


CLERK OF THE COURT

1 **COMP**
2 **CRAIG W. DRUMMOND, P.C.**
3 **Craig W. Drummond, Esq.**
4 **Nevada Bar No. 011109**
5 **228 South Fourth St., First Floor**
6 **Las Vegas, NV 89101**
7 **T: (702) 366-9966**
8 **F: (702) 508-9440**
9 **craig@drummondfirm.com**
10 **Attorney for Plaintiff**

11 **DISTRICT COURT**
12 **CLARK COUNTY, NEVADA**

13 **TERESA L. JOHNSON, an individual,**

14 **Plaintiff,**

15 **vs.**

16 **JOHN BONAVENTURA, individually and**
17 **as the Constable of Las Vegas, LAS VEGAS**
18 **TOWNSHIP CONSTABLE'S OFFICE,**
19 **DOES I-V, and ROE CORPORATIONS I-V,**
20 **inclusive,**

21 **Defendants.**

A-13-676889-C

Case No.:

Dept No.: XXVI

COMPLAINT AND INITIAL
APPEARANCE FEE DISCLOSURE

CRAIG W. DRUMMOND
A Professional Corporation
228 South Fourth St., First Floor
Las Vegas, NV 89101
www.attorneydrummond.com

22 COMES NOW, Plaintiff TERESA L. JOHNSON by and through her attorney, CRAIG
23 W. DRUMMOND, ESQ., and for causes of action against Defendants, allege as follows:

24 **FIRST CAUSE OF ACTION AND GENERAL ALLEGATIONS**

25 **(Negligence)**

26 1. That at all times relevant hereto, the Plaintiff, TERESA L. JOHNSON, was, and
27 now is, a resident of the County of Clark, State of Nevada.

28 2. That at all times relevant hereto, Plaintiff TERESA L. JOHNSON, is also known
as Teresa Butterfield.

3. Upon information and belief, that at all times relevant hereto, Defendant JOHN
BONAVENTURA was, and now is, a resident of the County of Clark, State of Nevada and
employed as the Constable of the Las Vegas Township Constable's Office.

4. Upon information and belief, that at all times relevant hereto, Defendant LAS
VEGAS TOWNSHIP CONSTABLE'S OFFICE was, and now is, an entity operating in the

1 County of Clark, State of Nevada with law enforcement powers.

2 5. Upon information and belief, that at all times relevant hereto, Defendant's and
3 each of them, were responsible for and had a duty to exercise due care in, selecting, training,
4 supervising, overseeing, managing, directing, retaining and controlling its employees, agents,
5 servants, joint venturers, and independent contractors in order to provide responsible Constable
6 personnel operating in the County of Clark, State of Nevada, and supervising the same while
7 performing their duties.

8 6. That at all times relevant hereto, Plaintiff JOHNSON was legally married to Mr.
9 Richard Anthony Johnson. That the marriage has broken down and both individuals are currently
10 separated and have been living apart.

11 7. That on September 24, 2011, Mr. Richard Anthony Johnson was residing at: 2988
12 E. Reno St., Las Vegas, NV 89119 with Defendant BONAVENTURA.

13 8. That at all times relevant herein, Mr. Richard Anthony Johnson has been a "close
14 friend" of Defendant BONAVENTURA and they have known each other as close friends in
15 excess of fifteen (15) years.

16 9. That Plaintiff JOHNSON has known Defendant BONAVENTURA for
17 approximately fifteen (15) years.

18 10. That on September 24, 2011, around 7:00p.m., Plaintiff JOHNSON was driving
19 her gold colored Lincoln Town Car, with her son Jordan as a passenger, in the area of her
20 husband's residence at: 2988 E. Reno St., Las Vegas, NV 89119.

21 11. That Plaintiff JOHNSON was driving to see her husband in order to have a
22 conversation with her husband and her son.

23 12. That upon not seeing anyone present outside of the residence, Plaintiff's son
24 announced a statement from inside the Lincoln toward the residence.

25 13. That upon the verbal statement, Plaintiff JOHNSON placed her vehicle in drive
26 and departed the area to stop any future verbal exchanges from her son.

27 14. That upon driving away, Plaintiff JOHNSON soon noticed a sport utility vehicle
28 approaching from her rear at a high rate of speed with emergency flashing lights engaged.

1 15. That Plaintiff JOHNSON yielded and stopped for the apparent emergency vehicle.

2 16. That upon stopping, Defendant BONAVENTURA exited the emergency vehicle
3 wearing a white t-shirt, plaid shorts and holding some sort of metal object in his hand.

4 17. That Defendant BONAVENTURA was not wearing a uniform, a badge, or
5 verbally identifying himself as an actual law enforcement officer.

6 18. That Plaintiff JOHNSON quickly recognized the individual as her husband's close
7 friend, Defendant BONAVENTURA.

8 19. That Plaintiff JOHNSON was terrified and in immediate fear for her safety and
9 well-being because she did not believe that Defendant BONAVENTURA had the authority to pull
10 people over, additionally, it is the Plaintiff's recollection that in the year 2000, Defendant
11 BONAVENTURA had assaulted her and taken her purse during in argument.

12 20. That Plaintiff JOHNSON began to drive away and immediately had her son
13 Jordan call 911 to report the interaction.

14 21. That Defendant BONAVENTURA continued to pursue Plaintiff JOHNSON in his
15 vehicle with lights flashing pulling up along side of her Lincoln. That Plaintiff JOHNSON
16 communicated to Defendant BONAVENTURA that she was on the phone with a 911 operator.
17 That upon being informed about 911 being contacted, Defendant BONAVENTURA drove away.

18 22. That Plaintiff JOHNSON was eventually able to locate a Nevada Highway Patrol
19 Officer in a patrol car, where she reported the incident with Defendant BONAVENTURA.
20 Plaintiff JOHNSON and subsequently filed a report with the Las Vegas Metropolitan Police
21 Department believing Defendant BONAVENTURA was impersonating a law enforcement
22 officer.

23 23. That on September 25, 2011, Plaintiff JOHNSON was contacted by her husband,
24 Mr. Johnson, and requested to "drop everything" in reference to her report against Defendant
25 BONAVENTURA to the Las Vegas Metropolitan Police Department.

26 24. That on September 26, 2011, Defendant BONAVENTURA personally attempted
27 to talk with Plaintiff JOHNSON, however Plaintiff JOHNSON communicated that she was
28 calling 911 and Defendant BONAVENTURA left.

1 25. That on September 28, 2011, Defendant BONAVENTURA signed a Declaration of
2 Arrest alleging, in addition to other things, the following:

3 "On September 24, 2011 at approximately 1925 hrs, I was present a the residence
4 located at 2988 E. Reno Avene when I heard a voice screaming profanities from the
5 front of the house. I proceeded to the front of the residence to investigate the commotion
6 and noticed a Lincoln town car stopped on the street. I observed a white female sitting
7 in the driver's seat throwing eggs at my patrol vehicle, which was parked in the
8 driveway of the above address. When the female driver noticed my presence she
9 immediately began to drive away. Due to recent acts of intimidation and vandalism
10 against the property and occupants, and my position as the Las Vegas Constable, I felt
11 it prudent to identify the occupants of the vehicle."

12 26. Further:

13 "I then made the decisions to terminate the pursuit due to Johnson's high motivation to
14 escape, and clear disregard for the safety of the general public, in relation to the
15 seriousness of any criminal charges that may be filed. On 9/28/2011, Sgt Beckett #9268
16 was able to locate Johnson and arrest her on the violations of Reckless Driving and
17 Eluding based on my contact with her that evening. After her arrest Johnson was
18 transported to CCDC where she was booked accordingly."

19 27. That Defendant BONAVENTURA declared that he "felt it prudent to identify the
20 occupants of the vehicle;" which Plaintiff JOHNSON believes was a complete falsehood.

21 28. That Plaintiff JOHNSON's husband previously purchased the gold Lincoln Town
22 Car from Defendant BONAVENTURA, who previously drove it as his personal vehicle - making him
23 fully aware of the vehicle and its' ownership.

24 29. That Defendant BONAVENTURA declared that he "observed a white female sitting
25 in the drivers seat throwing eggs at my patrol vehicle;" which Plaintiff JOHNSON believes was a
26 complete falsehood as there were no eggs thrown by the Plaintiff, or from her vehicle at anytime.

27 30. That on March 7, 2012, Mr. Richard Anthony Johnson signed an affidavit stating that
28 on September 24, 2011, "I was not told by John that my wife has thrown eggs. I also know for a fact
that there were no eggs on the vehicle or the driveway. I never heard this mentioned until my wife
received a copy of John's complaint stating that she had thrown eggs and that is why he chased after
her on that day..."

//

CRAIG W. DRUMMOND
A Professional Corporation
228 South Fourth St., First Floor
Las Vegas, NV 89101
www.attorneydrummond.com

1 31. That Defendant BONAVENTURA declared that he "made the decision to
2 terminate the pursuit due to Johnson's high motivation to escape, and clear disregard for the safety
3 of the general public..."; which Plaintiff believes was a complete falsehood as the harassment was
4 terminated because Plaintiff JOHNSON contacted 911.

5 32. That on September 28, 2011, two members of the Las Vegas Township
6 Constable's Office arrived at Plaintiff JOHNSON's place of business located in Clark County,
7 Nevada.

8 33. That upon noticing the two Constable Officers at her work, Plaintiff JOHNSON
9 requested that her co-worker, "Melissa" contact 911. Melissa attempted to call 911 on her cell
10 phone, however one of the Constable Officers knocked the cell phone out of her hand.

11 34. That Plaintiff JOHNSON was placed under arrest by the Constable Officers and
12 transported to the Clark County Detention Center.

13 35. That Defendant BONAVENTURA submitted booking charges at the Clark
14 County Detention Center for Reckless Driving [NRS 484B.653 - Misdemeanor] and for Evading a
15 Police Officer [NRS 484.348 - B Level Felony].

16 36. That upon review of the evidence and case, the Clark County District Attorneys
17 Office only proceeded with filing a Criminal Complaint for the misdemeanor of Reckless Driving
18 in Las Vegas Justice Court.

19 37. That on October 30, 2011, Plaintiff JOHNSON was released from the Clark
20 County Detention Center on her own recognizance.

21 38. That Plaintiff JOHNSON further appeared in Justice Court and entered a plea of
22 Not Guilty and requested a trial.

23 39. That on November 27, 2012, Plaintiff JOHNSON was present at the time and
24 place set for her trial in case 11M41100X at 9:00am.

25 40. That Defendant BONAVENTURA, nor any officers from his office, appeared at
26 the trial, even though a subpoena was issued for the appearance of one of the officers.

27 41. That based on the nonappearance of any witnesses from the Las Vegas Township
28 Constable's Office, the Clark County District Attorney dismissed the Reckless Driving charge.

1 42. That Defendant LAS VEGAS TOWNSHIP CONSTABLE'S OFFICE fully
2 authorized, ratified, and approved the actions of Defendant JOHN BONAVENTURA on
3 September 24, 2011 and at all times relevant hereto in his care, dealings, arrests, criminal filings,
4 reporting and interactions with Plaintiff JOHNSON.

5 43. That Defendant, LAS VEGAS TOWNSHIP CONSTABLE'S OFFICE, under the
6 legal doctrine of Respondeat Superior, is vicariously liable for Defendant BONAVENTURA's,
7 actions on September 24, 2011 and at all times relevant hereto.

8 44. The true names and capacities, whether individual, corporate, associate, or
9 otherwise, of Defendants, DOES I through V and ROE CORPORATIONS VI through X are
10 unknown to Plaintiff, who therefore sues said Defendants by such fictitious names. Plaintiff is
11 informed and believe and thereon alleges that each of the Defendants designated herein as Doe
12 and/or Roe is negligently, recklessly, and/or intentionally responsible in some manner for the
13 events and happenings herein referred to and negligently, recklessly, and/or intentionally caused
14 injuries and damages proximately thereby to the Plaintiff as herein alleged; that at the time of the
15 incident, which is the subject of this Complaint, these unknown individuals or entities may have
16 been responsible for the operation, control and supervision of JOHN BONAVENTURA and/or
17 the LAS VEGAS TOWNSHIP CONSTABLE'S OFFICE and/or hired, trained and supervised the
18 employees, of the LAS VEGAS TOWNSHIP CONSTABLE'S OFFICE. When the names of
19 these entities or individuals become known that Plaintiff will ask leave of this Court to amend this
20 Complaint to insert the true names and capacities of said Defendants, DOES and/or ROES, when
21 same have been ascertained by Plaintiff together with appropriate charging allegations, and to join
22 such Defendants in this action.

23 45. That at said time and place of this incident, Defendants, as aforesaid, and each of
24 them, and/or Defendants' agents or employees, so intentionally, negligently, and/or recklessly
25 harassed Plaintiff, detained Plaintiff, arrested Plaintiff, submitted false criminal charges and
26 declarations to the Clark County District Attorneys Office, caused Plaintiff to be arrested at her
27 job and held at the Clark County Detention Center, and be placed under the stigma and stress of
28 criminal charges in the Las Vegas Justice Court so as to proximately cause injuries and damages

1 to Plaintiff.

2 46. That at said time and place of this incident, Defendants, as aforesaid, and each of
3 them, and/or Defendants' agents or employees, so intentionally, negligently, and/or recklessly
4 hired, trained and supervised the employees and agents of the LAS VEGAS TOWNSHIP
5 CONSTABLE'S OFFICE as to proximately cause said injuries to Plaintiff.

6 47. That as a direct and proximate result of the intentional, negligent and/or reckless
7 conduct of the Defendants, their agents, servants and/or employees, as aforesaid, Plaintiff
8 JOHNSON, suffered various injuries to her person, emotional well being, career, job and
9 reputation.

10 48. Defendants' acts were willful, malicious, fraudulent and oppressive, and in a
11 conscious disregard of Plaintiff's rights and safety. Defendants should be punished by the
12 imposition of punitive damages in an amount to be more specifically determined by the trier of
13 fact at trial, to punish Defendants for its conduct in this case and also deter Defendants from any
14 further or similar conduct in the future.

15 49. That as a direct and proximate result of the negligent, intentional, and/or reckless
16 conduct of the Defendants, and each of them, as aforesaid, the Plaintiff was required to obtain the
17 services of an attorney to defend herself in the Justice Court case and in order to prosecute this
18 action, and is entitled to recover reasonable attorney's fees, interest plus costs of suit.

19 **SECOND CAUSE OF ACTION**

20 **(Negligent Hiring, Training, Supervision and Retention)**

21 50. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1
22 through 49, and incorporate same as though fully set forth herein.

23 51. That Defendants, and each of them, had a duty to exercise due care in its dealings
24 with the Plaintiff and in the selection, training, supervision, oversight, direction, retention and
25 control of its employees, agents, servants, joint venturers, independent contractors, retained by it
26 to provide Constable and law enforcement services in Clark County Nevada.

27 52. That Defendants, and each of them had a duty to exercise due care in selecting,
28 training, supervising, overseeing directing, retaining and controlling its employees, agents,

1 servants, joint venturers, independent contractors in order to provide responsible Constable and
2 law enforcement personnel and supervising the same while performing their duties.

3 53. That Defendants breached their duty to Plaintiff resulting in serious injuries to
4 Plaintiff JOHNSON.

5 54. That the acts of the employees of each of the Defendants were fully authorized,
6 ratified, and approved by the employer and all other Defendants.

7 55. The acts and omissions of Defendants, and each of them, were intentional, willful,
8 oppressive, fraudulent and done in a conscious and deliberate disregard of Plaintiff's rights and
9 safety, and Plaintiff is entitled to punitive damages in a sum to be determined at the time of trial to
10 punish and deter Defendants' reprehensible conduct in the future.

11 56. That as a direct and proximate result of the negligent, intentional, and/or reckless
12 conduct of the Defendants, and each of them, as aforesaid, the Plaintiff was required to obtain the
13 services of an attorney in order to defend herself in the Justice Court case and to prosecute this
14 action, and is entitled to recover reasonable attorney's fees plus interest and costs of suit.

15 THIRD CAUSE OF ACTION

16 (False Imprisonment)

17 57. Plaintiff repeats and realleges each and every allegation contained in paragraphs
18 50 through 56, and incorporate same as though fully set forth herein.

19 58. That Defendants, and each of them, intended to confine the Plaintiff, to include
20 from her place of work, in their vehicle and at the Clark County Detention Center.

21 59. That Defendants, and each of them, and their actions directly or indirectly resulted
22 in the confinement of the Plaintiff.

23 60. That the Plaintiff's restriction on liberty was accomplished under the probable
24 imminence of force without any legal cause or justification.

25 61. That the Plaintiff was conscious of the confinement and harmed by it.

26 62. That the acts of the employees of each of the Defendants were fully authorized,
27 ratified, and approved by the employer and all other Defendants.

28 63. The acts and omissions of Defendants, and each of them, were intentional, willful,

CRAIG W. DRUMMOND
A Professional Corporation
228 South Fourth St., First Floor
Las Vegas, NV 89101
www.attorneydrummond.com

1 oppressive, fraudulent and done in a conscious and deliberate disregard of Plaintiff's rights and
2 safety, and Plaintiff is entitled to punitive damages in a sum to be determined at the time of trial to
3 punish and deter Defendants' reprehensible conduct in the future.

4 64. That as a direct and proximate result of the negligent, intentional, and/or reckless
5 conduct of the Defendants, and each of them, as aforesaid, the Plaintiff was required to obtain the
6 services of an attorney in order to defend herself in the Justice Court case and to prosecute this
7 action, and is entitled to recover reasonable attorney's fees plus interest and costs of suit.

8 FOURTH CAUSE OF ACTION

9 (Intentional Infliction of Emotional Distress)

10 65. Plaintiff repeats and realleges each and every allegation contained in paragraphs
11 57 through 64, and incorporate same as though fully set forth herein.

12 66. That Defendants, and each of them, engaged in extreme and outrageous conduct
13 with either the intention of, or reckless disregard for, causing emotional distress to the Plaintiff.

14 67. That the Plaintiff suffered severe and extreme emotional distress.

15 68. That the emotional distress was actually and proximately caused by the conduct of
16 the Defendants.

17 69. The acts and omissions of Defendants, and each of them, were intentional, willful,
18 oppressive, fraudulent and done in a conscious and deliberate disregard of Plaintiff's rights and
19 safety, and Plaintiff is entitled to punitive damages in a sum to be determined at the time of trial to
20 punish and deter Defendants' reprehensible conduct in the future.

21 70. That as a direct and proximate result of the negligent, intentional, and/or reckless
22 conduct of the Defendants, and each of them, as aforesaid, the Plaintiff was required to obtain the
23 services of an attorney in order to defend herself in the Justice Court case and to prosecute this
24 action, and is entitled to recover reasonable attorney's fees plus interest and costs of suit.

25 FIFTH CAUSE OF ACTION

26 (Malicious Prosecution)

27 71. Plaintiff repeats and realleges each and every allegation contained in paragraphs
28 65 through 70, and incorporate same as though fully set forth herein.

CRAIG W. DRUMMOND
A Professional Corporation
228 South Fourth St., First Floor
Las Vegas, NV 89101
www.attorneydrummond.com

1 72. That Defendants, and each of them, lacked actual probable cause to arrest and
2 confine the Plaintiff and to pursue criminal charges in case: 11M41100X.

3 73. That the arrest and confinement and charging was done with malice and an evil
4 intent, wish, and design to vex, annoy and injure the Plaintiff.

5 74. That case: 11M41100X was dismissed in the Plaintiff's favor.

6 75. That the Plaintiff suffered various damages and injuries to her person, emotional
7 well being, career, job and reputation.

8 76. The acts and omissions of Defendants, and each of them, were intentional, willful,
9 oppressive, fraudulent and done in a conscious and deliberate disregard of Plaintiff's rights and
10 safety, and Plaintiff is entitled to punitive damages in a sum to be determined at the time of trial to
11 punish and deter Defendants' reprehensible conduct in the future.

12 77. That as a direct and proximate result of the negligent, intentional, and/or reckless
13 conduct of the Defendants, and each of them, as aforesaid, the Plaintiff was required to obtain the
14 services of an attorney in order to defend herself in the Justice Court case and to prosecute this
15 action, and is entitled to recover reasonable attorney's fees plus interest and costs of suit.

16 //
17
18 //
19
20 //
21
22 //
23
24 //
25
26 //
27
28 //

EXHIBIT A

CRAIG W. DRUMMOND
A Professional Corporation
228 South Fourth St., First Floor
Las Vegas, NV 89101
www.attorneydrummond.com

1 **IAFD**
2 **CRAIG W. DRUMMOND, P.C.**
3 Craig W. Drummond, Esq.
4 Nevada Bar No. 011109
5 228 South Fourth St., First Floor
6 Las Vegas, NV 89101
7 T: (702) 366-9966
8 F: (702) 508-9440
9 craig@drummondfirm.com
10 Attorney for Plaintiff

6 **DISTRICT COURT**
7 **CLARK COUNTY, NEVADA**

8 TERESA L. JOHNSON, an individual,

9 Plaintiff,

10 vs.

11 JOHN BONAVENTURA, individually and
12 as the Constable of Las Vegas, LAS VEGAS
13 TOWNSHIP CONSTABLE'S OFFICE,
14 DOES I-V, and ROE CORPORATIONS I-V,
15 inclusive,

16 Defendants.

Case No.:
Dept No.:

INITIAL
APPEARANCE FEE DISCLOSURE

16 COMES NOW, Plaintiff TERESA L. JOHNSON by and through her attorney, CRAIG
17 W. DRUMMOND, ESQ., and hereby files this Initial Appearance and authorization for the first
18 appearance filing fee and Complaint of \$270.00.

19 **TOTAL REMITTED: 270.00.**

20 Dated this 15 day of February, 2013.

21 
22 CRAIG W. DRUMMOND, P.C.

23 By _____

24 CRAIG W. DRUMMOND, ESQ.
25 Nevada Bar No. 011109
26 228 South Fourth St., First Floor
27 Las Vegas, NV 89101
28 T: (702) 366-9966
F: (702) 508-9440
craig@drummondfirm.com
Attorney for Plaintiff