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December 1, 2009

PRESS RELEASE - FOR IMMEDIATE RELEASE

Frank De Michele v. City of New York, County of Westchester and Does 1-20.
United States District Court for the Southern District of New York
Civil Action No.: 09-CV-9334

**THE NEW YORK CITY POLICE DEPARTMENT AND WESTCHESTER
COUNTY POLICE DEPARTMENT SUED FOR ARRESTING AND BRUTALITY
BEATING AN INNOCENT MAN**—On November 10, 2009, Frank De Michele filed suit

against the City of New York and the County of Westchester for false arrest, excessive use of force and malicious prosecution. The lawsuit was filed in the United States District Court for the Southern District of New York, in New York City.

The complaint alleges that Mr. De Michele was home with his mother and girlfriend, when police arrived at his residence during the early morning hours of January 2009. Police officers from the NYPD and Westchester County Police were involved in a vehicle chase of another young male, Frank Desideri, who was also wanted for a robbery the previous evening. Mr. Desideri abandoned his car in front of Mr. De Michele's residence, and ran through Mr. De Michele's home to evade the police. Police officers mistook Mr. De Michele for Mr. Desideri, forcibly removed him from his home, and brutality beat him in front of his mother and girlfriend.

Pleas from both Mr. De Michele's mother and girlfriend that police search the premises for Mr. Desideri fell on deaf ears. Mr. De Michele was arrested and detained by the NYPD. Despite various witness accounts clearing Mr. De Michele at the time of his arrest, and at the 45th precinct where he was held, police charged him with various crimes including felony robbery, theft and resisting arrest. Mr. De Michele was later exonerated of any wrongdoing and all charges against him were dismissed.

The complaint alleges that, police officers employed by both the City of New York and Westchester County, used excessive force on the plaintiff when they subjected him to a false arrest. The complaint further alleges that the City of New York maliciously prosecuted Mr. De Michele when there was no basis to do so.

Mr. De Michele is 20-years-old and was denied employment due to the false criminal charges made against him. He continues to seek treatment for his injuries, both physical and emotional. He has permanent nerve damage affecting his hands and back, and suffers from Post Traumatic Stress Disorder.

The plaintiff is represented by Todd J. Krouner and Dominique Ferrera of the Law Office of Todd J. Krouner in Pleasantville, New York. Mr. Krouner and Ms. Ferrera represent victims who are subjected to civil rights violations, including false arrest and police brutality in New York.

A copy of plaintiff's complaint is available at www.krounerlaw.com. For further information, please contact Todd J. Krouner, or Dominique Ferrera at (914) 769-8700.