

STATE OF SOUTH CAROLINA  
COUNTY OF YORK

IN THE COURT OF COMMON PLEAS

Travis Price

Plaintiff,

v.

City of Rock Hill and Ralph Norman, in his  
individual capacity,

Defendants.

)  
) CASE NO.: 2021-CP-16-\_\_\_\_\_  
)

**SUMMONS**  
(Jury Trial Requested)

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action of which a copy is herewith served upon you, and to serve a copy of your answer to the said Complaint on the subscribers at their office at 104 Bridge Street, Bamberg, SC 29003, within thirty (30) days after the service hereof, exclusive of the date of such service; and if you fail to answer the Complaint within the aforementioned time, the Plaintiff in this action will apply to the Court for the relief demanded in this Complaint, and a judgment by default will be rendered against you for the relief demanded in this Complaint.

**BAMBERG LEGAL, LLC**

Date: July 19, 2021

/s/ Justin T. Bamberg  
Justin T. Bamberg, Esquire  
(SC Bar No. 100337)  
BAMBERG LEGAL, LLC  
104 Bridge Street  
Bamberg, South Carolina 29003  
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Email: jbamberg@bamberglegal.com

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF YORK	)	CASE NO.: 2021-CP-16-_____
	)	
Travis Price	)	
	)	
Plaintiff,	)	
	)	
vs.	)	<b>COMPLAINT</b>
	)	(Jury Trial Requested)
	)	
City of Rock Hill and Ralph Norman,	)	
in his individual capacity,	)	
	)	
Defendants.	)	
_____	)	

The Plaintiff named herein, complaining of the Defendant City of Rock Hill, would respectfully show unto this Honorable Court and allege as follows:

### **Parties**

1. The Plaintiff, Travis Price, is a citizen and resident of the City of Rock Hill, County of York, State of South Carolina. Plaintiff does not have a criminal record, works full-time in a local chemical plant from 3:00 p.m. to 11:00 p.m. daily, is paid hourly on his job, and is a 34yr old father of two young children.

2. The Defendant City of Rock Hill (hereinafter "City") is a governmental agency/entity existing under the laws of the State of South Carolina. At all times hereinafter mentioned in this lawsuit, the Defendant City acted and carried on its business by and through its agents, servants, and/or employees. Additionally, these agents, servants, and/or employees (including but not limited to the law enforcement personnel mentioned below) were operating within the scope of their officially assigned and/or compensated duties.

3. The Carolina Panthers are relocating their team headquarters to Defendant City, the development of which will also include indoor and outdoor practice facilities and corporate offices.

4. The Defendant, Ralph Norman, in his individual capacity (hereinafter “Norman”) is a prominent South Carolina real estate developer who also happens to serve as the U.S. House Representative for South Carolina’s 5<sup>th</sup> Congressional District with a principal place of business and primary residency in Rock Hill, South Carolina, County of York.

5. According to “www.electalphnorman.com”, Defendant Norman’s property and construction company is “one of the foremost commercial real estate development firms in the region”, and he believes “[w]e must always protect civil liberties and promote a fair society – one that is blind to race, nationality, gender, and religion.”

6. Defendant Norman has over four decades in construction and real estate through his company, the Warren Norman Company located in Rock Hill, a company which develops between \$20 Million and \$50 Million of commercial real estate annually. Since 2000, Defendant Norman has helped develop over 800,000 square feet of commercial property and developed large-scale commercial developments in excess of \$15 Million. Defendant Norman’s portfolio of properties include:

- a. Pendleton Village, a retail strip center in Fort Mill;
- b. A 104,349 storage facility on Highway 160 in Fort Mill;
- c. Hampton Inn & Suites, a 102 room hotel in Fort Mill;
- d. Redevelopment of the Rock Hill Coca-Cola Bottling Company plant;
- e. High Point Crossing in Rock Hill;
- f. Fountain Park Place, a 48,000sqft professional office building in Rock Hill including partnership with the City of Rock Hill; for which Warren Norman is also leasing agent;
- g. Rock Hill Galleria, a 704,132sqft enclosing shopping mall located off of I-77 and anchored by Belk and JCPenney along with Shoe Department, Rue21, Victoria’s Secret, American Eagle, Hibbett Sports, Escape Eight and others.

7. While Plaintiff was still facing criminal charges and Defendant Norman’s defamatory statement was still online being viewed by thousands of people, his company announced on July 6, 2021, that Kung Fu Tea signed a lease at Warren Norman’s new retail building in Rock Hill.

Kung Fu Tea is the largest bubble tea chain in the United States and leased +/- 1,236sqft space next to Chipotle Mexican Grill, another Warren Norman tenant.

8. Warren Norman Capital is partner company of Defendant Norman's Warren Norman Company and is a private equity firm focused on investing in hotel assets which Defendant Norman also owns, controls, and/or receives substantial financial benefit from. It manages capital with the goal of creating long term wealth through the development and acquisition of hotel properties across the Southeastern United States. Defendant Norman's Warren Norman Capital generally looks for opportunities in the \$15 Million to \$25 Million range but has participated in projects in excess of \$75 Million.

9. At all times relevant herein, the City of Rock Hill Police Department and its officers involved in the underlying complained of incident(s) were working in conjunction with each other in furtherance of the City's business and each caused and/or contributed to the complained upon incident(s) and injuries sustained by Plaintiff.

10. At all times relevant hereto, Defendant City of Rock Hill and Defendant Norman relied on each other's public and private support and had ongoing partnerships with each other which were mutually beneficial to both parties, including a direct financial benefit to Defendant Norman in his individual capacity through the work of his companies Warren Norman Company and Warren Norman Capital.

11. While Defendant Norman had no role in the negotiations to bring the Carolina Panthers to South Carolina, on information and belief, Defendant Norman owns, controls, and/or has a financial interest in real estate located in the immediate vicinity of the Carolina Panthers' new facilities. On completion of the Carolina Panthers' new facilities in Rock Hill, Defendant Norman's real estate holdings in the area will soar in value.

12. This case is filed pursuant to the South Carolina Tort Claims Act, S.C. Code Ann. 15-78-10 as to Defendant City.

13. This Court has jurisdiction over this matter and the parties because the most substantial acts and omissions giving rise to liability occurred within York County, South Carolina.

**Factual Allegations – June 23, 2021 Incident**

14. On or about June 23, 2021, Plaintiff was in his vehicle heading home when he saw that his brother, Ricky Price (hereinafter “Ricky”), had been stopped by law enforcement at a gas station in Rock Hill. Plaintiff noticed a substantial law enforcement presence.

15. Plaintiff parked in the gas station parking lot and calmly walks to the general area where City’s officers had Ricky detained.

16. Plaintiff was instructed by law enforcement to stand by so the officers could give Plaintiff some of Ricky’s belongings and personal effects as Ricky had been placed under arrest.

17. The situation was completely under control and both Plaintiff and Ricky were compliant with officer instructions. City officers removed Ricky’s handcuffs so that some of his personal belongings could be removed, and City officers then began handing items to Plaintiff.

18. At the aforementioned time, City officer, J. Moreno (hereinafter “Moreno”), was searching Ricky’s vehicle. Upon completion of the search, then City officer Moreno walked from Ricky’s vehicle to the City’s patrol vehicle where officers were providing Ricky’s belongings to Plaintiff, at which time Moreno attacked Plaintiff without cause or legal justification.

19. City officers present, who had previously directed and instructed Plaintiff to stand there and obtain Ricky’s belongings began calling Moreno’s name as Moreno accosted Plaintiff and began to choke Plaintiff. However, not a single City officer attempted to physically stop Moreno or intervene as Plaintiff was following their specific directives.

20. Plaintiff was choked, physically assaulted, slammed to the pavement with great force, handcuffed, and placed under arrest. Throughout the assault, Plaintiff attempted on multiple occasions to inform Moreno that he was merely doing what the other City officers had instructed him to do, Plaintiff kept his hands in the air in a non-threatening matter, and Plaintiff at no time attempted to nor did he make physical contact with Moreno or any other officers. Plaintiff stated that he was complying, was not resisting arrest, and that he had not done anything wrong.

21. For the duration of the interaction, Plaintiff was entirely compliant with the directives given to him by law enforcement, including City's officers present at the scene.

22. At no time did Plaintiff attempt to hinder any investigation, hinder the police, or interfere in law enforcement carrying out their duties.

23. At no time did Plaintiff attempt to gather the belongings of Ricky on his own accord without specific directives from City officers.

24. At no time did Plaintiff attempt to get evidence from Ricky's vehicle.

25. At no time was Plaintiff "non-compliant with officers' instructions."

26. At no time did Plaintiff yell belligerently.

27. At no time did use his body to bump officers backward, push officers, or touch officers.

28. At no time prior to the assault by Moreno was Plaintiff told by any officer that he was under arrest for interfering and physically contacting officers, because none of that happened.

29. At no time did Plaintiff shove officers or refuse to comply with orders by officers to place his hands behind his back.

30. At no time was Plaintiff non-compliant with officers, nor did he ever struggle with officers.

31. At no time did Plaintiff attempt to exercise the "luxury of resisting or evading arrest."

32. At all times, Defendants City and Norman's statements against Plaintiff were false.

Factual Allegations – The Charge

33. City arrested and charged Plaintiff with Hindering Police:

CITY ROCK HILL		STATE SC		ZIP CODE 29732	
DL STATE SC	DRIVER'S LICENSE NO. [REDACTED]		NONE <input type="checkbox"/>	CLASS D	CDL <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
RACE B	SEX M	BIRTH DATE [REDACTED]	HGT. 74	WGT. 200	HAIR BLK
VEH LIC NO		NONE <input type="checkbox"/>	STATE	MAKE OF VEH	YEAR
VEHICLE OWNER FIRST NAME		MIDDLE NAME	LAST NAME		
OWNER STREET		CITY	STATE	ZIP CODE	
YOU ARE SUMMONED TO APPEAR BEFORE THE TRIAL COURT					
NAME OF TRIAL COURT ROCK HILL MUNICIPAL COUR		STREET 120 EAST BLACK STREET			
DATE OF TRIAL 07/07/2021	TIME OF TRIAL 1300	CITY ROCK HILL	STATE SC	ZIP CODE 29730	
VIOLATION SECTION NO. 20-136		VIOLATION – COURT APPEARANCE REQUIRED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO HINDERING POLICE			
DATE OF VIOLATION 06/23/2021	TIME OF VIOL. 1400	SC POINTS	B.A. LEVEL	REF	
VIOLATION LOCATION CTY		COUNTY 46			
LAT 34.92947	LONG -81.0171	CITY ROCK HILL			
NAME AND RANK OF ARRESTING OFFICER MORENO J		POII	SCCJA OFFICER NUMBER 9814-2374		
BAIL DEPOSITED N/A	DATE OF ARREST 06/23/2021	BOND AMOUNT REQUESTED 1,087.50			
DATE BAIL REC'D.	BY				
CASE BEFORE: MAGISTRATE <input type="checkbox"/> MUN. COURT <input type="checkbox"/> CIRCUIT COURT <input type="checkbox"/> FAMILY COURT <input type="checkbox"/> FEDERAL COURT <input type="checkbox"/>					
NAME OF THE TRIAL COURT IF DIFFERENT FROM ABOVE:					
TRIAL BY: TRIAL JUDGE <input type="checkbox"/> JURY <input type="checkbox"/>		DEFENDANT: DID NOT APPEAR <input type="checkbox"/> APPEARED <input type="checkbox"/>			
DISPOSITION DATE	DISPOSITION: NOLLE PROSSED <input type="checkbox"/> FORFEITED BOND <input type="checkbox"/>	GUILTY <input type="checkbox"/> NOT GUILTY <input type="checkbox"/>	PLED: NOLO CONTENDERE <input type="checkbox"/> DETERMINED BAC: <input type="checkbox"/>		
CHARGE CONVICTED OF		SAME AS ORIGINAL <input type="checkbox"/>		SC POINTS	
JAIL	SUSPEND	FINE	AMT. COLLECTED	AMT. SUSPENDED	COMMITTED TO
CERTIFIED CORRECT			DATE		Vehicle Searched NO
					Arrest as Result of Collision NO
TICKET # 20212280313823					

34. Under City Ordinance Section 20-136:

It shall be unlawful for any person to hinder, prevent or obstruct any officer or other person charged with the execution of any warrant or other process issued under the provisions of this Code and engaged in arresting any person for whose



apprehension such warrant or other process may have been issued, or to hinder, prevent or obstruct any officer or other person lawfully engaged in making an arrest of any person under circumstances not requiring the issuance of a warrant for such arrest, or to rescue or to attempt to rescue such person from the custody of the officer or person lawfully assisting him as provided in this section, or to aid, abet or assist any person so arrested as provided in this section, directly or indirectly, to escape from the custody of the officer or person assisting him as provided in this section, or to harbor or conceal any person for whose arrest a warrant or other process shall have been issued, or whose arrest is lawfully sought without any such warrant, so as to prevent his discovery and arrest, after notice or knowledge of the fact of the issuing of such warrant or other process, or that such arrest is lawfully sought without any such warrant.

35. From the moment Plaintiff arrived on scene through the present, City, through its agents, employees, and representatives, knew that Plaintiff had not taken any actions warranting his detention, arrest, assault, and imprisonment. In fact, multiple City officers on the scene prior to Plaintiff's arrest and assault knew – because those officers had given specific directives to Plaintiff – that Plaintiff's actions were the complete opposite of criminal and did not violate the laws of the State of South Carolina, any City ordinance, or other law.

36. Nonetheless, Plaintiff was detained, violently arrested, assaulted, subjected to excessive use of force, searched, imprisoned, forced to pay bond to get out of jail approximately 36 hours post arrest, and obtain legal counsel.

37. There was no reason for the use of force exercised on Plaintiff and captured on video.

**Factual Allegations – June 23, 2021 City Memorandum**

38. In the wake of the arrest of Plaintiff, witness video had gone viral and sparked protests in the City of Rock Hill over the incident.

39. Given the nature of the incident, a viral video, substantial public backlash against City, and protests commencing, the public media began covering the incident.



40. On June 23, 2021, City put out an official written statement laying out the “facts” of what had transpired earlier that day.

41. The official written City Memorandum was specifically addressed to “Media Outlets” regarding the “Arrest of Ricky Roderick Price and Travis Price” for the City’s specific intended purpose of the “factual” information contained therein being disseminated by those media outlets to the general public.

