



**DATE:** February 12, 2024  
**TO:** City Council  
**FROM:** City Attorney's Office  
**SUBJECT:** *Melons v. May, et al.*, 2023CV428

This memorandum is to apprise you of the facts alleged in the above-referenced case as you consider the claims made against the involved officers.

#### **NATURE OF THE CASE**

Pro se and incarcerated Plaintiff, Troy Dion Melons, asserts a claim for conspiracy to violate his civil rights against nineteen individuals, including Officer Benjamin Lunak. Without detailing his factual allegations, Plaintiff claims the defendants, ranging from judges, attorneys, and law enforcement officers, conspired to violate his rights during the judicial proceedings of a criminal matter. Plaintiff seeks compensatory and punitive damages, and equitable relief.

#### **RECOMMENDATION**

The Civil Action Investigation Committee met on January 17, 2024. The Committee recommended City representation for Officer Lunak as required by the Colorado Governmental Immunity Act and the Liability of Peace Officers Act. Ofc. Lunak was acting in the course and scope of his employment, and in good faith during the incident. As usual, City Council should reserve the right to decline payment of any award of punitive damages.