

**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 PLAINTIFF'S AMENDED COMPLAINT
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 Plaintiff’s First Amended Complaint 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, pursuant to 42 U.S.C. 1983 and 42 U.S.C. 3617, alleging improper searches of her alleged residence.

2. The Amended Complaint consists of nothing more than threadbare, conclusory allegations. Plaintiff alleges that the searches were “illegal” and “improper” but provides no insufficient facts to state a claim. 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 First Amended Complaint.

Respectfully submitted,

/s/ William B. Oberts

One of the attorneys for the Officer
Defendants

William B. Oberts, Esq. - 6244723
Amy M. Kunzer, Esq.- 6293176
Tribler Orpett & Meyer, P.C.
225 W. Washington St., Suite 2550
Chicago, IL 60606
(312) 201-6400
wboberts@tribler.com
amkunzer@tribler.com

CERTIFICATE OF SERVICE

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

Joel A. Flaxman
Kenneth N. Flaxman
Kenneth N. Flaxman, P.C.
200 S. Michigan Ave., Ste. 201
Chicago, IL 60604
(312) 427-3200
jaf@kenlaw.com
knf@kenlaw.com

Kyle A. Rockershousen
City of Chicago Law Department
Federal Civil Rights Litigation Division
2 N. LaSalle, Suite 420
Chicago, IL 60602
(312) 744-0742
Kyle.Rockershousen@cityofchicago.org

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 30th day of July, 2021, with proper postage prepaid.

s/William B. Oberts
an Attorney