

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

*Wayne Doyle*

*202 Southern Avenue*

*Springfield, Ohio 45506*

*Plaintiff,*

*v.*

*John McConagha and*

*Clark County Library et,al*

*201 Fountain Avenue Springfield,*

*Ohio 45506*

*Defendant's*

Civil case **3:07 CV 00003**

*Judge*

*Magistrate*

*Jury Demand*

Doyle v. McConagha et al

Doc. 1 Att. 2

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**PLAINTIFF'S VERIFIED COMPLAINT**

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**Plaintiff does hereby present to this honorable Court his Verified Complaint and Demand for damages.**

SUBMITTED  
*Wayne Doyle*  
WAYNE DOYLE  
202 Southern Avenue  
Springfield, Ohio 45506

*01/03/07*

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**INCIDENT REPORT**

Branch: Dayton  
 Date of Incident: 3/18/05  
 Time of Incident: 2:00 PM

1. Client Clark County Library Address 201 South Fountain Ave. SFB Post \_\_\_\_\_  
 2. Police / Fire Department Notified:  Yes  No Time: \_\_\_\_\_ Officer's Name: \_\_\_\_\_ RPT#/Badge # \_\_\_\_\_  
 3. Securitas Office Notified:  Yes  No Time: \_\_\_\_\_ Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 4. Client Notified:  Yes  No Time: \_\_\_\_\_ Name: John McConagha Title: Director

5. Persons Involved/Witnesses (insert category of relationship letter opposite name in \* column) A. Employee B. Client Employee C. Other

*	Name / Position Title	Phone Number	Organization Name and Address
	<u>Angie <del>Jane</del> Jones</u>	<u>937-520-6774</u>	<u>Patron</u>

6. Description of Property / Equipment ( example: Brand, Model, License or Serial #, Color, Year )  
None

7. Description of Incident / Injury (WHO, WHAT, WHERE, WHY, and HOW. Include all information in detail and attach statement if required.)

Angie ~~Jane~~ Jones told me Jeff Smith, Security Officer that Wayne Doyle was harrassing her on the Date of March 18<sup>th</sup> 2005. She gave me her name and number on March 20<sup>th</sup> 2005 with a full detailed complaint of the incident.

Angie said he was following her around the Library, and Staring at her, making her feel uncomfortable. This was not the first time he has followed her around. Angie told me that she has seen Wayne in the Back Section of the Librar/, messin' around with young females, and romping around with them. Angie was very concerned about the well being of the young girls. On March 21<sup>st</sup> 2005 12:50pm John Dempsey Security Officer, gave Wayne Doyle the letter that the Director told him to give to Wayne Doyle. See Attached Sheet

w/here?

Did you report this?

Officer Name Jeffrey S. Smith Signature J/S. Smith Date & Time of Report 3/21/05

John Dempsey told Wayne Doyle that he was to leave the property, to read the letter, and that he was trespassing, but he did not leave the property. He asked to see the Director. I, John Dempsey escorted him, to the Directors Office. The Director John McConagha informed him, he was trespassing, and was to leave now, or the Police would be called immediately. Wayne Doyle said OK, and left.



The Information Place.

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**MAIN LIBRARY**  
201 SOUTH FOUNTAIN AVE  
PO BOX 1080  
SPRINGFIELD OHIO  
45501-1080  
937 323-9751  
FAX: 937 328-6908  
www.ccpl.lib.oh.us

**HOUSTON BRANCH**  
5 W JAMESTOWN ST  
BOX 127  
SOUTH CHARLESTON OHIO  
45368  
937 462-8047

**INDIAN MOUND  
BRANCH**  
45 INDIAN DR  
ENON OHIO  
45323  
937 864-2502

**PARK CENTER BRANCH**  
1119 BECHTLE AVE  
SPRINGFIELD OHIO  
45504  
937 322-2498

**SOUTHERN VILLAGE  
BRANCH**  
1123 SUNSET AVE  
SPRINGFIELD OHIO  
45505  
937 322-2226

March 21, 2005

Mr. Wayne Doyle

Dear Mr. Doyle:

Because you have violated the Clark County Public Library's Code of Conduct by staring, following a library user about the library, and harassing a library user, you are banned effective March 21, 2005 until March 21, 2007 from all library facilities. The complaint against you was made to one of our security officers at the Main Library on Friday, March 18, 2005 by a female African-American library user. I confirmed the complaint by phone today.

