

**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS  
PEORIA DIVISION**

ESTATE OF EDWARD RUSSELL JR., )  
Deceased, by ANITA JOHNSON, )  
Independent Administrator, )  
 )  
Plaintiff, )

vs. )

No. 18 C )

CITY OF PEORIA, City of Peoria )  
Police Sergeant MATTHEW LANE, )  
Peoria Police Officers SEAN JOHNSTON, )  
CHRISTOPHER HEATON, TYLER )  
HODGES, JASON LEIGH, and )  
IAN McDOWELL )  
 )  
Defendants. )

JURY TRIAL DEMANDED

**COMPLAINT**

Anita Johnson, as Independent Administrator of the Estate of Edward Russell Jr., by and through her attorneys, Andrew M. Stroth and Carlton Odim of Action Injury Law Group LLC, complains of Defendants, City of Peoria, City of Peoria Police Sergeant Matthew Lane, and City of Peoria Police Officers Sean Johnston, Christopher Heaton, Tyler Hodges, Jason Leigh and Ian McDowell as follows:

**Introduction**

1. This is a civil rights action. On September 20, 2017, Edward Russell Jr., a 25 year-old African American male, lost his life. City of Peoria police officers shot Edward eighteen times without lawful justification.

2. At the time of the shooting, Edward Russell Jr. presented no immediate threat to the Peoria Police Officers or anyone else.

### **Jurisdiction and Venue**

3. Jurisdiction of the court is invoked pursuant to the Civil Rights Act, 42 U.S.C. § 1983, et seq; the Judicial Code, §§ 1331 and 1343(a); and the Constitution of the United States. Jurisdiction for Plaintiff's state law claims is based on supplemental jurisdiction pursuant to 28 U.S.C. § 1367(a).

4. Venue is proper in this District under 28 U.S.C. § 1391(b). The parties reside, or, at the time the events took place, resided in this judicial district, and the events giving rise to the Plaintiff's claims also occurred in this judicial district.

### **Parties**

5. Anita Johnson was appointed Independent Administrator of the Estate of Edward Russell Jr., deceased, by the Probate Division of the Circuit Court of Peoria County, Illinois.

6. Anita Johnson is a resident of Peoria County, Illinois, and is the mother of Edward Russell Jr.

7. Defendant Sergeant Matthew Lane was, at all times relevant to the allegations made in this complaint, a duly appointed police officer employed by the City of Peoria, acting within the scope of his employment with the City of Peoria, and under the color of state law. He is sued in his individual capacity.

8. Defendant Officer Sean Johnston was, at all times relevant to the allegations made in this complaint, a duly appointed police officer employed by the City of Peoria, acting within

the scope of employment with the City of Peoria, and under the color of state law. He is sued in his individual capacity.

9. Defendant Officer Christopher Heaton was, at all times relevant to the allegations made in this complaint, a duly appointed police officer employed by the City of Peoria, acting within the scope of employment with the City of Peoria, and under the color of state law. He is sued in his individual capacity.

10. Defendant Officer Tyler Hodges was, at all times relevant to the allegations made in this complaint, a duly appointed police officer employed by the City of Peoria, acting within the scope of employment with the City of Peoria, and under the color of state law. He is sued in his individual capacity.

11. Defendant Officer Jason Leigh was, at all times relevant to the allegations made in this complaint, a duly appointed police officer employed by the City of Peoria, acting within the scope of his employment with the City of Peoria, and under the color of state law. He is sued in his individual capacity.

12. Defendant Officer Ian McDowell was, at all times relevant to the allegations made in this complaint, a duly appointed police officer employed by the City of Peoria, acting within the scope of his employment with the City of Peoria, and under the color of state law. He is sued in his individual capacity.

13. Defendant City of Peoria, a municipality duly incorporated under the laws of the State of Illinois, is the employer and principal of Defendant Officers Lane, Johnston, Heaton, Hodges, Leigh and McDowell. The City is responsible for the policies, practices and customs related to its maintenance of a police force.

### **Facts**

14. On September 20, 2017, at approximately 2 pm, Edward Russell Jr. was at or near his family's home located at 2900 West Sheffield Drive, Peoria, Illinois.

