

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS,
EASTERN DIVISION**

THE ESTATE OF ROBERTO CALVARIO
JR., by and through administrator
AWILDA RAMIREZ; AWILDA RAMIREZ,
Surviving Mother of Roberto Calvario Jr.,
Deceased; and SOFIA SALAZAR,
individually,

Plaintiffs,

v.

JOSE SALAZAR, GILBERTO GOMEZ, and
CITY OF CHICAGO,

Defendants.

Case No. _____

JURY TRIAL DEMANDED

COMPLAINT

Plaintiffs THE ESTATE OF ROBERTO CALVARIO, JR., by and through administrator, AWILDA RAMIREZ, AWILDA RAMIREZ, in her own personal capacity, and SOFIA SALAZAR, by their attorneys, Loevy & Loevy, complain of Defendants Chicago Police Department Officer JOSE SALAZAR, Chicago Police Department Officer GILBERTO GOMEZ, and the CITY OF CHICAGO, and state as follows:

INTRODUCTION

1. Roberto Calvario, Jr. was a 20-year-old Chicago native. On December 9, 2025, Calvario was shot in the back of the head by Chicago Police Department (“CPD”) Officer Jose Salazar while behind the wheel of a car, even though he posed no threat whatsoever.

2. Calvario's girlfriend, Plaintiff Sofia Salazar, was a passenger in the car and witnessed the shooting, only to then be removed from the car and forced to lie on the ground next to Calvario's dying body.

3. Defendant Salazar committed these unconscionable acts because the City of Chicago's ("the City's") policies and negligence allow CPD officers to fire their guns with virtual impunity, even when there is a clear risk of harming—or even killing—people who are entirely innocent. Just as with Laquon McDonald over a decade before, CPD officers took steps to attempt a "cover-up" to lead the public to believe the shooting was justified when, in reality, it was not. As elsewhere, the City has failed to demand that its officers provide a truthful account of what occurred and instead, by its practices, aided the efforts to obscure the truth.

4. Plaintiffs bring this action pursuant to 42 U.S.C. § 1983 and Illinois law to hold Defendants accountable for their actions, and to redress the injuries the Plaintiffs suffered due to the Defendants' illegal conduct and the City's failed policies and practices.

JURISDICTION AND VENUE

5. This Court has jurisdiction pursuant to 28 U.S.C. § 1331 and § 1367.

6. Venue is proper under 28 U.S.C. § 1391(b). Plaintiffs reside in this judicial district and the events and omissions giving rise to their claims occurred here.

PARTIES

7. At the time of his death, Roberto Calvario Jr. was a 20-year-old Hispanic man. Calvario was a resident of the City of Chicago, County of Cook, Illinois.

8. The Estate of Roberto Calvario Jr. (“The Estate”) represents the property and legal interests of decedent Calvario.

9. Plaintiff Awilda Ramirez is the administrator of The Estate and brings this action on behalf of Calvario’s surviving family members. Letters of Administration were granted to Ms. Ramirez by the Probate Department of the Circuit Court of Cook County, Illinois, establishing her as the administrator of Calvario’s estate.

10. Plaintiff Ramirez is also Calvario’s mother. The Estate also includes any legal interests arising out of Calvario’s death that Awilda Ramirez may have. The Estate brings those claims on her behalf.

11. Awilda Ramirez is also a party to this suit in her personal capacity. Ms. Ramirez is a resident of the City of Chicago, County of Cook, Illinois.

12. Plaintiff Sofia Salazar is a resident of the City of Chicago, County of Cook, Illinois. She brings this suit in her personal capacity and, for clarity, is referred to as “Sofia.”

13. Defendant Jose Salazar was, at all relevant times, a Chicago Police Department Officer. At all times relevant, Salazar acted in the course and scope of his employment and under color of law. He is sued in his personal capacity.

14. Defendant Gilberto Gomez was at all relevant times a Chicago Police Department Officer. At all times relevant, Gomez acted in the course and scope of his employment and under color of law. He is sued in his personal capacity.

15. Defendants Salazar and Gomez are referred to herein as the “Defendant Officers.”

16. Defendant City of Chicago is an Illinois municipal corporation, duly incorporated under the laws of the State of Illinois, that is the employer and principal of Defendants Salazar and Gomez. At all times relevant to the events described in the Complaint, Defendants Salazar and Gomez acted as agents or employees of the City of Chicago. The City of Chicago is liable for all torts committed by the Defendants pursuant to the doctrine of *respondeat superior*. Additionally, the City is responsible for the policies and practices of the CPD and for its own negligence.

