

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

CARL CAVALIER	*	CIVIL ACTION
	*	
VERSUS	*	DOCKET NO. _____
	*	
STATE OF LOUISIANA: DEPT. OF	*	JUDGE _____
PUBLIC SAFETY & CORRECTIONS:	*	
PUBLIC SAFETY SERVICES; OFFICE	*	MAGISTRATE _____
OF STATE POLICE	*	

NOTICE OF REMOVAL

The Louisiana Department of Public Safety & Corrections (Office of State Police) (erroneously named and referred to in the Petition as “State of Louisiana: Department of Public Safety & Corrections: Public Safety Services; Office of State Police”) (hereafter referred to as “DPSC/LSP”) hereby files notice pursuant to 28 U.S.C. § 1441, *et seq.*, of removal the civil action filed by the plaintiff, Carl Cavalier (“Plaintiff”), from the 19th Judicial District Court in and for the Parish of East Baton Rouge, State of Louisiana, to the United States District Court for the Middle District of Louisiana.

1.

A civil action bearing Docket No. C-711842 Sec. 23 and entitled “Carl Cavalier v. State of Louisiana: Department of Public Safety & Corrections: Public Safety Services; Office of State Police” was commenced on September 30, 2021 in the 19th Judicial District Court in and for the Parish of East Baton Rouge, State of Louisiana, and that action is now pending in East Baton Rouge Parish.¹

¹ Exhibit A, *in globo* –State Court Civil Suit Ledger and Civil Suit Record.

2.

In both the Petition and Amended Petition, Plaintiff identifies, names and sues DPSC/LSP as the sole defendant.²

3.

Plaintiff alleges that he experienced racial discrimination in the workplace while working in Troop C during his employment with DPSC/LSP.³

4.

Plaintiff specifically contends that he was subjected to added scrutiny and harshly criticized by supervisors at DPSC/LSP and was harassed by colleagues at DPSC/LSP – circumstances that allegedly prompted Plaintiff to request a transfer to the Bureau of Investigations (“BOI”).⁴

5.

Plaintiff alleges that even after being transferred to BOI, he continued to endure “increasingly hostile working conditions.”⁵

6.

Also alleged is that DPSC/LSP: (1) forced Plaintiff to take both annual leave and leave under the Family Medical Leave Act, (2) transferred (and thereby, constructively demoted) Plaintiff from his position, and (3) suspended Plaintiff without pay – actions that allegedly constitute “race-based harassment/discrimination” and that allegedly “were taken in retaliation/reprisal for [Plaintiff’s] whistle blowing activity.”⁶

² Exhibit A, *in globo*, p. 5 (¶¶ 2-3 of the Petition), p. 13 (¶¶ 2-3 of the Amended Petition).

³ Exhibit A, *in globo*, pp. 5-6 (¶¶ 5-6 of the Petition), pp. 13-14 (¶¶ 5-6 of the Amended Petition).

⁴ Exhibit A, *in globo*, pp. 5-6 (¶¶ 6, 8-9 of the Petition), pp. 13-14 (¶¶ 6, 8-9 of the Amended Petition).

⁵ Exhibit A, *in globo*, p. 6 (¶¶ 9-10 of the Petition), pp. 14 (¶¶ 9-10 of the Amended Petition).

⁶ Exhibit A, *in globo*, pp. 7-8 (¶¶ 11, 13, 15, 16, 17 of the Petition), 15-17 (¶¶ 11, 13, 15, 16, 17 of the Amended Petition).

7.

More specifically, Plaintiff maintains that the actions and inactions of DPSC/LSP “abridged [his] rights pursuant to 42 U.S.C. § 1981” and that the actions of DPSC/LSP “violate his First Amendment rights of free speech and free expression under 42 U.S.C. § 1983.”⁷

8.

This civil action is one in which the United States District Court for the Middle District of Louisiana unquestionably has jurisdiction by reason of 28 U.S.C. §§ 1331 and 1343 and because claims asserted by Plaintiff allegedly arise under the First Amendment to the U.S. Constitution.

9.

A constitutional tort claim under 42 U.S.C. § 1983 is facially removable because it is a civil action founded on claims under the Constitution and/or laws of the United States.⁸

10.

Venue of the removed action is proper in this Court because the parish from which the state court action has been removed belongs to and/or forms part of the United States District Court for the Middle District of Louisiana.⁹

11.

This Notice of Removal has been filed within thirty days of the purported (albeit defective/deficient) service of Plaintiff’s Petition and/or Amended Petition on DPSC/LSP. Therefore, this Notice of Removal is timely.¹⁰

⁷ Exhibit A, *in globo*, p. 9 (¶ 19 of the Petition), p. 17 (¶ 19 of the Amended Petition).

⁸ *Carr v. Capital One, N.A.*, 460 Fed.Appx. 461, 467-468 (5th Cir. 2012). *See also* 28 U.S.C. § 1331; 28 U.S.C. § 1343; and 28 U.S.C. § 1441.

⁹ *See* 28 U.S.C. § 1441(a); and 28 U.S.C. § 1443.

¹⁰ *See Crockett v. Louisiana Correctional Institute for Women*, 2018 WL 1313170 at *3, 4 (E.D. La. 2018) (recognizing that “[w]hen assessing whether removal was timely, the questions of if and when service occurred are questions of state law” and holding that “the thirty day removal clock never started to run” due to service deficiencies as

12.

By filing this Notice of Removal, DPSC/LSP expressly consents to the removal to federal court.

13.

All process, pleadings and orders filed in the state court action are collectively attached hereto as Exhibit A, *in globo*.

14.

In accordance with the requirements of 28 U.S.C. § 1446(d), DPSC/LSP has this day given and served written notice of this removal on Plaintiff by mailing and emailing him a copy of this pleading and all attachments thereto.

15.

Undersigned counsel certifies that a Notice of Filing Notice of Removal (attached hereto as Exhibit B), along with a copy of this Notice of Removal (including all referenced exhibits), has contemporaneously been filed with the 19th Judicial District Court for the Parish of East Baton Rouge, State of Louisiana, as is required by 28 U.S.C. §1446(d).¹¹

16.

In accordance with the requirements of 28 U.S.C. § 1446(a) and Rule 11 of the Federal Rules of Civil Procedure, undersigned counsel states that the averments of this Notice of Removal are well-grounded in fact and are warranted by existing law and that this matter is within the

to the State defendants and finding the defendants' notice of removal was timely) (citing *Thompson v. Deutsche Bank Nat'l Trust Co.*, 775 F.3d 298, 304-05 (5th Cir. 2014) (holding that removal was timely even though defendant filed notice of removal eight months after complaint was filed, and six months after default judgment was entered against defendant, because defendant was never properly served); and *In re Oil Spill*, MDL No. 2179, 2012 WL 4753418, at *2 (E.D. La. Oct. 4, 2012) (holding that thirty-day removal clock only starts when defendant has been "served with the citation *and* the attached petition") (emphasis added)).

¹¹ Exhibit B – Notice of Filing Notice of Removal and attached Notice of Removal (without exhibits).

jurisdiction of this Court pursuant to 28 U.S.C. § 1331, 28 U.S.C. § 1343 and 28 U.S.C. § 1441, *et seq.*

WHEREFORE, DPSC/LSP prays that this Notice of Removal be deemed good and sufficient as required by law, that the aforesaid action, “Carl Cavalier v. State of Louisiana: Department of Public Safety & Corrections: Public Safety Services; Office of State Police,” bearing Docket No. C-711842 Sec. 23 on the docket of the 19th Judicial District Court in and for the Parish of East Baton Rouge, State of Louisiana, be removed from that court to the United States District Court for the Middle District of Louisiana, and that this Court have and assume full and complete jurisdiction thereof and issue all necessary orders and grant all general and equitable relief to which the defendant might be entitled, and that all further proceedings in the state court be discontinued.

Respectfully Submitted,
JEFF LANDRY
Attorney General

BY: /s/ Jennie P. Pellegrin
JENNIE P. PELLEGRIN – LA. BAR ROLL NO. 25207
jpellegrin@neunerpate.com
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NEUNERPATE
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1001 West Pinhook Road (zip 70503)
Post Office Box 52828
Lafayette, LA 70505-2828
TELEPHONE: (337) 237-7000 FAX: (337) 233-9450
*Special Assistants Attorneys General and Counsel
for the Louisiana Department of Public Safety &
Corrections (Office of State Police)*

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Notice of Removal (including all exhibits thereto) was forwarded on Wednesday, November 10, 2021 to:

- ☒ Plaintiff by United States mail, properly addressed and postage prepaid;
- ☐ All remaining counsel by United States mail, properly addressed and postage prepaid;
- ☐ Plaintiff by Registered United States mail, return receipt requested, properly addressed and postage prepaid;
- ☐ All remaining counsel by Registered United States mail, return receipt requested, properly addressed and postage prepaid;
- ☐ Plaintiff by facsimile transmission with confirmation;
- ☐ All remaining counsel by facsimile transmission with confirmation;
- ☐ Plaintiff by hand delivery;
- ☐ All remaining counsel by hand delivery;
- ☒ Plaintiff by electronic transmission; and/or
- ☐ All remaining counsel by electronic transmission.

/s/ Jennie P. Pellegrin
COUNSEL

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

Carl Cavalier

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

(c) Attorneys (Firm Name, Address, and Telephone Number)

Carl Cavalier, pro se, 6112 St. Pius Ave., Baton Rouge,
LA 70811, 504-316-0351

DEFENDANTS

Louisiana Department of Public Safety & Corrections (Office
of State Police)County of Residence of First Listed Defendant East Baton Rouge Parish
(IN U.S. PLAINTIFF CASES ONLY)NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Special Assistant Attorney General, Jennie P. Pellegrin,
NeunerPate, 1001 W. Pinhook Rd., Ste. 200, Lafayette, LA
70503. 337-272-0389 (see attachment)

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 type="checkbox"/> 1 | <input 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	PERSONAL INJURY <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 PERSONAL INJURY <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 PERSONAL PROPERTY <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 LABOR <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 IMMIGRATION <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 INTELLECTUAL PROPERTY RIGHTS <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 SOCIAL SECURITY <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)) FEDERAL TAX SUITS <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 <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	CIVIL RIGHTS <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 PRISONER PETITIONS Habeas Corpus: <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 Other: <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 U.S.C. Sections 1981 and 1983

Brief description of cause:

Plaintiff has sued for retaliation and harassment rooted in alleged race-based discrimination

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

11-10-2021

SIGNATURE OF ATTORNEY OF RECORD

Jennie Pellegrin

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

ADDITIONAL DEFENSE COUNSEL

Ben L. Mayeaux
NEUNERPATE
One Petroleum Center, Suite 200
1001 West Pinhook Road (zip 70503)
Post Office Box 52828
Lafayette, LA 70505-2828
TELEPHONE: (337) 237-7000
FAX: (337) 233-9450
*Special Assistant Attorney General
and Counsel for the Louisiana Department
of Public Safety & Corrections (Office of State Police)*

#970 P.002/022
11/08/2021 10:37

Print Date: 11/8/2021

Print Time: 10:10 AM

EAST BATON ROUGE PARISH

Suit Ledger: C-711842

Through 11/08/2021

Page 1

Suit Number: C-711842

CARL CAVALIER

VS

STATE OF LOUISIANA: DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONS, ET AL

Date Filed: 09/30/2021

Cause: JR-Judicial Review

Division: 23

Parties

CAVALIER, CARL

STATE OF LOUISIANA: DEPARTMENT OF PUBLIC SAFETY
AND CORRECTIONS

LOUISIANA STATE POLICE COLONEL LAMAR A DAVIS

Date	Code	Description	Payee Name / Deposit Details	Attorney Name	Party Name	Balance Type	Deposit	Charge
09/30/2021	8520	NUMBER OF NAMES INDEXED [4 Qty]	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$8.00
09/30/2021	1000	PET-CIV [5 Pg]	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$22.00
09/30/2021	8500	INITIALIZATION FEE	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$20.00
09/30/2021	8501	5% CLERKS FEE ACT NO. 1093	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$0.15
09/30/2021	8503	PRO BONO EXPENSE CIVIL	BATON ROUGE BAR ASSOCIATION	N/A	CAVALIER, CARL	Advance		\$2.85
09/30/2021	8504	BLDG FUND FEE NEW SUIT \$200	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$200.00
09/30/2021	8506	STATE TREASURY CIVIL JSC	LOUISIANA STATE TREASURER/CIVIL	N/A	CAVALIER, CARL	Advance		\$27.00
09/30/2021	8512	SUPREME COURT JUDICIAL COLLEGE	LA SUPREME COURT-JUDICIAL COLLEGE	N/A	CAVALIER, CARL	Advance		\$0.50
09/30/2021	8514	JUDICIAL EXPENSE FUND	JUDICIAL EXPENSE FUND	N/A	CAVALIER, CARL	Advance		\$15.00
09/30/2021	8522	CONFORMED COPY	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$3.00
09/30/2021	5001	VERIFICATION-CV [1 Pg]	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$6.00
09/30/2021	8531	BLDG FUND FEE EXISTING \$10	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$10.00
09/30/2021	1	ADVANCED DEPOSIT CAVALIER, CARL	CREDIT by CAVALIER, CARL	N/A	CAVALIER, CARL	Advance	\$760.00	
09/30/2021	8527	BLDG FUND FEE JURY \$200	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$200.00
10/01/2021	2000	CIT-CIV	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$20.00
10/01/2021	8523	CERTIFIED COPY	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$5.00

From:

Exhibit A, in globo p. 1

Print Date: 11/8/2021

Print Time: 10:10 AM

EAST BATON ROUGE PARISH

Suit Ledger: C-711842

Through 11/08/2021

Page 2

Date	Code	Description	Payee Name / Deposit Details	Attorney Name	Party Name	Balance Type	Deposit	Charge
10/01/2021	8531	BLDG FUND FEE EXISTING \$10	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$10.00
10/01/2021	8540	PAY EBR SHERIFF	EAST BATON ROUGE PARISH SHERIFFS	N/A	CAVALIER, CARL	Advance		\$30.00
10/01/2021	8571	EBR SHERIFF SERVICE MILEAGE [806 Amt]	EAST BATON ROUGE PARISH SHERIFFS	N/A	CAVALIER, CARL	Advance		\$10.40
10/01/2021	2000	CIT-CIV	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$20.00
10/01/2021	8523	CERTIFIED COPY	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$5.00
10/01/2021	8531	BLDG FUND FEE EXISTING \$10	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$10.00
10/01/2021	8540	PAY EBR SHERIFF	EAST BATON ROUGE PARISH SHERIFFS	N/A	CAVALIER, CARL	Advance		\$30.00
10/01/2021	8571	EBR SHERIFF SERVICE MILEAGE [802 Amt]	EAST BATON ROUGE PARISH SHERIFFS	N/A	CAVALIER, CARL	Advance		\$3.12
10/13/2021	8543	SERVICE RETURN FEE STATE OF LOUISIANA: DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$6.00
10/14/2021	8543	SERVICE RETURN FEE LOUISIANA STATE POLICE COLONEL LAMAR A DAVIS	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$6.00
10/25/2021	4020	SUPP AMEND PETITION-CV [6 Pg]	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$26.00
10/25/2021	8531	BLDG FUND FEE EXISTING \$10	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$10.00
10/25/2021	5001	VERIFICATION-CV [1 Pg]	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$6.00
10/25/2021	8531	BLDG FUND FEE EXISTING \$10	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$10.00
10/25/2021	1	ADVANCED DEPOSIT CAVALIER, CARL	CREDIT by CAVALIER, CARL	N/A	CAVALIER, CARL	Advance	\$240.00	
10/26/2021	2000	CIT-CIV	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$20.00
10/26/2021	8523	CERTIFIED COPY	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$5.00
10/26/2021	8531	BLDG FUND FEE EXISTING \$10	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$10.00
10/26/2021	8540	PAY EBR SHERIFF	EAST BATON ROUGE PARISH SHERIFFS	N/A	CAVALIER, CARL	Advance		\$30.00
10/26/2021	8571	EBR SHERIFF SERVICE MILEAGE [806 Amt]	EAST BATON ROUGE PARISH SHERIFFS	N/A	CAVALIER, CARL	Advance		\$10.40
10/26/2021	2000	CIT-CIV	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$20.00
10/26/2021	8523	CERTIFIED COPY	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$5.00

Exhibit A, in globo p. 2

11/08/2021 10:38 #970 P.003/022

From:

11/08/2021 10:39 #970 P.004/022

From:

Print Date: 11/8/2021

Print Time: 10:10 AM

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EAST BATON ROUGE PARISH

Suit Ledger: C-711842

Through 11/08/2021

Date	Code	Description	Payee Name / Deposit Details	Attorney Name	Party Name	Balance Type	Deposit	Charge
10/26/2021	8531	BLDG FUND FEE EXISTING \$10	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$10.00
10/26/2021	8540	PAY EBR SHERIFF	EAST BATON ROUGE PARISH SHERIFFS	N/A	CAVALIER, CARL	Advance		\$30.00
10/26/2021	8571	EBR SHERIFF SERVICE MILEAGE [802 Amt]	EAST BATON ROUGE PARISH SHERIFFS	N/A	CAVALIER, CARL	Advance		\$3.12
11/04/2021	8543	SERVICE RETURN FEE MARCOLLE	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$6.00
11/04/2021	8543	SERVICE RETURN FEE J. RICHARDSON	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$6.00

Attorney Totals

<ATTORNEY NOT SPECIFIED>

Advance Net Deposits	\$1,000.00
Clerk Fees	\$0.00
Local Sheriff Fees	\$147.04
Other Sheriff Fees	\$0.00
Judges Supplemental Fund	\$27.00
Advance Charges	\$877.54
Total Advance Balance	\$122.46
Witness Net Deposits	\$0.00
Witness Charges	\$0.00
Escrow Net Deposits	\$0.00
Escrow Charges	\$0.00
Pauper Charges	\$0.00
Total Witness Balance	\$0.00
Total Escrow Balance	\$0.00
Total Suit + Direct Costs	\$877.54
Judicial Expense Fund	\$15.50
Court Reporter Fees	\$0.00
Curator Fees	\$0.00

Grand Totals

Advance Net Deposits	\$1,000.00
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Exhibit A, in globo p. 3

Print Date: 11/8/2021

Print Time: 10:10 AM

EAST BATON ROUGE PARISH

Suit Ledger: C-711842

Through 11/08/2021

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Clerk Fees	\$0.00
Local Sheriff Fees	\$147.04
Other Sheriff Fees	\$0.00
Judges Supplemental Fund	\$27.00
Advance Charges	\$877.54
Total Advance Balance	\$122.46
Witness Net Deposits	\$0.00
Witness Charges	\$0.00
Escrow Net Deposits	\$0.00
Escrow Charges	\$0.00
Pauper Charges	\$0.00
Total Witness Balance	\$0.00
Total Escrow Balance	\$0.00
Total Suit + Direct Costs	\$877.54
Judicial Expense Fund	\$15.50
Court Reporter Fees	\$0.00
Curator Fees	\$0.00

11/08/2021 10:40 #970 P.005/022

From:

Exhibit A, in globo p. 4

EAST BATON ROUGE PARISH C-711842
Filed Sep 30, 2021 12:21 PM 23
Deputy Clerk of Court

CARL CAVALIER

19th JUDICIAL DISTRICT COURT

VERSUS

PARISH OF EAST BATON ROUGE

**STATE OF LOUISIANA:
DEPARTMENT OF PUBLIC
SAFETY AND CORRECTIONS: PUBLIC
SAFETY SERVICES; OFFICE
OF STATE POLICE;**

STATE OF LOUISIANA

.....
PETITION

1.

NOW INTO COURT IN PROPER PERSON comes Petitioner **CARL CAVALIER**, a person of the age of majority residing in Houma, Louisiana; Parish of Terrebonne.

2.

Made Defendant(s) herein Louisiana Department of Public Safety: Public Safety Services; Louisiana Office of State Police, (LSP); which is justly and truly indebted unto Petitioner for all sums as are reasonable under the premises, attorney's fees, litigation expenses, legal interest thereon from the date of demand until paid, and all such other relief to which Petitioner is entitled at law or in equity.

3.

LSP is a political subdivision of the Louisiana Department of Public Safety with LSP Headquarters located in Baton Rouge, Louisiana; Parish of East Baton Rouge therefore venue in this court is proper.

4.

Petitioner is domiciled in this State at the time of filing, therefore venue is proper.

5.

Petitioner began his employment with LSP on November 30, 2014. He was assigned to Troop C, located in Gray, Louisiana; Parish of Terrebonne; At all pertinent times, Petitioner was an "employee" of defendant and defendant was Petitioner's "employer", employing greater than 1000 individuals, all within the meaning and intent of Louisiana law.

6.

On or about May 5, 2018, Petitioner began experiencing racial discrimination from his chain of command, specifically from Major Frank Besson¹; Sergeant Simon Besson; Lieutenant Andre Bienvenue and Lieutenant Matt Trahan;

After issuing a ticket to an narcotics officer with the Houma Police Department, Petitioner's supervisors began subjecting all tickets and reports to additional scrutiny. Including

¹ On May 5, 2018 Frank Besson was Captain of LSP: Troop C.

but not limited to watching body worn camera videos not related to use of force; requesting that incident reports be edited and/or rewritten; receiving harsh criticism over minor issues where other LSP commissioned officers were not reprimanded; immediate family being harassed by LSP personnel for minor traffic violations.

7.

On August 1, 2018 Petitioner began the Employee Grievance Process in compliance with LSP Policy and Procedure Order 219. On August 15, 2018 Major Frank Besson issued a written response to petitioner's grievance. These documents are attached to this petition and marked Exhibit A in globo.

This grievance was not addressed by LSP Command Staff and Petitioner was never given the opportunity to complete the grievance process in accordance with LSP Policy.

8.

On August 11, 2018 Petitioner was targeted and harassed by Sgt. Henry Kimble and forced to write an incident report regarding his presence in New Orleans in his marked unit during day shift when he was assigned to night shift. This document is attached to this petition and marked Exhibit B.

9.

Between August 11, 2018 and August 24, 2018 Petitioner was contacted by Lieutenant Draper Crain and Lt. Colonel Kendrick Van Buren² and advised that he should request a transfer to the Bureau of Investigations, hereinafter ("BOI").

On August 24, 2018 Petitioner met with Major Darrin Naquin regarding possible resolutions to the discrimination issued presented in the employee grievance. Following this meeting, Petitioner requested a transfer to BOI by correspondence dated August 27, 2018. This document is attached to this petition and marked Exhibit C.

Petitioner was not allowed to complete the grievance procedure under civil service rules.

10.

On October 19, 2020, Petitioner submitted information to the Trooper Employee Assistance Program ("TEAP") in an attempt to address the racism issues he was experiencing. TEAP member Martin Mayon advised that TEAP members were not trained to deal with helping individuals with racism.

On November 7, 2020, Petitioner again contacted Mr. Mayon regarding the increasingly hostile working conditions at LSP. There was no progress with Petitioner's information.

² In August 2018, Kendrick Van Buren was a Captain in LSP: Gaming.

On January 30, 2021, Petitioner spoke with TEAP supervisor, Sgt. Christopher McClelland and further reiterated that he was experiencing stress and stress related issues to due work conditions. Sgt. McClelland further advised that TEAP wasn't able to give any assistance on racism or discrimination. A subsequent meeting with Sgt. McClelland on February 2, 2021 yielded similar results.

On February 5, 2021, Petitioner met with Colonel Lamar A. Davis regarding the employee grievance filed in 2018 and ongoing racial discrimination at LSP. Colonel Davis advised that he would investigate these claims. Additionally, Colonel Davis suggested that Petitioner read the book 'Chop Wood Carry Water: How to Fall in Love with the Process of Becoming Great' by Joshua Medcalf, alleging that this book might help him deal with the ongoing racism.

11.

On or about June 7, 2021, Petitioner was placed on forced annual leave pursuant to State Police Commission Rule 11.9. Petitioner was deprived of eighty (80) hours of annual leave equal to an amount of \$28.39/hr. LSP did not give a specific reason for the forced annual leave. Petitioner was required to surrender all LSP issued equipment, including but not limited to firearms, vehicle, uniforms, commission cards, undercover materials, badges, building access cards, keys to LSP properties. Petitioner endured the humiliation of being escorted out of the building and off LSP Headquarters premises.

On or about June 9, 2021, Petitioner met with Byron Sam, EEO coordinator in the DPS Office of Legal Affairs. Following this meeting, Petitioner was instructed to go to a meeting in Human Resources. At this meeting Petitioner was advised that he qualified for an ADA accommodation for any stress related issues arising in the course and scope of his employment. On June 23, 2021 LTC Van Buren advises Petitioner to consider taking Family Medical Leave ("FMLA").

12.

On or about June 11, 2021, Petitioner received a phone call from Sgt. Dave Floss regarding a secondary employment application. These questions were directly related to allegations that Petitioner had authored a work of fiction wherein LSP was harshly criticized. Sgt. Floss requested a copy of the book³.

Further, Lt. Draper Crain spoke with Petitioner and advised that LSP personnel had been cautioned to avoid any and all communication with Petitioner. This deliberate creation of hostile work environment adversely affected Petitioner's relationship with LSP commissioned personnel.

13.

On or about June 28, 2021, Petitioner returned to active duty. He was immediately advised that he was now on ("FMLA") and sent back to his residence indefinitely.

³ NWB was released July 2021.

14.

On or about July 20, 2021 Petitioner was interviewed by LSP: Internal Affairs regarding a complaint he filed against Faye Dysart Morrison, Assistant Secretary of Legal Affairs. At the conclusion of the interview, LTC Van Buren gave Petitioner a hard copy of LSP Procedure Order 901 Code of Ethics, Subsection 42 – Public Statements regarding media contact, specifically regarding a television interview with WBRZ Investigative Reporter Chris Nakamoto on June 28, 2021.

Petitioner gave the following television and radio interviews regarding criminal conduct by commissioned personnel of Louisiana State Police: June 28, 2021 WBRZ with Chris Nakamoto; July 22, 2021 WBOK New Orleans Radio; July 25, 2021 Interview with Eugene Collins, President of Baton Rouge NAACP; July 28, 2021 Instagram Live interview with Dr. Jamal Taylor; August 18, 2021, WWL Channel 4 Interview with Mike Perlstein.

15.

On or about August 2, 2021, Petitioner returned to active duty at LSP. He was immediately involuntarily transferred from Narcotics to Gaming. This action was a constructive demotion to a far less desirable position than Petitioner previously occupied. Petitioner has eleven (11) years of law enforcement employment, but has no experience with gaming, or casino regulation.

Additionally, he was also given correspondence advising him that he was now on administrative leave pending investigation and again sent to his residence indefinitely.

On August 27, 2021, Petitioner received a letter informing him that he would be suspended without pay for forty (40) hours for violation of the LSP Policy on Secondary Employment and one hundred and sixty (160) hours for violation of the LSP Policy on Conduct Unbecoming an Officer. This proposed suspension will result in a loss of income in the amount of five thousand, six hundred and seventy-eight dollars and 00/100 (\$5,678.00).

16.

Petitioner contends that the actions directed at him constituted illegal race-based harassment/discrimination and were taken in retaliation /reprisal for his whistle blowing activity.

17.

Defendant failed to have in full force and effect an effective policy regarding illegal discrimination/harassment and retaliation. Petitioner's reports of such illegal conduct served as a trigger for the unlawful actions thereafter directed at him. Defendant failed to take any action to remedy the racially hostile working environment in spite of Petitioner's many complaints regarding the situation.

18.

As a result of the situation sued upon herein, Petitioner has sustained damages which include but are not limited to, severe and extreme emotional distress, mental anguish, humiliation

and embarrassment, past and future medical expenses, loss of earning capacity, loss of promotional opportunities, and all such other damages as will be more fully shown at trial of this matter and all for which Petitioner specifically sues for herein.

19.

At all times, Petitioner enjoyed the co-equal ability to make and enforce contracts, including that of employment and working in a non-racially hostile environment, within the meaning and intent of 42 U.S.C. 1981. Defendant's actions and deliberate inactions abridged Petitioner's rights pursuant to 42 U.S.C. §1981, for which defendant is liable.

20.

Petitioner is additionally entitled to relief pursuant to La. R.S. 23: 967, for which defendant is liable.

21.

Petitioner has begun the process of filing with the EEOC and LCHR, but has not yet received his Notice of Right to Sue. Petitioner reserves his right to supplement and amend his claims upon receipt of same.

22.

Petitioner sent demand pursuant to La. R.S. 23:301, et seq. All conditions precedent to pursuit of his claims thereunder have been met and/or complied with.

23.

Petitioner is entitled to and desires an award of attorney's fees pursuant to law.

24.

Petitioner is entitled to and desires trial by jury of this matter.

WHEREFORE, Petitioner, Carl Cavalier, prays for trial by jury and after due proceedings are had that there by judgment herein in his favor and against defendant, State of Louisiana, through Department of Public Safety; Public Safety Services; Office of State Police, for all sums as are reasonable under the premises, attorney's fee, litigation expenses, legal interest thereon from the date of demand until paid, and all such other relief afforded Petitioner at law or in equity.

Respectfully submitted

By: 

Carl Cavalier, in proper person

Address: 6112 St. Pius Avenue

Baton Rouge, LA 70811

Phone: (504) 316-0351

Email: Karlcavalier@yahoo.com

PLEASE SERVE:

Louisiana State Police
Colonel Lamar A. Davis
7979 Independence Blvd
Office of Legal Affairs: Suite 307
Baton Rouge, LA 70806

State of Louisiana
Through Attorney General Jeff Landry
1885 North 3rd Street
Livingston Building
Baton Rouge, LA 70802

EAST BATON ROUGE PARISH C-711842
Filed Sep 30, 2021 12:21 PM 23
Deputy Clerk of Court

CARL CAVALIER

19th JUDICIAL DISTRICT COURT

VERSUS

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA:
DEPARTMENT OF PUBLIC
SAFETY AND CORRECTIONS: PUBLIC
SAFETY SERVICES; OFFICE
OF STATE POLICE;

STATE OF LOUISIANA

VERIFICATION

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

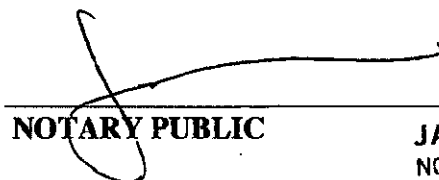
BEFORE ME, the undersigned authority, duly commissioned and qualified, in and for
the above parish and state, therein, residing, personally came and appeared:

CARL CAVALIER

who being duly sworn, did depose and say that he is the petitioner in the above and forgoing
Petition and that he has read all the allegations therein and that they are true and correct to the
best of his knowledge, information and belief.


CARL CAVALIER

SWORN TO AND SUBSCRIBED before me, this 30 day of September,
2021.


NOTARY PUBLIC

My commission expires at

JACOB M. LUNEAU
NOTARY PUBLIC ID #137858
STATE OF LOUISIANA
MY COMMISSION IS FOR LIFE

RETURN COPY



D7531759

CITATION

CARL CAVALIER
(Plaintiff)

NUMBER C-711842 SEC. 23

VS

19th JUDICIAL DISTRICT COURT

STATE OF LOUISIANA: DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONS, ET
AL
(Defendant)

PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

TO: STATE OF LOUISIANA:
THROUGH ATTORNEY GENERAL JEFF LANDRY
1885 NORTH 3RD STREET
LIVINGSTON BUILDING
BATON ROUGE, LA 70802

GREETINGS:

Attached to this citation is a certified copy of the petition*. The petition tells you what you are being sued for.

You must EITHER do what the petition asks OR, within fifteen (15) days after you have received these documents, you must file an answer or other legal pleading in the office of the Clerk of Court at 300 North Boulevard, Baton Rouge, Louisiana. If you do not do what the petition asks, or if you do not file an answer or legal pleading within fifteen (15) days, a judgment may be rendered against you without further notice.

This citation was issued by the Clerk of Court for East Baton Rouge Parish on **OCTOBER 1, 2021**.



Jarlisha Mitchell

Deputy Clerk of Court for
Doug Welborn, Clerk of Court

Requesting Attorney: CAVALIER, CARL

*The following documents are attached:

PETITION, VERIFICATION

SERVICE INFORMATION:

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____, served on the above named party as follows:

PERSONAL SERVICE: On the party herein named at _____

DOMICILIARY SERVICE: On the within named _____ by leaving the same at his domicile in this parish in the hands of _____, a person of suitable age and discretion residing in the said domicile at _____

SECRETARY OF STATE: By tendering same to the within named, by handing same to _____

DUE AND DILIGENT: After diligent search and inquiry, was unable to find the within named _____ or his domicile, or anyone legally authorized to represent him.

RETURNED: Parish of East Baton Rouge, this _____ day of _____, 20____, made service at the Louisiana State Office in the parish of East Baton Rouge, by handing said copy on:

SERVICE: \$ _____
MILEAGES: \$ _____
TOTAL: \$ _____

Deputy Sheriff
Parish of East Baton Rouge

CITATION-2000

OCT 12 2021

To: Michelle Barth
Dy Mock 1691
Deputy Sheriff, Parish of East Baton Rouge, LA

RETURN COPY



D7531767

CITATION

CARL CAVALIER
(Plaintiff)

NUMBER C-711842 SEC. 23

VS

19th JUDICIAL DISTRICT COURT

STATE OF LOUISIANA: DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONS, ET
AL
(Defendant)

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

TO: LOUISIANA STATE POLICE
COLONEL LAMAR A DAVIS
7979 INDEPENDENCE BLVD
OFFICE OF LEGAL AFFAIRS: SUITE 307
BATON ROUGE, LA 70806

GREETINGS:

Attached to this citation is a certified copy of the petition*. The petition tells you what you are being sued for.

You must EITHER do what the petition asks OR, within fifteen (15) days after you have received these documents, you must file an answer or other legal pleading in the office of the Clerk of Court at 300 North Boulevard, Baton Rouge, Louisiana. If you do not do what the petition asks, or if you do not file an answer or legal pleading within fifteen (15) days, a judgment may be rendered against you without further notice.

This citation was issued by the Clerk of Court for East Baton Rouge Parish on **OCTOBER 1, 2021**.



Jarlisha Mitchell

Deputy Clerk of Court for
Doug Welborn, Clerk of Court

Requesting Attorney: CAVALIER, CARL

*The following documents are attached:
PETITION, VERIFICATION

SERVICE INFORMATION:

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SECRETARY OF STATE: By tendering same to the within named, by handing same to _____

DUE AND DILIGENT: After diligent search and inquiry, was unable to find the within named _____ or his domicile, or anyone legally authorized to represent him.

RETURNED: Parish of East Baton Rouge, this _____ day of _____, 20____

SERVICE: \$ _____
MILEAGES: _____
TOTAL: \$ _____

Deputy Sheriff
Parish of East Baton Rouge

CITATION-2000

On this day
I made departmental service on the named
law enforcement officer through

Louisiana State Police Headquarters

East Baton Rouge Parish Sheriff's Office

OCT 12 2021

by tendering a copy of this document to
☐ Jamie Fletcher ☒ C. Robertson
☐ Dominick Abrams ☐ R. Langlois
DY. FREDDIE SELDERS 5568
Deputy Sheriff, Parish of East Baton Rouge, Louisiana

EAST BATON ROUGE PARISH **C-711842**
 Filed Oct 25, 2021 10:16 AM **23**
 Deputy Clerk of Court

CARL CAVALIER

19th JUDICIAL DISTRICT COURT

VERSUS

PARISH OF EAST BATON ROUGE

**STATE OF LOUISIANA:
 DEPARTMENT OF PUBLIC
 SAFETY AND CORRECTIONS: PUBLIC
 SAFETY SERVICES; OFFICE
 OF STATE POLICE;**

STATE OF LOUISIANA

711842

.....
AMENDED PETITION

1.

NOW INTO COURT IN PROPER PERSON comes Petitioner **CARL CAVALIER**, amending paragraphs 15, 16 and 19 of the petition filed on September 30, 2021.

2.

Made Defendant(s) herein Louisiana Department of Public Safety: Public Safety Services; Louisiana Office of State Police, (LSP); which is justly and truly indebted unto Petitioner for all sums as are reasonable under the premises, attorney's fees, litigation expenses, legal interest thereon from the date of demand until paid, and all such other relief to which Petitioner is entitled at law or in equity.

3.

LSP is a political subdivision of the Louisiana Department of Public Safety with LSP Headquarters located in Baton Rouge, Louisiana; Parish of East Baton Rouge therefore venue in this court is proper.

4.

Petitioner is domiciled in this State at the time of filing, therefore venue is proper.

5.

Petitioner began his employment with LSP on November 30, 2014. He was assigned to Troop C, located in Gray, Louisiana: Parish of Terrebonne; At all pertinent times, Petitioner was an "employee" of defendant and defendant was Petitioner's "employer", employing greater than 1000 individuals, all within the meaning and intent of Louisiana law.

6.

On or about May 5, 2018, Petitioner began experiencing racial discrimination from his chain of command, specifically from Major Frank Besson¹; Sergeant Simon Besson; Lieutenant Andre Bienvenue and Lieutenant Matt Trahan;

After issuing a ticket to an narcotics officer with the Houma Police Department, Petitioner's supervisors began subjecting all tickets and reports to additional scrutiny. Including

¹ On May 5, 2018 Frank Besson was Captain of LSP: Troop C.

but not limited to watching body worn camera videos not related to use of force; requesting that incident reports be edited and/or rewritten; receiving harsh criticism over minor issues where other LSP commissioned officers were not reprimanded; immediate family being harassed by LSP personnel for minor traffic violations.

7.

On August 1, 2018 Petitioner began the Employee Grievance Process in compliance with LSP Policy and Procedure Order 219. On August 15, 2018 Major Frank Besson issued a written response to petitioner's grievance. These documents are attached to this petition and marked Exhibit A in globo.

This grievance was not addressed by LSP Command Staff and Petitioner was never given the opportunity to complete the grievance process in accordance with LSP Policy.

8.

On August 11, 2018 Petitioner was targeted and harassed by Sgt. Henry Kimble and forced to write an incident report regarding his presence in New Orleans in his marked unit during day shift when he was assigned to night shift. This document is attached to this petition and marked Exhibit B.

9.

Between August 11, 2018 and August 24, 2018 Petitioner was contacted by Lieutenant Draper Crain and Lt. Colonel Kendrick Van Buren² and advised that he should request a transfer to the Bureau of Investigations, hereinafter ("BOI").

On August 24, 2018 Petitioner met with Major Darrin Naquin regarding possible resolutions to the discrimination issued presented in the employee grievance. Following this meeting, Petitioner requested a transfer to BOI by correspondence dated August 27, 2018. This document is attached to this petition and marked Exhibit C.

Petitioner was not allowed to complete the grievance procedure under civil service rules.

10.

On October 19, 2020, Petitioner submitted information to the Trooper Employee Assistance Program ("TEAP") in an attempt to address the racism issues he was experiencing. TEAP member Martin Mayon advised that TEAP members were not trained to deal with helping individuals with racism.

On November 7, 2020, Petitioner again contacted Mr. Mayon regarding the increasingly hostile working conditions at LSP. There was no progress with Petitioner's information.

² In August 2018, Kendrick Van Buren was a Captain in LSP: Gaming.

On January 30, 2021, Petitioner spoke with TEAP supervisor, Sgt. Christopher McClelland and further reiterated that he was experiencing stress and stress related issues to due work conditions. Sgt. McClelland further advised that TEAP wasn't able to give any assistance on racism or discrimination. A subsequent meeting with Sgt. McClelland on February 2, 2021 yielded similar results.

On February 5, 2021, Petitioner met with Colonel Lamar A. Davis regarding the employee grievance filed in 2018 and ongoing racial discrimination at LSP. Colonel Davis advised that he would investigate these claims. Additionally, Colonel Davis suggested that Petitioner read the book 'Chop Wood Carry Water: How to Fall in Love with the Process of Becoming Great' by Joshua Medcalf, alleging that this book might help him deal with the ongoing racism.

11.

On or about June 7, 2021, Petitioner was placed on forced annual leave pursuant to State Police Commission Rule 11.9. Petitioner was deprived of eighty (80) hours of annual leave equal to an amount of \$28.39/hr. LSP did not give a specific reason for the forced annual leave. Petitioner was required to surrender all LSP issued equipment, including but not limited to firearms, vehicle, uniforms, commission cards, undercover materials, badges, building access cards, keys to LSP properties. Petitioner endured the humiliation of being escorted out of the building and off LSP Headquarters premises.

On or about June 9, 2021, Petitioner met with Byron Sam, EEO coordinator in the DPS Office of Legal Affairs. Following this meeting, Petitioner was instructed to go to a meeting in Human Resources. At this meeting Petitioner was advised that he qualified for an ADA accommodation for any stress related issues arising in the course and scope of his employment. On June 23, 2021 LTC Van Buren advises Petitioner to consider taking Family Medical Leave ("FMLA").

12.

On or about June 11, 2021, Petitioner received a phone call from Sgt. Dave Floss regarding a secondary employment application. These questions were directly related to allegations that Petitioner had authored a work of fiction wherein LSP was harshly criticized. Sgt. Floss requested a copy of the book³.

Further, Lt. Draper Crain spoke with Petitioner and advised that LSP personnel had been cautioned to avoid any and all communication with Petitioner. This deliberate creation of hostile work environment adversely affected Petitioner's relationship with LSP commissioned personnel.

13.

On or about June 28, 2021, Petitioner returned to active duty. He was immediately advised that he was now on ("FMLA") and sent back to his residence indefinitely.

³ NWB was released July 2021.

14.

On or about July 20, 2021 Petitioner was interviewed by LSP: Internal Affairs regarding a complaint he filed against Faye Dysart Morrison, Assistant Secretary of Legal Affairs. At the conclusion of the interview, LTC Van Buren gave Petitioner a hard copy of LSP Procedure Order 901 Code of Ethics, Subsection 42 – Public Statements regarding media contact, specifically regarding a television interview with WBRZ Investigative Reporter Chris Nakamoto on June 28, 2021.

Petitioner gave the following television and radio interviews regarding criminal conduct by commissioned personnel of Louisiana State Police: June 28, 2021 WBRZ with Chris Nakamoto; July 22, 2021 WBOK New Orleans Radio; July 25, 2021 Interview with Eugene Collins, President of Baton Rouge NAACP; July 28, 2021 Instagram Live interview with Dr. Jamal Taylor; August 18, 2021, WWL Channel 4 Interview with Mike Perlstein.

15.

On or about August 2, 2021, Petitioner returned to active duty at LSP. He was immediately involuntarily transferred from Narcotics to Gaming. This action was a constructive demotion to a far less desirable position than Petitioner previously occupied. Petitioner has eleven (11) years of law enforcement employment, but has no experience with gaming, or casino regulation.

Additionally, he was also given correspondence advising him that he was now on administrative leave pending investigation and again sent to his residence indefinitely.

On August 27, 2021, Petitioner received a letter informing him that he would be suspended without pay for forty (40) hours for violation of the LSP Policy on Secondary Employment and one hundred and sixty (160) hours for violation of the LSP Policy on Conduct Unbecoming an Officer. This proposed suspension will result in a loss of income in the amount of five thousand, six hundred and seventy-eight dollars and 00/100 (\$5,678.00).

On or about September 28, 2021, Petitioner was denied a loan for the purchase of a home. The lender denied the loan specifically because LSP has constructively diminished plaintiff's income through multiple administrative suspensions. LSP has taken adverse employment actions against Plaintiff to the extent that he has been denied the economic opportunity of home ownership although he is still employed.

16.

Petitioner contends that the actions directed at him constituted illegal race-based harassment/discrimination and were taken in retaliation /reprisal for his whistle blowing activity. Petitioner's initial whistle blowing activity began September 12, 2020 with written communication to Louisiana State Representative Edmond Jordan regarding concerns that LSP had committed misconduct with the death of Ronald Greene.

17.

Defendant failed to have in full force and effect an effective policy regarding illegal discrimination/harassment and retaliation. Petitioner's reports of such illegal conduct served as a trigger for the unlawful actions thereafter directed at him. Defendant failed to take any action to remedy the racially hostile working environment in spite of Petitioner's many complaints regarding the situation.

18.

As a result of the situation sued upon herein, Petitioner has sustained damages which include but are not limited to, severe and extreme emotional distress, mental anguish, humiliation and embarrassment, past and future medical expenses, loss of earning capacity, loss of promotional opportunities, and all such other damages as will be more fully shown at trial of this matter and all for which Petitioner specifically sues for herein.

19.

At all times, Petitioner enjoyed the co-equal ability to make and enforce contracts, including that of employment and working in a non-racially hostile environment, within the meaning and intent of 42 U.S.C. §1981. Defendant's actions and deliberate inactions abridged Petitioner's rights pursuant to 42 U.S.C. §1981, for which defendant is liable.

Defendant is also liable for actions against Petitioner that violate his First Amendment rights of free speech and free expression under 42 U.S.C. §1983.

20.

Petitioner is additionally entitled to relief pursuant to La. R.S. 23: 967, for which defendant is liable.

21.

Petitioner has begun the process of filing with the EEOC and LCHR, but has not yet received his Notice of Right to Sue. Petitioner reserves his right to supplement and amend his claims upon receipt of same.

22.

Petitioner sent demand pursuant to La. R.S. 23:301, et seq. All conditions precedent to pursuit of his claims thereunder have been met and/or complied with.

23.

Petitioner is entitled to and desires an award of attorney's fees pursuant to law.

24.

Petitioner is entitled to and desires trial by jury of this matter.

WHEREFORE, Petitioner, Carl Cavalier, prays for trial by jury and after due proceedings are had that there by judgment herein in his favor and against defendant, State of Louisiana, through Department of Public Safety; Public Safety Services; Office of State Police, for all sums as are reasonable under the premises, attorney's fee, litigation expenses, legal interest thereon from the date of demand until paid, and all such other relief afforded Petitioner at law or in equity.

Respectfully submitted,

By: 

Carl Cavalier, in proper person

Address: 6112 St. Pius Avenue

Baton Rouge, LA 70811

Phone: (504) 316-0351

Email: Karlcavalier@yahoo.com

PLEASE SERVE:

Louisiana State Police

Colonel Lamar A. Davis

7979 Independence Blvd

Office of Legal Affairs: Suite 307

Baton Rouge, LA 70806

State of Louisiana

Through Attorney General Jeff Landry

1885 North 3rd Street

Livingston Building

Baton Rouge, LA 70802

EAST BATON ROUGE PARISH C-711842
Filed Oct 25, 2021 10:16 AM 23
Deputy Clerk of Court

CARL CAVALIER

19th JUDICIAL DISTRICT COURT

VERSUS

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA:
DEPARTMENT OF PUBLIC
SAFETY AND CORRECTIONS: PUBLIC
SAFETY SERVICES; OFFICE
OF STATE POLICE;

STATE OF LOUISIANA

VERIFICATION

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

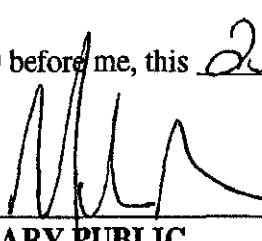
BEFORE ME, the undersigned authority, duly commissioned and qualified, in and for
the above parish and state, therein, residing, personally came and appeared:

CARL CAVALIER

who being duly sworn, did depose and say that he is the petitioner in the above and forgoing
Petition and that he has read all the allegations therein and that they are true and correct to the
best of his knowledge, information and belief.


CARL CAVALIER

SWORN TO AND SUBSCRIBED before me, this 25 day of October
2021.


NOTARY PUBLIC
My commission expires at _____
MELISSA MCMANUS
NOTARY PUBLIC ID #157216
STATE OF LOUISIANA
MY COMMISSION IS FOR LIFE



RETURN COPY



D7716798

CITATION

CARL CAVALIER
(Plaintiff)

NUMBER C-711842 SEC. 23

VS

19th JUDICIAL DISTRICT COURT

STATE OF LOUISIANA: DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONS, ET
AL
(Defendant)

PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

TO: LOUISIANA STATE POLICE COLONEL LAMAR A DAVIS
7979 INDEPENDENCE BLVD
OFFICE OF LEGAL AFFAIRS: SUITE 307
BATON ROUGE, LA 70806

GREETINGS:

Attached to this citation is a certified copy of the petition*. The petition tells you what you are being sued for.

You must EITHER do what the petition asks OR, within fifteen (15) days after you have received these documents, you must file an answer or other legal pleading in the office of the Clerk of Court at 300 North Boulevard, Baton Rouge, Louisiana. If you do not do what the petition asks, or if you do not file an answer or legal pleading within fifteen (15) days, a judgment may be rendered against you without further notice.

This citation was issued by the Clerk of Court for East Baton Rouge Parish on **OCTOBER 26, 2021**.

*Myriah Rosette*

Deputy Clerk of Court for
Doug Welborn, Clerk of Court

Requesting Attorney: CAVALIER, CARL
(504) 316-0351

*The following documents are attached:
AMENDED PETITION, VERIFICATION

SERVICE INFORMATION:

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____, served on the above named party as follows:

PERSONAL SERVICE: On the party herein named at _____

DOMICILIARY SERVICE: On the within named _____, by leaving the same at his domicile in this parish in the hands of _____, a person of suitable age and discretion residing in the said domicile at _____

SECRETARY OF STATE: By tendering same to the within named, by handing same to _____

DUE AND DILIGENT: After diligent search and inquiry, was unable to find the within named _____ or his domicile, or anyone legally authorized to represent him.

