

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
MONTGOMERY DIVISION**

Antonia Seales, as Personal Representative and :
Administrator of the Estate of Antonio Lamar :
Seales, deceased, : JURY TRIAL DEMANDED

Plaintiff, : Civil Action No.:

v. :

City of Greenville, City of Montgomery, Butler :
County, Montgomery County, Cole Wyatt, :
individually and as a police officer for the City of :
Greenville, Jared Hunt, individually and as a :
police officer for the City of Greenville, :
Christopher Gagliardi, individually and as a :
police officer for the City of Greenville, Carlton :
Jordan, individually and as a police officer for the :
city of Greenville, Tom Powell, individually and :
as a police officer for the City of Greenville, :
Police Chief Justin Lovvorn, individually and as :
a police officer for the City of Greenville, :
Greenville Police Officers 1-5, individually and :
as police officers for the Greenville Police :
Department, Police Chief Darryl Albert, :
individually and as a police officer for the City of :
Montgomery, Police Chief John Hall, :
individually and as a police officer for the City of :
Montgomery, Montgomery City Police Officers :
1-5, individually and as police officers for the :
Montgomery City Police Department, :
Montgomery County Sheriff Derrick :
Cunningham, individually, Montgomery County :
Sheriff's Deputies 1-5, individually, former :
Butler County Sheriff Danny Bond, individually, :
Butler County Sheriff's Deputies 1-5, State :
Trooper Lee Jenkins, individually, State Trooper :
Reginald Swanigan, individually, and ALEA :
Troopers 1-5, individually, :

Defendants. :

COMPLAINT

Plaintiff, Antonia Seales (“Plaintiff”), individually and as the Personal Representative and Administrator of the Estate of Antonio Lamar Seales (“Mr. Seales”), deceased, by and through her attorneys, Grant & Eisenhofer, P.A., asserts the following complaint against Defendants the City of Greenville (“Greenville”), the City of Montgomery (“Montgomery”), Montgomery County, Butler County (“Butler”), (collectively “Political Subdivision Defendants”), Cole Wyatt, individually and as a police officer for the City of Greenville, Jared Hunt, individually and as a police officer for the City of Greenville, Christopher Gagliardi, individually and as a police officer for the City of Greenville, Carlton Jordan, individually and as a police officer for the city of Greenville, Tom Powell, individually and as a police officer for the City of Greenville, Police Chief Justin Lovvorn, individually and as a police officer for the City of Greenville, Greenville Police Officers 1-5, individually and as police officers for the Greenville Police Department, Police Chief Darryl Albert, individually and as a police officer for the City of Montgomery, Police Chief John Hall, individually and as a police officer for the City of Montgomery, Montgomery City Police Officers 1-5, individually and as police officers for the Montgomery City Police Department, Montgomery County Sheriff Derrick Cunningham, individually, Montgomery County Sheriff’s Deputies 1-5, individually, former Butler County Sheriff Danny Bond, individually, Butler County Sheriff’s Deputies 1-5, State Trooper Lee Jenkins, individually, State Trooper Reginald Swanigan, individually, and ALEA Troopers 1-5, individually, (all unidentified, fictitiously named police officers, Sheriff’s Deputies, and troopers will be collectively referred to herein as “Unidentified Police Officer Defendants,” all identified and unidentified police officers, Sheriff’s Deputies, former or current Sheriffs, and troopers will be collectively referred to herein as “Police Officer Defendants”), and in support thereof, avers as follows:

INTRODUCTION

1. This action is brought on behalf of the estate of Antonio Seales, who was tragically and unnecessarily killed as a result of a high-speed police chase on May 10, 2024, and Antonia Seales, his daughter, personal representative, and administrator of his estate.

2. On May 10, 2024, Antonio Seales, a police chaplain, husband, and father, suffered fatal injuries as a result of a long-distance, high-speed, vehicular police chase that began over suspected theft of a pressure washer and two jump starters from Walmart—despite video surveillance footage available and viewed by officers before the chase—showing that the suspect had left the items at the store.

3. On unjustified suspicion that an individual named Ashton T. Ford (“Ford”) may have stolen these items, valued at approximately \$597, police officers from the City of Greenville and Butler County, Alabama, began a high-speed police chase of Ford outside a Walmart in Greenville, Alabama.

4. Ford had no violent or felonious criminal history, and there was no suspicion he had acted violently or committed any crime beyond retail theft.

5. Nevertheless, the high-speed police chase of Ford continued for approximately 42 miles from Greenville, Alabama, to Montgomery, Alabama.

6. As Ford drove onto I-65 North, at the City of Greenville’s behest, Alabama State Troopers from the Alabama Law Enforcement Agency joined the chase.

7. As the case crossed jurisdictional boundaries, police officers from Montgomery City and Montgomery County joined the chase.

8. At the intersection of Norman Bridge Road and East Delano Avenue in the City of Montgomery, Alabama, Ford’s vehicle collided with Mr. Seales’ vehicle as a result of the police chase and police maneuvers.

9. Mr. Seales died from the injuries sustained in this collision eleven days later, on May 21, 2024.

10. The police chase was unnecessary, negligent, wanton, and created an unreasonable risk for civilians, including Mr. Seales.

11. This collision and Mr. Seales' death were a result of the negligent or unconstitutional conduct of each officer or trooper in pursuit of Ford, as well as the unconstitutional, inadequate, or inadequately enforced policies, training, discipline, and supervision of officers by the Political Subdivision Defendants.

12. These preventable failures directly resulted in the death of Mr. Seales.

JURISDICTION AND VENUE

13. The jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 1331 as it arises under the Constitution and laws of the United States, and 1343(a)(3), (4) to obtain redress for deprivation of civil rights pursuant to 42 U.S.C. § 1983.

14. The Plaintiff also invokes the supplemental jurisdiction of this Court for state law claims that arise from the same facts and circumstances under 28 U.S.C. § 1367.

15. Venue is proper pursuant to 28 U.S.C. § 1391 in that a substantial part of the events or occurrences giving rise to Plaintiff's claims occurred in the Middle District of Alabama.

PARTIES

16. Antonio L. Seales was, at all relevant times, a resident of Montgomery, Alabama.

17. He died on May 21, 2024 as a result of injuries sustained because of the May 10, 2024, pursuit and collision.

18. Plaintiff Antonia Seales is the personal representative and administrator of the Estate of Antonio Seales. *See* Certified Letters of Administration, attached as Exhibit A.

19. Plaintiff is and was at all material times a resident of Prattville, Alabama.

20. Plaintiff timely filed Notices of Claim with the City of Greenville, City of Montgomery, County of Montgomery, County of Butler, and the State of Alabama. *See* Notices of Claim, collectively attached hereto as Exhibit B.

21. Plaintiff brings the claims set forth in this Complaint on behalf of the Estate of Antonio Seales, its beneficiaries, and, individually, in her own right.

22. Defendant City of Greenville is a municipality of the State of Alabama and a governmental authority that owns, operates, manages, directs, and controls the Greenville Police Department, which employed Justin Lovvorn, Cole Wyatt, Jared Hunt, Tom Powell, Carlton Jordan, Christopher Gagliardi, and Greenville Police Officers 1-5.

23. Defendant Officer Cole Wyatt was at all times relevant to this action a police officer of the Greenville Police Department, who participated in, planned, executed, supervised, or was responsible for oversight of the May 10, 2024 police chase and the collision with Antonio Seales' vehicle.

24. Defendant Officer Cole Wyatt is being sued in his individual capacity and as a police officer for the City of Greenville.

25. Defendant Officer Jared Hunt was at all times relevant to this action a police officer of the Greenville Police Department, who participated in, planned, executed, supervised, or was responsible for oversight of the May 10, 2024 police chase and the collision with Antonio Seales' vehicle.

26. Defendant Officer Jared Hunt is being sued in his individual capacity and as a police officer for the City of Greenville.

27. Defendant Officer Christopher Gagliardi was at all times relevant to this action a police officer of the Greenville Police Department, who participated in, planned, executed, supervised, or was responsible for oversight of the May 10, 2024 police chase and the collision with Antonio Seales' vehicle.

28. Defendant Officer Christopher Gagliardi is being sued in his individual capacity and as a police officer for the City of Greenville.

29. Defendant Officer Carlton Jordan was at all times relevant to this action a police officer of the Greenville Police Department, who participated in, planned, executed, supervised, or was responsible for oversight of the May 10, 2024 police chase and the collision with Antonio Seales' vehicle.

30. Defendant Officer Carlton Jordan is being sued in his individual capacity and as a police officer for the City of Greenville.

31. Defendant Officer Tom Powell was at all times relevant to this action a police officer of the Greenville Police Department, who who participated in, planned, executed, supervised, or was responsible for oversight of the May 10, 2024 police chase and the collision with Antonio Seales' vehicle.

32. Defendant Officer Tom Powell is being sued in his individual capacity and as a police officer for the City of Greenville.

33. Defendant Justin Lovvorn was at all times relevant to this action a police officer and Chief of Police of the Greenville Police Department, who participated in, planned, executed, supervised, or was responsible for oversight of the May 10, 2024 police chase and the collision with Antonio Seales' vehicle.

34. Defendant Justin Lovvorn was at all times relevant to this action a police officer and Chief of Police of the Greenville Police Department, who participated in, approved, supervised, or was responsible for oversight of the May 10, 2024, police chase and the collision with Antonio Seales' vehicle, and was responsible for the enactment, and enforcement of policies relevant to or implicated in the May 10, 2024, police chase and the collision.

35. Defendant Officer Justin Lovvorn is being sued in his individual capacity and as a police officer for the City of Greenville.

36. Defendants Greenville Police Officers 1-2 are yet-unidentified parties who were employed by, or agents of, the City of Greenville and the Greenville Police Department, who participated in, planned, executed, supervised, or was responsible for oversight of the May 10, 2024 police chase and the collision with Antonio Seales' vehicle.

37. Defendants Greenville Police Officers 3-5 are yet-unidentified parties who were responsible for the creation, training, enactment, and enforcement of policies relevant to or implicated in the May 10, 2024, police chase and the collision with Antonio Seales' vehicle.

38. Defendant City of Greenville is in the best position to identify Greenville Police Officers 1-5 through its records and personnel.

39. Defendants Greenville Police Officers 1-5 are being sued in their individual capacities and as police officers for the City of Greenville.

40. Defendant City of Montgomery is a municipality of the State of Alabama and a governmental authority that owns, operates, manages, directs, and controls the Montgomery City Police Department, which employed Darryl Albert, John Hall, and Montgomery City Police Officers 1-5.

41. Defendant Officer Darryl Albert was a police officer and the acting Police Chief of the Montgomery City Police Department through approximately April 18, 2024.

