

FILED

APR 02 2012

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

DAVID CREWS, CLERK
BY [Signature] Deputy

**COREY BRYANT, a minor, by and
through Charles and Shari Bryant,
Natural Parents; and CHARLES and SHARI
BRYANT;**

Plaintiff,

v.

**CITY OF RIPLEY, MISSISSIPPI; SOUTH
TIPPAH SCHOOL DISTRICT; RIPLEY
POLICE DEPARTMENT, SCOTT WHITE, in
his official and individual capacities; RODNEY
WOOD, in his official and individual Capacities;
and ALLAN STANFORD, in his official and
individual capacities;**

Defendants.

Civil Action No. 3:12CV037-B-A

JURY TRIAL DEMANDED

COMPLAINT

Plaintiffs, by and through their attorney, for their Complaint allege, upon knowledge as to themselves and otherwise upon information and belief, as follows:

I. PRELIMINARY STATEMENT

1. This is a civil action brought pursuant to 42 U.S.C § 1983 that seeks to remedy the unconstitutional deprivation of Plaintiff's statutory and constitutional rights. The conduct by Defendants, acting in concert with their officers, agents, servants, employees and attorneys, and all other persons in active concert or participation, violates plaintiffs' rights, privileges, and immunities under the United States Constitution, as amended, specifically the violation of the search and seizure clause of the Fourth Amendment and the due process clause of the Fourteenth Amendment.

2. Plaintiffs also brings the supplemental state law claims of gross negligence, negligence, battery, intentional infliction of emotional distress and false imprisonment.

3. The relief Plaintiffs seek is supported by satisfactory proofs, including the public records, facts and other documentation referenced throughout the Complaint.

4. Plaintiffs seek nominal, actual and punitive damages against Defendants for the flagrant, willful, knowing, violation of their constitutionally protected rights and violations of federal statutes and state law torts, as well as the costs of litigation, including reasonable attorney's fees.

II. JURISDICTION

5. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1343(3)(4), which confers original jurisdiction on federal district courts to redress the deprivation of rights, privileges and immunities as stated herein.

6. This Court has supplemental jurisdiction over Plaintiffs' state law claims pursuant to 28 U.S.C. § 1367.

III. VENUE

7. Venue is proper in the United States District Court for the Northern District of Mississippi, Western Division, pursuant to 28 U.S.C. § 1391(b), because a majority of the claims arise in Tippah County, Mississippi.

IV. IDENTIFICATION OF PARTIES

8. Plaintiff, COREY BRYANT, is a minor student who was previously enrolled in the South Tippah School District and was attending classes at the Ripley High School. His natural parents are Charles and Shari Bryant, adult residents of Benton County, Mississippi and file this lawsuit on behalf of their minor son, COREY BRYANT.

9. Plaintiffs, CHARLES and SHARI BRYANT, are adult residents of Benton County, Mississippi and are the natural parents of Corey Bryant.

10. Defendant, CITY OF RIPLEY, MISSISSIPPI, hereinafter “Ripley,” is a political subdivision of the State of Mississippi, organized and existing pursuant to the laws of the State of Mississippi and may be served with process, pursuant to Mississippi law, upon Chris Marsalis, Mayor of the City of Ripley, Mississippi. Mr. Marsalis can be served at 500 South Main St Ripley, MS 38663.

11. Defendant RIPLEY POLICE DEPARTMENT, hereinafter “RPD,” is organized and existing pursuant to the laws of the State of Mississippi and/or the City of Ripley and may be served with process, pursuant to Mississippi law, upon Chris Marsalis, Mayor of the City of Ripley, Mississippi. Mr. Marsalis can be served at 500 South Main Street, Ripley, Mississippi 38663.

12. Defendant SOUTH TIPPAH SCHOOL DISTRICT, hereinafter “STSD,” is a political subdivision of the state of Mississippi. It may be served with process upon its Superintendent of Education, Frank Campbell, at 402 Greenlee Street, Ripley, Mississippi 38663.

13. Defendant SCOTT WHITE, who is sued both individually and in his official capacity, is the Chief of Police for the City of Ripley. He may be served with process at 500 South Main Street, Ripley, Mississippi 38663.

14. Defendant RODNEY WOOD, who is sued both individually and in his official capacities, is a police officer employed by the City of Ripley. He may be served with process at 500 South Main Street, Ripley, Mississippi 38663.

15. Defendant ALLAN STANFORD, who is sued both individually and in his official capacity, is the Assistant Principal for Ripley High School. He may be served with process at 402 Greenlee Street, Ripley, Mississippi 38663.

V. STATEMENT OF FACTS

16. Plaintiff is a former student of Ripley High School, hereinafter “RHS.”

17. On October 14, 2011, a security camera belonging to the Ripley Parks and Recreation Department was vandalized by a local teenager. This camera was located in a section of the park called "Kids World."

18. The camera was not located on property owned by the South Tippah School District. Moreover, the vandalism occurred after school hours.

19. Prior to the camera being vandalized, at least one picture was taken identifying the teenage suspect. The teenager in the picture was not Bryant.

