

**UNITED STATES' DISTRICT COURT
DISTRICT OF CONNECTICUT**

CIVIL ACTION NUMBER:

**CHUKWUMA E AZUBUKO –
Plaintiff**

v

- 01 BOSTON POLICE OFFICER #11599 – IN OFFICIAL CAPACITY
- * 02 FREDY MARTINEZ – IN OFFICIAL CAPACITY
- 03 UNKNOWN ROXBURY'S DISTRICT COURT'S CLERK – IN OFFICIAL CAPACITY
- 04 BOSTON POLICE OFFICER HARTGROVE (#10540) – IN OFFICIAL CAPACITY
- 05 THE OWNER OF CHEVY ROAD SERVICE
- 06 ANTHONY OWENS (DORCHESTER'S DISTRICT COURT CLERK) – IN OFFICIAL CAPACITY
- 07 BOSTON'S POLICE DANIEL CONBOY – IN OFFICIAL CAPACITY
- 08 JUDGE ZIEMIAN ROBERT P – IN OFFICIAL CAPACITY
- 09 MASSACHUSETTS' REGISTRY OF MOTOR VEHICLES
- 10 BOSTON POLICE OFFICER #11465 – IN OFFICIAL CAPACITY
- * 11 THE OWNERS - PETER'S TOWING LLC

COMPLAINT

INTRODUCTION

The Plaintiff did try to resolve the fraudulent acts of the Roxbury's District Court with the Attorney General of Massachusetts, thus submission of presentment. On December 30th - 2008 the Plaintiff got a feed-back from Assistant General Counsel Catherine Bailey that the said court was not within the Attorney General's jurisdiction. Whose jurisdiction would it be, then if the court were not? The complaint primarily associated with legalized fraud. The first defendant fertilized ground for the proceedings. According to him, the Plaintiff had a moving citation on January 17th – 2007 for three reasons. [Exhibit 1] The Plaintiff could be stupid, in a manner of speaking and not to the point of total failure to recollect an encounter with a Boston's Police officer on something of that magnitude. In brief,

the citation was FALSIFIED or FALSE. That was a criminal act and necessitated *mandatory reporting*, all things being equal. The second defendant presided over the initial hearing and denied, which the Plaintiff did not request for as had been the case on June 3rd – 2008. The Plaintiff appealed with \$20.00. On July 08th – 2008 Judge J. Redd heard the appeal and judgment was entered technically in favor of the Plaintiff. Regrettably, the third defendant entered judgment against the Plaintiff un/knowingly – negligence. Massachusetts' Registry of Motor Vehicles notified the Plaintiff that his registration would be suspended on August 08th – 2008. [Exhibit 2] The Plaintiff returned to Roxbury District Court on July 15th – 2008 at 9.32 A.M. The Roxbury's Court employee behind the counter was the second defendant; she presided over the proceedings earlier and she knew the surrounding circumstances very well. She took the slip the third defendant marked R for Responsible and add N on it to mean NR – "Not Responsible." She also formalized it with the court's seal – "A TRUE COPY ATTEST" with signature of the Assistant Clerk/Magistrate and hand-dated it "7/8/08." However, she failed to withdraw the original information of Responsible communicated to the Registry. That meant negligence despite the seemingly *good faith* effort. On August 25th – 2008 owing to an *automatism* or break failure while a family member was operating the Plaintiff's car with a front flat tire to a mechanic workshop from a short distance, the fourth defendant was called to the scene. He noticed the suspension of the registration and ordered the car towed. The Plaintiff strove to explain the surrounding circumstances, but it was like water on the back of a duck. Money had to be made by fair means or foul and eventually shared accordingly!

