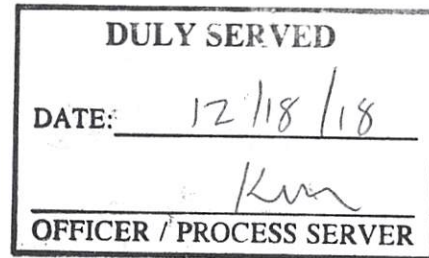


Thomasina L. Lloyd
Pro se
PO Box 211
Neptune, NJ 07754
(732) 984-0673



Thomasina L. Lloyd,

Plaintiff,

vs.

Ocean Township Counsel,

Ocean Township Board of Education,

Ocean Township Police Department,

Ocean Township Municipal Court,

John Does 1-100,

Defendants,

SUPERIOR COURT NEW JERSEY
LAW DIVISION: MONMOUTH COUNTY
DOCKET NO:

MON - L - 3915 - 18

**CIVIL ACTION
SUMMONS**

From The State of New Jersey To The Defendant(s) Name Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for the lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0671. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the

Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175. 00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgement against you for the relief plaintiff demands, plus interest and cost of suit. If judgement is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgement.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888- LSNJ-LAW (1-888) 576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.)


Michelle M. Smith, Esq.
Clerk of Superior Court
Clerk of the Superior Court

DATED: _____

Names and Addresses of Defendants to Be Served:

- 1) Ocean Township Counsel, 339 Monmouth Road, Oakhurst, NJ 07755
- 2) Ocean Township Board of Education, 163 Monmouth Road, Oakhurst, NJ 07755
- 3) Ocean Township Police Department, 339 Monmouth Road, Oakhurst, NJ 07755
- 4) Ocean Township Municipal Court, 339 Monmouth Road, Oakhurst, NJ 07755
- 5) Qual-Lynx, 100 Decadon Drive, Egg Harbor, NJ 08234

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Thomasina L. Lloyd,

Plaintiff,

vs.

Ocean Township Counsel,

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Ocean Township Police Department,

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John Does 1-100,

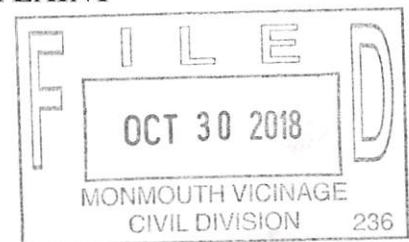
Defendants,

SUPERIOR COURT NEW JERSEY
LAW DIVISION: MONMOUTH COUNTY
DOCKET NO:

Mon-L-3915-18

Civil Action

COMPLAINT



Plaintiff, Thomasina L. Lloyd, residing at PO Box 211, Neptune, NJ 07754, County of Monmouth October 26, 2018 Ocean Township Counsel, Ocean Township Board of Education, Ocean Township Police Department, Ocean Township Municipal Court, Qual-Lynx, Defendants is being sued.

This claim arose on or about March 6, 2014 when Ms. Lloyd was arrested following a two and half hour meeting with Superintendent John Lysko, Assistant Superintendent Denise Ricciardi, and Special Projects Supervisor Lorretta Kachmar-Will. The March 6, 2014 meeting was scheduled to address egregious violations of the Federal education law.

Next, Ms. Lloyd was arrested shortly after leaving the building. The Ocean Township Police arrested Ms. Lloyd without basis in fact or law, but on the basis of a false report made by Respondent Kachmar-Will. Ms. Lloyd provided the police officers with identification and was subsequently informed that she had an outstanding traffic warrant. Ms. Lloyd was then arrested, handcuffed, processed, jailed, and interrogated at the precinct before being transferred to the county jail. At no time was she informed of any charges other than for the outstanding traffic warrant. Ms. Lloyd's friend immediately came to the precinct to post bail on the traffic warrant upon arrest, but was turned away by police officers. Ms. Lloyd was in custody for over 24 hours and was ultimately charged with robbery in the course of an aggravated assault for allegedly grabbing the arm of Respondent Kachmar-Will and forcefully removing her son's school records, to which she was legally entitled to under Federal law, in violation of N.J.S.A. 2C:15-(a)(1). Detective Michael Melody (#269) lied in police report and said Ms. Lloyd admitted to something she did not do. The police report contradicts the interrogation dvd.

On or about May 31, 2014, the robbery charge was downgraded to a single count of harassment, in violation of N.J.S.A. 2C:33-4(b), and the case was transferred to Municipal Court. On or about February 23, 2016, Ms. Lloyd was convicted of one count of harassment following a bench trial. Ms. Lloyd subsequently filed a de novo appeal. Ms. Lloyd appeared before Monmouth County Superior Court on or about September 2, 2016, at which time a judgement of acquittal was entered. On December 2, 2016 Ms. Lloyd serve all above entities with a Notice of Tort Claim, hand delivered, regular and certified mail. On July 14, 2018 a Demand Letter was sent to all involved entities in an effort to settle.

On or about March 13, 2014, the Township of Ocean Police Department issued a press release regarding Ms. Lloyd's arrest. As a result, her name and character was slandered in several local

newspapers and other online publications. Ms. Lloyd was further caused damage to her reputation in the community by Respondent Kachmar-Will's false accusation and Detective Michael Melody (#269) lie.

Legal Argument

Ms. Lloyd, an African American, is a parent who inquired about her son's care and education at the Ocean Township School he was attending at that time. It is our contention that due to her race she was falsely accused and erroneously charged for asking questions and seeking documentation regarding her son. Prior to the meeting and false accusation Ms. Lloyd filed a complaint and petition against Ocean Township Public School District with the New Jersey Department of Education for violating her son's right to a Free Appropriate Public Education (FAPE) and Family Educational Rights and Privacy Act (FERPA). A court date with the Administrative Law Office was scheduled for April of 2014. A white person would not have been charged with robbery or assault for requesting documentation about their child. It is appalling and degrading that the system was used to charge her at all for taking care of her son.

The defendant in this action resides at Ocean Township Counsel, 339 Monmouth Road, Oakhurst, NJ 07755; Ocean Township Board of Education, 163 Monmouth Road, Oakhurst, NJ 07755; Ocean Township Police Department, 399 Monmouth Road, Oakhurst, NJ 07755; Ocean Township Municipal Court, 399 Monmouth Road, Oakhurst, NJ 07755 and Qual-Lynx, 100 Decadon Drive, Egg Harbor, NJ 08234.

In the County of Monmouth, State of New Jersey.

2. Plaintiff is entitled to relief from defendants under the above facts.

3. The harm that occurred as a result of defendants' acts include;

Malicious Prosecution

A malicious prosecution action arising out of a criminal prosecution requires proof: (1) that the criminal action was instituted by the defendant against the plaintiff, (2) that it was actuated by malice, (3) that there was an absence of probable cause for the proceeding, and (4) that it was terminated favorably to the plaintiff. [67 N.J. at 262,337 A.2d 365.] Paterson Tallow Co., Inc. v. Royal Globe Ins. Companies, 89 N.J. 24, (NJ 1982)

Ms. Lloyd clearly meets the elements here.

It is appalling that everyone had the audio tape of the actual meeting and nowhere on the tape does anyone hear anyone getting hit, but yet the prosecutor went forward with the case. Even if the Municipal Court Judge said that all parties were respectful 99% of the time the meeting the Court still found Ms. Lloyd guilty. There was absolutely no evidence that my client ever hit the school official. Even though the paperwork she was legally entitled to was about her son.

Yet she was arrested and charged with robbery in the commission of an assault. Where is the probable cause in this matter? There was none. Moreover, how is she guilty of taking something she has a right to? She is not. While the charges were downgraded to petty disorderly person offense as a harassment; there was no probable cause for these charges either since there was no evidence that Ms. Lloyd ever touched the school officer.

