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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Jalen Woods,

Plaintiff,

v.

City of Tempe, Kenneth McCoy, Daniel East,
Anibal Espinoza, Mark Regester, Anthony
Nardini, Erik Hernandez, Kim Hale, and Sean
Still,

Defendants.

ORIGINAL COMPLAINT

(JURY TRIAL REQUESTED)

Plaintiff Jalen Woods, by and through undersigned counsel, seeks relief in this Original Complaint against Defendants as follows:



INTRODUCTION

1. Plaintiff Jalen A. Woods brings this action pursuant to 42 U.S.C. § 1983 to redress violations of his rights under the First, Fourth, and Fourteenth Amendments to the United States Constitution, Title VI, and Section 1981, as well as for violations of state law.

2. This case arises from an unlawful stop, arrest, malicious prosecution, and retaliation carried out by the Tempe Police Department and its officers against Mr. Woods, an African-American off-duty Chicago Police officer visiting Tempe. It also involves municipal liability for unconstitutional policies, practices, or customs maintained by the City of Tempe.

3. Mr. Woods also seeks damages for state law torts including false arrest and imprisonment, malicious prosecution, negligence (including gross negligence), false light, defamation, and intentional interference with contract.

PARTIES

4. Plaintiff Jalen A. Woods is a resident of the State of Illinois and an officer with the Chicago Police Department. At all times relevant, he was present in Tempe, Arizona.

5. Defendant City of Tempe is a municipality organized under the laws of the State of Arizona and the public employer at all relevant times of all of the individually named Defendants.

6. Defendant Kenneth McCoy is the Chief of Police for the Tempe Police Department and was at all relevant times responsible for the hiring, training, supervision, and discipline of the Department's officers.

7. Defendants Daniel East, Anibal Espinoza, Mark Regester, Anthony Nardini, Erik Hernandez, Kim Hale, and Sean Still were, at all relevant times employees and officers within the Tempe Police Department, acting under color of state law within the scope of their employment.

8. Each individual Defendant is sued in their individual and official capacities.

9. For purposes of the state law claims, At all times pertinent to this Complaint, the individual Defendants were acting within the course and scope of their employment with City of Tempe; and as a result thereof, the City is responsible and liability is imputed for the acts and omissions of their employees, as alleged herein, under the principles of *respondeat superior*, agency, and/or other applicable state law.



JURISDICTION AND VENUE

10. The jurisdiction of this Court is invoked pursuant to 42 U.S.C. § 1983, 28 U.S.C. § 1331, and 28 U.S.C. § 1367.

11. The unlawful acts described herein were committed within the City of Tempe located in Maricopa County, State of Arizona.

12. Accordingly, venue in this Court is proper pursuant to 28 U.S.C. § 1391(b).

ALLEGATIONS COMMON TO ALL CLAIMS

13. Mr. Woods is an African-American male, and an officer with the Chicago Police Department.

14. On the evening of August 23, 2024, at approximately 11:45 p.m., Mr. Woods, who had just arrived in Phoenix and rented a Dodge Charger, was lawfully driving in downtown Tempe with a friend.

15. Mr. Woods turned northbound onto Mill Avenue from 6th Street.

16. He did not unreasonably accelerate, nor did he break the speed limit – in fact, the crowded traffic and red light ahead of his vehicle made actual speeding physically impossible.

17. Officers East and Espinoza, bicycle cops apparently observing two young African-American men in a sporty car listening to rap music, began pursuing Mr. Woods' vehicle without any probable cause.

18. It is clear from the body cam footage that Officers East and Espinoza made the decision to pursue the vehicle right as it turned in front of them before it even finished the turn.

19. Officer East pulled his bike behind Mr. Woods' car while it was stopped at the next light, shined a flashlight through the open window, and demanded his identification.

20. Mr. Woods complied respectfully and provided both his driver's license and his Chicago Police Department ID.

21. Despite Mr. Woods' cooperation, Officer East next ordered him to turn left on 5th Street and pull over.

22. Officer East informed Mr. Woods that he was being cited for (allegedly) "chirping his tires." Officer East then demanded that Mr. Woods exit the vehicle, despite heavy traffic in



1 the area.

2 23. Mr. Woods, still shocked, initially declined to exit the vehicle, fearing for his safety
3 due to the heavy traffic. Officer East threatened Mr. Woods that he would be physically “made”
4 to exit the vehicle if he did not comply. Mr. Woods then cooperatively exited the vehicle.

