

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

DENNIS JACKSON,)
Plaintiff,)
v.) No. 1:22-cv-04337
CITY OF CHICAGO, PATRICK BOYLE,) Honorable Jorge L. Alonso
JENNIFER BURMISTRZ, EFRAIN CARRENO,)
MATTHEW EVANS, JOHN FOERTSCH,)
EDWARD GARCIA, MICHAEL HIGGINS,)
GERALD LAU, and JEFFREY LAWSON,)
Defendants.)

DEFENDANTS' AMENDED MOTION FOR SUMMARY JUDGMENT

Defendants, City of Chicago, Patrick Boyle, Jennifer Burmistrz, Efrain Carreno, Matthew Evans, John Foertsch, Edward Garcia, Michael Higgins, Gerald Lau, and Jeffrey Lawson, by and through one of their attorneys, Michael J. Dinard, Assistant Corporation Counsel, move for summary judgment on plaintiff's Fourth Amendment malicious prosecution claim, plaintiff's Fourteenth Amendment claim, and his state law malicious prosecution claim. In support of their motion, defendants state as follows:

1. Plaintiff, Dennis Jackson, has sued the City and nine of its officers under 42 U.S.C. § 1983, seeking redress for alleged violations of his Fourth and Fourteenth Amendment rights, as well as for a state law malicious prosecution claim. (Pl.’s Compl.; ECF No. 1.)
2. Defendants move for summary judgment on all claims pled in plaintiff’s complaint because (1) he was not seized pursuant to legal process to sustain a Fourth Amendment malicious

prosecution claim, (2) all defendants except Carreno and Garcia were not the proximate cause of his alleged injuries and lacked personal involvement, (3) the officers are entitled to qualified immunity, (4) the Fourteenth Amendment claim is duplicative, and (5) there was no showing of malice for the state law malicious prosecution claim. In support of this motion, defendants submit a memorandum and a Local Rule 56.1 statement of undisputed material facts and exhibits, which are incorporated herein by reference.

WHEREFORE, defendants respectfully request that this court grant defendants' motion for summary judgment and grant such further relief this court deems equitable and just.

DATED: April 10, 2024

Respectfully submitted,

BY: */s/ Michael J. Dinard*
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CERTIFICATE OF SERVICE

I hereby certify that, on **April 10, 2024**, I submitted with the Clerk for the Northern District of Illinois using the Court's electronic filing system or CM/ECF **Defendants' Motion for Summary Judgment**, which served a copy to all counsel of record.

/s/ Michael J. Dinard _____
MICHAEL J. DINARD
Assistant Corporation Counsel