

THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA

Kay Kim,  
Plaintiff, )  
 )  
v. )  
 )  
State of Indiana Attorney General, )  
IMPD/VEC{Village at Eagle Condominium,})  
Security Guard, Lt. James Waters as an )  
officer of IMPD and individual (Indv) capacity,)  
IMPD NW District Supervisor{name unknown},)  
IMPD W0036 Gregory Wilkes, )  
IMPD F227 Shawn Smith, )  
IMPD IMPD F254 Robert Lowe )  
Laura Ritter, VEC contactor & Individually, )  
Patricia Ladenthin, VEC 4250 unit 3/Indv, )  
Linda Handlon, VEC 4250 unit 4/Indv, )  
Susan Sclipcea & her Son{Name unknown})  
VEC owner & resident, 4250 unit 5, )  
Mae Vera & Scott Perry, VEC owner & resident unit 8,)  
Rhonda Heath, Guest of VEC 4250 unit 4 Linda Handlon,  
Defendants. )  
Cause No. 1:08-cv-1644-SEB-DML

---

—  
**CIVIL RIGHTS COMPLAINT**  
—

---

## **i.PARTIES**

1. Plaintiff Kay Kim, pro se, am a citizen of Indiana and presently reside at 4250 Village Pkwy unit 2, Indianapolis, Indiana 46254.
2. Defendant, State of Indiana Attorney General address is 302 West Washington St. Indianapolis, Indiana 46204.
3. Defendants consist of IMPD Lt. James Waters as an officer-IMPD & Individually as a VEC resident/Security Guard/resident address is 50 N. Alabama St., Indianapolis, IN 46204.
4. Defendant Laura Ritter, Individually as an Independent Contractor of VEC address is via 7225 Village Parkway Drive, Indianapolis, IN 46254.
5. Defendants IMPD W0036 Gregory Wilkes address is 50 N. Alabama St., Indianapolis, IN 46204.
6. Defendant IMPD F227 Shawn Smith address is 50 N. Alabama St., Indianapolis, IN 46204.
7. Defendant IMPD F254 Robert Lowe address is 50 N. Alabama St., Indianapolis, IN 46204.
8. IMPD NW District Supervisor(name unknown) address is 50 N. Alabama St., Indianapolis, IN 46204.
9. Defendant Patricia Ladenthin, VEC owner address is 4250 Village pkwy unit 3, Indianapolis, IN 46254.
10. Defendant Linda Handlon, VEC owner address is 4250 Village pkwy unit 4, Indianapolis, IN 46254.
11. Defendant Susan Scilipcea & her Son (Name unknown) VEC owner & resident, address is 4250 Village pkwy unit 5, Indianapolis, IN 46254.
12. Defendant Mae Vera & Scott Perry VEC owner/resident address is 4250 Village pkwy unit 8, Indianapolis, IN 46254.
13. Defendant Rhonda Heath, Guest of VEC 4250 unit 4, address is unknown. ? Delivery address is via Linda Handlon, 4250 Village pkwy unit 4, Indianapolis, IN 46254.

## B. JURISDICTION AND VENUE

16. Civil Rights Act, CRA-FHA & US Constitution  
Title 43>Chapter 29>Subchapter III>§ 1439, Title 28>Part IV>Chapter 85>  
§ 1343 Jurisdiction also invoked pursuant to 28 U.S.C. § 1343 (a)(3)  
28 U.S.C. §§ 1331,1343 (a)(3), 1345, 1391(b). 42 U.S.C. §§ 3601 et. Seq. Title  
43 U.S.C § 1349, 42 U.S.C. § 3631.
17. Venue is proper pursuant to 28 U.S.C. § 1391.

## C. NATURE OF THE CASE

18. Plaintiff Kay Kim, Pro se, brought this suit pursuant to Sec.813. (a)(1)(A)(B), under Civil Rights Act (CRA), CRA-FHA (Fair Housing Act) and U.S. Constitution. Named and unnamed defendants engaged in civilly and/or criminally liable acts which conspiringly and/or individually interfering with Plaintiff of this suit for right to enjoyment of real and personal property, intentional violation of civil rights, knowingly, willfully, maliciously intentional discrimination and disparate treatment, cause emotion distress, selective enforcement, intentional false arrests, harassment, intimidation, false accusations, false witnesses, wrongful and threat of arrests, excessive force, no probable cause, unlawful probable cause, intimidation and threat of use of excessive force, serves as conduit for another person's intentional discrimination and/or disparate treatment, retaliation and not limited to using one's position to intentionally steer/influence, intentional neglect of duty to prevent, to thwart and obstruct justice against violating Plaintiff's CRA-FHA, CRA & U.S.

## D. FACTUAL ALLEGATIONS

19. On 28<sup>th</sup> of December 2006, VEC contractor/property manager Laura Ritter came to building 4250 and banged Plaintiff's personal unit the door and shout out loud, "... I MAKE YOUR LIFE SO MISERABLE AND... I MAKE SURE THAT YOU MOVE OUT OF YOUR UNIT!!!!!!". Plaintiff wrote/request to VEC HOA

Boards for firing of property manager and banning her from come into the condo property since, she trying to have move out of my unit. Also, Plaintiff wrote/requested to fire/ban VEC Security Guard/ IMPD Lt. James Waters from entering to condo for direct & indirect involvement of Plaintiff's arrests, intimidations, harassments, etc.