20. As a result of the vandalism, Jason Scott, director of Ripley Parks and Recreation, contacted the RPD. In contacting the RPD, Mr. Scott handed the police a picture of the minor who vandalized the camera. Mr. Scott did not believe Bryant committed the act of vandalism.

21. On or about October 17, 2011, responding to Mr. Scott's complaint, the RPD, acting through Defendant Rodney Wood, detained the teenager photographed vandalizing the camera. In doing so, Defendant Wood removed this suspect from the class and brought him to the school's office.

22. Shortly after detaining the suspect, the suspect falsely implicated Bryant in the matter. There were no facts implicating Bryant in any wrong doing other than this statement from a witness who was caught on film vandalizing the camera in question.

23. Defendant Wood came to Bryant's class and told Bryant he had to come to the office. Bryant followed this instruction because he had no other alternative.

24. Once in the office, Bryant was met by Defendant Stanford. Bryant was instructed to take a seat and was not free to leave the office.

25. Defendants Stanford and Wood never notified Bryant's parents that (i) he was a suspect in a crime and (ii) was being interrogated at the high school.

26. With Defendant Wood present and participating, Defendant Stanford aggressively interrogated Bryant. Defendant Stanford yelled at Bryant and violated his personal space. Defendant Stanford verbally abused Bryant.

27. Further, the interrogation had nothing to do with maintaining order in the schools or administering school discipline.

28. Bryant never received his *Miranda* rights and was never afforded the opportunity to call his parents or an attorney.

29. This first interrogation on the grounds of Ripley High School lasted for approximately twenty (20) minutes.

30. Without an arrest warrant or probable cause, Defendant Wood handcuffed Bryant to the other student suspect and paraded them threw the hallways on the way to his patrol car. This humiliated Bryant in front of his peers and was a wholly unnecessary abuse of power.

31. Defendant Wood then took Bryant to the police department where his unlawful interrogation continued with the blessing of Defendant White.

32. After an additional thirty (30) minute interrogation at RPD headquarters, Bryant's father was finally notified that his son was in police custody. It was then Corey's backpack was unreasonably searched.

33. Mr. Bryant met Defendant White at the police station. Mr. Bryant asked Defendant White what evidence was against his son. Defendant White did not answer the question.

34. Mr. Bryant also talked to Defendant Wood and Defendant Wood admitted that the way he treated Bryant was in error.

35. This was not the first time Defendant White's police department suspended civil liberties at Ripley High School. Rather, the police department, acting in concert with the school

district, routinely questioned kids without probable cause to support any wrong-doing. This is done in order to flex the authoritative muscle of the police department within the school district.

36. Four (4) months after the alleged vandalism occurred; a petition was filed in Youth Court alleging Bryant committed the act of Malicious Mischief. This charge was filed with full knowledge Bryant had filed a Notice of Claim with Defendants and was preparing a lawsuit to remedy his constitutional, emotional and physical injuries.

VI. ALLEGATIONS OF LAW

37. All acts of Defendants were conducted under the color and pretenses of the ordinances, policies, practices, customs, regulations, usages and/or statutes of the State of Mississippi, County of Tippah and/or City of Ripley.

38. Defendant White, in his official capacity as Chief of Police, was a final policy maker, capable of ratification for Defendant Ripley.

39. Defendant Stanford, in his official capacity as Assistant Principal of RHS, was a final policy maker, capable of ratification for Defendant STSD.

40. It is the policy, practice or custom of Defendants Ripley, RPD and STSD to violate the procedural and substantive due process rights of those students inside their districts.

41. It is the policy, practice or custom of Defendants Ripley, RPD and STSD to violate the search and seizure rights of those students.

42. It is the policy, practice or custom of Defendants Ripley, RPD and STSD to violate the procedural and substantive due process rights of students.

43. It is the policy, practice or custom of Defendants Ripley, RPD and STSD to violate the constitutionally protected familial rights of parents.

44. Defendants Ripley, RPD and STSD did not have reasonable suspicion and/or probable cause to stop, seize and search Bryant.

45. At the time Bryant was seized by Defendants, he did not have the freedom to leave.

46. At the time Bryant was seized he was submitting to a show of authority and was physically touched by the Defendants.

47. Defendants' seizure of Bryant impacted his liberty and privacy interests.

48. Under the circumstances, the search and seizure of Bryant was not reasonable.

49. Defendants' actions, as alleged herein, were made in bad faith and were designed and intended to punish Bryant.

50. Defendants, by and through their actions and under the color of law, violated Bryant's constitutionally protected rights.

51. Defendants' actions, as alleged herein, were made with actual malice and/or constituted willful misconduct.

52. In the alternative, Defendants' actions, as alleged herein, were negligent.

53. At all times relevant, the Plaintiffs' constitutional rights, as alleged herein, were violated.

54. At all times relevant, the Plaintiffs' constitutional rights, as alleged herein, were clearly established.

55. Plaintiffs have suffered injury to their constitutional and statutory rights.

56. As a result of Defendants' conduct, Bryant has suffered humiliation, embarrassment, and loss of reputation in his school community.

57. Alternatively, because liability in effect for issues of this kind, and because it is the intent of the Mississippi Legislature that the school district pay any claims for violation of a citizen's rights in damages under Mississippi Law, the doctrine of *Monell v. Department of Social Services*, 475 U.S. 335 (U.S. 1986), should not apply to this cause, and the Defendants should be held vicariously liable for its officials causing the sexual assault and civil liberty violations of Plaintiff.

58. Defendants are also liable to Plaintiff under state law for the torts of gross negligence, negligence, battery, intentional infliction of emotional distress and false imprisonment. Plaintiffs have filed a Notices of Claim with Defendants, attached hereto as "Exhibit A." More than ninety days has expired since the filing of the said claim.

**VII. FIRST CAUSE OF ACTION – 42 U.S.C. § 1983
(Fourth Amendment – Unlawful Seizure)**

59. Paragraphs 1 - 58 of the Complaint are incorporated herein by reference, the same as though pleaded in full.

60. The unlawful actions of the Defendants, as alleged herein, constituted an intrusion into Bryant's right to be free from an unlawful seizure of her person.

61. Defendants had an affirmative duty to prevent such intrusions.

62. Bryant has an established constitutional right to be free from an unlawful confinement.

63. As a direct and proximate cause of Defendants' actions, Plaintiff's rights, as guaranteed by the Fourth Amendment, were injured.

WHEREFORE Plaintiff prays for relief against all Defendants as set forth below.

**VIII. SECOND CAUSE OF ACTION – 42 U.S.C. § 1983
(Fourth Amendment – Unlawful Search)**

64. Paragraphs 1 – 88 of the Complaint are incorporated herein by reference, the same as though pleaded in full.

65. The unlawful actions of Defendants, as alleged herein, deprived Bryant of his right to be free from an unlawful search.

66. As a direct and proximate cause of Defendants' actions, Bryant's rights, as guaranteed by the Fourth Amendment, were injured.

WHEREFORE Plaintiff prays for relief against all Defendants as set forth below.

**IX. THIRD CAUSE OF ACTION – 42 U.S.C. § 1983
(Fourteenth Amendment – Procedural & Substantive Due Process)**

67. Paragraphs 1 – 66 of the Complaint are incorporated herein by reference, the same as though pleaded in full.

68. The unlawful actions of Defendants, as alleged herein, deprived Bryant of his right to procedural and substantive due process.

69. As a direct and proximate cause of Defendants' actions, Bryant's rights, as guaranteed by the Fourteenth Amendment, were injured.

WHEREFORE Plaintiff prays for relief against all Defendants as set forth below

**X. FOURTH CAUSE OF ACTION – 42 U.S.C. § 198
(Fourteenth Amendment – Familial Relations)**

70. Paragraphs 1- 69 of the Complaint are incorporated herein by reference, the same as though plead in full.

71. The unlawful actions of Defendants, as alleged herein, deprived Mr. & Mrs. Bryant of their right familial relations. *See Troxel v. Granville*, 530 U.S. 57, 65, 120 S.Ct. 2054, 147 L.Ed.2d 49 (2000).

72. As a direct and proximate cause of Defendants' actions, Mr. & Mrs. Bryant's rights, as guaranteed by the Fourteenth Amendment, were injured.

WHEREFORE, Plaintiff prays for relief against all Defendants as set forth below.

**XI. FIFTH CAUSE OF ACTION – 42 U.S.C. § 1983
(Failure to Train and/or Supervise)**

73. Paragraphs 1 - 72 of the Complaint are incorporated herein by reference, the same as though pleaded in full.

74. Defendants have failed to provide adequate training to their administration, staff and/or faculty.

75. Defendants have failed to supervise their administration, staff and/or faculty.

76. Specifically, Defendants have failed to train and/or supervise their administration, staff and/or faculty from violating Plaintiffs' constitutional rights, as describe herein.

77. Defendants' failure to train and/or supervise was the proximate cause of Plaintiffs' injuries.

WHEREFORE Plaintiff prays for relief against all Defendants as set forth below

**XII. SIXTH CAUSE OF ACTION – Supplemental State Claim
(Gross Negligence)**

78. Paragraphs 1 - 77 of the Complaint are incorporated herein by reference, the same as though pleaded in full.

79. Defendants were grossly negligent in caring for Plaintiff while she was under their supervision.

80. Defendant STSD was grossly negligent in failing to provide its administration, staff and faculty the necessary training to protect Bryant's constitutionally protected rights.

81. It was foreseeable that Defendants negligent behavior would cause Plaintiff harm.

WHEREFORE Plaintiff prays for relief against all Defendants as set forth below.

**XIII. SEVENTH CAUSE OF ACTION – Supplemental State Claim
(Negligence)**

82. Paragraphs 1 - 82 of the Complaint are incorporated herein by reference, the same as though pleaded in full.

83. Defendants were negligent in unlawfully interrogating Bryant and violating his constitutional rights.

84. It was foreseeable that Defendants negligent behavior would cause Plaintiff harm.

WHEREFORE Plaintiff prays for relief against all Defendants as set forth below.

