

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

MOSES M. BARYOH, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CAUSE NO.
	)	
AUSTIN MAGNESS, in his	)	
individual and official capacities,	)	
CHARLOTTE WATTS, in her	)	
individual and official capacities,	)	
the BOARD OF TRUSTEES OF	)	
INDIANA UNIVERSITY, and	)	
INDIANA UNIVERSITY,	)	
	)	
Defendants.	)	

**COMPLAINT AND DEMAND FOR JURY TRIAL**

The Plaintiff, Moses M. Baryoh, Jr. (“Plaintiff”), by counsel, hereby brings this action against the Defendants, Austin Magness (“Defendant Magness”), Charlotte Watts (“Defendant Watts”), Indiana University and the Board of Trustees of Indiana University (“Defendant IU”) (collectively “Defendants”), pursuant to 42 U.S.C. § 1983 (“Section 1983”) and Indiana common law. Plaintiff alleges that Defendants have violated his rights as protected by the Fourth and Fourteenth Amendments to the United States Constitution and that Defendants have committed tortious acts against him.

**I. PARTIES, JURISDICTION, AND VENUE**

1. Plaintiff is an individual and has resided within the Southern District of Indiana, Indianapolis Division, at all relevant times.

2. Defendant Magness and Defendant Watts are individuals and have resided and worked as law enforcement officers within the Southern District of Indiana, Indianapolis Division, at all relevant times.

3. Defendant IU is a public state university located within the Southern District of Indiana, Indianapolis Division.

4. Jurisdiction is conferred on this Court by 28 U.S.C. § 1331, 28 U.S.C. § 1343, 28 U.S.C. § 1367, 42 U.S.C. § 1983 and 42 U.S.C. § 1988.

5. All of the events, transactions and occurrences giving rise to this lawsuit occurred within the geographical environs of the Southern District of Indiana, Indianapolis Division, and all parties are located therein.

6. Venue is proper in this Court pursuant to 28 U.S.C. § 1391.

## II. FACTUAL ALLEGATIONS

7. In September 2022, Plaintiff was a graduate student at Defendant IU. He was working toward his master's degree in Public Health in Administration and Behavior. He was also a graduate assistant for Sexual Violence Prevention and Victim Advocacy at Defendant IU's Health Center.

8. On or about September 7, 2022, Plaintiff went to class and work. Afterward, as usual, he went to Defendant IU's Student Recreational Sports Center ("SRSC"). He parked in the same parking lot he always did. He worked out, got into his car and drove toward the pay booth to exit the lot.

9. The pay booth attendant told Plaintiff he owed three dollars for parking. Plaintiff handed him a five dollar bill. The attendant told Plaintiff he would not accept cash, only card.

10. Plaintiff told the attendant he did not have a card, only cash.

11. The attendant said he could charge Plaintiff's bursar bill instead, but it would be \$13.50 instead of three dollars.

12. Plaintiff did not want to pay 10 dollars more than he owed for the parking. He attempted to pay what was owed in cash.

13. The attendant opened the gate so that Plaintiff could pull out of the way of the flow of traffic to wait for someone to bring him a card if he wanted.

14. Plaintiff left the parking lot and drove home, assuming his bursar bill would be charged for the parking.

15. As Plaintiff went home, the attendant and another IU employee called the police.

16. Defendants Magness and Watts showed up at Plaintiff's home accordingly.

17. They knocked on the door.

18. Plaintiff yelled from the shower that he was in the shower and could not come to the door.

19. Defendants Magness and Watts heard Plaintiff's replies.

20. Defendants Magness and Watts yelled that they were the police.

21. Plaintiff yelled back that he could not hear them because he was in the shower.

22. Defendants Magness and Watts went back to their cars to leave.

23. Defendant Watts then told Defendant Magness she saw someone exit the apartment building who looked like Plaintiff.

24. Defendant Magness approached Plaintiff and shined his flashlight on him.

25. Plaintiff was dressed in nothing more than gym shorts and sandals.

26. Defendant Magness asked Plaintiff if he was "Moses," and Plaintiff replied that he was.

27. Defendant Magness asked if Plaintiff would talk to him. Plaintiff said he would.

28. Defendant Magness asked if Plaintiff knew what this was about. Plaintiff said he did not.

29. Defendant Magness and Plaintiff were standing on opposite sides of the hood of a car in the apartment parking lot.

30. Defendant Magness asked Plaintiff to sit down on the curb.

31. Plaintiff asked why he had to do that.

32. Defendant Magness asked Plaintiff to work with him.

33. Plaintiff responded that he was working with him and would continue to talk to him but that he did not think he needed to sit down on the curb.