A superior court judge acquitted Ms. Lloyd because he found there was no evidence beyond a reasonable doubt to convict her. He indicated that she was just a mother taking care of her son's education. There was no evidence that Ms. Lloyd hit Ms. Kachmar-Will.

Furthermore, there were numerous inconsistencies in school official's Ms. Kachmar-Will testimony. This was simply a mother of a son trying to get answers to questions and it turned into something an incident due to the lies of the school officials.

1983

It is now firmly established that in order to succeed in a § 1983 claim, plaintiff must make a prima facie showing that defendants, while acting under color of state law, deprived him of a clearly established constitutional or statutory right. Delacruz v. Borough of Hillside, 2004 WL 32662, 365 N.J. Super. 127 (N.J. 2004) citing Leopardi v. Township of Maple Shade, 363 N.J. Super. 313, 327, 832 A.2d 943 (App. Div. 2003). Police officers discharging their law enforcement responsibilities act, by definition, under color of law. Id. citing See Jiosi v. Township of Nutley, 332 N.J. Super. 169, 178, 753 A.2d 132 (App. Div. 2000).

There is no question here that plaintiff established a prima facie case under § 1983. The police officers acted under color of state law and according to plaintiff, deprived him of his constitutional rights by: (1) stopping her; (2) arrested her; and (3) taking her down to the station and having her in a jail cell for over 24 hours.

The affirmative defense of qualified immunity entitles police officers being sued under § 1983 to immunity from civil prosecution if they can successfully prove: (1) that they acted with probable cause; or, (2) even if probable cause did not exist, that a reasonable police officer could have believed in its existence. Id. citing Schneider v. Simonini, 163 N.J. 336, 355, 749 A.2d 336 (2000), cert. denied, 531 U.S. 1146, 121 S.Ct. 1083, 148 L. Ed.2d 959 (2001); Wildoner v. Borough of Ramsey, 162 N.J. 375, 385-86, 744 A.2d 1146 (2000).

We submit that the officers did not have probable cause to charge or detain Ms. Lloyd.
"Probable cause exists if at the time of the police action there is a well-grounded suspicion that a

crime has been or is being committed." Id. citing State v. Dangerfield, 171 N.J. 446, 456, 795 A.2d 250 (2002) (quoting State v. Sullivan, 169 N.J. 204, 211, 777 A.2d 60 (2001) (internal quotation marks omitted)). This standard requires a police officer to make "'a practical, common-sense decision whether, given all the circumstances...there is a fair probability that contraband or evidence of a crime will be found in a particular place.'" State v. Demeter, 124 N.J. 374, 380-81, 590 A.2d 1179 (1991) (quoting Illinois v. Gates, 462 U.S. 213, 238, 103 S.Ct. 2317 2332, 76 L. Ed.2d 527, 548 (1983)).

All they had was a statement from a school official. My client had a recording that indicated no physical contact happened and the documents were about her son she was legally entitled to. There was no evidence that a crime was afoot?

Officers are entitled to assert the defense of qualified immunity if they *reasonably* believed that probable cause existed. The test here is an objective one. It is not legally sufficient for the officer's to subjectively or even honestly believe that the facts, as they knew them, conferred upon them the legal authority to act as they did here. Id. Successful assertion of the defense of qualified immunity requires defendants to establish that a reasonably competent police officer receiving the same information would have concluded that probable cause existed. Id. Thus, qualified immunity does not protect police officers who are "plainly incompetent or those who knowingly violate the law." Id.

There was no evidence that established that a crime had taken place. The Detective Michael Melody (#269) lied and said Ms. Lloyd admitted to the offense when she did not. The police report contradicts the interrogation dvd. This was because there was no probable cause for the crime in the first place. The police department acted with malice and maligned Ms. Lloyd due to her race.

False Arrest and Imprisonment

N.J.S.A. 59:3-3 provides that "[a] public employee is not liable if he acts in good faith in the execution or enforcement of any law; however, nothing in this section exonerates a public employee from liability for false arrest or false imprisonment." (Emphasis added). Delacruz v. Borough of Hillsdale, 2004 WL 32662, 365 N.J. Super. 127, 838 A.2d 498 (N.J. Super., 2004) "[F]urtherance of legislative purpose is the key to [interpreting a statute]." Id. citing GE Solid State, Inc. v. Director, Div. of Taxation, 132 N.J. 298, 308, 625 A.2d 468 (1993). Legislative intent can be derived from both the actual text in the statute and the objectives sought to be achieved. Id. citing Foxworth v. Morris, 134 N.J. 284, 288, 633 A.2d 536 (1993). The legislative history, as reflected in the comment to the statute, provides a clear insight into what the Legislature intended when it adopted N.J.S.A. 59:3-3:

The immunity provided by this section is similar to provisions contained in the California Tort Claims Act, § 820.4, the Federal Tort Claims Act, 28 U.S.C. § 2680(a), and other statutes throughout the country. Id. This section does not, however, immunize law enforcement officials from false arrest and false imprisonment. Id. It is recognized that law enforcement officers are not now immune in the State of New Jersey and it is believed that existing principles of law provide sufficient protection for the officer from frivolous suits. Id. Therefore, it is the intent of this section to emphasize the importance of compensating a citizen whose freedom has been unreasonably restricted. Id. citing [Report of the Attorney General's Task Force on Sovereign Immunity 216-17 (1972) (emphasis added).] In our view, this language supports our conclusion that plaintiff's loss of freedom is legally compensable notwithstanding the absence of any physical, psychological or emotional harm. The TCA was adopted in 1972. As the comment

cited above indicates, the Legislature was aware that the case law predating its passage did not immunize law enforcement officers from civil liability based on false arrest. Id.

In 1953, our Supreme Court declared: "Now, as to false arrest it has been repeatedly held in this State and elsewhere that the use of physical force is not altogether necessary. The essential thing is the constraint of the person." Id. citing Earl v. Winne, 14 N.J. 119, 127, 101 A.2d 535 (1953). (Emphasis added).

False arrest and false imprisonment are different names for the same tort. Price v. Phillips, 90 N.J.Super. 480, 484, (App.Div.1966). The tort of false imprisonment is complete when one unlawfully detains another. "'The gist of false imprisonment is mere unlawful detention without more.'" Lakutis v. Greenwood, 9 N.J. 101, 106, (1952) (quoting Altana v. McCabe, 132 N.J.L. 12, 13, (Sup.Ct.1944)). False imprisonment is a civil wrong similar to assault and battery in that "[it] consists in imposing, by force or threats, unlawful restraint upon a man's freedom of locomotion." Earl v. Winne, supra, 14 N.J. at 128. Police officers and other public officials may be held liable for false imprisonment where they have acted outside their authority. Lakutis v. Greenwood, supra, 9 N.J. at 106.

"False arrest, [like] false imprisonment, is the constraint of a person without legal justification." Id. Mesgleski v. Oraboni, 330 N.J.Super. 10, 24, 748 (App.Div.2000). "A [legal] basis for a suit for false arrest arises where the aggrieved party is arrested without legal authority...." Id. An unlawful arrest cannot be legalized by subsequent events. Id. Bauer v. Borough of Cliffside Park, 225 N.J.Super. 38, 47, (App.Div.), *certif. denied*, 113 N.J. 330.Id.

One who is wrongfully deprived of freedom does not necessarily suffer from a denial of the necessities for maintaining a physical existence. Nor can the signs of unlawful confinement be detected by conducting a physical examination of the victim. Id. As noted by the Supreme Court

of California in Sullivan v. County of Los Angeles, 12 Cal.3d 710, 117 Cal.Rptr. 241 (1974), "[i]n a false imprisonment case, the 'injury' suffered by an individual is the illegal confinement itself rather than any detriment occurring after imprisonment...." Id. One who is wrongfully deprived of freedom sustains an intangible injury, the magnitude of which cannot be measured or assessed in physical terms. Id. Although this injury may, in some cases, also cause psychological or emotional trauma, a victim of false arrest/false imprisonment need not experience such trauma to have a legally compensable claim. Id.

