

Bond Case Briefs

Municipal Finance Law Since 1971

IMMUNITY - NEW YORK

Martinez v. County of Suffolk

United States District Court, E.D. New York - February 27, 2014 - F.Supp.2d - 2014 WL 775058

Plaintiff brought action against county, police department, and individual officers asserting claims under § 1983, § 1985, and state law arising from an allegedly unlawful motor vehicle stop and search of plaintiff's person and vehicle. Defendants moved for summary judgment.

The District Court held that:

- Plaintiff's § 1983 and state-law claims against police department could not go forward;
- Plaintiff had no constitutionally protected right to have supervisory officers investigate his complaints about the stop;
- Plaintiff failed to state § 1985 claim for conspiracy to deprive him of the equal protection of the laws;
- Intracorporate conspiracy doctrine barred plaintiff's § 1985 claims;
- Supervisory officers could not be held liable under state law for failing to investigate plaintiff's complaints of battery; and
- Plaintiff could not bring a negligent hiring cause of action against county.