34. Defendant Magness asked Plaintiff to come to him.

35. Plaintiff said he was going to stay where he was “if that’s okay.”

36. Plaintiff perceived that Defendant Magness was becoming more and more angry, so Plaintiff asked, “You good?”

37. Defendant Magness replied, “No, I gotta talk to you, okay?”

38. Defendant Watts said they needed to confirm they were talking to the right person and asked for Plaintiff’s birthday.

39. Plaintiff asked Defendant Watts if he needed to give them his identification.

40. Defendant Watts said that was okay.

41. Then, Defendant Watts asked Plaintiff again for his birthday.

42. Plaintiff asked again if they would tell him why they were there.

43. Defendant Magness asked Plaintiff again to “work with” them, and Plaintiff said he was trying.

44. Suddenly, Defendant Magness quickly approached Plaintiff and grabbed and twisted his arm. Defendant Magness and Defendant Watts then knocked Plaintiff off balance and into a car and put handcuffs on him.

45. Defendant Watts and Defendant Magness then took Plaintiff to jail and booked him in.

46. Plaintiff was charged criminally but not with anything related to the SRSC parking lot fee.

47. Plaintiff experienced harm, including, but not limited to, pain, suffering, mental and emotional distress, and reputational damage as a result of Defendants' unlawful actions.

48. Defendant IU maintained customs, policies and practices that resulted in Defendant Watts's and Defendant Magness's unlawful actions. Defendant IU was deliberately indifferent in failing to train and/or supervise Defendant Watts and Defendant Magness.

49. The criminal charges filed against Plaintiff were later dismissed.

50. Plaintiff timely submitted a Notice of Tort Claim to Defendant IU.

### **III. LEGAL CAUSES OF ACTION**

#### **COUNT I**

**DEFENDANT MAGNESS in his individual capacity**

**FOURTH AMENDMENT**

**UNREASONABLE SEARCH AND SEIZURE**

**EXCESSIVE FORCE**

51. Plaintiff hereby incorporates the foregoing paragraphs as if the same were set forth at length herein.

52. Defendant Magness's actions against Plaintiff constitute excessive force and an unlawful seizure under the Fourth Amendment.

53. The amount of force used by Defendant was unreasonable.

54. Defendant Magness's actions violated Plaintiff's Fourth Amendment rights.

55. Defendant Magness's actions were performed under color of state law.

56. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Magness's unlawful actions.

## **COUNT II**

### **DEFENDANT MAGNESS in his individual capacity**

#### **FOURTH AMENDMENT**

#### **UNREASONABLE SEARCH AND SEIZURE**

#### **FALSE ARREST**

57. Defendant Magness engaged in actions against Plaintiff which constitute false arrest.

58. Defendant Magness engaged in actions which caused Plaintiff to be arrested without probable cause.

59. Defendant Magness arrested Plaintiff without probable cause.

60. Defendant Magness violated Plaintiff's Fourth Amendment rights.

61. Defendant Magness falsely arrested Plaintiff both when he initially cuffed him and when he took him to jail and booked him in.

62. Defendant Magness actions were performed under color of state law.

63. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Magness's unlawful actions.

**COUNT III**

**DEFENDANT MAGNESS in his individual capacity**

**FOURTEENTH AMENDMENT**

**DUE PROCESS VIOLATION**

64. Defendant Magness engaged in actions which deprived Plaintiff of due process under the law.

65. Defendant Magness engaged in actions which caused Plaintiff to be arrested without probable cause.

66. Defendant Magness arrested Plaintiff without probable cause.

67. Defendant Magness violated Plaintiff's Fourteenth Amendment rights.

68. Defendant Magness falsely arrested Plaintiff both when he initially cuffed him and when he took him to jail and booked him in.

