

IN THE HARRISON CIRCUIT COURT

STATE OF INDIANA

HAROLD WILSON,

Plaintiff,

v.

CAUSE NO. 31C01-1703-MI_____

HARRISON COUNTY AGRICULTURAL
SOCIETY, INC.

Defendant.

VERIFIED COMPLAINT FOR INJUNCTIVE RELIEF

Comes now the Plaintiff, Harold Wilson, by counsel, Amy R. Wheatley, and pursuant to I.C. 34-26-1-5 and Trial Rule 65, alleges the following:

1. Plaintiff, is now, and at all times mentioned in this complaint has been a resident of Harrison County, Indiana.
2. Defendant, Harrison County Agricultural Society, Inc. is now, and at all times mentioned in this complaint, has been a non-profit organization duly organized under the laws of the State of Indiana.
3. Defendant, Harrison County Agricultural Society, Inc. is responsible for organizing the annual Harrison County Agricultural Fair.
4. The Harrison County Board of Commissioners is the executive and legislative authority of Harrison County, Indiana and has been empowered to enact ordinances for the health, safety and welfare of Harrison County and its citizens.
5. The Harrison County Board of Commissioners determined there was a need for an ordinance for the control and maintenance of domesticated animals to ensure the humane

care and treatment of said animals and as such, enacted the Harrison County Animal Control Ordinance. (A copy of said Ordinance is attached hereto as Exhibit A).

6. Specifically, Section 19 of the Harrison County Animal Control Ordinance prohibits cruelty to animals. Said section reads:

SECTION 19. CRUELTY TO AN ANIMAL

Mistreatment of animals is prohibited under this ordinance. Accordingly, it shall be unlawful for any person to willfully or maliciously torture, torment, beat, kick, strike, mutilate, injure, disable any animal. However, this does not apply if a person is being attacked by a vicious animal.

Furthermore, it shall be unlawful for any person to incite, stage or set any animal to fighting within the County.

7. On or about July 15, 2015, July 19, 2016, and continuing to the present, Defendant has wrongfully and unlawfully sanctioned, organized, sponsored, promoted, and/or allowed a pig wrestling contest to occur at the county fair in violation of Section 19 of the Harrison County Animal Control Ordinance.

8. Pig wrestling is an activity in which teams made up of four people torment pigs by chasing, grabbing, tackling, and dragging pigs before slamming them into barrel drums or tires.

9. On or about July 15, 2015, July 19, 2016, and at other times between those dates and the present, Plaintiff has demanded that Defendant refrain from organizing, sponsoring, promoting, or otherwise allowing pig wrestling to occur at the county fair, but the Defendant has refused and continued to organize, sponsor, promote or allow pig wrestling events to take place.

10. As a citizen of Harrison County, Indiana, Plaintiff is interested in the execution and enforcement of the laws and ordinances of Harrison County, namely, the Harrison