

# STATE OF NORTH CAROLINA COUNTY OF MECKLENBURG

# IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION

# Plaintiff, v. AND John Doe Defendants.

COMPLAINT
(Jury Trial Demanded)

NOW COMES Plaintiff, by and through undersigned counsel, who hereby alleges the following causes of action against Defendants, and John Doe based upon her personal knowledge and based upon information and belief as to all matters, including, *inter alia*, an investigation conducted by and through her attorneys:

### JURISDICTION AND VENUE

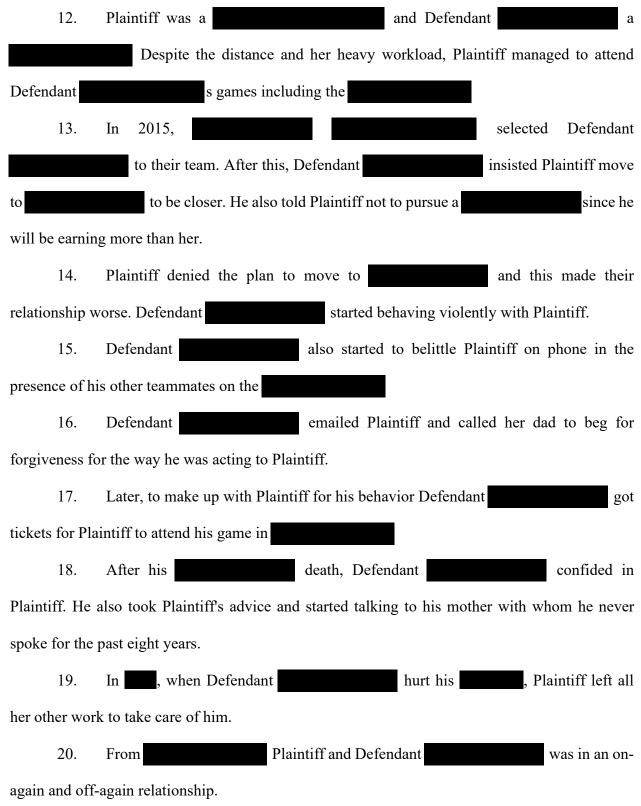
- 1. Under N.C.G.S.§ 7A-243, this Court has subject matter jurisdiction over this matter because the amount in controversy exceeds twenty-five thousand dollars (\$25,000).
- 2. Under N.C.G.S.§ 1-75.4(3), this Court has personal jurisdiction in this matter as the incident occurred within this State by the defendant.
- 3. Venue is proper because of the alleged acts or omissions reflected below, which gave rise to this cause of action, having occurred within Mecklenburg County, North Carolina.



## **PARTIES**

4.	The Plaintiff, ("Plaintiff") is a citizen and resident of
Mecklenburg	County, North Carolina.
5.	Upon information and belief, Defendant, ("Defendant
	is a citizen and resident of
6.	Upon information and belief, ("Defendant
is the	of at the
and is an age	nt for
7.	Upon information and belief, ("Defendant
is a North Ca	rolina corporation.
8.	Upon information and belief, ("Defendant
is an off-duty	Police Officer who worked as security for
He is an agen	t for
	FACTUAL ALLEGATIONS
Relationship	between Plaintiff and Defendant
9.	Defendant followed Plaintiff on Twitter and both interacting
with each oth	ner starting in 2011.
10.	Plaintiff and Defendant met for the first time in 2012 in
Charlotte, No	orth Carolina. Subsequently, in the same year, they started exclusively dating.
11.	Plaintiff and Defendant maintained an intimate relationship, but
it was distan	t since they attended different colleges. Plaintiff was in while
Defendant	was in







