

IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI

KENNY BRYANT,)
)
PLAINTIFF,)
)
V.)
)
ROBERT SYLVESTER KELLY,)
ROCK LAND RECORDS, INC.,) CIVIL ACTION NO. 17-244
R. KELLY TOURING, INC.,)
865 LARRABEE L.L.C.,)
BASS PRODUCTIONS LTD.,)
THE LYRIC ROOM, LTD.,)
TITC, INC., and)
R. KELLY PUBLISHING, INC., and)
JOHN DOES 1-10.)
DEFENDANTS.)

COMPLAINT

JURY TRIAL DEMANDED

COMES NOW the Plaintiff, Kenny Bryant, and files this his Complaint against Robert Sylvester Kelly, as follows:

PARTIES

1. The Plaintiff, Kenny Bryant ("Bryant" or "Plaintiff"), is an adult resident citizen of Mississippi who resides in Hinds County, Mississippi.

2. The Defendant, Robert Sylvester Kelly ("R. Kelly" or "Defendant"), is an adult resident citizen of the State of Illinois, County of Cook, who can be personally served with process of this court at 308 Madison Street, Oak Park, Illinois, 60302-4110.

3. The Defendant, Rock Land Records, Inc. is a dissolved corporation with its principal place of business in Illinois. It may be served with process by personal service on Robert Sylvester Kelly, or via its registered agent Stephen P. Sandler at 222 N. LaSalle Street, Suite 800, Chicago, Illinois 60601.

4. The Defendant, R. Kelly Touring, Inc. is a dissolved corporation with its principal place of business in Illinois. It may be served with process by personal service on Robert Sylvester Kelly at 308 Madison Street, Oak Park, Illinois, 60302-4110, as its registered agent has vacated.

5. The Defendant, 865 Larrabee, L.L.C. is a dissolved limited liability company with its principal place of business in Illinois. It may be served with process by personal service on Robert Sylvester Kelly, or via its registered agent Stephen Sandler at 222 N. LaSalle, Suite 800, Chicago, Illinois, 60601.

6. The Defendant, Bass Productions Ltd. is an active Illinois corporation with its principal place of business in Illinois. It may be served with process by personal service on Robert Sylvester Kelly, or via its registered agent BCRA Co at 161 North Clark St., Suite 4300, Chicago, Illinois 60601.

7. The Defendant, the Lyric Room Ltd. is an Illinois corporation that was dissolved on September 11, 2015. It may be served with process by personal service on Robert Sylvester Kelly, or via its registered agent Gerald Jones at 500 North Michigan Avenue, Chicago, Illinois 60611.

8. The Defendant, TITC, Inc. is an active Illinois corporation with its principal place of business in Illinois. It may be served with process by personal service on Robert Sylvester Kelly, or via its registered agent Linda Mensch at 203 North LaSalle Street, Suite 2550, Chicago, Illinois, 60601.

9. The Defendant, R. Kelly Publishing, Inc. is an active Illinois corporation with its principal place of business in Illinois. It may be served with process by personal service on

Robert Sylvester Kelly, or via its registered agent Linda Mensch at 203 North LaSalle Street, Suite 2550, Chicago, Illinois, 60601.

10. Defendants John Does 1 – 10 are persons and/or entities that may be liable for some or all of the claims set forth herein. Their identities are not yet known, but when discovered, they will be substituted herein.

JURISDICTION AND VENUE

11. Venue and jurisdiction are proper in Hinds County, as one or more substantial acts and events which caused the subject injury occurred in Hinds County. Furthermore, the Defendants committed a tort in whole or in part in the State of Mississippi against the Plaintiff pursuant to Mississippi's Long-Arm Statute, Miss. Code Ann. § 13-3-57, and shall thereby be subjected to the jurisdiction of the courts of Mississippi. Venue in this Court is proper because this lawsuit is based upon injuries, actions, conduct, acts and/or omissions which occurred and/or accrued in whole or in part within Hinds County, Mississippi.

FACTUAL ALLEGATIONS

12. The Plaintiff, Kenny Bryant ("Bryant") and Asia Childress ("Childress") were lawfully married on July 15, 2012. Plaintiff and Childress lived together as husband and wife and cohabitated together happily until the wrongful actions of Defendants which irreparably injured said relationship.

13. Unknown to Bryant, R. Kelly became involved in an intimate extramarital relationship with Childress in October 2012, regularly communicated with Childress from October 2012 until present, and has had multiple in-person visits with Childress over this period of almost five years.

14. R. Kelly has continued via telephone, text messaging, and live visits with Childress in fostering her adulterous relationship, causing her to leave her marriage.

15. R. Kelly is the President of Defendant company Rock Land Records, Inc., and Rock Land Records, Inc. financed various tools, accommodations, luxuries, goods and transportation to assist R. Kelly in his sexual liaisons with Plaintiff's wife.

16. R. Kelly is the President of Defendant company R. Kelly Touring, Inc., and R. Kelly Touring, Inc. financed various tools, accommodations, luxuries, goods and transportation to assist R. Kelly in his sexual liaisons with Plaintiff's wife.

17. R. Kelly is the President of Defendant company 865 Larrabee, L.L.C., and 865 Larrabee, L.L.C. financed various tools, accommodations, luxuries, goods and transportation to assist R. Kelly in his sexual liaisons with Plaintiff's wife.

18. R. Kelly is the President of Defendant company Bass Productions Ltd., and Bass Productions Ltd. financed various tools, accommodations, luxuries, goods and transportation to assist R. Kelly in his sexual liaisons with Plaintiff's wife.

19. R. Kelly was the President of Defendant company The Lyric Room, Ltd., during the time of his liaisons with Plaintiff's wife. The Lyric Room, Ltd. financed various tools, accommodations, luxuries, goods and transportation to assist R. Kelly in carrying out these sexual liaisons.

20. R. Kelly is the President of Defendant company TITC, Inc., which has financed various tools, accommodations, luxuries, goods and transportation to assist R. Kelly in his sexual liaisons with Plaintiff's wife.

21. R. Kelly is the President of Defendant company R. Kelly Publishing, Inc., which has financed various tools, accommodations, luxuries, goods and transportation to assist R. Kelly in his sexual liaisons with Plaintiff's wife.

22. R. Kelly has used telephone, text messaging, and live visits to communicate with Childress in the State of Mississippi to set up and conduct their adulterous relationship in various other places such as Tennessee, Georgia, North Carolina, Florida and other states in order to lure Childress from the Plaintiff. See, for example, attached text messages between R. Kelly and Childress, attached hereto as Exhibit "A."

23. Upon information and belief, Childress had an intimate relationship with R. Kelly prior to Plaintiff's marriage to Childress. Plaintiff was told that the relationship had ended. To Plaintiff's knowledge, it had ended.

24. However, when Childress attended an R. Kelly concert in October 2012, a few months after Plaintiff's wedding date to Childress, Childress and R. Kelly re-commenced an intimate relationship.

25. Thereafter, Childress did not have sexual relations with Plaintiff from October 2012 until February 2013. Childress was treated for chlamydia during this time period. Childress contracted this sexual disease from her extramarital relationship with R. Kelly.

26. Childress continued to carry on an intimate relationship with R. Kelly behind the back of her husband, at one point even suggesting a move to Atlanta, Georgia, the ulterior motive of which was to foster her adulterous relationship with R. Kelly. See Exhibit A, for text messages where Childress expresses to R. Kelly the purpose of her move to Georgia.

27. Childress's stated reason for wanting to move to Georgia was for her career. Plaintiff agreed to his wife's request, quit his good job in Mississippi, and moved to Atlanta.

28. However, Plaintiff was unable to find profitable employment in Atlanta.

29. The move to Georgia was financially ruinous for Plaintiff.

30. As a result of her adulterous relationship with R. Kelly, Childress endeavored to live a lifestyle that surpassed her economic abilities, and convinced Bryant to aid her in living beyond her means.

31. Each time R. Kelly would have a concert in a nearby state, Childress would disappear to unite with her lover. Time after time, R. Kelly cuckolded Bryant, with blatant disregard for Bryant's and Childress' vows. See, for example, Exhibit A, where R. Kelly instructs Childress to "cum."

32. Bryant tried every avenue to hold his marriage together, but his efforts could not prevail against R. Kelly's continued sexual overtures to Childress.

33. Plaintiff would show that R. Kelly did recklessly and/or negligently injure the Plaintiff and deprive him of his spouse and her love, aid, support, protection, comfort, society, companionship, devotion, association, and conjugal affection, and did willfully, wrongfully, and maliciously prejudice her mind against the Plaintiff and did alienate her affections from the Plaintiff. Childress has requested a divorce in order to continue her relationship with R. Kelly.

34. As stated above, R. Kelly seduced Childress and encouraged their illicit relationship with various forms of communication, including live in-person rendezvous, phone calls, text messages, some of which were communications were in the State of Mississippi. These actions caused serious and permanent damages to Plaintiff and his relationship with his wife, Childress.

