

IN THE CIRCUIT COURT OF HOT SPRING COUNTY, ARKANSAS

ROBERT CAMPBELL

PLAINTIFF

V. CASE NO. _____

**SCOTT FINKBEINER, INDIVIDUALLY
AND IN HIS OFFICIAL CAPACITY AS
HOT SPRING COUNTY SHERIFF**

DEFENDANT

COMPLAINT

Comes the Plaintiff, **ROBERT CAMPBELL**, by and through counsel, **SUTTER & GILLHAM, P.L.L.C.**; and, for this Complaint, he states:

PARTIES & JURISDICTION

1. Plaintiff is a resident and citizen of the State of Arkansas, who worked for Defendant, Scott Finkbeiner, the dually appointed, acting, and elected Sheriff of Hot Spring County, Arkansas. Defendant, Sheriff Finkbeiner, is sued in his Individual and Official Capacity.
2. This is an action to redress deprivations of the Plaintiff's State and Constitutional rights, as allowed by the Arkansas Civil Rights Act of 1993, and for defamation.
3. Accordingly, this Court has personal jurisdiction over the parties, as well as subject matter jurisdiction.
4. Since the acts giving rise to this action occurred in this County, venue is proper.

GENERAL ALLEGATIONS OF FACTS

5. Plaintiff was employed as a jailer with the Hot Spring County Sheriff's Office.
6. At all times relevant, Plaintiff performed his job satisfactorily.

7. At all times relevant, Plaintiff followed the orders given to him by the Sheriff.

8. The Sheriff ordered Plaintiff to transport an inmate outside of Hot Spring County, because the Sheriff did not want to provide appropriate medical services to the inmate.

9. Plaintiff hesitated, but he followed the orders of his chain of command, as he was instructed to do so.

10. When he transported the inmate outside of the county, the inmate became aggressive, and Plaintiff used reasonable force to defend himself and others.

11. Nonetheless, the inmate falsely accused the Plaintiff of excessive force, which resulted in the Plaintiff being charged with a crime.

12. Defendant, Sheriff Finkbeiner, then terminated the Plaintiff for committing a crime.

13. The Plaintiff committed no crime.

14. The instance was publicized in the news, such that Plaintiff has been stigmatized and defamed.

15. Plaintiff has made a demand for name clearing hearing.

COUNT 1

16. Plaintiff realleges the foregoing as if more fully set out herein.

17. Defendant, Sheriff Finkbeiner, accused Plaintiff of committing a crime he did not commit.

18. Accordingly, Plaintiff has been defamed.

19. Plaintiff followed Defendant Finkbeiner's orders, even though he was hesitant to do so.

20. Nonetheless, Defendant then scapegoated the Plaintiff and falsely accused him of a crime.

21. As a direct and proximate cause of Defendant's actions and admissions alleged herein, Plaintiff has lost reputation, lost wages, and suffered severe mental and emotional distress.

22. Indeed, even though the charges have been dismissed, Plaintiff continues to be unable to work in his chosen career, law enforcement.

23. In spite of demand, Defendant, Sheriff Finkbeiner, refuses to retract his statements. Accordingly, Defendant should be held liable for punitive damages.

COUNT II

24. Plaintiff realleges the foregoing as if more fully set out herein.

25. There was no policy in force and affect at the Hot Spring County Sheriff's office governing Plaintiff's informant.

26. Indeed, Defendant has assured Plaintiff and his other employees they would not be terminated so long as they followed the chain of command.

27. Accordingly, Plaintiff had a vested property right in his employment as well as a liberty interest in his reputation.

28. As a direct and proximate cause of Defendant's actions and admissions alleged herein, Plaintiff has suffered severe mental and emotional distress, lost wages, and incurred other damages in an amount to be proven at trial.

29. Defendant's actions have been so egregious so as to warrant an award of punitive damages.

JURY DEMAND

30. Plaintiff requests a trial by jury.

WHEREFORE, Plaintiff, **ROBERT CAMPBELL**, prays for appropriate compensatory and punitive damages exceeding \$500,000.00; for reinstatement of front pay; for an Order requiring the Defendant to provide him with a name clearing hearing; for reasonable attorneys' fees; for costs; for a trial by jury, and for all other proper relief.

Respectfully submitted,

SUTTER & GILLHAM, P.L.L.C

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