

LUCAS COUNTY COMMON PLEAS COURT
CASE DESIGNATION

FILED LUCAS COUNTY
02/01/2022 03:06 PM
COMMON PLEAS COURT
BERNIE QUILTER, CLERK
efile id 89160

TO: Bernie Quilter, Clerk of Courts

CASE NO. _____

JUDGE

The following type of case is being filed:

- Professional Malpractice
 - Legal Malpractice (L)
 - Medical Malpractice (M)
- Product Liability (B)
- Other Tort (C)
- Workers' Compensation
 - State Funded (D)
 - Self Insured (K)
- Administrative Appeal (F)
- Commercial Docket

G-4801-CI-0202201317-000
Judge
STACY L. COOK

By submitting the complaint, with the signature of the Attorney, the Attorney affirms that the name of person with settlement authority and his/her direct phone number will be provided upon request to a party or counsel in this matter

- Other Civil
 - Consumer Fraud (N)
 - Appropriation (P)
 - Other Civil (H)
 - Copyright Infringement (W)
- Forfeiture
- Court Ordered
- Certificate of Title

This case was previously dismissed pursuant to CIVIL RULE 41 and is to be assigned to Judge _____, the original Judge at the time of dismissal. The previously filed case number was CI _____.

This case is a civil forfeiture case with a criminal case currently pending. The pending case number is _____, assigned to Judge _____.

This case is a Declaratory Judgment case with a personal injury or related case currently pending. The pending case number is _____, assigned to Judge _____.

This case is to be reviewed for consolidation in accordance with Local Rule 5.02 as a companion or related case. This designation sheet will be sent by the Clerk of Courts to the newly assigned Judge for review with the Judge who has the companion or related case with the lowest case number. The Judge who would receive the consolidated case may accept or deny consolidation of the case. Both Judges will sign this designation sheet to indicate the action taken. If the Judge with the lowest case number agrees to accept, the reassignment of the case by the Administration Judge shall be processed. If there is a disagreement between the Judges regarding consolidation, the matter may be referred to the Administrative Judge.

Related/companion case number _____ Assigned Judge _____

Approve/Deny Date Approve/Deny Date

Attorney Charles E. Boyk (0000494)
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**IN THE COMMON PLEAS COURT OF LUCAS COUNTY, OHIO
CIVIL DIVISION**

SELINA N. TERRY
1010 North Pine Street
Unit A
Lansing, MI 48906

Plaintiff,

v.

ROBERT LAMONT EASTER, JR.
5850 Rounding River Lane
Toledo, Ohio 43611

Defendant.

Case No.: **G-4801-CI-0202201317-000**
Judge: **STACY L. COOK**

COMPLAINT

(Jury Demand Endorsed Hereon)

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Attorneys for Plaintiff

Now comes Plaintiff, Selina N. Terry, by and through the undersigned counsel, and hereby files this Complaint against Defendant, Robert Lamont Easter, Jr., for injuries and damages arising from an assault that occurred on or about August 7, 2021, in Toledo, Lucas County, Ohio. In support of her claims, Plaintiff states as follows:

THE PARTIES

1. Plaintiff, Selina N. Terry, is an individual who resides in the City of Lansing, Ingham County, State of Michigan.
2. Defendant, Robert Lamont Easter, Jr., is an individual who resides in the City of Toledo, Lucas County, State of Ohio.

JURISDICTION AND VENUE

3. Plaintiff incorporates by reference each preceding and succeeding paragraph as though fully rewritten herein.
4. The Lucas County Common Pleas Court has jurisdiction over this matter pursuant to R.C. 2305.01.
5. Venue is proper in this Court pursuant to Civil Rule 3(C)(1) and 3(C)(6), as this is the County in which Defendant, Robert Lamont Easter, Jr., resides and the County in which all or part of the claims for relief arose.
6. Pursuant to Civil Rule 8(A), Plaintiff states that she seeks a judgment in excess of Twenty-Five Thousand (\$25,000.00) Dollars.

FACTUAL ALLEGATIONS

7. Plaintiff incorporates by reference each preceding and succeeding paragraph as though fully rewritten herein.
8. Plaintiff, an independent contractor at Bucks Rack City, was looking for her purse when she encountered the Defendant, a patron at the adult entertainment establishment.
9. Defendant, who is a professional boxer, confronted Plaintiff in a hostile manner while she was looking for her purse and proceeded to spit on her.

10. Defendant, without provocation, then punched Plaintiff in the face, causing her to strike her face and head on the ground and lose consciousness.
11. Plaintiff suffered significant injuries, including a traumatic brain injury, lacerations to her face, lips and mouth, broken teeth, back, neck and ankle injuries.
12. A warrant was issued, and Defendant was arrested and charged with Assault, a violation of ORC §2903.13(A).
13. Defendant was subsequently convicted for the assault on Plaintiff.

FIRST CAUSE OF ACTION
(Assault)

14. Plaintiff incorporates by reference each preceding and succeeding paragraph as though fully rewritten herein.
15. In confronting her in a hostile manner, Plaintiff reasonably believed that Defendant intended and would cause her physical harm.
16. The actions of Defendant, including upon her, a battery, as pled in her Second Cause of Action, further caused the Plaintiff reasonable apprehension of the infliction of battery upon her by the Defendant.
17. As a direct and proximate result of the assault, Plaintiff, Selina N. Terry, suffered serious personal injuries and trauma, including, but not limited to, a traumatic brain injury, lacerations to her face, lips and mouth, broken teeth, back, neck and ankle injuries, and incurred severe mental anguish, pain and suffering and emotional distress. Further, Plaintiff believes these injuries may be permanent in nature and that Plaintiff will require future medical care and incur future medical expenses and that she will continue to endure severe mental anguish, pain and suffering, and emotional distress.

SECOND CAUSE OF ACTION
(Battery)

18. Plaintiff incorporates by reference each preceding and succeeding paragraph as though fully rewritten herein.
19. Defendant's attack on Plaintiff, spitting on her and punching her in the face, was intentional, nonconsensual contact with the Plaintiff and constituted battery under the laws of the State of Ohio.
20. As a direct and proximate result of the battery, Plaintiff, Selina N. Terry, suffered serious personal injuries and trauma, including, but not limited to, a traumatic brain injury, lacerations to her face, lips and mouth, broken teeth, back, neck and ankle injuries, and incurred severe mental anguish, pain and suffering and emotional distress. Further, Plaintiff believes these injuries may be permanent in nature and that Plaintiff will require future medical care and incur future medical expenses and that she will continue to endure severe mental anguish, pain and suffering, and emotional distress.

THIRD CAUSE OF ACTION
(Intentional Infliction of Emotional Distress)

21. Plaintiff incorporates by reference each preceding and succeeding paragraph as though fully rewritten herein.
22. By his actions described herein, Defendant knew or should have known that his actions of assaulting and battering Plaintiff would cause Plaintiff to suffer emotional distress and mental anguish that no reasonable person could be expected to endure.

23. Defendant's actions described herein constituted extreme and outrageous conduct beyond the bounds of decency and utterly intolerable in a civilized society.

24. Further, due to Defendant's status as a professional boxer, the force of his assault and battery on Plaintiff constituted extreme and outrageous conduct beyond the bounds of decency and utterly intolerable in a civilized society.

25. As a direct and proximate result of the assault and battery, Plaintiff, Selina N. Terry, suffered serious personal injuries and trauma, including, but not limited to, a traumatic brain injury, lacerations to her face, lips and mouth, broken teeth, back, neck and ankle injuries, and incurred severe mental anguish, pain and suffering and emotional distress. Further, Plaintiff believes these injuries may be permanent in nature and that Plaintiff will require future medical care and incur future medical expenses and that she will continue to endure severe mental anguish, pain and suffering, and emotional distress.

FORTH CAUSE OF ACTION
(Punitive Damages)

26. Plaintiff incorporates by reference each preceding and succeeding paragraph as through fully rewritten herein.

27. The acts of the Defendant described herein constitute malice as that term is used in Ohio Rev. Code §2315.21 and interpreted by the Courts of the State of Ohio. In particular, the acts and omissions of the Defendant as stated in this Complaint were outrageous and demonstrate a conscious disregard for the rights and well-being of Plaintiff that had a great probability of causing substantial harm to Plaintiff and which did in fact cause substantial harm to her.

28. Plaintiff is therefore entitled to and demands punitive damages against the Defendant in an amount to be determined by the trier of fact.

WHEREFORE, Plaintiff prays for judgment to be entered against the Defendant in an amount exceeding Twenty-Five Thousand (\$25,000.00) Dollars, and for punitive damages to be assessed against the Defendant, together with interest, costs, reasonable attorney fees associated herewith and such other relief as the Court may deem just.

Respectfully submitted,

/s/Charles E. Boyk
Charles E. Boyk
Andrea R. Young
Attorneys for Plaintiff

JURY DEMAND

Plaintiff demands a trial by jury on all triable issues.

Respectfully submitted,

/s/Charles E. Boyk
Charles E. Boyk
Andrea R. Young
Attorneys for Plaintiff

PRAECIPE

TO THE CLERK:

Please serve summons and Complaint upon Defendant by Certified Mail, **Adult Signature Restricted Delivery**, return receipt requested, at the address listed on the caption.

Respectfully submitted,

/s/Charles E. Boyk
Charles E. Boyk
Andrea R. Young
Attorneys for Plaintiff