у	21.	In June 2020, Plaintiff told Defendant that she was married.
Soon I	Defenda	started harassing Plaintiff to get on FaceTime to show proof
of marr	riage.	
	22.	Thereafter, Plaintiff did not have any communication with Defendant
		for months.
<u>Incide</u>	nts of C	October 17, 2020, between Plaintiff and Defendant
	23.	On October 17, 2020, continuously texted Plaintiff stating that
he was	in town	n and wanted to see her.
	24.	During this communication, Plaintiff let Defendant know that
she wa	s pregn	ant and was expecting her second child.
	25.	However, Defendant was persistent in his effort to meet
Plainti	ff at the	hotel where stayed. He told Plaintiff that he would pay the hotel bill for her visit.
	26.	Plaintiff informed Defendant that she was in a webinar for the
compa	ny she	works for and that the webinar would not be over until 9:00 pm. Defendant
		still insisted on meeting Plaintiff.
	27.	After the webinar, Plaintiff dropped her daughter off at her parents' house and went
to		to meet Defendant She asked Defendant
		to meet her in the parking garage of the hotel.
	28.	Defendant informed that he could not leave the hotel, due to
COVII	<b>D-</b> 19 pro	otocols and Plaintiff to book a room there so that they could meet.
	29.	Because of Defendant s compulsion, Plaintiff booked a room at



30.	The plan was that Plaintiff would book a room to meet Defendant
	before the curfew at 11:00 pm and he would pay for Plaintiff's room.
31.	Plaintiff arrived at the time of curfew and Defendant sneaked
over to Plain	tiff's room breaking the COVID restrictions.
32.	After his arrival, Plaintiff and Defendant had talks regarding
reimbursing l	Plaintiff for the room at
33.	During this conversation, Plaintiff noticed a scratch on Defendant
	forehead and enquired about it. Defendant replied, "Teplied, "Tepl
	." He then took out his vape pen and took few breaths and when he exhaled
Plaintiff sme	lled marijuana.
34.	Defendant then pulled his pants down and asked Plaintiff to
suck his dic	k. Plaintiff denied this and answered "no." Plaintiff also informed Defendant
	that she will not be intimate with him unless he reimbursed her for the room.
35.	Defendant then made a call and soon Plaintiff received a
notification o	on Cash App regarding receipt of payment from who is Defendant
	s assistant.
36.	Plaintiff then became intimate with Defendant and engaged in
fellatio. After	rward, they sat on the bed watching football on television and engaged in casual talk.
37.	Plaintiff knew that Defendant had a curfew at 11:00 and also
that he playe	d the the next day and needed rest. So, she got ready to leave the
room.	



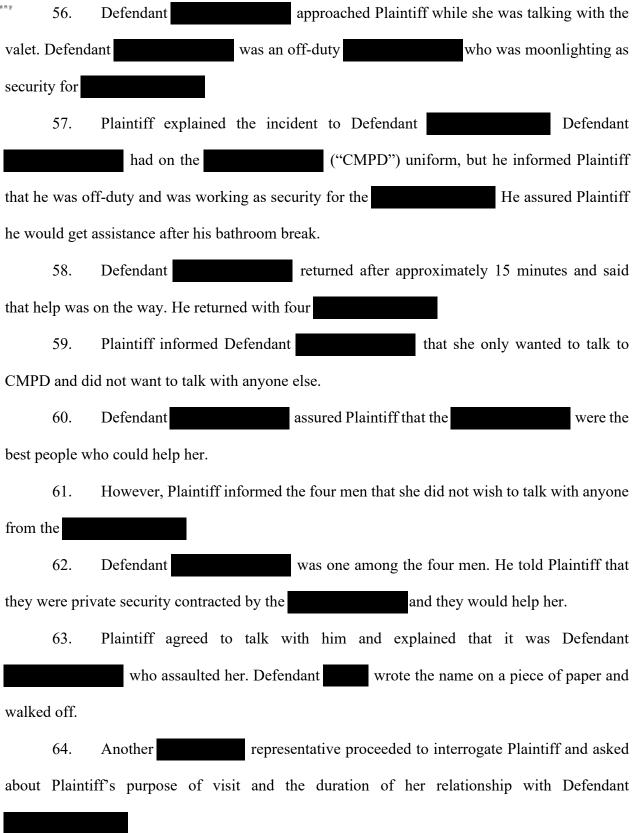
- 38. But Defendant restrained Plaintiff and told her that he can only get really good rest if he was getting vaginal sex. He then forcefully reached across Plaintiff and tried to put his hands in the back of Plaintiff's pants.
- 39. Defendant pulled Plaintiff off the bed and tried to have sex with her. Plaintiff managed to wiggle free and pulled up her pants.
- 40. Plaintiff reminded Defendant of a similar incident that happened in 2019 where Defendant got Plaintiff pregnant and later forced her to do an abortion. Moreover, he also injured Plaintiff during sex and caused her physical injuries.
- 41. So, Plaintiff informed Defendant that she is not willing to take the risk now that she is pregnant.
- 42. Defendant was angry at Plaintiff for rejecting him and screamed at her saying that he " and stated that Plaintiff was a bad mother.
- 43. Defendant continued to argue with Plaintiff and Plaintiff started recording the incidents. Immediately as Plaintiff started recording Defendant launched forward and hit Plaintiff in the face causing her to fall back onto the bed.
- 44. Defendant yanked Plaintiff off the bed by her right arm and hit Plaintiff's stomach with his 300 lbs frame causing severe pain to Plaintiff.
- 45. While this incident occurred, Plaintiff weighed 127 lbs and Defendant was 280 lbs.



	46.	Defendant then grasped Plaintiff's right arm under his right arm
and w	ith his le	eft hand, he twisted Plaintiff's long nails backward to her wrist to cause her physical
pain.		
	47.	Defendant continued to intentionally rip Plaintiff's nails to cause
incred	ible pai	n to her.
	48.	Defendant continued to hold on to Plaintiff's right arm and
began	to force	efully drag her to the door. Meanwhile, Plaintiff tried to free herself from Defendant
		He let go of Plaintiff after reaching the door and walked out.
	49.	Plaintiff put the door stopper and continued to record Defendant
once a	igain wh	nile he was walking down the hallway.
	50.	Plaintiff yelled at Defendant for hitting her while she was
pregna	ant. Soc	on, Defendant also started to record Plaintiff and got on the
elevato	or. He tl	hen stepped off the elevator and hit Plaintiff on the forearm.
	51.	Plaintiff responded by yelling and calling him derogatory names for hitting her.
	52.	After this incident, Plaintiff walked back to the hotel room and noticed that her
vision	was blu	arry. She realized that she lost her contact lens and found it on the floor of the room.
	53.	Plaintiff sent the videos to two of her close friends and one of them offered to pick
up Pla	intiff fr	om
	54.	Plaintiff made her way to the lobby to locate a police officer to address the assault
comm	itted by	Defendant
Intera	ection w	Agent and
	55.	Plaintiff tried to get assistance from and saw a valet and

explained the incident and informed that she needed police help.







65.	Plaintiff explained about the on and off relationship with Defendant
	for the past 10 years and his act of violence towards her.
66.	The representative asked Plaintiff if there was any chance that
	and Plaintiff could have a conversation to reach a conclusion. Plaintiff strongly
disagreed w	ith this and informed him that she did not want to talk to Defendant
67.	Later, Plaintiff overheard one of the representatives say that she was
a prostitute	and was making a paying call to Defendant  This enraged Plaintiff
and she yell	ed at the representative.
68.	Plaintiff then made it clear that she would only speak to the police, and not with the
	representatives.
69.	In the interim, the representative asked Plaintiff about the video of
Defendant	hitting her. After reviewing the video, the
representati	ve stated that it did not look good and asked her if she was okay with Defendant
	apologizing to her.
70.	Plaintiff responded that she did not want to speak with Defendant
	and requested him to keep him away from her. She again said that she wanted
to speak wit	h the police regarding the incident.
71.	When the representatives did not take any action, Plaintiff dialed
911 and rep	ported the assault. During her conversation with the operator reporting the assault,
Defendant	walked up to her listening to her exchanging the information.
72.	Plaintiff also requested the representative to call the police and to
keep	away from her.



- 73. Meanwhile, Defendant re-approached Plaintiff and viewed the videos, and stated that it was not clear and did not prove anything.
- 74. The representatives continued to persuade Plaintiff to talk with Defendant to resolve the issue.
- 75. The representatives also brought Defendant to Plaintiff trying to solve the matter without police intervention. Plaintiff repeated that she did not want to talk to Defendant
- 76. Plaintiff overheard Defendant talking to Defendant that

  "Defendant replied, "

  ""
- 77. Later, Plaintiff's friend showed up and Plaintiff was sitting on the floor holding her abdomen and was in great pain.
- 78. After an hour and a half, Plaintiff called the police again inquiring about the delay.

  The operator informed Plaintiff that the officers will soon arrive.

#### The arrival of Police Officers

- 79. After almost two hours, two police officers arrived. They did not have their body cameras turned on as they were required to do.
- 80. One of the officers, Officer started observing Plaintiff's left eye and inquired about her pregnancy.
- 81. The other officer, Officer then came over and observed Plaintiff's left eye by shining a flashlight on her face. He further stated that at a first glance he did not notice that Plaintiff was pregnant.



