

IN THE CIRCUIT COURT FOR HAMILTON COUNTY, TENNESSEE

MICHAEL JAMES,

Plaintiff,

v.

LANCE HUGHES, AMANDA
BALDWIN, JONATHAN WATKINS,
SERGEANT JOHN DOE, and THE
CITY OF CHATTANOOGA,
TENNESSEE,

Defendants.

Case No. 21CV37

JURY DEMANDED

COMPLAINT

Plaintiff Michael James states the following as his complaint against Defendants Lance Hughes, Amanda Baldwin, Jonathan Watkins, Sergeant John Doe, and the City of Chattanooga, Tennessee.

PARTIES, JURISDICTION AND VENUE

1. Plaintiff Michael James ("Mr. James" or "Plaintiff") is an individual and a resident of Hamilton County, Tennessee.
2. Defendant Lance Hughes ("Officer Hughes") is an individual who was, at the pertinent times, an officer and employee of the Chattanooga Police Department.
3. Defendant Amanda Baldwin ("Officer Baldwin") is an individual who was, at the pertinent times, an officer and employee of the Chattanooga Police Department.
4. Defendant Jonathan Watkins ("Officer Watkins") is an individual who was, at the pertinent times, an officer and employee of the Chattanooga Police Department.

5. Defendant John Doe ("Sgt. Doe") is an individual who was, at the pertinent times, a Sergeant and employee of the Chattanooga Police Department. John Doe is a pseudonym being used temporarily because his true name or identity has not yet been determined.

6. The City of Chattanooga, Tennessee ("Chattanooga" or "the City of Chattanooga") is a municipality in Hamilton County, Tennessee.

7. This Court has federal question subject matter jurisdiction over this case because it involves claims for violations of 42 U.S.C. § 1983 as well as other claims.

8. This Court has personal jurisdiction over Officer Hughes because he is, upon information and belief, a resident of Hamilton County, Tennessee and because this action arises out of Officer Hughes' actions in Hamilton County, Tennessee.

9. This Court has personal jurisdiction over Officer Baldwin because she is, upon information and belief, a resident of Hamilton County, Tennessee and because this action arises out of Officer Baldwin's actions in Hamilton County, Tennessee.

10. This Court has personal jurisdiction over Officer Watkins because he is, upon information and belief, a resident of Hamilton County, Tennessee and because this action arises out of Officer Watkins' actions in Hamilton County, Tennessee.

11. This Court has personal jurisdiction over Sgt. Doe because he is, upon information and belief, a resident of Hamilton County, Tennessee and because this action arises out of Sgt. Doe's actions in Hamilton County, Tennessee.

12. This Court has personal jurisdiction over the City of Chattanooga because it is a municipality located within Hamilton County, Tennessee.

FACTUAL BACKGROUND

13. During the early morning hours of May 6, 2020, Mr. James was driving his car lawfully on the streets of Chattanooga.
14. As Mr. James was driving, he observed another vehicle, a Nissan SUV (the "Nissan"), traveling in an erratic and dangerous manner.
15. The Nissan almost hit Mr. James.
16. The Nissan had two occupants, both minors.
17. The driver of the Nissan was only 14 years old and therefore did not have a driver's license.
18. The driver of the Nissan, as a 14-year-old, was operating the Nissan without insurance.
19. The occupants of both vehicles exchanged words while sitting at a red light after 4:00 a.m.
20. Both occupants of the Nissan "flipped off" Mr. James, and he responded with the same gesture and told them that he was going to call the police.
21. The Nissan then ran the red light, made a U-turn, and continued driving erratically and dangerously.
22. After seeing how young the driver of the Nissan was, after observing the erratic and dangerous driving, and suspecting that the vehicle was stolen, Mr. James decided to follow the Nissan in order to obtain its license plate number and report the situation to the police.
23. While Mr. James was a considerable distance away from the Nissan, the Nissan subsequently left the road and struck a building.
24. Mr. James called 911 and reported the Nissan's accident.

