

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

TRENT JANKE,

Plaintiff,

v.

Case No: 2:25-cv-1339

VILLAGE OF SUMMIT, ABBY OWENS,
AND JUSTIN HENNLICH,

Defendants.

COMPLAINT

Plaintiff Trent Janke, by his lawyers, Strang Bradley, LLC, for his complaint against Defendants, states:

FACTS

1. On Friday, April 11, 2025, Plaintiff Trent Janke got out of work early.
2. He began driving home.
3. Village of Summit Police Department Officer Abby Owens ran Janke's car's information and saw that the owner's license was revoked.
4. Owens pulled Janke over on a highway.
5. Janke, who had an occupational license, didn't realize that the occupational license had been revoked due to an unpaid fine.
6. Detective Justin Hennlich arrived to assist with the traffic stop.
7. Owens decided to issue Janke a ticket.

8. Janke expressed frustration at being pulled over because Owens had decided to run his plates.

9. Janke expressed frustration for receiving a ticket because he didn't know his occupational license had been revoked, although he acknowledged he was also outside of his permitted hours due to work letting him out early.

10. Owens and Hennlich decided to tow Janke's car since he could not drive it home.

11. Janke called a friend and asked them to come pick up his car.

12. He told his friend (in earshot of the officers), "Yeah, hurry up 'cause they're gonna tow it. Yeah, no. They don't wanna waste no time. They wanna get right back to running plates."

13. The friend agreed to come pick up Janke's car.

14. Janke told the officers that his friends were coming, and one of them could drive the car.

15. Owens and Hennlich told him they were going to tow it anyway.

16. Before the tow truck arrived, Janke's friends arrived.

17. Janke again asked if one of his friends could drive his car home so it wouldn't be towed.

18. Hennlich was annoyed with Janke for expressing his frustration.

19. Hennlich called Janke a dick during the traffic stop.

20. Hennlich and Owens would not allow Janke's friends to drive his car home.

21. Janke left the scene with his friends.
22. A tow truck towed Janke's car away.
23. The Village of Summit does not have a policy regarding the impoundment, inventory search, or towing of vehicles.
24. Janke had to pay for the tow, and he had to have two people come with him to pick his car up since his license was revoked.
25. Janke filed a complaint with the Village of Summit Police Department.
26. The department found no wrongdoing with the tow, concluding, in direct contradiction to both federal and Wisconsin law, that the officers were justified in towing Janke's car away even though someone was available to drive it away.
27. The department did, however, find that Hennlich violated its code of conduct by using inappropriate language. Hennlich received verbal counseling.

JURISDICTION AND VENUE

28. 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.
29. 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.
30. Venue is proper under 28 U.S.C. § 1391(b). Defendant Village of Summit 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

31. Plaintiff Trent Janke is a resident of Waukesha County, Wisconsin.

32. Defendant Village of Summit is a political subdivision of the State of Wisconsin and was the employer of individual Defendants Abby Owens and Justin Hennlich at the time of the occurrence 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.

33. Defendant Abby Owens was, at the time of this occurrence, employed as a police officer for the Village of Summit Police Department.

34. At all times that Defendant Owens interacted with Plaintiff on April 11, 2025, Owens was acting under color of state and local law.

35. At all times that Defendant Owens interacted with Plaintiff on April 11, 2025, Owens was acting within the scope of her employment with the Village of Summit Police Department.

36. Defendant Justin Hennlich was, at the time of this occurrence, employed as a Detective for the Village of Summit Police Department.

37. At all times that Defendant Hennlich interacted with Plaintiff on April 11, 2025, Hennlich was acting under color of state and local law.

38. At all times that Defendant Hennlich interacted with Plaintiff on April 11, 2025, Hennlich was acting within the scope of his employment with the Village of Summit Police Department.

COUNT I:
42 U.S.C. § 1983 Claim for Unlawful Seizure of Car

39. Plaintiff realleges the above paragraphs.

40. Defendants Owens and Hennlich, under color of law, seized Janke's car without a warrant and without an exception to the warrant requirement.

41. The actions of Owens and Hennlich violated Plaintiff's Fourth Amendment right to be free from unreasonable searches and seizures, and they are thus liable under 42 U.S.C. § 1983.

42. The aforementioned actions of Owens and Janke 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 Defendants Owens and Hennlich, and because they 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 *Monell* Claim

43. Plaintiff realleges the above paragraphs.

44. Defendant Village of Summit's lack of a policy on the towing of vehicles was the direct and moving force of the constitutional violation set forth above.

45. Defendant Village of Summit knew, or it should have been obvious, that not having a policy in place regarding towing vehicles would result in Fourth Amendment violations.

WHEREFORE, pursuant to 42 U.S.C. § 1983, Plaintiff demands actual or compensatory damages against the Village of Summit, along with the costs of this action, attorneys' fees; and such other and further relief that the Court deems just and equitable.

**COUNT III:
42 U.S.C. § 1983 First Amendment Retaliation Claim**

46. Plaintiff realleges the above paragraphs.

47. Defendants Owens and Hennlich, under color of law, retaliated against Janke by having his car towed for no reason.

48. Defendants Owens and Hennlich retaliated against Janke because Janke had used his First Amendment rights to express his frustration with them during the traffic stop.

WHEREFORE, pursuant to 42 U.S.C. § 1983, Plaintiff demands actual or compensatory damages against Defendants Owens and Hennlich, and because they 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 IV:
Indemnification Claim Against Village of Summit**

49. Plaintiff realleges the above paragraphs.

50. 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.

51. At all times relevant to this action, Defendants Owens and Hennlich were engaged in the conduct complained of while they were on duty and in the course and scope of their employment with the Village of Summit.

WHEREFORE, Plaintiff asks this Court to find that the Village of Summit is liable to defend this action against Defendants Owens and Hennlich and to satisfy any judgment entered against them, by virtue of WIS. STAT. § 895.46.

JURY DEMAND

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

Respectfully submitted,

Dated: 3 September 2025,

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