RETURNED: Parish of East Baton Rouge, this _____ day of _____, 20____, made departmental service on the named law enforcement officer through _____

SERVICE: \$ _____
MILEAGES \$ _____
TOTAL: \$ _____

Deputy Sheriff
Parish of East Baton Rouge

Louisiana State Police Headquarters
East Baton Rouge Parish Sheriff's Office

NOV 03 2021

CITATION-2000

by tendering a copy of this document to *Marcolle Desoto*
☐ Jamie Fletcher ☐ C. Robertson
☐ Dominick Abrams ☐ R. Langlois
DY. FREDDIE SELDERS 5568
Deputy Sheriff, Parish of East Baton Rouge, Louisiana

RETURN COPY


D7716780

CITATION

CARL CAVALIER
(Plaintiff)

NUMBER C-711842 SEC. 23

VS

19th JUDICIAL DISTRICT COURT

STATE OF LOUISIANA: DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONS, ET
AL
(Defendant)

PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

TO: STATE OF LOUISIANA: DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
THROUGH ATTORNEY GENERAL JEFF LANDRY
1885 NORTH 3RD STREET LIVINGSTON BUILDING
BATON ROUGE, LA 70802

GREETINGS:

Attached to this citation is a certified copy of the petition*. The petition tells you what you are being sued for.

You must EITHER do what the petition asks OR, within fifteen (15) days after you have received these documents, you must file an answer or other legal pleading in the office of the Clerk of Court at 300 North Boulevard, Baton Rouge, Louisiana. If you do not do what the petition asks, or if you do not file an answer or legal pleading within fifteen (15) days, a judgment may be rendered against you without further notice.

This citation was issued by the Clerk of Court for East Baton Rouge Parish on **OCTOBER 26, 2021**.



Myriah Rosette

Deputy Clerk of Court for
Doug Welborn, Clerk of Court

Requesting Attorney: CAVALIER, CARL
(504) 316-0351

*The following documents are attached:
AMENDED PETITION, VERIFICATION

SERVICE INFORMATION:

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____, served on the above named party as follows:

PERSONAL SERVICE: On the party herein named at _____

DOMICILIARY SERVICE: On the within named _____, by leaving the same at his domicile in this parish in the hands of _____, a person of suitable age and discretion residing in the said domicile at _____

SECRETARY OF STATE: By tendering same to the within named, by handing same to _____

DUE AND DILIGENT: After diligent search and inquiry, was unable to find the within named _____ or his domicile, or anyone legally authorized to represent him.

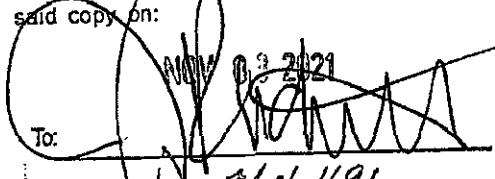
RETURNED: Parish of East Baton Rouge, this _____ day of _____, 20____.

SERVICE: \$ _____
MILEAGES: \$ _____
TOTAL: \$ _____

Deputy Sheriff
Parish of East Baton Rouge

CITATION-2000

I made service at the Louisiana State Office
in the parish of East Baton Rouge, by handing
said copy on:

To: 
Deputy Sheriff, Parish of East Baton Rouge, LA

#970 P.002/022
11/08/2021 10:37

Print Date: 11/8/2021

Print Time: 10:10 AM

EAST BATON ROUGE PARISH

Suit Ledger: C-711842

Through 11/08/2021

Page 1

Suit Number: C-711842

CARL CAVALIER

VS

STATE OF LOUISIANA: DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONS, ET AL

Date Filed: 09/30/2021

Cause: JR-Judicial Review

Division: 23

Parties

CAVALIER, CARL

STATE OF LOUISIANA: DEPARTMENT OF PUBLIC SAFETY
AND CORRECTIONS

LOUISIANA STATE POLICE COLONEL LAMAR A DAVIS

Date	Code	Description	Payee Name / Deposit Details	Attorney Name	Party Name	Balance Type	Deposit	Charge
09/30/2021	8520	NUMBER OF NAMES INDEXED [4 Qty]	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$8.00
09/30/2021	1000	PET-CIV [5 Pg]	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$22.00
09/30/2021	8500	INITIALIZATION FEE	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$20.00
09/30/2021	8501	5% CLERKS FEE ACT NO. 1093	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$0.15
09/30/2021	8503	PRO BONO EXPENSE CIVIL	BATON ROUGE BAR ASSOCIATION	N/A	CAVALIER, CARL	Advance		\$2.85
09/30/2021	8504	BLDG FUND FEE NEW SUIT \$200	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$200.00
09/30/2021	8506	STATE TREASURY CIVIL JSC	LOUISIANA STATE TREASURER/CIVIL	N/A	CAVALIER, CARL	Advance		\$27.00
09/30/2021	8512	SUPREME COURT JUDICIAL COLLEGE	LA SUPREME COURT-JUDICIAL COLLEGE	N/A	CAVALIER, CARL	Advance		\$0.50
09/30/2021	8514	JUDICIAL EXPENSE FUND	JUDICIAL EXPENSE FUND	N/A	CAVALIER, CARL	Advance		\$15.00
09/30/2021	8522	CONFORMED COPY	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$3.00
09/30/2021	5001	VERIFICATION-CV [1 Pg]	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$6.00
09/30/2021	8531	BLDG FUND FEE EXISTING \$10	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$10.00
09/30/2021	1	ADVANCED DEPOSIT CAVALIER, CARL	CREDIT by CAVALIER, CARL	N/A	CAVALIER, CARL	Advance	\$760.00	
09/30/2021	8527	BLDG FUND FEE JURY \$200	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$200.00
10/01/2021	2000	CIT-CIV	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$20.00
10/01/2021	8523	CERTIFIED COPY	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$5.00

Exhibit A, in globo p. 1

From:

Print Date: 11/8/2021

Print Time: 10:10 AM

EAST BATON ROUGE PARISH

Suit Ledger: C-711842

Through 11/08/2021

Page 2

Date	Code	Description	Payee Name / Deposit Details	Attorney Name	Party Name	Balance Type	Deposit	Charge
10/01/2021	8531	BLDG FUND FEE EXISTING \$10	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$10.00
10/01/2021	8540	PAY EBR SHERIFF	EAST BATON ROUGE PARISH SHERIFFS	N/A	CAVALIER, CARL	Advance		\$30.00
10/01/2021	8571	EBR SHERIFF SERVICE MILEAGE [806 Amt]	EAST BATON ROUGE PARISH SHERIFFS	N/A	CAVALIER, CARL	Advance		\$10.40
10/01/2021	2000	CIT-CIV	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$20.00
10/01/2021	8523	CERTIFIED COPY	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$5.00
10/01/2021	8531	BLDG FUND FEE EXISTING \$10	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$10.00
10/01/2021	8540	PAY EBR SHERIFF	EAST BATON ROUGE PARISH SHERIFFS	N/A	CAVALIER, CARL	Advance		\$30.00
10/01/2021	8571	EBR SHERIFF SERVICE MILEAGE [802 Amt]	EAST BATON ROUGE PARISH SHERIFFS	N/A	CAVALIER, CARL	Advance		\$3.12
10/13/2021	8543	SERVICE RETURN FEE STATE OF LOUISIANA: DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$6.00
10/14/2021	8543	SERVICE RETURN FEE LOUISIANA STATE POLICE COLONEL LAMAR A DAVIS	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$6.00
10/25/2021	4020	SUPP AMEND PETITION-CV [6 Pg]	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$26.00
10/25/2021	8531	BLDG FUND FEE EXISTING \$10	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$10.00
10/25/2021	5001	VERIFICATION-CV [1 Pg]	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$6.00
10/25/2021	8531	BLDG FUND FEE EXISTING \$10	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$10.00
10/25/2021	1	ADVANCED DEPOSIT CAVALIER, CARL	CREDIT by CAVALIER, CARL	N/A	CAVALIER, CARL	Advance	\$240.00	
10/26/2021	2000	CIT-CIV	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$20.00
10/26/2021	8523	CERTIFIED COPY	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$5.00
10/26/2021	8531	BLDG FUND FEE EXISTING \$10	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$10.00
10/26/2021	8540	PAY EBR SHERIFF	EAST BATON ROUGE PARISH SHERIFFS	N/A	CAVALIER, CARL	Advance		\$30.00
10/26/2021	8571	EBR SHERIFF SERVICE MILEAGE [806 Amt]	EAST BATON ROUGE PARISH SHERIFFS	N/A	CAVALIER, CARL	Advance		\$10.40
10/26/2021	2000	CIT-CIV	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$20.00
10/26/2021	8523	CERTIFIED COPY	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$5.00

Exhibit A, in globo p. 2

11/08/2021 10:38 #970 P.003/022

From:

Print Date: 11/8/2021

Print Time: 10:10 AM

EAST BATON ROUGE PARISH

Suit Ledger: C-711842

Through 11/08/2021

Date	Code	Description	Payee Name / Deposit Details	Attorney Name	Party Name	Balance Type	Deposit	Charge
10/26/2021	8531	BLDG FUND FEE EXISTING \$10	DOUG WELBORN-19TH JDC BUILDING FL	N/A	CAVALIER, CARL	Advance		\$10.00
10/26/2021	8540	PAY EBR SHERIFF	EAST BATON ROUGE PARISH SHERIFFS	N/A	CAVALIER, CARL	Advance		\$30.00
10/26/2021	8571	EBR SHERIFF SERVICE MILEAGE [802 Amt]	EAST BATON ROUGE PARISH SHERIFFS	N/A	CAVALIER, CARL	Advance		\$3.12
11/04/2021	8543	SERVICE RETURN FEE MARCOLLE	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$6.00
11/04/2021	8543	SERVICE RETURN FEE J. RICHARDSON	DOUG WELBORN SALARY FUND	N/A	CAVALIER, CARL	Advance		\$6.00

Attorney Totals

<ATTORNEY NOT SPECIFIED>

Advance Net Deposits	\$1,000.00
Clerk Fees	\$0.00
Local Sheriff Fees	\$147.04
Other Sheriff Fees	\$0.00
Judges Supplemental Fund	\$27.00
Advance Charges	\$877.54
Total Advance Balance	\$122.46
Witness Net Deposits	\$0.00
Witness Charges	\$0.00
Escrow Net Deposits	\$0.00
Escrow Charges	\$0.00
Pauper Charges	\$0.00
Total Witness Balance	\$0.00
Total Escrow Balance	\$0.00
Total Suit + Direct Costs	\$877.54
Judicial Expense Fund	\$15.50
Court Reporter Fees	\$0.00
Curator Fees	\$0.00

Grand Totals

Advance Net Deposits	\$1,000.00
----------------------	------------

Print Date: 11/8/2021

Print Time: 10:10 AM

EAST BATON ROUGE PARISH

Suit Ledger: C-711842

Through 11/08/2021

Page 4

Clerk Fees	\$0.00
Local Sheriff Fees	\$147.04
Other Sheriff Fees	\$0.00
Judges Supplemental Fund	\$27.00
Advance Charges	\$877.54
Total Advance Balance	\$122.46
Witness Net Deposits	\$0.00
Witness Charges	\$0.00
Escrow Net Deposits	\$0.00
Escrow Charges	\$0.00
Pauper Charges	\$0.00
Total Witness Balance	\$0.00
Total Escrow Balance	\$0.00
Total Suit + Direct Costs	\$877.54
Judicial Expense Fund	\$15.50
Court Reporter Fees	\$0.00
Curator Fees	\$0.00

11/08/2021 10:40 #970 P.005/022

From:

Exhibit A, in globo p. 4

EAST BATON ROUGE PARISH C-711842
Filed Sep 30, 2021 12:21 PM 23
Deputy Clerk of Court

CARL CAVALIER

19th JUDICIAL DISTRICT COURT

VERSUS

PARISH OF EAST BATON ROUGE

**STATE OF LOUISIANA:
DEPARTMENT OF PUBLIC
SAFETY AND CORRECTIONS: PUBLIC
SAFETY SERVICES; OFFICE
OF STATE POLICE;**

STATE OF LOUISIANA

.....
PETITION

1.

NOW INTO COURT IN PROPER PERSON comes Petitioner **CARL CAVALIER**, a person of the age of majority residing in Houma, Louisiana; Parish of Terrebonne.

2.

Made Defendant(s) herein Louisiana Department of Public Safety: Public Safety Services; Louisiana Office of State Police, (LSP); which is justly and truly indebted unto Petitioner for all sums as are reasonable under the premises, attorney's fees, litigation expenses, legal interest thereon from the date of demand until paid, and all such other relief to which Petitioner is entitled at law or in equity.

3.

LSP is a political subdivision of the Louisiana Department of Public Safety with LSP Headquarters located in Baton Rouge, Louisiana; Parish of East Baton Rouge therefore venue in this court is proper.

4.

Petitioner is domiciled in this State at the time of filing, therefore venue is proper.

5.

