

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
PEORIA DIVISION**

Cortez Nathan, Michael Phillips, Anna Rose)	
Lohmiller, McKenzie Lynn McQueary, and)	
Bishop Frank Jackson,)	
)	
Plaintiffs,)	
)	
v.)	Case no. 20-cv-_____
)	
Brian Asbell, in his official capacity as Peoria)	
County Sheriff, Jodi Hoos, in her official)	
capacity as State’s Attorney, the County of)	
Peoria, Illinois, Pinnacle Security Innovations,)	
Scott Helms, Jeffrey Fick, and John Does 1 –)	
3.)	

COMPLAINT & JURY DEMAND

INTRODUCTION

1. It all began with armed white men restraining a Black man—a Bishop, to be precise—and it ended the same way.

2. “I’m not resisting,” Plaintiff Cortez says.

3. “I know,” responds the arresting officer.

4. But according to the Peoria County Sheriff’s Department, this is how it looks to be obstructing an officer—especially if you are Black.

5. On October 2, 2020, Cortez Nathan and Michael Phillips, while peacefully protesting with Anna Lohmiller and McKenzie McQueary, were charged with resisting arrest and obstruction of a police officer, along with residential picketing and trespass onto private land. None of these facts, however, are supported by the video evidence.

6. Instead, they can be seen standing on the public street, hugging each other outside the house of an executive of RLI Insurance, Jonathan Michael. Working from home due to the

pandemic, Michael runs the company that is responsible for the data breach that released the personal information of over 40 vulnerable immigrants.

7. Michael is also the man who called the police, so he did not have to see the young people outside raising their voice against a wrong, calling for accountability and change. His privilege assures him that law enforcement will do what he asks, and that they will refer to him as Mr. Michael while they do so.

8. And the police are happy to follow this script. Because they do not care if a young man of color just graduated high school, that he's an aspiring artist, or what an arrest on his record will do to his life. Their duty is to simply uphold the system, to obey the rich white landowning men who do not want the inconvenience of hearing from people they believe to be less significant.

9. It is not their fault, though. Those men who run and enforce the system, they do not know what it's like to be a young Black man, to feel the fear that they will be arrested, or even killed, just because they're existing in the world, living life while Black, trying to exercise the right to peacefully protest. They do not feel the pain of the vulnerable immigrants who suffer because of their company's grave error.

10. So it is reasonable, to want to raise your voice against this system. To be heard. To tell these men what it is like to experience injustice under the laws that were made by them and for them. To be of the People, but not have a government that is by us or for us.

11. This voice, the one that is able to demand change, is what the First Amendment protects. The right of free speech, of assembly, the right to stand up for what you believe is good and true. This is what the People have, and maybe it is not the hundreds of millions of dollars that belong to the ruling class, but it is important, and it is ours.

12. When it is silenced, though, this is when the third branch of government must step in. It is the responsibility of the Courts to protect the rights of the People, to uphold the Constitution and strike down unjust laws, to forbid the police from wildly and unconstitutionally enforcing unfair regulations against People of Color simply to silence them.

13. It is up to the Courts to declare how much this overbroad reach of both the statute and the police seriously challenge the democratic norms of our government. Not only is the residential picketing prohibition unconstitutional as it stands under both the United States and Illinois Constitutions, it was unconstitutionally applied to Plaintiffs, as was the charge of obstructing an officer.

14. Plaintiffs also wish the court to redress the injury of Bishop Frank Jackson, who was reporting on the protests when armed white men refused to let him leave, purposefully blocking his vehicle with their SUVs to prevent him from exiting the neighborhood safely. The acts against Bishop Jackson and the other plaintiffs are all part of a conspiracy to deprive Plaintiffs of their rights guaranteed under the First Amendment to the United States Constitution.

15. This is the relief for which Plaintiffs pray—to have their rights protected, to be able to believe in their slogan: that they will be heard.

JURISDICTION AND VENUE

16. Plaintiffs bring this action pursuant to 42 U.S.C. § 1983 for violation of their civil rights under the First and Fourteenth Amendments to the United States Constitution; Plaintiff Jackson asserts a violation of 42 U.S.C. § 1985(3), in addition to his state law claims. Plaintiffs also bring state claims for the violation of the right to freedom of speech as set forth in Article I, Section 4 of the Illinois Constitution.