FACTS

Officer Salazar Fatally Shoots Calvario

17. On December 9th, 2025, a 911 caller reported that she believed two individuals, described as Black men wearing all black clothing, were engaging in potentially “suspicious” activity in her neighborhood.

18. The caller did not report seeing a crime, let alone one in progress. The caller described Black men parking an SUV, wearing black, and walking away toward a major street.

19. The caller did not report seeing any weapons, or anyone in distress.

20. The caller speculated the SUV was stolen, with no basis for that whatsoever.

21. Somewhat surprisingly, given all of the serious crimes under-investigated in the City of Chicago, Chicago Police Department Officers Jose Salazar

and Gilberto Gomez proceeded to the area and parked their vehicle near the 5700 block of N. Washtenaw Ave.

22. The Defendant Officers did not speak with the 911 caller.

23. The Defendant Officers did not see a crime in progress.

24. The Defendant Officers did not see the two Black men, wearing all black, who had simply parked and walked away.

25. Roberto Calvario, Jr., a 20-year-old Hispanic man, was driving his girlfriend Sofia in her car down Washtenaw.

26. Sofia was in the passenger seat and another man was in the back seat.

27. Calvario and the other man exited the vehicle near the SUV.

28. Calvario did not match the description of the individuals reported by the 911 caller. Calvario is light-skinned, Hispanic, and was not wearing all black.

29. The Defendant Officers did not see Calvario commit any crime, much less a violent crime.

30. Calvario did not do anything threatening to the officers (or anyone else), and they did not know who he was, let alone have a warrant for his arrest.

31. Nonetheless, the Defendant Officers decided to seize Calvario with guns drawn and ran toward Calvario out of nowhere.

32. Calvario was ambushed.

33. Calvario attempted to get back into the driver's seat of his Sofia's car.

34. Defendant Salazar ran up to Calvario, grabbed Calvario with one hand and pointed his gun at Calvario with the other.

35. There was no lawful basis for this seizure.

36. Defendant Salazar attempted to wrench Calvario from the car.

37. Defendant Salazar waved his weapon near Calvario's head and barked at Calvario to "stop."

38. Calvario posed no threat of serious physical harm to Officer Salazar or anyone else.

39. Calvario did not threaten Officer Salazar physically or verbally.

40. Defendant Salazar shot Calvario in the back of the head.

41. When he was shot, Calvario was in the driver's seat of a running car, with Sofia Salazar in the passenger seat.

42. Calvario's last words to Defendant Salazar were "Get off me."

43. A mere 10 seconds transpired between when Defendants made contact with Calvario and when Defendant Salazar fatally shot him.

44. Defendant Salazar did not give any warnings about the use of deadly force before shooting Calvario in the back of the head.

45. Defendant Gomez pulled Calvario, unresponsive, from the driver's seat and laid him on the ground. Calvario's blood and body fluids pooled into the hood of his jacket.

46. The Defendant Officers knew Calvario was still alive when they pulled him from the car, but they did not immediately render aid.

47. After being shot and before he died, Calvario suffered immense pain and suffering. Calvario died because of the bullet wound inflicted by Defendant Salazar.

Officers Unlawfully Arrest Sofia

48. Sofia, after witnessing Defendant Salazar shoot her boyfriend in the back of the head, was in obvious shock.

49. Sofia had done absolutely nothing wrong.

50. Defendant Salazar nonetheless forced Sofia from the passenger seat of her car and made her lie on the ground next to Calvario.

51. Defendant Salazar left Sofia next to Calvario as he struggled to breathe.

52. Officers told her that nobody shot Calvario, even though she had just witnessed it.

53. As Calvario remained bleeding out and dying on the ground, Defendants seized Sofia, placed her in handcuffs, and arrested her. She was not free to leave.

54. There was no probable cause or reasonable suspicion to believe that Sofia had committed any crime.

55. Sofia had just watched her boyfriend be shot in the back of the head.

56. Officers took Sofia to the police station, and she was not free to leave.

57. At the station, officers confiscated Sofia's personal belongings including her keys and phone. Defendants also seized Sofia's vehicle, inside of which was her wallet and jacket.

58. Sofia was held overnight at the police station by the Defendants without probable cause. No charges were ever filed against Sofia.

59. Sofia's mother came to the police station and was led to believe that Sofia was going to be taken to Cook County jail.

