

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

RONALD RALLIS,

PLAINTIFF,

vs.

J.H. THOMPSON, IN HIS OFFICIAL
CAPACITY AS THE CHIEF OF POLICE
FOR GREENVILLE CITY POLICE
DEPARTMENT, AND PAULA RALLIS,

DEFENDANT(S).

IN THE COURT OF COMMON PLEAS

THIRTEENTH JUDICIAL CIRCUIT

Case No.: 2022-CP-23-

SUMMONS

TO: THE ABOVE-NAMED DEFENDANT

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this matter, a copy of which is herewith served upon you, and to serve a copy of your Answer to the said Complaint on the subscriber at his office, 211 Pettigru Street, Greenville, South Carolina, 29601, within thirty (30) days after the service hereof, exclusive of the day of such service, and if you fail to answer the Complaint within the time aforesaid, judgment by default will be rendered against you for the relief demanded in the Complaint.

s/ Daniel J. Farnsworth, Jr. (SCB# 6922)

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March 28, 2022

Greenville, South Carolina

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

Ronald Dean Rallis,

Plaintiff(s),

vs.

**J.H. Thompson, in his official capacity as
the Chief of Police for Greenville City Police
Department, City of Greenville, and Paula
Rallis,**

Defendant(s).

IN THE COURT OF COMMON PLEAS

C. A. NO: 2022-CP-23-

**COMPLAINT
(Jury Trial Demanded)**

The Plaintiffs, by and through his undersigned counsel, for a Complaint against the Defendants, does hereby respectfully allege as follows:

PARTIES

Plaintiff

1. The Plaintiff, Ronald Dean Rallis (hereinafter "Ronald") is a citizen and resident of Greenville County, State of South Carolina.

Defendants

2. J.H. Thompson, in his official capacity as the Chief of Police for the Greenville City Police Department, Greenville City Police Department, and the City of Greenville are all political subdivisions of the State of South Carolina and/or some other type of entity that is/are responsible for the actions of its agents and employees at the Greenville City Police Department

3. These 'employing' Defendants are sued in their representative capacities pursuant to the South Carolina Tort Claims Act that makes the employing entity liable for the torts of its employees (*S.C. Code* §15-78-70). Plaintiff alleges the Greenville City Police Department

(hereinafter "GPD") and the City of Greenville (hereinafter "City") are liable for the acts and omissions of its employees for the negligence, gross negligence, recklessness and other liability forming conduct that caused harm to the Plaintiff.

4. Defendant Paula Rallis (hereinafter "Paula"), is or was, a resident of Greenville County, South Carolina at the time of the incidents alleged in this Complaint.

5. Greenville City Police officers who responded to the call giving rise to this action were at all relevant times acting under color of law and in the course and scope of their duties as employees, agents and/or officers of the Greenville Police Department or one or more the above-named employing Defendants. These officers are believed to be citizens and residents of the County of Greenville, or at least was at the time of the alleged incident.

6. The negligent and grossly negligent acts, omissions and liability forming conduct of all Defendants includes their agents, principals, employees and/or servants, both directly and vicariously, pursuant to principals of non-delegable duty, apparent authority, agency, ostensible agency and/or respondeat superior and the acts and/or omissions of the above-named Defendants were the direct and proximate cause of the injuries, damages and losses of the Plaintiff.

JURISDICTION

7. Jurisdiction is founded upon South Carolina common law and pursuant the South Carolina Tort Claims Act S.C. *Code Ann.* § 15-78-10, *et seq.*

8. The events which give rise to this litigation occurred in Greenville County, South Carolina.

9. Plaintiff further invokes this Court's concurrent jurisdiction to hear claims arising under the Fourth and Fourteenth Amendments of the United States Constitution and brought pursuant to 42 U.S.C. §§ 1983 and 1988 against individually named Defendants.

GENERAL FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS

10. On or about the afternoon of July 22, 2021, in the County of Greenville, City of Greenville and the State of South Carolina, Ronald and Paula were actively going through a marital separation.

11. On July 22, 2021, Ronald contacted Paula to check on her as she had missed a scheduled marital counseling session, and she told him over the phone that she was not doing well. Ronald then made the decision to visit Paula at their jointly owned place of business, located at 629 Augusta Street, to talk with Paula.

12. Ronald arrived at the couple's business, and locked the door so no customers could enter while they were having a personal conversation.

13. While Ronald and Paula were talking, he reached out attempting to console her and reached to give her a hug around her waist. Paula suddenly pulled away and asked Ronald to leave.

14. Ronald then exited the premises, and returned to give Paula a devotional and exited again without returning.

15. Upon information and belief, Paula Rallis then later called the Greenville Police Department falsely reporting an alleged Domestic Violence and Kidnapping.