17. This Court has subject-matter jurisdiction over the suit pursuant to 28 U.S.C. § 1331 (federal question), § 1343(a)(3) (civil rights violation), § 2201 (declaratory relief), and § 1367 (supplemental jurisdiction over state law claims).

18. Venue is proper in this judicial district and division pursuant to 28 U.S.C. § 1391(b), as the unlawful practices complained of and that give rise to the claims herein occurred within this district and division.

NATURE OF THE ACTION

19. Wishing to draw attention to the massive data breach that released the personal information of many vulnerable immigrants, four young people chose to exercise their rights to protest an executive of RLI Insurance while he was working from his home office. Standing on a public road, doing no harm and causing no nuisance, two of the plaintiffs were put in handcuffs, and all were charged with the violation of Chapter 720 of the Illinois Compiled Statutes section 5/21.1-2, which prohibits residential picketing.

20. Additionally, several armed white men unlawfully restrained Bishop Jackson while he was reporting on these protests, thereby engaging in a conspiracy to deprive him of his rights of freedom to travel as well as to be free from racially motivated harassment. The attack on Bishop Jackson on September 20, 2020 began a campaign of harassment and intimidation that led to the unlawful arrest of Plaintiffs Nathan and Phillips and the citation of Plaintiffs Lohmiller and Mcqueary.

21. Plaintiffs bring this civil rights action alleging the violation of 42 U.S.C. § 1983, pursuant to their rights under the First and Fourteenth Amendments of the United States Constitution; Plaintiffs further claim that 720 ILCS § 5/21.1-2 violates the free speech provision of the Illinois Constitution, in addition to the fact that the charge of obstructing an officer is

unconstitutional as applied to Cortez and Michael. Plaintiff Jackson brings a claim under 42 U.S.C. § 1985(3) as well as the state law claims of false imprisonment and civil conspiracy.

22. Plaintiffs request: (1) declaratory relief ruling that the laws are unconstitutional on their face and as applied; (2) a temporary restraining order; and (3) an injunction prohibiting the use of the laws to charge citizens who are peacefully protesting on a public road in front of a home office. Plaintiff Jackson requests an award of monetary damages for his pain and suffering.

PARTIES

Plaintiffs:

23. Plaintiff Cortez Nathan is an 18-year-old young man who has recently graduated high school. Originally from Detroit, he is an avid artist and hopes to pursue an artistic career. While participating in the peaceful protest against RLI, he was arrested and charged with residential picketing, resisting arrest and obstruction of a police officer, and trespass onto private land.

24. Plaintiff Michael Phillips is a 23-year-old resident of Shenandoah, Virginia. A young man who works in landscaping and construction, he has been part of the movement to bring awareness to the radical class differences that exist in the United States for the past year. He was also taken into custody and charged with residential picketing, resisting arrest and obstruction of a police officer, in addition to trespass onto private land.

25. Plaintiff Anna Rose Lohmiller is 19 years old and lives in Rockford, Illinois. A star of the academic world, she was able to accomplish a dual credit program her junior and senior years of high school, providing her with immediate college credits. She hopes to continue her education in either anesthesiology or law. She too wishes to raise her voice in the interests of justice, and for her efforts, she was given a citation for residential picketing.

26. Plaintiff McKenzie Lynn Mcqueary is 18 and also a Rockford resident. She graduated high school as part of the class of 2020 and currently studies at Rockefeller College. Hoping to pursue further studies in psychology, she is a staunch advocate for mental health in addition to equality; along with Anna, she was cited for residential picketing while protesting RLI.

27. Plaintiff Frank Jackson is a Bishop, news reporter at Global Communications News, and the Chief Executive Director of the United Council of World Ministries, Inc. A published author, he has served in the Christian ministry for over forty years as well as worked as an advocate and activist. He and his news crew were trapped on a road by Defendants and prevented from leaving the neighborhood in which he was reporting on the activity of the protestors.

Defendants:

28. Defendant Brian Asbell is the Sheriff of Peoria County, Illinois, in this judicial district.

29. Defendant Jodi Hoos is the State Attorney for Peoria County, Illinois, in this judicial district.

30. Defendant Peoria County is a county in the state of Illinois, in this judicial district.

31. Defendant Pinnacle Security Innovations is a United States domestic corporation with its headquarters in Peoria, Illinois, in this judicial district.

