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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

Jun 09 2023
S.C. SUPREME COURT

Candise Gore,

Plaintiff,

v.

Dorchester County Sheriff's Office;
Dorchester County, Carol Brown, Kiesha
Baldwin, Luther Carl Knight, Richard Darling,
Sharon Branch, Wanda Taylor, and Willis Beatty

Defendants.

CIVIL ACTION NO.: 2:22-CV-02322-RMG-
MHC

**SECOND AMENDED COMPLAINT AND
JURY TRIAL DEMAND**

The Plaintiff, Candise Gore demands a jury trial, and moves this Court for entry of judgment in her favor against the Defendants named herein, and in support of such Complaint avers as follows:

PARTIES

1. Plaintiff Candise Gore is a female citizen, resident, and domiciliary of the State of South Carolina, County of Dorchester.
2. Defendant Dorchester County Sheriff's Office is a political subdivision of the State of South Carolina and operates, maintains, and is responsible for the agents and employees of the Dorchester County Detention Center ("DCDC"). Defendant Dorchester County Sheriff's Office is responsible for DCDC policies, practices, and/or customs which caused Plaintiff's injuries in violation of one or more federal constitutional guarantees. Plaintiff is further informed and does believe that Defendant DCSO employed Defendant Carol Brown at the time of the incident complained of in this Complaint.

3. Plaintiff is informed and does believe that Defendant Dorchester County owns the Dorchester County Detention Center, and is responsible for the conduct and agents and employees of the Dorchester County Detention Center (“DCDC”) on its premises. Defendant Dorchester County—in the alternative—is also responsible for DCDC policies, practices, and/or customs which caused Plaintiff’s injuries in violation of one or more federal constitutional guarantees.
4. Plaintiff is informed and does believe that Defendant Luther Carl (“L.C.”) Knight, at all times relevant to this action, was the elected Sheriff of Dorchester County and oversees the Dorchester County Detention Center at all times relevant to this action. Defendant Knight also personally reviewed and signed off on and approved the search policy of the Dorchester County Detention Center in force at the time of the incident subject to this Complaint. Knight is sued in his individual capacity.
5. Defendant Richard Darling is a citizen and resident of Dorchester County, South Carolina, and was the Captain of Detention Center Operations for the Dorchester County Detention Center at all times relevant to this action. Darling is sued in his individual capacity.
6. Defendant Sharon Branch is a citizen and resident of Dorchester County, South Carolina, and was also a Captain of Detention Operations for the Dorchester County Detention Center at all times relevant to this action. Branch is sued in her individual capacity.
7. Defendant Wanda Taylor is a citizen and resident of Colleton County, South Carolina, and was at all times relevant to this action, the Captain of Detention Administration for the Dorchester County Detention Center at the time of Plaintiff’s presence at the Detention Center. Taylor is sued in her individual capacity.

8. Defendant Willis Beatty is a citizen and resident of Dorchester County, South Carolina, and is the Captain of Detention Administration for the Dorchester County Detention Center. He is sued in his individual capacity.
9. Defendant Carol Brown of the Dorchester County Sheriff's Office (herein "Defendant Brown") is an agent, employee, or other authorized person under the employ of the Dorchester County Sheriff's Office, particularly in control of the intaking and searching of persons into the Dorchester County Detention Center. This Defendant was at all times relevant, acting under color of law and in the course and scope of her duties as either employee, agent, officer, official, or supervisor of the Defendant Dorchester County Sheriff's Office by and through its Dorchester County Detention Center when she conducted the strip and body cavity searches at-issue on the Plaintiff on or around June 18, 2020. Brown is a domiciliary of South Carolina, or at least was at the time of the alleged incident. She is sued in her individual capacity.
10. Defendant Kiesha Baldwin is a citizen and resident of Dorchester County, and was a DCSO Officer who did the intake on the Plaintiff and witnessed the preamble to Plaintiff's search. She is sued in her individual capacity.
11. All of the individual Defendants named herein participated in, approved, and/or ratified the unconstitutional and illegal acts that occurred within Dorchester County Detention Center which are complained of herein.
12. Defendants Dorchester County Sheriff's Office and Dorchester County had responsibility for the creation and enforcement of the search policies at issue in the Dorchester County Detention Center, as well as the management, training, supervision of the individual Defendants, and Defendants were at all times responsible for the actions of all officers named herein with respect to following

their policies and procedures. Accordingly, these Defendant are sued pursuant to both 42 U.S.C. § 1983 based on Equal Protection and due process violations, as well as the South Carolina Tort Claims Act that makes the employing entity liable for the torts of its employees. S.C. Code § 15-78-70.

