

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

ANDREW WHITE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 19-cv-3181-SEM-TSH
	)	
JOSEPH FELCHNER, and ELLEN	)	
SWEENEY,	)	
	)	
Defendants.	)	

**MOTION FOR SUMMARY JUDGMENT**

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

1. Plaintiff has filed a claim against Officer Joseph Felchner and Ellen Sweeney.
2. Plaintiff's Complaint purports to claim conspiracy and improper policies, i.e., a *Monell* claim, as opposed to an individual liability claim.
3. Giving the *pro se* plaintiff the benefit of the doubt, it is assumed that this is intended to be a false arrest claim based on individual liability against Officer Felchner.
4. Officer Felchner did arrest the plaintiff for several offenses including possession of a stolen vehicle.
5. At all times hereto, Officer Felchner had probable cause for his actions based on the information provided to him.
6. Probable cause is an absolute bar to any claim for liability.
7. In the alternative, if plaintiff is intending this to be a *Monell* claim, the same analysis applies. The presence of probable cause is an absolute bar.

WHEREFORE, the defendant, JOSEPH FELCHNER, prays that this Court enter an order granting summary judgment in his favor and against the plaintiff and for such other equitable relief as this Court deems just and proper.

Attorney for Defendant, JOSEPH FELCHNER

By: PIERCE LAW FIRM, P.C.

s/Charles A. Pierce  
One of His Attorneys

Charles A. Pierce, #06208106  
Pierce Law Firm, P.C.  
#3 Executive Woods Court, Suite 200  
Belleville, IL 62226  
Ph. 618-277-5599  
Fax: 618-239-6080  
[cpierce@piercelawpc.com](mailto:cpierce@piercelawpc.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on January 5, 2021, I electronically filed a MOTION FOR SUMMARY JUDGMENT 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  
[sfruth@atg.state.il.us](mailto:sfruth@atg.state.il.us)  
[gl@atg.state.il.us](mailto:gl@atg.state.il.us)  
*Attorney for Defendant, Ellen Sweeney*

I hereby further certify that on January 5, 2021, 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  
Pierce Law Firm, P.C.  
#3 Executive Woods Court, Suite 200  
Belleville, IL 62226  
Phone: (618) 277-5599  
Fax: (618) 239-6080  
E-mail: [cpierce@piercelawpc.com](mailto:cpierce@piercelawpc.com)  
Attorney Bar Number #06208106