32. Defendant Scott Helms is the owner of Pinnacle Security and is a resident of Illinois.

33. Defendant Jeffrey Fick is the Chief Legal Officer of RLI Insurance and was present at the scene of Plaintiff Jackson's unlawful entrapment; he is also a resident of Illinois and resides in this judicial district.

34. John Does 1, 2, and 3 are employees of Pinnacle Security whose names are as yet unknown; they are coconspirators of Defendant Fick who worked together to prevent Bishop Jackson from exercising his right to freely travel and were operating in this judicial district.

FACTS

35. RLI Insurance, in defiance of a court order requiring the protection of sensitive data, allowed login information from sensitive databases that contain the personal information of over 40,000 vulnerable immigrants to become a matter of public record. The company has been subject to protests following this massive data leak, though it has yet to attempt reparations or even issue an apology.

Bishop Jackson's Story

36. On September 20, 2020, Bishop Jackson was reporting on the protest that was taking place outside the home office of Craig Kliethermes, RLI's COO, where footage of the following events was captured.¹

37. Towards the end of the protest, SUVs containing men from Pinnacle Security arrived. John Doe 1, a large, heavily armed white man wearing tactical gear and a bullet proof vest, swaggered up to Bishop Jackson, admonishing him and his crew that they were "trespassing on private property."² He also grumbled that the police would be arriving soon, and Bishop Jackson thanked him for the information.

¹ The video also shows Defendant Fick hiding behind a tree, Spicer-like, and at one point he spoke to the John Does. Defendant Fick is the man who contracted Defendant Helms and his company Pinnacle Security Innovations, who then all engaged in the conspiracy to deprive Bishop Jackson of his right to freely move about.

² The road on which Bishop Jackson and his film crew were located was not in fact private property—it was simply a road maintained by the community, as opposed to the state or county. There was a no trespassing sign—the type one can buy at the local hardware store—at the end of the cul de sac, but, oddly enough, the same sign has been seen around the homes of each RLI executive who the protestors targeted.

38. Doe 1 walked back to the SUV in which Doe 3 was the driver; the vehicle was parked horizontally on the road, purposefully blocking the only exit from the cul de sac.

39. All John Does—each a large, armed white man—were conferring behind the SUV when the police arrived; however, the officers simply sat in their cars (they did not come out until later, after Bishop Jackson pressed on his horn for help).

40. The video then shows a woman coming out of the executive’s house, where she and Doe 1 chat and laugh together. As she gets into her car and begins to drive, Doe 1 walks to the SUV and waves at Doe 3 to let the woman through, which he does.

41. Bishop Jackson attempted to follow her out, tailing closely behind the bumper, but Doe 1 stepped in front of the vehicle and motioned him to stop. The Bishop, not wanting to run over the man, complied.

42. As soon as the woman’s car was through, though, the SUV quickly returned to its previous parallel position, once again fully blocking the road.

43. Bishop Jackson again exited his vehicle and attempted to implore the police to do something, because, as he kept repeating, he “just wants to leave.” The officer in charge of the scene spoke off camera to Doe 1, while the white male officer can be seen falsely telling Bishop Jackson that they were all on “private property.”

44. It was at this point the Bishop began to feel the gut-gnawing fear of the Black man being told he was not where he was supposed to be—that he was on property that did not belong to him, that he was trespassing, like Vauhxx Booker, who was beaten and almost lynched after hearing those exact words: you’re trespassing.

45. But, finally, after over an hour of waiting, the officers finished talking to all three Does, and they were convinced to let Bishop Jackson go free, at last. Doe 3 moved the SUV to the side, opening up an avenue wide enough to let a vehicle through.

46. An officer can also be seen taking down a report of the incident. However, Bishop Jackson has attempted—over and over again, through several different avenues and means—to make the police take notice of this case. Nonetheless, no charges have been filed, and due to the stonewalling of the State’s Attorney and Sheriff’s Offices, it appears none will be forthcoming.

