

DONELL L. PRINCE
P.O. Box 1024
Hackensack, New Jersey 07602-1024
(201) 218-0159 or (803) 614-0136
Pro Se Plaintiff

U.S. DISTRICT COURT

2010 AUG -6 PM 1:48

Plaintiff
Donell L. Prince

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY- NEWARK

FILE NO.: 2:09-CV-5429
JUDGE:

vs.

Defendant (s)

CIVIL ACTION
SECOND AMENDED COMPLAINT
FOR DAMAGES AND JURY DEMANDED

Sgt. Thomas Aiello badge #221, individually and as police officer in Police Department, city of Hackensack; and Det. W. Inglima, individually and as police officer in Police Department, city of Hackensack; and Det. A Gutierrez, individually and as police officer in Police Department, city of Hackensack; and Det. A Ferraoili, individually and as police officer in Police Department, city of Hackensack; and Lt. Lee, individually and as police officer in Police Department, city of Hackensack; and Lt. Plunket, individually and as police officer in Police Department, city of Hackensack; and Officer C. Toomey, individually and as police officer in Police Department, city of Hackensack; and Officer T. Gervasi badge #218, individually and as police officer in Police Department, city of Hackensack; and Officer J. Gervasi, B.C.I. Division, individually and as police officer in Police Department, city of Hackensack; and Sgt. A. Trezza badge #242, individually and as police officer in Police Department, city of Hackensack; and Internal Affairs Captain Walsh, individually and as police officer in Police Department, city of Hackensack; and Hackensack Police Department; and John Doe member (s) of Hackensack Police Department; and Court Administrator Janice Behnke, individually and as member of Hackensack Municipal Court staff; Deputy Court Administrator Elizabeth P. individually and as member of Hackensack Municipal Court staff; and Hackensack Municipal Court; and Bergen County Jail in City of Hackensack; and John Doe member (s) of Bergen County Jail staff, individually and as members of Bergen County Jail; and E. Schiffman, M.D., Resident in Psychiatry, Bergen Regional Medical Center, Forensic Psychiatry Unit D1., part of Bergen County Jail, individually and as member of Bergen Regional Medical Center and/or Bergen County Jail staff; and Bergen Regional Medical Center; and John Doe members Bergen Regional Medical Center staff; and E. Fahey, MA., Manager/Psychiatric Screener of Care Plus New Jersey Inc. individually and as member of Care Plus New Jersey Inc. staff; and Care Plus New Jersey Inc.; Bergen County Municipal Division; Bergen County Prosecutor and Prosecutor Ostuni and John Doe

member (s) of Bergen County Prosecutor (s) staff, individually and as members of Bergen County Prosecutors office; and Attorney General, State of New Jersey; and John Doe member (s) of N.J. Attorney General staff.

Introduction

1. This is an action at law to redress the deprivation under color of statute, ordinance, regulation, custom, or usage of a right, privilege, and immunity secured to plaintiff (s) by the Fourteenth Amendment to the Constitution of the United States under Title 42 U.S.C. § 1983 and arising under the laws and statutes of the State of New Jersey. Wherein defendants individually and/or together conspired and acted in such a way as to deprive plaintiff of civil rights and rights to equal protection under the law. This matter started when four defendant police officers were caught illegally trying to enter/break into my apartment on 5/23, and made unlawful threats to cause imprisonment and 24 hours later carried out threat on 5/24 by making up multiple fictitious stories of incident to have plaintiff first incarcerated incommunicado for mental evaluation, claiming plaintiff had no rights for 19 hours, which got plaintiff committed and later drugged; and thereafter on 5/25 defendants deprive plaintiff of his rights further by the malicious filing of false criminal charges for 2nd & 3rd degree crimes, falsely arrested and maliciously prosecuted me for these fictitious crimes. Other defendants acted separately and/or in concert which aids, abets and help conceals these serious crimes and terroristic acts committed under color of law, in addition other defendants ignored their duties to preserve the rule of law and to protect the rights and liberties guaranteed by the Constitution and Laws of the United States and State

of New Jersey for all citizens.

2. (a) Plaintiff spent three months and five days in county jail before I was able to bail out and a total of two years and five months, until the fictitious charges were dismissed with prejudice on October 25, 2007, by County Municipal Court Judge Roy F. McGeady P.J.M.C.; these defendant police officers and others defendants conduct was willful, reckless, negligent, intentional, with no remorse, these serious crimes and terroristic acts, which caused great harm, physical and mental distress, pain, suffering, humiliation, financial hardship and loss for me and my family, which endangered my life, and indirectly lead to my stepfather Mr. N. Akridge early death, as well plaintiffs continued concerns about my safety and life, because these defendant officers are capable of doing anything to keep cover up what happened to protect themselves from criminal/civil responsibility.

(b) Therefore plaintiff demands trial by jury and request compensatory and punitive damages for all losses, injuries, known & unknown, when this complaint was filed.

3. (a) The Court has subject-matter jurisdiction over this action pursuant to 28 U.S.C. § 1331 (federal question) & 1343, this being an action authorized by law to redress the deprivation of federal rights under color of law, statute, ordinance, regulation, custom, or usage of a right, privilege, and immunity secured to plaintiff (s) by the Fourteenth Amendment to the Constitution of the United States under the Civil Rights Act 42 U.S.C. § 1983.

(b) The Court has jurisdiction over State claims based on the principles of supplemental jurisdiction, as stated under 28 U.S.C. § 1367.

4. The matter in controversy exceeds, exclusive of interest and cost, the sum or value of one hundred thousand dollars (100,000.00).

5. Venue is proper in this District Court, wherein most of these events took place in the cities of Hackensack and Paramus in Bergen County, in state of New Jersey, where the plaintiff lived at 15 Lehigh Street Apt. #41 in city of Hackensack and defendants worked in the cities of Hackensack and Paramus.

6. During all times mentioned in his complaint, plaintiff Donell Prince is of full age, and is a citizen of the United States and I now reside in Cliffside Park, New Jersey; and request all mail related to this complaint is to be sent and addressed to Donell L. Prince P.O. Box 1024, Hackensack, New Jersey 07602-1024.

7. At all times material to this complaint, defendants police officers, Sgt. Thomas Aiello badge #221, Det. W. Ingle, Det. A Gutierrez, Det. A Ferraro, Lt. Lee, Lt. Plunket, Officer C. Toomey, Officer T. Gervasi badge #218, Officer J. Gervasi D.C.I. division, Internal Affairs Captain Walsh, Sgt. A. Trezza badge #242, and John Doe member (s) of police department, were employed as police officers at 225 State Street in city of Hackensack, State of New Jersey 07601, and were acting under

the color of their official capacity and their acts were performed under color of law, statute, ordinance, regulation, of the city of Hackensack, State of New Jersey. Defendants police officers were the servants, agents, and employees of their co-defendant the Hackensack Police Department.

8. At all times mentioned here defendant Hackensack Police Department at 225 State Street in city of Hackensack, State of New Jersey 07601, was the employer of defendants police officers, Sgt. Thomas Aiello badge #221, Det. W. Ingle, Det. A Gutierrez, Det. A Ferraro, Lt. Lee, Lt. Plunket, Officer C. Toomey, Officer T. Gervasi badge #218, Officer J. Gervasi D.C.I. division, Internal Affairs Captain Walsh, and Sgt. A. Trezza badge #242; and provided each of the individual defendants with an official badge and identification card which designated and described its bearer as police officers of said city police department.

