

DOCKET NO.: NNH-CV20-6105982-S : SUPERIOR COURT

EMMANUEL SERGENTAKIS : J.D. OF NEW HAVEN

v. : AT NEW HAVEN

STEVEN DITRIA : JULY 21, 2020

## NOTICE OF REMOVAL

Notice is hereby given to the Superior Court that this civil action has been removed by the Defendant to the United States District Court, District of Connecticut, and that all further pleadings in this matter be brought to the federal forum pursuant to the Federal Rules of Civil Procedure and applicable Federal jurisdictional and removal provisions.

## THE DEFENDANT

By           //s//            
Ryan P. Driscoll  
Berchem Moses, P.C.  
75 Broad Street  
Milford, CT 06460  
(203) 783-1200  
[rdriscoll@berchemmoses.com](mailto:rdriscoll@berchemmoses.com)

BERCHEM MOSES PC  
COUNSELORS AT LAW  
75 BROAD STREET  
MILFORD, CONNECTICUT  
06460  
—  
JURIS NUMBER  
22801  
—  
(203) 783-1200

CERTIFICATION

I hereby certify that on the 21<sup>ST</sup> day of July 2020, I caused a true copy of the foregoing Notice of Removal to be served via first class mail, upon the following counsel:

John R. Williams  
51 Elm St.  
New Haven, CT 06510

/s/ \_\_\_\_\_  
Ryan P. Driscoll

BERCHEM MOSES PC  
COUNSELORS AT LAW  
75 BROAD STREET  
MILFORD, CONNECTICUT  
06460  
—  
JURIS NUMBER  
22801  
—  
(203) 783-1200

**SUMMONS - CIVIL**

JD-CV-1 Rev. 2-20

C.G.S. §§ 51-346, 51-347, 51-349, 51-350, 52-45a, 52-48, 52-259;  
P.B. §§ 3-1 through 3-21, 8-1, 10-13For information on  
ADA accommodations,  
contact a court clerk or  
go to: [www.jud.ct.gov/ADA](http://www.jud.ct.gov/ADA).STATE OF CONNECTICUT  
SUPERIOR COURT  
[www.jud.ct.gov](http://www.jud.ct.gov)

Instructions are on page 2.

- ☐ Select if amount, legal interest, or property in demand, not including interest and costs, is LESS than \$2,500.
- ☒ Select if amount, legal interest, or property in demand, not including interest and costs, is \$2,500 or MORE.
- ☐ Select if claiming other relief in addition to, or in place of, money or damages.

TO: Any proper officer

By authority of the State of Connecticut, you are hereby commanded to make due and legal service of this summons and attached complaint.

Address of court clerk (Number, street, town and zip code)

235 Church Street, New Haven, CT 06510

Telephone number of clerk

(203) 503 - 6800

Return Date (Must be a Tuesday)

08/11/2020

☒ Judicial District

G.A.

At (City/Town)

☐ Housing Session☐ Number:

New Haven

Case type code (See list on page 2)

Major: T

Minor: 90

For the plaintiff(s) enter the appearance of:

Name and address of attorney, law firm or plaintiff if self-represented (Number, street, town and zip code)

John R. Williams, 51 Elm Street, New Haven, CT 06510

Juris number (if attorney or law firm)

067962

Telephone number

(203) 562 - 9931

Signature of plaintiff (if self-represented)

E-mail address for delivery of papers under Section 10-13 of the  
Connecticut Practice Book (if agreed)

jrw@johnrwilliams.com

The attorney or law firm appearing for the plaintiff, or the plaintiff if  
self-represented, agrees to accept papers (service) electronically  
in this case under Section 10-13 of the Connecticut Practice Book. ☒ Yes ☐ No

| Parties                       | Name (Last, First, Middle Initial) and address of each party (Number, street; P.O. Box; town; state; zip; country, if not USA) |   |
|-------------------------------|--|---|
| First plaintiff               | Name: Sergentakis, Emmanuel<br>Address: 867 Whalley Avenue, New Haven, CT 06515  | P-01  |
| Additional plaintiff          | Name:<br>Address:  | P-02  |
| First defendant               | Name: Ditria, Steven<br>Address: c/o Seymour Police Department, 11 Franklin Street, Seymour, CT 06483                          | D-01  |
| Additional defendant          | Name:<br>Address:  | D-02  |
| Additional defendant          | Name:<br>Address:  | D-03  |
| Additional defendant          | Name:<br>Address:  | D-04  |
| Total number of plaintiffs: 1 | Total number of defendants: 1  | <input type="checkbox"/> Form JD-CV-2 attached for additional parties |

**Notice to each defendant**

1. You are being sued. This is a summons in a lawsuit. The complaint attached states the claims the plaintiff is making against you.
2. To receive further notices, you or your attorney must file an *Appearance* (form JD-CL-12) with the clerk at the address above. Generally, it must be filed on or before the second day after the Return Date. The Return Date is not a hearing date. You do not have to come to court on the Return Date unless you receive a separate notice telling you to appear.
3. If you or your attorney do not file an *Appearance* on time, a default judgment may be entered against you. You can get an *Appearance* form at the court address above, or on-line at <https://jud.ct.gov/webforms/>.
4. If you believe that you have insurance that may cover the claim being made against you in this lawsuit, you should immediately contact your insurance representative. Other actions you may take are described in the Connecticut Practice Book, which may be found in a superior court law library or on-line at <https://www.jud.ct.gov/pb.htm>.
5. If you have questions about the summons and complaint, you should talk to an attorney.

The court staff is not allowed to give advice on legal matters.