25. Mr. James saw the Nissan's occupants exit the vehicle.
26. Mr. James stopped his car some distance away from the Nissan.
27. Mr. James waited for police to arrive.
28. At some point, the Nissan's occupants entered a nearby home.
29. Mr. James remained in his vehicle until the police arrived.
30. Officer Baldwin and Officer Watkins were the first police officers to arrive on the scene. Others arrived later.
31. Mr. James exited his vehicle and walked toward the officers.
32. Mr. James directed the officers to the house that the Nissan's occupants had entered (the "House").
33. The officers went to the House and, while standing at the front door, interacted with the Nissan's occupants for a short period.
34. The officers then left the house and approached Mr. James.
35. Officer Watkins drew his gun and aimed it at Mr. James.
36. The male officer commanded Mr. James to put his hands up and turn around.
37. Mr. James complied immediately.
38. Mr. James had nothing in his hands.
39. Mr. James had not acted aggressively or threateningly toward the officers in any way.
40. Mr. James had interacted with the officers helpfully and very peacefully during all prior interaction with the officers.
41. Mr. James had called 911 to ask the police to come to the scene.

42. Despite the lack of any violence or aggressiveness from Mr. James, Officer Watkins handcuffed Mr. James.

43. Officer Watkins searched Mr. James.

44. Mr. James was not holding or possessing any firearm or anything illegal, and thus, the Officer Watkins' search of Mr. James revealed nothing.

45. Defendant Officer Hughes arrived on the scene relatively soon after Officer Watkins handcuffed Mr. James.

46. Officer Hughes aggressively questioned and accused Mr. James.

47. After a period of aggressive questioning and accusations, Officer Hughes conducted basic testing designed to determine whether Mr. James was intoxicated or under the influence of drugs.

48. Mr. James was not intoxicated or under the influence of drugs.

49. Mr. James had not consumed any alcohol or drugs.

50. Despite the fact that the driver of the Nissan was only 14 years old and driving before 4:30 a.m. without a driver's license and insurance, and despite the fact that the Nissan driver had wrecked her vehicle, neither Officer Hughes nor any other officer tested the 14-year-old driver for intoxication or for being under the influence of drugs.

51. The 14-year-old driver of the Nissan is white or Caucasian.

52. Officer Hughes is white or Caucasian.

53. Officer Baldwin is white or Caucasian.

54. Officer Watkins is white or Caucasian.

55. Sgt. Doe is white or Caucasian.

56. Mr. James is black or African American.

57. At the time of the events in questions, Mr. James had a valid driver's license, proof of insurance, and valid vehicle registration of the vehicle he owned and was driving.

58. At the time of the events in questions, the 14-year-old white girl driving the Nissan did not have a valid driver's license, did not have insurance, did not own the Nissan, and did not have permission to drive the Nissan.

59. Officer Hughes tested Mr. James—the African American male who had not been in an accident—for intoxication or for being under the influence of drugs or alcohol, but Officer Hughes did not conduct such a test on the 14-year-old white girl who had been in an accident.

60. Officer Hughes tested Mr. James—the African American male who was driving with a license—for intoxication or for being under the influence of drugs or alcohol, but Officer Hughes did not conduct such a test on the 14-year-old white girl who was driving without a license.

61. Officer Hughes tested Mr. James—the African American male who was driving with insurance—for intoxication or for being under the influence of drugs or alcohol, but Officer Hughes did not conduct such a test on the 14-year-old white girl who was driving without insurance.

62. Officer Hughes tested Mr. James—the African American male who was driving a car he owned and for which he had proper registration—for intoxication or for being under the influence of drugs or alcohol, but Officer Hughes did not conduct such a test on the 14-year-old white girl who was driving a car she did not own and for which she had no permission to drive.

63. Officer Hughes tested Mr. James—the African American male who was lawfully driving during the very early morning hours—for intoxication or for being under the influence of

drugs or alcohol, but Officer Hughes did not conduct such a test on the 14-year-old white girl who was unlawfully driving during the very early morning hours.

64. Officer Baldwin, with other officers, proceeded to search Mr. James' car.

65. Officer Baldwin and other officers searched Mr. James' car without his permission.

66. Officer Baldwin and other officers searched Mr. James' car without a warrant.

67. Officer Baldwin and other officers searched Mr. James' car without legal basis or authorization.

68. Officer Baldwin and other officers searched the car of Mr. James, the African American male who had not been in an accident, but upon information and belief, they did not search the car driven by the 14-year-old white girl who had been in an accident.