16. Upon information and belief, this alleged Domestic Violence and Kidnapping report(s) were assigned to Officer Amanda Ross (hereinafter "Officer Ross") with Greenville Police Department for investigation and prosecution of the alleged crime.

17. Upon information and belief, on July 22, 2021, Officer Amanda Ross contacted (or met with) Paula.

18. Upon information and belief, Paula gave Officer Amanda Ross certain

exaggerated and false information about the alleged Domestic Violence and Kidnapping, which included a written statement from Paula.

19. Surveillance video footage from the premises also recorded the entire conversation between the parties and the alleged incident.

20. Upon information and belief, a simple review of the surveillance video from the business by Officer Amanda Ross would have shown, that Ronald did not assault Paula, was not intending to assault Paula, showed no intention to assault Paula, or restrict her from leaving the premises in any way.

21. Upon information and belief, Officer Amanda Ross did not make contact with Ronald regarding this incident to investigate and test the veracity of Paula's claims.

22. Upon information and belief, on that same day July 22, 2021, Officer Amanda Ross went before a municipal judge in Greenville City and swore under oath that Ronald committed the crime of "Domestic Violence, 2nd Degree" and "Kidnapping" at the business premises owned by Paula and Ronald.

23. Upon information and belief, Officer Amanda Ross told the Judge that Ronald grabbed Paula by the waist and attempted to force her into the back room against her will.

24. Upon information and belief, however, Officer Ross intentionally did not reveal the Judge that in the surveillance video all that can be seen is Ronald reaching gently, and lovingly, for Paula by the waist; and her immediately backing away, and that no actual assault occurred.

25. Upon information and belief, Officer Amanda Ross only told the judge a 'half-truth' about what occurred during the incident and did not have all information from both parties involved, or even review objective evidence that was available.

26. A half-truth is the same as a lie, and so upon information and belief, Officer Amanda Ross told the Judge a lie without investigating all available information.

27. Upon information and belief, as such, any warrant issued based upon the lies told by Officer Amanda Ross to the Judge was faulty and unconstitutional.

28. Upon information and belief, as a result of the combined actions of all Defendants, an arrest warrant, albeit faulty, was issued for the arrest of completely innocent Plaintiff Ronald Dean Rallis on July 22, 2021.

29. Upon information and belief, on that same day July 22, 2021, Officers Snelgrove, Penrod, Vergiels, Saylors, Pettit, and K-9 Rhumie, all with GPD, responded to Ronald's home, located at 101 Falls Park Drive, Apartment 5B, to arrest Ronald, take him to jail and serve the warrants obtained for Ronald.

30. Upon information and belief, the Officers Snelgrove, Penrod, Vergiels, Saylors, Pettit, and K-9 Rhumie, approached Ronald's door and knocked with no answer or movement in the home.

31. The Officers forcefully opened the door, shouting violently and drew their loaded weapons on Ronald, pointing them at his head and face.

32. Ronald then fell to his stomach on the floor and complied, as the officers pressed knees into his back and violently pulled his wrists behind his back, clinching steel handcuffs on his hands, as Ronald struggled with terror, begging the officers to tell him what why they were arresting him.

33. Officer Pettit confirmed Ronald's identity by his South Carolina Drivers License in his wallet, then advised Ronald of his active warrants for Domestic Violence, 2nd Degree and Kidnapping.

34. Ronald was taken into custody and taken to a jail holding cell at the Greenville County Detention Center.

35. Ronald was then taken to a section of the jail to have his mug shot taken.

36. Ronald was then taken to a section of the jail to have his fingerprints taken.

37. Ronald was then placed in a jail cell and locked away.

38. Ronald sat for hours in his jail cell wondering desperately why this was happening to him, and what he could have done nothing wrong to have caused him to be arrested and jailed.

39. Ronald sat in jail for hours, when a Judge finally set a bond for \$17,500.00, and requiring him to also be on GPS monitor after being released from the Detention Center.

40. Ronald then had to pay a bail bondsman to pledge his bond, so that he could be released from jail.

41. Ronald was then forced to hire a criminal defense attorney to defend the false criminal charges made against him.

42. Upon information and belief, Greenville Police Department and its other officers on the scene, and those reviewing and supervising the investigation, were aware, or should have been aware, of Officer Amanda Ross' grossly negligent investigation of incident and intentional indifference and disregard of available evidence, and did nothing to rectify this tragic situation and otherwise failed to hire, train or supervise Officer Amanda Ross, or Greenville Police Department was complicit in her improper conduct.

