

STATE OF SOUTH CAROLINA  
COUNTY OF YORK

IN THE COURT OF COMMON PLEAS

Trevor Mullinax and Tammy Beason,

Plaintiffs,

v.

York County and York County Sheriff's  
Office,

Defendants.

CASE NO.: 2023-CP-16-\_\_\_\_\_

**SUMMONS**  
(Jury Trial Requested)

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action of which a copy is herewith served upon you, and to serve a copy of your answer to the said Complaint on the subscribers at their office at 104 Bridge Street, Bamberg, SC 29003, within thirty (30) days after the service hereof, exclusive of the date of such service; and if you fail to answer the Complaint within the aforementioned time, the Plaintiff in this action will apply to the Court for the relief demanded in this Complaint, and a judgment by default will be rendered against you for the relief demanded in this Complaint.

Dated this 5<sup>th</sup> day of May, 2023, in Bamberg, South Carolina.

Respectfully Submitted,

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***Attorneys for the Plaintiffs***

STATE OF SOUTH CAROLINA  
 COUNTY OF YORK

IN THE COURT OF COMMON PLEAS

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	)	CASE NO.: 2023-CP-16-_____
	)	
Trevor Mullinax and Tammy Beason,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	<b>COMPLAINT</b>
	)	(Jury Trial Requested)
	)	
York County and York County Sheriff's	)	
Office,	)	
	)	
Defendants.	)	

The Plaintiffs named herein, complaining of the Defendants, would respectfully show unto this Honorable Court and allege as follows:

**Parties**

1. The Plaintiff, Trevor Mullinax, is a citizen and resident of the County of York, State of South Carolina.
2. The Plaintiff, Tammy Beason, is a citizen and resident of the County of York, State of South Carolina.
3. The Defendant York County (hereinafter “County”) is a governmental agency/entity existing under the laws of the State of South Carolina. At all times hereinafter mentioned in this lawsuit, the Defendant County acted and carried on its business by and through its agents, servants, and/or employees. Additionally, these agents, servants, and/or employees (including but not limited to the 911/emergency personnel mentioned below) were operating within the scope of their officially assigned and/or compensated duties.
4. The Defendant York County Sheriff’s Office (hereinafter “Sheriff”) is a governmental agency/entity existing under the laws of the State of South Carolina. At all times hereinafter

mentioned in this lawsuit, the Defendant Sheriff acted and carried on its business by and through its agents, servants, and/or employees, under the direction of the Sheriff. Additionally, these agents, servants, and/or employees (including but not limited to the law enforcement personnel mentioned below) were operating within the scope of their officially assigned and/or compensated duties.

5. At all times relevant herein, Sheriff's deputies involved in the underlying complained of incident(s) were working in conjunction with each other in furtherance of the County's and Sheriff's business and each caused and/or contributed to the complained upon incident(s) and injuries sustained by Plaintiffs.

6. This case is filed pursuant to the South Carolina Tort Claims Act, S.C. Code Ann. 15-78-10.

7. This Court has jurisdiction over this matter and the parties because the most substantial acts and omissions giving rise to liability occurred within York County, South Carolina.

#### **Factual Allegations – May 7, 2021 Incident**

8. On or about May 7, 2021, Plaintiff Mullinax was sitting in his own vehicle on private property he was legally authorized to be on. At the time, Plaintiff Mullinax was suffering severe emotional distress stemming from personal relationship issues and was contemplating suicide.

9. Plaintiff Beason was standing beside Plaintiff Mullinax's pickup truck talking to him. Plaintiff Beason is the mother of Plaintiff Mullinax.

10. Plaintiff Mullinax was lawfully in possession of a hunting shotgun during this time, and at no point did he point the weapon at himself or any other person. In fact, the entire time Plaintiff Beason was talking to her son through the driver's side window, the shotgun was present. Prior to

the arrival of law enforcement, Plaintiff Beason never once feared for her safety. Plaintiff Mullinax never once indicated he intended to use the weapon on anyone other than himself.

11. That at the same time, a family member and/or friend called in a “wellness check” on Plaintiff Mullinax. Upon information and belief, the caller provided both Plaintiff Beason and Plaintiff Mullinax’s cell phone numbers. This call resulted in law enforcement being dispatched to the residence. Upon information and belief, Sheriff’s deputies never attempted to call either Plaintiff using the Plaintiffs’ cell phone numbers provided to 911, despite being informed Plaintiff Mullinax was suicidal.

