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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHRISTOPHER TAVAI,)	
)	
Plaintiff,)	No. 17-658
)	
v.)	
)	COMPLAINT
CLARK DICKSON,)	
)	JURY DEMAND
Defendant.)	
)	

INTRODUCTION

On January 3, 2015, Seattle Police Officer Clark Dickson punched Christopher Tavai. Seattle’s Office of Police Accountability found that Dickson used excessive force and Dickson was disciplined by the Department. Tavai now seeks compensation for the injuries and suffering that resulted from Dickson’s punches.

JURISDICTION AND VENUE

1. This Court has original jurisdiction under 28 U.S.C. § 1331 (federal question jurisdiction).

1 17. Fire Department medics were called to examine Tavai's injuries.

2 18. When video of Dickson's actions were reviewed by his supervisor, Captain
3 Proudfoot, Proudfoot referred the incident to the Office of Police Accountability because he
4 was concerned that "Officer Dickson's level of force appears to be out of proportion to the
5 threat presented by Tavai."

6 19. After making this complaint, Captain Proudfoot was demoted.

7 20. OPA entered a finding that Dickson's actions violated Seattle's policies on use
8 of force.

9 21. As a result of his use of force against Tavai, Dickson was suspended for 1 day
10 without pay and ordered to take further training on use of force.

11
12 **CAUSES OF ACTION**

13 **COUNT 1: 42 U.S.C. § 1983**

14 *(Violation of the Fourth and Fourteenth Amendments)*

15 22. Tavai did not pose a threat to Officer Dickson.

16 23. The only reason to detain Tavai was to check on warrants. Tavai provided his
17 name and no warrants were found.

18 24. No significant use of force against Tavai was justified.

19 25. Defendant's punches against Tavai, the first of which was premeditated,
20 violated Tavai's right to be free of excessive force, unreasonable searches and seizures, and his
21 due process right to be free of punishment without process. These actions were taken under
22 color of law and without lawful justification.

23 26. As a result of Officer Dickson's actions, Tavai endured physical injuries and pain
24 and suffering.

REQUEST FOR RELIEF

Plaintiff seeks judgment against Defendant as follows:

- A. Damages in an amount to be determined by jury;
- B. Punitive damages in an amount to be determined by a jury;
- C. Costs of suit, including reasonable attorneys' fees, costs, and expenses as provided by law; and
- D. Such other, further, and different relief as the nature of the case may require or as may be determined to be just, equitable, and proper by this Court.

DATED April 26, 2017.

LAW OFFICE OF HARRY WILLIAMS LLC.

By s/ Harry Williams IV

Harry Williams IV, WSBA #41020

harry@harrywilliamslaw.com.

707 East Harrison

Seattle, WA 98102

Telephone: 206.769.1772

Attorney for Plaintiff