

EXHIBIT A

FILED

2024 DEC 20 PM 2: 04

KIMBERLY A. ALLEN
GRANT COUNTY CLERK

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**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF GRANT**

JONATHAN MOODY, an individual, and
KIRSTEN JONES, an individual
Plaintiffs,

v

GRANT COUNTY SHERIFF'S
DEPARTMENT; GRANT COUNTY
SHERIFF RYAN RECTENWALD and
"JANE/JOHN DOE" RECTENWALD,
husband and wife and the marital community
thereof; JUAN NIEBLA and "JANE/JOHN
DOE" NIEBLA, husband and wife, and the
marital community thereof; MATTHEW
TEMPEL and "JANE/JOHN DOE" TEMPEL,
husband and wife and the marital community
thereof; NICHOLAS OVERLAND and "JANE/
JOHN DOE" OVERLAND, husband and wife
and the marital community thereof; KYLE
FOREMAN and "JANE/JOHN DOE"
FOREMAN, husband and wife and the marital
community thereof; and DOES I through X;
Defendants

Cause No.: 24-2-01255-13

AMENDED COMPLAINT FOR
DAMAGES

TO: Clerk of the above-named Court;

AND TO: All Defendants

COMES NOW the above-named Plaintiffs and allege as follows:

AMENDED COMPLAINT FOR DAMAGES - 1
MOODY v. GRANT COUNTY
SHERIFF'S DEPARTMENT



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I PARTIES, JURISDICTION, VENUE

1.1 Plaintiff JONATHAN MOODY resided in Grant County, Washington, and plaintiff KIRSTEN JONES resided in Pierce County, Washington at all times material, and are competent to bring this action.

1.2 Defendant GRANT COUNTY SHERIFF’S DEPARTMENT, is the primary law enforcement body of the State of Washington political subdivision, GRANT COUNTY, and all its offices are within the boundary of GRANT COUNTY.

1.3 GRANT COUNTY sheriff RYAN RECTENWALD and “JANE/JOHN DOE” RECTENWALD, husband and wife; JUAN NIEBLA and “JANE/JOHN DOE” NIEBLA, husband and wife; MATTHEW TEMPEL and “JANE/JOHN DOE” TEMPEL, husband and wife; NICHOLAS OVERLAND and “JANE/JOHN DOE” OVERLAND, husband and wife, KYLE FOREMAN and “JANE/JOHN DOE” FOREMAN, husband and wife, and DOES I through X and their respective spouses are believed to have resided in Grant County, Washington at all material times hereto.

1.4 Upon information and belief Plaintiffs allege Defendants RYAN RECTENWALD and JANE/JOHN DOE” RECTENWALD, JUAN NIEBLA and “JANE/JOHN DOE” NIEBLA, MATTHEW TEMPEL and “JANE/JOHN DOE” TEMPEL, NICHOLAS OVERLAND and “JANE/JOHN DOE” OVERLAND, and KYLE FOREMAN and “JANE/JOHN DOE”



1 FOREMAN, and DOES I through X and their respective spouses, were married at the time of the
2 events that are the subject of this Complaint, but the true name of their respective spouses are
3 presently unknown.

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6 1.5 All acts as hereinafter alleged by individual defendants were done for and on behalf of the
7 above referenced marital communities. The defendants are sued in both their individual and
8 official capacities.

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10 1.6 Defendant Sheriff RYAN RECTENWALD at the time of the incident at bar was the interim
11 sheriff of Grant County pending the November election and acting within his scope of employment
12 as Grant County Sheriff; JUAN NIEBLA and MATTHEW TEMPEL at the time of the incident at
13 bar were Grant County Deputy Sheriffs on duty and acting within the scope of their employment
14 as Grant County Deputy Sheriffs; NICHOLAS OVERLAND at the time of the incident at bar was
15 a law enforcement officer of the Grant County Sheriff's Department on-duty and acting within the
16 scope of his employment as a Corporal within the Grant County Sheriff's Department; KYLE
17 FOREMAN at the time of the incident at bar was Public Information Officer for the Grant County
18 Sheriff's Department and acting within his scope of employment. DOES I through X at the time
19 of the incident at bar were employees and/or agents of the Grant County Sheriff's Department and
20 acting within their scope of employment. Defendant GRANT COUNTY SHERIFF'S
21 DEPARTMENT, a duly authorized Department of Grant County, is thus vicariously liable for the
22 acts and omissions in this Complaint under the doctrine of *respondeat superior*.
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1 1.6 All acts and omissions of defendants as complained of herein occurred within Grant County
2 Washington.

