

**STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE
NINETEENTH JUDICIAL DISTRICT COURT**

**ABDULLAH MUFLAHI
and ABUE CHDAD INC.
d/b/a TRIPLE S FOOD MART**

NUMBER

versus

DIV/SEC.

**BLANE SALAMONI, HOWIE LAKE
TIMOTHY B. BALLARD, ROBERT
COOK, CHIEF OF POLICE, CARL
DABADIE and THE CITY OF BATON
ROUGE**

PETITION

Now before the Court comes **ABDULLAH MUFLAHI**, an individual of full age and majority, domiciled in the Parish of East Baton Rouge and **ABUE CHDAD INC. d/b/a TRIPLE S FOOD MART**, (hereafter Triple S Food Mart) a Louisiana corporation licensed to do business and doing business in the City of Baton Rouge, State of Louisiana who with respect represent that:

1.

Named defendants herein are:

BLANE SALAMONI, a person of full age and majority and a Baton Rouge City Police Officer with the Baton Rouge City Police Department, who, on information and belief, is domiciled in the Parish of East Baton Rouge, State of Louisiana.

HOWIE LAKE, a person of full age and majority and a Baton Rouge City Police Officer with the Baton Rouge City Police Department, who, on information and belief, is domiciled in the Parish of East Baton Rouge, State of Louisiana.

TIMOTHY B. BALLARD a person of full age and majority and a Baton Rouge City Police Officer with the Baton Rouge City Police Department, who, on information and belief, is domiciled in the Parish of East Baton Rouge, State of Louisiana.

ROBERT COOK a person of full age and majority and a Baton Rouge City Police Officer with the Baton Rouge City Police Department, who, on information and belief, is domiciled in the Parish of East Baton Rouge, State of Louisiana

THE CITY OF BATON ROUGE, an incorporated municipality as established by its plan of government, Parish of East Baton Rouge, State of Louisiana and within the jurisdiction of this honorable Court

CHIEF OF POLICE, CARL DABADIE, is the Chief of Baton Rouge Police Department the City of Baton Rouge, Parish of East Baton Rouge, State of Louisiana and within the jurisdiction of this Honorable Court.

2.

At all times relevant herein, defendants Blane Salamoni and Howie Lake, Timothy B. Ballard, Robert Cook were Baton Rouge City Police Officers employed by and acting for the City of Baton Rouge, Parish of East Baton Rouge.

3.

ABDULLAH MUFLAHI is the proprietor; owner and operator to the **TRIPLE S FOOD MART**, which operates a convenient store, located 2112 North Foster Drive, Baton Rouge, Louisiana.

4.

On July 5, 2016, at approximately 00:35 a.m., Plaintiff Muflahi while watching the monitors from his security system inside of his store, observed a Baton Rouge City Police Vehicle pull into Triple S Food Mart's parking lot.

5.

Plaintiff Muflahi being curious as to the reason why a BRPD vehicle was coming to his establishment went outside to meet the police officers. Upon exiting the door, Plaintiff Mr. Muflahi witnessed two Baton Rouge City Police Officers, Blane Salamoni and Howie Lake enter into an altercation with a man named Alton Sterling.

6.

At all times, herein mentioned, Mr. Sterling was on the property of Triple S. Food Mart's with permission of the establishment. Mr. Sterling was allowed by the store to sell merchandise in the store parking lot to passing customers. Mr. Sterling was commonly present at the store and was also from time to time a customer at the store.

7.

As the Officers Salamoni and Lake began the altercation with Mr. Sterling by shooting Sterling and then shocking him with a taser device and later did so or attempted to do so a second time and knocking Mr. Sterling to the ground.

8.

Plaintiff Muflahi began to videotape the events on his cell phone. While the events were being recorded events escalated out of control to the point that defendant Salamoni shot Mr. Sterling multiple times and killed Mr. Sterling as he lay on his back on the ground.

9.