43. That as a direct and proximate result of all of the Defendants' acts and/or omissions the Plaintiff has suffered irreparable harm and damage.

FOR A FIRST CAUSE OF ACTION
(Negligence & Gross Negligence – State Tort Claims Act)
(As to Defendant Greenville Police Department)

44. The Plaintiff incorporates by reference all previous paragraphs above as if repeated herein.

45. Defendant Greenville Police Department departed from the duties of care required by law enforcement officers and the agencies that hire, train and employ these officers and were thereby negligent, careless, grossly negligent, reckless and acted in violation of the duties owed to Plaintiff in that they committed one or more of the following acts of omission or commission, any or all of which were departures from the prevailing duties of care owed by Defendant GPD;

- a. in failing to ensure they had contacted and investigated with both parties involved in the incident;
- b. in failing to appreciate the conditions that existed on the days in question;
- c. in failing to adhere to proper law enforcement procedures;
- d. in failing to use discretion before, during and after the arrest of Plaintiff;
- e. in failing to have in place proper and adequate policies, procedures and protocols for law enforcement officers to investigate crimes before taking out a warrant pursuant to the law and proper police procedure, training of officers or, if such policies, procedures and protocols were in place, in failing to use due care to enforce them;
- g. in failing to maintain the authenticity, integrity and accuracy of an investigative file when a person is to be arrested; and,
- h. in such other particulars as may be ascertained through discovery procedures undertaken pursuant to South Carolina Rules of Civil Procedure.

46. As a direct and proximate result of the negligence, carelessness, gross negligence, recklessness and departure from the duties of care owed by Defendant GPD, Plaintiff was injured and has suffered severe and extreme emotional distress, anxiety, grief and other harms and losses

for which the Plaintiff is entitled to recover, in an amount to be determined by a jury at the trial of this action.

**FOR A SECOND CAUSE OF ACTION
(Defamation and Defamation *Per Se*)
(As to Defendant Paula Rallis)**

47. The Plaintiff realleges each and every allegation contained in all of the above paragraphs as if set forth herein verbatim.

48. Defendant Paula Rallis knew that the allegations and implications contained in her statements to the Greenville Police were false and exaggerated.

49. Defendant Paula Rallis knew these allegations were extremely harmful to the Plaintiff Ronald.

50. This knowledge combined with Defendant's continued publishing, repeating and or causing to be published, of these defamatory statements amount to malice on the part of these Defendant Paula Rallis.

51. The allegations and implications published by Defendant Paula Rallis were false.

52. Continual and repeated publication of these false statements were made, or caused to be made, by the Defendant Paula Rallis.

32. The false statements made by Defendant Paula Rallis were accusations of a violent crime and are therefore defamatory *per se*.

54. As a direct and proximate result of the acts and omissions of these Defendant Paula Rallis, Plaintiff suffered irreparable damage, the extent of which is unable to measure.

**FOR A THIRD CAUSE OF ACTION
(Negligence, Gross Negligence & Recklessness)
(As to Defendants Greenville Police Department, City of Greenville and Paula Rallis)**

55. The Plaintiff realleges each and every allegation contained in all of the above paragraphs as if set forth herein verbatim.
56. Defendant Paula Rallis had a duty to tell the truth and refrain from making accusations of Domestic Violence and Kidnapping that were false, exaggerated, or without just or reasonable cause.
57. Greenville Police Officer Amanda Ross had a duty to verify the claims being made by the alleged victim in this incident, including examining the actions of the parties in the available surveillance video, as well as investigating thoroughly by interviewing both parties involved in the incident, prior to concluding that a crime had occurred and deciding to seize, detain and imprison one of our communities' citizens.
58. Defendants Chief J.H. Thompson and Greenville City Police had a duty to hire, train and supervise its employees to as to not take action and then commit such omissions in the manner that Officer Amanda Ross did with respect to the false and exaggerated accusations against Plaintiff Ronald Rallis.
59. Greenville Police Department had a duty to have specific and sufficient policies and procedures in place to prevent the harm that occurred to Plaintiff Ronald Rallis, and if such policies and procedures did in fact exist, then Defendant Greenville Police Department failed to take proper measures to ensure said policies and procedures were followed.
60. Upon information and belief Greenville Police Department, City of Greenville and Paula Rallis have violated other duties owed to the Plaintiff and Plaintiff expects to learn

of these during the discovery of this case.

61. The Defendants were all negligent, grossly negligent and reckless in violating the above-described duties.

62. As a direct and proximate result of the Defendants' acts and omissions, Plaintiff suffered serious damage.

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

63. That the Plaintiff reallege each and every allegation contained in all of the above paragraphs as if set forth herein verbatim.

