

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

**CONNIE MENDOZA, as Next
Friend of I.M., a minor child,**

Plaintiff,

V.

Civil Action No.1:25-cv-01360

**LOCKHART INDEPENDENT
SCHOOL DISTRICT and AARON
AGUILAR,**

Defendants.

**COMPLAINT FOR CIVIL RIGHTS VIOLATIONS, TITLE IX VIOLATIONS,
BATTERY, NEGLIGENCE, AND OTHER TORTIOUS CONDUCT**

Plaintiff Connie Mendoza, on behalf of her son, a minor child, I.M., by and through counsel, Fadduol, Cluff, Hardy & Conaway, P.C. (Meghan L. Mitchell), brings the following causes of action pursuant to 42 U.S.C. § 1983, 20 U.S.C. § 1681, the Fourteenth Amendment of the United States Constitution, and common law:

JURISDICTION AND VENUE

1. Original jurisdiction is conferred upon this Court pursuant to 28 U.S.C. §§ 1331 and 1343 because the facts and circumstances underlying the claims arise under the Constitution and laws of the United States.

2. Venue is proper in the Federal Court for the Western District of Texas, pursuant to 28 U.S.C. § 1391(1) and (1), and because Defendant Lockhart Independent School District and Defendant Aguilar reside in the district.

PARTIES

Plaintiff

3. During times relevant to this Complaint, Plaintiff was a resident of Lockhart, Texas. Plaintiff is the mother of I.M., a minor child. Plaintiff is the appropriate party to pursue this claim on behalf of her minor son.

4. I.M. is a minor child. At times relevant to this Complaint, I.M. was a student at Lockhart Junior High School. I.M. had not yet reached the age of majority at the time of the events complained of herein.

Defendants

5. Defendant Lockhart Independent School District (“**LISD**”) is a political subdivision of the State of Texas, and a “person” under 42 U.S.C § 1983. LISD is responsible for the administration of public schools within its geographic boundaries. LISD operates and maintains the public-school building, Lockhart Junior High, located at 500 City Line Rd, Lockhart, TX 78644. Upon information and belief, and at all times material hereto, LISD received federal funding and financial assistance. At all times material hereto, LISD employed Defendant Aaron Aguilar (“**Defendant Aguilar**”). At all times material hereto, LISD was responsible for adopting and implementing the policies, customs, and practices of its employees and agents, including Defendant Aguilar. Defendant LISD may be served through its Superintendent, Mark Estrada, at 105 S. Colorado Street, Lockhart, Texas 78644.

6. Defendant Aguilar was, at all times material hereto, employed by LISD as a coach at Lockhart Junior High School. Upon information and belief, Defendant Aguilar resides in Lockhart, Texas. Defendant Aguilar acted in the course and scope of his duties as an LISD employee. He is sued in his individual capacity for purposes of Plaintiff’s claims brought under 42 U.S.C. § 1983. Defendant

Aguilar, inmate # 75794, is currently residing at the Caldwell County Jail located at 1204 Reed Drive, Lockhart, Texas 78644 where he may be served.

FACTUAL ALLEGATIONS

Educator Misconduct

1. Educators are one of the main representations of authority that children and teenagers encounter, aside from their parents.

2. Educators play a vital role in students' lives. Educators are responsible for creating and maintaining a safe environment for students. They are responsible for delivering safe and inclusive instruction. Often, educators are viewed by students as trustworthy adults who create safe spaces for their students.

3. Yet, the threat of sexual grooming, sexual harassment, and sexual abuse of students is a known, grave problem running rampant in school districts due to educator misconduct.

4. Educator misconduct is best described as a teacher exhibiting unlawful, inappropriate, unacceptable, unethical, and/or unprofessional conduct towards a student, which can constitute behavior such as sexual grooming, sexual harassment, and sexual abuse of a student by a teacher.

5. Educator misconduct is often facilitated by the inherent imbalance of power and authority in the student-teacher relationship.

6. LISD is aware that educator misconduct is an issue in its school district. In fact, several of its personnel have been charged for inappropriate conduct with students in the years 2012, 2017, and 2019.

7. To prevent child sexual exploitation in schools, school districts, school officials, and schoolteachers must move away from the head-in-the-sand policies and acknowledge that educator misconduct exists. To do so, all allegations, rumors, and complaints, regardless of how minor officials may believe the allegations, rumors, and complaints are, must be investigated.

Grooming

8. Sexual grooming is an often used and well-known method that predators use to build trust with those around them, including children and adults. Grooming is often used by predators to gain access to students, to isolate them, but also to normalize their predatory behavior.

9. Predators who are grooming children typically begin grooming through a “feeling-out process,” where their grooming efforts are subtle. The feeling-out process of grooming typically involves showing favoritism towards the child or trying to be relatable. But the feeling-out process can often be more insidious by making inappropriate jokes or comments to the child.

10. Predators will thereafter escalate their grooming behavior, often leading to sexual abuse, assault, and/or harassment.

11. Simply put, sexual grooming constitutes sexual abuse, assault, and harassment.

12. Predators will also groom adults around them. Predators will build their reputation around the community and those close to them, so as to cast doubt when allegations are made against them. Successful grooming of adults presents as adults being “shocked” or “surprised” by the allegations, discrediting the allegations, and going so far as to victim-blame.

Legal Protections that Address Educator Sexual Misconduct

13. There are several legal protections in place to safeguard students from educator sexual misconduct.

14. First is 42 U.S.C. § 1983. Section 1983 is a federal civil rights statute that is designed, in part, to provide a remedy for individuals whose constitutional rights have been violated. As relevant here, Section 1983 allows students to sue municipalities and government officials for a violation of

their Fourteenth Amendment right to bodily integrity if a school official sexually abused or harassed the student.

15. Title IX represents congressional efforts to eradicate gender discrimination in educational institutions that receive federal funding to prevent federal resources from being used to support discriminatory practices, including sexual harassment and sexual abuse, assault, and harassment by teachers against students.

Defendant Aguilar's Sexual Abuse of I.M. at Lockhart Junior High School

16. This case demonstrates the need to hold our government and public officials accountable for their actions and inactions.

17. The tragic events giving rise to this lawsuit occurred during the 2023-2025 school year.

18. During that time, I.M. was a junior high school student at LISD.

19. At the same time, Defendant Aguilar was an education/PE aide and volleyball coach at Lockhart Junior High School.

20. Defendant Aguilar's unlawful and heinous conduct was discovered in April of 2025, when Plaintiff saw text messages on I.M.'s phone that were between I.M. and Defendant Aguilar.

21. The text messages date back to November 2024.

22. Defendant Aguilar was able to obtain I.M.'s phone information through his position of authority as I.M.'s Physical Education Teacher's Education Aid.

23. Defendant Aguilar was able to groom I.M. and instigate and maintain the inappropriate and unlawful sexual contact through his position of authority as I.M.'s Physical Education Teacher's Educational Aid.

24. Sometime during the 2023 school year, when I.M. was in the sixth grade, Defendant Aguilar cornered I.M. in the locker room on LISD's campus and touched I.M.'s genitals and anus.

25. Defendant Aguilar threatened I.M. that if I.M. told anyone about this sexual assault, Defendant Aguilar would inform I.M.'s friends.

26. Furthermore, in the text messages exchanged between I.M. and Defendant Aguilar, there were lewd messages and inappropriate videos that contained sexual content.

27. Defendant Aguilar would send I.M. messages that contained videos of Defendant Aguilar performing sexual activities.

28. Defendant Aguilar would then coerce I.M. to send messages back to Defendant Aguilar.

29. Defendant Aguilar would say things to I.M. like "Don't you love me? I did this for you ... Don't you want to do this in return for me?"

30. When the messages were discovered by Plaintiff, she contacted law enforcement.

31. Defendant Aguilar was eventually charged with sexual performance by a child under the age of 14 and possession of child pornography.