13. Punitive damages are sought against the individual Defendants under Federal law pertaining to the individual Section 1983 causes of action.

JURISDICTION AND VENUE

14. This action is filed in this judicial district based on claims arising under the applicable Constitutional Amendments, including—but not limited to—the Fourth, Eighth, and Fourteenth Amendments of the United States Constitution, brought pursuant to 42 U.S.C. § 1983 and 1988 and includes state causes of action under said court’s concurrent jurisdiction to hear said claims.

15. This Court is an appropriate venue for these causes of action, as the actions complained of took place within the District of South Carolina Charleston Division, evidence and records relevant to the allegations are maintained in the District of South Carolina Charleston Division, and Plaintiff is informed and does believe that all Defendants are domiciled within this judicial district.

FACTS

16. Plaintiff reiterates and reaffirms all of the preceding paragraphs as if stated verbatim herein.

Background

17. On or around December 15, 2014, Defendant Sheriff L.C. Knight reviewed, approved, enacted, and signed the Dorchester County Sheriff’s Office Detention Center Search Policy Manual (“DCSO Manual”).

18. Said DCSO Manual requires that “all new intakes/arrestees [] will be strip searched **prior to their release into the General Population of the Detention Center.**” (Emphasis added).
19. Said Manual further defines a strip search as “the removal of all of ones clothes to reasonably visually inspect ones person and clothing with only the intention, based on reasonable suspicion or probable cause, to prevent the introduction of contraband, particularly weapons and drugs, into the Dorchester Co. Detention Center.”
20. The DCSO Manual differentiates a strip search from a body cavity search by defining the latter as “the inspection of one’s internal cavity areas based on probable cause/search warrant that one is concealing contraband in cavity areas, particularly drugs and weapons, in order to introduce such items into the Dorchester County Detention Center. **Body Cavity Searches will only be conducted by trained authorized certified medical personnel.**” (Emphasis added).
21. Based on the Defendants’ own policy signed into effect by Defendant Knight, body cavity searches are further not appropriate nor warranted for all arrestees/intakes, and even when warranted, must be completed in the presence of a medical professional.
22. The DCSO policy manual further defines “general population” as “any area of the detention facility where either sentenced prisoners or pretrial detainees have access to or have the ability to interact with or have contact with new arrestees/intakes.”

**The Strip/Body Cavity Search Policy in Practice at the
Dorchester County Detention Center**

23. Although the aforementioned Manual instructs that indiscriminate strip searches are to be completed on those who will be “released into general population,” Defendant Knight, accompanied and assisted by Defendants Darling, Branch,

Taylor, and Beatty, personally assured and directed that all arrestee/intakes—regardless of whether or not they entered general population—were to undergo a full strip search.

24. This included, but was not limited to, persons who were held until their bond hearing, and released on their own recognizance, thereby never being admitted to nor even have been present in the general population area of the Detention Center.

The DCSO Strip Search Policy and Women

25. From the inception of the current Dorchester County Detention Center policy enacted in 2014 to the present, based on statistical calculations, there are on average 31 percent of women arrestees or inmates present in the Dorchester County Detention Center at any given time who are menstruating. From 2014 to the present, that indicates Defendants Knight, Darling, Branch, Taylor, and Beatty encountered hundreds if not thousands of women who entered the Dorchester County Detention Center as arrestees/intakes who were menstruating at the time.
26. When faced with this reality, the Defendants were faced with the question of how to enforce their search policy if a female arrestee came into the jail who was wearing a tampon or other menstruation-related apparatus.
27. Rather than make any consideration for privacy or the constitutional rights of arrestees who were not bound for general population and had not even faced a bond hearing, said Defendants forced female menstruating arrestees who were wearing tampons to strip naked and remove the tampon as the searching Defendants watched them do so, effectively turning a strip search into a body cavity search.
28. Defendants conducted this policy without a nurse or other medical professional present.

29. Defendants further chose not to clarify, amend or change the policy enacted in 2014, nor did they do anything to accommodate these women. Instead, menstruating women who were only supposed to undergo a strip search if entering general population, effectively were subjected to a body cavity search if wearing tampons or any other device as said Defendants required these women to remove said equipment in front of Detention Center personnel.
30. To be clear, this search policy was extended not only to those entering general population, but was applicable to all arrestees entering the Detention Center.
31. The aforementioned policies were not only known but decided on and carried out by the supervisory Defendants Knight, Darling, Branch, Taylor, and Beatty. The subordinate jail personnel (Defendants Brown and Baldwin) conducted these searches of menstruating women at the direct command and orders of the supervisory Defendants.
32. Moreover, the supervisory Defendants' knowledge that subordinate Detention Center Personnel were forcing menstruating women to undergo quasi-body cavity searches at intake shows that the supervisory Defendants knew of the conduct of their subordinates created and unreasonable risk of constitutional injury to the women being searched, as it has been well-established both that a body cavity search of arrestees without probable cause and a medical professional present, and a strip search of arrestees who are not being put into general population violate the United States Constitution.

This Incident

33. On or around June 18, 2020, Plaintiff was arrested for domestic violence second degree and transported to the Dorchester County Detention Center by Officer Wells of the Summerville Police Department. The circumstances of the alleged crime for

which Plaintiff was arrested did not involve a weapon nor contraband and Plaintiff maintains and is informed and does believe that there was not probable cause to arrest. Further pursuant to booking records, Plaintiff's arrest was non-violent, and did not involve drugs or alcohol.

34. Once transported to the Dorchester County Detention Center by Officer Wells of the Summerville Police Department, Defendant Carol Brown of the Dorchester County Detention Center, along with Wells and Defendant Kiesha Baldwin, did an intake on the Plaintiff into the Dorchester County Detention Center for the purpose of containing Plaintiff in a holding cell. At no time was the Plaintiff booked into general population. Instead, Plaintiff was to be put into a holding cell separate and apart from the general population to await her bond hearing.

35. Despite not being booked into general population, Defendant Brown forced the Plaintiff to strip naked, spread her vaginal body cavity, remove a tampon she was wearing, watched the Plaintiff as she removed the tampon, and then denied her soap to wash her hands. Brown instructed Plaintiff to dispose of the tampon in the trash can, had the Plaintiff stand back up, and then forced her to bend over and spread herself open again. The aforementioned Defendants then forced the Plaintiff to bend over and cough in the presence of both Doe and Wells. At no time did Brown show any interest in searching the tampon for contraband. In fact, Brown left the tampon in the waste basket.

36. At the time of these events, Plaintiff was considered an arrestee and was not booked into general population, nor was she subsequently booked into general population nor exposed to any other persons processed in general population.

37. Plaintiff subsequently made a complaint to the Office of Professional Standards for the Summerville Police Department regarding her treatment at the jail. Investigator

R.A. Williams reached out to the DCSO regarding their arrestee search policy and was told that the treatment Plaintiff received is the same with every woman arrestee who is menstruating. Plaintiff is further informed and does believe that Sheriff LC Knight told R.A. Williams that “I can do whatever I want in my jail.” In addition, each officer was separately asked under oath about the jail procedures and confirmed every person who is brought into the facility is strip searched.

38. These acts and omissions described above by Defendants Brown, Baldwin, Knight, Darling, Branch, Taylor, and Beatty were the direct and proximate cause of the psychological injuries, damage, and losses to the Plaintiff, including but not limited to pain and suffering, shock, humiliation, shame, embarrassment and anxiety, medical bills, past loss of earning capacity, as well as future pain and suffering, shock, humiliation, shame, embarrassment and anxiety, future medical bills, future loss of earning capacity, loss of enjoyment of life, and other damages, both economic and non-economic, as may be learned during the discovery and trial of this case. Plaintiff further received injuries and damages as a result of these acts and omissions, including but not limited to pain and suffering, shock, humiliation, shame, embarrassment and anxiety, medical bills, past lost wages, as well as future pain and suffering, shock, humiliation, shame, embarrassment and anxiety, future medical bills, future lost wages, loss of enjoyment of life, exasperation of previously diagnosed medical conditions, including—but not limited to—anxiety, Major Depressive Disorder, dermatologic disorders, and other damages, both economic and non-economic, as may be learned during the discovery and trial of this case.

39. The acts and/or omissions of the Defendants violated the following clearly established and well-settled Federal Constitutional rights of Plaintiff, including the

right to be free from unreasonable search without due process of law, as well as the right to be free from cruel and unusual punishment.

FOR A FIRST CAUSE OF ACTION
(42 U.S.C. § 1983 Improper Search, Due Process, and Eighth Amendment Violations)
(All Individual Defendants and Defendant County)

40. Plaintiff re-alleges and reiterates the preceding paragraphs, as fully as if repeated herein verbatim.

41. By the acts and omissions described above, Defendants named in this cause of action violated 42 U.S.C. § 1983, depriving Plaintiff of the following clearly-established and well-settled constitutional rights protected by the Fourth, Eighth, and Fourteenth Amendments to the United States Constitution:

a. The right to be free from unreasonable searches as secured by the Fourth and Fourteenth Amendments;

b. The right to be free from unlawful, reckless, deliberately indifferent, and conscience shocking deprivation of privacy and injury without substantive due process and from state created/enhanced danger as secured by the Fourteenth Amendment;

c. The right to be free from cruel and unusual punishment as secured by the Eighth Amendment;

d. The right to be free from a blanket strip search as an arrestee even though the Plaintiff was not bound for general population and there was neither reasonable suspicion nor probable cause to search her in that manner;

e. The right to be free from an unconstitutional body cavity search simply because she was menstruating and wearing a tampon;

f. And in such other particulars as may be learned through discovery.

42. More specifically, Defendants committed acts and/or omissions, including—but not limited to—the following which deprived the Plaintiff of her rights:

- a. in failing to properly balance the interests of jail security with the constitutional rights, privacy, reputation, and propriety of Plaintiff;
- b. in failing to appreciate the conditions that existed during the events in question;
- c. in failing to adhere to or understand proper law enforcement procedures;
- d. in failing to possess the requisite level of suspicion or cause in order to effectuate both the strip search and the body cavity search of Plaintiff Gore when Gore was being placed in a holding cell rather than being booked into the general population of the detention center;
- e. in failing to have in place proper and adequate training policies, procedures and protocols for law enforcement officers to conduct the appropriate searches of arrestees, or if such policies, procedures, and protocols were in place, in failing to use due care to enforce them;
- f. in lacking the requisite experience and training necessary to follow proper searches of arrestees;
- g. in such other particulars as may be ascertained through the discovery and trial of this case.

43. As a direct and proximate result of the Defendants’ acts and/or omissions as set forth above, Plaintiff Gore sustained injuries and damages as otherwise set forth in this Complaint. Plaintiff further received injury and damages as a result of these acts and omissions, including but not limited to pain and suffering, shock, humiliation, shame, embarrassment and anxiety, medical bills, past lost wages, as well as future pain and suffering, shock, humiliation, shame, embarrassment and anxiety, future medical bills, future lost wages, loss of enjoyment of life, exasperation of previously diagnosed medical conditions, including—but not limited to—*anxiety, Major Depressive Disorder, dermatologic disorders, and other damages, both economic and non-economic, as may be learned during the discovery and trial of this case.*

44. The conduct of the above-named Defendants, in their individual capacities, entitles Plaintiff to punitive damages and penalties allowable under 42 U.S.C. § 1983 and the South Carolina Code.

45. Plaintiff Gore is also entitled to reasonable costs and attorney fees under 42 U.S.C. § 1988 and applicable South Carolina Codes and laws.

FOR A SECOND CAUSE OF ACTION
(42 U.S.C. § 1983 Equal Protection)
(All Individual Defendants and Defendant County)

46. Plaintiff restates and incorporates by reference each of the foregoing and ensuing paragraphs in each of the following causes of action as if each paragraph was fully set forth herein.

47. Plaintiff is informed and does believe that women are routinely forced to undergo strip searches as arrestees despite not being put into general population.

48. Plaintiff is further informed and does believe that women who are menstruating and wearing tampons are routinely forced to undergo body cavity searches wherein Defendants watch as said women remove menstruating instruments from their body cavities without legitimate purpose.

49. Plaintiff is informed and does believe that men are not forced to remove objects from their body cavities as Defendants watch them with no legitimate purpose.

50. Plaintiff is further informed and does believe that men are not routinely strip searched nor forced to undergo visual or actual body cavity searches in the same manner that women are who are similarly situated.

