

## Three Rivers Raid Victim Files Suit



Sean Muntian who lost his job building manufactured homes in 2009, opened Triple Ripple Hydroponics store near the Three Rivers police station a short time later to support his family.

On January 2nd, 2010, police stormed the home Muntian shared with his wife and children, guns drawn, in a paramilitary raid. His small children, ages four and six, witnessed the raid, including police holding guns to their parents heads.

Police seized marijuana and grow equipment, and prompted an investigation by Child Protective Services. Investigators found no issues and closed their case. Not long after the Jan. 2, 2010 raid, prosecutors dropped all charges, said Southfield attorney Michael Komorn, who specializes in medical-marijuana cases and represented Muntian in the criminal case. Muntian filed a federal lawsuit in May in the U.S. District Court in Grand Rapids, against the police who raided his St. Joseph County. The lawsuit alleges unlawful arrest and imprisonment, malicious prosecution, excessive force and illegal search and seizure.

In the lawsuit, an attorney for Muntian and Armstrong wrote: "Despite unequivocal rights granted to Mr. Muntian as a licensed caregiver under Michigan law, (police) refused to allow Mr. Muntian to show them proof of his license and the defendants proceeded to seized medicine and equipment in direct violation of the statute." Troy attorney Travis Mihelick alleged that police used "extreme force and the threat of deadly force on suspects who were not resisting." A relative took custody of the children when both Muntian and his wife were taken to jail. Komorn, the criminal attorney and a board member of the Michigan Medical Marijuana Association, said similar cases have occurred across the state. Winning a lawsuit against police for excessive force in a drug raid is very difficult, although the Sixth Circuit Michigan

Court of Appeals also agreed in May to hear the case of an elderly Southfield couple similarly brutalized by police looking for marijuana. He said police should have left Muntian alone after determining he was properly licensed. Instead, he was charged with manufacturing marijuana, possession with intent to deliver and maintaining a drug house. Once charges were dropped, Komorn said, Muntian was allowed to retrieve his equipment from the police station. He said the raid, with children in the home, was traumatic.

“ Those kinds of images are very hard to shake,” Komorn said.