60. The following morning, Sofia was released, but Defendants refused to return her phone. Without her phone, Sofia could not contact anyone to come pick her up, so she walked to a friend's house—in the cold, without her coat.

61. Eventually, the City returned some, but not all, of Sofia's personal belongings.

62. Weeks later, Sofia's car was returned to her in a shocking state. Calvario's blood and a piece of his scalp were inside and parts of the car had been removed, apparently never to be returned.

The City's Deficient Policies, Practices, and Customs

63. The CPD has a history of fatally shooting non-threatening suspects going back decades.

64. Examples include but are not limited to:

65. On August 29, 1988, Irene Oledzka was shot in the leg by a Chicago police officer who was attempting to arrest two robbery suspects.

66. On June 27, 2004, Chantel Davidson was shot in the shoulder by Chicago police officers who were shooting at a suspect who ran into a residential building. She was 13 years old.

67. On June 15, 2011, Pedro Gonzalez was shot and killed by police officers, who later falsely claimed he had a gun on him, which justified the shooting, even though the officers had planted the gun at the scene afterwards themselves.

68. On March 21, 2012, Rekia Boyd was killed by an off-duty Chicago police detective after he fired into a crowd of people attending a party in Douglas Park. She was 22 years old.

69. On January 1, 2014, then-pregnant Kierra Williamson was struck by a stray bullet from a Chicago police officer's gun after the officer indiscriminately shot inside a Roseland neighborhood home.

70. On October 20, 2014, Laquan McDonald, a 17-year-old child, was murdered by Chicago Police Officer Jason Van Dyke. In the aftermath of this shooting, numerous CPD officer lied or wrote false reports to attempt to "cover-up" the misconduct committed by Van Dyke. Objective video evidence—which the City sought to keep hidden—showed that Van Dyke's account, and that provided by other officers in the cover-up was a lie.

71. On December 26, 2015, Bettie Jones was shot and killed by Chicago police officers who were responding to a 911 call for assistance with a teenager who was experiencing a mental health crisis.

72. On July 28, 2016, Chicago police officers shot at Paul O'Neal five times as he was running away from the officers unarmed. One of the gunshots struck Paul O'Neal and he was killed.

73. On July 14, 2018, Harith Augustus, a barber going back to work, was shot and killed after a pedestrian stop where he had committed absolutely no crime. He was walking down a busy street going to work.

74. On June 3, 2020, Guadalupe Francisco-Martinez was killed after she was hit by a police squad car during a police chase. She was 37 years old and a mother of six.

75. On March 29, 2021, Adam Toledo was shot and killed by a Chicago police officer after dropping his weapon and raising his hands above his head. He was 13 years old.

76. On October 4, 2021, Michael Craig was shot and killed by a Chicago police officer. He was unarmed and had called the police because his wife was holding a knife to his neck.

77. On July 22, 2022, two Chicago Police Officers provoked an altercation by stopping their car on a Pilsen street and then attacking people standing there, including shooting a 23-year-old, Miguel Medina, and a person simply walking home from the gym, Richard Kroll. As here and as with McDonald, before video evidence came to light, the officers provided a false narrative about this shooting that was later contradicted by that evidence. Still, CPD took steps to protect the officers.

78. Given this history, it is obvious that the City of Chicago and its police department have failed to take adequate measures to protect people from unjustified police violence, including holding officers who inflict such harm accountable.

79. Moreover, acting pursuant to the City's official practices and customs, officers routinely engage in "cover-ups" of unjustified police brutality, as part of the "code of silence" within the CPD.

80. In 2007, Karolina Obrycka was beaten by Chicago Police Department Officer Anthony Abbate, Jr., and officers following the “code of silence” then attempted to cover up for the unjustified use of force.

81. In 2012, a civil jury later found the city liable to Obrycka due to the City’s policy and practice of a code of silence that encouraged cover-ups, as happened to Obrycka and here.

82. Following the 2014 shooting of Laquan McDonald, the Department of Justice opened an investigation into the Chicago Police Department’s use of force and the City of Chicago’s systems for holding officers accountable.

83. In 2017, as a result of its extensive investigation, the Department of Justice found that:

- a. “CPD officers engage in a pattern or practice of using force, including deadly force, that is unreasonable.”
- b. “CPD has not provided officers with adequate guidance to understand how and when they may use force, or how to safely and effectively control and resolve encounters to reduce the need to use force.”
- c. “CPD has failed to hold officers accountable” when they use unreasonable force or “otherwise commit misconduct.”
- d. “CPD’s failure to meaningfully and routinely review or investigate officer use of force is a significant factor in perpetuating the practices that result in the pattern of unlawful conduct.”