5 24. Multiple officers began arriving at the scene, standing around and gawking at Mr.
6 Woods. Once he exited, and despite behaving in a non-threatening manner and questioning what
7 was happening, he was immediately handcuffed (hands behind his back), perp-walked to the side
8 of the road, where Officers Regester and Espinoza demanded that he sit all the way down on the
9 curb (still with his hands handcuffed behind his back).

10 25. Due to a knee injury, Mr. Woods initially declined to sit; until Officer Espinoza
11 threatened that he would be “put on the ground” unless he did so.

12 26. Officer Regester then said that Mr. Woods was under arrest, and that it was “up to
13 this Officer [gesturing to Officer East] whether he would be taken to jail.”

14 27. Mr. Woods sat on the curb. He cooperated at every turn. He expressed his
15 frustration at the situation, but was never rude to the officers – he just asked questions and tried
16 to engage the officers professionally by comparing and contrasting the Officers’ actions with
17 Chicago PD.

18 28. There was no reason given as to why Mr. Woods was required to sit on the curb, but
19 it was clear that the Officers were very keen on demanding that Mr. Woods follow their every
20 whim.

21 29. Despite Mr. Woods’ obvious surprise and continuing to ask very genuinely what
22 was going on (and telling the officers that he did not give his permission for a vehicle search),
23 Officer Espinoza asked “Why are you being so difficult?” and said “you should know better”
24 holding up Mr. Woods’ police ID.

25 30. Several of the Officers referenced his police officer status in one breath and then
26 said “but we don’t know you” or “we don’t know that you’re an officer” in the next when it
27 suited them.

28 31. Officer Regester repeatedly stated that it was “illegal” to “rev an engine” in



1 Arizona (different than East's allegation). Regester went on to say "you understand we have
2 discretion here right? You get placed under arrest and you're going to lose your f***** job dude."

3 32. It is clear from the body cam footage that Officers East and Espinoza and Regester
4 in particular are extremely thin-skinned and unable to tolerate any perceived questioning of their
5 authority – especially by a young black man.

6 33. Mr. Woods referenced his police officer status on several occasions, and asked why
7 they were not treating him with any professional courtesy.

8 34. One of the Officers responded and stated that they hold police officers to a "higher
9 standard" – or words to that effect.

10 35. The Officers repeatedly asked Mr. Woods if he had any guns or jewelry in his car.
11 Though he had neither, Mr. Woods repeatedly stated that they did not have his permission to
12 search his vehicle.

13 36. It was obvious that the Officers were very keen on doing so, as they kept shining
14 their lights inside the vehicle, and upon information and belief, made the decision to impound the
15 vehicle solely so they could do an "inventory search," there being no other reasonable basis for
16 doing so under law or policy.

17 37. On multiple occasions during this encounter, other cars chirped their tires and/or
18 loudly revved their engines, without drawing so much as a second glance from the Officers
19 standing around – despite a self-proclaimed "zero tolerance" policy for such activities.

20 38. Mr. Woods even pointed this out and asked why any of the "nine officers" standing
21 around weren't interested in enforcement against anyone else. Their response was "we're dealing
22 with you."

23 39. Other than the over-the-top show of force display, there was clearly no reason for
24 the extra officers to remain through the entire encounter once Mr. Woods was in handcuffs and
25 seated on the curb.

26 40. Eventually the Officers declared that the vehicle "had to be" impounded for 20 days
27 as a result of his arrest.

28 41. It was oddly never an option for Mr. Woods' friend to drive the vehicle away though



1 he was not arrested, and the Officers made a point to state that he was “never even identified” in
2 their written reports.

3 42. The Officers then stated that Mr. Woods’ police status required the involvement of
4 their supervisors.

5 43. Despite Mr. Woods’ cooperation, officers continually made derogatory or
6 threatening remarks, including that his job was in jeopardy and implying misconduct for revving
7 his engine, which was not supported by statute or local policy.

8 44. At no time did Mr. Woods try to seek special favor or use his Chicago PD
9 employment as a means to evade arrest – he only requested “professional courtesy” in how he
10 was being treated during the stop and arrest process.

11 45. In the police report, Sergeant Nardini allegedly made the decision to take Mr.
12 Woods to jail and impound his vehicle rather than cite him and release him (though the Officers
13 kept referencing a “lieutenant” who would have to make that decision).

14 46. Lieutenant Hernandez did arrive on the scene and appeared to approve Mr. Woods’
15 arrest, the vehicle impound, and transporting Mr. Woods to jail.

16 47. The Officers claimed that their actions – that they had to impound the vehicle and
17 take Mr. Woods to jail instead of giving him a citation because he was from out of state - were
18 according to “policy” and state law.

19 48. Upon information and belief, the City’s actual “policy” is in fact the exact opposite
20 of what was represented to Mr. Woods.

21 49. And contrary to Officer East’s statements on the body cam footage, state law does
22 not require towing of the vehicle (especially when another driver is present) unless the officer
23 reasonably believes that other individuals are at risk of serious bodily injury or death by “the
24 person” driving the vehicle. A.R.S. § 28-3511. Mr. Woods was “the person” and had been
25 arrested at that point.

26 50. Approximately forty minutes later (with Mr. Woods still in handcuffs), the decision
27 was finalized to take Mr. Woods to jail. Mr. Woods was placed (still handcuffed) by the Officers
28 in a transport vehicle along with several drunken and disorderly individuals, and transported to



1 the jail where he was booked, processed, and placed in a cell overnight.

2 51. During his confinement at the jail, Mr. Woods repeatedly requested medical
3 attention telling the officers at the jail that he was having difficulty breathing and getting light-
4 headed and needed to go to the hospital, but no medical attention was provided.

5 52. He was released the next morning.

6 53. The vehicle was impounded until the owner was allowed to retrieve it, at significant
7 additional expense to Mr. Woods.

8 54. Upon information and belief, the Defendants used the impound of the vehicle as a
9 pretext to search the car; but found nothing unlawful.

10 55. Mr. Woods contracted a bacterial infection due to unsanitary conditions in the jail,
11 and suffered physical illness therefrom requiring medical treatment, as well as significant
12 emotional distress and reputational harm – this was the first time in his life being arrested and
13 placed in handcuffs and the arrest required him to be placed on administrative leave with his
14 employer, causing additional humiliation and damages.

15 56. City of Tempe and the Officers pressed charges against Mr. Woods for violating
16 A.R.S. § 28-708(A).

17 57. As a result of the criminal charges, Mr. Woods had to hire a criminal defense
18 attorney to clear his name.

19 58. The charges against him were quickly dismissed without a trial as the prosecutor
20 recognized the case's obvious weakness and the inability to convict someone for "exhibition of
21 speed" when no speed was involved.

22 59. On January 13, 2025, Mr. Woods, through counsel, served a notice of claim on the
23 City and the individual defendants encompassing the facts described above.

24 60. Within 24 hours, Mr. Woods was notified by Chicago PD that Commander Kim
25 Hale and/or Lieutenant Sean Still with Tempe PD had filed or caused to be filed an internal
26 complaint with Mr. Woods' employer, Chicago Police Department, regarding the same incident,
27 falsely suggesting that Mr. Woods had used his status as a police officer for personal gain, causing
28 Mr. Woods additional distress, reputational harm, and lost wages.



61. Upon information and belief, Chief McCoy was required to sign off on or otherwise approve and ratify the inter-agency complaint filed by Hale and/or Still.

62. Upon information and belief, this complaint was retaliation for either the publicity given Mr. Woods' claims when he spoke to the press about his arrest or the notice of claim, or both.

63. Mr. Woods timely served and a notice of claim and amended notice of claim upon all Defendants under A.R.S. § 12-821.01 for all state law claims, which notice of claim has been denied by operation of law.

64. Defendants took their actions against Plaintiff under color of state law and may be held liable under 42 U.S.C. § 1983.

65. Additionally, the Plaintiff's rights herein are clearly established and therefore no qualified immunity will apply.

66. All conditions precedent necessary to the filing of this lawsuit have been performed or have occurred.

**COUNT ONE - FOURTH AMENDMENT VIOLATION (UNLAWFUL SEARCH AND SEIZURE)
(INDIVIDUAL DEFENDANTS)**

67. Plaintiff incorporates by reference all prior paragraphs as though fully set forth herein.

68. The Fourth Amendment guarantees individuals the right to be free from unreasonable seizures, including arrest without probable cause, and unlawful searches.

69. Defendants East, Espinoza, and Register initiated a traffic stop and arrested Mr. Woods without a warrant and without probable cause to believe he had committed any crime.

70. Mr. Woods did not engage in any unlawful conduct. The sole alleged basis for initiating the stop was the brief sound of squealing tires, which does not constitute “exhibition of speed” under A.R.S. § 28-708(A), especially under the conditions described.

71. Defendants ignored clearly exculpatory evidence, including the fact that the traffic light ahead precluded actual speeding and that Mr. Woods' demeanor was calm, cooperative, and



1 non-threatening.