47. Moreover, Pinnacle Security continues to follow Bishop Jackson, who has been forced to hire private security to protect both himself and the protestors. He has been unable to obtain any sort of legal protection, showing once again how starkly our two different systems of justice contrast: there is the first, where a White man can fill out a form and have someone hear his case the next day; and then there is the second, in which a Black man can sit in the courthouse for the entire day, then spend several hours speaking with the sheriff, to have nothing happen at all.

The Four Protestors

48. The protests continued despite the ongoing harassment by Pinnacle Security, and on October 2, 2020, a group of nine young people were protesting outside the home office of Jonathan Michael, an executive of RLI Insurance.

49. Wishing to draw attention to the massive injustice inflicted on vulnerable immigrants, to ask that RLI acknowledge its grave error, engage in a dialogue, or even just issue an apology, Plaintiffs and their group stood outside on the public street, holding signs that say RLI: Immigrants Matter. With a letter in hand from the CEO of RLI stating that all executives were

working from home, they wanted to make sure these executives knew that people were ready to hold RLI accountable.

50. Indeed, in this time of the COVID-19 pandemic, the home office has become a hallmark of the business world. All responsible companies require employees who can work remotely to do so, and, thus, the lines between a place of business and a residential home have blurred significantly. With no one at the office to protest, those demanding justice must seek other means and avenues so their voices can be heard by the people who have the power to enact change.

51. But this is not what the police took into account when they arrived. They approached the group and informed them that they would be cited for residential picketing, in violation of 720 ILCS § 5/21.1-2 (2012 State Bar Edition), a class 2 misdemeanor, which states:

A person commits residential picketing when he or she pickets before or about the residence or dwelling of any person, except when the residence or dwelling is used as a place of business. This Article does not apply to a person peacefully picketing his own residence or dwelling and does not prohibit the peaceful picketing of the place of holding a meeting or assembly on premises commonly used to discuss subjects of general public interest.

52. The police issued citations to everyone and told them to disperse, otherwise they would be arrested. After the group engaged in a prayer and group hug to show their support and camaraderie, Anna and McKenzie, not wishing to engage with law enforcement any further, left the scene. However, Cortez and Michael calmly refused.

53. Bishop Frank Jackson was there with his camera crew, protecting the young protestors by filming and documenting the events of that night. Video of the incident shows the two young men standing quietly, hands crossed in front of them with their heads down. The police approached and asked them once again to leave or they would be arrested, to which they replied in a low, even voice that they would not do so.

54. Then Cortez and Michael were handcuffed, put into police vehicles, and taken to the sheriff's station, where they were not released until after 2:30 a.m. They complied with all of the officers' requests during the arrest, and Bishop Jackson can be heard narrating the entire scene, stating that the boys were doing everything they were told. Nonetheless, they were charged with obstructing officers in addition to trespassing onto private property—even though the video shows they were standing on the public street the entire time.

55. Plaintiffs now bring constitutional challenges to the statutes with which they were charged.

CAUSES OF ACTION

COUNT I: 42 U.S.C. § 1983 ILCS § 5/21.1-2 VIOLATES THE FIRST AMENDMENT OF THE U.S. CONSTITUTION (as applied to the states through the Fourteenth Amendment)

56. Plaintiffs incorporate by reference the averments contained in all proceeding paragraphs.

57. This Count is alleged by Plaintiffs Cortez, Michael, Anna, and McKenzie against Defendants Asbell, Hoos, and the County of Peoria.

58. Defendants deprived, and are continuing to deprive, Plaintiffs of the rights secured to them by the United States Constitution, which “prevents governmental actors from forbidding, or penalizing, speech that is protected under the first amendment.” *Fairley v. Andrews*, 578 F.3d 518, 525 (7th Cir. 2009). This deprivation is actionable under and may be redressed by 42 U.S.C. § 1983.

59. Plaintiffs contend 720 ILCS § 5/21.1-2 is an unconstitutional abridgment on its face, and as applied or threatened to be applied, of Plaintiffs' affirmative rights to freedom of speech under the First Amendment of the United States Constitution.

60. The statute, on its face and as applied or threatened to be applied, is an unconstitutionally overbroad and vague restriction on expressive activity.

61. The statute, on its face and as applied or threatened to be applied, does not serve a significant, important, or rational governmental interest.

62. The statute, on its face and as applied or threatened to be applied, does not leave open ample alternative channels of communication.

