

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

Jeremy Byrd,

Plaintiff,

v.

Spartanburg Sheriff's Department, and
Sherriff Chuck Wright,

Defendants.

IN THE COURT OF COMMON PLEAS
IN THE SEVENTH JUDICIAL CIRCUIT

SUMMONS

TO THE DEFENDANT ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is served upon you, and to serve a copy of your answer to this Complaint upon the subscriber at the address shown below within thirty (30) days (thirty five (35) days if served by United States Mail) after service hereof, exclusive of the date of such service, and if you fail to answer the Complaint, judgment by default will be rendered against you for the relief demanded in the Complaint.

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February 3, 2025
Columbia, South Carolina

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COUNTY OF SPARTANBURG

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COMPLAINT
(Jury Trial Demanded)

EMPLOYMENT CASE

The Plaintiff, complaining of the Defendant, respectfully alleges as follows.

PARTIES AND JURISDICTION

1. Plaintiff Jeremy Byrd ("Plaintiff") is a citizen and resident of Spartanburg County, South Carolina.
2. Defendant Spartanburg County Sheriff's Department is a county Sherriff's Office in Spartanburg County South Carolina.
3. Defendant Chuck Wright is the Sherriff of Spartanburg County, South Carolina.
4. Plaintiff worked for the Department as a law enforcement officer in the rank of Lieutenant.
5. This action alleges wrongful discharge and defamation under the common law of South Carolina.
6. This Court has subject matter jurisdiction over these claims.
7. This Court has personal jurisdiction over these parties because Defendant and Plaintiff reside and conduct business in Spartanburg County, South Carolina, and the events giving rise to this action occurred within Spartanburg County, South Carolina.

8. This Court is a proper venue because Plaintiff was employed by Defendant in Spartanburg County and the acts giving rise to these claims occurred within Spartanburg County, South Carolina.

9. Plaintiff demands a jury trial on all triable claims and issues.

FACTUAL ALLEGATIONS

10. Plaintiff was hired by Department as a Deputy and served honorably, attaining the rank of First Lieutenant, a position he held at the time of his termination.

11. Plaintiff had an exemplary service record, with no disciplinary actions.

12. Plaintiff's performance evaluations reflect that met or exceeded legitimate performance expectations.

13. During Plaintiff's employment, the son of Defendant Wright was hired to the department as a part-time employee but was occupied a full-time position.

14. Plaintiff expressed internal concerns up the chain of command about the appearance of impropriety, potential nepotism, and preferential treatment regarding the hiring of Sheriff Wright's son and the difference between the position he was hired for and the position he held.

15. In response to allegations of nepotism, Sheriff Wright released a statement that he was removing himself from his son's chain of command and placing the Chief Deputy in charge of any disciplinary actions that might arise against Sheriff Wright's son.

16. However, this did not cure any potential nepotism concerns because of Defendant's disciplinary procedures. This is because the appeals process for any disciplinary actions requires the involvement of the Sheriff. However, because Sheriff Wright removed himself from his son's chain of command, any disciplinary appeals process would not go to Sheriff Wright, and would instead remain with the Chief Deputy, who issues disciplinary actions in the first place.

17. This difference in the appeals process would not affect other deputies, but would instead be reserved for Sheriff Wright's son, which did not alleviate the concerns expressed about preferential treatment.

18. Plaintiff was approached by lieutenants under his chain of command about the preferential treatment. Plaintiff did not accuse Sheriff Wright of any wrongdoing to these lieutenants, but instead informed his lieutenants that they were to treat Sheriff Wright's son no differently than they would anyone else.

19. On or about August 22, 2024, Plaintiff was contacted by Lieutenant Guffy and informed that he was under investigation.

20. Plaintiff was interviewed because of the investigation and was asked if he had made any statements regarding Sheriff Wright's son or statements regarding the recent sheriff election.

21. Defendants alleged Plaintiff had stated that "the wrong man won the election, hence the reason we are in the situation we are in."

22. The allegation surrounding the alleged statement Plaintiff made about the recent sheriff election seemed to stem from Plaintiff's familiarity with Sheriff Wright's opponent in the election.

23. Sheriff Wright had run for sheriff against Nick Duncan ("Duncan"), whom Plaintiff had met through working in Defendant's Aviation unit.

24. During Duncan's campaign, Duncan made false statements regarding the cost of operating helicopters within the Aviation unit. Plaintiff had reached out to Duncan regarding the misinformation in an attempt to correct it.

25. However, Plaintiff did not make the statement he was accused of, that Sheriff Wright was "the wrong man" for the job.

26. Despite the unfounded accusations, Plaintiff received a Garrity warning during the investigation, which centered on Plaintiff's alleged statement regarding the sheriff election.

