

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
PEORIA DIVISION**

GARRETT CHUBB and LENELLE HIGGINS,)	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No.
	)	
CITY OF BLOOMINGTON, and	)	
BLOOMINGTON ASSISTANT	)	
CHIEF PAUL WILLIAMS,	)	
	)	
Defendants.	)	JURY DEMANDED

COMPLAINT AND DEMAND FOR JURY TRIAL

NOW COMES the Plaintiffs, GARRETT CHUBB and LENELLE HIGGINS, through one of their attorneys, Jared S. Kosoglad, and complaining of the defendants City of Bloomington and Bloomington Assistant Chief Paul Williams, states as follows:

INTRODUCTION

1. This is a civil action seeking damages against the defendants for committing acts under color of law and depriving the plaintiffs of their rights as secured by the Constitution, laws of the United States, and the State of Illinois.

JURISDICTION

2. The jurisdiction of this Court is invoked pursuant to the Civil Rights Act, 42 U.S.C. § 1983; the judicial code 28 U.S.C. §§ 1331 and 1343 (a); the Constitution of the United States; and supplemental jurisdiction under U.S.C. § 1367(a).

3. Venue is proper in the Peoria Division because the events at issue took place in the City of Bloomington, McLean County, Illinois. C.D.Ill. LR 40.1.

PARTIES

4. PLAINTIFF Garrett Chubb is a citizen of the United States of America, who currently resides in the City of Bloomington, McLean County, Illinois.

5. PLAINTIFF Lenelle Higgins is a citizen of the United States of America, who currently resides in the City of Bloomington, McLean County, Illinois.

6. DEFENDANT Bloomington Assistant Chief Paul Williams was, at the time of this occurrence, a duly licensed Bloomington Police Officer. He engaged in the conduct complained of in the course and scope of his employment and under color of law. He is sued in his individual capacity.

7. DEFENDANT CITY OF BLOOMINGTON (“City”) is a municipal corporation duly incorporated under the laws of the State of Illinois, and is the employer and principal of the Defendant Paul Williams.

FACTS

8. On June 14, 2026, Plaintiffs Garrett Chubb and Lenelle Higgins were inside a motor vehicle in the City of Bloomington, McLean County, Illinois. At all relevant times, Chubb drove the vehicle and sat in the driver’s seat and Higgins was in the front passenger seat.

9. Defendant Williams began following the vehicle occupied by Plaintiffs in a vehicle with no police markings.

10. Defendant Williams blocked the Plaintiffs’ vehicle into a parking spot, and approached the vehicle out of uniform with his police badge in his hand.

11. Defendant Williams caused his police badge to make contact with the Plaintiffs’ vehicle, which alarmed and disturbed the Plaintiffs.

12. Chubb and Higgins began recording the incident with their cellular telephones and criticizing Williams.

13. Neither Chubb nor Higgins threatened Williams, touched him, obstructed him, damaged property, or engaged in violence.

14. Defendant Williams retreated to his truck, locked the doors, and called other officers.

15. Upon their arrival, Defendant Williams used his command authority to order those officers to arrest both Plaintiffs.

16. At the time that Defendant Williams directed Plaintiffs' arrest, Defendant Williams did not have probable cause to believe that Plaintiffs committed a crime or any other lawful justification to arrest and detain the Plaintiffs.

17. Defendant Williams used his command authority to order other officers to initiate a disorderly conduct charge against each Plaintiff without probable cause or any other lawful basis.

18. Defendant Williams used his command authority to order other officers to seize the cellular telephones of Plaintiffs without probable cause or any lawful basis.

19. Officers at the scene were confused about what crime had occurred, and upon information and belief, Defendant Williams left without supplying or articulating facts that established disorderly conduct or any criminal offense.

20. Defendant Williams told officers he would change into his uniform and draft the reports that purported to justify Plaintiffs' arrests, but Defendant Williams did not submit his report until four days later.

21. After Williams left, officers released Plaintiffs and a short time later gave Plaintiffs back their cellular telephones.

22. The disorderly conduct citations issued to Plaintiffs under authority of law compelled their appearance in court on July 2, 2026.

23. Upon information and belief, police and/or prosecutors declined to charge Plaintiffs with any offense because no arguable basis for an offense existed, and no law enforcement official or prosecutor notified Plaintiffs that they were not charged and did not need to appear on July 2, 2026.