**Sgt/Lt. James Waters mission in this condo is to use all his police resource to ultimately have move me out of my unit as same as his VEC Boards and named/unnamed defendants at all cost.**

Some time in year 2007, condo property manager Laura Ritter told Plaintiff that condo Board will not fire her and they gave her to make decision whether to keep then Sgt. and now Lt. James Waters as a condo security or not. VEC property manager Laura Ritter told Plaintiff that she will not fire Sgt./Lt. James Waters and she needs him for .... **and He (Lt. James Waters) is her "...Play toy..."** Situation intensified as time goes on despite of Plaintiff's tens and hundreds of pleas verbally and/or in writing over and over again for many years. (Plaintiff has appx. over 100 pages of hard copy letter to VEC Boards from July 03, 2006 to December 28, 2006 alone.)

**20.** On 6<sup>th</sup> day of March, 2008; around 1430 hours, Lt. James Waters was burned the engine of police car as the Plaintiff is coming into her building to intimidate and harass the Plaintiff. He had smirk on his face. Plaintiff did suspect that something is going really well for him and Plaintiff knew instinctively that she has to brace herself. By this time, Plaintiff has done talking/wring to VEC Boards. Plaintiff was advised to contact the CPCO (Citizen's Police Complaint Office). Plaintiff emailed the complaint to CPCO and asked whether Plaintiff can request restraining order against Lt. James Waters.

**21.** Shortly after, property manager Laura Ritter came to in front of building 4250 and as she leaves, she try to run Plaintiff over with her car which came close to about an 1 or 2" from my body. This is retaliation/ solidarity for/with Lt. James Waters whom Plaintiff complaint to CPCO.

**22.** Some time in May 2008, Plaintiff was told by the VEC Board(s) to get a police report regarding her unit's vandalism/housing discrimination/hate crime in order to claim damage. Plaintiff had to call the police. IMPD F221 arrived at Plaintiff's bldg 4250. VEC HOA Board ?President/?vice-President Matt Shaffer also, came to building 4250 because the police report was request by the Boards. When VEC Board Mr. Matt Shaffer arrived at bldg.4250, F221 told Plaintiff, "That's not your property (F221 was pointing grass area which is common area.) and You are not allowed go there, That's trespass." , "It is civil matter and not a criminal."

On top of that, Condo Board of director Mr. Matt Shaffer added and said to Plaintiff, "The charge was reversed. It should be disorderly conduct and not a trespass." , "...Why would you stay here (Village at Eagle Condo). If I were you, I would move out."

It was totally out of line and nothing to do with why I had to call the police. What has got to do with anything which F221 and Mr. matt were called for? It only shows their attitude.

With conspiringly out of line talks were so obvious. I called the police because I was told to claim property damages. Plaintiff already knew that any chance Defendants (named & unnamed) get, Defendants will conspire &/or individually to hatch wicked & bogus plan(s) against Plaintiff.

Plaintiff's during the course of pursuit of damaged properties to the VEC Boards, VEC Board-Treasury Mr. Bryan Whitfield told Plaintiff over the phone, “Do you want me to fire property manger Laura Ritter; because only one person (he meant Plaintiff of this suit.), you make a complaint?! I will not fire her ....(hand up).”

F221 and VEC Board Mr. Matt Shaffer were talking about Plaintiff's suit 1:05-cv-1616-seb-vss which is still pending to this day against Plaintiff in Indiana criminal

IMPD L.t James Waters as a Condo Security is the only one who have financial and other interest(s) to coordinate and bridge the between &/or among two &/or more entity with VEC property manager Laura Ritter over the years for all most when it comes to Plaintiff.

What F221 said-“It is civil matter and not a criminal.” is one of sinister type of pattern and/or practice how Plaintiff was/is suffering form disparate treatment and discrimination. Plaintiff was told same line as what F221 told countless times by the MCSD and IMPD not just from F221 in 2008 but, since Plaintiff moved into VEC 1999.

Whenever Plaintiff call police, most of all police collectively say, “It is a civil matter and not a criminal; talk to the condo Boards.” and there were no CAD#, no report, no dispatch record, etc., no record period like police were ever came to Plaintiff's building 4250. But, whenever others (named & unnamed Defendants) call against Plaintiff, conspiringly /collectively to make criminal case and/or slander about Plaintiff that she is “crazy”, “mental”, etc.

**23.** May 25, 2008; appx 1620 hours, Plaintiff called the police for vandalism and F246 and F238 arrived at Building 4250. F246 told Plaintiff whether she is on medication and looks/acts like needs help, go to hospital (he meant mental hospital), she is “jumpy”, etc. Further, F246 told Plaintiff, “The reason your property is vandalized because they don't like you.....” F238 told Plaintiff, “Why would you want to live here. You should just move out.” F246 setting Plaintiff up to transport to mental institution. F246 was emulating Defendants in suit 1:05-cv-1616-seb-vss Deputy Bridge Barnes'.

