

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

WILLIAM JENNINGS,)
)
 Plaintiff,)
)
 v.)
)
 CHIEF PAUL NEUDIGATE,)
 OFFICER SCOTT KLEPACZ,)
 JOHN DOE OFFICERS 1-50,)
)
 Defendants.)

CIVIL ACTION NO. 2:25-cv-130
JURY TRIAL DEMANDED

COMPLAINT

Plaintiff William Jennings, by counsel, submits this Complaint setting forth the factual and legal allegations supporting his demand for judgment against the Defendants, Virginia Beach Police Chief Paul Neudigate, Officer Scott Klepacz and John Doe Officers 1-50.

INTRODUCTION

1. This action arises out of the unconstitutional and otherwise unlawful search, seizure, and excessive force inflicted upon Plaintiff William “Bill” Jennings, a 79-year-old law-abiding citizen, by officers of the Virginia Beach Police Department (VBPD). Without justification, Defendants executed a militarized raid on Mr. Jennings’ home, violating rights protected by the U.S. Constitution and Virginia law.

2. What should have been a lawful search was instead a violent assault on an elderly man’s home—one that involved the reckless use of munitions, unnecessary destruction of property, and an utter disregard for Mr. Jennings’ constitutional rights and dignity.

3. The raid caused extensive property damage, injury, emotional distress, and the complete upheaval of Mr. Jennings’ life, all without any basis in evidence or legitimate law enforcement objectives.

JURISDICTION AND VENUE

4. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1343, as this case arises under the United States Constitution and federal law.

5. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b) and Local Rule 3(B)(3), as the events giving rise to the claims occurred in Virginia Beach, Virginia.

PARTIES

6. Plaintiff William “Bill” Jennings is a mild-mannered, peaceful 79-year-old resident of 1340 Penguin Circle, Virginia Beach, Virginia 23451.

7. Defendant Chief Paul Neudigate is the Chief of the Virginia Beach Police Department (“VBPD”) and is the chief policy-maker and decision-maker for the VBPD. It is

believed, but can only be confirmed through an opportunity to conduct discovery, that Chief Neudigate authorized and oversaw the actions by the VBPD described in this Complaint.

8. Officer Scott Klepacz was the lead officer on the scene in charge of the raid and either directly participating in or otherwise directing the unconstitutional actions of the VBPD officers.

9. Defendant John Doe Officers 1-50 are unknown officers of the VBPD who participated in or authorized the unconstitutional raid. Their identities will be determined through discovery.

FACTUAL ALLEGATIONS

10. On September 6, 2024, law enforcement obtained a search warrant authorizing a search of 1340 Penguin Circle for suspected drug activity, purportedly to seize drug paraphernalia, electronic devices, and documents related to alleged drug activity.

11. Upon information and belief, the “probable cause” for the warrant was based solely on an uncorroborated jailhouse conversation between third parties, neither of whom possessed any reliable information about Mr. Jennings, his property, or his activities. Law enforcement failed to conduct any meaningful investigation or corroboration before executing an aggressive and militarized raid on Mr. Jennings’ home. In fact, any such investigation would have immediately revealed that Mr. Jennings is a law-abiding citizen with no connection to any drug-related activity.

12. Mr. Jennings purchased his home in 1979 and personally rebuilt it in the early 1980s. He did not suddenly acquire the home with “drug money,” as law enforcement appears to have erroneously suspected.

13. On the morning of September 13, 2024, dozens of officers from the Virginia Beach Police Department (the “John Doe Officers”), at the direction of Chief Paul Neudigate and other

VBPD leadership, descended upon Mr. Jennings' property in an overwhelming and unjustifiable show of force. At the time, Mr. Jennings was present at the property with a guest. Neither were engaged in criminal activity of any kind.

14. Officers arrived in armored vehicles, police cruisers, and even police boats, approaching the property from both land and sea. Without warning, they launched a barrage of munitions, shattering windows and damaging property. Munitions, which officers indiscriminately fired, struck parts of the home, while officers brandished real firearms at Mr. Jennings as if he were a violent threat. Some of the damage to the exterior of the home is depicted below:



15. This reckless use of force was not limited to property destruction—it placed Mr. Jennings, his guest, and anyone else who might have been present in immediate and unjustified danger. The indiscriminate firing of weapons could have easily struck Mr. Jennings, his guest, or any bystander at any moment. Instead, it hit at least one living creature—a dog—demonstrating the officers' callous disregard for human life and safety.

16. Law enforcement disabled and destroyed Mr. Jennings' exterior security cameras before entering the home, ensuring that their actions could not be fully documented.

17. When officers stormed inside, they treated the home with utter disregard, ransacking it without any concern for what they destroyed in the process. Interior doors were pried open with crowbars, furniture was damaged, and belongings were destroyed. Among the many items unnecessarily destroyed were antique dolls belonging to Mr. Jennings' late mother, torn apart by officers searching for nonexistent drugs.

18. Mr. Jennings, who was barefoot, was ordered out of his home at gunpoint over a bullhorn. Despite offering no resistance of any kind, he was forced to walk over shattered glass from his own windows, cutting his feet in the process. Once outside, he was handcuffed and placed in the back of a police vehicle parked in a neighbor's driveway, where he was held for hours as he watched officers destroy his home and seize his personal belongings without cause.

19. Mr. Jennings' home was completely torn apart. Officers ripped through family heirlooms, private documents, and clothing, tossing them carelessly aside or outright destroying them. Law enforcement seized electronics, financial documents, ledgers, containers, and even lawfully possessed medications. Examples of the damage done by VBPD personnel are depicted below:



20. At one point, Mr. Jennings was asked to open the safe on his property. He was promised that he could watch as the officers searched the safe to ensure that his valuables and several thousand dollars in cash were not harmed or “misplaced.” However, once the safe was open, the officers hauled him out of the room and mocked him for believing that they would allow him to watch. There were no drugs, weapons, or anything illegal in the safe.

21. Despite the sheer scale of the search, law enforcement found nothing illegal. No drugs. No paraphernalia. No evidence of any criminal activity whatsoever.

22. After hours of humiliation and unconstitutional detention, officers finally released Mr. Jennings without explanation. They left his home in ruins, unable to be secured, with shattered windows and no working security cameras.

23. There were no charges filed. No apology given. No offer to repair the damage. Mr. Jennings—a respected and law-abiding member of the Virginia Beach community—was left to pick up the pieces of his life, both literally and figuratively.

24. The psychological toll of the raid was profound. Mr. Jennings’ close friend, who was present during the raid, said he had never seen Mr. Jennings cry before that day. The unwarranted and violent invasion of his home left him emotionally devastated. He no longer feels

safe in his home, is humiliated by the negative perceptions created by the assault within his neighborhood of over thirty-five years, and has drastically decreased self-confidence.

25. Beyond the physical destruction, the raid caused irreparable harm to Mr. Jennings' reputation. As a long-time resident of the prestigious Birdneck Point community and Cavalier Yacht and Country Club, the stigma of being subjected to a high-profile police raid in his own neighborhood has resulted in significant reputational damage.

26. This raid was not only an unjustifiable use of force, but an egregious case of elder abuse. Mr. Jennings, who will be 80 years old in June, was terrorized, physically harmed, and humiliated by law enforcement officers who treated him as if he were a dangerous criminal despite having no prior criminal record. He does not possess, sell or use illegal drugs of any kind.

27. The entire operation—waged against an elderly, non-criminal citizen with no history of drug involvement—was an unconstitutional abuse of power, carried out without reasonable suspicion or probable cause. It was based on nothing more than speculation and executed in a manner grossly disproportionate to any conceivable law enforcement need.

28. Thousands of taxpayer dollars were wasted on this military-style assault on an innocent man's home. The officers responsible for this unnecessary violence have yet to be held accountable.

COUNT I

False Arrest in Violation of the Fourth Amendment (42 U.S.C. § 1983)

29. The foregoing paragraphs are herein incorporated and realleged.

30. A false arrest in violation of the Fourth Amendment occurs when a law enforcement officer arrests a free citizen without a warrant or probable cause.

31. By violently apprehending Mr. Jennings, placing him in handcuffs, confining him in a squad car and informing him that he could not leave while the VBPD searched his home, the Defendants placed Mr. Jennings under arrest.

32. Officer Klepacz and the John Doe Defendants, whose identities can only be confirmed by an opportunity to conduct discovery, each actively participated in the arrest of Mr. Jennings.

33. Defendant Neudigate, as Police Chief, either personally directed and authorized the arrest of Mr. Jennings, or he otherwise had knowledge that his subordinates were engaged in activity that posed a pervasive and unreasonable risk of constitutional injury to Mr. Jennings and affirmatively or tacitly authorized the conduct.

34. The Defendants did not have a warrant authorizing him to arrest Mr. Jennings.

35. The Defendants did not have probable cause to suspect Mr. Jennings of a crime.

36. The Defendants had no legal basis to arrest Mr. Jennings.

37. No objectively reasonable law enforcement officer would believe that there was any legal or other justification to seize and arrest Mr. Jennings under the facts available at the time.

38. In unlawfully seizing and arresting Mr. Jennings, the Defendants transgressed a bright line in violating his constitutional rights.

39. The Defendants' unconstitutional seizure and false arrest directly and proximately caused or otherwise contributed to the damages described above.

COUNT II

Unlawful Search in Violation of the Fourth Amendment (42 U.S.C. § 1983)

40. The foregoing paragraphs are herein incorporated and realleged.

41. The Fourth Amendment protects the "right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches." U.S. Const. Amend. IV.

42. A Fourth Amendment violation occurs when unreasonable, unnecessary and excessive property damage occurs during the execution of a search warrant. United States v. Ramirez, 523 U.S. 65, 71 (1998).

43. Officer Klepacz and the John Doe Defendants, whose identities can only be confirmed by an opportunity to conduct discovery, each actively participated in the unreasonable search and seizure of Mr. Jennings' property.

44. Defendant Neudigate, as Police Chief, either personally directed and authorized the unlawful search and seizure of Mr. Jennings's property, or he otherwise had knowledge that his subordinates were engaged in activity that posed a pervasive and unreasonable risk of constitutional injury to Mr. Jennings and either affirmatively or tacitly authorized the conduct. In fact, it is hard to imagine that an assault of such magnitude and commitment of such resources could have been conducted without the direct involvement and authorization of Defendant Neudigate.

45. As described above, the Defendants' assault on Mr. Jennings' property was unnecessary, unreasonable and excessive in scope and force. The extreme damage was done recklessly and without regard to Mr. Jennings' rights. The Defendants' unconstitutional actions resulted in tens of thousands of dollars of avoidable damage—and found nothing. Further, Mr. Jennings' property was seized and held from him despite the search revealing absolutely no evidence of any criminal conduct whatsoever.

46. The Defendants' unreasonable, unnecessary and extreme tactics proximately caused the damages described in this Complaint and deprived Mr. Jennings of protections afforded to him by the U.S. Constitution.

COUNT IV

Gross Negligence in Violation of Virginia Law – Officer Klepacz and John Doe Defendants

47. The foregoing paragraphs are herein incorporated and realleged.

48. Officer Klepacz and the John Doe Defendants owed Mr. Jennings a duty to use ordinary care in carrying out their search.

49. These Defendants violated that duty by using extreme and unnecessary force and otherwise exhibiting a shocking and conscious disregard for the safety of Mr. Jennings and his property.

50. As a direct and proximate result of the Defendants' breach, Mr. Jennings suffered the damages described in this Complaint.

COUNT V

False Arrest in Violation of Virginia Law

51. The foregoing paragraphs are herein incorporated and realleged.

52. The Defendants did not have probable cause to arrest Mr. Jennings.

53. The Defendants did not have a warrant authorizing the arrest of Mr. Jennings.

54. The Defendants' actions constitute a false arrest under Virginia law.

55. The Defendants' false arrest directly and proximately caused or otherwise contributed to Mr. Jennings' damages.

RELIEF REQUESTED

Plaintiff seeks judgment against the Defendants in the amount of at least \$500,000, plus costs, prejudgment interest, attorneys' fees, punitive damages, and any other relief deemed appropriate by the Court.

Respectfully submitted,
WILLIAM JENNINGS

/s/

Seth Carroll (VSB No. 74745)
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CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

WILLIAM JENNINGS

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) SETH CARROLL, COMMONWEALTH LAW GROUP, 3311 WEST BROAD ST., RICHMOND, VA 23230, 804-999-9999

DEFENDANTS

CHIEF PAUL NEUDIGATE, OFFICER SCOTT KLEPACZ, JOHN DOE OFFICERS 1-50

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with columns: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes codes like 110 Insurance, 310 Airplane, 365 Personal Injury, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. §§ 1331 and 1343. Brief description of cause: Unconstitutional search, seizure and excessive force

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ 500000.00 CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 03/05/2025 SIGNATURE OF ATTORNEY OF RECORD /s/ Seth R. Carroll

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE