

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

Jamie James v. Detective Andrew MacKenzie, Detective Matthew Klein, Officer Jessica Lacoursiere, Officer Bradley Farrell, Officer Louis Mastrangelo, Officer Chelsea Davis, Officer Roger Leo, Officer Matthew Williamson, Officer Joseph Mascho, Sgt. David Williams, Officer Brandon Leppetito, Officer Richard Doron, Officer Benjamin Kinney, Officer Brandon Contreras, Brian Abrams, Officer Ryan Castrichini, Officer Bernard McDonald, Officer Justin Whitmore, Officer Chad Brady, Officer Jessica Oeschise, Detective Christopher Morales, Officer Christopher Iacuizzi, Officer Connor Brock, Officer Alexander Lombard, Officer Duane Henry, Officer Nicholas Thomas, Officer Eric Norman, Officer Nicholas Gifford, Officer Michael Melson, Officer Collin Rynders, Officer Anthony Pedicone, Officer Alexander Merrell, Sgt. James Breen, Officer Adam Wagner, Sgt. Douglas Osika, Officer Michael Mortillaro, Sgt. Matthew Cushman, Officer Kelly Mackin, and Officer Nicholas Vandemar

No. 25-CV-6290-FPG · No. 25-CV-6290-FPG · Decided May 7, 2026

SUMMARY

The court screens pro se plaintiff Jamie James's amended 42 U.S.C. § 1983 complaint concerning his September 2023 arrest, shooting, hospital detention, and interrogation. It permits excessive-force, excessive pre-arraignment detention, false-imprisonment, and Sixth Amendment right-to-counsel claims to proceed against specified defendants, while dismissing the remaining claims without further leave to amend.

CASE DETAILS

COURT	United States District Court for the Western District of New York
WRITING FOR THE COURT	Frank P. Geraci, Jr.
JURISDICTION	United States District Court for the Western District of New York

DECIDED	May 7, 2026
DOCKET	25-CV-6290-FPG
DISPOSITION	other
PROCEDURAL POSTURE	Screening of a pro se prisoner's amended 42 U.S.C. § 1983 complaint under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A.
STANDARD OF REVIEW	Under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A, the court must dismiss a prisoner complaint that is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant. The court accepts the plaintiff's allegations as true and construes a pro se complaint liberally; leave to amend may be denied where amendment would be futile or the plaintiff has already had an opportunity to amend.
PRECEDENTIAL VALUE	unpublished district court decision
PARTIES	Jamie James v. Detective Andrew MacKenzie, Detective Matthew Klein, Officer Jessica Lacoursiere, Officer Bradley Farrell, Officer Louis Mastrangelo, Officer Chelsea Davis, Officer Roger Leo, Officer Matthew Williamson, Officer Joseph Mascho, Sgt. David Williams, Officer Brandon Leppetito, Officer Richard Doron, Officer Benjamin Kinney, Officer Brandon Contreras, Brian Abrams, Officer Ryan Castrichini, Officer Bernard McDonald, Officer Justin Whitmore, Officer Chad Brady, Officer Jessica Oeschise, Detective Christopher Morales, Officer Christopher Iacuizzi, Officer Connor Brock, Officer Alexander Lombard, Officer Duane Henry, Officer Nicholas Thomas, Officer Eric Norman, Officer Nicholas Gifford, Officer Michael Melson, Officer Collin Rynders, Officer Anthony Pedicone, Officer Alexander Merrell, Sgt. James Breen, Officer Adam Wagner, Sgt. Douglas Osika, Officer Michael Mortillaro, Sgt. Matthew Cushman, Officer Kelly Mackin, Officer Nicholas Vandemar

TOPICS

[section 1983](#)
[prisoners rights](#)
[fourth amendment](#)
[sixth amendment](#)
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PRACTICE AREAS

[civil rights](#)
[constitutional law](#)
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QUESTIONS PRESENTED

- Whether the amended complaint plausibly stated a Fourth Amendment excessive-force claim against Officer Vandemar.

2. Whether the allegations plausibly stated Fourth Amendment excessive-pre-arraignment-detention and New York false-imprisonment claims against the defendants other than Vandemar.
3. Whether the allegations plausibly stated a Sixth Amendment right-to-counsel claim against Detectives MacKenzie and Klein.
4. Whether the amended complaint stated official-capacity municipal-liability claims under § 1983.
5. Whether the amended complaint stated Fifth Amendment custodial-interrogation, First Amendment access-to-courts, or New York negligent-infliction-of-emotional-distress claims.

HOLDINGS

1. The amended complaint plausibly alleged an excessive-force claim against Officer Vandemar, and that claim may proceed to service.
2. The amended complaint plausibly alleged excessive pre-arraignment detention claims against all defendants except Vandemar, and those claims may proceed to service.
3. The amended complaint plausibly alleged a right-to-counsel claim against Detectives MacKenzie and Klein, and that claim may proceed to service.
4. The amended complaint plausibly alleged false imprisonment against all defendants except Vandemar, and the claim may proceed to service.
5. The amended complaint did not plausibly allege official-capacity claims because it did not identify a City of Rochester policy or custom that caused the alleged constitutional violations; those claims were dismissed.
6. The amended complaint failed to state a Fifth Amendment custodial-interrogation claim and that claim was dismissed.
7. The amended complaint failed to state an access-to-courts claim and that claim was dismissed.
8. The amended complaint failed to state a negligent-infliction-of-emotional-distress claim and that claim was dismissed.