**24.** June 01, 2008 IMPD F145 came. Plaintiff called police for Dog poop smear on the back door of the vehicle. Plaintiff found Dog poop/excrement smear and trash around May 31, 2008; appx 2100 hours.

**25.** June 05, 2008; Plaintiff called police for vandalism and F238 came. Plaintiff called his boss and Sgt Mich arrived and he asked Plaintiff what's her nationality.

26. June 06 - 10, 2008; Plaintiff contacted NW District RE: Filing Case Report over the Phone under CASE #DP 0808 4775. IMPD??MCSD Dispatcher told Plaintiff to call NW Dist to file a police report when the case is too small and happens often. NW Dist can make a file folder/case report open so, whenever Plaintiff calls for vandalism they will file a case report under same case #. However, when Plaintiff made a phone call to Northwest district, civilian intake personnel (?Ms. Danielle, ?Canvas Newman) told/shout (rudely) Plaintiff, “.... Move out of your home...”, “I(intake personnel) can’t help you since, you don’t help yourself... Move out!”, “I(intake personnel) am not taking the report!”, “... either Move out ... Install Camera!”, “...Go ahead and complaint/call to Mayor’s action center.” .....

It seems the civilian intake personnel were instructed by someone. It was/is not surprising. IMPD, MCSD, State of Indiana Government agencies are all gang up against/sabotage Plaintiff to protect Defendants (named and unnamed) to make whatever happening to Plaintiff is/are all at her fault but no one else. It has been like that since 1999 to this day. Their systematic way conspiringly and individually against Plaintiff was obvious. Plaintiff could not file a report with NW Dist and was told to not to call anymore.

27. June 07, 2008; Plaintiff emails to VEC Boards to put up “Notice of Reward” and denied by the property manager Laura Ritter. Subsequent email to VEC Boards was non-response.

28. June 07(?) or 10(?), 2008; Plaintiff called police to report vandalism to her vehicle. 1<sup>st</sup> appx. 5’8” female uniformed IMPD Officer (name and batch# unknown) was at the building 4250 with one other civilian/dressed female. About a minute later, uniformed male IMPD officer about 5’ 3”(name and batch# unknown) was arrived in a very hurry. He pulled female-uniformed officer aside and talked before she talks to Plaintiff. A few minutes later, .... female officer shout at Plaintiff, “...Do you have money to pay the money/reward...., .... You cannot help yourself and we cannot help you....Why don’t you put/install Security Camera!!!....” Plaintiff answered to the female officer’s question was, “NO, I don’t have money on-hand but as soon as I get notify by the police, I will get a loan use my unit as collateral right away. Total damages are not more than \$1,000. but it is non-stop and it does affect me psychologically.” Male officer shouted at Plaintiff, “..You are committed a felon. I just contact the FBI, they will be here soon to arrest you.” He left with hurry as he came. Plaintiff asked name of the male officer but refuse to answer/give male officer’s name. Check with the dispatcher, male officer was never dispatched by the MCSD and no records of him. Many hours later MCS Dispatch records were changed – Plaintiff was told by supervisor. The reason, this was important because it only proves their (Lt. James Waters, IMPD, MCS, etc.) conspiracy against/sabotage Plaintiff. Lt. James Waters was directly/indirectly involved Plaintiff’s few arrest/jailed/mental emergencies and that male officer was sent by Lt. James Waters, no doubt.

29. June 14 - 16, 2008; 2 minor cuts on the tire.

30. June 17, 2008; Plaintiff Called police because of “white power substance” thrown on tail gate light on the driver side. F121 Came and no report.

31. June 26, 2008:

**VECHOA SECURITY REPORT**

**BY: LT. JIM WATERS (IMPD)**

06/26/08

.....

- Complaint of panhandling at 7210
- Robbery at 4530...Postal service is continuing investigation.
- Complaints of marijuana smoking at 4281, 4321, 4351 and 4361. Landlord at 4351 asked that I speak with tenant regarding complaint. No evidence of drug trafficking at this time.
- **Resident at 4250 (Kay Kim) leveled several complaints against neighbors and management, all of which were unfounded.....**

32. August 24, 2008; appx 1240 hours, 1705 hours & 1940 hours: There were 3 police run according to MC Info office. Plaintiff called police appx, 1240 hours to report “Theft”. Only Plaintiff’s properties has been vandalized and got stolen. F121: told me to move out of my home. F246: without probable cause, knock, bang & kick my door and shouted to open my door and threatened me with arrest and told me that I need mental help. Further, F246 was in Plaintiff’s building 4250 hallway and told her “....needs to be clean....”. And his partner, F221 said that Plaintiff committed a criminal mischief in common area.

33 August 24, 2008 at 10:32 pm, Plaintiff emails to VEC Boards inform 4250-3, 4250-8 and Lt. James Waters/condo security not to ever talk to Plaintiff this suit and come near my property. As Only Plaintiff’s property being vandalized, it is possible that security Lt. James Waters could have been involved. Regardless, make sure that VEC Board’s employee security Lt. James Waters is not to come near Plaintiff’s property.

34. Aug 25, 2008 at 4:16 am; Plaintiff emails to VEC Boards that she is discriminated by VEC security guard/IMPD Lt. James Waters. Make a long story short and in light of new damage-theft to Only Plaintiff’s property and discrimination, ask VEC Boards to fire security Waters and reimburse all the damages (fix/replace/restore). In addition, inform the VEC Boards to refer their records/hard copies of letters &/or emails. Inform/send a letter to 4250-3, 4250-4, 4250-5, 4250-8 never talk to Plaintiff/4250-2 or near her properties. They (4250 unit 5, unit 6 and unit 8) are physically threatening/intimidating/harassing Plaintiff by rush into only few inches away from her body.

35. September 22, 2008: Caller ID-Private 1:02 pm September 22, 2008, Plaintiff got phone-Cellular call from Marion County Prosecutor’s office to check on her “Medication” related to the arrest in Marion County city county building. At that time, Plaintiff’s cell number is given to police 317-9XX-XXXX and her public access phone

number was 317-522-XXXX which known to anyone who knows me.

Another few times (between year 2007- early year 2008), Plaintiff got call from "Stone Works" to her cell phone. Stone Works never left message. Calls from Stone Works stopped after Plaintiff left message to stop. Phone calls from Stone Works were no accident. These were not the only harassing phone calls.

The point is not the harassing phone calls per say. It is the aspects of the situation surround Plaintiff which one-Plaintiff v. 100-Village Indiana People/named & unnamed Defendants. Who could have provided the Plaintiff's cell phone number to these individuals which only police dispatch had. It does not need genius to figure it out who could have provided them and why.

**36.** September 29, 2008 at 11:24 pm; Plaintiff emails to VEC Boards that she was harassed in common area and arrested conspired among 4250 unit 3-Ms. Patricia L, 4-Ms. Linda H. & condo security Lt. James Waters. On September 29, 2008 around 9:30pm harassed by Plaintiff was harassed in common area by 4250 unit 3-Ms. Patricia L & 8-Mr. Scott Perry. Lt. James Waters is not only not doing anything as a security guard; instead, Lt. James Waters is using his IMPD police rank/position to make it criminal case against 4250 unit 2-Plaintiff of this suit any chance he gets steer/influence directly/indirectly police coming to building 4250.

Plaintiff asked VEC Boards to tell 4250 unit 3, 4, & 8 or all HOA regarding common/grass areas, close the curtains(blinds) if they don't like to see me or anyone and whatever I'm or others are doing and Feeling is mutual. Over the years, to have privacy Plaintiff spent over \$1,800.

**Lt. James Waters and Defendants-named and unnamed knows the bylaw. But, they all are blind by the hate, discrimination, etc to have Plaintiff move out and/or get arrest and go to jail, Defendants conspiringly &/or individually makes it State case.**

When situation was vice versa, Plaintiff was told by VEC Boards and property manager(s) never to talk/harass anyone in the common area which all grass area is common area.

**37.** October 05, 2008; appx.2100 hours; IMPD F227, F254, F313 runs.

October 05, 2008, F227 & F254 came to common area of 4250 unit 3. **F227 shout out loud to Plaintiff, "MOVE NOW OR YOU'RE GOING TO JAIL!"** Plaintiff choose to move away from common area of 4250 unit 3 and have moved instantly got back into her scooter. Plaintiff have moved and a couple of minutes later while she was in her scooter with cell phone on hand. For no reason, **F227 forcefully grabbed Plaintiff's cell phone away from her and took out live- Taser gun to try to use on Plaintiff.** Only thing stopped F227 to Taser Plaintiff was she had cell phone turned on and told me his action is recording.

**F227: Ordered me to not to go Building 4250 unit 3 in/around grass area**

24/7/365.(F254 agreed.) But, he permits Plaintiff to go to any other grass areas but 4250 unit 3. F227 pointed to Plaintiff to go to common area/grass area of building 4250 unit 1, unit 4, or unit 2/Plaintiff own grass area.. Later that evening,

F313 Ordered Plaintiff not to use common/grass area of Building 4250 unit 3 & 4 which lead to Plaintiff's unit. F313 told Plaintiff, "I saw you going around well on the grass with your wheelchair, Don't use grass area of unit 3 & 4, use (opposite direction)/pass Building 4240 and 4230 front and turn to their back side grass area to your own unit. (Building 4250, 4240 & 4230 are enjoined as a One Building though they have separate entrance but no space between the buildings.)

On October 05, 2008, F227 and F313 "Order" were identical to what 4250 unit 8 Mr. Scott Perry told Plaintiff before. When F227 and his partner arrived on that day, 4250 unit 8 Mr. Scott greet F227 & F254. F227 & F254 seems literally taking order from Mr. Scott Perry.

Since October 05, 2008 incident which IMPD police's Direct Order banning Plaintiff from Common/Grass areas of Building 4250 unit 3 & 4, Plaintiff try the best to avoid using unit 3 and 4's grass areas and is not that simple because of Plaintiff live in the same building, same ground floor right next to their units; besides, unit 3 & 4's located in end of the building 4250. Prior to this incident, Plaintiff emails to CPCO and VEC Boards and put notice on the 4250, 4240 & 4230 bulletin for every and anyone's help so, Plaintiff does not have to file a lawsuit.

Their action was inspired by IMPD's arrest Plaintiff in city county building for "Trespass". VEC HOA, VEC Boards and IMPD joining the force to ban me from my own building 4250 common/grass areas.

