# IN THE COURT OF COMMON PLEAS FOR MARION COUNTY, OHIO
# GENERAL DIVISION

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| AYERS RATLIFF<br>411 OAK STREET<br>MARION, OHIO 43302 | : | Case No:<br><br>2025 CV 0324 |
| And | : | |
| HEIDI RATLIFF<br>411 OAK STREET<br>MARION, OHIO 43302 | : | Judge<br><br>JUDGE MATTHEW P FRERICKS |
| Plaintiffs, | : | |
| vs. | : | |
| RAY GROGAN<br>100 EXECUTIVE DRIVE, 2nd Floor<br>MARION, OHIO 43302 | : | **Jury Demand Endorsed Hereon** |
| And | : | |
| DAVID STAMOLIS<br>100 EXECUTIVE DRIVE, 2nd Floor<br>MARION, OHIO 43302 | : | |
| And | : | |
| MARK WEAVER<br>TWO MIRANOVA PLACE – SUITE 700<br>COLUMBUS, OHIO 43215 | : | |
| And | : | |
| JOHN DOE<br>233 WEST CENTER STREET<br>MARION, OHIO 43302 | : | |
| And | : | |

JOHN DOE :
233 WEST CENTER STREET
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And :

JOHN DOE :
233 WEST CENTER STREET
MARION, OHIO 43302 :

And :

JANE DOE :
1680 MARION WALDO ROAD
MARION, OHIO 43302 :

And :

JANE DOE :
233 WEST CENTER STREET
MARION, OHIO 43302 :

And :

ISAAC WILES :
TWO MIRANOVA PLACE – SUITE 700
COLUMBUS, OHIO 43215 :

And :

JOHN DOE :
222 WEST CENTER STREET
MARION, OHIO 43302 :

Defendants. :

**COMPLAINT - 42 U.S.C. §1983**

1. This is an action for damages in excess of $25,000.00 exclusive of costs and interest;

2. Plaintiffs are and at all times material to this Complaint were, residents of Marion County, Ohio;

3. Defendant Ray Grogan, hereinafter "Grogan", upon information and belief is a resident of Marion County, Ohio and at all times material to this Complaint was the Marion County Prosecutor;

4. Defendant David Stamolis, hereinafter "Stamolis", upon information and belief is a resident of Delaware County, Ohio and at all times material to this Complaint, was an Assistant Marion County Prosecutor;

5. Defendant Mark Weaver, upon information and belief is a resident of Franklin County, Ohio and at all times material to this Complaint served as a part time Assistant Marion County Prosecutor, while working for Defendant ISAAC WILES, a law firm located in various jurisdictions, including Franklin County, Ohio;

6. Defendants John Does and Defendants Jane Does, upon information and belief are all residents of Marion County, Ohio and at all times material to this Complaint, were employed by and or through Marion County, the City of Marion as law enforcement officers or were employed in an unrelated capacity within Marion County, Ohio;

7. The Defendants are sued in their professional and individual capacities and are further

sued jointly and severally;

8. Defendant ISAAC WILES is responsible for the training of its partners and associates and is responsible for acts of malpractice, negligence and intentional torts caused by their associates and or partners;

9. Plaintiffs bring this action seeking damages in order to remedy the harm, damages and severe emotional distress caused by Plaintiff Ayers Ratliff's false arrest, and malicious prosecution, and they further bring specific claims to include but not limited to slander, libel, civil conspiracy, abuse of process, failure to properly train and loss of consortium;

**FACTS RELEVANT TO ALL DEFENDANTS**

10. On or about May 20, 2024, a student, who was not a victim to any crime, reported to school officials at Grant Middle School that a fellow female student and friend had been sexually assaulted;

11. According to the reporting student, he was advised of the alleged incident the night prior;

12. As a result of the uncorroborated report by the student, another student, the alleged victim, A.R., was pulled out of class and interviewed for nearly three (3) hours with either one or two members of law enforcement present and without a parent, school administrator, and/or any adult acting in loco parentis of A.R.;

13. No other adults, including A.R.'s mother, were in the interrogation room at the time;

14. During the first one-and-one-half (1 ½) hours of the interview, AR denied, and repeatedly denied any and all allegations of any type of abuse, assault or mistreatment and/or maltreatment by anyone, including the Plaintiff Ayers Ratliff;

15. Due to the pressure of two members of law enforcement against a child, A.R. felt pressured into admitting to allegations against the Plaintiff that A.R. knew were not true and that A.R. told law enforcement were not true for approximately one-and-one-half (1 ½) hours;

16. During the entirety of the interview, Defendant Grogan was at the school, serving not as a prosecutor, but rather as an investigator, assisting in the questioning of A.R.;

17. During the interview Defendant Grogan served in a law enforcement and investigative capacity and was not working in his role as a prosecuting attorney;

18. Defendant Grogan was submitting questions to law enforcement officers who were responsible for the interview and fact-finding process;

19. During the interview of A.R., wherein she repeatedly denied any wrongful conduct or the commission of any crime, Marion City Police Officer Chris Adkins and Victim's Advocate, Courtney Rittenhour, pressured A.R. continuously until she claimed that the statements she shared with her friend were true;

20. Defendant Grogan, serving not as a prosecutor but rather as a law enforcement agent/officer, directed Marion City Police Chief Jay McDonald to contact the Bureau of Criminal Investigation, hereafter "BCI", and request assistance with the investigation of Plaintiff;

21. On May 20, 2024, BCI was called in and after arriving at Plaintiff's residence, BCI placed yellow crime tape around Plaintiff's residence;

22. Defendant Grogan was in Plaintiff's residence with BCI Agents, directing and helping to conduct the investigation, notwithstanding A.R. initially repeatedly denying the existence of any crime;

23. At the time of Defendant Grogan's presence at Plaintiff's residence, Defendant Grogan was already aware that A.R. had initially repeatedly denied ever being assaulted, sexually or otherwise, by Plaintiff Ayers Ratliff;

24. By the afternoon of May 20, 2024, Plaintiffs' residence on Oak Street, in Marion, was cordoned off, and Plaintiff Ayers Ratliff was immediately prevented from returning home as Plaintiff Ayers Ratliff was arrested and jailed in the Multi-County Jail;

25. By the evening of May 20, 2024, people in Marion, Ohio already knew who the criminal Defendant was (Plaintiff Ayers Ratliff), who the alleged victim was, and what the accusations were;

26. The intention and purpose behind the "investigation", after A.R. initially repeatedly denied any crime being committed, was to seek publicity for Defendant Grogan;

27. Plaintiff Ayers Ratliff cooperated with every aspect of the investigation, provided interviews denying any and all allegations, and voluntarily provided his DNA in order to assist in what should have been a truth-seeking process;

28. Plaintiff Ayers Ratliff voluntarily submitted to a SANE exam for the collection of evidence on May 20, 2024, and without any known physical evidence at the time connecting Plaintiff Ayers Ratliff to any alleged crime, Defendant Grogan ordered the arrest of Plaintiff, notwithstanding A.R.'s repeated denials, confirming no crime was ever committed;

29. Defendant Grogan, at all times material hereto, was a Republican, President of the Marion County Republican Club, and politician running for office;

30. Plaintiff Ayers Ratliff at all times material hereto was a Democrat and the Second Ward City Councilman for nearly twenty (20) years, who was outspoken and critical of City and

County government;

31. Plaintiff Ayers Ratliff was transported from the hospital to the Multi County Correctional Center and placed on suicide watch, where he was isolated and naked in a cell with a glass wall and was denied clothing for approximately 18 hours;

32. On May 21, 2024, Plaintiff Ayers Ratliff was arraigned at Marion Municipal Court and bond was set at $500,000.00;

33. Although actually innocent of any crime, and with Grogan, Stamolis and Weaver obtaining no evidence to show he was guilty of any crime, Plaintiff Ayers Ratliff was forced to post the $500,000.00 bond in order to obtain his freedom;

34. At all times material to this Complaint, Defendants Grogan and Stamolis, knew or should have known that they have no evidence showing and/or corroborating that a crime was committed by Plaintiff Ayers Ratliff;

35. From his first appearance in Plaintiff Ayers Ratliff's criminal case, Defendant Weaver knew or should have known that no crime had been committed and knew that Plaintiff Ayers Ratliff was actually innocent;

36. Defendant Isaac Wiles, Defendant Mark Weaver's employer, is responsible for the training and continuing legal education of its partners and associates;

37. Defendant Isaac Wiles, Defendant Mark Weaver's employer, is responsible for ensuring that their associates and partners possess knowledge of the law and understand Constitutional ramifications of malicious prosecutions and wrongful convictions;

38. Defendant Isaac Wiles, Defendant Mark Weaver's employer, is responsible for the malpractice, and tortious acts of their associates and partners;

39. Defendant Isaac Wiles, Defendant Weaver's employer, touts Defendant Weaver's accolades and boasts of how Defendant Weaver is often asked to serve as a special prosecutor, and tout his knowledge of the Constitution and criminal law;

40. Defendant Grogan, in nothing other than a publicity stunt, and for the purpose of defaming, and slandering Plaintiffs, released a video of Plaintiff Ayers Ratliff's arrest, which was run by news stations, all across Ohio and beyond;

41. Defendant Grogan knew, at the time of releasing the video on May 21, 2024 of Plaintiff Ayers Ratliff's arrest, that there was no corroborating evidence confirming the allegations against Plaintiff Ayers Ratliff that he helped orchestrate by helping pressure A.R.;

42. As a result of Defendant Grogan's publicity stunt, Plaintiff Ayers Ratliff's mugshot was broadcast with the repetitive news stories throughout Ohio and elsewhere;

43. As a result of Plaintiff Ayers Ratliff's false arrest and the malicious prosecution for rape, social media coverage ran rampant with stories, commentary and false information;

44. Harness Racing news outlets as far as Australia ran news stories about Plaintiff Ayers Ratliff's arrest;

45. This information was extremely damaging to Plaintiff Ayers Ratliff as he served as the Assistant Director at the Ohio Harness Horseman's Association, which was a well-paid position;

46. Defendants Grogan, Stamolis and Weaver knew or should have known that the false allegations and the publication of those allegations would cause Plaintiffs serious reputational and economic harm;

47. A Preliminary Hearing was scheduled in Marion Municipal Court for May 24, 2024;

48. On May 22, 2024, Defendant Stamolis filed a Motion to Continue that preliminary hearing falsely claiming that the case was being presented to the Grand Jury, thereby pre-empting and supposedly negating the need for a preliminary hearing;

49. Notwithstanding Defendant Stamolis' representations to Plaintiff Ayers Ratliff and the Court, that he was presenting the case to the next Grand Jury, the case was not presented;

50. Defendant Stamolis' false representations were intentional and knowingly made, and were made for the purpose of causing delay of the preliminary hearing, solely to buy the defendants additional time to try and attain evidence and/or orchestrate a narrative that Defendants Grogan, Stamolis and Weaver knew never existed;

51. At the time Defendant Stamolis falsely advised the Court that the case was being presented to the Grand Jury, Defendant Stamolis and Defendant Grogan were aware that A.R. had already recanted her statement of any abuse, sexual or otherwise;

52. On May 30, 2024, a Preliminary Hearing was held at the Marion Municipal Court, where A.R., the alleged "victim", was present and available to testify, subject to the State of Ohio's subpoena that was issued by Prosecutor Grogan;

53. Defendant Grogan and Stamolis did not have A.R. testify, even though they had her under subpoena, due to her pre-hearing refusal to even speak with Defendant Grogan;

54. At the Preliminary Hearing, Plaintiff's counsel informed the Court that A.R. had serious mental health issues. These mental health issues were already or should have already been known to Prosecutor Grogan and his employees from information collected by the electronic phone dump performed on A.R.'s cellular phone;

55. Notwithstanding direct statements from A.R., that no crime ever occurred before knowing

the child had been coerced into claiming the allegations were true, on May 30, 2024, Defendant Grogan and Defendant Stamolis, knowing that they had no evidence showing that a crime was ever committed by Plaintiff Ayers Ratliff, continued with Plaintiff Ayers Ratliff's prosecution, and their effort to bind Plaintiff Ayers Ratliff over to the Court of Common Pleas;

56. Defendants Grogan and Stamolis asked for and received an Order that Plaintiff Ayers Ratliff was not allowed within 500 feet of his home and was not allowed within 500 feet of A.R. forcing Plaintiff Ayers Ratliff to maintain alternative residence, as he had resided in with his family on Oak Street for approximately eighteen (18) years;

57. On May 30, 2024, Plaintiff was bound over to the Common Pleas Court;

58. At all times material to this Complaint, Plaintiff Ayers Ratliff was employed by the Ohio Harness Horsman's Association;

59. Shortly after the May 30, 2024 preliminary hearing, where Plaintiff Ayers Ratliff was bound over to the Court of Common Pleas, Plaintiff Ayers Ratliff received a letter from his employer notifying Plaintiff that he was suspended, without pay, and that he was not permitted to go to "the OHHA office or any venue the OHHA conducts business.";

60. As a result of the letter from his employer, Plaintiff Ayers Ratliff was forced to cancel all contracts he had that hired him to announce at the harness races at sixteen (16) Ohio county fairs, some of which fairs Plaintiff Ayers Ratliff had announced since 1999;

61. Plaintiff Ayers Ratliff, in May of 2024, was scheduled to announce at MGM Northfield Park, Northfield, Ohio, and due to the malicious prosecution, and false allegations, Plaintiff was not permitted to attend or work that event;

62. Plaintiff was placed on the "stop list" by the Ohio State Racing Commission and was not

allowed to be on the grounds of any horse racing venue in Ohio, a sanction that was reciprocated by all states in the United States, and Provinces in Canada, which conduct horse racing;

63. At all times material to the Complaint, Plaintiff Ayers Ratliff was also employed at H & R Block as a tax preparer, where he had been so employed for eleven (11) years;

64. Due to the charges, proceedings and corresponding media attention, Plaintiff Ayers Ratliff was terminated from his employment at H & R Block as well. This is a well-paid position and was part of the Plaintiffs losing a substantial amount of income;

65. At all times material to this Complaint, Plaintiff Ayers Ratliff was also employed as a substitute teacher with Marion City Schools, a position which Plaintiff Ayers Ratliff had held, and enjoyed, for the previous three (3) years;

66. As a result of the charges, prosecution and media publicity, Plaintiff Ayers Ratliff was terminated by Marion City Schools and was advised that he was not permitted on any school grounds and that directive has not been rescinded as of the filing of this Complaint;

67. As a result of the charges, prosecution and media publicity, notwithstanding his innocence, Plaintiff Ayers Ratliff's teaching license has been suspended by the Ohio Department of Education and remains suspended by the Ohio Department of Education;

68. As a result of the charges, prosecution and media publicity, and notwithstanding Plaintiff Ayers Ratliff's innocence, Plaintiff Heidi Ratliff was forced to shut down her child daycare business that she had successfully operated for ten (10) years causing her substantial financial damage and hardship;

69. Plaintiffs had been permanent tenants at the Indian Trails Campground, located in New

London, Ohio;

70. Plaintiffs and their family would frequent the campground regularly between May and October of each year and since approximately 2020;

71. Plaintiffs and their family were well known, and they enjoyed and cherished their time at the campground;

72. In 2024, after being charged with rape, Plaintiff Ayers Ratliff and his family were notified that Plaintiff Ayers Ratliff was banned from the property at the campground due to his charges and as a result, Plaintiffs were forced to sell their camper;

73. The loss of enjoyment and use of the camper and campground was proximately caused by the wrongful acts of the Defendants, as were the financial damages and losses incurred by Plaintiffs and their family;

74. On July 24, 2024, Defendants Grogan, Weaver and Stamolis, convened a Grand Jury and they issued subpoenas for A.R. and Plaintiff Heidi Ratliff;

75. At the Grand Jury proceedings in July of 2024, A.R. again recanted her statements and testified that no crime was ever committed by Plaintiff Ayers Ratliff and that she was never assaulted sexually or otherwise;

76. Plaintiff Heidi Ratliff testified that no crime was ever committed by Plaintiff Ayers Ratliff;

77. As of July 2024, Defendants had Grand Jury sworn testimony by the alleged victim, A.R., and by Plaintiff Heidi Ratliff, wife of Plaintiff Ayers Ratliff, that Plaintiff Ayers Ratliff never committed a crime;

78. As a result of A.R.'s testimony and that of Plaintiff Heidi Ratliff, no indictment was returned by the Grand Jury;

79. In an unprecedented move in Marion County, Defendants filed a motion on July 29, 2024 requesting additional time to present the case, again, to the Marion County Grand Jury;

80. On August 1, 2024, prior to the convening of the Grand Jury on August 29, 2024, Plaintiff Ayers Ratliff's counsel forwarded a letter to Defendant Grogan, that went unanswered, stating:

> "We have hired multiple experts and have received from them data, information and forensic evidence that categorically proves that the alleged rape in this case did not and could not have happened. We are requesting that we be granted permission to present this evidence to the Grand Jury or in the alternative be able to present this evidence to you so that you can provide the same to the Grand Jury and to actually show/give this evidence to the Grand Jury at the Grand Jury Hearing."

81. On August 29, 2024, Defendant Stamolis presented the case again to the Grand Jury without any of the forensic evidence mentioned in the email from Plaintiff Ayers Ratliff's defense counsel that forensically proved the innocence of Plaintiff Ayers Ratliff, and thereby obtained a three (3) count indictment against Plaintiff Ayers Ratliff;

82. Between July 24, 2024 and August 29, 2024, no additional facts were developed in the investigation against Plaintiff Ayers Ratliff, and no additional facts were known to Defendants that would negate the recantation and the denial of criminal wrongdoing by the alleged victim, A.R. in her Grand Jury testimony;

83. Defendants Stamolis and Grogan, on August 29, 2024 and even before that date, knew that no crime had ever been committed by Plaintiff Ayers Ratliff;

84. Prior to presenting the case to the Grand Jury on August 29, 2024, A.R. had specifically and directly told Defendants Grogan and Stamolis that she was not a victim of any crime, no crime had ever been perpetrated upon her and that Plaintiff Ayers Ratliff had never assaulted

her sexually or otherwise;

85. Upon information and belief, Defendants Grogan and Stamolis, notified Defendant Weaver of A.R.'s denial of any criminal wrongdoing by Plaintiff Ayers Ratliff as Defendant Weaver became an integral part of the prosecution team;

86. Defendants Grogan, Weaver and Stamolis, notwithstanding A.R.'s and Plaintiff Heidi Ratliff's testimony, under oath, at Grand Jury, that A.R. was not a victim of any crime, and that Plaintiff Ayers Ratliff never assaulted her sexually or otherwise, chose to ignore A.R.'s sworn testimony and still pursued an indictment, while knowing that the evidence they were presenting, and the accusations upon which they sought indictment, were false. In addition, the Defendants knew that there was expert evidence that proved there was no sexual assault. Furthermore, Defendants Grogan and Stamolis knew that the defense team wanted them to present this evidence to the Grand Jury;

87. On September 3, 2024, Plaintiff Ayers Ratliff was arraigned at the Common Pleas Court for Marion County;

88. On September 30, 2024, a pretrial was held in Plaintiff Ayers Ratliff's case, where the defense again raised their request for dismissal, arguing again, that no evidence supported the indictment, as the alleged victim, A.R., had recanted and testified under oath at Grand jury that no crime was ever committed by Plaintiff Ayers Ratliff;

89. Knowing that no crime was ever committed by Plaintiff Ayers Ratliff, and knowing that there was no evidence to proceed to trial, Defendants Grogan, Stamolis and Weaver, elected to attempt to pressure and coerce Plaintiff Ayers Ratliff into a plea by returning to the Grand Jury on December 5, 2024, and again, without any additional evidence, indicted Plaintiff Ayers

Ratliff on two (2) additional charges of Abduction;

90. After the reindictment of December 5, 2024, Plaintiff Ayers Ratliff stood under indictment for Rape, Gross Sexual Imposition, Unlawful Sexual Conduct with a Minor, and two (2) counts of Abduction;

91. Defendants Grogan, Weaver and Stamolis' sole purpose in pursuing additional charges, while knowing no crime was ever committed by Plaintiff Ayers Ratliff, was to leverage and instill fear in Plaintiffs, by fabricating and creating an indictment that represented potential punishment exceeding that represented by the first indictment;

92. Defendants Grogan, Stamolis and Weaver's sole intention in seeking a more punitive indictment was to coerce and pressure Plaintiff Ayers Ratliff, who Defendants knew to be innocent, into a plea;

93. On December 9, 2024, Plaintiff Ayers Ratliff was again, in another highly publicized proceeding arraigned on the new charges;

94. Defendants Grogan, Weaver and Stamolis, knew that any additional publicity, of the type originating from such criminal proceedings, would bring additional emotional distress, humiliation, embarrassment and frustration to Plaintiffs and it was Defendants' intention to cause distress, humiliation, embarrassment and frustration to Plaintiffs, in hope that the pressure would force Plaintiff Ayers Ratliff to plead guilty;

95. Over Plaintiff Ayers Ratliff's objections, Defendants Grogan, Weaver and Stamolis, on January 13, 2025, filed a Motion to Continue the January 27, 2025 jury trial date, a motion which was denied by the Court;

96. Knowing that no evidence existed to convict, and knowing that no evidence existed to even

proceed to trial, Defendants Grogan, Stamolis and Weaver, rather than dismiss the case, on January 14, 2025 filed a second Motion to Continue, which was again denied;

97. Rather than dismissing the case, the requests for continuances were being filed in order to maintain pressure on the Plaintiff Ayers Ratliff, and cause him severe emotional distress, in hope that the stress would cause him to plead to a crime that was never committed;

98. At the time of filing both of the referenced continuances, Defendants Grogan, Weaver and Stamolis, knew, there was no evidence to support the charges in the indictment and that the Plaintiff Ayers Ratliff had six (6) expert witnesses willing and able to testify to Plaintiff Ayers Ratliff's actual innocence;

99. In addition to be advised by way of A.R.'s sworn, Grand Jury testimony, Defendants knew that Plaintiff Ayers Ratliff's DNA did not connect or inculpate him in any crime and that other expert forensic evidence proved that Plaintiff Ayers Ratliff did not commit a crime;

100. After the January 14, 2025 Motion to Continue the trial was denied by the Court, having no evidence to support conviction or a trial, on January 21, 2025, Defendants Grogan, Weaver and Stamolis dismissed the indictment against Plaintiff Ayers Ratliff;

101. A hearing was held upon Defendants' motion to dismiss the indictment on January 24, 2025, at which time the Court formally dismissed the case without prejudice and at which time Defendant Weaver, notwithstanding his request for dismissal, falsely claimed in open court that he possessed more than enough evidence to convict Plaintiff Ayers Ratliff;

102. Plaintiff Ayers Ratliff has served as City Councilman for approximately twenty (20) years;

103. Plaintiff Ayers Ratliff's petition to run again for Marion City Council was due on

February 6, 2025;

104. Due to how the case was intentionally delayed by the Defendants, and then dismissed, and without sufficient time to complete the petition to run, Plaintiff Ayers Ratliff was prevented from running for the position which he held for the past ten (10) terms;

105. As a result of the prosecution of Plaintiff Ayers Ratliff's case and notwithstanding the dismissal, on April 17, 2025, Plaintiff Ayers Ratliff was notified by the Ohio Harness Horseman's Association that Plaintiff, rather than being reinstated, was terminated from his employment;

106. Plaintiff Ayers Ratliff's termination from employment at the Ohio Harness Horseman's Association was proximately caused by the malicious and unjustifiable prosecution by the Defendants;

107. Plaintiff Ayers Ratliff's position carried an annual salary of $106,000 and included retirement and benefits that were fully paid by Plaintiff Ayers Ratliff's employer;

108. At all times material to this Compliant, Defendants Grogan, Weaver, Stamolis and others, namely John and Jane Does referenced herein, were aware that knowingly prosecuting a defendant, who was actually innocent, violated the Ohio and United States Constitution;

109. Upon being notified by A.R. that no crime was ever committed, Defendants Grogan, Weaver, Stamolis and others, namely John and Jane Does, referenced herein, knew Plaintiff Ayers Ratliff was actually innocent, yet elected to prosecute him anyway, subjecting him and Plaintiff Heidi Ratliff to emotional distress, ridicule, embarrassment, defamation and causing them to incur personal and financial damages;

110. All of Plaintiffs' personal and economic damages were proximately caused by the

malicious and unjustifiable prosecution by the Defendants;

111. The investigation, part or all of which was directed by Defendant Grogan, and conducted by the Marion City Police Department was at all times incompetent, reckless, malicious and in blatant disregard for the truth, and was conducted with actual malice;

112. A reasonable person in the position of Defendants Grogan, Weaver, Stamolis and others, namely John and Jane Does, referenced herein, knew that clearly established State and Federal Law prohibited the prosecution of one who is actually innocent when prosecutors are on notice of that person's actual innocence;

113. Defendant ISAAC WILES, as an employer of attorneys, was at all relevant times herein mentioned, incompetent, negligent, reckless and failed to properly train Defendant Weaver, who did not understand the fundamental basics of Constitutional law, due process, probable cause or actual innocence;

114. Defendants Grogan, Weaver, Stamolis and John and Jane Does, named herein, acted with actual malice, and with the intent to cause Plaintiffs harm, physical, psychological and emotional, as well as the intent to cause them economic harm;

115. Defendants Grogan, Weaver and Stamolis are not entitled to absolute immunity, as they have performed administrative and investigative functions, such as giving legal advice to law enforcement officers, holding a press conference, releasing video of Plaintiff Ayers Ratliff's arrest, and fabricating evidence;

**FIRST CLAIM**
**FALSE ARREST AND WRONGFUL IMPRISONMENT**

116. Plaintiffs incorporate paragraphs 1-115, each as if fully rewritten herein;

117. Plaintiff Ayers Ratliff's arrest on May 20, 2024 was at all times relative to this Complaint without probable cause;

118. Plaintiff Ayers Ratliff's continued detention at the Multi-County Correctional Center was unlawful, and in violation of the Fourth Amendment to the Ohio and United States Constitution;

119. Plaintiff Ayers Ratliff's arrest and continued detention was an unreasonable seizure as contemplated by the Fourth Amendment and *Bivens v. Six Unknown Agents of the Federal Bureau of Narcotics,* 403 U.S. 388 (1971);

120. Defendant Grogan, apparently in consultation with Defendants Stamolis and Weaver, ordered Plaintiff's arrest in the complete absence of any criminal conduct;

121. Defendants Grogan, Weaver and Stamolis, were not serving in a prosecutorial function when they acted with law enforcement to scheme Plaintiff's arrest;

122. On the date and at the time of Plaintiff Ayers Ratliff's arrest, there was no functional tie to the judicial process when Defendant Grogan and Stamolis communicated with law enforcement and directed law enforcement's actions;

123. Defendants Grogan, Stamolis and Weaver are not entitled to absolute immunity when giving police advice, directing any part of their investigation, or seeking to generate evidence to support arrest;

**SECOND CLAIM**
**MALICIOUS PROSECUTION**

124. Plaintiffs incorporate paragraphs 1-123, each as if fully rewritten herein;

125. Defendants initiated the prosecution after being initially told by A.R. on May 20, 2024 that Plaintiff Ayers Ratliff committed no crime and no assault against her ever occurred;

126. Defendants continued the prosecution knowing they knew A.R. recanted her statement, denying the commission of any crime on May 20, 2024, knowing that A.R. testified at Grand Jury that Plaintiff Ayers Ratliff committed no crime, and that there was no physical evidence connecting Plaintiff Ayers Ratliff to any crime;

127. Defendants became aware that at no time material to this Complaint, was there probable cause to believe that Plaintiff Ayers Ratliff committed any crime and in fact was completely innocent of any crime;

128. On January 24, 2025, the indictment against Plaintiff Ayers Ratliff was dismissed;

129. As a result of Plaintiff Ayers Ratliff's false arrest, wrongful imprisonment and malicious prosecution, Plaintiffs suffered severe and permanent reputational harm, severe emotional distress, and other economic and non-economic damages in an amount to be proven at trial;

**THIRD CLAIM**
**RETALIATION**

130. Plaintiffs incorporate paragraphs 1-129, each as if fully rewritten herein;

131. Knowing that no crime was ever committed by Plaintiff Ayers Ratliff, and knowing that there was no evidence to proceed to trial, Defendants Grogan, Stamolis and Weaver, elected to pressure and coerce Plaintiff Ayers Ratliff into a plea by returning to the Grand Jury on December 5, 2024, without any additional evidence, and indicting Plaintiff Ayers Ratliff on two (2) additional charges;

132. Defendants' presentation of the case on December 5, 2024 to the Grand Jury was in retaliation for Plaintiff Ayers Ratliff not resolving the case with a guilty plea;

133. Defendants' filing of the initial Complaint, on May 20, 2024, and the continued pursuit of

prosecution, after prosecutors knew the alleged victim, A.R. recanted under oath and that no crime was committed, was in retaliation for Plaintiff Ayers Ratliff's service as a Democratic City Councilman, and more specifically, for his outspoken criticism of City and County government;

134. Defendants Grogan, Stamolis and Weaver, acting outside the scope and bounds of prosecutorial immunity, participated in the investigation, and orchestration of the prosecution and publicly endorsed it for political purposes before judicial process commenced;

135. Defendants' retaliation, and pursuing charges that were known to be based upon false allegations, was at all times herein referenced with actual malice;

136. After the reindictment of December 5, 2024, Plaintiff Ayers Ratliff stood under indictment for Rape, Gross Sexual Imposition, Unlawful Sexual Conduct with a Minor, and two (2) counts of Abduction;

137. Defendants Grogan, Weaver and Stamolis' sole purpose in pursuing additional charges of abduction at the Grand Jury on December 5, 2024, while knowing no crime was ever committed by Plaintiff Ayers Ratliff , was to retaliate, leverage and instill fear in Plaintiffs, by fabricating and creating an indictment that represented potential punishment exceeding that represented by the first indictment;

**FOURTH CLAIM**
**LIBEL AND SLANDER**

138. Plaintiffs incorporate paragraphs 1-137, each as if fully rewritten herein;

139. Defendants pursued, drafted and filed an indictment, charging Plaintiff Ayers Ratliff with crimes that Defendants knew were based upon allegations that were false, as Defendants knew that the alleged victim, A.R. recanted under oath and had indicated and specifically stated that

the allegations she made were false and repeatedly denied any wrongful conduct on the part of Plaintiff Ayers Ratliff;

140. Defendants Grogan, Weaver and Stamolis knew that the indictment would be published in written form and that the content would be disseminated in verbal form, as the indictment was a public record;

141. Defendants Grogan, Weaver and Stamolis, knew that Plaintiffs would suffer harm to their reputation, would suffer financial and emotional damages and Plaintiff Ayers Ratliff would be labeled a "rapist," even though Defendants knew, at the time of seeking the indictment, as well as all times thereafter, that the information they were relaying to the Grand Jury was materially false and withheld from the Grand Jury forensic evidence that proved Plaintiff Ayers Ratliff's actual innocence;

142. Defendants Grogan, Weaver and Stamolis, knowing the information they were publicizing was false, made false and defamatory statements about Plaintiff Ayers Ratliff in a video published on May 21, 2024;

143. At the time of making public statements about Plaintiff Ayers Ratliff, the charges, and the indictment, Defendants Grogan, Weaver and Stamolis, were acting outside the scope of any prosecutorial function;

144. Defendants, despite knowing that the alleged victim recanted under oath and had informed them that no crime had ever been committed by Plaintiff Ayers Ratliff, falsely accused Plaintiff Ayers Ratliff of Rape and other sexually related crimes, and their statements were made with knowledge of their falsity and in blatant disregard for the facts demonstrating Plaintiff Ayers Ratliff's actual innocence;

145. Defendants' defamatory statements as to Plaintiff Ayers Ratliff were broadly repeated and published, including in the media;

146. The statements made by the Defendants, were made with actual malice, and were made with the specific intention to harm Plaintiffs, and were further made for the purpose of contaminating the jury pool by having the public learn of the allegations that Defendants had already understood to be false;

147. Defendant Grogan repeatedly made statements to the media about Plaintiff Ayers Ratliff and the charges and falsely represented that he possessed the evidence to convict Plaintiff Ayers Ratliff, while ultimately dismissing the case;

148. The defamatory statements, false accusations and repetitive nature of the false statements, were made with malice and with the intention of harming Plaintiffs, harming their reputation, harming Plaintiff Ayers Ratliff politically, and were all made to serve Defendant Grogan's political interests;

