



2. The Defendant Tidwell Bonding is a bonding company licensed in the State of Tennessee and doing business in the State of Tennessee. Tidwell Bonding is not a licensed bonding agent in the State of Mississippi.

3. The Defendant Keith Lacke is a resident of the State of Tennessee.

4. It is believed that the Defendants John Doe #1 and John Doe #2 are residents of the State of Tennessee.

5. This Court has jurisdiction under 28 U.S.C. 1332 based upon diversity of citizenship and the amount in controversy being greater than \$75,000.00.

### **FACTUAL STATEMENTS**

6. In November, 2007, Casey Priebe was arrested in Wilson County, Tennessee on two separate occasions. The first was for simple possession and possession of drug paraphernalia. The second was for disorderly conduct and resisting arrest.

7. For both arrests, Mr. Priebe was permitted bail and the Defendant Tidwell Bonding acted as surety.

8. After being released on bond and prior to his court appearances, Mr. Priebe accepted employment in Hattiesburg, Mississippi and relocated to that state.

9. On or about June 1, 2008, the Defendant Tidwell Bonding dispatched the Defendants Keith Lacke, John Doe #1 and John Doe #2, to Hattiesburg, Mississippi to apprehend Mr. Priebe and return him to the jurisdiction of the Wilson County courts. At all times mentioned herein, the Defendants Keith Lacke, John Doe #1 and John Doe #2 were acting as agents of, and under the direction and control of, the Defendant Tidwell Bonding.

10. On or about June 1, 2008, the Defendants Keith Lacke, John Doe #1 and John Doe #2 violently kicked open the door to Mr. Priebe's apartment, shoved a shotgun into his face, handcuffed him and dragged him to a car. They then transported him to Tennessee where, after some time he was turned over to the Wilson County Sheriff's Department and incarcerated in the Wilson County Jail.

11. Mr. Priebe remained in the Wilson County Jail until June 19, 2008, when the criminal charges against him were disposed of by the Wilson County General Sessions Court.

### **MISSISSIPPI LAW**

12. Under Mississippi Code Section 99-5-27, a bonding agent licensed in the State of Mississippi may make an arrest. For this purpose, a bondsman may employ an "agent" however the Mississippi law makes no provision for the employment of "bounty hunters."

13. Bondsman must be licensed in Mississippi under the terms of Title 83, Chapter 39 of the Mississippi Code. Neither Tidwell Bonding nor the other Defendants are licensed as bondsmen by the State of Mississippi.

14. No person in Mississippi may be arrested without a warrant being issued in Mississippi unless it is for a felony or a misdemeanor committed in his presence. The crimes with which Mr. Priebe was charged in Tennessee were all misdemeanors and none of them were committed in the presence of the Defendants.

15. Under Mississippi Code Section 99-21-1, when a fugitive from another state is located in the State of Mississippi, a warrant may be issued for his arrest and, under the remaining provisions of Title 99, Chapter 21 of the Mississippi code, the fugitive must be accorded due process under Mississippi law.

16. The Defendants made no attempt to comply with Mississippi law while apprehending Mr. Priebe.

### **TENNESSEE LAW**

17. Under Tennessee Code Section 40-11-318 “bounty hunting” is permitted.

18. Prior to making an arrest, a “bounty hunter” must present to the office of the appropriate law enforcement officer of the political subdivision where the arrest will occur a certified copy of the underlying criminal process against the defendant (the charges), a certified copy of the bond or capias, proper credentials, and a pocket card certifying that the “bounty hunter” has completed the training required by Tennessee law within the past one year.

19. The Defendants made no attempt to comply with Tennessee law by providing the Hattiesburg, Mississippi police department with copies of the documentation required by Tennessee Code Section 40-11-318.

### **FIRST CAUSE OF ACTION – FALSE IMPRISONMENT**

20. The allegations contained in paragraphs 1-19, above, are repeated as if fully rewritten herein.

21. Mr. Priebe was detained against his will.

22. Mr. Priebe’s detention was without justification under either the laws of the State of Mississippi or the State of Tennessee.

23. As a direct and proximate result of the actions of the Defendants, Mr. Priebe has been damaged, as further indicated below.

## **SECOND CAUSE OF ACTION – BATTERY**

24. The allegations contained in paragraphs 1-19, above, are repeated as if fully rewritten herein.

25. The Defendants, Keith Lacke, John Doe #1 and John Doe #2, intentionally came into physical contact with Mr. Priebe.

26. The Defendants had no legal justification for such contact.

27. The contact was offensive and harmful to Mr. Priebe.

28. As a direct and proximate result of the actions of the Defendants, Mr. Priebe has been damaged, as further indicated below.

## **THIRD CAUSE OF ACTION – ASSAULT**

29. The allegations contained in paragraphs 1-19, above, are repeated as if fully rewritten herein.

30. The Defendants, Keith Lacke, John Doe #1 and John Doe #2, intentionally created the appearance of an intentional attempt to do harm to Mr. Priebe.

31. The Defendants has the present ability, or the unmistakable appearance of the present ability, to cause harm to Mr. Priebe.

32. As a direct and proximate result of the actions of the Defendants, Mr. Priebe has been damaged, as further indicated below.

**FOURTH CAUSE OF ACTION – INTENTIONAL INFLICTION OF EMOTIONAL  
DISTRESS**

33. The allegations contained in paragraphs 1-19, above, are repeated as if fully rewritten herein.

34. While transporting Mr. Priebe back to Tennessee, the Defendants Keith Lacke, John Doe #1 and John Doe #2 made statements to him to the effect that he was “going away for a long time” and that “he wouldn’t be needing anything in his apartment.”

35. The conduct of the Defendants was extreme and outrageous.

36. The statements made by the Defendants were made with either the specific intent to cause emotional distress or with a reckless disregard of the probability of causing that distress.

37. As a direct and proximate result of the actions of the Defendants, Mr. Priebe has been damaged, as further indicated below.

**FIFTH CAUSE OF ACTION – INTENTIONAL INFLICTION OF EMOTIONAL  
DISTRESS**

38. The allegations contained in paragraphs, 1-19 and 33-37, above, are repeated as if fully rewritten herein.

39. The Defendants were negligent in their treatment of Mr. Priebe and such negligence caused severe emotional injury to Mr. Priebe.

40. As a direct and proximate result of the actions of the Defendants, Mr. Priebe has been damaged, as further indicated below.

## **SIXTH CAUSE OF ACTION – PUNITIVE DAMAGES**

41. The allegations contained in paragraphs 1-19, 33-37 and 38-40, above, are repeated as if fully rewritten herein.

42. The Defendants acted intentionally, recklessly or maliciously in their conduct toward Mr. Priebe.

### **DAMAGES**

43. Mr. Priebe was forced to miss approximately 21 days of work as a result of the actions of the Defendants.

44. Mr. Priebe lost revenue from his employment in the amount of \$4,000.00.

45. Mr. Priebe suffered damage to his reputation in the amount of \$250,000.00

46. Mr. Priebe suffered emotional distress in an amount of \$500,000.00.

47. Mr. Priebe is entitled to an award of punitive damages in the amount of \$1,500,000.00.

WHEREFORE, Mr. Priebe respectfully prays:

1. That this Court enter judgment against the Defendants, jointly and severally, in the amount of \$754,000.00;
2. That this Court award him \$1,500,000.00 in punitive damages;
3. That this Court award him attorney's fees and the costs of this litigation; and
4. Any and all other relief to which he may appear entitled.

Respectfully submitted,

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