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5 1.7 This court has jurisdiction and venue over the subject matter of this complaint and over the
6 parties hereto.

7 **II. FACTUAL BACKGROUND**

8 2.1 On August 19, 2022, at approximately 9:28 p.m., Grant County Sheriff’s Deputies Niebla
9 and Tempel and Grant County Sheriff’s Corporal Overland responded to a “knock on the door” at
10 their basecamp at 754 Silica Road NW, Quincy, Washington, from an employee of Live Nation
11 Inc., who advised law enforcement was needed at Gate B of the Gorge Amphitheater
12 “immediately”. Live Nation, Inc. is the owner and operator of the Gorge Amphitheater and
13 adjacent parking lots and campground.
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17 2.2 Deputies Niebla and Tempel and Corporal Overland responded to the parking lot/campground
18 area of the Gorge Amphitheater, where they were contacted by other employees of Live Nation,
19 Inc.
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22 2.3 The Live Nation, Inc. employees referenced in Paragraph 2.2 advised that they “received a
23 report of a male walking around with firearms”.
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26 2.4 The report was made by two separate individuals who said they saw plaintiff
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1 JONATHAN MOODY engaged in grabbing two pistols and loading them while standing at the
2 trunk of a vehicle.

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5 2.5 Prior to the incident at bar, on the night before, plaintiff JONATHAN MOODY’S sister,
6 plaintiff KIRSTEN JONES called him to tell him that she is attending a musical event at the
7 Gorge Amphitheater, and she requested that he go to her residence in Puyallup, Washington and
8 pick up items she had ordered from Amazon to use at the event, and bring the items to her car in
9 the Gorge Amphitheater parking lot.

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12 2.6 Plaintiff JONATHAN MOODY agreed to his sister’s request to bring the items to her.

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14 2.7 Plaintiff JONATHAN MOODY had no plans to attend the musical event, and he did not
15 intend to stay beyond delivery of the items to his sister, plaintiff KIRSTEN JONES, that she
16 requested, as he had no day pass, parking pass, or camping pass.

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19 2.9 The day of the incident at bar, plaintiff JONATHAN MOODY drove to the parking
20 lot/campground of the Gorge Amphitheater with the items that his sister ordered from Amazon.

21 2.10 When plaintiff JONATHAN MOODY arrived at the Gorge Amphitheater parking lot, the
22 parking lot was packed, so he was forced to park 400 yards from his sister plaintiff KIRSTEN
23 JONES’ car, and to unload the items he brought to her he has to make multiple walking trips
24 between the his car and his sister’s car.
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2 2.11 When Plaintiff JONATHAN MOODY travels he carries firearms for self-protection. He has
3 a concealed weapons permit.

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6 2.12 When plaintiff JONATHAN MOODY got out of his vehicle and started making the walking
7 trips between his vehicle and his sister's vehicle to drop off the items he brought for her, he was
8 bearing two pistols, one on a rear waistband, and the other on his left hip. Life Entertainment,
9 Inc. had not posted any signs advising that firearms were not allowed on their premises.

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12 2.13 Despite what the two civilian witnesses thought they saw when they reported JONATHAN
13 MOODY to the Live Entertainment, Inc. employees, plaintiff JONATHAN MOODY did not
14 load his pistols at the back of his vehicle, but rather loaded them at home, and he had only one
15 magazine in each pistol.

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18 2.14 As plaintiff JONATHAN MOODY was walking from his car to his sister's car, transferring
19 the items his sister wanted, he first observed two security guards from Live Entertainment Inc.
20 yelling at him "Don't move ! Don't move !"

21 2.15 The Live Entertainment security guards physically grabbed him plaintiff JONATHAN
22 MOODY and detained him, without his resistance.

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25 2.16 The Live Entertainment security guards then yelled at defendants Deputy Sheriffs Niebla
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1 and Tempel and Corporal Overland that they had detained a suspected “shooter”, plaintiff
2 JONATHAN MOODY.

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5 2.17 Defendants JUAN NIEBLA, MATTHEW TEMPEL and NICOLAS OVERLAND, without
6 requesting of plaintiff JONATHAN MOODY if he had a place to secure his weapons,
7 handcuffed him and advised him he was under arrest. They noted he was compliant and did not
8 note any suspicious or threatening behavior on his part.

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11 2.18 Defendants JUAN NIEBLA, MATTHEW TEMPEL and NICOLAS OVERLAND, had,
12 prior to arresting plaintiff JONATHAN MOODY, interviewed the three civilian witnesses who
13 had confirmed JONATHAN MOODY was making them afraid by bearing arms in the parking
14 lot/campground area.