**XIV. EIGHTH CAUSE OF ACTION – Supplemental State Claim
(Battery)**

85. Paragraphs 1 -84 of the Complaint are incorporated herein by reference, the same as though pleaded in full.

86. Defendant Wood physically restrained Bryant without Plaintiff's consent.

87. As a direct and proximate cause of the intentional conduct of Defendant Wood Bryant was battered. Further, the actions of Defendant Wood caused Bryant to be humiliated, embarrassed and feel degraded and inferior.

WHEREFORE Plaintiff prays for relief against all Defendants as set forth below.

**XV. NINTH CAUSE OF ACTION – Supplemental State Claim
(False Imprisonment)**

88. Paragraphs 1 - 87 of the Complaint are incorporated herein by reference, the same as though pleaded in full.

89. Defendants Wood and Stanford physically restrained Plaintiff.

90. Defendants Wood and Stanford acted unlawfully in confining Plaintiff.

91. As a direct and proximate cause of the intentional conduct of Defendants Wood and Stanford, Bryant was falsely imprisoned. Further, the actions of Defendants Wood and Stanford caused Bryant to be humiliated, embarrassed and feel degraded and inferior.

WHEREFORE Plaintiff prays for relief against all Defendants as set forth below.

**XVI. TENTH CAUSE OF ACTION – Supplemental State Claim
(Intentional Infliction of Emotion Distress)**

92. Paragraphs 1 -91 of the Complaint are incorporated herein by reference, the same as though pleaded in full.

93. Defendant Wood paraded Bryant through the hallways of Ripley High School, in plain view of his peers, in handcuffs.

94. Defendant Wood's handcuffing of Bryant and parading him through the halls of the high school caused emotional distress.

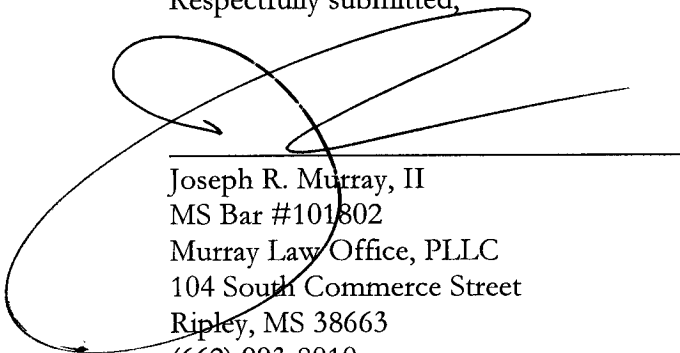
WHEREFORE Plaintiff prays for relief against all Defendants as set forth below.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays this Court:

- a. Assume jurisdiction over this action;
- b. Declare that Defendants' actions, as herein described, violated Plaintiffs' constitutional rights under the Fourth and Fourteenth Amendment to the United States Constitution;
- c. Award Plaintiffs nominal and actual damages for Defendants violation of their constitutional and statutory rights;
- d. Award Plaintiff compensatory and punitive damages against Defendants for the state law torts;
- e. Award Plaintiff his costs of litigation, including reasonable attorney's fees and expenses, pursuant to 42 U.S.C. sec. 1988 and/or 20 U.S.C. sec. 1400 et seq., and
- f. Grant such other relief to which Plaintiff may be entitled or as this Court deems necessary and proper.

Respectfully submitted,



Joseph R. Murray, II
MS Bar #101802
Murray Law Office, PLLC
104 South Commerce Street
Ripley, MS 38663
(662) 993-8010
jrm@joemurraylaw.com

BEFORE THE CITY OF RIPLEY

NOTICE OF CLAIM OF COREY BRYANT FOR DAMAGES

Pursuant to Miss. Code. Ann. §11-46-11, et seq., notice is hereby given for a claim for a claim for damages for gross negligence, negligence, battery, intentional infliction of emotion distress, false imprisonment and malicious.¹ The South Tippah School District, hereinafter "STSD," is liable to Corey Bryant for the aforementioned torts.

The claim is made through his father and natural guardian, Kenneth Bryant, as next friend. Mr. Bryant resides at 5023 Highway 4 East, Ashland, Mississippi, 38603.

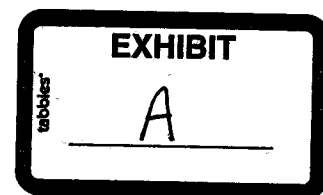
**STATEMENT OF THE FACTS AND CIRCUMSTANCES
WHICH CAUSED THE INJURY**

The circumstances giving rise to the claim are as follows:

On October 14, 2011, a security camera belonging to the Parks and Recreation Department was vandalized by a local teenager. This camera was located in a section of the park called "Kids World." The camera was not located on property owned by the South Tippah School District. Moreover, the vandalism occurred after school hours. Prior to the camera being vandalized, two pictures were taken identifying the teenaged suspect. The teenager in the picture, however, was not Corey.