15. While Edward was using both of his hands to lift up the door to the family's garage the Defendant Officers shot and killed Edward Russell Jr. without cause or provocation, the Defendant Officers shot Edward Russell Jr with seventeen or more bullets.

16. Edward Russell Jr. suffered from schizoaffective bipolar disorder.

17. Prior to September 20, 2017, the Peoria Police Department, through its agents and employees, including officers involved in the scene that culminated in Edward's death, were aware the Edward Russell Jr. suffered from mental illness.

18. Some or all of these officers were aware that Edward Russell Jr. suffered from mental illness based on their prior interactions with him.

19. Some or all of these officers were aware that Edward Russell Jr. suffered from mental illness because their fellow officers informed them of this fact.

20. Some or all of these officers were aware that Edward Russell Jr. suffered from mental illness based on his prior actions that day, including the bank robbery in which witnesses reported that they could not tell if Edward was joking during the robbery.

21. Some or all of these officers were aware that Edward Russell Jr. suffered from mental illness from talking to witnesses and neighbors who described Edward as mentally ill, or words to that effect.

22. Some or all of these officers were aware that, despite Edward's mental illness, he was not a violent person, based on information provided by fellow officers, witnesses and people who knew Edward Russell Jr.

23. The Defendant Officers, and other Peoria police officers, were not properly trained in mental health awareness and crisis intervention.

24. The Defendant Officers did not follow proper mental health awareness and crisis intervention techniques and procedures in the encounter with Edward Russell Jr.

25. Following the shooting of Edward Russell Jr., the Defendants instructed the family to follow an ambulance presumably carrying Edward Russell Jr. to the hospital. Based on information on belief, this was a "decoy ambulance" to immediately get the Russell family away from the location of the shooting incident.

26. On information and belief, Sergeant Matthew Lane and Defendant Officers Sean Johnston, Christopher Heaton, Tyler Hodges, Jason Leigh and Ian McDowell and other employees and agents of the Peoria Police Department, jointly agreed and/or conspired with one another to prepare false, misleading, and incomplete official reports and to give false, incomplete, and misleading versions of the events of September 20, 2017, for the purpose of, among other things, concealing the true series of events and facts leading to Edward Russell, Jr.'s death, concealing misconduct and/or illegal conduct, manufacturing justification for their use of deadly force, and maintaining a "Code of Silence" to protect Sergeant Matthew Lane and Defendant Officers Sean Johnston, Christopher Heaton, Tyler Hodges, Jason Leigh and Ian McDowell, the City of Peoria Police Department, and the City of Peoria, from the potential consequences of the officers' misconduct and to cover up that misconduct.

27. On information and belief, the Defendants and other employees or agents of the Peoria Police Department jointly agreed and/or conspired with one another to use unreasonable and deadly force on Edward Russell Jr.

28. The actions of the Defendants and their named and unnamed co-conspirators, as alleged in this complaint, were done jointly, in concert, and with shared intent and, therefore, constitute a continuing civil conspiracy under 42 U.S.C. § 1983.

**Count 1**  
**42 U.S.C. § 1983 Claim for Unconstitutional Seizure**

29. Plaintiff repeats and realleges the preceding paragraphs of this complaint, as if they were fully set out in this Count.

30. The actions of the Defendant Officers in shooting Edward Russell Jr., without just cause, violated Edward Russell Jr.'s rights under the Fourth Amendment to the United States Constitution to be secure in his person against unreasonable seizure and excessive force, and his right to due process under the Fourteenth Amendment to the United States Constitution, and caused the injuries alleged in this complaint.

31. The actions of Sergeant Matthew Lane and Defendant Officers Sean Johnston, Christopher Heaton, Tyler Hodges, Jason Leigh and Ian McDowell as alleged in this Count 1 of the complaint were the direct and proximate cause of the constitutional violations set forth above and of the Plaintiffs injuries.

WHEREFORE, pursuant to 42 U.S.C. §1983, Plaintiff demands against Sergeant Matthew Lane and Defendant Officers Sean Johnston, Christopher Heaton, Tyler Hodges and Ian McDowell substantial actual or compensatory damages and punitive damages, plus the costs of this action, attorney's fees and whatever additional relief this Court deems equitable, just,

necessary and proper.

**Count 2**

**42 U.S.C. § 1983 Monell Policy Claim Against Defendant City of Peoria**

32. Plaintiff repeats and realleges the preceding paragraphs of this complaint, as if they were fully set out in this Count.

33. The actions of Sergeant Matthew Lane and Defendant Officers Sean Johnston, Christopher Heaton, Tyler Hodges, Jason Leigh and Ian McDowell, as alleged in this complaint, were done under the authority of one or more interrelated de facto policies, practices and/or customs of the City of Peoria, its police department, Police Board, Internal Affairs Division of the Peoria Police Department, Personnel Division, and/or Superintendents.

34. At all times material to the allegations contained in this complaint, the Defendant City of Peoria and its police department, including all supervisors and divisions, and/or Police Board had interrelated de facto policies, practices, and customs which included, among other things:

- a. the failure to properly hire, train, supervise, discipline, transfer, monitor, counsel and/or otherwise control police officers who commit acts of excessive force, including unjustified shootings;
- b. the failure to properly hire, train, supervise, monitor, and support police officers in the mental health awareness and crisis intervention;
- c. the failure to properly hire, train, supervise, monitor and support police officers in the de-escalation techniques and procedures;
- d. the police code of silence;
- e. the encouragement of excessive and unreasonable force;
- f. the failure to properly investigate shootings of civilians by Peoria police officers;

- g. the failure to properly discipline, monitor, counsel and otherwise control Peoria police officers who engage in unjustified shootings; and/or
- h. the failure to properly train and supervise Peoria police officers with regard to discharging their weapons at civilians

35. That the unconstitutional actions of the Defendants as alleged in this complaint were part and parcel of a widespread municipal policy, practice and custom is further established by the involvement in, and ratification of, these acts by municipal supervisors and policy makers, as well as by a wide range of other police officials, officers, and divisions of the Department, including its Internal Affairs Division, the Detective Division.

36. The policies, practices and/or customs alleged in this complaint, separately and together, are the proximate cause of the injury and death of Edward Russell Jr. and of the injury to his Estate, because Defendants Sergeant Matthew Lane and Officers Sean Johnston, Christopher Heaton, Tyler Hodges, Jason Leigh and Ian McDowell had good reason to believe that their misconduct would not be revealed or reported by fellow officers or their supervisors, that their false, incomplete, and misleading reports would go unchallenged by these supervisors and fellow officers, from the police Superintendents, Police Board, on down, and that they were immune from disciplinary action, thereby protecting them from the consequences of their unconstitutional conduct.

37. But for the belief that they would be protected, both by fellow officers and by the department, from serious consequences, Defendants Sergeant Matthew Lane and Officers Sean Johnston, Christopher Heaton, Tyler Hodges, Jason Leigh and Ian McDowell would not have engaged in the conduct that resulted in the shooting and death of Edward Russell Jr.



38. The interrelated policies, practices and customs, as alleged in this complaint, individually and together, were maintained and implemented with deliberate indifference, and encouraged Defendants Sergeant Matthew Lane and Officers Sean Johnston, Christopher Heaton, Tyler Hodges, Jason Leigh and Ian McDowell to commit the acts alleged in this complaint against Edward Russell Jr.; they, therefore, are the moving forces behind, and the direct and proximate causes of, the injuries to Edward Russell Jr and his Estate.

39. Among other things, the policies, practices and customs alleged in this complaint encouraged the extrajudicial shooting of civilians, other police misconduct, the fabrication of evidence, the intimidation of witnesses, and the making of false, incorrect and misleading statements and reports, and the maintenance of a code of silence. These policies, practices and customs, therefore, are the moving forces behind, and the direct and proximate causes of, the unconstitutional acts committed by the Defendant Officers in this case and the injuries to Edward Russell Jr and his Estate.

WHEREFORE, pursuant to 42 U.S.C. §1983, Plaintiff demands substantial actual or compensatory damages, plus the costs of this action, attorney's fees and whatever additional relief this Court deems equitable, just, necessary and proper.

**Count 3**  
**State Law Survival Claim**

40. Plaintiff repeats and realleges the preceding paragraphs of this complaint, as if they were fully set out in this Count.

