

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER COUNTY FLORIDA

THOMAS MIX,
Plaintiff,

Case No.:

vs.

JEANETTE TYE RUNYON,
Defendant.

VERIFIED COMPLAINT

COMES NOW the Plaintiff, **THOMAS MIX** (the "Plaintiff"), by and through his undersigned counsels, and hereby files this Complaint against the Defendant, **JEANETTE TYE RUNYON** (hereinafter referred to as "RUNYON"), and alleges as follows:

INTRODUCTION

1. This is an action arising out of Defendant, RUNYON's, continuous and persistent tortious conduct in her involvement with the Plaintiff. RUNYON, over a period of several years, has embarked upon an enormous electronic campaign to destroy Plaintiff, physically, emotionally, and to personally interfere with Plaintiff's life, reputation, and personal safety.

JURISDICTION, AND VENUE

2. Venue is proper in Indian River County because Plaintiff was damaged in Indian River County, Florida. Furthermore, the tortious conduct and activities alleged herein occurred in Indian River County, Florida.

3. The Defendant is subject to long-arm jurisdiction in this state under Fla. Stat. §48.193(1)(a)(2). The Defendant, RUNYON, intentionally committed tortious acts to a

individual she knew to reside in Florida, which is evidenced by her repeated and frequent defamatory writings regarding Plaintiff. Said writings often included Plaintiff's Florida address and pictures of Plaintiff.

4. Plaintiff is damaged in an amount exceeding \$15,000.00.

PARTIES

5. At all relevant time, the Plaintiff, THOMAS MIX, was and is a resident of Indian River County, Florida, over the age of majority, and otherwise sui juris.

6. At all relevant times, Defendant, RUNYON, was and is a resident of North Carolina, over the age of majority, and otherwise sui juris.

STATEMENT OF FACTS

7. On or about April of 2013, RUNYON and Plaintiff engaged in a dispute involving differing opinions regarding a well known criminal case via electronic communication.

8. However, RUNYON did not end said dispute there. RUNYON proceeded to not only attempt to continue the dispute, but also directed defamatory attacks toward Plaintiff's person.

9. RUNYON, through numerous repeated electronic communication methods and websites publicly and viciously, attacked, defamed, and made statements about Plaintiff from April of 2013 to the present.

10. Said statements included, but were not limited to, declaring Plaintiff a pedophile and listing Plaintiff's home address, defamatory comments regarding Plaintiff's sexual orientation, declaring that Plaintiff's alleged support of pedophilia is a result of Plaintiff's sexual and/or political orientation, and posting Plaintiff and Plaintiff's family and/or home address alongside said statements.

11. By publicly and repeatedly listing Plaintiff's home address and labeling Plaintiff a pedophile, RUNYON, willfully and intentionally threatened Plaintiff's personal safety.

12. As a result of said conduct, Plaintiff has suffered and continues to suffer insult, humiliation, anxiety, and stress which have physically manifested themselves in various forms including, but not limited to, increase in blood pressure, sleeplessness, generalized anxiety, panic, headaches, lack of ability to focus, and other symptoms.

13. All conditions precedent to the institution of this action against Defendants have been met, happened, or been satisfied.

COUNT I
DEFAMATION

14. Plaintiff repeats the allegations set forth above in paragraphs 1 through 13 as if set forth herein in full.

15. Defendant, RUNYON, did print, or caused to be printed, allegations regarding Plaintiff's conduct, character, sexual orientation, beliefs, and criminal activity. Said printed materials were false and inferred, or were designed for the reader to conclude, that Plaintiff had committed criminal acts.

16. There was no reasonable factual basis for Defendant, RUNYON, to make such accusations, and she either acted negligently in so doing, or with actual malice; that is, with knowledge that said printed materials had no actual factual basis or with reckless indifference and disregard for whether or not said printed material had a factual basis.

17. Defendant's distribution of said printed material as stated above was willful, intentional, and done for the purpose of harassing, vexing, annoying, and damaging Plaintiff.

18. As a direct and proximate result of Defendant's distribution of said printed material as stated above, Plaintiff has suffered and will continue to suffer damages to his personal and business image and reputation in the community.

19. Defendant, RUNYON's, false statements attribute to Plaintiff's conduct, characteristics, or conditions that are incompatible with Plaintiff's lawful business, trade, profession, or office.

20. Plaintiff is damaged in an amount exceeding \$15,000.00.

WHEREFORE, the Plaintiff, THOMAS MIX, respectfully requests that this Court enter a Judgment against Defendant, RUNYON, for damages, court costs, and such other and further relief as this Court may deem just and proper.

COUNT II
DEFAMATION PER SE

21. Plaintiff repeats the allegations set forth above in paragraphs 1 through 13 as if set forth herein in full.

22. Defendant, RUNYON, did print, or caused to be printed, allegations regarding Plaintiff's conduct, character, sexual orientation, beliefs, and criminal activity. Said printed materials were false and inferred, or were designed for the reader to conclude, that Plaintiff had committed criminal acts.

23. There was no reasonable factual basis for Defendant, RUNYON, to make such accusations, and she either acted negligently in so doing, or with actual malice; that is, with knowledge that said printed materials had no actual factual basis or with reckless indifference and disregard for whether or not said printed material had a factual basis.

24. Defendant's distribution of said printed material as stated above was willful, intentional, and done for the purpose of harassing, vexing, annoying, and damaging Plaintiff.

25. As a direct and proximate result of Defendant's distribution of said printed material as stated above, Plaintiff has suffered and will continue to suffer damages to his personal and business image and reputation in the community.

26. Defendant, RUNYON's, false statements attribute to Plaintiff's conduct, characteristics, or conditions that are incompatible with Plaintiff's lawful business, trade, profession, or office.

27. Defendant's distribution of said printed material as stated above was so reckless, wanton, irresponsible, willful, and malicious, that she should be punished by the assessment of damages for her Defamation per se of Plaintiff.

28. Plaintiff is damaged in an amount exceeding \$15,000.00.

WHEREFORE, the Plaintiff, THOMAS MIX, respectfully requests that this Court enter a Judgment against Defendant, RUNYON, for damages, court costs, and such other and further relief as this Court may deem just and proper.

COUNT III
DEFAMATION BY IMPLICATION

29. Plaintiff does hereby repeat and re-allege Paragraphs 1 through 13 above as if fully set forth herein.

30. Defendant, RUNYON, did print, or caused to be printed, allegations regarding Plaintiff's conduct, character, sexual orientation, beliefs, and criminal activity. Said printed materials created with partially true facts created, designed, and juxtaposed in a

manner as to imply a defamatory connection between them, and designed for the reader to conclude, that Plaintiff had committed criminal acts.

31. There was no reasonable factual basis for Defendant, RUNYON, to make such accusations, and she either acted negligently in so doing, or with actual malice; that is, with knowledge that said printed materials had no actual factual basis or with reckless indifference and disregard for whether or not said printed material had a factual basis.

32. Defendant's distribution of said printed material as stated above was willful, intentional, and done for the purpose of harassing, vexing, annoying, and damaging Plaintiff.

33. As a direct and proximate result of Defendant's distribution of said printed material as stated above, Plaintiff has suffered and will continue to suffer damages to his personal and business image and reputation in the community.

34. Defendant, RUNYON's, fashioned and implied statements were designed to negatively attribute Plaintiff's conduct, characteristics, or conditions that are incompatible with Plaintiff's lawful business, trade, profession, or office.

35. Defendant's distribution of said printed material as stated above was so reckless, wanton, irresponsible, willful, and malicious, that she should be punished by the assessment of damages for her Defamation per se of Plaintiff.

36. Plaintiff is damaged in an amount exceeding \$15,000.00.

WHEREFORE, the Plaintiff, THOMAS MIX, respectfully requests that this Court enter a Judgment against Defendant, RUNYON, for damages, court costs, and such other and further relief as this Court may deem just and proper.

COUNT IV
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

37. Plaintiff does hereby repeat and re-allege Paragraphs 1 through 13 above as if fully set forth herein.

38. Defendant, RUNYON, deliberately caused Plaintiff severe emotional distress.

39. Defendant caused this distress through extreme and outrageous conduct including declaring Plaintiff a pedophile, creating multiple websites and social media groups dedicated to defaming Plaintiff, posting pictures of Plaintiff's family accompanying the defamatory postings, as well as listing Plaintiff's home address.

40. Said conduct goes beyond all possible bounds of decency and is regarded as shocking, atrocious, and utterly intolerable in a civilized community.

41. As a direct and proximate result of Defendant, RUNYON's, conduct, Defendant caused the Plaintiff emotional distress.

42. Plaintiff is damaged in an amount exceeding \$15,000.00.

WHEREFORE, the Plaintiff, THOMAS MIX, respectfully requests that this Court enter a Judgment against Defendant, RUNYON, for damages, court costs, and such other and further relief as this Court may deem just and proper.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury on all issues so triable.

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