

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHARLES BOLTON
and LINDA BOLTON

FILED

MAR 19 2018

PLAINTIFFS

vs.

FORREST COUNTY CIRCUIT COURT CIVIL ACTION NO. 118-0053

CHRISTOPHER FREEZE

DEFENDANT

COMPLAINT

Plaintiffs Charles Bolton and Linda Bolton (hereinafter referred to as "Charles," "Linda" or collectively "Plaintiffs" or "Boltons") file this Complaint against Defendant Christopher Freeze, and for cause of action state as follows:

PARTIES

1. Plaintiff Charles Bolton is an adult resident citizen of Hattiesburg, Forrest County, Mississippi.
2. Plaintiff Linda Bolton is an adult resident citizen of Hattiesburg, Forrest County, Mississippi.
3. Upon information and belief, Defendant Christopher Freeze (hereinafter referred to as "Freeze," or "Defendant"), is an adult resident citizen Hinds County, Mississippi.

JURISDICTION AND VENUE

6. The Court has jurisdiction over this case pursuant to Miss. Const. Art. 6, § 156, and Miss. Code Ann. § 9-7-81.
7. Venue is proper in Forrest County under Miss. Code Ann. § 11-11-3(1)(a)(i), because a substantial act or omission and/or a substantial event that caused the injuries complained of occurred in Forrest County.

FACTS

8. Charles is the former Deputy Chief of the Forrest County, Mississippi Sheriff's department, and has faithfully and dutifully served the community for over forty (40) years in law enforcement.

9. As the Chief Deputy of the Forrest County Sheriff's Office in Hattiesburg, MS, Charles oversaw the Corrections Division of the Department (which includes the Adult Detention Center, Juvenile Detention Center and the Evaluation Center), managing the Investigative, Warrants, Transportation, Communications, Process and Patrol Divisions for the Sheriff's Office.

10. Charles has received numerous awards, commendations, and recognitions, both professionally and by the community in which he served, including being voted Law Enforcement Officer of the Year.

11. Linda is Charles's wife. They have been happily married for over 40 years and have one child that they adopted as an at-risk child and assumed the parental responsibility for. The child has now graduated with a Masters in Health Care Administration and is now serving the community in a public health administrative role. Charles and Linda have owned and operated a small "Mom and Pop" business located in Hattiesburg, Mississippi, called Sports 22 Cafe.

12. On April 26, 2017, Defendant Freeze appeared as a guest on the local television station WDAM and made statements about Charles and Linda, misrepresenting as fact that Charles and Linda had stolen over \$700,000 worth of food from the Forrest County Jail and diverted such into their businesses. A copy of the written report is attached as (Exhibit "A").

13. Defendant Freeze stated:

"They were taking over \$700,000 of food that was bought for the jail to be used for the inmates in the jail and then diverting that to their own restaurants, and then selling it, preparing it and selling it to their customers"

...

"It's just, dumbfounding. It's just unfathomable that a chief law enforcement officer would do everything in his power to subvert justice to line his own pockets,"

...

"I'm not shocked as much as I am disappointed, and I'm always disappointed when I hear that a public official or law enforcement officer is caught up in crime themselves and lining their own pockets for their own benefit."

14. WDAM is a local ABC affiliate channel that upon information and belief services approximately 100,000 households.

15. The statements made by Defendant Freeze were untrue, not supported by any evidence or justification.

16. At the time that Defendant Freeze made the statements, he knew or should have known that the statements were false.

17. Defendant Freeze acted with a reckless disregard for the truth where the Defendant is sophisticated, knowledgeable, and in a position to know there has never been a charge that the Boltons stole food from the Forrest County Jail, that a grand jury was empaneled and investigated the case thoroughly and that there were never any indictments returned against the Boltons. Knowing this, Defendant Freeze completely disregarded this information and made claims to the media that the Boltons stole food from the Forrest County Jail, something investigators were not willing to put their names on charges for.

18. Defendant Freeze made these reckless, wild, and unfounded accusations with willful and malicious intent to the detriment of the Charles and Linda.