LISD's Policies, Practices, Customs, Usages, and Failures

32. During that time, LISD failed to protect I.M. and otherwise keep I.M. safe during school hours and while he was on school premises.

33. LISD was required to provide a safe learning environment for students, including I.M.

34. Indeed, among other written representations, LISD states that it is its mission to "provide each student a safe and nurturing environment that promotes excellence in learning and citizenship."

35. To carry out its mission, LISD states that it will provide a junior high school "in which there is a safe and orderly environment."

36. LISD represents that it will "provide consistency and a unified front in support of campus procedures and expectations."

37. LISD represents that it will provide a junior high school “where everyone feels respected.”

38. LISD represents that it will provide a junior high school “that develops the whole child ... and ensures each child is challenged, healthy, engaged, safe, and supported.”

39. LISD represents that it will not tolerate discrimination on any basis prohibited by law and that it will strictly comply with Title IX, federal law, and the laws of the State of Texas.

40. LISD represents that it will take appropriate steps to “promot[e] a safe school community” with appropriate interventions and programs.

41. As set forth herein, LISD did not create and/or implement appropriate policies and procedures to ensure the safety of students, specifically students, like I.M.

42. Instead, LISD acted with reckless indifference for the rights and bodily integrity of I.M. and permitted and created circumstances by which Defendant Aguilar caused harm to I.M.

43. LISD’s failures and multiple breaches of legal duties to I.M. were a critical component of the harm that was caused.

44. LISD did not have appropriate safeguards and protocols in place to detect sexual predators or inappropriate sexual contact between employees like Defendant Aguilar and students like I.M.

45. LISD failed to completely or to adequately screen and/or perform a background check on Defendant Aguilar before licensing him and before hiring him as a teacher, including before hiring him to teach at Lockhart Junior High School. If LISD had, or adequately had, screened and/or reviewed Defendant Aguilar’s background, it would have been revealed that Defendant Aguilar had been previously suspected and/or accused of sexually inappropriate behavior towards his students or that he was highly susceptible to engaging in inappropriate behavior with students.

46. If LISD had, or adequately had, screened and/or reviewed Defendant Aguilar’s

background, it would have been plainly obvious to a reasonable person that hiring him and/or licensing him to teach young children would cause students, including I.M., to be deprived of their substantive due process right of bodily integrity under the Fourteenth Amendment.

47. Upon information and belief, it was LISD's policy, practice, custom, and/or usage to not train, or to not adequately train, its employees on identifying signs of potential sexually inappropriate behavior by employees towards students.

48. Upon information and belief, it was LISD's policy, practice, custom, and/or usage to not train, or to not adequately train, its employees on identifying signs that a student has been, or has potentially been, sexually abused by an adult.

49. Upon information and belief, it was LISD's policy, practice, custom, and/or usage to not appropriately or adequately supervise its employees and staff.

50. Upon information and belief, it was LISD's policy, practice, custom, and/or usage to not appropriately discipline and investigate employees and/or staff members who engaged in, were accused of engaging in, or suspected of engaging in sexually inappropriate behavior with students.

51. Sexual abuse of students by employees and staff is, unfortunately, a recurring and proven problem in this country, in Texas, and at LISD in particular.

52. It is highly predictable and plainly obvious that the failure to adequately screen applicants, to adequately train employees as described above, and to adequately supervise, discipline, and/or investigate employees and staff accused or suspected of sexually inappropriate behavior with students as described above would cause students, such as I.M., to be deprived of their constitutional right of bodily integrity under the Fourteenth Amendment.

53. Due to Defendants' failure to adequately screen employee and staff applicants, particularly Defendant Aguilar, failure to adequately train its employees as described above, and failure to adequately supervise, investigate, and/or discipline its employees and staff, particularly Defendant

Aguilar, as described above; LISD was deliberately indifferent to the risk that students, such as I.M., would be constitutionally deprived of their right of bodily integrity under the Fourteenth Amendment by employees and staff, such as Defendant Aguilar.