24. On July 2, 2026, Plaintiffs appeared in court as commanded by the citations to defend the charges and learned that neither citation had been filed and no charge was pending.

25. As a direct and proximate result of Defendant Williams' misconduct, Plaintiffs each incurred \$1,000 in attorneys' fees before appearing in court.

26. As a direct and proximate result of the malicious actions of Defendant Williams, Plaintiffs were injured, including but not limited to the incurrence of legal fees, loss of their freedom during the arrests and compelled court appearances, humiliation, embarrassment, the deprivation of their constitutional rights, property, and their dignity, lost time, and emotional and psychological distress.

COUNT I: 42 U.S.C. § 1983 – First Amendment Retaliation
Against Defendant Williams

27. Plaintiffs reallege each of the foregoing paragraphs as if fully set forth here.

28. The actions of the individual defendant officer, described above, knowingly caused Plaintiffs to be arrested and seized without probable cause or any other lawful justification in retaliation for engaging in protected constitutional activity.

29. Specifically, Williams caused Plaintiffs Chubb and Higgins to be arrested for recording him engaged in a police function and criticizing him, which are both constitutionally protected activities. But for Plaintiffs' protected recording and criticism of Williams while he exercised

police authority in public, Williams would not have caused their arrests, detention, phone seizures, disorderly-conduct citations, and compelled court appearances.

30. As a direct and proximate result of this Constitutional violation, Plaintiffs were caused to suffer injury, as alleged above.

WHEREFORE, pursuant to 42 U.S.C. § 1983, Plaintiffs demand judgment against the individual defendant officer for compensatory damages, punitive damages, the costs of this action and attorneys' fees, and any such other and further relief as this Court deems just and proper.

COUNT II: 42 U.S.C. § 1983 - False Arrest
Against Defendant Williams

31. Plaintiffs reallege each of the foregoing paragraphs as if fully set forth here.

32. The actions of the individual defendant officer, described above, knowingly caused Plaintiffs to be arrested and imprisoned without probable cause or any other lawful justification, which violated Plaintiffs' Fourth Amendment rights under the U.S. Constitution.

33. As a direct and proximate result of this Constitutional violation, Plaintiffs were caused to suffer injury, as alleged above.

WHEREFORE, pursuant to 42 U.S.C. § 1983, Plaintiffs demand judgment against the individual defendant officer for compensatory damages, punitive damages, the costs of this action and attorneys' fees, and any such other and further relief as this Court deems just and proper.

COUNT III: 42 U.S.C. § 1983 – Unreasonable Seizure of Property
Against Defendant Williams

34. Plaintiffs reallege each of the foregoing paragraphs as if fully set forth here.

35. The individual defendant officer caused Plaintiffs to be deprived of the use of their cellular phones, even for a period after they were released by police.

36. The seizure of Plaintiffs' cellular phones was caused by Defendant Williams without probable cause or any other lawful basis.

37. As a direct and proximate result of this Constitutional violation, Plaintiffs were caused to suffer injury, as alleged above.

WHEREFORE, pursuant to 42 U.S.C. § 1983, Plaintiffs demand judgment against the individual Defendant Officer for compensatory damages, punitive damages, the costs of this action and attorneys' fees, and any such other and further relief as this Court deems just and proper.

COUNT IV: 745 ILCS 10/9-102 - Indemnification
Against Defendant City of Bloomington

38. Plaintiffs reallege each of the foregoing paragraphs as if fully set forth here.

39. Defendant City of Bloomington is the employer of Defendant Williams.

40. Defendant Williams committed the acts alleged above under color of law and in the scope of his employment as an employee of the City of Bloomington.

WHEREFORE, should any Defendant Officer be found liable for compensatory damages on one or more of the claims set forth above, Plaintiffs demand that, pursuant to 745 ILCS 10/9-102, the Defendant City Of Bloomington be found liable for any judgment for compensatory damages plaintiffs obtain against said defendant, as well as attorneys' fees and costs awarded.

COUNT V: State Law False Arrest
Against All Defendants

41. Plaintiffs reallege each of the foregoing paragraphs as if fully set forth here.

42. By the actions detailed above, the individual defendant officer caused Plaintiffs' arrests without probable cause or any other lawful basis.