Date: 07/06/2020

Signed (Sign and select proper box):

☒ Commissioner of Superior Court  
☐ Clerk

Name of person signing: John R. Williams

If this summons is signed by a Clerk:

- a. The signing has been done so that the plaintiff(s) will not be denied access to the courts.
- b. It is the responsibility of the plaintiff(s) to ensure that service is made in the manner provided by law.
- c. The court staff is not permitted to give any legal advice in connection with any lawsuit.
- d. The Clerk signing this summons at the request of the plaintiff(s) is not responsible in any way for any errors or omissions in the summons, any allegations contained in the complaint, or the service of the summons or complaint.

A TRUE COPY ATTEST:  
File Date

ROBERT S. MILLER

State Marshal / An Indifferent Person

I certify I have read and  
understand the above:

Signed (Self-represented plaintiff)

Date

Docket Number

RETURN: AUGUST 11, 2020

EMMANUEL SERGENTAKIS : SUPERIOR COURT  
VS. : J. D. OF NEW HAVEN  
STEVEN DITRIA : JULY 6, 2020

**COMPLAINT**

**COUNT ONE**

1. The plaintiff is an adult citizen of the United States who resides in New Haven, Connecticut.

2. The defendant is a detective in the Police Department of Seymour, Connecticut. He is sued, however, only in his individual capacity.

3. In or about September, 2018, the plaintiff was a party to a divorce proceeding involving his spouse at that time, Dr. Artemis Morris.

4. On or about September 10, 2018, the defendant illegally utilized the facilities of the Seymour Police Department to conduct an unauthorized and unlawful search of the National Crime Information Center Connecticut On-Line Law Enforcement Communications Teleprocessing (NCIC/COLLECT) database for the purpose of accessing and retrieving information concerning the plaintiff.

5. Promptly after completing the unlawful actions described in Paragraph 4, the defendant unlawfully photographed the documents he had thus unlawfully

obtained concerning the plaintiff and illegally provided those materials to the aforesaid Artemis Morris, who was not legally authorized to receive such materials. At the time he conducted these actions, the defendant knew that his conduct was prohibited by law and that in doing so he was subjecting himself to termination of his right to access the said database and to criminal and/or administrative investigation, arrest, and/or prosecution and conviction.

6. As a proximate result of the defendant's aforesaid unlawful actions, the plaintiff was subjected to needless and meritless criminal and civil litigation, was needlessly required to expend substantial sums of money for legal representation, and suffered severe emotional distress.

WHEREFORE the plaintiff claims judgment against the defendant for invasion of privacy.

## COUNT TWO

1 - 6. Paragraphs 1 through 6 of Count One are made Paragraphs 1 through 6 of Count Two.

7. The defendant's aforesaid conduct was extreme and outrageous and was carried out with the knowledge that it would cause the plaintiff to suffer severe emotional distress and in reckless disregard of the said consequence.

WHEREFORE the plaintiff claims judgment against the defendant for



intentional infliction of emotional distress.

COUNT THREE

1 - 6. Paragraphs 1 through 6 of Count One are made Paragraphs 1 through 6 of Count Three.

7. At the time he carried out the aforesaid actions, the defendant knew or in the exercise of due care should have known that his conduct was likely to cause the plaintiff, and any person of ordinary sensibilities in the same circumstances, to suffer emotional distress so severe that it could result in medical consequences, yet he acted in negligent disregard of the said danger.

WHEREFORE the plaintiff claims judgment against the defendant for negligent infliction of emotional distress.

COUNT FOUR

1 - 6. Paragraphs 1 through 6 of Count One are made Paragraphs 1 through 6 of Count Four.

7. At all times mentioned above, the defendant was acting under color of law.

8. In the manner described above, the defendant violated the plaintiff's federal constitutional right to privacy, a right secured to the plaintiff by the First,

Fourth, Ninth and Fourteenth Amendments to the United States Constitution as enforced through Sections 1983 and 1988 of Title 42 of the United States Code.

WHEREFORE the plaintiff claims judgment against the defendant.

THE PLAINTIFF

BY 

JOHN R. WILLIAMS (#67962)

51 Elm Street

New Haven, CT 06510

(203) 562-9931

Fax: (203) 776-9494

jrw@johnrwilliams.com

RETURN: AUGUST 11, 2020

EMMANUEL SERGENTAKIS : SUPERIOR COURT  
VS. : J. D. OF NEW HAVEN  
STEVEN DITRIA : JULY 6, 2020

**PRAYER FOR RELIEF**

The plaintiff claims judgment for compensatory damages, punitive damages, attorney fees and costs in an amount greater than fifteen thousand dollars (\$15,000.00), exclusive of interest and costs.

THE PLAINTIFF

BY: 

JOHN R. WILLIAMS (#67962)  
51 Elm Street  
New Haven, CT 06510  
(203) 562-9931  
Fax: (203) 776-9494  
jrw@johnrwilliams.com



OFFICER'S RETURN

STATE OF CONNECTICUT

ss: Seymour, July 8, 2020

COUNTY OF NEW HAVEN

Then and there by virtue hereof, I served the within named defendant, STEVEN DITRIA, by leaving with *and in the hands of said defendant*, a true and attested copy of the original Writ Summons and Complaint with my endorsement thereon.

The within and foregoing is the original Writ Summons and Complaint with my doings hereon endorsed.

ATTEST:



ROBERT S. MILLER  
STATE MARSHAL  
NEW HAVEN COUNTY

FEES:

|              |          |
|--------------|----------|
| Service      | \$40.00  |
| Copies       | 12.00    |
| Endorsements | .80      |
| Travel       | 25.00    |
|              | \$ 77.80 |