

STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

GOODFELLAS WEAR, LLC.,

Plaintiff,

-vs-

CASE NO:

PD

WAYNE COUNTY SHERIFF'S DEPARTMENT.  
SGT. SAM MILANOVICH,  
DEPUTY KRISTYN MONTGOMERY,  
DEPUTY MAXWELL, DEPUTY JOHN DOE  
And DEPUTY JANE DOE, Jointly and  
Severally,

Defendants.

\_\_\_\_\_  
CYRIL C. HALL P.C.  
By: CYRIL C. HALL P-29121  
Attorneys for Plaintiff  
149 Franklin Blvd.  
Pontiac, MI 48341  
(248) 333-7880  
\_\_\_\_\_

*There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this Complaint pending in this Court, nor has any such action been previously filed and dismissed or transferred after having been assigned to a Judge, nor do I know of any other civil action, not between these parties, arising out of the same transaction or occurrence as alleged in this Complaint that is either pending or was previously filed and dismissed, transferred or otherwise disposed of after having been assigned to a Judge in this Court.*

  
\_\_\_\_\_  
CYRIL C. HALL P-29121

**COMPLAINT FOR CLAIM AND DELIVERY**  
**PURSUANT TO MCR 3.105**

NOW COMES Plaintiff, GOODFELLAS WEAR, LLC., by and through their attorneys, CYRIL C. HALL, P.C., and in support of the instant Complaint, says as follows unto this Honorable Court:

1. That Plaintiff is a men's and women's clothing store which sales various and sundry clothing to the general public and is located at 18334 W. Warren, Detroit, MI 48228.

2. That Defendant Wayne County Sheriff's Department is a subdivision of the County of Wayne, State of Michigan.

3. That Defendant Sgt. Sam Milanovich, Wayne County Deputies, Kristyn Montgomery and Deputy Maxwell and John Doe and Jane Doe Deputies were acting within the scope of their employment for the Wayne County Sheriff's Department.

4. That based upon information and belief, Wayne County Deputy Kristyn Montgomery, is a member of the Wayne County Auto Theft Unit and was the Affiant to a search warrant, which was executed by deputies and other law enforcement personnel at Plaintiff's business. Further, Defendants were assisted by Macy's security personnel .

5. That on December 12, 2007, Defendant agents/employees executed the search warrant in question and seized a multitude of clothing, that was clearly outside the scope and spirit of the search warrant.

6. That pursuant to the Affidavit for Search Warrant (Exhibit "1"), Defendants were looking for less than six items of stolen property that was sold to a non-employee or agent of Defendant.

7. That notwithstanding knowledge that less than six (6) items of stolen property were located at the business, said Defendants, and through agents, seized seventy-four (74) boxes of clothing and assorted records.

8. That Plaintiff has invoices for all items that were seized and Defendants/agents observed and saw said records which clearly reveal Plaintiff's legal and legitimate entitlement to said chattel. (Exhibit "2").

9. That said property was seized absent probable cause or justification. Further, said property is not evidence of any criminal wrongdoing, whatsoever.

10. That the property seized consists of, but is not limited to the following:

- A) Newer multiple [capes] from New Era Cap Co., Inc.;
- B) Coogi: Multiple pants (denim); knit tee Coogi; knit tee shirts; polo shirts; sweaters;
- C) Sean John: 100 + units;
- D) Pelle Pelle, Inc.: 100 +units and leather coats.
- E) Enyce LLC: Multiple units;
- F) Liz Clairborne: Multiple units;
- G) Computers: Dell and Hewett Packard;
- H) Undisclosed sum of money;
- I) Safe.

11. That this action is not prohibited whatsoever, and Plaintiff is entitled as a matter of law, to the return of their property in question.


12. That as a direct result of Defendants' actions, Plaintiff has sustained damages in the amount of Four Hundred Thousand (\$400,000.00) Dollars.

WHEREFORE, Plaintiff prays for a hearing on the Motion for Possession  
Pending Final Judgment and to be awarded costs, interest and damages.

Respectfully Submitted:

Dated: December 13, 2007

CYRIL C. HALL, P.C.



BY: CYRIL C. HALL P-29121  
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