

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

<b>CLANT M. SEAY,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
v.	)	<b>Civil Action No. 1:16-cv-68</b>
	)	<b>JUDGE HAYNES</b>
<b>BUCKY ROWLAND, in his official</b>	)	<b>JURY DEMAND</b>
<b>capacity as Sheriff of Maury County,</b>	)	
<b>Tennessee, and JOHN DOES I – X,</b>	)	
	)	
<b>Defendants.</b>	)	

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**ANSWER OF DEFENDANT BUCKY ROWLAND**

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Comes Defendant Bucky Rowland, in his official capacity as the Sheriff of Maury County, Tennessee (“Defendant”), and for his Answer to the Plaintiff’s Complaint, shows the Court as follows:

1. Defendant asserts that 18 U.S.C. § 1842 does not exist and denies that he is subject to liability pursuant to 42 U.S.C. § 1983 as he did not violate the Plaintiff’s First or Fourteenth Amendment rights. Defendant further denies that he intimidated, threatened, interfered with or deprived the Plaintiff in the exercise of his First and Fourteenth Amendment rights on June 3, 2016 at the Columbia Spring Jubilee Horse Show. Defendant admits that the horse show is held at the Maury County Park, which is owned and operated by Maury County, Tennessee and located in Columbia, Tennessee. Defendant denies the allegations contained in Paragraph 1 of the Plaintiff’s Complaint to the extent they are inconsistent with the foregoing.

2. Defendant asserts that 18 U.S.C. § 1842 does not exist and denies that he is subject to liability pursuant to 42 U.S.C. § 1983 as he did not violate the Plaintiff’s First or

Fourteenth Amendment rights. Defendant further denies that the Plaintiff is entitled to injunctive relief, declaratory relief, or damages. Defendant denies the allegations contained in Paragraph 2 of the Plaintiff's Complaint to the extent they are inconsistent with the foregoing.

3. Defendant is without knowledge or information sufficient to admit or deny the allegations contained in the first sentence of Paragraph 3 of the Plaintiff's Complaint and, therefore, demands strict proof thereof. Defendant denies that he violated the Plaintiff's First or Fourteenth Amendment rights and further denies that he conspired with anyone to violate the Plaintiff's constitutional rights. Defendant is without knowledge or information sufficient to admit or deny the allegations contained in the third and fourth sentences of Paragraph 3 of the Plaintiff's Complaint and, therefore, demands strict proof thereof. Defendant denies the allegations contained in Paragraph 3 of the Plaintiff's Complaint to the extent they are inconsistent with the foregoing.

4. Defendant denies that he violated the Plaintiff's First or Fourteenth Amendment rights and further denies that he intimidated, threatened, interfered with or deprived the Plaintiff's rights to free speech, freedom of the press, or due process. Defendant denies the allegations contained in Paragraph 4 of the Plaintiff's Complaint to the extent they are inconsistent with the foregoing.

5. Defendant denies the allegations contained in Paragraph 5 of the Plaintiff's Complaint.

6. Defendant admits that on June 3, 2016, he was at the Columbia Spring Jubilee Horse Show in his capacity as the Sheriff of Maury County. Defendant denies that he violated the Plaintiff's First or Fourteenth Amendment rights and further denies that he intimidated, threatened, interfered with or deprived the Plaintiff's rights to free speech, freedom of the press,

or due process. Defendant denies the allegations contained in Paragraph 6 of the Plaintiff's Complaint to the extent they are inconsistent with the foregoing.

7. Defendant asserts that 18 U.S.C. § 1842 does not exist and denies that he is subject to liability pursuant to 42 U.S.C. § 1983 as he did not violate the Plaintiff's First or Fourteenth Amendment rights. Defendant denies the allegations contained in Paragraph 7 of the Plaintiff's Complaint to the extent they are inconsistent with the foregoing.

8. Defendant admits that this Court has jurisdiction of this matter.

9. Defendant admits the venue is proper in the United States District Court for the Middle District of Tennessee, Columbia Division.

10. Upon information and belief, Defendant admits the allegations contained in Paragraph 10 of the Plaintiff's Complaint.

11. Defendant denies that he is a resident of Santa Fe, Tennessee but admits that he is the Sheriff of Maury County, Tennessee. Defendant further admits that his duties and responsibilities as Sheriff are set forth by statute. Defendant denies the allegations contained in Paragraph 11 of the Plaintiff's Complaint to the extent they are inconsistent with the foregoing.

12. Defendant admits that he is the Sheriff of Maury County, Tennessee. Defendant further admits that his duties and responsibilities as Sheriff are set forth by statute. Defendant admits that he has been sued in his official capacity only as the Sheriff of Maury County, Tennessee. Defendant denies the allegations contained in Paragraph 12 of the Plaintiff's Complaint to the extent they are inconsistent with the foregoing.

13. Defendant is without knowledge or information sufficient to admit or deny the allegations contained in Paragraph 13 of the Plaintiff's Complaint and, therefore, demands strict proof thereof.

14. Defendant is without knowledge or information sufficient to admit or deny the allegations contained in Paragraph 14 of the Plaintiff's Complaint and, therefore, demands strict proof thereof.

15. Defendant is without knowledge or information sufficient to admit or deny the allegations contained in Paragraph 15 of the Plaintiff's Complaint and, therefore, demands strict proof thereof.

16. Defendant is without knowledge or information sufficient to admit or deny the allegations contained in Paragraph 16 of the Plaintiff's Complaint and, therefore, demands strict proof thereof.

17. Defendant admits that on June 3, 2016, he was approached by David Sisk, the show manager, and another gentleman, who Defendant now believes to be Jerry Harris, and informed that the copyrights to the horse show had been purchased by the gentleman Defendant now believes to be Jerry Harris. Defendant denies that he conspired with anyone and further denies that he intimidated, threatened, or interfered with the Plaintiff or any of the other advocates at the Columbia Spring Jubilee Horse Show in the exercise of their First Amendment rights. Defendant admits that he advised the Plaintiff that it was his understanding that the copyrights to the horse show had been purchased and that reproduction of the Plaintiff's video footage could potentially expose the Plaintiff to a civil suit or criminal penalties. Defendant further submits that the audio recording attached as Exhibit F to the Plaintiff's Complaint speaks for itself as to what was said by Sheriff Rowland. Defendant denies the allegations contained in Paragraph 17 of the Plaintiff's Complaint to the extent they are inconsistent with the foregoing.

18. Defendant denies that he conspired with anyone and further denies that he intimidated, threatened, or interfered with the Plaintiff or any of the other advocates at the

Columbia Spring Jubilee Horse Show in the exercise of their First Amendment rights. Defendant is without knowledge or information sufficient to admit or deny the remaining allegations contained in Paragraph 18 of the Plaintiff's Complaint and, therefore, demands strict proof thereof.

19. Defendant denies that he conspired with anyone and further denies that he intimidated, threatened, or interfered with the Plaintiff or any of the other advocates at the Columbia Spring Jubilee Horse Show in the exercise of their First or Fourteenth Amendment rights. On this basis, Defendant denies the allegations contained in Paragraph 19 of the Plaintiff's Complaint.

20. Defendant denies that he conspired with anyone and further denies that he intimidated, threatened, or interfered with the Plaintiff or any of the other advocates at the Columbia Spring Jubilee Horse Show in the exercise of their First or Fourteenth Amendment rights. On this basis, Defendant denies the allegations contained in Paragraph 20 of the Plaintiff's Complaint.

21. Defendant denies that he conspired with anyone and further denies that he intimidated, threatened, or interfered with the Plaintiff or any of the other advocates at the Columbia Spring Jubilee Horse Show in the exercise of their First or Fourteenth Amendment rights. On this basis, Defendant denies the allegations contained in Paragraph 21 of the Plaintiff's Complaint.

22. The allegations contained in Paragraph 22 state a legal conclusion to which no response is required. However, to the extent a response is required, Defendant denies that he conspired with anyone and further denies that he created a chill or intimidated, threatened, or interfered with the Plaintiff or any of the other advocates at the Columbia Spring Jubilee Horse

Show in the exercise of their First or Fourteenth Amendment rights. On this basis, Defendant denies the allegations contained in Paragraph 22 of the Plaintiff's Complaint.

23. The allegations contained in Paragraph 23 state a legal conclusion to which no response is required. However, to the extent a response is required, Defendant denies that he conspired with anyone and further denies that he intimidated, threatened, or interfered with the Plaintiff or any of the other advocates at the Columbia Spring Jubilee Horse Show in the exercise of their First or Fourteenth Amendment rights so as to entitle the Plaintiff to relief.

24. The allegations contained in Paragraph 24 state a legal conclusion to which no response is required. However, to the extent a response is required, Defendant is without knowledge or information sufficient to admit or deny the allegations contained in Paragraph 24 of the Plaintiff's Complaint and, therefore, demands strict proof thereof.

25. Defendant denies that he conspired with anyone and further denies that he intimidated, threatened, or interfered with the Plaintiff or any of the other advocates at the Columbia Spring Jubilee Horse Show in the exercise of their First or Fourteenth Amendment rights. On this basis, Defendant denies the allegations contained in Paragraph 25 of the Plaintiff's Complaint.

26. Defendant denies that he conspired with anyone and further denies that he intimidated, threatened, or interfered with the Plaintiff or any of the other advocates at the Columbia Spring Jubilee Horse Show in the exercise of their First or Fourteenth Amendment rights. On this basis, Defendant denies the allegations contained in Paragraph 26 of the Plaintiff's Complaint.

### **AFFIRMATIVE DEFENSES**

1. The Plaintiff's Complaint fails to state a claim against Defendant upon which relief may be granted and should be dismissed.

2. An objective, reasonable person would not have found that Sheriff Rowland's words, which were not accompanied by an implicit threat of arrest or citation, had a chilling effect or otherwise deterred speech.

3. The Plaintiff's speech was not actually deterred.

4. Defendant reserves the right to amend his Answer after discovery is conducted in this matter.

Now having answered, Defendant generally denies all allegations of the Plaintiff's Complaint not specifically admitted or denied, moves for a dismissal of the Plaintiff's Complaint, and demands a jury to hear this case.

Respectfully submitted,

/s/ Kelly M. Telfeyan

Jeffrey M. Beemer, #17247

Kelly M. Telfeyan, #24473

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing has been served via email and United States Mail, postage prepaid, to:

Clant M. Seay  
Box 2441-Q Old Fort Parkway  
Box #205  
Murfreesboro, TN 37128

This 7th day of December, 2016.

/s/ Kelly M. Telfeyan  
Kelly M. Telfeyan

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