

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, LAW DIVISION

FILED-2
2015 DEC 28 PM 12:03
CIRCUIT COURT OF COOK
COUNTY, ILLINOIS
LAW DIVISION
CLERK

ANTONIO LEGRIER, Individually and as Special)
Administrator of the Estate of QUINTONIO)
LEGRIER, Deceased,)
)
Plaintiff,)
)
v.)
)
CITY OF CHICAGO,)
)
Defendant.)

No. 2015L012964
CALENDAR/ROOM A
TIME 00:00
PI Other

COMPLAINT AT LAW

NOW COMES the Plaintiff, ANTONIO LEGRIER, Individually and as the Independent Administrator of the Estate of QUINTONIO LEGRIER, by and through his attorneys, FOUTRIS LAW OFFICE, LTD., and for his complaint against the Defendant, CITY OF CHICAGO, pleading hypothetically and in the alternative, states as follows:

FACTS

1. On December 26, 2015, the Decedent, QUINTONIO LEGRIER, was 19 years old.
2. On December 26, 2015, the Decedent, QUINTONIO LEGRIER, was a student at Northern Illinois University, studying to become an engineer.
3. On December 26, 2015, the Decedent, QUINTONIO LEGRIER, was located at 4710 W. Erie, Chicago, IL.
4. On December 26, 2015, the Decedent, QUINTONIO LEGRIER, never had possession or control of a weapon.

5. On December 26, 2015, the Decedent, QUINTONIO LEGRIER, was shot by an on duty Chicago police officer multiple times.

6. The Decedent, QUINTONIO LEGRIER, was located inside the building located at 4710 W. Erie, Chicago, IL, at the time that he was shot.

7. The police officer that shot the Decedent, QUINTONIO LEGRIER, was located outside the building located at 4710 W. Erie, Chicago, IL, at the time that he shot the Decedent, QUINTONIO LEGRIER.

8. The police officer that shot the Decedent, QUINTONIO LEGRIER, shot the Decedent under color of law.

9. The police officer that shot the Decedent, QUINTONIO LEGRIER, shot the Decedent under the course and scope of his employment.

10. The Decedent, QUINTONIO LEGRIER, never did anything that suggested that he was armed with a weapon immediately before he was shot.

11. The Decedent, QUINTONIO LEGRIER, never posed a danger or threat of harm to any Chicago police officer before he was shot.

12. The Decedent, QUINTONIO LEGRIER, did not pose a danger or threat of harm to anyone immediately before he was shot.

13. There was no probable cause or legal justification to use the amount of force utilized by the Defendant, CITY OF CHICAGO, by and through the acts of its agents and/or employees, against the Decedent, QUINTONIO LEGRIER, on December 26, 2015.

14. There was no probable cause or legal justification to shoot the Decedent, QUINTONIO LEGRIER, on December 26, 2015. The use of force was excessive and unreasonable.

15. The Decedent, QUINTONIO LEGRIER, did not present any danger or threat of harm to anyone immediately preceding the aforesaid shooting, during the aforesaid shooting, or after the aforesaid shooting. The Decedent, QUINTONIO LEGRIER, did not at any point threaten or in any way endanger the lives of any law enforcement officer or civilians on that date and at that location.

16. The Decedent, QUINTONIO LEGRIER, was not violating any laws, rules or ordinances immediately before he was shot, at the time that he was shot, and immediately after he was shot.

17. After the Decedent, QUINTONIO LEGRIER, was shot, he fell and lay bleeding.

18. After shooting the Decedent, QUINTONIO LEGRIER, the police officer that shot the Decedent did not do anything to try to provide the Decedent with medical care.

19. The Decedent, QUINTONIO LEGRIER, did not immediately die from the gunshot wounds.

20. Ultimately, as a proximate result of his gunshot wounds, the Decedent, QUINTONIO LEGRIER, died.

21. Upon information and belief, video recordings of at least a portion of the events described herein exist, which have already been confiscated by, and are currently in the possession of, the Defendant's, CITY OF CHICAGO, agents and/or employees.

22. Immediately after the shooting, ANTONIO LEGRIER found his son still alive and located inside the building located at 4710 W. Erie, Chicago, IL.

23. Shortly thereafter, Chicago police officers, acting under color of law and under the course and scope of their employment as CITY OF CHICAGO employees and/or agents,

informed ANTONIO LEGRIER that he had to leave the scene of the shooting, and that he had to go to a Chicago police department district station with Chicago police officers.

24. ANTONIO LEGRIER was not given a choice regarding leaving the scene and going to the police department. There was no probable cause or legal justification to require ANTONIO LEGRIER to leave the scene of the shooting and go the Chicago police department district station with Chicago police officers.

25. ANTONIO LEGRIER was taken from the scene of the shooting, and taken to the Chicago police department district station, thereby separating him from his dying son and family.

26. When he arrived at the Chicago police department district station, ANTONIO LEGRIER was not allowed to leave until he gave statements to Chicago police detectives and to investigators of the Independent Police Review Authority.

27. While he was at the Chicago police department district station, ANTONIO LEGRIER asked whether he should consult with an attorney since he was being interrogated. His inquiry was ignored.

28. After the CITY OF CHICAGO employees and/or agents were done with their questioning/interrogations, ANTONIO LEGRIER was finally allowed to leave the Chicago police department district station.

29. The Defendant, CITY OF CHICAGO, by and through the acts of its agents and/or employees, on the aforesaid date and place, acted in an intentional, willful and wanton and/or negligent manner.

COUNT I
Wrongful Death

30. The Plaintiff re-alleges Paragraphs 1 through 29, inclusive, and incorporates those Paragraphs herein, as though fully stated as this Paragraph 30.

31. At all relevant times, the Defendant, CITY OF CHICAGO, by and through the acts of its agents and/or employees, had a duty to exercise care in its interaction with the Decedent, and a duty to refrain from willful and wanton conduct in its interaction with Decedent.

32. At the time and place alleged, Defendant, CITY OF CHICAGO, by and through the acts of its agents and/or employees, breached its duty to the Decedent by acting in an intentional, willful and wanton manner, negligent and/or in utter disregard for the Decedent's safety in one or more of the following respects

- a. Shot Decedent;
- b. Shot Decedent without justification;
- c. Shot Decedent without lawful justification;
- d. Discharged a weapon in such a manner as to shoot the Decedent;
- e. Discharged a weapon in such a manner as to shoot the Decedent without justification;
- f. Discharged a weapon in such a manner as to shoot the Decedent without lawful justification;
- g. Used excessive and inappropriate deadly force;
- h. Failed to exercise the proper level of force that was warranted under the circumstances;
- i. Used excessive and inappropriate deadly force without justification;
- j. Used excessive and inappropriate deadly force without lawful justification;
- k. Failed to warn the Decedent of the impending use of force;

- l. Failed to provide medical care to the Decedent after causing his injuries;
- m. Failed to summon paramedics in a timely fashion to administer medical treatment; and/or
- n. Was otherwise willful and wanton and/or negligent.

33. As a proximate result of one or more of the aforesaid intentional and/or willful and wanton and/or negligent acts and/or omissions, Plaintiff's Decedent, QUINTONIO LEGRIER, sustained injuries which resulted in his death.

34. Decedent's next of kin have suffered and in the future will suffer damages as a result of the Defendants' intentional and/or willful and wanton and/or negligent acts and/or omissions.

35. The Plaintiff, ANTONIO LEGRIER, is the duly appointed Independent Administrator of the Estate of QUINTONIO LEGRIER, and brings this action pursuant to all applicable laws, including the Illinois Wrongful Death Act, 740 ILCS 180/1.

WHEREFORE, Plaintiff, ANTONIO LEGRIER, as the ^{Special}~~Independent~~ Administrator of the Estate of QUINTONIO LEGRIER, by and through his attorneys, FOUTRIS LAW OFFICE, LTD., demands judgment against the Defendant, CITY OF CHICAGO, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), such additional amounts as the Jury and the Court shall deem proper, costs of said suit, and any other relief this Court deems just and appropriate.

COUNT II
False Arrest

36. The Plaintiff re-alleges Paragraphs 1 through 29, inclusive, and incorporates those Paragraphs herein, as though fully stated as this Paragraph 36.

37. As described above, the Defendant, CITY OF CHICAGO, by and through its agents and/or employees, arrested and/or imprisoned ANTONIO LEGRIER, or caused ANTONIO LEGRIER to be arrested and/or imprisoned, without probable cause and without legal justification. Due to the arrest, ANTONIO LEGRIER had his liberty to move about restrained by the CITY OF CHICAGO.

38. The misconduct was undertaken by the Chicago police officers under color of law, under the course and scope of their employment as CHICAGO officers, was objectively unreasonable, with malice, and was undertaken intentionally and/or was willful and wanton and/or was negligent.

39. As a direct and proximate result of the acts of the Defendant, CITY OF CHICAGO, by and through its agents and/or employees, the Plaintiff was injured, suffered emotional anxiety, mental trauma, humiliation, fear, stress, pain and suffering, and other damages.

WHEREFORE, Plaintiff, ANTONIO LEGRIER, Individually, by and through his attorneys, FOUTRIS LAW OFFICE, LTD., demands judgment against the Defendant, CITY OF CHICAGO, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), such additional amounts as the Jury and the Court shall deem proper, costs of said suit, and any other relief this Court deems just and appropriate.

JURY DEMAND

The Plaintiff demands a trial by jury on all Counts.

Respectfully submitted by,



Attorney for Plaintiff
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