- 82. The officers sat Plaintiff down and she explained the events between her and Defendant that happened in the room.
- 83. Officer then told Plaintiff that he is calling his Sergeant to see how they want to proceed.
- 84. Officer then took Plaintiff to a private room, to make her feel more comfortable.
- 85. Plaintiff explained to the Officer about the incident including the oral sex. Officer laughed at Plaintiff's narration making it humorous.
- 86. Plaintiff was almost nineteen weeks pregnant when Defendant assaulted her. She was visibly in pain, was shaking and sweating to such a degree that one of the officers asked if she needed EMS services. Plaintiff responded that she needed medical attention but did not want to draw attention to herself.
- 87. After ten minutes, up and they did preliminary tests on Plaintiff before the ambulance arrived. An ambulance was necessary as Plaintiff suffered pelvic pain due to her pregnancy.
- 88. After the ambulance arrived, they put Plaintiff on a stretcher and took her to the hospital.
- 89. Officer Thai gave Plaintiff his business contact card, with a number on the back which is supposed to be her report number.
- 90. Plaintiff was in the emergency room of the hospital until 7:00 am the following day.
- 91. On October , Plaintiff tried to find the magistrate's office, but could not locate it.

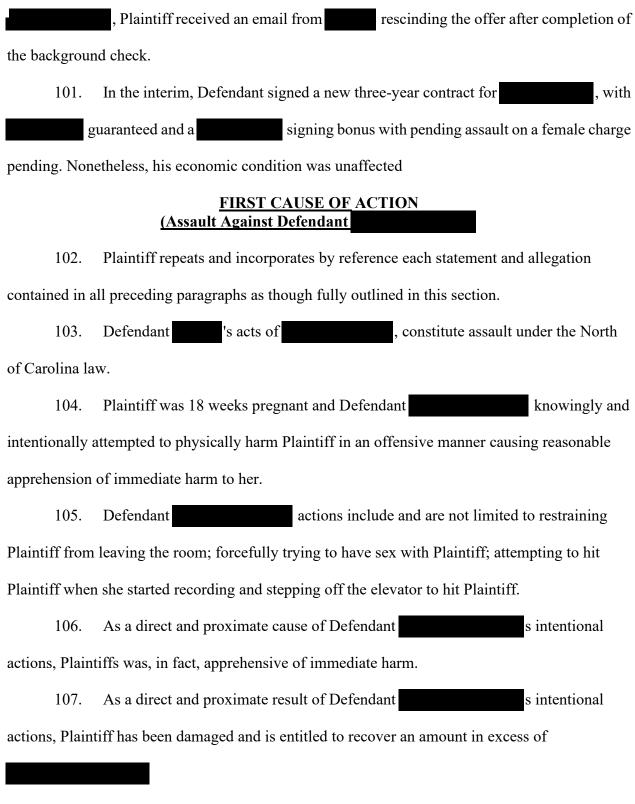


- 92. Later, on October , Plaintiff got the police report, and it stated that she was the aggressor, and Defendant was the victim in the incident. The police had taken assault charges against Plaintiff for the scratch on Defendant forehead.
- 93. Soon, Plaintiff called the District Sergeant and explained the incident. The Sergeant said he will meet her at the office later that day.
- 94. Later the evening of the 19th, Officer arrived to meet Plaintiff at her residence and apologized to her, and took an amended statement.
- 95. After this, Plaintiff went to the eye doctor and OBGYN and continued her treatment after the hospital visit. Plaintiff had complications and was diagnosed with a concussion.
- 96. Plaintiff had complications healing after giving birth because of Defendant's assault.

### **Losing Job Opportunities**

- 97. During the incident, Plaintiff worked at ("""). Meanwhile she got an opportunity for employment with (""") Plaintiff applied for the same and when she received her conditional offer, gave notice to ...
- 98. conducted a background check on Plaintiff and upon finding the pending assault charges, it retracted the offer.
- 99. Since Plaintiff already gave notice to losing losing opportunity resulted in her unemployment.