Under the ban you are not permitted to use or be in or on the grounds of any Clark County Public Library facility. If you are on the property of any Clark County Public Library facility during the ban time period, you will be arrested for trespassing.

You may appeal this decision in writing to me within 30 days of your receipt of this letter. Your appeal may include your version of events on March 18, 2005.

Sincerely,

*John McConagha*  
John McConagha  
Library Director

*388-4886*

*2nd hand  
information*

*PATT*



The Information Place.

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April 25, 2005

**MAIN LIBRARY**  
201 SOUTH FOUNTAIN AVE  
PO BOX 1080  
SPRINGFIELD OHIO  
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Mr. Edwin A. Grinvalds, Esq.  
12 West Main Street  
Springfield, Ohio 45502

Re: Wayne Doyle Appeal Decision

Dear Mr. Grinvalds:

This appeal came before me, the Clark County Public Library ("CCPL") Director, on Friday, April 15, to determine whether Mr. Wayne Doyle should be suspended from the library for violating the Library's Code of Conduct.

CCPL's Code of Conduct states that "Patrons shall respect the rights of others and shall not harass or annoy others by acts including, but not limited to: staring, following another person about the building, or behaving in a manner which reasonably can be expected to disturb others." A library patron ("Complainant") reported that Mr. Doyle was harassing her by staring and following her around the library. This behavior is in violation of CCPL's Code of Conduct.

In making my decision, I have considered the report of the security guard, my phone call to the Complainant, the affidavit of Stephanie Southers as well as Mr. Doyle's statement given at the appeal hearing. I found the Complainant's version of what happened and the security guard's report to be credible. The Complainant's statement that she made to me was consistent with what she reported to the Officer. I did not find Mr. Doyle's version of what happened on March 18, 2005 credible.

At the hearing, Mr. Doyle was given an opportunity to tell his side of the story. He denied that he followed the Complainant around the library, and was staring at anyone. Mr. Doyle did however acknowledge that he frequently sits in the Teen Room. Although he denies the Complainant's report of what happened, Mr. Doyle was not able to offer an explanation of why the Complainant would fabricate such a story.





The Information Place.

Re: Wayne Doyle Appeal Decision (continued)

Therefore, I will reinstate the suspension effective immediately until March 21, 2007, from all library facilities. As detailed in my letter sent to Mr. Doyle on March 21, 2005, Mr. Doyle is not permitted to use, be in, or on the grounds of any Clark County Public Library facility. If Mr. Doyle is found on the grounds of the Clark County Public Library, he will be arrested for trespassing.

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45505  
937 322-2226

cc: Wayne Doyle  
Johnny Pryor, Esq.

Sincerely,  
  
John McConagha  
Library Director

the Second Conviction

4.25.05

WAYNE DOYLE  
STATEMENT given  
TO: JOHN McCONAGHA

(4)

UN verified

HEAR - SM

- SEVERAL OCCASIONS
- FROM OUT OF TOWN
- OCCASIONALLY USES CCPL

March 30, 2005

Notes from John McConagha's phone call to complainant regarding March 18, 2005 incident:

John McConagha, Library Director, called the complainant on March 21, 2005, regarding harassment by Wayne Doyle. The complainant, an African-American female adult, informed me that Mr. Doyle had been staring at her and following her on several occasions. When asked for a specific date/time, she indicated that one instance was in the afternoon on Friday March 18, 2005. The complainant said that she was from out of town and only occasionally uses CCPL, but was in the library to do some research. She further indicated that she observed Mr. Doyle staring at and following teenagers and younger children. The complainant said that Mr. Doyle situated himself in the Teen Room at the Main Library in such a way as to be able to stare at teenage children in the Teen Room and to stare at young children in the adjacent Children's Room. She observed the same behavior from Mr. Doyle toward herself and others on Saturday, March 19 as well. She filed a complaint with the library security officer on Sunday, March 20.

a Statement From Wayne Doyle

I also have witnesses from security staff name John Dempsey, on the second page of the incident report, that there were no teens or children in the teen area at no time, when I was using the area alone to read certain book that were in that area.

Other adults use the same area ~~with~~ without cover

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October 23, 2006

John McConagha, Director  
Clark County Public Library  
201 Fountain Avenue  
Springfield, Ohio 45506

Re: PUBLIC RECORDS REQUEST

Wayne Doyle v. Clark County Library

*This is a public information request for a copy of any and all reports, documents, recordings in your care,*

*These materials should include but not limited to: (1) Angie Jones March 20, 2005 written detailed statement.*

*(2) Angie Jones recorded statement taken by John McConagha on or about March 20, 2006.*

*I would appreciate your prompt and immediate response to this request.*

Wayne Doyle  
202 Southern Avenue  
Springfield, Ohio 45506

10/31/06

① THERE IS NO WRITTEN STATEMENT FROM ANGIE JONES

② ANGIE JONES RECORDED STATEMENT FROM 3/21/05 IS ENCLOSED.

*John McConagha*



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John McConagha, Director

November 6, 2006

Clark County Library  
201 Fountain Avenue  
Springfield, Ohio 45506

Re: PUBLIC RECORDS REQUEST

Wayne Doyle v. Clark County Library

This is a public information request for a copy of any and all reports, documents, records, recordings in your file concerning Angie Jones complaint against Wayne Doyle.

These materials should include but not be limited to:

- (1) Angie Jones tape recorded statement taken by John Mc Conagha on March 20, 2005.
- (2) A copy of the library's code of conduct.
- (3) The posting locations of the library's code of conduct in the library.
- (4) The number of patrons who have been barred from the library for looking at other patrons in a unappropriate way.
- (5) The number of patrons who have been barred from the library for following other patrons.

I would appreciate your prompt and immediate response to this request.

Wayne Doyle  
202 Southern Avenue  
Springfield, Ohio 45506

*John McConagha*  
11/16/06

① WE DO NOT HAVE A RECORDED STATEMENT FROM ANGIE JONES

② LIBRARY CODE OF CONDUCT IS ENCLOSED

③ THE CODE OF CONDUCT IS POSTED AT THE ENTRANCE OF ALL LIBRARY FACILITIES.

④ THIS IS NOT A REQUEST FOR PUBLIC RECORDS

⑤ THIS IS NOT A REQUEST FOR PUBLIC RECORDS

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b

John McComagha, Director  
Clark County Library  
201 Fountain Avenue  
Springfield, Ohio 45506

November 16, 2006

Re: **PUBLIC RECORDS REQUEST**

Wayne Doyle v. Clark County Library

This is a public information request for a copy of any and all documents, Records, recordings, in your care concerning Angie Jones complaint against Wayne Doyle. These materials should include but not be limited to:

- (1) Date and time of the code of conduct posting at the Clark County library located at 201 S. Fountain Avenue Springfield, Ohio 45506.
- (2) A copy of the **Disorderly Conduct** charge brought against Wayne Doyle as defined under **ORC 2917.11** in the Library Code of Conduct which states: Patrons shall not engage in conduct which interferes with library use including but limited to, impeding access to library property; fighting; using abusive, **menacing, insulting, obscene, or profane language**; and verbal and or physical propositions or threats.
- (3) A copy of any **criminal charges** filed against Wayne Doyle by the Clark County library for harrassing Angie Jones.
- (4) A copy of any **criminal charges** filed against Wayne Doyle by Angie Jones for harrassing her.