TORTIOUS INTERFERENCE WITH THE MARRIAGE

35. Plaintiff re-incorporates the allegations in paragraphs 1-34 as if fully stated herein.

36. Plaintiff would show unto this Court that at the time of his illicit conduct and activities, R. Kelly was aware of the marital relationship and status between Childress and the Plaintiff. The Plaintiff was entitled to his lawful, natural and conjugal rights and privileges with his spouse, including but not limited to, comfort, companionship, society, love, and services, all of which contribute to the foundation of a marriage. Nonetheless, due to R. Kelly's actions, Bryant suffered the loss of and damage to his conjugal relations with his wife, and Childress now has requested a divorce in order to continue her adulterous relationship. R. Kelly did negligently and/or recklessly interfere with the marriage contract between Childress and Bryant and did negligently and/or recklessly elicit and/or solicit and then alienate the affections of Childress away from Bryant.

37. Bryant's loss of his conjugal rights and of the society, companionship, and consortium with, of, to and from his wife was directly and proximately caused by R. Kelly's interference with and alienation of Childress' affections. This alienation of affections caused Bryant severe and grievous mental and emotional distress, in addition to financial ruin.

RECKLESS INFLECTION OF EMOTIONAL DISTRESS

38. Plaintiff re-incorporates the allegations in paragraphs 1-37 as if fully stated herein.

39. Plaintiff would show that R. Kelly exhibited recklessness and disregard for the sanctity of marriage with his actions, and that the actions of R. Kelly evoke disgust and outrage in civilized society.

40. Furthermore, R. Kelly perpetuated a pattern of conduct that caused foreseeable harm to Plaintiff and deliberately destroyed Plaintiff's marriage to Childress. The resulting emotional distress caused by R. Kelly's actions was entirely foreseeable and has resulted in injuries and damages to Plaintiff. R. Kelly owed a duty to Plaintiff to use reasonable care and to act prudently to avoid the infliction of emotional distress upon Plaintiff. R. Kelly breached this duty, and he either knew or should have known that deliberately destroying Plaintiff's marriage and family would cause mental and emotional distress to Plaintiff. R. Kelly's conduct was intentional and/or grossly negligent and did proximately cause mental and emotional distress to Plaintiff in addition to the aforementioned financial damage.

41. Due to R. Kelly's actions, Plaintiff's wife has requested a divorce, and Plaintiff's relationship with his wife has suffered deterioration beyond repair. Plaintiff has suffered emotional, psychological and financial loss due to R. Kelly's actions.

COMPENSATORY DAMAGES

42. Plaintiff re-incorporates the allegations in paragraphs 1-41 as if fully stated herein.

43. As a direct and proximate consequence of the unlawful and tortious acts of R. Kelly, Plaintiff has suffered the following damages:

- (a) Extreme emotional distress and past, present and future mental anguish
- (b) Loss of the companionship, support, and society of Childress; loss of his lawful conjugal relations with Childress; loss of the income and support of Childress; loss of the wifely comfort and services of Childress; and loss of his day-to-day family life and relationship with Childress;

(c) Attorney's fees and other costs associated with R. Kelly's interference with Plaintiff's marriage to Childress.

PUNITIVE DAMAGES

44. Plaintiff re-incorporates the allegations in paragraphs 1-43 as if fully stated herein.

45. The conduct of R. Kelly as set forth herein constitutes willful, wanton, reckless, and tortious conduct entitling Plaintiff to an award of punitive damages. Plaintiff plans to produce evidence relating to the factors set forth in Mississippi Code Annotated § 11-1-65 above and beyond the allegations listed in this Complaint to support his claim for punitive damages. Such evidence will include but will not be limited to further evidence of R. Kelly's commission of various and sundry acts in furtherance of his tortious conduct, R. Kelly's efforts to conceal his tortious conduct, R. Kelly's net worth and expected future income, and evidence related to the demise of Plaintiff's marriage.

46. Plaintiff would aver that the restrictions on compensatory and punitive damages set forth in Mississippi Code Annotated § 11-1-65 are void and unenforceable because they violate the due process and equal protection clauses of the both the Mississippi Constitution and the United States Constitution.

