

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RAFFI STEPANIAN,

Plaintiff,

– against –

SHARA, SARKIS, STEPANIAN, (father of plaintiff), Arsha, Efraz, Stepanian (mother of plaintiff), The City of New York (“The City”), New York City Police Department (“NYPD”), NYPD Commissioner Raymond Kelly, NYPD Officer Giachetti, Shield #3904, NYPD Officer “John Doe,” Shield # unknown, NYPD Sergeant Benjamin Cui, Shield #1664, NYPD, Police Internal Affairs Bureau (“PIAB”): NYPD Officer/PIAB, Detective Davis, Shield #391, and NYPD Officer, “Richard Roe,” Shield # unknown, in their private, individual and/or official capacities, jointly and severally (the names “John Doe” and “Richard Roe,” being fictitious, as the true names of these Defendants are presently unknown), NEW YORK CITY HEALTH AND HOSPITALS CORPORATION (“NYCHHC”)M QUEENS HOSPITAL CENTER (“QHC”) PSYCHIATRIC STAFF: DR. REDDY THULASI, PSYCHIATRIST, NYS LICENSE # 234491, VIVIAN TERRY, PHYSICIAN ASSISTANT, NYS LICENSE # 001818-1, DR. SHAHEEN RAHMAN, PSYCHIATRIST, NYS LICENSE # 212005, HERNE NOZIUS, PHYSICIAN ASSISTANT, NYS LICENSE # 011779, DR. SAYED HASAN, PSYCHIATRIST, NYS LICENSE # 225910, DR. RICHARD BENSON, PSYCHIATRIST, NYS LICENSE # 193323, Z. RAMBALY, REGISTERED NURSE, MRS. RIVERS, REGISTERED NURSE, in their private individual and/or official capacities, jointly and severally,

Defendants.

MEMORANDUM,
ORDER AND
JUDGMENT

09-CV-3499

FILED

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y

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BROOKLYN OFFICE

JACK B. WEINSTEIN, Senior United States District Judge:



Plaintiff, pro se, sues his mother and father; the City of New York, its police department and named officers, and various hospital authorities and medical personnel. On motions for summary judgment, the case must be dismissed for lack of federal jurisdiction. Exercise of jurisdiction over a variety of possible state claims is declined.

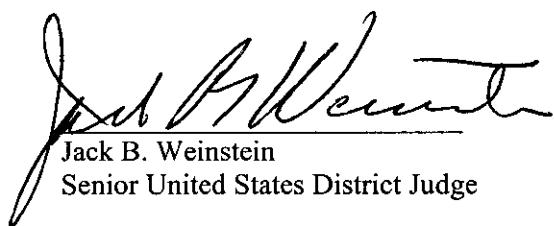
On two occasions the police were called through 911 when plaintiff was apparently acting out in what might be considered psychiatric episodes in his parent's home where he resided, and in the street. On the ground that plaintiff might have been endangering himself and others, the police took him to a nearby hospital where he was treated by authorized medical personnel with antipsychotic drugs and released hours later. Medical and police records are alleged by plaintiff to have been tampered with.

Based on the plaintiffs statements in writing and orally in court, and relevant records, the court finds: 1) records are accurate, 2) police and medical personnel acted reasonably, and 3) no federal constitutional or other rights of plaintiff have been violated. The oral record of findings made on argument of the motion for summary judgment is incorporated in this memorandum.

Pro se staff attorneys of the court shall provide assistance to plaintiff should he wish to exercise his right to appeal. The situation is fragile; every effort should be made to avoid exacerbation.

The case is dismissed. No costs or disbursements are awarded.

SO ORDERED.



Jack B. Weinstein
Senior United States District Judge

Dated: March 15, 2010
Brooklyn, New York