Petitioner began his employment with LSP on November 30, 2014. He was assigned to Troop C, located in Gray, Louisiana; Parish of Terrebonne; At all pertinent times, Petitioner was an "employee" of defendant and defendant was Petitioner's "employer", employing greater than 1000 individuals, all within the meaning and intent of Louisiana law.

6.

On or about May 5, 2018, Petitioner began experiencing racial discrimination from his chain of command, specifically from Major Frank Besson¹; Sergeant Simon Besson; Lieutenant Andre Bienvenue and Lieutenant Matt Trahan;

After issuing a ticket to an narcotics officer with the Houma Police Department, Petitioner's supervisors began subjecting all tickets and reports to additional scrutiny. Including

¹ On May 5, 2018 Frank Besson was Captain of LSP: Troop C.

but not limited to watching body worn camera videos not related to use of force; requesting that incident reports be edited and/or rewritten; receiving harsh criticism over minor issues where other LSP commissioned officers were not reprimanded; immediate family being harassed by LSP personnel for minor traffic violations.

7.

On August 1, 2018 Petitioner began the Employee Grievance Process in compliance with LSP Policy and Procedure Order 219. On August 15, 2018 Major Frank Besson issued a written response to petitioner's grievance. These documents are attached to this petition and marked Exhibit A in globo.

This grievance was not addressed by LSP Command Staff and Petitioner was never given the opportunity to complete the grievance process in accordance with LSP Policy.

8.

On August 11, 2018 Petitioner was targeted and harassed by Sgt. Henry Kimble and forced to write an incident report regarding his presence in New Orleans in his marked unit during day shift when he was assigned to night shift. This document is attached to this petition and marked Exhibit B.

9.

Between August 11, 2018 and August 24, 2018 Petitioner was contacted by Lieutenant Draper Crain and Lt. Colonel Kendrick Van Buren² and advised that he should request a transfer to the Bureau of Investigations, hereinafter ("BOI").

On August 24, 2018 Petitioner met with Major Darrin Naquin regarding possible resolutions to the discrimination issued presented in the employee grievance. Following this meeting, Petitioner requested a transfer to BOI by correspondence dated August 27, 2018. This document is attached to this petition and marked Exhibit C.

Petitioner was not allowed to complete the grievance procedure under civil service rules.

10.

On October 19, 2020, Petitioner submitted information to the Trooper Employee Assistance Program ("TEAP") in an attempt to address the racism issues he was experiencing. TEAP member Martin Mayon advised that TEAP members were not trained to deal with helping individuals with racism.

On November 7, 2020, Petitioner again contacted Mr. Mayon regarding the increasingly hostile working conditions at LSP. There was no progress with Petitioner's information.

² In August 2018, Kendrick Van Buren was a Captain in LSP: Gaming.

On January 30, 2021, Petitioner spoke with TEAP supervisor, Sgt. Christopher McClelland and further reiterated that he was experiencing stress and stress related issues to due work conditions. Sgt. McClelland further advised that TEAP wasn't able to give any assistance on racism or discrimination. A subsequent meeting with Sgt. McClelland on February 2, 2021 yielded similar results.

On February 5, 2021, Petitioner met with Colonel Lamar A. Davis regarding the employee grievance filed in 2018 and ongoing racial discrimination at LSP. Colonel Davis advised that he would investigate these claims. Additionally, Colonel Davis suggested that Petitioner read the book 'Chop Wood Carry Water: How to Fall in Love with the Process of Becoming Great' by Joshua Medcalf, alleging that this book might help him deal with the ongoing racism.

11.

On or about June 7, 2021, Petitioner was placed on forced annual leave pursuant to State Police Commission Rule 11.9. Petitioner was deprived of eighty (80) hours of annual leave equal to an amount of \$28.39/hr. LSP did not give a specific reason for the forced annual leave. Petitioner was required to surrender all LSP issued equipment, including but not limited to firearms, vehicle, uniforms, commission cards, undercover materials, badges, building access cards, keys to LSP properties. Petitioner endured the humiliation of being escorted out of the building and off LSP Headquarters premises.

On or about June 9, 2021, Petitioner met with Byron Sam, EEO coordinator in the DPS Office of Legal Affairs. Following this meeting, Petitioner was instructed to go to a meeting in Human Resources. At this meeting Petitioner was advised that he qualified for an ADA accommodation for any stress related issues arising in the course and scope of his employment. On June 23, 2021 LTC Van Buren advises Petitioner to consider taking Family Medical Leave ("FMLA").

12.

On or about June 11, 2021, Petitioner received a phone call from Sgt. Dave Floss regarding a secondary employment application. These questions were directly related to allegations that Petitioner had authored a work of fiction wherein LSP was harshly criticized. Sgt. Floss requested a copy of the book³.

Further, Lt. Draper Crain spoke with Petitioner and advised that LSP personnel had been cautioned to avoid any and all communication with Petitioner. This deliberate creation of hostile work environment adversely affected Petitioner's relationship with LSP commissioned personnel.

13.

On or about June 28, 2021, Petitioner returned to active duty. He was immediately advised that he was now on ("FMLA") and sent back to his residence indefinitely.

³ NWB was released July 2021.

14.

On or about July 20, 2021 Petitioner was interviewed by LSP: Internal Affairs regarding a complaint he filed against Faye Dysart Morrison, Assistant Secretary of Legal Affairs. At the conclusion of the interview, LTC Van Buren gave Petitioner a hard copy of LSP Procedure Order 901 Code of Ethics, Subsection 42 – Public Statements regarding media contact, specifically regarding a television interview with WBRZ Investigative Reporter Chris Nakamoto on June 28, 2021.

Petitioner gave the following television and radio interviews regarding criminal conduct by commissioned personnel of Louisiana State Police: June 28, 2021 WBRZ with Chris Nakamoto; July 22, 2021 WBOK New Orleans Radio; July 25, 2021 Interview with Eugene Collins, President of Baton Rouge NAACP; July 28, 2021 Instagram Live interview with Dr. Jamal Taylor; August 18, 2021, WWL Channel 4 Interview with Mike Perlstein.

15.

On or about August 2, 2021, Petitioner returned to active duty at LSP. He was immediately involuntarily transferred from Narcotics to Gaming. This action was a constructive demotion to a far less desirable position than Petitioner previously occupied. Petitioner has eleven (11) years of law enforcement employment, but has no experience with gaming, or casino regulation.

Additionally, he was also given correspondence advising him that he was now on administrative leave pending investigation and again sent to his residence indefinitely.

On August 27, 2021, Petitioner received a letter informing him that he would be suspended without pay for forty (40) hours for violation of the LSP Policy on Secondary Employment and one hundred and sixty (160) hours for violation of the LSP Policy on Conduct Unbecoming an Officer. This proposed suspension will result in a loss of income in the amount of five thousand, six hundred and seventy-eight dollars and 00/100 (\$5,678.00).

16.

Petitioner contends that the actions directed at him constituted illegal race-based harassment/discrimination and were taken in retaliation /reprisal for his whistle blowing activity.

17.

Defendant failed to have in full force and effect an effective policy regarding illegal discrimination/harassment and retaliation. Petitioner's reports of such illegal conduct served as a trigger for the unlawful actions thereafter directed at him. Defendant failed to take any action to remedy the racially hostile working environment in spite of Petitioner's many complaints regarding the situation.

18.

As a result of the situation sued upon herein, Petitioner has sustained damages which include but are not limited to, severe and extreme emotional distress, mental anguish, humiliation

and embarrassment, past and future medical expenses, loss of earning capacity, loss of promotional opportunities, and all such other damages as will be more fully shown at trial of this matter and all for which Petitioner specifically sues for herein.

19.

At all times, Petitioner enjoyed the co-equal ability to make and enforce contracts, including that of employment and working in a non-racially hostile environment, within the meaning and intent of 42 U.S.C. 1981. Defendant's actions and deliberate inactions abridged Petitioner's rights pursuant to 42 U.S.C. §1981, for which defendant is liable.

20.

Petitioner is additionally entitled to relief pursuant to La. R.S. 23: 967, for which defendant is liable.

21.

Petitioner has begun the process of filing with the EEOC and LCHR, but has not yet received his Notice of Right to Sue. Petitioner reserves his right to supplement and amend his claims upon receipt of same.

22.

Petitioner sent demand pursuant to La. R.S. 23:301, et seq. All conditions precedent to pursuit of his claims thereunder have been met and/or complied with.

23.

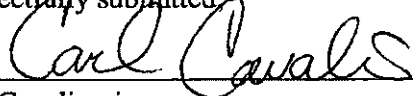
Petitioner is entitled to and desires an award of attorney's fees pursuant to law.

24.

Petitioner is entitled to and desires trial by jury of this matter.

WHEREFORE, Petitioner, Carl Cavalier, prays for trial by jury and after due proceedings are had that there by judgment herein in his favor and against defendant, State of Louisiana, through Department of Public Safety; Public Safety Services; Office of State Police, for all sums as are reasonable under the premises, attorney's fee, litigation expenses, legal interest thereon from the date of demand until paid, and all such other relief afforded Petitioner at law or in equity.

Respectfully submitted

By: 
Carl Cavalier, in proper person
Address: 6112 St. Pius Avenue
Baton Rouge, LA 70811
Phone: (504) 316-0351
Email: Karlcavalier@yahoo.com

PLEASE SERVE:

Louisiana State Police
Colonel Lamar A. Davis
7979 Independence Blvd
Office of Legal Affairs: Suite 307
Baton Rouge, LA 70806

State of Louisiana
Through Attorney General Jeff Landry
1885 North 3rd Street
Livingston Building
Baton Rouge, LA 70802

EAST BATON ROUGE PARISH C-711842
Filed Sep 30, 2021 12:21 PM 23
Deputy Clerk of Court

CARL CAVALIER

19th JUDICIAL DISTRICT COURT

VERSUS

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA:
DEPARTMENT OF PUBLIC
SAFETY AND CORRECTIONS: PUBLIC
SAFETY SERVICES; OFFICE
OF STATE POLICE;

STATE OF LOUISIANA

VERIFICATION

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

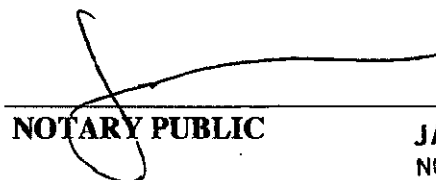
BEFORE ME, the undersigned authority, duly commissioned and qualified, in and for
the above parish and state, therein, residing, personally came and appeared:

CARL CAVALIER

who being duly sworn, did depose and say that he is the petitioner in the above and forgoing
Petition and that he has read all the allegations therein and that they are true and correct to the
best of his knowledge, information and belief.


CARL CAVALIER

SWORN TO AND SUBSCRIBED before me, this 30 day of September,
2021.


NOTARY PUBLIC

My commission expires at _____

JACOB M. LUNEAU
NOTARY PUBLIC ID #137858
STATE OF LOUISIANA
MY COMMISSION IS FOR LIFE

RETURN COPY



D7531759

CITATION

CARL CAVALIER
(Plaintiff)

NUMBER C-711842 SEC. 23

VS

19th JUDICIAL DISTRICT COURT

STATE OF LOUISIANA: DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONS, ET
AL
(Defendant)

PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

TO: STATE OF LOUISIANA:
THROUGH ATTORNEY GENERAL JEFF LANDRY
1885 NORTH 3RD STREET
LIVINGSTON BUILDING
BATON ROUGE, LA 70802

GREETINGS:

Attached to this citation is a certified copy of the petition*. The petition tells you what you are being sued for.

You must EITHER do what the petition asks OR, within fifteen (15) days after you have received these documents, you must file an answer or other legal pleading in the office of the Clerk of Court at 300 North Boulevard, Baton Rouge, Louisiana. If you do not do what the petition asks, or if you do not file an answer or legal pleading within fifteen (15) days, a judgment may be rendered against you without further notice.

This citation was issued by the Clerk of Court for East Baton Rouge Parish on **OCTOBER 1, 2021**.



Jarlisha Mitchell

Deputy Clerk of Court for
Doug Welborn, Clerk of Court

Requesting Attorney: CAVALIER, CARL

*The following documents are attached:

PETITION, VERIFICATION

SERVICE INFORMATION:

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____, served on the above named party as follows:

PERSONAL SERVICE: On the party herein named at _____

DOMICILIARY SERVICE: On the within named _____ by leaving the same at his domicile in this parish in the hands of _____, a person of suitable age and discretion residing in the said domicile at _____

SECRETARY OF STATE: By tendering same to the within named, by handing same to _____

DUE AND DILIGENT: After diligent search and inquiry, was unable to find the within named _____ or his domicile, or anyone legally authorized to represent him.