51. The unequal treatment of men and women—and the unnecessary, demeaning, outrageous, and intrusive strip and body cavity searches inflicted on women but not on men deprives the Plaintiff of clearly established protections afforded by the

equal protection guarantees of the 14th Amendment. Therefore, Plaintiff is entitled to bring suit and recover damages pursuant to 42 U.S.C. § 1983.

52. The aforementioned acts of Defendants proximately caused the Plaintiff to be deprived of her rights as stated above, thereby entitling Plaintiff to damages in amounts to be proven at trial.

53. Given the nature of the individual Defendants' conduct, Plaintiff is entitled to an award of punitive damages against them.

54. Plaintiff is also entitled an award of attorney's fees and costs under 42 U.S.C. § 1988.

FOR A THIRD CAUSE OF ACTION
(Negligence & Gross Negligence— State Tort Claims Act)
(Defendant Dorchester County Sheriff's Office)

55. Plaintiff re-alleges and reiterates every allegation of the preceding paragraphs, as fully as if repeated herein verbatim.

56. Defendants above-named in this cause of action 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 and/or omissions or commission, any or all of which were departures from the prevailing duties of care:

- a. in failing to ensure the privacy and reputation of the Plaintiff;
- b. in failing to appreciate the conditions that existed during the events in question;
- c. in failing to adhere to proper law enforcement procedures regarding searches of arrestees;
- d. in failing to possess the requisite level of suspicion or cause in order to effectuate both the strip and body cavity searches of Plaintiff Gore;

e. in failing to have in place proper and adequate training policies, procedures and protocols for law enforcement officers to conduct the appropriate searches of arrestees, or if such policies, procedures, and protocols were in place, in failing to use due care to enforce them;

f. in lacking the requisite experience and training necessary to follow proper search procedures of arrestees;

g. in failing to blatantly follow its own procedures that only dictated strip searches for those entering general population;

h. in failing to blatantly follow its own procedures regarding body cavity searches;

i. by engaging in discriminatory treatment of Plaintiff in violation of S.C. Code § 24-5-90

j. in such other particulars as may be ascertained through the discovery and trial of this case.

57. As a direct and proximate result of the negligence, carelessness, gross negligence, recklessness and departure from the duties of care owed by the above-referenced Defendants in this cause of action, Plaintiff was injured and has suffered severe and extreme emotional distress, anxiety, grief and sorrow 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. Plaintiff further received injuries and damages as a result of these acts and omissions, including but not limited to pain and suffering, shock, humiliation, shame, embarrassment and anxiety, medical bills, past lost wages, as well as future pain and suffering, shock, humiliation, shame, embarrassment and anxiety, future medical bills, future lost wages, loss of enjoyment of life, exasperation of previously diagnosed medical conditions, including—but not limited to—anxiety, Major Depressive Disorder, dermatologic disorders, and other damages, both economic and non-economic, as may be learned during the discovery and trial of this case.

FOR A FOURTH CAUSE OF ACTION
(42 U.S.C. § 1983 Supervisory Liability Equal Protection and Due Process
Violations—Defendants Knight, Darling, Branch, Taylor, Beatty, and Baldwin)

58. That each assertion set forth in this pleading that is consistent with the following is incorporated herein by reference as if here set forth verbatim.
59. At all times relevant to this action, Defendants Knight as Sheriff, Darling as Captain of Detention Operations, Branch as Captain of Detention Operations, Taylor as Captain of Detention Administration, Beatty as Captain of Detention Administration, and Baldwin as the officer in charge of intake—during their employ with the Dorchester County Sheriff’s Office and while serving in their respective positions, were both on notice of, and in a position to observe with rife disregard for the constitutional rights of Dorchester County citizens that Defendant Brown and other subordinates exposed Dorchester County citizens needlessly to body cavity searches, including but not limited to the June 18, 2020 incident. Knight signed off on the policy, and Darling, Branch, Taylor, and Beatty knowingly maintained compliance with the policy as implemented. This policy, which was known by all of the aforementioned Defendants, directly included forcing menstruating women to undergo body cavity searches of their vaginas should they be wearing a tampon.
60. Moreover, all of the above-mentioned Defendants knew and actively enforced a directive that all arrestees—regardless of whether they were bound for general population—were subject to automatic strip search.
61. The conduct engaged in and at issue were carried out by subordinates, including but not limited to Defendants Carol Brown and Kiesha Baldwin.
62. The aforementioned conduct posed and continues to pose an unreasonable risk of constitutional injury to the Plaintiff and those similarly situated. Forcing a different

search policy on menstruating women violates equal protection, and forcing strip searches on all arrestees—even those not entering general population—is unconstitutional.