SECOND CAUSE OF ACTION
(Battery Against Defendant



108.	108. Plaintiff repeats and incorporates by reference each statement and allegation	
contained in a	all preceding paragraphs as though fully outlined i	n this section.
109.	Defendant s acts of	, constitute battery under
North Carolin	ina law.	
110.	Defendant s acted knowingly	y and intentionally to cause
harmful and o	offensive contact with Plaintiff without consent or	privilege. Defendant
	s acts include and is not limited to:	
	a. After arguing with Plaintiff on her refusal to	have sex with him,
	hit Plaintiff on her face.	
b. Defendant snatched Plaintiff off the bed by her i		ntiff off the bed by her right arm.
	As a result of this Plaintiff hit her stomach o	n s hip
	causing an immediate impact on her abdome	en.
	c. Defendant further twisted	d Plaintiff's arms and nails.
the room.	tiff to the door and walked out of	
	hit Plaintiff on her	
	forearm.	
111.	Plaintiff was 18 weeks pregnant during this peri	od and Defendant
	s acts including the attempt to do sex, hittin	g, and other contacts with
Plaintiff caus	used Plaintiff to suffer pain and suffering.	
112.	Defendant knew about Plaint	tiff's pregnancy and his acts were
intentional. D	Defendant intentionally brought	about the apprehension of

immediate harm to Plaintiff



113. As a direct and proximate result of Defendant s intentional actions, Plaintiff has been damaged and is entitled to damages and to recover an amount in excess of

THIRD CAUSE OF ACTION (Intentional Infliction of Emotional Distress Against Defendant			
114.	Plaintiff repeats and incorporates by reference each statement and allegation		
contained in a	contained in all preceding paragraphs as though fully outlined in this section.		
115.	Defendant s offensive and abusive behavior towards Plaintiff		
was deliberate	e and intentional.		
116.	Plaintiff was 18 weeks pregnant when Defendant assaulted		
her, and Defe	ndant s acts were extreme and outrageous causing severe mental		
and emotiona	l distress to Plaintiff.		
117.	Defendant s acts causing severe mental and emotional distress		
to Plaintiff includes but is not necessarily limited to:			
	a. Physical abuse of Plaintiff during her pregnancy caused severe emotional		
	distress to her.		
	b. Defendant was Plaintiff's, first love. Calling her a		
	caused emotional distress to her.		
	c. The police report which reported Plaintiff as the aggressor and Defendant		
	as the victim further caused emotional distress to Plaintiff.		
	d. Plaintiff losing the job offered at and because of the		
	pending assault charges against her caused emotional distress to Plaintiff.		
118.	s conduct was intentional, extreme, and outrageous, beyond all		

118. s conduct was intentional, extreme, and outrageous, beyond all bounds of decency, and utterly intolerable in a civilized community.



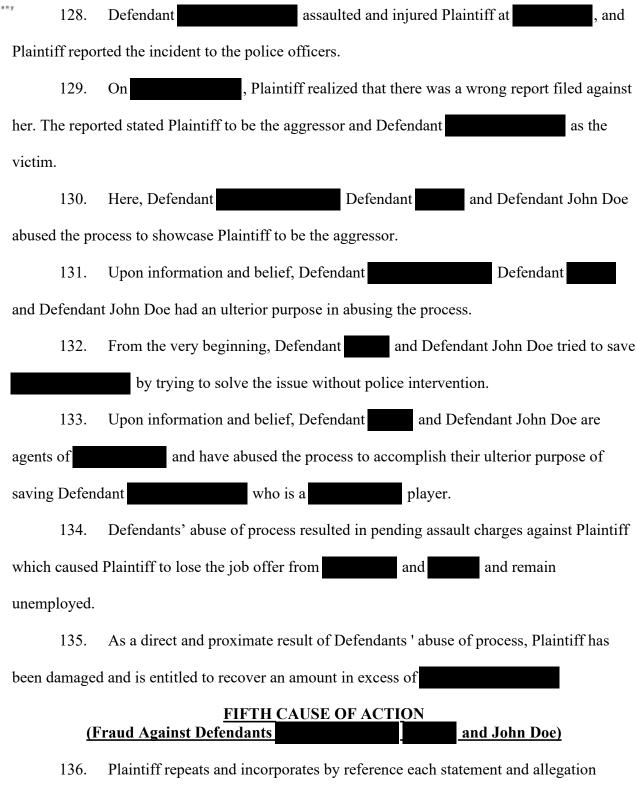
119. As a result of s intentional infliction of emotional distress, Plaintiff suffered general and consequential damages, pecuniary loss, emotional pain and suffering, and other damages.

