



NOTICE TO FILER

Requirements for Completing Service

IN THE CIRCUIT CIVIL COURT OF JEFFERSON COUNTY, ALABAMA
JUDE WASHINGTON V. MARK PETTWAY ET AL

01-CV-2026-900119.00

To: SCOTT THOMAS MORRO MR
morrolawcenter@bellsouth.net

In your complaint filing, you requested that one or more of the Defendants be served by Private Process Server:

In order to affect service, you must deliver the following document to the process server for service.

The process server, once the process server has served the recipient, must complete the "service return". This service return must be returned to the Clerk of the Court issuing service.

JACQUELINE ANDERSON SMITH
716 RICHARD ARRINGTON, JR BLVD
BIRMINGHAM, AL 35203

The summons and complaint should be served in compliance with Alabama Rules of Civil Procedure 4:

How Served and Returned. The person serving process shall locate the person to be served and shall deliver a copy of the process and accompanying documents to the person to be served. When the copy of the process has been delivered, the person serving process shall endorse that fact on the process and return it to the clerk, who shall make the appropriate entry on the docket sheet relating to the action. The return shall clearly indicate the name, address, and telephone number of the person serving process. The return of the person serving process in the manner described herein shall be prima facie evidence that process has been served.



AlaFile E-Notice

01-CV-2026-900119.00

To: MARK PETTWAY
2200 EIGHTH AVENUE NORTH
BIRMINGHAM, AL, 35203

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

JUDE WASHINGTON V. MARK PETTWAY ET AL
01-CV-2026-900119.00

The following complaint was FILED on 1/11/2026 4:19:33 PM

Notice Date: 1/11/2026 4:19:33 PM

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
716 RICHARD ARRINGTON, JR BLVD
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov

SUMMONS
- CIVIL -

Court Case Number
01-CV-2026-900119.00

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA COUNTY, ALABAMA
JUDE WASHINGTON V. MARK PETTWAY ET AL

NOTICE TO: MARK PETTWAY, 2200 EIGHTH AVENUE NORTH, BIRMINGHAM, AL 35203

(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S),
SCOTT THOMAS MORRO MR

[Name(s) of Attorney(s)]

WHOSE ADDRESS(ES) IS/ARE: P.O. Box 1644, Gardendale, AL 35071

[Address(es) of Plaintiff(s) or Attorney(s)]

THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

**TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL
PROCEDURE TO SERVE PROCESS:**

☒ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

☐ Service by certified mail of this Summons is initiated upon the written request below of
pursuant to the Alabama Rules of the Civil Procedure.

[Name(s)]

01/11/2026

(Date)

/s/ JACQUELINE ANDERSON SMITH

(Signature of Clerk)

By:

(Name)

☐ Certified Mail is hereby requested.

(Plaintiff's/Attorney's Signature)

RETURN ON SERVICE

Certified Mail

☐ Return receipt of certified mail received in this office on

(Date)

Personal/Authorized

☐ I certify that I personally delivered a copy of this Summons and the Complaint or other document to

in

County, Alabama on

(First and Last Name of Person Served)

(Name of County)

(Date)

Document left:

- ☐ with above-named Defendant;
- ☐ with an individual authorized to receive service of process pursuant to Rule 4(c), Alabama Rules of Civil Procedure;
- ☐ at the above-named Defendant's dwelling house or place or usual place of abode with some person of suitable age and discretion then residing therein.

Return of Non-Service

☐ I certify that service of process of this Summons and the Complaint or other document was returned- Not Found

☐ I certify that service of process of this Summons and the Complaint or other document was refused by

in

County, Alabama on

who is:

(First and Last Name of Person Served)

(Name of County)

(Date)

- ☐ the above-named Defendant;
- ☐ an individual authorized to receive service of process pursuant to Rule 4(c), Alabama Rules of Civil Procedure;

☐ As a designated process server pursuant to Rule 4(i)(1)(B), Alabama Rules of Civil Procedure, I certify that I am at least 19 years of age, I am not a party to this proceeding, and I am not related within the third degree by blood or marriage to the party seeking service of process.

(Type of Process Server)

(Server's Signature)

(Address of Server)

(Badge or Precinct Number of Sheriff or Constable)

(Server's Printed Name)

(Badge or Precinct Number of Sheriff or Constable)

(Telephone Number of Designated Process Server)



ELECTRONICALLY FILED

1/11/2026 4:19 PM

01-CV-2026-900119.00

CIRCUIT COURT OF

JEFFERSON COUNTY, ALABAMA

JACQUELINE ANDERSON SMITH, CLERK

Case:

01

Date of Filing:

01/11/2026

Judge Code:

State of Alabama
Unified Judicial System
Form ARCiv-93 Rev. 9/25

COVER SHEET
CIRCUIT COURT - CIVIL CASE
(Not For Domestic Relations Cases)

GENERAL INFORMATION

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
JUDE WASHINGTON v. MARK PETTWAY ET AL

First Plaintiff: ☐ Business ☒ Individual ☐ Government ☐ Other
First Defendant: ☐ Business ☒ Individual ☐ Government ☐ Other

NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best characterizes your action:

TORTS: PERSONAL INJURY

- ☐ WDEA - Wrongful Death
☐ TONG - Negligence: General
☐ TOMV - Negligence: Motor Vehicle
☐ TOWA - Wantonness
☐ TOPL - Product Liability/AEMLD
☐ TOMM - Malpractice-Medical
☐ TOLM - Malpractice-Legal
☐ TOOM - Malpractice-Other
☐ TBFM - Fraud/Bad Faith/Misrepresentation
☐ TOXX - Other: _____

TORTS: PERSONAL INJURY

- ☐ TOPE - Personal Property
☐ TORE - Real Property

OTHER CIVIL FILINGS

- ☐ ABAN - Abandoned Automobile
☐ ACCT - Account & Nonmortgage
☐ APAA - Administrative Agency Appeal
☐ ADPA - Administrative Procedure Act
☐ ANPS - Adults in Need of Protective Service

OTHER CIVIL FILINGS (cont'd)

- ☐ MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/Enforcement of Agency Subpoena/Petition to Preserve
☐ CVRT - Civil Rights
☐ COND - Condemnation/Eminent Domain/Right-of-Way
☐ CTMP - Contempt of Court
☐ CONT - Contract/Ejectment/Writ of Seizure
☐ TOCN - Conversion
☐ EQND - Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contest/Quiet Title/Sale For Division
☐ CVUD - Eviction Appeal/Unlawful Detainer
☐ FORJ - Foreign Judgment
☐ FORF - Fruits of Crime Forfeiture
☐ MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition
☐ PFAB - Protection From Abuse
☐ EPFA - Elder Protection From Abuse
☐ QTLB - Quiet Title Land Bank
☐ FELA - Railroad/Seaman (FELA)
☐ RPRO - Real Property
☐ WTEG - Will/Trust/Estate/Guardianship/Conservatorship
☐ COMP - Workers' Compensation
☒ CVXX - Miscellaneous Circuit Civil Case

ORIGIN: F ☒ **INITIAL FILING**
A ☐ **APPEAL FROM DISTRICT COURT**

P ☐ **APPEAL FROM PROBATE COURT**
O ☐ **OTHER**

HAS JURY TRIAL BEEN DEMANDED? ☒ **YES** ☐ **NO**

Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P., for procedure)

RELIEF REQUESTED: ☒ **MONETARY AWARD REQUESTED** ☐ **NO MONETARY AWARD REQUESTED**

ATTORNEY CODE:

MOR151

1/11/2026 4:19:32 PM

Date

/s/ SCOTT THOMAS MORRO MR

Signature of Attorney/Party filing this form

MEDIATION REQUESTED: ☒ **YES** ☐ **NO** ☐ **UNDECIDED**

Election to Proceed under the Alabama Rules for Expedited Civil Actions: ☐ **YES** ☐ **NO**



**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
BIRMINGHAM DIVISION**

JUDE WASHINGTON,

Plaintiff,

Vs.

**MARK PETTWAY, NASHONDA
HOWARD, and CONSTANCE ECHOLS**

Defendants.

CIVIL ACTION NO.

COMPLAINT

NOW COMES, the Plaintiff, Jude Washington, (hereinafter “Plaintiff”) by and through his attorney of record, Scott T. Morro, and brings this complaint against the Defendants, Mark Pettway (hereinafter “Pettway”), Nashonda Howard (hereinafter “Howard”), and Constance Echols (hereinafter “Echols”), (Collectively “Defendants”), requesting relief for tortious interference with a business relationship, hostile work environment, wrongful termination/retaliatory discharge, and a violation of the Plaintiff’s Fourteenth Amendment right to a property interest, namely Plaintiff’s employment.

BACKGROUND

1. At the time of the averments made in this Complaint the Plaintiff and Defendants were employed by Jefferson County Sheriff’s Office (hereinafter “JCSO”), Jefferson County, Alabama. The Defendants continue to be employed with the JCSO.

2. On January 11, 2024, the Plaintiff was terminated by the Defendants.

3. On July 23, 2024, the Plaintiff was reinstated by the Personnel Board of Jefferson County, less a forty- five (45) day suspension.

4. On August 29, 2024, Plaintiff resigned his employment after having been retaliated against by the Defendants to the extent that no reasonable person would continue to maintain their employment.

5. The Defendants are responsible for the acts of retaliation committed against the Plaintiff.

JURISDICTION AND VENUE

6. Plaintiff brings this action pursuant to Ala. Code §6-2-38, the Fourteenth Amendment of the Constitution of the United States, and 42 U.S.C. § 1983

7. Subject matter jurisdiction of this Court is invoked pursuant to Ala. R. Civ. P. 82.

8. This action is brought within the State where the wrongful termination was committed, making venue proper under Ala. R. Civ. P. 82.

9. Venue is proper in this Honorable Court.

JURY DEMAND

10. Plaintiff hereby demands that all eligible claims be tried to a jury.

PARTIES

11. Plaintiff Washington (“Plaintiff”), is a male citizen of the United States and of the State of Alabama. He is a resident of this Judicial District and Division.

12. Defendant Pettway, is a male citizen of the United States and of the State of Alabama. He is a resident of this Judicial District and Division.

13. Defendant Howard, is a female citizen of the United States and of the State of Alabama. She is a resident of this Judicial District and Division.

14. Defendant Echols, is a female citizen of the United States and of the State of Alabama. She is a resident of this Judicial District and Division.

STATEMENT OF FACTS

15. In 1998, the Plaintiff was hired by the JCSO.

16. In 2007, the Plaintiff was assigned to the Federal Bureau of Investigation Task Force after having established a stellar work history.

17. In September 2018, Mark Pettway solicited an endorsement from the Progressive Democrats Political Action Committee (PAC) along with several other candidates for various positions, including the sheriff's of Jefferson County, Alabama position. The body of the organization voted for who it would endorse, but when it got to the sheriffs' race, the president of the PAC, Emory Anthony (hereinafter "Anthony"), said that they were endorsing Mark Pettway. A member of the PAC asked why the PAC was not voting. Anthony said that Pettway was the only person who showed up to the interview. Wilson Hale (hereinafter "Hale"), who was also a sheriff candidate, raised his hand and said that he interviewed. Anthony then implemented a vote amongst the body. Pettway was not present. The vote was 11 to 4 for Hale. Hale received the endorsement. The next day Plaintiff was at work about to execute a search warrant. Plaintiff received a call from Pettway. Plaintiff answered and Pettway immediately asked, "What happened?" Plaintiff replied, "What?" Pettway again angrily asked, "What happened?" Plaintiff asked him what he was talking about and Pettway said, "My endorsement!" "Emory (Anthony) said that I had that endorsement!" Plaintiff told Pettway that it does not work that way and that we (PAC) had to vote on it. Pettway then said that he heard Plaintiff's wife had something to do with it (the endorsement). Plaintiff told Pettway that was not true and whoever told him (Pettway) that was a liar. Pettway continued ranting and accusing Plaintiff's wife of costing him an endorsement. Then Plaintiff heard another voice on the phone. It said, "Jude, this is Bruce, Mark's

brother." "Our sources tell us that your wife convinced Emory (Anthony) not to endorse Mark (Pettway)." Plaintiff explained that it was not true, but he (Bruce Pettway) insisted. Plaintiff responded telling them (Mark and Bruce Pettway) not to call me with such BS. Plaintiff hung up, but Pettway called back. Plaintiff told Pettway to call Anthony to get the facts. Pettway called Plaintiff back a few hours later and apologized. However, their relationship was totally soured by this encounter.

18. In 2019, Plaintiff was #5 on the Sheriffs promotional exam. Twelve (12) people were selected to be promoted to the rank of Lieutenant with Plaintiff being passed up.

19. In 2022, using the same promotional list, Pettway promoted two (2) more individuals to the rank of lieutenant who were lower on the list than the Plaintiff. Plaintiff would have been #1, or #2 on that list, yet Plaintiff was not promoted.

20. In 2016, Plaintiff wrote a legislative proposal to the State of Alabama that would allow law enforcement officers to issue citations for misdemeanor marijuana possession in lieu of arrests. Plaintiff's wife, Lynneice Washington (hereinafter "Washington"), who is the District Attorney for the Bessemer division of Jefferson County liked the idea and said that she would try to implement the idea.

21. In 2018, Pettway became the Sheriff of Jefferson County and Danny Carr (hereinafter "Carr") became the District Attorney for the Birmingham Division of Jefferson County. Washington met with Pettway and Carr in March of 2019 to pitch the idea regarding issuing citations for misdemeanor marijuana possession to them and they agreed to work together on the project. Washington told them that they would each have to speak to the leaders of all the municipal departments in Jefferson County to make sure they were on board. Pettway and Carr agreed.

22. In April of 2019, Plaintiff and Washington were surprised to see Pettway on the news stating that he (Pettway) was going to have his deputies issue citations only, no arrests, for misdemeanor marijuana charges and claiming the idea as Pettway's own. JCSO Captain David Agee, speaking on Pettway's behalf, stated to the media, "This is what police reform looks like."

23. On April 9, 2019, several bingo halls were raided in the Bessemer Division of Jefferson County and Pettway insinuated to the media that Plaintiff's wife, Bessemer District Attorney Washington, was the reason the AG raided them. Plaintiff and Washington heard from several judges and other political figures that Bruce Pettway was angry and accusing Washington of causing the raids.

24. In July 2019, due to the Marshea Jones case, (<https://www.npr.org/2019/06/28/737005113/woman-indicted-formanslaughter-after-death-of-her-fetus-may-avoid-prosecution>) and due to threats on Plaintiff's home phone, Washington called Pettway and asked if Pettway had any deputies who could escort her to Boutwell Auditorium where Washington was speaking that night. Pettway said that he could not provide any deputies for security. Pettway asked Washington, "Ain't Jude home?" Additionally, Washington asked Pettway if he could provide extra patrols at Washington's house. Pettway said he did not have the manpower. Washington thanked Pettway and ended the call. Washington called Birmingham Police Chief Patrick Smith who provided a security detail for Washington. Once Sheriff Pettway was aware that Birmingham police were providing security for Washington, Pettway sent several deputies to help out with the security detail. Washington thanked the deputies, but declined their help. Just an hour earlier Pettway claimed not to have the manpower.

25. On September 4, 2019, Plaintiff and Detective K. Dorsey were mistaken for someone else and the car they were in was shot up with assault rifles. No one was injured and

Bessemer Police caught the subjects responsible. Plaintiff and Dorsey were on that scene for hours and not one member of the Sheriff's Office administration came to the scene, or called to see if they were ok. Several police chiefs from surrounding areas did. Some came to the scene and others called. Four days later, Captain David Agee called, on behalf of Pettway, to ask Plaintiff and Dorsey if they were okay. Pettway told the media that he spoke with Plaintiff and Dorsey and that they were in good spirits. In fact, Pettway had not spoken to Plaintiff and Dorsey at all. Pettway saw Plaintiff walking weeks later and pulled his vehicle over to talk with Plaintiff. Pettway stated that he heard Plaintiff was a little upset about him (Pettway) not reaching out to Plaintiff and to charge to his head and not his heart. Pettway stated that he was at an event and had a lot going on. Pettway was at an event being held by District Attorney Danny Carr. Carr left his own event and came to our scene and advised us that the sheriff was there and was aware of the shooting.

26. In February 2020, Plaintiff created and proposed a sex trafficking unit and a multijurisdictional drug task force for the Jefferson County Sheriffs' Office and proposed these units to Pettway who approved and commissioned them. Plaintiff called every municipality in Jefferson County and only two agreed to be a part of the unit. The responses of those municipalities who declined were that of sarcasm.

27. On September 15, 2020, Mr. Antonio Bass (hereinafter "Bass") disappeared and his body was found near Pratt Hwy. Birmingham police found his body due to information Plaintiff received from a confidential source and passed along to them. Plaintiff received a call from Pettway instructing Plaintiff to give community activist Carlos Chaverist information pertaining to the case as well as other homicides along that area because Chaverist was investigating the case. Pettway claims that the killer of Antonio Bass was named Frank Matthews and that Plaintiff needed to look into him (Matthews). Plaintiff explained to the Pettway that Plaintiff would not be

giving Chaverist any information pertaining to that case, or any other case, and that Chaverist was not a trained investigator, nor was he a law enforcement officer. Pettway replied, "He helped solve the Cupcake case." Plaintiff told Pettway that as part of the FBI Safe Streets Task Force, Plaintiff was a part of the Cupcake investigation and that Chaverist had nothing to do with the case. Pettway again told Plaintiff that Frank Matthews was responsible for the death of Bass and that Plaintiff needed to look into it. Pettway asked Plaintiff to get information pertaining to how many bodies police have recovered around the same area the Bass' body was found and give that information to Chaverist. Plaintiff did not provide that information to Chaverist. Plaintiff explained this was a murder investigation and all information received is sensitive and providing it to someone outside of law enforcement could damage the outcome of the investigation.