69. Officer Baldwin and other officers searched the car of Mr. James, the African American male who was driving with a license, but upon information and belief, they did not search the car driven by the 14-year-old white girl who was driving without a license.

70. Officer Baldwin and other officers searched the car of Mr. James, the African American male who was driving with insurance, but Officer Baldwin did not search the car driven by the 14-year-old white girl who was driving without insurance.

71. Officer Baldwin and other officers searched the car of Mr. James, the African American male who was driving a car he owned and for which he had proper registration, but, upon information and belief, there was no search of the car driven by the 14-year-old white girl who was driving a car she did not own and for which she had no permission to drive.

72. Officer Baldwin and other officers searched the car of Mr. James, the African American male who was lawfully driving during the very early morning hours, but upon

information and belief, there was no search of the car of the 14-year-old white girl who was unlawfully driving during the very early morning hours.

73. The search of Mr. James' car included a search of the locked trunk of the car.

74. Officer Baldwin conducted the search of Mr. James' locked trunk.

75. Officer Baldwin conducted the search of Mr. James' locked trunk without Mr. James' permission.

76. Officer Baldwin conducted the search of Mr. James' locked trunk without a search warrant.

77. Officer Baldwin conducted the search of Mr. James' locked trunk without legal basis or authorization.

78. While searching Mr. James' trunk, Officer Baldwin found a backpack.

79. Officer Baldwin opened the backpack and found a handgun case in the backpack.

80. Officer Baldwin opened the backpack without Mr. James' permission.

81. Officer Baldwin opened the backpack without a search warrant.

82. Officer Baldwin opened the backpack without legal basis or authorization.

83. Officer Baldwin opened the handgun case without Mr. James' permission.

84. Officer Baldwin opened the handgun case without a search warrant.

85. Officer Baldwin opened the handgun case without legal basis or authorization.

86. Upon opening the backpack and then the handgun case that had been stored in the locked trunk of Mr. James' car, Officer Baldwin found a handgun.

87. The handgun was lawfully owned by Mr. James.

88. Mr. James was legally authorized to possess the handgun.

89. The handgun was not loaded.

90. The handgun did not meet the description provided by any occupant of Nissan.
91. Mr. James was not violating the law by possessing keeping a handgun in a case which was in a backpack which was in the locked trunk of his car.
92. Parents of the minor occupants of the Nissan arrived at the scene at some point.
93. Upon information and belief, the police contacted the Nissan occupants' parents and asked the parents to come to the scene.
94. Officer Hughes and Sergeant Doe asked the Nissan occupants and their parents to come with Officer Hughes (albeit to drive separately) to sign papers and press charges against Mr. James.
95. The Nissan occupants and their parents refused to press charges against Mr. James.
96. Officer Hughes nevertheless proceeded to press charges against Mr. James.
97. Officer Hughes put Mr. James, handcuffed, in the back of Officer Hughes' police car.
98. Officer Hughes discussed his plans with Sergeant Doe.
99. Sergeant Doe approved the arrest, imprisonment, and charging of Mr. James.
100. Officer Hughes transported Mr. James to the county jail and turned him over for booking.
101. Officer Hughes signed paperwork to initiate a criminal prosecution against Mr. James for two counts of alleged aggravated assault.
102. The 14-year-old white girl was not handcuffed.
103. The 14-year-old white girl was not placed in the back of a police car.
104. The 14-year-old white girl was not transported to the county jail.
105. The 14-year-old white girl was not booked.

106. No criminal charges were initiated against the 14-year-old white girl.

107. Mr. James, the African American male who was driving with a valid driver's license, was arrested, but the 14-year-old white girl who was driving without a valid driver's license was not arrested.

108. Mr. James, the African American male who was driving with valid insurance, was arrested, but the 14-year-old white girl who was driving without insurance was not arrested.

109. Mr. James, the African American male who was not involved in an accident, was arrested, but the 14-year-old white girl who was involved in an accident was not arrested.

110. Mr. James, the African American male who was driving his own vehicle with valid registration, was arrested, but the 14-year-old white girl who was driving someone else's vehicle without permission was not arrested.

111. Mr. James, the African American male who was lawfully driving before 4:30 a.m. was arrested, but the 14-year-old white girl who was unlawfully driving before 4:30 a.m. was not arrested.

112. Mr. James, the African American male, was arrested despite the absence of any sworn testimony supporting any allegation of a crime, but the 14-year-old white girl was not arrested despite the fact that her violations of the law were undisputed and uncontested.

113. Officer Hughes initiated and pressed criminal charges against Mr. James, the African American male who was driving with a valid driver's license, but Officer Hughes did not press criminal charges against the 14-year-old white girl who was driving without a valid driver's license.

114. Officer Hughes initiated and pressed criminal charges against Mr. James, the African American male who was driving with valid insurance, but Officer Hughes did not

initiate or press criminal charges against the 14-year-old white girl who was driving without insurance.

115. Officer Hughes initiated and pressed criminal charges against Mr. James, the African American male who was not involved in an accident, but Officer Hughes did not initiate or press criminal charges against the 14-year-old white girl who was involved in an accident.

116. Officer Hughes initiated and pressed criminal charges against Mr. James, the African American male who was driving his own vehicle with valid registration, but Officer Hughes did not initiate or press criminal charges against the 14-year-old white girl who was driving someone else's vehicle without permission.

117. Officer Hughes initiated and pressed criminal charges against Mr. James, the African American male who was lawfully driving before 4:30 a.m., but Officer Hughes did not initiate or press criminal charges against the 14-year-old white girl who was unlawfully driving between 4:30 a.m.

118. Officer Hughes initiated and pressed criminal charges against Mr. James, the African American male, despite the absence of any sworn testimony or even a written statement supporting any allegations of a crime, but Officer Hughes did not initiate or press criminal charges against the 14-year-old white girl despite the fact that her violations of the law was undisputed and uncontested.

119. Officer Hughes placed false information on his Affidavit of Complaint.

120. Officer Hughes knowingly placed false information on his Affidavit of Complaint to initiate criminal charges against Mr. James.

121. The Affidavit of Complaint was void of any sworn eye-witness statement supporting the charges against Mr. James.

122. Officer Hughes treated Mr. James differently because of his race and would not have arrested, jailed and charged a Caucasian under the same circumstances.

123. Mr. James was subjected to the humiliation of being stripped naked and a body cavity search during the booking process.

124. Mr. James was subjected to the humiliation and stress of being imprisoned.

125. Mr. James was subjected to the humiliation, stress and oppression of being falsely charged with a crime.

126. Mr. James remained in custody for a significant period of time before he was released on his own recognizance pending further court proceedings.

127. In the meantime, Mr. James' car was towed from the area where it was lawfully parked.

128. After his release from jail, Mr. James had to pay \$200 to a towing company to obtain release of his car.

129. Additionally, not all of Mr. James' property was returned to him upon or as he was being released from jail.

130. Among other items not returned to him, Mr. James was not given back all the money that was confiscated from him at the time he was placed in custody.

131. After being released from custody, Mr. James hired an attorney to defend against the false charges by Officer Hughes.

132. Mr. James had to appear in court multiple times to defend against the charges.

133. Mr. James refused to plead guilty to any charge because he was not guilty.

134. After multiple court appearances, all charges against Mr. James were eventually dismissed.

135. Mr. James suffered physical and emotional injuries as a result of the Defendants' conduct.

COUNT 1 – VIOLATION OF CIVIL RIGHTS UNDER 42 U.S.C. §1983

136. All preceding allegations are adopted and incorporated by reference as if fully restated herein.

135. Mr. James' arrest without a warrant constituted a deprivation of his liberty without due process.

137. The pointing of a gun at Mr. James, the handcuffing of Mr. James, the detention of Mr. James, the arrest of Mr. James, and the imprisonment of Mr. James without a warrant constituted a deprivation of his liberty without due process.

138. The full stripping and body cavity search of Mr. James without a warrant constituted a deprivation of his liberty without due process.

139. The search of Mr. James' car without permission and without a warrant constituted a deprivation of his liberty without due process.

140. The search of Mr. James' locked trunk without permission and without a warrant constituted a deprivation of his liberty without due process.

141. The search of Mr. James' backpack and gun case without permission and without a warrant constituted a deprivation of his liberty without due process.

142. The Defendants violated Mr. James' rights against unreasonable searches and seizures.

143. Officer Hughes acted at all times under the color of state law.

144. Officer Baldwin acted at all times under color of state law.

145. Officer Watkins acted at all times under color of state law.

146. Sgt. Doe acted at all times under color of state law.

147. Upon information and belief, the actions described above were conducted pursuant to policies, practices, or customs of the City of Chattanooga.

148. Alternatively, the unlawful actions described above were the result of a lack of training by the City of Chattanooga.

149. The Defendants' actions violated 42 U.S.C. § 1983.

150. Mr. James has been damaged as a proximate result of the Defendants' violations of 42 U.S.C. § 1983.

151. Mr. James is entitled to an award of damages.

152. Mr. James is also entitled to an award of punitive damages.

153. Mr. James is also entitled to an award of his reasonable attorney's fees and litigation expenses.

COUNT 2 – VIOLATION OF EQUAL PROTECTION RIGHTS

154. All preceding allegations are adopted and incorporated by reference as if fully restated herein.

155. Officer Hughes was motivated by racial animus and deprived Mr. James of his liberty and rights of equal protection because of Mr. James's race.

156. Officer Hughes treated Mr. James, as an African American, differently and more harshly than he treated a white person.

157. Officer Hughes failed to provide Mr. James with equal protection under the law.

158. Officer Hughes failed to investigate, pursue, and press charges against a white person whose violations of the law were undisputed and unquestionable, but at the same time, Officer Hughes pursued baseless criminal charges against Mr. James, an African American male.

159. Officer Hughes acted intentionally and under color of state law.

160. Officer Hughes' actions constituted violations of 42 U.S.C. § 1983.

161. Upon information and belief, Officer Hughes' actions were pursuant to a policy, custom or practice of the City of Chattanooga.

162. Alternatively, the unlawful actions of Officer Hughes were the result of a lack of training by the City of Chattanooga.

163. Mr. James has been damaged as a proximate result of the Defendants' violations of 42 U.S.C. § 1983.

164. Mr. James is entitled to an award of damages.

165. Mr. James is also entitled to an award of punitive damages.

166. Defendants are also liable to Mr. James for his reasonable attorney fees and litigation expenses.

COUNT 3 – FALSE IMPRISONMENT

167. All preceding allegations are adopted and incorporated by referenced as if fully restated herein.

168. Defendants Watkins, Hughes, Sergeant Doe and the City of Chattanooga imprisoned and confined Mr. James without legal cause or legal basis.

169. Defendants' imprisonment and confinement of Mr. James was unlawful.

170. Defendants acted out of racial animus.

171. Defendants acted out of malice.

172. Defendants acted intentionally and for the purpose of injuring Mr. James.

173. Mr. James has been severely injured, damaged and traumatized as a result of the imprisonment.

174. All actions taken by Officer Watkins, Officer Hughes and Sergeant Doe were also taken on behalf of the City of Chattanooga.

175. Upon information and belief, all actions taken by the Officers Watkins, Officer Hughes, and Sergeant Doe were pursuant to a custom, policy or practice of the City of Chattanooga.

176. Alternatively, the actions of the Officers Watkins, Officer Hughes, and Sergeant Doe were caused by the City of Chattanooga's lack of training.

177. Defendants Watkins, Hughes, Doe and The City of Chattanooga are liable to Mr. James for the damages he sustained.

178. Defendants Watkins, Hughes, Doe and The City of Chattanooga are also liable to Mr. James for punitive damages.

COUNT 4 - FALSE ARREST

179. All preceding allegations are adopted and incorporated by referenced as if fully restated herein.

180. Defendants Watkins and Hughes arrested Mr. James without legal cause or legal basis.

181. Sgt. Doe also approved and participated in Mr. James' arrest.

182. Defendants' arrest of Mr. James was unlawful.

183. Defendants acted out of racial animus.

184. Defendants acted out of malice.

185. Defendants acted for the purpose of injuring Mr. James.

186. Mr. James has been severely injured, damaged and traumatized as a result of the false arrest.

187. Defendants Watkins, Hughes and Doe are liable to Mr. James for the damages he sustained.

188. Defendants Watkins, Hughes and Doe are also liable to Mr. James for punitive damages.

COUNT 5 – BATTERY

189. All preceding allegations are adopted and incorporated by reference as if fully restated herein.

190. Officer Watkins and Officer Hughes intentionally inflicted harmful and offensive physical contact upon Mr. James by handcuffing him, placing him in the police car in handcuffs, and by causing him to be subsequently subjected to being stripped naked and subjected to body cavity searches.