On October 17, 2011, responding to a complaint by the Parks Department, the Ripley police department, acting through Officer Rodney Wood, detained the teenager photographed vandalizing the camera. In doing so, Officer Wood removed this suspect from the class and brought him to the school's office. Shortly after detaining the suspect, the suspect falsely implicated Corey in the matter.

¹ This notice of claim has no bearing on the following federal claims that may be advanced by Bryant: (i) Fourth Amendment Search and Seizure, (ii) Fourteenth Amendment Procedural Due Process, (iii) Fourteenth Amendment Substantive Due Process, (iv) 42 U.S.C. § 1983 Failure to Train and (viii) 20 U.S.C. § 1681.



There were no facts implicating Corey in any wrong doing. What happens next is nothing short of remarkable, as school and police officials aimlessly trampled over existing constitutional rights and violated established guidelines governing interaction with students suspects while at school.

Officer Wood came to Corey's class and told Corey he had to come to the office. Corey followed this instruction because he had no other alternative. Once in the office, Corey was met by Allen "Coach" Stanford, Ripley High's vice principal. Corey was instructed to take a seat and was not free to leave the office.

Rather than notify Corey's parents, Coach Stanford and Officer Wood took the law into their own hands. With Officer Wood present and participating, Coach Stanford aggressively interrogated Corey. Coach Stanford yelled at Corey and violated his personal space. Coach Stanford verbally abused Corey and ignored elementary principles of constitutional law. Further, the interrogation had nothing to do with maintaining order in the schools or administering school discipline. Corey never received his Miranda rights and was never afforded the opportunity to call his parents or an attorney. This interrogation lasted for approximately twenty (20) minutes.

There is zero evidence implicating Corey in the camera vandalism. Nonetheless, without an arrest warrant or probable cause, Officer Wood handcuffed Corey to the other student suspect and paraded them threw the hallways on the way to his patrol car. This humiliated Corey in front of his peers and was a wholly unnecessary abuse of power. Officer Wood then took Corey to the police department where Corey's unlawful interrogation continued with the blessing of Scott White, Ripley's Chief of Police.

After an additional thirty (30) minute interrogation at police headquarters, Corey's father was finally notified that his son was in police custody. It was then Corey's backpack was unreasonably searched.

Mr. Bryant met Chief White at the police station. Mr. Bryant asked Chief White what evidence was against his son. Chief White did not directly answer the question and stated Corey's case was already handed over to Youth Court. Chief White did not have any evidence to linking Corey to this act of vandalism. This was not the first time Chief White's police department suspended civil liberties at Ripley High School. Rather, the police department, acting in concert with the school district, routinely question kids without probable cause to support any wrong-doing. This is done in order to flex the authoritative muscle of the police department and school district.

Make no mistake; Chief White and his police department are not above the law. Chief White cannot order his men to bust into a school to detain and arrest students without a warrant and/or probable cause. Nor can the Chief order his men to "scare" students by violating their established constitutional rights. Moreover, Coach Stanford is not permitted, by law, to play police officer in dealing with students under his care. He is just a school administrator, not a beat cop. Such a pattern and practice flies in the face of the very laws the Chief is supposed to uphold and Stanford is supposed to teach to his students.

TIME AND PLACE WHEN INJURY OCCURRED

The unlawful injury occurred on October 17, 2011 while Bryant was attending school at Ripley High School as a proximate result of the tortuous acts of TCSD.

WITNESSES

Witnesses who have knowledge of this incident include:

1. Unknown employees and administrators of the South Tippah School District, Ripley, Mississippi;
2. Unknown employees and administrators of the Ripley Police Department, Ripley, Mississippi
3. Corey Bryant, Ripley, Mississippi;
4. Rodney Wood, Ripley Police Department, Ripley Mississippi;
5. Scott White, Ripley Police Department, Ripley, Mississippi;
6. Kerry Hill, City of Ripley, Ripley, Mississippi;
7. Allen Stanford, Ripley High School, Ripley, Mississippi;
8. Unknown students attending Ripley High School, Ripley, Mississippi;

TOTAL DAMAGES SOUGHT

Claimant will accept an immediate payment of \$200,000, settling state law and federal constitutional and statutory claims, as well as economic medical damages.

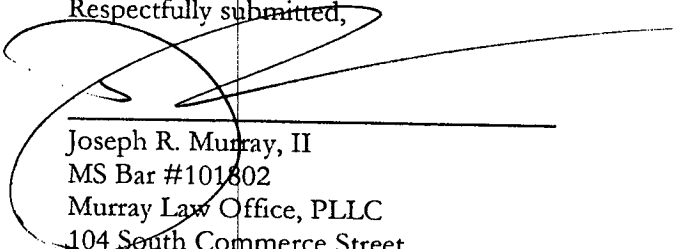
**RESIDENCE OF CLAIMANT AT THE TIME OF THE INJURY AND
AT THE TIME OF THE FILING OF THE NOTICE**

Claimant's address at the time of the incident complained of is 5023 Highway 4 East, Ashland, Mississippi, 38603.

DOCUMENTS ATTACHED

All documents relevant to this matter, at this time, are in the control and possession of the City of Ripley, the Ripley Police Department and/or the South Tippah School District.

Respectfully submitted,



Joseph R. Murray, II
MS Bar #101802
Murray Law Office, PLLC
104 South Commerce Street
Ripley, MS 38663
(662) 993-8010



MURRAY LAW FIRM

PLLC

"All that is necessary for the triumph of evil is that good men do nothing." - Edmund Burke

Joseph R. Murray, II
jrm@joemurraylaw.com

Licensed in Mississippi &
New Jersey

104 South Commerce Street
Ripley, MS 38663

Phone: 662-993-8010
Fax: 662-993-8011

December 5, 2011

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Ripley Police Department
c/o Chief Scott White
604 South Main Street
Ripley, MS 38663

The City of Ripley
c/o Kathy Watson
500 South Main Street
Ripley, MS 38663

RE: Corey Bryant
Notice of Claim for Damages

Dear Gentlemen:

Please be advised that our office represents the interests of the above-named individual concerning injuries he sustained while unlawfully interrogated, falsely imprisoned, searched, seized and victim of other wrongful behavior on or about October 17, 2011. The enclosed communication is intended as your notice pursuant to M.C.A. §11-46-11, and hereby serves as formal notice of our client's claim against this governmental entity pursuant to the Mississippi Tort Claims Act.

A claim is hereby made for injuries and damages sustained by my client due to the recklessness of your insured employee. Please acknowledge receipt of this letter in writing upon ten (10) days of receipt and refer all future correspondence to this office.

All the best,


JOSEPH R. MURRAY, II, ESQ.

JRM/ct

cc: Kenneth Bryant

<http://www.joemurraylaw.com>

BEFORE THE SOUTH TIPPDAH SCHOOL DISTRICT

NOTICE OF CLAIM OF COREY BRYANT FOR DAMAGES

Pursuant to Miss. Code. Ann. §11-46-11, et seq., notice is hereby given for a claim for a claim for damages for gross negligence, negligence, battery, intentional infliction of emotion distress, false imprisonment and malicious.¹ The South Tippah School District, hereinafter "STSD," is liable to Corey Bryant for the aforementioned torts.

The claim is made through his father and natural guardian, Kenneth Bryant, as next friend. Mr. Bryant resides at 5023 Highway 4 East, Ashland, Mississippi, 38603.

**STATEMENT OF THE FACTS AND CIRCUMSTANCES
WHICH CAUSED THE INJURY**

The circumstances giving rise to the claim are as follows:

On October 14, 2011, a security camera belonging to the Parks and Recreation Department was vandalized by a local teenager. This camera was located in a section of the park called "Kids World." The camera was not located on property owned by the South Tippah School District. Moreover, the vandalism occurred after school hours. Prior to the camera being vandalized, two pictures were taken identifying the teenaged suspect. The teenager in the picture, however, was not Corey.

On October 17, 2011, responding to a complaint by the Parks Department, the Ripley police department, acting through Officer Rodney Wood, detained the teenager photographed vandalizing the camera. In doing so, Officer Wood removed this suspect from the class and brought him to the school's office. Shortly after detaining the suspect, the suspect falsely implicated Corey in the matter.

¹ This notice of claim has no bearing on the following federal claims that may be advanced by Bryant: (i) Fourth Amendment Search and Seizure, (ii) Fourteenth Amendment Procedural Due Process, (iii) Fourteenth Amendment Substantive Due Process, (iv) 42 U.S.C. § 1983 Failure to Train and (viii) 20 U.S.C. § 1681.

There were no facts implicating Corey in any wrong doing. What happens next is nothing short of remarkable, as school and police officials aimlessly trampled over existing constitutional rights and violated established guidelines governing interaction with students suspects while at school.

Officer Wood came to Corey's class and told Corey he had to come to the office. Corey followed this instruction because he had no other alternative. Once in the office, Corey was met by Allen "Coach" Stanford, Ripley High's vice principal. Corey was instructed to take a seat and was not free to leave the office.

Rather than notify Corey's parents, Coach Stanford and Officer Wood took the law into their own hands. With Officer Wood present and participating, Coach Stanford aggressively interrogated Corey. Coach Stanford yelled at Corey and violated his personal space. Coach Stanford verbally abused Corey and ignored elementary principles of constitutional law. Further, the interrogation had nothing to do with maintaining order in the schools or administering school discipline. Corey never received his Miranda rights and was never afforded the opportunity to call his parents or an attorney. This interrogation lasted for approximately twenty (20) minutes.

There is zero evidence implicating Corey in the camera vandalism. Nonetheless, without an arrest warrant or probable cause, Officer Wood handcuffed Corey to the other student suspect and paraded them threw the hallways on the way to his patrol car. This humiliated Corey in front of his peers and was a wholly unnecessary abuse of power. Officer Wood then took Corey to the police department where Corey's unlawful interrogation continued with the blessing of Scott White, Ripley's Chief of Police.

After an additional thirty (30) minute interrogation at police headquarters, Corey's father was finally notified that his son was in police custody. It was then Corey's backpack was unreasonably searched.

