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Lawsuit claims wrongful death, conspiracy by police who fatally shot man outside his North Philly home

by Mensah M. Dean, Updated: August 8, 2019



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Two years ago this month, Tyreas "T.K." Carlyle Sr., a troubled man who used a walker to get around, was fatally shot by three Philadelphia police officers in front of the North Philadelphia home he shared with his grandmother.

The officers shot Carlyle, 31, seven times in the torso and legs after he allegedly grabbed two of their guns — one holstered, the other pointed at him — when they ordered him out of his grandmother’s Nissan Altima, parked in the 3100 block of North Darien Street, near Allegheny Avenue. He died at Temple University Hospital that day, Aug. 11, 2017.

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On July 29, a lawyer representing his family filed a wrongful-death lawsuit against the officers in Common Pleas Court.

“The deadly force used by the police officers against Mr. Carlyle, an unarmed and disabled person, was extreme and unnecessary, and clearly constitutes assault and battery which resulted in his death,” said Center City lawyer Paul Hetznecker, who filed the suit on behalf of Rita M. Rivera, administrator of Carlyle’s estate.

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“The entire family is devastated. To think that a call to police from Mr. Carlyle’s elderly grandmother seeking assistance in removing her disabled and disoriented grandson from her car would end in his death from multiple gunshots is an unimaginable tragedy.”

Named as defendants are officers Anthony Carapucci, Jason Keen, and Christopher Rycek. In addition to wrongful death, the suit accuses the three of assault and battery, and conspiracy.

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Michael Neilon, a spokesperson for Fraternal Order of Police Lodge 5, which represents the defendants, said the union would have no comment on the lawsuit. A Police Department spokesperson referred questions to the city’s Law Department, which did not return a call seeking comment.

The officers have been cleared by the District Attorney’s Office of criminal wrongdoing in the shooting, but are awaiting the outcome of the investigation by the Police Department’s Use of Force Review Board, according to the department’s website.

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A statement from the department said Carapucci, a four-year veteran at the time, approached Carlyle, who was sitting in the driver's seat of the vehicle. A struggle ensued and Carlyle attempted to remove Carapucci's holstered firearm.

Keen and Rycek, both three-year department veterans at the time, arrived and drew their guns, ordering Carlyle several times to let go of Carapucci's gun. Carlyle did so, but then grabbed Rycek's gun, resulting in Rycek's firing once while Carlyle held the barrel. Carapucci and Keen then also fired, according to the department's account.

Hetznecker said three officers should not have had to use deadly force on a man who could not stand without a walker. They could have used Tasers, arm holds, and strikes with batons, his complaint states.



The clash between Carlyle and the police followed a 911 call by his grandmother, Hester Carlyle, for help to stop him from driving the car to visit his son in Hunting Park because she feared he was not mentally healthy enough to drive.

"To me, maybe I'm wrong, but I wish they hadn't shot him up like that," Hester Carlyle told The Inquirer the day after the shooting.

Carlyle relied on a walker while recovering from being shot in the back shortly before the fatal confrontation, his family said. He had been shot three other times in five years, his grandmother said.

She said he had struggled with drugs and had had many brushes with the law. Court records show more than a dozen arrests and six convictions — for drug possession, simple assault, driving under the influence, and fleeing police.

As Carlyle tried to get out of the car to comply with Carapucci's order, he reached out and grabbed for the officer to stabilize himself and avoid falling because his walker was out of reach, according to the lawsuit.


While trying to stand, Carlyle "inadvertently" grabbed Carapucci's holster containing his weapon, the lawsuit states, prompting the officer to grab Carlyle's hand. When Rycek and Keen arrived, they drew their guns and Carlyle let go of Carapucci's holster, the lawsuit states.

"Still disoriented and confused, [Carlyle] began reaching out for assistance in an effort to stand up. Without just cause or legal justification," Rycek, whose gun was within reach of Carlyle, opened fire, prompting the other two officers to do likewise, the lawsuit states.



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