- e. “The pattern of unlawful force” is a result of a “collection of poor police practices...used routinely within CPD.”

84. The Department of Justice found that investigative fact-finding into officer abuse and misconduct was frustrated due to a code of silence, that many CPD leaders acknowledge a code of silence exists, and that the code of silence extends to lying and affirmative efforts to conceal evidence.

85. Indeed, the Department of Justice found the code of silence is strong enough to incite officers to lie even when they have little to lose by telling the truth.

86. Through a prior mayor and other officials, the City has admitted the existence of a code of silence that enabled police cover-ups of official misconduct.

87. As a result of the DOJ investigation, Judge Robert M. Dow, Jr., issued a consent decree mandating broad reform within the CPD in 2019. This consent decree remains in place as of the filing of this lawsuit.

88. Despite the court-ordered reforms, the CPD has not brought their customs and policies into compliance with the consent decree.

89. The City of Chicago has failed to comply with significant portions of the consent decree, including with respect to police accountability and internal investigations.

90. The CPD’s own website publishes data on compliance with the consent decree and shows significant noncompliance in the area of accountability.

91. Despite the City of Chicago’s awareness of the ongoing pattern of unjustified police shootings and the code of silence, it failed to take adequate measures

to prevent the Defendant Officers here from shooting Calvario, and then lying or otherwise attempting to cover up their unlawful acts.

92. The City of Chicago was, and remains, deliberately indifferent to the harm—including potential death by unjustified shooting—caused by its ongoing code of silence and cover-up culture.

93. Indeed, the shooting of Medina and Kroll, which also involved an attempted cover-up, and the shooting of Calvario here that fits in the same pattern, shows the Chicago's practices—and indifference—continue to this day.

**Pursuant to City Custom and Policy, Defendant Officers Face No
Accountability and An Attempted Cover-Up Ensues**

94. Consistent with the customs and policies that prevent accountability for police misconduct, CPD has not meaningfully investigated Calvario's shooting nor disciplined the officers involved.

95. Pursuant to City custom and policy, the Defendant Officers provided no narrative account or detailed explanation of the shooting in their reports. They submitted thin reports devoid of key details and only checked boxes on a form.

96. Further in line with the custom of police acting without fear of accountability, CPD attempted to cover up the incident:

- a. CPD released a preliminary statement falsely claiming that Calvario “dragged” Defendant Salazar with his car.
- b. The Defendant Officers both submitted inaccurate and misleading reports about the events surrounding the shooting.

- c. Defendant Salazar filed a report falsely stating that Calvario physically attacked him with a weapon, that Calvario used force likely to cause death or great bodily harm, that Calvario used his vehicle as a weapon, that Calvario committed an assault or battery on Defendant Salazar, and that Defendant Salazar was in imminent threat of battery with a weapon.
- d. Defendant Salazar also indicated in his shooting report that he shot Calvario to defend himself.

97. Defendant Salazars and Gomez both stated in police reports that they employed “force mitigation efforts,” including “movement to avoid attack.” To the contrary, Defendant Salazar needlessly escalated an investigative stop, tried to wrench Calvario from the driver’s side of a vehicle, and then shot Calvario without cause.

98. The City has failed to conduct a meaningful inquiry into the Defendant Officers’ responsibility for Calvario’s death.

99. As of February 2026, weeks after the shooting, the Defendant Officers still had not been interviewed by investigators with the Civilian Office of Police Accountability (COPA) about the shooting.

100. On information and belief, both Defendant Officers are still employed by CPD and have had no meaningful discipline or consequence to their law enforcement careers.

Plaintiffs' Profound Damages

101. Calvario suffered catastrophic physical injury when he was shot in the back of the head by Defendant Salazar. Calvario then continued to suffer for approximately 10 minutes as he bled out in the street before an ambulance arrived. His breathing was labored and pained as his body worked to stay alive. Calvario was pronounced dead hours later at the hospital, after suffering severe and prolonged physical pain from the gunshot wound to his head.

102. Because of Defendants' misconduct, Awilda Ramirez suffered injury, including mental and emotional distress, the loss of her beloved son and his companionship, and financial loss, including but not limited to the costs of an unexpected funeral, and the loss of his likely financial support over the years of her life.