In a free society, a citizen has the right to move about, unburdened by unreasonable governmental restrictions. Id. A deprivation of this right is rendered legally compensable when it results from the unlawful acts of government agents such as police officers. To conclude otherwise would convert this civil right into an empty promise. Id.

Consider a case where a person is unlawfully detained by the police, not for ten minutes as in this case, but for several days. He is not physically mistreated during his incarceration and is eventually released physically unharmed. Id. Is he to be left without legal compensation? Did the Legislature intend to leave this obvious wrong without a remedy? Id. Is the public policy of deterrence embodied in the tort of false arrest/false imprisonment furthered by imposing a legal requirement that renders any potential claim a nullity? We believe the answer to all three of these questions is "no." Id.

We thus hold that a plaintiff asserting a false arrest/false imprisonment claim need only prove that he or she was wrongfully deprived of freedom. Id. The length of the unlawful confinement is relevant only to a determination of damages, not as an element of proof of liability. See State v. Dickey, supra, 152 N.J. at 475. Here, plaintiff established all of the elements necessary to prevail on his claim.

In the case at bar, Ms. Lloyd will prevail and the Township will be liable for false arrest and false imprisonment. She was arrested without probable cause and detained for absolutely no reason for 24 hours.

It should be noted that there are numerous inconsistencies in police report. More importantly the officer lied and said my client admitted to hitting the woman when she did not. The interview is recorded and clearly Ms. Lloyd did not admit to doing something she did not do. Detective Michael Melody (#269) should be disciplined. It is clear that the arrest was not based on probable cause. The charges were not based on probable cause. Robbery??? Let review robbery. committing a theft by force is what a robbery is defined as. There was no theft if she was legally entitled to the paperwork since it was about her son. First problem/ There was no force no weapon was recovered and there was no hit, push, punch or shove that was demonstrated even at the time of arrest. Ms. Lloyd has an audiotape of the entire meeting. No where in the audio can anyone hear a hit or slap because there was no physical contact. The downgraded charges could not be sustained because there was no evidence of physical contact. 24 hours in a cell was false imprisonment when there was no reason for her detention. She was not armed or dangerous nor was there evidence of a felony where she would be a flight risk. There was no reason for an African American mother trying to help her son and obtain documents she was legally entitled too to be detained?? She should not have been locked up for this or a traffic ticket.

Defamation

“[A] statement is defamatory if it is false, communicated to a third person, and tends to lower the subject's reputation in the estimation of the community or to deter third persons from associating with him.” W.J.A. v. D.A., 210 N.J. 229, 43 A.3d 1148, 40 Media L. Rep. 1830

(N.J., 2012) citing Lynch v. N.J. Educ. Ass'n, 161 N.J. 152, 164–65(1999) (citing *Restatement (Second) of Torts* §§ 558, 559 (4th ed. 1977)). A defamatory statement may consist of libel or slander. *Id.* citing Dairy Stores, Inc. v. Sentinel Publ'g Co., 104 N.J. 125, 133 (1986) (citing *Prosser and Keeton on Torts* § 111 at 771 (5th ed. 1984)); Rodney A. Smolla, *Law of Defamation* § 1:10 (2d ed. 2008). As a general proposition, “[t]he short and simple distinction between the terms is that libel is defamation by written or printed words, or by the embodiment of the communication in some tangible or physical form, while slander consists of the communication of a defamatory statement by spoken words, or by transitory gestures.” *Id.* citing Smolla, *supra*, § 1:11 (footnotes omitted).