RETURNED: Parish of East Baton Rouge, this _____ day of _____, 20____, made service at the Louisiana State Office in the parish of East Baton Rouge, by handing said copy on:

SERVICE: \$ _____
MILEAGES: \$ _____
TOTAL: \$ _____

Deputy Sheriff
Parish of East Baton Rouge

CITATION-2000

OCT 12 2021

To: *Michelle Barth*
Dy Mock 1691
Deputy Sheriff, Parish of East Baton Rouge, LA

RETURN COPY



D7531767

CITATION

CARL CAVALIER
(Plaintiff)

NUMBER C-711842 SEC. 23

VS

19th JUDICIAL DISTRICT COURT

STATE OF LOUISIANA: DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONS, ET
AL
(Defendant)

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

TO: LOUISIANA STATE POLICE
COLONEL LAMAR A DAVIS
7979 INDEPENDENCE BLVD
OFFICE OF LEGAL AFFAIRS: SUITE 307
BATON ROUGE, LA 70806

GREETINGS:

Attached to this citation is a certified copy of the petition*. The petition tells you what you are being sued for.

You must EITHER do what the petition asks OR, within fifteen (15) days after you have received these documents, you must file an answer or other legal pleading in the office of the Clerk of Court at 300 North Boulevard, Baton Rouge, Louisiana. If you do not do what the petition asks, or if you do not file an answer or legal pleading within fifteen (15) days, a judgment may be rendered against you without further notice.

This citation was issued by the Clerk of Court for East Baton Rouge Parish on **OCTOBER 1, 2021**.



Jarlisha Mitchell

Deputy Clerk of Court for
Doug Welborn, Clerk of Court

Requesting Attorney: CAVALIER, CARL

*The following documents are attached:
PETITION, VERIFICATION

SERVICE INFORMATION:

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____, served on the above named party as follows:

PERSONAL SERVICE: On the party herein named at _____

DOMICILIARY SERVICE: On the within named _____, by leaving the same at his domicile in this parish in the hands of _____, a person of suitable age and discretion residing in the said domicile at _____

SECRETARY OF STATE: By tendering same to the within named, by handing same to _____

DUE AND DILIGENT: After diligent search and inquiry, was unable to find the within named _____ or his domicile, or anyone legally authorized to represent him.

RETURNED: Parish of East Baton Rouge, this _____ day of _____, 20____

SERVICE: \$ _____
MILEAGES: _____
TOTAL: \$ _____

Deputy Sheriff
Parish of East Baton Rouge

CITATION-2000

On this day
I made departmental service on the named
law enforcement officer through

Louisiana State Police Headquarters

East Baton Rouge Parish Sheriff's Office

OCT 12 2021

by tendering a copy of this document to
☐ Jamie Fletcher ☒ C. Robertson
☐ Dominick Abrams ☐ R. Langlois
DY. FREDDIE SELDERS 5568
Deputy Sheriff, Parish of East Baton Rouge, Louisiana

EAST BATON ROUGE PARISH Filed Oct 25, 2021 10:16 AM Deputy Clerk of Court	C-711842 23
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CARL CAVALIER**19th JUDICIAL DISTRICT COURT****VERSUS****PARISH OF EAST BATON ROUGE**

**STATE OF LOUISIANA:
DEPARTMENT OF PUBLIC
SAFETY AND CORRECTIONS: PUBLIC
SAFETY SERVICES; OFFICE
OF STATE POLICE;**

STATE OF LOUISIANA**711842**

.....

AMENDED PETITION

1.

NOW INTO COURT IN PROPER PERSON comes Petitioner **CARL CAVALIER**, amending paragraphs 15, 16 and 19 of the petition filed on September 30, 2021.

2.

Made Defendant(s) herein Louisiana Department of Public Safety: Public Safety Services; Louisiana Office of State Police, (LSP); which is justly and truly indebted unto Petitioner for all sums as are reasonable under the premises, attorney's fees, litigation expenses, legal interest thereon from the date of demand until paid, and all such other relief to which Petitioner is entitled at law or in equity.

3.

LSP is a political subdivision of the Louisiana Department of Public Safety with LSP Headquarters located in Baton Rouge, Louisiana; Parish of East Baton Rouge therefore venue in this court is proper.

4.

Petitioner is domiciled in this State at the time of filing, therefore venue is proper.

5.

Petitioner began his employment with LSP on November 30, 2014. He was assigned to Troop C, located in Gray, Louisiana: Parish of Terrebonne; At all pertinent times, Petitioner was an "employee" of defendant and defendant was Petitioner's "employer", employing greater than 1000 individuals, all within the meaning and intent of Louisiana law.

6.

On or about May 5, 2018, Petitioner began experiencing racial discrimination from his chain of command, specifically from Major Frank Besson¹; Sergeant Simon Besson; Lieutenant Andre Bienvenue and Lieutenant Matt Trahan;

After issuing a ticket to an narcotics officer with the Houma Police Department, Petitioner's supervisors began subjecting all tickets and reports to additional scrutiny. Including

¹ On May 5, 2018 Frank Besson was Captain of LSP: Troop C.

but not limited to watching body worn camera videos not related to use of force; requesting that incident reports be edited and/or rewritten; receiving harsh criticism over minor issues where other LSP commissioned officers were not reprimanded; immediate family being harassed by LSP personnel for minor traffic violations.

7.

On August 1, 2018 Petitioner began the Employee Grievance Process in compliance with LSP Policy and Procedure Order 219. On August 15, 2018 Major Frank Besson issued a written response to petitioner's grievance. These documents are attached to this petition and marked Exhibit A in globo.

This grievance was not addressed by LSP Command Staff and Petitioner was never given the opportunity to complete the grievance process in accordance with LSP Policy.

8.

On August 11, 2018 Petitioner was targeted and harassed by Sgt. Henry Kimble and forced to write an incident report regarding his presence in New Orleans in his marked unit during day shift when he was assigned to night shift. This document is attached to this petition and marked Exhibit B.

9.

Between August 11, 2018 and August 24, 2018 Petitioner was contacted by Lieutenant Draper Crain and Lt. Colonel Kendrick Van Buren² and advised that he should request a transfer to the Bureau of Investigations, hereinafter ("BOI").

On August 24, 2018 Petitioner met with Major Darrin Naquin regarding possible resolutions to the discrimination issued presented in the employee grievance. Following this meeting, Petitioner requested a transfer to BOI by correspondence dated August 27, 2018. This document is attached to this petition and marked Exhibit C.

Petitioner was not allowed to complete the grievance procedure under civil service rules.

10.

On October 19, 2020, Petitioner submitted information to the Trooper Employee Assistance Program ("TEAP") in an attempt to address the racism issues he was experiencing. TEAP member Martin Mayon advised that TEAP members were not trained to deal with helping individuals with racism.

On November 7, 2020, Petitioner again contacted Mr. Mayon regarding the increasingly hostile working conditions at LSP. There was no progress with Petitioner's information.

² In August 2018, Kendrick Van Buren was a Captain in LSP: Gaming.

On January 30, 2021, Petitioner spoke with TEAP supervisor, Sgt. Christopher McClelland and further reiterated that he was experiencing stress and stress related issues to due work conditions. Sgt. McClelland further advised that TEAP wasn't able to give any assistance on racism or discrimination. A subsequent meeting with Sgt. McClelland on February 2, 2021 yielded similar results.

On February 5, 2021, Petitioner met with Colonel Lamar A. Davis regarding the employee grievance filed in 2018 and ongoing racial discrimination at LSP. Colonel Davis advised that he would investigate these claims. Additionally, Colonel Davis suggested that Petitioner read the book 'Chop Wood Carry Water: How to Fall in Love with the Process of Becoming Great' by Joshua Medcalf, alleging that this book might help him deal with the ongoing racism.

11.

On or about June 7, 2021, Petitioner was placed on forced annual leave pursuant to State Police Commission Rule 11.9. Petitioner was deprived of eighty (80) hours of annual leave equal to an amount of \$28.39/hr. LSP did not give a specific reason for the forced annual leave. Petitioner was required to surrender all LSP issued equipment, including but not limited to firearms, vehicle, uniforms, commission cards, undercover materials, badges, building access cards, keys to LSP properties. Petitioner endured the humiliation of being escorted out of the building and off LSP Headquarters premises.

On or about June 9, 2021, Petitioner met with Byron Sam, EEO coordinator in the DPS Office of Legal Affairs. Following this meeting, Petitioner was instructed to go to a meeting in Human Resources. At this meeting Petitioner was advised that he qualified for an ADA accommodation for any stress related issues arising in the course and scope of his employment. On June 23, 2021 LTC Van Buren advises Petitioner to consider taking Family Medical Leave ("FMLA").

12.

On or about June 11, 2021, Petitioner received a phone call from Sgt. Dave Floss regarding a secondary employment application. These questions were directly related to allegations that Petitioner had authored a work of fiction wherein LSP was harshly criticized. Sgt. Floss requested a copy of the book³.

Further, Lt. Draper Crain spoke with Petitioner and advised that LSP personnel had been cautioned to avoid any and all communication with Petitioner. This deliberate creation of hostile work environment adversely affected Petitioner's relationship with LSP commissioned personnel.

13.

On or about June 28, 2021, Petitioner returned to active duty. He was immediately advised that he was now on ("FMLA") and sent back to his residence indefinitely.

³ NWB was released July 2021.

14.

On or about July 20, 2021 Petitioner was interviewed by LSP: Internal Affairs regarding a complaint he filed against Faye Dysart Morrison, Assistant Secretary of Legal Affairs. At the conclusion of the interview, LTC Van Buren gave Petitioner a hard copy of LSP Procedure Order 901 Code of Ethics, Subsection 42 – Public Statements regarding media contact, specifically regarding a television interview with WBRZ Investigative Reporter Chris Nakamoto on June 28, 2021.

Petitioner gave the following television and radio interviews regarding criminal conduct by commissioned personnel of Louisiana State Police: June 28, 2021 WBRZ with Chris Nakamoto; July 22, 2021 WBOK New Orleans Radio; July 25, 2021 Interview with Eugene Collins, President of Baton Rouge NAACP; July 28, 2021 Instagram Live interview with Dr. Jamal Taylor; August 18, 2021, WWL Channel 4 Interview with Mike Perlstein.

15.

On or about August 2, 2021, Petitioner returned to active duty at LSP. He was immediately involuntarily transferred from Narcotics to Gaming. This action was a constructive demotion to a far less desirable position than Petitioner previously occupied. Petitioner has eleven (11) years of law enforcement employment, but has no experience with gaming, or casino regulation.

Additionally, he was also given correspondence advising him that he was now on administrative leave pending investigation and again sent to his residence indefinitely.

On August 27, 2021, Petitioner received a letter informing him that he would be suspended without pay for forty (40) hours for violation of the LSP Policy on Secondary Employment and one hundred and sixty (160) hours for violation of the LSP Policy on Conduct Unbecoming an Officer. This proposed suspension will result in a loss of income in the amount of five thousand, six hundred and seventy-eight dollars and 00/100 (\$5,678.00).

On or about September 28, 2021, Petitioner was denied a loan for the purchase of a home. The lender denied the loan specifically because LSP has constructively diminished plaintiff's income through multiple administrative suspensions. LSP has taken adverse employment actions against Plaintiff to the extent that he has been denied the economic opportunity of home ownership although he is still employed.

16.

Petitioner contends that the actions directed at him constituted illegal race-based harassment/discrimination and were taken in retaliation /reprisal for his whistle blowing activity. Petitioner's initial whistle blowing activity began September 12, 2020 with written communication to Louisiana State Representative Edmond Jordan regarding concerns that LSP had committed misconduct with the death of Ronald Greene.

17.

Defendant failed to have in full force and effect an effective policy regarding illegal discrimination/harassment and retaliation. Petitioner's reports of such illegal conduct served as a trigger for the unlawful actions thereafter directed at him. Defendant failed to take any action to remedy the racially hostile working environment in spite of Petitioner's many complaints regarding the situation.

18.

As a result of the situation sued upon herein, Petitioner has sustained damages which include but are not limited to, severe and extreme emotional distress, mental anguish, humiliation and embarrassment, past and future medical expenses, loss of earning capacity, loss of promotional opportunities, and all such other damages as will be more fully shown at trial of this matter and all for which Petitioner specifically sues for herein.

19.

At all times, Petitioner enjoyed the co-equal ability to make and enforce contracts, including that of employment and working in a non-racially hostile environment, within the meaning and intent of 42 U.S.C. §1981. Defendant's actions and deliberate inactions abridged Petitioner's rights pursuant to 42 U.S.C. §1981, for which defendant is liable.

Defendant is also liable for actions against Petitioner that violate his First Amendment rights of free speech and free expression under 42 U.S.C. §1983.

20.