103. Similarly, Sofia Salazar suffered injury, including mental and emotional distress, the loss of her long-time boyfriend and his companionship, and financial loss, including but not limited to the costs of repairs to her vehicle, the costs of reproducing the keys to her vehicle, the taking of her property by the CPD, and the cost of therapy to cope with this significant trauma. Sofia suffered a loss of liberty due to her wrongful arrest and detention, and she was deprived of the opportunity to be at Calvario's bedside when he died. Defendants' misconduct continues to cause Sofia extreme emotional and psychological pain and suffering including fear, insomnia, difficulty eating, nightmares, and anxiety.

COUNT I

42 U.S.C. § 1983 – Excessive Force in Violation of the Fourth Amendment

104. Plaintiffs incorporate each paragraph of this Complaint as if restated fully herein.

105. In the manner described more fully above, Defendant Salazar discharged a lethal weapon at Calvario without probable cause.

106. The Defendant Officers were acting individually, jointly, and in conspiracy with one another, as well as under color of law and within the scope of their employment.

107. The Defendant Officers' misconduct directly resulted in Plaintiffs' harms, violating their rights under the Fourth and Fourteenth Amendment of the United States Constitution.

108. The misconduct described in this Count was objectively unreasonable and was undertaken intentionally, and with reckless indifference and in total disregard of Plaintiffs' constitutional rights.

COUNT II

42 U.S.C. § 1983 – Unlawful Seizure in Violation of the Fourth Amendment

109. Plaintiffs incorporate each paragraph of this Complaint as if restated fully herein.

110. In the manner described in this Complaint, the Defendants violated Sofia Salazar's constitutional rights, causing her damage by unlawfully seizing her in the absence of probable cause, without a warrant, or any other lawful justification in

violation of the Fourth and Fourteenth Amendments to the United States Constitution, and holding her overnight in CPD custody.

111. The misconduct described in this Count caused Sofia Salazar damages, was objectively unreasonable, and was undertaken intentionally with willful indifference to Sofia Salazar's constitutional rights.

112. Sofia Salazar suffered damages including the seizure and damage of her vehicle, and the loss of other personal property including the key to her car.

COUNT III

42 U.S.C. § 1983 – Reckless Disregard of Serious Medical Need

113. Plaintiffs incorporate each paragraph of this Complaint as if restated fully herein.

114. As described more fully above, the Defendant Officers' actions toward Calvario violated his constitutional rights, including but not limited to his rights under the Fourteenth Amendment of the United States Constitution, due to their failure to render timely medical care to Calvario after Defendant Salazar shot him.

115. After shooting Calvario, Defendants Salazar and Gomez knew or should have known that Calvario was seriously injured and needed urgent medical care.

116. However, even though they knew or should have known of the risk of serious harm to Roberto from his injuries, the Defendants did nothing immediately to mitigate that risk. Instead, Defendants Salazar and Gomez failed to immediately provide medical care, all with deliberate indifference to the fact that Calvario could, and indeed did, die from the gunshot wound.

117. The misconduct described in this Count was objectively unreasonable and was undertaken intentionally with willful indifference to Calvario's constitutional rights.

118. As a result of the Defendants' conduct, Calvario had his constitutional rights violated in a manner that contributed to his pain and suffering and potentially his death.

COUNT IV
42 U.S.C. § 1983 – Conspiracy

119. Plaintiffs incorporate each paragraph of this Complaint as if restated fully herein.

120. The Defendants conspired with one another to cover up Calvario's unlawful killing, and took affirmative acts in furtherance of this conspiracy, including making false statements and not providing timely, accurate statements to investigators, prosecutors, and in official reports.

121. The foregoing actions of the Defendants were the direct and proximate cause of the violations of the Plaintiffs' constitutional rights.

122. The misconduct described in this Count was objectively unreasonable and was undertaken intentionally, and with reckless indifference and in total disregard of Plaintiffs' constitutional rights.

COUNT V
42 U.S.C. § 1983 – Municipal Liability

123. Plaintiffs incorporate each paragraph of this Complaint as if restated fully herein.

124. As described more fully above, the City of Chicago is itself liable for the violation of Plaintiffs' constitutional rights. The Chicago Police Department is a subsidiary division of Defendant City of Chicago. The City of Chicago exercises exclusive control over the Chicago Police Department's policies and procedures, as well as the conduct of all of its agents and employees, including the Defendant Officers.