28. On May 3, 2022, Washington holds a job fair every year for those with felonies on their records. During the 2022 primary election Pettway and Washington both had opposition. Though it was only two weeks before the election, Washington still marketed her upcoming job fair on social media. Felicia Rucker-Sumerlin (hereinafter "Rucker-Sumerlin") was a candidate running against Pettway. Rucker-Sumerlin shared the flier about my Washington's job fair from Washington's business FB account onto her (Rucker-Sumerlin) personal and campaign account. At 0804 hours while Plaintiff was out jogging, Plaintiff received a text from Pettway. The text was the image of the job fair flier from my Washington's Facebook account. Plaintiff texted the Pettway, "What's this for?" Pettway did not respond, so Plaintiff called Pettway. Plaintiff was going to inform Pettway about the job fair when Pettway said, "They're telling me that your wife and Felicia are trying to get me out of office!" Plaintiff explained that it was a job fair. Pettway complained that Washington did not invite Pettway. Plaintiff explained to Pettway that it was a month away and that they Pettway and Washington) both had an election in less than two weeks

to prepare for. Plaintiff explained to Pettway that Washington and Rucker-Sumerlin are cordial friends and do not talk to each other much, but when they do talk, it's not about him (Pettway).

Plaintiff waited a week before Plaintiff told Washinton about this incident and Washington Pettway. Pettway then called Plaintiff with Washington on the line laughing and said that Plaintiff must have misunderstood Pettway and that Pettway did not say those things. Plaintiff replied, "Sure you did." Plaintiff went on to explain to Pettway that Washington and Plaintiff have nothing against Pettway. Washington went on to explain how she has reached out to Pettway for joint ventures and Pettway never responds, how Pettway never invites Washington to any of Pettway's events, or even to academy graduations. Pettway put the miscommunication on his administrative assistant. Pettway then apologized for what he said when Plaintiff called him on the morning of May 3rd. Pettway stated he never should have sent the flier photo. Plaintiff asserts that the text sent by Pettway was meant to intimidate Plaintiff.

29. In June 2022, the Vice/Narcotics Unit was instructed by Pettway to conduct a drug investigation at a bingo hall on Centerpoint Parkway. Plaintiff found it strange that Pettway requested an investigation of illegal drug activity inside an illegal establishment. Later that year Pettway instructed Plaintiff to conduct investigations pertaining to illegal gaming at 8 bingo halls in Jefferson County, most in the Bessemer Division, where Washington is the district attorney. Pettway wanted all bingo halls shut down simultaneously after Plaintiff's investigation. After conducting research and considering the logistics of Pettway's plan, Plaintiff explained to the Pettway that Plaintiff did not have the manpower to do as Pettway requested. Pettway told Plaintiff to find a way. Pettway called and asked Washington for a copy of Washington's Cease and Desist letter and Washington refused because in 2019 when Washington issued two cease and desist letters to two bingo halls, Pettway and his brother, Bruce, convinced the gambling community

and local media that Washington was shutting down bingo halls. This was an effort to hurt Washington in the next election. A man was killed in one of the bingo halls Washington issued a letter to and in the other, community activist Carlos Chaverist sponsored a fellatio contest where a single guy had fellatio performed on him and he determined the winner. Plaintiff conducted the investigation and issued eight (8) cease and desist letters to eight (8) bingo halls. During the shut down, several of the bingo hall owners/operators asked why the Task Force was not shutting down the bingo halls affiliated with the Pettway's brother, Bruce Pettway. The files from this case were taken to the Attorney General's (hereinafter "AG") office at the request of the Pettway. A year later, the AG's office raided the bingo halls Plaintiff investigated. Pettway was doing the shutdowns to try and convince the AG that he was fighting illegal gambling. The AG's office did not know that the bingo halls Plaintiff investigated were selected by the Pettway. The bingo halls investigated and shut down were not affiliated with the Pettway's brother Bruce Pettway.

30. On September 8, 2022, The Jefferson County Sheriffs Office's Vice/Narcotics Division along with Jefferson County SWAT executed a narcotics search warrant at Carter's Hookah Lounge located at 512 Rev. Abraham Woods Jr Blvd. All phones belonging to narcotics investigators and SWAT operators were collected prior to briefing. Plaintiff left his phone on his desk in his office to charge. There was a class reunion taking place at the establishment, but the target and owner of the building fled prior to JCSO arriving. Two kilos of cocaine were recovered from the trash can in the women's bathroom. When JCSO returned from the warrant, which was after midnight, Plaintiff noticed he had four missed calls from a Barbra Carter, who Plaintiff do not know, and two from Chris Coleman (hereinafter "Coleman"), a DJ on a local radio station in Birmingham. Plaintiff called Coleman back, but Coleman did not answer. Coleman called Plaintiff at 0700 hrs the next morning and advised Plaintiff that Coleman called because Coleman

had a friend who owns a club who is an upstanding citizen and does nothing wrong. Coleman stated that the friend who called was told that the JCSO task force was about to hit his friend's business last night. Plaintiff asked who Coleman's friend was and Coleman said Cordell Carter who was the target of the JCSO investigation. Plaintiff asked Coleman who told him that the JCSO was about to hit the lounge and Coleman said that he was talking to Cordell and two guys walked up to him and told him that JCSO was coming. Plaintiff passed this information on to his supervisor.

31. Plaintiff was later called to Internal Affairs and questioned about the incident. Plaintiff told Internal Affairs about the phone calls, but said that was all Plaintiff knew. Sergeant Heath Boackle (hereinafter "Boackle"), who was also in narcotics, was instructed to investigate Plaintiff. Plaintiff explained that Plaintiff had no idea how JCSO information was leaked. While Plaintiff was talking to Lieutenant Deramus (hereinafter "Deramus") and Boackle, Plaintiff received a call from District Attorney Investigator Anthony Williams. Williams stated that he was at the bar next door to the hookah lounge and ran into Cordell Carter who told Williams that the JCSO was about to hit Carter's business. Carter ended by saying, "Y'all got a leak in your unit." Investigator Williams submitted a written statement and Plaintiff turned it over to Boackle. Two weeks later, Plaintiff asked Boackle if Boackle interviewed Chris Coleman and Cordell Carter and Boackle said that he had investigated them. A month went by and none of the investigators in the narcotics unit that Plaintiff supervised would give Plaintiff any information pertaining to their cases. Two of the investigators later told Plaintiff that they were instructed not to give Plaintiff any information pertaining to their cases.

32. It was later determined that the two new undercover investigators that Plaintiff previously talked to were sent out to do surveillance. Two jail deputies were there working

security and recognized the undercover investigators. One of the undercover investigators asked one of the uniformed deputies to take a picture of the building's front door and he did so. Those two uniformed deputies then went to Cordell Carter and told Carter that the narcotics unit was about to hit Carter's building. This information was discovered when one of the new undercover investigators admitted to Deramus that he warned Carter. No investigation was conducted as to why the Carter warning was not brought to light earlier. The two deputies working the club were suspended for five days for working an off duty job without authorization. However, Plaintiff was subjected to a full blown investigation.

33. In January 2023, Plaintiff was a part of the arrest of Luman Laten (hereinafter "Laten") who was arrested for drug trafficking. Plaintiff also recovered over a million dollars of U.S. Currency from Laten's home. Plaintiff interviewed Laten and Plaintiff decided to adopt Laten's case as a federal case and work the case from the FBI office. In the weeks after Laten's arrest, Plaintiff began to receive word that Laten had solicited Ma' Kaveus Ferguson (hereinafter "Ferguson") to kill Plaintiff. Ferguson is the son of a woman Laten claims to have dated when Laten was released from prison. When Plaintiff interviewed Laten, Laten expressed to Plaintiff that Ferguson was like a son to Laten. Ferguson is a known drug dealer who is known to drive around in stolen vehicles.

34. Plaintiff's unit commander, the FBI and the JCSO Administration were advised of the murder for hire plot against Plaintiff. There were approximately three confidential sources who called either Plaintiff, or other narcotics agents in regard to the plot. Members of the narcotics unit set out to locate Ferguson. Plaintiff and Detective K. McWaine (hereinafter "McWaine") went to the county jail to interview Laten again and to confront Laten about the murder-for-hire plot. Laten said that Laten never ordered a hit on Plaintiff's life and if Ferguson

was doing that, Ferguson was doing it on his own. Laten later stated that he heard that there was a hit out on Laten's and Ferguson's life. Plaintiff advised Laten that theory made no sense.

35. During the time that Plaintiff was looking for Ferguson, there was a complaint that came into the JCSO about a man who brutally killed a puppy. Boackle, who had been promoted to Lieutenant, who was a sergeant at the time, and was on the board of the Birmingham Humane Society (hereinafter "BHS"), stated that the CEO of the BHS, had the killing of the puppy on video and was wanting Pettway to do something about it.

36. On February 21, 2023, the JCSO Narcotics Unit got into a vehicle pursuit with Ferguson, but lost sight of him. The Narcotics Unit set out to track Ferguson again on February 22, but Pettway called them off and ordered them to track down and locate the subject who was seen on video killing the puppy. Plaintiff wasn't involved in that arrest, but on the next day the Narcotics unit located and attempted to apprehend Ferguson again. Ferguson evaded capture, but the vehicle was recovered and contained a trafficking amount of illegal drugs and drug paraphernalia.

37. On February 24, 2023, Plaintiff led the Narcotics Unit in the search for Ferguson and Ferguson was apprehended with a fully automatic rifle and a fully automatic Glock pistol. Pettway was more concerned about apprehending a man who killed a puppy than he was about apprehending the man who allegedly had a hit out on the life of the Plaintiff.

38. On or about May 5, 2023, Plaintiff, who is a member of Omega Psi Phi Fraternity Incorporated, and Beta Mu Nu had a probate introducing 29 new members into the fraternity. After the probate Plaintiff attended a cookout at the fraternity house in Calera, Alabama. There were two members from another chapter who seemed to be looking for trouble and at one point a scuffle broke out. Plaintiff approached the individuals involved in the scuffle in an attempt to

intervene when one of the other chapter members drew a handgun and pointed it at one of Plaintiff's chapter members. Plaintiff stepped between the individual who was holding the gun and the person he was pointing the gun at and convinced him after some coaxing to put the gun away. The individual put the gun in a holster he was wearing, but the other individual he was with ran toward Plaintiff aggressively, sparking another scuffle that Plaintiff was not a part of. The individual who had the gun then attempted to draw the gun again, but members wrapped their arms around him while others attempted to calm his friend. The individual with the gun turned his hip toward Plaintiff and asked Plaintiff to take the gun. As Plaintiff reached for the gun, the individual's friend broke free and attempted to grab the gun. The gun owner then reached down and was shot in the hand. Both of the individuals fled to their car and left the fraternity house. Plaintiff called police and made a report. It was after midnight by the time the report was made. Plaintiff called his supervisor later that morning and advised the supervisor of the incident. The supervisor called Plaintiff back because the supervisor wanted to know why Plaintiff did not call when the incident happened. Plaintiff replied that there was no need to call and that there is no policy that says Plaintiff should have called.

39. The following Monday, Plaintiff was called into Internal Affairs and questioned about the incident. Plaintiff was asked if Plaintiff shot or punched the subject and who was involved in the scuffle. Plaintiff explained that Plaintiff was focused on the man with the gun and paid no attention to who was trying to calm down the other individual. Plaintiff was asked why Plaintiff did not immediately call Plaintiff's supervisor and Plaintiff explained that he was not required to so, but called later that morning. Plaintiff was told by internal affairs not to discuss the case with anyone.

40. The following day, Plaintiff was at the JCSO Academy preparing to teach the Ethics class that Plaintiff had taught for several years. Plaintiff walked into the director's office and there was Pettway, the Assistant Sheriff and the Chief Deputy, who are the top three people in the JCSO. Plaintiff turned to walk out and they yelled for me to come back. Pettway asked, "What happened?" (i.e., the incident mentioned above). Pettway then stated, "First, let me say that I'm glad you're ok, but what happened?" Plaintiff explained the incident, however, it was apparent that they had already been informed of the occurrence. Plaintiff explained to them that Plaintiff was unarmed and that if he had been armed he probably would have killed the individual. Chief Deputy Willie Hill (hereinafter "Hill") stated that Plaintiff was out of policy for not having his firearm. Plaintiff explained that policy forbids us to carry firearms in places where alcohol is being served. Hill then stated that Plaintiff did not do a use of force report. Plaintiff replied, "I never touched anyone.!" Plaintiff left the office and went on to teach Plaintiff's class. Plaintiff was then summoned back to Internal Affairs where Plaintiff was told that Internal Affairs had been advised that Plaintiff was talking about the case after being told not to do so. Plaintiff told Internal Affairs that Plaintiff told the top three officials in the JCSO. Internal Affairs reiterated their warning. One of the top three officials from JCSO that I spoke to about the case reported to Internal Affairs that Plaintiff talked about the case. Plaintiff asserts that the questioning by the top three JCSO officials and subsequent disclosure to Internal Affairs, was meant to harass and retaliate against Plaintiff.

41. Plaintiff later received a call from Assistant Sheriff Anthony Pippen (hereinafter "Pippen") telling Plaintiff, "Doc, you should have told them you couldn't talk about the case!" "Why did you talk about it?" Plaintiff explained to Pippen that they were discussing the incident with Plaintiff as if they already had information and Plaintiff was sure that they did.

42. One, or two days later Plaintiff was called back into Internal Affairs where Plaintiff was interviewed by Captain James Perry (hereinafter “Perry”) and Deputy Timothy Graham (hereinafter “Graham”). Perry stated that Plaintiff violated policy by not notifying Plaintiff’s supervisor immediately. Plaintiff told Perry that there was no such policy. Perry demanded that there was and Plaintiff asked Perry to show it to Plaintiff. Perry later conceded that the policy did not exist. Plaintiff then told Perry and Graham that Plaintiff was tired of the harassment by the JCSO. Perry stated to Plaintiff to be careful of what Plaintiff says.

43. In August 2022, Deramus was reassigned from the Narcotics Division to the Internal Affairs Division. However, after only being reassigned a few days, Deramus began coming back to the Narcotics Division to work. Plaintiff asked Deramus why he was not at his new office. The only reply Deramus had was, "I can't work up there." Deramus was later reassigned back to the Narcotics Division. Deramus retired in July 2023.

44. On or about July 13, 2023, Plaintiff and two other deputies were sued by an individual who claimed that we chased him, beat him and kicked all of his teeth out. The claimant also stated that Plaintiff denied claimant medical care. Plaintiff did in fact chase the subject who Plaintiff purchased an ounce of methamphetamine from at a Fultondale dentist office. The claimant wrecked his car and fled on foot, but was apprehended by two of Plaintiff’s deputy co-workers. Plaintiff observed the apprehension and there was no aggressive force utilized. Plaintiff went to the dentist office and subpoenaed the claimant’s dental records that showed claimant had all of claimant’s teeth pulled in preparation for permanent dentures. Plaintiff also recovered vehicle camera footage of Plaintiff asking the claimant if claimant needed medical attention or the paramedics. Plaintiff emailed this information to Deputy Chief NaShonda Howard (hereinafter “Howard”) who was a Captain at the time, but Plaintiff never got a response from Howard, so

Plaintiff called Howard a day or two later. Howard advised Plaintiff that Howard had received the information, but then stated said to Plaintiff, "I thought we were better than that." Plaintiff asked Howard what she meant by her statement and Howard replied, "How you gonna let Lieutenant Deramus talk about me and not let me know." "I'm disappointed with you." Plaintiff stated to Howard that Plaintiff never heard Deramus say anything negative about Howard. Howard replied, "That's not what I heard." Plaintiff repeated to Howard Plaintiff never heard Deramus say anything negative about Howard. Plaintiff explained to Howard that Plaintiff grew up with Deramus and when they were teens, a group of them would go to the mall and to the movies on the weekend and that they would forget Deramus was with them because Deramus never talks. Howard repeated, "I thought we were better than that." Plaintiff explained to Howard that Plaintiff knew Deramus since Plaintiff and Deramus were 10 years old and that Plaintiff has never heard Deramus say anything negative about anyone. After that conversation with Howard, Plaintiff believed Howard had animosity toward Plaintiff. Howard has a negative reputation in the JCSO.

45. In 2019, Howard taught a supervisors class at the academy which was more like a lecture of how Howard was going to destroy whoever Howard could. At one point in Howard's session, Howard stated that people rarely beat Howard's cases, but if they did, Howard would get them for something else. Every Sergeant working for the JCSO who attended that class heard her statements and still talk about it today.

46. In September 2023, Plaintiff was wrongfully detained and questioned by Internal Affairs under duress and forced to answer questions regarding any investigation into Pettway and/or his brother, Bruce Pettway. Plaintiff reported the above misuse of office by Pettway to the FBI, IRS, Alabama Attorney General's Office and the Alabama Ethics Commission.