69. Defendant Magness actions were performed under color of state law.

70. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Magness's unlawful actions.

**COUNT IV**

**DEFENDANT MAGNESS in his individual capacity**

**INDIANA COMMON LAW**

**UNREASONABLE SEARCH AND SEIZURE**

**ASSAULT**

71. Plaintiff hereby incorporates the foregoing paragraphs as if the same were set forth at length herein.



72. Defendant Magness acted intending to cause an imminent apprehension of harmful or offensive contact with Plaintiff.

73. Defendant Magness acted intending to cause a harmful or offensive contact with Plaintiff.

74. Defendant caused said imminent apprehension of harmful and offensive contact with Plaintiff.

75. Defendant caused said harmful and offensive contact with Plaintiff.

76. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Magness’s unlawful actions.

**COUNT V**

**DEFENDANT MAGNESS in his individual capacity**

**INDIANA COMMON LAW**

**UNREASONABLE SEARCH AND SEIZURE**

**BATTERY**

77. Plaintiff hereby incorporates the foregoing paragraphs as if the same were set forth at length herein.

78. Defendant Magness acted intending to cause a harmful or offensive contact with Plaintiff.

79. Defendant caused said harmful and offensive contact with Plaintiff.

80. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Magness’s unlawful actions.

**COUNT VI**

**DEFENDANT MAGNESS in his individual capacity**

**FOURTH AMENDMENT**

**INDIANA COMMON LAW**

**FALSE ARREST/IMPRISONMENT**

81. Defendant Magness engaged in actions against Plaintiff which constitute false arrest/imprisonment.

82. Defendant Magness intentionally and unlawfully restrained Plaintiff and his freedom of movement, depriving Plaintiff of his liberty, without consent.

83. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Magness's unlawful actions.

**COUNT VII**

**DEFENDANT WATTS in her individual capacity**

**FOURTH AMENDMENT**

**UNREASONABLE SEARCH AND SEIZURE**

**EXCESSIVE FORCE**

84. Plaintiff hereby incorporates the foregoing paragraphs as if the same were set forth at length herein.

85. Defendant Magness's actions against Plaintiff constitute excessive force and an unlawful seizure under the Fourth Amendment.

86. The amount of force used by Defendant was unreasonable.

87. Defendant Magness's actions violated Plaintiff's Fourth Amendment rights.

88. Defendant Magness's actions were performed under color of state law.

89. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Magness's unlawful actions.

## **COUNT VIII**

### **DEFENDANT WATTS in her individual capacity**

#### **FOURTH AMENDMENT**

#### **UNREASONABLE SEARCH AND SEIZURE**

#### **FALSE ARREST**

90. Defendant Magness engaged in actions against Plaintiff which constitute false arrest.

91. Defendant Magness engaged in actions which caused Plaintiff to be arrested without probable cause.

92. Defendant Magness arrested Plaintiff without probable cause.

93. Defendant Magness violated Plaintiff's Fourth Amendment rights.

94. Defendant Magness falsely arrested Plaintiff both when she initially cuffed him and when she took him to jail and booked him in.

95. Defendant Magness actions were performed under color of state law.

96. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Magness's unlawful actions.

**COUNT IX**

**DEFENDANT WATTS in her individual capacity**

**FOURTEENTH AMENDMENT**

**DUE PROCESS VIOLATION**

97. Defendant Magness engaged in actions which deprived Plaintiff of due process under the law.

98. Defendant Magness engaged in actions which caused Plaintiff to be arrested without probable cause.

99. Defendant Magness arrested Plaintiff without probable cause.

100. Defendant Magness violated Plaintiff's Fourteenth Amendment rights.

101. Defendant Magness falsely arrested Plaintiff both when she initially cuffed him and when she took him to jail and booked him in.

