

**\$2,000,000.00 CLAIM FILED IN CASE WHERE DEAF AND MENTALLY
CHALLENGED MAN WAS TASERED IN STORE BATHROOM**

A \$2,000,000.00 claim was filed today with the Mobile City Clerk in relation to the incident where a deaf and mentally challenged man was tasered at a Dollar General store. Birmingham attorney Tommy James of the firm Morris, Haynes & Hornsby represents Antonio Love, the deaf and mentally challenged man who was pepper-sprayed and tasered by Mobile police officers in the bathroom of a Dollar General store in Mobile.

The incident occurred on July 24, 2009, at the Dollar General on Azalea Road. A notice of claim is required to be filed with the city clerk under Alabama law within six months of an incident when a city and its employees could potentially be defendants in a lawsuit.

“The City has essentially forced us to file this because they have completely ignored all of the requests that we have made for information,” James said. “We have requested the 911 tapes from the Mobile Police Department and they have refused to provide them to us even though they provided them freely to local media. The City has also refused to provide us with the internal affairs investigation into this incident. Based on the nature of this case, I am extremely surprised that the City is being so uncooperative.”

Commenting on the incident, James said, “It is clear that what happened to Antonio should have never happened. He has never had any run-ins with the law and he was not a threat to anyone. Once Antonio realized that it was the police trying to get into the bathroom, he put up no resistance and yet police still tasered him three times. Even after

discovering that Antonio was hearing-impaired and had a diminished mental capacity, the police still arrested and charged him. Thankfully, the Magistrate had the good sense not to sign the warrants. It is very rare for a Magistrate not to sign off on the warrants.”

“It is puzzling as to why the police were even called in the first place simply because a person was allegedly in the bathroom for too long and not causing any problems. Another mystery is why the store manager or police did not simply use a key to enter the restroom. It is also interesting that it took five or six officers to handle this situation and that it took approximately fifty minutes to gain access to the restroom.”

James stated that his investigation is in its early stages and that the family would have no further comment at this time. “The family has not made a final decision on whether they will file a lawsuit. We are just trying to get all of the facts as to what really happened to Antonio and why it happened and then we will go from there. However, we may be forced to file suit so that we will be able to issue subpoenas to obtain the Internal Affairs investigation and other relevant documents because the City of Mobile is not willing to release this information to us.”

**For more information, contact Tommy James at 334-224-2496.
If you would like to obtain a copy of the notice of claim, contact Iralyn Franklin at ifranklin@mhhlaw.net.**