47. R. Kelly's wanton and reckless interference with Plaintiff's marriage relationship, his blatant disregard for family values, and his un-condoned and unrelenting adulterous relationship with Plaintiff's wife was accompanied by R. Kelly's enticement of Childress to ignore her marriage. R. Kelly further deviously acted to conceal his adulterous relationship with Childress from Plaintiff and others, and punitive damages against R. Kelly are justified in this matter. R. Kelly engaged in negligent, wrongful, reckless and wanton adulterous conduct without

regard to the consequences to Plaintiff. Accordingly, Plaintiff is entitled to an award of punitive damages of, from and against R. Kelly in such an amount as to punish him, make an example of him to others, and to deter him and other similarly-situated defendants from engaging in such adulterous conduct in the future, in service of the public interest.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff, Kenneth Bryant, demands a judgment of, from and against the Defendants, Robert Sylvester Kelly, Rock Land Records, Inc., R. Kelly Touring, Inc., 865 Larrabee L.L.C., Bass Productions, Ltd., The Lyric Room, Ltd., TITC, Inc., R. Kelly Publishing, Inc., and John Does 1-10, awarding to Plaintiff the following:

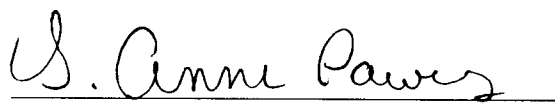
- (a) Actual and compensatory damages in an amount to be determined by a jury;
- (b) Punitive damages in an amount to be determined by a jury so as to punish the Defendant, make an example of him, deter him and other similarly-situated defendants from engaging in such adulterous conduct in the future, and otherwise serve the public interest;
- (c) Attorney's fees, court costs and related expenses;
- (d) Post-judgment interest; and
- (e) All other relief to which Plaintiff may be entitled.

FURTHERMORE, Plaintiff also demands a trial by jury.

THIS the 21st day of April, 2017.

Respectfully submitted,

KENNETH BRYANT, Plaintiff



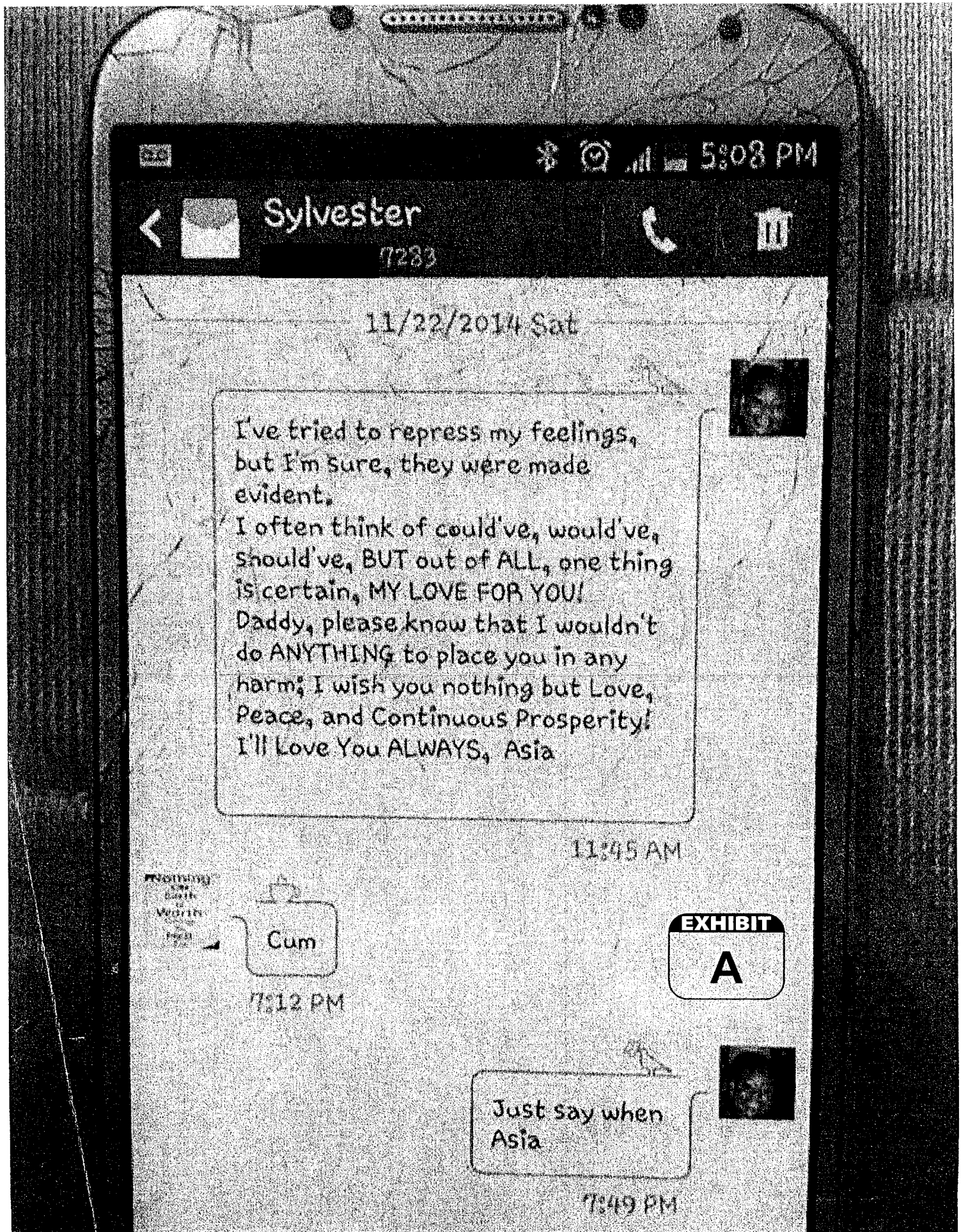
Dorsey R. Carson, Jr. (MSB #10493)

