

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF LYNCHBURG

\_\_\_\_\_)
   
\_\_\_\_\_)
   
\_\_\_\_\_)
   
Plaintiff, \_\_\_\_\_)
   
v. \_\_\_\_\_)
   
\_\_\_\_\_)
   
OFFICER \_\_\_\_\_)
   
905 Court Street \_\_\_\_\_)
   
Lynchburg, VA 24504 \_\_\_\_\_)
   
\_\_\_\_\_)
   
Defendant. \_\_\_\_\_)
   
\_\_\_\_\_)

AMENDED COMPLAINT

COMES NOW, Plaintiff, \_\_\_\_\_, and moves for Judgment against the Defendant, Officer \_\_\_\_\_ on the grounds and in the amount as hereinafter set forth:

1. On the 21<sup>st</sup> day of July, 2020, Plaintiff was operating his vehicle around the 1500 Block of 6<sup>th</sup> Street, Lynchburg, Virginia.

2. On the date and at the place aforesaid, \_\_\_\_\_ was operating his vehicle within Lynchburg City Limits when Officer \_\_\_\_\_ initiated a traffic stop for allegedly "squealing" his tires and for the belief that \_\_\_\_\_ was operating the vehicle without a license.

3. After initiating the traffic stop, Officer \_\_\_\_\_ ordered \_\_\_\_\_ to exit the vehicle. Officer \_\_\_\_\_ then proceeded to forcefully perform an anal cavity search on \_\_\_\_\_ in clear view of the public, without prior notice or a medical professional to assist. Officer \_\_\_\_\_ continued this search despite \_\_\_\_\_ requests to stop, in clear violation of the Plaintiff's liberties, the United States Constitution, Virginia Code Section 19.2-59.1 and Lynchburg City Police Department's policies.

I. COUNT ONE: SEXUAL ASSAULT AND BATTERY

4. The Defendant, Officer \_\_\_\_\_ committed assault and battery against

Plaintiff [REDACTED] in that he:

- A. Performed an anal cavity search in broad daylight in the public view without reasonable cause;
- B. Started a search of the Plaintiff's anal cavity without giving the Plaintiff prior notice;
- C. Searched the Plaintiff's anal cavity forcefully;
- D. Continued to search the Plaintiff's anal cavity despite the Plaintiff repeatedly objecting, requesting the Defendant to stop;
- E. Violated the Plaintiff's liberties under the United States Constitution;
- F. Violated Virginia Code Section 19.2-59.1; and
- G. Violated the Lynchburg Police Department's written policy on anal cavity searches.

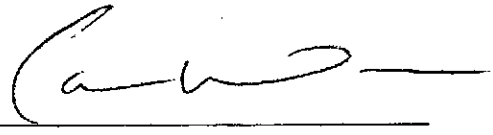
5. As a direct and proximate result of the sexual assault and battery at the hands of the Defendant, Plaintiff [REDACTED] was caused to sustain serious embarrassment, harm to reputation, and physical injuries, has suffered, and will continue to suffer great pain of body, has incurred and will incur in the future medical bills in an effort to be cured of his physical injuries.

WHEREFORE, Plaintiff demands judgment against the Defendant in the form of compensatory damages for sexual assault and battery in the sum of TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00) with interest from July 21, 2020, at the statutory rate until paid and his costs in this behalf expended, and demands judgment against the Defendant in the form of punitive damages for sexual assault and battery in the sum of TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00) with interest from July 21, 2020, at the statutory rate until paid and his costs in this behalf expended.

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TRIAL BY JURY IS DEMANDED.



BY 

Of Counsel

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