54. Upon information and belief, LISD consciously and deliberately failed to adequately screen applicants, particularly Defendant Aguilar, failed to adequately train its employees as described above, and failed to adequately supervise, investigate, and/or discipline its employees and staff, particularly Defendant Aguilar, as described above, to conserve time, money, and resources and to avoid potential legal liability pursuant to its risk management objectives.

55. Defendants knew or should have known that the conduct described herein could result in serious harm to students like I.M.

56. LISD's disregard for I.M.'s safety and other institutional negligence and reckless indifference in operating and maintaining Lockhart Junior High School caused I.M. to suffer profound personal injuries.

57. Defendant Aguilar's reckless indifference and unlawful conduct caused I.M. to suffer profound personal injuries.

58. Defendant Aguilar acted in the course and scope of his employment during the acts complained of herein.

I.M.'s Injuries

59. As a result of Defendant Aguilar's sexual abuse, I.M. has suffered from profound psychological harm.

60. I.M. has been described as suffering from "significant traumas."

61. I.M. has been diagnosed with post-traumatic stress disorder as a result of Defendant Aguilar's sexual abuse.

62. I.M. often has intense and/or prolonged psychological distress.

63. I.M. also has a persistent negative emotional state, markedly diminished interest or participation in significant activities, feelings of detachment or estrangement from others, and persistent inability to experience positive emotions.

64. I.M. suffered severe and profound psychological injuries, including pain and suffering, emotional distress, loss of enjoyment of life, medical expenses, and future emotional distress and medical expenses, as a result of the sexual coercion of his teacher, Defendant Aguilar.

COUNT I
(Plaintiff's Claims Against Defendant Aguilar Under 42 U.S.C. § 1983)

65. Plaintiff incorporates all of the preceding and succeeding paragraphs as if fully stated herein.

66. At times material to this Complaint, I.M. had and continues to have a right to bodily integrity under the Fourteenth Amendment to the U.S. Constitution.

67. Defendant Aguilar deprived I.M. of his substantive due process right to bodily integrity under the Fourteenth Amendment to the U.S. Constitution.

68. Defendant Aguilar deprived I.M. of his substantive due process right to bodily integrity under the Fourteenth Amendment by mentally and emotionally abusing and coercing him during the 2024-2025 school year.

69. Defendant Aguilar knew or reasonably should have known that his conduct would lead to the deprivation of I.M.'s substantive due process right of bodily integrity under the Fourteenth Amendment.

70. At times material hereto, Defendant Aguilar was acting under color of state and/or local law as an employee of LISD.

71. As a state actor, Defendant Aguilar carried out, in an impermissible manner, the functions assigned to him by LISD.

72. In the course of his official duties, while acting in his official capacity, and/or while exercising his responsibilities pursuant to state law, Defendant Aguilar took advantage of his authority and misused and abused his power to gain access to I.M. and to create opportunities for himself to act unlawfully and in a sexual nature towards I.M. during the 2024-2025 school year.

73. It was only possible for Defendant Aguilar to carry out this behavior because Defendant Aguilar was clothed with the authority of state law and had power given to him by virtue of state law.

74. As described throughout this Complaint, Defendant Aguilar engaged in actions and omissions that were egregious, outrageous, or fraught with unreasonable risk. Such actions harmed I.M., who was a member of a particular, limited, closed group, namely, minor, male students at attending Lockhart Junior High School.

75. Defendant Aguilar was not involved in a situation demanding split-second judgments. Instead, Defendant Aguilar had time for thoughtful deliberation and did plan out his actions accordingly.

76. Defendant Aguilar's conduct shocks the conscience.

77. Defendant Aguilar's conduct was a direct and proximate cause of I.M.'s injuries and resultant damages.

78. Defendant Aguilar's conduct was intentional, reckless, willful, outrageous, and done with callous disregard for I.M.'s constitutional rights.

79. Because Defendant Aguilar's conduct was motivated by malice or evil intent, I.M. is entitled to recover awards of punitive and exemplary damages against Defendant Aguilar in an amount to be determined at trial.

