

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JOSEPH PRITCHARD,

Plaintiffs,

v.

Case No: 3:25-cv-149

CITY OF JANESVILLE AND JACOB SEUFERER,

Defendants.

COMPLAINT

Plaintiff Joseph Pritchard, by his attorneys, Strang Bradley, LLC, for his complaint against Defendants, states:

INTRODUCTION

1. Defendant Jacob Seuferer, a City of Janesville Police Officer, unreasonably extended a traffic stop of Plaintiff Joseph Pritchard to conduct a K9 sniff.
2. Seuferer claims the K9 alerted.
3. No drugs or anything illegal were found.
4. This lawsuit is brought pursuant to 42 U.S.C. § 1983 to redress the deprivation under color of law of Plaintiff's Fourth Amendment rights to be free from unreasonable search and seizures.

JURISDICTION AND VENUE

5. This Court has jurisdiction over federal claims pursuant to 28 U.S.C. § 1331.

6. Venue is proper under 28 U.S.C. § 1391(b)(2). Defendant City of Janesville is a political subdivision of the state of Wisconsin located within this judicial district. Additionally, the events giving rise to the claims asserted herein occurred within the judicial district.

PARTIES

7. Plaintiff Joseph Pritchard is a resident of the State of Wisconsin and the City of Janesville.

8. Defendant City of Janesville is a political subdivision of the state of Wisconsin and is or was the employer of the individual Defendants and is required to pay any tort judgment for damages for which its employees are liable for acts within the scope of their employment.

9. Defendant Jacob Seuferer was, at the time of this occurrence, employed as a police officer for Janesville Police Department.

10. At all times Defendant Seuferer interacted with Plaintiff on July 28, 2022, Seuferer was on duty, acting under color of state law, ordinance, and regulation.

11. At all times Defendant Seuferer interacted with Plaintiff on July 28, 2022, Seuferer acted within the scope of his employment with the City of Janesville.

FACTS

12. On July 28, 2022, Joseph Pritchard was driving in Janesville.

13. Pritchard is Black.

14. The City of Janesville is approximately 90% White.¹

¹ <https://www.census.gov/quickfacts/janesvillecitywisconsin>

15. Just after 11:00 am, Pritchard was pulled over by Janesville City Police Officer Jacob Seuferer.

16. After Seuferer activated his lights, Pritchard drove one city block and turned right onto a wider street where it was safer to park. He then legally parked his vehicle.

17. When Officer Seuferer approached the vehicle, he informed Pritchard that he was pulling him over for having a partially covered license plate, followed a car too closely, and had excessive window tint.

18. Officer Seuferer then asked Pritchard for the car's insurance. Pritchard initially gave Seuferer an expired insurance card; however, he later provided the current version.

19. After producing an expired insurance card, Pritchard called the car's owner, Lauren, to ask for the new insurance information.

20. As Pritchard was getting updated insurance information, two other Janesville police officers arrived to assist Seuferer.

21. Officer Seuferer instructed Pritchard to continue to look for the car's up-to-date insurance; he then walked back to his squad car.

22. When Seuferer returned to his squad car, the two other officers were outside his passenger-side window.

23. After stepping into his squad car, Seuferer turned to the officer and said, "He was just sitting with Demarcus [] over on Canyon for a bit. Garrett thinks he's

probably re-upping Demarcus. I really don't have much of anything. The car's super clean. He's just upset."

24. Seuferer then stated, "He's a known dealer, he's got drug history."

25. Prior to this stop, Pritchard had one previous drug-related criminal conviction.

26. Pritchard's sole drug-related conviction occurred in 2001.²

27. This conviction occurred 21 years before Seuferer stopped Pritchard.

28. Seuferer then radioed for a K9.

29. After printing out Pritchard's traffic tickets, Seuferer told one of the officers, "So I'm going to get [Pritchard] out and bring him over here. Then we'll just wait until [the K9 officer] shows up."

30. Seuferer then returned to Pritchard's driver's side window.

31. Pritchard showed Seuferer the car's up-to-date insurance information.

32. Seuferer then ordered Pritchard out of his car and instructed him to walk over to the sidewalk.

33. Pritchard asked Seuferer why he was being ordered out of his car.

34. Initially, Seuferer explained that he had ordered Pritchard out of his car so that he could explain his traffic tickets to him; however, after a few seconds, Seuferer admitted that he had given the order because they were waiting for a K-9 to come and sniff Pritchard's car.