47. Plaintiff was called into internal affairs and read Plaintiff's Garrity rights. Plaintiff was told that an official investigation had been open on Plaintiff, but Plaintiff was not told what the investigation entailed. Echols interviewed Plaintiff one-on-one. Plaintiff asserts that Echols was focused on whether Pettway and his brother, Bruce Pettway, were being investigated by the FBI.

48. In December 2023, Plaintiff received a call from Demetrious Hines who stated that Hines' brother told Demetrious Hines that Bruce Pettway instructed Demetrious Hines to call Plaintiff and tell Plaintiff that Bruce Pettway wanted to meet with Plaintiff. Plaintiff was to call Sheriff Pettway to set the meeting up. According to Demetrious Hines, his brother said after Demetrious Hines called the Plaintiff, Bruce told Demetrious Hines not to talk to Plaintiff anymore and not to answer any of Plaintiff's calls. Demetrious Hines said Bruce Pettway stated to him, "I'll make sure you and your brother don't get in any trouble." The discussions with Demetrious Hines caused me to be investigated and placed on administrative leave.

49. On December 28, 2023, Plaintiff had been ordered to call Internal Affairs every morning at 0800 hours to report in. Plaintiff did so without missing a date. Plaintiff called Internal Affairs to advise Internal Affairs investigator Deputy Persall that Plaintiff had major surgery scheduled for December 29, 2023 and would likely be in the hospital until December 31, 2023. On December 29, 2023, Plaintiff had two fusions of his cervical spine. Plaintiff suffered from chronic pain after the surgery and was on pain medication.

50. On January 2, 2024, Plaintiff called Internal Affairs to check in at 0800 hours and was instructed by Deputy Constance Echols (hereinafter "Echols") to report to Internal Affairs. Washington had taken Plaintiff to the barber shop that morning, so they were less than three minutes away from the JCSO. When Plaintiff reported, Plaintiff was served with a hearing date

for a disciplinary hearing which was to be held in two days on Thursday January 4, 2024 at 0930 hours. Confused, Plaintiff asked Echols to explain to Plaintiff the reason for Plaintiff having to report to Internal Affairs. Plaintiff just had major surgery three days prior, was released from the hospital 24 hours earlier, and Internal Affairs was aware.

51. On January 3, 2024, Plaintiff's surgeon sent Internal Affairs a letter telling them that Plaintiff should not be interviewed at this time due to the pain, the extent of the surgery and the amount of medication Plaintiff was taking.

52. Plaintiff asserts it careless and incompetent of Internal Affairs to call Plaintiff in for a hearing so soon after surgery. Plaintiff asserts harassment and retaliation. Plaintiff was told by a source of information that Pettway was in a hurry to terminate Plaintiff. Plaintiff discovered that Pettway pursued an injunction to halt any investigative agency from obtaining information pertaining to an investigation Pettway himself instructed Internal Affairs to conduct on Plaintiff. Pettway's instructions were unethical. Pettway used his office to determine if Pettway was being investigated. Pettway cannot use JCSO investigators to compel another law enforcement officer to disclose if that officer has information pertaining to illegal activity being conducted by Pettway, or his brother, Bruce Pettway.

53. On January 11, 2024 Plaintiff was terminated by Pettway.

54. Plaintiff has endured severe and pervasive harassment and retaliation from Pettway and his administration.

55. Plaintiff had never been disciplined in 28 years as an employee of JCSO. Plaintiff has been called to Internal Affairs within the past two years of employment than Plaintiff had in the previous 25 years combined. None of the accusations made by Internal Affairs in any of the investigations were violations and Plaintiff was never advised what action constituted which

disciplinary charge. The charges against Plaintiff and the subsequent disciplines were erroneous and unjust and not supported by substantial legal evidence.

56. Plaintiff appealed his termination. Plaintiff was subjected to hearings for the charges of (1) using Plaintiff's position for personal gain, (2) lying during an Internal Affairs investigation, (3) treatment towards others and (4) conduct unbecoming of a law enforcement officer.

57. During the hearings Plaintiff's attorney, Hube Dodd (hereinafter "Dodd"), asked Echols what Plaintiff was under investigation for when Plaintiff was initially called into Internal Affairs. Dodd asked Echols if Dodd was correct in asking if Internal Affairs opens investigations when there are (1) policy violations, (2) violations of the law and (3) complaints of some type of impropriety. Echols testified that Mr. Dodd was correct. Dodd asked, "At the time Sergeant Washington was called to Internal Affairs, had he violated any laws, or policies?" Echols testified, "No". Dodd asked if there was a complaint of impropriety against Sergeant Washington. Echols testified "No."

58. Plaintiff asserts that the investigations by JCSO were opened against Plaintiff with no claim or evidence of Plaintiff committing any violations of the Rules and Regulations of the JCSO, or the Personnel Board of Jefferson County and were done so with malice, willfully and intentionally, and outside the protections afforded the Defendants by any claim of immunity.

59. On July 23, 2024 Plaintiff, as ordered by the Personnel Board of Jefferson County, was reinstated.

60. On July 25, 2024 Plaintiff inquired about when he was to return to duty and was instructed to wait.

61. On July 26, 2024 Plaintiff contacted Human Resources for JCSO and was informed he had no benefits, only credit for 23 years of service despite having more, and was still not given a return date.

62. On July 28, 2024 Plaintiff discovered that Howard was out of the country and had instructed her subordinates to NOT return the Plaintiff to duty.

63. On July 29, 2024 Plaintiff contacted the Personnel Board of Jefferson County for guidance and was instructed that no one was available to assist Plaintiff.

64. On July 30, 2024 Plaintiff contacted HR again for a return date and was instructed that Plaintiff was still not in the system. Plaintiff sent an email to Captain Perry advising Perry that HR marked him as active with no benefits and zero payroll.

65. That same day Perry responded by instructing Plaintiff to report to the Birmingham Division jail evening shift.

66. On July 31, 2024 Plaintiff reported to the jail, however, Plaintiff had no computer access nor was he on the payroll.

67. On August 5, 2024 Plaintiff still had NO access to the computer system nor was he on the payroll.

68. On August 6, 2024 Plaintiff not on payroll, had no access to KRONOS, or the UKG system, and still no access to the computer system.

69. On August 16, 2024 Plaintiff was still not properly authorized or equipped with the proper tools to do his job nor was his retirement information correct. Pettway and Howard are directly responsible for the problems Plaintiff is having getting properly reinstated.

70. On August 29, 2024 Plaintiff was forced to resign due to the Defendants malicious, intentional, harassment and retaliation that was so severe and pervasive that no reasonable person could work in the hostile work environment.

CAUSES OF ACTION

COUNT I

INTENTIONAL TORTIOUS INTERFERENCE WITH CONTRACTUAL AND BUSINESS RELATIONS AGAINST ALL DEFENDANTS IN THEIR INDIVIDUAL CAPACITIES

1. Plaintiff adopts and incorporates the above paragraphs as if set out fully herein.
2. Defendants, in their individual capacities, did intentionally interfere with Plaintiff's contractual and business relationships by intentionally subjecting the Plaintiff to baseless investigations, conducting sham investigations that were incomplete and retaliatory, disciplining Plaintiff, retaliating against the Plaintiff by assigning Plaintiff to the corrections division on the evening shift despite Plaintiff having specialized training and knowledge and seniority, tampering with the Plaintiff's pension status, and failing to provide the Plaintiff with the proper authorizations to perform his duties after he returned to duty following Plaintiff's unlawful termination.
3. As a result of Defendant's actions, Plaintiff suffered financially and emotionally.
4. Plaintiff has suffered diminished reputation, mental anxiety, depression, and financially from the false statements and actions of the Defendants.

COUNT II

WRONGFUL TERMINATION/CONSTRUCTIVE DISCHARGE/RETALIATION/HOSTILE WORK ENVIRONMENT AGAINST ALL DEFENDANTS

1. The Plaintiff realleges and incorporates by reference paragraphs 16-37.
2. The Defendant did wrongfully cause the Plaintiff to resign his employment due to false and insufficient allegations of rules violations, harassment, retaliation, disciplinary assignments, and a failure to properly reinstate the Plaintiff after being ordered to do so by the Personnel Board of Jefferson County.

COUNT III

FOURTEENTH AMENDMENT PROCEDURAL DUE PROCESS – PROPERTY INTEREST 42 U.S.C. § 1983 AGAINST ALL DEFENDANTS

1. Plaintiff was a "for-cause" employee with a protected property interest in his continued employment. This interest vested six months after his hire date.
2. Defendants deprived Plaintiff of this property interest without a meaningful hearing or an impartial decision-maker by terminating Plaintiff on January 11, 2023 and by forcing his resignation on August 29, 2024.
3. The termination process was a constitutionally deficient "sham" because: a. Sheriff Pettway had already approved Plaintiff's termination prior to the Plaintiff's determination hearing. b. The hearing served as a "kangaroo court" with a predetermined outcome.

COUNT IV

CIVIL CONSPIRACY TO VIOLATE CIVIL RIGHTS 42 U.S.C. § 1983 AGAINST ALL DEFENDANTS

1. Defendants reached a meeting of the minds to retaliate against Plaintiff and deprive him of his constitutional rights.
2. The conspiracy is evidenced by the coordinated nature of Defendants' actions, including:

- a The synchronized timing of disciplinary actions.
 - b The deliberate disciplinary investigations meant to chill the ability of the Plaintiff to conduct investigations whether real or imagined.
 - c The repeated characterization of Plaintiff as a liar during meetings, reflecting a shared intent to isolate, marginalize, and remove Plaintiff from the JCSO rather than address the misconduct he reported.
3. Each Defendant took overt acts in furtherance of this conspiracy.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, the Plaintiff prays that this Court grant:

- (a) Actual and compensatory damages arising from the Defendants violation of the Plaintiffs Fourteenth Amendment Right to a property interest., hostile work environment, wrongful termination, and retaliatory discharge;
- (b) Reasonable and necessary attorney's fees and costs; and
- (c) Any further relief this honorable Court deems just and proper.

Respectfully Submitted,

/s/ Scott T. Morro

Scott T. Morro, (MOR151)
 MORRO LAW CENTER, LLC
 P.O. Box 1644
 Gardendale, AL35071
 (205) 631-6301
 morrolawcenter@bellsouth.net
Attorney for Plaintiff

THE PLAINTIFF WILL SERVE THE DEFENDANTS BY SPECIAL PROCESS SERVER:

SUMMONS
- CIVIL -

Court Case Number
01-CV-2026-900119.00

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA COUNTY, ALABAMA
JUDE WASHINGTON V. MARK PETTWAY ET AL

NOTICE TO: MARK PETTWAY, 2200 EIGHTH AVENUE NORTH, BIRMINGHAM, AL 35203

(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S),
SCOTT THOMAS MORRO MR

[Name(s) of Attorney(s)]

WHOSE ADDRESS(ES) IS/ARE: P.O. Box 1644, Gardendale, AL 35071

[Address(es) of Plaintiff(s) or Attorney(s)]

THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

**TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL
PROCEDURE TO SERVE PROCESS:**

☒ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

☐ Service by certified mail of this Summons is initiated upon the written request below of
pursuant to the Alabama Rules of the Civil Procedure.

[Name(s)]

01/11/2026

(Date)

/s/ JACQUELINE ANDERSON SMITH

(Signature of Clerk)

By:

(Name)

☐ Certified Mail is hereby requested.

(Plaintiff's/Attorney's Signature)

RETURN ON SERVICE

Certified Mail

☐ Return receipt of certified mail received in this office on

(Date)

Personal/Authorized

☐ I certify that I personally delivered a copy of this Summons and the Complaint or other document to

in

County, Alabama on

(First and Last Name of Person Served)

(Name of County)

(Date)

Document left:

- ☐ with above-named Defendant;
- ☐ with an individual authorized to receive service of process pursuant to Rule 4(c), Alabama Rules of Civil Procedure;
- ☐ at the above-named Defendant's dwelling house or place or usual place of abode with some person of suitable age and discretion then residing therein.

Return of Non-Service

☐ I certify that service of process of this Summons and the Complaint or other document was returned- Not Found

☐ I certify that service of process of this Summons and the Complaint or other document was refused by

in

County, Alabama on

who is:

(First and Last Name of Person Served)

(Name of County)

(Date)

- ☐ the above-named Defendant;
- ☐ an individual authorized to receive service of process pursuant to Rule 4(c), Alabama Rules of Civil Procedure;

☐ As a designated process server pursuant to Rule 4(i)(1)(B), Alabama Rules of Civil Procedure, I certify that I am at least 19 years of age, I am not a party to this proceeding, and I am not related within the third degree by blood or marriage to the party seeking service of process.

(Type of Process Server)

(Server's Signature)

(Address of Server)

(Badge or Precinct Number of Sheriff or Constable)

(Server's Printed Name)

(Badge or Precinct Number of Sheriff or Constable)

(Telephone Number of Designated Process Server)

Service Return Copy





AlaFile E-Notice

01-CV-2026-900119.00

To: NASHONDA HOWARD
2200 EIGHTH AVENUE NORTH
BIRMINGHAM, AL, 35203

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

JUDE WASHINGTON V. MARK PETTWAY ET AL
01-CV-2026-900119.00

The following complaint was FILED on 1/11/2026 4:19:33 PM

Notice Date: 1/11/2026 4:19:33 PM

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
716 RICHARD ARRINGTON, JR BLVD
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov

SUMMONS
- CIVIL -

Court Case Number
01-CV-2026-900119.00

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA COUNTY, ALABAMA
JUDE WASHINGTON V. MARK PETTWAY ET AL

NOTICE TO: NASHONDA HOWARD, 2200 EIGHTH AVENUE NORTH, BIRMINGHAM, AL 35203

(Name and Address of Defendant)

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SCOTT THOMAS MORRO MR

[Name(s) of Attorney(s)]

WHOSE ADDRESS(ES) IS/ARE: P.O. Box 1644, Gardendale, AL 35071

[Address(es) of Plaintiff(s) or Attorney(s)]

THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

**TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL
PROCEDURE TO SERVE PROCESS:**

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☐ Service by certified mail of this Summons is initiated upon the written request below of
pursuant to the Alabama Rules of the Civil Procedure.

[Name(s)]

01/11/2026

(Date)

/s/ JACQUELINE ANDERSON SMITH

(Signature of Clerk)

By:

(Name)

☐ Certified Mail is hereby requested.

(Plaintiff's/Attorney's Signature)

RETURN ON SERVICE

Certified Mail

☐ Return receipt of certified mail received in this office on

(Date)

Personal/Authorized

☐ I certify that I personally delivered a copy of this Summons and the Complaint or other document to

in

County, Alabama on

(First and Last Name of Person Served)

(Name of County)

(Date)

Document left:

- ☐ with above-named Defendant;
- ☐ with an individual authorized to receive service of process pursuant to Rule 4(c), Alabama Rules of Civil Procedure;
- ☐ at the above-named Defendant's dwelling house or place or usual place of abode with some person of suitable age and discretion then residing therein.

Return of Non-Service

☐ I certify that service of process of this Summons and the Complaint or other document was returned- Not Found

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in

County, Alabama on

who is:

(First and Last Name of Person Served)

(Name of County)

(Date)

- ☐ the above-named Defendant;
- ☐ an individual authorized to receive service of process pursuant to Rule 4(c), Alabama Rules of Civil Procedure;

☐ As a designated process server pursuant to Rule 4(i)(1)(B), Alabama Rules of Civil Procedure, I certify that I am at least 19 years of age, I am not a party to this proceeding, and I am not related within the third degree by blood or marriage to the party seeking service of process.

(Type of Process Server)

(Server's Signature)

(Address of Server)

(Badge or Precinct Number of Sheriff or Constable)

(Server's Printed Name)

(Badge or Precinct Number of Sheriff or Constable)

(Telephone Number of Designated Process Server)



ELECTRONICALLY FILED

1/11/2026 4:19 PM

01-CV-2026-900119.00

CIRCUIT COURT OF

JEFFERSON COUNTY, ALABAMA

JACQUELINE ANDERSON SMITH, CLERK

Case:

01

Date of Filing:

01/11/2026

Judge Code:

State of Alabama
Unified Judicial System
Form ARCiv-93 Rev. 9/25

COVER SHEET
CIRCUIT COURT - CIVIL CASE
(Not For Domestic Relations Cases)

GENERAL INFORMATION

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
JUDE WASHINGTON v. MARK PETTWAY ET AL

First Plaintiff: ☐ Business ☒ Individual ☐ Government ☐ Other
First Defendant: ☐ Business ☒ Individual ☐ Government ☐ Other

NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best characterizes your action:

TORTS: PERSONAL INJURY

- ☐ WDEA - Wrongful Death
☐ TONG - Negligence: General
☐ TOMV - Negligence: Motor Vehicle
☐ TOWA - Wantonness
☐ TOPL - Product Liability/AEMLD
☐ TOMM - Malpractice-Medical
☐ TOLM - Malpractice-Legal
☐ TOOM - Malpractice-Other
☐ TBFM - Fraud/Bad Faith/Misrepresentation
☐ TOXX - Other: _____

TORTS: PERSONAL INJURY

- ☐ TOPE - Personal Property
☐ TORE - Real Property

OTHER CIVIL FILINGS

- ☐ ABAN - Abandoned Automobile
☐ ACCT - Account & Nonmortgage
☐ APAA - Administrative Agency Appeal
☐ ADPA - Administrative Procedure Act
☐ ANPS - Adults in Need of Protective Service

OTHER CIVIL FILINGS (cont'd)

- ☐ MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/Enforcement of Agency Subpoena/Petition to Preserve
☐ CVRT - Civil Rights
☐ COND - Condemnation/Eminent Domain/Right-of-Way
☐ CTMP - Contempt of Court
☐ CONT - Contract/Ejectment/Writ of Seizure
☐ TOCN - Conversion
☐ EQND - Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contest/Quiet Title/Sale For Division
☐ CVUD - Eviction Appeal/Unlawful Detainer
☐ FORJ - Foreign Judgment
☐ FORF - Fruits of Crime Forfeiture
☐ MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition
☐ PFAB - Protection From Abuse
☐ EPFA - Elder Protection From Abuse
☐ QTLB - Quiet Title Land Bank
☐ FELA - Railroad/Seaman (FELA)
☐ RPRO - Real Property
☐ WTEG - Will/Trust/Estate/Guardianship/Conservatorship
☐ COMP - Workers' Compensation
☒ CVXX - Miscellaneous Circuit Civil Case

ORIGIN: F ☒ **INITIAL FILING**
A ☐ **APPEAL FROM DISTRICT COURT**

P ☐ **APPEAL FROM PROBATE COURT**
O ☐ **OTHER**

HAS JURY TRIAL BEEN DEMANDED? ☒ YES ☐ NO

Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P., for procedure)

RELIEF REQUESTED: ☒ **MONETARY AWARD REQUESTED** ☐ **NO MONETARY AWARD REQUESTED**

ATTORNEY CODE:

MOR151

1/11/2026 4:19:32 PM

Date

/s/ SCOTT THOMAS MORRO MR

Signature of Attorney/Party filing this form

MEDIATION REQUESTED: ☒ YES ☐ NO ☐ UNDECIDED

Election to Proceed under the Alabama Rules for Expedited Civil Actions: ☐ YES ☐ NO



**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
 BIRMINGHAM DIVISION**

JUDE WASHINGTON,

Plaintiff,

Vs.

