

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

MATTHEW OLIVER REARDON,
Plaintiff,

v. **CIVIL ACTION NO.** _____

OFFICER WILLIAM OSTEEN
in his individual capacity;
SERGEANT JACK DORATY
in his individual capacity;
JACOB MCDUGLE
in his individual capacity;
HOBY JAMES
in his individual capacity;
KANDIS BEAVERS
in her individual capacity;
JEFF BUSBY
in his individual capacity;
CITY OF GALVESTON;
UTMB HEALTH,
JOHN DOE OFFICERS 1–5
JOHN & JANE DOES (-6)
Defendants.

COMPLAINT FOR DAMAGES

(42 U.S.C. §§ 1983, 1985, and Texas Common Law)

JURY TRIAL DEMANDED

I. INTRODUCTION

1. This is a civil rights action arising from Plaintiff's false arrest, forced medical procedures, and nearly year-long wrongful detention following a fabricated felony DWI charge brought by the Galveston Police Department based on false information, unlawful force, and retaliatory conspiracy.
2. On August 11, 2023, Plaintiff was pulled over by Officer Larry Murph, handed off to Officer William Osteen, then violently detained, handcuffed, and forcibly subjected to a blood draw without a breathalyzer or visible warrant, despite explicitly offering to take a breath test and having not consumed alcohol in years.
3. The Texas Department of Public Safety's official toxicology report, dated September 6, 2023, confirmed zero alcohol in Plaintiff's blood.
4. Nevertheless, on December 7, 2023, Plaintiff was indicted for felony DWI – 3rd or more, based on a knowingly false allegation that he had two prior DWI convictions—when records showed only one prior DUI from 2013 in Georgia, and no final conviction from Mississippi.
5. The charge was ultimately dismissed on May 24, 2024, because the prosecution could not prove up jurisdictional enhancements—a fact already known to Galveston officials' months before the indictment was sought.
6. Plaintiff now brings claims for malicious prosecution, excessive force, abuse of process, and civil conspiracy under the U.S. Constitution and Texas law, seeking redress for 11 months of wrongful incarceration, reputational harm, and systemic retaliation.

II. JURISDICTION AND VENUE

7. This Court has jurisdiction under 28 U.S.C. § 1331 and 42 U.S.C. § 1983.
8. Venue is proper under 28 U.S.C. § 1391(b) because all events giving rise to these claims occurred in Galveston County, Texas.

III. PARTIES

9. **Plaintiff Matthew Oliver Reardon** – resident of Utah, falsely arrested and prosecuted in Galveston, Texas.
10. **Defendant Officer William Osteen** – GPD officer who falsely arrested Plaintiff, misrepresented facts, and led the malicious prosecution.
11. **Defendant Sergeant Jack Doraty** – on-scene supervisor who observed and enabled constitutional violations.
12. **Defendant Jacob McDougale** – male nurse employed by UTMB who forcibly drew Plaintiff's blood while restrained.
13. **Defendant Hoby James** – deputy of the Lafayette County Sheriff's Department who called Galveston PD the night of the arrest and supplied false criminal history data.
14. **Defendant Kandis Beavers** – deputy who previously lied under oath in Plaintiff's 2022 Mississippi trial and participated in ongoing retaliatory acts, including influencing the Texas arrest.

- 15. Defendant Jeff Busby** – Lafayette County Circuit Clerk who issued an official statement falsely claiming no appeal was pending on Plaintiff’s 2021 DUI case, thereby helping Galveston justify a felony indictment.
- 16. Defendant City of Galveston** – municipal entity responsible for Osteen, Doraty, and internal supervision and training.
- 17. Defendant UTMB Health** – state-run medical center whose staff participated in unconstitutional medical procedures under color of law.
- 18. Defendants John Doe Officers 1–5** – GPD officers who physically restrained Plaintiff during the forced blood draw.
- 19. Defendant Jane Doe 1** – UTMB staff who aided McDougale in the forced medical procedure.

IV. FACTUAL ALLEGATIONS

16. At approximately 2:00 a.m. on August 11, 2023, Plaintiff was pulled over by Officer Larry Murph for allegedly reckless driving.
17. Murph handed the encounter over to Officer William Osteen, who conducted the investigation and arrest.
18. Plaintiff was cooperative, offered to take a breathalyzer, and advised that he had been sober for over three years.
19. Officers denied the breath test, stating they lacked a portable device, and instead insisted on a blood draw.

20. Plaintiff refused the field sobriety test, citing its subjectivity, but explicitly requested a breathalyzer—a fact that was omitted from Officer Osteen’s report.
21. Officers arrested Plaintiff and transported him to UTMB Hospital, where Plaintiff was handcuffed behind his back, pinned down by approximately six officers, and repeatedly stuck with needles despite not being shown any warrant.
22. Sergeant Jack Doraty was on scene, summoned in response to Plaintiff’s supervisor request. Doraty observed the situation and failed to intervene in the unlawful conduct.
23. Plaintiff repeatedly stated his fear of needles, objected to the procedure, and continued to invoke his right to counsel.
24. The DPS toxicology report dated September 6, 2023, confirmed no alcohol was detected in Plaintiff’s system.
25. Despite this, on December 7, 2023, Plaintiff was indicted for felony DWI – 3rd or more, with the indictment falsely referencing a second conviction in Mississippi that did not exist.
26. Lafayette County Sheriff’s Deputy Hoby James contacted Galveston PD the night of the arrest and spoke with the arresting officer, falsely claiming a final DUI conviction—a call captured in official Galveston call logs.
27. The Galveston District Attorney's Office later admitted it “cannot prove up jurisdictional enhancements” and filed a Motion to Dismiss on May 24, 2024.
28. Plaintiff spent approximately 11 months in pretrial detention, under a \$100,000 bond, despite the complete absence of probable cause or legal basis for the felony charge.

29. Plaintiff was subsequently recharged with a misdemeanor, continuing the malicious prosecution to trigger revocation of his probation in Mississippi, orchestrated through interstate collusion.
30. On the night of the arrest, Deputy Hoby James of Lafayette County Sheriff's Office directly called Galveston PD and spoke with officers involved in the arrest and prosecution of Plaintiff. That call, captured in GPD call logs, included statements falsely alleging that Plaintiff had two prior DWI convictions.
31. Deputy Kandis Beavers, who previously testified falsely to revoke Plaintiff's probation in 2022, also made contact with GPD, furthering the retaliatory scheme across state lines.
32. On or about late 2023, Jeff Busby, Clerk of the Lafayette County Circuit Court, provided the Galveston County District Attorney's Office with a letter on official letterhead falsely stating that there was no active appeal pending in Plaintiff's 2021 DUI case. This misrepresentation was material to the felony indictment, as it implied a final Mississippi conviction when none existed.
33. All three Lafayette County officials acted in concert with Texas officials, contributing false information to fabricate an enhancement and secure a false indictment, which resulted in nearly a year of wrongful incarceration.
34. Plaintiff reserves the right to name additional Lafayette County actors found to have participated in or approved this retaliatory cross-state prosecution once discovery is initiated.

V. CLAIMS FOR RELIEF

COUNT I: MALICIOUS PROSECUTION

(42 U.S.C. § 1983 – Fourth & Fourteenth Amendments)

30. Defendants Osteen and Doraty caused legal proceedings to be initiated without probable cause, relying on false statements and evidence known to be fabricated.
31. The prosecution terminated in Plaintiff's favor.
32. Plaintiff suffered severe injuries as a result, including loss of liberty, mental anguish, and reputational damage.

COUNT II: ABUSE OF PROCESS

(42 U.S.C. § 1983 & Texas Common Law)

33. Defendants used legal proceedings for an ulterior purpose—namely, to assist Mississippi officials in revoking Plaintiff's probation through retaliatory means.
34. Defendants intentionally misrepresented facts to sustain prosecution and secure false indictment.

COUNT III: EXCESSIVE FORCE / UNLAWFUL SEARCH

(42 U.S.C. § 1983 – Fourth Amendment)

35. Plaintiff was restrained, forcibly injected, and denied consent, without being shown a warrant, in violation of *Birchfield v. North Dakota*, 579 U.S. 438 (2016).
36. Doraty and John Doe Officers failed to intervene.

COUNT IV: CONSPIRACY TO DEPRIVE CIVIL RIGHTS

(42 U.S.C. § 1985(2)-(3))

37. Defendants conspired with out-of-state actors, including Lafayette County Deputy Hoby James, to interfere with Plaintiff's liberty by falsely inflating the charge and causing revocation of probation.

38. This conduct was retaliatory, coordinated, and resulted in prolonged unconstitutional detention.

COUNT V: FAILURE TO INTERVENE

(Against Doraty and John Doe Officers)

39. Doraty and other officers stood by and allowed constitutional violations to occur in their presence, with knowledge and opportunity to prevent harm.

VI. DAMAGES

40. Plaintiff seeks:

- Compensatory damages for 11 months of incarceration, reputational harm, and emotional distress
- Punitive damages against all individual defendants
- Attorneys' fees under 42 U.S.C. § 1988
- Declaratory and injunctive relief as appropriate

VII. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests:

1. Judgment in his favor;

2. An award of compensatory and punitive damages;
3. Reasonable attorney's fees and costs;
4. Leave to amend this Complaint; and
5. Any other relief this Court deems just and proper.

Respectfully submitted,

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