

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

CLANT M. SEAY, )  
Plaintiff, )  
)  
)  
vs. )  
)  
BUCKY ROWLAND, in his official )  
Capacity as Sheriff of Maury County, )  
Tennessee, and John Does I – X, )  
Defendants )

Civil Action No. \_\_\_\_\_

U.S. DISTRICT COURT  
MIDDLE DISTRICT OF TN

2016 AUG 23 PM 1:11

**FILED**

**VERIFIED COMPLAINT**

Comes now Plaintiff Clant M. Seay, pro se, and avers the following:

**INTRODUCTION**

1. This is a civil rights claim brought under 18 U.S.C. Sec. 1842 , and 42 U.S.C. § 1983, alleging that Mr. Bucky Rowland, as Sheriff of Maury County, Tennessee, and his Deputies, acting under color of law, intimidated, threatened, interfered with and deprived Seay and his journalistic associates in the exercise of their First Amendment and Fourteenth Amendment constitutional rights on June 3, 2016, at the Columbia Spring Jubilee Horse Show event held at the public park – “Maury County Park” – owned and operated by Maury County, Tennessee, which said park is located within the municipality of Columbia, Tennessee.

2. Pursuant to 18 U.S.C. Sec. 1842 , and 42 U.S.C. § 1983, Plaintiff Clant M. Seay seeks injunctive relief, declaratory relief, nominal damages and other costs and expenses against Bucky Rowland, in his official capacity as Sheriff of Maury County, Tennessee.

3. Defendants John Doe I – John Doe X and unknown at this time and are unnamed by the Plaintiff. These are individuals who are believed to have conspired and participated with and/or through Maury County ~~Deputy~~<sup>one</sup> Sheriff Bucky Rowland to violate the constitutional rights of the Plaintiff. The Plaintiff reserves the right to add names of Defendants as they come to light. These individuals are expected to be members of the Maury County Horseman Association and their agents.

4. This action is premised on the First and Fourteenth Amendments to the United States Constitution regarding the Defendant's intimidation, threatening, interference with and deprivation of Plaintiff's rights to free speech, freedom of the press and due process.

5. Defendants' actions intimidated, threatened, interfered with and deprived, and will continue to intimidate, threaten, interfere with and deprive the Plaintiff and his journalistic associates in the exercise of his and their constitutional rights.

6. Each and every act of the Defendant, alleged herein, was committed by the Defendant named herein under the color of state law and authority associated with his elected office as Sheriff of Maury County, Tennessee.

**JURISDICTION AND VENUE**

7. This action raises federal questions under the First and Fourteenth Amendments to the United States Constitution and 18 U.S.C. Sec. 1842 , and 42 U.S.C. § 1983.

8. This Court has original jurisdiction over Plaintiff's claims for injunctive relief and nominal damages by operation of 28 U.S.C. §§ 1331 and 1343. This Court has jurisdiction over Plaintiff's request for declaratory relief by operation of 28 U.S.C. §§ 2201 and 2202. This Court has jurisdiction over requested costs and attorney fees under 42 U.S.C. § 1988.

9. Venue is proper in the Middle District of Tennessee under 28 U.S.C. § 1391(b). All Defendants reside in this district and actions giving rise to this action occurred in this district.

**PLAINTIFF**

10. Plaintiff Clant M. Seay ("Seay") is a resident of Oxford, Mississippi.

**DEFENDANT**

11. Defendant Bucky Rowland, a resident of Santa Fe, Tennessee, is the duly-elected Sheriff of Maury County, Tennessee, who is sworn to uphold

the respective Constitutions of the United States of America, and the State of Tennessee, and the respective laws of the United States of America, and the State of Tennessee.

12. As Sheriff of Maury County, Tennessee, Bucky Rowland, is responsible for overseeing and implementing all policies affecting law enforcement, including law enforcement in public parks owned by Maury County, Tennessee. Sheriff Bucky Rowland is sued in his official capacity as Sheriff of Maury County, Tennessee.

### **STATEMENT OF FACTS**

#### **Seay's Desired Expression And Exercise of Constitutional Rights**

13. Seay is a working journalist being the owner/publisher/reporter/photographer/videographer of the website publication [www.billygoboy.com](http://www.billygoboy.com). Seay has associates who assist him with this work. Seay was adjudicated as a journalist by Maury County Circuit Court Senior Judge Robert L. Jones in Order dated September 29, 2015, entered in the criminal case of State of Tennessee vs. Jamie B. Lawrence, when Seay was allowed by the Maury County Circuit Court to invoke the Tennessee Reporter Shield law to upholding his refusal to disclose the identity of a confidential source. Further, The Maury County Circuit Court accorded Seay media status under TN Supreme Court Rule 30. Seay has also received media

status from the Circuit Court of Marshall County, Tennessee; and from the Circuit Court of Blount County, Tennessee. A certified copy of said Order is attached as Exhibit "A". A copy of "Clant M. Seay - Professional Journalist Credentials" is attached as Exhibit "B".

14. Seay is also an animal welfare advocate associated with the Citizens Campaign Against "Big Lick" Animal Cruelty. Seay makes arrangements and facilitates this grassroots group in the exercise of their constitutional rights to free speech to oppose and protest "Big Lick" Animal Cruelty in public venues such as along public streets and roadways and in public parks. Seay covers for [www.billygoboy.com](http://www.billygoboy.com) the activities of this grassroots group.

15. Seay and his journalistic associates, and citizens associated with the Citizens Against "Big Lick" Animal Cruelty, attend horse shows held in public parks where "Big Lick" Tennessee Walking Horses are exhibited and they take photographs and videos of the events, and publish same on the [www.billygoboy.com](http://www.billygoboy.com) websites, and social media such as Facebook and Twitter.

16. On behalf of [www.billygoboy.com](http://www.billygoboy.com), Seay attends horse shows in public parks and gather news, and report on what goes on at these horse shows. In exercising their rights to Freedom of the Press under the First Amendment of the U. S. Constitution, Seay and representatives of [www.billygoboy.com](http://www.billygoboy.com) take photographs and make videos of activities that take place at the horse

shows in public parks, and publish same on the [www.billygoboy.com](http://www.billygoboy.com) websites, and social media such as Facebook and Twitter. The videos have been distributed all over the World, and two Videos used to depict the story of of an abused “Big Lick” Tennessee Walking Horse named Gen’s Ice Glimmer, #24704770, Blood Type # TWT050457 has been viewed over 1,7000,000 times, and reached approximately 3,500,000 persons with over 12,000 Facebook shares and over 20,000 Comments condemning the exhibition of “Big Lick” Tennessee Walking Horse as Animal Cruelty. Attached as Exhibit “C” (1-5) are three screen shot photos documenting the views of “The Sore World ofd Gen’s Ice Glimmer, Parts I & II, and two narratives (I & 2). Exhibit D (1-3) are related videos made by Seay at the 2015 Mississippi Charity Horse Show in Jackson, Mississippi.

17. On Friday, June 3, 2016, Bucky Rowland, as Sheriff of Maury County, after receiving communication from, and possibly conspiring with, Columbia Spring Jubilee Horse Show Chairman Mr. David Sisk and his agents, Sheriff Rowland under color of law approached Seay, his journalistic associates and animal welfare advocates with the Citizens Against “Big Lick” Animal Cruelty and intimidated, threatened and interfered with Seay and his journalistic associates and the animal welfare advocates in the exercise of their constitutional rights and instructed Seay to

turn off their video cameras and stop videoing events taking place at the Columbia Spring Jubilee Horse Show at the Maury County Park (Columbia, TN), or there could/would be civil and criminal consequences if they did not do so. By doing these things, Bucky Rowland, as Sheriff, referenced an alleged Agreement entered into by Columbia Spring Jubilee Horse Show Chairman Mr. David Sisk which forbid citizens or Seay acting as a journalist from making videos of what was going on at the Columbia Spring Jubilee at the public Maury County Park and providing them to the public. By doing this, Sheriff Bucky Rowland intimidated, threatened and interfered with and attempted to deprive Seay, and his journalistic associates, who were attending the horse show of their First Amendment constitutional rights. Attached as Exhibit "E (1-5)" is a series of photograph of Maury County Sheriff Bucky Rowland at approximately 7:00 p.m. on June 3, 2016, instructing Seay "Turn off those video cameras", following which Seay turned on his recorder and recorded Sheriff Rowland who told Seay "I have asked you to turn your video cameras off ...". Attached as Exhibit "F" is a DVD containing a digital recording of Sheriff Rowland Telling Seay "I have asked you to turn your video recorders off ..." and then mentioning possible civil and criminal consequences.

18. Following the conclusion of Columbia Spring Jubilee Horse Show on June 4, 2016, Seay requested on numerous occasions, including in writing on July 12, 2016, and July 14, 2016, that Columbia Spring Jubilee Horse Show Chairman David Sisk provide Seay with a copy of the alleged agreement that Sisk executed on behalf of the Maury County Horseman's Association which Bucky Rowland, Sheriff of Maury County was attempting to enforce when he intimidated, threatened and interfered with and attempted to deprive Seay and his journalistic associates from exercising their First Amendment rights on June 3, 2016, at the Columbia Spring Jubilee Horse Show being held in the public Maury County Park. Horse Show Chairman Mr. David Sisk notified Seay that he would not provide Seay a copy of the alleged Agreement because the Maury County Horseman's Club took a vote against it. Attached as Exhibit "G" and "H" are copies of these emails.

**Perpetual Impact on Seay's Exercise of Constitutional Rights**

19. This continuing intimidation, threatening, depriving and interfering with Seay's exercise of First Amendment and Fourteenth Amendment rights is untenable for Seay or other journalists associates for them to freely exercise said constitutional rights at future events at the Maury County Park including the "P.C. (Panama City) Splash Horse Show" set for Saturday,



September 24, 2016, and other events at the park. A copy of the article setting the date of the P.C. Splash Horse Show (P.C. stand for Panama City,FL) is attached as Exhibit “I”

**Immediate and Lasting Irreparable Harm to Seay**

20. Seay and representatives of [www.billygoboy.com](http://www.billygoboy.com) website, are eager to return to the Maury County Park horse show arena at the “P. C. (Panama City) Horse Show” scheduled for September 24, 2016, to exercise their First Amendment and Fourteenth Amendment constitutional rights, but the fear of intimidation, threatening, depriving and interference by Sheriff Bucky Rowland and Maury County Deputies, acting at his direction, chills and deters Seay and others from doing so.

21. The fear of intimidation, threatening and interference by Sheriff Rowland and his Deputies severely restricts and impairs Seay’s constitutionally protected exercise of freedom of the press at the public Maury County Park guaranteed by the First Amendment.

22. The chill on Seay’s and other citizens exercise of his First Amendment rights at the Maury County Park horse show events constitutes irreparable harm to Seay and other citizens.

23. There is no adequate remedy at law for the intimidation, threats, deprivation of and interference with Seay's constitutional rights by Maury County Sheriff Bucky Rowland, and his agents and employees.

### **FIRST CAUSE OF ACTION**

#### **Violation of Free Speech Clause and Freedom of the Press**

24. Seay's work as a journalist and freedom of speech is protected under the First Amendment and Fourteenth Amendments to the U. S. Constitution, and the horse show arena where the Columbia Spring Jubilee and other equine related events at the public Maury County Park in Columbia, Tennessee, are held is a traditional public forum.

25. The Defendant's intimidation, threatening and interfering with Seay's videoing at the Columbia Spring Jubilee horse show event at the public Maury County Park violates the Free Speech Clause and Freedom of the Press Clause of the First Amendment to the United States Constitution, made applicable to the States through the Fourteenth Amendment.

**WHEREFORE**, Seay respectfully prays the Court grant the equitable and legal relief set forth in the prayer for relief.

### **SECOND CAUSE OF ACTION**

#### **Violation of Due Process Clause**

26. Defendant's intimidation, threatening, depriving and interfering with Seay, and his journalistic associates, in their exercise of constitutional rights guaranteed by the First Amendment violated the Due Process Clause of the Fourteenth Amendment to the United States Constitution.

**WHEREFORE**, Seay respectfully prays the Court grant the equitable and legal relief set forth hereinafter in the prayer for relief.

**PRAYER FOR RELIEF**

**WHEREFORE**, Seay respectfully prays for relief in that this Court:

A. Assume jurisdiction over this action;

B. Enter a judgment and decree declaring the actions taken by the Defendant in intimidating, threatening and interfering with and attempting to deprive Seay's and his journalistic associates, from taking videos of the events and happenings at Columbia Spring Jubilee Horse Show at the public Maury County Park violated Seay's, his journalistic associates and his fellow citizens constitutional rights, especially, his right to freedom of the press, and his and their right to freedom of speech and due process;

C. Enter a judgment and decree declaring that the Defendant's intimidating, threatening, interfering with and attempting to deprive Seay's rights (to take videos and exercise freedom of the press) at the Columbia Spring Jubilee

Horse Show at the public Maury County Park, is unconstitutional on its face and as applied to Seay's exercise of freedom of the press and exercise of free speech because it violates Seay's rights, and the rights of third parties not before the Court, as guaranteed under the First and Fourteenth Amendments to the United States Constitution;

D. Enter a preliminary and permanent injunction enjoining Defendant, his agents, officials, servants, employees, and all persons in active concert or participation with them, or any of them, from applying Defendant's policy and practice of intimidating, threatening or interfering with, or threatening to deprive the constitutionally guaranteed rights of citizens and the press in public parks during public events that are open to the public;

E. Adjudge, decree, and declare the rights and other legal relations with the subject matter here in controversy, in order that such declaration shall have the force and effect of final judgment;

F. That this Court award Plaintiff nominal damages arising from the acts of the Defendants as an important vindication of his constitutional rights;

G. That this Court award Plaintiff his costs and expenses of this action, including reasonable attorneys' fees, in accordance with 42 U.S.C. § 1988 and other applicable law; and

H. Grant such other and further relief as appears to this Court to be equitable and just.

Respectfully submitted,



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VERIFICATION OF COMPLAINT

I, Clant M. Seay, a citizen of America and a resident of Oxford, Mississippi, hereby declare that I have read the foregoing Verified Complaint and the factual allegations therein, and the facts alleged therein are true and correct.



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Clant M. Seay