PARTIES

The Plaintiff resided in Massachusetts since 1984. The Plaintiff's mailing address was as shown below. The Plaintiff was a substitute teacher with the Boston's Public Schools and held master degree in education amongst others. The Plaintiff had been self-employed. The only thing the Plaintiff knew about the first defendant was the badge number s/he recklessly disclosed on a citation, which never took place; the corrupt acts lent itself to numberless negative conclusions. The second defendant worked at the Roxbury's District Court at 85 Warren Street, Roxbury – MA 02119. The third defendant with amnesia worked for the self-same court and with self-same address. The fourth defendant was a male Police Officer with the stated number and was at the scene of the accident upon call. He worked at Area C-11 with an address as 40 Gibson, Dorchester – MA 02122-1223. He ordered the tow of the Plaintiff's car and ignored explanations, which would have dissuaded him from that. That never exempted him in the eye of the law. The fifth defendant acted upon the request of the fourth defendant, thus towing the Plaintiff's car. Its address was 82 Christopher Street, Dorchester – MA

02122. The sixth defendant worked at the Dorchester's District Court as a Clerk; the address was 510 Washington Street, Dorchester – MA 02124. The seventh defendant represented the Boston's Police as a prosecutor on the hearing scheduled on October 23rd – 2008. Judge Ziemian as the eight defendant presided over the Plaintiff's appeal on the citation issued on August 25th – 2008 with number as M7096506. The appeal hearing date was December 3rd – 2008. He reduced the fine to \$50.00 from \$100.00. [Exhibit 3] That did not exonerate him from "Failure to Enforce the Law." *Automatism* had never been a punishable offense and the Plaintiff was not the operator of the car. He was shown a mitigating proof from the Registry, but he trivialized it customarily. [Exhibit 4] He acted as if it were written in Latin. More, *natural frustration* was not punishable either! The Massachusetts' Registry of Motor Vehicles as the ninth Defendant was located at 600 Washington Street, Boston – MA 02111. It knew very well the surrounding circumstances to the suspension of the Plaintiff's registration and failed to take a decisive action about the second citation too. [Exhibits 5 and 6] Its humane official requested Dorchester District Court for another hearing on January 22nd - 2009. [see Exhibit 6] The sixth defendant refused on ground of statute of limitations. The Plaintiff provided him ample information to dissuade him to act intelligently, but he went ahead to authorize suspension of the Plaintiff's registration. That seemed like god in the machine or artificial solutions to mercurial socio-economic problems of mankind. Additionally, the Plaintiff called at its Boston's Office at 600 Washington Street on March 16th – 2009 to ascertain its stance on the earlier citation, which created the problems, though it reinstated the Plaintiff's registration at no cost for the falsified 1/17/2007 suspension saga. Regrettably, it could not do much to assist the Plaintiff for the 08/25/08 citation, which related significantly to the former. [Exhibit 7] The Plaintiff met with a Hearing Officer Iris (the name she agreed to disclose to the Plaintiff) and she affirmed that the Registry would [perpetually] yield to the courts orders – right or wrong. The Boston Police Officer #1465 as the tenth Defendant also worked at the Boston's Police Office C-11 with an address as 40 Gibson Street, Dorchester – MA 02122-1223. The 11th Defendant – the ~~two~~ ^{two} company – was located at 150 Freeport Street, Dorchester – MA 02122-1223. More, it would be intelligent for the necessary defendants to desist from recourse to [judicial] immunity. Certainly, "... acts done in the clear absence of all jurisdiction" existed! On that too, an excerpt, read, thus: "Justices ease rule for suing officials." [Boston's Globe, Pg. A15, May 05th – 1998] Reiteratively, time should not be prostituted with individually and collectively on that!

JURISDICTION

The Court had at least *in personam jurisdiction* [on constitutional, statutory and procedural bases] The bases would be, thus. [Article 3 Section 1; 42 U.S.C. Section 1981-96; 28 U.S.C. Section 1343; Fed. R. Civ.