2 72. Defendants placed Mr. Woods in handcuffs, forced him to sit on the curb despite a
3 knee injury, and transported him to jail overnight—all without a valid legal basis.

4 73. No reasonable officer in Defendants' position could have believed there was
5 probable cause to arrest Plaintiff under the circumstances.

6 74. The unlawful seizure of Plaintiff without probable cause caused him to suffer
7 significant harm, including deprivation of liberty, humiliation, emotional distress, reputational
8 damage, and financial expense.

9 75. Upon information and belief, the search of Plaintiff's vehicle was a further Fourth
10 Amendment violation as it was performed pursuant to unlawful and pretextual arrest.

11 76. The conduct of Defendants was intentional, malicious, reckless, and done with
12 callous disregard for Plaintiff's constitutional rights, justifying an award of punitive damages.

13 **COUNT TWO - FOURTEENTH AMENDMENT VIOLATION (EQUAL**
14 **PROTECTION)**
15 **(ALL INDIVIDUAL DEFENDANTS)**

16 77. Plaintiff incorporates by reference all prior paragraphs as though fully set forth
17 herein.

18 78. The Fourteenth Amendment guarantees equal protection of the laws and prohibits
19 government actors from engaging in racially discriminatory conduct.

20 79. Plaintiff, a Black man, was targeted, stopped, arrested, and prosecuted under
21 circumstances where similarly situated white individuals would not have been subjected to the
22 same treatment.

23 80. Other non-minority individuals in the area who were operating vehicles that made
24 similar engine noises or tire squeals were not stopped, cited, or arrested, as evidenced by the video
25 footage and Mr. Woods' contemporaneous observations.

26 81. The individual Defendants (East, Espinoza, Regester) intentionally chose to stop
27 and arrest Plaintiff, and later (Nardini, Hernandez, Hale, Still, and McCoy) jail him and harm his
28 professional reputation as a police officer, because of his race.



82. These actions were not taken for any legitimate law enforcement purpose.

83. Defendants' discriminatory treatment of Plaintiff caused him humiliation, mental anguish, reputational harm, and loss of wages.

84. The conduct of Defendants was intentional, malicious, reckless, and done with callous disregard for Plaintiff's constitutional rights, which justifies an award of punitive damages.

**COUNT THREE 42 U.S.C. § 1983 - 42 U.S.C. § 1981
(ALL INDIVIDUAL DEFENDANTS)**

85. By reference hereto, Plaintiff hereby incorporates the preceding paragraphs.

86. Defendant Officers' actions deprived Plaintiff of particular rights under the laws of the United States, namely, the right to "full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other." 42 U.S.C. § 1981.

87. Defendant Officers intentionally imposed different punishment, pains, penalty, etc. against Plaintiff than they would have imposed on a white citizen, and thus deprived Plaintiff of "full and equal benefit of all laws and proceedings."

88. Defendants' discriminatory treatment of Plaintiff caused him humiliation, mental anguish, reputational harm, and loss of wages.

89. The conduct of Defendants was intentional, malicious, reckless, and done with callous disregard for Plaintiff's statutory rights, which justifies an award of punitive damages.

90. Section 1983 is a proper vehicle for a Section 1981 claim against government defendants. *Yoshikawa v. Seguirant*, 74 F.4th 1042, 1047 (9th Cir. 2023)(en banc).

**COUNT FOUR - FIRST AMENDMENT RETALIATION
(MCCOY, HALE, STILL INDIVIDUAL DEFENDANTS)**

91. By reference hereto, Plaintiff hereby incorporates the preceding paragraphs.

92. The actions of Defendants McCoy, Hale, and Still deprived Plaintiff of particular rights under the United States Constitution, namely the First Amendment.

93. Under the First Amendment, a citizen has the right to free expression, including but



1 not limited to the right to question or express disapproval of a government official's actions.

2 94. Plaintiff engaged in those rights by speaking with the press and by serving a notice
3 of claim.

4 95. These Defendants' actions against the Plaintiff (filing a complaint with his
5 employer) would chill a person of ordinary firmness from continuing to engage in the protected
6 activity

7 96. The Plaintiff's protected activity was a substantial or motivating factor in Defendant
8 Officers' conduct.

9 97. Defendants' retaliatory treatment of Plaintiff caused him humiliation, mental
10 anguish, reputational harm, and loss of wages.

11 98. The conduct of Defendants was intentional, malicious, reckless, and done with
12 callous disregard for Plaintiff's constitutional rights, which justifies an award of punitive damages.