That historical “ ‘distinction arose when relatively few people could read and the written word was awesome and thus more credible.’ ” *Id.* citing Smolla, *supra*, § 1:13 (citation omitted). Indeed, it was believed that the written word carried a greater sting than the spoken word, that it reached a larger audience, and that it evidenced greater premeditation on defendant's part. *Id.* citing Ward v. Zelikovsky, 136 N.J. 516, 528,(1994) ; Smolla, *supra*, § 1:13 (citing Spence v. Funk, 396 A.2d 967, 970 (Del.1978)); *see also* Senna v. Florimont, 196 N.J. 469, 479–82, (2008) (describing historical development of tort of defamation).

As scholars point out, “[t]he distinction between libel and slander would be nothing more than a quaint vestige of old common-law vocabulary if the elements of both torts were identical.” *Id.* citing Smolla, *supra*, § 1:15. But they are not the same and it is in connection with damages that they diverge most obviously.

B.

“Damages which may be recovered in an action for defamation are: (1) compensatory or actual, which may be either (a) general or (b) special; (2) punitive or exemplary; and (3)

nominal.” Prosser and Keeton, *supra*, § 116A at 842 (footnote omitted). Actual damages, as the name implies, refers to the real losses flowing from the defamatory statement. *Id.* at 843. It “is not limited to out-of-pocket loss,” but includes “impairment to reputation and standing in the community,” along with personal humiliation, mental anguish, and suffering to the extent that they flow from the reputational injury. *Id.* citing Gertz v. Robert Welch, Inc., 418 U.S. 323, 350 (1974).

Contained within the notion of actual damages is the doctrine of presumed damages—the losses “which are normal and usual and are to be anticipated when a person's reputation is impaired.” *Id.* citing Prosser and Keeton, *supra*, § 116A at 843 (footnote omitted). Presumed damages are a procedural device which permits a plaintiff to obtain a damage award without proving actual harm to his reputation. *Id.* citing Smolla, *supra*, § 9:17. Among the [210 N.J. 240] rationales underlying the doctrine are the difficulty of proving the effects of the defamatory statement and that harm normally results from such a statement. Dun & Bradstreet, Inc. v. Greenmoss Builders, Inc., 472 U.S. 749, 760, (1985) (citation omitted).

Presumed damages apply in libel cases. *Id.* citing Prosser and Keeton, *supra*, § 112 at 785–86, § 116A at 843. In contrast, slander cases generally require proof of special damage—an economic or pecuniary loss. *Id.* citing Charles T. McCormick, *Damages* 415 (1935). However, if the slander is *per se* (e.g., accusation of a crime, a loathsome disease, misfeasance in business, or serious sexual misconduct, Biondi v. Nassimos, 300 N.J.Super. 148, 154, (App.Div.1997)), the requirement of proving special or economic damage in a slander case drops away, Ward, *supra*, 136 N.J. at 540. In that case, slander *per se*, like libel, permits the jury to consider presumed damages. *Id.*

A nominal damages award may be made in a defamation case to a plaintiff who has not proved a compensable loss. Id. citing Smolla, supra, § 9:5; Prosser and Keeton, supra, § 116A at 845. Nominal damages are “awarded for the infraction of a legal right, where the extent of the loss is not shown, or where the right is one not [210 N.J. 241] dependent upon loss or damage.” Id. citing McCormick, supra, at 85. Such an award is a “judicial declaration that the plaintiff’s right has been violated.” Id. It serves the purpose of vindicating the plaintiff’s character by a verdict of a jury that establishes the falsity of the defamatory statement. Id.

Finally, punitive or exemplary damages may be awarded in a defamation case. Id. Punitive damages are an exception to the general rule that damages are aimed at compensation. Id. at 275. They are intended to punish and deter wanton conduct. Id. In New Jersey, all elements of the Punitive Damages Act must be satisfied in order to sustain a punitive damages award. *See N.J.S.A. 2A:15–5.9 to –5.17.*

In the present case, the Township is liable for slander and libel. Due to the fact that there was no evidence of robbery or assault the facts reported in the newspaper were false and caused harm to Ms. Lloyd. The school official’s rendition of the false facts to police and in court qualifies as slander.

