Philly cops hit with assault and battery, false arrest complaint

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A Philadelphia man is suing three city police officers over allegations that the men falsely

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Alan E. Denenberg

arrested him for driving under the influence of alcohol two years ago in retaliation for him complaining about mistreatment during a traffic stop.

Attorney Alan E. Denenberg, of the Philadelphia firm Abramson & Denenberg, filed an assault and battery claim Oct. 15 at the Philadelphia Court of Common Pleas on behalf of Curtis Adams.

The defendants listed in the complaint are Philadelphia Police Officers Angel L. Gonzalez and Angel M. Gonzalez and Lt. Stephen Cassidy.

The lawsuit states that Adams was driving along Locust Street in Philadelphia back on Oct. 15, 2010, at about 9:20 p.m. when he was pulled over by both Gonzalez's.

Almost immediately, the officers began questioning Adams about a gun, the suit states.

Adams responded by telling the cops he had no weapons on him, and further inquired as to why he was being stopped.

The officers “falsely” claimed that Adams had disregarded a traffic signal, a claim that the plaintiff adamantly denied, the suit states.

When the officers continued aggressively questioning Adams, the plaintiff picked up the phone and dialed 911, asking for a police supervisor to be dispatched to the scene, the complaint states.

Upon arrival, Lt. Cassidy walked toward Adams in an “overtly aggressive and threatening manner, that was intended to place the plaintiff in the reasonable fear of imminent bodily harm, while shouting, ‘You telling me what to do?’” in response to Adams’ desire to have a complaint filed on the two other officers, according to the lawsuit.

At this point Adams again called 911 to request the dispatch of a different supervisor, the suit states, an action that was met by Cassidy accusing Adams of being drunk and telling the plaintiff to get out of his vehicle.

Adams claims that the officers then roughly handcuffed him and placed him under arrest, allegedly for driving under the influence.

“The plaintiff was not resisting arrest, posing a threat or creating any disturbance when he was assaulted and battered,” by the defendant officers, the lawsuit states.

Furthermore, the defendants “intentionally and maliciously made the false claim that the plaintiff had slurred speech, bloodshot eyes and a strong odor of alcohol coming from his mouth,” the suit reads.

Despite the defendants’ actions, Adams was never officially charged with DUI, the complaint states.

As a result of the incident, the suit claims, Adams was falsely arrested and deprived of his liberty.

Adams also suffered the exacerbation of pre-existing conditions such as degenerative disc disease, and he suffered sprain and strain injuries to his should, back and wrists, according to the suit.

Additionally, Adams suffered pain, mental anguish, fear, anxiety and emotional distress.

The lawsuit contains counts of assault and battery and false arrest and false imprisonment.

Adams seeks $50,000 in damages, in addition to costs, interest and delay damages.

Arbitration has been scheduled for late June 2013.

The case ID number is 121001862.