19. Despite Defendant Freeze's malicious and untrue statements, neither Charles nor Linda has ever been charged, indicted, or convicted of such misconduct.

20. Defendant Freeze intentionally, and with reckless disregard for the consequences to the Plaintiffs, published statements to the public through the media that the Boltens stole over \$700,000.00 worth of food from the Forrest County Jail, knowing this to be without reliable evidentiary support; something which a lawfully empaneled grand jury could not find sufficient evidence to indict or charge.

CLAIMS FOR RELIEF

COUNT I

SLANDER PER SE BY DEFENDANT CHRISTOPHER FREEZE

21. The allegations contained in the foregoing paragraphs are re-alleged and incorporated herein as if reproduced in full.

22. Defendant Freeze's statements were words imputing the guilt or commission of some criminal offense involving moral turpitude and infamous punishment, which constitutes slander per se.

23. Defendant Freeze's statements were words imputing a want of integrity or capacity, whether mental or pecuniary, in the conduct of a profession, trade or business, which constitutes slander per se.

24. Defendant Freeze's statements have brought Plaintiffs into ridicule and have injuriously affected their professional life, reputation, and standing in the community.

25. Said words were spoken with malice and were intended to injure Plaintiffs.

26. The statements made were false. At the time the statements were made, Defendant Freeze knew or should have known they were false.

27. As a proximate result of the publication of said slanders, Plaintiffs have suffered humiliation and great mental anguish and has suffered injury to their personal reputation and to their professional reputation, among other damages to be shown at trial.

COUNT II
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

28. The allegations contained in the foregoing paragraphs are incorporated herein as if reproduced in full.

29. The actions of Defendant Freeze were negligent and caused the Bolttons to severely suffer and will continue to cause them to suffer.

30. The conduct of Defendant Freeze caused the Bolttons to suffer severe emotional distress.

31. The negligent nature of Defendant Freeze's conduct warrants the imposition of punitive damages against them.

COUNT III
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

32. The allegations contained in the foregoing paragraphs are incorporated herein as if reproduced in full.

33. The actions of Defendant Freeze were intentional, wanton, and evoke outrage and revulsion, and were so extreme and outrageous in character as to go beyond the bounds of decency.

34. The conduct of Defendant Freeze caused the Bolttons to suffer severe emotional distress.

35. The intentional and egregious nature of Defendant Freeze's conduct warrants the imposition of punitive damages against them.

COUNT IV

PUNITIVE DAMAGES PURSUANT TO MISS. CODE SEC. 11-1-65

36. The allegations contained in the foregoing paragraphs are incorporated herein as if reproduced in full.

37. Defendant Frreze made these reckless, wild, and unfounded accusations with willful and malicious intent to the detriment of the Charles and Linda.

38. Said words were spoken with malice and were intended to injure Plaintiffs.

39. As a proximate result of the publication of said slanders, Plaintiffs have suffered humiliation and great mental anguish and has suffered injury to their personal reputation and to their professional reputation, among other damages to be shown at trial. Such malicious, grossly negligent, willful, reckless conduct entitles Plaintiffs to punitive damages under Miss. Code Sec. 11-1-65.

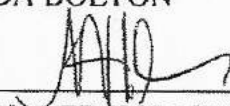
AD DAMNUM

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully request that this Court grant them the following relief and damages:

- A. Compensatory, consequential, and incidental damages in an amount to be proven at the trial of this cause;
- B. Punitive damages assessed against Defendant Freeze in an amount to be determined at trial;
- C. All costs, expenses and attorneys' fees incurred by the Boltions as a result of bringing this action; and
- D. Other such damages and/or relief which the Court deems appropriate.

Respectfully submitted, this the 19th day of March, 2018.

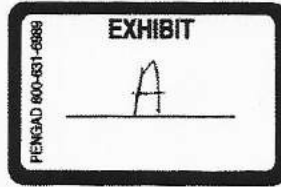
CHARLES BOLTON and
LINDA BOLTON

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On Your Side Report: Public corruption in the Pine Belt

Published: Wednesday, April 26th 2017, 7:18 am CDT
Updated: Monday, February 26th 2018, 12:26 pm CDT

HATTIESBURG, MS (WDAM) - Former Forrest County Chief Deputy Charles Bolton and his wife, Linda Bolton, were convicted of tax crimes after a multi-year investigation that started with the Forrest County jail.

