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Attorneys for Claimants

Jesse Katz; Robert Adam Katz)	
)	
Claimants,)	
)	
v.)	CLAIM FOR DAMAGES
)	Government Code §§ 900 <i>et seq.</i>
Barstow Police Department; Corporal Albert)	
M. Toro; Officer U. Carlos; Sergeant Jeremy)	
Bledsoe; San Bernardino County District)	
Attorney; Deputy District Attorney Evan Acker;)	
Does 1-10; City of Barstow)	
)	
Defendants.)	

To: City Clerk's Office, City Hall, 220 E. Mountain View St, Suite A Barstow, CA 92311;
Barstow Police Department, 220 E. Mountain View St, Suite B, Barstow, CA 92311; San
Bernardino County District Attorney, 303 West 3rd Street, 6th Floor, San Bernardino, CA
92415-0502

Pursuant to the provisions of California Government Code Section 910, Claimants Robert Katz and Jesse Katz hereby present this claim for damages. The Barstow Police Department, City of Barstow, Corporal Albert M. Toro, Officer U. Carlos, Sergeant Jeremy Bledsoe, and San Bernardino County District Attorney, Deputy District Attorney Evan Acker detained the Katz brothers in violation of the Fourth Amendment of the United States Constitution and California law, and wrongfully caused a criminal proceeding to be brought against them.

(1) CLAIMANTS:
Jesse Katz
Robert Adam Katz

This claim is submitted on behalf of Jesse Katz and Robert Adam Katz by their attorneys. Their post office address is 705 Count Fleet Ct, Morgan Hill, CA 95037. Please direct all correspondence concerning the claim to Claimants' attorney at the following address:

Jessica Price, Esq.
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(2) DATE OF INCIDENT

January 7, 2014 – November 17, 2014

(3) LOCATIONS WHERE INCIDENT THAT FORMS THE BASIS FOR THE CLAIM OCCURRED

1200 E. Main Street
Barstow, CA 92311

Victorville Courthouse
14455 Civic Drive # 200
Victorville, CA 92392

(4) FACTS AND CIRCUMSTANCES GIVING RISE TO CLAIMS:

On January 7, 2014, Jesse and Robert Katz (the Katz brothers) were in a line at a taqueria restaurant at 1200 E. Main Street when another customer began accusing various customers of stealing his vaporizer device. When no one admitted they had stolen his device, Hernandez called the Barstow Police.

Corporal Toro and Officer Carlos of the Barstow Police Department responded to the call. The officers surrounded the Katz brothers' table and questioned them. They asked if the brothers had seen the device and whether they knew who had taken it. The Katz brothers cooperated, however, the brothers refused requests to provide their identification or other personal information.

After denying repeated requests for identification, the brothers asked to speak with a supervisor. Sergeant Bledsoe subsequently arrived with several squad cars and four or five other officers, advised the brothers that they were being detained, and informed the brothers that they were required to provide identification. The officers then handcuffed the Katz brothers and took them to a holding cell.

The vaporizer device was subsequently recovered from another table at the restaurant.

The Katz brothers were charged with violating Penal Code 148(a)(1) for resisting, delaying or obstructing a police officer, a misdemeanor. After multiple court dates, on November 17, 2014, the prosecutor moved for dismissal of the action in furtherance of justice based on insufficient evidence. The judge granted that motion.

(5) PERSONS/ENTITIES RESPONSIBLE

The Barstow Police Department, City of Barstow, Corporal Albert M. Toro, Officer U. Carlos, and Sergeant Jeremy Bledsoe injured the Katz brothers by violating their rights under state and federal laws by detaining them without probable cause, for failing to produce identification, and for failing to state their names. Claimants do not know the names of the other Barstow Police Department officials involved in the decision to detain them. Barstow Police Department, City of Barstow, Corporal Albert M. Toro, Officer U. Carlos, Sergeant Jeremy Bledsoe, San Bernardino County District Attorney, and Deputy District Attorney Evan Acker injured the Katz brothers by wrongfully causing a criminal proceeding to be brought against them. Claimants do not know the names of the other San Bernardino District Attorneys involved in the decision to prosecute them.

To the best of Claimants' knowledge:

Barstow Police Department approved the policy and/or practice

The City of Barstow approved the policy and/or practice

San Bernardino County District Attorney approved the policy and/or practice

The actions of the Barstow Police Department and its employees, and the San Bernardino District Attorney and its employees, injured Claimants by resulting in their unlawful detention and prosecution. The claims asserted by Claimants include, but are not limited to, violation of the constitutional rights to be free from unreasonable searches and seizures, to privacy and to due process of law under both the state and federal constitutions, Govt. Code § 815.6, Civil Code § 52.1, false arrest and imprisonment, malicious prosecution, battery, intentional infliction of emotional distress, negligent infliction of emotional distress, and negligence.

(6) DAMAGES

Claimants were emotionally and economically harmed as a result of their unlawful detention, harassment, and prosecution. They have suffered damages for loss of liberty, emotional distress, and pain and suffering.

The damages to Claimants exceed \$10,000. The claims are not limited civil claims.

Dated: November 24, 2014

By: _____
Jessica Price

Attorney for Claimants Jesse Katz and
Robert Adam Katz