63. The statute, on its face and as applied or threatened to be applied, is neither narrowly tailored nor the least restrictive means to accomplish any permissible governmental purpose sought to be served by the legislation.

64. As a direct and proximate result of Defendants' violation of the Free Speech Clause of the First Amendment, Plaintiffs have suffered irreparable harm, including the loss of their constitutional rights, entitling them to declaratory and injunctive relief.

**COUNT II: 42 U.S.C. § 1983
OBSTRUCTING OFFICERS, AS CHARGED,
VIOLATES THE FIRST AMENDMENT
(as applied to the states through the Fourteenth Amendment)**

65. Plaintiffs incorporate by reference the averments contained in all proceeding paragraphs.

66. This Count is alleged by Plaintiffs Cortez and Michael against Defendants Asbell, Hoos, and the County of Peoria.

67. The statute is unconstitutional as applied to the Plaintiffs and the facts of this case, as it deprived Plaintiffs of their affirmative rights to freedom of speech under the First Amendment of the United States Constitution.

68. When the officers arrested Plaintiffs for exercising their right to peacefully protest, then charged them with resisting arrest while the video evidence shows they did no such thing, the

officers used state law to unconstitutionally deprive Plaintiffs of their rights under the First Amendment.

69. As a direct and proximate result of Defendants' violation of the Free Speech Clause, Plaintiffs have suffered irreparable harm, including the loss of their constitutional rights, entitling them to declaratory and injunctive relief.

**COUNT III: 720 ILCS § 5/21.1-2 VIOLATES ART. 1 § 4
OF THE ILLINOIS CONSTITUTION**

70. Plaintiffs incorporate by reference the averments contained in all proceeding paragraphs.

71. This Count is alleged by Plaintiffs Cortez, Michael, Anna, and McKenzie against Defendants Asbell, Hoos, and the County of Peoria.

72. Plaintiffs contend that 720 ILCS § 5/21.1-2 violates Article 1, section 4 of the Illinois Constitution, which states in pertinent part: "All persons may speak, write and publish freely."

73. As a direct and proximate result of Defendants' violation of this provision, Plaintiffs have suffered irreparable harm, including the loss of their constitutional rights under the Illinois Constitution, entitling them to declaratory and injunctive relief.

COUNT IV: VIOLATION OF 42 U.S.C. § 1985(3)

74. Plaintiffs incorporate by reference the averments contained in all proceeding paragraphs.

75. This Count is alleged by Plaintiff Jackson against Defendants Pinnacle Security, Helms, Fick, and Does 1, 2, & 3.

76. Defendants engaged in a racially motivated conspiracy to deprive Bishop Jackson, as a Black man, of his rights under the United States Constitution. The Thirteenth Amendment

guarantees him the right to be free from intimidation and harassment, which Defendants subjected him to, in addition to preventing the Bishop from utilizing his right of freedom to travel. *See Griffin v. Breckenridge*, 403 U.S. 88, 105 (1971) (“Our cases have firmly established that the right of interstate travel is constitutionally protected, does not necessarily rest on the Fourteenth Amendment, and is assertable against private . . . interference”).

77. The existence of the conspiracy and the overt actions of the coconspirators is established through the interactions Defendants had with each other and Bishop Jackson, namely, the threatening manner in which they targeted the only Black man in the area and deprived him of his right to move freely. Additionally, this conspiracy is ongoing.

78. Bishop Jackson was trapped and harassed by Defendants, causing him to suffer from severe fear and anxiety while he was deprived of his right to freedom of travel for an hour and a half by these armed white men. This injury was caused by the § 1985(3) conspiracy to deprive Bishop Jackson of his rights as a citizen of the United States, and therefore Defendants are liable under 42 U.S.C. § 1985(3) for these damages.

**COUNT V: FALSE IMPRISONMENT &
CIVIL CONSPIRACY**

79. Plaintiffs incorporate by reference the averments contained in all proceeding paragraphs.

80. This Count is alleged by Plaintiff Jackson against Defendants Pinnacle Security, Helms, Fick, and Does 1, 2, & 3.

81. When Defendants purposefully blocked the road and refused to let Bishop Jackson leave, knowing he had not committed an unlawful offense, they satisfied the elements of the tort of false imprisonment. *See Reynolds v. Menard, Inc.*, 365 Ill. App. 3d 812 (1st Dist. 2006) (noting

the elements of this tort are satisfied when the plaintiff is restrained by the defendant, who acted without having reasonable grounds to believe plaintiff committed an offense).