125. Calvario's injuries were caused by the policies, practices, and customs of the Chicago Police Department, including Defendants in particular, in that Defendant Salazar injured Plaintiff by recklessly discharging his weapon without legal justification.

126. Awilda Ramirez's injuries were caused by the policies, practices, and customs of the Chicago Police Department, including Defendants in particular, in that Defendant Salazar killed Calvario by recklessly discharging his weapon without legal justification.

127. Sofia Salazar's injuries were caused by the policies, practices, and customs of the Chicago Police Department, including the Defendant Officers in particular, in that Defendant Salazar injured Plaintiff by recklessly discharging his weapon without legal justification and with complete disregard for other individuals inside the vehicle.

128. The institutional desire to hide police misconduct and not shed light on the innocent victims of police violence was known to command personnel, who themselves participated in the practice.

129. The above-described widespread practices, which were so well-settled as to constitute the de facto policy of the Chicago Police Department, were allowed to exist because municipal policymakers with authority over the same exhibited deliberate indifference to the problems, thereby effectively ratifying the problematic practices. Furthermore, the above-described widespread practices were allowed to flourish because the Chicago Police Department declined to implement sufficient training or any legitimate mechanism for oversight or punishment of officers who (1) used lethal force against people who did not pose a serious threat and where lethal force was not justified, (2) discharged weapons in close proximity to innocent bystanders without cause, or (3) fabricated statements and withheld evidence to cover-up such incidents.

130. The Defendant Officers had every reason to know that they would enjoy de facto immunity from criminal prosecution and/or Departmental discipline. The failure to hold police officers accountable for this type of misconduct coupled with the failure to adequately train its police officers, caused the misconduct at issue in this case.

131. The policies, practices, and customs set forth above were the moving force behind the violation of Plaintiffs' constitutional rights.

COUNT VI
Illinois State Law Claim - Battery

132. Plaintiff incorporates each paragraph of this Complaint as if restated fully herein.

133. As described more fully above, Defendant Salazar fatally injured Calvario by intentionally shooting him in the back of the head.

134. At the time he fired his weapon, Defendant Salazar had no legal justification for shooting Calvario.

135. Defendant Salazar caused catastrophic injuries that resulted in Calvario's death.

136. The Defendant Officers' actions constitute willful and wanton conduct.

COUNT VII
Illinois State Law Claim – Assault

137. Plaintiff incorporates each paragraph of this Complaint as if restated fully herein.

138. Officer Salazar's actions led to Calvario fearing that he would be physically harmed due to Salazar's conduct.

139. The Defendant Officers' conduct, including discharging a weapon in close proximity to her, pulling her from a vehicle, and requiring her to lie on the ground, put her in fear of imminent bodily harm.

COUNT VIII
Illinois State Law Claim – Negligence

140. Plaintiffs incorporate each paragraph of this Complaint as if restated fully herein.

141. Defendant City of Chicago, through its officers, owes a duty of care to persons with whom they can foreseeably interact in the course of police duties,

including situations involving the likely use of force. This duty entails taking reasonable care to prevent foreseeable harm during law enforcement interactions.

142. The City of Chicago owed such a duty to Plaintiffs, and the actions of its agents breached that duty.

143. This breach proximately caused Plaintiffs' injuries, as described and alleged above.

144. The City of Chicago is liable to Plaintiffs for the negligent actions of its officers that proximately caused their injuries.

COUNT IX

Illinois State Law Claim – Reckless Infliction of Emotional Distress

145. Plaintiffs incorporate each paragraph of this Complaint as if restated fully therein.

146. Defendants' actions, omissions, and conduct, as set forth above, were extreme and outrageous. These actions were rooted in an abuse of power and authority and were undertaken with reckless disregard for the probability that they would cause Calvario severe emotional distress, as more fully alleged above.

147. Defendants' actions, omissions, and conduct, as set forth above, were extreme and outrageous. Defendants acted with reckless disregard for the probability that shooting Calvario would cause severe emotional distress to Sofia Salazar.

148. As described more fully above, the Defendants' conduct resulted in Sofia Salazar suffering severe emotional distress. Defendants' conduct in shooting her boyfriend—without justification—as he sat beside her in her car was the direct and proximate cause of Sofia suffering severe emotional distress.

COUNT X

Illinois State Law Claim – Intentional Infliction of Emotional Distress

149. Plaintiff incorporates each paragraph of this Complaint as if restated fully herein.

150. Defendants' actions, omissions, and conduct, as set forth above, were extreme and outrageous. These actions were rooted in an abuse of power and authority and were undertaken with the intent to cause, or with knowledge of a high probability that they would cause, Calvario severe emotional distress, as more fully alleged above.

