

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JOHN R. DETTELIS,

Plaintiff,

COMPLAINT

vs.

Case No. _____

COUNTY OF CATTARAUGUS and
LORI PETIT RIEMAN, Individually and in
her official capacity as CATTARAUGUS COUNTY
DISTRICT ATTORNEY,

Defendants.

Plaintiff JOHN R. DETTELIS, by and through his attorneys, HOGANWILLIG, PLLC, as
and for his Complaint against the Defendants, herein alleges:

PARTIES AND JURISDICTION

1. Plaintiff JOHN R. DETTELIS (hereafter “Plaintiff”) was and is a citizen of the
United States of America and resident of the State of New York, residing in the Village of
Delevan, County of Cattaraugus, State of New York.

2. Upon information and belief, Defendant COUNTY OF CATTARAUGUS was
and is a municipal corporation organized and existing under the laws of the State of New York,
with principal offices located at 303 Court Street in the Village of Little Valley, County of
Cattaraugus and State of New York.

3. Upon information and belief, Defendant COUNTY OF CATTARAUGUS
maintained a department within Defendant COUNTY OF CATTARAUGUS known as the
Cattaraugus County District Attorney’s Office, with principal offices in the Village of Little
Valley, County of Cattaraugus, State of New York.

of the Cattaraugus County District Attorney's Office and Defendant COUNTY OF CATTARAUGUS.

92. At all relevant times stated herein, upon information and belief, Defendant LORI PETIT RIEMAN managed, supervised, trained and controlled Assistant District Attorneys.

93. At all relevant times stated herein, Defendants had the duty to screen and investigate the backgrounds of the Assistant District Attorneys they hired, and to train, supervise, manage and control said Assistant District Attorneys.

94. At all relevant times stated herein, Defendants had a duty to competently and sufficiently train personnel they hired and retained, to conform their conduct to a standard for the protection of individuals, such as Plaintiff, against the unreasonable risk of harm by conducting themselves in such a manner so as not to intentionally, wantonly and/or negligently fail to adhere to proper and ethical prosecutorial procedures or to violate the rights of or inflict injuries to citizens such as Plaintiff herein.

95. At all relevant times stated herein, Defendants had a duty to competently and sufficiently train their personnel, including Defendants in proper and ethical prosecutorial procedures and in the protection of the rights of citizens, including Plaintiff, under the United States Constitution.

96. Defendants were negligent in the hiring of the aforesaid agents, servants and/or employees in that they knew, or in the exercise of reasonable care should have known, that said agents, servants and/or employees of Defendant COUNTY OF CATTARAUGUS did not possess the temperament and psychological makeup to properly carry out their duties as responsible government officials.

c) on the third cause of action, to Plaintiff in the sum of ONE MILLION DOLLARS (\$1,000,000) against Defendant LORI PETIT RIEMAN, plus THREE MILLION DOLLARS (\$3,000,000) against Defendant LORI PETIT RIEMAN in her individual capacity; and/or

d) on the fourth cause of action, to Plaintiff in the sum of ONE MILLION DOLLARS (\$1,000,000) against Defendant LORI PETIT RIEMAN, plus THREE MILLION DOLLARS (\$3,000,000) against Defendant LORI PETIT RIEMAN in her individual capacity; and/or

e) on the fifth cause of action, to Plaintiff in the sum of ONE MILLION DOLLARS (\$1,000,000) against Defendants; and/or

f) costs and disbursements of this action and attorneys' fees pursuant to 42 U.S.C. § 1988(b); and/or

g) for such other and further relief as this Court may deem just, proper and equitable.

Dated: December 30, 2014
Amherst, New York

s/Glenn Pincus

Glenn Pincus, Esq.
HOGANWILLIG, PLLC
Attorneys for Plaintiff
2410 North Forest Road, Suite 301
Amherst, New York 14068
Telephone: (716) 636-7600
gpincus@hoganwillig.com