

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO

FILED 7  
MAY 12 2025  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
CINCINNATI, OHIO

RODNEY HINTON, JR.,  
Plaintiff,

v.  
STATE OF OHIO,  
CINCINNATI POLICE DEPARTMENT,  
SHERIFF CHARMAINE MCGUFFY, in her  
Official and individual capacities,  
HAMILTON COUNTY JUSTICE CENTER,  
and JOHN DOES 1-10, official and individual  
capacities.

Defendants.

Civil Action No. 1:25CV298

**FIRST AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF,  
DAMAGES, AND CONSTITUTIONAL VIOLATIONS**

Plaintiff Rodney Hinton Jr., by and through his next friend, files this First Amended Complaint pursuant to 42 U.S.C. §§ 1983 and 1985(3), the 13th and 14th Amendments to the United States Constitution, and applicable federal and state laws, and states as follows:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343.
2. Venue is proper under 28 U.S.C. § 1391(b), as the events giving rise to this action occurred in Hamilton County, Ohio.

**PARTIES**

3. Plaintiff Rodney Hinton Jr. is a resident of Ohio and is currently held in pretrial detention at the Hamilton County Justice Center.

4. The defendant State of Ohio is responsible for enforcement and oversight of criminal justice within its jurisdiction.
5. Defendant Cincinnati Police Department is a municipal law enforcement agency whose officers detained and assaulted Plaintiff.
6. Defendant Hamilton County Justice Center is the facility currently detaining Plaintiff and responsible for his unlawful confinement.
7. John Does 1–10 are unknown officers and officials who participated in Plaintiff's unconstitutional detention, assault, and intimidation.

### **FACTUAL ALLEGATIONS**

8. The plaintiff was taken into custody by officers of the Cincinnati Police Department and has been detained without conviction or meaningful bond hearing.
9. The plaintiff appeared visibly beaten during his arraignment, reflecting physical abuse sustained in custody.
10. Multiple officers were present in court during Plaintiff's appearance, creating an atmosphere of fear, surveillance, and intimidation.
11. The process leading to and following Plaintiff's arrest diverged from lawful protocol and reflected bias, retaliation, and systemic misconduct.
12. Defendants' actions violated Plaintiff's rights under the U.S. Constitution, including but not limited to:
  - The 13th Amendment – freedom from involuntary servitude;
  - The 14th Amendment – due process and equal protection;
  - 42 U.S.C. § 1983 – deprivation of rights under color of law;
  - 42 U.S.C. § 1985(3) – conspiracy to deny civil rights.

13. Plaintiff has been held in a system designed to punish, degrade, and silence him without lawful adjudication or legal justification.

**CLAIMS FOR RELIEF**

**COUNT I**

**UNLAWFUL IMPRISONMENT**

(13th & 14th Amendments; 42 U.S.C. § 1983)

14. Defendants caused Plaintiff to be detained unlawfully, without due process, and without a valid conviction.

**COUNT II**

**CONSPIRACY TO DEPRIVE RIGHTS**

(42 U.S.C. § 1985(3))

15. Defendants knowingly and willfully conspired to deny Plaintiff's constitutional rights through intimidation, force, and unlawful detainment.

**COUNT III**

**EXCESSIVE FORCE & INTIMIDATION**

(14th Amendment; 42 U.S.C. § 1983)

16. Plaintiff was subjected to physical abuse and courtroom intimidation in violation of constitutional protections.

**COUNT IV**

**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

17. Defendants' deliberate actions caused Plaintiff severe psychological trauma, public humiliation, and emotional damage.

**COUNT V**

**BREACH OF OATH OF OFFICE**

(Constitutional Malfeasance)

18. Defendants, as sworn public servants, breached their oath to uphold the Constitution by engaging in unlawful, coercive, and unconstitutional conduct.

19. Their actions were performed outside the bounds of legal authority and in contradiction to their sworn duties.

**COUNT VI**

**VIOLATIONS OF FEDERAL RULES OF CRIMINAL PROCEDURE**

20. Defendants violated numerous provisions of the Federal Rules of Criminal Procedure, including:

- Rule 5(a): Failure to bring Plaintiff promptly before a magistrate;
- Rule 5(d): Failure to inform Plaintiff of charges, rights, or release conditions;
- Rule 46(a): Failure to consider or offer bail;
- Rules 3 & 4: Procedural failure in warrant and arrest processing.

21. These violations resulted in extended unlawful detention, physical harm, and constitutional injury.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests this Court:

1. Issue a declaratory judgment that Plaintiff's constitutional rights under the 13th and 14th Amendments were violated;
2. Grant immediate injunctive relief to review and secure Plaintiff's release pending lawful adjudication;
3. Award compensatory damages in the amount of \$5,000,000, jointly and severally, for physical harm, emotional distress, and loss of liberty;
4. Award punitive damages in the amount of \$20,000,000 to punish and deter egregious misconduct by state actors;
5. Award litigation costs under 42 U.S.C. § 1988;
6. Grant such other and further relief as the Court deems just, proper, and necessary to effectuate justice in this matter.

Respectfully submitted this 9<sup>th</sup> day of May 2025.

Antoinette Holloway  
On behalf of Plaintiff Rodney Hinton, Jr.  
1214 Ogilvie Dr NE  
Atlanta, Ga 30324  
470 718 1590  
Pbm4antoinette@gmail.com  
Next Friend

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JS 44 (Rev. 03/24)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

Rodney Hinton JR

(b) County of Residence of First Listed Plaintiff Hamilton  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)  
PBMP  
1214 Ogilvie Drive  
Atlanta, Ga 30324  
470 7181590

**DEFENDANTS**

State of Ohio, Cincinnati Police Department Sheriff Charmaine McDuffy, in her official and Individual Capacities, Hamilton Justice Center County of Residence of First Listed Defendant Hamilton John Does  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. 1-10 in official and individual capacities

Attorneys (If Known)

David Vost

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   |                                       |                                       |   |                            |                            |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
|   | PTF                                   | DEF                                   |   | PTF                        | DEF                        |
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input type="checkbox"/> 2            | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3            | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>INTELLECTUAL PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation - Transfer
- 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 USC 1983, 42 USC 1985  
Brief description of cause:  
Constitutional Violations, Slavery

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND'S 25 million CHECK YES only if demanded in complaint: JURY DEMAND:  Yes  No

**VIII. RELATED CASE(S) IF ANY**

(See instructions): JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

DATE 5.9.2025 SIGNATURE OF ATTORNEY OF RECORD self

**FOR OFFICE USE ONLY**

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_