

## Lathrop County named in Lum wrongful death suit

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August 4, 2010

LATHROP – The City of Lathrop, San Joaquin County, two Sheriff's sergeants, and 50 unnamed individuals are identified as defendants in a civil rights wrongful-death lawsuit filed by the parents of the late Jeremy Lum of Lathrop.

The lawsuit was filed in United States District Court, Eastern District of California by the decedent's father and mother, Jerry Lum and Dorothea Timmons, respectively.

The complaint is seeking damages as well as a demand for a jury trial. Also named as defendants are Sergeant Walters and Sergeant Steve Pease – who were Sheriff's deputies assigned to the city of Lathrop at the time of Lum's death in July 2009 – as well as Does 1 through 50.

"The first names of some of these individuals are unknown at this time. Once those names are ascertained this complaint will be amended as to properly identify those individuals," the lawsuit states.

The lawsuit alleges violation of decedent's fourth amendment rights (the rights of people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures...), a violation of his 14th amendment rights (guaranteed privileges and immunities of citizenship, due process and equal protection), disability discrimination in violation of the Americans with Disabilities Act, willful violation of California Welfare & Institutions, and false arrest.

According to the lawsuit, the plaintiffs "are informed and believe that in the early morning hours of July 9, 2009, (at approximately 1 a.m.), employees and/or agents of the City of Lathrop's Police Department, including but not limited to Sergeant Walters, Sergeant Pease and Does 1 to 25 arrested and booked Jeremy into the San Joaquin County Jail on charges of public intoxication."

The UC Berkeley graduate, and a member of the first graduating class of Sierra High School in Manteca, was later released from jail at 7 a.m. on July 9 and then vanished.

At approximately 5 p.m. on July 12, 2009, his body was discovered floating in the San Joaquin River.

According to the lawsuit, his body was found "approximately two miles west of the county jail, where the road in front of the jail crosses over the river." He was 29 years old at the time of his death.

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