

**IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, IL**

KEVIN LINK

Plaintiff,

v.

CITY OF GRANITE CITY,

Defendant,

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Case #: 19-SC-1895

PLAINTIFF'S AMENDED COMPLAINT

1. Ticket #**2016ov400378** [hereon referred to as: **ov378**], which resulted in this plaintiff's unjust arrest was issued on June 7th, 2016. Ticket ov378 was an ordinance violation alleging that Plaintiff Kevin Link had "knowingly allowed" occupancy of his property at 2506 Iowa in violation of city code, as the occupants were not registered on the city occupancy permit.

2. A secondary ordinance violation ticket, **16000338** [hereon referred to as: **ov338**], was issued on June 21st, 2016, because those same individuals had not properly disposed of their trash.

3. The individuals illegally occupying Kevin Link's property were unknown strangers to Kevin Link, he did not authorize their occupancy of his property at 2506 Iowa, and he considered them trespassers.

4. All individuals authorized by Kevin Link to occupy any of his properties, including 2506 Iowa, are/were listed on the Granite city occupancy permit for that property.
5. Prior to the issuance of ov378 and ov338 by the Defendant, City of Granite: Toni Link, this plaintiff's wife, contacted the Granite city Building and Zoning department and requested that Granite city investigate and remove the unauthorized individuals who had illegally occupied Kevin Link's (Plaintiff's) Granite city business property located at 2506 Iowa.
6. And again prior to the issuance of both tickets, Plaintiff Kevin Link personally met with two Granite City police officers at 2506 Iowa where both violations had allegedly occurred, to request that the unauthorized occupants be removed and/or ticketed.
7. Neither Granite city police nor the Granite city Building and Zoning department took any action to either remove the unauthorized individuals or ticket them as per Kevin Link's requests.
8. After being denied any assistance from the Granite city police department or Granite city Building and Zoning in removing the unauthorized individuals, Kevin Link filed for the eviction of the unauthorized occupants on **May 4th, 2016**, about a month *prior* the issuance of ov378 on June 7th, 2016, and ov338 on June 21th, 2016.

9. Plaintiff Kevin Link attended his first court appearance for ordinance violations 378 and 338 on July 25th, 2016, in Granite city courthouse room 6B, where he met with Granite city representative Richard Worths (to his best recollection).

10. The city representative stated that Kevin Link had two outstanding ordinance violations on city record for his property at 2506 Iowa: “One for allowing individuals not on the occupancy permit, and another for the occupant's trash”, and that he would give Kevin Link a “2-for-1 deal” and that they (Granite city) would litigate both violations together.

11. Kevin Link plead “Not Guilty” and provided the city representative and the hearing officer a copy of his previously filed request for dismissal as his defense; a copy of which is attached and made a part of this complaint as **Exhibit K-2**.

12. The city representative consulted with a Granite city crime-free police officer and the hearing officer on duty; Kevin Link was then informed that both ordinance violation tickets would be dismissed by Granite city.

13. Seeking to avoid any misunderstandings, Kevin Link inquired about the next scheduled appearance or any other possible future court appearances regarding ordinance violations 378 and 338. The Crime-free police officer told Kevin Link “Not to worry, we (Granite city) will take care of it”.

14. While Defendant the City of Granite did dismiss ov338 as agreed, unbeknownst to this plaintiff the city neglected to dismiss ov378, which would later result in this plaintiff's unjust arrest.
15. Subsequent to his court appearance on July 25th, 2016 Kevin Link received no further notices concerning either ticket and thus had no reason to believe that both tickets had not been dismissed as agreed.
16. Plaintiff Kevin Link failed to appear at a scheduled court appearance for ov378 as he reasonably believed it had been dismissed along with its corresponding citation ov338.
17. A warrant was issued on August 25th, 2016, for the arrest of Plaintiff Kevin Link due to the "failure to appear" caused by the City of Granite's act of misinforming Kevin Link and failing to dismiss ov378 as agreed at the July 25th, 2016 hearing.
18. Despite numerous interactions with the City of Granite after the issuance of that arrest warrant, including the renewal of his 2017 Granite city business license for 2506 Iowa, Kevin Link was never informed of any outstanding ordinance violation or arrest warrant.
19. Plaintiff Kevin Link only learned of the arrest warrant approximately a year after its issuance, when he was arrested on June 10th, 2017 while reporting a crime to Granite city police that had occurred at one of his Granite city business properties.

20. After his arrest, Kevin Link appeared in court for the second time concerning ov378 on July 13th, 2017, where again he plead not guilty to city attorney Ryan Robertson. Kevin Link then requested either the full return of the \$600 paid to bail him (Kevin Link) out of jail, or a trial before a Judge. City attorney Ryan Robertson declined to return the \$600, however he did verbally agree to Kevin Link's request for a trial before a Judge.
21. Kevin Link appeared in court a third time on August 17th, 2017 for his scheduled trial. City attorney Ryan Robertson stated that a witness for the city was on “vacation” and the trial would therefore be postponed.
22. Kevin Link appeared in court a *fourth* time on September 21st, 2017 expecting his scheduled trial before a Judge, yet he still was not allowed to appear before a Judge. Instead Granite city attorney Ryan Robertson informed Kevin Link that the City of Granite had already dismissed the case and Kevin Link would “not be getting a trial”.
23. These improper citations (ov378 and ov338) and the resulting unjust arrest were simply the latest of many acts in the City of Granite's ongoing campaign of targeted harassment against Plaintiff Kevin Link and his business due to his protesting of the enforcement of the city ordinance known as “Crime-free Housing”.
24. The arrest warrant was improperly issued, among other reasons, because in contradiction of standard procedure it was issued prematurely before the issuance of a default judgment.

25. The \$5,000 arrest bond was excessive for a mere missed court date in a civil ordinance case where Kevin Link had already submitted pleadings of not guilty along with sufficient evidence to exonerate him of the charges.

26. This claim is not only for the costs incurred, but also for damages caused to Plaintiff Kevin Link, who should be appropriately compensated for the unjust taking of his freedom, unjust damages to his lawful business, unjust damage to his public reputation through a “crime” all-but fabricated by Granite city, and all other damages and relief this court deems equitable.

WHEREFORE, Plaintiff Kevin Link prays this court enter judgment in his favor and against Defendant City of Granite in the amount of \$10,000.00 or as the evidence permits, and such other and further relief as the court deems just and equitable.

Respectfully Submitted,

Plaintiff Kevin Link
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