

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TIMOTHY PETERKA,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 4:14CV00823 ERW
)	
CITY OF MAPLEWOOD, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter comes before the Court on Plaintiff’s Motion to Compel Directed at Defendant City of Maplewood [ECF No. 34].

In his Motion, Plaintiff requests the Court compel discovery of documents relating to any claims, lawsuits, complaints and internal complaints or investigations against the City of Maplewood alleging Section 1983 violations, police brutality, excessive force, police misconduct, personal injury, or tortious conduct of a police officer occurring within the past ten years, and Plaintiff requested Sergeant Cavanaugh’s personnel file. Defendant City of Maplewood objected to these requests as overly broad, not relevant, and requesting privileged material. After hearing arguments from the parties at a hearing held on February 20, 2015, the Court ordered Defendant City of Maplewood to produce the documents in question for *in camera* review by the Court.

The Court has examined every page of the documents submitted for review and finds as follows. Sergeant Cavanaugh’s personnel file shall be produced in its entirety with three exceptions. First, page eight of “Applicant Questionnaire” need not be produced as it contains sensitive personal financial information not relevant to this matter. Second, Sergeant

Cavanaugh's social security number shall be redacted from every document contained in the file. Third, any documents pertaining to Sergeant Cavanaugh's secondary employment need not be produced as they contain information not relevant to this matter.

The file titled "MPD IAD Files" need not be produced in its entirety. The following files shall be produced: complaint filed by Tiphany Rives against Officer Heitman alleging excessive force, anonymous complaint against Officers Sinnard and Fernandez alleging excessive force received January 3, 2013, complaint against Officer Sinnard alleging excessive force sent on July 29, 2011, file on Officer Darryl Overall from August 2, 2010, for allegations of use of excessive force while off-duty, and the file containing allegations of excessive force against Officers Dibissachop and Heitman dated June 20, 2010. After a careful examination of all files produced, the Court finds the remaining files are not relevant to this matter and not likely to lead to admissible evidence. The Court did not find any files of excessive force complaints against Sergeant Cavanaugh.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Compel Directed at Defendant City of Maplewood is **GRANTED, in part and DENIED, in part.**

IT IS FURTHER ORDERED that Defendant City of Maplewood shall produce the aforementioned documents to Plaintiff within ten days.

So Ordered this 13th day of March, 2015.



E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE