

Tonya Pointer

CAUSE NO. DC-15-10393

	§	IN THE DISTRICT COURT OF
	§	
ALAN MASON	§	
	§	
	§	
PLAINTIFF,	§	_____ JUDICIAL DISTRICT
	§	
V.	§	
	§	
	§	
CITY OF DALLAS POLICE	§	
DEPARTMENT	§	
	§	
	§	
DEFENDANT	§	DALLAS COUNTY, TEXAS

PLAINTIFF’S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Alan Mason (“Plaintiff”), complaining of City of Dallas Police Department (“Defendant”) and for cause of action would respectfully show unto the Court as follows:

I.

PARTIES

1.01 Plaintiff is a resident of Dallas, Dallas County, Texas.

1.02 Defendant, City of Dallas Police Department, 1400 S. Lamar St., Dallas, Texas
75215

II.

DISCOVERY

2.01 Discovery in this matter should be conducted under a LEVEL II Discovery Control Plan pursuant to Rule 190.4 T.R.C.P.

III.

VENUE

3.01 Venue is proper in Dallas, Texas, pursuant to Section 15.001 of the Texas Civil Practice and Remedies Code, as all or part of Plaintiff's cause of action occurred on or about September 5, 2014 in Dallas, Dallas County, Texas.

IV.

This action arises out of a recklessly detained, falsely accused, arrest, jailed and ultimately held in solitary confinement for 9 days for a crime in which Plaintiff was wrongly accused of in Dallas County, Texas.

V.

BACKGROUND FACTS

My investigation reveals that there were 6 to 7 rapes that had occurred in the South Dallas area and at a community meeting Chief Brown was being pressed by the community to find the South Dallas Rapist. Chief Brown stated that he was not going to announce a suspect until he had solid evidence that someone was responsible for the crimes. Directly following the community meeting Chief Brown tweeted that Plaintiff was the person of interest in the South

Dallas Rapes. Immediately, Plaintiff's name and picture were all over the local and national news as for being the suspect responsible for the South Dallas Rapist.

As mentioned above, Plaintiff was picked up at his residence by Dallas Swat, at gun point. Plaintiff was paraded around from his residence to a local convenient store where the police department had a make shift staging area. From there Plaintiff was transported to Dallas County. Upon arriving at the Dallas County Jail, every news outlet was waiting outside the gates to get a picture of Plaintiff, as he was handcuffed and in custody in the police car.

After arriving at the police station, Plaintiff was put in a holding cell where everyone in the area talked about him being the South Dallas Rapist. Plaintiff remembers a young lady whom he went to high school with coming up to him and telling him what a sick individual he was for doing the rapes.

Eventually Plaintiff was transferred to solitary confinement for the remainder of his stay. As you might know the outcome of this story, eventually the correct South Dallas Rapist was caught in Louisiana and was charged for rapes in which he committed.

Plaintiff's ordeal with Dallas Police Department officers lasted approximately 9 days. To date, Plaintiff is experiencing death threats, being labeled as a rapist and is constantly being harassed. Plaintiff is African-American, and it is felt that his race obviously played a role in this matter. This incident coupled with several other incidents from Dallas Police Department, suggests that there is a pattern of conduct being engaged in by certain law enforcement officers in Dallas County that seeks to deprive a segment of our community of their civil rights.

VI.

Plaintiff asserts that the injuries and damages he sustained were proximately caused, individually and/or in combination by the negligent acts of Defendant, Dallas Police Department. Plaintiff alleges that the negligent acts of Defendant individually and in combination to be the proximate cause of the injuries and damages. Furthermore, Plaintiff seeks damages over \$200,000.00 but not more than \$1,000,000.00, more specifically set forth herein.

VII.

Plaintiff asserts that Defendant, Dallas Police Department, was negligent on the occasion in question in connection with the incident and that such negligent acts proximately caused Plaintiff's damages. The violations, negligent acts and omissions committed by Defendant, Dallas Police Department.

- Failing to correctly name the real Dallas Rapist;
- Falsely accusing Alan Mason of being the Dallas Rapist; and
- Holding Plaintiff in solitary confinement for 9 days while the real Dallas Rapist fled to Louisiana.

VIII.

As a result of the negligent acts and omissions of Defendant individually and in combination together, Plaintiff, Alan Mason, suffered serious emotional and mental injuries in which he is currently dealing with.

IX.

As a further result of the false accusations and solitary confinement, Plaintiff has suffered emotionally and mentally in the past and in all reasonable probability will continue to suffer emotional pain and mental anguish into the future.

X.

Plaintiff further asserts that all of the damages sustained and alleged herein were directly and proximately caused by the acts and omissions of Defendant and are within the jurisdictional limits of this Honorable Court.

XI.

Plaintiff further asserts that, pursuant to the laws of the State of Texas, he is additionally entitled to recover pre-judgment interest at the highest rate allowed by law.

XII.

Plaintiff makes a REQUEST FOR DISCLOSURE to Defendant, Dallas Police Department, herein pursuant to Rule 194, T.R.C.P.

WHEREFORE, PREMISES CONSIDERED, Plaintiff request and prays that Defendant be cited to appear and answer herein and that on final trial hereof, Plaintiff have judgment from, of and against Defendant, for all actual damages sustained, as well as costs of suit, prejudgment and post-judgment interest and such other and further relief, both general and special, at law or in equity, to which Plaintiff is justly entitled and for which he will ever pray.

Respectfully submitted,

:/s/ Nigel Redmond

Nigel Redmond

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