

**IN THE SUPERIOR COURT OF THE STATE OF RIDGEWAY
IN AND FOR RIDGEWAY COUNTY**

CODETHESCRIPter,

Plaintiff,

v.

TACTICALDANKPATRIOT, in his
quasi-official capacity as Senior Trooper in the
Ridgeway State Police,
Defendant.

No. RSC-CV-3013

COMPLAINT

CodeTheScripter, by and through undersigned counsel, hereby brings this action against TacticalDankPatriot and in support thereof alleges as follows—

STATEMENT OF FACTS¹

1. On May 15, 2024, CodeTheScripter ("Plaintiff") parked his Actila Sport vehicle on or nearby a road in Palmer, Ridgeway County, Ridgeway.
2. After the vehicle was left unattended by Plaintiff, TacticalDankPatriot ("Defendant") conducted a search of Plaintiff's vehicle.
3. Defendant had not obtained a search warrant, writ, or similar order by a competent court or tribunal authorizing this search.
4. During the search, Defendant seized the following items stored inside the vehicle:
 - a. an RCU duffle bag;
 - b. an RCU duffle bag;
 - c. an RCU duffle bag;
 - d. traceable cash;
 - e. traceable cash.
5. Plaintiff had no previous meaningful encounters with Defendant which warranted the search and seizure of his vehicle and possessions.
6. At all times herein, Defendant acted without legal cause or justification.
7. At all times herein, Defendant acted without Plaintiff's consent.
8. At all times herein, Defendant violated the Ridgeway Constitution.
9. Defendant is a public servant and certified as a peace officer by the Law Enforcement

¹ The allegations contained under this heading are chronologically ordered.

Training Center (“LETC”) and underwent thorough training and education in the same.

10. The LETC includes—as a mandatory part of its curriculum—education and/or training on the scope of the authority of peace officers to conduct searches and seizures.

11. Defendant's search of Plaintiff’s vehicle was unauthorized.

12. Defendant’s seizures of Plaintiff’s possessions were unauthorized.

13. Defendant knew and understood his acts to be unauthorized.

JURISDICTION AND VENUE

14. The Court has original jurisdiction over this Complaint under Article V, Section IV of the Ridgeway Constitution.

15. The Court’s jurisdiction is invoked in equity.

16. Venue is proper in this Court because the actions and omissions alleged in this Complaint occurred in the State of Ridgeway.

PARTIES

17. Plaintiff CodeTheScripter is a resident of the State of Ridgeway and an individual.

18. Defendant TacticalDankPatriot is a Senior Trooper in the Ridgeway State Police.

FIRST CAUSE OF ACTION

Official Misconduct

(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3114)

19. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

20. The Ridgeway Constitution gives to persons the right “to hold ... their ... possessions, free from search or seizure.” Rid. Const. Art. I, Sec. III. Defendant searched Plaintiff’s vehicle without a warrant or other legal cause and thus violated Plaintiff’s right under the Ridgeway Constitution against illegal searches. Defendant’s act was unauthorized and Defendant knew the act to be unauthorized by reason of his educational background in the LETC.

21. Plaintiff is entitled to compensatory damages and punitive damages.

SECOND CAUSE OF ACTION

Official Misconduct

(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3114)

22. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

23. The Ridgeway Constitution gives to persons the right “to hold ... their ... possessions,

free from search or seizure.” Rid. Const. Art. I, Sec. III. Defendant seized an RCU duffle bag without a warrant or other legal cause and thus violated Plaintiff’s right under the Ridgeway Constitution against illegal seizures. Defendant’s act was unauthorized and Defendant knew the act to be unauthorized by reason of his educational background in the LETC.

24. Plaintiff is entitled to compensatory damages and punitive damages.

THIRD CAUSE OF ACTION
Official Misconduct
(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3114)

25. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

26. The Ridgeway Constitution gives to persons the right “to hold ... their ... possessions, free from search or seizure.” Rid. Const. Art. I, Sec. III. Defendant seized another RCU duffle bag without a warrant or other legal cause and thus violated Plaintiff’s right under the Ridgeway Constitution against illegal seizures. Defendant’s act was unauthorized and Defendant knew the act to be unauthorized by reason of his educational background in the LETC.

27. Plaintiff is entitled to compensatory damages and punitive damages.

FOURTH CAUSE OF ACTION
Official Misconduct
(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3114)

28. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

29. The Ridgeway Constitution gives to persons the right “to hold ... their ... possessions, free from search or seizure.” Rid. Const. Art. I, Sec. III. Defendant seized another RCU duffle bag without a warrant or other legal cause and thus violated Plaintiff’s right under the Ridgeway Constitution against illegal seizures. Defendant’s act was unauthorized and Defendant knew the act to be unauthorized by reason of his educational background in the LETC.

30. Plaintiff is entitled to compensatory damages and punitive damages.

FIFTH CAUSE OF ACTION
Official Misconduct
(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3114)

31. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

32. The Ridgeway Constitution gives to persons the right “to hold ... their ... possessions,

free from search or seizure.” Rid. Const. Art. I, Sec. III. Defendant seized traceable cash without a warrant or other legal cause and thus violated Plaintiff’s right under the Ridgeway Constitution against illegal seizures. Defendant’s act was unauthorized and Defendant knew the act to be unauthorized by reason of his educational background in the LETC.

33. Plaintiff is entitled to compensatory damages and punitive damages.

SIXTH CAUSE OF ACTION
Official Misconduct
(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3114)

34. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

35. The Ridgeway Constitution gives to persons the right “to hold ... their ... possessions, free from search or seizure.” Rid. Const. Art. I, Sec. III. Defendant seized another amount of traceable cash without a warrant or other legal cause and thus violated Plaintiff’s right under the Ridgeway Constitution against illegal seizures. Defendant’s act was unauthorized and Defendant knew the act to be unauthorized by reason of his educational background in the LETC.

36. Plaintiff is entitled to compensatory damages and punitive damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays as follows—

- A. For awardment of compensatory damages (including attorney’s fees and costs);
- B. For awardment of punitive damages;
- C. For a permanent restraining order pursuant to 1 R. Stat. § 3114(ii) restraining Defendant from conducting further unlawful searches and seizures;
- D. For such other and further relief as the Court deems appropriate.

DATED: JUNE 10, 2024
Palmer County Hall

TOBY SAWYER POPPLEWELL LLP

BY: /s/ Brenda Popplewell
BrendaPopplewell
Ridgeway Bar No. 21109
Counsel of Record
Palmer Apartments, Suite 5B
Palmer, Ridgeway, RW
Tel.: (430) 946-8594
Fax: (753) 632-2442
E-mail: info@brendapopplewell.org