AFTER OCTOBER 05, 2008 INCIDENT (F227 and F313's direct order to banning Plaintiff from using 4250 unit 3 and 4 common/grass areas). Plaintiff realized that they will not change their ways to get rid of her at all cost and no one come to help; so, PLAINTIFF STOP ALL PLEAS To CPCO, VEC Boards, VEC HOA and include silent/peaceful expressions To PURSUIT IN THE COURT AS A LAST RESULT. And yet,

38. On October 7, 2008; appx. 0850 hours, Plaintiff called the police for vandalism. IMPD F137 arrived and took a report for "criminal mischief."

October 07, 2008; 1626 hours, City of Indianapolis Department of Public Safety Animal Care & Control Division Mr. Callahan #A08-058519 left VIOLATION ticket Sec531-102, 531-202, 531-301, 531-302 on my door step and wrote, "Read the law brochure and correct all violations. Failure to correct these violations will result in further legal action taken."

This was not an innocent phone call because of distressed individual living in building 4250 by the situation. Defendants conspiringly and individually using if not the

IMPD/MCSD police, use any and all resource include other government agencies to harass, intimidate, etc. which steer/influence the outcome they desire at all cost/intentional false witness & false accusations and not limited to resulted in Plaintiff's arrest/confinement and/or financial loss at a minimum until Plaintiff moves out.

**39.** October 09, 2008 at 10:30 am, Plaintiff emails to CPCO for help. and wrote, "All my arrests & threats, Police runs, various government(gov't) agencies runs to me/my unit should have never happened.

It was all civil manners which should have handled by condo Security Guard Lt. James Waters (IMPD) via HOA Boards. That's why condo pays him to carry out the bylaws. Lt. James Waters knows what our bylaw is. He just pick and choose however fits/meets the day's high. Requesting Full and Complete Investigation of Lt. James Waters, IMPD as a VEC Condo Security." And next day,

**40.** October 10, 2008; appx. 1000 hours, Lt. James Waters, building 4250 unit 3 (Ms. Patricia L.), unit 4 (Ms. Linda H.), unit 5 (male resident-?son/name unknown), unit 8 (Ms. Mae Vera) had meeting in down town. Plaintiff witnessed/sensed that they are up to no good. Since that meeting, police were getting more hostile towards to Plaintiff by the day for each and every call. Police were in the building less than 2 minutes from the phone call(?).

**41.** October 14, 2008; appx. 1130 hours, 1<sup>st</sup> PL#35-F141 were on the scene and a few minutes later PL#12166-F145. 4250 unit 4 Linda H. called police against Plaintiff for bogus reason as usual. Not only that, she was the problems with 4250 unit 3 Patricia L. 9 out of 10 times, whenever Plaintiff was/is involved there are 4250 unit 3 as a star witness who intentionally false witness for 4250 unit 4. 4250 unit 3, 4, 5, 6, 8 and Defendants gang up together to get rid of Plaintiff from her unit by false accusations, false witness, intimidation, harassments, vandalism, etc.

**42.** Oct 14, 2008 at 4:10 pm; Plaintiff emails to VEC Boards that 4250 unit 6 was hang dry carpet & towel on the balcony. Same plastic container which is identical to previous ?year which unit 6 was used to cultured maggots by corrupting raw shrimps and made fell down to Plaintiff's patio/garden(her living areas). Besides, drying carpet & towel on the balcony are against bylaw; also, if/when she leaves food/trash (cooked &/or raw) deliberately to cultured maggots or ?whatever by corrupting any material to make Plaintiff's life living hell.

**43.** October 15, 2008; appx. 1444 hours, Building 4250 unit 4 Linda had Halloween decorated on her unit door with sever head which mechanically makes incredibly loud sound. Ms. Handlon's guests. He drives truck license number is 750652. As Plaintiff got out of her unit, he gave her with "evil" looks and told Plaintiff "Fxxx You Bxxxx!" He also had ?electric drill which holds above his chest to intimidate/as almost weapon like. Plaintiff call the non-emergency line and MCS Dispatch ID# 29 told, ".... That's not a police matter. Call/contact your officer/property manager.... We are not sending police...."(hung up.)

Few minutes later, IMPD F246 and F254 showed up because 4250 unit 4 Linda ?Handlon or some one called under same incident as Plaintiff. F246 and F254 went in unit 4 for long time. F246 came out and sarcastically, "... always, you are the victim in this...." and took down Plaintiff's social security number. F246 tried rehashing what happened on previous day on Oct 14. '08 with building 4250 unit 4 Ms. Linda Handlon and talking non-sense as if his is on medication.

**44.** Friday, Oct 17, 2008 at 6:32 am; Plaintiff emails to VEC Boards concerning few things. Ask not use any perfume/scent of sorts in limited common area/4250 Hallway to disguise other smell which make Plaintiff literally nauseous. Some reason, janitor sprayed/soaked 4250 Hallway with heavy scent. And, listed a few options/things/air deodorizers which does not make Plaintiff sick/nauseous if they must use. As usual, as times goes, janitor spray/literally soaking more and more to this day.