27. Following Plaintiff's interview because of the investigation, Plaintiff was given a polygraph, placed on paid suspension, and given an order not to discuss the contents of the interview or the accusations against him with anyone else.

28. Plaintiff followed this order.

29. Plaintiff did contact three other lieutenants whose names had been mentioned in Plaintiff's interview. However, Plaintiff did not discuss the allegations against him, nor any specifics regarding the interview. Plaintiff merely informed the lieutenants that their names had been brought up, and that they may be interviewed themselves.

30. Word of Plaintiff's calls to the lieutenants made it back to Defendants. As a result, the lieutenant and Chief Deputy who interviewed Plaintiff asked him about these calls. Plaintiff was transparent and informed the lieutenant and Chief Deputy that he had called to give the other individuals a heads-up, but per the order given to him, Plaintiff had not discussed what the interview was about.

31. Despite this, Plaintiff was told that he was being terminated for insubordination, despite having not been insubordinate and having never received any discipline in the past.

32. Plaintiff was terminated on August 26, 2024.

33. Plaintiff timely appealed his termination through the Department's internal appeals process, which was subsequently denied by a Captain and Chief Deputy within the department.

34. Following Plaintiff's termination, Sheriff Wright made comments throughout the department that Plaintiff was a "mole," and that Sheriff Wright had "found the mole."

FIRST CAUSE OF ACTION
Against the Spartanburg County Sherriff's Office
(Wrongful Discharge)

35. Plaintiff realleges the forgoing where consistent.

36. Plaintiff was terminated by Defendant on August 26, 2024.

37. Plaintiff was terminated in retaliation for opposing activity of Defendant's which is contradictory to the clear mandates of public policy in South Carolina.

38. Specifically, Plaintiff was terminated for his opposition to the hiring of Sheriff Wright's son as it pertains to concerns of nepotism and the letter and spirit of the requirements set forth in the South Carolina Ethics Act.

39. Further, under S.C. Code Ann. § 16-17-560, it is the clear mandate of South Carolina's public policy that an employee may not be terminated due to their political opinions or the exercise of their political rights.

40. As such, terminating Plaintiff based on his regarded political affiliation was unlawful.

41. Defendant's stated reason for Plaintiff's termination, insubordination, is pretext for Defendant's true reasons for termination as stated above. Plaintiff had never been disciplined for insubordination before his termination and, upon information and belief, other employees of Defendant had not faced termination after receiving discipline for insubordination.

42. Further, Plaintiff was not insubordinate.

43. Such above-described violations and acts amount to violations of clear mandates to the public policy of South Carolina.

44. Plaintiff has no legal remedy for his termination aside from this common law discharge claim.

45. Defendant is directly and proximately liable for Plaintiff's termination.

46. Defendant's wrongful termination of Plaintiff entitles Plaintiff to damages for lost earnings, lost benefits, diminished earning capacity, pain and suffering, emotional distress, and stress and reputational damages.

SECOND CAUSE OF ACTION
Against Defendant Wright
(Defamation)

47. Plaintiff realleges the foregoing where consistent.

48. After Plaintiff's termination, Sheriff Wright made comments to employees of Defendant, absent a need-to-know basis, and to third-party law enforcement agencies, that Plaintiff was a "mole" and that Sheriff Wright had "found the mole."

49. At all times herein, Defendant knew or should have known the allegations against Plaintiff that he was a "mole" and that Plaintiff had said "the wrong man won the election" are false.

50. Such statements were false and known to be false by Defendant at the time they were made. Defendant was aware that Plaintiff had not been feeding information to Duncan, Sheriff Wright's political opponent, and that Plaintiff had not been a "mole" seeking to harm Sheriff Wright and his position.

51. Such statements and acts are defamatory *per se* as they accuse Plaintiff of unfitness in his profession and unprofessionalism.

52. Plaintiff has suffered severe reputational loss both professionally and personally; Defendant caused and is liable to him for the same.

53. As a direct and proximate result of the defamatory conduct, Plaintiff has suffered reputational loss, been embarrassed, humiliated, and has sustained mental anguish. Plaintiff is entitled to an award of actual damages against Defendant, including damages for emotional pain and suffering, in amounts to be determined by a jury.

54. Plaintiff is also entitled to punitive damages for Defendant's willful and wanton actions.

PRAYER FOR RELIEF

55. Plaintiff realleges the foregoing where consistent.

56. Plaintiff requests a jury trial on all claims and all triable issues.

57. Plaintiff requests that the jury award, within its discretion, a reasonable sum for all damages sought on the above claims including punitive damages where legally cognizable.

58. Plaintiff requests that the Court award him all equitable relief it deems just and necessary up to and including reinstatement or front pay.

59. Plaintiff also requests pre-judgment interest.

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