**MARK PETTWAY, NASHONDA
 HOWARD, and CONSTANCE ECHOLS**

Defendants.

CIVIL ACTION NO.

COMPLAINT

NOW COMES, the Plaintiff, Jude Washington, (hereinafter “Plaintiff”) by and through his attorney of record, Scott T. Morro, and brings this complaint against the Defendants, Mark Pettway (hereinafter “Pettway”), Nashonda Howard (hereinafter “Howard”), and Constance Echols (hereinafter “Echols”), (Collectively “Defendants”), requesting relief for tortious interference with a business relationship, hostile work environment, wrongful termination/retaliatory discharge, and a violation of the Plaintiff’s Fourteenth Amendment right to a property interest, namely Plaintiff’s employment.

BACKGROUND

1. At the time of the averments made in this Complaint the Plaintiff and Defendants were employed by Jefferson County Sheriff’s Office (hereinafter “JCSO”), Jefferson County, Alabama. The Defendants continue to be employed with the JCSO.

2. On January 11, 2024, the Plaintiff was terminated by the Defendants.

3. On July 23, 2024, the Plaintiff was reinstated by the Personnel Board of Jefferson County, less a forty- five (45) day suspension.

4. On August 29, 2024, Plaintiff resigned his employment after having been retaliated against by the Defendants to the extent that no reasonable person would continue to maintain their employment.

5. The Defendants are responsible for the acts of retaliation committed against the Plaintiff.

JURISDICTION AND VENUE

6. Plaintiff brings this action pursuant to Ala. Code §6-2-38, the Fourteenth Amendment of the Constitution of the United States, and 42 U.S.C. § 1983

7. Subject matter jurisdiction of this Court is invoked pursuant to Ala. R. Civ. P. 82.

8. This action is brought within the State where the wrongful termination was committed, making venue proper under Ala. R. Civ. P. 82.

9. Venue is proper in this Honorable Court.

JURY DEMAND

10. Plaintiff hereby demands that all eligible claims be tried to a jury.

PARTIES

11. Plaintiff Washington (“Plaintiff”), is a male citizen of the United States and of the State of Alabama. He is a resident of this Judicial District and Division.

12. Defendant Pettway, is a male citizen of the United States and of the State of Alabama. He is a resident of this Judicial District and Division.

13. Defendant Howard, is a female citizen of the United States and of the State of Alabama. She is a resident of this Judicial District and Division.

14. Defendant Echols, is a female citizen of the United States and of the State of Alabama. She is a resident of this Judicial District and Division.

STATEMENT OF FACTS

15. In 1998, the Plaintiff was hired by the JCSO.

16. In 2007, the Plaintiff was assigned to the Federal Bureau of Investigation Task Force after having established a stellar work history.

17. In September 2018, Mark Pettway solicited an endorsement from the Progressive Democrats Political Action Committee (PAC) along with several other candidates for various positions, including the sheriff's of Jefferson County, Alabama position. The body of the organization voted for who it would endorse, but when it got to the sheriffs' race, the president of the PAC, Emory Anthony (hereinafter "Anthony"), said that they were endorsing Mark Pettway. A member of the PAC asked why the PAC was not voting. Anthony said that Pettway was the only person who showed up to the interview. Wilson Hale (hereinafter "Hale"), who was also a sheriff candidate, raised his hand and said that he interviewed. Anthony then implemented a vote amongst the body. Pettway was not present. The vote was 11 to 4 for Hale. Hale received the endorsement. The next day Plaintiff was at work about to execute a search warrant. Plaintiff received a call from Pettway. Plaintiff answered and Pettway immediately asked, "What happened?" Plaintiff replied, "What?" Pettway again angrily asked, "What happened?" Plaintiff asked him what he was talking about and Pettway said, "My endorsement!" "Emory (Anthony) said that I had that endorsement!" Plaintiff told Pettway that it does not work that way and that we (PAC) had to vote on it. Pettway then said that he heard Plaintiff's wife had something to do with it (the endorsement). Plaintiff told Pettway that was not true and whoever told him (Pettway) that was a liar. Pettway continued ranting and accusing Plaintiff's wife of costing him an endorsement. Then Plaintiff heard another voice on the phone. It said, "Jude, this is Bruce, Mark's

brother." "Our sources tell us that your wife convinced Emory (Anthony) not to endorse Mark (Pettway)." Plaintiff explained that it was not true, but he (Bruce Pettway) insisted. Plaintiff responded telling them (Mark and Bruce Pettway) not to call me with such BS. Plaintiff hung up, but Pettway called back. Plaintiff told Pettway to call Anthony to get the facts. Pettway called Plaintiff back a few hours later and apologized. However, their relationship was totally soured by this encounter.

18. In 2019, Plaintiff was #5 on the Sheriffs promotional exam. Twelve (12) people were selected to be promoted to the rank of Lieutenant with Plaintiff being passed up.

19. In 2022, using the same promotional list, Pettway promoted two (2) more individuals to the rank of lieutenant who were lower on the list than the Plaintiff. Plaintiff would have been #1, or #2 on that list, yet Plaintiff was not promoted.

20. In 2016, Plaintiff wrote a legislative proposal to the State of Alabama that would allow law enforcement officers to issue citations for misdemeanor marijuana possession in lieu of arrests. Plaintiff's wife, Lynneice Washington (hereinafter "Washington"), who is the District Attorney for the Bessemer division of Jefferson County liked the idea and said that she would try to implement the idea.

21. In 2018, Pettway became the Sheriff of Jefferson County and Danny Carr (hereinafter "Carr") became the District Attorney for the Birmingham Division of Jefferson County. Washington met with Pettway and Carr in March of 2019 to pitch the idea regarding issuing citations for misdemeanor marijuana possession to them and they agreed to work together on the project. Washington told them that they would each have to speak to the leaders of all the municipal departments in Jefferson County to make sure they were on board. Pettway and Carr agreed.

22. In April of 2019, Plaintiff and Washington were surprised to see Pettway on the news stating that he (Pettway) was going to have his deputies issue citations only, no arrests, for misdemeanor marijuana charges and claiming the idea as Pettway's own. JCSO Captain David Agee, speaking on Pettway's behalf, stated to the media, "This is what police reform looks like."

23. On April 9, 2019, several bingo halls were raided in the Bessemer Division of Jefferson County and Pettway insinuated to the media that Plaintiff's wife, Bessemer District Attorney Washington, was the reason the AG raided them. Plaintiff and Washington heard from several judges and other political figures that Bruce Pettway was angry and accusing Washington of causing the raids.

24. In July 2019, due to the Marshea Jones case, (<https://www.npr.org/2019/06/28/737005113/woman-indicted-formanslaughter-after-death-of-her-fetus-may-avoid-prosecution>) and due to threats on Plaintiff's home phone, Washington called Pettway and asked if Pettway had any deputies who could escort her to Boutwell Auditorium where Washington was speaking that night. Pettway said that he could not provide any deputies for security. Pettway asked Washington, "Ain't Jude home?" Additionally, Washington asked Pettway if he could provide extra patrols at Washington's house. Pettway said he did not have the manpower. Washington thanked Pettway and ended the call. Washington called Birmingham Police Chief Patrick Smith who provided a security detail for Washington. Once Sheriff Pettway was aware that Birmingham police were providing security for Washington, Pettway sent several deputies to help out with the security detail. Washington thanked the deputies, but declined their help. Just an hour earlier Pettway claimed not to have the manpower.

25. On September 4, 2019, Plaintiff and Detective K. Dorsey were mistaken for someone else and the car they were in was shot up with assault rifles. No one was injured and

Bessemer Police caught the subjects responsible. Plaintiff and Dorsey were on that scene for hours and not one member of the Sheriff's Office administration came to the scene, or called to see if they were ok. Several police chiefs from surrounding areas did. Some came to the scene and others called. Four days later, Captain David Agee called, on behalf of Pettway, to ask Plaintiff and Dorsey if they were okay. Pettway told the media that he spoke with Plaintiff and Dorsey and that they were in good spirits. In fact, Pettway had not spoken to Plaintiff and Dorsey at all. Pettway saw Plaintiff walking weeks later and pulled his vehicle over to talk with Plaintiff. Pettway stated that he heard Plaintiff was a little upset about him (Pettway) not reaching out to Plaintiff and to charge to his head and not his heart. Pettway stated that he was at an event and had a lot going on. Pettway was at an event being held by District Attorney Danny Carr. Carr left his own event and came to our scene and advised us that the sheriff was there and was aware of the shooting.

26. In February 2020, Plaintiff created and proposed a sex trafficking unit and a multijurisdictional drug task force for the Jefferson County Sheriffs' Office and proposed these units to Pettway who approved and commissioned them. Plaintiff called every municipality in Jefferson County and only two agreed to be a part of the unit. The responses of those municipalities who declined were that of sarcasm.

27. On September 15, 2020, Mr. Antonio Bass (hereinafter "Bass") disappeared and his body was found near Pratt Hwy. Birmingham police found his body due to information Plaintiff received from a confidential source and passed along to them. Plaintiff received a call from Pettway instructing Plaintiff to give community activist Carlos Chaverist information pertaining to the case as well as other homicides along that area because Chaverist was investigating the case. Pettway claims that the killer of Antonio Bass was named Frank Matthews and that Plaintiff needed to look into him (Matthews). Plaintiff explained to the Pettway that Plaintiff would not be

giving Chaverist any information pertaining to that case, or any other case, and that Chaverist was not a trained investigator, nor was he a law enforcement officer. Pettway replied, "He helped solve the Cupcake case." Plaintiff told Pettway that as part of the FBI Safe Streets Task Force, Plaintiff was a part of the Cupcake investigation and that Chaverist had nothing to do with the case. Pettway again told Plaintiff that Frank Matthews was responsible for the death of Bass and that Plaintiff needed to look into it. Pettway asked Plaintiff to get information pertaining to how many bodies police have recovered around the same area the Bass' body was found and give that information to Chaverist. Plaintiff did not provide that information to Chaverist. Plaintiff explained this was a murder investigation and all information received is sensitive and providing it to someone outside of law enforcement could damage the outcome of the investigation.

28. On May 3, 2022, Washington holds a job fair every year for those with felonies on their records. During the 2022 primary election Pettway and Washington both had opposition. Though it was only two weeks before the election, Washington still marketed her upcoming job fair on social media. Felicia Rucker-Sumerlin (hereinafter "Rucker-Sumerlin") was a candidate running against Pettway. Rucker-Sumerlin shared the flier about my Washington's job fair from Washington's business FB account onto her (Rucker-Sumerlin) personal and campaign account. At 0804 hours while Plaintiff was out jogging, Plaintiff received a text from Pettway. The text was the image of the job fair flier from my Washington's Facebook account. Plaintiff texted the Pettway, "What's this for?" Pettway did not respond, so Plaintiff called Pettway. Plaintiff was going to inform Pettway about the job fair when Pettway said, "They're telling me that your wife and Felicia are trying to get me out of office!" Plaintiff explained that it was a job fair. Pettway complained that Washington did not invite Pettway. Plaintiff explained to Pettway that it was a month away and that they Pettway and Washington) both had an election in less than two weeks

to prepare for. Plaintiff explained to Pettway that Washington and Rucker-Sumerlin are cordial friends and do not talk to each other much, but when they do talk, it's not about him (Pettway).

Plaintiff waited a week before Plaintiff told Washinton about this incident and Washington Pettway. Pettway then called Plaintiff with Washington on the line laughing and said that Plaintiff must have misunderstood Pettway and that Pettway did not say those things. Plaintiff replied, "Sure you did." Plaintiff went on to explain to Pettway that Washington and Plaintiff have nothing against Pettway. Washington went on to explain how she has reached out to Pettway for joint ventures and Pettway never responds, how Pettway never invites Washington to any of Pettway's events, or even to academy graduations. Pettway put the miscommunication on his administrative assistant. Pettway then apologized for what he said when Plaintiff called him on the morning of May 3rd. Pettway stated he never should have sent the flier photo. Plaintiff asserts that the text sent by Pettway was meant to intimidate Plaintiff.

29. In June 2022, the Vice/Narcotics Unit was instructed by Pettway to conduct a drug investigation at a bingo hall on Centerpoint Parkway. Plaintiff found it strange that Pettway requested an investigation of illegal drug activity inside an illegal establishment. Later that year Pettway instructed Plaintiff to conduct investigations pertaining to illegal gaming at 8 bingo halls in Jefferson County, most in the Bessemer Division, where Washington is the district attorney. Pettway wanted all bingo halls shut down simultaneously after Plaintiff's investigation. After conducting research and considering the logistics of Pettway's plan, Plaintiff explained to the Pettway that Plaintiff did not have the manpower to do as Pettway requested. Pettway told Plaintiff to find a way. Pettway called and asked Washington for a copy of Washington's Cease and Desist letter and Washington refused because in 2019 when Washington issued two cease and desist letters to two bingo halls, Pettway and his brother, Bruce, convinced the gambling community

and local media that Washington was shutting down bingo halls. This was an effort to hurt Washington in the next election. A man was killed in one of the bingo halls Washington issued a letter to and in the other, community activist Carlos Chaverist sponsored a fellatio contest where a single guy had fellatio performed on him and he determined the winner. Plaintiff conducted the investigation and issued eight (8) cease and desist letters to eight (8) bingo halls. During the shut down, several of the bingo hall owners/operators asked why the Task Force was not shutting down the bingo halls affiliated with the Pettway's brother, Bruce Pettway. The files from this case were taken to the Attorney General's (hereinafter "AG") office at the request of the Pettway. A year later, the AG's office raided the bingo halls Plaintiff investigated. Pettway was doing the shutdowns to try and convince the AG that he was fighting illegal gambling. The AG's office did not know that the bingo halls Plaintiff investigated were selected by the Pettway. The bingo halls investigated and shut down were not affiliated with the Pettway's brother Bruce Pettway.

30. On September 8, 2022, The Jefferson County Sheriffs Office's Vice/Narcotics Division along with Jefferson County SWAT executed a narcotics search warrant at Carter's Hookah Lounge located at 512 Rev. Abraham Woods Jr Blvd. All phones belonging to narcotics investigators and SWAT operators were collected prior to briefing. Plaintiff left his phone on his desk in his office to charge. There was a class reunion taking place at the establishment, but the target and owner of the building fled prior to JCSO arriving. Two kilos of cocaine were recovered from the trash can in the women's bathroom. When JCSO returned from the warrant, which was after midnight, Plaintiff noticed he had four missed calls from a Barbra Carter, who Plaintiff do not know, and two from Chris Coleman (hereinafter "Coleman"), a DJ on a local radio station in Birmingham. Plaintiff called Coleman back, but Coleman did not answer. Coleman called Plaintiff at 0700 hrs the next morning and advised Plaintiff that Coleman called because Coleman

had a friend who owns a club who is an upstanding citizen and does nothing wrong. Coleman stated that the friend who called was told that the JCSO task force was about to hit his friend's business last night. Plaintiff asked who Coleman's friend was and Coleman said Cordell Carter who was the target of the JCSO investigation. Plaintiff asked Coleman who told him that the JCSO was about to hit the lounge and Coleman said that he was talking to Cordell and two guys walked up to him and told him that JCSO was coming. Plaintiff passed this information on to his supervisor.