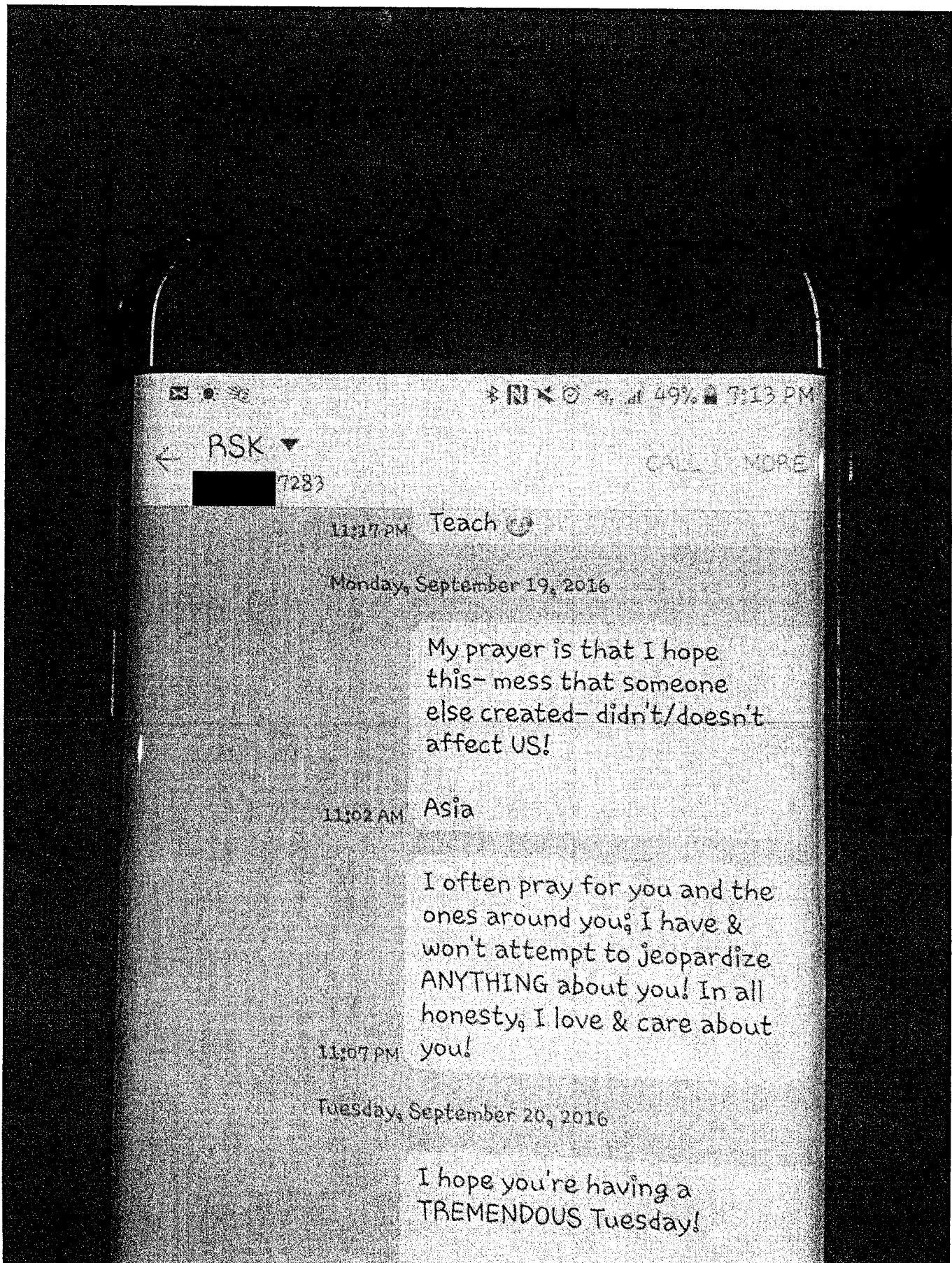
S. Anna Powers (MSB #103201)