41. As a direct and proximate result of the wrongful actions of Defendants Sergeant Matthew Lane and Officers Sean Johnston, Christopher Heaton, Tyler Hodges, Jason Leigh and Ian McDowell and City of Peoria, as alleged in this complaint, Edward Russell Jr. suffered

serious injuries of a personal and pecuniary nature, including but not limited to, pain and suffering experienced as he was dying from the gunshot wounds inflicted by Defendants, subjecting them to liability pursuant to 755 ILCS 5/27-6, commonly referred to as the Survival Statute.

WHEREFORE, Plaintiff demands substantial actual or compensatory damages, and because Defendants acted maliciously, wantonly, or oppressively, punitive damages, plus the costs of this action and whatever additional relief this Court deems equitable, just, necessary and proper.

**Count 4**  
**State Law Wrongful Death Claim**

42. Plaintiff repeats and realleges the preceding paragraphs of this complaint, as if they were fully set out in this Count.

43. As a direct and proximate result of the foregoing willful and wanton acts of the Defendant Officers and City of Peoria, Edward Russell Jr. died on September 20, 2017.

44. Plaintiff, Anita Johnson, Independent Administrator of the Estate of Edward Russell Jr., deceased, brings this action in her capacity as Independent Administrator on behalf of the beneficiaries of the Estate of Edward Russell Jr., all of whom have suffered and will continue to suffer pecuniary loss as a result of the death of Edward Russell Jr.

WHEREFORE, Plaintiff, Anita Johnson, Independent Administrator of the Estate of Edward Russell Jr., demands judgment against Defendants Sergeant Matthew Lane and Officers Sean Johnston, Christopher Heaton, Tyler Hodges, Jason Leigh and Ian McDowell and City of Peoria for compensatory and punitive damages, plus costs and any and all other relief that this Court deems equitable, just, necessary and proper.

**Count 5**  
**State Law Claim for Funeral Expenses**

45. Plaintiff repeats and realleges the preceding paragraphs of this complaint, as if they were fully set out in this Count.

46. As a direct and proximate result of the actions of Defendants alleged in this complaint, having been taken within the scope of Defendant's employment with the City of Peoria, Plaintiff and the Estate of Edward Russell Jr sustained losses in the form of funeral and burial expenses.

WHEREFORE, Plaintiff demands judgment against Defendants, plus the costs of this action and whatever additional relief this Court deems equitable, just, necessary and proper.

**Count 6**  
**State Law Claim for Conspiracy**

47. Plaintiff repeats and realleges the preceding paragraphs of this complaint, as if they were fully set out in this Count.

48. Defendants, together with their unnamed co-conspirators, reached an understanding, engaged and continued to engage in a course of conduct, and otherwise jointly acted and/or conspired among and between themselves to complete false, inaccurate, and misleading reports, and to make false statements to superior officers in order to conceal the wrongdoing of Defendants.

49. In furtherance of this conspiracy or conspiracies, the Defendants, together with their unnamed co-conspirators, committed the overt acts alleged in this complaint.

50. These conspiracies are continuing.

WHEREFORE, Plaintiff demands substantial actual or compensatory damages, and,

because Defendants acted maliciously, wantonly, or oppressively, plaintiff demands punitive damages, plus the costs of this action and whatever additional relief this Court deems equitable, just, necessary and proper.

**Count 7**  
**State Law Claim for Battery**

51. Plaintiff repeats and realleges the preceding paragraphs of this complaint, as if they were fully set out in this Count.

52. The Defendants knowingly and without legal justification caused bodily harm to Plaintiff when they shot and killed him, thereby constituting battery under Illinois law.

WHEREFORE, Plaintiff demands substantial actual or compensatory damages, and, because Defendants Officer acted maliciously, wantonly, or oppressively, plaintiff demands punitive damages, plus the costs of this action and whatever additional relief this Court deems equitable and just.

**Count 8**  
**State Law Claim for Respondeat Superior Against Defendant City of Peoria**

53. Plaintiff repeats and realleges the preceding paragraphs of this complaint, as if they were fully set out in this Count.

54. Defendants Sergeant Matthew Lane and Officers Sean Johnston, Christopher Heaton, Tyler Hodges, Jason Leigh and Ian McDowell were, at all times material to the allegations made in this complaint, employees and agents of the Defendant City of Peoria acting within the scope of their employment. Defendant City of Peoria is liable for the acts of Defendants which violated state law under the doctrine of respondeat superior.

WHEREFORE, Plaintiff demands judgment for compensatory damages, jointly and severally from the City of Peoria, plus the costs of this action and whatever additional relief this

Court deems equitable, just, necessary and proper.

**Count 9**  
**745 ILCS 10/9-102 Claim Against Defendant City of Peoria**

55. Plaintiff repeats and realleges the preceding paragraphs of this complaint, as if they were fully set out in this Count.

56. Defendant City of Peoria was the employer of the Defendant Officers at all times relevant to the allegations contained in this complaint.

57. The Defendant Officers committed the acts alleged in this complaint under the color of law and in the scope of their employment as employees of the City of Peoria, and the City is liable for their actions under 745 ILCS 10/9-102.

WHEREFORE, Plaintiff demands judgment against Defendant City of Peoria, Illinois in the amount awarded to Plaintiff and/or against the Defendant Officers Sergeant Matthew Lane and Defendant Officers Sean Johnston, Christopher Heaton, Tyler Hodges and Ian McDowell as damages, attorney's fees, costs and interest, and/or for any settlement entered into between the Plaintiff and Defendants, and for whatever additional relief this Court deems equitable, just, necessary and proper.

June 17, 2018

/s/Andrew Stroth  
Andrew M. Stroth  
Action Injury Law Group, LLC  
191 North Wacker Drive  
Suite 2300  
Chicago, IL 60606  
(312) 771-2444  
[astroth@actioninjurylawgroup.com](mailto:astroth@actioninjurylawgroup.com)

Carlton Odim (Admission pending)  
Action Injury Law Group, LLC

191 N. Wacker Drive  
Suite 2300  
Chicago, Illinois  
(312) 578-9390  
[carlton@actioninjurylawgroup.com](mailto:carlton@actioninjurylawgroup.com)

Amanda S. Yarusso  
111 W. Washington Street  
Suite 1500  
Chicago, Illinois 60602  
(773) 510-6198  
[amanda.yarusso@gmail.com](mailto:amanda.yarusso@gmail.com)

*ATTORNEYS FOR PLAINTIFF*

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the District Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS DEFENDANTS
(b) County of Residence of First Listed Plaintiff
(c) Attorneys (Firm Name, Address, and Telephone Number)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)
III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

IV. NATURE OF SUIT (Place an "X" in One Box Only)
CONTRACT REAL PROPERTY TORTS CIVIL RIGHTS FORFEITURE/PENALTY LABOR IMMIGRATION BANKRUPTCY SOCIAL SECURITY FEDERAL TAX SUITS OTHER STATUTES

V. ORIGIN (Place an "X" in One Box Only)
1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District (specify) 6 Multidistrict Litigation

VI. CAUSE OF ACTION (Enter U.S. Civil Statute under which you are filing and write a brief statement of cause.)
VII. Previous Bankruptcy Matters (For nature of suit 422 and 423, enter the case number and judge for any associated bankruptcy matter previously adjudicated by a judge of this Court. Use a separate attachment if necessary.)

VIII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

IX. RELATED CASE(S) IF ANY (See instructions): JUDGE DOCKET NUMBER

X. This case (check one box) Is not a refile of a previously dismissed action is a refile of case number previously dismissed by Judge DATE SIGNATURE OF ATTORNEY OF RECORD

## INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

## Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

**I. (a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

**II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: federal question actions take precedence over diversity cases.)

**III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

**IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

**V. Origin.** Place an "X" in one of the six boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

**VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. Do not cite jurisdictional statutes unless diversity. Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service

**VII. Previous Bankruptcy Matters** For nature of suit 422 and 423 enter the case number and judge for any associated bankruptcy matter previously adjudicated by a judge of this court. Use a separate attachment if necessary.

**VIII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P. Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

**IX. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**X. Refiling Information.** Place an "X" in one of the two boxes indicating if the case is or is not a refiling of a previously dismissed action. If it is a refiling of a previously dismissed action, insert the case number and judge.

**Date and Attorney Signature.** Date and sign the civil cover sheet.