31. Plaintiff was later called to Internal Affairs and questioned about the incident. Plaintiff told Internal Affairs about the phone calls, but said that was all Plaintiff knew. Sergeant Heath Boackle (hereinafter "Boackle"), who was also in narcotics, was instructed to investigate Plaintiff. Plaintiff explained that Plaintiff had no idea how JCSO information was leaked. While Plaintiff was talking to Lieutenant Deramus (hereinafter "Deramus") and Boackle, Plaintiff received a call from District Attorney Investigator Anthony Williams. Williams stated that he was at the bar next door to the hookah lounge and ran into Cordell Carter who told Williams that the JCSO was about to hit Carter's business. Carter ended by saying, "Y'all got a leak in your unit." Investigator Williams submitted a written statement and Plaintiff turned it over to Boackle. Two weeks later, Plaintiff asked Boackle if Boackle interviewed Chris Coleman and Cordell Carter and Boackle said that he had investigated them. A month went by and none of the investigators in the narcotics unit that Plaintiff supervised would give Plaintiff any information pertaining to their cases. Two of the investigators later told Plaintiff that they were instructed not to give Plaintiff any information pertaining to their cases.

32. It was later determined that the two new undercover investigators that Plaintiff previously talked to were sent out to do surveillance. Two jail deputies were there working

security and recognized the undercover investigators. One of the undercover investigators asked one of the uniformed deputies to take a picture of the building's front door and he did so. Those two uniformed deputies then went to Cordell Carter and told Carter that the narcotics unit was about to hit Carter's building. This information was discovered when one of the new undercover investigators admitted to Deramus that he warned Carter. No investigation was conducted as to why the Carter warning was not brought to light earlier. The two deputies working the club were suspended for five days for working an off duty job without authorization. However, Plaintiff was subjected to a full blown investigation.

33. In January 2023, Plaintiff was a part of the arrest of Luman Laten (hereinafter "Laten") who was arrested for drug trafficking. Plaintiff also recovered over a million dollars of U.S. Currency from Laten's home. Plaintiff interviewed Laten and Plaintiff decided to adopt Laten's case as a federal case and work the case from the FBI office. In the weeks after Laten's arrest, Plaintiff began to receive word that Laten had solicited Ma' Kaveus Ferguson (hereinafter "Ferguson") to kill Plaintiff. Ferguson is the son of a woman Laten claims to have dated when Laten was released from prison. When Plaintiff interviewed Laten, Laten expressed to Plaintiff that Ferguson was like a son to Laten. Ferguson is a known drug dealer who is known to drive around in stolen vehicles.

34. Plaintiff's unit commander, the FBI and the JCSO Administration were advised of the murder for hire plot against Plaintiff. There were approximately three confidential sources who called either Plaintiff, or other narcotics agents in regard to the plot. Members of the narcotics unit set out to locate Ferguson. Plaintiff and Detective K. McWaine (hereinafter "McWaine") went to the county jail to interview Laten again and to confront Laten about the murder-for-hire plot. Laten said that Laten never ordered a hit on Plaintiff's life and if Ferguson

was doing that, Ferguson was doing it on his own. Laten later stated that he heard that there was a hit out on Laten's and Ferguson's life. Plaintiff advised Laten that theory made no sense.

35. During the time that Plaintiff was looking for Ferguson, there was a complaint that came into the JCSO about a man who brutally killed a puppy. Boackle, who had been promoted to Lieutenant, who was a sergeant at the time, and was on the board of the Birmingham Humane Society (hereinafter "BHS"), stated that the CEO of the BHS, had the killing of the puppy on video and was wanting Pettway to do something about it.

36. On February 21, 2023, the JCSO Narcotics Unit got into a vehicle pursuit with Ferguson, but lost sight of him. The Narcotics Unit set out to track Ferguson again on February 22, but Pettway called them off and ordered them to track down and locate the subject who was seen on video killing the puppy. Plaintiff wasn't involved in that arrest, but on the next day the Narcotics unit located and attempted to apprehend Ferguson again. Ferguson evaded capture, but the vehicle was recovered and contained a trafficking amount of illegal drugs and drug paraphernalia.

37. On February 24, 2023, Plaintiff led the Narcotics Unit in the search for Ferguson and Ferguson was apprehended with a fully automatic rifle and a fully automatic Glock pistol. Pettway was more concerned about apprehending a man who killed a puppy than he was about apprehending the man who allegedly had a hit out on the life of the Plaintiff.

38. On or about May 5, 2023, Plaintiff, who is a member of Omega Psi Phi Fraternity Incorporated, and Beta Mu Nu had a probate introducing 29 new members into the fraternity. After the probate Plaintiff attended a cookout at the fraternity house in Calera, Alabama. There were two members from another chapter who seemed to be looking for trouble and at one point a scuffle broke out. Plaintiff approached the individuals involved in the scuffle in an attempt to

intervene when one of the other chapter members drew a handgun and pointed it at one of Plaintiff's chapter members. Plaintiff stepped between the individual who was holding the gun and the person he was pointing the gun at and convinced him after some coaxing to put the gun away. The individual put the gun in a holster he was wearing, but the other individual he was with ran toward Plaintiff aggressively, sparking another scuffle that Plaintiff was not a part of. The individual who had the gun then attempted to draw the gun again, but members wrapped their arms around him while others attempted to calm his friend. The individual with the gun turned his hip toward Plaintiff and asked Plaintiff to take the gun. As Plaintiff reached for the gun, the individual's friend broke free and attempted to grab the gun. The gun owner then reached down and was shot in the hand. Both of the individuals fled to their car and left the fraternity house. Plaintiff called police and made a report. It was after midnight by the time the report was made. Plaintiff called his supervisor later that morning and advised the supervisor of the incident. The supervisor called Plaintiff back because the supervisor wanted to know why Plaintiff did not call when the incident happened. Plaintiff replied that there was no need to call and that there is no policy that says Plaintiff should have called.

39. The following Monday, Plaintiff was called into Internal Affairs and questioned about the incident. Plaintiff was asked if Plaintiff shot or punched the subject and who was involved in the scuffle. Plaintiff explained that Plaintiff was focused on the man with the gun and paid no attention to who was trying to calm down the other individual. Plaintiff was asked why Plaintiff did not immediately call Plaintiff's supervisor and Plaintiff explained that he was not required to so, but called later that morning. Plaintiff was told by internal affairs not to discuss the case with anyone.

40. The following day, Plaintiff was at the JCSO Academy preparing to teach the Ethics class that Plaintiff had taught for several years. Plaintiff walked into the director's office and there was Pettway, the Assistant Sheriff and the Chief Deputy, who are the top three people in the JCSO. Plaintiff turned to walk out and they yelled for me to come back. Pettway asked, "What happened?" (i.e., the incident mentioned above). Pettway then stated, "First, let me say that I'm glad you're ok, but what happened?" Plaintiff explained the incident, however, it was apparent that they had already been informed of the occurrence. Plaintiff explained to them that Plaintiff was unarmed and that if he had been armed he probably would have killed the individual. Chief Deputy Willie Hill (hereinafter "Hill") stated that Plaintiff was out of policy for not having his firearm. Plaintiff explained that policy forbids us to carry firearms in places where alcohol is being served. Hill then stated that Plaintiff did not do a use of force report. Plaintiff replied, "I never touched anyone.!" Plaintiff left the office and went on to teach Plaintiff's class. Plaintiff was then summoned back to Internal Affairs where Plaintiff was told that Internal Affairs had been advised that Plaintiff was talking about the case after being told not to do so. Plaintiff told Internal Affairs that Plaintiff told the top three officials in the JCSO. Internal Affairs reiterated their warning. One of the top three officials from JCSO that I spoke to about the case reported to Internal Affairs that Plaintiff talked about the case. Plaintiff asserts that the questioning by the top three JCSO officials and subsequent disclosure to Internal Affairs, was meant to harass and retaliate against Plaintiff.

41. Plaintiff later received a call from Assistant Sheriff Anthony Pippen (hereinafter "Pippen") telling Plaintiff, "Doc, you should have told them you couldn't talk about the case!" "Why did you talk about it?" Plaintiff explained to Pippen that they were discussing the incident with Plaintiff as if they already had information and Plaintiff was sure that they did.

42. One, or two days later Plaintiff was called back into Internal Affairs where Plaintiff was interviewed by Captain James Perry (hereinafter “Perry”) and Deputy Timothy Graham (hereinafter “Graham”). Perry stated that Plaintiff violated policy by not notifying Plaintiff’s supervisor immediately. Plaintiff told Perry that there was no such policy. Perry demanded that there was and Plaintiff asked Perry to show it to Plaintiff. Perry later conceded that the policy did not exist. Plaintiff then told Perry and Graham that Plaintiff was tired of the harassment by the JCSO. Perry stated to Plaintiff to be careful of what Plaintiff says.

43. In August 2022, Deramus was reassigned from the Narcotics Division to the Internal Affairs Division. However, after only being reassigned a few days, Deramus began coming back to the Narcotics Division to work. Plaintiff asked Deramus why he was not at his new office. The only reply Deramus had was, "I can't work up there." Deramus was later reassigned back to the Narcotics Division. Deramus retired in July 2023.

44. On or about July 13, 2023, Plaintiff and two other deputies were sued by an individual who claimed that we chased him, beat him and kicked all of his teeth out. The claimant also stated that Plaintiff denied claimant medical care. Plaintiff did in fact chase the subject who Plaintiff purchased an ounce of methamphetamine from at a Fultondale dentist office. The claimant wrecked his car and fled on foot, but was apprehended by two of Plaintiff’s deputy co-workers. Plaintiff observed the apprehension and there was no aggressive force utilized. Plaintiff went to the dentist office and subpoenaed the claimant’s dental records that showed claimant had all of claimant’s teeth pulled in preparation for permanent dentures. Plaintiff also recovered vehicle camera footage of Plaintiff asking the claimant if claimant needed medical attention or the paramedics. Plaintiff emailed this information to Deputy Chief NaShonda Howard (hereinafter “Howard”) who was a Captain at the time, but Plaintiff never got a response from Howard, so

Plaintiff called Howard a day or two later. Howard advised Plaintiff that Howard had received the information, but then stated said to Plaintiff, "I thought we were better than that." Plaintiff asked Howard what she meant by her statement and Howard replied, "How you gonna let Lieutenant Deramus talk about me and not let me know." "I'm disappointed with you." Plaintiff stated to Howard that Plaintiff never heard Deramus say anything negative about Howard. Howard replied, "That's not what I heard." Plaintiff repeated to Howard Plaintiff never heard Deramus say anything negative about Howard. Plaintiff explained to Howard that Plaintiff grew up with Deramus and when they were teens, a group of them would go to the mall and to the movies on the weekend and that they would forget Deramus was with them because Deramus never talks. Howard repeated, "I thought we were better than that." Plaintiff explained to Howard that Plaintiff knew Deramus since Plaintiff and Deramus were 10 years old and that Plaintiff has never heard Deramus say anything negative about anyone. After that conversation with Howard, Plaintiff believed Howard had animosity toward Plaintiff. Howard has a negative reputation in the JCSO.

45. In 2019, Howard taught a supervisors class at the academy which was more like a lecture of how Howard was going to destroy whoever Howard could. At one point in Howard's session, Howard stated that people rarely beat Howard's cases, but if they did, Howard would get them for something else. Every Sergeant working for the JCSO who attended that class heard her statements and still talk about it today.

46. In September 2023, Plaintiff was wrongfully detained and questioned by Internal Affairs under duress and forced to answer questions regarding any investigation into Pettway and/or his brother, Bruce Pettway. Plaintiff reported the above misuse of office by Pettway to the FBI, IRS, Alabama Attorney General's Office and the Alabama Ethics Commission.

47. Plaintiff was called into internal affairs and read Plaintiff's Garrity rights. Plaintiff was told that an official investigation had been open on Plaintiff, but Plaintiff was not told what the investigation entailed. Echols interviewed Plaintiff one-on-one. Plaintiff asserts that Echols was focused on whether Pettway and his brother, Bruce Pettway, were being investigated by the FBI.

48. In December 2023, Plaintiff received a call from Demetrious Hines who stated that Hines' brother told Demetrious Hines that Bruce Pettway instructed Demetrious Hines to call Plaintiff and tell Plaintiff that Bruce Pettway wanted to meet with Plaintiff. Plaintiff was to call Sheriff Pettway to set the meeting up. According to Demetrious Hines, his brother said after Demetrious Hines called the Plaintiff, Bruce told Demetrious Hines not to talk to Plaintiff anymore and not to answer any of Plaintiff's calls. Demetrious Hines said Bruce Pettway stated to him, "I'll make sure you and your brother don't get in any trouble." The discussions with Demetrious Hines caused me to be investigated and placed on administrative leave.

49. On December 28, 2023, Plaintiff had been ordered to call Internal Affairs every morning at 0800 hours to report in. Plaintiff did so without missing a date. Plaintiff called Internal Affairs to advise Internal Affairs investigator Deputy Persall that Plaintiff had major surgery scheduled for December 29, 2023 and would likely be in the hospital until December 31, 2023. On December 29, 2023, Plaintiff had two fusions of his cervical spine. Plaintiff suffered from chronic pain after the surgery and was on pain medication.

50. On January 2, 2024, Plaintiff called Internal Affairs to check in at 0800 hours and was instructed by Deputy Constance Echols (hereinafter "Echols") to report to Internal Affairs. Washington had taken Plaintiff to the barber shop that morning, so they were less than three minutes away from the JCSO. When Plaintiff reported, Plaintiff was served with a hearing date

for a disciplinary hearing which was to be held in two days on Thursday January 4, 2024 at 0930 hours. Confused, Plaintiff asked Echols to explain to Plaintiff the reason for Plaintiff having to report to Internal Affairs. Plaintiff just had major surgery three days prior, was released from the hospital 24 hours earlier, and Internal Affairs was aware.

51. On January 3, 2024, Plaintiff's surgeon sent Internal Affairs a letter telling them that Plaintiff should not be interviewed at this time due to the pain, the extent of the surgery and the amount of medication Plaintiff was taking.

52. Plaintiff asserts it careless and incompetent of Internal Affairs to call Plaintiff in for a hearing so soon after surgery. Plaintiff asserts harassment and retaliation. Plaintiff was told by a source of information that Pettway was in a hurry to terminate Plaintiff. Plaintiff discovered that Pettway pursued an injunction to halt any investigative agency from obtaining information pertaining to an investigation Pettway himself instructed Internal Affairs to conduct on Plaintiff. Pettway's instructions were unethical. Pettway used his office to determine if Pettway was being investigated. Pettway cannot use JCSO investigators to compel another law enforcement officer to disclose if that officer has information pertaining to illegal activity being conducted by Pettway, or his brother, Bruce Pettway.

53. On January 11, 2024 Plaintiff was terminated by Pettway.

54. Plaintiff has endured severe and pervasive harassment and retaliation from Pettway and his administration.

55. Plaintiff had never been disciplined in 28 years as an employee of JCSO. Plaintiff has been called to Internal Affairs within the past two years of employment than Plaintiff had in the previous 25 years combined. None of the accusations made by Internal Affairs in any of the investigations were violations and Plaintiff was never advised what action constituted which

disciplinary charge. The charges against Plaintiff and the subsequent disciplines were erroneous and unjust and not supported by substantial legal evidence.

56. Plaintiff appealed his termination. Plaintiff was subjected to hearings for the charges of (1) using Plaintiff's position for personal gain, (2) lying during an Internal Affairs investigation, (3) treatment towards others and (4) conduct unbecoming of a law enforcement officer.

57. During the hearings Plaintiff's attorney, Hube Dodd (hereinafter "Dodd"), asked Echols what Plaintiff was under investigation for when Plaintiff was initially called into Internal Affairs. Dodd asked Echols if Dodd was correct in asking if Internal Affairs opens investigations when there are (1) policy violations, (2) violations of the law and (3) complaints of some type of impropriety. Echols testified that Mr. Dodd was correct. Dodd asked, "At the time Sergeant Washington was called to Internal Affairs, had he violated any laws, or policies?" Echols testified, "No". Dodd asked if there was a complaint of impropriety against Sergeant Washington. Echols testified "No."

58. Plaintiff asserts that the investigations by JCSO were opened against Plaintiff with no claim or evidence of Plaintiff committing any violations of the Rules and Regulations of the JCSO, or the Personnel Board of Jefferson County and were done so with malice, willfully and intentionally, and outside the protections afforded the Defendants by any claim of immunity.

59. On July 23, 2024 Plaintiff, as ordered by the Personnel Board of Jefferson County, was reinstated.

60. On July 25, 2024 Plaintiff inquired about when he was to return to duty and was instructed to wait.

61. On July 26, 2024 Plaintiff contacted Human Resources for JCSO and was informed he had no benefits, only credit for 23 years of service despite having more, and was still not given a return date.

62. On July 28, 2024 Plaintiff discovered that Howard was out of the country and had instructed her subordinates to NOT return the Plaintiff to duty.

63. On July 29, 2024 Plaintiff contacted the Personnel Board of Jefferson County for guidance and was instructed that no one was available to assist Plaintiff.

64. On July 30, 2024 Plaintiff contacted HR again for a return date and was instructed that Plaintiff was still not in the system. Plaintiff sent an email to Captain Perry advising Perry that HR marked him as active with no benefits and zero payroll.

65. That same day Perry responded by instructing Plaintiff to report to the Birmingham Division jail evening shift.

66. On July 31, 2024 Plaintiff reported to the jail, however, Plaintiff had no computer access nor was he on the payroll.

67. On August 5, 2024 Plaintiff still had NO access to the computer system nor was he on the payroll.

68. On August 6, 2024 Plaintiff not on payroll, had no access to KRONOS, or the UKG system, and still no access to the computer system.