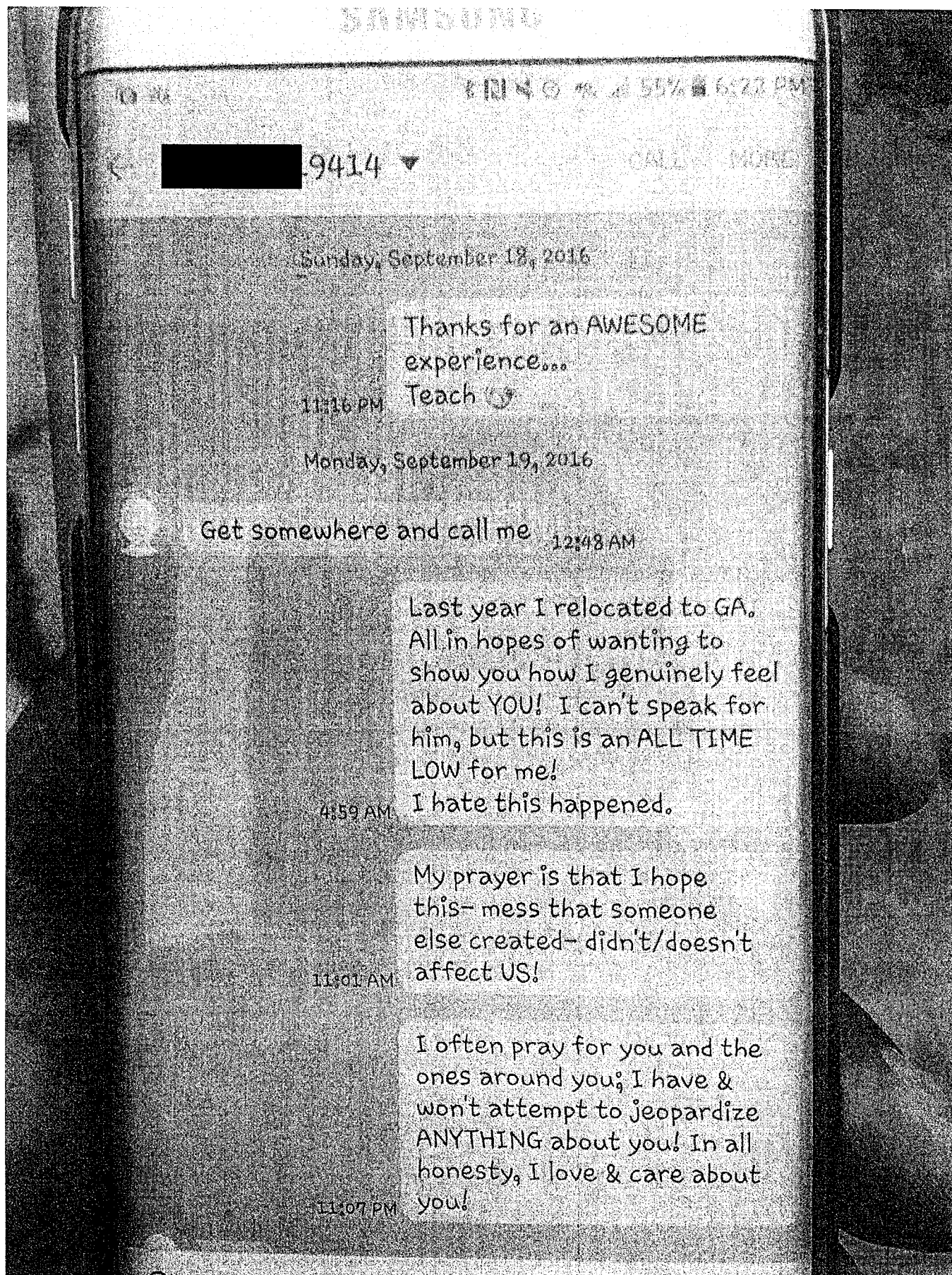
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Sunday, September 18, 2016

Thanks for an AWESOME
experience...

