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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RONALD NEAL JOSEPH, SR.; JANIE PITRE	*	CASE NO. _____
JOSEPH; and HANNAH ELIZABETH	*	
JOSEPH	*	
<i>Plaintiffs</i>	*	
	*	
VERSUS	*	
	*	
LAS VEGAS METROPOLITAN POLICE and	*	
SARA BRADSHAW	*	
<i>Defendants</i>	*	

INITIAL COMPLAINT

NOW INTO COURT through undersigned counsels, come **PLAINTIFFS, Ronald Neal Joseph, Sr.** and his wife, **Janie Pitre Joseph**, personally and on behalf of their minor daughter, **Brittany Nicole Joseph; and Hannah Elizabeth Joseph (“The Josephs”)**. Same are the surviving heirs of Ronald Neal Joseph, Jr., who died intestate in Las Vegas, Nevada

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on June 6, 2007. **Ronald Neal Joseph, Sr.**, additionally, acts herein as Administrator for the Succession of Ronald Neal Joseph, Jr. Plaintiffs reside in and/or are domiciled in Lake Charles, Calcasieu Parish, Louisiana, and with the exception of Brittany Nicole Joseph, are of the age of majority. Plaintiffs file this Complaint and assert the following:

I.

This court has **JURISDICTION** over the matters herein in accordance with Article III, §2 of the United States Constitution, 28 USCA 1331, and 42 USC 1983, United States Constitution, Amendments IV, V, and XIV.

II.

MADE DEFENDANTS HEREIN, jointly and severally, are the **Las Vegas Metropolitan Police Department (“LVMPD”)**, a subdivision of the State of Nevada, located in Las Vegas, Clark County, Nevada, within the jurisdiction of the United States District Court for the District of Nevada; and **Sara Bradshaw (“Bradshaw”)**, personally, and in her capacity as an employee, agent and/or officer of the LVMPD.

III.

All of the acts that gave rise to this cause of action occurred in and/or originated in Las Vegas, Nevada. Therefore, the United States District Court for the District of Nevada, located in Las Vegas, Nevada, is the proper **VENUE** in this matter. **28 USCA 1391** and **42 USCA 1983**.

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IV.

Plaintiffs, Ronald Neal Joseph, Sr. and Janie Pitre Joseph, are the natural parents of Ronald Neal Joseph, Jr. who was shot and killed in Las Vegas, Nevada, on June 6, 2007, by Sara Bradshaw, an employee, agent and/or officer with LVMPD, who at the time of the shooting was acting under color of law and in violation of 42 USC 1983. Hannah Elizabeth Joseph and Brittany Nicole Joseph are the natural siblings of Ronald Neal Joseph, Jr. The Josephs, collectively, are the only surviving heirs of Ronald Neal Joseph, Jr.

V.

Acting under color of law, in violation of 42 USC 1983, and the United States Constitution, Amendments IV, V and XIV, Bradshaw, an employee, agent, and/or officer of the LVMPD, intentionally, with malice and reckless indifference, used excessive deadly force to shoot and kill Ronald Neal Joseph, Jr.

VI.

Ronald Neal Joseph, Jr. did not commit, nor was there probable cause to believe he had committed a capital crime connected in any way to the incident wherein he was shot and killed by Bradshaw.

VII.

Neither Bradshaw nor any other officer of the LVMPD at the site of the shooting of Ronald Neal Joseph, Jr. had probable cause to believe that he posed a threat of death or

serious physical harm to the officer(s), or to any other person. Ronald Neal Joseph, Jr. had not committed a crime that involved the infliction of serious physical harm upon another; nor was there probable cause to believe that he had committed a crime wherein he had inflicted serious physical harm upon another person.

VIII.

Further, while Officer Bradshaw admitted shooting at Ronald Neal Joseph, Jr. at least three times, there is no evidence that he ever fired, nor attempted to fire a weapon at Officer Bradshaw, or any other person. On information and belief, only the last shot fired by Bradshaw struck Ronald Neal Joseph, Jr.

IX.

The LVMPD is liable to Plaintiffs for the death of Ronald Neal Joseph, Jr., their son and brother, as LVMPD failed to adequately monitor and properly supervise Bradshaw, who had just shot another person under color of law approximately three (3) months prior to this incident. Officer Bradshaw was not fit for duty and should not have been allowed to carry a gun; nor should she have been allowed to participate in, or respond to a situation of the nature which resulted in the death of Ronald Neal Joseph, Jr. Further, Bradshaw was not adequately trained nor sensitized to deal with an incident of this kind involving a young African American male.

X.

The LVMPD, in its custom, pattern and practice, systematically fosters and supports the use of excessive deadly force by its police officers. The LVMPD knew, should have known, and/or had a duty to know, that its officers routinely, intentionally, with malice, reckless indifference, and without provocation, violate the constitutional rights of people, especially people of color, that they encounter through the use of excessive deadly force. The LVMPD, however, has failed to take reasonable action to prevent this excessive routine use of deadly force, including the routine use of excessive deadly force that resulted in the killing of Ronald Neal Joseph, Jr., an African American male. With carte blanche sanctioning by the LVMPD of the arbitrary use of excessive deadly force by its officers, under color of law, Bradshaw and/or the LVMPD did violate Ronald Neal Joseph, Jr.'s rights to due process, equal protection under the law, and to be free from unreasonable search and seizure through the use of excessive deadly force. Defendants further deprived him of his life without due process of law. **U.S. Const., Amends IV, V and XIV; 42 USC 1983.**

XI.

It is the custom, pattern and practice of the LVMPD to allow its officers to act with impunity to mete out punishment on persons that they encounter in the course and scope of their employment, without affording such persons due process of law— whether or not said officers have probable cause to believe that the person(s) encountered is/are suspected of

committing a crime.

XII.

The actions and/or inaction of Defendants Bradshaw and the LVMPD have caused, and continue to cause Plaintiffs substantial injury/damages, including, but not limited to, medical expenses, funeral expenses, deterioration of physical health, mental anguish, stress, loss of income, loss of relationship, love and comfort with their son and brother, and/or loss of enjoyment of life.

XIII.

Plaintiffs are entitled to, and specifically request, TRIAL BY JURY.

XIV.

Alfreda Tillman Bester has complied with LR IA 10-2, and has filed a *Verified Petition for Permission to Practice in this Case Only* contemporaneously herewith. Said Verified Petition also contains the requisite *Designation of Resident Counsel*.

XV.

WHEREFORE, PLAINTIFFS PRAY that after due proceedings this Honorable Court would render judgment in their favor and **GRANT** them compensatory, special and punitive damages; reasonable attorneys fees; all costs of these proceedings, including but not limited to, court costs, for the wilful and intentional violations of the federally protected rights of Ronald Neal Joseph, Jr., together with legal interest from the date of

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judicial demand, TRIAL BY JURY, and any and all other legal and equitable relief deemed appropriate and reasonable under the premises.

Respectfully submitted,

s/Alfreda Tillman Bester

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