42. Defendant Officer Darryl Albert participated in and was responsible for the creation, training, enactment, and enforcement of policies relevant to or implicated in the May 10, 2024, police chase and the collision with Antonio Seales' vehicle.

43. Defendant Officer Darryl Albert is being sued in his individual capacity and as a police officer for the City of Montgomery.

44. Defendant Officer John Hall was at all times relevant to this action a police officer of the Montgomery City Police Department, and Acting Police Chief as of approximately April 19, 2024 through approximately June 25, 2024, who participated in, approved, supervised, or was responsible for oversight of the May 10, 2024, police chase and the collision with Antonio Seales' vehicle.

45. Defendant Officer John Hall participated in and was responsible for the training, supervision, enactment, and enforcement of policies relevant to or implicated in the May 10, 2024, police chase and the collision with Antonio Seales' vehicle.

46. Defendant Officer John Hall is being sued in his individual capacity and as a police officer for the City of Greenville.

47. Defendants Montgomery City Police Officers 1-2 are yet-unidentified parties who were employed by, or agents of, the City of Montgomery and the Montgomery City Police Department, who participated in, planned, executed, supervised, or was responsible for oversight of the May 10, 2024 police chase and the collision with Antonio Seales' vehicle.

48. Montgomery City Police Officers 3-5 are yet-unidentified parties who were responsible for the creation, training, enactment, and enforcement of policies relevant to or implicated in the May 10, 2024, police chase and the collision with Antonio Seales' vehicle.

49. Defendant City of Montgomery is in the best position to identify Montgomery City Police Officers 1-5 through its records and personnel.

50. Defendants Montgomery City Police Officers 1-5 are being sued in their individual capacities and as police officers for the City of Montgomery.

51. Defendant Butler County is a municipality of the State of Alabama and a governmental authority that was responsible for the creation, training, enactment, and enforcement of policies relevant to or implicated in the May 10, 2024, police chase and the collision with Antonio Seales' vehicle as applied to Butler County Sherriff's Deputies, including ensuring that policies are designed to prevent harm to bystanders, such as Mr. Seales.

52. Defendant Danny Bond was the acting Butler County Sheriff through January 31, 2025.

53. Defendant Danny Bond planned, approved, supervised, or was responsible for oversight of the May 10, 2024, police chase and the collision with Antonio Seales' vehicle.

54. Defendant Danny Bond was responsible for the training, enactment, and enforcement of policies relevant to or implicated in the May 10, 2024, police chase and the collision with Antonio Seales' vehicle.

55. Defendants Butler County Sheriff's Deputies 1-2 are yet-unidentified parties who participated in, planned, executed, supervised, or were responsible for oversight of the May 10, 2024 police chase and the collision with Antonio Seales' vehicle.

56. Defendants Butler County Sheriff's Deputies 3-5 are yet-unidentified parties who were responsible for the creation, training, enactment, and enforcement of policies relevant to or implicated in the May 10, 2024, police chase and the collision with Antonio Seales' vehicle.

57. Defendant Butler County is in the best position to identify Butler County Sheriff's Deputies 1-5 through its records and personnel.

58. Defendants Butler County Sheriff's Deputies 1-5 are being sued in their individual capacities.

59. Defendant Montgomery County is a municipality of the State of Alabama and a governmental authority that was responsible for the creation, training, enactment, and enforcement of policies relevant to or implicated in the May 10, 2024, police chase and the collision with Antonio Seales' vehicle as applied to Butler County Sheriff's Deputies, including ensuring that policies are designed to prevent harm to bystanders, such as Mr. Seales.

60. Defendant Derrick Cunningham is and was the acting Montgomery County Sheriff for all relevant time periods.

61. Defendant Derrick Cunningham planned, approved, supervised, or was responsible for oversight of the May 10, 2024, police chase and the collision with Antonio Seales' vehicle.

62. Defendant Derrick Cunningham was responsible for the training, enactment, and enforcement of policies relevant to or implicated in the May 10, 2024, police chase and the collision with Antonio Seales' vehicle.

63. Defendants Montgomery County Sheriff's Deputies 1-2 are yet-unidentified parties who participated in, planned, executed, supervised, or was responsible for oversight of the May 10, 2024 police chase and the collision with Antonio Seales' vehicle.

64. Montgomery County Sheriff's Deputies 3-5 are yet-unidentified parties who were responsible for the creation, training, enactment, and enforcement of policies relevant to or implicated in the May 10, 2024, police chase and the collision with Antonio Seales' vehicle.

65. Defendant Montgomery County is in the best position to identify Montgomery County Sheriff's Deputies 1-5 through its records and personnel.

66. Defendants Montgomery County Sheriff's Deputies 1-5 are being sued in their individual capacities.

67. Defendant State Trooper Lee Jenkins was, at all relevant times, a state trooper for the Alabama Law Enforcement Agency ("ALEA").

68. Defendant Lee Jenkins participated in the planning, supervision, and/or execution of the May 10, 2024 police chase and the collision with Antonio Seales' vehicle.

69. Defendant Lee Jenkins is being sued in his individual capacity.

70. Defendant State Trooper Reginald Swanigan was, at all relevant times, a state trooper for the Alabama Law Enforcement Agency.

71. Defendant Reginald Swanigan participated in the planning, supervision, and/or execution of the May 10, 2024 police chase and the collision with Antonio Seales' vehicle.

72. Defendant Swanigan is being sued in his individual capacity.

73. ALEA Troopers 1-5 were, at all relevant times, state troopers for the Alabama Law Enforcement Agency.

74. Defendants ALEA Troopers 1-5 participated in, planned, executed, supervised, or was responsible for oversight of the May 10, 2024 police chase and the collision with Antonio Seales' vehicle.

75. Defendants ALEA Troopers 1-5 are being sued in their individual capacities.

76. Plaintiff is ignorant of the identities of all Unidentified Police Officer Defendants despite using due diligence, as described herein, to discover their true identities. *See also*, Affidavit of Counsel, attached as Exhibit C.

77. The identities of all Unidentified Police Officer Defendants are anticipated to be discoverable and produced in discovery.

78. The identities of all Unidentified Police Officer Defendants will be substituted once their names are ascertained.

STATEMENT OF FACTS

EVENTS OF MAY 10, 2024 POLICE PURSUIT

79. Antonio Seales was a beloved resident of Alabama who died early at age 51 as a result of a dangerous, high-speed police chase on May 10, 2024.

80. Mr. Seales was a Chaplain Pastor for the Montgomery Police Department. He started working with the Montgomery Police Department in 2013 by pioneering and leading the Good Shepherd Program, where he partnered with police and worship centers to help, encourage, and support families and loved ones affected by acts of violence.

81. He became the Montgomery Police Department's Chaplain in 2021.

82. Mr. Seales would show up anytime, even in the middle of the night, when Montgomery City police officers called him to help people affected by violence.

83. He showed up to regular outreach events with Montgomery City Police Department, including weekly "park walk and talks," and "coffee with a cop."

84. He regularly appeared at opportunities to engage with the police officers or the community.

85. Mr. Seales was a prominent, well-known, and beloved community member, including among the police officers of Montgomery, who were in attendance in large numbers at his funeral.

86. Montgomery City Mayor Steven Reed issued a statement commemorating Mr. Seales and recognizing his invaluable service to the community and the profound loss of a key community figure, and ordered flags to be flown at half-staff.

87. Mayor Reed explained Mr. Seales' "commitment to the well-being of the police force was evident long before his formal appointment as chaplain, consistently providing a calming presence for our officers."

88. Mr. Seales considered himself part of the Montgomery City Police Department family.

89. On May 10, 2024, Mr. Seales was driving northbound on Norman Bridge Road in Montgomery, Alabama.

90. Unknown to him, a high-speed police chase, begun in Greenville, Alabama, was underway and headed towards him.

91. Officers Cole Wyatt, Jared Hunt, Tom Powell, Carlton Jordan, Christopher Gagliardi, Justin Lovvorn, Greenville Police Officers 1-2, and Butler Police Officers 1-2 learned of a possible theft in Greenville at or near a Walmart at 501 Willow Lane, Greenville, Alabama 36037 after being informed of a 911 call from asset protection at Walmart.

92. Video surveillance footage viewed in person at the Walmart by Officer Powell shortly after the theft was reported revealed that Ford left all the items at the "last point of sale" in Walmart, and had not actually taken any items from the store.

93. Officers Cole Wyatt, Jared Hunt, Tom Powell, Carlton Jordan, Christopher Gagliardi, Justin Lovvorn, Greenville Police Officers 1-2, and Butler Police Officers 1-2 nevertheless found Ford's car at a nearby gas station based on information from the Walmart store personnel about Ford's vehicle.

94. Officers Cole Wyatt, Jared Hunt, Tom Powell, Carlton Jordan, Christopher Gagliardi, Justin Lovvorn, Greenville Police Officers 1-2, and Butler County Sheriff's Deputies 1-2 chose to initiate and/or approve a chase of the suspect, Ford's, vehicle, despite the video footage showing he had abandoned the items at Walmart.

95. In criminal proceedings, the prosecution asserted that Ford was being pursued for an active felony warrant and a prior arrest for third-degree theft.

96. Both Ford's statements to the court in the criminal proceedings and Plaintiff's investigation revealed that Ford had no active felony warrant or prior arrest for third-degree theft.

97. As the chase continued and its danger exceeded all reasonable levels, Cole Wyatt, Jared Hunt, Carlton Jordan, Tom Powell, Christopher Gagliardi, Justin Lovvorn, Greenville Police Officers 1-2, and Butler County Sheriff's Deputies 1-2 continued to engage in the chase, approved it, encouraged it to continue, and decided not to terminate it.

98. At no point before initiating the chase did any Police Officer Defendant have any reason to suspect that Ford had committed a violent crime, that he was violent, that he was armed, that he was dangerous, or that he posed a significant threat of death or serious physical injury to the officers or the public.

99. At most, they suspected him of stealing a pressure washer and two jump starters, which were valued at approximately \$597, but the video footage revealed that he had not actually taken any items with him.

100. The chase continued onto I-65, at which point John Hall, State Trooper Lee Jenkins, State Trooper Reginald Swanigan, Montgomery City Police Officers 1-2, Montgomery County Sheriff's Deputies 1-2, and ALEA Troopers 1-5 were alerted to and joined in the chase, approved of joining in the chase, encouraged the chase to continue, and decided not to terminate the chase.

101. At no point during the chase did any Police Officer Defendant have any reason to suspect that Ford had committed a violent crime, that he was violent, that he was armed, that he was intending to use his vehicle as a weapon, that he was dangerous, or that he posed a significant threat of death or serious physical injury to the officers or others.

102. Police Officer Defendants allowed, approved, continued, and failed to terminate the chase for approximately 42 miles, even as it proceeded at dangerously high speeds through residential areas in the middle of the day.

103. The chase only concluded when Ford, still engaged in a high-speed police chase and driving above posted speed limits, collided with Mr. Seales' vehicle in a residential area, depicted in the image below, on Norman Bridge Road in Montgomery at approximately 3:43 pm.

107. A PIT maneuver or the use of a police vehicle to strike another vehicle is the use of deadly force.

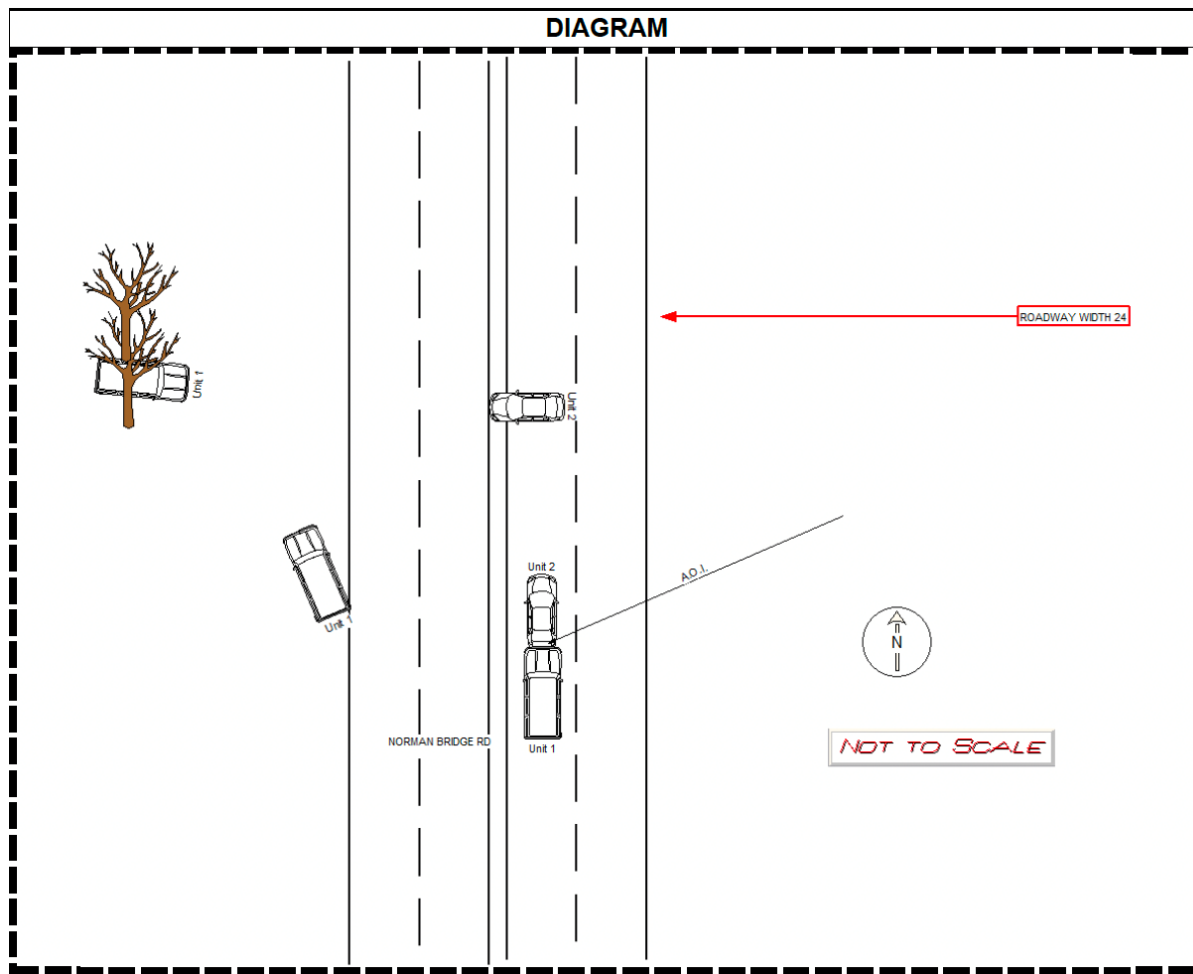
108. By using, assisting, or approving such a maneuver on May 10, 2024, Police Officer Defendants intended to cause harm.

109. At all relevant times, PIT maneuvers were widely known to be extremely dangerous, particularly at high speeds, known to lead to uncontrolled crashes, roll overs, and unreasonable danger to bystanders.

110. Engaging in a high-speed police chase and the use of deadly force in these circumstances, without regard to nearby persons or motorists, was outrageous, unreasonable, and extremely unsafe.

111. The chase and the use of deadly force in the pursuit were unwarranted, unjustified by the circumstances, and not motivated in any part by a suspicion that Ford was dangerous, or that he posed a significant threat of death or serious physical injury to the Police Officer Defendants or others.

112. The crash report from ALEA does not depict the location of any police vehicle in relation to Ford or Mr. Seales' vehicles – only Unit 1 (Ford) and Unit 2 (Mr. Seales):



113. The collision resulted in severe damage to Ford and Mr. Seales' vehicles, as depicted in media-obtained images:



(Ford's Vehicle)



(Mr. Seales' Vehicle)

114. The cause of the damage to the front of Mr. Seales' vehicle is not described or depicted in the ALEA crash report and is yet unknown to Plaintiff.

115. The Greenville City police report does not provide additional information on the events of the chase, other than describing how it initially began; the Greenville City police report

says that the hot pursuit occurred “northbound on I-65, exited the Interstate on Southern Boulevard, and ended with Mr. Ford wrecking his vehicle.”

116. Mr. Seales was emergently transported to Baptist South Hospital in an unresponsive state.

117. After eleven days, he was pronounced dead at the hospital on May 21, 2026.

POLICE PURSUITS IN ALABAMA MUNICIPALITIES

118. The State of Alabama has no laws, standards, or regulations regarding hot pursuit or high-speed police chases; instead, municipalities and law enforcement agencies determine when a pursuit is authorized.

119. Nevertheless, the grave dangers and risks to motorists and bystanders arising from hot pursuit, high-speed, or cross-county police chases and/or the use of PIT maneuvers are, or should be, well known to Alabama municipalities, including the Political Subdivision Defendants.

120. Political Subdivision Defendants knew, or should have known, that in deciding to allow or continue the pursuit of and/or deployment of a PIT maneuver on Ford on May 10, 2024, it was highly likely that a bystander or motorist, such as Mr. Seales, would suffer injury.

121. Political Subdivision Defendants did not have reason to believe that the danger of pursuing Ford and/or deploying a PIT maneuver outweighed the risk of danger to the community or bystanders.

122. Political Subdivision Defendants allowed the chase to begin and continue based only on the information that the suspect may have attempted to steal merchandise from Walmart—a pressure washer and two jump starters worth just under \$600 combined.

123. These substantial risks, that Political Subdivision Defendants knew or should have known, included the high risk that a chase would end in a crash and/or a PIT maneuver would

impact bystanders, which would or would be likely to result in injuries to the individuals engaged in the chase, as well as nearby bystanders and motorists.

124. Political Subdivision Defendants were, or should have been, aware of prior instances in which such a pursuit ended in a crash and/or resulted in injuries to motorists or bystanders in Alabama, for example:

- a. In 2012, the Greenville Police Department acknowledged that a police pursuit of a suspect, Redgie Wayne, in Greenville resulted in the suspect losing control of his car and striking another vehicle, injuring the two occupants.
- b. In September 2012, Alabama State Troopers and Greenville City police engaged in a high-speed chase on I-65; innocent motorists described seeing the chase, fearing they would be hit, and watching the suspect swerve toward them as he tried to evade the police. The suspect ran several vehicles off the road, but ultimately crashed his car and died.
- c. In December 2021, Montgomery City police officers attempted to stop a vehicle, and a pursuit began after the car refused to stop; ultimately, the police vehicle crashed into a civilian vehicle on Eastern Boulevard and Vaughn Road, resulting in minor injuries.
- d. In July 2023, a police chase that began in Hollywood, Alabama, ended in Huntsville, Alabama, when the fleeing suspect crashed into Matthew Norwood's car, killing him. High-schooler Jaiden DeJarnett died as a result of a high-speed police chase in Decatur in 2023 that crossed three counties over approximately fifty minutes.
- e. In early August of 2023, the Montgomery City Police Department began a police pursuit following a traffic stop of a stolen vehicle, which ended when the suspect crashed into an unmarked police vehicle and resulted in injuries.
- f. In September 2023, a suspect named Richard Moore evaded a traffic stop on Narrow Lane Road by an ALEA state trooper; Montgomery City Police responded to assist, and the suspect crashed into a police vehicle, injuring two young women and a child who were passengers in Moore's car.
- g. Also in September 2023, Greenville Police Officers initiated a vehicle pursuit on suspicion of theft by a suspect later identified as Zachary Henderson; the chase ended when Henderson, who had a passenger in his car, crashed into a large truck.

125. A report from the U.S. Department of Justice, Bureau of Justice Statistics, titled “Police Vehicle Pursuits, 2012-2013,” published in May 2017, reported a total of 243 police pursuit-related fatalities in Alabama between 1996 and 2015.

126. Alabama’s statistics were the deadliest in the nation, amounting to 5.3 pursuit-related deaths per 100,000 residents.

127. The Alabama League of Municipalities, a nonpartisan association that works to strengthen municipal governments and provides support and guidance for municipalities, of which Greenville and Montgomery are members, has published suggested sample police department policies for vehicle pursuits.

128. The sample police department policy published in 2023 provides:

- a. “The decision to initiate pursuit must be based on the pursuing officer’s conclusion that the immediate danger to the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.”
- b. “If the pursuit speed exceeds the posted speed limit or other tactics as described herein occur, the pursuit should be terminated immediately unless the need to apprehend the suspect is greater than the risk presented by the pursuit such as of a known violent felon. This risk determination should be based on information known by the officer at the time of the pursuit decision and not based on speculation and if not immediately apprehended the felon pursued poses a serious risk to the general public apart from the reckless driving of the motorcycle.”
- c. “Officers engaged in pursuit shall at all time[s] drive in a manner exercising reasonable care for the safety of themselves and all other persons and property within the pursuit area.”
- d. “Selecting a method to stop a fleeing vehicle should be based on an evaluation of all known factors influencing the event, and the method selected should offer the greatest probability of success with least likelihood of injury to all persons involved.”
- e. “The Pursuit Intervention Technique ‘PIT’ Maneuver” of a fleeing vehicle is a specific trained technique and shall be considered only in extreme situations when the suspect has created a high probability of serious injury to the public ... [using a PIT maneuver is] an application of deadly force.”

- f. “Intentionally striking a person or another vehicle with a police vehicle is also considered an application of deadly force and shall be employed only under circumstances which justify the use of deadly force.”
- g. “[Terminating the] pursuit may be the most rational means of preserving the lives and property of both the public and the officers and suspects engaged in pursuit. The pursuing officer, the shift commander/supervisor, or the Chief of Police may terminate pursuit.”
- h. “Pursuit shall be immediately terminated [when] the danger posed by continued pursuit to the public ... is greater than the value of apprehending the suspect[s].”

129. All Defendants deviated from these sample guidelines in their conduct leading up to and including the May 10, 2024, police chase and collision with Mr. Seales.

130. Police Officer Defendants deviated from these sample guidelines and/or the policies of their respective police departments, if any such policies existed, in their conduct leading up to and including the May 10, 2024, police chase and collision with Mr. Seales.

131. Recently, Tristan Hollis, a seventeen-year-old, was killed when struck by a driver fleeing a police chase begun in Priceville and crossing into Hartselle.

132. Senator Orr subsequently introduced Senate Bill 120, referred to as the Tristan Hollis Act, in an attempt to mitigate the high number of police pursuit deaths per capita in Alabama by requiring more uniform policies regarding police pursuits and restricting police pursuits to violent crimes or offenses that create an immediate threat of death, serious bodily injury, or a substantial threat to the safety of another individual.

133. The public information about the prevalence of police chases in Alabama makes clear that Alabama, including all Political Subdivision Defendants and their policymakers, was aware of the pervasive use of police chases in situations where such a chase was uncalled for, unnecessary, and unsafe, but failed to act.

134. The public information about the prevalence of police chases in Alabama, and associated risks and dangers, that Police Officer Defendants who supervised or were responsible for the chase and collision on May 10, 2024 knew of a history of widespread abuse in the practice of police chases and were, or should have been, on notice of the need to correct this repeated deprivation of constitutional rights as a result.

135. Alabama municipalities, including all Political Subdivision Defendants, and their policymakers were, or should have been, well aware of the widespread issue of constitutional violations resulting from high-speed, long-distance, or otherwise unsafe police chases, but failed to act.

136. Alabama municipalities, including all Political Subdivision Defendants, and their policymakers, thus were, or should have been, well aware of the need to create, implement, and enforce policies that limit the danger to bystanders and motorists in police chases before the events of the May 10, 2024 chase and collision, but failed to act.

137. Political Subdivision Defendants also thus were, or should have been, well aware of the need to adequately supervise and train their employees and agents, including but not limited to their police officers, regarding the dangers, necessity of, initiation of, and termination of chases that involved long distances, high speeds, or took place in residential areas or in the vicinity of bystanders and motorists.

138. As a result of the police officers' and Political Subdivision Defendant's failures to act on this knowledge, Mr. Seales tragically suffered injury and lost his life.

POLITICAL SUBDIVISION DEFENDANTS FAILED TO ADOPT OR ENFORCE ADEQUATE CHASE POLICIES OR ADEQUATELY SUPERVISE AND TRAIN REGARDING POLICE CHASES

139. The Political Subdivision Defendants should have adopted, implemented, and enforced police pursuit policies that required police officers involved in a vehicle pursuit to

conduct the pursuit in a manner that weighed the seriousness of the suspected offense against the danger to the community.

140. Upon information and belief, the Political Subdivision Defendants recklessly, intentionally, and/or negligently failed to adopt such policies or, in the alternative, failed to implement or enforce such policies.

141. Upon information and belief, even if adequate policies were in place, the Political Subdivision Defendants had a custom and practice of disregarding vehicle pursuit policies, creating an unreasonable risk of danger that outweighed the benefit of the pursuit.

142. It was also a deliberate de facto or actual policy, practice, and/or custom of the Political Subdivision Defendants, through their respective police departments, Sheriff's departments, chiefs of police, mayors, and councils, to inadequately supervise and train their police officers, including Police Officer Defendants, concerning proper, safe, and reasonable vehicle pursuit policies and practices.

143. This is evident from, among other things, the conduct of all police officers during the pursuit of the suspected criminal on May 10, 2024, which failed to conform to any reasonable pursuit policy and fell far below the standard of care required of police officers involved in a vehicle pursuit.

144. As evidenced by the police officers' conduct during the pursuit on May 10, 2024, the Political Subdivision Defendants custom and practice was to consciously disregard, and thus act with deliberate indifference, the policies they had or should have had in place and/or to sanction or condone, expressly or implicitly, their respective police officers' violations of the constitutional rights of bystanders and motorists when engaging in vehicle pursuits.

**POLICE OFFICERS AND TROOPERS VIOLATED ESTABLISHED MODEL VEHICLE PURSUIT
POLICIES**

145. Alternatively, Police Officer Defendants intentionally, willfully, recklessly, and/or negligently failed to adhere to applicable policies and guidelines or acted beyond their authority by initiating or continuing the May 10, 2024 pursuit.

146. Police Officer Defendants knew or should have known of the high probability that a vehicle chase would end in a crash, which would or would be likely to result in injuries to the individuals engaged in the chase, as well as nearby bystanders and motorists.

147. Police Officer Defendants knew, or should have known, that in deciding to continue the pursuit of and/or deploying a PIT maneuver on Ford on May 10, 2024, it was highly likely that a bystander or motorist, such as Mr. Seales, would suffer injury.

148. Police Officer Defendants did not have reason to believe that the danger of pursuing and/or deploying a PIT maneuver on Ford outweighed the risk of danger to the community or bystanders.

149. Police Officer Defendants initiated and continued the pursuit based only on the information that Ford may have attempted to steal merchandise from Walmart—a pressure washer and two jump starters worth just under \$600 combined.

150. Police Officer Defendants had access to the Walmart surveillance footage before and during the chase and knew or should have known that Ford left the items at the last point of sale and had not.

151. As a result of the improper pursuit initiated and continued, and/or deployment of a PIT maneuver by Police Officer Defendants, Mr. Seales tragically suffered injury and lost his life.

PLAINTIFF INVESTIGATION INTO EVENTS OF MAY 10, 2024 COLLISION AND IDENTITIES OF INVOLVED PARTIES

152. The criminal case against Ford for Mr. Seales' death did not begin immediately; however, counsel for Mr. Seales' estate began investigating the incident while anticipating, incorrectly, that the results of the criminal investigation would soon be released.

153. On August 27, 2024, plaintiff's counsel received a response from the Alabama Department of Forensic Sciences stating that the requested report was not a public record because of an active criminal investigation.

154. On October 18, 2024, plaintiff's counsel sent a Notice of Claim to the City of Greenville and requested any and all information and documentation regarding the May 10, 2024, police chase.

155. The Notice (1) provided the report case number, 2024-05-0279, that the plaintiff believed to have information regarding all involved officers, specifically named Greenville Police Department Officers: Cole Wyatt, Jared Hunt, and Christopher Gagliardi, and (3) also requested information about all other officers involved in the pursuit. *See Exhibit B.*

156. Plaintiff's counsel did not receive a response or the requested information from the City of Greenville at that time, or any time before April 2026, as discussed further *infra*.

157. On October 21, 2024, plaintiff's counsel sent a Notice of Claim to the City of Montgomery and requested any and all information and documentation regarding the May 10, 2024, police chase.

158. The Notice (1) provided the report case number, 2024-05-0279 that Plaintiff believed to have information regarding all involved officers specifically named Greenville Police Department Officers: Cole Wyatt, Jared Hunt, and Christopher Gagliardi and (3) also requested information about all other officers involved in the pursuit. *See Exhibit B.*

159. Plaintiff sent this request to the City of Montgomery again on November 5, 2024.

160. Plaintiff's counsel did not receive a response or the requested information from the City of Montgomery in response to either of those letters and has not received any information from the City of Montgomery to date.

161. Plaintiff also obtained the "Crash Report" from the Alabama Law Enforcement Agency after the May 10, 2024 collision, and continued to monitor the criminal case and news reports for any information regarding the events of May 10, 2024.

162. The Crash Report provided limited information about the actual collision between Ford's and Mr. Seales' vehicles; for example, it did not explain the damage to the front of Mr. Seales' car, the location of any police vehicles, or the cause of the extensive damage to Ford's car.

163. It provided extremely limited information about the chase itself—" [Ford] was leading the police on a high-speed chase that started in Greenville, Alabama, on I65N. [Ford] was over the speed limit when [he] collided with [Mr. Seales' vehicle] . . . [Ford] stated that he was traveling towards Fairview Ave and got struck from the rear."

164. It identified only one individual involved with the chase or collision – State Trooper Lee Jenkins.

165. On January 16, 2025, Ford was indicted by the Grand Jury on charges of reckless murder, and on February 18, 2025 was arrested on those charges.

166. Plaintiff continued to monitor the criminal proceedings with the unrealized expectation that the criminal trial would reveal more information about the events of May 10, 2024, including the identities of involved officers and troopers.

167. However, although the criminal proceedings revealed limited information, the case has experienced multiple delays, and the trial has yet to occur.

168. Some of the limited information Plaintiff gleaned from those criminal proceedings included that on February 20, 2025, the State subpoenaed Trooper Blair to appear at the bail hearing—Trooper Blair, of ALEA, explained that he investigated the events of May 10, 2024.

169. Plaintiff has not received any information about that investigation beyond the limited information that Trooper Blair investigated the chase, and, based on filings from Ford in the criminal proceedings, there were inconsistencies between the investigation findings and the crash report, as well as Ford’s recollection of the events of May 10, 2024.

170. On April 2, 2025, the Circuit Court entered a trial order, setting the February 2025 criminal case for trial on September 8, 2025.

171. On June 5, 2025, Richard B. White entered an appearance as retained counsel for Ford.

172. On August 11, 2025, Ford moved for a court-ordered mental evaluation of competency.

173. On August 13, 2025, the Circuit Court granted the motion for a court-ordered mental evaluation.

174. Between August 21 and August 25, 2025, the State requested or served subpoenas for Dr. Reedy (DFS – Autopsy), Officer J. Hunt, Officer C. Wyatt, Officer C. Gagliardi, Trooper Lee Jenkins, Trooper Blair, and Trooper Reginald Swanigan to appear at the September 8, 2025 trial – thus confirming their involvement in the events of or investigation of the events of May 10, 2024.

175. On September 3, 2025, Ashton T. Ford moved for continuance of the September 8, 2025 trial.

176. On September 4, 2025, the Circuit Court granted the motion for continuance.

177. On September 10, 2025, the Circuit Court reset the trial for December 8, 2025.

178. On October 16, 2025, the Circuit Court reset the trial for January 5, 2026.

179. In mid-2025, Plaintiff hired a private investigator to investigate the May 10, 2024, police chase and criminal proceedings against Ford. This investigation included boots-on-the-ground work to identify and speak with eyewitnesses, and to attempt to obtain photographs and footage that could help identify all involved in the chase. Still, the investigation was ultimately unable to uncover any additional identities of the individuals involved in the pursuit of Ford, nor did it uncover any additional photographs or video footage that could have assisted in identifying them.

180. On November 24, 2025, the Circuit Court canceled the January 5, 2026 trial.

181. On November 25, 2025, counsel contacted Richard White, Esq., defense counsel for Ford in criminal court, in hopes of obtaining information about the individuals involved in the May 10, 2024 pursuit, but did not receive a response at that time.

182. Ultimately, on March 4, 2026, the Circuit Court reset the trial for September 21, 2026. This date falls outside of the two-year window from the events of May 10, 2024, and made clear to Plaintiff, for the first time, that additional information about Unidentified Police Officers or the events of the chase would not be obtainable through the public criminal proceedings before May 10, 2026.

183. On March 18, 2026, Plaintiff's counsel spoke with the Victim Impact Coordinator for Antonia Seales in the criminal proceedings but was informed that he could not share information about or the identities of anyone involved in the May 10, 2024 pursuit. Plaintiff asked to speak to the prosecutor; the Victim Impact Coordinator took Plaintiff's counsel's contact

information to give to the prosecutor (rather than sharing the contact information with Plaintiff's counsel). To date, Plaintiff's counsel has not heard from the prosecutor.

184. On March 24, 2026, counsel retained another private investigator, with law enforcement background, to again investigate, and hopefully identify the individuals involved in the May 10, 2024 pursuit.

185. The private investigator attempted to collect information, including open records information, from Political Subdivision Defendants, by visiting them in person, including at least two visits in person to the Greenville City Police Department. He was able to obtain the first page of the Incident Report from the City of Greenville/Greenville Police Department, though they refused to produce more than the first page. The first page did not provide additional identities of those involved in the pursuit beyond those Plaintiff was already aware of from the criminal proceedings. Ultimately, after several weeks of investigation, the private investigator was unable to obtain open records or additional information about the identities of the Unidentified Police Officers.

186. After successfully contacting defense counsel Richard White on or about March 25, 2026, Plaintiff's counsel requested information from the discovery exchanged in the criminal proceedings, including the names of involved officers or the Incident Report from the Greenville Police Department. Mr. White indicated he would confer with his client and let Plaintiff's counsel know what he could share.

187. On April 6, 2026, Plaintiff mailed the following open records request letters under Alabama Open Records Law § 36-12-40 *et seq.*, on behalf of client Antonia Seales, an Alabama resident:

- a. Montgomery County
- b. Montgomery County Sheriff's Office

- c. Butler County
- d. Butler County Sheriff's Office
- e. City of Montgomery
- f. City of Montgomery Police Department
- g. City of Greenville
- h. City of Greenville Police Department
- i. Alabama Law Enforcement Agency ("ALEA")

188. These requests sought all documents, communications, records, reports, summaries of investigation, and video footage pertaining to the May 10, 2024, pursuit, along with the identities of personnel, including those involved in the pursuit, and their job titles on May 10, 2024.

189. On April 9, 2026, Plaintiff sent corresponding electronic requests to ALEA.

190. On April 9, 2026, counsel contacted a journalist from the Greenville Advocate, but the journalist was not able to provide any additional names beyond what was already in counsel's possession.

191. On April 8, 2026, counsel received a response from Butler County Sheriff's Office stating that they had no report on Ashton T. Ford.

192. Plaintiff again contacted Mr. White's office on March 27, March 30, April 1, April 2, April 7, April 8, April 13, April 14, and April 22, 2026, either leaving a message or speaking with someone from the office. However, counsel was ultimately unable to obtain any discovery, additional names, or police reports from Mr. White.

193. On April 7, 16, and 17, 2026, Plaintiff left messages for City Attorney for Greenville, Alabama, T. Brandon Simmons to discuss obtaining a copy of the full report on the May 10, 2024 incident. Mr. Simmons responded on April 27, 2026 asking for more information, and indicated he would speak with the Chief of Police to obtain the full report and would provide

it to Plaintiff. On May 5, 2026, Mr. Simmons forwarded a copy of the Greenville City Police report, which identified Officers Tom Powell, Christopher Gagliardi, Cole Wyatt, Jared Hunt, and Carlton Jordan, in addition to noting “other nearby agencies” also engaged in the “hot pursuit.”

194. Plaintiff has not received any additional information from the City of Greenville or Greenville City Police Department in response to her open records requests.

195. On April 15, 2026, counsel received a response from the City of Montgomery that the April 6, 2026 request was received and would be processed shortly. However, they noted that they would not turn over law enforcement reports and related materials, “including but not limited to dash cam, body cam, photographs and evidence collected [] from third parties.” To date, Plaintiff has not received additional information from the City of Montgomery.

196. The Montgomery City Police Department has not responded to the Open Records Request.

197. On April 16, 2026, Montgomery County responded to Plaintiff’s request by letter, refusing to provide any records because Plaintiff had sent her October 2024 Notice of a possible lawsuit against them, as she is required to do by law to preserve her rights.

198. On April 22, 2026, counsel received a rejection response from ALEA regarding the Open Records Request because (1) Plaintiff was not an Alabama Resident (though the request was submitted on behalf of Plaintiff, an Alabama resident, with her address) and (2) stated the records are “privileged criminal history records,” that contain “Personally Identifiable Information,” and are “investigative material [that] can only be obtained by a court order or subpoena.”

199. On April 22, 2026, counsel resubmitted the Open Records to ALEA with Plaintiff Antonia Seales’s contact information and, again, her Alabama address.

200. On April 8, 2026, Butler County Sheriff's Office responded that they had no reports on Ford, and Plaintiff responded, clarifying that the request was for any records related to the May 10, 2024 chase – not just reports on Ford - and asked for employee names; Butler County Sheriff's Office has not responded.

201. Butler County has not responded to the Open Records Request.

202. Despite monitoring the criminal proceedings, reviewing media coverage, hiring multiple investigators, sending Open Records Requests, and repeatedly reaching out to journalists, Ford's criminal defense counsel, the prosecutor's office, and Greenville City's attorney, Plaintiff has not been able to successfully obtain the names or additional information about Unidentified Police Officers.

203. The names and information about the Unidentified Police Officers are within the knowledge and records of Political Subdivision Defendants, and the Unidentified Police Officers described herein will be revealed in discovery.

COUNT I

42 U.S.C. 1983 – 14th Amendment Substantive Due Process Violation Plaintiff Against Police Officer Defendants

204. Paragraphs 1 through 203 are incorporated by reference as if fully set forth herein.

205. Count I is alleged by Plaintiff against Police Officer Defendants

206. Defendants Hunt, Gagliardi, Lovvorn, Powell, Jordan, Greenville Police Officers 1-5, Danny Bond, and Butler County Sheriff's Deputies 1-5 initiated or approved an improper vehicle pursuit of Ford based only on information that he may have stolen under \$600 of goods.

207. Defendants Hunt, Gagliardi, Lovvorn, Powell, Jordan, Greenville Police Officers 1-5, Danny Bond, and Butler County Sheriff's Deputies 1-5 improperly continued, or approved

the continuation, of this pursuit over approximately 42 miles, including in residential areas and/or deployed a PIT maneuver.

208. Defendants Hunt, Gagliardi, Lovvorn, Powell, Jordan, Greenville Police Officers 1-5, Danny Bond and Butler County Sheriff's Deputies 1-5 should have terminated the pursuit before the collision with Mr. Seales—based on the unreasonable risk of injury to bystanders and other motorists.

209. Defendants Albert, Hall, Montgomery City Police Officers 1-5, Derrick Cunningham, Montgomery County Sheriff's Deputies 1-5, Jenkins, Swanigan, and ALEA Troopers 1-5 improperly joined and improperly continued this pursuit over approximately 42 miles, including in residential areas and/or deployed a PIT maneuver.

210. Defendants Albert, Hall, Montgomery City Police Officers 1-5, Derrick Cunningham, Montgomery County Sheriff's Deputies 1-5, Jenkins, Swanigan, and ALEA Troopers 1-5 should have terminated the pursuit before the collision with Mr. Seales—based on the unreasonable and substantial risk of injury to bystanders and other motorists.

211. Defendants Lovvorn, Albert, Hall, Cunningham and Bond directed, ordered, approved, supervised, or should have supervised a long-distance, high-speed chase and directly approved the high-speed chase, in reckless indifference to bystanders' constitutional rights, failed to terminate the pursuit, or knew the violation of constitutional rights was likely to occur and failed to act.

212. Defendants Lovvorn, Albert, Hall, Cunningham and Bond directed, ordered, approved, supervised, or should have supervised the use of deadly force in the chase or knew a constitutional violation was likely to occur and failed to act.

213. Defendants Lovvorn, Albert, Hall, Cunningham and Bond had a custom or policy of allowing unjustified, high-speed, or long-distance chases to occur, resulting in deliberate indifference to constitutional rights.

214. Defendants Lovvorn, Albert, Hall, Cunningham and Bond had a custom or policy of allowing the use of deadly force in police chases, resulting in deliberate indifference to constitutional rights.

215. Defendants Lovvorn, Albert, Hall, Cunningham Bond, Greenville Police Officers 3-5, Montgomery City Officers 3-5, Butler County Sheriff's Deputies 3-5, and Montgomery County Sheriff's Deputies 3-5 failed to train, supervise, or discipline their supervisees on the factors justifying, and dangers of, high-speed, long-distance chases, despite knowing of their prevalence and risks and supervisees' lack of training in that topic.

216. Defendants Lovvorn, Albert, Hall, Cunningham and Bond's failure to train, supervise, or discipline their supervisees on the factors justifying, and dangers of, high-speed, long-distance chases amounted to deliberate indifference to the rights of persons with whom the officers came into contact.

217. Defendants Lovvorn, Albert, Hall, Cunningham Bond, Greenville Police Officers 3-5, Montgomery City Officers 3-5, Butler County Sheriff's Deputies 3-5, and Montgomery County Sheriff's Deputies 3-5 failed to train, supervise, or discipline their supervisees on the appropriate use of deadly force in police chases, despite knowing of their prevalence and risks and supervisees' lack of training in that topic.

218. Defendants Lovvorn, Albert, Hall, Cunningham Bond, Greenville Police Officers 3-5, Montgomery City Officers 3-5, Butler County Sheriff's Deputies 3-5, and Montgomery County Sheriff's Deputies 3-5 failure to train, supervise, or discipline their supervisees on the

appropriate use of deadly force amounted to deliberate indifference to the rights of persons with whom the officers came into contact.

219. At all relevant times, Mr. Seales was a member of a discrete class of persons that would be subjected to the potential harms resulting from Police Officer Defendant's conduct, namely, motorists in the path of this chase.

220. Police Officer Defendants knew or should have known that by conducting, continuing, failing to terminate the improper and unsafe chase, failing to intervene to terminate this improper pursuit, and/or using a PIT maneuver, the pursuit was certain to cause physical and mental injury to others, including bystanders and motorists such as Mr. Seales.

221. Police Officer Defendants knew or should have known that by conducting, continuing, failing to terminate the improper and unsafe chase, and/or using a PIT maneuver, there was a substantial and high likelihood of violation of nearby motorists' constitutional rights, including their right to life and/or liberty.

222. Police Officer Defendants thus intentionally disregarded the risk of these injuries and the constitutional rights of those they came in contact with by prioritizing the effort to apprehend Ford despite his only suspected crime being non-violent theft of a pressure washer and two jump-starters.

223. Mr. Ford's alleged crimes did not constitute an emergency necessitating a pursuit – particularly as available video footage showed he had not taken the items from the store.

224. At all relevant times, Police Officer Defendants had ample time to deliberate before deciding whether or how to pursue Mr. Ford.

225. At all relevant times, Police Officer Defendants had ample time during the chase to consider whether to terminate the pursuit as it escalated in speed and danger.

226. Defendants Jenkins, Swanigan, and ALEA Troopers 1-5 acted unreasonably, willfully, maliciously, fraudulently, in bad faith, under a mistaken interpretation of the law, and/or beyond their authority through their participation in the chase, PIT maneuver, or use of deadly force.

227. Police Officer Defendants' conduct, including initiating and continuing a police pursuit over a suspected non-violent theft, and failure to terminate the 42-mile pursuit, through residential areas, when it became unreasonably dangerous, was arbitrary, or conscience-shocking, in a constitutional sense.

228. Police Officer Defendants had no reason to believe Ford was violent or had committed a violent crime; Police Officer Defendants had ample time to obtain the license plate and description information of Ford's vehicle; because they had alternative ways of verifying his identity and arresting him later, there was no justification for an extended police pursuit through residential areas.

229. Police Officer Defendants' conduct in initiating, continuing, failing to terminate the pursuit, and/or using a PIT maneuver was so deliberately and/or recklessly indifferent to life that it amounted to an intent to harm other motorists, such as Antonio Seales, and deprived Antonio Seales and Plaintiff of their clearly established Constitutional Rights.

230. Police Officer Defendants' conduct in initiating, continuing, failing to terminate the pursuit and/or using a PIT maneuver demonstrated a conscious disregard for a great risk of serious harm to the motoring public, such as Antonio Seales, and deprived Antonio Seales and Plaintiff of Constitutional Rights.

231. Police Officer Defendants acted outside of their discretionary authority in initiating, continuing, failing to terminate the chase, and using deadly force.

232. Police Officer Defendants' conduct constitutes a state-created danger, in violation of the Constitution and 8th Amendment, and was so egregious, and deliberately or recklessly indifferent to life, that it rises to a level that shocks the conscience.

233. As a result of the above actions, the Police Officer Defendants deprived Antonio Seales and Plaintiff of life and/or liberty and violated his clearly established Fourteenth Amendment right to substantive due process under the United States Constitution.

COUNT II

42 U.S.C. 1983 - 4th Amendment Excessive Force Plaintiff Against Police Officer Defendants

234. Paragraphs 1 through 203 are incorporated by reference as if fully set forth herein.

235. Count II is alleged by Plaintiff against Police Officer Defendants.

236. Police Officer Defendants in pursuit of Ford, or supervising the pursuit, at the time of the collision with Mr. Seales, used excessive force in violation of the Fourth Amendment by intentionally striking Ford's vehicle.

237. This intentional strike was performed on a residential street, near other motorists, and caused damage to nearby properties.

238. The intentional strike caused Ford to lose control of his car and strike Mr. Seales' car, resulting in Mr. Seales' seizure.

239. Police Officer Defendants knew or should have known that intentionally striking Ford's car with their vehicles would cause, or had a substantial likelihood of causing, physical and mental injury to others, including bystanders and motorists such as Mr. Seales.

240. Police Officer Defendants knew or should have known that intentionally striking Ford's car, and the substantial and high likelihood of injury to nearby motorists, including Mr. Seales, was a violation of nearby motorists' constitutional rights.

241. This intentional strike of Ford's vehicle was an objectively unreasonable decision by the Police Officer Defendants that amounted to unconstitutional and unreasonable force under the circumstances, which in turn resulted in unreasonable injury to Mr. Seales and Plaintiff.

242. Defendants Lovvorn, Albert, Hall, Cunningham, and Bond directed, ordered, approved, supervised, or should have supervised the use of deadly force in the chase or knew a constitutional violation was likely to occur and failed to act.

243. Defendants Lovvorn, Albert, Hall, Cunningham and Bond had a custom or policy of allowing the use of deadly force in police chases, resulting in deliberate indifference to constitutional rights.

244. Defendants Lovvorn, Albert, Hall, Cunningham Bond, Greenville Police Officers 3-5, Montgomery City Officers 3-5, Butler County Sheriff's Deputies 3-5, and Montgomery County Sheriff's Deputies 3-5 failed to train, supervise, or discipline their supervisees on the appropriate use of deadly force in police chases, despite knowing of their prevalence and risks and supervisees' lack of training in that topic.

245. Defendants Lovvorn, Albert, Hall, Cunningham Bond, Greenville Police Officers 3-5, Montgomery City Officers 3-5, Butler County Sheriff's Deputies 3-5, and Montgomery County Sheriff's Deputies 3-5 failure to train, supervise, or discipline their supervisees on the appropriate use of deadly force amounted to deliberate indifference to the rights of persons with whom the officers came into contact.

246. Defendants Jenkins, Swanigan, and ALEA Troopers 1-5 acted unreasonably, willfully, maliciously, fraudulently, in bad faith, under a mistaken interpretation of the law, and/or beyond their authority through their participation in the chase, PIT maneuver, or use of deadly force.

247. The Police Officer Defendants' conduct in approving, participating in, executing, or supervising the intentional strike of Ford's vehicle was so egregious and deliberately or recklessly indifferent to life that it rises to a level that shocks the conscience.

248. This intentional strike of Ford's vehicle was an objectively unreasonable decision by the Police Officer Defendants that amounted to unreasonable force under the circumstances, and unreasonable force against Mr. Seales as a bystander, which in turn resulted in unreasonable injury to Mr. Seales.

249. Police Officer Defendants acted outside of their discretionary authority in initiating, continuing, or approving the use of deadly force.

250. As a result of the excessive force by Police Officer Defendants in intentionally striking Ford's vehicle with a police vehicle, there was a violation of Mr. Seales' clearly established constitutional rights.

251. As a result of the Police Officer Defendants intentionally striking Ford's car, Mr. Seales suffered injury and death.

COUNT III

42 U.S.C. 1983 – *Monell* Liability Plaintiff Against Political Subdivision Defendants

252. Paragraphs 1 through 203 are incorporated by reference as if fully set forth herein.

253. Count III is alleged by Plaintiff against Political Subdivision Defendants.

254. The violation of Antonio Seales' constitutional rights was caused by (1) Political Subdivision Defendants' policies, customs, and/or deliberate choice not to and/or failure to take action in training and supervising their police officers, (2) their deliberate choice not to create or enforce policies, procedures, guidelines or expectations regarding conducting safe police chases, or, alternatively (3), to the extent they had policies, procedures, guidelines, or expectations

regarding safe police chases, their deliberate choice and/or failure not to ensure those policies, procedures, guidelines, or expectations were adequate and sufficient to prevent dangerous police chases.

255. Given prior incidences of bystander or motorist injury or death following police pursuits, Political Subdivision Defendants were on notice and knew of a need to train and/or supervise its police officers, including Police Officer Defendants, on when police pursuits should be initiated, when they should be terminated, and what factors make a police pursuit unreasonable, improper, or unsafe, particularly as it regards bystanders and motorists.

256. Political Subdivision Defendants knew or were on notice that they needed to take action to ensure that their police officers, including Police Officer Defendants, were adequately trained and supervised on the risks and dangers of police pursuits and the use of deadly force.

257. Instead, Political Subdivision Defendants and their final policymakers deliberately choose not to take action to adequately supervise or train their police officers, including Police Officer Defendants.

258. The Political Subdivision Defendants, and their final policymakers, had the authority and responsibility over the Police Officer Defendants, and the authority and responsibility to prevent violations of constitutional rights.

259. The Political Subdivision Defendants thus had a custom or practice of permitting their employees, agents, and officers to violate constitutional rights, including those of Antonio Seales and Plaintiff.

260. Police Officer Defendants acted under one or more interrelated *de facto* policies, practices, and/or customs of the Political Subdivision Defendants to violate Plaintiffs' rights as set forth herein.

261. In the alternative, Police Officer Defendants acted outside of their discretionary authority in initiating, continuing, and failing to terminate the chase.

262. Before May 10, 2024, it was a deliberate *de facto* or actual policy, practice, and/or custom of the Political Subdivision Defendants, through their respective police departments, Sheriff's departments, chiefs of police, mayors, and councils, to inadequately supervise and train their police officers, including Police Officer Defendants, concerning proper, safe, and reasonable vehicle pursuit policies and practices, or the use of deadly force.

263. By failing to adequately supervise and train police officers, including Police Officer Defendants, Political Subdivision Defendants failed to adequately discourage constitutional violations by their police officers, including Police Officer Defendants.

264. Upon information and belief, the Political Subdivision Defendants did not require appropriate in-service training or re-training of police officers who were known to engage in improper, unreasonable, unsafe, unnecessary, intentional, willful, reckless, and/or negligent vehicle pursuits or use of deadly force.

265. It was the deliberate *de facto* or actual policy, practice, and/or custom of the Political Subdivision Defendants, through their respective police departments, Sheriff's departments, chiefs of police, mayors, and councils, to inadequately supervise and train their police officers, including Police Officer Defendants, to intervene and/or report constitutional violations and misconduct committed by their fellow police officers.

266. The Political Subdivision Defendants, acting through their respective police departments, Sheriff's departments, chiefs of police, mayors, and councils, have adopted and continue to maintain a recognized and accepted policy, custom, and/or practice of systematically engaging in dangerous, improper, unreasonable, and unsafe vehicle pursuits, without regard to

accepted or reasonable vehicle pursuit policies and guidelines, which conduct has resulted in subjecting other persons, including innocent bystanders like Antonio Seales, to unjustifiable, substantial risks of property damage, personal injury, and death.

267. The Political Subdivision Defendants thus had a custom, policy, or practice constituting deliberate indifference to the constitutional rights of persons with whom the police come into contact, including bystanders and motorists, such as Mr. Seales, and Plaintiff.

268. The Political Subdivision Defendants, acting through their respective police departments, Sheriff's departments, chiefs of police, mayors, and councils, were fully aware of the dangers posed by vehicle pursuits, particularly to other motorist and bystanders, and the resultant need for proper training and supervision of their police officers, but were deliberately indifferent to those risks and bystanders' constitutional rights by failing to properly train and supervise their police officers regarding those risks.

269. The Political Subdivision Defendants, acting through their respective police departments, Sheriff's departments, chiefs of police, mayors, and councils, were fully aware of the obvious dangers posed by officers causing a collision between their police vehicle and a suspect vehicle to conclude a police pursuit, particularly to other motorist and bystanders, and the resultant need for proper training and supervision of their police officers, but were deliberately indifferent to those risks and bystanders' constitutional rights by failing to properly train and supervise their police officers regarding the improper use of intentionally causing a collision between a police vehicle and a suspect vehicle.

270. As a result of the above-described practices, policies, and/or customs, that resulted in negligent supervision and training, the Political Subdivision Defendants' respective police officers, including Police Officer Defendants, believed that their actions would not be properly

monitored by supervisory police officers and/or other employees of the Political Subdivision Defendants, and that this improper conduct would not be investigated or sanctioned, but would be tolerated and condoned by the Political Subdivision Defendants.

271. Political Subdivision Defendants' failure to train and supervise their employees and agents, including Police Officer Defendants, was thus the moving force behind the constitutional violations alleged herein, including violations of the 4th, 8th, and 14th amendments.

272. Political Subdivision Defendants knew or should have known of obvious dangers posed by police pursuits and use of deadly force during those pursuits, and the resultant need for proper policies, procedures, guidelines or expectations ensuring their employees and agents did not engage in unsafe police pursuits, but were deliberately indifferent to the substantial risks to bystanders' constitutional rights by failing to create or implement policies, procedures, guidelines or expectations regarding or ensuring safe police chases.

273. In the alternative, Political Subdivision Defendants did have policies, procedures, guidelines, or expectations regarding safe police chases and use of deadly force during them, but knew or should have known they were woefully inadequate and posed the risk of constitutional violations for bystanders or other motorists, such as Mr. Seales and Plaintiff.

274. As a result of the above actions, the Political Subdivision Defendants caused Antonio Seales to be deprived of life and/or liberty, and have therefore violated Mr. Seales and Plaintiffs' Fourteenth Amendment right under the United States Constitution to substantive due process of law.

COUNT IV

Alabama State Law – Negligence/Wrongful Death(Vicarious /Respondeat Superior Liability)

Plaintiff against Political Subdivision Defendants

275. Paragraphs 1 through 203 are incorporated by reference as if fully set forth herein.

276. Count IV is alleged by Plaintiff against Political Subdivision Defendants.

277. Police Officer Defendants were the agents, servants, workmen, and employees of their respective Political Subdivision Defendant, and at all relevant times were within the scope of their employment and engaged in the service and the performance of their duties as police officers employed by or as agents of their respective Political Subdivision Defendant.

278. Political Subdivision Defendants are vicariously liable for the negligent actions or inactions of Defendants Cole Wyatt, Jared Hunt, Christopher Gagliardi, Tom Powell, Carlton Jordan, Justin Lovvorn, Greenville Police Officers 1-5, Darryl Albert, John Hall, Montgomery City Police Officers 1-5, Montgomery County Sheriff's Deputies 1-5, and Butler County Sheriff's Deputies 1-5.

279. Police Officer Defendants owed Antonio Seales and Plaintiff a duty to operate their vehicles in a safe and reasonable manner while driving upon Alabama public highways and roads.

280. Police Officer Defendants owed Antonio Seales and Plaintiff a duty not to engage in improper, unreasonable, unsafe, unnecessary, intentional, willful, reckless, and/or negligent vehicle pursuits.

281. Police Officer Defendants owed Antonio Seales and Plaintiff a duty not to engage in improper, unreasonable, unsafe, unnecessary, intentional, willful, reckless, and/or negligent vehicle maneuvers, including PIT maneuvers or use of a vehicle to stop a moving vehicle.

282. Police Officer Defendants consciously and intentionally breached those duties by:

- a. Engaging Ford in a police chase prematurely, without ensuring there was justification for the chase;
- b. Approving, directing, allowing, or engaging in the chase that extended for 42 miles, above posted speed limits;
- c. Operating their vehicles in an unsafe and unreasonable manner in pursuit of Ford on May 10, 2024;
- d. Operating their vehicles in an unsafe and unreasonable manner with deliberate indifference to the safety of other motorists and bystanders in pursuit of Ford on May 10, 2024;
- e. Engaging in an improper, unreasonable, unsafe, unnecessary, intentional, willful, reckless, and/or negligent vehicle pursuits of Ford on May 10, 2024;
- f. Engaging Ford in an extended pursuit over many miles through residential areas on May 10, 2024;
- g. Failing to terminate the chase;
- h. Using deadly force;
- i. Approving, directing, allowing, or engaging in PIT or other unsafe police vehicle maneuvers in their pursuit of Ford on May 10, 2024; and
- j. Striking, or encouraging the strike, of Ford's vehicle with a police vehicle.

283. Police Officer Defendants knew, should have known, that their actions would likely or probably result in injury or death to bystanders or motorists, such as Mr. Seales.

284. The negligent conduct of Police Officer Defendants was the proximate and direct cause of the death of Antonio Seales and the injuries and damages to Mr. Seales and Plaintiff.

COUNT V

**Alabama State Law – Negligence/Wrongful Death (Direct Liability)
Plaintiff against Police Officer Defendants**

285. Paragraphs 1 through 203 are incorporated by reference as if fully set forth herein.

286. Count V is alleged by Plaintiff against Policer Officer Defendants.

287. Policer Officer Defendants owed Antonio Seales and Plaintiff a duty to operate their vehicles in a safe and reasonable manner while driving upon Alabama public highways and roads.

288. Policer Officer Defendants owed Antonio Seales and Plaintiff a duty not to approve, direct, allow, or engage in improper, unreasonable, unsafe, unnecessary, intentional, willful, reckless, and/or negligent vehicle pursuits.

289. Policer Officer Defendants owed Antonio Seales and Plaintiff a duty not to approve, direct, allow, or engage in improper, unreasonable, unsafe, unnecessary, intentional, willful, reckless, and/or negligent vehicle maneuvers, including PIT maneuvers or use of a police vehicle to stop a moving vehicle.

290. Policer Officer Defendants breached those duties by:

- a. Engaging Ford in a police chase prematurely, without ensuring there was justification for the chase;
- b. Approving, directing, allowing, or engaging in the chase that extended for 42 miles, above posted speed limits;
- c. Operating their vehicles in an unsafe and unreasonable manner in pursuit of Ford on May 10, 2024;
- d. Operating their vehicles in an unsafe and unreasonable manner with deliberate indifference to the safety of other motorists and bystanders in pursuit of Ford on May 10, 2024;

- e. Engaging in an improper, unreasonable, unsafe, unnecessary, intentional, willful, reckless, and/or negligent vehicle pursuits of Ford on May 10, 2024;
- f. Engaging Ford in an extended pursuit over many miles through residential areas on May 10, 2024;
- g. Failing to terminate the chase;
- h. Using deadly force;
- i. Approving, directing, allowing, or engaging in PIT or other unsafe police vehicle maneuvers in their pursuit of Ford on May 10, 2024; and
- j. Striking, or encouraging the strike, of Ford's vehicle with a police vehicle.

291. Defendants knew, should have known, or acted without reasonable care, and with deliberate indifference, that their actions would likely result in injury or death to bystanders or motorists, such as Mr. Seales.

292. Defendants Lovvorn, Albert, Hall, Cunningham Bond, Greenville Police Officers 3-5, Montgomery City Officers 3-5, Butler County Sheriff's Deputies 3-5, and Montgomery County Sheriff's Deputies 3-5 had a duty to enact, enforce, and discipline supervisees regarding policies, expectations, customs, expectations, or guidelines regarding unsafe police chases and the use of deadly force.

293. Defendants Lovvorn, Albert, Hall, Cunningham Bond, Greenville Police Officers 3-5, Montgomery City Officers 3-5, Butler County Sheriff's Deputies 3-5, and Montgomery County Sheriff's Deputies 3-5 breached this duty by negligently failing to enact, enforce, and discipline supervisees regarding policies, expectations, customs, expectations, or guidelines regarding unsafe police chases and the use of deadly force.

294. Defendants Jenkins, Swanigan, and ALEA Troopers 1-5 acted unreasonably, willfully, maliciously, fraudulently, in bad faith, under a mistaken interpretation of the law, and/or beyond their authority by continuing an unreasonable police pursuit through residential areas in violation of detailed rules and regulations.

295. Defendants Jenkins, Swanigan, and ALEA Troopers 1-5 acted unreasonably, willfully, maliciously, fraudulently, in bad faith, under a mistaken interpretation of the law, and/or beyond their authority by encouraging or engaging in use of a police vehicle strike with the suspect vehicle in order to stop the suspect vehicle in violation of detailed rules and regulations.

296. Police Officer Defendants' breach of their duties is the direct and proximate cause of the death of Antonio Seales and the injuries and damages of Mr. Seales and Plaintiff.

COUNT VI

Alabama State Law – Wantonness/ Wrongful Death (Direct Liability) Plaintiff against Police Officer Defendants

297. Paragraphs 1 through 203 are incorporated by reference as if fully set forth herein.

298. Count VI is alleged by Plaintiff against Police Officer Defendants.

299. Police Officer Defendants owed Antonio Seales and Plaintiff a duty to operate their vehicles in a safe and reasonable manner while driving upon Alabama public highways and roads.

300. Police Officer Defendants owed Antonio Seales and Plaintiff a duty not to engage in improper, unreasonable, unsafe, unnecessary, intentional, willful, reckless, and/or negligent vehicle pursuits.

301. Police Officer Defendants owed Antonio Seales and Plaintiff a duty not to engage in improper, unreasonable, unsafe, unnecessary, intentional, willful, reckless, and/or negligent vehicle maneuvers, including PIT maneuvers or use of a vehicle to stop a moving vehicle.

302. Police Officer Defendants consciously and intentionally breached those duties by:

- a. Engaging Ford in a police chase prematurely, without ensuring there was justification for the chase;
- b. Approving, directing, allowing, or engaging in the chase that extended for 42 miles, above posted speed limits;
- c. Operating their vehicles in an unsafe and unreasonable manner in pursuit of Ford on May 10, 2024;
- d. Operating their vehicles in an unsafe and unreasonable manner with deliberate indifference to the safety of other motorists and bystanders in pursuit of Ford on May 10, 2024;
- e. Engaging in an improper, unreasonable, unsafe, unnecessary, intentional, willful, reckless, and/or negligent vehicle pursuits of Ford on May 10, 2024;
- f. Engaging Ford in an extended pursuit over many miles through residential areas on May 10, 2024;
- g. Failing to terminate the chase;
- h. Using deadly force;
- i. Approving, directing, allowing, or engaging in PIT or other unsafe police vehicle maneuvers in their pursuit of Ford on May 10, 2024; and
- j. Deliberately striking, or encouraging the strike, of Ford's vehicle with a police vehicle.

303. Police Officer Defendants knew, should have known, or acted with reckless or deliberate indifference, that their actions would likely or probably result in injury or death to bystanders or motorists, such as Mr. Seales.

304. Defendants Jenkins, Swanigan, and ALEA Troopers 1-5 acted unreasonably, willfully, maliciously, fraudulently, in bad faith, under a mistaken interpretation of the law, and/or beyond their official authority by continuing an unreasonable police pursuit through residential areas in violation of detailed rules and regulations.

305. Defendants Jenkins, Swanigan, and ALEA Troopers 1-5 acted unreasonably, willfully, maliciously, fraudulently, in bad faith, under a mistaken interpretation of the law, and/or beyond their official authority by encouraging or engaging in use of a police vehicle strike with the suspect vehicle in order to stop the suspect vehicle in violation of detailed rules and regulations.

306. Police Officer Defendants' wanton conduct was the direct and proximate cause of the death of Antonio Seales and the injuries and damages of Mr. Seales and Plaintiff.

COUNT VII

Alabama State Law – Negligent Supervision and Training/Wrongful Death Plaintiff against Political Subdivision Defendants

307. Paragraphs 1 through 203 are incorporated by reference as if fully set forth herein.

308. Count VII is alleged by Plaintiff against Political Subdivision Defendants.

309. Political Subdivision Defendants knew or should have known that its police officers required supervision and training regarding or concerning proper, safe, and reasonable vehicle pursuit policies and practices.

310. Political Subdivision Defendants knew or should have known that its police officers required supervision and training regarding or concerning the use of a police vehicle to strike another vehicle, including in PIT maneuvers, amounting to the use of deadly force.

311. Political Subdivision Defendants breached their duty to supervise and train their employees, agents, and officers by:

- a. Failing to enforce policies, training, guidelines, rules, or regulations regarding police pursuits or the use of deadly force in those pursuits;
- b. Failing to require or complete training regarding safe police pursuits or the use of deadly force in those pursuits;
- c. Failing to require or complete training regarding the risk of injury to bystanders and motorists as a result of police pursuits or the use of deadly force in those pursuits;
- d. Failing to require or complete training regarding what factors or circumstances warrant a police pursuit, or the use of deadly force in those pursuits, versus what factors or circumstances do not;
- e. Failure to require or complete training regarding the safety and appropriateness of police pursuits, or the use of deadly force in those pursuits, in residential areas;
- f. Failure to supervise employees, agents, and officers to ensure that any policies, training, guidelines, rules, or regulations regarding police pursuits, or the use of deadly force in those pursuits, were followed;
- g. Failure to supervise employees, agents, and officers to ensure that any violations of policies, training, guidelines, rules, or regulations regarding police pursuits, or the use of deadly force in those pursuits, were appropriately reported;
- h. Failure to require appropriate in-service training or re-training of police officers who were known to engage in improper, unreasonable, unsafe, unnecessary, intentional, willful, reckless, and/or negligent vehicle pursuits or the use of deadly force; and

- i. Failure to discipline employees, agents, or officers whom they knew or should have known had violated any policies, training, guidelines, rules, or regulations regarding police pursuits, or the use of deadly force in those pursuits.

312. Political Subdivision Defendants' negligent failure to supervise or train its employees, agents, and officers resulted in the employee, agent, and officer incompetency and tortious conduct during the unreasonable, unsafe, and improper police pursuit of Ford on May 10, 2024, including its agents and employees conduct in:

- a. Engaging Ford in a police chase prematurely, without ensuring there was justification for the chase;
- b. Approving, directing, allowing, or engaging in the chase that extended for 42 miles, above posted speed limits;
- c. Operating their vehicles in an unsafe and unreasonable manner in pursuit of Ford on May 10, 2024;
- d. Operating their vehicles in an unsafe and unreasonable manner with deliberate indifference to the safety of other motorists and bystanders in pursuit of Ford on May 10, 2024;
- e. Engaging in an improper, unreasonable, unsafe, unnecessary, intentional, willful, reckless, and/or negligent vehicle pursuits of Ford on May 10, 2024;
- f. Engaging Ford in an extended pursuit over many miles through residential areas on May 10, 2024;
- g. Failing to terminate the chase;
- h. Using deadly force;

- i. Approving, directing, allowing, or engaging in PIT or other unsafe police vehicle maneuvers in their pursuit of Ford on May 10, 2024; and
 - j. Striking, or encouraging the strike, of Ford's vehicle with a police vehicle.
313. Political Subdivision Defendants' failure to supervise or train its employees and agents was a direct and proximate cause of Mr. Seales death, and Plaintiff's injuries and damages.

COUNT VIII
Alabama State Law – Negligence / Wrongful Death
Plaintiff against Political Subdivision Defendants

314. Paragraphs 1 through 203 are incorporated by reference as if fully set forth herein
315. Count VII is alleged by Plaintiff against Political Subdivision Defendants.
316. Political Subdivision Defendants knew or should have known that it needed to adopt, implement, and enforce adequate policies, guidelines, expectations, or customs regarding police pursuits.
317. Political Subdivision Defendants breached their duty by adopting inadequate policies, guidelines, expectations, or customs or, in the alternative, either (1) failing to have any policies, guidelines, expectations, or customs regarding police pursuits or (2) failing to enforce policies, guidelines, expectations, or customs for safe police chases.

318. Political Subdivision Defendants breached their duty by:
- a. Failing to create or enforce adequate policies, guidelines, expectations, or customs requiring police to operate their vehicles in an unsafe and unreasonable manner in pursuit of Ford on May 10, 2024;
 - b. Failing to create or enforce adequate policies, guidelines, expectations, or customs regarding when a police pursuit should be initiated;

- c. Failing to create or enforce adequate policies, guidelines, expectations, or customs regarding when a police pursuit should be joined;
- d. Failing to create or enforce adequate policies, guidelines, expectations, or customs regarding when a police pursuit should be continued;
- e. Failing to create or enforce adequate policies, guidelines, expectations, or customs regarding when a police pursuit should be terminated;
- f. Failing to create or enforce adequate policies, guidelines, expectations, or customs regarding adequate supervision and approval of police chases and use of deadly force;
- g. Failing to create or enforce adequate policies, guidelines, expectations, or customs regarding the avoidance of risk and injury to bystanders and other motorists;
- h. Failing to create or enforce adequate policies, guidelines, expectations, or customs regarding police chases, , or the use of deadly force in those pursuits, in residential areas;
- i. Failing to create or enforce adequate policies, guidelines, expectations, or customs regarding the use of a police vehicle to strike another vehicle; and
- j. Otherwise failing to create or enforce adequate policies, guidelines, expectations, or customs that would have prevented Mr. Seales' injury and death.

319. Political Subdivision Defendants' negligent failure to adopt and enforce adequate policies resulted in the employee, agent, and officer incompetency and tortious conduct during the unreasonable, unsafe, and improper police pursuit of Ford on May 10, 2024, including its agents and employees conduct in:

- a. Engaging Ford in a police chase prematurely, without ensuring there was justification for the chase;
 - b. Approving, directing, allowing, or engaging in the chase that extended for 42 miles, above posted speed limits;
 - c. Operating their vehicles in an unsafe and unreasonable manner in pursuit of Ford on May 10, 2024;
 - d. Operating their vehicles in an unsafe and unreasonable manner with deliberate indifference to the safety of other motorists and bystanders in pursuit of Ford on May 10, 2024;
 - e. Engaging in an improper, unreasonable, unsafe, unnecessary, intentional, willful, reckless, and/or negligent vehicle pursuits of Ford on May 10, 2024;
 - f. Engaging Ford in an extended pursuit over many miles through residential areas on May 10, 2024;
 - g. Failing to terminate the chase;
 - h. Using deadly force;
 - i. Approving, directing, allowing, or engaging in PIT or other unsafe police vehicle maneuvers in their pursuit of Ford on May 10, 2024; and
 - j. Striking, or encouraging the strike, of Ford's vehicle with a police vehicle.
320. Political Subdivision Defendants' failure to adopt and enforce adequate policies was a direct and proximate cause of Mr. Seales death, and Plaintiff's injuries and damages.

COUNT IV

**Alabama State Law – Fraudulent Concealment/Suppression
Plaintiff against Political Subdivision Defendants**

321. Paragraphs 1 through 203 are incorporated by reference as if fully set forth herein.

322. Plaintiff brings this claim against Political Subdivision Defendants as a result of their fraudulent concealment and suppression of information relating to the circumstances of the police pursuit on May 10, 2024 and the events leading to the death of Antonio Seales.

323. As described herein, Plaintiff has made significant efforts to obtain information, including public records, regarding the police pursuit and related events of May 10, 2024.

324. Defendants have a duty to disclose the material facts regarding the events of May 10, 2024, at the very least when that information was originally requested from the cities of Greenville and Montgomery in October of 2024. *See* Exhibit B.

325. Despite the recent amendments to the Public Records Act of Alabama, Plaintiff has still only received limited information regarding the police pursuit on May 10, 2024.

326. Political Subdivision Defendants have actual knowledge of the facts regarding the police pursuit and related events of May 10, 2024 – at the very least, they have the identities and records of their employee, agents, and officers involved in the pursuit.

327. The actual knowledge of Political Subdivision Defendants is largely not public information.

328. Political Subdivision Defendants' concealment and suppression of this information induced and caused a delay in Plaintiff's ability to file, pursue, and prosecute this lawsuit.

329. As a result of this concealment and suppression, Plaintiff has suffered damages by in having to prolong her ability to seek relief and in the loss of information and witness memory that has undoubtedly occurred during that delay.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Antonia Seales, individually and as personal representative and administrator of the Estate of Antonio Seales, deceased, respectfully requests that the Court enter

judgment in her favor and against Defendants on all counts of the complaint, and award relief as follows:

- A. Compensatory damages against the Defendants, jointly and severally, in an amount to be determined at trial;
- B. Punitive damages against Defendants for their conduct in an amount to be determined at trial, in order that such award will deter similar prohibited behavior by defendants and other law enforcement officers in the future;
- C. Pre-judgment and post-judgment interest and recovery of Plaintiffs' costs, including reasonable attorneys' fees pursuant to 42 U.S.C. §1988 and 42 U.S.C. §1920, against Defendants, jointly and severally;
- D. All damages recoverable pursuant to Alabama Code §6-5-410, and
- E. Any and all other relief to which Plaintiffs may be entitled.

Respectfully submitted this 7th day of May, 2026.

/s/ Henry F. (Hank) Sherrod III
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the Estate of Antonio Lamar Seales, deceased*