191. Officer Watkins and Officer Hughes intentionally inflicted harmful physical and offensive contact upon Mr. James by physically and unlawfully forcing Mr. James into confinement.

192. Officer Watkins and Officer Hughes did not have the legal authority to arrest Mr. James, and therefore did not have the legal authority to handcuff him, place him in the patrol car in handcuffs, place him in confinement, or cause him to be subjected to being stripped naked and to body cavity searches.

193. Officer Watkins and Officer Hughes' physical contact with Mr. James was unlawful and offensive and caused injury upon Plaintiff Mr. James.

194. These actions and resulting injury infringed upon the reasonable sense of personal dignity ordinarily respected in a civil society.

195. These actions constituted the common law tort of battery.

196. Mr. James has been damaged and injured as a proximate result of the Defendants' battery.

197. Defendant Watkins and Hughes are liable to Mr. James for the damages and injuries he sustained.

198. Defendants Watkins and Hughes are also liable to Mr. James for punitive damages.

COUNT 6 – ASSAULT

199. All preceding allegations are adopted and incorporated by reference as if fully restated herein.

200. Officer Watkins and Officer Hughes intentionally engaged in behavior that intimidated, frightened and threatened harm to Mr. James.

201. Officer Watkins and Officer Hughes possessed the ability to do harm to or cause fright upon Plaintiff.

202. These actions constitute the common law tort of assault.

203. Mr. James has been damaged as a proximate result of Officer Watkins and Officer Hughes' assault.

204. Officer Watkins and Officer Hughes are all liable for the damages sustained by Plaintiff.

205. Officer Watkins and Officer Hughes are also liable for punitive damages.

COUNT 7 – MALICIOUS PROSECUTION

206. All preceding allegations are adopted and incorporated by reference as if fully restated herein.

207. Mr. James was prosecuted on two counts of falsely alleged felony aggravated assault.

208. The prosecution was initiated by Defendant Officer Hughes and Sergeant Doe.

209. The prosecution was instigated without lawful cause or legal basis.

210. After initiating the prosecution, Defendants continued to press the prosecution.

211. Defendants initiated and pursued the prosecution through false information and without supporting evidence.

212. Defendants knew the information was false.

213. The prosecution of Mr. James was continued without probable cause.

214. Defendants instigated and continued the prosecution for the purpose of injuring Mr. James.

215. Defendants instigated and continued the prosecution with malice against Mr. James.

216. Defendants instigated and continued the prosecution against Mr. James out of racial animus.

217. Defendants instigated and continued the prosecution against Mr. James without any sworn evidence from a witness to support the prosecution.

218. The criminal prosecution against Mr. James terminated favorably to Mr. James in that both charges against Mr. James were dismissed.

219. Mr. James has been severely injured, damaged and traumatized as a result of the malicious prosecution.

220. Officer Hughes and Sergeant Doe are liable to Mr. James for the damages he sustained.

221. Officer Hughes and Sergeant Doe are also liable to Mr. James for punitive damages.

COUNT 8 – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

222. All preceding allegations are adopted and incorporated by reference as if fully restated herein.

223. Officer Hughes, Officer Watkins, and Sergeant Doe's actions inflicted severe emotional distress upon Mr. James.

224. Defendants acted knowingly and intentionally.

225. Defendants' conduct was outrageous, shocked the conscience, and were far outside the bounds of conduct accepted by civil society.

226. Defendants knew or should have known that their actions against Mr. James would result in serious physical and mental and emotional injuries and distress to him.