9. At all times mentioned here defendant Court Administrator Janice Behnke and Deputy Court Administrator Elizabeth P. was employed at co-defendant Hackensack Municipal Court at 215 State Street in city of Hackensack New Jersey 07601. Both defendants here were acting under the color of her official capacity and the acts were performed under color of law, statute, ordinance, regulation, of the city of Hackensack, State of New Jersey.

10. At all times mentioned here defendants Bergen County Jail and John Doe member (s) of Bergen County Jail staff, at

South River Street in city of Hackensack New Jersey 07601, was acting under the color of its official capacity and the acts were performed under color of law, statute, ordinance, regulation, of county of Bergen, State of New Jersey.

11. At all times mentioned here defendant E. Schiffman, M.D., Resident in Psychiatry, Bergen Regional Medical Center, Forensic Psychiatry Unit D1., part of Bergen County Jail, individually and as employee of co-defendants Bergen Regional Medical Center and/or Bergen County Jail staff. Co-defendant Bergen Regional Medical Center; Gail Pietrsla; Sterling M.D.; Mohammad Mallick M.D.; Puudimamuthxuda M.D.; and John Doe member (s) of staff at 230 East Ridgewood Avenue, Paramus New Jersey 07652, upon information and belief was a willful participant in joint activity with the city, county and state or it agents and is subject to federal court jurisdiction under Title 28 U.S.C. § 1343.

12. At all times mentioned here defendants, E. Fahey, MA., Manager/Psychiatric Screener of Care Plus New Jersey Inc. individually and as member of co-defendant Care Plus New Jersey Inc. staff at 610-611 Industrial Avenue, Paramus New Jersey 07652, upon information and belief was a willful participant in joint activity with the city, county and state or it agents and is subject to federal court jurisdiction under Title 28 § 1343.

13. During all times mentioned herein, the above individual defendants in paragraphs (7-13) and each of them, separately

and in concert, acted under color and pretense of law, to wit, under color of the statutes, ordinances, regulations, customs, or usages of the State of New Jersey and the County of Bergen and the city of Hackensack. Each of the individual defendants and each of them, separately and in concert engaged in the illegal conduct, aided, abetted and help concealed this police misconduct hereto mentioned, to the injury of plaintiff and deprived plaintiff of the rights, privileges, and immunities secured to plaintiff by the Fourteenth Amendment to the Constitution of the United States and the laws of the United States.

14. At all times mentioned here defendants, Bergen County Prosecutor, Prosecutor Ostuni and John Doe member (s) of Bergen County Prosecutor staff; Bergen County Municipal Division at Justice Center, 10 Main Street in Hackensack New Jersey 07601, was acting under the color of its official capacity and the acts were performed under color of law, statute, ordinance, regulation, of county of Bergen, and State of New Jersey.

15. At all times mentioned here defendants, Attorney General, State of New Jersey and/or John Doe member (s) of New Jersey Attorney General staff, at PO Box 085 Trenton New Jersey 08625-0085, individually and as members of Attorney General staff, was acting under the color of its official capacity and the acts were performed under color of law, statute, ordinance, regulation, of State of New Jersey.

16. (a) During all times mentioned herein, the individual

defendants in paragraphs (14-15) and each of them, separately and in concert, acted under color and pretense of law, to wit, under color of the statutes, ordinances, regulations, customs, or usages of the State of New Jersey and the County of Bergen, Each of the individual defendants and each of them, separately and in concert, engaged in conduct hereto mentioned as it relates to their official indifference to these serious crimes and terroristic acts committed under color of law by defendants police officers and other defendant charged with up holding the laws, Hackensack Police Department and Hackensack Municipal Court, wherein thier staff obstruct justice and tried to stall, sabotage plaintiffs filling of criminal complaints and any investigation before it got started. while these same groups, continued to try and prosecute and railroad plaintiff for fictitious crimes.

(b) When the Bergen County Prosecutor office and staff, Bergen County Municipal Division and staff, Attorney General office and staff of the State of New Jersey ignore such blatant crimes of, Official Misconduct 2C:30-2; Official deprivation of civil rights 2C:30-6; Pattern of Official Misconduct 2C:30-7; Conspiracy 2C:5-2; Obstruction of Justice; and other crimes related these serious crimes and terroristic acts; and refuse to allow a law abiding citizen to file complaints at their offices, their official indifference sends a clear message that its OK to victimize average citizens and the poor, this indifference aids, abets and help conceals police misconduct,

to the injury of plaintiff and deprived plaintiff of the rights, privileges, and immunities secured to plaintiff by the Fourteenth Amendment to the Constitution of the United States and the laws of the United States as well as State Laws.

17. At this point plaintiff believes its important for the court have some general information related to plaintiff and past problems with some of these defendants, because plaintiff contends this information relates directly to this cause of action and some damages plaintiff is claiming.

General information and past problems

18. I am (50) fifty years old now and at the time of this incident on May 23, 2005, I was a (46) forty -six year old black male who had lived in the town of Hackensack for over (39) thirty-nine years, lived in the same apartment in town for over 22 twenty-two years, had worked at the same job in town for over (17) seventeen years before I got hurt and now have been collecting my Social Security every sense (1995) for permanent disability because of injuries to my cervical, thoracic and lumber spine from two auto accident from 1991 & 1995. I am still and have been a law abiding citizen, who's never tried to harm or threaten anyone, and who legally owned firearms every sense (1995), for home protection and target shooting.

19. (a) To put into context what's been going on, I think it's important that you know their was a past history between me and this Police department and Municipal court, dealing with my attempts from June of 1995 through 1999 to have some

Hackensack police officers, medical center paramedics and others in the area held accountable for illegal and unethical conduct, and the covering up of same by others, that revolved around my 1995 auto accident which I was the victume caused by Hackensack Medical Center employees, wherein the paramedic and a police officer decided by just looking at me an seeing that I was black, that I had to be faking injuries because I complained of pain in my neck and back, when in fact I already had injuries to my cervical, thoracic and lumber spine from auto accident from 1991, after first trying to bully and intimidate into not wanting an accident report, the police officer falsified the accident report to blame the accident report on an unknown third party and thereafter the Hackensack Police department and Hackensack Municipal court refused to allow me to file complaints in the matter, I then tried to have them held accountable in local county court, for which I had been warned to back off by Hackensack Internal Affairs Police Caption Smith,..." or things could happen to me, whether civil, criminal or otherwise, and told that if I was really injured I should only be concerned about my future, and not be interested justice and further stated that he was not threaten me either, that things just happen sometimes".. (See listed under Ex. A)

(b) Coincidentally some of their threats came true when a my former lawyer intentionally cause the loss of most of my Personal Injury Protection benefits from two insurance policy's in two civil matters entrusted to him, my attorney was Edward

G. Johnson Esq., who at time he represented me, I found out later was a municipal appeal attorney, both the matter I was handing myself with the police and others and the attorney handling of insurance PIP benefits matter were being done at the same time. when this attorney made up fictitious court rules and laws, and secretly agree with opposition attorneys to handle my claims differently than the law requires and I instruct him to, which lead to the loss of my medical and income continuation benefits, this attorney actions were not simple mistakes and afterward said attorney told me,..... "their was nothing else he could do for me, and that I needed to understand that," things just happen sometime'.....

(c) Coincidentally at the time of this incident on May 23,2005, I was working on an very important Appeal which needed to be filed to Supreme Court by June 6, 2005, (see attached under exhibits B) I had been trying to get my former lawyer named Edward G. Johnson Esq., who was at that time a County Adjuster and Department Head in Hackensack and three other attorney Joseph Charles Esq., Cyril S. Hodge Esq., and John J. Grossi III, into Court in a civil matter for illegal and/or unethical conduct. Questions of why my former lawyer intentionally cause the loss of over \$350,000.00 of my Personal Injury Protection benefits from two insurance policy's in two civil matters entrusted to him, and whether said conduct had some connection with threats made by Hackensack police.

(d) Additionally before the May 23, 2005, incident their

had been other acts related to my home, off and on while I was trying to get my former attorney into court which I believed was meant to scare me into backing off but I just couldn't prove it, I took steps to protect my apartment, by putting in a hidden camera and combination locks on my doors. All first floor apartment are on top of car garages and police officers were in the garages below my apartment; and for some unknown reason rotten egg other strong odors and fumes would flood only into my bedroom in the middle night on many occasion and then about two weeks before the May 23, 2005 incident someone in the middle of the night fired off five what I believe was blanks shots in the garage below my bedroom, then sped off in a car.

Allegations- illegally trying to enter/break into plaintiff apartment on 5/23/05 and made unlawful threats to cause imprisonment.

20. (a) This started between 9:30 p.m. 10:00 p.m. on the night of 5/23/05, when four (4) plain clothes narcotics Hackensack police officers, named Sgt. Thomas Aiello badge #221, Det. W. Inglima, Det. A Gutierrez and Det. A Ferraroili, were caught illegally trying to enter/break into my apartment, at my former address, at 15 Lehigh Street Apt.# 41 in Hackensack New Jersey 07601, wherein the police claiming they were chasing and lossed a suspect who had a warrant in the general area and upon returning to their car they saw my door ajar and came to my apartment out of concern for safety of resident inside said police officers never rang door bell, never knocking on my door

nor announce themselves as police officers, causing a incident and creating a very dangerous situation for all concerned; When plaintiff heard someone trying to enter/break into my apartment, plaintiff stood up and grabbed his legal gun to protect myself and turn on the lights, whoever was breaking in stop and back off, from were plaintiff was standing inside his apartment he could not see who was trying to enter/break in and they could not see plaintiff, the only other thing plaintiff did was peek around the corner of the wall inside his apartment. (see under exhibits D detailed account of incident on 5/23/05 & 5/24/05 with copies of photographs 1-8 that show and explain same)

(b) Two (2) of the four officers, a Sgt. Thomas Aiello and another I believe to be Det. W. Ingle, tried to bully, intimidate and as well made threats before leaving because I dared to stand up them and for my rights, wherein Det. W. Ingle"threatened to arrest me if I didn't shut-up"..... and thereafter Sgt. Thomas Aiello stated "that I better stop thinking that people or out to get me before I find out what someone out to really get me could do to me"....

Allegations- carrying out threats on 5/24/05 by having plaintiff first incarcerated incommunicado for mental evaluation.

21. What the police did next clearly was over the top, just to cover-up for the fact that they were caught illegally breaking into my apartment, on the night of May 24, 2005, around 10:00 p.m., police officers Sgt. Thomas Aiello badge #221, Det. W. Ingle, Det. A Gutierrez, Det. A Ferraro, Lt. Plunket,

Officer C. Toomey, came back to my home and told me that they needed me to come down to the police station with them to discuss what happened the night before on Monday May 23, 2005, I went willing with the police officer to the police station and was not arrest or in any handcuffs, once we got to the police station they lead me to a cell and asked me to step inside, wherein I asked if I'm under arrest for something, and asked for a phone call and a attorney, I was told by the police officers that I was not under arrest so was not entitle to a phone call or an attorney, and over the next (19) nineteen hour at the hospital the police continued to claim that I had no rights, the police claimed that they had a Court Order from the Municipal Court to take me to Bergen Regional Medical Center for an psychiatric evaluation for my on good. This is confirmed by, police department investigation report fill out by P.O. T. Gervasi #0512683, stating this was aid, I was victume, not under arrest, no complaint signed, between the hours of (22:10) 10:10 p.m. Tuesday night 5/24/05 until (15:00) 3:00 p.m. Wednesday 5/25/05; see listed under exhibits E as (e-1).

22. (a) What I learned while I was at the emergency room in Bergen Regional Medical Center and from hospital records later was that Lt. Lee from the Hackensack Police Department had called, a psychiatric hot-line screener at Care Plus of New Jersey Inc., and Bergen Regional Medical Center Psychiatry Unit and told them; that an incident occurred with me on May 24, 2005 "wherein the police were responding to a domestic

violence call at my apartment building, home and claimed that, I Donell L. Prince was sitting in my home with the door open, and with a loaded and cocked gun in my hand, pulled gun on police officers and threatened to kill the police officers, and then I put gun to my own head threatening to kill myself, also claiming that police officers struggled with me and took away loaded and cocked gun, also claimed that in cell at the station I talked to myself, and I was delusional and fighting imaginary people, and that I claimed that the police and others were plotting against me, that I had my refrigerator chained up while I was home"..... (see listed exhibits F)

(b) Upon information and belief this fictitious story was told to get the first doctor I saw at Psychiatry Unit and Care Plus psychiatry screener to believe, assume and quickly diagnose that I was homicidal, suicidal, psychotic, delusional and paranoid. What the police did here clearly was done to try to destroy my credibility, the police wanted this quick diagnose and wanted me released back into their custody, if that had happened the police would have been able to do anything they wanted to me and no one question them.

(c) Fortunately for me the head doctor in charge of the emergency room heard what was going on, and intervened on my behalf, after I told him what was go on, he decided to play it safe and try to contacted my family and my legal plan attorney to let them know what was happening, and would not release me back into police custody, the head doctor kept me for further

evaluation. I was in the emergency room at hospital between 10:45 p.m. Tuesday night May 24, 2005 until 7:15 p.m. Wednesday evening May 25, 2005, hand cuffed to bed and under police guard. My sister Margo Prince came to emergency room with her friend and came into room I was being held in, when I called out her name, the police officer moved toward them and told them they could see me, but I yelled out and told her what was going on before officer got them out of the room, said officer came back into room where I was and pulled out his cell phone and called someone, I over heard him say, "there some woman hear claiming to be the sister of Donell Prince, also said what do we do now, we didn't know he had family in the area.".....

Allegations- carrying out threats on 5/25/05 by the malicious filing of false criminal charges for 2nd & 3rd degree crimes, falsely arrested and maliciously prosecuted me for these fictitious crimes.

23. (a) Plaintiff contends that whatever the police had plan for me changed after the emergency room head doctor intervened and my sister Margo Prince came to emergency room. The head doctor who had intervened on my behalf advised the police officer guarding me that they were going to keep me for further evaluation, and that sense I had not been charged with any crimes they were going to transfer me to the third floor, for my further evaluation which wasn't under lockdown and advised that if the police wanted me under lock down they would have to charge me with a crime, and then I could be placed in D-1

Forensic Psychiatry Unit, for further evaluation, this unit is part of Bergen County Jail at the hospital. The (John Doe) police officer guarding me contacted police station and thereafter spoke to head emergency room doctor and advised him that they were going to charge me with crimes and that the police station would fax over a copy of charge soon; thereafter on May 25, 2005, around 5:00 p.m. according to records/documents I was charged with Second & Third degree crimes, and \$50,000.00 bail set by judge Dinice, and I was booked in at Bergen county jail D1 Forensic Psychiatry Unit at Bergen Regional Medical Center, This is confirmed when you look at (exhibit E) the police department investigation report fill out by P.O. T. Gervasi #0512683 as stated above, by three page printout of bergen county jail records, booking #D-38609, (see exhibit G), and by D1 Forensic (Joh Doe) staff who recorded in their records same (see exhibit F-a); after I was processed in at D1 Forensic Psychiatry Unit I was not allowed any visitors or mail while I was there, I found out later what these charges were from the public defender on July 1, 2005 at the main county jail building and thereafter got a print out sheet from county jail law library.

(b) What I later learned from police records was that police officers, Sgt. Thomas Aiello badge #221, Det. W. Inglima, Det. A Gutierrez, Det. A Ferraoili, Lt. Lee, Lt. Plunket, Officer C. Toomey, and P.O. J. Gervasi., (DCI Div), had made up a different fictitious story of incident than what was told to

Care Plus of New Jersey Inc., and Bergen Regional Medical Center Psychiatry Unit to get me charging me with Second & Third degree crimes, " by claiming they were chasing and lossed a suspect who had a warrant in the area and on their way back to their car saw my door ajar and that they came to apartment out of concern for safety of resident inside and knocked on my door and announced themselves as police officers, and claimed that I open my door and pointed a gun at them on the night of May 23, 2005,"..... but didn't arrest me or report crimes. Police department investigation report fill out by Sgt. Thomas Aiello #0512616 & #0512629 and three page letter by Sgt. Thomas Aiello to police chief Zisa about what he claimed happened on Monday and Tuesday nights of the 5/23/05 & 5/24/05. (see exhibits H)

(c) Upon plaintiff belief that these arrest records warrant/complaint were back date to 5/24/05, by Sgt. Thomas Aiello, Deputy Court Administrator Elizabeth P. and others to cover up what happened during the first (19) nineteen hour I was in police custody at the hospital, were the police continued to claim I was not under arrest, that I had no rights, was not entitle to a phone call or an attorney, that they had a Court Order from the Municipal Court to do this.

(d) In this second fictitious story of incident told by Sgt. Thomas Aiello, and other officers, claiming I committed Second & Third degree crimes involving a gun against the police on Monday 5/23/05 at about 8:50 p.m., but they didn't arrest me, nor reported a crime and didn't take gun because I had no

violent history according to computer check, but instead continued to look for a suspect who they were chasing and losted which had warrants, this suspect was Terrence Bease and had warrants related to shoplifting charges, (see exhibits I), the police department investigation report fill out by Det. W. Inglima #0512530 and police department arrest and pedigree sheet, which show Terrence Bease was arrested on Monday 5/23/05 at around 9:35 p.m., at 414 Essex Street in Hackensack these record were not turn over until July 31, 2007; for over two years the police claimed Terrence Bease was a very dangerous criminal and that was their justification to come to my home, out of concern for the safety of the resident(s), these records shows that not to be true, and that Terrence Bease was arrested (6) six blocks up over a hill from plaintiff apartment building and was under arrest before they came to my apartment. Its also important to note that Sgt. Thomas Aiello change the story again in testimony in court on September 13, 2007, now claiming"the incident at my apartment happened at 7:00 p.m., and they didn't arrest me because women and children were out side and they didn't want to scare and traumatize them".....

(e) While Sgt. Thomas Aiello, investigation reports #0512616 & #0512629, and three page letter to Police Chief Zisa claims (see exhibits H) he reported the crimes at 5:00 p.m. on Tuesday 5/24/05 that had occurred on Monday 5/23/05, and thereafter file complaint and got warrant and then I was arrested on said warrant at 9:00 p.m. on Tuesday 5/24/05, read me my

rights, was taken to police station and given copies of complaint and I was booked and processed by P.O. J. Gervasi., (DCI Div)

(f) Both the Bergen County Prosecutor's office copy and defendant copy of complaint/warrant states I was arrested on 5/25/05. (see exhibits J & see G). I wasn't given the defendants green copy of complaint/warrant until April 5, 2006 in hackensack municipal court, this happened after Caption Smith came into the court room and the judge asked him to hand plaintiff the green defendants copy of original charge sheet, this was the same former Internal Affairs Caption Smith that had made past threats as stated above in paragraph the fact that the municipal court still had my defendants copy of complaint/warrant on April 5, 2006, over (10) ten months after the police claimed they gave it to me, tells all, the other inmates who had been arrested on complaint/warrant and booked had their green defendants copy explaining the charges and bail, I was the only inmate who didn't have his copy.

(g) When you look at Sgt. Thomas Aiello's investigation reports #0512616 & #0512629 and three page letter to Police Chief Zisa, how can the Sgt. Thomas Aiello's #0512616 report talk about things that has not happened yet i.e. this document was claimed filled out 5:00 p.m. on Tuesday 5/24/05, before complaint/warrant was issued so how can he claim a complaint was signed, claim I arrested at that time, also states "for further see case report", two of these things happened (4 to 5) hours later, in addition in the three page letter to Police

Chief Zisa, Sgt. Thomas Aiello is talking about something that happened on 5/25/05 where he states that " all evidence tagged, sealed, photographed and turn over to Det. P. Carroll (Detective Division) on 5/25/05 at 1630 hours." also claims that (" actor was processed & photograph by P.O. J. Gervasi- B.C.I. Division), when you look at the Arrest and Pedigree form at bottom where it states processed by, it's clear that another officer started to sign this form and than P.O. Gervasi name was written on top of same. (see exhibits H)

(h) Plaintiff contends that defendants police officers, Sgt. Thomas Aiello badge #221, Det. W. Ingle, Det. A Gutierrez, Det. A Ferraro, Lt. Lee, Lt. Plunket, Officer C. Toomey, Officer T. Gervasi badge #218, Officer J. Gervasi D.C.I. division, and John Doe member (s) of police department, were willful participant in the conspiracy to maliciously bring false charges and/or maliciously prosecute plaintiff for these fictitious crimes, to carry out past/present threats defendants acted separately or in concert which aids, abets and help commit and conceals these serious crimes and terroristic acts committed under color of law by members of Hackensack police department.

As it relates to; defendants E. Fahey, MA., Manager/Psychiatric Screener of Care Plus New Jersey Inc.; and Care Plus New Jersey Inc.

24. (a) Based on, after I bailed out of county jail, my attorney and I tried to get all the important notes/records

of statements taken from plaintiff and defendants police officers on May 24 & 25 2005 by E. Fahey, MA., Manager/Psychiatric Screener of Care Plus New Jersey Inc., and was told by Care Plus New Jersey Inc., that E. Fahey, MA., Manager/Psychiatric Screener, no longer worked for them and the only records in the file is a summary/final report and that no other record were saved, records required by law to be saved, somehow got lost or destroyed, violating the law pursuant to 2C:21-4.1. Purposeful destruction, alteration or falsification of record relating to care of medical or surgical or podiatric patient in order to deceive or mislead; When E. Fahey, interviewed me on 5/25, plaintiff made sure she took down my statement accurately and even read my statement, and she assured me that the notes/records would be saved.

(b) Instead of the record/notes showing my statements that the police tried to illegally enter my apartment and made threats the night before on 5/23 and then came back on 5/24, and was claiming that they had a Court Order from defendant Hackensack Municipal Court to take me to defendant Bergen Regional Medical Center for an psychiatric evaluation for my on good, and while there over the next (19) nineteen hour at the hospital the police continued to claim that plaintiff was not under arrest and had no rights, and statements plaintiff made about past problems with police and other statements answering here questions in context;

(c) Instead of the record/notes showing the first fictitious

story created by the police as to what happened at plaintiff apartment; wherein Hackensack police Lt. Lee had called, the psychiatric hot-line screener at Care Plus of New Jersey Inc., on 5/24 and told them that an incident occurred with plaintiff on May 24, 2005 " wherein the police were responding to a domestic violence call at plaintiffs apartment building, home and claimed that, I Donell L. Prince was sitting in my home with the door open, and with a loaded and cocked gun in my hand, pulled gun on police officers and threatened to kill the police officers, and then I put gun to my own head threatening to kill myself, also claiming that police officers struggled with me and took away loaded and cocked gun, also claimed that in cell at the station I talked to myself, and I was delusional and fighting imaginary people, and that I claimed that the police and others were plotting against me, that I had my refrigerator chained up while I was home"..... (see listed exhibits F)

(d) After plaintiffs reading of summary/final report, some of plaintiffs statements had been misrepresented, and/or falsified, by defendant, wherein E. Fahey, states that plaintiff told here on the night of 5/24/05 "..... plaintiff advised that the police came back to his home and told plaintiff they decided to charge plaintiff for pointing a gun, as it could have been dangerous for the police, and that plaintiff argued with the police about this....., also claimed that plaintiff told her that plaintiff was more concerned that the super of his apartment building would put something in his food, like poison.... etc.

(e) Plaintiff contends the only reason these important notes/records was lost or destroyed was to protect themselves, and/or the police from criminal/civil responsibility and to protect the system for which they are part of, and to justify involuntary committing plaintiff based on their assumptions of facts, that I had to have done what the police claimed.

(f) When defendants E. Fahey, MA., Manager/Psychiatric Screener of Care Plus New Jersey Inc.; and Care Plus New Jersey Inc., coincidentally lost or destroyed these important notes/records showing what plaintiff actual statements were that night and showing the first fictitious story created by the police and then purposefully altered and falsified plaintiff statements in order to deceive and mislead and as well incorporated the second fictitious story created by the police as to what happened at my apartment into these falsification, these defendants became a willful participant in the conspiracy to maliciously bring false charges and maliciously prosecute plaintiff for these fictitious crimes, defendants acted separately or in concert which aids, abets and help commit and conceals these serious crimes and terroristic acts committed under color of law by members of hackensack police department.

As it relates to; defendants E. Schiffman, M.D., Resident in Psychiatry, Bergen Regional Medical Center, Forensic Psychiatry Unit D1, Bergen Regional Medical Center; and John Doe members of Bergen Regional Medical Center staff;

25. (a) While in D-1 Forensic Psychiatry Unit, which

was part of Bergen County jail at hospital. While Dr. Schiffman and other staff claimed that they were going to get the police reports, to find out who's version of events were true mine or the Hackensack police, to get to the truth to properly evaluate me, they seem to be just trying to scrutinize everything I did and said to justify the first emergency room doctor assumptions and quick diagnose, based on lies told by defendant police officers, that plaintiff was homicidal, suicidal, psychotic, delusional and paranoid, at first the medical staff tried to force anti-psychotic drugs on me, claiming that the first emergency room doctor had ordered them, they did this by refusing to give me other medication I normally took at home before I was brought there, unless I took psychiatry drugs as well (i.e. medications for blood pressure, for stomach problems, for injuries to my cervical, thoracic and lumber spine). the staff later started complying with the medical centers on rules and regulations related to patient/inmate bill of rights, concerning medical care and the right to know what all medication are for, to refuse medications and the right to read name of medication and see same taking out of individual packages, the only funny part about this was that some of the staff tried to claim I was being paranoid because I wouldn't trust them with my medication after what they did.

(b) After the first few days Dr. defendant E. Schiffman came to plaintiff and stated she had not been able to get the police records because of the holiday to properly evaluate me, she

claimed they could only keep me there at D-1 Forensic Psychiatry Unit for a few days, and asked me to do a voluntary committal for a few more days to give her the time to get the police records and do a proper evaluation, I agreed to try and protect myself from what ever the police were trying to do, it would give me time to get an attorney and let family know what was going on, but after ten days Dr. Schiffman continued to claim she was having problems getting records, the staff then tried to get me to sign another voluntary committal and I refused. Plaintiff later found out why defendant E. Schiffman and co-defendant Bergen Regional Medical Center flat outright lied to plaintiff to get plaintiff to do a voluntary committal, these defendants were illegally billing my Medicare for my stay there and had billed over 25,000.00 dollars, committing Medicare fraud, defendants seemed to care more about defrauding my Medicare then getting to the truth;

(c) On June 13 2005, plaintiff was sent to the Bergen County Jail in Hackensack, after a meeting between defendant Dr. E. Schiffman and her supervisor from co-defendant Bergen Regional Medical Center, this meeting took place about a half hour after plaintiff overheard a conversation between Dr. Schiffman and some staff while I was coming out of one of the rear bathrooms at, Forensic Unit D1, wherein defendant E. Schiffman stated that "it turned out the inmate Prince was telling the truth that he was set up, but the bottom line is that nobody was going to take his word over the polices and that if he wasn't

going to do something before he mite after this.".....

(d) Based on, after I bailed out of county jail, my attorney and I tried to get all the important notes/records of statements taken on May 24, 2005 and thereafter, fortunately all these records were saved as required by law, by the medical center and show what plaintiff statements were. So when defendant E. Schiffman, M.D., Resident in Psychiatry, of Bergen Regional Medical Center, Forensic Unit D1; intentionally misrepresent and falsified information in her final summary/report as relates to what I told her and defendant Bergen Regional Medical Center at hospital, which violated the law pursuant to 2C:21-4.1.

Purposeful destruction, alteration or falsification of record relating to care of medical or surgical or podiatric patient in order to deceive or mislead; These hospital records clearly show that plaintiff statement were; "that plaintiff grabbed his legal gun to protect myself because someone was breaking into my home"..... Instead Dr. E. Schiffman, claims that I told her that," plaintiff pulled and pointed a gun at intruders/police officers, but I didn't know who they were police"..... and were she state..... "he had some insight and fair judgment, wherein that probably it wasn't a good idea to point a gun at the police although, as he said, he did not know it was the police when they entered his apartment"

(e) Plaintiff contends that defendants E. Schiffman, M.D.; Bergen Regional Medical Center; and John Doe member (s) of Bergen Regional Medical Center staff; intentionally misrepresent and

falsified information in her final summary/report to protect themselves, and/or the police from criminal/civil responsibility and to protect the system for which they are part of. When these defendants purposefully altered and falsified plaintiff statements in order to deceive and mislead and as well incorporated the second fictitious story created by the police as to what happened at my apartment into these falsification, these defendants became a willful participant in the conspiracy to maliciously bring false charges and maliciously prosecute plaintiff for these fictitious crimes, defendants acted separately or in concert which aids, abets and help commit and conceals these serious crimes and terroristic acts committed under color of law by members of Hackensack police department.

(f) When Defendant Bergen Regional Medical Center, and defendants John Doe members staff takes part in illegal conduct such as defrauding plaintiff Medicare, falsified information in records, they send a clear message to there employee as it relates its customs and policy's, that its ok to violate plaintiff rights, with explicit or tacit approval of defendant Bergen Regional Medical Center.

As it relates to; Bergen County Jail and defendants John Doe members of Bergen County Jail medical staff and/or other staff.

26. (a) While at Bergen County Jail in Hackensack, at first I didn't have any problems with my medications there, medication was given dissolved in juice, I was getting only

medication for blood pressure and stomach problems in the morning and two medications for neuropathic pain and to help me sleep, to help deal with problems related to injuries to my cervical, thoracic and lumber spine in the evening. than someone at the Bergen County Jail ordered and started putting anti-psychotic drug in my med's at first smaller doses and than larger ones and at first weekday medical staff lied about, I started having a lot of problems after taking med's my heart would start racing bad, my blood pressure would go up, I would get very dizzy and almost pass out, my mouth and throat would numb up and I would start to gag, and I felt short of breath, get bad headaches, couldn't think or focus clearly and would get pain in my kidney area. When I asked the regular weekly nurse again about any changes from the two med's, and this time she claimed that I have always been taking anti-psychotic drugs as part of my evening med's, at this point I refused to take any med's dissolved in juice and then weekday medical staff tried to force anti-psychotic drugs on me, they did this by refusing to give me my regular medication.

(b) Plaintiff found out the truth from the older black weekend nurse who told me that someone, she didn't know who wrote a prescription order for the anti-psychotic drug called Seroquel on August 5, 2005, to be given to me, said nurse told me I would have to talk to doctors to get further information about this, I tried to find out who order this anti-psychotic drug and why, because I had not done anything, the doctors wouldn't talk to

me and ignored my sick call slips related to same after that. in addition while at bergen county jail the medical staff ignored my sick call slips for two weeks related to me losing a lot of blood in my stool, additionally the bergen county jail refused to turn over the record from plaintiff stay at jail, first to public defender office as was told to me by attorney and than later refused to turn records over to plaintiff

(c) Plaintiff contends that when defendants Bergen County Jail and defendants John Doe members of Bergen County Jail medical staff and/or other staff, tried to seriously harm plaintiff with drugs and other conduct, these defendants became a willful participant in conspiracy, these defendants acted separately or in concert which aids, abets and help commit and/or conceals these serious crimes and terroristic acts committed under color of law by members of hackensack police department. Plaintiff contends this base on conversation between two people plaintiff believes were part of the medical staff, a white female and white male with full beard standing off to the side of the inmates line to get medications, the female told the male "...its the guy with the gray streak in his hair and beard, the male stated so all these good people could loss everything because of him, we see about that".....sense plaintiff was the only one in line with this gray streak in his hair and beard, it is plaintiff belief they were talking about plaintiff and not to long after, this conversation someone started drugging plaintiff.

(d) In addition the plaintiff still dose not know all of what happened to me at the bergen county jail, as the defendant has refused to turn over records from the beginning, plaintiff believes their still maybe some injuries and damages by defendants not known at this time, this is based on a conversation plaintiff overheard from two police officer, "when one stated that plaintiff mite have been able to bail out, but that I was being destroyed from the inside and didn't know it".....,

As it relates to defendants Prosecutor office and John Doe members of staff.

27. (a) After bailing out jail on August 30, 2005 I collected what records/documents I could and contacted by letter dated October 25, 2005, the Attorney General Office about this matter, detailing attempts to prosecute me for fictitious crimes, their reference #2005-8976, and thereafter when plaintiff went to Trenton, February 22, 2007, with my sister and mother, the Attorney General Office told plaintiff they contacted Prosecutor office and forwarded my letter to them in November 2005, also plaintiff sent another letter to Attorney General Office dated February 26, 2007. (see exhibits K)

(b) On November 15, 2005, Prosecutor Nicholas Ostuni & Prosecutor office downgraded charges and remand back to Hackensack Municipal Court, instead of throwing out the fictitious crimes, change from (N.J.S.2C:12-1b(9) aggravated assault on police officer to 2C:12-1A(3) simple assault

disorderly and from (N.J.S. 2C:39-4a) possession of weapon for illegal purpose to 2C:33-2A(2) creates dangerous condition; (see exhibits L)

(c) After plaintiff went to Trenton, February 22, 2007, went to the Bergen County Prosecutor's Office to try and file criminal complaints because of serious crimes and attempts to cover up same by a number of Hackensack Police officers and others with the potential involvement of Hackensack Municipal Court staff in same. I was told by two investigators that they had not heard from Attorney General Office in this matter and the downgraded charges were based on their investigation, I was not allowed to file said criminal complaints at the Prosecutor's Office and same would have to be filed at the Hackensack Municipal Court, I was also told that it could take up to (5) five years to investigate my complaint against the police when they get it.

(d) After trying to file complaints at Hackensack Municipal Court, plaintiff thereafter went to the Bergen County Administrative offices for the Municipal Courts to complain about what occurred at the Hackensack Municipal Court, and see if I could file complaints there, they said no but stated they would call the Bergen County Prosecutor's Office to see if they would allow me to file criminal complaints there, given what happened at Hackensack Municipal Court, but they stated the Prosecutor's office said no.

(e) Plaintiff contends that when defendants Bergen County

Prosecutor, Prosecutor Nicholas Ostuni and defendants John Doe members of Bergen County Prosecutor's Office staff and/or investigators, these defendants became a willful participant in the conspiracy to maliciously bring false charges and/or maliciously prosecute plaintiff for these fictitious crimes, to protect the police and other involved from criminal/civil responsibility and to protect the system for which they are part of, defendants acted separately or in concert which aids, abets and help commit and conceals these serious crimes and terroristic acts committed under color of law by members of Hackensack police department.

(f) Plaintiff statement in point (e) above is based on plaintiff conversation with the two investigators talked about in point (c) above, wherein plaintiff was lied to when he was told by two investigators for the prosecutor office that they had not heard from Attorney General Office (point (a) above), in this matter and the downgraded charges were based on their investigation, these two investigators, one a black male, former Englewood N.J. police officer and the other a white female. The former Englewood police officer did all the talking, after plaintiff explained he wanted to file criminal complaints against Hackensack Police officers, with the potential involvement of Hackensack Municipal Court staff in crimes, the former Englewood police officer started talking about some of the information the plaintiff had put into the letter to the Attorney General Office as it related to plaintiff former

lawyer and his intentional loss of plaintiff benefits, when plaintiff questioned what this had to do with filling criminal complaints, asked why the Prosecutor office downgraded charges related to fictitious crimes, and question whether they had received a copy of my letter to Attorney General Office, the investigator answered as stated in point (c) above and instructed the plaintiff to leave the prosecutor office and building rite away.

As it relates to defendants Hackensack Municipal Court, Administrator Janice Behnke, Internal Affairs Captain Walsh, Sgt. A. Trezza badge #242; John Doe member (s) of police department and Hackensack Police Department.

28. (a) On the following dates of, September 12, 15, 18, 2006, claimant Donell L. Prince along with mother Myrna Akridge (12,15,18) and sister Margo Prince (12), came to the Hackensack Municipal Court and spoke to Court Administrator Janice Behnke to fill some criminal complaints pursuant State of New Jersey Municipal Court Rules (7:2-1)".... which requires the municipal court administrator or deputy administrator shall accept for filling every complaint made by any person"...; Plaintiff had a copy of Rule (7:2-1) with me because of a past problem with municipal court administrator and police department trying to fill a past complaint against a city police officer wherein court administrator Janice Behnke claimed I wasn't allowed to fill complaints against police there, as did the police department, plaintiff had to contact the Attorney general

office and the Bergen County Municipal Court administrator to try and deal with this.

(b) Plaintiff brought with him a five page summary of the issue and people involved who I wanted to file complaints because of serious crimes and attempts to cover same by a number of Hackensack Police officers and others with the potential involvement of Hackensack Municipal Court staff in same. After reviewing five page summary, instead of allowing me to fill criminal complaints pursuant to state court rule (7:2-1), Court administrator claimed I wasn't allowed to fill complaints until after I get police reports from police department concerning the issues. thereafter at police department after reviewing and copying my five page summary, some stalling and the filling out of an one page Internal Affairs report by the john doe lieutenant on duty at desk, said Court administrator Janice Behnke came to police department and spoke to supervising officers and left, plaintiff was told by the lieutenant that the Court administrator wanted the matter handled by sending it through Internal Affairs first before any complaint would be allowed to be filled. Plaintiff was told by john doe lieutenant plaintiff would have to contact Capt. Walsh in charge of Internal Affairs who wasn't in then.

(c) Thereafter police officers Internal Affairs Captain Walsh, Sgt. A. Trezza badge #242, John Doe member (s) of police department; intentionally misrepresenting and/or changed of information from plaintiff statement of what occurred in this

investigative reports they claimed I need to file criminal complaint, to try an create credibility issues with my claims, and in doing so;

(d) Plaintiff contends that members of police department and municipal court staff obstruct justice and tried to stall, sabotage my filling of criminal complaints and any investigation before it got started as it related to continued attempts to keep cover up and control the outcome of this matter. these defendants became a willful participant in the conspiracy to maliciously bring false charges and/or maliciously prosecute plaintiff for these fictitious crimes, to protect the police and other involved from criminal/civil responsibility and to protect the system for which they are part of, defendants acted separately or in concert which aids, abets and help commit and conceals these serious crimes and terroristic acts committed under color of law by members of hackensack police department.

(e) Defendant hackensack police department customs and policy's lead to the deprivation of plaintiffs constitutional rights, these same customs and policy's encouraged all defendant police officers to believe that they could violate the constitutional rights, of the plaintiff with impunity and with explicit or tacit approval of defendant hackensack police department and city of Hackensack

As it relates to defendants Attorney General Office, john doe members Attorney General staff and Bergen County Municipal Division and staff ;

29. (a) On February 22, 2007, I Donell L. Prince along with mother Myrna Akridge and sister Margo Prince, came to the Department of Law and Public Safety to file a complaint and find out why my letter dated October 25, 2005 was not responded to, We were told by an investigator, my letter dated October 25, 2005 was received, and gave plaintiff reference #2005-8976 for same, and a copy was sent to the Bergen County Prosecutor's Office, and that I couldn't file a complaint as it related to the Bergen County Prosecutor's handling of these matters concerning the Hackensack Police Department and Hackensack Municipal Court and plaintiff would have to put my concerns in writing, letter dated February 26, 2007, was sent to Attorney General Office, by plaintiff and Attorney General Office sent a letter in response, (see exhibits under K) basically stating they are unable to investigate matters that are the responsibility of another law enforcement agency, such as municipal police departments and county prosecutor's office.

(b) After trying to file complaints at Hackensack Municipal Court, plaintiff thereafter went to the Bergen County Administrative offices for the Municipal Courts to complain about what occurred at the Hackensack Municipal Court, and see if I could file complaints there, they said no but stated they would call the Bergen County Prosecutor's Office to see if they would allow me to file criminal complaints there, given what happened at Hackensack Municipal Court, but they stated the Prosecutor's office said no.

30 (a) During all times mentioned herein, the individual defendants in paragraphs (27 & 29), Bergen County Prosecutor's Office, Bergen County Municipal Division and Attorney General Office, are charged by state laws with the protection of the public, the enforcement of provisions of Constitution, the Civil Rights Laws, the criminal laws through policing and prosecution and/or administrative responsibility over city municipal courts and their staff to ensure the high standards of conduct to preserve the integrity and independence of these court, as well as the adherence to applicable rules, policies and directives of the Supreme Court, including the code of conduct for judiciary employees and to address, investigate the complaints, concerns from the public. These defendants have a duty to preserve the rule of law and to protect the rights and liberties guaranteed by the Constitution and Laws of the United States and State of New Jersey for all citizens.

(b) When the Bergen County Prosecutor office and staff, Bergen County Municipal Division and staff, Attorney General office and staff of the State of New Jersey, ignore such blatant crimes of, Official Misconduct 2C:30-2; Official deprivation of civil rights 2C:30-6; Pattern of Official Misconduct 2C:30-7; Conspiracy 2C:5-2; Obstruction of Justice; 2C:21-4.1. Purposeful destruction, alteration or falsification of record relating to care of medical or surgical or podiatric patient in order to deceive or mislead, etc.; and then these defendants refuse to allow a law abiding citizen to file complaints at their

offices nor investigate these crime, their official indifference sends a clear message that its OK to violate the constitutional right of the plaintiff and victimize all average citizens and the poor with impunity and with these defendants explicit or tacit approval, this indifference aids, abets and help conceals police misconduct, to the injury of plaintiff and deprived plaintiff of the rights, privileges, and immunities secured to plaintiff by the Fourteenth Amendment to the Constitution of the United States and State laws.

Allegations as to Denial of Civil Rights:

31. Each of the individual defendants, separately and in concert, acted wilfully, knowingly, and purposefully with the specific intent to deprive plaintiff of his rights to:

a) be safe in his homes with out police illegally trying to enter/break in.

b) be free from unlawful intimidation, threats to cause imprisonment and retaliation from police officers when we stand up for our rights.

c) freedom from illegal seizure of his person, from illegal detention, imprisonment and from being held incommunicado for mental evaluation based on fictitious crimes which got plaintiff committed and later drugged.

d) freedom from malicious filing of false criminal charges for 2nd & 3rd degree crimes, falsely arrested and maliciously prosecuted for these fictitious crimes.

e) every citizens rights to equal protection under the

law as guaranteed by State and Federal Laws, should not be ignored by the people charged with enforcing the laws whether at the city, county or state level.

All of these rights are secured to plaintiff by the provision of the due process clause of the Fifth and by the Fourteenth Amendment to the Constitution of the United States under the Civil Rights Act (42 U.S.C. § 1983) and by Title 18 United States Code § 245 (1968).

Allegations alleging Conspiracy:

32. (a) Plaintiff realleges paragraphs 17-31 of the claim above, all these defendants conspired to commit and conceals these serious crimes and terroristic acts committed under color of law, they acted separately and/or in concert which aids, abets the maliciously prosecution of plaintiff for fictitious crimes.

(b) Plaintiff alleges that defendants Hackensack police department; John Doe member (s) of police department, police officers, Sgt. Thomas Aiello badge #221, Det. W. Ingle, Det. A Gutierrez, Det. A Ferraro, Lt. Lee, Lt. Plunket, Officer C. Toomey, Officer T. Gervasi badge #218, Officer J. Gervasi D.C.I. division, Sgt. A. Trezza, Captain Walsh, Hackensack Municipal Court, and John Doe member (s) of court staff; were willful participant in the conspiracy to carry out past/present threats, Wherein plaintiff had been warned and threatened in the past to back off by Hackensack Internal Affairs Police Caption Smith,..." or things could happen to me, whether civil,

criminal or otherwise, and told that if I was really injured I should only be concerned about my future, and not be interested justice and further stated that he was not threaten me either, that things just happen sometimes".. and then present threats, wherein Det. W. Inglima"threatened to arrest me if I didn't shut-up"..... and thereafter Sgt. Thomas Aiello stated "that I better stop thinking that people or out to get me before I find out what someone out to really get me could do to me"....., these defendants have carried out each and every threat, and tried to ruin, destroy me and make an example of me in retaliation for plaintiff standing up to them and standing for his rights.

civil,

wherein in the past plaintiff was pursuing civil case against Police department, police officers, Municipal court and others dealing for illegal and unethical conduct, at time of threats, and two others civil matters dealing with insurance policy payments and accident liability.