42. The official written City Memorandum was sent by City directly to said media outlets and the following statements were publicly disseminated in writing by City:

Officers began searching Price when his brother, Travis Price, arrived on scene and approached Officers. Travis Price attempted to gather the belongings Officers were removing from Ricky’s person and was told to move back. Travis then used his body to bump the Officers backward as he continued trying to get near his brother to reach for the belongings while yelling belligerently. Travis was forced back and told he was under arrest for interfering, and physically contacting officers. Travis shoved Officers, refusing to comply with orders to place his hands behind his back. Officers pushed Travis against a large tank located behind him, telling him to put his hands behind his back. Travis continued his non-compliance and Officers began struggling with Travis. While attempting to gain control of Travis, Officers and Travis went to the ground.

43. The official written City Memorandum also stated that “[o]fficers were able to take Ricky into custody at this time while other Officers managed to handcuff Travis as well” and that Plaintiff was charged with Hindering Police.

44. The entire official written City Memorandum was written in a way so as to disparage the character, image, and reputation of Plaintiff; purposefully using statements like “managed to handcuff Travis” so the public would believe Plaintiff was combative and fighting officers,

resisting or evading arrest, and/or otherwise being unlawfully non-compliant with law enforcement lawful orders. City's written statement also specifically alleged criminal actions and crimes and acts of moral turpitude such as Plaintiff "used his body to bump the officers," "physically contacting officers," "interfering" with the police, "shoved Officers," and "refusing to comply with orders."

45. City's official written Memorandum also purposefully attempted to link Plaintiff to the criminal allegations City made against Ricky, including drug possession and a firearm, to further turn public opinion against Plaintiff and harm his character, image and reputation by City's official written Memorandum stating that "[Ricky] was talking on his cell phone telling his brother where he was stopped by officers" prior to Plaintiff's arrival on the scene and the ensuing written allegations that Plaintiff attempted to interfere, hinder, assault officers, and be non-compliant.

46. Ricky did not call Plaintiff and therefore, City's statement in that regard was also false.

47. As a result of and as specifically intended by City when it created its official written Memorandum, media outlets put the aforementioned allegations out to the general public as representations of fact. The dissemination of City's written statement, having been sent by City to individuals with every media outlet, sparked an array of additional defamatory statements both spoken and in writing against Plaintiff, all of which damaged and continue to damage Plaintiff's character, image, and reputation.

48. City, through its agents, employees, and representatives, also verbally read the City's official written Memorandum publicly at a press conference to a live television and internet-streaming audience, reaching tens of thousands of members of the general public.

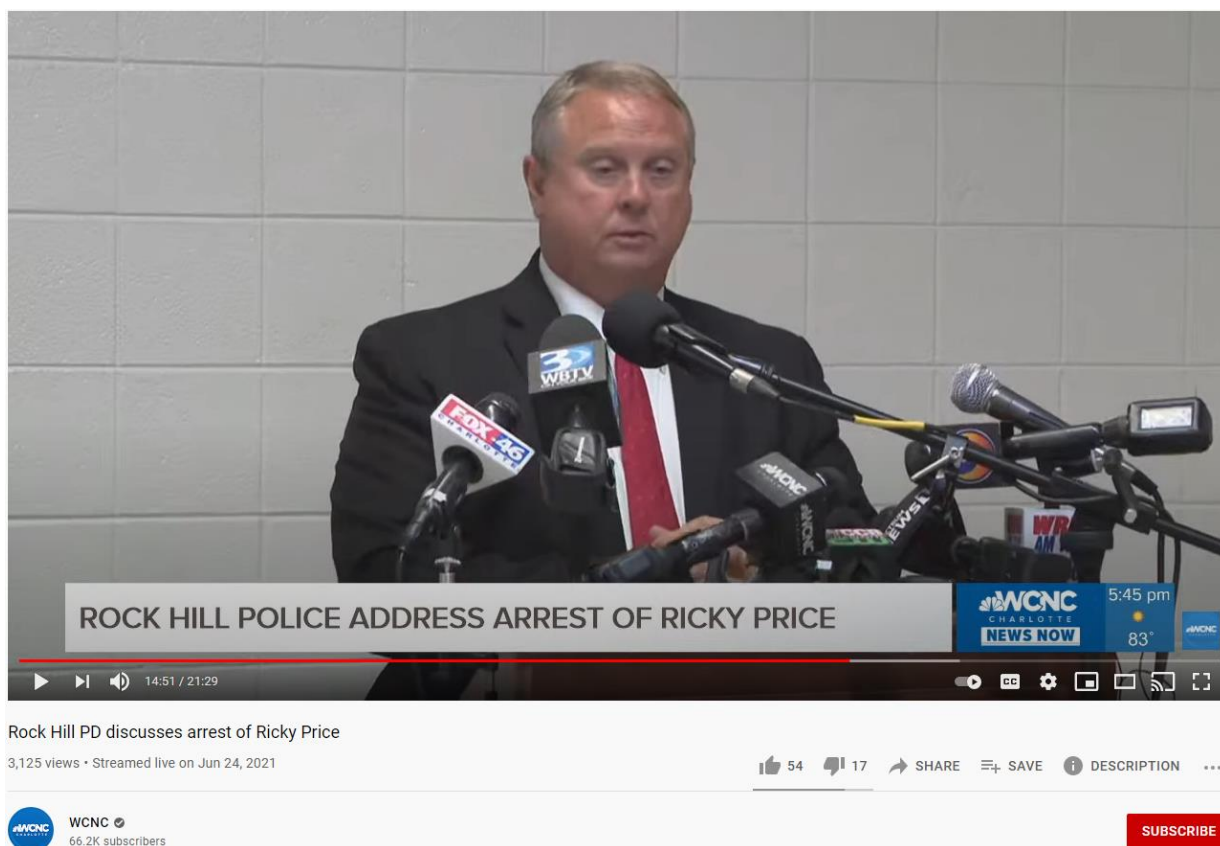
49. None of the statements made about Plaintiff by City – written, spoken, and implied – in its official Memorandum and press conference(s) were true. All of the statements were untrue and

defamatory *per se*, and the official Memorandum was purposefully written in a way to blend the allegations against Plaintiff and Ricky together, thereby painting them both in the same light.

50. City's intended actions led to City's intended result – media outlets reported City's version of events and “facts” to the public on television, in print, and online before Plaintiff had a chance to stand up for himself, permanently harming Plaintiff's character, image, and reputation with the public.

*[Space Intentionally Left Blank]*

51. On June 24, 2021, City held a press conference regarding the incident. At the press conference, City's Chief of Police, reading and adopting a statement prepared by other City employee(s), stated that the incident was under review, but that a review takes time and *"is not something that allows for premature information to be released."* Chief of Police said the following immediately thereafter: *"the information that we know that can be released is..."*, and he proceeded provide additional representations of fact on behalf of the City.



Source: <https://www.youtube.com/watch?v=z6i5Juzi6eQ>, WCNC Live Feed of City of Rock Hill's July 24, 2021 Press Conference Regarding the Arrests of Ricky and Travis Price.

*[Space Intentionally Left Blank]*

52. Contrary to City's assertions about premature information being released, City's Chief of Police stated the following about Plaintiff:

*Travis walked over to the officers and tried to grab items from his brother. Numerous times, Travis was told that he needed to get back, and he refused. Officers approached Travis, and he used his body to make contact with officers when they were trying to move him back. One officer then pushed Travis away as he was still trying to move toward Ricky. Travis used his hand to push the officer, and the officer pushed Travis back to a large propone tank telling him he was under arrest.*

53. The aforementioned verbal statements made about Plaintiff by City on July 24, 2021 were false, and the statements were made during the press conference despite the City's Police Chief and City's Mayor having already watched the body-worn camera footage from officers of the incident. That body-worn camera footage, which was released by City publicly on July 8, 2021, clearly vindicated Plaintiff from the false allegations that had continued to be made about him previously by Defendants.

54. The City's Chief concluded City's press conference on July 24, 2021 stating the following:

*I cannot give any false information out. I have to make sure when I speak that it's correct. There's [sic] many other people that can say what they want and there's no repercussions, I don't have that luxury. I have to go with the facts.*

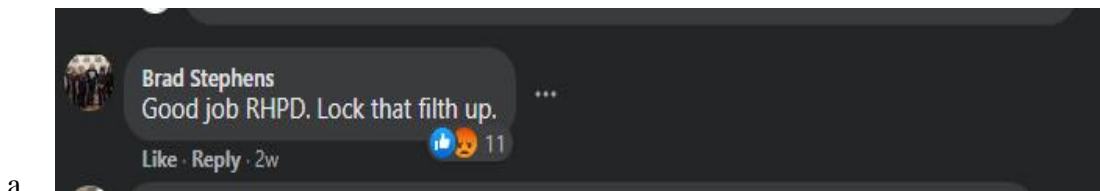
55. News articles covering the incident and City's written and spoken statements were shared thousands of times on social media and included thousands of derogatory and defamatory comments about Plaintiff, including but not limited to those listed in the following Paragraphs.

*[Space Intentionally Left Blank]*

56. On June 24, 2021 at 10:41 AM, the Rock Hill Herald posted to social media about Plaintiff's bond hearing:

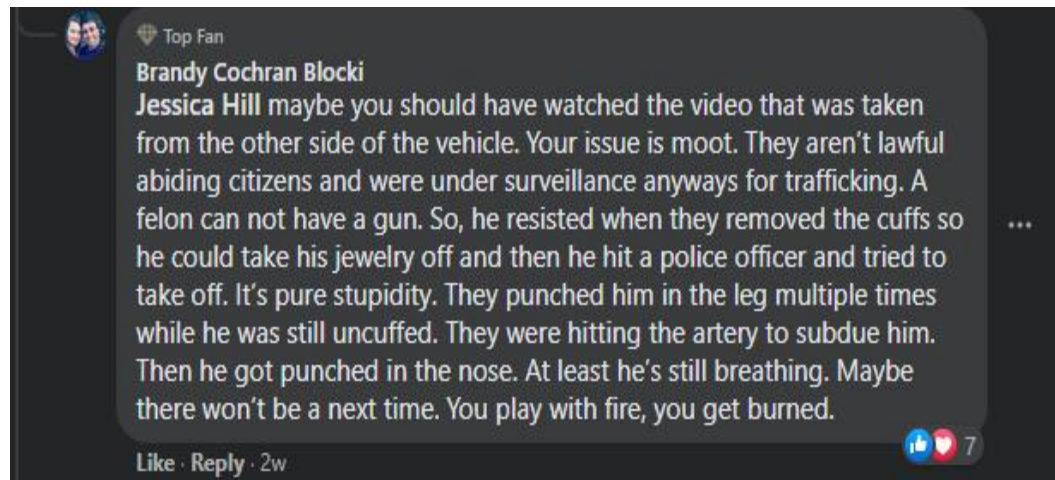


57. The following comments were made by members of the general public on the social media post based solely or in part on the aforementioned public statements of City:

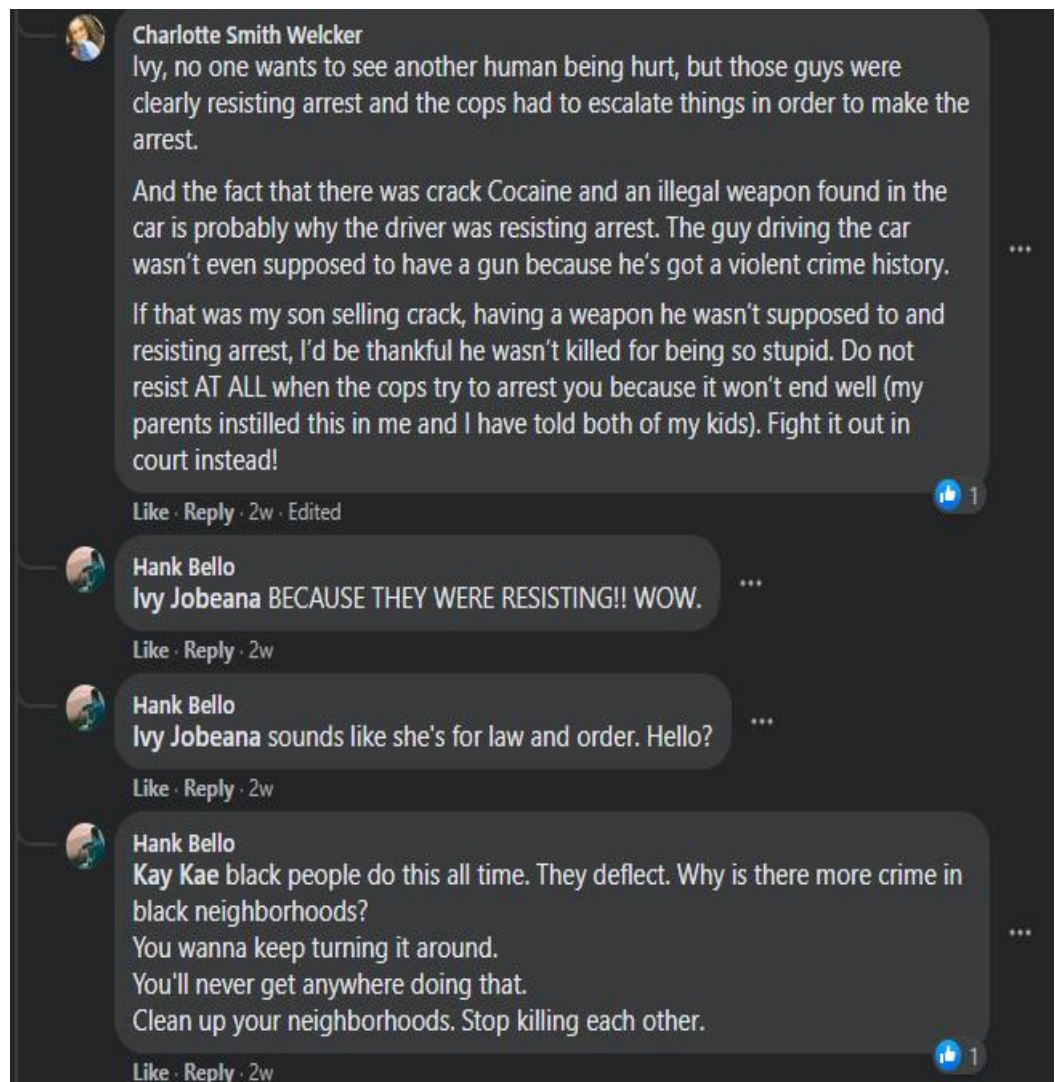




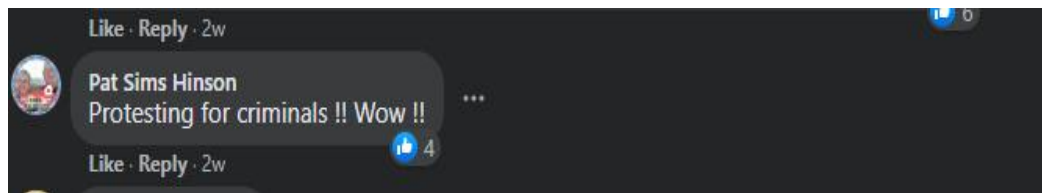
b.



c.





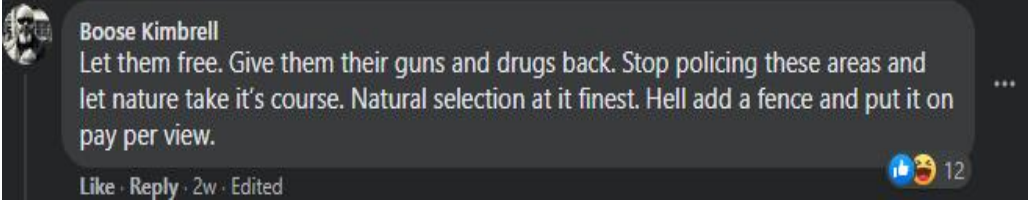
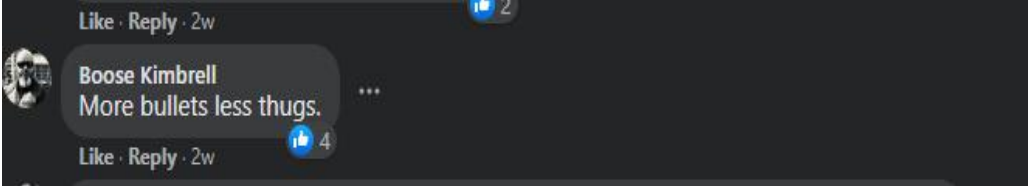
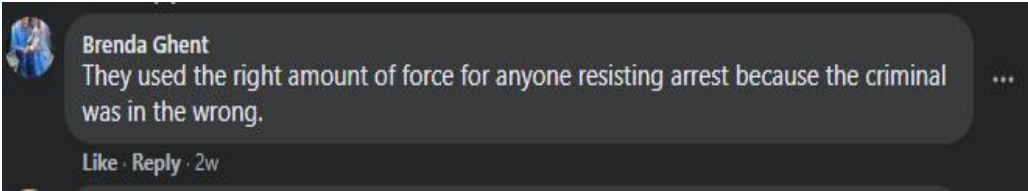
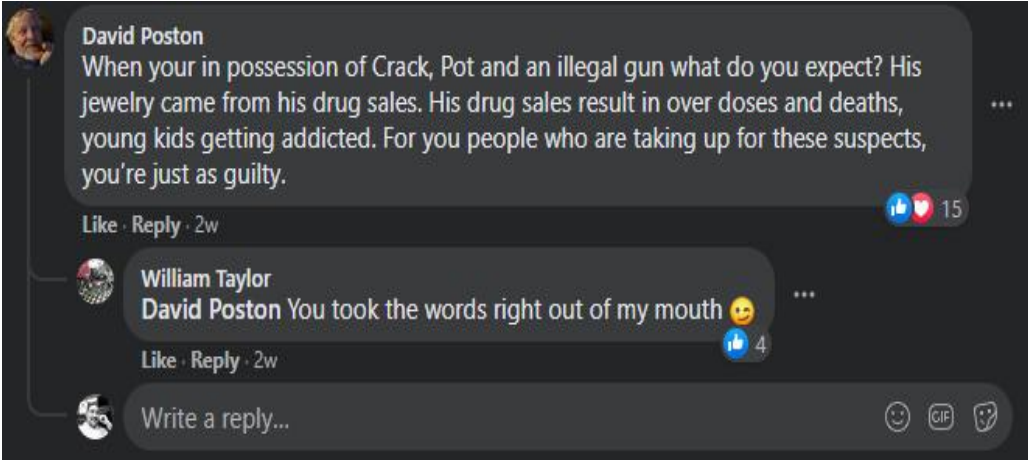
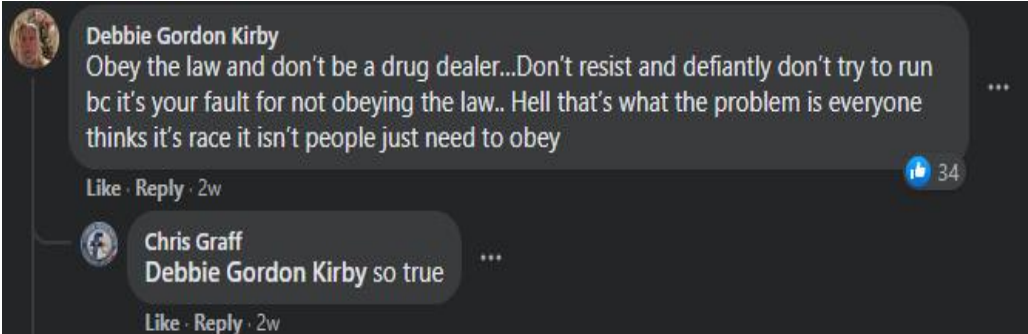


d.

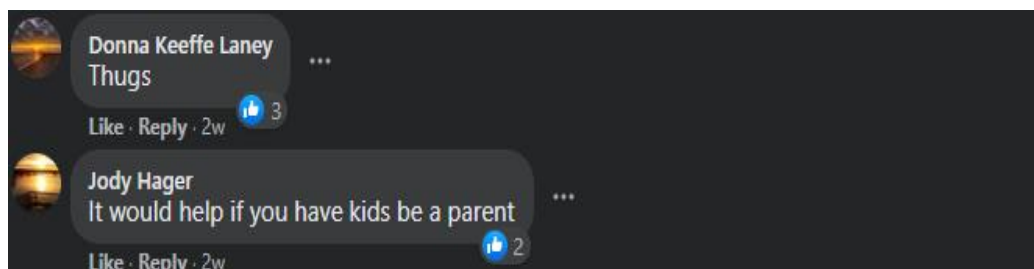
58. On June 24, 2021 at 2:57 PM, the Rock Hill Herald posted to social media about the incident:



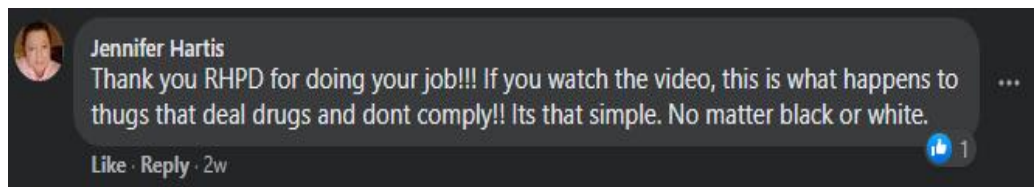
59. The following comments were made by members of the general public on the social media post based solely or in part on false public statements of Defendant City:

- a.  Boose Kimbrell  
Let them free. Give them their guns and drugs back. Stop policing these areas and let nature take it's course. Natural selection at it finest. Hell add a fence and put it on pay per view.  
Like · Reply · 2w · Edited 12
- b.  Boose Kimbrell  
More bullets less thugs.  
Like · Reply · 2w 4
- c.  Brenda Ghent  
They used the right amount of force for anyone resisting arrest because the criminal was in the wrong.  
Like · Reply · 2w
- d.  David Poston  
When your in possession of Crack, Pot and an illegal gun what do you expect? His jewelry came from his drug sales. His drug sales result in over doses and deaths, young kids getting addicted. For you people who are taking up for these suspects, you're just as guilty.  
Like · Reply · 2w 15  
William Taylor  
David Poston You took the words right out of my mouth  
Like · Reply · 2w 4  
Write a reply...
- e.  Debbie Gordon Kirby  
Obey the law and don't be a drug dealer...Don't resist and defiantly don't try to run bc it's your fault for not obeying the law.. Hell that's what the problem is everyone thinks it's race it isn't people just need to obey  
Like · Reply · 2w 34  
Chris Graff  
Debbie Gordon Kirby so true  
Like · Reply · 2w

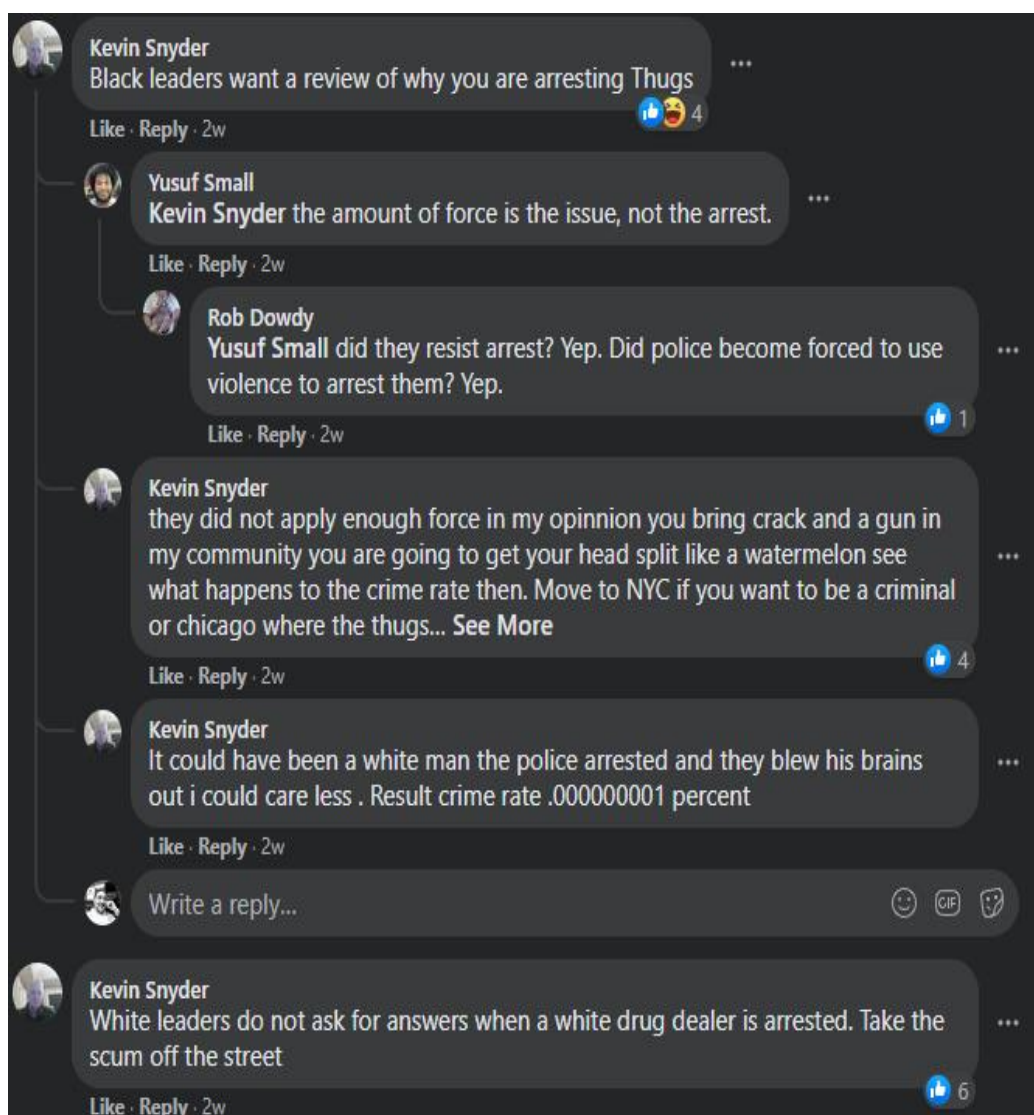
f.



g.



h.

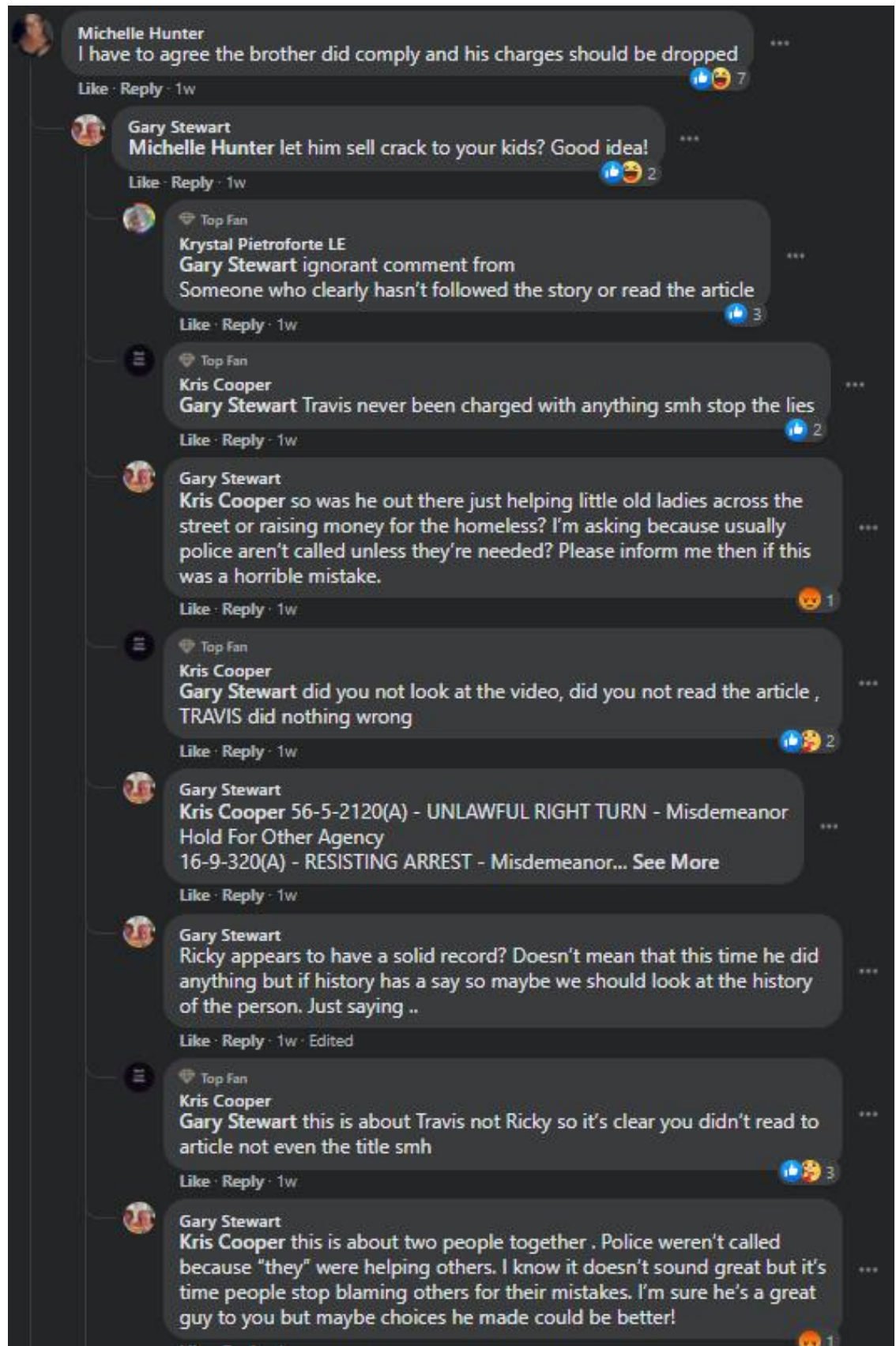




60. On June 28, 2021 at 7:41 PM, the Rock Hill Herald posted to social media about the incident, including the recent release of surveillance video from the gas station proving that City was lying about Plaintiff in its official Memorandum and statements and that other public statements Defendants made about Plaintiff were false:

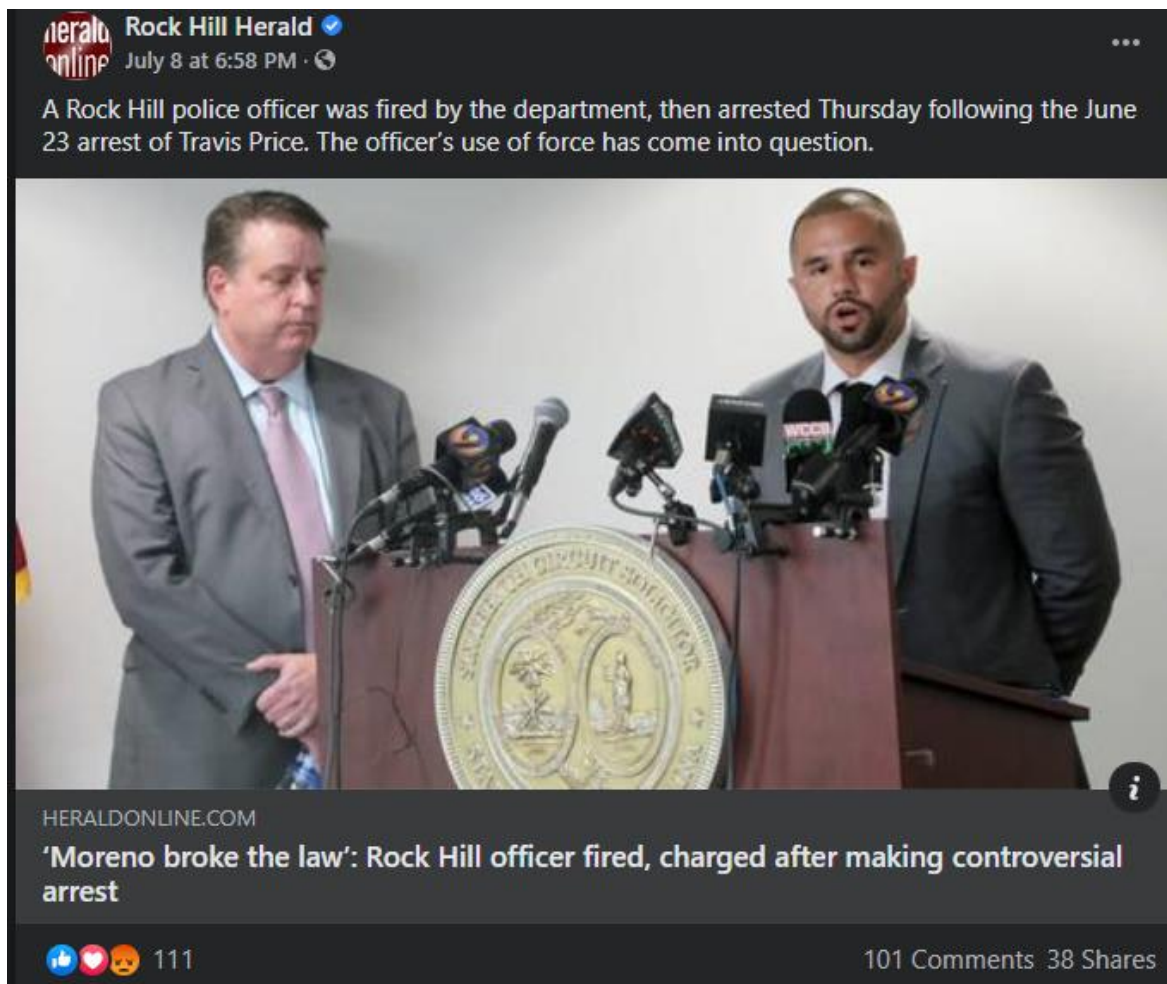


61. The following comments were made by members of the general public on the social media post based solely or in part on false public statements of Defendants, statements which were so damaging to Plaintiff's character, dignity, and reputation that even video disproving Defendants' public statements did not undo the permanent damage to Plaintiff caused by Defendants:



a.

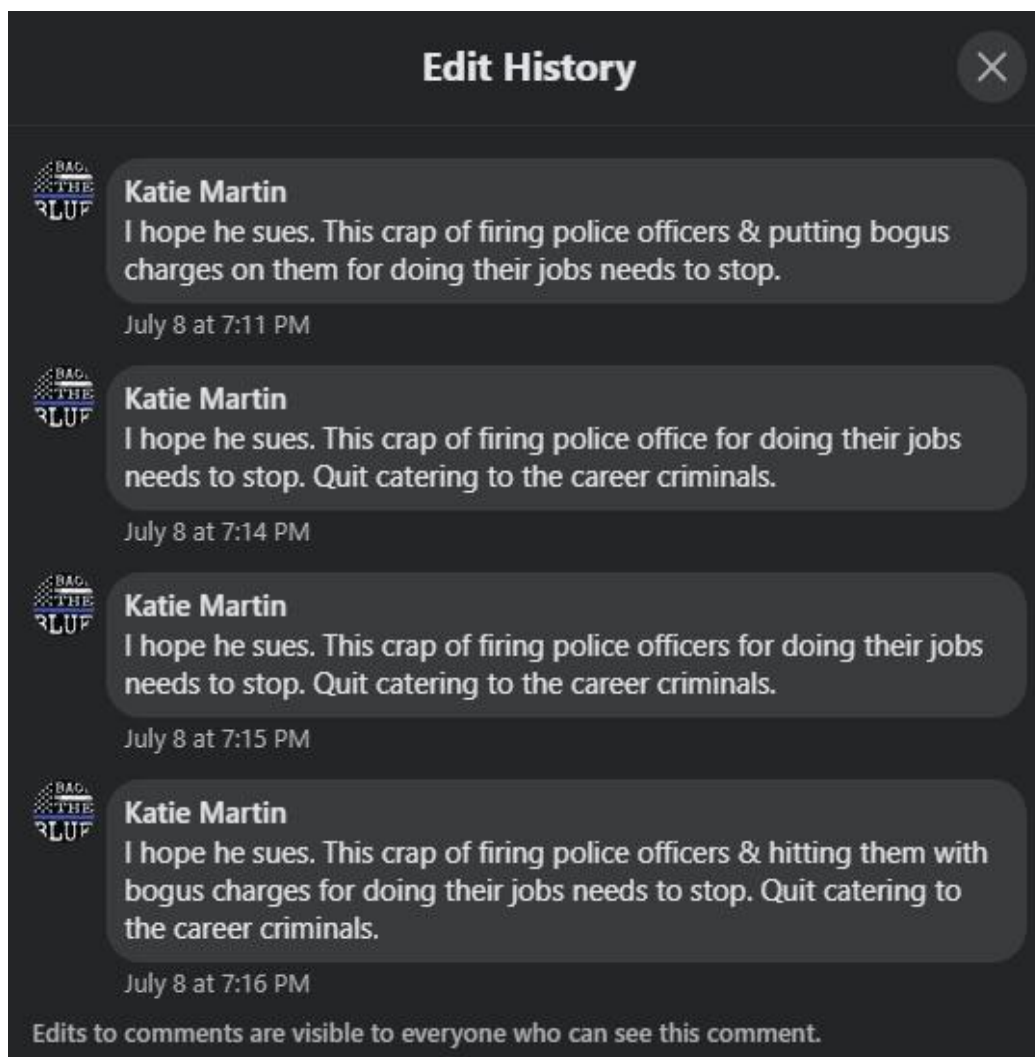
62. On July 8, 2021 at 6:58 PM, the Rock Hill Herald posted to social media about the incident, including the termination of Moreno, Moreno publicly apologizing for being and doing wrong, Moreno's arrest for Assault & Battery on Plaintiff, and City's dismissal of the criminal charged against Plaintiff further proving that City was lying about Plaintiff in its official Memorandum and statements and that public statements Defendants made about Plaintiff were false:



63. The following comments were made by members of the general public on the social media post based solely or in part on the aforementioned public statements of Defendants, statements which were so damaging to Plaintiff's character, dignity, and reputation that even the termination of Moreno, Moreno's apologizing for being and doing wrong, Moreno's arrest, and City's



dismissal of criminal charges against Plaintiff disproving Defendants' public statements did not undo the permanent damage to Plaintiff caused by Defendants:



a.





b.

64. All of the aforementioned comments made by members of the general public based on Defendants statements represent but a sample of the horrible, defamatory, and damaging statements made by members of the general public about Plaintiff because of Defendants acts and omissions.

65. On July 8, 2021, Moreno was terminated, arrested and charged for Assault & Battery on Plaintiff. City dismissed the criminal charges against Plaintiff and at a press conference, it was confirmed by City that Plaintiff did not commit any criminal acts and that Plaintiff did nothing wrong.

66. At a joint public press conference with the 16<sup>th</sup> Circuit Solicitor's Office on July 8, 2021, City, by and through various agents, employees, and representatives made the following statements:

- a. *We agreed that Mr. Travis Price was charged in error. Therefore, the City Solicitor's Office has dismissed the charge of Hindering Police as it relates to Mr. Travis Price.*
- b. *Investigator Moreno's interaction with Travis Price violated the standards set forth in our policies.*
- c. *Investigator Moreno's actions were not in accordance to the police department's values or expectations. Based on the totality of Investigator Moreno's action, his employment has been terminated.*

67. The 16<sup>th</sup> Circuit Solicitor stated at the July 8, 2021 press conference that he sees no evidence and saw no evidence that Plaintiff did anything, that Plaintiff *"had done nothing wrong,"* and that by Moreno laying hands on Plaintiff without legal cause, Moreno broke the law thereby committing Assault & Battery 3<sup>rd</sup> Degree on Plaintiff. Prior to the 16<sup>th</sup> Circuit Solicitor's Office reviewing anything, Defendant City had immediate access to all the videos later reviewed by 16<sup>th</sup> Circuit Solicitor's office. In fact, Defendant City, by and through its Police Chief, Mayor, and other agents, employees, and representatives, had reviewed the same exact body camera videos within 24 hours of the original incident on June 23, 2021.

68. The 16<sup>th</sup> Circuit Solicitor stated that prior to making the decision to criminally charge Moreno, he met with Moreno, showed him the video, and that they had gone through the video together. He further stated that it was apparent to him that Moreno *"was already in distress over what he had done."*

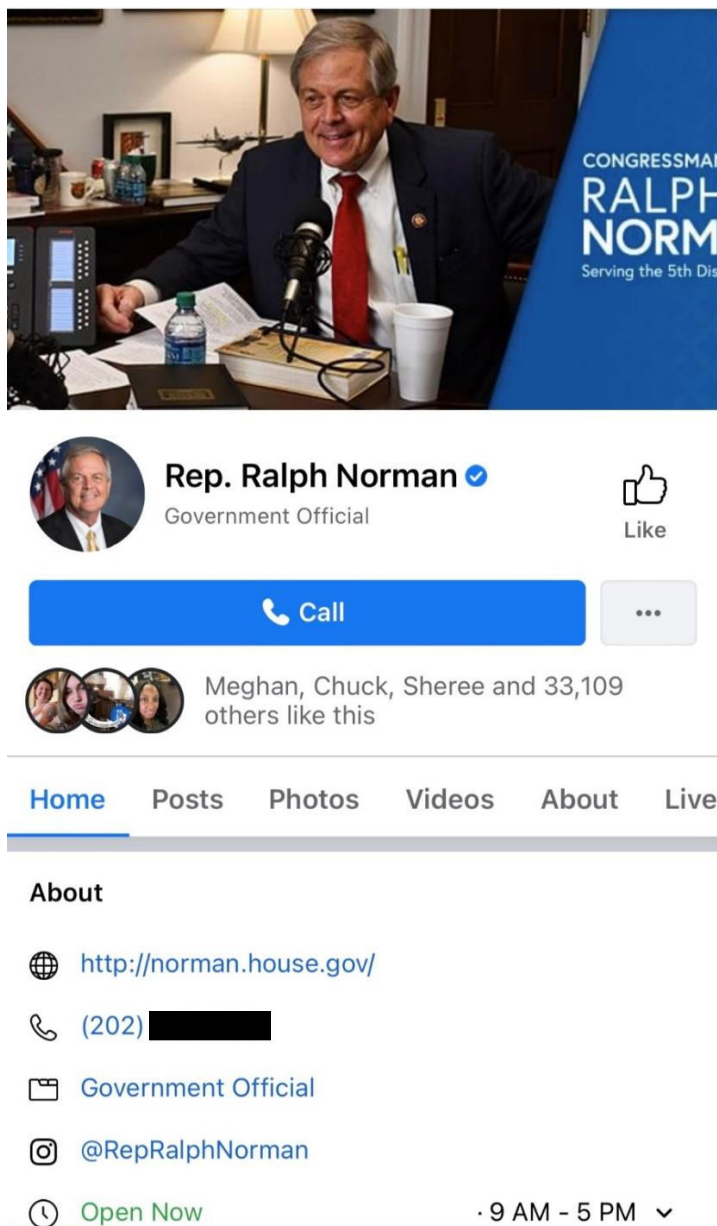
69. At the July 8, 2021 press conference, City refused to acknowledge, retract, or explain the false and defamatory statements it made about Plaintiff in its June 23, 2021 official written statement to media outlets when asked by multiple members of the media whom received it.

70. At the July 8, 2021 press conference, City admitted its police department had a policy in place requiring officers to intervene despite noo City officer intervened during the incident to stop Moreno or prevent the unlawful and excessive use of force on Plaintiff or Plaintiff's unlawful arrest.


*[Space Intentionally Left Blank]*


### Factual Allegations – Norman’s June 24, 2021 Public Statement



71. Defendant Norman owns, operates, controls, and maintains the Facebook social media page “Rep. Ralph Norman” located at <https://www.facebook.com/RepRalphNorman/> which Defendant Norman knew had over 33,000 followers which would, to a reasonable degree of certainty, see or have the opportunity to see posts he made personally or through agents, representatives, and/or employees under his control, on the citizen followers Facebook news feeds:




72. According to Defendant Norman's social media page self-imposed page rules/policies, subsections (ii) and (iv), comments that defame any person or contain false representations of fact "will be removed":


[Government Official](#)


[@RepRalphNorman](#)



Open Now
· 9 AM - 5 PM





Proudly representing the 5th Congressional District of South Carolina. Please contact my office at 202-██████ to relay any questions, comments, or concerns.

