

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
BECKLEY DIVISION**

**MARQUEL ALI,**

**Plaintiff,**

**CIVIL ACTION NO. 5:17-cv-03386**

**v.**

**JURY TRIAL DEMANDED**

**RALEIGH COUNTY, RALEIGH COUNTY  
SHERIFF'S DEPARTMENT, STEVEN TANNER,  
individually and in his official capacity as  
Sheriff of Raleigh County, CITY OF BECKLEY,  
BECKLEY POLICE DEPARTMENT,  
GARY EPLING, Individually and in his official  
capacity as detective with the Raleigh County  
Sheriff's Department, WEST VIRGINIA STATE  
POLICE, KENNETH L. PACK, individually and  
in his official capacity as Corporal with the  
West Virginia State Police, JASON REDDEN,  
individually and in his official capacity as officer  
with the West Virginia Division of Corrections  
and subsequently Raleigh County Sheriff's Department,**

**Defendants.**

**COMPLAINT**

Plaintiff, Marquel Ali, a citizen of the United States, brings this civil action under 42 U.S.C. §§1981, 1983, 1986 and 1988, 2000e and the Fourth, Fifth, Sixth and Fourteenth Amendments of the United States Constitution, against Raleigh County, Raleigh County Sheriff's Department, City of Beckley, Beckley Police Department, the West Virginia State Police and Steven Tanner, Kenneth Pack, Gary Epling, and Jason Redden, in their official and individual capacities, who unlawfully discriminated against, arrested, harassed, and prosecuted him, and who conspired to deprive Plaintiff of the rights, privileges, and immunities secured to Mr. Ali by the United States Constitution and the laws and policies of the United States and the State of West Virginia.

## PARTIES

1. Plaintiff Marquel Ali is an African American male with a dark complexion. Mr. Ali is a citizen and resident of Cabell County, West Virginia, who was, until on or about April 2015, a citizen and resident of Raleigh County, West Virginia.
2. Defendant, Raleigh County, is a municipal corporation organized under and existing by virtue of the laws of the State of West Virginia. Defendant Raleigh County was at the time of the actions giving rise to this action, the employer of Defendants Tanner, Epling and Redden who performed the actions alleged as follows for and in the name of Defendant, Raleigh County.
3. Defendant, Raleigh County Sheriff's Department, is a law enforcement agency established, maintained, controlled and supervised by Raleigh County.
4. Defendant, City of Beckley, is a municipal corporation organized under and existing by virtue of the laws of the State of West Virginia. Defendant City of Beckley is responsible for the establishment, equipment, maintenance, control and discipline of the Beckley Police Department. With respect to the claims asserted herein, Defendant City of Beckley was acting by and through its duly elected and/or appointed officials and/or policymakers, who participated in, approved of, and/or acquiesced in the violation of the Plaintiff's legal rights as set forth herein. At all relevant times, these policymakers were acting under color of law and in accordance with the custom, practices, and policies of the City of Beckley.
5. Defendant, Beckley Police Department, is a law enforcement agency established, maintained, controlled and supervised by the City of Beckley.
6. Defendant West Virginia State Police, is a state agency organized under and existing by virtue of the laws of the State of West Virginia. Defendant West Virginia State Police

maintains offices throughout the state of West Virginia including an office in the City of Beckley in Raleigh County, West Virginia.

7. At all times alleged, Defendants Raleigh County, Raleigh County Sheriff's Department, City of Beckley, Beckley Police Department, and West Virginia State Police acted by and through their agents, employees, supervisors, directors, members, officers and assigns and within the full scope of agency, office, employment, and/or assignment.
8. Defendant, Steven Tanner, is a citizen and resident of Raleigh County, West Virginia, and was, from 2008 - December 31, 2016, the Sheriff of Raleigh County.
9. Defendant, Gary Epling, is, on information and belief, a citizen and resident of Raleigh County, West Virginia, who is and, at all times alleged, was a detective with the Raleigh County Sheriff's Department.
10. Defendant, Kenneth L. Pack, is, on information and belief, a citizen and resident of Raleigh County, West Virginia, who was, at all times alleged, an officer with the West Virginia State Police.
11. Defendant, Jason Redden, is, on information and belief, a citizen and resident of Raleigh County, West Virginia, who was a parole officer with the West Virginia Division of Corrections at the time of Plaintiff's arrest, and subsequently became a deputy with Defendant Raleigh County Sheriff's Department.
12. Unless otherwise stated, all acts of the Defendants alleged herein were done by the Defendants under the color and pretense of the statutes, regulations, customs and usages of the State of West Virginia and under the authority of office as heretofore alleged in the Sheriff's Department of Raleigh County, State of West Virginia, Police Department of the City of Beckley, West Virginia and the West Virginia State Police.

### **JURISDICTION AND VENUE**

13. This Court has jurisdiction over this civil action under 28 U.S.C. §1343(a)(3) and (4) and §1331.
14. Venue is appropriate in this case under 28 U.S.C. §1391(b) because Defendants are residents of the state of West Virginia under 28 U.S.C. §1391(c)(2) and a substantial part of the events giving rise to this claim occurred in the City of Beckley in Raleigh County, West Virginia which is in the Southern District of West Virginia.

### **ALLEGATIONS OF FACT**

15. On or about March 18, 2014, Mr. Ali began his employment as a deputy with Defendant Raleigh County Sheriff's Department.
16. All deputies are required to complete a one year probationary period, during which time they receive training both through the West Virginia State Police Academy and on-the-job training with supervising officers in Defendant Sheriff's Department.
17. When Mr. Ali was hired by Defendant Sheriff's Department, four other men were also hired as sheriff's deputies; three white males and one African American male. The African American male hired at the time of Mr. Ali's hire had a very light complexion.
18. Following the hiring of Mr. Ali and the other four men, Defendant Sheriff's Department employed a total of three African American officers. The third African American officer had a light complexion.
19. During his training at the academy, the white officers and the secretary made bets as to whether Mr. Ali would make it through the training.
20. Throughout his employment, Mr. Ali was the only African American officer employed with Defendant Sheriff's Department who had a dark complexion.

21. During his employment, Mr. Ali received used and/or non-functioning equipment, while other officers received new equipment for their duties.
22. On information and belief, the African American male hired at the same time as Mr. Ali is employed by Defendant Sheriff's Department.
23. Defendants Sheriff's Department and Tanner did not provide employment policies to Plaintiff until on or about February of 2015, which is the week after he returned from vacation.
24. Shortly after beginning his employment, when asked about his career goals, Plaintiff responded that he hoped to become an FBI agent.
25. Upon hearing Plaintiff's statement that he hoped to one day work for the FBI, Defendant, Sheriff Tanner, ordered Plaintiff not to make any such statements again, and if Plaintiff did so, Sheriff Tanner stated "Boy, if I ever hear you talking about the FBI, I'll fire your a\*\*, boy."
26. Rather than call Mr. Ali by his name, Defendant Tanner regularly and repeatedly called Plaintiff "boy" and threatened to fire him throughout Mr. Ali's employment. He also called Plaintiff a "thug," and a "stupid a\*\* boy."
27. Plaintiff subsequently received write ups and disciplinary action while white officers who engaged in similar activity were not issued any form of reprimand or other discipline.
28. Specifically, on two occasions, the same white probationary deputy was present with Mr. Ali and the two participated equally in responding to calls and addressing the related situations. Although Mr. Ali received write ups for procedural issues resulting from these incidents, the white probationary officer with him received no write ups or other similar discipline.

29. On information and belief, the white officer mentioned above continues to be employed as a deputy sheriff with Defendant Raleigh County Sheriff's Department.
30. At the time of the above stated write ups and other corrective action issued to Mr. Ali, Plaintiff had not yet been issued Defendant's policies, nor had he been trained on numerous policies and procedures related to the performance of his job duties.
31. During Mr. Ali's employment with Defendant Sheriff's Department, another white officer hired at the same time as Plaintiff was accused of improper conduct. Rather than being terminated, however, this white officer was offered the option to resign his employment, thereby preserving his employment record and retaining his time of service.
32. Sheriff Tanner also publicly praised the aforementioned white officer who was offered the option to resign his employment.
33. Yet another white officer was also offered the option to resign in lieu of termination after he crashed his police cruiser while intoxicated on narcotics.
34. On or about February 2015, Plaintiff received a positive performance evaluation from his supervising officer. Mr. Ali's strongest area involved his willingness to take criticism and work to improve his job performance.
35. On March 16, 2015, Plaintiff was interrogated and subjected to a voice stress analysis<sup>1</sup> regarding allegations by an individual arrested by Mr. Ali. The questions pertained to Mr. Ali's arrest of the individual and handling of evidence.
36. During said interrogation, Mr. Ali requested his lawyer be present; stated that he'd suffered adverse and improper treatment "the whole time since I've been here"; that "I know what

---

<sup>1</sup> Studies and research regarding Voice Stress Analysis and Layered Voice Analysis have revealed significant problems in the accuracy of these methods in detecting truthfulness. According to a study by the National Institute of Justice, in certain situations, "the most popular VSA programs in use by police departments across the country are no better than flipping a coin." <https://www.nij.gov/journals/259/pages/voice-stress-analysis.aspx> (accessed June 19, 2017).

he's [Sheriff Tanner] going to do, he's going to fire me, I know what's going on"; that he'd not been informed or known of certain of his write ups until months after they occurred; and, that he felt isolated, ostracized and targeted.

37. A white officer was also present at the time of this arrest. However, the white officer was not investigated.

38. The following day, March 17, 2015, Defendant Tanner terminated Mr. Ali, again calling him "boy" and claiming Plaintiff didn't "fit in."

39. Thus, Plaintiff was never offered the option of resigning his employment. Instead, he was terminated one day prior to the end of his one year probationary period and receiving full time civil service status.

40. As a result of his termination, Mr. Ali faced additional difficulty in obtaining employment with a different law enforcement agency and Plaintiff's year of probationary service was not be preserved.

41. Plaintiff timely appealed his termination to the Raleigh County Civil Service Commission.

42. On June 2, 2015, Plaintiff attended a hearing before the Civil Service Commission.

43. The Commission requested that a recording and transcript of a 911 call be produced, and instructed the parties to submit their proposed findings of fact and conclusions of law by June 22, 2015.

44. Plaintiff finally received a transcript<sup>2</sup> of this 911 call until July 2015.

45. Defendants County and Sheriff's department alleged that the recording was no longer available despite its having been transcribed at some point after Plaintiff's Civil Service Commission hearing.

---

<sup>2</sup> Mr. Ali disputes the accuracy of this transcript.

46. Approximately three weeks later, on the morning of June 23, 2015, Plaintiff's cousin contacted Mr. Ali to request a ride.
47. Plaintiff's cousin was on parole at the time and did not own a vehicle. As such, Mr. Ali assisted his cousin with transportation when he was available and able to do so.
48. Following Mr. Ali's cousin's initial request for a ride, and prior to Mr. Ali picking his cousin up, Plaintiff received a call from a State Trooper with Defendant West Virginia State Police.
49. The State Trooper asked if Mr. Ali was currently in Beckley, and claimed he wanted to speak with Mr. Ali regarding an arrest and/or case Mr. Ali had handled months earlier when he was a sheriff's deputy.
50. Plaintiff informed said State Trooper that he was currently in Beckley.
51. Approximately 20 minutes later, Mr. Ali drove to pick up his cousin at his cousin's friend's residence in Beckley.
52. Approximately one-half mile from the residence, at the bottom of a tree-lined hill, Plaintiff noticed several unmarked police cars parked in a car wash parking lot.
53. Plaintiff continued to the residence to pick up his cousin. When Mr. Ali arrived at the house, his cousin was not yet ready to leave.
54. Mr. Ali informed his cousin that he needed to get ready to leave because Mr. Ali did not intend to wait around in the residence.
55. At that time, Plaintiff's cousin stated he needed to talk to someone and would be right back. Plaintiff's cousin then left the house and returned several minutes later.
56. Plaintiff was sitting in the driver's seat of the vehicle when his cousin exited the house carrying a plastic grocery bag which he asked to put in the backseat of the vehicle.

57. Because Mr. Ali had been staying in Huntington and periodically driving to Beckley, he had numerous personal possessions and clothing in the backseat of his car and he thus told his cousin he could put the bag in the trunk.
58. Mr. Ali, who remained seated inside the vehicle, popped the trunk by pressing a button beside of the steering wheel, his cousin placed the bag in the trunk, and the two drove away from the residence.
59. Before dropping off his cousin, Mr. Ali and his cousin decided to stop at a Burger King, where they went through the drive thru.
60. After Mr. Ali was handed his food, as he began to pull out of the drive thru, the vehicle was barricaded in the drive thru lane by several unmarked police cars, including the cars Mr. Ali had seen near the residence where he had picked up his cousin.
61. Defendant officers who were involved in the traffic stop of Mr. Ali knew Mr. Ali and the vehicle he drove from Mr. Ali's time working as a sheriff's deputy, and because the officers discussed the topic among themselves before initiating the traffic stop.
62. The officer who approached the driver's side door of the car, also knew that Plaintiff owned a personal firearm during his time as a deputy and, with his gun drawn, asked if the firearm was in the vehicle.
63. Mr. Ali responded that he did not have the firearm, or any weapon, in the vehicle. Mr. Ali was completely unarmed and nonthreatening. Nonetheless, the officer shouted, "Marquel, if you move I'll blow your head off."
64. Mr. Ali was then forced, at gunpoint, onto the ground and handcuffed.
65. Defendants immediately began to search Plaintiff's vehicle.

66. While in handcuffs and after Defendants had already begun searching the car, Plaintiff was presented with and asked to sign a form giving his consent to search the vehicle.
67. On information and belief, policy requires the individual consenting to the search to complete such consent form. However, the consent form presented to Mr. Ali had been previously filled out by Defendants and/or agents of Defendants. The consent form was also incorrectly dated for “6-22-2015”, instead of June 23, 2015.
68. Nevertheless, Plaintiff, while handcuffed, signed the form authorizing officers to search the vehicle.
69. Defendants did not inform Mr. Ali that he was under arrest, and Mr. Ali had fully cooperated with officers and presented absolutely no threat of escalation or danger to any of the officers or members of the public present.
70. After signing the consent form, Plaintiff observed Defendant Epling approach the back of the car carrying a mid-to-large sized brown or manila colored envelope/package.
71. Defendants initially alleged, in their criminal complaint, that Plaintiff was stopped in his vehicle in an attempt to locate and apprehend Mr. Ali’s cousin for an alleged parole violation. This was because, despite the cousin wearing an ankle monitor, the officers claimed they had not been able to pinpoint the cousin’s exact location earlier in the day.
72. After searching the vehicle, Defendants claimed to have found illegal drugs in the trunk of the vehicle, and a small amount of marijuana in Mr. Ali’s cousin’s pocket.
73. Plaintiff and his cousin were then placed under arrest.
74. Plaintiff was charged with two counts of possession of a controlled substance with intent to deliver and conspiracy to commit a felony.

75. Defendant Pack signed and dated the criminal complaint against Plaintiff “6-22-15”- one day prior to the date of Plaintiff’s arrest, and the same date listed on the pre-filled consent form Mr. Ali was given to sign.
76. Defendants did not inform Plaintiff of his charges, did not read him his *Miranda* rights, did not show him the controlled substances allegedly found in the trunk, did not tell him what controlled substances were allegedly found, and did not indicate the alleged quantity or weight of said substances.
77. Despite the arresting officers being trained and equipped members of the drug task force, Defendants did not weigh or field test the alleged drugs at the time or scene of the arrest, nor did they photograph the alleged substances at the scene and/or in the trunk as they had allegedly been found.
78. After Mr. Ali was arrested, the State Trooper who had called Plaintiff less than an hour earlier to confirm Mr. Ali was in Beckley, arrived at the scene and transported Mr. Ali first to the Beckley State Police office, and then to jail. Mr. Ali immediately told said State Trooper, “I just got off the phone with you! This sh\*t is crazy! I got set up, man!”
79. At the local office of Defendant West Virginia State Police, Mr. Ali and his cousin were interrogated, separately. Upon information and belief, numerous cameras automatically record video and audio of all conversations with alleged suspects at the State Police office.
80. Despite being aggressively interrogated, both Mr. Ali and his cousin independently verified that Mr. Ali had no knowledge and no involvement in any alleged drug activity. Mr. Ali also again mentioned that he had just gotten off the phone with the State Trooper before being arrested, and that he had been set up by his former colleagues at the Sheriff’s Department, in retaliation for challenging his firing.

81. The State Trooper who called and transported Mr. Ali on June 23, 2015 was never revealed as a potential state witness in Mr. Ali's criminal case, and the content of Mr. Ali's conversations with said Trooper were not described in any way in a police report or otherwise through testimony.
82. Additionally, all video and audio recordings from Defendant West Virginia State Police's office somehow vanished prior to Mr. Ali's trial. Furthermore, the statements made during the interrogations of Mr. Ali and his cousin were not described in any way in any police report or otherwise through testimony.
83. Mr. Ali was not permitted to make any phone calls, and therefore, was not given an opportunity to contact any members of his family or his attorney.
84. Indeed, at the time of his arrest, Mr. Ali was unaware of the specific charges against him, including what substances were allegedly discovered in the trunk of the vehicle. Plaintiff only learned of the charges against him and substances allegedly discovered after his bond was paid and he was provided with a copy of Defendants' criminal complaint.
85. On August 10, 2015, Plaintiff attended a preliminary hearing before Magistrate Tomi Peck.
86. Magistrate Peck is the employer and direct supervisor of Defendant Kenneth Pack's wife.
87. At the preliminary hearing, Defendant Pack provided testimony that was contradictory to his previous statements made in the criminal complaint against Mr. Ali, including, but not limited to, suggesting that he had been unable to specifically identify Plaintiff and his cousin, and the location and actions of himself and Defendant Epling at the residence where Plaintiff picked up his cousin.
88. Defendant Pack also claimed that he and his co-Defendants were assisting Defendant Redden with the execution of a hold and commit order for Plaintiff's cousin.

89. Defendant Pack testified that the drug task force, along with Defendant Redden, had attempted to locate Plaintiff's cousin at "a few" different locations, but were unable to pinpoint the cousin's precise location.
90. However, on information and belief, the GPS ankle monitor worn by Mr. Ali's cousin was functioning properly, and thus provided the cousin's specific location at all times relevant to this complaint.
91. After he and his cousin were arrested, the residence of Mr. Ali's grandmother – where Mr. Ali had slept the previous night – was subjected to a warrantless search. No illegal substances were found.
92. However, none of the Defendants disclosed this fact to Mr. Ali or his counsel. Additionally, the police report and criminal complaint make no mention of this critical fact.
93. Meanwhile, Mr. Ali's aunt's residence, where Mr. Ali's cousin lived, was also subjected to a search by Defendants following the arrest. Significantly, Defendants did find illegal controlled substances in the search of the aunt's/cousin's residence.
94. However, none of the Defendants disclosed this fact to Mr. Ali or his counsel. Additionally, the police report and criminal complaint make no mention of this critical fact.
95. Rather than revealing that drugs were found in the aunt's/cousin's residence, Defendants actually took steps to hide this exculpatory evidence from Mr. Ali and his counsel for nearly two years.
96. During pre-trial hearings and in correspondence, Defendants refused to discuss the drugs found in the aunt's/cousin's home, instead claiming that any drugs found there were part of an entirely separate case and investigation – even though the drugs were only found

because, immediately after the traffic stop of Mr. Ali's vehicle, Defendants transported the cousin to the residence to conduct a search.

97. Defendants refused to disclose this evidence despite their intention to use Mr. Ali's aunt as a critical witness in their criminal claims against Mr. Ali. Specifically, Mr. Ali's aunt is literally the only witness the State could produce, in nearly two years, who would even attempt to suggest to a jury that Mr. Ali had been involved in the illegal drug activity alleged in the trial.

98. Over the nearly two years following Mr. Ali's arrest, Defendants failed and/or refused to disclose or produce material evidence related to Mr. Ali's case that was repeatedly requested by Mr. Ali's counsel.

99. For example, not a single photograph was produced, despite numerous requests, until in or around late October 2016. The photographs that were produced were not original image files, but were instead a PDF collage of 18 thumbnail images.

100. Further, Defendants claimed that one of the photographs depicted digital scales, which were represented as being found in Mr. Ali's vehicle. This was the only photograph in that PDF collage that appeared to depict a vehicle. However, Mr. Ali immediately suspected it was not even a vehicle – or at the very least not his vehicle – and instead suggested it was likely a photo of the interior of his cousin's/aunt's home. Initially, Defendants denied this, but then eventually said the photo was from an entirely “unrelated” case and was included in the PDF by pure oversight alone. And yet Defendants suggested, in open court and in correspondence, that the photo was a “disheveled backseat floorboard.” In any event, upon information and belief, the photo was in fact from the living room of Mr. Ali's cousin's/aunt's residence. Among other things, this calls into question the authenticity of

all 18 of the thumbnail images that were carefully assembled into the collage, and when, where, and by whom the photos were taken, and why the original image files were destroyed.

101. When Plaintiff's counsel requested to inspect the vehicle seized by Defendants, Defendant's claimed that the vehicle was being held in a secret location and the parties would need to make separate arrangements to have the vehicle transported from the undisclosed location. Defendants made this process as difficult as possible.

102. Plaintiff was not informed of or allowed to inspect a number of items of physical evidence until the beginning of his first trial in February 2017. This evidence was also allegedly being held in a "secret location" yet had somehow not been inspected or inventoried since Plaintiff's arrest in June 2015.

103. Upon and information and belief, despite their initial claims regarding a hold and commit order for Plaintiff's cousin and that Mr. Ali "just happened to be there" when Defendants searched for and arrested Mr. Ali's cousin, Defendants subsequently made various claims including, but not limited to, (1) Mr. Ali was under investigation and/or surveillance for criminal drug activity during his employment; (2) that Defendants had received a tip alleging Mr. Ali and his cousin were engaged in such activity, and (3) that the two men entered into a conspiracy to distribute illegal drugs beginning in April 2015.

104. Upon information and belief, the tip allegedly provided to Defendants came from Mr. Ali's cousin's mother, i.e., Mr. Ali's aunt.

105. Plaintiff's aunt has been previously convicted of felony drug charges and, at trial, admitted to having knowledge of the drugs found in her residence which she shared with Mr. Ali's cousin.

106. Defendants did not arrest or pursue any legal action against Plaintiff's aunt. Instead, Defendants conscripted her as a key witness to attempt to convict Mr. Ali at all costs.

107. On November 30, 2016, Plaintiff attended a hearing on his motion to dismiss the pending criminal matter based on Defendant's refusal to comply with pre-trial discovery obligations.

108. Despite being present and under subpoena, the trial court ruled that Defendant Pack was not permitted to testify about the whereabouts of any evidence, and Plaintiff's motion to dismiss was denied.

109. On or about January 30, 2015, Plaintiff's cousin informed Mr. Ali's counsel that Plaintiff did not know about and was not involved in any illegal drug activity.

110. Plaintiff's cousin further stated that he had previously told this same critical, exculpatory information to Defendants and the Raleigh County's prosecuting attorneys handling the criminal case. However, Defendants withheld this evidence from Mr. Ali and his counsel.

111. On February 13, 2017, Mr. Ali's first criminal trial began.

112. On February 15, 2017, Defendant Pack's wife, who had been seated in the courtroom throughout the trial, informed the court that she had seen other individuals in court speaking to potential defense couple witnesses – Mr. Ali's grandmother and mother, respectively – in the courthouse hallway.

113. The two individuals were childhood friends of Mr. Ali, who have grown up with him and thus know his family, including his grandmother and mother, very well.

114. None of the jurors in Mr. Ali's case were present or witnessed any interaction between said individuals.

115. Mrs. Pack admitted she could not hear what the individuals had said to one another; and, in addition, she conceded she had personally spoken with several police officers who were set to testify as witnesses in the case.

116. Without questioning the witnesses at issue, without any request by counsel (for the prosecution or Mr. Ali), and without allowing questions, comments, or suggestions from counsel as to potential options, the presiding judge declared a mistrial, *sua sponte*, and set a new trial for May 2017.

117. Mr. Ali's counsel filed a motion to dismiss the charges against Plaintiff because a second trial was barred by double jeopardy.

118. Mr. Ali's motion was denied on May 1, 2017, and the judge informed Mr. Ali that absent an order from the West Virginia Supreme Court of Appeals (WVSCA), the second trial of Mr. Ali would proceed as scheduled.

119. On May 12, 2017, Plaintiff's counsel filed a motion with the WVSCA requesting the court to suspend further proceedings pending issuance of a writ of prohibition, but no order was not issued prior to the start of Plaintiff's second criminal trial.

120. On May 22, 2017, Mr. Ali's second trial began.

121. At the second trial, the court ruled that Mr. Ali was prohibited from introducing key defense evidence including, but not limited to, evidence regarding Mr. Ali's former employment with Defendant Sheriff's Department; the fact that Mr. Ali was fired (terminated); and that Mr. Ali informed Defendant Sheriff Tanner – three weeks before Mr. Ali was arrested – that he would be suing the Sheriff's Department for racial discrimination, among other things. In addition, the trial judge ordered that Plaintiff could not make facial expressions or any non-verbal mannerisms or gestures, including tapping

his counsel on the shoulder to communicate quietly during witness testimony. If Plaintiff did so, the court ruled that Mr. Ali would waive his Fifth Amendment right not to testify and would be required to take the stand at trial.

122. On Friday, May 26, 2017, the jury in Plaintiff's second trial returned a verdict finding Mr. Ali not guilty on all charges.

123. Following his acquittal, Mr. Ali requested the return of all personal property previously seized by Defendants at the time of his arrest.

124. The vehicle Plaintiff had been driving at the time was returned to Plaintiff's grandmother, the owner of the vehicle.

125. At the time of his arrest, Mr. Ali was regularly commuting between Beckley and Huntington and often staying at his mother's residence. As such, Plaintiff had a number of his personal possessions in the vehicle.

126. Following return of the vehicle, Plaintiff met with his grandmother to retrieve his personal items from the car.

127. Defendants left an empty watch box, necklace box, and shoeboxes in the vehicle. However, numerous items of property belonging to Mr. Ali were missing from the vehicle including but not limited to, a new watch and necklace, shoes, clothing, documents, and various other personal items.

**COUNT I: RACE DISCRIMINATION**  
**(Defendants Raleigh County Sheriff's Department and Steven Tanner)**

128. Plaintiff incorporates the previous paragraphs as if set forth herein.

129. Defendants took disciplinary action against, initiated an investigation of and terminated Mr. Ali.

130. The Defendants treated employees who are not African American more favorably than Plaintiff.
131. On information and belief, employees who are not African American were not repeatedly called “boy” and threatened with termination.
132. On information and belief, employees who are not African American were not subjected to write ups, investigation or other similar such adverse actions.
133. Plaintiff’s race was a motivating factor in Defendants’ decision(s) to take the above-described actions against Plaintiff.
134. Defendants’ treatment of Plaintiff because of his race was done with malice and with reckless indifference to Plaintiff’s rights under Title VII of the Civil Rights Act (42 U.S.C. §2000e)..
135. As a direct and proximate result of Defendant’s actions, Plaintiff has suffered and continues to suffer substantial damages. Wherefore, Plaintiff requests relief as provided in the prayer.

**COUNT II: COLOR DISCRIMINATION**  
**(Defendants Raleigh County Sheriff’s Department and Steven Tanner)**

136. Plaintiff incorporates the previous paragraphs as if set forth herein.
137. Defendants took disciplinary action against, initiated an investigation of and terminated Mr. Ali.
138. The Defendants treated employees who are not dark skinned more favorably than Plaintiff.
139. On information and belief, employees who do not have a dark complexion were not repeatedly called “boy” and threatened with termination.

140. On information and belief, employees who are light-skinned were not subjected to write ups, investigation or other similar such adverse actions.

141. Plaintiff's color was a motivating factor in Defendants' decision(s) to take the above-described actions against Plaintiff.

142. Defendants' treatment of Plaintiff because of his color was done with malice and with reckless indifference to Plaintiff's rights under Title VII of the Civil Rights Act (42 U.S.C. §2000e).

143. As a direct and proximate result of Defendants' actions, Plaintiff has suffered and continues to suffer substantial damages. Wherefore, Plaintiff requests relief as provided in the prayer.

**COUNT III: DISCRIMINATION AND INTERFERENCE WITH PLAINTIFF'S RIGHT TO EQUAL BENEFIT OF THE LAW IN VIOLATION OF 42 U.S.C. §1981**

144. Plaintiff incorporates the above paragraphs as if set forth herein.

145. Plaintiff has a right to work in a safe environment free from harassment and discrimination and to enjoy all benefits, privileges, terms and conditions of the employment relationship.

146. Plaintiff has a right to give evidence and enjoy the full and equal benefit of all laws and proceedings for the security of his person and property.

147. Defendants individually and collectively prevented Plaintiff from his right to give evidence in the defense of the criminal charges against him and deprived him of the full and equal benefit of the law with regard to the security of his person and his property.

148. Defendants Sheriff's Department and Sheriff Tanner intentionally deprived Plaintiff of the benefits

149. Defendants' actions against Plaintiff were taken because of his race.

150. By the conduct previously alleged, Defendant has intentionally deprived Plaintiffs of the same rights enjoyed by white employees to the creation, performance, enjoyment and all other benefits and privileges of their contractual employment relationship in violation of the Civil Rights Act, 42 U.S.C. § 1981.

151. As a result of Defendant's discrimination in violation of Section 1981, the Plaintiffs [opportunities and/or benefits] and have suffered anguish, humiliation, distress and inconvenience and further emotional distress and harm.

152. Defendant's actions as alleged above, were done with malice and/or reckless indifference to the rights of Plaintiffs.

153. To remedy Defendant's violation of their rights, Plaintiffs request relief as provided in the prayer.

**COUNT IV: WARRANTLESS ARREST PURSUANT TO FALSE TIP IN VIOLATION OF 42 U.S.C. §1983**

154. Plaintiff incorporates the previous paragraphs as if set forth herein.

155. On June 23, 2015, at approximately 12:40 P.M., while Plaintiff was pulling out of a Burger King drive thru in Beckley, West Virginia, the Defendants illegally, unlawfully, willfully, wrongfully, maliciously, and intentionally stopped Plaintiff and, at gun point, forced him out of the vehicle and onto the ground where he was handcuffed without cause.

156. On information and belief, at all the times herein mentioned, the aforementioned Defendant Pack was employed by the West Virginia State Police and Defendant Epling was employed by the Raleigh County Sheriff's Department as police officers. Defendant Redden was then employed by the West Virginia Division of Corrections and shortly after Plaintiff's arrest became an officer with the Raleigh County Sheriff's Department. Said Defendants were acting in their professional capacity as law enforcement officers.

157. The aforementioned Defendants willfully and maliciously pointed guns at Plaintiff and violently seized him against his will and without any cause or justification, putting Mr. Ali in mortal fear.

158. Following the aforementioned unlawful traffic stop, Defendants Pack, Epling and Redden wrongfully, unlawfully, and without any warrant or authority of law arrested the Plaintiff and detained and imprisoned him against his will.

159. The arrest was made by the Defendants without any warrant or other legal process directing or authorizing the plaintiffs' arrest or legal detention.

160. On information and belief, the arrests were made pursuant to an erroneous and false report which falsely stated that Mr. Ali was engaged in the sale and distribution of illegal drugs.

161. The charge that Plaintiff was engaged in any illegal drug activity was wholly untrue and false.

162. The defendants could have ascertained the falsity of the charge had the defendants exercised reasonable diligence in performing their duties and not neglected to make reasonable and necessary factual investigation of the aforementioned charge.

163. As a result of the trespass, assault, and false arrest and prosecution of Plaintiff, Mr. Ali, being a citizen of the United States, was subjected to deprivations of his rights, privileges, and immunities secured by the Constitution of the United States and the laws of the United States, sustained deprivations of his personal liberty, invasions of his privacy, and violations of his civil rights, and has suffered and will continue to suffer from psychological harm, mental distress, humiliation, embarrassment, fear, and damage to his reputation.

**COUNT V: CONSPIRACY TO INTERFERE WITH CONSTITUTIONAL RIGHTS IN VIOLATION OF 42 U.S.C §1985(3)**

164. Plaintiff incorporates the previous paragraphs as if set forth herein.

165. Defendants, by the above stated acts and omissions, conspired, planned, agreed and intended to deprive Mr. Ali of the rights guaranteed to him by the Fourth, Fifth, Sixth and Fourteenth Amendments to the United States Constitution.

166. Defendants illegally, willfully, wrongfully, maliciously, and intentionally conspired to deprive Mr. Ali of his constitutionally protected rights, privileges and immunities.

167. Defendants delayed the arrest of Plaintiff's cousin until they knew Plaintiff and his cousin were together in a vehicle driven by Plaintiff and/or used the arrest of Mr. Ali's cousin as pretext for the wrongful arrest of Mr. Ali.

168. Despite Defendants' claims to the contrary, the ankle monitor worn by Mr. Ali's cousin provided the cousin's precise location, and this information was readily available to Defendants prior to their arrest of Mr. Ali and his cousin.

169. On information and belief, and under normal circumstances for the detention of a parolee, procedures to protect the safety of law enforcement officers would have provided the detention of Plaintiff's cousin not occur while he was riding in a vehicle with an innocent third party and instead occur at the parolee's residence, or as the parolee was exiting the residence at which Mr. Ali picked him up.

170. Mr. Ali had recently been residing in Cabell County, approximately two hours from the City of Beckley. Defendants had knowledge of the same and Trooper Wood of Defendant State Police called Plaintiff under the guise of discussing a past case on which Mr. Ali worked in order to ensure Mr. Ali's presence in the City of Beckley.

171. Defendant Epling personally worked with Plaintiff during Mr. Ali's employment with Defendants Raleigh County Sheriff's Department and Raleigh County. As such, Defendant

Epling not only knew and was capable of recognizing Mr. Ali but also had knowledge of and was capable of recognizing the vehicle driven by Plaintiff.

172. Based upon Defendants' failure to provide the alleged hold and commit order and their subsequent claim that they had actually received a tip of illegal drug activity, no reliable evidence exists to indicate probable cause or a legitimate basis for stopping, arresting, seizing and/or prosecuting Plaintiff.

173. Defendants Pack, Epling, and Redden met together and with other officers and coordinated their sworn statements and testimony in order to continue the pursuit of the conviction of Mr. Ali.

174. Defendants Pack, Epling and Redden acted under the authority of and/or by ratification of Defendants City of Beckley, Beckley Police, Raleigh County, Raleigh County Sheriff's Department and West Virginia State Police.

175. Despite knowledge of the lack of reliable and legitimate evidence supporting Mr. Ali's arrest and prosecution, Defendant municipalities and Defendant agencies, by and through their employees, agents, representatives and assigns, continued the pursuit of a wrongful conviction of Mr. Ali.

176. Defendants' actions were don with discriminatory animus relating to Plaintiff's race and/or Plaintiff's intent to pursue action against Defendants Raleigh County, Raleigh County Sheriff's Department and Tanner.

177. Defendants by the above stated acts and omissions, conspired, planned, agreed and intended to pursue the wrongful arrest and prosecution of Mr. Ali in an effort to deprive Plaintiff of his liberty, property, his rights in regard to the same, and to deprive Mr. Ali of

the full and equal protection and enjoyment of his rights under the Laws of the United States and the State of West Virginia.

178. Defendants, acting individually and under color of law, illegally, willfully, purposefully, wrongfully, maliciously, and intentionally conspired against Mr. Ali to deprive him of his constitutionally protected rights, privileges and immunities granted to him, as a citizen of the United States, by the First, Fourth, Fifth, Sixth and Fourteenth Amendments.

179. As a direct and proximate result of Defendants' actions against him, Plaintiff has suffered harm including, but not limited to, loss of income and earning capacity, damage to his reputation, loss of enjoyment of life and severe emotional distress. As such, Mr. Ali seeks relief as provided below.

**COUNT VI: NEGLIGENCE TO PREVENT CONSPIRACY TO INTERFERE WITH  
PLAINTIFF'S RIGHTS**

180. Plaintiff incorporates the previous paragraphs as if set forth herein.

181. At any and all times on and subsequent to June 23, 2015, each and every Defendant had power to prevent and/or aid in preventing the commission of the above described actions against Mr. Ali.

182. No Defendant named herein took action of any kind to prevent and/or aid in the prevention of the above described actions which were taken against Mr. Ali in violation of 42 U.S.C. §1985.

183. Defendants, individually and collectively, could have prevented harm to Plaintiff by exercising reasonable diligence in connection with the actions against Mr. Ali.

184. Defendants neglected and/or refused to prevent or attempt to prevent harm to Mr. Ali resulting from the violations of Plaintiff's constitutionally protected rights as described above.

185. As a direct and proximate result of the acts and omissions of Defendants, Plaintiff has suffered substantial harm and seeks relief as provided below.

**COUNT VII: FALSE/WRONGFUL ARREST AND IMPROPER INVESTIGATION AND PROSECUTION IN VIOLATION OF 42. U.S.C. §1983**

186. Plaintiff incorporates the previous paragraphs as if set forth herein.

187. On June 23, 2015, while plaintiff was exiting the Burger King drive thru in Beckley, West Virginia, the Defendant individuals demanded Plaintiff exit the vehicle, forced Plaintiff onto the ground at gunpoint, restrained him and began to search the vehicle without the consent of the Plaintiff.

188. At all times alleged, Defendants, individually and in concert, acted under color of law and pretense of law; under color of the statutes, customs and usages of the State of West Virginia.

189. Each of the Defendants, separately and in concert, engaged in the illegal conduct as stated herein to the injury of Mr. Ali, and to the deprivation of Plaintiff's rights, privileges and immunities secured to him by the Fifth and Fourteenth Amendments to the Constitution of the United States.

190. On information and belief, at all the times herein mentioned, the aforementioned Defendant Pack was employed by the West Virginia State Police and Defendant Epling was employed by the Raleigh County Sheriff's Department, as police officers. Defendant Redden was then employed by the West Virginia Division of Corrections and shortly after Plaintiff's arrest became an officer with the Raleigh County Sheriff's Department. Said Defendants were acting in their professional capacity as law enforcement officers.

191. At the above-mentioned date, time and place and upon searching said vehicle, the Defendants seized plaintiff and brought him- against his will, without his consent and over

his protest to the Central Regional Jail in Braxton County, West Virginia where he was unlawfully imprisoned and detained under the direction of the Defendants, until his family was able to obtain the location where he was held, all without the consent and over the protest of Plaintiff.

192. At the above-mentioned date, time and place and due to the actions of the Defendants named herein, the plaintiff was unlawfully seized and removed from his vehicle at gunpoint and unlawfully imprisoned and detained, all without a warrant and without probable cause.

193. Defendants also seized the vehicle driven by Mr. Ali along with numerous personal items and refused to disclose the location of such property, failed to document and to provide such documentation of the specific property seized by Defendants, refused to allow inspection of such property by Plaintiff or Plaintiff's counsel, alleged Plaintiff's property was held in a "secret" location, and have still refused to return Mr. Ali's personal property as described above.

194. Although Plaintiff demanded to be notified of the charges on which he was being held, his demands were ignored by Defendants and their agents. During the time of Plaintiff's incarceration he was never taken before a judge, never informed of the specific charges on which he was being held and never allowed to call his attorney or family to effect his release from confinement.

195. Plaintiff was subsequently charged with two counts of Possession of a Controlled Substance with the Intent to Deliver and two counts of Conspiracy to Commit a Felony.

196. On information and belief, Plaintiff alleges his arrest was ordered, directed, approved and/or ratified by Defendants.

197. Defendants, individually and collectively, knew of the existence of evidence proving Mr. Ali's innocence of the crimes with which he had been charged.

198. Defendants, individually and collectively, knew that evidence they collected and or claimed to have in their possession was inconsistent with their claims of Plaintiff's guilt.

199. Defendants acted outside the scope of their jurisdiction and under color of but without authorization of law and did so knowingly, purposefully and with specific intent.

200. The acts of the Defendants herein were done with the purpose and intent of depriving plaintiff of his right to be free from unreasonable seizure secured to him under the Fourth Amendment to the United States Constitution and of his right not to be deprived of liberty or property without due process of law in violation of the Fourteenth Amendment to the United States Constitution.

201. As a direct and proximate result of the acts of the Defendants, Plaintiff sustained serious personal injuries and has suffered great mental anguish.

202. As a direct and proximate result of the Defendants actions, Plaintiff has sustained actual damages including lost wages and costs associated with defending the erroneous allegations and charges against him.

203. The acts, conduct and behavior of the Defendants were performed knowingly, intentionally and maliciously. As such, Plaintiff is entitled to punitive damages, and he seeks relief as provided below.

#### **COUNT VIII: ABUSE OF PROCESS**

204. Plaintiff incorporates the preceding paragraphs as if set forth herein.

205. Defendant Officers and Defendant Agencies, acting under color of law, wrongfully and unlawfully detained, accused and prosecuted Plaintiff for the crimes of possession of controlled substances with intent to deliver and conspiracy to commit a felony.

206. When Defendants brought and pursued said charges against Mr. Ali, Defendants had no reasonable basis or belief that Mr. Ali was engaged in the sale or distribution of controlled substances.

207. Defendants, obtained a complaint and indictment based on false allegations and assertions because Defendants sought to damage and harm Mr. Ali's person, character and reputation in the community, and, in so doing, deprive him of liberty and property and prevent his securing future employment in the area.

208. Defendants' petitioning for and obtaining a complaint and indictment against Mr. Ali constitutes willful and/or malicious misuse or misapplication of the law because Defendants sought to accomplish the improper purpose of using the legal process to seize, harm and embarrass Mr. Ali.

209. As a direct and/or proximate result of Defendants' actions, Plaintiff has suffered damages including loss of income, loss of property, costs of defending the wrongful allegations against him, damage to his reputation and severe emotional distress.

210. Defendants acted with the intent to deprive and/or with reckless disregard for Mr. Ali's constitutional rights as provided by the Fourth, Fifth, Sixth and Fourteenth Amendments of the United States Constitution, 42. U.S.C. §1983 and the laws of the State of West Virginia.

211. The actions against Plaintiff were deliberate and taken with the intent to intimidate, embarrass and injure Mr. Ali. As such, Defendants' conduct supports recovery of punitive

damages in an amount sufficient to deter such conduct in the future, and Plaintiff seeks relief as requested below.

**COUNT IX: MALICIOUS PROSECUTION**

212. Plaintiff incorporates the previous paragraphs as if set forth herein.

213. Defendant Officers, acting as agents and on behalf of the State of West Virginia, County of Raleigh and City of Beckley, within the scope of their employment and under color of law, wrongfully, unlawfully and maliciously prosecuted Plaintiff by issuing a complaint charging him with the false and fictitious crimes of possession of controlled substances with intent to deliver and conspiracy to commit a felony.

214. Defendant Raleigh County, through its employees, agents representatives and assigns, acting within the scope of their employment and under the color of law, wrongfully, unlawfully and maliciously prosecuted Plaintiff by continuing to pursue prosecution of Plaintiff in the Circuit Court of Raleigh County, West Virginia, after Defendant County had knowledge that the testimony and other evidence against Mr. Ali was insufficient, inaccurate and/or unreliable, that false testimony had been provided and after Plaintiff's alleged co-conspirator informed Defendant County through its employees, agents and/or representatives that Plaintiff had no knowledge of or involvement in the possession or distribution of controlled substances and specifically the controlled substances alleged by Defendants to have been in the vehicle driven by Mr. Ali on June 23, 2015.

215. Defendants had no reasonable grounds or belief to pursue prosecution of said charges against Mr. Ali.

216. Defendants' prosecution of the above stated charges against Mr. Ali was malicious and in violation of the rights, privileges and immunities secured to Plaintiff by the Fourth, Fifth,

Sixth and Fourteenth Amendments to the United States Constitution, 42 U.S.C. §1983 and the laws of the State of West Virginia.

217. Defendants' arrest and prosecution of Plaintiff was without reasonable or probable cause.

218. Defendants' prosecution of Mr. Ali was done for the purpose of intimidating and harassing Plaintiff, damaging his reputation and credibility and/or preventing him from pursuing claims against Defendants Raleigh County, Raleigh County Sheriff's Department and Defendant Tanner and/or from otherwise reporting the improper and/or illegal acts and practices of Defendants.

219. Following a week long trial beginning on May 22, 2017, the second jury in Mr. Ali's case found him not guilty of all charges.

220. As a direct and/or proximate result of the malicious prosecution by the Defendants, Plaintiff was greatly humiliated, suffered injury to his reputation, lost income and property, and has suffered great pain and mental anguish.

221. Defendants actions were intentional and deliberate and/or taken with reckless disregard for the Plaintiff's rights. As such, Plaintiff seeks punitive damages as provided in his prayer for relief.

#### **COUNT X: NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

222. Plaintiff incorporates the previous paragraphs as if set forth herein.

223. Defendants, individually and collectively owed Plaintiff a duty of care in (1) enforcing the laws and policies of the United States and State of West Virginia in a fair and nondiscriminatory manner, (2) not pursuing false and fictitious claims against Plaintiff which were based on a false tip, discriminatory animus and/or other wrongful, illegal and/or improper motivation, and (3) performing their duties and responsibilities in a

manner that does not violate the constitutional and other legal rights, privileges and immunities of Plaintiff.

224. Defendants Agencies, County and City owed Plaintiff a duty to provide sufficient information, training and supervision to ensure that their employees, agents, supervisors and assigns performed their duties in a manner which complies with the United States Constitution and federal and state laws and does not violate the rights of the citizens of the United States, the State of West Virginia, County of Raleigh and City of Beckley.

225. Defendant Officers owed Plaintiff a duty of care in performing their job duties in compliance with the laws and policies of the United States and State of West Virginia and to pursue actions based on real and credible information and evidence, and to provide truthful information, statements and testimony when acting both in their professional and individual capacities.

226. Defendants Raleigh County, Sheriff's Department and Sheriff Tanner owed the Plaintiff a duty to act with reasonable care in (1) providing Plaintiff a safe nondiscriminatory workplace, and (2) neither engaging in nor ratifying wrongful, discriminatory and retaliatory actions against Mr. Ali.

227. The Defendants breached the above stated duties by wrongfully, negligently and/or recklessly arresting, charging and prosecuting Plaintiff.

228. Defendant Officers breached the above stated duties by arresting Plaintiff based on false and unreliable information and/or evidence and by providing false, fictitious and misleading statements and testimony.

229. Defendants Sheriff's Department and Sheriff Tanner breached their duties to Plaintiff, as an employee, by perpetuating and failing to remedy the discriminatory work environment

and by terminating Plaintiff while officers not in Plaintiff's protected class were permitted to continue their employment and/or offered the opportunity to resign their employment in a manner allowing said individuals to pursue employment with other agencies and/or preserving their employment record and reputation.

230. Defendant's breaches were wanton, reckless and in deliberate disregard of Plaintiffs' safety, the laws and policies of the United States and the laws and policies of the State of West Virginia.

231. As a result of Defendants' reckless and negligent actions, Plaintiff has suffered severe emotional harm.

232. Plaintiff's damages were and are foreseeable as a result of Defendants' conduct.

#### **COUNT XI: OUTRAGE**

233. Plaintiff incorporates the previous paragraphs as if set forth herein.

234. Defendants' above actions regarding and/or against Plaintiff were atrocious, intolerable, and so extreme and outrageous as to exceed the bounds of decency.

235. Defendants acted with the intent to inflict emotional distress, or acted recklessly when it was certain or substantially certain emotional distress would result from their conduct.

236. Defendants' actions caused the Plaintiff to suffer emotional distress, humiliation and fear.

237. The emotional distress suffered by Plaintiff was and is so severe that no reasonable person could be expected to endure it.

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, Marquel Ali, requests judgment against the Defendants as follows:

- a. Actual damages including damages for lost wages (back and front pay), lost compensation and benefits, costs of securing new gainful employment as well as costs of treatment for emotional and/or physical harm suffered by Mr. Ali as a direct and/or proximate result of the above stated unlawful actions, but as against the State and the official capacity of Defendant Pack only, to the extent of, and not more than, insurance available to the State;
- b. General and compensatory damages for annoyance, inconvenience, embarrassment anxiety, humiliation and any other emotional harm suffered by Plaintiff as a direct and/or proximate result of Defendants' aforementioned actions, but as against the State and the official capacity of Defendant Pack only, to the extent of, and not more than, insurance available to the State;
- c. Punitive damages sufficient to deter future improper and unlawful conduct;
- d. Attorneys' fees and the costs of pursuing this action;
- e. Prejudgment and post judgment interest on all amounts allowed by law;
- f. Such further relief as is supported by the law; and
- g. Any relief this Court deems fair and proper in the interest of justice.

**PLAINTIFF REQUESTS A TRIAL BY JURY ON ALL ISSUES.**

PLAINTIFF, MARQUEL D. ALI,  
By Counsel,

s/ Hoyt Glazer  
Hoyt Glazer, Esq. (WV Bar #6479)  
Law Office of Hoyt Glazer, PLLC  
618 10<sup>th</sup> Street, Suite 105  
Huntington, WV 25701  
T. 681-204-3914  
F. 681-245-6283  
[hoyt@hoytglaw.com](mailto:hoyt@hoytglaw.com)

Jack C. Dolance, Esq. (WV Bar #12428)  
Dolance Law Office, PLLC  
PO Box 577  
608 Hendricks Street  
Wayne, WV 25570  
T. 304-501-4757  
F. 888-505-3031  
[jack@dolancelawoffice.com](mailto:jack@dolancelawoffice.com)