

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)
)
Eden Rogers as Guardian ad Litem for the)
minor child, Jane Doe¹)
)
Plaintiff,)
)
vs.)
)
Bradley Post and the Estate of Christina)
Larain Parcell,)
)
)
Defendants.)
)

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT
2022-CP-23-

**SUMMONS
(JURY TRIAL DEMANDED)**

TO THE DEFENDANTS ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your Answer to the said Complaint on the Plaintiff’s Attorney at the Law Office of Rhett Burney, PC at their office located at 312 South Main St., Simpsonville, South Carolina, 29681, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the Complaint within the time aforesaid, the Plaintiff in this action will apply to the Court for the relief demanded in the Complaint.

LAW OFFICE OF RHETT D. BURNEY

/s/ Rhett D. Burney
Rhett D. Burney
Brittany M. Gray
Attorneys for Plaintiff
312 South Main St.
Simpsonville, South Carolina 29681
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¹ Given the sensitive nature of the facts of this case and the age of the victim, the minor child for whom the Guardian ad Litem has been appointed shall be referred to as Jane Doe throughout these proceedings. The name of the minor child will be set out in a redacted identifier filed with the court and not subject to public review.

(hereinafter referred to as “Parcell”) was a resident and citizen of the State of South Carolina, County of Greenville at the time of her death.

6. Upon information and belief, all acts or omissions complained of herein below occurred in the County of Greenville, State of South Carolina.

FACTS

7. Plaintiff(s) incorporate(s) herein by reference each and every allegation set forth hereinabove as if repeated verbatim.
8. Jane Doe was a friend of Parcell’s minor daughter.
9. Jane Doe spent time with Parcell’s minor daughter while under the supervision and in the care of Parcell.
10. During the time that Jane Doe spent with Parcell and her minor daughter, Parcell and Post took pictures/videos of and with Jane Doe in states of undress and in sexually provocative positions.
11. The Plaintiff is informed and believes that during the investigation of the murder of Parcell, a search of Post’s cell phone revealed the contents of inappropriate and sexually explicit nude pictures of Jane Doe taken with and in the presence of Parcell.
12. The Plaintiff(s) is/are informed and believe that Post was the fiancée of Parcell.
13. The Plaintiff is informed and believes in addition to the photos/videos of Jane Doe found on Post’s phone, a search warrant for Post’s residence resulted in the seizure of various computers, videocassettes, cameras, cell phone(s), thumb drives, recording devices, digital storage devices, and tablet(s). A review of these items revealed sexually explicit nude pictures/videos of the Plaintiff, Jane Doe. At

all times that said inappropriate pictures/videos were taken, Jane Doe, was and continues to be a minor child. Thus, such photographing/videoing of the child could not be consented to by the Plaintiff, Jane Doe, and such was not consented to on behalf of Jane Doe by any adult having legal custody/guardianship of her.

14. In addition, the pictures revealed that Parcell was present in the images showing the Plaintiff, Jane Doe, in a sexually provocative state of undress. Parcell was entrusted with the care and control of the Plaintiff, Jane Doe, while in her care.
15. While in the presence of the Defendants, Jane Doe was photographed and videoed in various stages of undress, including the photographing/videotaping of the Plaintiff's breasts, genitals, and pubic area. The Defendant, Post, with the consent and assistance of Parcell, imported these photographs/videos to his cell phone and computer and saved them in files on his computers and other storage devices, making the Plaintiff, Jane Doe, the object of child pornography.
16. The Plaintiff is informed and believes that the Defendants knowingly and intentionally forwarded to others from his/her/their computer and other devices copies of the photographs/videos of the Plaintiff, Jane Doe, as the object of child pornography to other persons and themselves for their consumption.
17. The Defendant, Christina Parcell, aided and abetted and conspired with the Plaintiff to take the inappropriate pictures and videos of the Plaintiff, Jane Doe.
18. The Defendant's criminal, willful, reckless, and inappropriate sexual conduct towards Plaintiff, Jane Doe, including, but not limited to photographing her in various stages of undress and the videotaping of her being nude and sharing said photos/videos was without the consent of the Plaintiff and a violation of the

Plaintiff's privacy. Such photographing and videoing is inappropriate sexual conduct towards the Plaintiff and occurred during the time the Plaintiff was entrusted in the care of the Defendant, Parcell.

FOR A FIRST CAUSE OF ACTION

(ASSAULT AND BATTERY)

19. Plaintiff(s) incorporate(s) herein by reference each and every allegation set forth hereinabove as if repeated verbatim.

20. The Defendants committed acts of inappropriate sexual conduct towards the Plaintiff's body including, but not limited to, sexual misconduct and sexual assault and battery, sexual abuse culminating in inappropriate sexual contact in the inappropriate undressing, touching, posing, and photographing of the Plaintiff in sexually provocative positions in various stages of undress.

21. By their conduct and their dominant position as adults, Defendants placed Plaintiff in reasonable fear of bodily harm if she did not comply with the Defendants requests and demands.

22. The touching of the Plaintiff by the Defendants before, during, and after the photographing and videoing of the Plaintiff in states of undress and in sexually provocative positions was done with the intent of bringing about offensive contact upon the Plaintiff.