43. Williams' unlawful command to arrest Plaintiffs was willful and wanton.

44. Defendant City of Bloomington is sued in this Court pursuant to the doctrine of respondeat superior, in that the individual defendant officer performed the actions complained of while in the employ of Defendant City of Bloomington and while acting within the scope of this employment.

45. As a direct and proximate result of this violation, Plaintiffs were caused to suffer injury, as alleged above.

WHEREFORE, Plaintiffs demand judgment against the Defendants Williams and City of Bloomington for compensatory damages and the costs of this action, for punitive damages against Defendant Williams, and any such other and further relief as this Court deems just and proper.

PLAINTIFFS DEMAND TRIAL BY JURY.

Respectfully submitted,

GARRETT CHUBB and

LENELLE HIGGINS

By: /s/ Jared S. Kosoglad

One of Plaintiffs' Attorneys

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The ILND 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 2006, is required for all cases filed with the Clerk, U.S. District Court, ILCD for the purpose of initiating the civil docket sheet. (See instructions on next page of this form.)

I. (a) PLAINTIFFS**GARRETT CHUBB and LENELLE HIGGINS****(b)** County of Residence of First Listed Plaintiff*(Except in U.S. plaintiff cases)***(c)** Attorneys *(firm name, address, and telephone number)*

Jared Kosoglad, 111 N. Wabash #3166, Chicago, IL 60601

DEFENDANTS

City of Bloomington, Bloomington Assistant Chief Pe

County of Residence of First Listed Defendant

(In U.S. plaintiff cases only)

Note: In land condemnation cases, use the location of the tract of land involved.

Attorneys *(If Known)***II. BASIS OF JURISDICTION** *(Check one box, only.)*

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☒ 3 Federal Question *(U.S. Government not a party.)*
- ☐ 4 Diversity *(Indicate citizenship of parties in Item III.)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(For Diversity Cases Only.)**(Check one box, only for plaintiff and one box for defendant.)*

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | ☐ 1 | ☐ 1 | Incorporated or Principal Place of Business in This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated and Principal Place of Business in Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 6 |

IV. NATURE OF SUIT *(Check one box, only.)*

CONTRACT	TORTS	PRISONER PETITIONS	LABOR	OTHER STATUTES	
☐ 110 Insurance	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice	PERSONAL INJURY ☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement	☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act PROPERTY RIGHTS ☐ 820 Copyright ☐ 830 Patent ☐ 835 Patent - Abbreviated New Drug Application ☐ 840 Trademark ☐ 880 Defend Trade Secrets Act of 2016 (DTSA) FEDERAL TAXES ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729 (a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit ☐ 485 Telephone Consumer Protection Act (TCPA) ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Arts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes
☐ 120 Marine					
☐ 130 Miller Act					
☐ 140 Negotiable Instrument					
☐ 150 Recovery of Overpayment & Enforcement of Judgment					
☐ 151 Medicare Act					
☐ 152 Recovery of Defaulted Student Loan (Excludes Veterans)					
☐ 153 Recovery of Veteran's Benefits					
☐ 160 Stockholders' Suits					
☐ 190 Other Contract					
☐ 195 Contract Product Liability					
☐ 196 Franchise					

REAL PROPERTY	CIVIL RIGHTS	BANKRUPTCY	FORFEITURE/PENALTY	SOCIAL SECURITY
☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	☒ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/ Disabilities-Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 IMMIGRATION ☐ 462 Naturalization Application ☐ 463 Habeas Corpus - Alien Detainee (Prisoner Petition) ☐ 465 Other Immigration Actions	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other	☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609

V. ORIGIN *(Check 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 (Enter U.S. Civil Statute under which you are filing and write a brief statement of cause.)

42 USC 1983

VII. PREVIOUS BANKRUPTCY MATTERS (For nature of suit 422 and 423, enter the case number and judge for any associated bankruptcy matter previously adjudicated by a judge of this Court. Use a separate attachment if necessary.)**VIII. REQUESTED IN COMPLAINT:**☐ Check if this is a class action under Rule 23, F.R.C.V.P.

Demand \$

CHECK Yes only if demanded in complaint:

Jury Demand: ☒ Yes ☐ No**IX. RELATED CASE(S) IF ANY** *(See instructions):*

Judge

Case Number

X. Is this a previously dismissed or remanded case?☐ Yes ☐ No If yes, Case #

Name of Judge

Date: S/

Signature of Attorney of Record s/ Jared Kosoglad