Ms. Lloyd was unable and still is unable to obtain employment/ promising career due to the press release the police sent out regarding this false incident. The publication of the lies that were told about Ms. Lloyd has had a devastating effect on her and her child’s life.

We are seeking to clear her name from the lies, racial harassment and degradation that occurred through what we believe to be a smear campaign that was submitted to the media by Ocean Township Officials through retractions by all media outlets who published this false story.

Intentional and Negligent Infliction of Emotional Distress

The elements of a claim for intentional infliction of emotional distress are:

(1) the defendant acted intentionally; (2) the defendant's conduct was "so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious, and utterly intolerable in a civilized community;" (3) the defendant's actions proximately caused him/her emotional distress; and (4) the emotional distress was "so severe that no reasonable [person] could be expected to endure it." Matczak v. Frankford Candy and Chocolate Co., 136 F.3d 933 (3rd Cir., 1997)

Negligent infliction of emotional distress requires: (1) a duty of reasonable care; (2) a breach of that duty; (3) severe emotional distress; and (4) that the breach of duty was the proximate cause of the injury. Russo v. Nagel, 358 N.J. Super. 254, 269-70 (App. Div. 2003). Further, "Whether the defendant has a duty of care to the plaintiff depends on whether it was foreseeable that the plaintiff would be seriously, mentally distressed." Id.

In the present case, the treatment of Ms. Lloyd meets the elements. The actions of lying on Ms. Lloyd, false arrest and imprisonment, sending a press release without based on evidence were intentional. All of this conduct was outrageous! Ms. Lloyd being charged with robbery was outrageous for mother requesting information about her son. Ms. Lloyd is unable to obtain employment due to the press release due to it still being available on the internet. Ms. Lloyd suffers extreme emotional distress due to how she was treated and the subsequent effects of the Township's employee's actions.

As for negligent infliction, all the Township employees' have a duty to act with reasonable care. They did not in this case based on the facts above and breach their duty to Ms. Lloyd as a

member of the public they serve. Due to their breach Ms. Lloyd suffers extreme emotional distress.

It is clear that there was a conspiracy to violate Ms. Lloyd's rights. Clearly the school was after Ms. Lloyd for standing up for son's rights regarding several issues. It appears that the school is not use to parents being so actively involved in their child's education. But this is not illegal and it cannot be stopped. Nevertheless, we contend that a lynching occurred.

Unfortunately, racism is real today and must be eradicated in accordance with the law. We contend that was the only reason why my client was falsely accused, arrested and charged. It is our position that Ocean Township Board of Education, Ocean Township Police Department, Ocean Township Municipal Court and Ocean Township Municipal Prosecutor; Mario Delano is sending the message that black people have no rights regarding their children in the school system.

Based on the foregoing, the Ocean Township's Police Department, Ocean Township Public School District, Ocean Township Municipal Court, Ocean Township Municipal Prosecutor; Mario Delano violated Ms. Lloyd's Civil Rights 42 U.S.C. §1983, and are liable for false arrest, false imprisonment, malicious prosecution, intentional and negligent infliction of emotional distress and defamation (libel and slander).

Conclusion

Wherefore, Ms. Lloyd, plaintiff requests judgement against defendants for damages, punitive damages, compensatory, attorney's fees, cost of suit, media outlet retractions and any other relief as the court may deem proper.

Dated: 10/26/2018

Signature: Thomasina S. Slay

CERTIFICATION OF NO OTHER ACTIONS

I certify that the dispute about which I am suing is not the subject of any other action pending in any other court or a pending arbitration proceeding to the best of my knowledge and belief. Also, to the best of my knowledge and belief no other action or arbitration proceeding is contemplated. Further, other than the parties set forth in this complaint, I know of no other parties that should be made a part of this lawsuit. In addition, I recognize my continuing obligation to file and serve on all parties and the court an amended certification if there is a change in the facts stated in this original certification.

Dated: 10/26/2018

Signature: Thomasina S. Slay

OPITIONAL: If you would like to have a judge decided your case, do not include the following paragraph in your complaint. If you would prefer to have a jury to decide your case, please sign your name after the following paragraph.

