

Cops let dog maul me, 4.5M suit sez

BY NICOLE BODE
DAILY NEWS STAFF WRITER

A QUEENS MAN is slapping the city and two cops with a \$4.5 million suit — claiming they beat him and let a police dog maul him during a bogus arrest.

Tyrell Garcia was pistol-whipped, taunted and had a chunk of skin ripped from his left calf during the Aug. 14 incident outside his Laurelton home, where he lives with his 69-year-old grandmother, Dorothy, according to the suit that was filed yesterday.

"I thought they were definitely going to kill me," said Garcia, 23, a UPS deliveryman. "They were just punching me, kicking me, stomping me. They let the dog sink his teeth into me."

The suit accuses the city, NYPD Detective Sean Ward of the 105th Precinct and an unnamed officer of "excessive and unreasonable force," assault, battery, and illegal search and entry.

He also claims he was denied medical treatment during the arrest and beating near his home at 131st Ave. and 229th St.

The confrontation began when Ward and three other undercover officers followed Garcia home and demanded to speak with him about murder suspect Rhian Taylor, 21.

Garcia had just driven Taylor, a friend of his, to a lawyer's office where Taylor was planning to turn himself in

to cops, said Garcia's lawyer, Robert DiDio.

Taylor has since been charged with murder.

An NYPD spokesman confirmed that cops tailed Garcia, saying they believed he might lead them to the murder weapon.

As cops followed, Garcia fled into his grandmother's home, sprinted through his backyard and hid in a neighbor's garage, according to cops and the suit.

Garcia said he was afraid for his grandmother's safety and wanted to take the confrontation away from the house.

Police also confirmed that Emergency units used a K-9 to flush Garcia from the garage.

Garcia was never charged in the murder and did not have a gun, the papers say.

Garcia, who has no criminal record, was arrested on charges of driving with a broken tail light, not having car insurance and trespassing. The trespassing charge has since been dropped.

"It's been our position all along ... [the arrest] was just a bogus charge and an attempt to justify how they brutalized him," said DiDio, who is working on the case with civil rights attorney Fred Lichtmacher.

With Alison Gendar
nbode@rydailynews.com