69. On August 16, 2024 Plaintiff was still not properly authorized or equipped with the proper tools to do his job nor was his retirement information correct. Pettway and Howard are directly responsible for the problems Plaintiff is having getting properly reinstated.

70. On August 29, 2024 Plaintiff was forced to resign due to the Defendants malicious, intentional, harassment and retaliation that was so severe and pervasive that no reasonable person could work in the hostile work environment.

CAUSES OF ACTION

COUNT I

INTENTIONAL TORTIOUS INTERFERENCE WITH CONTRACTUAL AND BUSINESS RELATIONS AGAINST ALL DEFENDANTS IN THEIR INDIVIDUAL CAPACITIES

1. Plaintiff adopts and incorporates the above paragraphs as if set out fully herein.
2. Defendants, in their individual capacities, did intentionally interfere with Plaintiff's contractual and business relationships by intentionally subjecting the Plaintiff to baseless investigations, conducting sham investigations that were incomplete and retaliatory, disciplining Plaintiff, retaliating against the Plaintiff by assigning Plaintiff to the corrections division on the evening shift despite Plaintiff having specialized training and knowledge and seniority, tampering with the Plaintiff's pension status, and failing to provide the Plaintiff with the proper authorizations to perform his duties after he returned to duty following Plaintiff's unlawful termination.
3. As a result of Defendant's actions, Plaintiff suffered financially and emotionally.
4. Plaintiff has suffered diminished reputation, mental anxiety, depression, and financially from the false statements and actions of the Defendants.

COUNT II

WRONGFUL TERMINATION/CONSTRUCTIVE DISCHARGE/RETALIATION/HOSTILE WORK ENVIRONMENT AGAINST ALL DEFENDANTS

1. The Plaintiff realleges and incorporates by reference paragraphs 16-37.
2. The Defendant did wrongfully cause the Plaintiff to resign his employment due to false and insufficient allegations of rules violations, harassment, retaliation, disciplinary assignments, and a failure to properly reinstate the Plaintiff after being ordered to do so by the Personnel Board of Jefferson County.

COUNT III

FOURTEENTH AMENDMENT PROCEDURAL DUE PROCESS – PROPERTY INTEREST 42 U.S.C. § 1983 AGAINST ALL DEFENDANTS

1. Plaintiff was a "for-cause" employee with a protected property interest in his continued employment. This interest vested six months after his hire date.
2. Defendants deprived Plaintiff of this property interest without a meaningful hearing or an impartial decision-maker by terminating Plaintiff on January 11, 2023 and by forcing his resignation on August 29, 2024.
3. The termination process was a constitutionally deficient "sham" because: a. Sheriff Pettway had already approved Plaintiff's termination prior to the Plaintiff's determination hearing. b. The hearing served as a "kangaroo court" with a predetermined outcome.

COUNT IV

CIVIL CONSPIRACY TO VIOLATE CIVIL RIGHTS 42 U.S.C. § 1983 AGAINST ALL DEFENDANTS

1. Defendants reached a meeting of the minds to retaliate against Plaintiff and deprive him of his constitutional rights.
2. The conspiracy is evidenced by the coordinated nature of Defendants' actions, including:

- a The synchronized timing of disciplinary actions.
 - b The deliberate disciplinary investigations meant to chill the ability of the Plaintiff to conduct investigations whether real or imagined.
 - c The repeated characterization of Plaintiff as a liar during meetings, reflecting a shared intent to isolate, marginalize, and remove Plaintiff from the JCSO rather than address the misconduct he reported.
3. Each Defendant took overt acts in furtherance of this conspiracy.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, the Plaintiff prays that this Court grant:

- (a) Actual and compensatory damages arising from the Defendants violation of the Plaintiffs Fourteenth Amendment Right to a property interest., hostile work environment, wrongful termination, and retaliatory discharge;
- (b) Reasonable and necessary attorney's fees and costs; and
- (c) Any further relief this honorable Court deems just and proper.

Respectfully Submitted,

/s/ Scott T. Morro

Scott T. Morro, (MOR151)
 MORRO LAW CENTER, LLC
 P.O. Box 1644
 Gardendale, AL35071
 (205) 631-6301
 morrolawcenter@bellsouth.net
Attorney for Plaintiff

THE PLAINTIFF WILL SERVE THE DEFENDANTS BY SPECIAL PROCESS SERVER:

SUMMONS
- CIVIL -

Court Case Number
01-CV-2026-900119.00

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA COUNTY, ALABAMA
JUDE WASHINGTON V. MARK PETTWAY ET AL

NOTICE TO: NASHONDA HOWARD, 2200 EIGHTH AVENUE NORTH, BIRMINGHAM, AL 35203

(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S),
SCOTT THOMAS MORRO MR

[Name(s) of Attorney(s)]

WHOSE ADDRESS(ES) IS/ARE: P.O. Box 1644, Gardendale, AL 35071

[Address(es) of Plaintiff(s) or Attorney(s)]

THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

**TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL
PROCEDURE TO SERVE PROCESS:**

☒ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

☐ Service by certified mail of this Summons is initiated upon the written request below of
pursuant to the Alabama Rules of the Civil Procedure.

[Name(s)]

01/11/2026

(Date)

/s/ JACQUELINE ANDERSON SMITH

(Signature of Clerk)

By:

(Name)

☐ Certified Mail is hereby requested.

(Plaintiff's/Attorney's Signature)

RETURN ON SERVICE

Certified Mail

☐ Return receipt of certified mail received in this office on

(Date)

Personal/Authorized

☐ I certify that I personally delivered a copy of this Summons and the Complaint or other document to

in

County, Alabama on

(First and Last Name of Person Served)

(Name of County)

(Date)

Document left:

- ☐ with above-named Defendant;
- ☐ with an individual authorized to receive service of process pursuant to Rule 4(c), Alabama Rules of Civil Procedure;
- ☐ at the above-named Defendant's dwelling house or place or usual place of abode with some person of suitable age and discretion then residing therein.

Return of Non-Service

☐ I certify that service of process of this Summons and the Complaint or other document was returned- Not Found

☐ I certify that service of process of this Summons and the Complaint or other document was refused by

in

County, Alabama on

who is:

(First and Last Name of Person Served)

(Name of County)

(Date)

- ☐ the above-named Defendant;
- ☐ an individual authorized to receive service of process pursuant to Rule 4(c), Alabama Rules of Civil Procedure;

☐ As a designated process server pursuant to Rule 4(i)(1)(B), Alabama Rules of Civil Procedure, I certify that I am at least 19 years of age, I am not a party to this proceeding, and I am not related within the third degree by blood or marriage to the party seeking service of process.

(Type of Process Server)

(Server's Signature)

(Address of Server)

(Badge or Precinct Number of Sheriff or Constable)

(Server's Printed Name)

(Badge or Precinct Number of Sheriff or Constable)

(Telephone Number of Designated Process Server)

Service Return Copy





AlaFile E-Notice

01-CV-2026-900119.00

To: CONSTANCE ECHOLS
2200 EIGHTH AVENUE NORTH
BIRMINGHAM, AL, 35203

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

JUDE WASHINGTON V. MARK PETTWAY ET AL
01-CV-2026-900119.00

The following complaint was FILED on 1/11/2026 4:19:33 PM

Notice Date: 1/11/2026 4:19:33 PM

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
716 RICHARD ARRINGTON, JR BLVD
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov

SUMMONS
- CIVIL -

Court Case Number
01-CV-2026-900119.00

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA COUNTY, ALABAMA
JUDE WASHINGTON V. MARK PETTWAY ET AL

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(Name and Address of Defendant)

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SCOTT THOMAS MORRO MR

[Name(s) of Attorney(s)]

WHOSE ADDRESS(ES) IS/ARE: P.O. Box 1644, Gardendale, AL 35071

[Address(es) of Plaintiff(s) or Attorney(s)]

THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

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pursuant to the Alabama Rules of the Civil Procedure.

[Name(s)]

01/11/2026

(Date)

/s/ JACQUELINE ANDERSON SMITH

(Signature of Clerk)

By:

(Name)

☐ Certified Mail is hereby requested.

(Plaintiff's/Attorney's Signature)

RETURN ON SERVICE

Certified Mail

☐ Return receipt of certified mail received in this office on

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Personal/Authorized

☐ I certify that I personally delivered a copy of this Summons and the Complaint or other document to

in

County, Alabama on

(First and Last Name of Person Served)

(Name of County)

(Date)

Document left:

- ☐ with above-named Defendant;
- ☐ with an individual authorized to receive service of process pursuant to Rule 4(c), Alabama Rules of Civil Procedure;
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in

County, Alabama on

who is:

(First and Last Name of Person Served)

(Name of County)

(Date)

- ☐ the above-named Defendant;
- ☐ an individual authorized to receive service of process pursuant to Rule 4(c), Alabama Rules of Civil Procedure;

☐ As a designated process server pursuant to Rule 4(i)(1)(B), Alabama Rules of Civil Procedure, I certify that I am at least 19 years of age, I am not a party to this proceeding, and I am not related within the third degree by blood or marriage to the party seeking service of process.

(Type of Process Server)

(Server's Signature)

(Address of Server)

(Badge or Precinct Number of Sheriff or Constable)

(Server's Printed Name)

(Badge or Precinct Number of Sheriff or Constable)

(Telephone Number of Designated Process Server)



ELECTRONICALLY FILED

1/11/2026 4:19 PM

01-CV-2026-900119.00

CIRCUIT COURT OF

JEFFERSON COUNTY, ALABAMA

JACQUELINE ANDERSON SMITH, CLERK

Case:

01

Date of Filing:

01/11/2026

Judge Code:

State of Alabama
Unified Judicial System
Form ARCiv-93 Rev. 9/25

COVER SHEET
CIRCUIT COURT - CIVIL CASE
(Not For Domestic Relations Cases)

GENERAL INFORMATION

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
JUDE WASHINGTON v. MARK PETTWAY ET AL

First Plaintiff: ☐ Business ☒ Individual ☐ Government ☐ Other
First Defendant: ☐ Business ☒ Individual ☐ Government ☐ Other

NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best characterizes your action:

TORTS: PERSONAL INJURY

- ☐ WDEA - Wrongful Death
☐ TONG - Negligence: General
☐ TOMV - Negligence: Motor Vehicle
☐ TOWA - Wantonness
☐ TOPL - Product Liability/AEMLD
☐ TOMM - Malpractice-Medical
☐ TOLM - Malpractice-Legal
☐ TOOM - Malpractice-Other
☐ TBFM - Fraud/Bad Faith/Misrepresentation
☐ TOXX - Other: _____

TORTS: PERSONAL INJURY

- ☐ TOPE - Personal Property
☐ TORE - Real Property

OTHER CIVIL FILINGS

- ☐ ABAN - Abandoned Automobile
☐ ACCT - Account & Nonmortgage
☐ APAA - Administrative Agency Appeal
☐ ADPA - Administrative Procedure Act
☐ ANPS - Adults in Need of Protective Service

OTHER CIVIL FILINGS (cont'd)

- ☐ MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/Enforcement of Agency Subpoena/Petition to Preserve
☐ CVRT - Civil Rights
☐ COND - Condemnation/Eminent Domain/Right-of-Way
☐ CTMP - Contempt of Court
☐ CONT - Contract/Ejectment/Writ of Seizure
☐ TOCN - Conversion
☐ EQND - Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contest/Quiet Title/Sale For Division
☐ CVUD - Eviction Appeal/Unlawful Detainer
☐ FORJ - Foreign Judgment
☐ FORF - Fruits of Crime Forfeiture
☐ MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition
☐ PFAB - Protection From Abuse
☐ EPFA - Elder Protection From Abuse
☐ QTLB - Quiet Title Land Bank
☐ FELA - Railroad/Seaman (FELA)
☐ RPRO - Real Property
☐ WTEG - Will/Trust/Estate/Guardianship/Conservatorship
☐ COMP - Workers' Compensation
☒ CVXX - Miscellaneous Circuit Civil Case

ORIGIN: F ☒ **INITIAL FILING**

P ☐ **APPEAL FROM PROBATE COURT**

A ☐ **APPEAL FROM DISTRICT COURT**

O ☐ **OTHER**

HAS JURY TRIAL BEEN DEMANDED? ☒ **YES** ☐ **NO**

Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P., for procedure)

RELIEF REQUESTED: ☒ **MONETARY AWARD REQUESTED** ☐ **NO MONETARY AWARD REQUESTED**

ATTORNEY CODE:

MOR151

1/11/2026 4:19:32 PM

Date

/s/ SCOTT THOMAS MORRO MR

Signature of Attorney/Party filing this form

MEDIATION REQUESTED: ☒ **YES** ☐ **NO** ☐ **UNDECIDED**

Election to Proceed under the Alabama Rules for Expedited Civil Actions: ☐ **YES** ☐ **NO**



**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
 BIRMINGHAM DIVISION**

JUDE WASHINGTON,

Plaintiff,

Vs.

**MARK PETTWAY, NASHONDA
 HOWARD, and CONSTANCE ECHOLS**

Defendants.

CIVIL ACTION NO.

COMPLAINT

NOW COMES, the Plaintiff, Jude Washington, (hereinafter “Plaintiff”) by and through his attorney of record, Scott T. Morro, and brings this complaint against the Defendants, Mark Pettway (hereinafter “Pettway”), Nashonda Howard (hereinafter “Howard”), and Constance Echols (hereinafter “Echols”), (Collectively “Defendants”), requesting relief for tortious interference with a business relationship, hostile work environment, wrongful termination/retaliatory discharge, and a violation of the Plaintiff’s Fourteenth Amendment right to a property interest, namely Plaintiff’s employment.

BACKGROUND

1. At the time of the averments made in this Complaint the Plaintiff and Defendants were employed by Jefferson County Sheriff’s Office (hereinafter “JCSO”), Jefferson County, Alabama. The Defendants continue to be employed with the JCSO.

2. On January 11, 2024, the Plaintiff was terminated by the Defendants.

3. On July 23, 2024, the Plaintiff was reinstated by the Personnel Board of Jefferson County, less a forty- five (45) day suspension.

4. On August 29, 2024, Plaintiff resigned his employment after having been retaliated against by the Defendants to the extent that no reasonable person would continue to maintain their employment.

5. The Defendants are responsible for the acts of retaliation committed against the Plaintiff.

JURISDICTION AND VENUE

6. Plaintiff brings this action pursuant to Ala. Code §6-2-38, the Fourteenth Amendment of the Constitution of the United States, and 42 U.S.C. § 1983

7. Subject matter jurisdiction of this Court is invoked pursuant to Ala. R. Civ. P. 82.

8. This action is brought within the State where the wrongful termination was committed, making venue proper under Ala. R. Civ. P. 82.

9. Venue is proper in this Honorable Court.

JURY DEMAND

10. Plaintiff hereby demands that all eligible claims be tried to a jury.

PARTIES

11. Plaintiff Washington (“Plaintiff”), is a male citizen of the United States and of the State of Alabama. He is a resident of this Judicial District and Division.

12. Defendant Pettway, is a male citizen of the United States and of the State of Alabama. He is a resident of this Judicial District and Division.

13. Defendant Howard, is a female citizen of the United States and of the State of Alabama. She is a resident of this Judicial District and Division.

14. Defendant Echols, is a female citizen of the United States and of the State of Alabama. She is a resident of this Judicial District and Division.

STATEMENT OF FACTS

15. In 1998, the Plaintiff was hired by the JCSO.

16. In 2007, the Plaintiff was assigned to the Federal Bureau of Investigation Task Force after having established a stellar work history.

17. In September 2018, Mark Pettway solicited an endorsement from the Progressive Democrats Political Action Committee (PAC) along with several other candidates for various positions, including the sheriff's of Jefferson County, Alabama position. The body of the organization voted for who it would endorse, but when it got to the sheriffs' race, the president of the PAC, Emory Anthony (hereinafter "Anthony"), said that they were endorsing Mark Pettway. A member of the PAC asked why the PAC was not voting. Anthony said that Pettway was the only person who showed up to the interview. Wilson Hale (hereinafter "Hale"), who was also a sheriff candidate, raised his hand and said that he interviewed. Anthony then implemented a vote amongst the body. Pettway was not present. The vote was 11 to 4 for Hale. Hale received the endorsement. The next day Plaintiff was at work about to execute a search warrant. Plaintiff received a call from Pettway. Plaintiff answered and Pettway immediately asked, "What happened?" Plaintiff replied, "What?" Pettway again angrily asked, "What happened?" Plaintiff asked him what he was talking about and Pettway said, "My endorsement!" "Emory (Anthony) said that I had that endorsement!" Plaintiff told Pettway that it does not work that way and that we (PAC) had to vote on it. Pettway then said that he heard Plaintiff's wife had something to do with it (the endorsement). Plaintiff told Pettway that was not true and whoever told him (Pettway) that was a liar. Pettway continued ranting and accusing Plaintiff's wife of costing him an endorsement. Then Plaintiff heard another voice on the phone. It said, "Jude, this is Bruce, Mark's

brother." "Our sources tell us that your wife convinced Emory (Anthony) not to endorse Mark (Pettway)." Plaintiff explained that it was not true, but he (Bruce Pettway) insisted. Plaintiff responded telling them (Mark and Bruce Pettway) not to call me with such BS. Plaintiff hung up, but Pettway called back. Plaintiff told Pettway to call Anthony to get the facts. Pettway called Plaintiff back a few hours later and apologized. However, their relationship was totally soured by this encounter.

18. In 2019, Plaintiff was #5 on the Sheriffs promotional exam. Twelve (12) people were selected to be promoted to the rank of Lieutenant with Plaintiff being passed up.

19. In 2022, using the same promotional list, Pettway promoted two (2) more individuals to the rank of lieutenant who were lower on the list than the Plaintiff. Plaintiff would have been #1, or #2 on that list, yet Plaintiff was not promoted.

20. In 2016, Plaintiff wrote a legislative proposal to the State of Alabama that would allow law enforcement officers to issue citations for misdemeanor marijuana possession in lieu of arrests. Plaintiff's wife, Lynneice Washington (hereinafter "Washington"), who is the District Attorney for the Bessemer division of Jefferson County liked the idea and said that she would try to implement the idea.

21. In 2018, Pettway became the Sheriff of Jefferson County and Danny Carr (hereinafter "Carr") became the District Attorney for the Birmingham Division of Jefferson County. Washington met with Pettway and Carr in March of 2019 to pitch the idea regarding issuing citations for misdemeanor marijuana possession to them and they agreed to work together on the project. Washington told them that they would each have to speak to the leaders of all the municipal departments in Jefferson County to make sure they were on board. Pettway and Carr agreed.

22. In April of 2019, Plaintiff and Washington were surprised to see Pettway on the news stating that he (Pettway) was going to have his deputies issue citations only, no arrests, for misdemeanor marijuana charges and claiming the idea as Pettway's own. JCSO Captain David Agee, speaking on Pettway's behalf, stated to the media, "This is what police reform looks like."

23. On April 9, 2019, several bingo halls were raided in the Bessemer Division of Jefferson County and Pettway insinuated to the media that Plaintiff's wife, Bessemer District Attorney Washington, was the reason the AG raided them. Plaintiff and Washington heard from several judges and other political figures that Bruce Pettway was angry and accusing Washington of causing the raids.

24. In July 2019, due to the Marshea Jones case, (<https://www.npr.org/2019/06/28/737005113/woman-indicted-formanslaughter-after-death-of-her-fetus-may-avoid-prosecution>) and due to threats on Plaintiff's home phone, Washington called Pettway and asked if Pettway had any deputies who could escort her to Boutwell Auditorium where Washington was speaking that night. Pettway said that he could not provide any deputies for security. Pettway asked Washington, "Ain't Jude home?" Additionally, Washington asked Pettway if he could provide extra patrols at Washington's house. Pettway said he did not have the manpower. Washington thanked Pettway and ended the call. Washington called Birmingham Police Chief Patrick Smith who provided a security detail for Washington. Once Sheriff Pettway was aware that Birmingham police were providing security for Washington, Pettway sent several deputies to help out with the security detail. Washington thanked the deputies, but declined their help. Just an hour earlier Pettway claimed not to have the manpower.

25. On September 4, 2019, Plaintiff and Detective K. Dorsey were mistaken for someone else and the car they were in was shot up with assault rifles. No one was injured and

Bessemer Police caught the subjects responsible. Plaintiff and Dorsey were on that scene for hours and not one member of the Sheriff's Office administration came to the scene, or called to see if they were ok. Several police chiefs from surrounding areas did. Some came to the scene and others called. Four days later, Captain David Agee called, on behalf of Pettway, to ask Plaintiff and Dorsey if they were okay. Pettway told the media that he spoke with Plaintiff and Dorsey and that they were in good spirits. In fact, Pettway had not spoken to Plaintiff and Dorsey at all. Pettway saw Plaintiff walking weeks later and pulled his vehicle over to talk with Plaintiff. Pettway stated that he heard Plaintiff was a little upset about him (Pettway) not reaching out to Plaintiff and to charge to his head and not his heart. Pettway stated that he was at an event and had a lot going on. Pettway was at an event being held by District Attorney Danny Carr. Carr left his own event and came to our scene and advised us that the sheriff was there and was aware of the shooting.

26. In February 2020, Plaintiff created and proposed a sex trafficking unit and a multijurisdictional drug task force for the Jefferson County Sheriffs' Office and proposed these units to Pettway who approved and commissioned them. Plaintiff called every municipality in Jefferson County and only two agreed to be a part of the unit. The responses of those municipalities who declined were that of sarcasm.

27. On September 15, 2020, Mr. Antonio Bass (hereinafter "Bass") disappeared and his body was found near Pratt Hwy. Birmingham police found his body due to information Plaintiff received from a confidential source and passed along to them. Plaintiff received a call from Pettway instructing Plaintiff to give community activist Carlos Chaverist information pertaining to the case as well as other homicides along that area because Chaverist was investigating the case. Pettway claims that the killer of Antonio Bass was named Frank Matthews and that Plaintiff needed to look into him (Matthews). Plaintiff explained to the Pettway that Plaintiff would not be

giving Chaverist any information pertaining to that case, or any other case, and that Chaverist was not a trained investigator, nor was he a law enforcement officer. Pettway replied, "He helped solve the Cupcake case." Plaintiff told Pettway that as part of the FBI Safe Streets Task Force, Plaintiff was a part of the Cupcake investigation and that Chaverist had nothing to do with the case. Pettway again told Plaintiff that Frank Matthews was responsible for the death of Bass and that Plaintiff needed to look into it. Pettway asked Plaintiff to get information pertaining to how many bodies police have recovered around the same area the Bass' body was found and give that information to Chaverist. Plaintiff did not provide that information to Chaverist. Plaintiff explained this was a murder investigation and all information received is sensitive and providing it to someone outside of law enforcement could damage the outcome of the investigation.

28. On May 3, 2022, Washington holds a job fair every year for those with felonies on their records. During the 2022 primary election Pettway and Washington both had opposition. Though it was only two weeks before the election, Washington still marketed her upcoming job fair on social media. Felicia Rucker-Sumerlin (hereinafter "Rucker-Sumerlin") was a candidate running against Pettway. Rucker-Sumerlin shared the flier about my Washington's job fair from Washington's business FB account onto her (Rucker-Sumerlin) personal and campaign account. At 0804 hours while Plaintiff was out jogging, Plaintiff received a text from Pettway. The text was the image of the job fair flier from my Washington's Facebook account. Plaintiff texted the Pettway, "What's this for?" Pettway did not respond, so Plaintiff called Pettway. Plaintiff was going to inform Pettway about the job fair when Pettway said, "They're telling me that your wife and Felicia are trying to get me out of office!" Plaintiff explained that it was a job fair. Pettway complained that Washington did not invite Pettway. Plaintiff explained to Pettway that it was a month away and that they Pettway and Washington) both had an election in less than two weeks

to prepare for. Plaintiff explained to Pettway that Washington and Rucker-Sumerlin are cordial friends and do not talk to each other much, but when they do talk, it's not about him (Pettway).

Plaintiff waited a week before Plaintiff told Washinton about this incident and Washington Pettway. Pettway then called Plaintiff with Washington on the line laughing and said that Plaintiff must have misunderstood Pettway and that Pettway did not say those things. Plaintiff replied, "Sure you did." Plaintiff went on to explain to Pettway that Washington and Plaintiff have nothing against Pettway. Washington went on to explain how she has reached out to Pettway for joint ventures and Pettway never responds, how Pettway never invites Washington to any of Pettway's events, or even to academy graduations. Pettway put the miscommunication on his administrative assistant. Pettway then apologized for what he said when Plaintiff called him on the morning of May 3rd. Pettway stated he never should have sent the flier photo. Plaintiff asserts that the text sent by Pettway was meant to intimidate Plaintiff.

29. In June 2022, the Vice/Narcotics Unit was instructed by Pettway to conduct a drug investigation at a bingo hall on Centerpoint Parkway. Plaintiff found it strange that Pettway requested an investigation of illegal drug activity inside an illegal establishment. Later that year Pettway instructed Plaintiff to conduct investigations pertaining to illegal gaming at 8 bingo halls in Jefferson County, most in the Bessemer Division, where Washington is the district attorney. Pettway wanted all bingo halls shut down simultaneously after Plaintiff's investigation. After conducting research and considering the logistics of Pettway's plan, Plaintiff explained to the Pettway that Plaintiff did not have the manpower to do as Pettway requested. Pettway told Plaintiff to find a way. Pettway called and asked Washington for a copy of Washington's Cease and Desist letter and Washington refused because in 2019 when Washington issued two cease and desist letters to two bingo halls, Pettway and his brother, Bruce, convinced the gambling community

and local media that Washington was shutting down bingo halls. This was an effort to hurt Washington in the next election. A man was killed in one of the bingo halls Washington issued a letter to and in the other, community activist Carlos Chaverist sponsored a fellatio contest where a single guy had fellatio performed on him and he determined the winner. Plaintiff conducted the investigation and issued eight (8) cease and desist letters to eight (8) bingo halls. During the shut down, several of the bingo hall owners/operators asked why the Task Force was not shutting down the bingo halls affiliated with the Pettway's brother, Bruce Pettway. The files from this case were taken to the Attorney General's (hereinafter "AG") office at the request of the Pettway. A year later, the AG's office raided the bingo halls Plaintiff investigated. Pettway was doing the shutdowns to try and convince the AG that he was fighting illegal gambling. The AG's office did not know that the bingo halls Plaintiff investigated were selected by the Pettway. The bingo halls investigated and shut down were not affiliated with the Pettway's brother Bruce Pettway.

30. On September 8, 2022, The Jefferson County Sheriffs Office's Vice/Narcotics Division along with Jefferson County SWAT executed a narcotics search warrant at Carter's Hookah Lounge located at 512 Rev. Abraham Woods Jr Blvd. All phones belonging to narcotics investigators and SWAT operators were collected prior to briefing. Plaintiff left his phone on his desk in his office to charge. There was a class reunion taking place at the establishment, but the target and owner of the building fled prior to JCSO arriving. Two kilos of cocaine were recovered from the trash can in the women's bathroom. When JCSO returned from the warrant, which was after midnight, Plaintiff noticed he had four missed calls from a Barbra Carter, who Plaintiff do not know, and two from Chris Coleman (hereinafter "Coleman"), a DJ on a local radio station in Birmingham. Plaintiff called Coleman back, but Coleman did not answer. Coleman called Plaintiff at 0700 hrs the next morning and advised Plaintiff that Coleman called because Coleman

had a friend who owns a club who is an upstanding citizen and does nothing wrong. Coleman stated that the friend who called was told that the JCSO task force was about to hit his friend's business last night. Plaintiff asked who Coleman's friend was and Coleman said Cordell Carter who was the target of the JCSO investigation. Plaintiff asked Coleman who told him that the JCSO was about to hit the lounge and Coleman said that he was talking to Cordell and two guys walked up to him and told him that JCSO was coming. Plaintiff passed this information on to his supervisor.

31. Plaintiff was later called to Internal Affairs and questioned about the incident. Plaintiff told Internal Affairs about the phone calls, but said that was all Plaintiff knew. Sergeant Heath Boackle (hereinafter "Boackle"), who was also in narcotics, was instructed to investigate Plaintiff. Plaintiff explained that Plaintiff had no idea how JCSO information was leaked. While Plaintiff was talking to Lieutenant Deramus (hereinafter "Deramus") and Boackle, Plaintiff received a call from District Attorney Investigator Anthony Williams. Williams stated that he was at the bar next door to the hookah lounge and ran into Cordell Carter who told Williams that the JCSO was about to hit Carter's business. Carter ended by saying, "Y'all got a leak in your unit." Investigator Williams submitted a written statement and Plaintiff turned it over to Boackle. Two weeks later, Plaintiff asked Boackle if Boackle interviewed Chris Coleman and Cordell Carter and Boackle said that he had investigated them. A month went by and none of the investigators in the narcotics unit that Plaintiff supervised would give Plaintiff any information pertaining to their cases. Two of the investigators later told Plaintiff that they were instructed not to give Plaintiff any information pertaining to their cases.

32. It was later determined that the two new undercover investigators that Plaintiff previously talked to were sent out to do surveillance. Two jail deputies were there working

security and recognized the undercover investigators. One of the undercover investigators asked one of the uniformed deputies to take a picture of the building's front door and he did so. Those two uniformed deputies then went to Cordell Carter and told Carter that the narcotics unit was about to hit Carter's building. This information was discovered when one of the new undercover investigators admitted to Deramus that he warned Carter. No investigation was conducted as to why the Carter warning was not brought to light earlier. The two deputies working the club were suspended for five days for working an off duty job without authorization. However, Plaintiff was subjected to a full blown investigation.

33. In January 2023, Plaintiff was a part of the arrest of Luman Laten (hereinafter "Laten") who was arrested for drug trafficking. Plaintiff also recovered over a million dollars of U.S. Currency from Laten's home. Plaintiff interviewed Laten and Plaintiff decided to adopt Laten's case as a federal case and work the case from the FBI office. In the weeks after Laten's arrest, Plaintiff began to receive word that Laten had solicited Ma' Kaveus Ferguson (hereinafter "Ferguson") to kill Plaintiff. Ferguson is the son of a woman Laten claims to have dated when Laten was released from prison. When Plaintiff interviewed Laten, Laten expressed to Plaintiff that Ferguson was like a son to Laten. Ferguson is a known drug dealer who is known to drive around in stolen vehicles.

34. Plaintiff's unit commander, the FBI and the JCSO Administration were advised of the murder for hire plot against Plaintiff. There were approximately three confidential sources who called either Plaintiff, or other narcotics agents in regard to the plot. Members of the narcotics unit set out to locate Ferguson. Plaintiff and Detective K. McWaine (hereinafter "McWaine") went to the county jail to interview Laten again and to confront Laten about the murder-for-hire plot. Laten said that Laten never ordered a hit on Plaintiff's life and if Ferguson

was doing that, Ferguson was doing it on his own. Laten later stated that he heard that there was a hit out on Laten's and Ferguson's life. Plaintiff advised Laten that theory made no sense.

35. During the time that Plaintiff was looking for Ferguson, there was a complaint that came into the JCSO about a man who brutally killed a puppy. Boackle, who had been promoted to Lieutenant, who was a sergeant at the time, and was on the board of the Birmingham Humane Society (hereinafter "BHS"), stated that the CEO of the BHS, had the killing of the puppy on video and was wanting Pettway to do something about it.

36. On February 21, 2023, the JCSO Narcotics Unit got into a vehicle pursuit with Ferguson, but lost sight of him. The Narcotics Unit set out to track Ferguson again on February 22, but Pettway called them off and ordered them to track down and locate the subject who was seen on video killing the puppy. Plaintiff wasn't involved in that arrest, but on the next day the Narcotics unit located and attempted to apprehend Ferguson again. Ferguson evaded capture, but the vehicle was recovered and contained a trafficking amount of illegal drugs and drug paraphernalia.

37. On February 24, 2023, Plaintiff led the Narcotics Unit in the search for Ferguson and Ferguson was apprehended with a fully automatic rifle and a fully automatic Glock pistol. Pettway was more concerned about apprehending a man who killed a puppy than he was about apprehending the man who allegedly had a hit out on the life of the Plaintiff.

38. On or about May 5, 2023, Plaintiff, who is a member of Omega Psi Phi Fraternity Incorporated, and Beta Mu Nu had a probate introducing 29 new members into the fraternity. After the probate Plaintiff attended a cookout at the fraternity house in Calera, Alabama. There were two members from another chapter who seemed to be looking for trouble and at one point a scuffle broke out. Plaintiff approached the individuals involved in the scuffle in an attempt to

intervene when one of the other chapter members drew a handgun and pointed it at one of Plaintiff's chapter members. Plaintiff stepped between the individual who was holding the gun and the person he was pointing the gun at and convinced him after some coaxing to put the gun away. The individual put the gun in a holster he was wearing, but the other individual he was with ran toward Plaintiff aggressively, sparking another scuffle that Plaintiff was not a part of. The individual who had the gun then attempted to draw the gun again, but members wrapped their arms around him while others attempted to calm his friend. The individual with the gun turned his hip toward Plaintiff and asked Plaintiff to take the gun. As Plaintiff reached for the gun, the individual's friend broke free and attempted to grab the gun. The gun owner then reached down and was shot in the hand. Both of the individuals fled to their car and left the fraternity house. Plaintiff called police and made a report. It was after midnight by the time the report was made. Plaintiff called his supervisor later that morning and advised the supervisor of the incident. The supervisor called Plaintiff back because the supervisor wanted to know why Plaintiff did not call when the incident happened. Plaintiff replied that there was no need to call and that there is no policy that says Plaintiff should have called.

39. The following Monday, Plaintiff was called into Internal Affairs and questioned about the incident. Plaintiff was asked if Plaintiff shot or punched the subject and who was involved in the scuffle. Plaintiff explained that Plaintiff was focused on the man with the gun and paid no attention to who was trying to calm down the other individual. Plaintiff was asked why Plaintiff did not immediately call Plaintiff's supervisor and Plaintiff explained that he was not required to so, but called later that morning. Plaintiff was told by internal affairs not to discuss the case with anyone.

