

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

DOMINIQUE TURNER, individually and as  
next friend of her minor children, TJ1, TJ2, TJ3  
and TJ4,

Plaintiff,

v.

CITY OF CHICAGO, DAVID ALVAREZ,  
JR., #16131, BRADLEY ANDERSON,  
#15660, SAMUEL ANGEL, #16501, LUCAS  
BOYLE, #12059, CORNELIUS BROWN,  
#2235, ANTHONY BRUNO, #1123,  
BRANDON CAMPBELL, #6278, YVETTE  
CARRANZA, #13435, DANIELLE  
CUSIMANO, #16619, EMILIO DE LEON,  
#16360, DERVIS DEMIROVIC, #15664,  
DANIELLE DUNN, #9615, DAMIEN  
ENOCH, #12694, DOMINIC FERRO,  
#17503, VICTOR GUEBARA, #17147,  
STEVEN HOLDEN, #8149, ANDREW  
KHALIFEH, #9557, CHARLES MCCLAY,  
#4735, AARON MCCLELLAND, #9164,  
MARCO MENDOZA, #1362, ANTONIO  
MIRANDA, #8264, SEAN RYAN, #13198,  
HUGO SANCHEZ, #14269, CARLOS  
SANTAMARIA, #9919, DIMAR  
VASQUEZ, #17910, BRYAN VIELMAN,  
#18705, CURTIS WEATHERBY, #7866,  
SCOTT WESTMAN, #18472, and RUSSEL  
WILLINGHAM, #511,

Defendants.

No. 21-cv-00704

**CHICAGO POLICE DEPARTMENT OFFICERS'  
MOTION TO DISMISS PURSUANT TO 12(b)(6)**

NOW COMES Defendants Chicago Police Officers David Alvarez, Jr., Bradley  
Anderson, Samuel Angel, Lucas Boyle, Cornelius Brown, Anthony Bruno, Brandon Campbell,  
Yvette Carranza, Danielle Cusimano, Emilio de Leon, Dervis Demirovic, Danielle Dunn,

Damien Enoch, Dominic Ferro, Victor Guebara, Steven Holden, Andrew Khalifeh, Charles McClay, Aaron McClelland, Marco Mendoza, Antonio Miranda, Sean Ryan, Hugo Sanchez, Carlos Santamaria, Dimar Vasquez, Brian Vielman, Curtis Weathersby, Scott Westman, and Russell Willingham (“Officer Defendants”), by and through their attorneys, TRIBLER, ORPETT & MEYER, P.C., and for their Motion to Dismiss pursuant to Fed.R.Civ.P. 12(b)(6), state as follows:

1. Plaintiff Dominique Turner, individually, and as next friend of her minor children, TJ1, TJ2, TJ3 and TJ4, filed this Complaint on February 8, 2021 against Defendants City of Chicago and twenty-nine (29) individual Officers.

2. Plaintiff brings this action pursuant to 42 U.S.C. 1983 and 42 U.S.C. 3617, alleging improper searches of her alleged residence on two different occasions. Plaintiff does not allege she is the lawful owner of the premises or a lawful tenant of the premises.

3. Plaintiff’s Complaint fails to state sufficient facts to put the Officer Defendants on notice of the allegations made against them.

4. The Complaint consists of nothing more than threadbare, conclusory allegations. Plaintiff alleges that the searches were “illegal” and “improper” but provides no facts to put the Officer Defendants on notice as to why the search warrant for the first search was invalid.

5. Plaintiff does not allege the search warrant for the second search was invalid. Therefore, the Officer Defendants had the right to detain and search all individuals on the premises while they executed the search warrant.

6. The Complaint also fails to comply with Rule 8 because it groups all of the Officer Defendants together.

WHEREFORE, for the foregoing reasons, and those stated in the Officer Defendants' Memorandum of Law filed in support of this Motion, the Officer Defendants respectfully request this Honorable Court dismiss Plaintiff's Complaint.

Respectfully submitted,

/s/ William B. Oberts

One of the attorneys for the Officer  
Defendants

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of Chicago Police Department Officers' Motion to Dismiss Pursuant to 12(b)(6) was served upon:

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service was accomplished pursuant to ECF as to Filing Users and complies with LR 5.5 as to any party who is not a Filing User or represented by a Filing User by mailing a copy to the above-named attorney or party of record at the address listed above, from 225 W. Washington Street, Suite 2550, Chicago, IL 60606, on the 1<sup>st</sup> day of June, with proper postage prepaid.

*s/William B. Oberts*  
an Attorney