80. I.M.'s constitutional substantive due process right to bodily integrity under the Fourteenth Amendment was clearly established and any reasonable school administrator or staff

member would know that sexual abuse of I.M., as a junior high school student, on and off of school premises, during the school year, and during class hours, would violate his constitutional right to bodily integrity under the Fourteenth Amendment.

COUNT II

(Plaintiff's Claim Against Defendant Lockhart Independent School District Under 42 U.S.C. § 1983)

81. Plaintiff incorporates all of the preceding and succeeding paragraphs as if fully stated herein.

82. I.M. has a right to bodily integrity under the Substantive Due Process Clause of the Fourteenth Amendment to the U.S. Constitution.

83. Defendant Aguilar deprived I.M. of his substantive due process right to bodily integrity under the Fourteenth Amendment to the U.S. Constitution by sexually, mentally, and emotionally coercing and abusing him during the 2024-2025 school year.

84. Defendant Aguilar acted in accordance with LISD's policy, custom, practice, and usage to (a) allowing staff, particularly Defendant Aguilar, to access students in isolated ways, including I.M. which lead to sexual abuse of I.M.; (b) failing to fully and/or adequately investigate reports of actual or suspected sexual abuse of students by employees, particular Defendant Aguilar; (c) failing to appropriately screen or perform background checks on applicants before licensing and hiring them; (d) failing to train, or failing to adequately train, its employees on receiving, acting upon, or investigating reports of sexually inappropriate behavior or reports of suspicion of sexually inappropriate behavior by staff; (e) failing to train, or failing to adequately train, its employees on identifying signs of actual or suspected sexually inappropriate behavior by staff toward students; (f) failing to train, or failing to adequately train, its employees on identifying signs that a student has been, or has potentially been, sexually abused by an adult; (g) failing to supervise its employees' behavior towards their students; (h) failing to appropriately discipline and/or investigate staff who engage in,

are accused of engaging in, and/or are suspected of engaging in sexually inappropriate behavior with students; and (i) otherwise ignoring student, parent, and employee's safety concerns when staff members are alleged or suspected of sexually assaulting students.

85. These LISD policies, customs, practices, and usages combined to allow, enable, and support Defendant Aguilar's sexual abuse of I.M. and were the moving force behind Defendant Aguilar depriving I.M. of his substantive due process right of bodily integrity under the Fourteenth Amendment.

86. LISD's policies, customs, practices, and usages—as described above—were the direct and proximate cause of I.M.'s injuries and damages.

87. Sexual abuse of students by school employees is, unfortunately, a proven recurring situation in this country, in Texas, and at LISD schools.

88. Prior to Defendant Aguilar sexually abusing I.M., there was a pattern of similar constitutional violations by other LISD employees and by Defendant Aguilar himself that put LISD on actual or constructive notice that its policies, customs, practices, and usages caused and were substantially certain to cause and continue to cause constitutional violations as described in this Complaint.

89. In addition, it is and was highly predictable and plainly obvious that LISD's policies, customs, practices, and usages—as described above—would cause students, such as I.M., to be deprived of their constitutional right of bodily integrity under the Fourteenth Amendment.

90. Despite this, LISD deliberately and intentionally chose not to implement policies, customs, practices, and usages that would prevent and/or mitigate sexual abuse of male minor students by adult staff.

91. Instead, LISD intentionally and deliberately chose to prioritize profits and its risk management goals over students' safety and constitutional rights by having in place policies, customs,

practices, and usages—as described above—that caused I.M. to be deprived of his constitutional right of bodily integrity.

92. LISD was, therefore, deliberately indifferent to the risk that students, such as I.M. would be constitutionally deprived of their right of bodily integrity under the Fourteenth Amendment by LISD employees, such as Defendant Aguilar.

93. LISD’s policies, customs, practices, and usages—as described above— deprived I.M. of his constitutional right to be free from bodily integrity under the Fourteenth Amendment.