23. As a direct and proximate result of the above referenced acts by the Defendants, Plaintiff has suffered and continues to suffer economic and noneconomic damages, including but not limited to medical, psychological, counseling and related expenses, pain

of mind and body, shock, emotional distress, fear, embarrassment, loss of self-esteem, humiliation, loss of enjoyment of life, damaged reputation, and other damages as yet undetermined. Plaintiff is reasonably expected to suffer from such damages in the future.

24. The Defendants' actions were outrageous, intentional, willful, wanton and/or reckless, for which punitive damages are warranted in an amount that will punish and deter the Defendants and others like them from similar conduct.

FOR A SECOND CAUSE OF ACTION

(INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS/OUTRAGE)

25. Plaintiff(s) incorporate(s) herein by reference each and every allegation set forth hereinabove as if repeated verbatim.

26. The Defendants committed acts of inappropriate sexual conduct towards Plaintiffs' body including, but not limited to, sexual harassment, sexual misconduct, and sexual abuse culminating in inappropriate sexual contact and severe emotional distress by virtue of photographing/videoing the Plaintiff in sexually provocative positions and in various stages of undress.

27. Such acts of the Defendants were extreme, outrageous, intentional, and reckless.

28. As a direct and proximate result of the above referenced acts, Plaintiff has suffered and continues to suffer economic and noneconomic damages including, but not limited to, medical, psychological, counseling and related expenses, pain of mind and body, fear, shock, emotional distress, physical manifestations of emotional distress, emotional distress, embarrassment, loss of self-esteem, humiliation, loss of enjoyment of life, damaged reputation, and other damages as yet undetermined. The emotional distress

suffered by the Plaintiff was so severe that no reasonable person could be expected to endure it. The Plaintiff is reasonably expected to suffer from such damages in the future.

29. The Defendants' actions were outrageous, extreme, intentional, willful, wanton and/or reckless, and exceeded all bounds of decency; therefore, punitive damages are wanted in an amount that will punish and deter the Defendants and others from similar conduct.

FOR A THIRD CAUSE OF ACTION

(NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS)

30. Plaintiff(s) incorporate(s) herein by reference each and every allegation set forth hereinabove as if repeated verbatim.

31. The Defendants committed or failed to prevent acts of inappropriate sexual conduct towards the Plaintiff's body including, but not limited to, sexual harassment, sexual misconduct, and sexual abuse culminating in appropriate sexual contact, sexually explicit pictures/videos being taken of the Plaintiff, and severe emotional distress.

32. As a direct and proximate result of the above referenced acts, Plaintiff has suffered and continues to suffer economic and noneconomic damages including, but not limited to medical, psychological, counseling and related expenses, pain of mind and body, shock, fear, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, humiliation, loss of enjoyment of life, damage to reputation, and other damages as yet undetermined. Plaintiff is reasonably expected to suffer from such damages in the future.

33. The Defendants' actions were outrageous, intentional, willful, wanton and/or reckless, for which punitive damages should be awarded in an amount that will punish and deter others from like conduct.

**FOR A FOURTH CAUSE OF ACTION
(INVASION OF PRIVACY)**

34. Plaintiff(s) incorporate(s) herein by reference each and every allegation set forth hereinabove as if repeated verbatim.

35. That the Plaintiff at all times had the right to expect that her unclothed body would not be exposed or seen by others. The Plaintiff had a right to this privacy.

36. That the Defendants coerced and forced the Plaintiff to unclothe. Such coercion and force upon the Plaintiff to unclothe was intrusive upon the Plaintiff and her right to privacy.

37. That the Defendants' intentional photographing/videoing of the Plaintiff while unclothed further violated and invaded the Plaintiff's right to privacy.

38. That the Defendants' intentional distribution of the photographs/videos of the Plaintiff while unclothed further violated and invaded the Plaintiff's right to privacy.

39. As a direct and proximate result of the above intentional referenced acts by the Defendants, Plaintiff has suffered and continues to suffer harm to his/her interest in privacy as a result of the invasion, economic and noneconomic damages including, but not limited to medical, psychological, counseling and related expenses, pain of mind and body, fear, shock, emotional distress of a kind that normally results from such invasion, physical manifestations of emotional distress, embarrassment, loss of self-esteem,

humiliation, loss of enjoyment of life, damage to reputation, and other damages as yet undetermined. Plaintiff is reasonably expected to suffer from such damages in the future.

40. That Plaintiff suffered the injuries set out in this Complaint as the direct and proximate result of the tortuous acts of Defendants.

41. Plaintiff asks the Court to award damages, punitive damages, and costs of this suit.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants for the following:

- a. Damages for mental anguish in the appropriate amount;
- b. Actual damages in the appropriate amount;
- c. Punitive damages in an appropriate amount;
- d. Attorneys' fees, costs, expenses, and disbursements of this action, when allowed by the common law or statute;
- e. Interest; and
- f. For such other and further relief as this court deems just and proper.

LAW OFFICE OF RHETT BURNEY, PC

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