

# Lawsuit alleges Fresno police stole \$100,000 during gambling investigation

By Rory  
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Two Fresno business owners are accusing 10 Fresno police officers of illegally seizing \$100,000 in September 2013 during an investigation into an alleged illegal gambling ring.

Micah Jessop and Brittan Ashjian [filed a lawsuit](#) Thursday in the U.S. District Court Eastern District of California seeking damages from the city of Fresno and the group of officers. They include former detective Derik Kumagai, who [pleaded guilty](#) Monday to a federal charge of taking a \$20,000 bribe from a drug dealer.

“This sort of dishonesty by officers simply can’t be accepted,” said Kevin Little, attorney for Jessop and Ashjian. “What if this were biological evidence in a murder? Police play a custodial role in deciding who goes to jail, who doesn’t and — in some cases — who lives or dies.”

According to the lawsuit, Fresno police raided Jessop and Ashjian’s homes and their business at 325 E. Simpson Ave. in Fresno on Sept. 10. Kumagai had a warrant to search the locations as part of an investigation into the sale of illegal coin-operated gambling devices, Little said.

Jessop and Ashjian claim that approximately \$131,000 was seized from their automated teller machine business. Police seized an additional \$20,000 in U.S. currency and rare coins — which they say were worth \$125,000 — from Jessop’s home.

Little said that the two men received an inventory record from police claiming that only \$51,000 had been entered into evidence. Jessop and Ashjian met with a representative of the Fresno city attorney’s office and members of the police department in late September or early October to complain about the missing \$100,000, Little said.

Fresno police Chief Jerry Dyer had no comment Thursday night beyond a written statement, which reads: “Although the City of Fresno has not been officially served with the complaint, we believe the actions of the officers were appropriate and will be prepared to defend them in the civil proceedings.”

Little said that his office plans to serve the city in person on Friday.

No criminal charges were filed against Jessop and Ashjian in the gambling investigation.

Little said his clients forfeited the \$51,000 booked into evidence as the result of “negotiations between the city and my clients.” He declined to comment further, saying that he did not represent the two men at the time of the negotiations and couldn’t speak to their stipulations.

When asked if Kumagai’s recent conviction was a reason for filing the suit more than a year after the alleged theft, Little said that his office began work on the case while Kumagai’s legal status was “still up in the air.”

“My clients exhausted various formal means, including filing claims for damages from the city, before filing (the lawsuit),” Little said. “This was a last resort.”

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