Mr. Bryant met Chief White at the police station. Mr. Bryant asked Chief White what evidence was against his son. Chief White did not directly answer the question and stated Corey's case was already handed over to Youth Court. Chief White did not have any evidence to linking Corey to this act of vandalism. This was not the first time Chief White's police department suspended civil liberties at Ripley High School. Rather, the police department, acting in concert with the school district, routinely question kids without probable cause to support any wrong-doing. This is done in order to flex the authoritative muscle of the police department and school district.

Make no mistake; Chief White and his police department are not above the law. Chief White cannot order his men to bust into a school to detain and arrest students without a warrant and/or probable cause. Nor can the Chief order his men to "scare" students by violating their established constitutional rights. Moreover, Coach Stanford is not permitted, by law, to play police officer in dealing with students under his care. He is just a school administrator, not a beat cop. Such a pattern and practice flies in the face of the very laws the Chief is supposed to uphold and Stanford is supposed to teach to his students.

TIME AND PLACE WHEN INJURY OCCURRED

The unlawful injury occurred on October 17, 2011 while Bryant was attending school at Ripley High School as a proximate result of the tortuous acts of TCSD.

WITNESSES

Witnesses who have knowledge of this incident include:

1. Unknown employees and administrators of the South Tippah School District, Ripley, Mississippi;
2. Unknown employees and administrators of the Ripley Police Department, Ripley, Mississippi
3. Corey Bryant, Ripley, Mississippi;
4. Rodney Wood, Ripley Police Department, Ripley Mississippi;
5. Scott White, Ripley Police Department, Ripley, Mississippi;
6. Kerry Hill, City of Ripley, Ripley, Mississippi;
7. Allen Stanford, Ripley High School, Ripley, Mississippi;
8. Unknown students attending Ripley High School, Ripley, Mississippi;

TOTAL DAMAGES SOUGHT

Claimant will accept an immediate payment of \$200,000, settling state law and federal constitutional and statutory claims, as well as economic medical damages.

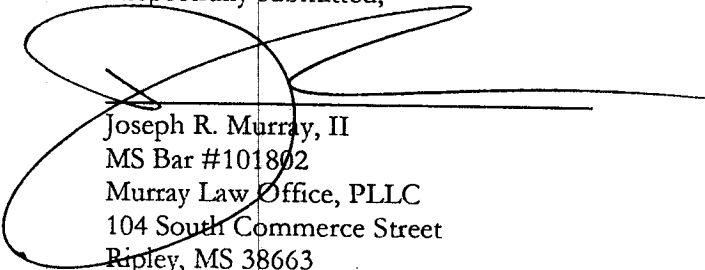
**RESIDENCE OF CLAIMANT AT THE TIME OF THE INJURY AND
AT THE TIME OF THE FILING OF THE NOTICE**

Claimant's address at the time of the incident complained of is 5023 Highway 4 East, Ashland, Mississippi, 38603.

DOCUMENTS ATTACHED

All documents relevant to this matter, at this time, are in the control and possession of the City of Ripley, the Ripley Police Department and/or the South Tippah School District.

Respectfully submitted,



Joseph R. Murray, II
MS Bar #101802
Murray Law Office, PLLC
104 South Commerce Street
Ripley, MS 38663
(662) 993-8010



MURRAY LAW FIRM

PLLC

"All that is necessary for the triumph of evil is that good men do nothing." - Edmund Burke

Joseph R. Murray, II
jrm@joemurraylaw.com

Licensed in Mississippi &
New Jersey

104 South Commerce Street
Ripley, MS 38663

Phone: 662-993-8010
Fax: 662-993-8011

December 5, 2011

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

South Tippah School District
c/o Frank Campbell, Superintendent
402 Greenlee Street
Ripley, MS 38663

South Tippah School District
c/o David Duncan, School Board President
402 Greenlee Street
Ripley, MS 38663

Mississippi Department of Education
c/o Dr. Tom Burnham, State Superintendent
359 North West Street
Jackson, MS 39201

MS Attorney General's Office
c/o Jim Hood, Attorney General
Walter Sillers Building
550 High Street, Suite 1200
Jackson, MS 39201

RE: Corey Bryant
Notice of Claim for Damages

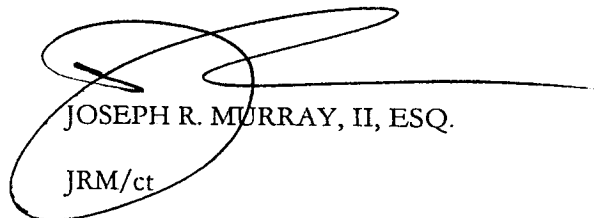
Dear Gentlemen:

Please be advised that our office represents the interests of the above-named individual concerning injuries he sustained while unlawfully interrogated, falsely imprisoned, searched, seized and victim of other wrongful behavior on or about October 17, 2011. The enclosed communication is intended as your notice pursuant to M.C.A. §11-46-11, and hereby serves as formal notice of our client's claim against this governmental entity pursuant to the Mississippi Tort Claims Act.