151. Defendants' actions, omissions, and conduct, as set forth above, were extreme and outrageous. These actions were rooted in an abuse of power and authority and were undertaken with the intent to cause, or with knowledge of a high probability that they would cause, Sofia Salazar severe emotional distress, as more fully alleged above.

152. As a direct and proximate result of the Defendants' actions, Calvario suffered emotional distress and other grievous injuries and damages, as set forth above.

153. As a direct and proximate result of the Defendants' actions, Sofia Salazar suffered and continues to suffer emotional distress and other grievous and continuing injuries and damages, as set forth above.

COUNT XI

Illinois State Law Claim – Negligent Infliction of Emotional Distress

154. Plaintiffs incorporate each paragraph of this Complaint as if restated fully herein.

155. Defendants' actions, omissions, and conduct, as set forth above, were extreme and outrageous. These actions were rooted in an abuse of power and authority and were undertaken with the negligent disregard for the probability that they would cause Calvario severe emotional distress, as more fully alleged above.

156. Defendants' actions, omissions, and conduct, as set forth above, were extreme and outrageous. These actions were rooted in an abuse of power and authority and were undertaken with the negligent disregard for the probability that they would cause Sofia Salazar severe emotional distress, as more fully alleged above.

157. As a direct and proximate result of the Defendant Officers' actions, Calvario suffered severe emotional distress and other grievous injuries and damage, as set forth above.

158. As a direct and proximate result of the Defendant Officers, Sofia Salazar suffered and continues to suffer emotional distress and other grievous and continuing injuries and damages as set forth above.

COUNT XII

Illinois State Law Claim – False Arrest

159. Plaintiffs incorporate each paragraph of this Complaint as if restated fully herein.

160. In the manner described more fully above, Defendant Officers violated Roberto Calvario and Sofia Salazar's constitutional rights, causing them damage by detaining each of them in the absence of probable cause or reasonable suspicion in violation of the Fourth Amendment and Fourteenth Amendment of the United States Constitution.

161. At no point before he was seized did Calvario take any action that could even remotely be perceived as committing or being about to commit a crime defined by Illinois law

162. At no point did Sofia take any action that could even remotely be perceived as committing or being about to commit a crime defined by Illinois law.

163. Defendant Officers did not have probable cause to seize either Calvario, who they had not seen commit a crime, or Sofia, a young woman who had just witnessed the shooting of her boyfriend and who the officers observed crying on the ground.

164. The misconduct described in this Count was objectively unreasonable and was undertaken intentionally with willful indifference to Sofia's constitutional rights.

COUNT XIII
Illinois State Law Claim – Survival

165. Plaintiff incorporates each paragraph of this Complaint as if restated fully herein.

166. Plaintiff Awilda Ramirez is the legal representative authorized to pursue these claims against Defendants.

167. As described more fully in the preceding paragraphs, Calvario suffered serious personal injuries including but not limited to severe pain and emotional distress leading up to his death due to Defendants' actions.

168. These actions were undertaken intentionally, willfully, and wantonly.

169. These actions proximately caused Calvario great bodily harm, pain and suffering, and ultimately death.

170. The misconduct described in this Count was undertaken with intentional disregard of Calvario's rights.

171. As a result of these actions, Calvario experienced conscious pain and suffering.

172. Plaintiff, as administrator of the Estate of Roberto Calvario, Jr., has standing to assert this Count pursuant to 755 Ill. Comp. Stat. Ann. 5/27-6.

COUNT XV
Illinois State Law Claim – Wrongful Death

173. Plaintiff incorporates each paragraph of this Complaint as if restated fully herein.

174. Plaintiff Awilda Ramirez is the mother of Roberto Calvario, Jr., deceased.

175. All Defendants are liable for damages arising from the Defendant Officers' unlawful conduct that caused Calvario's death, in that Calvario's injuries and death were caused by the Defendant Officers' wrongful acts, negligence, carelessness, unskillfulness, or default while the Defendant Officers were acting as employees or agents of the City of Chicago.

176. The Defendant Officers' actions as described in this Complaint were a substantial factor in bringing about Calvario's death, and without those actions, Calvario's death would not have occurred.

177. Awilda Ramirez, Calvario's mother, has suffered loss of companionship,

future financial support, and mental anguish as a result of the wrongful death of Calvario.

