

1 JOHN L. BURRIS, Esq. SBN 69888  
ADANTÉ D. POINTER Esq. SBN 236229  
2 DEWITT M. LACY, Esq. SBN 258789  
MELISSA C. NOLD, Esq. SBN 301378  
3 **LAW OFFICES OF JOHN L. BURRIS**  
Airport Corporate Centre  
4 7677 Oakport Street, Suite 1120  
Oakland, California 94621  
5 Telephone: (510) 839-5200  
Facsimile: (510) 839-3882  
6 john.burris@johnburrislaw.com  
adante.pointer@johnburrislaw.com  
7 dewitt.lacy@johnburrislaw.com  
melissa.nold@johnburrislaw.com

8 Attorneys for Plaintiff  
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10  
11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**  
13

14 GWENDOLYN WOODS, individually and as  
Successor in Interest to Decedent MARIO  
15 WOODS,

16  
17 Plaintiff,

18 vs.

19 CITY AND COUNTY OF SAN FRANCISCO; a  
municipal corporation; and DOES 1-50,  
20 individually and in their official capacities as Police  
21 Officers for the City and County of San Francisco,  
inclusive.

22 Defendants.  
23

CASE NO.:

COMPLAINT FOR WRONGFUL DEATH  
AND VIOLATION OF CIVIL RIGHTS AND  
DAMAGES

JURY TRIAL DEMANDED

24  
25 **INTRODUCTION**  
26

27 1. In the afternoon of December 2, 2015, 26-year old Mr. Mario Woods was walking on Third  
28 Street, in the Bayview neighborhood of San Francisco. Several Defendant San Francisco Police

1 Officers reportedly approached Mr. Woods because he loosely fit the description of a suspect they  
2 were looking for earlier in the day. Mr. Woods attempted to avoid an interaction with the officers by  
3 slowly moving away from the officers, while periodically stopping and making incoherent gestures.

4 2. One or more of the Officers shot Mr. Woods with rubber bullets as he cowered and then  
5 slowly continued to stumble down the street. Next, one of the officers stepped away from the other  
6 officers and placed himself directly in Mr. Woods’ path, while pointing his gun at Mr. Woods.  
7 Although Mr. Woods did not pose a direct threat to anyone and had his hands by his side, several  
8 officers opened fire on him. The hail of gunfire was the inevitable result of the officer placing  
9 himself and his gun directly in front of the disoriented young man. Mr. Woods died as a result of the  
10 injuries inflicted by the 20+ gunshot wounds. The horrific public execution was caught on video by at  
11 least three different people, which show the shooting from several angles. None of the videos show  
12 Mr. Woods creating an imminent threat to anyone prior to being riddled with bullets from head to toe.

13 3. This action seeks to recover damages for the violation of Mr. Wood’s rights and the rights of  
14 his mother, Ms. Gwendolyn Woods. Mr. Woods never had any children and his father predeceased  
15 him making Ms. Woods his only surviving parent and heir.

16 **JURISDICTION**

17 4. This action arises under Title 42 of the United States Code, Section 1983. Title 28 of the  
18 United States Code, Sections 1331 and 1343 confers jurisdiction upon this Court. The unlawful acts  
19 and practices alleged herein occurred in San Francisco, California, which is within this judicial  
20 district. Title 28 United States Code Section 1391(b) confers venue upon this Court.

21 **PARTIES**

22 5. Plaintiff herein, GWENDOLYN WOODS is, and at all times herein mentioned was a citizen  
23 of the United States. Plaintiff is the Successor in interest and biological mother of decedent, MARIO  
24 WOODS. Decedent, MARIO WOODS, was not married at the time of his death, did not have children  
25 and died without leaving a will. Decedent WOODS’ biological father is deceased.

26 6. Defendant CITY AND COUNTY OF SAN FRANCISCO (hereinafter referred to as “CCSF”)  
27 is and at all times mentioned herein a municipal corporation, duly authorized to operate under the  
28

1 laws of the State of California. Under its supervision, the CITY AND COUNTY OF SAN  
2 FRANCISCO operates the San Francisco Police Department (“SFPD”).

3 7. Plaintiff is ignorant of the true names and/or capacities of defendants sued herein as DOES 1  
4 through 50, inclusive, and therefore sue said defendants by such fictitious names. Plaintiff will  
5 amend this complaint to allege their true names and capacities when ascertained. Plaintiff believes  
6 and alleges that each of the DOE defendants is legally responsible and liable for the incident, injuries  
7 and damages hereinafter set forth. Each defendant proximately caused injuries and damages because  
8 of their negligence, breach of duty, negligent supervision, management or control, violation of public  
9 policy and/or use of excessive force. Each defendant is liable for his/her personal conduct, vicarious  
10 or imputed negligence, fault, or breach of duty, whether severally or jointly, or whether based upon  
11 agency, employment, ownership, entrustment, custody, care or control or upon any other act or  
12 omission. Plaintiff will ask leave to amend her complaint subject to further discovery.

13 8. In engaging in the conduct alleged herein, defendant police officers acted under the color of  
14 law and in the course and scope of their employment with CCSF. In engaging in the conduct  
15 described herein, Defendant police officers exceeded the authority vested in them as police officers,  
16 under the United States and California Constitutions, and as employees of CCSF.

17 STATEMENT OF FACTS

18 9. On December 2, 2015, at approximately 4:30 p.m., Decedent Mario Woods was walking  
19 down Third Street, headed towards Fitzgerald Avenue, in the City of San Francisco.

20 10. Several, yet-to-be-identified City of San Francisco Police Officers approached Mr. Woods  
21 with their guns drawn, because he reportedly fit the description of a person suspected of stabbing an  
22 unidentified person in the left bicep earlier that day.

23  
24 11. Eye-witnesses report and cellphone video footage of the incident indicates Mr. Woods was  
25 clearly disoriented when the officers confronted him, as he slowly made his way down Third Street.  
26 According to police, one or more of the officers shot Mr. Woods with rubber bullets. The show of  
27 force the officers displayed coupled with the impact of the projectiles caused Mr. Woods to cower  
28

1 and stumble. Mr. Woods regained his footing and continued to feebly travel down Third Street,  
2 closely following alongside of the buildings beside him.

3 12. As Mr. Woods slowly continued down the street, one of the officers suddenly stepped away  
4 from the other officers and directly into Mr. Woods' path. That officer pointed his gun at Mr.  
5 Woods, creating an unnecessary, direct and deadly confrontation. As Mr. Woods continued to slowly  
6 walk down the street with his hands by his sides, five officers opened fire on him, shooting dozens of  
7 rounds as horrified citizens watched the carnage in disbelief. The Officer's decision to unnecessarily  
8 place himself in Mr. Woods' path with his gun drawn set in motion a chain of events that culminated  
9 in Mr. Woods' tragic death.

10 13. According to eye-witnesses and cellphone video footage, Mr. Woods was not doing anything  
11 that posed an imminent threat to the officers or anyone else when the police ruthlessly shot him down  
12 on that fateful day. The incident was caught on cellphone cameras from at least three different  
13 angles, which fail to show any direct threat to the officers or public and contradict the police version  
14 of the events. This modern day public execution by a five member SFPD firing squad left 26 year-  
15 old Mario Woods dead from over 20 gunshot wounds. He leaves behind a devastated family and an  
16 outraged community.

17 14. Plaintiff is informed and believe and thereon allege that CCSF, Chief Suhr and DOES 26-50,  
18 inclusive, breached their duty of care to the public in that they have failed to discipline Defendant  
19 Officers 1-25 inclusive, for their respective misconduct and involvement in the incident described  
20 herein. Their failure to discipline Defendant Does 1-25 inclusive, demonstrates the existence of an  
21 entrenched culture, policy or practice of promoting, tolerating and/or ratifying with deliberate  
22 indifference, the use of excessive and/or deadly force and the fabrication of official reports to cover  
23 up defendant Defendants' Does 1-25 inclusive, misconduct.

24 15. Plaintiff is informed, believes and thereon alleges that members of the San  
25 Francisco Police Department, including, but not limited to Defendant Does 1-25  
26 inclusive and/or each of them, have individually and/or while acting in concert with one  
27 another used excessive, arbitrary and/or unreasonable force against decedent, Mario  
28 Woods.

1 16. Plaintiff is further informed, believe and therein allege that as a matter of official policy –  
2 rooted in an entrenched posture of deliberate indifference to the constitutional rights of persons who  
3 live, work or visit the City of San Francisco, SFPD has allowed persons to be abused by its Police  
4 Officers including Defendant Does 1-25 and/or each of them, individually and/or while acting in  
5 concert with one another.

6 17. Plaintiff is informed, believes and therein alleges that SFPD Police Officers exhibit a pattern  
7 and practice of using excessive and/or deadly force against citizens, as evidenced by the more than 103  
8 SFPD Officer involved shootings that have occurred since 2000. Of those 103 shootings Plaintiff is  
9 aware of, 37 people have died and at least 35 people have been injured. In each and every one of the  
10 shooting cases wherein a person died as a result of the Officers' use of deadly force, SFPD has found  
11 the Officer used deadly force within policy even under the most questionable of circumstances. SFPD's  
12 failure to discipline or retrain any of the involved Officers is evidence of an official policy, entrenched  
13 culture and posture of deliberate indifference toward protecting citizen's rights and the resulting deaths  
14 and injuries is a proximate result of SFPD's failure to properly supervise its Police Officers and ratify  
15 their unconstitutional conduct.

16 18. Plaintiff is informed, believes and therein alleges that CCSF knew, had reason to know by way  
17 of actual or constructive notice of the aforementioned policy, culture, pattern and/or practice and the  
18 complained of conduct and resultant injuries/violations.

19 19. Plaintiff is ignorant of the true names and capacities of Defendants DOES 1 through 25,  
20 inclusive, and therefore sue these Defendants by such fictitious names. Plaintiff is informed,  
21 believes, and thereon alleges that each Defendant so named is responsible in some manner for the  
22 injuries and damages sustained by Plaintiff as set forth herein. Plaintiff will amend her complaint to  
23 state the names and capacities of DOES 1-50, inclusive, when they have been ascertained.

24 DAMAGES

25 20. Plaintiff was mentally, and emotionally injured and damaged as a proximate result of  
26 decedent's wrongful death, including but not limited to: Plaintiff's loss of familial relations, decedent's  
27 society, comfort, protection, companionship, love, affection, solace, and moral support as a  
28

1 consequence of Defendants’ violation of Plaintiff’s federal civil rights under 42 U.S.C. §1983 and the  
2 Fourteenth Amendment.

3 21. Plaintiff as Successor in interest to Mario Woods is entitled to recover damages pursuant to  
4 the decedent’s right of survivorship for the pain and suffering he endured as a result of the violation of  
5 his civil rights.

6 22. Plaintiff found it necessary to engage the services of private counsel to vindicate the rights of  
7 decedent and plaintiff under the law. Plaintiff is therefore entitled to an award of attorneys’ fees and/or  
8 costs pursuant to statute(s) in the event that they are the prevailing parties in this action under 42 U.S.C.  
9 §§§§ 1983, 1985-86 and 1988.

10 **FIRST CAUSE OF ACTION**

11 **Violation of Fourth Amendment of the United States Constitution**

12 **(42 U.S.C. §1983)**

13 **(Gwendolyn Woods, as Successor in interest to Decedent Mario Woods**

14 **v. Defendants Does 1-25 inclusive)**

15 23. Plaintiff re-alleges and incorporates by reference paragraphs 1 through 22 of this complaint.

16 24. Defendants’ above-described conduct violated Decedent’s right, as provided for under the  
17 Fourth Amendment to the United States Constitution, to be free from excessive and/or arbitrary  
18 and/or unreasonable use of deadly force against him.

19 25. Mario Woods was forced to endure great conscious pain and suffering because of the  
20 Defendants’ conduct before his death;

21 26. Mario Woods did not file a legal action before his death;

22 27. Plaintiff, is the sole successor in interest of Mario Woods’ claims damages for the conscious  
23 pain and suffering incurred by Mario Woods, as provided for under 42 U.S.C. §1983.

24 28. Defendants acted under color of law by shooting and killing decedent without lawful  
25 justification and subjecting decedent to excessive force thereby depriving the decedent of certain  
26 constitutionally protected rights, including, but not limited to:

27 a. The right to be free from unreasonable searches and seizures, as guaranteed by the  
28 Fourth Amendment to the United States Constitution;

1 WHEREFORE, Plaintiff prays for relief as hereinafter set forth.

2 **SECOND CAUSE OF ACTION**

3 **(Violations of Plaintiff’s Civil Rights to Familial Relationship)**

4 **(42 U.S.C. § 1983)**

5 **(Gwendolyn Woods as Successor in interest to Mario Woods**

6 **v. Defendant Does 1-25 inclusive)**

7 29. Plaintiff hereby re-alleges and incorporates by reference herein paragraphs 1 through 28 of  
8 this Complaint as though fully set forth;

9 30. Defendants, acting under color of state law, and without due process of law, deprived  
10 Plaintiff of her right to a familial relationship by seizing Decedent by use of unreasonable, unjustified  
11 and deadly force and violence, causing injuries which resulted in Decedent’s death, all without  
12 provocation and did attempt to conceal their extraordinary use of force and hide the true cause of  
13 Decedent’s demise to deprive Plaintiff of her right to seek redress in violation of their rights,  
14 privileges, and immunities secured by the Fourteenth Amendment to the United States Constitution.

