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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

NORTHERN DIVISION

RICKIE LEE BIELICKI JR.

Plaintiff,

v.

Case: 1:23-cv-12692
Judge: Lawson, David M.
MJ: Morris, Patricia T.
Filed: 10-24-2023
CMP BIELICKI, JR. V DOEPKER, et al (tt)

BRADLEY J. DOEPKER;
TYLER G. DAVIDSON;
SHEPHERD TRI-TOWNSHIP FIRE DEPARTMENT; MOUNT PLEASANT
CITY FIRE DEPARTMENT, and SAGINAW CHIPPEWA TRIBAL FIRE
DEPARTMENT,
in their individual capacity.

Defendants.

FILED

OCT 24 2023

U.S. DISTRICT COURT
BAY CITY, MICHIGAN

PLAINTIFF'S VERIFIED COMPLAINT AND JURY DEMAND
pursuant to 42 U.S.C. § 1983

NOW COMES Plaintiff Rickie Lee Bielicki Jr. ("Bielicki"), pro per, bringing a Civil Rights Complaint against Defendant Bradley J. Doepker ("Doepker"); Defendant Tyler G. Davidson ("Davidson"); Defendant Shepherd Tri-Township Fire Department ("Shepherd Fire"); Mount Pleasant City Fire Department ("Mount Pleasant Fire"), and the Saginaw Chippewa Tribal Fire Department ("Tribal Fire"), pursuant to 42 U.S.C. § 1983, and in support of the instant action states as follows:

I Introduction

1. Plaintiff Rickie Lee Bielicki Jr., at the time relevant to this Complaint resided at: 4652 South Shepherd Road, Shepherd, MI 48883. Plaintiff currently resides homeless but has a P.O Box 1263, Mount Pleasant, MI 48804.

2. On or about June 21, 2022, Plaintiff Bielicki's garage was on fire that was 40 or 50 yards from Bielicki's residence the Saginaw Chippewa Tribal Fire Department; Mount Pleasant City Fire Department, and the Shepherd Tri-Township Fire Department were at the scene.

3. Defendant Bradley J. Doepker worked as a Firefighter with two (2) Fire Departments, the Mount Pleasant City Fire Department and Shepherd Tri-Township Fire Department, it is unsure which department Defendant Doepker was officially on duty with on June 21, 2022, but he was on duty and on the scene.

4. Defendant Tyler G. Davidson worked as a Firefighter for the Saginaw Chippewa Tribal Fire Department and was on the scene June 21, 2022, and was on the scene.

5. Both Defendant Doepker and Defendant Davidson entered Plaintiff Bielicki's residence without permission and unannounced. Plaintiff Bielicki

explained to both Defendants that his house was NOT on fire and their actions amount to home invasion. Defendant Doepker told Plaintiff Bielicki that for his safety he should evacuate his house.

6. Plaintiff Bielicki began to collect irreplaceable items; his residence WAS NOT on fire at the time in question. Defendant Doepker pushed Plaintiff against a table and both Defendant Davidson and Defendant Doepker physically assaulted the Plaintiff. Plaintiff was thrown to the floor, hurting his shoulder, and sustaining other injuries, e.g., scratches and bruises, his shoulder was in pain for weeks after and the Plaintiff did not have medical insurance to seek medical treatment.

7. Plaintiff did not exert any physical actions beyond what was needed to resist and defend against the unlawful assault taking place in his residence, and advised both Defendants that what they are doing is assault and battery.

8. When Plaintiff was outside, he noticed his dog running down the street away from the scene. The plaintiff jumped into his truck and pursued his dog.

9. Both Defendant Doepker and Defendant Davidson maliciously and falsely claimed that Plaintiff Bielicki assaulted them within the residence to Sheriff Deputies on the scene.

10. Both Defendant Davidson and Defendant Doepker with malicious intent falsified reports to Police Deputies which caused malicious prosecution.

11. Plaintiff Bielicki was arrested and charged with MCL 750.81 (Assault and Battery), on Defendant Doepker in his own home on or about June 21, 2022. See ¶ 6. Plaintiff was facing incarceration for 93 days and/or \$500.00 fine on the false, malicious charges. The false, malicious prosecution violates Plaintiff Bielicki 's Fourth Amendment Rights, which encompasses wrongful investigation, prosecution, conviction, and incarceration. The criminal prosecution was initiated against Plaintiff Bielicki by Defendant Doepker, who influenced, or participated in the decision to prosecute.

12. Plaintiff Bielicki was arrested and charged with MCL 750.81 (Assault and Battery), on Defendant Davidson in his own home on or about June 21, 2022. See ¶ 6. Plaintiff was facing incarceration for 93 days and/or \$500.00 fine on the false, malicious charges. The false, malicious prosecution violates Plaintiff Bielicki 's Fourth Amendment Rights, which encompasses wrongful investigation, prosecution, conviction, and incarceration. The criminal prosecution was initiated against Plaintiff Bielicki

by Defendant Davidson, who influenced and participated in the decision to prosecute.

13. Plaintiff Bielicki attended over a half dozen court proceedings, missing work; decreased financial income; travel expenses and the cost of various court filings.

14. On or about May 8, 2023, Plaintiff Bielicki, pro se, filed a formal discovery request with the Prosecutor's Office, seeking, in part, all body camera footage of parties at the scene on or about June 21, 2022.

15. The discovery requests produced Defendant Doepker's utterance that he assaulted Plaintiff Bielicki because he thought "he was taking too long."

16. Plaintiff Bielicki made copies of the body camera utterance and filed a motion to Quash and Dismiss the charges based on the evidence.

17. Before the motion was adjudicated, the County Prosecutor called Plaintiff Bielicki and advised Plaintiff that the charges would be dismissed based on evidence presented.

18. The court issued an order on or about June 21, 2023, dismissing the malicious and false charges against Plaintiff Bielicki.

19. Defendant Doepker and Davidson's actions violated Plaintiff Bielicki's Fourth, Eighth, and Fourteenth Amendment Rights secured by and through the United States' Constitution.

20. Defendant, Shepherd Tri-Township Fire Department is an agency formed pursuant to the laws of Michigan, and one of the functions of the Shepherd Tri-Township Fire Department is to organize, train, operate and discipline firefighter personnel. Defendant, Shepherd Tri-Township Fire Department is also responsible for the development and implementation of policies and procedures for the operation and management of its employees.

21. Defendant, Mount Pleasant City Fire Department is an agency formed pursuant to the laws of Michigan, and one of the functions of the Shepherd Tri-Township Fire Department is to organize, train, operate and discipline firefighter personnel. Defendant, Mount Pleasant City Fire Department is also responsible for the development and implementation of policies and procedures for the operation and management of its employees.

22. Defendant, Saginaw Chippewa Tribal Fire Department is an agency formed pursuant to the laws of Michigan, and one of the functions of the Saginaw Chippewa Tribal Fire Department is to organize, train, operate and discipline firefighter personnel. Defendant, Saginaw Chippewa Tribal Fire

Department is also responsible for the development and implementation of policies and procedures for the operation and management of its employees.

II. Parties

23. Plaintiff Rickie L. Bielicki ("Bielicki"), at all times hereto, is a United States Citizen and his mailing address is: P.O. Box 1263, Mount Pleasant, MI 48804. As a direct cause of Defendants' actions, Plaintiff Bielicki is homeless.

24. Defendant Bradley J. Doepker ("Doepker"), is/was a Firefighter working for the Shepherd Tri-Township Fire Department: located at: 410 South Chippewa Street, Shepherd Mi, 48883, and the Mount Pleasant City Fire Department: located at: 804 East High Street, Mount Pleasant, MI 48858.

25. Defendant Tyler G. Davidson ("Davidson"), is/was a Firefighter for the Saginaw Chippewa Fire Department, located at: 7500 Soaring Eagle Boulevard, Mount Pleasant, MI 48858.

26. Defendant, Shepherd Tri-Township Fire Department ("Shepherd Fire"): located at: 410 South Chippewa Street, Shepherd Mi, 48883.

27. Defendant, Mount Pleasant City Fire Department (“Mount Pleasant Fire”): located at: 804 East High Street, Mount Pleasant, MI 48858.

28. Defendant, Saginaw Chippewa Tribal Fire Department (“Tribal Fire”), located at: 7500 Soaring Eagle Boulevard, Mount Pleasant, MI 48858.

JURISDICTION

29. This action arises under the United States Constitution, particularly under the provisions of the Fourth; Eighth and Fourteenth Amendments of the United States Constitution and under the laws of the United States, particularly under the Civil Rights Act, Title 42 of the United States Code, Sections 1983 and 1988.

30. Jurisdiction is conferred by Title 28 U.S.C. §§ 1331 and 1343. Plaintiff brings suit against each Defendant in their individual capacities.

31. All of the acts by Defendants as set forth herein, were executed by Defendants under the color of law and the pretense of the statutes, ordinances, regulations, laws, customs, and usages of the State of Michigan, and by virtue of and under the authority of Defendants’ employment.

III. Individual Liability

32. Defendants are subject to liability where their respective actions and inactions are the legal cause of Plaintiff Bielicki’s Constitutional

Depravations. Plaintiff has a Constitutional right not to be subjected to assault and battery within his own place of residence or being subjected to malicious prosecution.

IV Prayer for Relief

33. Plaintiff Bielicki humbly prays this Court will:

- (a) Declare the rights and privileges of each party.
- (b) Award presumed damages in excess of \$100,000.00 to Plaintiff from each Defendant.
- (c) Award compensatory damages in excess of \$100,000.00 to Plaintiff from each Defendant.
- (d) Award punitive damages in excess of \$1,000,000.00 to Plaintiff from each Defendant.
- (e) Grant injunctive relief if sought.
- (f) Award Attorney fees and costs if applicable.
- (g) Grant such other relief as the Court deems equitable.

V. Verification

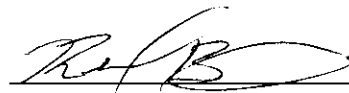
I, Rickie Lee Bielicki Jr., verify that the above matters are true from my personal knowledge and belief.

Dated: 10-23-23

Signed: 

Date:

Respectfully Submitted:



Rickie Lee Bielicki Jr., Plaintiff, pro se

JS 44 (Rev. 04.21)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM)

I. (a) PLAINTIFFS

Rickie Lee Bielicki Jr
PO Box 1263 Mount Pleasant, MI 48858

(b) County of Residence of First Listed Plaintiff ISABELLA
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

PRO PER

DEFENDANTS Bradley J. Doepker, Tyler G. Davidson, Shepherd Tri-Township Fire Dept, Saginaw Chippewa Fire Dept, Mount Pleasant Fire Dept

County of Residence of First Listed Defendant ISABELLA
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

Attorneys (If Known)

Unknown

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|---------------------------------------|---|---------------------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input checked="" type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: 42 USC 1983

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DHC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation - Transfer
- 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 USC 1983

Brief description of cause:

MALICIOUS PROSECUTION CIVIL RIGHTS

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

\$4,800,000.00

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE: N/A

DOCKET NUMBER: N/A

DATE: _____ SIGNATURE OF ATTORNEY OF RECORD: _____

PRO PER

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

Drafted PRO PER