The duo was convicted in September 2016 on a combined 14 charges that related to filing false tax returns and tax evasion associated with their two businesses.

In their sentencing, the Forrest County Jail and jail food was a topic heavily discussed by District Judge Keith Starrett.

"Here's a situation where individuals misusing public or tax payer assets," said Jerome McDuffie, Internal Revenue Service, special agent in charge over Louisiana and Mississippi. "In this case, foods paid for by the tax payers that were supposed to go into the jail system, but actually found their way into businesses owned by the Boltons."

Those businesses were Sports 22 and Hall Avenue Package Store, both located in Hattiesburg on Hall Avenue.

"They were taking over \$700,000 of food that was bought for the jail to be used for the inmates in the jail and then diverting that to their own restaurants, and then selling it, preparing it and selling it to their customers," said Christopher Freeze, Federal Bureau of Investigation, special agent in charge of Mississippi.

After these allegations involving the Forrest County jail and food theft surfaced, the FBI and IRS both got involved in 2013. During their investigation, they combed through county and personal financial records reaching back to 2009.

"They sold these items and they profited from the items and in such, we perused them for failure to properly report those monies that the income generated from that endeavor," McDuffie said.

During the Boltons' time in court, food from the Forrest County jail was mentioned along with where and how the duo would cater events, at such places like Manheim Auto Auctions.

In 2015, invoices from Merchants Food Service surfaced, and detailed things like racks of ribs, clam strips, catfish, pulled pork and pork chops, all purchased by the Forrest County jail.

An invoice from Jan. 14, 2014, shows the purchase of one case, which contains 6 pounds of clam strips, for a total of \$16.83. Another purchase on that same invoice is for one case, which contains 5 pounds of seafood gumbo, for \$66.47.

One other invoice from Jan. 27, 2014, shows one case of pork ribs, cooked and seasoned, for \$76.26.

Another invoice from June 26, 2011, shows the purchase of two cases of catfish filets, for \$158.30.

Forrest County Sheriff Billy McGee made statements in 2015 that some of these items are actually served at the Forrest County Jail, but those items do not include ribs or clam strips.

"It's just, dumbfounding. It's just unfathomable that a chief law enforcement officer would do everything in his power to subvert justice to line his own pockets," Freeze said.

Prior to the Boltons' convictions, Sheriff Billy McGee denied any food ever being stolen from the jail.

"I'm not shocked as much as I am disappointed, and I'm always disappointed when I hear that a public official or law enforcement officer is caught up in crime themselves and lining their own pockets for their own benefit," Freeze said.

During the trial, hundreds of thousands of dollars were detailed including checks, bank statements and other ledgers kept by the Boltons were used as evidence.

The defense included multiple items including checks and bank ledgers from long-time Hattiesburg attorney, John Lee, which prosecutors referred to as a smoke screen.

"All types of things are thrown into the mix, but at the end of the day our guys are trained to sift through the mud, sift through the minutiae and actually still come out and reach the appropriate conclusions," McDuffie said.

McDuffie said his agents spent countless hours and days, even weeks combing through records, and just followed the money.

"Our job is to go out and find those pieces of paper, track and follow the money trail from start to finish," McDuffie said. "We are extremely

disappointed in these individuals; public trust is something that should be taken seriously, but we do pride ourselves on uncovering corruption." The convictions link the Boltons to roughly \$273,500 just in cashed checks from John Lee, that was allegedly for "food and liquor," from 2009 to 2013.

Federal prosecutors said those checks were cashed, and there is no proof where it ended up.

"We work very, very hard to make sure that the tax payer dollars are spent appropriately, and goes toward the endeavors that the money is supposed to go to," McDuffie said. "But when it comes to the tax payer's monies, no dollar amount is too small for us, we are going to pursue those monies with our federal law enforcement counterparts."

"What often happens is we come in at times and we do an investigation and one or two people seem to be arrested and maybe that's the extent of it," Freeze said. "But I can assure you at times, that is only the tip of the iceberg, and it may continue to go on for a number of months or even years as we continue to put cases together."

Both Freeze and McDuffie had strong messages for those who may be breaking the law.

"Those would be public officials who want to engage in this type of criminal conduct, we're a force to be reckoned with, and we'll come out and we will take care of the situation," McDuffie said.

Freeze said, "If you're committing a crime, we will find you, you will be prosecuted and you will spend time in federal prison."

Freeze could not comment on any ongoing investigation, but gave a brief answer to the presence of the FBI in the Hub City.

"Any investigation I'm not going to elaborate what we do and don't have open, but I will go back and say this. We are here, we plan to stay here in the general area for the long foreseeable future and crimes that are brought to our attention, whether it's public corruption or anything else, we will address," Freeze said.

District Judge Keith Starrett sentenced Charles Bolton to three years and nine months in prison for tax evasion and filing a false tax return. Linda Bolton was sentenced to two years and six months in prison for tax evasion.

Both are ordered to pay "jointly" \$145,849.78 in restitution, and both will report voluntarily to prison within 60 days of their sentencing, which was March 17, 2017.

After the sentencing, Charles denied stealing anything from the Forrest County Jail.

"Linda Bolton and I have not taken a toothpick from the Forrest County Jail ever, and will not ever, and if you know, that's gone on since '13 and we've never been charged with that, so I consider that is just hearsay again, it's politics," Charles Bolton said.

We reached out to Charles Bolton for comment, but phone calls were not returned. One of his attorneys, Willie Huntley, said they had no comment pending the ongoing litigation with the appeal to the Fifth Circuit Court of Appeals.

Others charged in jail investigation:

Former Forrest County Jail Cook, Jerry Woodland, 53, was sentenced to one year in prison, with three years' supervised release and to pay \$443,395.61 restitution, no interest, no fine and \$100 special assessment.

Woodland appeared before District Judge Keith Starrett, Oct. 12, 2016, for his sentencing after it had been continued multiple times for "the best interest of justice," according to Assistant U.S. Attorney Jay Golden.

Woodland entered a guilty plea in federal court in December 2014, when he appeared before Judge Starrett. Woodland was charged with one felony count of conspiracy in connection to ordering food items through the jail for personal use.

Another jail employee, Allen Haralson, the former kitchen supervisor at the jail; pleaded guilty to the same charge in November 2014. Both men were set free on bail under pre-trial supervision, however Haralson died at Forrest General Hospital in December 2014.

According to the case filed by the United States Attorney, Haralson and Woodland ordered food and food-related items between 2002 and 2014, along with others "known and unknown to the United States Attorney."

A statement from the U.S. Attorney's office stated that Haralson, Woodland and "others" also conspired to commit mail fraud in order to carry out their scheme by drafting and submitting Forrest County purchase requisition forms that contained fraudulent entries hiding various stolen food items, which has been revealed through the course of the investigation.

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CHARLES BOLTON
and LINDA BOLTON

FILED

MAR 19 2018

PLAINTIFFS

vs.

FORREST COUNTY CIRCUIT CLERK

CIVIL ACTION NO. W18-0054

JEROME MCDUFFIE

DEFENDANT

COMPLAINT

Plaintiffs Charles Bolton and Linda Bolton (hereinafter referred to as "Charles," "Linda" or collectively "Plaintiffs" or "Boltons") file this Complaint against Defendant Jerome McDuffie, and for cause of action state as follows:

PARTIES

1. Plaintiff Charles Bolton is an adult resident citizen of Hattiesburg, Forrest County, Mississippi.
2. Plaintiff Linda Bolton is an adult resident citizen of Hattiesburg, Forrest County, Mississippi.
3. Upon information and belief, Defendant Jerome McDuffie (hereinafter referred to as "McDuffie," or "Defendant"), is an adult resident citizen Hinds County, Mississippi.

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12. On April 26, 2017, Defendant McDuffie appeared as a guest on the local television station WDAM and made statements about Charles and Linda, misrepresenting as fact that Charles and Linda had stolen over \$700,000 worth of food from the Forrest County Jail and diverted such into their businesses. A copy of the written report is attached as (**Exhibit "A"**).

13. Defendant McDuffie stated:

"Here's a situation where individuals misusing public or tax payer assets. In this case, foods paid for by the tax payers that were supposed to go into the jail system, but actually found their way into businesses owned by the Boltens."

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CLAIMS FOR RELIEF

COUNT I

SLANDER PER SE BY DEFENDANT JEROME MCDUFFIE

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30. The conduct of Defendant McDuffie caused the Boltons to suffer severe emotional distress.

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**COUNT IV
PUNITIVE DAMAGES PURSUANT TO MISS. CODE SEC. 11-1-65**

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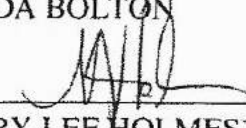
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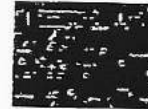
CHARLES BOLTON and
LINDA BOLTON

By: 
MARY LEE HOLMES, MSB# 105398

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Both Freeze and McDuffie had strong messages for those who may be breaking the law.

"Those would be public officials who want to engage in this type of criminal conduct, we're a force to be reckoned with, and we'll come out and we will take care of the situation," McDuffie said.

Freeze said, "If you're committing a crime, we will find you, you will be prosecuted and you will spend time in federal prison."

Freeze could not comment on any ongoing investigation, but gave a brief answer to the presence of the FBI in the Hub City.

"Any investigation I'm not going to elaborate what we do and don't have open, but I will go back and say this. We are here, we plan to stay here in the general area for the long foreseeable future and crimes that are brought to our attention, whether it's public corruption or anything else, we will address," Freeze said.

District Judge Keith Starrett sentenced Charles Bolton to three years and nine months in prison for tax evasion and filing a false tax return. Linda Bolton was sentenced to two years and six months in prison for tax evasion.

Both are ordered to pay "jointly" \$145,849.78 in restitution, and both will report voluntarily to prison within 60 days of their sentencing, which was March 17, 2017.

After the sentencing, Charles denied stealing anything from the Forrest County Jail.

"Linda Bolton and I have not taken a toothpick from the Forrest County Jail ever, and will not ever, and if you know, that's gone on since '13 and we've never been charged with that, so I consider that is just hearsay again, it's politics," Charles Bolton said.

We reached out to Charles Bolton for comment, but phone calls were not returned. One of his attorneys, Willie Huntley, said they had no comment pending the ongoing litigation with the appeal to the Fifth Circuit Court of Appeals.

Others charged in jail investigation:

Former Forrest County Jail Cook, Jerry Woodland, 53, was sentenced to one year in prison, with three years' supervised release and to pay \$443,395.61 restitution, no interest, no fine and \$100 special assessment.

Woodland appeared before District Judge Keith Starrett, Oct. 12, 2016, for his sentencing after it had been continued multiple times for "the best interest of justice," according to Assistant U.S. Attorney Jay Golden.

Woodland entered a guilty plea in federal court in December 2014, when he appeared before Judge Starrett. Woodland was charged with one felony count of conspiracy in connection to ordering food items through the jail for personal use.

Another jail employee, Allen Haralson, the former kitchen supervisor at the jail, pleaded guilty to the same charge in November 2014. Both men were set free on bail under pre-trial supervision, however Haralson died at Forrest General Hospital in December 2014.

According to the case filed by the United States Attorney, Haralson and Woodland ordered food and food-related items between 2002 and 2014, along with others "known and unknown to the United States Attorney."

A statement from the U.S. Attorney's office stated that Haralson, Woodland and "others" also conspired to commit mail fraud in order to carry out their scheme by drafting and submitting Forrest County purchase requisition forms that contained fraudulent entries hiding various stolen food items, which has been revealed through the course of the investigation.

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