102. Defendant Magness actions were performed under color of state law.

103. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Magness's unlawful actions.

**COUNT X**

**DEFENDANT WATTS in her individual capacity**

**INDIANA COMMON LAW**

**UNREASONABLE SEARCH AND SEIZURE**

**ASSAULT**

104. Plaintiff hereby incorporates the foregoing paragraphs as if the same were set forth at length herein.

105. Defendant Magness acted intending to cause an imminent apprehension of harmful or offensive contact with Plaintiff.

106. Defendant Magness acted intending to cause a harmful or offensive contact with Plaintiff.

107. Defendant caused said imminent apprehension of harmful and offensive contact with Plaintiff.

108. Defendant caused said harmful and offensive contact with Plaintiff.

109. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Magness's unlawful actions.

## **COUNT XI**

**DEFENDANT WATTS in her individual capacity**

**INDIANA COMMON LAW**

**UNREASONABLE SEARCH AND SEIZURE**

**BATTERY**

110. Plaintiff hereby incorporates the foregoing paragraphs as if the same were set forth at length herein.

111. Defendant Magness acted intending to cause a harmful or offensive contact with Plaintiff.

112. Defendant caused said harmful and offensive contact with Plaintiff.

113. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Magness's unlawful actions.

**COUNT XII**

**DEFENDANT WATTS in her individual capacity**

**FOURTH AMENDMENT**

**INDIANA COMMON LAW**

**FALSE ARREST/IMPRISONMENT**

114. Defendant Magness engaged in actions against Plaintiff which constitute false arrest/imprisonment.

115. Defendant Magness intentionally and unlawfully restrained Plaintiff and his freedom of movement, depriving Plaintiff of his liberty, without consent.

116. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Magness's unlawful actions.

**COUNT XIII**

**DEFENDANT MAGNESS in his official capacity and DEFENDANT IU**

***MONELL V. DEPT OF SOC. SERVS. OF CITY OF NEW YORK,***  
**436 U.S. 658 (1978) (hereinafter "*MONELL*")**

**FOURTH AMENDMENT**

**UNREASONABLE SEARCH AND SEIZURE**

**EXCESSIVE FORCE**

117. Plaintiff hereby incorporates the foregoing paragraphs as if the same were set forth at length herein.

118. Defendant Magness's actions against Plaintiff constitute excessive force and an unlawful seizure under the Fourth Amendment.

119. The amount of force used by Defendant was unreasonable.

120. Defendant Magness's actions violated Plaintiff's Fourth Amendment rights.

121. Defendant Magness's actions were performed under color of state law.

122. Defendant IU maintained customs, policies and practices that resulted in Defendant Magness's unlawful actions. Defendant IU was deliberately indifferent in failing to train and/or supervise Defendant Magness.

123. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Magness and Defendant IU's unlawful actions.

#### **COUNT XIV**

**DEFENDANT MAGNESS in his official capacity and DEFENDANT IU**

***MONELL***

#### **FOURTH AMENDMENT**

#### **UNREASONABLE SEARCH AND SEIZURE**

#### **FALSE ARREST**

124. Defendant Magness engaged in actions against Plaintiff which constitute false arrest.

125. Defendant Magness engaged in actions which caused Plaintiff to be arrested without probable cause.

126. Defendant Magness arrested Plaintiff without probable cause.

127. Defendant Magness violated Plaintiff's Fourth Amendment rights.

128. Defendant Magness falsely arrested Plaintiff both when he initially cuffed him and when he took him to jail and booked him in.

129. Defendant Magness actions were performed under color of state law.

130. Defendant IU maintained customs, policies and practices that resulted in Defendant Magness's unlawful actions. Defendant IU was deliberately indifferent in failing to train and/or supervise Defendant Magness.

131. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Magness and Defendant IU's unlawful actions.