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17 2.19 Plaintiff JONATHAN MOODY was initially charged with threats to kill and transported to
18 the Grant County Jail, where he was incarcerated until arraigned and released four days later on
19 Tuesday August 23. By that time, the charges were modified to unlawful carrying/handling of a
20 weapon (RCW 9.41.270) and possession of a dangerous weapon (RCW 9.41.250). Both plaintiff
21 JONATHAN MOODY’s vehicle and his sister’s KIRSTEN JONE’S vehicles were impounded
22 and not released to them until several days later.

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25 2.20 Shortly thereafter, the GRANT COUNTY SHERIFF’S DEPARTMENT, under the
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1 authority of defendant interim sheriff RYAN RECTENWALD, and through KYLE FOREMAN,
2 Grant County Sheriff’s Department Public Information Officer, and DOES I through X, began
3 communicating with news media, both locally and throughout the United States, that plaintiff
4 JONATHAN MOODY was planning a mass shooting at the Gorge Amphitheater and was
5 apprehended before he could do so. Local media, including KREM television, and national
6 media published and broadcast this news release.
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9 2.21 Sometime later the GRANT COUNTY SHERIFF’S DEPARTMENT through KYLE
10 FOREMAN, Grant County Sheriff’s Department Public Information Officer and/or agents and
11 employees DOES I through X issued a retraction, but, as noted in Paragraph 2.20 the initial
12 report that JONATHAN MOODY was planning a mass shooting before being apprehended was
13 published and broadcast.
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17 **III. FIRST CAUSE OF ACTION: FALSE ARREST AND FALSE**
18 **IMPRISONMENT**

19 Plaintiffs hereby incorporate by reference Paragraphs 1.1 through 2.21.

20 3.1 At the time of his arrest and throughout the incident at bar, including all time after plaintiff
21 JONATHAN MOODY entered the property of the Gorge Amphitheater campground/parking lot
22 owned by Live Nation, Inc., he was lawfully exercising his right to open carry firearms
23 consistent with state statute and state and federal constitutional rights to bear arms, the federal
24 constitutional right embodied in the Second Amendment. He otherwise was not acting
25 unlawfully, and no notice was posted by Live Nation, Inc. that firearms were prohibited on its
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1 premises.

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3 3.2 The arrest and detention of plaintiff JONATHAN MOODY by DEFENDANTS JUAN
4 NIEBLA, MATTHEW TEMPEL, and NICHOLAS OVERLAND and his subsequent
5 imprisonment pending hearing by the GRANT COUNTY SHERIFFS' DEPARTMENT was
6 accordingly without legal authority and unlawful.
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9 **IV. SECOND CAUSE OF ACTION: DEFAMATION THROUGH**
10 **SLANDER/LIBEL**

11 Plaintiffs hereby incorporate by reference Paragraphs 1.1 through 3.2

12 4.1 The allegation that plaintiff JONATHAN MOODY was planning a mass shooting, solely
13 because he was bearing arms in open carry at the Gorge Amphitheater campground/parking lot,
14 was a false allegation with no basis in truth, and defendants GRANT COUNTY SHERIFF'S
15 DEPARTMENT, Grant County Sheriff RYAN RECTENWALD, KYLE FOREMAN, Grant
16 County Public Information Officer, and DOES I through X recklessly issued a news release or
17 otherwise disseminated through speech or a writing, information that was false, and which
18 harmed the reputation of plaintiff JONATHAN MOODY and caused him severe emotional
19 distress, embarrassment, and humiliation.
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23 **V. THIRD CAUSE OF ACTION: OUTRAGE or INTENTIONAL INFLICTION**
24 **OF EMOTIONAL DISTRESS**

25 Plaintiffs hereby incorporate by reference Paragraphs 1.1 through 4.1.
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5.1 Defendants GRANT COUNTY SHERIFF'S DEPARTMENT, Grant County Sheriff RYAN RECTENWALD, and KYLE FOREMAN, Grant County Public Information Officer, and DOES I through X engaged in outrageous conduct, causing plaintiff JONATHAN MOODY severe mental anguish and emotional distress, embarrassment, and humiliation when they recklessly disseminated information,, through issued news releases or otherwise disseminated through speech or a writing, information that was false and which they should have known to be false or without sufficient evidence to be true, that he was planning a mass shooting, solely because he was bearing arms in open carry in the Gorge Amphitheater campground/parking lot area.

VI. FOURTH CAUSE OF ACTION: NEGLIGENT INFLECTION OF EMOTIONAL DISTRESS

Plaintiffs hereby incorporate by reference Paragraphs 1.1 through 5.1.

6.1 In the alternative, Defendants GRANT COUNTY SHERIFF'S DEPARTMENT, Grant County Sheriff RYAN RECTENWALD, and KYLE FOREMAN, Grant County Public Information Officer, and DOES I through X negligently inflicted mental anguish and emotional distress, embarrassment, and humiliation upon plaintiff JONATHAN MOODY by disseminating statements through issued news release, or otherwise, that were false or without sufficient evidence to be true and a reasonable person would know to be false about plaintiff JONATHAN MOODY, specifically that he was planning a mass shooting before being apprehended.

VII. FIFTH CAUSE OF ACTION: TRESPASS TO CHATTELS



1 Plaintiffs hereby incorporate by reference Paragraphs 1.1 through 6.1

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3 7.1 Defendant GRANT COUNTY SHERIFFS' DEPARTMENT, through its employees and
4 Agents DOES I through X, impounded plaintiff JONATHAN MOODY'S vehicle, and plaintiff
5 KIRSTEN JONES' vehicle, and deprived them of use of their vehicles, for over 48 hours,
6 without lawful authority.

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8 **VIII. SIXTH CAUSE OF ACTION: NEGLIGENT SUPERVISION AND**
9 **TRAINING**

10 Plaintiffs hereby incorporate by reference Paragraphs 1.1 through 7.1.

11 8.1 Defendants GRANT COUNTY SHERIFFS DEPARTMENT , Grant County Sheriff
12 RYAN RECTENWALD, and Grant County Public Information Officer KYLE
13 FOREMAN had a duty to either train and supervise the deputy sheriffs and other employees in
14 the Grant County Sheriffs Department in their obligations not to disseminate false information
15 or allegations about individuals or other parties without proper investigation, and not to detain
16 and arrest individuals and/or seize their property for exercising their Second Amendment rights
17 and statutory rights to open carry guns, and not to seize the property of innocent individuals
18 without probable cause.

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20 8.2 Defendants GRANT COUNTY SHERIFFS DEPARTMENT, Grant County Sheriff
21 RYAN RECTENWALD, and Grant County Public Information Officer KYLE FOREMAN
22 breached that duty when they failed to properly train and supervise the deputy sheriffs, corporals,
23 and other employees referenced in Paragraph 8.1 above, proximately causing the tortious acts
24 and omissions complained of herein.



IX. SEVENTH CAUSE OF ACTION: DEPRIVATION OF CIVIL AND CONSTITUTIONAL RIGHTS

Plaintiffs hereby incorporate by reference Paragraphs 1.1 through 8.2

9.1 Defendants JUAN NIEBLA, MATTHEW TEMPEL, and NICHOLAS OVERLAND, violated plaintiff JONATHAN MOODY’S constitutional and civil rights by unreasonably seizing him and detaining him, in violation of 42 U.S.C. sec. 1983, the Fourth Amendment, Fourteenth Amendment, and Second Amendment of the United States Constitution.

9.2 Other employees and/or agents of the defendant GRANT COUNTY SHERIFF’S DEPARTMENT, referenced as DOES I through X, under the direction of defendant Grant County Sheriff RYAN RECTENWALD, then booked and imprisoned plaintiff JONATHAN MOODY in the Grant County Jail for a period longer than 48 hours, unreasonably and without justification, in violation of 42 U.S.C. sec. 1983, the Fourth Amendment, Fourteenth Amendment, and Second Amendment of the United States Constitution.

9.3 Other employees and agents of the defendant GRANT COUNTY SHERIFF’S DEPARTMENT, referenced as DOES I through X, under the direction of defendant Grant County Sheriff RYAN RECTENWALD, while acting under the color of law, but unreasonably and without justification, in violation of the Fourth Amendment and Fourteenth Amendment of the United States Constitution, seized the property of plaintiffs JONATHAN MOODY and KIRSTEN JONES, and deprived plaintiffs JONATHAN MOODY and KIRSTEN JONES of use of the seized property for over 48 hours.



