

2021CV000002

e-Filed 12/31/2020 4:14 PM

File Baum
Tiki Brown
Clerk of State Court
Clayton County, Georgia
Kavie Tucker

IN THE STATE COURT OF CLAYTON COUNTY

STATE OF GEORGIA

SAKURA EBONY THOMAS, Plaintiff,

v.

EDDIE CROSS, in his Individual Capacity, Defendant.

CASE NO. 2021CV000002

Filed December 31, 2020

Jury Trial Demanded

Complaint for damages

Jackie Patterson, Counsel for Plaintiff, 2964 Peachtree Rd. Suite 260 Atlanta Georgia 30303
404-841-4081, Georgia Bar. No. 56511 jackie@jackiepatterson.com
Plaintiff, SAKURA EBONY THOMAS files this action against Defendants Eddie Cross, using
GA CONST Art. 1, § 1, ¶ XIII, Paragraph XIII. Searches, seizures, and warrants and
O.C.G.A. 51-7-1, "An arrest under process of law, without probable cause, when made
maliciously, shall give a right of action to the party arrested," to vindicate the violation of her
Fourth Amendment right to be free from an unreasonable seizure and malicious arrest.

JURISDICTION AND VENUE

1.

The jurisdiction of this Court is conferred pursuant to the Georgia Civil Practice Act, including
O.C.G.A. § 9-10-30.

2.

Venue is proper because all of the events complained of herein occurred in Clayton County and
because Defendant is employed in by the Clayton County Sheriff's Department.

3.

Defendants may be served with process pursuant to O.C.G.A. § 9-11-4(e) by personal service.

PARTIES

4.

Plaintiff Sakura Thomas "hereinafter Plaintiff" is a citizen of the United States and a resident of Georgia. At all times relevant, Plaintiff had clearly established legal rights GA CONST Art. 1, § 1, ¶ XIII, Paragraph XIII. Searches, seizures, and warrants and O.C.G.A. 51-7-1 to be free from an unreasonable seizure and malicious arrest. Plaintiff Pitts submits herself to the jurisdiction and venue of this Court and is entitled to bring actions of this type and nature.

5.

Defendant Eddie Cross, "hereinafter Defendant" is a citizen of the United States, a resident of Georgia, and at all times relevant to this Complaint, was a Sheriff Deputy investigator with the Clayton County Sheriff's Office. His actions as alleged within this Complaint were done with willful malice and with the intent to cause injury. Defendant was a Clayton County Sheriff's Deputy at the time of the occurrence of this incident and may be served through his place of employment, the Clayton County Sheriff's Department, located at 9157 Tara Boulevard, Jonesboro, Georgia 30236.

6.

STATEMENT OF FACTS

On June 19th by way of an arrest warrant number 2019CWX52672, Plaintiff was arrested June 19th 2019 by the Defendant who at the time of the arrest was a Lieutenant Criminal Investigator with the Clayton County Sheriff's Department as a Certified Law Enforcement Officer. Plaintiff was charged with Felony Sexual Assault of a Person in Custody under O.C.G.A. 16-6-5.1. Plaintiff was an employee for a private food service company and was accused of having sexual contact with an inmate by the name of Antwan Jackson who was in custody by the Clayton County Sheriff's Department.

7.

Defendants lacked probable cause to initiate the warrant and the arrest of Plaintiff, evidenced by the fact that on July 11, 2019 after spending 23 days in jail, the Assistant District Attorney of Clayton County made a motion in open court to the Judge that she was dismissing the warrant

because the sexual assault of a person in custody statute did not apply to the Plaintiff and the Judge dismissed the warrant and the Plaintiff was released from custody. All charges were dismissed on July 11th 2019.

8.

As a consequence of the proceeding, which resulted in the dismissal of all charges against her, Plaintiff suffered damages, including a significant deprivation of her liberty and the emotional stress and humiliation by her picture being shown on local television about her arrest and she lost her job and suffered economic damages.

COUNT I MALICIOUS ARREST

~~(Against Defendant)~~

9.

To support this Count, Plaintiff Pitts incorporates paragraphs 1 to 8 as if each were set forth verbatim herein.

10.

Based on the incorporated facts to support this Count, Defendants acted to deprive Plaintiff GA CONST Art. 1, § 1, ¶ XIII, Paragraph XIII. Searches, seizures, and warrants and O.C.G.A. 51-7-1 to be free from an unreasonable seizure and malicious arrest.

11.

Based on the incorporated facts to support this Count, (1) Defendant initiated the criminal proceeding against Plaintiff, (2) Defendant lacked probable cause to initiate this proceeding, (3) the criminal proceeding ended in Plaintiff's favor, (4) Defendants acted maliciously, for a purpose other than bringing Plaintiff to justice, and (5) as a consequence of the proceeding, Plaintiff suffered damages, including a significant deprivation of his liberty and the emotional stress and humiliation by her picture being shown on local television about her arrest and she lost her job and suffered economic damages.

12.

Based on the incorporated facts to support this Count and due to Defendants' conduct, Plaintiff is entitled to all relief and damages permissible under controlling law.

COUNT II PUNITIVE DAMAGES

Based on the fact set forth in this Complaint, Defendants acted maliciously and willfully towards Plaintiff, causing Plaintiff severe mental stress, including emotional injury. As such, Plaintiff Pitts is entitled to punitive damages.

PRAYER FOR RELIEF

Plaintiff respectfully requests the following relief:

1. That process issue and service be had on Defendant;
2. That a jury trial be had on all issues so triable;
3. That Plaintiff recover all costs of this litigation;
4. That judgment be granted in favor of the Plaintiff against the Defendant for the injuries of Plaintiff;
5. That Plaintiff recover compensatory damages including pain and suffering and all other expenses in an amount of no less than 500,000 but ultimately to be determined at trail;
6. That Plaintiff recover a judgment against Defendants for **punitive damages** and special damages; and,
7. That Plaintiff receives other and further relief (including equitable relief) as this Court deems just and proper.

Respectfully submitted this December 31, 2020
/S/ Jackie Patterson

JACKIE PATTERSON
Georgia Bar No. 566511
2964 Peachtree Rd. Suite 260
Atlanta Ga. 30305
404-841-4081 fax:404-841-4082
jackie@jackiepatterson.com