We encourage a respectful discussion of the issues. Differing opinions are welcome, but comments that

- (i) are unrelated to the purpose of this page or are not topically related to the specifics of the posting;
- (ii) contain fighting words, graphic or gratuitous violence, vulgar language, profanity, nudity, obscene or indecent language or sexual content, or false representations of fact;
- (iii) promote or incite illegal or fraudulent transactions or activities;
- (iv) threaten, intimidate, harass, or defame any person or organization;
- (v) otherwise violate Facebook's terms of use, such as hate speech;
- (vi) constitute "spam," such as content that appears to be from internet bots or repetitive, copy-paste statements;
- (vii) are commercial in nature, such as advertising, promotion, or endorsement of services or products, or solicitation of funds;
- (viii) contain personally identifiable information about another individual;
- (ix) misrepresent the commenter's identity or affiliation;
- (x) contain links to any other website; and/or
- (xi) constitute campaign-related communications, electioneering, or fundraising efforts will be removed.

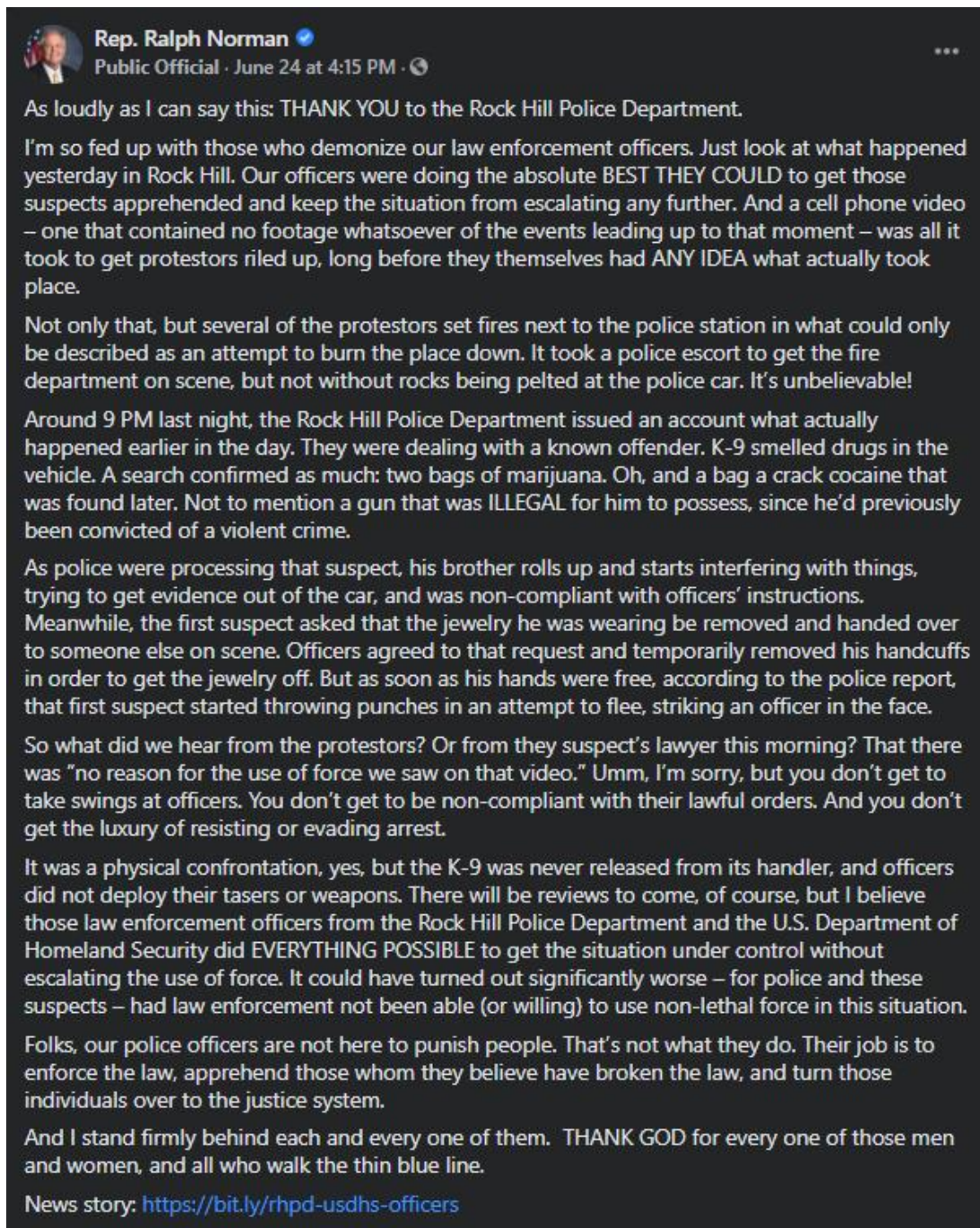

Call



73. On June 24, 2021, Defendant Norman posted a written statement on the subject incident.



74. This statement, while posted to Defendant Norman's Representative page, included statements that went beyond the realm of and had nothing to do with his duties and responsibilities as a United States Congressman, and the statement was not posted online in response to any media inquiry based on his elected position:



75. These statements were not made from the floor of the U.S. House or U.S. Senate so as to provide immunity pursuant to the Speech or Debate Clause of Article I, Section 6, Clause 1 of the United States Constitution.

76. Plaintiff is informed and believes there is substantial difference between Defendant Norman as a sitting Congressman addressing (1) protests in his district, (2) support or lack thereof for law enforcement, (3) vandalism/potential vandalism in his district, or (4) the criminal justice system in general – all of which would reasonably tied to an elected official’s duties – and Defendant Norman making specific statements of false fact that defame Plaintiff, a non-public figure, or directly call Plaintiff’s character, dignity, and integrity into question.

77. There is absolutely no nexus between Defendant Norman’s duties in Congress and the non-privileged, unsolicited statements of fact he made against Plaintiff personally that Plaintiff started “interfering with things, trying to get evidence out of the car, and was non-compliant with officers’ instructions” or that Plaintiff was “resisting or evading arrest.” None of that was true. As such, Defendant Norman may be held individually liable to Plaintiff for the defamatory statements made against Plaintiff as would any private citizen.

78. The individual, non-elected position nature of the statements is further evidenced by Defendant Norman bringing up Plaintiff’s legal counsel and statements made by Plaintiff’s legal counsel that there was “*no reason for the use of force we saw on that video.*”

79. Defendant Norman specifically adopted and referenced as actual fact the June 23, 2021 “account” of City, i.e., City’s official written and publicly disseminated Memorandum and statements, and Defendant Norman represented as truth and fact that City’s account was “*what actually happened*” during the July 23, 2021 incident:



*Around 9 PM last night, the Rock Hill Police Department issued an account [sic] what actually happened earlier in the day.*

80. Preceding his reiteration of the facts of the incident in accordance with Defendant City's defamatory statements, Defendant Norman stated that protesters did not themselves have "ANY *IDEA* what actually took place."

81. Defendant Norman accused Plaintiff of criminal actions and crimes of moral turpitude, and Defendant Norman made no attempt to draw any distinction between Plaintiff and Ricky when making certain statements, thereby making those statements directly and indirectly applicable to both individuals irrespective of the facts or truth of the matters asserted.

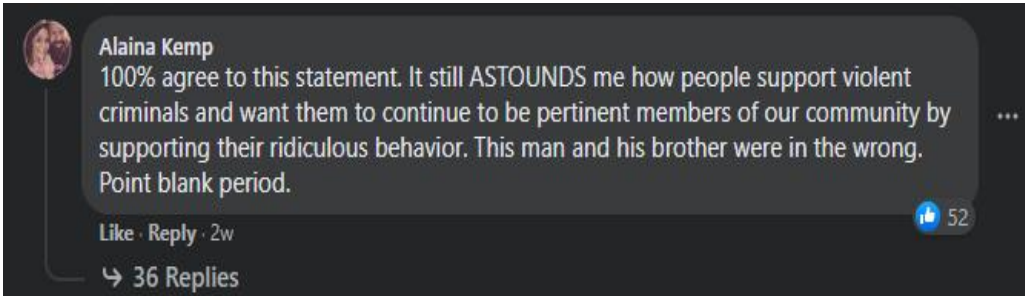
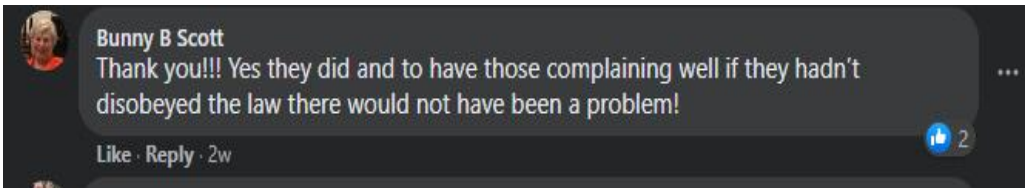
82. Under the circumstances applicable to the within action, the statements and allegations made by Defendants against Plaintiff that he was interfering with police, getting evidence out of a vehicle, assaulting officers through non-consensual physical contact, bumping officers, shoving officers, and resisting arrest are crimes are moral turpitude in the State of South Carolina and therefore, those statements constitute defamation *per se*.

83. Defendant Norman further called Plaintiff a "*suspect*" when Plaintiff was in fact, not a suspect, and Defendant Norman made statements about Plaintiff without regard for the truth. These statements were made for Defendant Norman's own personal and political self-interest, even if it ultimately came at the ultimate expense of Plaintiff's character, dignity and image.

84. In addition to publicly humiliating Plaintiff to thousands of members of the general public, Defendant Norman also attempted to purposefully discredit Plaintiff's legal counsel in the June 24, 2021 statement in an attempt to further injury Plaintiff.

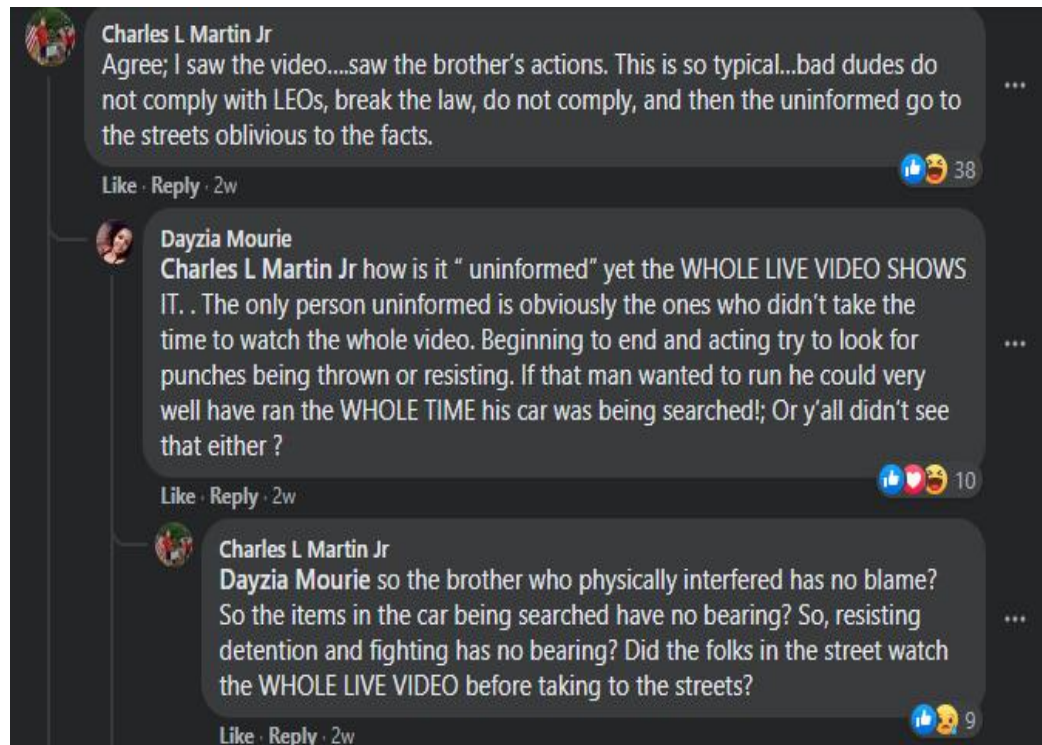
*[Space Intentionally Left Blank]*

85. As a direct and proximate result of Defendant Norman's defamatory statements against Plaintiff published online to thousands of members of the general public, the following defamatory statements were also made by members of the general public about Plaintiff in the "comments section" of Defendant Norman's June 24, 2021 social media post based solely on Defendant Norman's publishing of the statement; the same published statements showing a general reliance on the representations of fact about Plaintiff made by Defendant Norman and City, all to Plaintiff's detriment and damages, both present and future:<sup>1</sup>

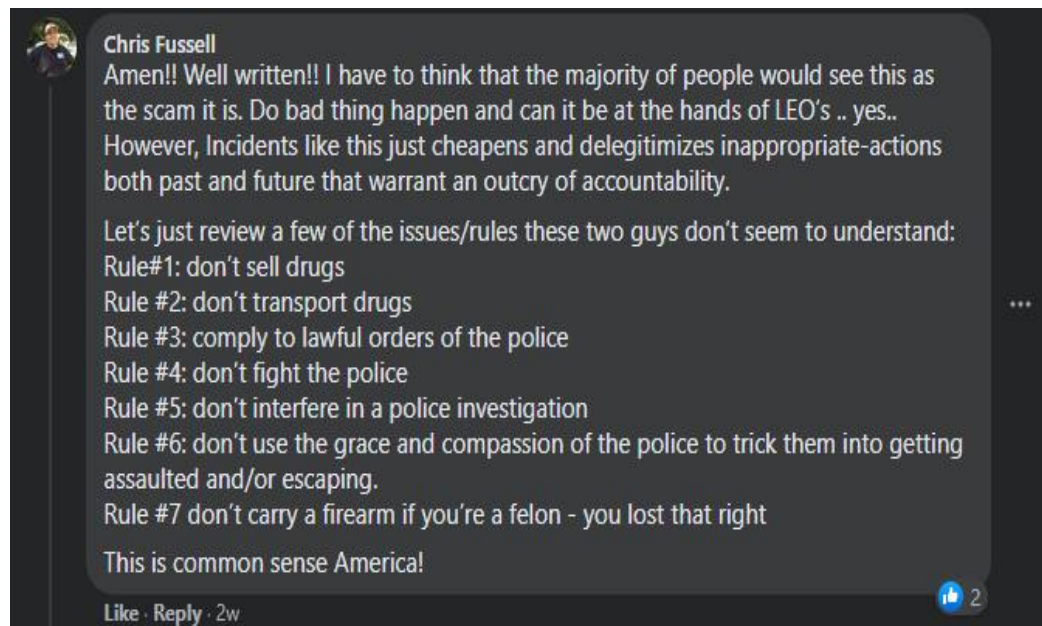
- a. 
- b. 