13 **COUNT FIVE - FOURTH AMENDMENT MALICIOUS PROSECUTION**
14 **(ALL INDIVIDUAL DEFENDANTS)**

15 99. By reference hereto, Plaintiff hereby incorporates the preceding paragraphs.

16 100. Defendant Officers' actions deprived Plaintiff of particular rights under the United
17 States Constitution, namely the Fourth Amendment right to be free from malicious prosecution.

18 101. Defendant Officers arrested Plaintiff, detained him, and charged him without
19 probable cause, which led to an unreasonable seizure of Plaintiff's person, causing Plaintiff's
20 injuries.

21 102. The criminal prosecution was dismissed without a conviction.

22 103. Defendants' retaliatory treatment of Plaintiff caused him humiliation, mental
23 anguish, reputational harm, and loss of wages.

24 104. The conduct of Defendants was intentional, malicious, reckless, and done with
25 callous disregard for Plaintiff's constitutional rights, which justifies an award of punitive damages.

26 **COUNT SIX - MONELL LIABILITY FOR UNCONSTITUTIONAL POLICIES,**
27 **PRACTICES, AND CUSTOMS**
28 **(CITY OF TEMPE)**



1 105. Plaintiff incorporates by reference all prior paragraphs as though fully set forth
2 herein.

3 106. Defendant City of Tempe, through its Police Department and final policymakers,
4 including Chief Kenneth McCoy and other supervisory officials, maintained policies, customs,
5 and/or practices that were the moving force behind the violations of Plaintiff's constitutional
6 rights.

7 107. These policies, customs, or practices include, but are not limited to:

- 8 a. The targeting and disproportionate enforcement of traffic and criminal laws against Black
9 individuals;
- 10 b. The failure to discipline or correct officers who engage in racial profiling, excessive force,
11 false arrests, or retaliatory conduct;
- 12 c. The misuse of impound authority to justify warrantless and pretextual searches of vehicles
13 belonging to black individuals;
- 14 d. The approval and ratification of unlawful arrests of black individuals by supervisory
15 personnel without regard to legal justification;
- 16 e. The practice of fabricating or exaggerating reasons for otherwise unlawful arrests or
17 searches to shield officers from accountability;
- 18 f. The failure to train officers on proper constitutional limits regarding stops, searches,
19 arrests, impounds, jailing, and racial bias; and
- 20 g. The practice of allowing and/or endorsing attempts to harm the employment and/or
21 reputation of someone who protests unconstitutional behavior.

22 108. The decision to arrest Plaintiff using a vague and inapplicable statute, impound his
23 vehicle, search without a warrant or consent, deny him medical care in custody, and submit
24 retaliatory complaints to his employer all reflect longstanding and widespread customs and
25 practices of the Tempe Police Department.

26 109. Supervisors included Sergeant Nardini, Lieutenant Hernandez, and Chief McCoy
27 who either directly participated in or ratified the misconduct of subordinate officers.

28 110. The City of Tempe was deliberately indifferent to the rights of citizens such as



1 Plaintiff by failing to provide adequate training, supervision, and discipline to its officers
 2 concerning racial bias, probable cause determinations, use of force, custodial medical obligations,
 3 and retaliatory conduct.

4 111. The injuries suffered by Plaintiff, including unlawful seizure, detention, reputational
 5 harm, emotional distress, and physical illness, were directly caused by the City of Tempe's failure
 6 to prevent and correct unconstitutional conduct by its officers.

7 112. Plaintiff thus seeks to hold the City of Tempe accountable under *Monell v.*
 8 *Department of Social Services*, 436 U.S. 658 (1978) for each of the constitutional violations pleaded
 9 above.

10 **COUNT SEVEN - TITLE VI DISCRIMINATION**
 11 **(CITY OF TEMPE)**

12 113. By reference hereto, Plaintiff hereby incorporates the preceding paragraphs.

13 114. Defendant City of Tempe was the recipient of federal funds, including several
 14 federal grants specifically related to law enforcement by its Police Department, at all relevant
 15 times.

16 115. Title VI forbids recipients of federal funds from discriminating on the basis of race,
 17 *inter alia*, in the administration of any program or activity benefiting from those funds.

18 116. The Tempe employees named herein intentionally treated Plaintiff disparately and
 19 profiled him because of his race during their activity of policing.

20 117. This disparate treatment caused Plaintiff damages.

21 118. Plaintiff is entitled to recover compensatory damages against the City of Tempe.

22 **COUNT EIGHT - FALSE ARREST/FALSE IMPRISONMENT**

23 119. Plaintiff incorporates by reference all prior paragraphs as though fully set forth
 24 herein.