JURY DEMAND

The plaintiff demands trials by a jury on all of the triable issues of this complaints, pursuant to New Jersey Court Rules 1:8-2(b) and 4:35-1(a)

Dated: 10/26/2018

Signature: Thomasina S. Slay

MONMOUTH COUNTY
SUPERIOR COURT
PO BOX 1269
FREEHOLD

NJ 07728

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (732) 677-4240
COURT HOURS 8:30 AM - 4:30 PM

DATE: OCTOBER 30, 2018
RE: LLOYD V OCEAN TOWNSHIP COUNSEL ET AL
DOCKET: MON L -003915 18

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON MARA ZAZZALI-HOGAN

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 003
AT: (732) 677-4262 EXT 4262.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

THOMASINA L. LLOYD
PO BOX 211
NEPTUNE NJ 07754

JUNCAHO

Appendix XII-B1

	CIVIL CASE INFORMATION STATEMENT (CIS) Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule</i> 4:5-1 Pleading will be rejected for filing, under <i>Rule</i> 1:5-6(c), if information above the black bar is not completed or attorney's signature is not affixed		FOR USE BY CLERK'S OFFICE ONLY	
			PAYMENT TYPE: ☐ CK ☐ CG ☐ CA.	
			CHG/CK NO. <u>25436492842</u>	
			AMOUNT: <u>\$250.00</u>	
				OVERPAYMENT:
				BATCH NUMBER:
1. ATTORNEY / PRO SE NAME <u>Thomasina L. Lloyd</u>		2. TELEPHONE NUMBER <u>(732) 984-0673</u>		3. COUNTY OF VENUE <u>Monmouth</u>
4. FIRM NAME (if applicable) <u>n/a</u>		5. DOCKET NUMBER (when available) <u>MON-L-3915-18</u>		
6. OFFICE ADDRESS <u>PO Box 211, Neptune, NJ 07754</u>		7. DOCUMENT TYPE <u>Complaint</u> <u>(Civil Action Complaint)</u>		
		8. JURY DEMAND ☒ YES ☐ NO		
9. NAME OF PARTY (e.g., John Doe, Plaintiff) <u>Thomasina L. Lloyd</u>		10. CAPTION <u>Thomasina L. Lloyd, Plaintiff vs.</u> <u>Ocean Township Counsel, Ocean Township Board of Ed.,</u> <u>Ocean Township Police Dept., Ocean Township Municipal</u> <u>Court, Defendants</u>		
11. CASE TYPE NUMBER (See reverse side for listing) <u>699, 005, 609</u>	12. HURRICANE SANDY RELATED? ☐ YES ☒ NO	13. IS THIS A PROFESSIONAL MALPRACTICE CASE? ☐ YES ☒ NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.		
14. RELATED CASES PENDING? ☐ YES ☒ NO		15. IF YES, LIST DOCKET NUMBERS		
16. DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? ☒ YES ☐ NO		17. NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <u>Dual-Lynx, 100 Decaden Drive,</u> <u>Egg Harbor, NJ 08234</u> ☐ NONE ☐ UNKNOWN		
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.				
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION				
18. DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? ☐ YES ☒ NO		IF YES, IS THAT RELATIONSHIP: ☐ EMPLOYER/EMPLOYEE ☐ FRIEND/NEIGHBOR ☐ OTHER (explain) ☐ FAMILIAL ☐ BUSINESS		
19. DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY?		☒ YES ☐ NO		
20. USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION <u>Unsure at the moment.</u>				
21. DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? ☐ YES ☒ NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION		
22. WILL AN INTERPRETER BE NEEDED? ☐ YES ☒ NO		IF YES, FOR WHAT LANGUAGE?		
23. I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with <i>Rule</i> 1:38-7(b).				
24. ATTORNEY SIGNATURE: <u>Thomasina L. Lloyd, Pro se</u>				