82. Named Defendants and their co-conspirators worked together to achieve the unlawful purpose of restraining Bishop Jackson, forcing him to remain on a road for an hour and a half. These actions violate the Illinois law prohibiting unlawful restraint, as set forth in 720 ILCS 5/10-3 (2012), and, therefore, meet the elements of civil conspiracy. *See Siegel v. Shell Oil Co.*, 656 F. Supp. 2d 825, 836 (N.D. Ill. 2009) (noting that under Illinois law, the elements of civil conspiracy consist of a combination of two or more persons working together for the purpose of accomplishing an unlawful purpose, and in furtherance whereof, one of the conspirators commits an overt tortious or unlawful act).

83. Defendants Pinnacle Security and Helms are liable through the doctrine of respondeat superior.

84. Bishop Jackson suffered emotional distress and other damages.

PLAINTIFFS DEMAND A TRIAL BY JURY FOR ALL COUNTS SO TRIABLE

EQUITABLE RELIEF IS SOUGHT

PRAYER FOR RELIEF

Wherefore, Plaintiffs respectfully request an award of the following relief:

85. An order declaring that the Defendants violated the Plaintiffs' rights protected under the First Amendment of the United States Constitution and the Illinois Constitution.

86. An order preliminarily and then permanently enjoining Defendants and their employees and all other persons or entities in active concert or privity or participation with them, from restraining, prohibiting, or suppressing the rights of Plaintiffs.

87. A temporary restraining order prohibiting the use of the laws complained of as applied to Plaintiffs.

88. An order enjoining Defendants and their officers, agents, affiliates, subsidiaries, servants, employees and all other persons or entities in active concert or privity or participation with them, from taking retaliatory action against Plaintiffs for bringing this lawsuit or for advocating for their constitutional rights.

89. Damages in an amount to be determined, by Plaintiff Jackson against Defendants Pinnacle Security, Helms, Fick, and Does 1, 2, & 3.

90. Attorney fees and court costs pursuant to 42 U.S.C. § 1988, as applicable to 42 U.S.C. §§ 1983 & 1985(3).

91. Retain jurisdiction of this matter to enforce the terms of the Court's orders.

92. Such other relief as the Court deems just and proper.

Respectfully submitted,
Cortez Nathan, Michael Phillips, Anna
Rose Lohmiller, McKenzie Lynn
McQueary, and Bishop Frank Jackson, by

/s/ Jonathan LA Phillips
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*Pending admission to practice before
Central District of Illinois³*

³ Attorney Serrine's application was submitted on October 7, 2020 with payment made through Pay.gov.

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 the rules 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: Cortez Nathan, et al. (b) County of Residence of First Listed Plaintiff: (EXCEPT IN U.S. PLAINTIFF CASES) (c) Attorneys (Firm Name, Address, and Telephone Number): Jonathan Phillips, 4541 N Prospect Rd, Ste 300A, Peoria Heights, IL 61616 (309) 643-9016

DEFENDANTS: Brian Asbell, et al. County of Residence of First Listed Defendant: Peoria, IL (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
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
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
Citizen of This State 1 1
Citizen of Another State 2 2
Citizen or Subject of a Foreign Country 3 3
Incorporated or Principal Place of Business In This State 4 4
Incorporated and Principal Place of Business In Another State 5 5
Foreign Nation 6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only) Click here for: Nature of Suit Code Descriptions.

Table with 5 columns: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Insurance, Personal Injury, Real Estate, Labor, etc.

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 - Transfer
8 Multidistrict Litigation - Direct File

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: Violation of Amendments I and XIII of US Constitution and Illinois Const., Art. I.

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ TBD and injunctive relief CHECK YES only if demanded in complaint: JURY DEMAND: [X] Yes [] No

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE DOCKET NUMBER

DATE: Oct 7, 2020 SIGNATURE OF ATTORNEY OF RECORD: /s/ Jonathan LA Phillips

FOR OFFICE USE ONLY: RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading 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. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.