12. Upon information and belief, 911 failed to provide the Plaintiffs’ cell phone numbers to Sheriff, or the Sheriff’s deputies failed to contact the Plaintiffs to attempt dialogue or de-escalation.

13. Sheriff’s deputies, despite the obvious lack of training, or woefully insufficient training, to address a suicidal person or a, made no attempt to contact or consult a mental healthcare professional, prior to arriving at the Plaintiffs’ location to perform a “wellness check.”

14. Sheriff’s deputies responded to the residence in response to the request law enforcement perform a “wellness check” on Plaintiff Mullinax. Upon arrival, Sheriff’s deputies, after first making contact with Plaintiff Mullinax’s grandfather, proceeded to drive to the back of the subject property.

15. Prior to arriving at the location on the property where Plaintiff Mullinax was still sitting inside his pickup truck, Sheriff’s deputies drew their firearms and were prepared to shoot Plaintiff Mullinax and exercise deadly force before they made verbal contact with him.

16. Prior to arriving at the Plaintiffs’ location, Sheriff’s deputies failed to plan, choosing instead to ride in like cowboys from a John Wayne movie, defaulting to using deadly force,

immediately, without attempting to deescalate the situation, in complete disregard for State law/regulation, Sheriff's policies, and/or County ordinances.

17. When Sheriff's deputies drove to the location, Sheriff's deputies jumped from their Sheriff-issued patrol vehicles that were still in motion, immediately pointing their loaded, department issued firearms at Plaintiff Mullinax, who was sitting inside his vehicle, as well as Plaintiff Beason, who was standing directly beside the driver's door of the vehicle still talking calmly with Plaintiff Mullinax.

18. Immediately and without warning, justification, authorization, or affording either Plaintiff time to react to the presence of Sheriff's deputies, Sheriff's deputies began firing their weapons at Plaintiff Mullinax's vehicle.

19. In utter shock, Plaintiff Beason dove backwards while yelling in horror as bullets from Sheriff's deputies hit the vehicle narrowly missing hitting her. Plaintiff Beason was taken by surprise because nothing indicated that shots would be fired. She had no notice shots would be fired. Plaintiff Mullinax took no action warranting shots be fired. Furthermore, she was standing directly in the line of Sheriff's deputies fire at the time.

20. Sheriff's deputies fired almost 50 rounds at Plaintiff Mullinax, striking him approximately nine (9) times, including in the head. Sheriff's deputies fired despite Plaintiff Beason being in the line of fire, putting her in immediate fear of being hit by a round, and despite Plaintiff Mullinax having both his arms raised. On information and belief, Plaintiff Mullinax was struck in the back of the head by a bullet when both his hands were raised in the air outside of the driver's side window.

21. Sheriff's deputies failed to render immediate medical aid to Plaintiff Mullinax and treated Plaintiff Beason with utter disregard in the wake of the shooting.

22. At no point prior to, during, or after Sheriff's deputies began shooting did Plaintiff Mullinax raise, point, or otherwise move with a weapon in such a fashion as would authorized Sheriff's deputies to use deadly force.

23. At no point did Plaintiff Mullinax refuse, or fail, to comply with the limited instructions yelled by Sheriff's deputies from approximately 30 to 40 feet within the mere seconds before Sheriff's deputies began firing approximately 50 rounds at Plaintiff Mullinax and Plaintiff Beason.

24. Sheriff's deputies were grossly negligent, willful, wanton, careless, and reckless in their use of deadly force towards Plaintiff Mullinax and Plaintiff Beason, the same causing irreparable and permanent physical, mental, and emotional injury to Plaintiffs.

25. Plaintiff Beason saw first-hand her son suffer from approximately nine (9) gunshot wounds, including a wound to the back of the head.

26. The entire ordeal was captured on body worn and dash camera.

27. Initial details provided to the public media by law enforcement said shots were fired at Sheriff's deputies by Plaintiff Mullinax, which was not true.

### **Factual Allegations – The Charge**

28. The foregoing paragraphs are incorporated herein by reference as if stated fully verbatim herein.

29. Sheriff's deputies arrested and charged Plaintiff Mullinax with pointing and presenting a firearm at the deputies, which did not happen and was not true.

30. Plaintiff Mullinax, who somehow miraculously survived the horrific shooting, has maintained his innocence of the criminal charges brought by Sheriff's deputies. Plaintiff Mullinax denies pointing, brandishing, or presenting a firearm in any threatening manner at Sheriff's deputies, and Plaintiff Beason, who was present and standing directly beside the vehicle in plain view of

Plaintiff Mullinax, maintains Plaintiff Mullinax did not point, brandish, or present a firearm in any threatening manner at Sheriff's deputies.

31. The criminal charges were brought against Plaintiff Mullinax due to the horrific nature of the shooting and the need to attempt to justify and/or provide "cover" to Sheriff's deputies for the utter excessive use of deadly force exhibited by Sheriff's deputies.

32. False statements such as Plaintiff Mullinax pointed and presented a firearm at law enforcement or fired shots at law enforcement, which all parties know is not true, are defamatory *per se* and damaging as a matter of law to Plaintiff Mullinax.

33. Such actions and/or inactions by Defendants and/or its/their agent(s) combined and concurred as a direct and proximate cause of the injuries and damages suffered by Plaintiff(s) herein, said acts being in violation of the statutes and common laws of the State of South Carolina.

**FOR A FIRST CAUSE OF ACTION**  
**(Gross Negligence – As for All Plaintiffs)**

34. The foregoing factual allegations are made a part of this First Cause of Action through incorporation by reference.

35. The above set forth incident and Plaintiffs' resulting injuries were proximately caused by the grossly negligent, reckless, willful and wanton acts of Defendants, in the following particulars, as well as those described elsewhere in this Complaint:

- a. In failing to prevent the false arrest, charge, and prosecution of Plaintiff;
- b. In failing to follow appropriate police practice with regards to scene management;
- c. In failing to provide adequate supervision of officers in the course and scope of their duties;
- d. In failing to properly train its employees;



- e. In failing to stop using deadly force after Plaintiff was struck nine (9) times, including in the back of the head;
- f. In failing to discharge employees of their duties and/or retaining employees that should otherwise be terminated prior to the date of loss;
- g. In failing to properly train and/or supervise its personnel, agents and/or employees so as to ensure that citizens, including Plaintiff, are not improperly or falsely charged and/or subjected to physical injury while in the care, custody, and control of Defendant;
- h. In failing to properly train and/or supervise its personnel, agents, and/or employees;
- i. In failing to intervene prior to Plaintiffs being shot at, shot, or almost shot without justification;
- j. In shooting in the immediate direction of Plaintiff Beason despite her standing directly beside the vehicle and in the direct line of fire of multiple Defendants' deputies;
- k. In failing to have appropriate policies, procedures, and protocols in place to protect the wellbeing and safety of citizens, including Plaintiff, when interacting with its officers;
- l. In failing to follow and adhere to the policies and procedures of the York County Sheriff's Office, if any it had;
- m. In failing to accurately documents facts in official incident reports, warrants, and other documents;
- n. In allowing a criminal prosecution of Plaintiff to continue despite knowing that it was unwarranted;
- o. In failing to protect the Plaintiffs from harm;
- p. In shooting Plaintiff Beason's son in front of her without just cause;
- q. In misrepresenting facts to the public with regards to the acts of Plaintiff Mullinax;
- r. In failing to exercise a reasonable degree caution before disseminating information to the public regarding allegations Plaintiff committed crime(s) of moral turpitude;
- s. In failing to exercise a reasonable degree of caution prior to discharging their duty weapons approximately 50 times at Plaintiffs;

- t. In failing to exercise reasonable or slight care to make periodic and proper updates to its policies and procedures, if any it had;
- u. In conducting it/his/themselves in an egregious and arbitrary manner without respect to the irreparable damage that could be caused Plaintiffs;
- v. In breaching it's/his fiduciary duty of trust with regard to Plaintiffs;
- w. In failing to use the appropriate degree of competency under the circumstances then existing;
- x. In failing to give proper commands and directives to Plaintiffs when Defendants' deputies arrived on scene;
- y. In failing to afford Plaintiffs adequate time to comprehend what was going on as soon as Defendants' deputies arrived on scene;
- z. In turning a wellness check into a firearm show;
- aa. In using excessive force on innocent persons, to wit, Plaintiffs;
- bb. In failing to render appropriate medical aid to Plaintiffs, including Plaintiff Mullinax who suffered a traumatic bullet wound to his head and remained unresponsive on scene; and
- cc. In such other particulars as may be discovered during litigation and shown at the trial of this matter.

36. As a result, and because of the Defendants' reckless, willful, wanton, and grossly negligent conduct, Plaintiffs were severely injured, suffered needlessly, lost their freedom, felt tremendous grief and sorrow, suffered extreme mental shock and suffering, were humiliated, and suffered other actual and consequential damages, including severe mental distress and emotional harm, and irreparable damage to their person, character, dignity, image and reputation.

37. Defendant owed a duty of due care to Plaintiffs both based on the facts and circumstances involved but also because the subject call began as a "wellness check."

38. Plaintiff is entitled to judgment against the Defendants for actual and consequential damages for the Defendants' acts and omissions through its agents, employees, and representatives.

39. Such actions and/or inactions by Defendants and/or his/her/their agent(s) combined and concurred as a direct and proximate cause of the injuries and damages suffered by Plaintiff(s) herein, said acts being in violation of the statutes and common laws of the State of South Carolina.

**FOR A SECOND CAUSE OF ACTION**  
**(False Imprisonment – As for All Plaintiffs)**

40. The foregoing factual allegations are made a part of this Second Cause of Action through incorporation by reference.

41. Defendants deprived Plaintiffs of their personal liberties and freedoms without lawful justification through an unjustified arrest and subsequent imprisonment. Furthermore, the act of using deadly force constitutes a seizure of Plaintiffs' person such that Plaintiffs were unable to move about freely.

42. Probable cause did not exist to arrest Plaintiffs and Defendants lacked a good faith belief that Plaintiff was guilty of a crime as would induce an ordinarily prudent and cautious police officer, under the circumstances, to believe likewise.

43. Defendants had no evidence that Plaintiff had committed a crime or attempted to hinder any officer on scene, interfere, or resist arrest. To the contrary, all available evidence indicated that Plaintiff was attempting to be compliant during the extremely short window of time immediately following the arrival of officers.

44. Defendants willfully, wantonly, carelessly, and recklessly restrained and imprisoned Plaintiffs through an unlawful arrest and detention in violation of their established legal rights.

45. Plaintiffs are entitled to a judgment against Defendants to compensate them for the damages and injuries sustained and proximately caused by Defendants, including the recovery of actual, consequential, and compensatory damages in an amount to be determined by a jury.

**FOR A THIRD CAUSE OF ACTION**  
**(Malicious Prosecution – As for Plaintiff Mullinax)**

46. The foregoing factual allegations are made a part of this Third Cause of Action through incorporation by reference.

47. Defendants maliciously instituted and continued criminal proceedings against Plaintiff.

48. All of the criminal proceedings were instated and continued by Defendants, through the acts and omissions of its agents, employees, and representatives.

49. The criminal proceedings will be terminated in Plaintiff's favor and under circumstances for a reasonable person to believe are consistent or implicit with his innocence.

50. Defendants were malicious and utterly disregarded the consequences of its injurious acts and omissions in instituting and continuing such criminal proceedings against Plaintiff solely because of the horrific nature of Defendants' use of deadly force against Plaintiff Mullinax and his mother.

51. Defendants lacked probable cause for Plaintiff's arrested.

52. Plaintiff is entitled to a judgment against Defendants to compensate him for the damages and injuries sustained and proximately caused by Defendants, including the recovery of actual, consequential, and compensatory damages in an amount to be determined by a jury.

**FOR A FOURTH CAUSE OF ACTION**  
**(Defamation per se As for Plaintiff Mullinax)**

53. The foregoing factual allegations are made a part of this Fourth Cause of Action through incorporation by reference.

54. The aforementioned statements by Defendants, by and through its agents, employees, and representatives, accusing Plaintiff of pointing a weapon at police officers are defamatory per se and tend to injure Plaintiff in both his professional endeavors and personal life, including irreparable damage to Plaintiff's reputation, character, esteem, perceived temperament and credibility.

55. This is not about how Plaintiff's "feels" about what was said about him, but instead about largescale injury to his reputation. This matter was also discussed in the media.

56. The statements were made without justification or privilege.

57. The aforementioned statements by Defendants proximately caused Plaintiff to suffer damages and continue to suffer damages into the future in the form of emotional distress, humiliation, mental anguish, and injury to his reputation, character, perceived temperament, dignity, image, and credibility throughout the State of South Carolina, United States of America, globally, and most importantly, in his lifelong hometown and current residence – Rock Hill.

58. By publishing the aforementioned statements in open, public forums, Defendants knew that the statements would be republished, repeated, and/or read and relied on as truth of fact by the general public. The statements were in fact published by Defendants in official public documents, and were republished, read and relied on by members of the general public as a direct, natural, probable, intentional, proximate and foreseeable consequence of Defendants' publication.

59. The aforementioned statements by Defendants are false and were false when made. Defendants knew or should have known that the statements were false when made. Defendants have already acknowledged the statements were false when made.

60. Defendants made the aforementioned statements with utter and complete disregard for their truth or falsity and with willful and wanton disregard of the reputation and rights of Plaintiff.

61. The aforementioned statements by Defendants were made of and directly concerning Plaintiff.

62. The aforementioned statements by Defendants were widely published in permanent, official government documents, online, and are still presently available to the public for review.

63. Defendants knew or should have known that the statements were injurious to Plaintiff's professional, personal life, character, and reputation; and Defendants intended such be a consequence to the publication, in part, to specifically try and ensure that nobody cared about Plaintiff being shot in the incident because that would inevitably lead to the video of the horrific shooting becoming public; a video which would show Defendants deputies firing approximately 50 shots at both Plaintiff Mullinax and his mother Plaintiff Beason.

64. Plaintiff is entitled to a judgment against Defendants to compensate him for the permanent damages and injuries sustained as a result of and proximately caused by Defendants, including the recovery of actual, consequential, and compensatory damages in an amount to be determined by a jury. Plaintiff is further entitled to an award of punitive damages against Defendants Norman.

**FOR A FIFTH CAUSE OF ACTION**  
**(Barratry As for Plaintiff Mullinax)**

65. The foregoing factual allegations are made a part of this Fifth Cause of Action through incorporation by reference.

66. Defendants willfully caused and forced the criminal proceedings to continue unnecessarily against Plaintiff and willfully invited and forced Plaintiff to obtain legal counsel to represent him against Defendants in order to protect itself with intent to distress and harass Plaintiff and cause him even more damage.

67. Defendants, by not only allowing Plaintiff to be charged in the first place when officers on scene had been personally interacting with and providing directives to Plaintiff knew Plaintiff was innocent, but in refusing to dismiss the charges when Plaintiff requested, committed those acts against Plaintiff in total disregard of our judicial system and the concept of judicial economy.

68. Defendants has thereby committed barratry against Plaintiff and has directly and proximately caused great damage to Plaintiff as described above and as will be further shown at the trial of this matter.

69. Plaintiff is entitled to a judgment against Defendants to compensate him for the damages and injuries sustained and proximately caused by Defendants, including the recovery of actual, consequential, and compensatory damages in an amount to be determined by a jury.

**FOR A SIXTH CAUSE OF ACTION**  
**(Abuse of Process As for Plaintiff Mullinax)**

70. The foregoing factual allegations are made a part of this Sixth Cause of Action through incorporation by reference.

71. The Defendants utilized and employed the criminal legal process for an illegitimate and improper purpose other than that which the criminal process was intended by law to effect.

72. Charging Plaintiff Mullinax so that the public does not raise questions about the legitimacy of an officer-involved shooting constitutes a perversion of the criminal legal process for an end not lawfully warranted by it.

73. Defendants' acts as referenced herein were taken for an ulterior purpose and constitute a willful act in the use of the criminal process not proper in the regular conduct of the criminal proceedings.

74. Plaintiff is entitled to judgment against Defendants to compensate him for the damages and injuries sustained and proximately caused by Defendants, including the recovery of actual, consequential, and compensatory damages in an amount to be determined by a jury.

**FOR A SEVENTH CAUSE OF ACTION**  
**(Civil Conspiracy As for All Plaintiffs)**

75. The foregoing factual allegations are made a part of this Seventh Cause of Action through incorporation by reference.

76. Defendants' employees, agents, and/or representatives took overt acts, for example alleging Plaintiff Mullinax pointed a weapon and charging him, for the purpose of injuring Plaintiffs to prevent the public and others from questioning the legitimacy of an officer-involved shooting; the same constituting a civil conspiracy.

77. Defendants' employees were all acting within the course and scope of their employment with Defendants at all times relevant herein such that Defendants is liable for the employees acts and omissions.

78. More than one person participated in the conspiracy and took overt acts towards that end, in part as indicated below:

- a. Multiple deputies alleging that they saw Plaintiff Mullinax point a weapon when it was impossible;
- b. Failing to ensure Plaintiff was not criminally charged or alternatively, that the charges were not prosecuted; and
- c. Such other particulars as may be shown at the trial of this matter.

79. Agents of the Defendants are legally capable, as individuals, of conspiracy among themselves. *See Pridgen v. Ward et al*, Opinion No. 4770, S.C. Ct. App. (2010) (citing *Lee v.*



*Chesterfield Gen. Hospital, Inc.*, 289 S.C. 6, 344 S.E.2d 379 (S.C. Ct. App. 1986) (agents of corporation may conspire among themselves)).

80. Plaintiff has suffered special damages separate and apart from those identified in Plaintiff's other Causes of Action, namely:

- a. Additional costs and attorney's fees associated with investigating Plaintiff's incarceration and the charges brought against him as well as attempting to clear his name and rehabilitate his character, image and reputation;
- b. Costs associated with the Freedom of Information Act request to gather information on the arrest and subsequent charge and prosecution;
- c. Irreparable damage to Plaintiff's emotional wellbeing at present and into the future when in the presence of law enforcement;
- d. Special damage to his reputation as a result of his having been publicly labeled a law enforcement officer assailant with no respect for law enforcement authority;
- e. Special damage to his future income and employability in his home geographical area due to the very public allegations by officials that he had assaulted law enforcement officers;
- f. Plaintiff's future attempts to clean any internet footprint, and
- g. In such other particulars as may be shown at trial

All of which are the direct and proximate result of Defendants' employees, agents, and representatives.

**FOR AN EIGHTH CAUSE OF ACTION**  
**(Civil Assault & Battery As for All Plaintiffs)**

81. The foregoing factual allegations are made a part of this Eighth Cause of Action through incorporation by reference.

82. At all times relevant hereto, Defendants' deputies were officers operating in the course and scope of their duties as a law enforcement officers such that Defendants is liable for its employees' tortious actions.

83. Defendants' employees physically assaulted and battered Plaintiffs without legal justification.

84. Through the above-mentioned actions, Defendants did intentionally, willfully, and wantonly place Plaintiffs in fear of imminent, immediate bodily injury and death; obviously because approximately 50 bullets were fired their direction, at them, or into them, respectively.

85. At no time during the events described herein and above, nor at any time prior thereto, did Plaintiffs consent to any of Defendants' conduct, physical contact made, or threats of physical harm and contact. Further, Plaintiffs did not consent to the open presence of loaded firearms not only pointed at them and in their direction, yet fired at them approximately 50 times.

86. As a direct and proximate result of Defendants' acts and omissions, by and through its agents, employees and representatives, Plaintiffs are informed and believe and therefore allege that such acts directed towards them were malicious and belligerent, and the acts were done with a conscious disregard of Plaintiffs to be free from such tortious behavior, such as to constitute oppression, fraud, or malice, and as such they are entitled to judgment against Defendants for actual and consequential damages in an amount to be determined by a jury.

**FOR A NINETH CAUSE OF ACTION**  
**(Intentional Infliction of Emotional Distress/Outrage – As for All Plaintiffs)**

87. The foregoing factual allegations are made a part of this Ninth Cause of Action through incorporation by reference.

88. Defendants, by and through the acts of its agents, employees and representatives, did intentionally or recklessly inflict severe emotional distress, or was/were certain, or substantially certain, that such distress would result from the acts complained of cumulatively herein.

89. The aforementioned conduct to which Plaintiffs were subjected to was so extreme and outrageous so as to exceed all possible bounds of decency and must be regarded as atrocious and utterly intolerable in a civilized community.

90. The actions of Defendants caused Plaintiffs emotional distress which was so severe that no reasonable person could be expected to endure it. For example, no reasonable person is capable of being, nor should they be expected to be, OK after law enforcement called to the scene for a “wellness check” on a citizen fire approximately 50 rounds at them, hitting one person approximately nine (9) times and almost murdering another. Nor should a mother, who was calmly talking with her own son through his mental health episode, be expected to be OK after seeing him in a borderline vegetative state on the scene after law enforcement shot him about his body multiple times, including in the head. Nor should a son who watched, until he was shot, his mother scream in terror as dozens of handgun rounds impale his vehicle and almost strike his mom.

91. As a direct and proximate result of Defendants’ intentional infliction of emotional distress on Plaintiffs, Plaintiffs are entitled to recover compensatory damages against Defendants for emotional pain and suffering, as well as other damages deemed appropriate by the trier of fact.

WHEREFORE, the Plaintiffs, Trevor Mullinax and Tammy Beason, prays for actual, consequential, and compensatory damages, costs, attorney fees, and any such other and further relief as the Court deems just and proper in law and in equity against Defendants.

Dated this 5<sup>th</sup> day of May, 2023, in Bamberg, South Carolina.

Respectfully Submitted,

By: /s/ Justin T. Bamberg

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