At all times herein mentioned, Mr. Muflahi was only an eyewitness to the aforementioned incident. At no time mentioned herein was Plaintiff Muflahi involved in any violation of the laws of the City of Baton Rouge, or the State of Louisiana.

10.

Immediately after the killing of Mr. Sterling Officer Salamoni, BRPD came inside Triple S Food Mart and without a warrant confiscated the entire store security system and took Plaintiff Muflahi into custody.

11.

As other Baton Rouge Police officers arrived on the scene, defendant Salamoni and defendant Lake, instructed these officers to hold plaintiff Muflahi in custody.

12.

Pursuant to this instruction officers then illegally placed Mr. Muflahi into custody, confiscated his cell phone and illegally locked him in the back of a police vehicle and detained him there for approximately four (4) hours in the back of a BRPD's vehicle.

13.

Plaintiff Muflahi was allowed out of the police vehicle during the 4 hours only after he repeated told one of the officers that he had to go to the restroom. The officers would not allow Mr. Muflahi to use the restroom inside of his business establishment and he was escorted to the side of his building and forced to relieve himself right there within arm distance of a BRPD officer and in full view of the public.

14.

At all times herein mentioned there was no basis to hold, arrest, place him into custody or to detain Mr. Muflahi. Mr. Muflahi was illegally detained without an arrest warrant and without Mr. Muflahi's permission.

15.

During the aforementioned four (4) hours period of illegal detention and on information and belief defendant BALLARD and defendant COOK illegally confiscated and seized and removed all the security equipment along with the surveillance from the

TRIPLE S FOOD MART business establishment. At all time herein mentioned, was Mr. Muflahi provided or presented with a warrant for his security system.

16.

Officers also without having obtained a search and seizure warrant took control of Triple S Food Mart for at least six (6) hours and prevented Mr. Muflahi from entering into his own business establishment to operate the business or secure the premises.

17.

During the aforementioned four (4) hours period of false and illegal detention in the back of the locked police vehicle, police would not return plaintiff Muflahi's cell phone and thereby prevented him from calling his family or his attorney to secure his release.

18.

After approximated four (4) hours of being illegally detained in the back of the police vehicle, plaintiff Muflahi was driven to Louisiana State Police Headquarter on Independence Boulevard and was there illegally detained for another approximately two (2) hours behind locked doors. There, plaintiff Muflahi was placed in a room behind locked doors and questioned regarding the incident.

19.

At all times defendants knew that plaintiff Muflahi was only a witness to the events at his store and that being a witness did not entitle police to hold Plaintiff in custody or seize or commandeer his store and store equipment.

20.

As a direct and proximate result the above-referenced and foregoing allegations contained herein, defendants are liable to plaintiff for false imprisonment and illegal taking of his property and the illegal seizure of his business establishment.

21.

Defendant Dabadie as the chief of the Baton Rouge Police Department is responsible for the training of the police officer defendants and all police officers involved. He has provided inadequate training of his officers as to what constitutes grounds to confront, arrest or detain citizens and has negotiated a contract with a union

representing police officers that provides a blanket indemnification for police officers who are sued by the public from all claims no matter what the circumstances under which the claim arise and further provides that meritorious complaints about police officers are purged from employment files after only 18 months. Both contract provisions encourage aggressive conduct by police officers by minimizing consequences.

22.

Plaintiff desires a jury trial

WHEREFORE, Plaintiff prays that after due proceedings are had, there be a judgment herein in favor of plaintiff and against defendants for such damages as are reasonable under the premises as set forth above.

Plaintiff further prays for all general and equitable relief, including attorney's fees, court costs and legal interest to the extent allowed by law.

RESPECTFULLY SUBMITTED:
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Please serve:

THE CITY OF BATON ROUGE
through Mayor Melvin "KiP" Holden
City Hall, Baton Rouge, Louisiana

All remaining defendants can be
served at the Baton Rouge Police Department
9000 Airline Highway