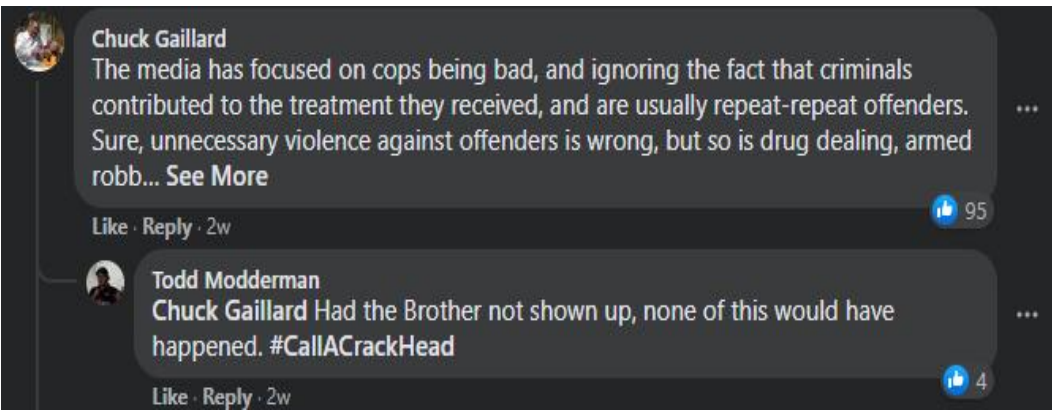





<sup>1</sup> As of the date of the filing of this Summons & Complaint, all of the comments identified in Paragraph 85, subparagraphs a through bbb are still online and available for viewing by the general public. Therefore, Plaintiff will continue to incur damage to his character, dignity, image, and reputation so long as Defendant Norman's statement remains online.

















c.



d.



- e.  **Chuck Gaillard**  
The media has focused on cops being bad, and ignoring the fact that criminals contributed to the treatment they received, and are usually repeat-repeat offenders. Sure, unnecessary violence against offenders is wrong, but so is drug dealing, armed robb... [See More](#)  
Like · Reply · 2w 95
- f.  **Liz Baskervill Goodman**  
Thank you RHPD and thank you Rep Norman for the details.
- g.  **John Jenkins**  
Well said Rep. Ralph Norman
- h.  **Sarah Stalions**  
Thank you Rep. Ralph Norman!  
Like · Reply · 2w 6
- i.  **Lisa Aldridge Tillman**  
Preach it Rep. Ralph Norman. Thank you !!!
- j.  **Rodney Mullinax**  
I SAY AMAN AND AMAN AND THANK GOD FOR YOUR STAND TO DEFEND THE RIGHT AND TAKE DOWN THE WRONG!!!! THOSE PEOPLE STILL DON'T GET THE SITUATION OF OBEY THE LAW, COMPLY WITH THE THE OFFICERS DOING THEIR JOB, AND LEARN TO COMPLY WITH THEM AND YOU WILL STILL BE ALIVE IN THE MORNING!!!!BUT NO THEY GOT TO BEAT AND SLAP AND EVEN SHOOT AT THESE OFFICERS AND YES YOU WILL GET WHAT YOU DESERVE THEN, YOU WILL BE SHOT . ENOUGHT SAID!!!!

- k.  Rick Brock  
Daniel Guyton exactly! What kinda of bs? Brother shows up body bumping officers, suspect is caught with several illegal drugs and weapons, punches officers trying to escape, and he's not shot and killed? Definitely doesn't fit the "police kill every b...
- l.  Clint Carpenter  
Great message Ralph! 
- m.  Erin Michelle Rhodes  
Sarah Collins Sellars can I ask you a question? How is it unnecessary force when a criminal is running away from you and his brother is throwing punches at you? He did what he had to do to secure the scene.
- n.  Mike Armour  
Thank You Ralph. Fake news. I wish they would tell the true story. I am proud of our LAW ENFORCEMENT OFFICERS,  
  3
- o.  Carrie L Davis  
When you resist arrest YOU are responsible for your fate.  
  2w
- p.  Sylvia Moss Spencer Shiflett  
Thank you for your post!! 
- q.  Martin Leitner  
Play stupid games get stupid prizes  1  
  2w



David Phillips

I could not have said it better! We enforce laws of the state and take those into custody who have violated them for the courts to determine. All the individuals need to do is comply! It's that simple. I would also like to applaud WSOC for airing just portions of the subject's cell phone video. Only the portions they want to show in efforts to make the officers look like they are violating department policy when they should explain actually what occurred. They continue to show it a day later just to add fuel to the fire by raising everyone's anger. They do it everytime they have the opportunity. I will no longer watch WSOC News and hope all who support LEO'S will do the same. So disappointed with many of their reporters who I dealt with for years as an officer. They do not possess the character I thought they had. So sad. Sell your soul to keep a job of reporting FAKE NEWS!!!!!!!!!!

Like · Reply · 2w



r.



Beautifuler Queen

I am SOOOOOOOO THANKFUL TO YOU FOR PUBLICLY POSTING THIS!!!!!!!!!! Some are tooooooooooooooo afraid to speak the truth!!!!!!



Like · Reply · 2w



s.

Patricia Desveaux Handrahan

Thank you for getting thugs off our streets



t.



Ruby Boone Cunningham

some people think the criminals are supposed to be able to do anything they want and nobody try to stop them. Need to get all the drugs off the streets and dealers behind bars. !!!

u.





Danielle H-g  
Ralph,

Thank you for not mincing words and backing up our officers that were looking to lawfully take these men into custody. And a HUGE thank you to all of our men and women in blue! You are appreciated! ❤️❤️



v.

Like · Reply · 2w



Bob Lee Ruscitti

I'm so glad these "thugs" are in jail. When are some people going to realize the people they support are nothing more than criminals. THANK YOU ROCK HILL POLICE OFFICERS...



w.

Like · Reply · 2w



Pam Arciniega

Their momma should have beaten their butts when they were kids. Maybe they wouldn't have grown up to be drug dealers.



x.

Like · Reply · 2w



Bruce Ingle

So the officers didn't send this POS to the morgue. So now he gets to go to prison, get three squares a day, AC, TV and medical care at the tax payers expense. What about the people who are homeless. They don't get treated that well.

y.



Richard Enniss

Idiots that can not and will not obey the law deserve what they get. **Congrats** the Rock Hill Police Dept. for doing the job they were hired to do. If these people want to protest something they should protest the Drug Dealing Thugs on the streets of Rock Hill.

z.
























Donnie Richard Blackmon Laird

Thanks Ralph for saying the truth.

aa.



- bb.  Crystal Keller  
So tired of criminals thinking they are above the law..   
**Like · Reply · 2w**
- cc.  Jim Hill  
Well said Ralph, it's amazing how some people think they are above the law 
- dd.  Linda Reeves Brinson  
Thank you for revealing this. All the protesters really need to know all this. If not guilty, just comply. 
- ee.  Elizabeth Hicks Allison  
Thank you for posting this and speaking up for the truth! 
- ff.  Mawmaw Gail  
They should have listened to the officers I support the blue 
- gg.  Diana Donnelly  
Thank you for your statement! I am so thankful to the police that keep criminals off the streets. 
- hh.  Jim Taylor  
I support Our Police Officers 100% Tired of thugs having all the rights. 
- ii.  Darold Ratliff  
Thank you Ralph for the update. Glad to get the facts.   
**Like · Reply · 2w**   2
- jj.  Jeff Dailey  
Well stated Ralph. Thank you for having the courage to bring out the facts.   
**Like · Reply · 2w**  1

Adam Wilburn

Thank you Mr. Norman for standing up for all the officers  
 that serve the state of South Carolina and please keep removing all the drugs and drug dealers yAll can.



kk.

Like · Reply · 2w · Edited



Chris Couch Phillips

Thank you for this information and for backing our police!



ll.

Like · Reply · 2w



Glen Mcguire

I agree 100%... makes them look really stupid  
 ..they jump to the.. idea that they are black In innocent..  
 because they are black...and...not to the fact ..they just  
 don't get it..you can't break the law in think you're going  
 to get away with it... because your black.. so quit ..grow  
 up people of color.. quit jumping the gun..one more  
 thing stop resisting.. when you know you're guilty of  
 breaking the law ... good job officers



mm.

Like · Reply · 2w



Del Brown

Thanks for the praise of officers. Have people stop to think that if they did not break the law they would not be put in the situation



nn.

Becky Chappell

If they would just surrender instead of fighting, a lot of the uprising would not happen! Why do people think they are above the law?

oo.

Like · Reply · 2w















Sandra Price

Thank you to ALL good Rock Hill police officers! Thank you Rep. Ralph Norman, for your wise, informative words! I stand with you too! District 5 here, what can I do to help? I am way more than done with our American cities and towns turning lawless!



pp.

Like · Reply · 2w

- qq.  **Doug Calhoun**  
I honestly don't think that the thugs will ever learn to listen to police commands. They should know by now that they are just making it worse on themselves by not complying. 
- rr.  **Mary Shughart Hickman**  
People need to respect the police and do what they ask. I am so sick of people crying police brutality when the suspect runs or tries to resist arrest. 
- ss.  **Melba Messer**  
Thank you Ralph Norman. Yes the FACTS are very important. Not just a video showing part of the situation. First, just do what the officer asks, and none of this would happen to anyone. 
- tt.  **Dennis Jones**  
This is nothing more than bad parenting. Too many children are brought up they are owed something. The only thing they are owed is better parents. Parents who will teach them discipline early in childhood and respect for authority. These children need better role models. Instead of blaming what happened centuries ago which nobody today had anything to do with get off your butt and earn respect. Work for it. Respect is not given it is earned. Thank you Rock Hill PD for your dedication and service to your community. You have a thankless job. I for one thank you and respect you.  1  
**Like · Reply · 2w · Edited**
- uu.  **Liz Outlaw**  
Thank you, Representative Norman, for looking into and reporting the whole story, something the "news stations" don't do. God bless you, sir for standing up for our LEO's. 
- vv.  **Kimberly Hoffman**  
Thank You for posting this complete picture of the event in Rock Hill. I support/back our Blue, and am thankful for the job they do & sacrifices they make. 

ww.

**Sandy Stanek**

Thanks Ralph for always showing what is happening we need more concerned citizens to take hold of their cities and bring back law and order.

**Debbie Pettus**

Thank you for defending them. Do not break the law and they will not bother you. But if you do and do not try to escape or fight with them. Just comply . You have the right to remain silent use it. Just do the right thing. I am so tired of people thinking it's ok to resist arrest and not comply with officers. You broke the law deal with it. If you can't don't do the crime. It's simple. Thank you to all law enforcement officers. Stay safe.



xx.

**Susan Dills**

Kudos to the Rock Hill PD for their professionalism in handling a difficult situation. Thank you for providing the details of what transpired.



yy.

**Shannon Elizabeth Bragg Plemmons**

Amen! We have to respect authority and leave the decisions of fault and guilt to our court system. I've told my own children, first of all, you obey laws. Secondly, you do whatever authority tells you and argue your innocence in court.



zz.

**Like · Reply · 2w · Edited****Carolyn Snyder**

Was so glad to see you wrote this and for the word of what really happened made known. We have a wonderful, hard working police force. They do not get credit for all their hard and dangerous work.



aaa.

**Like · Reply · 2w**



Jackie Dove

Thank you Rep. Norman for standing up and speaking truth. I 100% back our Police. In every situation the subjects are resisting arrest and the situation escalates. You can also guarantee the cell phone videos will almost always never show the whole story. Only the parts to try and make Police officers look bad. It's time to stop this!!

Like · Reply · 2w



bbb.

86. The general public obviously relied on Defendants' statements of fact, and Defendants knew when making every statement regarding Plaintiff that public reliance on the "facts" of those statements would occur. The countless social media comments directly and proximately caused by Defendants' defamatory written statements are humiliating, embarrassing, harmful, derogatory, and damaging to Plaintiff. Plaintiff, who has no criminal record and broke absolutely no laws during the incident, will forever been known to many in the general public as a "thug," "drug dealer," cop fighter, and a citizen who has no respect for authority, the law, or law enforcement by resisting arrest, evading arrest, interfering with and/or hindering police, assaulting officers, or otherwise behaving lawlessly all because of the combined acts and omissions of Defendants.

87. Even after the criminal charges against Plaintiff were dismissed, City held a press conference announcing the same and both the termination and arrest of Moreno, and the untrue nature of the allegations against Plaintiff were debunked, Defendant City and Defendant Norman failed to retract or otherwise attempt to mitigate their prior defamatory statements about Plaintiff.

*[Space Intentionally Left Blank]*



88. It was not until the media reached out to Defendant Norman and/or his office on or about July 14 or 15, 2021 for comment on his June 24, 2021 defamatory statements about Plaintiff that Defendant Norman “updated” his original statement on July 15, 2021:



\*\*\* UPDATE JULY 15th \*\*\*

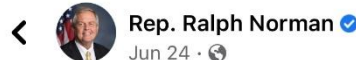
My original post below has been updated/edited to reflect information that was released by the RHPD later in their investigation, following the department's initial statements on June 24th.

Despite these updates, as I have said repeatedly, law enforcement officers who serve their communities with honor and dignity will always have my respect. Their work is extraordinarily difficult, and the life & death decisions they routinely make in the blink of an eye are beyond what most of us could ever comprehend.

It is maddening to me to see a lack of appreciation and support for our men and women in law enforcement, which unfortunately permeates too many parts of our society today. This has to stop. It is right to demand transparency and accountability from our law enforcement agencies – nobody disagrees with that. Nor should anyone disagree that when law enforcement officers are held to account, it should be based on fair, appropriate standards that are blind to external pressures and the public spotlight.

\*\*\* EDITED ORIGINAL POST FROM JUNE 24 \*\*\*

As loudly as I can say this: THANK YOU to the Rock



As loudly as I can say this: THANK YOU to the Rock Hill Police Department.

I'm so fed up with those who demonize our law enforcement officers. Just look at what happened yesterday in Rock Hill. Our officers were doing the absolute BEST THEY COULD to get those suspects apprehended. Yet a cell phone video – one that contained no footage whatsoever of the events leading up to that moment – was all it took to get protestors riled up, long before they themselves had ANY IDEA what actually took place.