(a) in insurance policy payments matter my former hackensack lawyer, Edward G. Johnson Esq., intentionally cause the loss of most of my Personal Injury Protection benefits from two insurance policy's, said attorney, plaintiff found out later was a municipal appeal attorney, this attorney made up fictitious court rules and laws, and secretly agree with opposition attorneys to handle my claims differently than the law requires and plaintiff instruct him to, which lead to the loss of my

benefits, which caused problems pursuing the past case against hackensack police department and others, than coincidentally at the time of this incident on May 23, 2005, plaintiff was working on an very important Appeal which needed to be filed to Supreme Court by June 6, 2005, trying to get my former lawyer named Edward G. Johnson Esq., into court for the loss of my benefits, said attorney now was a County Adjuster and Department Head in Hackensack.

This lawyers past conduct kept plaintiff from getting hackensack police department and others into court and then the police present conduct kept plaintiff from getting lawyer into court.

(b) in the accident liability civil matter plaintiff hired another hackensack lawyer named Steven Fortunenotto, who sought after taking over said case, plaintiff had to fire lawyer because of some unethical conduct, it turned out he was a personal friend of the police chief of hackensack, Ken Zisa.

criminal

which lead to plaintiff being falsely arrested, jailed, falsely charges and maliciously prosecuted for fictitious crimes.

otherwise,

which lead to plaintiff being held in incommunicado for mental evaluation based on fictitious crimes, which got plaintiff committed and drugged, denied equal protection under the law, lossed apartment, lossed rental assistance, caused great harm, physical and mental distress, pain, suffering, humiliation,

financial hardship and loss, ruined credit, lossed \$5,000.00 bail, lossed \$5,000.00 legal fees and their conduct endangered plaintiff life, etc.

(c) The individual violation of defendants, and each of them, in violation of Title 42 United States Code § 1983 did conspire separately and/or between themselves and with other person or persons, for the purpose of impeding, hindering, obstructing or defeating the due course of justice in the State of New Jersey, and with intent to deny to plaintiff Donell Prince, the equal protection of the laws to injure plaintiff from lawfully attempting to obtain his rights under the Constitution of U.S., to equal protection under the laws.

(d) In furtherance of the object of said conspiracy, all of these defendants did do or cause to be done the acts set forth in paragraphs 17-32 of claims in complaint above in violation of Title 42 United States Code § 1983, when people charged with enforcing the laws, feel that the laws don't apply to them and that we average citizens have no rights unless they decide we do, then clearly there has been break down of the rule of law, as in this case, at the city, county and state level, and this has lead to a systemic and a series of continual violation of plaintiffs rights under the color of law, these defendants have committed serious crimes and committed terroristic acts against plaintiff, and/or cover up and concealed said crimes in violation of State laws and/or federal laws; and/or ignore their charged duties to protect the public and

enforce the laws at the state and federal level for all citizens; and in doing so did thereby injure plaintiff Donell L. Prince in his person, and deprive him of having and exercising his rights and privileges under the Constitution and laws of the United States and the Constitution and laws of the State of New Jersey.

Allegations as to Damages:

33. (a) As a direct and proximate result of the aforesaid acts of the individual defendants, and each of them, separately and/or in concert caused plaintiff Donell Prince to suffer greatly when he was committed and drugged for fictitious crimes and spent three months and five days in county jail before I was able to bail out and a total of two years and five months, until the fictitious charges were dismissed with prejudice on October 25, 2007, by County Municipal Court Judge Roy F. McGeady P.J.M.C.; these defendant police officers and others defendants conduct was willful, reckless, negligent, intentional, with no remorse, these serious crimes and terroristic acts, which caused great harm, physical and mental distress, pain, suffering, humiliation, financial hardship, credit problems and loss for me and my family, which endangered my life as well plaintiffs continued concerns about my safety, because plaintiff knows first hand what some of these defendant officers are capable of doing.

(b) Plaintiff was forced to incur substantial obligations for attorneys fees, and other expenses in the defense of himself

against fictitious charges and the unfounded and unwarranted prosecution by defendants, which has been a serious burden to plaintiff and his family, therefore plaintiff demands trial by jury and request compensatory and punitive damages for all losses, injuries, known & unknown, when this complaint was filed, caused by these defendants acts, and/or any injury concealed by these defendants.

(c) Plaintiff pleads special damages for the loss of the civil action I was not able to pursue because of these defendants conduct, punitive damages, all out-of-pocket expense for this action, interest, if attorney is hired, all attorney fees.

Plaintiff bail was \$5,000.00; legal expenses at about \$5,000.00; loss of rent assistance at around \$500.00 month; financial hardship, ruin credit, court judgments @ about \$4000.00; and all expense incurred by plaintiff family related to this matter, in addition to my Appeal in the matter of; Donell L. Prince vs. Edward G. Johnson Esq., et al.

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Appellate Division - Docket Number A-1453-03-T5

Bergen Superior Court - Docket No. BER-L-5749-02

at a cost of Years of work and thousands of dollars in costs and the value of the case itself, Compensatory damages alone is over \$350,000.00 of my Personal Injury Protection benefits from two insurance policy; fees & cost for this legal action; punitive damages; etc.

In addition to damages plaintiff seeks the appointment

of an independent board to review citizens complaints, while I don't know whether this would do much good, there has to be some independent process with the authority to hold people accountable to protect the average citizens, when the rule of law breaks down as it has here. When dealing with people charged with enforcing the laws, who feel that the laws don't apply to them and that we average citizens have no rights unless they decide we do, that's a serious problem, what happened to me should never happen to anyone else. Clearly citizens should be able to stand up for their rights without fear of retaliation from police officers and other professionals when you try to hold them accountable for illegal unethical conduct.

Back in 1995 I spoke to police Chief Zisa about the rumor going around that if someone tried to hold police officers accountable for illegal unethical conduct, that the police would try to ruin and destroy people, Chief Zisa claimed that this kind of thing didn't happen, unfortunately as I have learned the rumor was true and I believe they made an example of me. It's also important to note what has been happening, after these fictitious crimes/charges were dismissed. While I believe in coincidences, I don't trust them and while I don't have direct proof, I believe there have been attempts to drug me and possibly try to set me up for drug crimes, to try to discredit me and scare me into backing off, with the past conduct of these defendants, they clearly have motive and the means and would

WHEREFORE, plaintiff Donell Prince demands judgment for all damages, in the amount of _____ against the defendants, jointly and severally, and costs.

Pro Se Plaintiff certifies that to the best of my knowledge, information, and belief formed after an inquiry, reasonable under the circumstances, the Complaint:

(b) ...the claims.... and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending modifying, or reversing existing law, or for establishing new law;

(c) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery....

Plaintiff certifies that the amount in controversy exceeds \$150,000.00.

Plaintiff certifies that there are no pending court action, arbitrations or administrative proceeding that plaintiff is aware of.

Dated: May 18, 2010



Pro Se Plaintiff Donell Prince