25 120. Under Arizona law, false arrest and false imprisonment occur when a person is
 26 detained without lawful authority or justification.

27 121. Defendants East, Espinoza, and Regester detained, handcuffed, and arrested
 28 Plaintiff - and/or aided and abetted one another while doing so - without probable cause or legal



1 justification.

2 122. Supervisory Defendants Nardini and Hernandez ratified and authorized Plaintiff's
3 continued detention, and the City of Tempe is vicariously liable for their actions.

4 123. Plaintiff was confined with no lawful basis under statute or policy.

5 124. Plaintiff's confinement included extended roadside detention, transportation to jail,
6 overnight incarceration, and continued legal jeopardy due to malicious prosecution.

7 125. Plaintiff's arrest and detention were unreasonable and unlawful under the
8 circumstances, and Defendants acted with reckless disregard for Plaintiff's rights.

9 126. As a direct and proximate result of the false arrest and imprisonment, Plaintiff
10 suffered loss of liberty, physical discomfort, humiliation, mental anguish, and reputational and
11 professional harm.

12 127. The conduct of Defendants was intentional, malicious, reckless, and done with
13 callous disregard for Plaintiff's constitutional rights, which justifies an award of punitive damages.

14 **COUNT NINE - MALICIOUS PROSECUTION**

15 128. Plaintiff incorporates by reference all prior paragraphs as though fully set forth
16 herein.

17 129. Under Arizona law, a claim for malicious prosecution requires a showing that
18 Defendants initiated or continued a criminal proceeding against Plaintiff without probable cause,
19 with malice, and that the proceeding was ultimately terminated in Plaintiff's favor.

20 130. Defendants East, Espinoza, and Regester initiated criminal charges against Plaintiff
21 for exhibition of speed under A.R.S. § 28-708(A) despite knowing no such violation had occurred.

22 131. Supervisors Nardini and Hernandez approved and ratified the decision to refer
23 charges for prosecution despite the absence of probable cause, and the City of Tempe is vicariously
24 liable for their actions.

25 132. The charges were wholly unsupported by the facts, given the complete lack of
26 speeding, the crowding of the area, the absence of reckless behavior, and the context in which the
27 tires briefly chirped.

28 133. The decision to refer and pursue charges was motivated by animus, racial bias, and



1 a desire to retaliate against Plaintiff for asserting his rights and questioning their conduct.

2 134. The charges were ultimately dismissed without trial in Plaintiff's favor.

3 135. As a result of the malicious prosecution, Plaintiff suffered severe emotional distress,
4 incurred attorney's fees and expenses, was placed on administrative leave from his job, and
5 sustained reputational and financial harm.

6 136. The conduct of Defendants was intentional, malicious, reckless, and done with
7 callous disregard for Plaintiff's constitutional rights, which justifies an award of punitive damages.

8 **COUNT TEN - NEGLIGENCE/GROSS NEGLIGENCE**

9 137. Plaintiff incorporates by reference all prior paragraphs as though fully set forth
10 herein.

11 138. Under Arizona law, public employees and municipalities owe a duty of care to
12 refrain from subjecting individuals to unreasonable risk of harm through their actions, including
13 the enforcement of laws and treatment of arrestees and detainees.

14 139. Defendant Officers owed a duty to Plaintiff, namely the duty to act reasonably
15 towards Plaintiff.

16 140. Defendant Officers breached that duty by arresting Plaintiff and taking him to jail
17 instead of merely citing him or warning him under these circumstances.

18 141. Defendant Officers' breach involved gross, willful, or wanton conduct.

19 142. Defendant Officers' breach caused Plaintiff's damages.

20 143. Defendant City of Tempe is responsible under common law grounds of *respondeat*
21 *superior* and agency for Defendant Officers' actions.

22 144. Additionally, Defendant City of Tempe owes a duty of care to members of the public
23 with whom its officers come into contact and/or investigate, including Plaintiff.

24 145. Defendant City of Tempe breached this duty by failing to adequately supervise its
25 officers, including the Defendant Officers.

26 146. Defendant City of Tempe breached this duty by failing to adequately train its officers
27 with respect to the search and seizure, citing and releasing of suspects.

28 147. Defendant City of Tempe breached this duty by failing to adopt adequate and



1 reasonable policies.

2 148. All Defendants are therefore jointly and severally liable for compensatory damages.

3 149. As a direct and proximate result of Defendants' negligence and gross negligence,
4 Plaintiff sustained physical injuries, emotional trauma, reputational damage, and financial harm.