Not only that, but several of the protestors set fires next to the police station in what could only be described as an attempt to burn the place down. It took a police escort to get the fire department on scene, but not without rocks being pelted at the police car. It's unbelievable!

Around 9 PM last night, the Rock Hill Police Department issued an their account what happened earlier in the day. They were dealing with a known offender. K-9 smelled drugs in the vehicle. A search confirmed as much: two bags of marijuana. Oh, and a bag a crack cocaine that was found later. Not to mention a gun that was ILLEGAL for him to possess, since he'd previously been convicted of a violent crime.

*[Continued on Next Page]*



It was a physical confrontation, yes, but the K-9 was never released from its handler, and officers did not deploy their tasers or weapons. There will be reviews to come, of course, but I believe those law enforcement officers from the Rock Hill Police Department and the U.S. Department of Homeland Security did EVERYTHING POSSIBLE to get the situation under control. It could have turned out significantly worse – for police and these suspects – had law enforcement they not been able (or willing) to use non-lethal force in this situation.

Folks, our police officers are not here to punish people. That's not what they do. Their job is to enforce the law, apprehend those whom they believe have broken the law, and turn those individuals over to the justice system.

And I stand firmly behind each and every one of them. THANK GOD for every one of those men and women, and all who walk the thin blue line.



89. The “updated” written statement did not retract the prior defamatory statements about Plaintiff nor did it mention Plaintiff’s innocent from the unfounded allegations previously made against him by Defendant Norman. Defendant Norman did not even apologize to Plaintiff or make any attempt to undo the damage to Plaintiff’s character, dignity, image or reputation previously caused by Defendant Norman.

90. To the extent Defendant Norman relied on the veracity of Defendant City’s defamatory statements about Plaintiff when making his original statement, Defendant City should be held jointly and severally liable for Defendant Norman’s defamatory statements made on June 24, 2021.

91. In his updated July 15, 2021 statement, Defendant Norman no longer referred to City's original account of the incident as "*what actually happened*" as he did on June 24, 2021, but instead stated that the City had on June 23, 2021, issued "*their account*" of "*what happened*" during the incident. This was an attempt to disassociate and distance himself from the recognizable defamatory statements previously made about Plaintiff by Defendant City and Defendant Norman.

92. While Defendant Norman removed most references to Plaintiff, Defendant Norman's July 15, 2021 updated statement continued to refer to Plaintiff as a suspect multiple times, stating:

- a. "Our officers were doing the absolute BEST THEY COULD to get **those suspects apprehended** and keep the situation from escalating any further." *Emphasis added*
- b. "It could have turned out significantly worse – for police **and these suspects**." *Emphasis added.*

93. There is no other reasonable interpretation of the use of the plural noun "suspects" in Defendant Norman's updated statement other than speaking directly of Plaintiff since the only other person involved and at the subject of the incident was Plaintiff and Ricky.

94. Plaintiff was not a suspect on July 15, 2021, Plaintiff was not under investigation or suspicion of having violated any criminal law, and Defendant Norman knew that when the statement was made on July 15, 2021 because City had already publicly acknowledged Plaintiff's innocent a week before.

95. Defendant Norman once again reiterated that he stood "firmly behind each and every one" of the officers involved in the incident.

96. Defendant Norman referring to Plaintiff as a suspect in his July 15, 2021 written statement is defamatory *per se*, particularly given the fact that on July 8, 2021, Plaintiff was publicly absolved by the 16<sup>th</sup> Circuit Solicitor, City itself, and the City's Solicitor of any and all wrongdoing and previous falsely alleged criminal action.

97. Referring to Plaintiff as a suspect of criminal actions under the circumstances while simultaneously failing to retract the prior defamatory statements made about Plaintiff is even more damaging to Plaintiff's character, dignity, image, and reputation given the position Defendant Norman separately holds as a Congressman and his status as an extremely successful, prominent South Carolina real estate developer in Rock Hill – Plaintiff's lifelong hometown and continued place of residence.

**Factual Allegations – Miscellaneous**

98. At all times relevant herein, City had employed certain involved law enforcement officers whose continued employment constituted negligent hiring, retention and supervision, including but not limited to former officer Moreno.

99. On June 28, 2021, Plaintiff sought the official dismissal of the criminal charge against him because store surveillance video clearly contradicted the criminal allegations and statements made by Defendants against him. That same day, City refused to dismiss the charge to the detriment of Plaintiff and his continued damages.

100. Plaintiff suffered mental, emotional, and psychological injury, physical bodily injury, and permanent scarring to his body as a result of Plaintiff being choked, slammed, and restrained by Defendant City, by and through its agents, employees and representatives, on the scene during the interaction.

101. Plaintiff was threatened attack with a police K-9, and Moreno antagonized him yelling "fight me" multiple times while Plaintiff was face down on the pavement with his hands behind his back.

102. Neither City nor Defendant Norman would want people publishing false statements about them as they did about Plaintiff, and at no time did Defendants retract, correct, or even acknowledge the falsehoods contained in their initial statements.

**FOR A FIRST CAUSE OF ACTION**  
**(Gross Negligence – As to All Defendants)**

103. The foregoing factual allegations are made a part of this First Cause of Action through incorporation by reference.

104. The above set forth incident and Plaintiff's resulting injuries were proximately caused by the grossly negligent, reckless, willful and wanton acts of Defendants, in the following particulars:

- a. In failing to prevent the false arrest, charge, and prosecution of Plaintiff;
- b. In failing to follow appropriate police practice with regards to scene management, thereby instructing and allowing Plaintiff to stand in the area that could cause an officer to take action against him;
- c. In failing to provide adequate supervision of officers in the course and scope of their duties;
- d. In failing to properly train its employees;
- e. In failing to correct Moreno, to any extent he was misinformed on scene, prior to Plaintiff being accosted, manhandled, arrested and charged for a crime Plaintiff did not commit;
- f. In failing to discharge employees of their duties and/or retaining employees that should otherwise be terminated prior to the date of loss;
- g. In failing to properly train and/or supervise its personnel, agents and/or employees so as to ensure that citizens, including Plaintiff, are not improperly or falsely charged while in the care, custody, and control of Defendant;
- h. In failing to properly train and/or supervise its personnel, agents, and/or employees in the elements of certain criminal offenses;
- i. In failing to intervene prior to Plaintiff's arrest;



- j. In failing to have appropriate policies, procedures, and protocols in place to protect the wellbeing and safety of citizens, including Plaintiff, when interacting with its officers;
- k. In failing to follow and adhere to the policies and procedures of the City of Rock Hill, if any it had;
- l. In failing to accurately documents facts in official incident reports, warrants, and other documents;
- m. In allowing a criminal prosecution of Plaintiff to continue despite knowing that at least one officer was untruthful about what happened;
- n. In failing to protect the Plaintiff from harm;
- o. In misrepresenting facts to the public with regards to the acts of Plaintiff;
- p. In failing to exercise a reasonable degree caution before disseminating information to the public regarding allegations Plaintiff committed crime(s) of moral turpitude;
- q. In failing to exercise a reasonable degree of caution to ensure false allegations were not made against Plaintiff publicly;
- r. In failing to follow his own official social media rules and deleting false and defamatory content regarding Plaintiff from a page under Defendant's exclusive control;
- s. In failing to exercise reasonable or slight care to make periodic and proper updates to its policies and procedures, if any it had;
- t. In failing to timely review the criminal charge under the circumstances such that Plaintiff's name would have been cleared sooner;
- u. In conducting it/his/themselves in an egregious and arbitrary manner without respect to the irreparable damage that could be caused Plaintiff;
- v. In breaching it's/his fiduciary duty of trust with regard to Plaintiff;
- w. In failing to use the appropriate degree of competency under the circumstances then existing;
- x. In conducting an illegal search of Plaintiff's person;
- y. In holding Plaintiff without just or due cause;

- z. In using too much force to take Plaintiff into custody, the same resulting in physical bodily injury and markings to Plaintiff's person;
- aa. In failing to remove false and defamatory public comments from a social media page under Defendant's exclusive control;
- bb. In using excessive force on an innocent person, to wit, Plaintiff;
- cc. In officers failing to rectify Moreno's actions prior to Plaintiff being formerly arrested and imprisoned when the officers knew or should have known Plaintiff had did nothing wrong;
- dd. In failing to supervise staff members or review statements prepared on Defendants behalf for truth, accuracy, and factual information when it speaks to an individual and could harm the individual, to wit, Plaintiff's, character;
- ee. In making defamatory statements not within the course and scope of Defendant's elected position from Defendant's official elected official page knowing the statements will be given extra weight due to his holding the elected position; and
- ff. In such other particulars as may be shown at the trial of this matter.

105. As a result, and because of the Defendants' reckless, willful, wanton, and grossly negligent conduct, Plaintiff was severely injured, suffered needlessly, lost his freedom, felt tremendous grief and sorrow, suffered extreme mental shock and suffering, was humiliated, and suffered other actual and consequential damages, including severe mental distress and emotional harm, and irreparable damage to his character, dignity, image and reputation.

106. Defendants owed a duty of due care to Plaintiff both based on the facts and circumstances involved but also because Plaintiff is a member of Defendants' constituency.

107. Plaintiff is is entitled to judgment against the Defendants, jointly and severally, for actual and consequential damages for the Defendants' acts and omissions.

108. Plaintiff is entitled to punitive damages against Defendant Norman

**FOR A SECOND CAUSE OF ACTION**  
**(False Imprisonment – As to Defendant City)**

109. The foregoing factual allegations are made a part of this Second Cause of Action through incorporation by reference.

110. Defendant deprived Plaintiff of his personal liberties and freedoms without lawful justification through an unjustified arrest and subsequent imprisonment.

111. Probable cause did not exist to arrest Plaintiff and Defendant lacked a good faith belief that Plaintiff was guilty of a crime as would induce an ordinarily prudent and cautious police officer, under the circumstances, to believe likewise.

112. Defendant had no evidence that Plaintiff had committed a crime or attempted to hinder any officer on scene, interfere, or resist arrest. To the contrary, all available evidence indicated that Plaintiff was compliant and assisting law enforcement by following their specific directives.

113. Defendant willfully, wantonly, carelessly, and recklessly restrained and imprisoned Plaintiff through an unlawful arrest and detention in violation of his established legal rights.

114. Plaintiff is entitled to a judgment against Defendant to compensate him for the damages and injuries sustained and proximately caused by Defendant, including the recovery of actual, consequential, and compensatory damages in an amount to be determined by a jury.

**FOR A THIRD CAUSE OF ACTION**  
**(Malicious Prosecution – As to Defendant City)**

115. The foregoing factual allegations are made a part of this Third Cause of Action through incorporation by reference.

116. Defendant maliciously instituted and continued criminal proceedings against Plaintiff even after exculpatory video surveillance and information became public and Plaintiff sought dismissal of the charges.

117. Defendant blamed the South Carolina Law Enforcement Division (“SLED”) as the reason Plaintiff’s criminal charges could not be dismissed, however, that was not true.

118. All of the criminal proceedings were instated and continued by Defendant alone, through the acts and omissions of its agents, employees, and representatives.

119. The criminal proceedings were terminated in Plaintiff’s favor and under circumstances for a reasonable person to believe are consistent or implicit with his innocence.

120. Defendant was malicious and utterly disregarded the consequences of its injurious acts and omissions in instituting and continuing such criminal proceedings against Plaintiff.

121. Defendant lacked probable cause for Plaintiff’s arrested for anything whatsoever.

122. Plaintiff is entitled to a judgment against Defendant to compensate him for the damages and injuries sustained and proximately caused by Defendant, including the recovery of actual, consequential, and compensatory damages in an amount to be determined by a jury.

**FOR A FOURTH CAUSE OF ACTION**

**(Defamation-Libel per se As to All Defendants and Slander per se As to Defendant City)**

123. The foregoing factual allegations are made a part of this Fourth Cause of Action through incorporation by reference.

124. The aforementioned written statements by Defendants and verbal statements by Defendant City, by and through its agents, employees and representatives, accusing Plaintiff of hindering police, interfering in a police investigation, resisting arrest, being non-compliant with officers, using his body to bump officers, and fighting with officers are defamatory per se and tend

to injure Plaintiff in both his professional endeavors and personal life, including irreparable damage to Plaintiff's reputation, character, esteem, perceived temperament and credibility.

125. This is not about how Plaintiff's "feels" about what was said about him, but instead about largescale injury to his reputation, as evidenced in part by the comments written on social media by people who read and/or heard Defendants' published defamatory statements as set forth herein and additionally on the internet.

126. Defendants did not make statements regarding any criminal investigation into Plaintiff but instead made specific, false and defamatory statements that he undertook criminal actions. These statements were not made in furtherance of any criminal investigation, and Defendants personally isolated and accused Plaintiff directly of criminal actions as set forth herein collectively.

127. The statements were made without justification or privilege.

128. The aforementioned statements by Defendants proximately caused Plaintiff to suffer damages and continue to suffer damages into the future in the form of emotional distress, humiliation, mental anguish, and injury to his reputation, character, perceived temperament, dignity, image, and credibility throughout the State of South Carolina, United States of America, globally, and most importantly, in his lifelong hometown and current residence – Rock Hill.

129. By publishing the aforementioned statements in open, public forums, Defendants knew that the statements would be republished, repeated, and/or read and relied on as truth of fact by the general public. The statements were in fact published by Defendants in official public documents and online, and were republished, read and relied on by members of the general public as a direct, natural, probable, intentional, proximate and foreseeable consequence of Defendants' publication.



130. The aforementioned statements by Defendants are false and were false when made. Defendants knew or should have known that the statements were false when made. Defendants have already acknowledged the statements were false when made as evidenced by Defendant Norman's updated statement, former officer Moreno's termination of employment and criminal charge, the City's dismissal of Plaintiff's criminal charge, and other public statements made by City by and through its agents, employees, and representatives on July 8, 2021.

131. Defendants made the aforementioned statements with utter and complete disregard for their truth or falsity and with willful and wanton disregard of the reputation and rights of Plaintiff.

132. The aforementioned statements by Defendants were made of and directly concerning Plaintiff.

133. The aforementioned statements by Defendants were widely published in permanent, official government documents, online, and are still presently available to the public for review. The public comments online across media network social media and news pages are so widespread and vast that they will never be capable of being removed from the internet and therefore, the defamatory statements of Defendants will exist for the duration of the existence of the internet and Plaintiff's natural life, forever tarnishing Plaintiff's reputation.

134. Defendants knew or should have known that the statements were injurious to Plaintiff's professional, personal life, character, and reputation; and Defendants intended such be a consequence to the publication, in part, to specifically rally support for City, its officers, and law enforcement in general while simultaneously undermining citizen groups like the National Advancement of Colored People ("NCAAP"), Black Lives Matter ("BLM"), and various private

citizens that were actively protesting in the streets of City of Rock Hill as the defamatory statements were made.

