

JS-44 (Rev. 1/07 RI)

**CIVIL COVER SHEET****I. (a) PLAINTIFFS CHARLES MAUTI**(b) County of Residence of First Listed Plaintiff Washington  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

**John Gyorgy, Noel & Gyorgy LLP**  
50 South Main Street  
Providence RI 02903  
(401)272-7400**DEFENDANTS John Scuncio, individually and as Chief of Police for the Town of Hopkinton, et al**County of Residence of First Listed Defendant Washington  
(IN U.S. PLAINTIFF CASES ONLY)  
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

**CA 08 545****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 PTF ☐ 1 DEF ☐ 1 Incorporated or Principal Place of Business In This State PTF ☐ 4 DEF ☐ 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** (Place an "X" in One Box Only)**Admiralty**

- ☐ 340 Marine (Injury to Seamen)
- ☐ 120 Marine (Other)

**Admin/Agency Appeals Other**

- ☐ 890 Other Statutory Actions (APA Appeals, IDEA Appeals, Other)

**Bankruptcy**

- ☐ 422 Appeal 28 U.S.C. § 158
- ☐ 423 Withdrawal 28 U.S.C. § 157

**Banks and Banking**

- ☐ 140 Negotiable Instruments
- ☐ 430 Banks and Banking
- ☐ 875 Customer Challenge to Subpoena (12 U.S.C. § 3410)

**Anti-trust**

- ☐ 410 Anti-Trust

**Construction Contracts**

- ☐ 130 Miller Act
- ☐ 190 Other Contracts

**Securities Law & Stockholder Suits**

- ☐ 160 Stockholders' Suits
- ☐ 850 Securities/Commodities/Exchange

**Other - Business/Comm.**

- ☐ 196 Franchise
- ☐ 490 Cable/Satellite TV

**Consumer Credit**

- ☐ 371 Truth in Lending
- ☐ 480 Consumer Credit
- ☐ 190 Other Contracts

**Constitutional Law**

- ☐ 950 Constitutionality of State Statutes
- ☐ 440 Other Civil Rights (Constitutionality of Federal Statutes)

**Elections and Voting**

- ☐ 400 State Reapportionment
- ☐ 441 Voting

**Other - Civil Rights**

- ☒ 440 Other Civil Rights
- ☐ 443 Housing/Accommodations
- ☐ 444 Welfare
- ☐ 446 Americans with Disabilities

**Copyright & Trademark (Intellectual Property)**

- ☐ 820 Copyright
- ☐ 840 Trademark

**Employment Discrimination**

- ☐ 442 Employment
- ☐ 445 Americans with Disabilities-Employment
- ☐ 440 Other - Civil Rights

**ERISA**

- ☐ 791 Employment Ret. Inc. Security Act

**Other Employment Benefits**

- ☐ 190 Other - Contract
- ☐ 442 Other - Employment

**Environmental Law**

- ☐ 893 Environmental Matters

**Indian Law**

- ☐ 890 Other Statutory Actions

**Insurance**

- ☐ 110 Insurance Contract

**Labor and Occupational Safety**

- ☐ 660 Occupational Safety/Health
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 730 Labor/Management Reporting and Disclosure Act
- ☐ 740 Railway Labor Act
- ☐ 790 Other Labor Litigation

**Miscellaneous Civil Cases**

- ☐ 150 Recovery of Overpayment and Enforcement of Judgment (Collections)
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (excluding Veterans)
- ☐ 153 Recovery of Overpayment of Veterans' Benefits
- ☐ 370 Other Fraud
- ☐ 440 Other Civil Rights (Immigration/Deportation)
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 610 Agriculture
- ☐ 620 Other Food and Drug
- ☐ 625 Drug related seizure of property
- ☐ 630 Liquor Laws
- ☐ 640 Railroad and Truck

**Miscellaneous Civil Cases****Continued**

- ☐ 650 Airline Regs.
- ☐ 690 Other (Forfeiture)
- ☐ 690 Other (Health Care)
- ☐ 810 Selective Service
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS-Third Party (26 U.S.C. § 7609)
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 892 Economic Stabilization Act
- ☐ 894 Energy Allocation Act
- ☐ 895 Freedom of Information Act
- ☐ 900 Appeal of Fee Determination under Equal Access to Justice Act

**Patents (Intellectual Property)**

- ☐ 830 Patents

**Prisoner Petitions**

- ☐ 510 Motions to Vacate Sentence (2254)
- ☐ 510 Motions to Vacate Sentence (2255)
- ☐ 530 General (Habeas)
- ☐ 535 Death Penalty
- ☐ 540 Mandamus and Other
- ☐ 550 Civil Rights (1983)
- ☐ 555 Prison Conditions (1983)

**Real and Personal Property**

- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent, Lease and Ejectment
- ☐ 240 Torts to Land
- ☐ 290 All other Real Property
- ☐ 380 Other Personal Property Damage

**RICO**

- ☐ 470 RICO

**Social Security**

- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

**Mass Torts**

- ☐ 360 Other Personal Injury

**Products Liability**

- ☐ 195 Contract Product Liability
- ☐ 245 Tort Product Liability
- ☐ 315 Airplane Product Liability
- ☐ 345 Marine Product Liability
- ☐ 355 Motor Vehicle Product Liability
- ☐ 365 Personal Injury Product Liability
- ☐ 385 Property Damage Product Liability

**Professional Malpractice**

- ☐ 362 Personal Injury - Med. Malpractice

**Motor Vehicle Accidents/Slip and Fall**

- ☐ 350 Motor Vehicles
- ☐ 360 Other Personal Injury
- ☐ Other Torts and Personal Injury incl. Asbestos cases
- ☐ 360 Other Personal Injury (Fed. Tort Claims Act)

**310 Airplane**

- ☐ 320 Assault, Libel and Slander
- ☐ 330 Federal Employers' Liability

- ☐ 360 Other Personal Injury
- ☐ 368 Asbestos Personal Injury

Torts and Personal Injury

<b>V. ORIGIN</b> (Place an "X" In One Box Only)						
<input type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (Specify)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge From Magistrate Judgment
<b>VI. CAUSE OF ACTION</b>		Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): <b>42 U.S.C. § 1983</b>				
		Brief description of cause: <b>Violation of Civil Rights with pendent state law claims.</b>				
<b>VII. REQUESTED IN COMPLAINT</b>		<input type="checkbox"/> Check if this is a Class Action Under F.R.C.P. 23		DEMAND \$ _____		JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Check YES <u>only</u> if demanded in complaint)
<b>VIII. RELATED CASE(S) IF ANY</b>		JUDGE _____		DOCKET NUMBER _____		

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

Date

2/15/08

Signature of Attorney of Record

**INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44**  
 Authority for Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings 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. Consequently a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the Cover Sheet.

- I. COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- III. CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV. NATURE OF SUIT: Place an X in the appropriate box. Make sure to select the Nature of Suit from the category which best describes the primary cause of action found in your complaint. You must select only one nature of suit.
- VIII. RELATED CASES, IF ANY: This section of the JS-44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

FOR OFFICE USE ONLY				
Receipt # _____	Amount _____	Applying IFP _____	Judge _____	Mag. Judge _____