revoked title but otherwise denies the remaining allegations contained in paragraph IV. In further answering, defendant states that he had probable cause and/or arguable probable cause based on the information provided to him to make this arrest and as such is entitled to qualified immunity. Defendant otherwise denies the remaining allegations of paragraph IV.

V. Defendant denies that plaintiff has been harmed and denied the allegations contained in paragraph V.

WHEREFORE, the defendant, JOSEPH FELCHNER, prays that plaintiff's Complaint be dismissed with prejudice at plaintiff's costs.

DEFENDANT DEMANDS TRIAL BY JURY

AFFIRMATIVE DEFENSES

Now comes the defendant, JOSEPH FELCHNER, by and through his undersigned attorneys, PIERCE LAW FIRM, P.C., and for his Affirmative Defenses, states as follows:

1. Plaintiff's Complaint fails to state a cause of action upon which relief can be granted.
2. Defendant is entitled to qualified immunity.

WHEREFORE, the defendant, JOSEPH FELCHNER, prays that plaintiff's Complaint be dismissed with prejudice at plaintiff's costs.

DEFENDANT DEMANDS TRIAL BY JURY

Attorney for Defendant, JOSEPH FELCHNER

By: PIERCE LAW FIRM, P.C.
s/Charles A. Pierce
One of His Attorneys

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CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2019, I electronically filed an ANSWER on behalf of the defendant, JOSEPH FELCHNER, with the Clerk of Court using the CM/ECF system, which will send notification to the following:

Shannon Lynn Fruth
ILLINOIS ATTORNEY GENERAL
500 S Second St
Springfield, IL 62706
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gl@atg.state.il.us
Attorney for Defendant, Ellen Sweeney

I hereby further certify that on September 19, 2019, I mailed by United States Postal Service, the document to the following non-registered participant:

Andrew White, *Pro Se*
1751 North Grand Ave West, Lot #101
Springfield, IL 62702

Respectfully submitted,

s/CHARLES A. PIERCE
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