Plaintiff also, asked Boards to have 4250 unit 3 and 4 to remove distasteful Halloween objects but was **willing to compromise for** owner/residents to display on their **patio/balcony** only if there is no sounds or any display objects have generic/subdue/not offensive theme (e.g. such as, pumpkin of sorts are ok but not horror stuff- bloody, ?make a statement of sorts, sever parts of animal and/or human body parts, etc.) As usual, Plaintiff was ignored and scuffed at. They only removed the day when Marion County Health Department Ms. Gonyou come to Plaintiff's unit for inspection On Oct 24, 2008.

**45.** October 18, 2008 at 5:19 pm; VEC Boards &/or property manager Laura Ritter sent janitor to pretend to clean the hallway of building 4250 on October 18, 2008 has only malicious intention. Because, earlier, Plaintiff told them that she literally gets sick from the scent/smell in the hallway. To retaliate that, they sent janitor to spray/literally soak with stinky scents in the hallway just made Plaintiff sick. That was not regularly schedule cleaning nor intended to clean the hallway. Right after she left, I did look around, and it was dirty as ever and nothing has been picked up and cleaned.

**46.** October 17 & 24, 2008; appx 1600 hours, Marion County City Health Department contacted Plaintiff for inspection of her unit. According to Julianna Gonyou, IMPD NW District left voicemail message on Friday, October 17, 2008 (that 's the same date Plaintiff email to VEC Board for complaining about smell in the 4250 Hallway); that **"4 dogs in the unit and Significant odors."** And did not identified him/herself own name, IMPD batch#. This is another day and another despicable conspiracy to violate Plaintiff's rights in her home.

**47.** Some weeks earlier, Plaintiff contacted CPCO and 911 told them that Lt. James Waters brought hookers to his condo unit late at night and transporting hooker from his own truck to unit to marked police car. Lt. James Waters eyes so doped to notice that Plaintiff was watching. Plaintiff called 911 as an insurance for her own life fear of more/harsh retaliation steer/influence by the Lt. James Waters.

Lt. James Waters accused/ spreads rumor Plaintiff as a “drug addict” got Plaintiff arrest. Building 4250 unit 5 (male residents, name unknown) sent Comcast cable men to sell vicodin to Plaintiff’s unit. They (Lt. James Waters and male resident 4250 unit 5) are the one who using illegal substances and doing illegal things, but they and most of Defendants of this suit accused Plaintiff with “drug addict”, “crazy”, “stink”, etc. through out community/Indianapolis. Plaintiff knows their illegal activities for long before they accuse Plaintiff with “drug addict”; but, she never say a word even despite all of that until sometime in August, 2008. Not because Plaintiff is nice; because, Plaintiff share very similar ideology like Canadian and European system-legalizing government sanction-all drugs & prostitute as long as own one’s choice and no violence. Anyway, the way things going, Plaintiff figured that best insurance policy for her safety/life (more arrest, jailed, damage reputation in the community, total humiliation, etc.) is to go public and hope for the best.

**IMPD and neighbors conspiringly contacting** Marion County Health Dept under false pretense “dogs and stinky smell” to search **for phishing purpose** of anything incriminating **against Plaintiff**.

**48.** Saturday, October 18, 2008 appx 0930 hours; Building 4240 unit 4 (male owner/resident-name unknown) intimidated/ threatened Plaintiff by backing his truck with such a fast speed (estimation speed: about a one second or less. Should be takes more than five seconds.) as soon as I was in ?his sight when his truck has bee pulled out of his reserved parking and facing the building 4230 to supposedly drive out. There were so far, three incidents using cars to intimidated Plaintiff. First, 4230 unit 4 - Lt. James Waters burning the police car engine. After that, his girlfriend/boss-VEC property manager Laura Ritter, and 4240 unit 4.

**49.** Sunday, October 19, 2008 at 11:19, Plaintiff emails to VEC Boards incident on Saturday, October 18, 2008; appx 1800 hours for VEC Boards’ assistance in this matter. 4250 unit 8 Mr. Scott Perry's Rage & Personal Space in Common area.

Plaintiff wrote,

“Make a long story short, Mr. Scott Perry was about less than 6" (inch) away from my face (I was sitting on the scooter) and yelled at me "Fxxx Y....." I felt that his spit on my face. Anyone don't like me don't talk and certainly don't do any threatened gesture near me either. Spouses, parents & children, employers & employees, etc., have many different preferences/opinions which resulted in arguments of sorts. Can you imagine if everyone acts upon what one feels? It'll be WWIII and end of the World. We all show each other personal spaces in limited common and common areas and abide by bylaw and the law. I will gladly move away from his way in limited common & common area any time of the day.”

**50.** Sunday, October 19, 2008 at 10:06 am; Plaintiff emails to VEC Boards concerning person(s) removed Plaintiff's "Notice"

This Notice will supersede all previous notice(s) by 4250-2.  
I am pleading to the VAE HOA & Boards to do what's right.

**FINAL APPEAL TO THE VAE ASSOCIATION & BOARD(S).**

My property, 4250-2 and vehicle(s) are targeted for vandalisms over the years for the purpose of drive me out of my own home.

Do what is right. Report to the Police and/or Housing Authority.  
We all have responsibilities and obligations to each other.