40. The following day, Plaintiff was at the JCSO Academy preparing to teach the Ethics class that Plaintiff had taught for several years. Plaintiff walked into the director's office and there was Pettway, the Assistant Sheriff and the Chief Deputy, who are the top three people in the JCSO. Plaintiff turned to walk out and they yelled for me to come back. Pettway asked, "What happened?" (i.e., the incident mentioned above). Pettway then stated, "First, let me say that I'm glad you're ok, but what happened?" Plaintiff explained the incident, however, it was apparent that they had already been informed of the occurrence. Plaintiff explained to them that Plaintiff was unarmed and that if he had been armed he probably would have killed the individual. Chief Deputy Willie Hill (hereinafter "Hill") stated that Plaintiff was out of policy for not having his firearm. Plaintiff explained that policy forbids us to carry firearms in places where alcohol is being served. Hill then stated that Plaintiff did not do a use of force report. Plaintiff replied, "I never touched anyone.!" Plaintiff left the office and went on to teach Plaintiff's class. Plaintiff was then summoned back to Internal Affairs where Plaintiff was told that Internal Affairs had been advised that Plaintiff was talking about the case after being told not to do so. Plaintiff told Internal Affairs that Plaintiff told the top three officials in the JCSO. Internal Affairs reiterated their warning. One of the top three officials from JCSO that I spoke to about the case reported to Internal Affairs that Plaintiff talked about the case. Plaintiff asserts that the questioning by the top three JCSO officials and subsequent disclosure to Internal Affairs, was meant to harass and retaliate against Plaintiff.

41. Plaintiff later received a call from Assistant Sheriff Anthony Pippen (hereinafter "Pippen") telling Plaintiff, "Doc, you should have told them you couldn't talk about the case!" "Why did you talk about it?" Plaintiff explained to Pippen that they were discussing the incident with Plaintiff as if they already had information and Plaintiff was sure that they did.

42. One, or two days later Plaintiff was called back into Internal Affairs where Plaintiff was interviewed by Captain James Perry (hereinafter “Perry”) and Deputy Timothy Graham (hereinafter “Graham”). Perry stated that Plaintiff violated policy by not notifying Plaintiff’s supervisor immediately. Plaintiff told Perry that there was no such policy. Perry demanded that there was and Plaintiff asked Perry to show it to Plaintiff. Perry later conceded that the policy did not exist. Plaintiff then told Perry and Graham that Plaintiff was tired of the harassment by the JCSO. Perry stated to Plaintiff to be careful of what Plaintiff says.

43. In August 2022, Deramus was reassigned from the Narcotics Division to the Internal Affairs Division. However, after only being reassigned a few days, Deramus began coming back to the Narcotics Division to work. Plaintiff asked Deramus why he was not at his new office. The only reply Deramus had was, "I can't work up there." Deramus was later reassigned back to the Narcotics Division. Deramus retired in July 2023.

44. On or about July 13, 2023, Plaintiff and two other deputies were sued by an individual who claimed that we chased him, beat him and kicked all of his teeth out. The claimant also stated that Plaintiff denied claimant medical care. Plaintiff did in fact chase the subject who Plaintiff purchased an ounce of methamphetamine from at a Fultondale dentist office. The claimant wrecked his car and fled on foot, but was apprehended by two of Plaintiff’s deputy co-workers. Plaintiff observed the apprehension and there was no aggressive force utilized. Plaintiff went to the dentist office and subpoenaed the claimant’s dental records that showed claimant had all of claimant’s teeth pulled in preparation for permanent dentures. Plaintiff also recovered vehicle camera footage of Plaintiff asking the claimant if claimant needed medical attention or the paramedics. Plaintiff emailed this information to Deputy Chief NaShonda Howard (hereinafter “Howard”) who was a Captain at the time, but Plaintiff never got a response from Howard, so

Plaintiff called Howard a day or two later. Howard advised Plaintiff that Howard had received the information, but then stated said to Plaintiff, "I thought we were better than that." Plaintiff asked Howard what she meant by her statement and Howard replied, "How you gonna let Lieutenant Deramus talk about me and not let me know." "I'm disappointed with you." Plaintiff stated to Howard that Plaintiff never heard Deramus say anything negative about Howard. Howard replied, "That's not what I heard." Plaintiff repeated to Howard Plaintiff never heard Deramus say anything negative about Howard. Plaintiff explained to Howard that Plaintiff grew up with Deramus and when they were teens, a group of them would go to the mall and to the movies on the weekend and that they would forget Deramus was with them because Deramus never talks. Howard repeated, "I thought we were better than that." Plaintiff explained to Howard that Plaintiff knew Deramus since Plaintiff and Deramus were 10 years old and that Plaintiff has never heard Deramus say anything negative about anyone. After that conversation with Howard, Plaintiff believed Howard had animosity toward Plaintiff. Howard has a negative reputation in the JCSO.

45. In 2019, Howard taught a supervisors class at the academy which was more like a lecture of how Howard was going to destroy whoever Howard could. At one point in Howard's session, Howard stated that people rarely beat Howard's cases, but if they did, Howard would get them for something else. Every Sergeant working for the JCSO who attended that class heard her statements and still talk about it today.

46. In September 2023, Plaintiff was wrongfully detained and questioned by Internal Affairs under duress and forced to answer questions regarding any investigation into Pettway and/or his brother, Bruce Pettway. Plaintiff reported the above misuse of office by Pettway to the FBI, IRS, Alabama Attorney General's Office and the Alabama Ethics Commission.

47. Plaintiff was called into internal affairs and read Plaintiff's Garrity rights. Plaintiff was told that an official investigation had been open on Plaintiff, but Plaintiff was not told what the investigation entailed. Echols interviewed Plaintiff one-on-one. Plaintiff asserts that Echols was focused on whether Pettway and his brother, Bruce Pettway, were being investigated by the FBI.

48. In December 2023, Plaintiff received a call from Demetrious Hines who stated that Hines' brother told Demetrious Hines that Bruce Pettway instructed Demetrious Hines to call Plaintiff and tell Plaintiff that Bruce Pettway wanted to meet with Plaintiff. Plaintiff was to call Sheriff Pettway to set the meeting up. According to Demetrious Hines, his brother said after Demetrious Hines called the Plaintiff, Bruce told Demetrious Hines not to talk to Plaintiff anymore and not to answer any of Plaintiff's calls. Demetrious Hines said Bruce Pettway stated to him, "I'll make sure you and your brother don't get in any trouble." The discussions with Demetrious Hines caused me to be investigated and placed on administrative leave.

49. On December 28, 2023, Plaintiff had been ordered to call Internal Affairs every morning at 0800 hours to report in. Plaintiff did so without missing a date. Plaintiff called Internal Affairs to advise Internal Affairs investigator Deputy Persall that Plaintiff had major surgery scheduled for December 29, 2023 and would likely be in the hospital until December 31, 2023. On December 29, 2023, Plaintiff had two fusions of his cervical spine. Plaintiff suffered from chronic pain after the surgery and was on pain medication.

50. On January 2, 2024, Plaintiff called Internal Affairs to check in at 0800 hours and was instructed by Deputy Constance Echols (hereinafter "Echols") to report to Internal Affairs. Washington had taken Plaintiff to the barber shop that morning, so they were less than three minutes away from the JCSO. When Plaintiff reported, Plaintiff was served with a hearing date

for a disciplinary hearing which was to be held in two days on Thursday January 4, 2024 at 0930 hours. Confused, Plaintiff asked Echols to explain to Plaintiff the reason for Plaintiff having to report to Internal Affairs. Plaintiff just had major surgery three days prior, was released from the hospital 24 hours earlier, and Internal Affairs was aware.

51. On January 3, 2024, Plaintiff's surgeon sent Internal Affairs a letter telling them that Plaintiff should not be interviewed at this time due to the pain, the extent of the surgery and the amount of medication Plaintiff was taking.

52. Plaintiff asserts it careless and incompetent of Internal Affairs to call Plaintiff in for a hearing so soon after surgery. Plaintiff asserts harassment and retaliation. Plaintiff was told by a source of information that Pettway was in a hurry to terminate Plaintiff. Plaintiff discovered that Pettway pursued an injunction to halt any investigative agency from obtaining information pertaining to an investigation Pettway himself instructed Internal Affairs to conduct on Plaintiff. Pettway's instructions were unethical. Pettway used his office to determine if Pettway was being investigated. Pettway cannot use JCSO investigators to compel another law enforcement officer to disclose if that officer has information pertaining to illegal activity being conducted by Pettway, or his brother, Bruce Pettway.

53. On January 11, 2024 Plaintiff was terminated by Pettway.

54. Plaintiff has endured severe and pervasive harassment and retaliation from Pettway and his administration.

55. Plaintiff had never been disciplined in 28 years as an employee of JCSO. Plaintiff has been called to Internal Affairs within the past two years of employment than Plaintiff had in the previous 25 years combined. None of the accusations made by Internal Affairs in any of the investigations were violations and Plaintiff was never advised what action constituted which

disciplinary charge. The charges against Plaintiff and the subsequent disciplines were erroneous and unjust and not supported by substantial legal evidence.

56. Plaintiff appealed his termination. Plaintiff was subjected to hearings for the charges of (1) using Plaintiff's position for personal gain, (2) lying during an Internal Affairs investigation, (3) treatment towards others and (4) conduct unbecoming of a law enforcement officer.

57. During the hearings Plaintiff's attorney, Hube Dodd (hereinafter "Dodd"), asked Echols what Plaintiff was under investigation for when Plaintiff was initially called into Internal Affairs. Dodd asked Echols if Dodd was correct in asking if Internal Affairs opens investigations when there are (1) policy violations, (2) violations of the law and (3) complaints of some type of impropriety. Echols testified that Mr. Dodd was correct. Dodd asked, "At the time Sergeant Washington was called to Internal Affairs, had he violated any laws, or policies?" Echols testified, "No". Dodd asked if there was a complaint of impropriety against Sergeant Washington. Echols testified "No."

58. Plaintiff asserts that the investigations by JCSO were opened against Plaintiff with no claim or evidence of Plaintiff committing any violations of the Rules and Regulations of the JCSO, or the Personnel Board of Jefferson County and were done so with malice, willfully and intentionally, and outside the protections afforded the Defendants by any claim of immunity.

59. On July 23, 2024 Plaintiff, as ordered by the Personnel Board of Jefferson County, was reinstated.

60. On July 25, 2024 Plaintiff inquired about when he was to return to duty and was instructed to wait.

61. On July 26, 2024 Plaintiff contacted Human Resources for JCSO and was informed he had no benefits, only credit for 23 years of service despite having more, and was still not given a return date.

62. On July 28, 2024 Plaintiff discovered that Howard was out of the country and had instructed her subordinates to NOT return the Plaintiff to duty.

63. On July 29, 2024 Plaintiff contacted the Personnel Board of Jefferson County for guidance and was instructed that no one was available to assist Plaintiff.

64. On July 30, 2024 Plaintiff contacted HR again for a return date and was instructed that Plaintiff was still not in the system. Plaintiff sent an email to Captain Perry advising Perry that HR marked him as active with no benefits and zero payroll.

65. That same day Perry responded by instructing Plaintiff to report to the Birmingham Division jail evening shift.

66. On July 31, 2024 Plaintiff reported to the jail, however, Plaintiff had no computer access nor was he on the payroll.

67. On August 5, 2024 Plaintiff still had NO access to the computer system nor was he on the payroll.

68. On August 6, 2024 Plaintiff not on payroll, had no access to KRONOS, or the UKG system, and still no access to the computer system.

69. On August 16, 2024 Plaintiff was still not properly authorized or equipped with the proper tools to do his job nor was his retirement information correct. Pettway and Howard are directly responsible for the problems Plaintiff is having getting properly reinstated.

70. On August 29, 2024 Plaintiff was forced to resign due to the Defendants malicious, intentional, harassment and retaliation that was so severe and pervasive that no reasonable person could work in the hostile work environment.

CAUSES OF ACTION

COUNT I

INTENTIONAL TORTIOUS INTERFERENCE WITH CONTRACTUAL AND BUSINESS RELATIONS AGAINST ALL DEFENDANTS IN THEIR INDIVIDUAL CAPACITIES

1. Plaintiff adopts and incorporates the above paragraphs as if set out fully herein.
2. Defendants, in their individual capacities, did intentionally interfere with Plaintiff's contractual and business relationships by intentionally subjecting the Plaintiff to baseless investigations, conducting sham investigations that were incomplete and retaliatory, disciplining Plaintiff, retaliating against the Plaintiff by assigning Plaintiff to the corrections division on the evening shift despite Plaintiff having specialized training and knowledge and seniority, tampering with the Plaintiff's pension status, and failing to provide the Plaintiff with the proper authorizations to perform his duties after he returned to duty following Plaintiff's unlawful termination.
3. As a result of Defendant's actions, Plaintiff suffered financially and emotionally.
4. Plaintiff has suffered diminished reputation, mental anxiety, depression, and financially from the false statements and actions of the Defendants.

COUNT II

WRONGFUL TERMINATION/CONSTRUCTIVE DISCHARGE/RETALIATION/HOSTILE WORK ENVIRONMENT AGAINST ALL DEFENDANTS

1. The Plaintiff realleges and incorporates by reference paragraphs 16-37.
2. The Defendant did wrongfully cause the Plaintiff to resign his employment due to false and insufficient allegations of rules violations, harassment, retaliation, disciplinary assignments, and a failure to properly reinstate the Plaintiff after being ordered to do so by the Personnel Board of Jefferson County.

COUNT III

FOURTEENTH AMENDMENT PROCEDURAL DUE PROCESS – PROPERTY INTEREST 42 U.S.C. § 1983 AGAINST ALL DEFENDANTS

1. Plaintiff was a "for-cause" employee with a protected property interest in his continued employment. This interest vested six months after his hire date.
2. Defendants deprived Plaintiff of this property interest without a meaningful hearing or an impartial decision-maker by terminating Plaintiff on January 11, 2023 and by forcing his resignation on August 29, 2024.
3. The termination process was a constitutionally deficient "sham" because: a. Sheriff Pettway had already approved Plaintiff's termination prior to the Plaintiff's determination hearing. b. The hearing served as a "kangaroo court" with a predetermined outcome.

COUNT IV

CIVIL CONSPIRACY TO VIOLATE CIVIL RIGHTS 42 U.S.C. § 1983 AGAINST ALL DEFENDANTS

1. Defendants reached a meeting of the minds to retaliate against Plaintiff and deprive him of his constitutional rights.
2. The conspiracy is evidenced by the coordinated nature of Defendants' actions, including:

- a The synchronized timing of disciplinary actions.
 - b The deliberate disciplinary investigations meant to chill the ability of the Plaintiff to conduct investigations whether real or imagined.
 - c The repeated characterization of Plaintiff as a liar during meetings, reflecting a shared intent to isolate, marginalize, and remove Plaintiff from the JCSO rather than address the misconduct he reported.
3. Each Defendant took overt acts in furtherance of this conspiracy.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, the Plaintiff prays that this Court grant:

- (a) Actual and compensatory damages arising from the Defendants violation of the Plaintiffs Fourteenth Amendment Right to a property interest., hostile work environment, wrongful termination, and retaliatory discharge;
- (b) Reasonable and necessary attorney's fees and costs; and
- (c) Any further relief this honorable Court deems just and proper.

Respectfully Submitted,

/s/ Scott T. Morro

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Attorney for Plaintiff

THE PLAINTIFF WILL SERVE THE DEFENDANTS BY SPECIAL PROCESS SERVER:

SUMMONS
- CIVIL -

Court Case Number
01-CV-2026-900119.00

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA COUNTY, ALABAMA
JUDE WASHINGTON V. MARK PETTWAY ET AL

NOTICE TO: CONSTANCE ECHOLS, 2200 EIGHTH AVENUE NORTH, BIRMINGHAM, AL 35203

(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S),
SCOTT THOMAS MORRO MR

[Name(s) of Attorney(s)]

WHOSE ADDRESS(ES) IS/ARE: P.O. Box 1644, Gardendale, AL 35071

[Address(es) of Plaintiff(s) or Attorney(s)]

THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

**TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL
PROCEDURE TO SERVE PROCESS:**

☒ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

☐ Service by certified mail of this Summons is initiated upon the written request below of
pursuant to the Alabama Rules of the Civil Procedure.

[Name(s)]

01/11/2026

(Date)

/s/ JACQUELINE ANDERSON SMITH

(Signature of Clerk)

By:

(Name)

☐ Certified Mail is hereby requested.

(Plaintiff's/Attorney's Signature)

RETURN ON SERVICE

Certified Mail

☐ Return receipt of certified mail received in this office on

(Date)

Personal/Authorized

☐ I certify that I personally delivered a copy of this Summons and the Complaint or other document to

in

County, Alabama on

(First and Last Name of Person Served)

(Name of County)

(Date)

Document left:

- ☐ with above-named Defendant;
- ☐ with an individual authorized to receive service of process pursuant to Rule 4(c), Alabama Rules of Civil Procedure;
- ☐ at the above-named Defendant's dwelling house or place or usual place of abode with some person of suitable age and discretion then residing therein.

Return of Non-Service

☐ I certify that service of process of this Summons and the Complaint or other document was returned- Not Found

☐ I certify that service of process of this Summons and the Complaint or other document was refused by

in

County, Alabama on

who is:

(First and Last Name of Person Served)

(Name of County)

(Date)

- ☐ the above-named Defendant;
- ☐ an individual authorized to receive service of process pursuant to Rule 4(c), Alabama Rules of Civil Procedure;

☐ As a designated process server pursuant to Rule 4(i)(1)(B), Alabama Rules of Civil Procedure, I certify that I am at least 19 years of age, I am not a party to this proceeding, and I am not related within the third degree by blood or marriage to the party seeking service of process.

(Type of Process Server)

(Server's Signature)

(Address of Server)

(Badge or Precinct Number of Sheriff or Constable)

(Server's Printed Name)

(Badge or Precinct Number of Sheriff or Constable)

(Telephone Number of Designated Process Server)

Service Return Copy