5 150. Further, as the Officers' conduct was intentional, oppressive, malicious, done with
6 an evil mind and with reckless indifference to the constitutionally and statutorily protected rights
7 of Plaintiff, he is entitled to an award of punitive or exemplary damages against the Defendant
8 Officers (but not the City).

9
10 **COUNT ELEVEN - FALSE LIGHT**
(DEFENDANTS HALE, STILL, MCCOY AND CITY OF TEMPE)

11 151. Plaintiff incorporates by reference all prior paragraphs as though fully set forth
12 herein.

13 152. Under Arizona law, false light invasion of privacy occurs when false information is
14 publicly disclosed that places a person in a highly offensive and misleading light.

15 153. Shortly after Plaintiff submitted his notice of claim, Defendants Hale and/or Still
16 filed or caused to be filed (and Defendant McCoy ratified or otherwise approved) a retaliatory and
17 misleading internal complaint with the Chicago Police Department, falsely suggesting that
18 Plaintiff used his police credentials for personal gain.

19 154. These statements were false or misleading and were made with knowledge of their
20 falsity or with reckless disregard for the truth.

21 155. Defendant City of Tempe is responsible under common law grounds of *respondeat*
22 *superior* and agency for Defendant Officers' actions.

23 156. The statements were not made as part of a legitimate investigation or required
24 reporting obligation, but were instead retaliatory and maliciously motivated by Plaintiff's exercise
25 of his legal rights.

26 157. The filing of this complaint placed Plaintiff in a false and offensive light in the eyes
27 of his employer and colleagues, casting unwarranted doubt on his integrity and professionalism.

28 158. These actions caused Plaintiff emotional distress, embarrassment, reputational



1 injury, and contributed to his placement on administrative leave.

2 159. As a direct and proximate result of Defendants' negligence and gross negligence,
3 Plaintiff sustained physical injuries, emotional trauma, reputational damage, and financial harm.

4 160. Further, as the Officers' conduct was intentional, oppressive, malicious, done with
5 an evil mind and with reckless indifference to the constitutionally and statutorily protected rights
6 of Plaintiff, he is entitled to an award of punitive or exemplary damages against the Defendant
7 Officers (but not the City).

8 **COUNT TWELVE - DEFAMATION**
9 **(AGAINST DEFENDANTS HALE, STILL AND CITY OF TEMPE)**

10 161. Plaintiff incorporates by reference all prior paragraphs as though fully set forth
11 herein.

12 162. Defendants Hale and/or Still made false and defamatory statements about Plaintiff
13 to third parties, including members of the Chicago Police Department, alleging misconduct or
14 abuse of his official status as a Chicago Police Officer in order to gain special favors or privileges
15 related to his arrest and booking.

16 163. These statements were published to individuals with no legitimate need to know and
17 were made with actual malice, that is actual knowledge of their falsity or reckless disregard for the
18 truth.

19 164. The statements were not subject to any privilege and were made outside the scope
20 of lawful duty or investigation.

21 165. The statements tended to harm Plaintiff's reputation and lower him in the
22 estimation of his employer, co-workers, and the public, or suggest unfitness for his profession
23 (constituting defamation per se).

24 166. Defendant City of Tempe is responsible under common law grounds of *respondeat*
25 *superior* and agency for Defendant Officers' actions.

26 167. As a direct and proximate result of Defendants' negligence and gross negligence,
27 Plaintiff sustained physical injuries, emotional trauma, reputational damage, and financial harm.

28 168. Further, as the Officers' conduct was intentional, oppressive, malicious, done with



1 an evil mind and with reckless indifference to the constitutionally and statutorily protected rights
 2 of Plaintiff, he is entitled to an award of punitive or exemplary damages against the Defendant
 3 Officers (but not the City).

4 **COUNT THIRTEEN - INTENTIONAL INTERFERENCE WITH CONTRACT**
 5 **(AGAINST DEFENDANTS HALE, STILL, MCCOY AND CITY OF TEMPE)**

6 169. Plaintiff incorporates by reference all prior paragraphs as though fully set forth
 7 herein.

8 170. At all relevant times, Plaintiff was employed by the Chicago Police Department
 9 pursuant to an employment contract, express or implied, that governed the terms and conditions
 10 of his position, including professional conduct expectations and disciplinary procedures.

11 171. Defendants Hale, Still and/or McCoy knew or should have known of Plaintiff's
 12 employment relationship with the Chicago Police Department.

