

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ESTATE OF TERRELL EASON,)	
Deceased, by ALICE EASON, his Mother)	Case No.
And Independent Administrator,)	
)	Judge
Plaintiff,)	
)	Magistrate Judge
v.)	
)	
JOHN DOE OFFICERS 1-2,)	
and the CITY OF CHICAGO,)	JURY DEMAND
A Municipal Corporation,)	
)	
Defendants.)	

COMPLAINT AT LAW

NOW COMES the Plaintiff, ESTATE OF TERRELL EASON, Decedent, by ALICE EASON, his mother and Independent Administrator, by and through its attorneys, Gregory E. Kulis & Associates, Ltd., and complaining against the Defendants, JOHN DOE 1-2, and the CITY OF CHICAGO, a Municipal Corporation, as follows:

COUNT I – EXCESSIVE FORCE

1. This action is brought pursuant to the laws of the United States Constitution, specifically, 42 U.S.C. §1983 and §1988, and the laws of the State of Illinois, to redress deprivations of the Civil Rights of the Plaintiff, TERRELL EASON, Decedent, accomplished by acts and/or omissions of the Defendants, JOHN DOE OFFICERS 1-2 and the CITY OF CHICAGO committed under color of law.

2. Jurisdiction is based on Title 28 U.S.C. §1343 and §1331 and supplemental jurisdiction of the State of Illinois.

3. The Plaintiff, TERRELL EASON, Decedent, was at all relevant times a United States Citizen and resident of the State of Illinois.

4. At all relevant times the Defendants, OFFICERS JOHN DOE 1-2, were duly appointed Chicago Police Officers acting within the scope of their employment and under color of law.

5. The City of Chicago is a statutory municipal corporation and the employer of the Defendants, JOHN DOE OFFICERS 1-2.

6. On July 3, 2018, the Decedent was in the vicinity of the 4700 Block of West Fulton.

7. The Defendants, JOHN DOE OFFICERS 1-2 arrived in the vicinity based on a report of a man with a gun.

8. Reportedly the Defendants started to chase the Decedent, TERRELL EASON.

9. The Defendants, as they chased him started shooting at the Decedent, TERRELL EASON.

10. The Decedent, TERRELL EASON did not threaten the Defendants with great bodily harm.

11. The Decedent, TERRELL EASON did not shoot a weapon at the Defendants.

12. The Defendants, JOHN DOE OFFICERS 1-2 shot the Decedent, TERRELL EASON.

13. The Decedent, TERRELL EASON ultimately succumbed to his injuries and died.

14. At that time, the Defendants, JOHN DOE OFFICERS 1-2 use of deadly force was excessive.

15. The actions of the Defendants, JOHN DOE OFFICERS 1-2 were intentional, willful and wanton.

16. The actions of the Defendants, JOHN DOE OFFICERS 1-2 were pursuant to the customs, policies, and practices of the Chicago Police Department.

17. The actions of the Defendants, JOHN DOE OFFICERS 1-2 violated the Plaintiff's constitutional rights as protected by 42 U.S.C. § 1983.

18. As a result of the actions of the Defendants, JOHN DOE OFFICERS 1-2, the Decedent suffered permanent injuries, pain, suffering, monetary loss, emotional distress and loss of enjoyment of his life.

WHEREFORE, the Plaintiff, TERRELL EASON, Deceased, prays for judgement against the Defendants, JOHN DOE OFFICERS 1-2 for reasonable compensatory damages, punitive damages, plus attorney's fees and costs.

COUNT II – WRONGFUL DEATH

1-14. The Plaintiff, ALICE EASON, as Independent Administrator of the Estate of TERRELL EASON, Decedent, re-allege paragraphs 3-16 of Count I as paragraphs 1-14 of Count II as though fully set forth herein.

15. The actions of the Defendants, JOHN DOE OFFICERS 1-2, caused the wrongful death of the decedent, TERRELL EASON, in violation of ILCS 740 ILCS 180/1 et. seq.

16. As a result of the actions of the Defendants, JOHN DOE OFFICERS 1-2, the Decedent, TERRELL EASON, suffered loss of life, loss of enjoyment of life, pain, suffering and monetary loss.

WHEREFORE the Plaintiffs, ALICE EASON, as Independent Administrator of the Estate of TERRELL EASON, deceased, prays for judgment against the Defendants, JOHN DOE OFFICERS 1-2, for fair and reasonable compensatory damages and punitive damages, plus costs.

COUNT III – SURVIVAL ACTION

1-14. The Plaintiff, ALICE EASON, as Independent Administrator of the Estate of TERRELL EASON, deceased, re-alleges her allegations of paragraphs 3-16 of Count II as her respective allegations of paragraphs 1-14 of Count III as though fully set forth herein.