Don't let such pattern and/or practice persist offence(s) against 4250-2 for that matter which includes and not limited to throwing garbage and various types of knife in and around close to my properties.

ENABLER(S) and person (people) who do nothing knowingly for the vandalism, intimidation and harassment WILL also BE RESPONSIBLE CIVILLY IF NOT CRIMINALLY regardless how small and big the crime(s) is (are).

I'm pleading to each and every one of the VAE HOA & Boards TO STOP and Continual pattern and/or practice of such criminal/civilly liable activities

Contact the Police at 317-327-3813 or 911.  
You may contact me at 317-522-5721 anonymously.

July 18, 2008

The above "Notice" was removed in Building 4250 bulletin on Saturday, October 18, 2008, evening. Given timeline, 4250 unit 3 (Ms. Patricia L.) and unit 8 (Mr. Scott Perry) removed it.

**51.** October 26, 2008; Plaintiff called the police on unit 6 for after 2 am for banging the floor. They were doing it about 3-4 hours earlier that evening.

**52.** October 29, 2008 at 5:56 pm; Plaintiff urges VEC Boards to fire IMPD Lt./security James Waters and VEC property manager Laura and ban from enter into VEC condo.

These two enjoined forces back by VEC HOA Boards against Plaintiff are determined to make Plaintiff's life living hell in the past and on going. Lt. James Waters has access to Plaintiff's information which easily available to the law enforcement only. Because of Plaintiff's race and with his social position, he pretend doing "police

work/investigation" and sabotage/ do serious damages to all aspects of her life and has/is happening. He already did more than enough damages to Plaintiff and counting.

Plaintiff opposes/vocal VEC Boards and property managers using MCSD and IMPD as a security guard since 1999. Especially, what Plaintiff experienced personally and witnessed what they are really doing. VEC Boards, VEC property manager join forces by employee MCSD/IMPD police officer as a condo security guard to protect whom they want to protect and use to get Plaintiff's personal info for their own purpose include spreading rumor, arrests and not limited to.

**53.** October 31, 2008; appx. 1640 hours, PL#11695 with condo common area security access card and #11695 is using condo common are like his own health spa. But, it seems that #11695 is not even living here.

**54.** November 04, 2008 4250; Plaintiff complaint against repetitious violation of unit 6. Hang dirty carpet on the balcony. Per conversation with property mgr Nov 3, '08; Laura Ritter, she said that she is not an employee of the condo. She is independent contractor so therefore, VEC Boards cannot fire her. So, Plaintiff request see Copy of contract & TAX ID and Laura Ritter's business address, insurance/bond, phone #. **Property manager Laura Ritter told Plaintiff to "...Get a Court Order..."**

**55.** November 05, 08; appx 10 am: Plaintiff emails to VEC Boards regarding Repeat of Indecent Exposure herself-4250 unit 3. 4250 unit 3 facing the parking/entrance. **When she opens her curtain late at night with all the lights on inside of her unit, she is waving her right to own privacy**. Plaintiff wrote to Boards to tell 4250 unit 3-Ms. Patricia L as follows:

--- If/when she decided to open the curtain (living room and bedroom), make sure that she should dress appropriately. (day time, does not matter because out side is brighter than inside so, can't see anything but, not late/dark at night.)

--- If/when She wants to expose her body part, e.g. she can go to swimming pool or nude colony.

--- Over the years, Plaintiff had to see 4250 unit 4-Ms. Linda H. in swimsuit in common/ grass area sun bathing. 4250 unit 5-Ms. Susan S in a swimsuit walking came back from swimming pool to her unit. It is quiet a distance from swimming pools to their own unit. These people who made repetitious accusation that Plaintiff is crazy and all, it is beyond Plaintiff's imagination the way behave/uses common area/ grass area.

--- One day, 4250 unit 8-Ms. Mae Vera came out to video tape from 2<sup>nd</sup> floor of 4250 wearing short, short night gown and seems no underwear.

**56.** November 06, 08; Plaintiff was criminally charged Cause No. 49F08-0811-CM-254608. State's Witnesses: Rhonda Heath-related person with 4250 unit 4, Linda Handlon 4250 unit 4, Patricia Ladenthin 4250 unit 3 and IMPD W0036 Gregory Wilkes.

After Plaintiff of this suit arrested and sat while waiting to be transported, Plaintiff asked what's the charge? IMPD (rank?) officer Wilkes told Plaintiff from inside

of his police car, "Battery, battery with bodily fluid – D Felony and resisting arrest."

Though, 4250 unit 5 (male resident - ?son of the owner of the unit..) and unit 8 (Ms. Mae Vera-she video taped the incident.) did not sign as a State's witness, he saw about same time as what others (State's witnesses) saw not only that he was waiting at the 4250 parking lot for IMPD Officer to arrive and he was the first one to talked to the IMPD Officer Wilkes.

While Plaintiff was waiting to be transported to jail, 4250 unit 5 male was talking on the phone with Lt. James Waters and unit 5 male gave his phone to another IMPD officer. While IMPD arresting officer Gregory Wilkes was writing the charges inside of his police car, building 4250 unit 5 approached him and whisper something. This 4250 unit 5 male was the one send Comcast cable men to Plaintiff's unit to sell vicodin in the past. Make a long story short, this whole thing was set up/conspired to lie, witnesses, intentional false arrest, etc. by many named and unnamed defendants and was bogus charge.

#### **E. CAUSE OF ACTION AND CLAIM**

**57.** Plaintiff Kay Kim, Pro se, satisfies the court pursuant to Sec.813. (a)(1)(A)(B), Plaintiff alleges/realleges para line 18 thru 56, IMPD Defendants and Defendants (named and unnamed) of this suit pursuant to violation of US Constitution I/IV/V/VIII/XI, CRA, CRA-FHA (Title VIII of the Civil Rights Act of 1968, as amended by the FHA amendments of 1988, 42USC §§ 3601-3619, 42USC14141/ 3789d/ 18USC1505/ 35/ 241/ 242/ 3610(g)(2)(A)/ 3604(b)/ 3617/ 3614/ 447 Pattern &/or Practices, disparate treatment since 1999 to present/ VII 1968, 42USC § 3613(e): Req. AG's intervention and claim behalf of Plaintiff pursuant to 42USC3631 against IMPD Lt. James Waters, IMPD W0036 Gregory Wilkes, F227 Shawn Smith. Pursuant to 43USC1349 (a)(3)(4).any person(s) and entity to be held criminally and civilly liable as a matter of right.

**58.** Plaintiff alleges/reallges para line 18 thru 57 pursuant to violation of CRA-FHA (Title VIII of the Civil Rights Act of 1968, as amended by the FHA amendments of 1988, 42 U.S.C. §§ 3601-3619, 42USC §§ 1981-1983/ 1985(3)/ 447, 428USC §1343(a), Person who serves as conduit, claim against Defendants.(named and unnamed)

**59.** Plaintiff alleges/realleges line 18 thru 58 pursuant to 42USC § 3602(F) & 42USC §§3617, 3631 and claim against Defendants.(named and unnamed)

**60.** Plaintiff alleges/realleges line 18 thru 59, pursuant 42USC § 1986 claim against State of Indiana AG, NW Dist Supervisor (name unknown), Lt. James Waters, Laura Ritter.

**61.** Plaintiff alleges/realleges line 18 thru 60 claim pursuant to 4<sup>th</sup>, 8<sup>th</sup>, 14<sup>th</sup> Amendment, 18USC §§ 241/242 claim against IMPD Defendants.

## **F. PREVIOUS LAWSUITS**

1. 2005: Indiana Marion County Criminal Case# 49F15-0505-CM-083990(as Def).
2. 2006: Indian Marion County Criminal Case# 49F15-0606-CM-112139(as Def).
3. 2006: Indiana Marion County Criminal Case# 49F15-0607-CM-140781(as Def).
4. 2008: Indiana Marion County Criminal Case# 49F08-0811-CM-254608(as Def).
5. 2006: Indiana Fed S. Dist Court Case# 1:05-CV-1616-SEB-VSS(as a Plaintiff).
  
6. F. line 1 through 4; Plaintiff(s) State of Indiana v. Defendant Kay Kim.
7. F. line 1 through 4: has not disposed by State of Indiana. Refer to Indiana Supreme Court to appoint a Special Judge for those cases on November 14, 2008.
8. F. line 5 In Fed S. Dist case has been dismissed.

## **G. REQUEST FOR RELIEF**

1. Plaintiff, knowingly waived the right to jury trial as defined by Fed R Civ.P.38.
2. Award to the plaintiff actual and punitive damages Pursuant 42U.S.C.3613(c)(1)(a)
  - 2-1. order Enjoining the defendant from engaging in such practice or ordering such affirmative action sub(d) permanent or temporary injunction, temporary restraining order.
3. Pursuant to 42 U.S.C. § 3613(e) and Pursuant to 43 U.S.C. § 1349 (a)(3)(4), to 42 U.S.C. § 3631(a) Intervene by Attorney General for this as a matter of right and grant relief.
4. Proceedings in vindication of civil rights pursuant to 42 U.S.C. § 1988.
5. Allow Plaintiff to further discover and amend claims and defendants this suit pursuant to Fed.R.Civ.P.11(b)(3).
6. Forbid Defendants to engage in retaliation pursuant to 42 U.S.C. § 1997d.
7. Claim pursuant to 42 U.S.C. § 1982, sec.818 and Amount specify waived.
8. Claim pursuant to 42 U.S.C. § 3617.
9. Grant relief Pursuant to 42 U.S.C. § 3613 (b)(1).
10. Grant relief Pursuant to 42 U.S.C. § 3613 (b)(2), (a).

**WHEREFORE**, Plaintiff alleges/realleges para line 18 thru 61, Plaintiff, pro se, prays for judgment and grant relief as a matter of right.

Respectfully submitted,

---

Original signature of attorney (if any)  
**Signature**

---

**Plaintiff's Original**

**DECLARATION UNDER PENALTY OF PERJURY**

The undersigned declares under penalty of perjury that he/she is the plaintiff in the above action, that he/she has read the above complaint and that the information contained in the complaint in the complaint is **true and correct**.

Executed at 4250 Village pkwy unit 2 on December 8, 2008

---

**Plaintiff's Original Signature**

I request the Court's assistance in serving process on the defendant(s).