13 172. By submitting a retaliatory and misleading complaint to Plaintiff's employer (with
 14 McCoy's knowledge, ratification, or approval), Defendants intentionally and unjustifiably
 15 interfered with the contractual and professional relationship between Plaintiff and his employer.

16 173. Such interference was motivated by malice and retaliation for Plaintiff's lawful
 17 pursuit of his civil rights and legal claims.

18 174. The interference caused Plaintiff to be placed on administrative leave, subjected to
 19 internal investigation, and exposed to potential loss of employment or discipline.

20 175. As a direct and proximate result of Defendants' intentional interference, Plaintiff
 21 has suffered economic loss, reputational harm, emotional distress, and disruption of his
 22 professional life.

23 176. Defendant City of Tempe is responsible under common law grounds of *respondeat*
 24 *superior* and agency for Defendant Officers' actions.

25 177. As a direct and proximate result of Defendants' negligence and gross negligence,
 26 Plaintiff sustained physical injuries, emotional trauma, reputational damage, and financial harm.

27 178. Further, as the Officers' conduct was intentional, oppressive, malicious, done with
 28 an evil mind and with reckless indifference to the constitutionally and statutorily protected rights



1 of Plaintiff, he is entitled to an award of punitive or exemplary damages against the Defendant
2 Officers (but not the City).

3
4 **PRAYER FOR RELIEF**

5 WHEREFORE, Plaintiff Jalen A. Woods respectfully requests that this Court enter
6 judgment in his favor and against Defendants, and award him:

- 7 A. For a declaration that Defendants' actions and practices complained of herein are unlawful;
8 B. For an order enjoining Defendant from engaging in the unlawful acts complained of herein;
9 C. For lost wages, and all other economic benefits denied or lost to Plaintiff by reason of
10 Defendants' unlawful actions, in an amount to be proven at trial;
11 D. For direct and consequential damages as a result of Defendant's actions, including all
12 available tort damages;
13 E. For punitive damages within constitutional limits;
14 F. For interest on lost wages, compensation and damages, including pre- and post-judgment
15 interest and an upward adjustment for inflation;
16 G. Declaratory and injunctive relief as appropriate, including findings of unconstitutional
17 practices;
18 H. Any other relief the Court deems just and proper.

19 **JURY DEMAND**

20 Plaintiff demands a trial by jury on all issues so triable.

21 Respectfully submitted on this 21st day of August, 2025,

22 CARDEN LIVESAY, LTD.

23 By: s/Joshua W. Carden
24 Joshua W. Carden

25 Taylor & Gomez
26 Benjamin Taylor

27 *Attorneys for Plaintiff*
28 *Jalen Woods*



Civil Cover Sheet

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the District of Arizona.

The completed cover sheet must be printed directly to PDF and filed as an attachment to the Complaint or Notice of Removal.

Plaintiff(s): Jalen Woods , ;

**City of Tempe , ; Kenneth McCoy , ; Daniel East , ;
Defendant(s): Anibal Espinoza , ; Mark Regester , ; Anthony Nardini
; Erik Hernandez , ; Kim Hale , ; Sean Still , ;**

County of Residence: Outside the State of Arizona

County of Residence: Maricopa

County Where Claim For Relief Arose: Maricopa

Plaintiff's Atty(s):

Joshua William Carden ,
Carden Livesay, Ltd.
419 E Juanita Ave, Ste. 103
Mesa, AZ 85204
4803459500

Benjamin Taylor ,
Taylor & Gomez, LLP
2600 N 44th St., Ste. B-101
Phoenix, AZ 85008
6024030212

Defendant's Atty(s):

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IFP REQUESTED**REMOVAL FROM COUNTY, CASE #**

II. Basis of Jurisdiction:

3. Federal Question (U.S. not a party)

III. Citizenship of Principal Parties(Diversity Cases
Only)

N/A

Plaintiff:-

N/A

Defendant:-

IV. Origin :

1. Original Proceeding

V. Nature of Suit:

440 Other Civil Rights

VI.Cause of Action:

42 U.S.C. s 1983 - First, Fourth, and Fourteenth Amendment claims, Section 1981 and Title VI

VII. Requested in Complaint

No

Class Action:

Dollar Demand:

Yes

Jury Demand:

VIII. This case is not related to another case.

Signature: s/Joshua W. Carden

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Date: 08/18/2025

If any of this information is incorrect, please go back to the Civil Cover Sheet Input form using the *Back* button in your browser and change it. Once correct, save this form as a PDF and include it as an attachment to your case opening documents.

Revised: 01/2014