15. After the Decedent was shot, he survived for a period of time before he died.

16. As a direct and proximate cause of the conduct of the Defendants, JOHN DOE OFFICERS 1-2, the Decedent, TERRELL EASON, suffered pain and suffering, mental trauma, fear, anxiety, monetary loss and eventually death.

17. This cause of action arises under the Survival Act, codified at 755 ILCS 5/27-6, and is brought by, ALICE EASON, Independent Administrator of the Estate of TERRELL EASON, deceased, within two (2) years from the date of death of the decedent to recover damages suffered by the decedent prior to his death.

WHEREFORE the Plaintiff, ALICE EASON, as Independent Administrator of the Estate of TERRELL EASON, deceased, prays for judgment against the Defendants, JOHN DOE OFFICERS 1-2, for fair and reasonable compensatory damages and punitive damages, plus costs.

COUNT IV - FAMILY EXPENSE ACT

1-17. The Plaintiff, ALICE EASON, as Independent Administrator of the Estate of TERRELL EASON, re-alleges their allegations of paragraphs 1-17 of Count III as their respective allegations of paragraphs 1-17 of Count IV as though fully set forth herein.

18. At all relevant times, the Plaintiff, ALICE EASON, was the mother of TERRELL EASON, deceased.

19. As a direct and proximate result of Defendants, JOHN DOE OFFICERS 1-2 actions, which caused the death of TERRELL EASON, the Plaintiff, ALICE EASON, has incurred funeral and burial expenses.

WHEREFORE the Plaintiff, ALICE EASON, as Independent Administrator of the Estate of TERRELL EASON, deceased, prays for judgment against the Defendants, JOHN DOE OFFICERS 1-2, for fair and reasonable compensatory damages and punitive damages, plus costs.

COUNT V –CITY OF CHICAGO – MONELL CLAIM

1-20. The Plaintiff hereby-re-alleges and incorporates its allegations of paragraph 1-20 of Counts I-II as respective allegations paragraphs 1-20 of Count V as though fully set forth herein.

17. In the past several years many individuals have been shot by the Chicago Police Officers.

18. In the past seven years more than a third of police shootings occurred during foot chases.

19. The City of Chicago has failed to institute any written policy on foot chases.

20. The Illinois Attorney General offices have sued the City of Chicago for police reform.

21. The Lisa Madigan's Legal Counsel for the citizens of the State of Illinois has alleged and requested in part for the Chicago Police Department has requested the Police Department to closely track foot pursuits and to provide more training in regards to foot pursuits.

22. This lack of written policy and lack of training has allowed an unwritten custom and practiced to be followed which fosters police shootings during foot pursuits.

23. This has resulted in numerous shooting deaths.

24. This has resulted in numerous unjustified shootings.

24. This unwritten custom and practice contributed to the shooting of Decedent Terrell Eason lost his life.

25. As a result of this unwritten custom and practice the decedent TERRELL EASON lost his life.

26. This unwritten custom and procedure is unconstitutional as protected by 42 U.S.C. § 1983.

26. As a result of the actions of the Defendants, OFFICER'S JOHN DOE 1-2, the Decedent suffered permanent injuries, pain, suffering, monetary loss, emotional distress and loss of enjoyment of his life.

WHEREFORE the Plaintiff, ALICE EASON, as Independent Administrator of the Estate of TERRELL EASON, deceased, prays for judgment against the Defendant, CITY OF CHICAGO, for fair and reasonable compensatory damages, plus costs.

COUNT VI – INDEMNIFICATION – CITY OF CHICAGO

1-25. The Plaintiff, ESTATE OF TERREL EASON, hereby re-alleges and incorporates his allegations of paragraphs 1-25 of Counts I-V as its respective allegations of paragraphs 1-25 of Count III though fully set forth herein.

26. Illinois law provides that public entities are directed to pay any tort judgment for compensatory damages for which employees are liable within the scope of their employment activities.

27. The Defendants, OFFICER'S JOHN DOE 1-2 were employees of THE CITY OF CHICAGO, acting within the scope of their employment in committing the misconduct described herein.

WHEREFORE, should the Defendant, CITY OF CHICAGO be found liable for any of the acts alleged above would be liable to pay the Plaintiff. The ESTATE OF TERRELL EASON, Decedent, by ALICE EASON, prays for judgment against the Defendants, JOHN DOE OFFICERS 1-2, for fair and reasonable compensatory damages and punitive damages, plus costs.

JURY DEMAND

The Plaintiff, ESTATE OF TERRELL EASON, Decedent, by ALICE EASON, his mother and Independent Administrator hereby requests a trial by jury.

Respectfully submitted,

/s/ Gregory E. Kulis _____
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