94. Because Defendant Aguilar’s sexual abuse of I.M. was in accordance with LISD’s policies, customs, practices, and usages, as described in this Complaint, LISD is liable for the resulting violation of I.M.’s constitutional rights.

95. As a direct and proximate consequence of the deprivation of his rights, I.M. suffered the resultant injuries and damages described herein.

COUNT III
(Plaintiff’s Claims Against Defendant Lockhart Independent School District Under Title IX,
20 U.S.C. §§ 1681-1688, for Sexual Abuse)

96. Plaintiff incorporates all of the preceding and succeeding paragraphs as if fully stated herein.

97. At all times material hereto, I.M. was a student at Lockhart Junior High School, a school owned, controlled, operated, and administered by LISD.

98. The sexual abuse perpetrated by Defendant Aguilar against I.M. was so severe, pervasive, and objectively offensive that it deprived him of access to the educational opportunities or benefits provided by the school.

99. LISD had actual or constructive knowledge that Defendant Aguilar was sexually harassing and abusing students, including I.M.

100. LISD was deliberately indifferent to the inappropriate relationship and illegal conduct that Defendant Aguilar imposed upon I.M.

101. LISD had the authority and power to remedy the hostile environment facing I.M. when he was subjected to Defendant Aguilar's sexual abuse, but failed to do so.

102. Upon information and belief, LISD had not provided adequate instruction or education to Lockhart Junior High students, faculty, or staff about sexual abuse, or enforced any policies to prohibit or discourage the sexually abusive hostile environment facing I.M. at the hands of Defendant Aguilar.

103. LISD acted with deliberate indifference and recklessness with respect to the sexually abusive, hostile environment facing I.M.

104. Upon information and belief, and at all times material hereto, LISD received federal funding and financial assistance.

105. LISD had a duty under Title IX, 20 U.S.C. § 1681, to provide an educational environment in which no student, including I.M., should be excluded from education, denied the benefits of education, or discriminated against on the basis of sex.

106. Title IX requires that LISD protect its students, including I.M., from sex discrimination and harassment, including sexual violence.

107. Title IX requires that LISD have a functional system for detecting, reporting, investigating, and resolving reports of adult employees sexually assaulting LISD minor students.

108. LISD duties under Title IX are not confined to *pro forma* receipt of formal complaint forms.

109. LISD's duties under Title IX require monitoring and investigation of suspicious behavior by an employee with a history of isolating young boys out of view of anyone, such as Defendant Aguilar, as well as investigation after the fact when sexual violence is reported.

110. At all times material hereto, LISD, acting through and as officials, administrators, and employees, maintained customs and policies which permitted or condoned sexual abuse of students by staff.

111. As a result of these customs and policies, I.M. was subjected to invasive, severe, and objectively offensive sexual, emotional, and mental abuse by LISD.

112. The sexual assault upon I.M. was the natural and inevitable consequence of effectively unsupervised classroom and on- campus activities.

113. Upon information and belief, LISD failed to properly and adequately instruct administrators, supervisors, employees, and contractors as to how to respond to inappropriate behavior, including sexual abuse, by employees towards students enrolled in Lockhart Junior High School.

114. LISD has not developed or promulgated adequate policies addressing issues of sexual abuse by a staff member against a student or students.

115. The deliberate indifference of LISD, and its officials, administrators, and employees, to the acts of sexual abuse, as well as its failure to adopt, publish, and inculcate appropriate policies concerning such abuse and harassment, deprived I.M. of benefits under Title IX, and subjected him to discrimination on the basis of his sex, male, in violation of Title IX.

116. It further caused I.M. to be excluded from participation in, denied the benefits of, and be subjected to discrimination on the basis of sex under an education program or activity receiving federal financial assistance.

117. Upon information and belief, prior to the 2024-2025 school year, one or more LISD employees learned or suspected that Defendant Aguilar had used his status as a Physical Education Teacher's Aid, in control of young male students, to isolate and sexually assault one or more male students.

