

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

LISA AND WILLIAM WOOLLEY,)	
individually;)	
)	
Plaintiffs,)	
)	
vs.)	Case No. <u>21-CV-159-JFH</u>
)	
The Wagoner County Sheriff's Office;)	
DANNY ELLIOTT, individually and in his)	
official capacity as an employee of Wagoner)	
County Sheriff's Office, and)	
MEAGAN SINCLAIR, individually and in her)	
capacity as an employee of Kids' Space Child)	
Advocacy Center of Muskogee)	
)	
Defendants.)	

Case No. 21-CV-159-JFH

COMPLAINT

COMES NOW the Plaintiffs, Lisa Woolley and William Woolley (the “Plaintiffs” or “Woolleys”), jointly and individually, and hereby submit their Complaint in the above matter. In support thereof, Plaintiffs allege and state as follows:

1. This matter arises from the tragic death of Plaintiffs’ grandson, E.W., a tragedy that was made worse by Defendants Danny Elliot and Megan Sinclair, who conspired to prosecute Plaintiffs, fabricated evidence, ignored evidence and wrongfully referred the Plaintiffs to the Wagoner County District Attorneys on criminal charges. Obviously, Defendants’ actions had dire consequences for Plaintiffs.
2. Defendant Danny Elliot, acting under color of law and in his capacity as a Detective for the Wagoner County Sheriff’s Office, conspired to fabricate evidence, was grossly negligent and malicious in his handling of a criminal referral to the District Attorney’s office, and intentionally ignored evidence that would have shown the

Plaintiffs to be innocent of the charges lodged against them. This resulted in the Plaintiffs being wrongfully arrested, incarcerated and charged with murder in the First Degree of their grandson, E.W., which was baseless.

3. This is a civil rights action under 42 U.S.C. § 1983.
4. Jurisdiction is proper pursuant to 28 U.S.C. § 1331 in that Plaintiffs have alleged a federal question and this Court has supplemental jurisdiction over the state claims under 28 U.S.C. § 1367 because such claims arise out of the same set of facts and circumstances. Moreover, venue is proper with this Court because a significant portion of the acts alleged herein occurred within the territorial limits of this District.
5. Defendant, Danny Elliott (Detective Elliott), was at the time of the events and allegations alleged herein the Lead Investigator for Wagoner County Sheriff's Department (WCSD). Defendant, Meagan Sinclair, was at the time a nurse who performed medical nursing SANE evaluations for Kids' Space Child Advocacy Center located in Muskogee.
6. On March 30, 2018, 14-month old E.W. was found dead in his crib by Plaintiff Lisa Woolley.
7. The Woolleys were court-appointed guardians of E.W. and are the maternal grandparents of E.W. and C.W. C.W. is the older minor brother of E.W.
8. Detective Elliott arrived at the Woolleys' residence acting in his capacity of lead investigator for this case representing the Wagoner County Sheriff's Office.
9. As to the death of E.W., prior to his arrival at the Woolleys' house, Detective Elliott had already concluded without any investigation that a murder had occurred. On his

way to the scene, Detective Elliott told his supervisor on the scene, Kyle Johnson, that he was going to a “murder scene.” Detective Elliott, despite having no medical experience, drew the conclusion that E.W. was murdered before even arriving on the scene. Detective Elliot repeatedly espoused this opinion that E.W. had been murdered.

10. While a search of the residence was conducted, exculpatory evidence was ignored and left behind by Detective Elliott. For example, there were two weeks’ worth of soiled diapers (approximately 40+) in the Plaintiffs’ trash bins containing important evidence, all of which were left at the Plaintiffs’ residence. Additionally, certain evidence contained in the crib where E.W. had died was left behind.
11. As evidence of the conspiracy and malfeasance by Detective Elliott, a law enforcement officer is quoted as saying, “Danny had his mind made up before he got there. He didn't even ‘bother’ to get a search warrant.”
12. A further example of evidence ignored by Detective Elliott is C.W.’s first forensic interview, which was recorded and did not implicate the Plaintiffs. Meagan Sinclair, in conspiracy with Defendant, falsely reported to have uncovered rape and child molestation. Sinclair reported that 5-year-old C.W. claimed that E.W. was raped daily while sitting on the couch with the Plaintiff grandfather (Bill Woolley). This allegedly occurred when the Plaintiffs were watching TV, in the open living room, in the presence of others, with Lisa Woolley sitting nearby doing nothing while E.W. allegedly screamed and cried and was spanked as punishment. These false statements by Sinclair were done in conspiracy with Danny Elliott. The forensic interview was recorded and did not implicate the Woolleys. Moreover, C.W. denied telling Sinclair

anything incriminating when pressed by the interviewer with leading questions. This interview was withheld from the Woolleys until March of 2019. In fact, the district attorney's office denied the existence of the second forensic interview when it was cross-referenced in documents. Specifically, the Assistant District Attorney, Michelle Keely, explicitly stated to the Woolleys' attorneys that reference to the second forensic interview was a mistake and no second forensic interview occurred. Other incredulous statements that Sinclair attributed to C.W. included that C.W. referred to his grandpa as William, including Sinclair writing down that the abuser was named "William" and that C.W. told her so. C.W. has no knowledge that his formal name was William. Moreover, C.W. is developmentally delayed, especially in speech, and would be unable to articulate the abuse in the manner alleged by Sinclair. Moreover, Defendants are aware that recently C.W., in yet another interview, asked to go home with the Woolleys and the foster parent stated, "[N]o you don't want to go back to him, remember all the bad things he did to you," to which C.W. replied, "No."

13. C.W. had at least seven interviews related to child abuse allegations of his brother. At least two interviews regarding allegations of sexual and/or child abuse were withheld from the Plaintiffs for a year or longer. The first interview was by the DHS Child Abuse Investigator, Shane Greer. This interview was withheld from the Plaintiffs for over a year. There was nothing incriminating about the Plaintiffs in this interview. The second forensic interview was performed on 4-4-18 in which C.W. denies having a conversation with the SANE nurse about his brother being sexually abused. Danny Elliott was in attendance at this interview and had knowledge of C.W. exonerating the Plaintiffs. This interview was also withheld from the Plaintiffs for

over a year. Despite these interviews, the false allegations of sexual abuse by the Plaintiffs were pushed by Sinclair and Elliott. This allowed the Wagoner County District Attorney's Office to falsely charge the Woolleys.

14. Sinclair quoted C.W. with giving elaborate answers, yet the interviews that were recorded show C.W. with rushed and jumbled words. The transcript shows that the forensic interviewers struggled to comprehend what C.W. was saying and had to stop several times. Yet Sinclair was so certain she wrote out verbatim accusation from C.W. that were concise and detailed, testifying that she wrote exactly what C.W. told her. Further, Sinclair's intentional, false and misleading conduct is exemplified by her testifying in court that C.W. had no speech impediment. This confirms that no SANE exam occurred and that the statements attributed to C.W. are made up.
15. As a result of Detective Elliott's failure to conduct a meaningful search and to ignore important evidence along with his reckless disregard for the truth, on April 12, 2018, the Plaintiffs were arrested for allegations of sexual assault and/or enabling sexual assault of C.W., none of which was ever proven in CF 2018-167 and 168 in the District Court for Wagoner County, Oklahoma. These charges were ultimately dismissed.
16. Plaintiff William Woolley and Lisa Woolley's bond was set at \$500,000.00 each. Plaintiffs spent four months in jail as a result. After the preliminary hearing on July 31, 2018, the Woolleys' bond was reduced as follows: Lisa Woolley: \$50,000, Bill Woolley: \$100,000. They were finally able to bond out.
17. The Plaintiffs were re-arrested on December 20, 2018, on new charges in case number CF-2018-553 and 554 for Wagoner County District Court, Oklahoma, for

first-degree murder and sexual assault of E.W. The Plaintiff William Woolley was denied bail and Lisa Woolley's bail was set at \$500,000. On March 30, 2019, bond was reduced to \$12,500.00 each.

18. On June 15, 2020, the District Attorney dismissed the first-degree murder charge and all sexual assault charges based on a lack of evidence of such alleged crimes in Case Number CF-2018-167 and 168. However, on June 5, 2020, the District Attorney refiled lesser criminal charges against the Plaintiffs for alleged child abuse and enabling of child neglect in Case No. CF-2020-219 in the District Court for Wagoner County, Oklahoma which was dismissed by the state on 3-26-21.
19. During the "investigation" by Detective Elliott, evidence that was discovered by the Defendant was intentionally and maliciously withheld from the Plaintiffs that would have shown they were not guilty of any of the charges.
20. On June 15, 2020, all charges for the first-degree murder and sexual assault charges against the Plaintiffs were dismissed for lack of evidence in CF-2018-167 and 168 in the District Court of Wagoner County, Oklahoma.
21. As further proof of the conspiracy and malice of Defendant, new charges against the Plaintiffs were then re-filed shortly thereafter for felony child neglect, allegedly for not keeping their adult daughter from using drugs while pregnant or obtaining prenatal care. The Assistant District Attorney Hill did not file similar charges against the biological father or the paternal grandparents, only the Woolleys. These charges have also subsequently been dismissed.
22. That official and governmental liability exists based on the conduct of Lead Detective Elliott.

COUNT I-42 U.S.C. § 1983-4th AMENDMENT UNREASONABLE SEIZURE

Plaintiffs hereby incorporate Paragraphs 1-20 and also state:

23. Plaintiffs' due process rights were violated, and they were the victims of an unlawful seizure under the 4th Amendment to the U.S. Constitution by their false incarceration.
24. As a result of Defendants' conduct, Plaintiffs have sustained actual damages in excess of \$75,000.00.
25. Defendants have acted under color of law maliciously and with reckless disregard for the rights of Plaintiffs and as such punitive damages in excess of \$10,000.00 should be assessed against them.
26. Defendants should be ordered to reimburse Plaintiffs a reasonable amount of attorney fees and costs incurred herein.

COUNT II-42 U.S.C. § 1983 SUBSTANTIVE DUE PROCESS

Plaintiffs restate and reallege the foregoing as though fully set forth herein. Further, Plaintiffs allege:

27. The Fourteenth Amendment provides that no State shall "deprive any person of life, liberty, or property, without due process of law." Further, Article 2 Section 7 of the Oklahoma Constitution reads, "No person shall be deprived of life, liberty or property without due process of law."
28. Included within the Due Process Clause is a substantive component that "provides heightened protection against government interference with certain fundamental rights and liberty interests." *Reno v. Flores*, 507 U. S. 292, 301-302 (1993).
29. As a result of Defendants' conduct, Plaintiffs have sustained actual damages in excess of \$75,000.00 due to unlawful incarceration based on false facts and bogus criminal

charges.

30. Defendants have acted with reckless disregard for the rights of Plaintiffs and as such punitive damages in excess of \$10,000.00 should be assessed against them.

31. Defendants should be ordered to reimburse Plaintiffs a reasonable amount of attorney fees and costs incurred herein.

CONCLUSION

WHEREFORE, for all of the foregoing reasons, Plaintiffs respectfully request an award of actual damages in excess of \$75,000.00, an award of punitive damages in excess of \$10,000.00, to the extent actual damages are not allowed or awarded, that nominal damages issue, reimbursement of attorney fees, costs incurred in this matter and any other and further relief this Court deems proper.

Respectfully Submitted,



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JURY TRIAL DEMANDED

ATTORNEY LIEN CLAIMED