135. Plaintiff is entitled to a judgment against Defendants to compensate him for the permanent damages and injuries sustained as a result of and proximately caused by Defendants, including the recovery of actual, consequential, and compensatory damages in an amount to be determined by a jury. Plaintiff is further entitled to an award of punitive damages against Defendant Norman.

**FOR A FIFTH CAUSE OF ACTION**  
**(Barratry as to Defendant City)**

136. The foregoing factual allegations are made a part of this Fifth Cause of Action through incorporation by reference.

137. Defendant willfully caused and forced the criminal proceedings to continue unnecessarily against Plaintiff and willfully invited and forced Plaintiff to obtain legal counsel to represent him against Defendant in order to protect itself with intent to distress and harass Plaintiff and cause him even more damage.

138. Defendant, by not only allowing Plaintiff to be charged in the first place when officers on scene had been personally interacting with and providing directives to Plaintiff knew Plaintiff was innocent, but in refusing to dismiss the charges when Plaintiff requested, committed those acts against Plaintiff in total disregard of our judicial system and the concept of judicial economy.

139. Defendant has thereby committed barratry against Plaintiff and has directly and proximately caused great damage to Plaintiff as described above and as will be further shown at the trial of this matter.

140. Plaintiff is entitled to a judgment against Defendant to compensate him for the damages and injuries sustained and proximately caused by Defendant, including the recovery of actual, consequential, and compensatory damages in an amount to be determined by a jury.

**FOR A SIXTH CAUSE OF ACTION**  
**(Abuse of Process As to Defendant City)**

141. The foregoing factual allegations are made a part of this Sixth Cause of Action through incorporation by reference.

142. The Defendant utilized and employed the criminal legal process for an illegitimate and improper purpose other than that which the criminal process was intended by law to effect.

143. After criminally charging Plaintiff, Defendant was made aware of certain false and untrue allegations against Plaintiff prior to Defendant continuing to prosecute the charges yet still continued prosecuting Plaintiff while other agencies looking into the veracity of the allegations separate and apart from Defendant. This constitutes a perversion of the criminal legal process for an end not lawfully warranted by it.

144. Defendant's acts as referenced herein were taken for an ulterior purpose and constitute a willful act in the use of the criminal process not proper in the regular conduct of the criminal proceedings.

145. Plaintiff is entitled to judgment against Defendant to compensate him for the damages and injuries sustained and proximately caused by Defendant, including the recovery of actual, consequential, and compensatory damages in an amount to be determined by a jury.

**FOR A SEVENTH CAUSE OF ACTION**  
**(Civil Conspiracy As to All Defendants)**

146. The foregoing factual allegations are made a part of this Seventh Cause of Action through incorporation by reference.

147. Defendant City's employees, agents, and/or representatives and Defendant Norman took overt acts for the purpose of injuring Plaintiff to bolster law enforcement support and support for City in the wake of the incident; the same constituting a civil conspiracy.

148. Defendant City's employees were all acting within the course and scope of their employment with Defendant City at all times relevant herein such that Defendant City is liable for the employees acts and omissions.

149. Defendant City's employees withheld exculpatory evidence from Plaintiff, multiple employees worked together to conspire against Plaintiff, and multiple employees planned, implemented, and/or allowed false allegations be made against Plaintiff prior to the charges actually being filed against Plaintiff and continuing thereafter. Further, multiple City employees and Defendant Norman took overt acts to, among other things, attempt to protect Moreno and bolster law enforcement's public image to the detriment of Plaintiff in furtherance of the conspiracy.

150. More than one person participated in the conspiracy and took overt acts towards that end, in part as indicated below:

- a. Moreno not only made false allegations against Plaintiff but attempted to coerce and entice Plaintiff into fighting him after Plaintiff was thrown to the ground so that the charge and possible additional charges would be warranted;
- b. City employees obtained the surveillance video that exculpated Plaintiff however took no action;
- c. City employees prepared, brainstormed, discussed, and drafted written statement the evening of the incident reinforcing that which other employee(s) alleged against Plaintiff and the same was addressed and send directly to media outlets;
- d. City employees made verbal public statements, including the Chief of Police, reinforcing that which other employee(s) alleged against Plaintiff, said verbal public statements being made at press conferences held at the direction of City and its political leadership outside of its police department;

- e. Defendant Norman released a written public statement bolstering law enforcement and the City while simultaneously destroying Plaintiff's character, dignity, image and reputation without regard to the truth of the facts being represented to the public; and
- f. Such other particulars as may be shown at the trial of this matter.

151. Agents of the City are legally capable, as individuals, of conspiracy among themselves. *See Pridgen v. Ward et al*, Opinion No. 4770, S.C. Ct. App. (2010) (citing *Lee v. Chesterfield Gen. Hospital, Inc.*, 289 S.C. 6, 344 S.E.2d 379 (S.C. Ct. App. 1986) (agents of corporation may conspire among themselves)).

152. Plaintiff has suffered special damages separate and apart from those identified in Plaintiff's other Causes of Action, namely:

- a. Additional costs and attorney's fees associated with investigating Plaintiff's incarceration and the charges brought against him as well as attempting to clear his name and rehabilitate his character, image and reputation;
- b. Costs associated with the Freedom of Information Act request to gather information on the arrest and subsequent charge and prosecution;
- c. Irreparable damage to Plaintiff's emotional wellbeing at present and into the future when in the presence of law enforcement;
- d. Special damage to his reputation as a result of his having been publicly labeled a law enforcement officer assailant with no respect for law enforcement authority;
- e. Special damage to his future income and employability in his home geographical area due to the very public allegations by high ranking city officials that he had assaulted law enforcement officers;
- f. Plaintiff's future attempts to clean his internet footprint as a 34 year old citizen with no previous criminal record, and
- g. In such other particulars as may be shown at trial

All of which are the direct and proximate result of Defendant City's employees, agents, and representatives and Defendant Norman's acts and omissions.



**FOR AN EIGHTH CAUSE OF ACTION**  
**Declaratory Judgment As to Defendant City**  
**(State Constitutional Violations of Article I § 3)**

153. The foregoing factual allegations are made a part of this Eighth Cause of Action through incorporation by reference.

154. This cause of action is brought pursuant to the South Carolina Uniform Declaratory Judgments Act, S.C. Code. Ann. § 15-53-10 et seq. and the South Carolina State Constitution, Article I § 23.

155. Article I § 3 of the South Carolina Constitution provides that the privileges and immunities of Plaintiff shall not be abridged, “nor shall any person be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws.” (1970 (56) 2684; 1971 (57) 315.).

156. That the City’s acts and omissions, through its agents, employees, and representatives, complained of herein constitute a violation of Plaintiff’s state constitutional rights under Article I § 3.

157. Plaintiff in fact was deprived of life and liberty without due process of law through the actions complained of herein.

158. Plaintiff is entitled to a judgment that the City’s complained of acts and omissions had the effect of denying and/or abridging Plaintiff of his state constitutional rights under Article I § 3, Privileges and immunities; due process; equal protection of laws.

159. Plaintiff is further entitled to the costs pursuant to S.C. Code Ann. § 15-53-100 and such further relief from City as this Honorable Court deems necessary and proper pursuant to S.C. Code Ann. § 15-53-120.

**FOR A NINTH CAUSE OF ACTION**  
**Declaratory Judgment As to Defendant City**  
**(State Constitutional Violations of Article I § 10)**

160. The foregoing factual allegations are made a part of this Ninth Cause of Action through incorporation by reference.

161. This cause of action is brought pursuant to the South Carolina Uniform Declaratory Judgments Act, S.C. Code. Ann. § 15-53-10 et seq. and the South Carolina State Constitution, Article I § 23.

162. Article I § 10 of the South Carolina Constitution provides that “the right of the people to be secure in their persons...against unreasonable searches and seizures...shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the...person or thing to be seized.” (1970 (56) 2684; 1971 (57) 315.).

163. That the City’s acts and omissions, through its agents, employees, and representatives, complained of herein constitute a violation of Plaintiff’s state constitutional rights under Article I § 10.

164. Plaintiff was in fact subjected to an unreasonable seizure of his person without probable cause, the same having been supported by unreasonable and inaccurate oaths and affirmations by the City, through the acts and omissions of its agents, employees and representatives as complained of herein.

165. Plaintiff is entitled to a judgment that the City’s complained of acts and omissions had the effect of denying and/or abridging Plaintiff of his state constitutional rights under Article I § 10, Searches and seizures; invasions of privacy.

166. Plaintiff is further entitled to the costs pursuant to S.C. Code Ann. § 15-53-100 and such further relief from City as this Honorable Court deems necessary and proper pursuant to S.C. Code Ann. § 15-53-120.

**FOR A TENTH CAUSE OF ACTION**  
**Declaratory Judgment As to Defendant City**  
**(State Constitutional Violations of Article I § 14)**

167. The foregoing factual allegations are made a part of this Tenth Cause of Action through incorporation by reference.

168. This cause of action is brought pursuant to the South Carolina Uniform Declaratory Judgments Act, S.C. Code. Ann. § 15-53-10 et seq. and the South Carolina State Constitution, Article I § 23.

169. Article I § 14 of the South Carolina Constitution provides that “the right to trial by jury shall be preserved inviolate” and that “any person charged with an offense shall...have compulsory process for obtaining witnesses in his favor.” (1970 (56) 2684; 1971 (57) 315.).

170. That the City’s acts and omissions, through its agents, employees, and representatives, complained of herein constitute a violation of Plaintiff’s state constitutional rights under Article I § 14.

171. Plaintiff in fact was deprived of his right to obtain witnesses in his favor by the South Carolina Constitution due to the City’s acts and omissions, including but not limited to its purposeful and unreasonable withholding the identities of the law enforcement officers on the scene on the date of the incident whose specific directives Plaintiff had been following and who were aware of Plaintiff’s innocence even prior Plaintiff being criminally charged and imprisoned.

172. Plaintiff is entitled to a judgment that the City's complained of acts and omissions had the effect of denying and/or abridging Plaintiff of his state constitutional rights under Article I § 14, Trial by jury; witnesses; defense.

173. Plaintiff is further entitled to the costs pursuant to S.C. Code Ann. § 15-53-100 and such further relief from City as this Honorable Court deems necessary and proper pursuant to S.C. Code Ann. § 15-53-120.

**FOR AN ELEVENTH CAUSE OF ACTION**  
**Declaratory Judgment As to Defendant City**  
**(State Constitutional Violations of Article I § 15)**

174. The foregoing factual allegations are made a part of this Eleventh Cause of Action through incorporation by reference.

175. This cause of action is brought pursuant to the South Carolina Uniform Declaratory Judgments Act, S.C. Code. Ann. § 15-53-10 et seq. and the South Carolina State Constitution, Article I § 23.

176. Article I § 15 of the South Carolina Constitution provides that "excessive bail shall not be required...nor shall cruel, nor corporal, nor unusual punishment be inflicted." (1970 (56) 2684; 1971 (57) 315.).

177. That the City's acts and omissions, through its agents, employees, and representatives, complained of herein constitute a violation of Plaintiff's state constitutional rights under Article I § 15.

178. Plaintiff was in fact subjected to excessive bail insofar as Plaintiff was innocent yet still had to post financial bond due solely to the false allegations of Defendant City.

179. Plaintiff is entitled to a judgment that the City's complained of acts and omissions had the effect of denying and/or abridging Plaintiff of his state constitutional rights under Article

I § 15, Right of bail; excessive bail; cruel or unusual or corporal punishment; detention of witnesses.

180. Plaintiff is further entitled to the costs pursuant to S.C. Code Ann. § 15-53-100 and such further relief from City as this Honorable Court deems necessary and proper pursuant to S.C. Code Ann. § 15-53-120.

**FOR A TWELFTH CAUSE OF ACTION**  
**(Civil Assault & Battery As to Defendant City**

181. The foregoing factual allegations are made a part of this Twelfth Cause of Action through incorporation by reference.

182. At all times relevant hereto, Officer Moreno was an officer operating in the course and state of his duties as a law enforcement officer such that Defendant City is liable for Officer Moreno's tortious actions.

183. Moreno physically assaulted Plaintiff without legal justification.

184. Through the above-mentioned actions, Defendant did intentionally, willfully, and wantonly place Plaintiff in fear of imminent, immediate bodily injury and death.

185. At no time during the events described herein and above, nor at any time prior thereto, did Plaintiff consent to any of Defendant's conduct, physical contact made, or threats of physical harm and contact. Further, Plaintiff did not consent to the open presence of a loaded firearm pointed at him and in his direction.

186. As a direct and proximate result of Defendant's acts and omissions, by and through Officers, Plaintiff is informed and believes and therefore alleges that such acts directed towards him were malicious and belligerent, and the acts were done with a conscious disregard of Plaintiff to be free from such tortious behavior, such as to constitute oppression, fraud, or malice, and as

such he is entitled to judgment against Defendant for actual and consequential damages in an amount to be determined by a jury.

**FOR A THIRTEEN CAUSE OF ACTION**  
**(Intentional Infliction of Emotional Distress/Outrage – As to All Defendants)**

187. The foregoing factual allegations are made a part of this Thirteen Cause of Action through incorporation by reference.

188. Defendant City, by and through the acts of its agents, employees and representatives, and Defendant Norman, by and through his acts, did intentionally or recklessly inflict severe emotional distress, or was/were certain, or substantially certain, that such distress would result from the acts complained of cumulatively herein.

189. The aforementioned conduct to which Plaintiff was subjected to was so extreme and outrageous so as to exceed all possible bounds of decency and must be regarded as atrocious and utterly intolerable in a civilized community.

190. The actions of Defendants caused Plaintiff's emotional distress which was so severe that no reasonable person could be expected to endure it. For example, no reasonable person is capable nor should they be expected to be OK with thousands of people making horrible statements about them just because Defendants' made untrue statements about Plaintiff.

191. As a direct and proximate result of Defendants' intentional infliction of emotional distress on Plaintiff, Plaintiff is entitled to recover compensatory damages against Defendants, and punitive damages against Defendant Norman, for emotional pain and suffering, as well as other damages deemed appropriate by the trier of fact.



WHEREFORE, the Plaintiff, Travis Price, prays for actual, consequential, and compensatory damages, costs, attorney's fees, and all other remedies the Court deems just and proper in law and in equity against Defendants, jointly and severally, on all the within causes of action, in addition to Declaratory Judgment on Plaintiff's 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup>, and 11<sup>th</sup> Causes of Action under the S.C. Uniform Declaratory Judgments Act and South Carolina State Constitution. Plaintiff further prays for punitive damages against Defendant Ralph Norman.

Date: July 19, 2021

**BAMBERG LEGAL, LLC**

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