# THIRD CAUSE OF ACTION (False Imprisonment Against Defendant

	Taise Imprisonment Agamst Defendant
120.	Plaintiff repeats and incorporates by reference each statement and allegation
contained in a	all preceding paragraphs as though fully outlined in this section.
121.	On the day of the incident, Defendant compelled Plaintiff to
come to	where he stayed.
122.	Defendant forced Plaintiff to book a room at
irrespective o	f Plaintiff's suggestion to meet at the parking garage of
123.	Later, when Plaintiff got ready to leave the room at about 11:00 P.M., Defendant
	stopped and restrained her illegally.
124.	Defendant used force and pulled Plaintiff off the bed and tried
to have sex w	rith her.
125.	Defendant restrain and detention of Plaintiff and the attempt to
have sex with	her was against her will.
126.	As a direct and proximate result of Defendant s restraint and
detention of I	Plaintiff, Plaintiff has been damaged and is entitled to recover an amount in excess
of	
	FOURTH CAUSE OF ACTION
(Abuse	of Process Against Defendants and John Doe)

Plaintiff repeats and incorporates by reference each statement and allegation 127. contained in all preceding paragraphs as though fully outlined in this section.

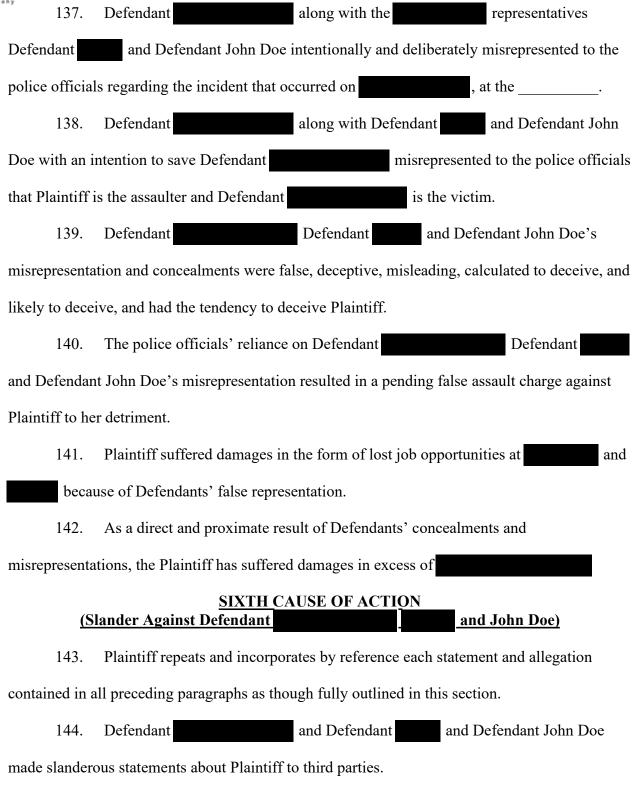




contained in all preceding paragraphs as though fully outlined in this section.



145.



The slanderous statements include but is not limited to:



a.	Defendant	belittled Plaintiff in the presence of	his
	teammates.		
b.	Defendant	told other people that Plaintiff was	a
	Plaintiff happened to over	hear someone saying at the	lobby that
	c		
c.	Moreover, Defendant	told Defendant	hat
		." responded stating th	at
		?? *	

- 146. Defendants communicated these statements to persons other than Plaintiff.
- 147. Plaintiff is a mother and has a professional career but Defendants called Plaintiff a in the hotel lobby in the presence of other customers.
- 148. Upon information and belief Defendants intended the defamatory statements to charge Plaintiff with having committed a crime or offense involving moral turpitude.
- 149. Upon information and belief, the persons other than the Plaintiff to whom the statements were communicated reasonably understood the statements to charge Plaintiff with having committed a crime or offense involving moral turpitude.
- 150. As a direct and proximate result of Defendants' slanderous statements Plaintiff has been inherently injured and is entitled to recover an amount in excess of

# SEVENTH CAUSE OF ACTION (Conspiracy Against Defendants and John Doe)

151. Plaintiff repeats and incorporates by reference each statement and allegation contained in all preceding paragraphs as though fully outlined in this section.