P. (e) ...] Criminal commissions existed, most especially with the first and the third Defendants! [18 U.S.C. Sections 241, 242, 1505, 1509 and 1511] These would be succinct bases for the proceedings:

01) **FRAUDULENT AND MALICIOUS MOVING VIOLATION CITATION: PROPERTY DEPRIVATION INTENT**

Under the penalties for perjury, the Plaintiff would reiterate that he never had an encounter with an anonymous Boston's Police Officer on January 17th -2008 for the citation, which culminated into the Plaintiff's unquantifiable nightmares. Indeed, it was fabricated by an officer who had access to the Plaintiff's car registration information – crass abuse of process; it signposted conscience shocking. [see Exhibit 1] The condescension was condemnable and unlawful. It was roundly criminal act.! [18 U.S.C. Sections *supra*] The Defendants were educated about the dubious and illegal surrounding circumstances to the saga, but elected to inject bananas to their ears. That typified sin of silence or lack of intellectual courage and faith-to-reasons.

02) **INTENTIONAL AND NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

The scenarios represented agreements of rash wo/men or conspiracies to match with the subject matters. The Plaintiff needed not particularize much on them to avoid waste of time!

03) **MALICIOUS PROSECUTIONS**

Only God knew the pains and sufferings, which were antecedent with unnecessary administrative and court appearances the Plaintiff had to make, so as to protect his license. The Plaintiff needed not to particularize on them for the sake of time saving. Indeed, the appearances hardship were self-explanatory! The Plaintiff aimed not at *Ad captandum vulgus*¹ vis-à-vis the complaint.

04) **FAILURE TO ENFORCE THE LAW**

That applied to significant numbers of the defendants. Much needed not to be said on that!

05) **FAILURE TO TRAIN OR SUPERVISE**

The Defendants' conducts spoke for themselves. The Plaintiff needed not to belabor on that too!

06) **DESIDERATUM OR LACK OF SKILL**

If the Defendants except the towing companies had the skill, the ugly experiences of the Plaintiff could have been thwarted. Regrettably, they sacrificed the golden mean or ethical goal of law enforcement and jurisprudence: the Plaintiff had no choice than to hold the wolf by the ears. It never augured well for mankind to electing to be a snake in the grass. "The eagle does not capture flies" – "don't sweat the small things." Well, "It is better to suffer an injustice than to do an injustice," all things being equal. Of course, "The stars never lie, but the astrologs lie about the stars." God had begun judging mankind.

¹ Latin for: "To appeal to crowd – often used of politicians who make false or insincere promises appealing to popular interest."

07) **TRESPASSERS OF THE LAW**

On that, excerpts read:

"The Illinois Supreme Court has held that "if the magistrate has not such jurisdiction, then he and those who advise and act with him, or execute his process, are trespassers." *Von Kettler et al. v. Johnson*, 57 Ill. 109 (1870)

"Under Federal law, which is applicable to all states, the United States' Supreme Court stated that if a court is "without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void; and form no bar to a recovery sought, even prior to a reversal in opposition to them. They constitute no justification; and all persons concerned in executing such judgments or sentences, are considered, in law, as trespassers." *Elliot v. Piersol*, 1 Pet. 328, 340, 26 U.S. 328, 340 (1828).

"When judges act when they do not have jurisdiction to act, or they enforce a void order (an order issued by a judge without jurisdiction), they become trespassers of the law, and are engaged in treason."

08) **DENIAL OF CONSTITUTIONAL RIGHTS**

Obviously, the Defendants knowingly sacrificed the sub-head knowingly as far as the totalities of the surrounding circumstances went. Excerpts on constitutional rights, read, thus:

"It will be an evil day for American Liberty if the theory of government outside supreme law finds lodgment in our constitutional jurisprudence. No higher duty rests upon this Court than to exert its full authority to prevent all violations of the principles of the Constitution." [*Bowns v. Bidwell*, 182 U.S. 244 (1901)]

"Constitutional 'rights' would be of little value if they could be indirectly denied."

"An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed." [*Norton v. Shelby County*, 118 U.S. 425 p. 442]

09) **FAILURE TO TRAIN AS A THEORY OF SECTION 1983 LIABILITY IN THE ..."**

The bedrock of the proceedings would be 42 U.S.C. Section 1983. Extensive particularization would be counterproductive. Precedents existed! [*Monroe v. Pape*, 365 U.S. 167, 81 S. Ct. 473, (1961); *Monell v. New York City Department of Social Services*, 436 U.S. 658, 98 S. Ct. 2018 (1978)]

10) **KNOWINGLY DEPRIVATION OF PROPERTY INTEREST – TRANSPORTATION COST**

The Plaintiff expended a substantial amount of money with taxi to resolve the unnecessary nightmares the Defendants created in/directly. Specific particularization would be crass waste of time.

11) **KNOWINGLY DEPRIVATION OF PROPERTY INTEREST – LIBERTY OF CONTRACTS**

The matter in question lent itself to *but for* doctrine. The Plaintiff was self-employed after being dismissed from the substitute teaching employment for allegedly not working towards unknown maximum number of days with a master degree in education (secondary certification amongst others).

Racial discrimination and insensitivity at its peak! S/he who saw un/ripped okras would know, indeed. Unexaggeratedly, the Plaintiff expended a great deal of time central to the childish, reprehensible and conscience shocking acts of those who should know better if not best. They had acted in conformity with the maxim of "An excellent protector of the sheep, is wolf," in a manner of speaking.

12) UNBIDDEN LECTURE ON PSYCHOLOGY/SOCIOLOGY 101

During the hearing on October 23rd – 2008 the sixth and seventh defendants elected to lecture the Plaintiff on voice lowering and anger management. They knew not where the shoe pinched! Well, "A laughing man can tell the truth." They knew not that too! Far be it from malediction, "One will carry with her/his whatever one does in the world." Good seeds would bear good fruits even on poor soil. Empathy had always sounded as profound as Latin to mankind. The Plaintiff and any reasonable person would decode the surrounding circumstances. Life had been likened to a market – coming and going. Every "man" would answer for his actions. Justice had been likened to water and nobody had been allergic to it. "Truth never perishes." Indeed, the Plaintiff needed not their unasked for lecture on that! Their grades on introductions to psychology and sociology would not be superior to mine if compared, in all modesty. It was annoying on Dorchester's Courthouse, which its officials condemned the Plaintiff to excruciating trauma on baseless charges of assault and battery and falsified "With Dangerous Weapon – Knife." God in His infinite love and grace made it possible for justice to prevail eventually. On that, the Plaintiff would thank them for nothing.

13) BUT FOR REIMBURSEMENTS

The Plaintiff would like Commonwealth of Massachusetts to reimburse him the money he expended, trebly, thus:

\$20.00 for an appeal at Roxbury District Court

\$20.00 for an appeal at Dorchester's District Court

\$20.00 for a new plate number and

\$155.00 re-registration

\$801.70 – first towing cost with miscellaneous cost

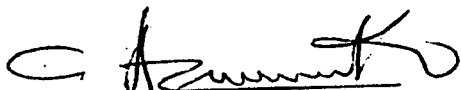
\$156.00 – last towing

RELIEF AND MONETARY COMPENSATION

The Plaintiff would like the Court to issue an order to Massachusetts' Merit Rating Board to strike off the "Responsible" finding of the Plaintiff [from the Plaintiff's driving record] On compensation, owing to conscience shocking of the acts, it would not be irresponsible for the Plaintiff to demand compensation.

The Plaintiff would demand punitive and compensatory compensations, thus:

01)	Defendant	\$3,000,000.00
02)	Defendant	\$2,000,000.00
03)	Defendant	\$3,000,000.00
04)	Defendant	\$2,000,000.00
05)	Defendant	\$40,000.00
06)	Defendant	\$3,000,000.00
07)	Defendant	\$2,000,000.00
08)	Defendant	\$2,000,000.00
09)	Defendant	\$1,000,000.00
10)	Defendant	\$1,000,000.00
11)	Defendant	\$40,000.00
		\$19,080,000.00



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Dated in Boston - Massachusetts on Saturday - March 21st - 2009