KEY QUOTATIONS

“Plaintiff’s remaining claims are dismissed without further leave to amend.” (at 10)

“Plaintiff’s Fourth Amendment excessive force claim against VanDeMar; Fourth Amendment excessive pre-arraignment detention and false imprisonment claims against all defendants except VanDeMar; and Sixth Amendment right to counsel claim against Mackenzie and Klein shall proceed to service” (at 10)

FACTUAL BACKGROUND

On September 25, 2023, Rochester police Officer Nicholas Vandemar pursued James after a traffic stop, tased and punched him, placed a service weapon under his chin, and shot him under the chin. James was hospitalized and remained handcuffed to a hospital bed under guard until October 6, 2023. Detectives Andrew MacKenzie and Matthew Klein interrogated him in the hospital while he was unable to speak, and James wrote that he

needed a lawyer; he alleged that he remained in custody without a felony complaint or formal charges while the investigation and grand-jury process continued.

PROCEDURAL HISTORY

James filed a § 1983 action concerning his September 2023 arrest and detention and was granted in forma pauperis status. The court's initial screening order allowed certain Fourth and Sixth Amendment claims to proceed, dismissed a state-law claim with prejudice, dismissed other claims with leave to amend, and denied motions for appointed counsel and custody-time calculations. After James filed an amended complaint, the court permitted specified excessive-force, excessive-pre-arraignment-detention, false-imprisonment, and right-to-counsel claims to proceed to service and dismissed the remaining claims without further leave to amend.

DISPOSITION

other

CASES CITED

- *Abbas v. Dixon*, 480 F.3d 636, 639 (2d Cir. 2007)
- *Gomez v. USAA Federal Savings Bank*, 171 F.3d 794, 796 (2d Cir. 1999)
- *Bivona v. McLean*, No. 919CV0303MADTWD, 2019 WL 2250553, at *5 (N.D.N.Y. May 24, 2019)
- *Cancel v. New York City Human Resources Administration/Department of Social Services*, 527 F. App'x 42, 44 (2d Cir. 2013)
- *Cato v. Zweller*, No. 6:21-CV-6207 EAW, 2023 WL 8653857, at *2 (W.D.N.Y. Dec. 14, 2023)
- *Reynolds-El v. Strackbein*, No. CV 3:25-CV-00951 (KAD), 2025 WL 3470483, at *4 (D. Conn. Dec. 3, 2025)
- *Kentucky v. Graham*, 473 U.S. 159, 165-66 (1985)
- *Monell v. Department of Social Services*, 436 U.S. 658, 694 (1978)
- *Heck v. Humphrey*, 512 U.S. 477 (1994)
- *Jones v. Sullivan*, No. 9:19-CV-0025(BKS)(CFH), 2020 WL 5792989, at *5 (N.D.N.Y. Sept. 29, 2020)
- *Cusamano v. Sobek*, 604 F. Supp. 2d 416, 434-35 (N.D.N.Y. 2009)
- *Singer v. Fulton County Sheriff*, 63 F.3d 110, 118 (2d Cir. 1995)
- *Hernandez v. United States*, 939 F.3d 191, 199 (2d Cir. 2019)
- *Saheed v. City of New York*, No. 17 CIV. 1813 (KPF), 2020 WL 1644006, at *8 (S.D.N.Y. Apr. 2, 2020)
- *Posr v. Doherty*, 944 F.2d 91, 96 (2d Cir. 1991)
- *Zalewski v. City of New York*, No. 113CV7015ARRPK, 2018 WL 5113137, at *8 (E.D.N.Y. Oct. 19, 2018)
- *Cain v. County of Niagara, New York*, No. 20-CV-1710S, 2022 WL 2134288, at *5 (W.D.N.Y. June 14, 2022)
- *Vega v. Tekoh*, *Vega v. Tekoh*, 597 U.S. 134, 141 (2022)
- *Ortiz v. Stambach*, 137 F.4th 48, 67 (2d Cir. 2025)
- *Deshawn E. by Charlotte E. v. Safir*, 156 F.3d 340, 346 (2d Cir. 1998)
- *Kittle v. Brady*, No. 23-CV-1790 (JMA) (LGD), 2025 WL 2466996, at *5 (E.D.N.Y. Aug. 27, 2025)

- Monsky v. Moraghan, 127 F.3d 243, 247 (2d Cir. 1997)
- Kaminski v. Semple, 796 F. App'x 36, 39 (2d Cir. 2019)
- Murphy v. Feliciano, No. 3:17-CV-269 (VLB), 2017 WL 3698490, at *4 (D. Conn. Aug. 25, 2017)
- Eckert v. City of Buffalo, No. 22-CV-540-LJV, 2025 WL 2836547, at *23 (W.D.N.Y. Oct. 6, 2025)
- Francis v. Kings Park Manor, Inc., 992 F.3d 67, 81 (2d Cir. 2021)
- Selvam v. United States, 570 F. Supp. 3d 29, 50 (E.D.N.Y. 2021)
- J... v. Bratton, 248 F. Supp. 3d 401, 416 (E.D.N.Y. 2017)
- Dollard v. City of New York, 408 F. Supp. 3d 231, 238-39 (E.D.N.Y. 2019)
- Crews v. County of Nassau, 996 F. Supp. 2d 186, 214 (E.D.N.Y. 2014)

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