63. These Defendants—including the County’s—failure to act in light of knowledge of these widespread abuses constitutes deliberate indifference and tacit blatant authorization of the excessive and reckless behavior that Brown had shown to both suspects and arrestees, which affected and continues to affect the Constitutional rights of Dorchester County citizens, including the Plaintiff, and was the causal link of the Plaintiff’s damages.
64. The search procedure imposed on Plaintiff posed a pervasive and unreasonable risk of constitutional injury. Moreover, L.C. Knight’s response to Plaintiff’s subsequent inquiry through investigator Williams was so inadequate as to show deliberate indifference to or tacit authorization of the alleged offensive practices, and L.C. Knight’s inaction is causally related to Plaintiff’s injuries.

FOR A FIFTH CAUSE OF ACTION
(42 U.S.C. § 1983 *Monell* Liability-Defendant County)

65. That each assertion set forth in this pleading that is consistent with the following is incorporated herein by reference as if here set forth verbatim.
66. Defendant Dorchester County, as the owner of the Dorchester County Detention Center and whose agents and employees were in direct and regular contact with the Defendant Dorchester County Sheriff’s Office agents and Supervisors, and employees operating said Detention Center, were on notice that women arrestees who entered the jail while menstruating were subject to unlawful strip and body cavity searches.
67. This put Defendant County in a position to observe the accompanying Defendants’ Regular, systematic, and rife disregard for the constitutional rights of Dorchester

County citizens including but not limited to the Plaintiff.

68. Defendant County's—by and through their leaders, agents, and employees—failure to act in light of knowledge of these widespread abuses constitutes deliberate indifference and tacit blatant authorization of the excessive and reckless behavior that the other Defendants were committing on Dorchester County Detention Center arrestees, which has affected and continues to affect the Constitutional rights of Dorchester County citizens, including the Plaintiff, and was the causal link to Plaintiff's damages.

FOR A SIXTH CAUSE OF ACTION
(Reckless Infliction of Emotional Distress/S.C. Code § 24-5-90—Dorchester County Sheriff's Office)

69. That each assertion set forth in this pleading that is consistent with the following is incorporated herein by reference as if here set forth verbatim.
70. Under S.C. Code § 24-5-90, prisoners placed in the custody of the sheriff or local governing body have the right to be free from discriminatory treatment.
71. Defendants Dorchester County Sheriff's Office has recklessly discriminated in their treatment of Plaintiff and, upon information and belief, based on her gender.
72. Plaintiff is informed and does believe that women are routinely forced to undergo strip searches as arrestees despite not being put into general population.
73. Plaintiff is further informed and does believe that women who are menstruating and wearing tampons are routinely forced to undergo body cavity searches wherein Defendants watch as said women remove menstruating instruments from their body cavities without legitimate purpose.
74. Plaintiff is informed and does believe that men are not forced to remove objects from their body cavities as Defendants watch them with no legitimate purpose.
75. Plaintiff is further informed and does believe that men are not routinely strip searched no

forced to undergo visual or actual body cavity searches in the same manner that women are who are similarly situated.

76. The conduct of the Defendant as aforesaid is 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.
77. The conduct of Defendant as aforesaid was reckless.
78. The Defendants knew, or should have known, and/or should have been substantially certain that their conduct would result in severe emotional distress to Plaintiff.
79. The conduct of the Defendants as aforesaid directly and proximately caused Plaintiff to suffer emotional distress so severe that no reasonable person could be expected to endure it.
80. At the time Defendants engaged in the conduct aforesaid, they were acting under color of law, either individually or, alternatively, within the course and scope of their employment with DCSO and County.
81. To the extent the acts of the individual Defendants were committed within the scope of their employment, under the doctrine of *respondeat superior*, Defendants should be held liable to Plaintiff.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays for judgment against all Defendants for all actual damages, consequential damages, and punitive damages in an amount to be determined by a jury at the trial of this action as well as attorney's fees and costs pursuant to 42 U.S.C. §§ 1983 and 1988 and for such other and further relief as this Court deems just and proper.

[Signature Block on Following Page]

Respectfully Submitted,
JOHN T. GENTRY, III, L.L.C. – FED. I.D. #12078

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