

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

BRETT PERCLE

CIVIL ACTION

VERSUS

THE CITY OF BATON ROUGE, ET AL.

NO. 14-449-SDD-RLB

**VERDICT FORM**

**Federal claims:**

1. Has the Plaintiff, Brett Percle, proven by a preponderance of the evidence that on June 11, 2014, Defendant Officer Moruzzi used excessive force against Percle in violation of the Fourth Amendment to the United States Constitution?

YES  \_\_\_\_\_ NO \_\_\_\_\_

2. Has the Plaintiff, Brett Percle, proven by a preponderance of the evidence that on June 11, 2014, Defendant Detective Acree's strip search of Percle violated his Fourth Amendment right to be free from unreasonable searches?

YES  \_\_\_\_\_ NO \_\_\_\_\_

**State law claims:**

3. Has the Plaintiff, Brett Percle, proven by a preponderance of the evidence that on June 11, 2014, Defendant Officer Moruzzi committed an assault and battery against Percle, as defined by Louisiana law?

YES  \_\_\_\_\_ NO \_\_\_\_\_

4. Has the Plaintiff, Brett Percle, proven by a preponderance of the evidence that on June 11, 2014, Defendant Officer Moruzzi's intentionally inflicted emotional distress upon Percle, as defined by Louisiana law?

YES \_\_\_\_\_ NO  \_\_\_\_\_

5. Has the Plaintiff, Brett Percle, proven by a preponderance of the evidence that on June 11, 2014, Defendant Detective Acree intentionally inflicted emotional distress upon Percle, as defined by Louisiana law?

YES \_\_\_\_\_ NO  \_\_\_\_\_

If you answered YES to any question above, proceed to question 6.  
If you answered No to every question above, please sign and date this verdict form on the last page and give it to the Court Security Officer.

#### DAMAGES

6. Has the Plaintiff, Brett Percle, proven by a preponderance of the evidence that the actions of Defendant Officer Moruzzi and/or Detective Acree caused him damage(s)?

YES  \_\_\_\_\_ NO \_\_\_\_\_

If you answered YES, please state the dollar amount of compensatory damages that will fairly compensate Plaintiff, Brett Percle, for the damage(s) he suffered:

\$ 25,000.00

If you answered YES to question 2 above, please proceed to question 7a. If you answered NO question 2 above please proceed directly to the instructions for question 8.

7a. Do you find by a preponderance of the evidence that a custom or policy of the City of Baton Rouge was a moving force behind Defendant Detective Acree's strip search of Mr. Percle?

YES  \_\_\_\_\_ NO \_\_\_\_\_

If you answered YES to question 7a, please proceed to question 7b. If you answered NO to question 7a please proceed directly to the instructions for question 8.

7b. Do you find by a preponderance of the evidence that the City of Baton Rouge knew or should have known and was deliberately indifferent to the custom or policy?

YES  \_\_\_\_\_ NO \_\_\_\_\_

Question 8 Instructions:

If you answered YES to question 1, please proceed to question 8. If you answered NO to question 1 please proceed directly to the instructions for question 9.

8. Has the Plaintiff proven by a preponderance of the evidence that Defendant Officer Moruzzi acted with malice or with reckless indifference to the Fourth Amendment rights of Brett Percle such that he should be punished with punitive damages?

YES \_\_\_\_\_ NO  \_\_\_\_\_

If you answered YES, please state the dollar amount of punitive damages that should be imposed on Defendant Officer Moruzzi:

\$ \_\_\_\_\_

Question 9 Instructions:

If you answered YES to question 2, please proceed to question 9. If you answered NO to question 2 please sign and date this verdict form on the last page and give it to the Court Security Officer.

9. Has the Plaintiff proven by a preponderance of the evidence that Defendant Detective Acree acted with malice or with reckless indifference to the Fourth Amendment rights of Brett Percle such that he should be punished with punitive damages?

YES \_\_\_\_\_ NO ✓ \_\_\_\_\_

If you answered YES, please state the dollar amount of punitive damages that should be imposed on Defendant Detective Acree:

\$ \_\_\_\_\_

Please have the jury foreperson sign and date the verdict form below and give it to the Court Security Officer.

**SO SAY WE ALL.**

Tracy Pousot  
**JURY FOREPERSON**

3-10-16  
**DATE**