152. Upon information and belief, the security guards Defendant and John Doe
as agents for agreed with each other to commit the improper and unlawful acts
complained of in this Complaint, specifically to save Defendant
153. While the incident occurred Defendant and John Doe were acting in
course of their employment with the
154. After the assault by Defendant Defendant and
Defendant John Doe tried to persuade Plaintiff several times to have a conversation with
Defendant When Plaintiff informed them she had reported the incident to
police, both Defendant and Defendant John Doe, in their attempt to save Defendant
tried to solve the issue without police intervention.
155. As described above Defendant and Defendant John Doe's acts ended up in
the wrong police report against Plaintiff where the report referred Plaintiff to be the aggressor
and Defendant the victim.
156. Defendant and Defendant John Doe's acts have inflicted injury on
Plaintiff through the common scheme described above. This injury includes, but is not limited to
emotional pain and suffering, unemployment, and monetary loss.
157. The actions of Defendant and Defendant John Doe have resulted in actual
damages to Plaintiff.
158. As a direct and proximate result of Defendant and Defendant John Doe's
conspiracy, Plaintiff suffered and is entitled to recover an amount in excess of

EIGHTH CAUSE OF ACTION (Negligence Against



159. Plaintiff repeats and incorporates by reference each statement and allegation		
contained in all preceding paragraphs as though fully outlined in this section.		
160. On Plaintiff sustained injuries due to Defendant		
s offensive behavior at her room in .		
161. Plaintiff booked the room at Defendant and being their customer,		
owed a duty towards Plaintiff to maintain a reasonably safe condition while		
Plaintiff stays at the place.		
162. Here, Defendant behaved offensively towards Plaintiff by		
restraining her in the room and even harmed her in the elevator. But, Defendant		
neither through its agents, servants, or employees took any measures to save Plaintiff or help her.		
163. After the incident, Plaintiff had to wait almost one and half hours for the police to		
arrive and the Defendant authorities did not offer any help to Plaintiff, thereby		
breaching its duty towards Plaintiff.		
164. Defendant individually or by and through its agents, servants, or		
employees acted with less than reasonable care and is guilty of its negligent acts and omissions		
causing severe physical harm to Plaintiff.		
165. As a direct and proximate result of Defendant 's careless and		
negligent acts, Plaintiff suffered great pain, emotional pain, and suffering and is entitled to		
recover an amount in excess of		
NUMBER CAUGE OF A CETON		

# NINETH CAUSE OF ACTION (Negligent Hiring and Supervision)

166. Plaintiff repeats and incorporates by reference each statement and allegation contained in all preceding paragraphs as though fully outlined in this section.



167. Defendant has a duty to exercise ordinary and reasonable care in the screening, hiring, training, retention, supervision, and discipline of its agents and employees. 168. Defendant had the duty to ensure that its agents and employees discharged their duties effectively and efficiently. was an off-duty Police Officer who 169. Defendant was moonlighting as security for the but lacked training or experience to perform his duties as a security officer. 170. When Plaintiff was in urgent need of help Defendant failed to exercise the reasonable care and assistance expected of him in helping a person in need. 171. breached its duty and was negligent in the following Defendant manner: a. Defendant knew or should have known in the exercise of reasonable care that its agent or employee referred herein did not have the appropriate training, knowledge, skill, and/or other qualities to serve in the role which they did in Defendant 's employ. was negligent in its continued retention of the agent or b. Defendant employee referred herein. failed to adequately oversee the agent or employee c. Defendant referred herein. further breached its duties in other ways that will be d. Defendant proven at trial. 172. As a direct and proximate result of Defendant 's negligence, Plaintiff suffered damages and is entitled to recover an amount in excess of



#### **DEMAND FOR JURY TRIAL**

Plaintiff requests a jury trial of all claims and matters set forth herein.

#### **PRAYER FOR RELIEF**

For the foregoing reasons, Plaintiff respectfully prays that this Honorable Court grants the following relief:

- 1. Compensatory, general, consequential, and punitive damages in an amount to be determined by a jury in the trial of this action, but in any event, more than the sum of
- 2. The costs of this action, including reasonable attorney fees and interest as provided by law;
- 3. Punitive damages, in an amount to be determined by the trier of fact;
- 4. Trial by jury; and

This \_\_\_\_the day of

5. For such other, further, and different relief as the court may deem just and proper.

By:

Attorneys for Plaintiff