

CASE NO. 26-  
COMMONWEALTH OF KENTUCKY  
JEFFERSON COUNTY CIRCUIT COURT  
DIVISION \_\_

HENRY BACHMANN,

PLAINTIFF

v.

LOUISVILLE METRO GOVERNMENT

DEFENDANT

Serve: Mike O'Connell  
Jefferson County Attorney  
500 W. Jefferson Street  
Ste. 1000  
Louisville, KY 40202

Serve: Mayor Craig Greenburg  
Louisville Metro Hall  
527 West Jefferson Street  
Louisville, KY 40202

-and-

LOUISVILLE METRO POLICE DEPARTMENT,

DEFENDANT

Serve: Mike O'Connell  
Jefferson County Attorney  
500 W. Jefferson Street  
Ste. 1000  
Louisville, KY 40202

Serve: Chief Paul Humphrey  
Louisville Metro Police Department  
601 West Chestnut Street  
Louisville, KY 40203

Serve: Mayor Craig Greenburg  
Louisville Metro Hall  
527 West Jefferson Street  
Louisville, KY 40202

-and-

JEFFERSON COUNTY CIRCUIT COURT CLERK (official capacity)

DEFENDANT

Serve: David L. Nicholson  
600 W. Jefferson Street  
Ste. 2008  
Louisville, KY 40202

**COMPLAINT FOR REPLEVIN, DECLARATORY JUDGMENT,  
AND INJUNCTIVE RELIEF**

Comes now the Plaintiff, HENRY BACHMANN, by counsel, Matthew R. Lemme, complaining of the Defendant, alleges and says:

**INTRODUCTION**

A Judge in New Albany, Floyd County, Indiana issued a search warrant for a Plaintiff's leased property in Louisville, Kentucky. Louisville Metro Police obtained some manner of authorization or permission to execute an Indiana Search Warrant in Louisville, Kentucky. This permission was granted by Hon. Brian Edwards or another Judge of the Jefferson Circuit Court. Louisville Metro Police executed the Indiana Search Warrant at an address in Louisville Kentucky, on or about September 3, 2025. Property was seized in that search and has been withheld from the Plaintiff by Louisville Metro Police.

Plaintiff, through counsel, has attempted to determine what property was taken or what occurred in the entry to his leased property in Louisville, Kentucky pursuant to an Indiana search warrant. The records he seeks are required under CR 13.02 and would be kept by the Jefferson Circuit Clerk. The Clerk refuses to release those records. This refusal is based upon a misplaced belief that the same Indiana Court that authorized the search of a property in Louisville, Kentucky was also authorized to "seal" that warrant and the result of it from any and every person in Kentucky.

This complaint demands the production and release of records as required by law. This complaint names government entities. No person is named in their individual capacity. Such parties or causes of action are unknown due to the concealment of records.

### **PARTIES**

1. Plaintiff Henry Bachmann is a leaseholder of property at 2420 Main Street Louisville, KY 40202.
2. Defendant Louisville Metro Government is a municipal government entity organized under the laws of Kentucky with its principal place of business in Louisville, Kentucky.
3. Defendant Jefferson Circuit Clerk is the legal custodian of records pertaining to search warrants and return of search warrants.

### **JURISDICTION AND VENUE**

4. This Court has subject matter jurisdiction over this action pursuant to KRS § 23A.010, as the Circuit Court is a court of general jurisdiction with original jurisdiction over all justiciable causes not exclusively vested in some other court.
5. This Court has personal jurisdiction over Louisville Metro Government because it is a municipal government entity organized and operating in Kentucky. The Court has personal Jurisdiction over the Jefferson Circuit Clerk as a government office located in Louisville, Kentucky.
6. The actions which give rise to this complaint occurred in Jefferson County, Kentucky. Jefferson County is the proper venue.

### **STATEMENT OF FACTS**

7. On September 2, 2025, Indiana Superior Court Judge Hon. Carrie Stiller issued a search warrant for property located at 2420 Main Street, Louisville, Kentucky.

8. Indiana Statute grants Indiana judges the authority to issue search warrants only within the State of Indiana.
9. Indiana courts lack territorial jurisdiction to issue search warrants for property located outside the State of Indiana.
10. A Jefferson Circuit Court judge was presented with the document identified as a search warrant issued by the Indiana Superior Court.
11. Upon information and belief, the Jefferson Circuit Court judge issued an order or authorization for service of the Indiana search warrant in Louisville, Kentucky.
12. The Jefferson Circuit Court did not independently issue a search warrant for the property located at Main Street, Louisville, Kentucky.
13. The Jefferson Circuit Court lacked authority to give any legal effect to the Indiana search warrant in Kentucky.
14. On or about September 3, 2025, the Louisville Metro Police Department executed the Indiana search warrant or assisted Indiana Police in executing the Indiana search warrant at the 2420 Main Street address in Louisville, Kentucky.
15. During the execution of the Indiana search warrant, personal property belonging to Plaintiff or others was seized from the Main Street address.
16. The Louisville Metro Police Department knew or should have known that the Indiana search warrant was not a valid search warrant , and was void under Indiana and Kentucky law.
17. The Louisville Metro Police Department knew or should have known that they were not executing a valid search warrant.
18. The Indiana search warrant was void and without any legal effect in Kentucky.

19. The Louisville Metro Police Department did not file a return on the “search warrant” in the clerk's office as would be required by statute and rule for service of a search warrant.
20. The Jefferson Circuit Court or Jefferson Circuit Clerk has refused or declined to release records relating to the search and seizure.
21. The refusal to release records has been based on claims of confidentiality or assertions that the Indiana warrant has been sealed by the Indiana judge.
22. Plaintiff has been unable to ascertain the full extent of property seized or the legal basis for the search due to the sealed or confidential nature of the proceedings.
23. Plaintiff demands return of his property, but it has not been returned.
24. Plaintiff has suffered damages as a result of the unlawful search and seizure and the continued detention of his property.

### **CLAIMS FOR RELIEF**

#### **Count I - Replevin**

Plaintiff repeats and realleges the allegations set forth in paragraphs 1 through 23 as if fully set forth herein as to Defendant Louisville Metro Government and Louisville Metro Police Department.

24. Plaintiff owned personal property located at 2420 Main Street, Louisville, Kentucky.
25. On or about September 3, 2025, Defendant's unknown officers seized Plaintiff's personal property from the Main Street address.
26. The seizure was conducted under an Indiana search warrant that was void and without legal effect in Kentucky.

27. Defendant wrongfully took and detained Plaintiff's property.
28. Defendant continues to wrongfully detain Plaintiff's property.
29. Plaintiff demands return of his property.
30. Defendant has failed to account for or return Plaintiff's property.
31. Plaintiff is entitled to possession of his property.
32. Plaintiff has suffered damages as a result of being deprived of his property.

## **Count II - Conversion**

Plaintiff repeats and realleges the allegations set forth in paragraphs 1 through 32 as if fully set forth herein as to Defendant Louisville Metro Government and Louisville Metro Police Department.

33. Plaintiff had legal title to personal property located at 2420 Main Street, Louisville, Kentucky.
34. Property seized on or about September 3, 2025, belonged to Plaintiff.
35. Plaintiff had the right to possess the property at the time of the conversion by Defendant.
36. Plaintiff had the right to possess his property on September 3, 2025, and at all times thereafter.
37. Defendant exercised dominion over Plaintiff's property in a way that deprived Plaintiff of its use and enjoyment.

38. Defendant seized Plaintiff's property under an invalid search warrant and has retained possession of it.
39. Defendant's exercise of dominion over the property has deprived Plaintiff of the use and enjoyment of his property.
40. Defendant intended to interfere with Plaintiff's possession.
41. Defendant intentionally seized and retained Plaintiff's property.
42. Defendant knew or should have known that the Indiana search warrant was invalid and that the seizure was unlawful.
43. Defendant's act was the legal cause of Plaintiff's loss of the property.
44. Defendant's seizure and retention of the property directly caused Plaintiff's loss of possession and use.
45. Plaintiff suffered damages from the loss of the property.
46. Plaintiff has suffered damages in the form of loss of use and possession of his property, as well as the value of the property.

**Count III - Declaratory Judgment**

(against defendant Louisville Metro Government)

47. Plaintiff repeats and realleges the allegations set forth in paragraphs 1 through 46 as if fully set forth herein.
48. An actual controversy exists between the parties.
49. There is an actual controversy regarding the validity and legal effect of the Indiana search warrant in Kentucky pursuant to KRS § 418.040.

50. On September 3, 2025, Indiana Superior Court Judge Hon. Carrie Stiller issued a search warrant for property located in Louisville, Kentucky.
51. Indiana Statute grants Indiana judges authority to issue search warrants only within the State of Indiana.
52. The Indiana search warrant was executed in Louisville, Kentucky, and property was seized based upon it.
53. Defendant continues to hold Plaintiff's property based on the Indiana search warrant.
54. The declaration will serve a useful purpose in clarifying the legal relationship.
55. A declaration that the Indiana search warrant is void in Kentucky will serve a useful purpose in clarifying whether the seizure was lawful and whether the property must be returned.
56. Such a declaration is necessary to resolve the controversy between the parties.
57. The court has jurisdiction to issue the declaration.
58. This Court has jurisdiction to issue a declaratory judgment pursuant to KRS § 418.040.
59. Plaintiff is entitled to a declaration that the Indiana search warrant issued by Hon. Carrie Stiller on September 3, 2025, is void and without legal effect in Kentucky.

#### **Count V - Injunctive Relief**

60. Plaintiff repeats and realleges the allegations set forth in paragraphs 1 through 59 as if fully set forth herein.
61. Plaintiff has a clear legal right to the relief sought.

62. Plaintiff has a right to know what property was taken from his premises and to receive a return on the search warrant as required Criminal Rule 13.02.
63. Defendant has a clear legal duty to perform the act.
64. Louisville Metro Police Department has a statutory duty to file a return on search warrants executed, cataloging the property seized.
65. Defendant has failed to file such a return.
66. Plaintiff has no adequate remedy at law.
67. Plaintiff has no adequate remedy at law because the records and inventory of seized property are being withheld.
68. Without an inventory or return, Plaintiff cannot determine what property was taken or pursue appropriate legal remedies.
69. Plaintiff will suffer irreparable harm without the injunction.
70. Plaintiff will suffer irreparable harm if he cannot ascertain what property was taken and the basis for its seizure.
71. Plaintiff's rights are being violated by Defendant's failure to provide a return or inventory pursuant to Rule 65.04. Temporary injunction..
72. The balance of equities favors the plaintiff.
73. The balance of equities favors Plaintiff because he is entitled to transparency regarding the search and seizure of his property.
74. Defendant will not be harmed by being required to comply with its statutory duty.

75. Plaintiff is entitled to injunctive relief requiring Defendant to file a return on the search warrant or produce a document cataloging all property taken from Main Street.

## **Count VI - Mandamus**

As to Jefferson Circuit Clerk

76. Plaintiff repeats and realleges the allegations set forth in paragraphs 1 through 76 as if fully set forth herein.

77. Defendant is a public entity with control over or access to public records.

78. Louisville Metro Government, through its police department and its relationship with the Jefferson Circuit Clerk, has control over or access to records relating to the search and seizure.

79. Defendant has a clear legal duty to perform a specific act.

- a. Public officials have a duty to provide access to public court records unless specifically exempted by law.
- b. The records relating to the search and seizure of Plaintiff's property are public records to which Plaintiff is entitled access.
- c. Defendant has refused or failed to perform the duty.
- d. The Jefferson Circuit Court or Jefferson Circuit Clerk has refused or declined to release records relating to the search.
- e. The refusal is based on claims of confidentiality or sealed status by the Indiana judge.

80. An Indiana judge lacks authority to seal Kentucky court records.

81. Plaintiff has no other adequate remedy.

82. Plaintiff has no other adequate remedy because the records are being withheld and he cannot access them through ordinary means.

83. Plaintiff has a clear legal right to the relief sought.
84. Plaintiff has a clear legal right to access public court records relating to the search and seizure of his property.
85. Plaintiff needs access to these records to fully understand the basis for the search and to pursue his legal remedies.
86. Plaintiff is entitled to a writ of mandamus or order requiring the release or unsealing of all records relating to the search and seizure of property at Main Street.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that this Court grant the following relief:

- A. Judgment for delivery of all personal property seized from Main Street, Louisville, Kentucky on or about September 3, 2025, or if the property cannot be delivered, judgment for its value and damages for its detention pursuant to KRS § 426.295.
- B. An order requiring Louisville Metro Police Department to file a return on the search warrant or produce a document cataloging all property taken from Main Street pursuant to Rule 65.04. Temporary injunction.
- C. An order in the nature of mandamus requiring the Jefferson Circuit Clerk or Court to release or unseal all records relating to the search and seizure of property at Main Street.
- D. A declaratory judgment that the Indiana search warrant issued by Hon. Carrie Stiller on September 3, 2025, is void and without legal effect in Kentucky pursuant to KRS § 418.040.
- E. Reasonable attorney fees incurred in prosecuting this action pursuant to KRS § 412.070.

F. All costs of this action.

G. Leave to amend his complaint should the production of evidence identify persons or claims for relief not presently known

**There is no demand for trial by Jury on this request for equitable relief.**

Respectfully submitted,

/s/ Matthew R. Lemme  
Matthew R. Lemme, #89893  
*Attorney for Plaintiffs*  
LEMME LAW OFFICES LLC  
201 W. Main Street  
New Albany, IN 47150  
812-512-1234  
office@getlemme.com