² See *State of Wisconsin v. Joseph Pritchard*, Milwaukee County Case No. 2001CF006708. Available at: <https://wcca.wicourts.gov/caseDetail.html?caseNo=2001CF006708&countyNo=40&index=0>

35. Seuferer then asked Pritchard if there was anything illegal in the car. Pritchard responded there was not.

36. Seuferer responded by asking Pritchard for consent to search the car. Pritchard said he did not consent.

37. Seuferer proceeded to issue Pritchard his traffic citations.

38. After he completed issuing these citations, Seuferer instructed Pritchard to stand on the sidewalk and wait for the K-9 to arrive.

39. Although Pritchard had received his traffic citations and Seuferer had finished explaining them, Pritchard was not free to leave.

40. Pritchard questioned why he was still being forced to stay away from his car; however, he fully complied with Seuferer's orders.

41. A few minutes after Seuferer completed issuing Pritchard his citations, the K-9 officer arrived on the scene of the traffic stop.

42. From the sidewalk, Pritchard told the K-9 officer that he did not want the dog going inside of his car.

43. Pritchard saw the K-9 officer throw something towards his car.

44. Pritchard asked the K-9 Officer what he had just thrown. The K-9 Officer explained he had thrown a ball to get the K-9 to approach the car.

45. During this conversation, Pritchard continued to stand on the sidewalk as Seuferer had instructed him to do.

46. The K-9 Officer then called out, "Positive hit."

47. Seuferer then approached Pritchard and ordered him to place his hands behind his back, handcuffed him, frisked him, and placed him into the back of his squad car.

48. Pritchard asked why they were placing him in handcuffs.

49. They found nothing on Pritchard as a result of the frisk.

50. Seuferer and another officer proceeded to thoroughly search the inside of Pritchard's car.

51. Throughout this search, Seuferer and the other officer brainstormed ways to strip search Pritchard.

52. The officers did not find any illicit drugs in Pritchard's car.

53. Both Seuferer and the other officers concluded their search of Pritchard's car. The officers closed all the doors to Pritchard's vehicle and walked away from it.

54. Rather than release Pritchard at this time, Seuferer decided to take a phone call for approximately three minutes. Pritchard remained handcuffed and in the back of Seuferer's squad car for the duration of this phone call.

55. No investigatory measures were being taken during this time.

56. Only after Seuferer concluded his phone call did he uncuff Pritchard.

57. After uncuffing Pritchard, Seuferer continued to question him.

58. After approximately three minutes of additional questioning, Seuferer informed Pritchard he was free to leave.

59. Seuferer's traffic stop lasted over a half hour.

60. Pritchard was detained for 15 minutes after Seuferer concluded issuing and explaining his traffic citations.

61. Pritchard was never arrested as a result of the traffic stop or the subsequent searches of his person and vehicle.

62. Pritchard was never charged with any crimes related to the search of his person or vehicle.

COUNT 1:
42 U.S.C. § 1983 Claim for Unlawful Seizure

63. Plaintiff realleges the above paragraphs.

64. Defendant Seuferer seized the Plaintiff by stopping his vehicle and not letting him leave.

65. Defendant Seuferer unlawfully extended this seizure by not releasing Plaintiff after Seuferer had completed the traffic citations.

66. Defendant Seuferer's extended seizure was unlawful because it was done without reasonable suspicion that Plaintiff had committed, was committing, or was going to commit anything more than the traffic citations he had already completed.

67. Defendant Seuferer further unreasonably extended the seizure of Plaintiff by not releasing him after the search of Plaintiff's car yielded no contraband.

68. Defendants Seuferer thus violated Plaintiff's Fourth Amendment rights to be free from unreasonable search and seizure.

69. The aforementioned actions of Defendants Seuferer were the direct and proximate cause of the constitutional violations set forth above and of Plaintiff's injuries and set forth above.

WHEREFORE, pursuant to 42 U.S.C. §§ 1983 & 1988, Plaintiff demands actual or compensatory damages against Defendant Seuferer, the costs of this actions, attorneys' fees, and such other further relief that the Court deems just and equitable. And because Defendants Seuferer acted maliciously, wantonly, or oppressively, Plaintiff demands punitive damages.

COUNT 2:
Indemnification Claim Against City of Janesville

70. Plaintiff realleges the above paragraphs.

71. Wisconsin law, WIS. STAT. § 895.46, requires public entities to pay any tort judgement for damages for which employees are liable, for acts within the scope of their employment.

72. At all times relevant to this action, Defendants Seuferer engaged in the conduct complained of while he was on duty and in the course and scope of his employment with the City of Janesville.

WHEREFORE, Plaintiff asks this Court to find that the City of Janesville is liable to defend this action against Defendant Seuferer and to satisfy any judgment entered against him, by virtue of WIS. STAT. § 895.46.

JURY DEMAND

Plaintiff hereby demands a trial by jury, pursuant to FED. R. CIV. PRO. 38(b), on all issues so triable.

Respectfully submitted,

Dated: 27 February 2025,

/s/ William E. Grau

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