**FIFTH CLAIM**
**CONSPIRACY**

149. Plaintiffs incorporate paragraphs 1-147, each as if fully rewritten herein;

150. Defendants Grogan, Weaver and Stamolis, together and with others, conspired to file charges against Plaintiff Ayers Ratliff, knowing that he never committed a crime;

151. Defendants Grogan, Weaver and Stamolis, together and with others, each acting with actual malice, maliciously prosecuted Plaintiff Ayers Ratliff, and intentionally made false and unlawful statements about Plaintiff Ayers Ratliff that were known by Defendants to be false;

152. The false statements made and published by Defendants caused personal and economic

harm to Plaintiffs and damaged Plaintiffs' reputation;

153. Defendants Grogan, Weaver and Stamolis, and the Jane and John Does, worked in concert, together and with the same intent to harm Plaintiffs;

**SIXTH CLAIM**
**ABUSE OF PROCESS**

154. Plaintiffs incorporate paragraphs 1-153, each as if fully rewritten herein;

155. Defendants Grogan, Weaver and Stamolis, at all times material to this Complaint, used the legal process to destroy Plaintiffs' reputations, notwithstanding having direct knowledge that Plaintiff Ayers Ratliff was actually innocent and never committed a crime;

156. Defendants Grogan, Weaver and Stamolis, at all times material to this Complaint, knew that falsely accusing Plaintiff Ayers Ratliff and bringing forth an indictment based upon false allegations, would politically destroy Plaintiff Ayers Ratliff;

**SEVENTH CLAIM**
**VIOLATIONS OF CIVIL RIGHTS UNDER U.S.C. §1983**

157. Plaintiffs incorporate paragraphs 1-156, each as if fully rewritten herein;

158. Defendants Grogan, Weaver and Stamolis, and John and Jane Doe Defednants, deprived Plaintiff Ayers Ratliff of his Fourth Amendment right to be free from unreasonable seizure;

159. Defendants Grogan, Weaver and Stamolis, at all times material to this Complaint, were acting under color of state law;

160. Defendants Grogan, Weaver and Stamolis, at all times material to this Complaint, deprived Plaintiff Ayers Ratliff of his rights and privileges secured by the Constitution and laws of the

United States;

161. Defendants Grogan, Weaver and Stamolis, at all times material to this Complaint, exercised their power possessed by virtue of state law and were able to harm Plaintiffs and destroy their reputation, and cause Plaintiff Ratliff's false arrest, only because the Defendants were clothed with the power and authority under state law;

162. Having been initially advised before being pressured into making a false statement, prior to Plaintiff Ayers Ratliff's arrest on May 20, 2024, by the alleged victim, A.R., that Plaintiff Ayers Ratliff committed no crime and engaged in no impropriety, sexual or otherwise, Defendants Grogan, Weaver and Stamolis directed and ordered Plaintiff Ayers Ratliff's arrest, while knowing Plaintiff Ayers Ratliff was actually innocent and further knowing that no probable cause existed to effectuate an arrest of Plaintiff Ayers Ratliff;

**EIGHTH CLAIM**
**LOSS OF CONSORTIUM**

163. Plaintiffs incorporate paragraphs 1-162, each as if fully rewritten herein;

164. As a direct and proximate result of the Defendant's wrongful conduct as described herein, Plaintiff Heidi Ratliff, the lawful spouse of Plaintiff Ayers Ratliff, and Plaintiff Ayers Ratliff have suffered and will continue to suffer a loss of consortium, including but not limited to loss of society, companionship, affection, assistance, services, comfort, and marital relations, all to their detriment.

*Wherefore,* Plaintiffs Ayers Ratliff and Heidi Ratliff pray for judgment against each defendant, jointly and severally in an amount to be proven at trial and to include compensatory damages for pain, suffering, stress, humiliation, mental anguish, emotional harm, injury, damage

to their reputation, and loss of consortium. Plaintiffs further request punitive damages, attorney fees, pre- and post-judgment interest, reimbursement for any negative tax consequences of a judgment, costs and any such other relief as the Court deems equitable and just.

Respectfully submitted,

*/s/ Rocky Ratliff*
**RATLIFF LAW OFFICE**
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Rocky Ratliff (0089781)
Adam Banks (98421)
Nick Barons (101392)
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## INSTRUCTIONS FOR SERVICE

TO THE CLERK:

Please issue a summons and certified copy of the Complaint upon Ray Grogan, Davis Stamolis, Mark Weaver, and Isaac Wiles by process Server.

Please serve a summons and certified copy of the Complaint upon each John Doe and Jane Doe Defendant at the addresses listed in the heading of this Complaint.

*/s/ Rocky Ratliff*
**RATLIFF LAW OFFICE**
J.C. Ratliff (0027898)
Rocky Ratliff (0089781)
Adam Banks (98421)
Nick Barons (101392)
*Counsel for Plaintiffs*