

NO. _____

TODD CIRCUIT COURT
DIVISION _____

KIMBERLY HENDERSON, Individually
and as Power of Attorney for
GEORGE HENDERSON, Incapacitated

PLAINTIFFS

v.

COMPLAINT

JACOB PRITCHETT, In His Individual Capacity
Serve: Guthrie Police Department
110 Kendall Street
Guthrie, Kentucky 42234

And

DEAN BLUMEL, In His Official Capacity
Serve: Guthrie Police Department
110 Kendall Street
Guthrie, Kentucky 42234

DEFENDANTS

* * * * *

Comes Now, the Plaintiff, Kimberly Henderson as Power of Attorney for George Henderson, and individually, through Counsel, and for this Complaint against Defendants Jacob Pritchett and Dean Blumel states as follows:

1. Kimberly Henderson, is the Power of Attorney for Plaintiff George Henderson, who is incapacitated, and she therefore brings this Complaint on his behalf.
2. Kimberly Henderson is the spouse of George Henderson.
3. The Plaintiff, George Henderson, (hereinafter "Plaintiff") is and was at all times mentioned herein a resident of the City of Clarksville, Tennessee.
4. Plaintiff was physically located in Guthrie, Kentucky, during the occurrence(s) giving rise to this complaint.

5. The Defendant, Jacob Pritchett, (hereinafter “Defendant Pritchett”), is and was at all times mentioned herein employed by the City of Guthrie Police Department as a police officer in Guthrie, Kentucky.

6. Defendant Pritchett was operating within the scope of his employment during the occurrence(s) giving rise to this Complaint and at all times relevant hereto.

7. The Defendant, Dean Blumel, (hereinafter “Defendant Blumel”), is and was at all times mentioned herein employed by the City of Guthrie Police Department, holding the title of Chief of Police, in Guthrie, Kentucky.

8. Defendant Blumel was operating within the scope of his employment during the occurrence(s) giving rise to this Complaint and at all times relevant hereto.

9. On or about December 6, 2024, Plaintiff, an Alzheimer’s patient, eloped from his residence and became the subject of a “Silver Alert” issued by the Clarksville Police Department and the Tennessee Bureau of Investigations.

10. On or about December 6, 2024, Defendant Pritchett was dispatched to the Exxon Mobil gas station located at 11945 KY Hwy-181 in Guthrie, Kentucky, in response to an alleged vehicular burglary, where the subsequent events occurred.

11. Within minutes of arriving, Defendant Pritchett, disregarded Plaintiff’s obvious mental crisis and need for assistance and instead, having not asked the Plaintiff’s name or identity, accused the Plaintiff of being intoxicated and of “having cocaine in [his] nose” and attempted to execute an arrest for the same.

12. During this arrest for nonexistent cocaine, Defendant Pritchett slung the Plaintiff to the gas station floor, mounted the Plaintiff’s back, and, while the Plaintiff was fully

subdued, struck the Plaintiff in the back of the head, causing a contusion, laceration and head trauma and rendering the Plaintiff unconscious for a period of time.

13. Upon arrival of emergency medical assistance – dispatched by the police telecommunicator without request for the same from Officer Pritchett – Defendant Pritchett learned the Plaintiff’s identity, mental health condition, and Silver Alert status.

14. Upon information and belief, Defendant was advised by medical professionals that Plaintiff required additional medical evaluation at a hospital emergency department.

15. Nevertheless, and despite no items being taken from the allegedly burglarized vehicle, and despite no drugs being found at the scene or on Plaintiff’s person, Defendant did not transport plaintiff for further medical treatment, but instead transported Plaintiff to the Todd County Detention Center and charged him with Assault in the Third Degree, Possession of a Controlled Substance in the First Degree, Attempted Theft of a Motor Vehicle, Resisting Arrest, and Public Intoxication, without probable cause for any of the offenses charged.

COUNT ONE: EXCESSIVE FORCE

16. The above assertions and allegations of fact are incorporated into this section as though fully restated here.

17. Defendant Pritchett used substantially more force than would have been necessary to execute a justifiable arrest.

18. No amount of force would have been appropriate because the Defendant Pritchett lacked reasonable grounds to execute an arrest.

19. Plaintiff sustained serious injuries as a result of Defendant Pritchett’s excessive force.

COUNT TWO: DEFAMATION PER SE

20. The above assertions and allegations of fact are incorporated into this section as though fully restated here.
21. Defendant Pritchett made written statements regarding Plaintiff, including but not limited to factual allegations that Plaintiff was in possession of drugs and engaged in other criminal conduct.
22. Defendant Pritchett's statements regarding the Plaintiff were false.
23. Defendant Pritchett's statements were defamatory because they would subject the Plaintiff to public scorn, ridicule, and contempt in the minds of reasonable people.
24. Defendant Pritchett published these false statements to third parties or caused the same to be published.
25. Defendant Pritchett made these false statements with knowing and/or reckless disregard for the truth.
26. Defendant Pritchett made these false statements maliciously.

COUNT THREE: BATTERY

27. The above assertions and allegations of fact are incorporated into this section as though fully restated here.
28. Defendant Pritchett did intentionally and unlawfully touch Plaintiff when he slung him to the ground and again when he struck him about the back of the head.
29. Defendant Pritchett did not have consent or authority to unlawfully and harmfully touch the Plaintiff.
30. Defendant Pritchett's intentional conduct caused actual bodily harm to Plaintiff.

COUNT FOUR: NEGLIGENCE

31. The above assertions and allegations of fact are incorporated into this section as though fully restated here.

32. Defendant Pritchett had a duty to make reasonable efforts to accommodate Plaintiff's clear and substantial need for medical attention while Plaintiff was in custody.

33. Defendant Pritchett breached the aforementioned duty owed to Plaintiff.

34. Defendant Pritchett's breach caused substantial harm to Plaintiff.

35. Plaintiff suffered actual damages as a result of Defendant Pritchett's breach.

COUNT FIVE: GROSS NEGLIGENCE

36. The above assertions and allegations of fact are incorporated into this section as though fully restated here.

37. Defendant Pritchett failed to exercise reasonable care when he disregarded Plaintiff's clear and substantial need for medical treatment.

38. Defendant Pritchett displayed a wanton and reckless disregard for Plaintiff's life and safety.

39. Defendant Pritchett's conduct was outrageous, willful, and malicious.

COUNT SIX: MALICIOUS PROSECUTION

40. The above assertions and allegations of fact are incorporated into this section as though fully restated here.

41. Defendant Pritchett initiated criminal proceedings against Plaintiff.

42. Those proceedings were disposed in favor of Plaintiff.

43. Defendant Pritchett initiated those proceedings maliciously and with knowing and reckless disregard for Plaintiff's innocence of the offenses alleged.

44. The proceedings were initiated with a clear lack of probable cause.

45. Plaintiff suffered actual damages as a result of the proceedings.

COUNT SEVEN: NEGLIGENT POLICY ENFORCEMENT

46. The above assertions and allegations of fact are incorporated into this section as though fully restated here.

47. Defendant Blumel had a ministerial duty to enforce performance of promulgated policies by the officers in his command.

48. Defendant Blumel was negligent in his duty to enforce promulgated policies.

49. Defendant Blumel's negligence caused Plaintiff to suffer injuries.

COUNT EIGHT: NEGLIGENT TRAINING AND/OR SUPERVISION

50. The above assertions and allegations of fact are incorporated into this section as though fully restated here.

51. Defendant Blumel had a ministerial duty to train and supervise officers in his command.

52. Defendant Blumel was negligent in his performance of the aforementioned duty when he failed to adequately train and/or supervise Defendant Pritchett to ensure Defendant Pritchett's compliance with promulgated departmental policies.

53. Defendant Blumel's negligent training and/or supervision of Defendant Pritchett caused Plaintiff to suffer injuries.

COUNT NINE: LOSS OF CONSORTIUM (Brought by Kimberly Henderson only)

57. The above assertions and allegations of fact are incorporated into this section as though fully restated here.

58. The above described conduct of Defendants Pritchett and Blumel, did negligently and/or wrongfully cause harm to Kimberly Henderson's spouse, George Henderson.

59. As a result of the harms caused to George Henderson by the negligent and/or wrongful conduct of the Defendants, Kimberly Henderson has suffered a loss of the services, assistance, aid, society, companionship and/or conjugal relationship of her spouse and is therefore entitled to relief under KRS § 411.145.

WHEREFORE, Plaintiffs respectfully request as follows:

1. Judgment against the Defendants, Jacob Pritchett and Dean Blumel, individually or jointly and severally, in an amount within the jurisdiction of this Court for the following:

- a. Past and future medical expenses; and
- b. Past and future physical and mental pain and suffering; and
- c. Emotional distress; and
- d. Punitive damages.

2. Trial by Jury.

3. All fees and costs associated with this action.

4. All further relief Court may deem just.

Respectfully submitted,

/s/ Jeremy S. Stochaj
Jeremy S. Stochaj
Stochaj Law, PSC
PO Box 4056
Louisville, Kentucky 40205
P. (502) 520-5997
F. (502) 308-4560
jeremy@stochajlaw.com
KBA ID: 100844
Co-Counsel for Plaintiff

/s/ Lonita K. Baker

Lonita K. Baker
Baker and Westbrook PLLC
2297 Lexington Rd.
Suite 101
Louisville, Kentucky 40206
lonita@bakerinjurylawky.com
KBA ID: 91480
Co-Counsel for Plaintiff