1 9.4 Defendant GRANT COUNTY SHERIFFS DEPARTMENT’s policy or custom, and its
2 failure to adopt clear policies and failure to properly train its deputies and other agents and
3 employees, were a direct and proximate cause of the foregoing constitutional deprivations
4 suffered by plaintiffs.
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6 **X. DAMAGES**

7 10.1 As a direct and proximate result of the intentional, reckless, and negligent acts and omissions
8 of the Defendants GRANT COUNTY SHERIFFS DEPARTMENT, JUAN NIEBLA,
9 MATTHEW TEMPEL, NICHOLAS OVERLAND, RYAN RECTENWALD, KYLE
10 FOREMAN, and DOES I through X, plaintiff JONATHAN MOODY suffered loss of reputation,
11 severe emotional distress, embarrassment, humiliation, and mental anguish entitling him to recover
12 general compensatory damages in amounts not now precisely known, the exact amounts to be
13 proven at or before the time of trial.
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16 10.2 As a further direct and proximate result of the intentional acts and negligent acts and
17 omissions of Defendants RYAN RECTENWALD, JUAN NIEBLA, MATTHEW TEMPEL,
18 NICHOLAS OVERLAND, and the GRANT COUNTY SHERIFF’S DEPARTMENT through
19 other law enforcement officers DOES I through X in its employ, plaintiffs JONATHAN MOODY
20 suffered unlawful deprivation of liberty and unlawful loss of use of property, and plaintiff
21 KRISTEN JONES suffered unlawful loss of use of property, entitling them to recover general
22 compensatory damages in amounts not now precisely known, the exact amounts to be proven at
23 or before the time of trial.
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1 10.3 As a further direct result of the damages alleged above, Plaintiffs JONATHAN MOODY and
2 KIRSTEN JONES are entitled to recover statutory and reasonable attorney's fees and costs in
3 amounts not now precisely known, the court to set the amounts in the future.
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6 10.4 With respect to the items of special damages alleged by Plaintiffs JONATHAN MOODY and
7 KIRSTEN JONES, they are entitled to recover prejudgment interest, pursuant to statute, from the
8 Defendants in amounts not now precisely known, the exact amounts to be proven at or before the
9 time of trial.
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11 10.5 Because the Defendants actions and omissions “involved a reckless or callous indifference to
12 the federally protected rights of [the Plaintiffs]”, an award of punitive damages is appropriate to
13 the fully extent permitted by law. (quoting *Smith v. Wade*, 461 U.S. 30 (1983)).
14

15 **NOTICE RE LIABILITY**

16 In the event the Defense denies liability in its Answer or any other legal pleadings filed herein,
17 Plaintiffs provide advance notice that they will request CR 11 sanctions for the filing of a baseless
18 pleading. This notice is provided as a courtesy in light of the clear and undisputed facts in this
19 matter regarding the happening of this occurrence.
20

21 **X. PRAYER FOR RELIEF**

22 WHEREFORE, Plaintiff prays for a judgment of liability against the Defendants as
23 follows:
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25 A. For a judgment against Defendants individually and as marital communities, and
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1 jointly and severally, with liability extended to the Grant County Sheriff's Department under
2 vicarious liability and the doctrine of *respondeat superior*;

3 B. For an award of damages as set forth in the above complaint herein, including
4 prejudgment interest and statutory and reasonable fees and costs in such amounts that may be
5 awarded by the Court;
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7 C. For such other and further relief as the Court deems just and appropriate.
8

9 Dated this 20th day of December , 2024.
10

11 **LAW OFFICES OF GREENE & LLOYD, P.L.L.C.**

12 s/ TIMOTHY M. GREENE
13 Robert D. Lloyd WSBA #28960
14 Timothy M. Greene WSBA #17499
15 Of Attorneys for Plaintiffs
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THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR
THE COUNTY OF GRANT

JONATHAN MOODY, AN INDIVIDUAL
KIRSTEN JONES, AN INDIVIDUAL

CASE NO. 24-2-01255-13

Plaintiff,

DECLARATION PURSUANT
TO GR 17

vs.

GRANT COUNTY SHERIFF'S DEPARTMENT;
GRANT COUNTY SHERIFF RYAN
RECTENWALD AND JANE/JOHN DOE
RECTENWELD, HUSBAND AND WIFE
AND THE MARITAL COMMUNITY THEREOF
ET AL;

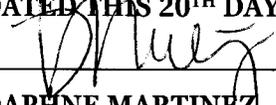
Defendant.

DAPHNE MARTINEZ, declares and states:

1. I am employed with A -2- Z LEGAL COURIERS, LLC, and submit this Declaration pursuant to GR 17(a) (2) as recipient of "AMENDED COMPLAINT FOR DAMAGES" received via email for filing with the Court in this matter.
2. I have examined the document. "AMENDED COMPLAINT FOR DAMAGES" consists of SIXTEEN (16) pages, including the signature page, and this Declaration page. It is complete and legible.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED THIS 20TH DAY OF DECEMBER, 2024



DAPHNE MARTINEZ
A -2- Z LEGAL COURIERS, LLC
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