

FILED

JS 44 (Rev 09/11)

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

FEB 21 2012

U.S. CLERK'S OFFICE
INDIANAPOLIS, INDIANACIVIL COVER SHEET

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law.

1:12-cv-0252 JMS -TAB**Plaintiff(s):**

First Listed Plaintiff:
Bruce Robert Marjenhoff;
County of Residence: Lawrence County

Defendant(s):

First Listed Defendant:
Chief of Police Bedford Indiana Dennis Parsley ;
County of Residence: Lawrence County

County Where Claim For Relief Arose: Lawrence County**Plaintiff's Attorney(s):****Defendant's Attorney(s):****Basis of Jurisdiction:** 1. U.S. Government Plaintiff**Citizenship of Principal Parties (Diversity Cases Only)**

Plaintiff: N/A

Defendant: N/A

Origin: 1. Original Proceeding**Nature of Suit:** 895 Freedom of Information Act

Cause of Action: Plaintiff was a citizen of Indiana at time of incident. The web site refuses to allow input of Plaintiff currently a Citizen of another state. Plaintiff is a Citizen of the State of New Mexico. Defendant Parsley was served two State of Indiana FOIA forms requesting information that has been on a closed case. Defendant refused to release any information based on a vaguely worded state law giving police the authority to deny any and all records at their prerogative. A Federal Freedom of Information was filed requesting the same information. It was explained that this request has Federal Jurisdiction and the demand for the information was legal and just. Petitioner was legally entitled to the requested information. Defendant again refused to release the requested information. Jurisdiction consists under Federal case:1:00CR00074-001 History: City of Bedford Police Detective Drew Jackson having a personal issue with Petitioner, requested and received an un-sworn to, no witness, "RubberStamp" Search Warrant from a local Judge. The detective violated State and Federal Law and left his Jurisdiction and went to another Jurisdiction to serve the Search Warrant without notifying the local Jurisdiction's Law enforcement. He Served the Search Warrant alone. By law, he committed Burglary when he broke into two moving vans located in another county outside of his own City's

jurisdiction, and took sealed boxes belonging to Plaintiff and his family. Detective Jackson failed to leave on scene a itemized list of property removed from Plaintiff and family, which is required. These boxes were taken back to his jurisdiction and place into the City of Bedford Police Property Unit for hold. Detective Jackson attempted to have charges placed on Petitioner by contacting the County Prosecutor. The prosecutor, advised plaintiff and family that he would not prosecute because there was no evidence to support any charges. Detective Jackson contacted FBI Martinez, who immediately filed a Probable Cause Warrant on Petitioner. Petitioner was arrested and jailed. A Indianapolis Grand Jury met and denied Indictment against Petitioner, There was no evidence to support charges. Petitioner was held beyond 30 days without being released for no Indictment or no Information. Speedy Trial was violated as Petitioner stayed in Jail without Bond for more than six months. FBI agent verbally advised after research, that they never had in their possession any property belonging to Plaintiff or his family. They advised that all property taken from the Marjenhoff family remained with the City of Bedford Police. This request for information of whereabouts and property log is needed to track the whereabouts of said property and what exactly is missing. There are few items known to family missing and is wanted to be returned. Refusal to release said information, imply s a cover up of more wrong doing by the Bedford Police. Plaintiff made a plea deal, even though there was no evidence against him, whereas the county Prosecutor and the Grand Jury supported that there was no case or evidence to support charges. There was a reason why. Plaintiff has shown the Court that there was every attempt to obtain the legally entitled information without getting the Court involved. It is requested that the court have the Defendant reimburse Plaintiff for all Court Costs in the Filing of this case. This Plaintiff humbly asks the Federal Court of Southern Indiana to grant the Freedom of Information request, based on Federal and Constitutional Law. Respectfully, Bruce Marjenhoff I Swear that the above is true and correct. Bruce MARjenhoff

B. Marjenhoff

Requested in Complaint

B. Marjenhoff

Class Action: Not filed as a Class Action

Monetary Demand (in Thousands):

Jury Demand: No

Related Cases: Is NOT a refiling of a previously dismissed action

Signature: *B. R. Marjenhoff Pro Se*

Date: 02/10/12

If any of this information is incorrect, please close this window and go back to the Civil Cover Sheet Input form to make the correction and generate the updated JS44. Once corrected, print this form, sign and date it, and submit it with your new civil action.

From:
Bruce Marjenhoff
16 Geer Road
Sandia Park, New Mexico
87047

To:
Police Chief Dennis Parsley
1617 K Street
Bedford, Indiana
47421

Date: January 9, 2012

Freedom of Information

RE: All Police reports, including investigative reports, all Property / evidence log sheets and disposition of all personal property if not in custody of the Bedford Police Department.

Dear Sir:

This request for information, pursuant to Bruce Marjenhoff's (hereinafter Requestor) right to know, and is your duty to respond, pursuant to the Privacy Act of 1974, Title 5 U.S.C. 552a.

This request is justified as which the case that these records are requested were a Federal Criminal case. Therefore, it is under the Jurisdiction of the Federal Courts, and is not privy to any protection from extreme vague State laws restricting releasing of such information.

This Requestor's firm promise to pay all reasonable fees, if applicable, which are related to any information disclosed, and/ or released, that may be statutorily consistent with the above referenced Privacy Act.

This requested information is believed to be primarily to benefit the general public and to be "IN THE PUBLIC INTREST". Notwithstanding the fact these materials are needed to possibly perfect any appeal that Requestor perceives as unjust conviction.

If, for any reason(s), the disclosure, and/ or release, of any information is either partially or totally exempt, please furnish Requestor with the specific Federal statutory authority why said information cannot be disclosed, and/ or released, along with indexing, itemization and detailed justification.

This information is necessary to the investigation of the above referenced criminal and civil case, pursuant to Title 5 552a(d).

Whereas, every individual has the Constitutional Right to obtain the requested documents, accordingly all applicable Rules and Regulations govern. See Cleaver v. Kelly, 415 F. Supp. 174. Also see, Open America v. Watergate Special Prosecution Force. If by chance there may be any

missing files pertaining to this request, please place said missing documents on a special locate, and advise this Requestor that you have done so and as to why legal documents are missing.

Please specify the number of pages pertaining to this request.

Additionally, please send a memo, to all appropriate agencies in this request, with attached copies of this FOIA request, to assure that no records related to this request are destroyed, or defaced.

Please advise Requestor of any destruction of records, and include the dates of, and person giving such authority for destruction of legal records.

PLEASE PROVIDE ME WITH CERTIFIED COPIES OF:

- 1) Police investigation reports regarding Bruce Marjenhoff taken place around the dates of 1 April 2000 through ending of investigation and case being closed.
- 2) All City of Bedford Police department Log Sheets in regard to all property belonging to Requestor and his family/ taken in all Search Warrants by the City Police for Federal Court usage. Date items were impounded, inventory list of items removed from Requestor and his family. All sign in and out sheets from said police property / evidence impoundment of said property.
- 3) All City of Bedford Police Department's Log Sheets in regard to all property belonging to Requestor and his family, which was taken in all Search Warrants performed by the Bedford City Police for Federal Court usage. Also, date items were impounded, and the inventory list of items removed from Requestor and his family. All property sign in and sign out sheets to the Bedford City Police Property/evidence room pertaining to requestor's property.
- 4) List any and all property that belongs to requestor and his family that still may be in the possession of the Bedford City Police.

Per the dictates of the UNITED STATES GOVERNMENT FREEDOM OF INFORMATION ACT OF 1974, your Agency has ten (10) working days to respond to this request.

In the event I do not receive a response by that time, I will judge this formal request as denied, and shall seek Federal Judicial remedy.

Refusal to comply will result in immediate formal filing in Federal Court. If refusal to release requested information, will also result in immediate filing in Federal Court compelling release of such information and all costs associated with such filing will be requested to be reimbursed back to Requestor.

I declare under the penalty of perjury that the foregoing is true and correct on this 9th day of January, 2012.

This Federal Freedom of Information request is respectfully submitted by,



Bruce Marjenhoff/ Requestor

CERTIFICATION OF SERVICE

I, Bruce Marjenhoff, do hereby certify that an original signed copy of the forgoing FOIA REQUEST was placed in a licensed U.S. Mail drop box, with proper postage affixed, on the 9th day of January, 2012, and was addressed to the following:

Chief Dennis Parsley
1617 K street
Bedford, Indiana 47421

Respectfully submitted,



Bruce Marjenhoff