11:16 PM Teach ☺

Monday, September 19, 2016

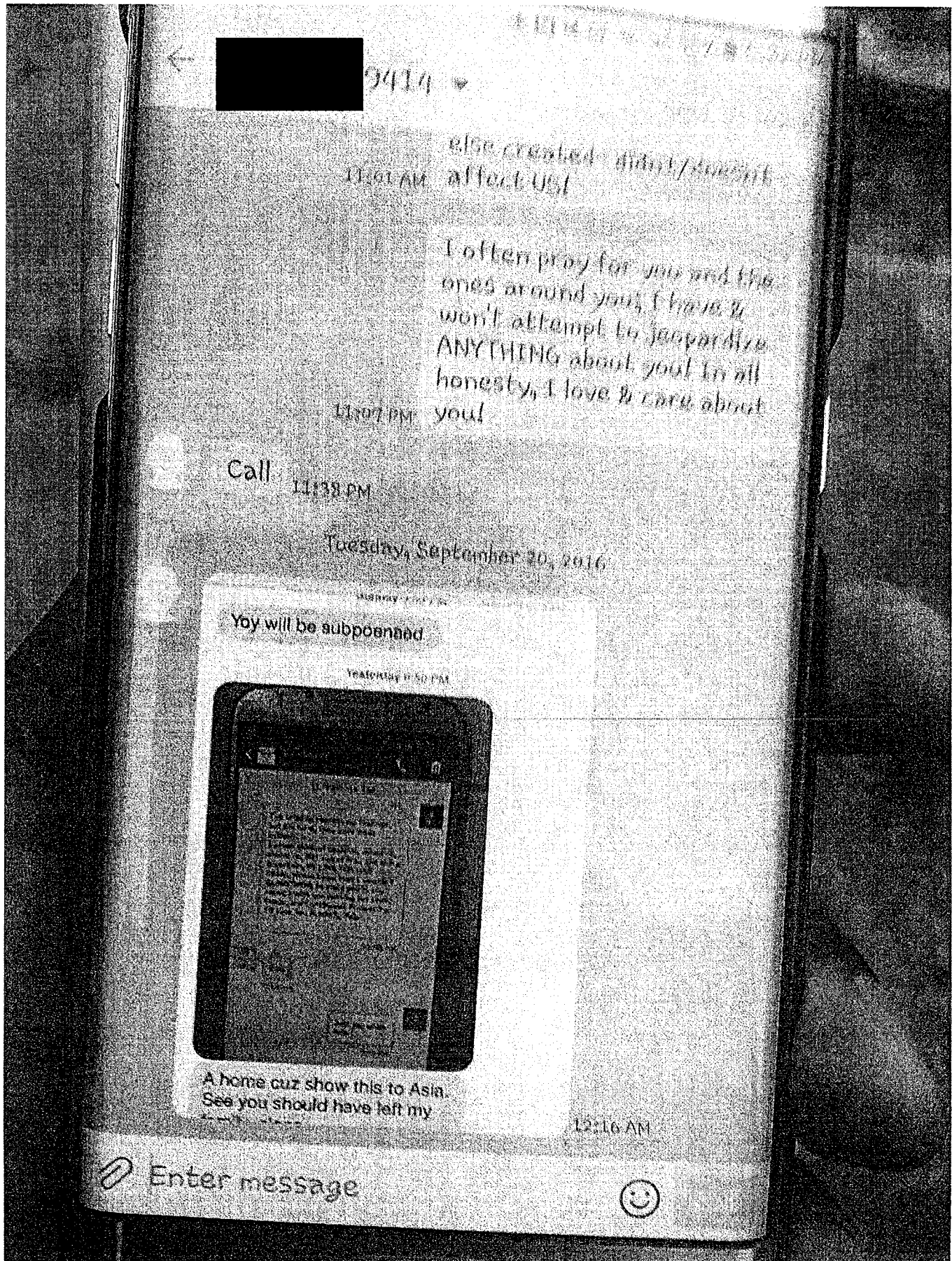
ewhere and call me 12:42 AM

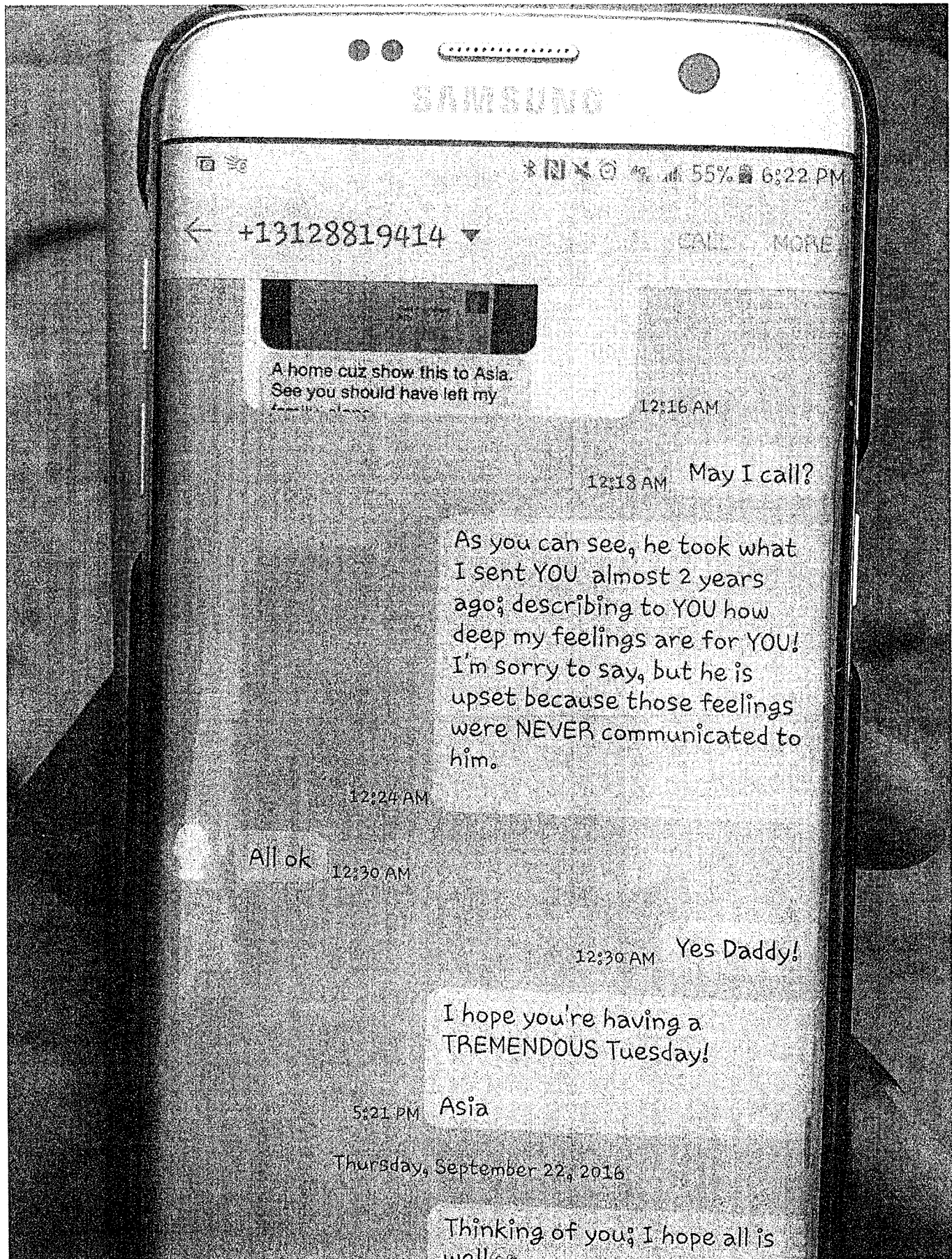
Last year I relocated to GA.
All in hopes of wanting to
show you how I genuinely feel
about YOU! I can't speak for
him, but this is an ALL TIME
LOW for me!

4:59 AM I hate this happened.

11:01 AM My prayer is that I hope
this- mess that someone
else created- didn't/doesn't
affect US!

11:07 PM I often pray for you and the
ones around you; I have &
won't attempt to jeopardize
ANYTHING about you! In all
honesty, I love & care about
you!





Monday, September 19, 2016

My prayer is that I hope
this- mess that someone
else created- didn't/doesn't
affect US!

11:02 AM Asia

I often pray for you and the
ones around you; I have &
won't attempt to jeopardize
ANYTHING about you! In all
honesty, I love & care about
you!

11:07 PM

Tuesday, September 20, 2016

I hope you're having a
TREMENDOUS Tuesday!

5:21 PM Asia

Thursday, September 22, 2016

Thinking of you; I hope all is
well 😊

5:36 PM Asia

📎 Enter message

