

TO: THE DEFENDANT ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the subscriber, at the address shown below, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the complaint, judgment by default will be rendered against you for the relief demanded in the complaint.

BOLES LAW FIRM, LLC

/s/ Daniel Summa
Daniel Summa
SC Bar #102899
dsumma@boleslawfirmllc.com
Daniel Boles
SC Bar # 79135
dan@boleslawfirmllc.com
3870 Leeds Avenue, Suite 104, 29405
248 E. Washington Street, 29488
843.576.5775 t

November 10, 2021
North Charleston, SC

ATTORNEYS FOR THE PLAINTIFF

TO: THE DEFENDANT ABOVE-NAMED:

The Plaintiff complaining of the acts and omissions of the above-named Defendant, says as follows:

PARTIES

1. Adrian Lewis is a citizen and resident of Dorchester County, South Carolina.
2. Defendant Dorchester County Sheriff's Office (hereinafter "DCSO") is a political subdivision of the State of South Carolina and is subject to suit pursuant to the South Carolina Tort Claim Act, S.C. Code Ann. § 15-78-10, *et.seq.*
3. Upon information and belief, at all times relevant hereto, Defendant DCSO consisted of persons who were agents, servants and employees, acting under the color of state law and the course and scope of their employment, and all acts and omissions are imputed to the Defendant DCSO as a matter of law.
4. All acts and omissions of the Defendant complained of herein occurred in Dorchester County, South Carolina.

5. Pursuant to S.C. Code Ann. §1-78-100(a) & (b), the parties hereto, subject matter hereof, and all matters hereinafter alleged are within the jurisdiction of this Court, and this Court is the proper venue for this action.

FACTUAL BACKGROUND

6. The foregoing allegations are re-alleged as if set forth herein verbatim.
7. On or about July 3, 2021 while located at 4153 Hickory Lane, Plaintiff was unlawfully arrested by Defendant.
8. Defendant unlawfully seized Plaintiff at the scene.
9. Defendant unlawfully searched Plaintiff at the scene.
10. Defendant was acting under the color of law within the scope and course of his duties.
11. Defendant lacked probable cause at all times relevant hereto.

FOR A FIRST CAUSE OF ACTION **(Negligence & Gross Negligence, South Carolina Tort Claims Act)**

12. Plaintiff incorporates by reference all previous paragraphs above as if repeated herein verbatim.
13. Defendant departed from the duties of care required by law enforcement officers and the agencies that hire, train and employ these officers and were thereby negligent, careless, grossly negligent, reckless and acted in violation of the duties owed to Plaintiff in that they committed one or more of the following acts of omission or commission, any or all of which were departures from the prevailing duties of care:
 - a. In failing to ensure the safety of Plaintiff;
 - b. In failing to adhere to proper law enforcement procedures;
 - c. In falsely imprisoning Plaintiff; and

d. In such other particulars as may be ascertained through discovery procedures undertaken pursuant to South Carolina Rules of Civil Procedure.

FOR A SECOND CAUSE OF ACTION
(Negligent Hiring, Supervision, and Training, South Carolina Tort Claims Act)

14. Plaintiff incorporates by references all previous paragraphs above as if repeated herein verbatim.

15. As a law enforcement agency and an agency of the State of South Carolina, Defendant has a duty of care to the Plaintiff and the general public to adequately and sufficiently educate its officers on the law of South Carolina.

16. As a law enforcement agency and an agency of the State of South Carolina, Defendant has a duty of care to the Plaintiff and the general public to not arrest and charge individuals with crimes that are inapplicable to the facts presented to them.

17. As a law enforcement agency and an agency of the State of South Carolina, Defendant has a duty of care to the Plaintiffs and the general public to adequately and sufficiently train and supervise its law enforcement employees when charging and arresting individuals.

18. At all times relevant herein, Officers were under the supervision and control of Defendant and were acting in the scope of their employment with Defendant in seizing, searching, and charging the Plaintiff.

19. The above-described acts and omissions resulted from the failure of Defendant, its agents, servants, employees, or other representatives to exercise reasonable care in training and supervising its law enforcement officers; thereby, Defendant breached its duty of care to Plaintiffs.

20. As a direct and proximate result of the acts and omissions of Defendant in their negligent hiring, supervision, and education, Plaintiff's rights as conferred by South Carolina law were violated, and Plaintiffs have suffered losses for which they are entitled to recover in an amount to be determined by a jury at the trial of this action.

21. This action is brought wholly under the South Carolina Tort Claims Act and the law of South Carolina, not under any federal law or as a federal cause of action.

FOR A THIRD CAUSE OF ACTION
(False Imprisonment, South Carolina Tort Claims Act)

22. Plaintiff incorporates by references all previous paragraphs above as if repeated herein verbatim.

23. Defendant intentionally restrained Plaintiff.

24. Defendant restrained Plaintiff without probable cause.

25. Defendant unlawfully restrained Plaintiff.

26. The preliminary hearing court in this case ruled that the arrest was without probable cause and dismissed the charge against Plaintiff.

27. As a direct and proximate result of the negligence, carelessness, gross negligence, recklessness, and departure from the duties of care owed by Defendant, Plaintiff suffered harm and losses for which he is entitled to recover in an amount to be determined by a jury at the trial of this action.

REQUEST FOR RELIEF

28. The Plaintiff in the above-captioned matter respectfully requests that this Court order reasonable damages to include actual and consequential damages and any other relief that the Court finds just and proper.

BOLES LAW FIRM, LLC

/s/ Daniel Summa

Daniel Summa
SC Bar #102899
dsumma@boleslawfirmllc.com
Daniel Boles
SC Bar # 79135
dan@boleslawfirmllc.com
3870 Leeds Avenue, Suite 104, 29405
248 E. Washington Street, 29488
843.576.5775 t

November 10, 2021
North Charleston, SC

ATTORNEYS FOR THE PLAINTIFF