227. Defendant Hughes, Watkins and Doe are liable to Mr. James for the damages and injuries he suffered.

228. Defendant Hughes, Watkins and Doe are also liable to Mr. James for punitive damages.

COUNT 9 — CONVERSION

229. All preceding allegations are adopted and incorporated by reference as if fully restated herein.

230. Officer Hughes and The City of Chattanooga wrongfully confiscated and converted Mr. James' property.

231. Defendants acted intentionally.

232. Defendants Hughes and The City of Chattanooga are liable to Mr. James for the loss of his property.

233. Defendants Hughes and the City of Chattanooga are also liable to Mr. James for punitive damages.

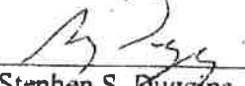
WHEREFORE, Plaintiff Michael James prays as follows:

- A. That process issue and that Defendants be required to answer this complaint within the time provided by law;
- B. That a jury be empaneled to try this cause;
- C. That this Court enter a judgment in favor of Plaintiff and against the Defendants for compensatory damages in an amount of \$150,000 or such other amount as is proven at trial;
- D. That the Court enter a judgment in favor of Plaintiff and against the Defendants for punitive damages in an amount of \$300,000 or such other amount as the jury determines to be appropriate;
- E. That Plaintiff be awarded his reasonable attorney fees and expenses;
- F. That all costs be taxed to the Defendants; and
- G. That this Court provide the Plaintiff with such other legal and equitable relief as it deems proper and appropriate.

This the 5th day of May, 2021.

Respectfully Submitted,

Law Office of Stephen S. Duggins

By: 
(Stephen S. Duggins, #13222)
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Hamilton County Circuit Court	STATE OF TENNESSEE CIVIL SUMMONS <small>page 1 of 1</small>	Case Number 21C437
Michael James	Vs. LANCES HUGHES, AMANDA BALDWIN, JONATHAN WATKINS, SERGEANT JOHN DOE, and THE CITY OF CHATTANOOGA, TENNESSEE	

Served on:

Lance Hughes

Chattanooga Police Department, 3410 Annicola Highway, Chattanooga, TN 37486

You are hereby summoned to defend a civil action filed against you in Chancery Court, Hamilton County, Tennessee. Your defense must be made within thirty (30) days from the date this summons is served upon you. You are directed to file your defense with the clerk of the court and send a copy to the plaintiff's attorney at the address listed below. If you fail to defend this action by the below date, judgment by default may be rendered against you for the relief sought in the complaint.

Issued: 05.05.2021

LARRY L. HENRY, CLERK

[Signature]
Clerk / Deputy Clerk

Attorney for Plaintiff: Stephen S. Duggins, 8052 Standifer Gap Rd. Suite B, Chattanooga, TN 37421 BPR 13222; (423) 635-7113

NOTICE OF PERSONAL PROPERTY EXEMPTION

TO THE DEFENDANT(S): Tennessee law provides a ten thousand dollar (\$10,000) personal property exemption as well as a homestead exemption from execution or seizure to satisfy a judgment. The amount of the homestead exemption depends upon your age and the other factors which are listed in TCA § 26-2-301. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for your self and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer. Please state file number on list.

Mail list to Hon. Robin Miller, Clerk & Masters Office, Hamilton County
500 Courthouse, 625 Georgia Ave., Chattanooga, TN 37402

CERTIFICATION (IF APPLICABLE)

I, _____ Clerk of _____ County do certify this to be a true and correct copy of the original summons issued in this case.

Date: _____

Clerk / Deputy Clerk

OFFICER'S RETURN: Please execute this summons and make your return within ninety (90) days of issuance as provided by law.

I certify that I have served this summons together with the complaint as follows: _____

Date: _____

By: _____

Officer, Title

RETURN ON SERVICE OF SUMMONS BY MAIL: I hereby certify and return that on _____, I sent postage prepaid, by registered return receipt mail or certified return receipt mail, a certified copy of the summons and a copy of the complaint in the above styled case, to the defendant _____. On _____ I received the return receipt, which had been signed by _____ on _____. The return receipt is attached to this original summons to be filed by the Court Clerk.

Date: _____

Notary Public / Deputy Clerk (Comm. Expires _____)

Signature of Plaintiff _____

Plaintiff's Attorney (or Person Authorized to Serve Process)

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ADA: If you need assistance or accommodations because of a disability, please call, ADA Coordinator, at (423) .209-6700