

**IN THE STATE COURT OF CHATHAM COUNTY  
STATE OF GEORGIA**

<b>ORIEL SELVER,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>Vs.</b>	)	<b>Civil Action Number:</b> <u>STCV20-01144</u>
	)	
<b>TODD ORLANDO PEARSON,</b>	)	
	)	
<b>Defendant.</b>	)	

**COMPLAINT FOR DAMAGES**

COMES NOW, ORIEL SELVER, Plaintiff (“Ms. Selver” or “Plaintiff”) in the above-styled action, and brings this Complaint for Damages and respectfully shows the Court the following:

**THE PARTIES**

1.

Plaintiff is a resident of the State of Georgia and has been a resident of the State of Georgia at all times relevant to this case.

2.

Defendant Todd Orlando Pearson (“Mr. Pearson” or “Defendant”) is a resident of the State of Georgia and subject to the jurisdiction of this Court. His behavior that caused this lawsuit occurred while he was a resident of Chatham County, Georgia, including the attempted sexual assault of the Plaintiff. He may be served with a copy of this Complaint and Summons at his place of business: 233 Peachtree Street NE, Peachtree Center - Harris Tower, Suite 1245 Atlanta, Georgia 30303.

3.

The State Court of Chatham County is the Court of proper venue for this action.

4.

The State Court of Chatham County has jurisdiction over the subject matter of this action.

**FACTS**

5.

On or about January 4, 2017, while traveling by motor vehicle through Springfield, Ga., Ms. Selver received traffic citations for speeding and no insurance.

6.

On or about February 28, 2017, Ms. Selver appeared in the Springfield Municipal Court as summoned by the Uniform Traffic Citations issued to her on January 4, 2017.

7.

In court on or about February 28, 2017, the Solicitor for Springfield Municipal Court was the Defendant, Mr. Pearson.

8.

Also at this time, Defendant was an associate with Oliver Maner, LLP. On information and belief, the City of Springfield contracted with Oliver Maner to provide an attorney to serve as Solicitor for Springfield Municipal Court, and Mr. Pearson was serving as Solicitor pursuant to this agreement.

9.

On its website, Oliver Maner, LLP claims that it was founded in 1897 in Savannah, Ga., and its “lawyers [have] established a reputation of outstanding success.”

10.

On or about February 28, 2017, in his role as the Solicitor for Springfield Municipal Court, Defendant convinced Ms. Selver to plead guilty to both citations. The fine was set at \$750.

11.

Before Ms. Selver could leave the Springfield Municipal Court to drive home to Atlanta, Defendant gave Ms. Selver his Oliver Maner, LLP business card and wrote his cell phone number on the back of the card.

12.

Later that same day, before Ms. Selver even made it to her home in Atlanta from Springfield Municipal Court, Defendant began sending messages to Ms. Selver via Facebook.

13.

On or about February 28, 2017, via Facebook message, Defendant requested that Ms. Selver provide her cell phone number. Ms. Selver complied, and Defendant and Ms. Selver began communicating via text message from their cellphones.

14.

On or about March 1, 2017, Defendant sent a text message to Ms. Selver stating that if she performed "community service" he could ensure that her fines were reduced.

15.

Mr. Pearson made it clear that his offer to have Ms. Selver's fine reduced depended on her having sex with him.

16.

Ms. Selver contacted law enforcement officials in Effingham County, Ga., who referred her to the Georgia Bureau of Investigation ("GBI"). GBI began recording telephone conversations

between Ms. Selver and Mr. Pearson. GBI counseled Ms. Selver to make it seem that she was willing to comply with Mr. Pearson's offer to have Ms. Selver's fine reduced in return for sex.

17.

As a result of Ms. Selver's "willingness" to comply with Defendant's offer, on or about March 1, 2017 Mr. Pearson emailed officials with the Springfield Municipal Court and requested that Ms. Selver's charges and fine be reduced.

18.

On or about March 8, 2017, GBI conducted a sting operation in Chatham County, Ga. Ms. Selver wore a hidden recording device and GBI officers taped Defendant encouraging Ms. Selver to engage in sexual activity with him in return for reducing her traffic fines.

19.

On or about March 8, 2017, Mr. Pearson was arrested.

20.

At some point between March 8, 2017 and November 14, 2018, Chatham County District Attorney Meg Heap declared her office had a conflict and recused the entire office from participating in the prosecution of Mr. Pearson.

21.

On information and belief, the conflict stemmed from the fact that Defendant's employer, Oliver Maner, is closely tied to and defends Ms. Heap and her office in litigation.

22.

On or about November 14, 2018, a grand jury indicted Defendant for one count of violation of oath by a public officer, O.C.G.A. §16-10-1, charging that Mr. Pearson did "willfully and intentionally violate the terms of his oath as prescribed by law to wit: I do swear . . . that I will

faithfully, and impartially and without fear, favor, or affection discharge his duties as prosecuting attorney of Municipal Court of the City of Springfield by requesting sexual acts from Oriel Selver in exchange for reducing and dismissing her traffic tickets.” The assistant district attorney was Kenneth L. Hutcherson, a lawyer with the Prosecuting Attorney’s Council of Georgia (“PAC”).

23.

After receiving a True Bill on the indictment against Mr. Pearson and against Ms. Selver’s wishes, the State offered Mr. Pearson a pre-trial diversion program to dispose of his case. She was told orally by PAC’s victim coordinator that Mr. Pearson must perform community service, receive counseling, and cannot consume alcohol or carry a firearm, but Ms. Selver has been provided nothing in writing or confirming such diversion conditions. Ms. Selver renewed her objection to Defendant being permitted pre-trial diversion to PAC’s staff.

24.

On or about November 25, 2019, Mr. Hutcherson filed a “Motion and Order for Dead Docket” informing the Eastern Judicial Circuit Superior Court’s Hon. Louisa Abbott that Pearson “has entered into the Pretrial Diversion Program.” The case was then placed onto the Court’s dead docket.

25.

Based on the plea deal of pre-trial diversion, despite repeated requests Ms. Selver has been unable to view the prosecution’s file in this case.

26.

As a result of Defendant’s illegal and tortious behavior, Ms. Selver suffered extreme emotional distress and fears for the safety for herself and her son.

**COUNT I  
INVASION OF PRIVACY**

27.

Plaintiff realleges and incorporates by reference paragraphs 1-26 above as fully set forth herein.

28.

Mr. Pearson admitted to violating his oath by a public officer in violation of O.C.G.A. §16-10-1. As a prosecutor for the State of Georgia, Mr. Pearson had a duty to “faithfully, and impartially and without fear, favor, or affection discharge his duties as prosecuting attorney of Municipal Court of the City of Springfield.” He breached that duty when he communicated with Plaintiff via Facebook *the same day* she plead guilty to the traffic infractions in Springfield Municipal Court, and continued violating Plaintiff’s right of privacy, her absolute rights of personal security and personal liberty, and right to be let alone when he texted her to exchange favorable treatment on her traffic citations in exchange for sex.

29.

Defendant’s actions were a wrongful intrusion into Plaintiff’s private life that caused mental suffering, shame and humiliation.

30.

As a result of Defendant’s invasion of Plaintiff’s privacy, Plaintiff suffered damages, to wit, extreme emotional pain and distress, change of employment, financial loss, and paranoia about her safety and of her son’s safety.

31.

Plaintiff's damages were a direct and proximate result of Defendant's breach of his duty, Plaintiff suffered extreme emotional pain and distress, and will continue to suffer such injuries in the future.

**COUNT II  
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

32.

Plaintiff realleges and incorporates by reference paragraphs 1-31 above as fully set forth herein.

33.

Plaintiff suffered financial losses and severe emotional distress as a result of the intentional, reckless and wanton conduct of the Defendant, including, but not limited to Mr. Pearson abusing his authority as a prosecutor by seeking sexual acts from Plaintiff in exchange for reducing and dismissing Plaintiff's traffic citations.

34.

The conduct described herein is so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of human decency. Such conduct is atrocious and utterly intolerable in a civilized community and no reasonable person could be expected to endure it.

35.

The financial losses, emotional distress, humiliation, embarrassment and related injuries suffered by Plaintiff are a direct, legal and proximate result of the Defendant's extreme and outrageous conduct.

**COUNT III  
PUNATIVE DAMAGES**

36.

Plaintiff realleges and incorporates by reference paragraphs 1-35 above as fully set forth herein.

37.

Defendant's actions have demonstrated willful misconduct, malice, wantonness, oppression and/or the entire want of care which raises the presumption of conscious indifference to the consequences and warrants the imposition of punitive damages against Defendant.

**DEMAND FOR JURY TRIAL**

38.

The Plaintiff realleges and incorporates by reference paragraphs 1-37 above as fully set forth herein.

39.

Plaintiff seeks damages in excess of \$25,000 and therefore hereby demands a trial by jury of twelve (12) persons on all issues herein so triable.

WHEREFORE, Plaintiff being injured as a proximate result of the Defendant's acts and/or omissions, prays for the following:

- A. A trial by jury on all issues so triable;
- B. That process be issued as required by law;
- C. That the Defendant be served with process, Summons, Complaint, and accompanying documents, as required by law;
- D. That judgment be entered in favor of Plaintiff and against Defendant for expenses/special damages in an amount to be proven at trial;



- E. That judgment be entered in favor of Plaintiff and against Defendant for past and future expenses/special damages in an amount to be proven at trial;
- F. That judgment be entered in favor of Plaintiff and against Defendant for compensatory damages, include all general damages all allowed by law, including past, present, and future pain and suffering, in additional to emotional distress, in an amount to be determined by the enlightened conscience of a jury;
- G. That judgment be entered in favor of Plaintiff and against Defendant for punitive damages; and
- H. That Plaintiff have such other and further relief as is just and equitable.

Respectfully submitted, this 15<sup>th</sup> day of July, 2019.

FAIR FIGHT INITIATIVE, INC.

/s/ Scott C. Robichaux

SCOTT C. ROBICHAUX

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