Petitioner is additionally entitled to relief pursuant to La. R.S. 23: 967, for which defendant is liable.

21.

Petitioner has begun the process of filing with the EEOC and LCHR, but has not yet received his Notice of Right to Sue. Petitioner reserves his right to supplement and amend his claims upon receipt of same.

22.

Petitioner sent demand pursuant to La. R.S. 23:301, et seq. All conditions precedent to pursuit of his claims thereunder have been met and/or complied with.

23.

Petitioner is entitled to and desires an award of attorney's fees pursuant to law.

24.

Petitioner is entitled to and desires trial by jury of this matter.

WHEREFORE, Petitioner, Carl Cavalier, prays for trial by jury and after due proceedings are had that there by judgment herein in his favor and against defendant, State of Louisiana, through Department of Public Safety; Public Safety Services; Office of State Police, for all sums as are reasonable under the premises, attorney's fee, litigation expenses, legal interest thereon from the date of demand until paid, and all such other relief afforded Petitioner at law or in equity.

Respectfully submitted,

By: 

Carl Cavalier, in proper person

Address: 6112 St. Pius Avenue

Baton Rouge, LA 70811

Phone: (504) 316-0351

Email: Karlcavalier@yahoo.com

PLEASE SERVE:

Louisiana State Police

Colonel Lamar A. Davis

7979 Independence Blvd

Office of Legal Affairs: Suite 307

Baton Rouge, LA 70806

State of Louisiana

Through Attorney General Jeff Landry

1885 North 3rd Street

Livingston Building

Baton Rouge, LA 70802

EAST BATON ROUGE PARISH C-711842
Filed Oct 25, 2021 10:16 AM 23
Deputy Clerk of Court

CARL CAVALIER

19th JUDICIAL DISTRICT COURT

VERSUS

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA:
DEPARTMENT OF PUBLIC
SAFETY AND CORRECTIONS: PUBLIC
SAFETY SERVICES; OFFICE
OF STATE POLICE;

STATE OF LOUISIANA

VERIFICATION

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

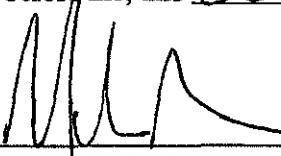
BEFORE ME, the undersigned authority, duly commissioned and qualified, in and for
the above parish and state, therein, residing, personally came and appeared:

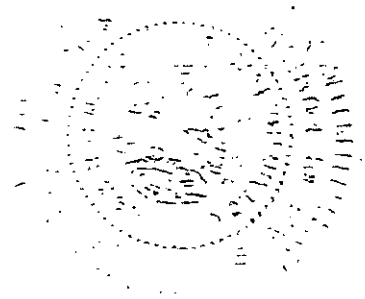
CARL CAVALIER

who being duly sworn, did depose and say that he is the petitioner in the above and forgoing
Petition and that he has read all the allegations therein and that they are true and correct to the
best of his knowledge, information and belief.


CARL CAVALIER

SWORN TO AND SUBSCRIBED before me, this 25 day of October
2021.


NOTARY PUBLIC
My commission expires at _____
MELISSA MCMANUS
NOTARY PUBLIC ID #157216
STATE OF LOUISIANA
MY COMMISSION IS FOR LIFE



RETURN COPY



D7716798

CITATION

CARL CAVALIER
(Plaintiff)

NUMBER C-711842 SEC. 23

VS

19th JUDICIAL DISTRICT COURTSTATE OF LOUISIANA: DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONS, ET
AL
(Defendant)PARISH OF EAST BATON ROUGE
STATE OF LOUISIANATO: LOUISIANA STATE POLICE COLONEL LAMAR A DAVIS
7979 INDEPENDENCE BLVD
OFFICE OF LEGAL AFFAIRS: SUITE 307
BATON ROUGE, LA 70806

GREETINGS:

Attached to this citation is a certified copy of the petition*. The petition tells you what you are being sued for.

You must EITHER do what the petition asks OR, within fifteen (15) days after you have received these documents, you must file an answer or other legal pleading in the office of the Clerk of Court at 300 North Boulevard, Baton Rouge, Louisiana. If you do not do what the petition asks, or if you do not file an answer or legal pleading within fifteen (15) days, a judgment may be rendered against you without further notice.

This citation was issued by the Clerk of Court for East Baton Rouge Parish on **OCTOBER 26, 2021**.

*Myriah Rosette*Deputy Clerk of Court for
Doug Welborn, Clerk of CourtRequesting Attorney: CAVALIER, CARL
(504) 316-0351*The following documents are attached:
AMENDED PETITION, VERIFICATION

SERVICE INFORMATION:

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____, served on the above named party as follows:

PERSONAL SERVICE: On the party herein named at _____

DOMICILIARY SERVICE: On the within named _____, by leaving the same at his domicile in this parish in the hands of _____, a person of suitable age and discretion residing in the said domicile at _____

SECRETARY OF STATE: By tendering same to the within named, by handing same to _____

DUE AND DILIGENT: After diligent search and inquiry, was unable to find the within named _____ or his domicile, or anyone legally authorized to represent him.

RETURNED: Parish of East Baton Rouge, this _____ day of _____, 20____, made departmental service on the named law enforcement officer through _____ Louisiana State Police Headquarters
Deputy Sheriff _____ East Baton Rouge Parish Sheriff's Office
Parish of East Baton RougeSERVICE: \$ _____
MILEAGES \$ _____
TOTAL: \$ _____

NOV 03 2021

CITATION-2000

by tendering a copy of this document to *Marcolle Desoto*
☐ Jamie Fletcher ☐ C. Robertson
☐ Dominick Abrams ☐ R. Langlois
DY. FREDDIE SELTERS 5568
Deputy Sheriff, Parish of East Baton Rouge, Louisiana

RETURN COPY


D7716780

CITATION

CARL CAVALIER
(Plaintiff)

NUMBER C-711842 SEC. 23

VS

19th JUDICIAL DISTRICT COURT

STATE OF LOUISIANA: DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONS, ET
AL
(Defendant)

PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

TO: STATE OF LOUISIANA: DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
THROUGH ATTORNEY GENERAL JEFF LANDRY
1885 NORTH 3RD STREET LIVINGSTON BUILDING
BATON ROUGE, LA 70802

GREETINGS:

Attached to this citation is a certified copy of the petition*. The petition tells you what you are being sued for.

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This citation was issued by the Clerk of Court for East Baton Rouge Parish on **OCTOBER 26, 2021**.



Myriah Rosette

Deputy Clerk of Court for
Doug Welborn, Clerk of Court

Requesting Attorney: CAVALIER, CARL
(504) 316-0351

*The following documents are attached:
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SECRETARY OF STATE: By tendering same to the within named, by handing same to _____

DUE AND DILIGENT: After diligent search and inquiry, was unable to find the within named _____ or his domicile, or anyone legally authorized to represent him.

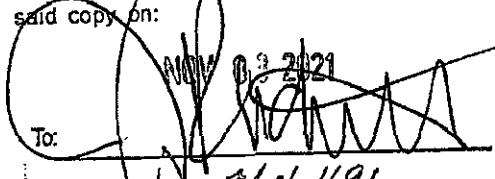
RETURNED: Parish of East Baton Rouge, this _____ day of _____, 20____.

SERVICE: \$ _____
MILEAGES: _____
TOTAL: \$ _____

Deputy Sheriff
Parish of East Baton Rouge

CITATION-2000

I made service at the Louisiana State Office
in the parish of East Baton Rouge, by handing
said copy on:

To: 
Deputy Sheriff, Parish of East Baton Rouge, LA

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

CARL CAVALIER	*	CIVIL ACTION
	*	
VERSUS	*	DOCKET NO. _____
	*	
STATE OF LOUISIANA: DEPT. OF	*	JUDGE _____
PUBLIC SAFETY & CORRECTIONS:	*	
PUBLIC SAFETY SERVICES; OFFICE	*	MAGISTRATE _____
OF STATE POLICE	*	

CERTIFICATE

The Louisiana Department of Public Safety & Corrections (Office of State Police) (erroneously named and referred to in the Petition as “State of Louisiana: Department of Public Safety & Corrections: Public Safety Services; Office of State Police”) certifies that the exhibits attached as “Exhibit A, *in globo*” and “Exhibit B” to its Notice of Removal constitute/represent the full contents of the state court record for civil action bearing Docket No. C-711842 Sec. 23 and entitled “Carl Cavalier v. State of Louisiana: Department of Public Safety & Corrections: Public Safety Services; Office of State Police” filed in the 19th Judicial District Court in and for the Parish of East Baton Rouge, State of Louisiana.

Respectfully Submitted,
JEFF LANDRY
Attorney General
BY: /s/ Jennie P. Pellegrin
JENNIE P. PELLEGRIN – LA. BAR ROLL NO. 25207
jpellegrin@neunerpate.com
BEN L. MAYEAUX – LA. BAR ROLL NO. 19042
bmayeaux@neunerpate.com
NEUNERPATE
One Petroleum Center, Suite 200
1001 W. Pinhook Road (zip 70503) /Post Office Box 52828
Lafayette, LA 70505-2828
TELEPHONE: (337) 237-7000 FAX: (337) 233-9450
*Special Assistants Attorneys General and Counsel for
the Louisiana Department of Public Safety &
Corrections (Office of State Police)*

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Certificate was forwarded on Wednesday, November 10, 2021 to:



Plaintiff by United States mail, properly addressed and postage prepaid;



All remaining counsel by United States mail, properly addressed and postage prepaid;



Plaintiff by Registered United States mail, return receipt requested, properly addressed and postage prepaid;



All remaining counsel by Registered United States mail, return receipt requested, properly addressed and postage prepaid;



Plaintiff by facsimile transmission with confirmation;



All remaining counsel by facsimile transmission with confirmation;



Plaintiff by hand delivery;



All remaining counsel by hand delivery;



Plaintiff by electronic transmission; and/or



All remaining counsel by electronic transmission.

/s/ Jennie P. Pellegrin
COUNSEL

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

CARL CAVALIER	*	CIVIL ACTION
	*	
VERSUS	*	DOCKET NO. _____
	*	
STATE OF LOUISIANA: DEPT. OF	*	JUDGE _____
PUBLIC SAFETY & CORRECTIONS:	*	
PUBLIC SAFETY SERVICES; OFFICE	*	MAGISTRATE _____
OF STATE POLICE	*	

LIST OF ALL PARTIES

The Louisiana Department of Public Safety & Corrections (Office of State Police) (erroneously named and referred to in the Petition as “State of Louisiana: Department of Public Safety & Corrections: Public Safety Services; Office of State Police”) (hereafter referred to as “DPSC/LSP”) provides the following list of all parties to this action:

“CARL CAVALIER”
Carl Cavalier
6112 St. Pius Avenue
Baton Rouge, LA 70811
Plaintiff, pro se

**“STATE OF LOUISIANA:
DEPARTMENT OF PUBLIC SAFETY &
CORRECTIONS: PUBLIC SAFETY
SERVICES; OFFICE OF STATE
POLICE”**
Jennie P. Pellegrin
Ben L. Mayeaux
NEUNERPATE
One Petroleum Center, Suite 200
1001 West Pinhook Road (zip 70503)
Post Office Box 52828
Lafayette, LA 70505-2828
TELEPHONE: (337) 237-7000
FAX: (337) 233-9450
*Counsel for the Louisiana Department
of Public Safety & Corrections (Office
of State Police)*

Respectfully Submitted,
JEFF LANDRY
Attorney General

BY: /s/ Jennie P. Pellegrin

JENNIE P. PELLEGRIN – LA. BAR ROLL NO. 25207

jpellegrin@neunerpate.com

BEN L. MAYEAUX – LA. BAR ROLL NO. 19042

bmayeaux@neunerpate.com

NEUNERPATE

One Petroleum Center, Suite 200

1001 West Pinhook Road (zip 70503) /Post Office Box 52828

Lafayette, LA 70505-2828

TELEPHONE: (337) 237-7000 FAX: (337) 233-9450

*Special Assistants Attorneys General and Counsel
for the Louisiana Department of Public Safety &
Corrections (Office of State Police)*

CERTIFICATE OF SERVICE

I hereby certify that a copy of this List of All Parties was forwarded on Wednesday,

November 10, 2021 to:



Plaintiff by United States mail, properly addressed and postage prepaid;



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All remaining counsel by Registered United States mail, return receipt requested, properly addressed and postage prepaid;



Plaintiff by facsimile transmission with confirmation;



All remaining counsel by facsimile transmission with confirmation;



Plaintiff by hand delivery;



All remaining counsel by hand delivery;



Plaintiff by electronic transmission; and/or



All remaining counsel by electronic transmission.

/s/ Jennie Pellegrin
COUNSEL