I would appreciate your prompt and immediate response to this request.

Wayne Doyle  
202 Southern Avenue  
Springfield, Ohio 45506

- ① HAS BEEN CONTINUALLY POSTED SINCE 2/03.
- ② NO CHARGES FILED
- ③ NO CHARGES FILED
- ④ WE HAVE NO RECORD OF THAT

John McComagha  
11/27/06

***PLAINTIFF'S VERIFICATION:***

*THE UNDERSIGNED HAS COMPLETED THE ABOVE-CITED ALLEGATIONS TO THE FULLEST AND MOST ACCURATE EXTENT POSSIBLE, USING THEIR FIRST HAND KNOWLEDGE TO COMPLETE SAME,*

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*SWORN AND SIGNED BEFORE ME THIS 3<sup>RD</sup> DAY OF JANUARY, 2007*

***JURY DEMAND***

*Plaintiff hereby demands a trial by jury on the merits in this matter.*

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***THE CLAIMS***

***COUNT ONE:***

***VIOLATION OF PLAINTIFF'S SUBSTANTIVE DUE PROCESS RIGHTS, AS GUARANTEED BY THE (1<sup>ST</sup>) AMENDMENT TO THE UNITED STATES CONSTITUTION.***

*Plaintiff has a right to peacefully assemble and visit the Clark County Library. Such right was violated by Defendants.*

***COUNT TWO:***

***VIOLATION OF PLAINTIFF'S SUBSTANTIVE DUE PROCESS RIGHTS GUARANTEED BY THE FOURTEENTH(14) AMENDMENT TO THE UNITED STATES CONSTITUTION.***

*Plaintiff has had his liberty of movement taken from him without due process of law.*

**COURT THREE:**

**VIOLATION OF 42 U.S.C. @1983.**

*The above cited civil rights violations were conducted at the behest of state actors, a fact which clearly implicates several and numerous 42 U.S.C. @ 1983 violations.*

**COURT FOUR:**

**MALICIOUS PROSECUTION**

*The above-cited facts provide a strong basis for a restraining order and acquittal in the underlying case, with respect to the spurious complaint brought by the defendants against Plaintiff. As Much , Malicious Prosecution may be readily inferred.*

**COUNT FIVE:**

**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

*Plaintiff asserts that any reasonable observer will concur that the Defendant's behaviour shocks the conscience and that they are liable for the above-cited pendant state law tort.*

**COUNT SIX:**

**NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

*Plaintiff asserts that any reasonable observer will concur that*

***Defendants' behaviour shocks the conscience and that they are liable for the above –cited pendant state law tort.***

**COUNT SEVEN:**

***Plaintiff reiterates all preceding paras. As incorporated herein and states that the above (in)actions constitute a common law breach of contract on multiple occasions.***

**COUNT EIGHT:**

***Plaintiff reiterates all preceding paras as if incorporated herein and states that the above (in)actions have constitute a violation of principals enunciated in by way of promissory estoppel.***

**DEMANDS AND PRAYER FOR RELIEF**

***WHEREFORE, Plaintiff prays that this Honorable Court enter***

***Judgment against Defendant in the following manner:***

- 1. Declaratory Judgment declaring the above described activities as Standing in derogation of laws and principles of the United States and Ohio Constitution, Laws, and Treatises;***
- 2. Issuance of Permanet Injunctive Relief enjoining Defendant from Acting officially, individually or in concert in any way which would violate Civil rights of those governed by it.***
- 3. Issuance of any and all equitable relief, including, but not limited***



*To, punitive damages which this Honorable Court may find just and proper.*

*WHEREFORE, Plaintiff Wayne Doyle, demands judgment against the Defendants, jointly and severally, in an amount of 350,000.00, which will Fully compensate him, plus reasonable cost.*

*SUBMITTED,*

*+*

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*JURY DEMAND*

*Plaintiff spectfully demand a Jury to hear this case on the Merits.*