178. Plaintiff, Awilda Ramirez, has standing to assert this Count pursuant to 740 Ill. Comp. Stat. Ann. 180/2.

COUNT XVI
Illinois State Law Claim – Civil Conspiracy

179. Plaintiffs incorporate each paragraph of this Complaint as if restated fully herein.

180. In the manner described more fully above, the Defendants conspired with one another to cover up Calvario's unlawful killing, and took affirmative acts in furtherance of this conspiracy, including making false statements and not providing timely, accurate statements to investigators, prosecutors, and in official reports.

181. In furtherance of the conspiracy, Defendant Officers committed overt tortious acts and were otherwise willful participants in joint activity in furtherance of the conspiracy.

182. The misconduct described in this Count was objectively unreasonable and was undertaken intentionally, and with reckless indifference and in total disregard of Plaintiffs' rights.

183. As a result of the Defendant Officers' conduct, Plaintiffs suffered damages, including severe emotional distress and anguish as a proximate result of Defendants' misconduct and conspiracy to engage in misconduct.

COUNT XVII

Illinois State Law Claim - Willful and Wanton Conduct

184. Plaintiffs incorporate each paragraph of this Complaint as if restated fully herein.

185. Defendants' actions throughout this interaction were designed to cause harm to Plaintiffs.

186. Defendants' actions, omissions, and conduct, as set forth above, were extreme and outrageous. These actions were rooted in an abuse of power and authority and were undertaken with the intent to cause, or with reckless disregard for the probability that they would cause, Plaintiffs severe physical and emotional distress, as more fully alleged above.

187. Throughout the incident, Defendants showed a callous disregard for the safety of the general public and all individuals in the car when they discharged a firearm into a vehicle.

188. Defendants' extreme actions, omissions, and conduct, as set forth above, were done with a conscious disregard for the safety of individuals on the scene and their personal property, including Sofia's car.

COUNT XVIII

Illinois State Law Claim – *Respondeat Superior*

189. Plaintiffs incorporate each paragraph of this Complaint as if restated fully herein.

190. While committing the misconduct alleged in the preceding paragraphs, the Defendant Officers were employees, members, and agents of the City of Chicago,

acting at all relevant times within the scope of their employment.

191. Defendant City of Chicago is liable as principal for all state law torts committed by its agents.

192. As a result of the Defendant Officers' conduct, Plaintiffs suffered damages, including severe emotional distress and anguish as a proximate result of Defendants' misconduct and conspiracy to engage in misconduct.

COUNT XIX

Illinois State Law Claim – Indemnification Pursuant to 745 ILCS 10/9-102

193. Plaintiffs incorporate each paragraph of this Complaint as if restated fully herein.

194. Illinois law provides that public entities are directed to pay any tort judgment for compensatory damages for which employees are liable within the scope of their employment activities.

195. The Defendant Officers were employees, members, and agents of the City of Chicago, acting at all relevant times within the scope of their employment in committing the misconduct described herein.

196. The City of Chicago is responsible for paying any judgment entered against the Defendant Officers. Plaintiffs therefore demand judgment against Defendant City of Chicago in the amounts awarded to Plaintiffs against the individual Defendants as damages, attorneys' fees, costs, and interest.

WHEREFORE, Plaintiffs THE ESTATE OF ROBERTO CALVARIO, AWILDA RAMIREZ, in her individual capacity and as administrator of the ESTATE OF ROBERTO CALVARIO, JR., and SOFIA SALAZAR respectfully request that this

Court enter a judgement in their favor and against Defendants Jose Salazar, Gilberto Gomez, and the City of Chicago, awarding compensatory damages, attorneys' fees, and costs against each Defendant, and, because they acted willfully, wantonly, and/or maliciously, punitive damages against each of the Individual Defendants, and any other relief that this Court deems just and appropriate.

JURY DEMAND

Plaintiffs hereby demand a trial by jury pursuant to Federal Rules of Civil Procedure 38(b) on all issues so triable.

Dated: April 22, 2026

Respectfully submitted,

THE ESTATE OF ROBERTO
CALVARIO, AWILDA RAMIREZ &
SOFIA SALAZAR

By: /s/ David B. Owens
One of Plaintiffs' Attorneys

David B. Owens
Maggie E. Filler
LOEVY & LOEVY
311 N. Aberdeen, 3rd Floor
Chicago, Illinois 60607
(312) 243-5900
david@loevy.com