64. By causing to be arrested a completely innocent person, when these Defendants knew or should have known through even the slightest amount of care that Plaintiff Ronald Rallis had not committed the act of Domestic Violence, 2nd Degree, or Kidnapping against Paula Rallis on July 22, 2020.

65. Defendants intentionally or recklessly inflicted, and continue through today to inflict, severe emotional distress upon the Plaintiff, or were certain or substantially certain that such distress would result from their conduct.

66. The Defendants' conduct was, and continues to be, so extreme and outrageous as to exceed all possible bounds of decency and must be regarded as atrocious and utterly intolerable in a civilized community.

67. The emotional distress suffered by the Plaintiffs was severe so that no reasonable person could be expected to endure it.

68. The actions of the Defendants were the direct and proximate cause of the Plaintiffs' emotional distress and other damages.

69. As a result of these Defendants' acts and omissions, the Plaintiffs have suffered severe emotional distress, mental anxiety, a loss of friends and social acquaintances due to false and shocking allegations being spread about him, along with other harms and losses.

**FOR A FIFTH CAUSE OF ACTION
False Imprisonment/Arrest
(As to All Defendants)**

70. That the Plaintiff realleges each and every allegation contained in all of the above paragraphs as if set forth herein verbatim.

71. By the direct and indirect result of the actions of the Defendants, they either restrained or caused to be restrained the Plaintiff Ronald Rallis by having him arrested, handcuffed and jailed.

72. The restraint and loss of liberty was the result of the intentional actions of the Defendants as they all affirmatively asserted that Plaintiff Ronald committed Domestic Violence, 2nd Degree and Kidnapping.

73. There was absolutely no probable cause to have Plaintiff Ronald arrested or jailed, as objective, readily available surveillance video shows that he did not assault Defendant Paula, nor did he try to hold her against her will.

74. As a result of these Defendants' acts and omissions, the Plaintiff Ronald Rallis has suffered a loss of his freedom and other serious harms and losses.

**FOR A SIXTH CAUSE OF ACTION
Civil Conspiracy
(As to Defendants Greenville Police Department and Paula Rallis)**

75. That the Plaintiff realleges each and every allegation contained in all of the above paragraphs as if set forth herein verbatim.

76. By the direct and indirect result of the combined actions of the Defendants

together, they either restrained or caused to be restrained the Plaintiff by having him wrongly arrested, handcuffed and jailed.

77. These actions were done for the purpose injuring the Plaintiff Ronald Rallis, as outlined herein.

78. As a result, Plaintiffs have suffered special damages, including but not limited to being led out of his premises and out into public in handcuffs, having his mug shot and fingerprints taken and published, being jailed for days, being taken before a Judge for arraignment, having to hire a bail bondsman to meet a surety bond ordered by the Court, being forced to wear a conspicuously placed GPS monitor on his ankle for months, having to worry and anguish over the possibility of being convicted and imprisoned for a crime he had not done, and having to incur the significant expense of hiring a skilled and seasoned criminal defense attorney to defend false charges, ultimately having those criminal charges dismissed.

**FOR AN EIGHTH CAUSE OF ACTION
Malicious Prosecution
(As to All Defendants)**

79. That the Plaintiffs reallege each and every allegation contained in all of the above paragraphs as if set forth herein verbatim.

80. The Defendants instigated or set in motion the criminal proceedings against the Plaintiff.

81. The Defendants did not have probable cause or just cause to set these criminal proceedings in motion.

82. The Defendants knew they were intentionally arresting, or causing to be arrested, a person that was completely innocent but simply wanted a 'bounty' resulting from their hunt.

83. The criminal charge of Domestic Violence, 2nd Degree and Kidnapping was *nolle prossed*

(dismissed).

84. The restraint was the result of the intentional actions of the Defendants as they all affirmatively asserted that Plaintiff Ronald Rallis committed Domestic Violence, 2nd Degree and Kidnapping.

85. There was absolutely no probable cause to have Plaintiff Ronald arrested or imprisoned as he simply did not assault Defendant Paula Rallis or hold her against her will in any manner.

86. As a result of these Defendants' acts and omissions, the Plaintiff Ronald Rallis has suffered a loss of his freedom and liberty, along with other significant and serious harms and losses to be outlined at the trial of this matter.

WHEREFORE, Plaintiff respectfully prays for judgment against all Defendants for full actual damages and all consequential damages, along with punitive damages where allowed by law, in an amount to be determined by a jury of the Defendants' peers, at the trial of this action, as well as attorney's fees and costs, and for such other and further relief as this Court deems just and proper.

PETTUS / FARNSWORTH, LLC

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