

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JUSTIN SINGLETON,

Plaintiff,

v.

Case No: 3:25-cv-210

SAWYER COUNTY AND
KEVIN GILLIS,

Defendants.

COMPLAINT

Plaintiff Justin Singleton, by his lawyers, Strang Bradley, LLC, for his complaint against Defendants, states:

INTRODUCTION

1. On December 21, 2024, Defendant Kevin Gillis, a sergeant with the Sawyer County Sheriff's Office, violated Plaintiff Justin Singleton's Fourth Amendment rights.
2. Gillis detained Singleton without reasonable suspicion.
3. Even if there had been reasonable suspicion for an initial detention, Gillis unreasonably prolonged that detention.

JURISDICTION AND VENUE

4. This action is brought pursuant to 42 U.S.C. § 1983 to redress the deprivation under color of law of Plaintiff's rights as secured by the United States Constitution.

5. This Court has jurisdiction over federal claims pursuant to 28 U.S.C. § 1331 and the state law claims for indemnification pursuant to 28 U.S.C. § 1367.

6. Venue is proper under 28 U.S.C. § 1391(b). Defendant Sawyer County 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 this judicial district.

PARTIES

7. Plaintiff Justin Singleton is a resident of the State of Wisconsin.

8. Defendant Sawyer County is a political subdivision of the State of Wisconsin and was the employer of individual Defendant Kevin Gillis at the time of the occurrences giving rise to this lawsuit and is required to pay any tort judgment for damages for which its employees are liable for acts within the scope of their employment pursuant to WIS. STAT. § 895.46.

9. Sawyer County is sued as an indemnitor.

10. Kevin Gillis was, at the time of this occurrence, a sergeant with the Sawyer County Sheriff's Office.

11. At all times that Defendant Gillis interacted with Plaintiff on December 21, 2024, Gillis was acting under color of state and local law.

12. At all times that Defendant Gillis interacted with Plaintiff on December 21, 2024, Gillis was acting within the scope of his employment with the Sawyer County Sheriff's Office.

13. Defendant Gillis is sued in his individual capacity.

FACTS

14. At about 7:30 p.m. on December 21, 2024, Singleton was in Sawyer County with a friend, planning to hunt coyotes on Singleton's stepfather's land.

15. Singleton and his friend drove to a Dollar General to get batteries for some of their equipment.

16. The two then drove to Singleton's stepfather's land and started to get ready to hunt.

17. At about 7:45 p.m., a Sawyer County patrol vehicle drove up behind Singleton's car.

18. Singleton's car was parked on the side of the road, and Singleton and his friend were standing outside of it.

19. Defendant Sgt. Gillis got out of his patrol vehicle and approached Singleton and his friend.

20. Singleton greeted Gillis and asked Gilis if he was law enforcement.

21. Gillis said he was and asked the two, "What's going on tonight?"

22. Singleton explained they were at his stepfather's land and were going to go hunting.

23. Gillis told Singleton that he had received a call about a suspicious vehicle.

24. Despite Singleton cooperatively explaining himself, Gilis decided to transform the interaction into a seizure.

25. Gillis asked Singleton for his driver's license.

26. Singleton declined.

27. Gillis told Singleton that he “need[ed] to identify” himself.

28. Singleton’s friend then gave Gillis his identification.

29. And Singleton, too, acquiesced.

30. As Singleton was retrieving his identification, Gillis continued to ask the two questions.

31. Singleton told Gillis he wasn’t going to answer any more questions.

32. Singleton’s friend explained they were hunting coyotes.

33. Gillis walked back to his patrol vehicle with the IDs and told Singleton and his friend that because Singleton would not answer his questions, it was going to “take a while.”

34. Gillis then ran the two’s information and checked the status of Singleton’s car.

35. Dispatch told Gillis that there were no issues with Singleton, his friend, or Singleton’s car.

36. Gillis then proceeded to extend the already unlawful seizure to investigate the ownership of nearby land on his patrol vehicle computer.

37. Gillis then finally returned to Singleton and his friend and returned their identification.

38. Singleton again declined to answer any further questions.

39. Singleton’s friend explained that they had gone to get batteries and come back.

40. Singleton told Gillis that he had violated his constitutional rights.

- 41. Gillis became angry and told Singleton that he did not violate his rights.
- 42. Singleton asked if he was free to leave, and Gillis told him he was.
- 43. Singleton thanked Gillis and went back to preparing to hunt.

COUNT I:
42 U.S.C. § 1983 Claim for Unreasonable Seizure

- 44. Plaintiff realleges the above paragraphs.
- 45. Defendant Gillis detained Singleton.
- 46. Defendant Gillis lacked reasonable suspicion to detain Singleton.
- 47. Even if there had been reasonable suspicion, Gillis lacked the authority to order Singleton to produce identification.

48. The actions of Gillis violated Plaintiff's Fourth Amendment right to be free from unreasonable searches and seizures, and he is thus liable under 42 U.S.C. § 1983.

49. The aforementioned actions of Defendant Gillis were the direct and proximate cause of the constitutional violations set forth above and of Plaintiff's injuries and damages set forth above.

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

COUNT II:
42 U.S.C. § 1983 Claim for Unreasonable Seizure

- 50. Plaintiff realleges the above paragraphs.

51. Even if Defendant Gillis initially had reasonable suspicion to detain Singleton, he unreasonably prolonged that detention by investigating matters unrelated to the initial detention.

52. Gillis had no reasonable suspicion to believe Singleton was doing anything wrong and therefore there was no reason to investigate the ownership of nearby land while Singleton was detained.

53. The actions of Gillis violated Plaintiff's Fourth Amendment right to be free from unreasonable searches and seizures, and he is thus liable under 42 U.S.C. § 1983.

54. The aforementioned actions of Defendant Gillis were the direct and proximate cause of the constitutional violations set forth above and of Plaintiff's injuries and damages set forth above.

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

COUNT III:
Indemnification Claim Against Sawyer County

55. Plaintiff realleges the above paragraphs.

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

57. At all times relevant to this action, Defendant Gillis was engaged in the conduct complained of while he was on duty and in the course and scope of his employment with Sawyer County.

WHEREFORE, Plaintiff asks this Court to find that Sawyer County is liable to defend this action against Defendant Gillis and to satisfy any judgment entered against its employees 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: 19 March 2025,

/s/R. Rick Resch
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