### **COUNT XV**

**DEFENDANT MAGNESS in his official capacity and DEFENDANT IU**

***MONELL***

**FOURTEENTH AMENDMENT**

**DUE PROCESS VIOLATION**

132. Defendant Magness engaged in actions which deprived Plaintiff of due process under the law.

133. Defendant Magness engaged in actions which caused Plaintiff to be arrested without probable cause.

134. Defendant Magness arrested Plaintiff without probable cause.

135. Defendant Magness violated Plaintiff's Fourteenth Amendment rights.

136. Defendant Magness falsely arrested Plaintiff both when he initially cuffed him and when he took him to jail and booked him in.

137. Defendant Magness actions were performed under color of state law.



138. Defendant IU maintained customs, policies and practices that resulted in Defendant Magness's unlawful actions. Defendant IU was deliberately indifferent in failing to train and/or supervise Defendant Magness.

139. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Magness and Defendant IU's unlawful actions.

## COUNT XVI

**DEFENDANT WATTS in her official capacity and DEFENDANT IU**

***MONELL V. DEPT OF SOC. SERVS. OF CITY OF NEW YORK,***  
**436 U.S. 658 (1978) (hereinafter "*MONELL*")**

### FOURTH AMENDMENT

#### UNREASONABLE SEARCH AND SEIZURE

#### EXCESSIVE FORCE

140. Plaintiff hereby incorporates the foregoing paragraphs as if the same were set forth at length herein.

141. Defendant Watt's actions against Plaintiff constitute excessive force and an unlawful seizure under the Fourth Amendment.

142. The amount of force used by Defendant was unreasonable.

143. Defendant Watt's actions violated Plaintiff's Fourth Amendment rights.

144. Defendant Watt's actions were performed under color of state law.

145. Defendant IU maintained customs, policies and practices that resulted in Defendant Watts's unlawful actions. Defendant IU was deliberately indifferent in failing to train and/or supervise Defendant Watts.

146. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Watts's and Defendant IU's unlawful actions.

**COUNT XVII**

**DEFENDANT WATTS in her official capacity and DEFENDANT IU**

***MONELL***

**FOURTH AMENDMENT**

**UNREASONABLE SEARCH AND SEIZURE**

**FALSE ARREST**

147. Plaintiff hereby incorporates the foregoing paragraphs as if the same were set forth at length herein.

148. Defendant Watts engaged in actions against Plaintiff which constitute false arrest.

149. Defendant Watts engaged in actions which caused Plaintiff to be arrested without probable cause.

150. Defendant Watts arrested Plaintiff without probable cause.

151. Defendant Watts violated Plaintiff's Fourth Amendment rights.

152. Defendant Watts falsely arrested Plaintiff both when he initially cuffed him and when he took him to jail and booked him in.

153. Defendant Watts's actions were performed under color of state law.

154. Defendant IU maintained customs, policies and practices that resulted in Defendant Watts's unlawful actions. Defendant IU was deliberately indifferent in failing to train and/or supervise Defendant Watts.

155. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Watts and Defendant IU's unlawful actions.

**COUNT XVIII**

**DEFENDANT WATTS in her official capacity and DEFENDANT IU**

***MONELL***

**FOURTEENTH AMENDMENT**

**DUE PROCESS VIOLATION**

156. Plaintiff hereby incorporates the foregoing paragraphs as if the same were set forth at length herein.

157. Defendant Watts engaged in actions which deprived Plaintiff of due process under the law.

158. Defendant Watts engaged in actions which caused Plaintiff to be arrested without probable cause.

159. Defendant Watts arrested Plaintiff without probable cause.

160. Defendant Watts violated Plaintiff's Fourteenth Amendment rights.

161. Defendant Watts falsely arrested Plaintiff both when she initially cuffed him and when she took him to jail and booked him in.

162. Defendant Magness actions were performed under color of state law.

163. Defendant IU maintained customs, policies and practices that resulted in Defendant Watts's unlawful actions. Defendant IU was deliberately indifferent in failing to train and/or supervise Defendant Watts.

164. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant Watts and Defendant IU's unlawful actions.

