MICHAEL A. SIRAGUSA
ERIE COUNTY ATTORNEY

# COUNTY OF ERIE

**MARK C. POLONCARZ**
COUNTY EXECUTIVE

DEPARTMENT OF LAW

MICHELLE M. PARKER
FIRST ASSISTANT COUNTY ATTORNEY

JEREMY C. TOTH
SECOND ASSISTANT COUNTY ATTORNEY

March 20, 2013

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

| | |
|---|---|
| File Name: | *Trent, David G. v. County of Erie* |
| Document Received: | Notice of Claim |
| Name of Claimant: | David G. Trent<br>13354 Ward Road<br>Holland, New York 14080 |
| Claimant's attorney: | Claimant is proceeding *pro se*. |

Should you have any questions, please call.

Very truly yours,

MICHAEL A. SIRAGUSA
Erie County Attorney

By: Michelle Parker
Michelle M. Parker
First Assistant County Attorney

MMP:dld

Enclosure

In the Matter of )

the Claim of )

David G. Trent ) NOTICE OF CLAIM

-against- )

)

Erie County State of New York )

RECEIVED
FEB 28 2013
ERIE COUNTY
DEPARTMENT OF LAW

TO: THE COMPTROLLER OF ERIE COUNTY NEW YORK

PLEASE TAKE NOTICE that the claimant herein hereby makes claim and demand against Erie County New York as follows:

That Claimant was falsely arrested and maliciously prosecuted.

1. Claimant: David G. Trent 13354 Ward Road, Holland, New York 14080; attorney yet to be determined.

2. The nature of the claim: Plaintiff was falsely arrested and illegally imprisoned for 1 day; maliciously prosecuted and forced to be present in court fourteen times over a period of fifteen months even though Erie County New York knew that there was no merit to the continuance of the prosecution and that the prosecution was malicious and that the imprisonments were illegal.

3. The time when, the place where, and the manner in which the claim arose: Claimant was arrested and imprisoned by the New York State Police with the assistance of the Erie County Sheriffs on or about 1:00am on the 3rd of August 2011, claimant was taken to the Erie County holding center, complainant posted bail but was refused release and was rearrested at approximately 11:00am on August 3rd 2011. He was required to be in court fourteen times.

4. The items of damage or injuries claimed are: False arrest and illegal imprisonment; loss of

earnings; cost of defending case; damage to Plaintiff's reputation as an urban planner; the impairment of his earning power; expenses in defending case; Plaintiff's health was impaired; his ability to be an urban planner threatened and his earning power impaired. The claim and demand is hereby presented for adjustment and payment in the amount of $5,000,000.

PLEASE TAKE FURTHER NOTICE that by reason of the foregoing, in default of Erie County New York to pay to the claimant his claim within the time limited for compliance with this demand by the County of Erie State of New York by the applicable statutes, claimant intends to commence an action against Erie County New York to recover his damages with interest and costs.

Dated: February 26, 2013

Respectfully yours,

Claimant

2-27-13

Lynn M. McCabe

LYNN M. McCABE
Notary Public, State of New York
No. 01MC6092527
Qualified in Erie County
Commission Expires Sept. 03, 2015

STATE OF NEW YORK
COUNTY OF Erie ss:
(County where notarized)

AFFIDAVIT OF SERVICE
BY MAIL

Index No. _____

I, Lori S Trent, being duly sworn says, I am over 18
(Insert name of person who mails papers)

years of age and not a party to this action.

On February 27, 2013, I mailed a true copy of the attached papers,
(Insert date papers mailed)
enclosed and properly sealed in a postpaid envelope, which I deposited in an official depository under the exclusive care and custody of the United State Postal Services within the State of New York addressed to:

Hon. Michael A. Siragusa, Esq.
(Name of person)

95 Franklin St., Suite 1634
(Street address)

Buffalo, NY 14202
(City/Town/Village; State; Zip code)

X Lori S Trent
(Sign your name in the presence of a Notary Public)

Lori S. Trent
(Print your name)

Sworn to before me this
27 day of Feb, 2013.

Lynn M McCabe
Notary Public

LYNN M. McCABE
Notary Public, State of New York
No. 01MC6038327
Qualified in Erie County
Commission Expires Sept. 08, 2015