118. All LISD employees who learned of such facts had a duty to report to an administrator who was then under duty to report to the Title IX office for investigation.

119. Upon information and belief, prior knowledge or reasonable suspicion by LISD employees about Defendant Aguilar's sexual violence against his students before the 2024-2025 school year was not investigated by LISD, including by its Title IX office.

120. Instead of the federally mandated functional system for reporting, investigation and resolution of reports that adult employees sexually assault minor students during the school day, during the 2024-2025 school year and other years overlapping Defendant Aguilar's employment by LISD as a Physical Education Teacher's Aid, LISD had a dysfunctional Title IX office and lax procedure for enforcement of Title IX, including inadequate staff training on mandatory reporting, and no workable mechanism for investigation and resolution of reports.

121. Title IX requires that LISD investigate any reports of sexual discrimination, including sexual violence against students.

122. Instead of acting in compliance with its Title IX obligations to investigate the reports of sexual violence against I.M., LISD took limited steps that were calculated to protect LISD, not I.M. or other students.

123. LISD undertook no reasonable and appropriate remedial steps to prevent such sexual abuse in the future by changing the LISD school campus conditions and practices, which had allowed Defendant Aguilar to assault students.

124. As a direct and proximate consequence of LISD's discrimination and violation of Title IX, I.M. suffered the resultant injuries and damages described herein.

PRAYER FOR RELIEF

125. Plaintiff incorporates all of the preceding paragraphs as if fully stated herein.

126. As a direct and proximate result of the wrongful and unlawful acts and omissions of all Defendants, as described above, I.M. was injured and has suffered and continues to suffer damages, including, but not limited to: severe emotional distress, anguish, suffering, humiliation, psychological injuries, indignities, loss of enjoyment of life, deprivation of constitutional rights, invasion of bodily integrity, and other incidental, consequential, and special damages.

127. As a result of the above-described damages and injuries, I.M. is entitled to recover an award of full compensatory damages against all Defendants in amounts to be determined at the trial of this cause.

128. Plaintiff requests damages in an amount sufficient to compensate I.M. for all injuries and harm he suffered, as well as punitive damages as provided by law, along with costs of this action, pre- and post- judgment interest as provided by law, reasonable attorneys' fees as provided by law, and such other and further relief as proves just.

JURY DEMAND

129. Plaintiff requests a trial by jury on all issues so triable.

FADDUOL, CLUFF, HARDY & CONAWAY, P.C.

/s/ Meghan L. Mitchell

Meghan L. Mitchell

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ATTORNEYS FOR PLAINTIFF

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Connie Mendoza, as Next Friend of I.M. a minor child

(b) County of Residence of First Listed Plaintiff Caldwell County
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Fadduol, Cluff, Hardy and Conaway P.C. 1115 Broadway
St Lubbock TX 79401 806-763-9377**DEFENDANTS**LOCKHART INDEPENDENT
SCHOOL DISTRICT and AARON AGUILAR,County of Residence of First Listed Defendant Caldwell County
(IN U.S. PLAINTIFF CASES ONLY)NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | ☐ 1 | ☐ 1 | Incorporated or Principal Place of Business In This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated and Principal Place of Business In Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice PERSONAL INJURY ☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act IMMIGRATION ☐ 462 Naturalization Application ☐ 465 Other Immigration Actions	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 835 Patent - Abbreviated New Drug Application ☐ 840 Trademark ☐ 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit (15 USC 1681 or 1692) ☐ 485 Telephone Consumer Protection Act ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☒ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education PRISONER PETITIONS Habeas Corpus: ☐ 463 Alien Detainee ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTIONCite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. § 1983, 20 U.S.C. § 1681, the Fourteenth Amendment of the United States Constitution, and common lawBrief description of cause:
Sexual Abuse of I.M. at Lockhart Junior High School by Educator**VII. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. **DEMAND \$**

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

Aug 25, 2025

SIGNATURE OF ATTORNEY OF RECORD

Meghan Mitchell

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.