**COUNT XIX**

**DEFENDANT IU**

**RESPONDEAT SUPERIOR**

165. Plaintiff hereby incorporates the foregoing paragraphs as if the same were set forth at length herein.

166. Defendant IU is liable for the false arrest and excessive force committed against Plaintiff by Defendant Watts.

167. Defendant IU employed the officers who committed false arrest and excessive force while acting in the scope of their employment.

168. Defendant IU maintained customs, policies and practices that resulted in Defendant Watts's unlawful actions. Defendant IU was deliberately indifferent in failing to train and/or supervise Defendant Watts.

169. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant IU's unlawful actions.

**COUNT XX**

**DEFENDANT MAGNESS in his individual capacity**

**NEGLIGENCE**

170. Plaintiff hereby incorporates the foregoing paragraphs as if the same were set forth at length herein.

171. Defendant Magness owed a duty to Plaintiff.

172. Defendant Magness breached that duty.

173. Plaintiff suffered and continues to suffers injury and damages.

174. Defendant Magness's breach was the direct and proximate result of Plaintiff's injury and damages.

### **COUNT XXI**

**DEFENDANT WATTS in her individual capacity**

#### **NEGLIGENCE**

175. Plaintiff hereby incorporates the foregoing paragraphs as if the same were set forth at length herein.

176. Defendant Watts owed a duty to Plaintiff.

177. Defendant Watts breached that duty.

178. Plaintiff suffered and continues to suffers injury and damages.

179. Defendant Watts's breach was the direct and proximate result of Plaintiff's injury and damages.

### **COUNT XXII**

**DEFENDANT MAGNESS in his official capacity and DEFENDANT IU**

#### **NEGLIGENCE**

180. Plaintiff hereby incorporates the foregoing paragraphs as if the same were set forth at length herein.

181. Defendant IU owed a duty to Plaintiff.

182. Defendant IU breached that duty.

183. Plaintiff suffered and continues to suffers injury and damages.

184. Defendant IU's breach was the direct and proximate result of Plaintiff's injury and damages.

**COUNT XXIII**

**DEFENDANT WATTS in her official capacity and DEFENDANT IU  
NEGLIGENCE**

185. Plaintiff hereby incorporates the foregoing paragraphs as if the same were set forth at length herein.

186. Defendant IU owed a duty to Plaintiff.

187. Defendant IU breached that duty.

188. Plaintiff suffered and continues to suffers injury and damages.

189. Defendant IU's breach was the direct and proximate result of Plaintiff's injury and damages.

**COUNT XXIV**

**DEFENDANT IU  
RESPONDEAT SUPERIOR**

190. Plaintiff hereby incorporates the foregoing paragraphs as if the same were set forth at length herein.

191. Defendant IU is liable for the false arrest and excessive force committed against Plaintiff by Defendant Magness.

192. Defendant IU employed the officers who committed false arrest and excessive force while acting in the scope of their employment.

193. Defendant IU maintained customs, policies and practices that resulted in Defendant Watts's unlawful actions. Defendant IU was deliberately indifferent in failing to train and/or supervise Defendant Magness.

194. Plaintiff suffered harm, and continues to suffer harm, as a result of Defendant IU's unlawful actions.

### **REQUESTED RELIEF**

WHEREFORE, Plaintiff respectfully requests that the Court find for him and order:

1. Defendants to pay compensatory damages to Plaintiff, including, but not limited to, for mental and emotional distress, pain and suffering, medical expenses, and economic losses;
2. Defendants to pay punitive damages to Plaintiff;
3. Defendants to pay pre-and post-judgment interest to Plaintiff on all recoverable sums;
4. Defendants to pay Plaintiff's reasonable attorneys' fees and costs incurred in litigating this action;
5. Injunctive relief; and
6. Defendants to pay to Plaintiff any and all other legal and/or equitable damages this Court deems just and proper to grant.

Respectfully submitted,

*s/ Spenser G. Benge*

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Attorney for Plaintiff

**DEMAND FOR JURY TRIAL**

The Plaintiff, Moses M. Baryoh, Jr. ("Plaintiff"), by counsel, respectfully requests a jury trial for all triable issues.

Respectfully submitted,

*s/ Spenser G. Benge*

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