15 WHEREFORE, Plaintiff prays for relief as hereinafter set forth.

16  
17 **THIRD CAUSE OF ACTION**

18 **(Monell – 42 U.S.C. section 1983)**

19 **(Gwendolyn Woods v. CCSF and DOES 26-50)**

20 31. Plaintiff hereby re-alleges and incorporates by reference herein paragraphs 1  
21 through 30 of this Complaint.

22 32. Plaintiff is informed and believes and thereon alleges that high-ranking CCSF officials,  
23 including high-ranking police supervisors such as Chief Suhr and DOES 26 through 50, and/or each  
24 of them, knew and/or reasonably should have known about the repeated acts unconstitutional use of  
25 deadly force by SFPD Officers.

26 33. Despite having such notice, Plaintiff is informed and believes and thereon alleges  
27 that CITY & DOES 26-50, and/or each of them, approved, ratified, condoned,  
28 encouraged, sought to cover up, and/or tacitly authorized the continuing pattern and

1 practice of misconduct and/or civil rights violations by SFPD which brought about  
2 Defendant DOES 1-25 unlawfully shooting Mario Woods to death.

3 34. Plaintiff is further informed and believes and thereon alleges that as  
4 a result of the deliberate indifference, reckless and/or conscious disregard of the misconduct by  
5 Defendant DOES 1-25 and/or each of them, ratified and encouraged these officers to continue their  
6 course of misconduct.

7 35. Plaintiff further alleges that Defendant DOES 26-50, and/or each of  
8 them, were on notice of the Constitutional defects in their training of SFPD police officers,  
9 including, but not limited to unlawfully using deadly force to make detentions and/or arrests.

10 36. The aforementioned acts and/or omissions and/or deliberate indifference by high ranking  
11 CCSF officials, including high ranking SFPD supervisors, DOES 26-50, and each of  
12 them resulted in the deprivation of Plaintiff's constitutional rights including, but not  
13 limited to the right to not be deprived of life, liberty or property without due process of  
14 the law, as guaranteed by the Fourteenth Amendment to the United States Constitution  
15 and the right to be free from excessive force by police officers, as guaranteed by the  
16 Fourth Amendment to the United States Constitution.

17 WHEREFORE, Plaintiff prays for relief as hereinafter set forth.

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19  
20  
21  
22 **JURY DEMAND**

23  
24 Plaintiff hereby demands a jury trial.

25  
26 **PRAYER**

27  
28 WHEREFORE, Plaintiff prays for relief, as follows:



1 1. For general damages in a sum to be determined at trial;

2 2. For special damages, including but not limited to, past, present and/or future wage loss,  
3 income and support, medical expenses and other special damages in a sum to be determined  
4 according to proof;

5 3. For funeral and burial expenses according to proof;

6 4. For punitive damages and exemplary damages in amounts to be determined according to  
7 proof as to defendant DOES 1 through 25 and/or each of them;

8 5. Any and all permissible statutory damages;

9 6. For reasonable attorney's fees pursuant to 42 U.S.C. §1988 and U.S.C. §794a; and

10 7. For cost of suit herein incurred.

11  
12 **Dated: December 11, 2015**

**THE LAW OFFICES OF JOHN L. BURRIS**

13  
14  
15 */s/ John L. Burris* \_\_\_\_\_

**JOHN L. BURRIS**  
**Attorneys for Plaintiff**  
**GWENDOLYN WOODS**

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

GWENDOLYN WOODS, individually and as Successor in Interest to Decedent MARIO WOODS

(b) County of Residence of First Listed Plaintiff  
 (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)  
 Law Offices of John Burris  
 John L. Burris; Adante Pointer; Melissa Nold; DeWitt M. Lacy  
 7677 Oakport Street, #1120  
 Oakland, CA 94621  
 510-839-5200

**DEFENDANTS**

City and County of San Francisco

County of Residence of First Listed Defendant San Francisco  
 (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   |                            |                            |   |                            |                            |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
|   | 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 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities Employment <input type="checkbox"/> 446 Amer. w/Disabilities Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 USC 1983

Brief description of cause:

Excessive Force/Wrongful Death

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

To be determined by jury

CHECK YES only if demanded in complaint:

JURY DEMAND:  Yes  No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

**IX. DIVISIONAL ASSIGNMENT (Civil L.R. 3-2)**

(Place an "X" in One Box Only)

SAN FRANCISCO/OAKLAND  SAN JOSE  EUREKA

DATE

December 11, 2015

SIGNATURE OF ATTORNEY OF RECORD

/s/ John L. Burris