

5. The Plaintiff is the lawful owner of and a resident of the property located at 1033 S. 13th Street, LaFollette, Tennessee 37766, which said property is located within a few hundred feet of the property owned by the Defendant, Casey Benjamin Boshears, at 1007 S. 13th Street, LaFollette, Tennessee 37766.

6. The Plaintiff would show unto the Court that the Defendant, Casey Benjamin Boshears, is engaged in actions or maintains a condition on his property that interferes with the Plaintiff's use and enjoyment of the Plaintiff's property.

7. The Plaintiff would show unto the Court that the Defendant, Casey Benjamin Boshears, has weeds, grass, brush, and other rank or obnoxious vegetation as well as gray water, rubbish and trash accumulating on his property as more specifically delineated in Exhibit 1 attached hereto and incorporated herein by reference.

8. The Plaintiff would further show unto the Court that the Defendant has allowed a significant amount of trash and refuse to accumulate on his property which attracts pests, creates foul odor, and is an unsightly aesthetic visible from the Plaintiff's property.

9. The Plaintiff would further show unto the Court that the Defendant's actions have caused substantial and unreasonable interference with the Plaintiff's quiet use and enjoyment of his property and despite numerous requests to rectify said violations, the Defendant has failed and refused to correct said violations.

10. The Plaintiff would show unto the Court that the accumulation of rubbish has blocked the natural flow of the water and has otherwise also blocked a culvert which causes significant accumulations of gray water approximately 8 feet deep.

11. The Plaintiff would show unto the Court that the Defendant, Casey Benjamin Boshears, is the Director of the Public Works Department for the City of LaFollette, which said entity is responsible to enforce the Codes for the City of LaFollette, and as such, the fact that the

Defendant has failed and refused to do so constitutes conduct which is arbitrary, capricious, willful and malicious.

12. The Plaintiff would show unto the Court that the Defendant is in violation of Sections 13-301 and 13-302 of the Codes for the City of LaFollette as follows:

13-301. Growth of weeds, brush, etc. on property. It shall be unlawful for any person owning, leasing, occupying or having control of property, regardless of whether the property is a vacant lot or contains any form of structure in the City of LaFollette, to permit the growth upon such property of weeds, grass, brush and all other rank or obnoxious vegetation to a height greater than two feet (2') when such growth is within two hundred feet (200') of occupied residential or commercial property or within two hundred feet (200') of any street, thoroughfare, or highway within the city limits of LaFollette, Tennessee. The failure to cut and/or destroy such weeds, grass, brush, and all other rank and obnoxious vegetation shall constitute a violation of this chapter. It shall also be unlawful for any such person or persons to permit poison ivy or other plants due to pollination, injurious or a menace to health to grow where they may cause injury or discomfort to any person within the City of LaFollette regardless of height or such; are hereby declared to be a public nuisance.

13-302. Accumulation of rubbish prohibited. It shall also be unlawful for any person owning, leasing, or occupying or having control of property, regardless of whether the property is a vacant lot or contains any form of structure in the City of LaFollette, to permit the accumulation upon such property of rubbish in any form or nature for such is hereby declared to be a public nuisance. The failure to clean up and remove such rubbish shall constitute a violation of this chapter. The failure to cut and remove dead trees and dead and broken limbs shall constitute a violation of this chapter; in as much as same constitutes a nuisance and a menace to life and property of citizens of this city.

13. The Plaintiff would show unto the Court that the fact that the Defendant's violation of the foregoing ordinances as set forth herein constitutes *negligence per se* and is a direct and proximate cause of the Plaintiff's complaints.

14. The Plaintiff would show unto the Court that the Defendant's conduct is intentional, negligent, willful and malicious, and more importantly, given the fact that the Defendant is the Public Works Director for the City of LaFollette, these egregious actions and failure of enforcement constitutes malicious conduct on the part of the Defendant.

15. The Plaintiff would show unto the Court that as a result of the direct and proximate cause of the Defendant's nuisance, the Plaintiff has suffered damages, including, but not limited to, loss of use and enjoyment of his property, annoyance, and diminution in property value.

16. The Plaintiff would further show unto the Court that the Defendant, Casey Benjamin Boshears, is the Director of Public Works for the City of LaFollette and the fact that the Defendant has failed to take any appropriate actions renders the Defendant's conduct extreme and outrageous under the circumstances designed to impose economic punishment on the Plaintiff, and that such action by the Defendant is malicious, oppressive, fraudulent, willful and wanton misconduct and reckless disregard for the rights of the Plaintiff and, therefore, the Plaintiff is entitled to exemplary and punitive damages in an amount as shall deter the Defendant from such conduct in the future.

17. Sufficient monetary deterrents need to be awarded to deter the Defendant from acting with a fly-by-night mentality from wrongfully, willfully, deliberately, maliciously and recklessly abrogating the rights of the Plaintiff by committing egregiously unlawful acts with deliberate indifference.

WHEREFORE, the Plaintiff requests that the Court enter a judgment against the Defendant and award the following relief:

1. That proper process issue and serve upon the Defendant, and that the Defendant be required to answer this Complaint within the time required by law, but not under oath, his oath being waived;

2. A permanent injunction ordering the Defendant to cease the activities on his property as set forth herein and to remediate the property to absolve of these infractions;

3. That the Plaintiff be awarded monetary damages for past and ongoing injuries,

including personal discomfort, annoyance and inconvenience in an amount to be proven at trial, not to exceed One Hundred Fifty Thousand Dollars (\$150,000.00);

4. Any diminution in value of the Plaintiff's property caused by the nuisance created by the Defendant;

5. That the Plaintiff be awarded punitive damages in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00);

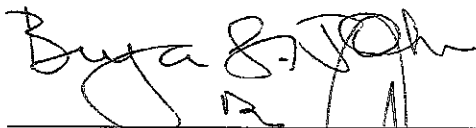
6. The costs of this action, including reasonable attorney fees;

7. Grant such other, further and general relief as the Court may deem the Plaintiff entitled under the law and evidence.

RESPECTFULLY SUBMITTED, this 2nd day of September, 2025.

BRYAN ST. JOHN

BY:

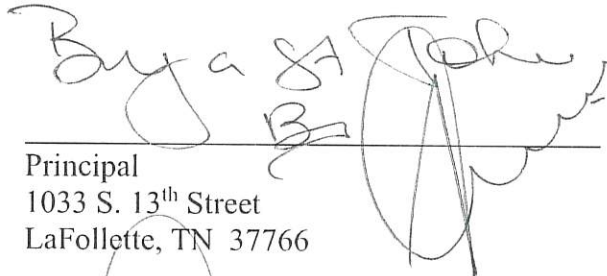

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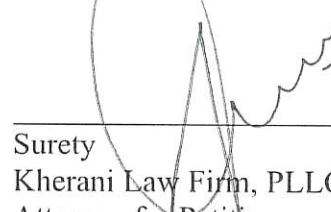
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COST BOND

We acknowledge ourselves as surety for all costs, taxes and damages in this case in accordance with T.C.A. §20-12-120.

BRYAN ST. JOHN

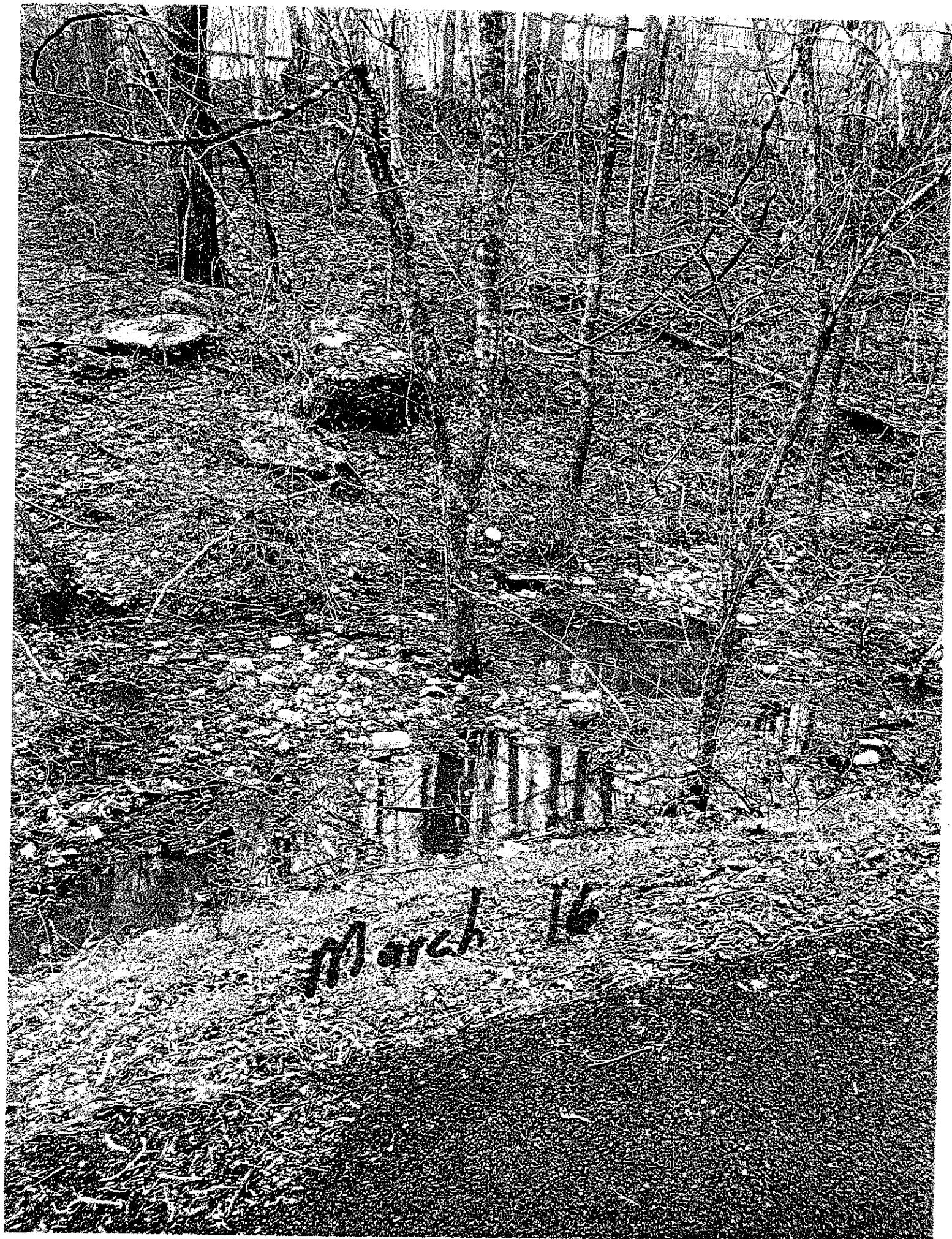

Principal
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LaFollette, TN 37766


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FILED
DATE: 9.2 2025 TIME 1:54 PM
CIRCUIT COURT — CAMPBELL COUNTY
BOBBY W. VANN CLERK

DEP. CLERK (D.C.)

Exhibit

1



A black and white photograph of a wooded area. The ground is covered in dry leaves and twigs. In the center-left, a discarded tire lies on the ground. To the right of the tire, a metal can or container is visible. The background is filled with the trunks and branches of trees.

March 16th

July 28th