<http://www.joemurraylaw.com>

A claim is hereby made for injuries and damages sustained by my client due to the recklessness of your insured employee. Please acknowledge receipt of this letter in writing upon ten (10) days of receipt and refer all future correspondence to this office.

All the best,



JOSEPH R. MURRAY, II, ESQ.

JRM/ct

cc: Kenneth Bryant

7010 3090 0000 6275 4323

CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.64	0663	
Certified Fee	2.85	02	Postmark Here
Return Receipt Fee (Endorsement Required)	2.30		
Restricted Delivery Fee (Endorsement Required)	\$0.00		
Total Postage & Fees	\$ 5.79		12/05/2011

Sent To
 Street, Apt. No., or PO Box No. Dept of Education
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 MS Dept. of Education
 c/o Tom Burnham
 359 N. West Street
 JACKSON, MS
 39201

2. Article Number (Transfer from service label) 7010 3090 0000 6275 4323

PS Form 3811, February 2004 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

- A. Signature [Signature]
 X
 B. Received by (Printed Name) [Signature]
 C.
 D. Is delivery address different from item 1? If YES, enter delivery address below:
3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt
 Insured Mail C.O.D.
4. Restricted Delivery? (Extra Fee)

7010 3090 0000 6275 4286

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.64	0663	
Certified Fee	2.85	02	Postmark Here
Return Receipt Fee (Endorsement Required)	2.30		
Restricted Delivery Fee (Endorsement Required)	\$0.00		
Total Postage & Fees	\$ 5.79		12/05/2011

Sent To
 Street, Apt. No., or PO Box No. Ripley POD
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Ripley Police Dept.
 c/o Chief Scott White
 604 S. Main
 Ripley, MS 38663

2. Article Number (Transfer from service label) 7010 3090 0000 6275 4286

PS Form 3811, February 2004 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

- A. Signature [Signature]
 B. Received by (Printed Name) [Signature]
 C.
 D. Is delivery address different from item 1? If YES, enter delivery address below:
3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt
 Insured Mail C.O.D.
4. Restricted Delivery? (Extra Fee)

7010 3090 0000 6275 4309

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.64	0663	
Certified Fee	2.85	02	Postmark Here
Return Receipt Fee (Endorsement Required)	2.30		
Restricted Delivery Fee (Endorsement Required)	\$0.00		
Total Postage & Fees	\$ 5.79		12/05/2011

Sent To
 Street, Apt. No., or PO Box No. Super.
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 South Tippah School
 c/o Frank Campbell
 402 Greenlee
 Ripley, MS
 38663

2. Article Number (Transfer from service label) 7010 3090 0000 6275 4309

PS Form 3811, February 2004 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

- A. Signature [Signature]
 X
 B. Received by (Printed Name) [Signature]
 C.
 D. Is delivery address different from item 1? If YES, enter delivery address below:
3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt
 Insured Mail C.O.D.
4. Restricted Delivery? (Extra Fee)

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.64	0663	
Certified Fee	2.85	02	
Return Receipt Fee (Endorsement Required)	2.30		Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00		
Total Postage & Fees	\$ 5.79		12/05/2011

Sent To
 Street, Apt. No., or PO Box No. Atty Gen
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.

- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 MS Atty General's Office
 c/o Jim Hood, Atty. General
 550 High Street
 Suite 1200
 JACKSON, MS 39201

2. Article Number (Transfer from service label) 7010 3090 0000 6275 4316

PS Form 3811, February 2004 Domestic Return Receipt 102595-02

COMPLETE THIS SECTION ON DELIVERY

A. Signature [Signature]

B. Received by (Printed Name) [Name]

C. Date of Delivery 12-6-11

D. Is delivery address different from item 1? If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.64	0663	
Certified Fee	2.85	02	
Return Receipt Fee (Endorsement Required)	2.30		Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00		
Total Postage & Fees	\$ 5.79		12/05/2011

Sent To
 Street, Apt. No., or PO Box No. David Dunca
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.

- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 South Tippah School Dist.
 c/o DAVID Dunca n, Chairman
 402 Greenlee St.
 Ripley, MS. 38663

2. Article Number (Transfer from service label) 7010 3090 0000 6275 4330

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1

COMPLETE THIS SECTION ON DELIVERY

A. Signature [Signature]

B. Received by (Printed Name) [Name]

C. Date of Delivery 12-6-11

D. Is delivery address different from item 1? If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.64	0663	
Certified Fee	2.85	02	
Return Receipt Fee (Endorsement Required)	2.30		Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00		
Total Postage & Fees	\$ 5.79		12/05/2011

Sent To
 Street, Apt. No., or PO Box No. Kathy Watson
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.

- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 The City of Ripley
 c/o Kathy Watson
 500 S. Main Street
 Ripley, MS. 38663

2. Article Number (Transfer from service label) 7010 3090 0000 6275 4293

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-

COMPLETE THIS SECTION ON DELIVERY

A. Signature [Signature]

B. Received by (Printed Name) [Name]

C. Date of Delivery 12-6-11

D. Is delivery address different from item 1? If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes