

DOUGLAS KENYON AND
MELISSA KENYON

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VERSUS

DIVISION:

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DEPUTY CLERK

JASON ARD, SHERIFF OF LIVINGSTON
PARISH, *in his official capacity*, DEPUTY
GARRETT BEALL, *individually*, DEPUTY
DYLAN NOLAND, *individually*, OFFICER
VICTOR BAYONNE, *individually*,
OFFICER RAUL SANDOVAL, *individually*,
and CITY OF WALKER, LOUISIANA

21ST JUDICIAL DISTRICT COURT

PARISH OF LIVINGSTON

STATE OF LOUISIANA

PETITION FOR DAMAGES

The Petition of Douglas Kenyon and Melissa Kenyon, citizens of majority of the State of Louisiana, and, at the time of this event, residents of Livingston Parish respectfully represent that **Made defendants herein are:**

1.

- a) **Sheriff Jason Ard**, Sheriff of Livingston Parish, in his official capacity. He is sued under the theory of vicarious liability.
- b) **Deputy Garrett Beall**, who, based on knowledge, information, and belief, was at all times relevant to this complaint employed as a deputy sheriff for the Livingston Parish Sheriff's Office and acting in course and scope of that employment and under the color of state law. He is sued in his individual capacity.
- c) **Deputy Dylan Noland**, who, based on knowledge, information and belief, was at all times relevant to this complaint employed as a deputy sheriff for the Livingston Parish Sheriff's Office and acting in course and scope of that employment and under the color of state law. He is sued in his individual capacity.
- d) **Officer Victor Bayonne**, who, based on knowledge, information, and belief, was at all times relevant to this complaint employed as a Police Officer for the Walker Police Department and acting in course and scope of that employment and under the color of state law. He is sued in his individual capacity.
- e) **Officer Raul Sandoval**, who, based on knowledge, information, and belief, was at all times relevant to this complaint employed as a Police Officer for the Walker Police Department and acting in course and scope of that employment and under the color of state law. He is sued in his individual capacity.

- f) The **City of Walker, Louisiana**, is sued for state law delicts only of the above-named officers under the theory of vicarious liability.

2.

The above-named defendants are responsible and liable, in solido, to petitioners because of the following:

CAUSES OF ACTION

3.

This action arises under Louisiana Civil Code Article 2315, liability for acts causing damages, namely, for trespass, battery, intentional/negligent infliction of emotional distress and false imprisonment. These are all intentional torts in our law and are therefore considered intentional misconduct by these officers.

FACTUAL ALLEGATIONS

4.

On Saturday, May 3, 2025, just before midnight, Yvonne S. Martello (30490 Trace Lane, Walker, Louisiana), called dispatch and reported she heard suspicious movement in her house. Martello also called her neighbor, Jackie Villar, about the movements, but she was preoccupied with other things and couldn't help her.¹

5.

Ms. Martello told dispatch there would be a silver Acura and a black Lexus in the driveway, the doors were locked, and she had no pets. This information was relayed over the radio/computer to Walker Police Department and Livingston Parish Sheriff officers.²

6.

Officers were dispatched to 30490 Trace Lane in reference to a possible burglary in progress. Officer Bayonne and Deputy Beall arrived on scene first. Officer Sandoval arrived at the scene shortly thereafter at 12:05 a.m.,³ along with Deputy Noland.⁴

7.

Deputy Rucker arrived on scene at 12:07 a.m. and stayed inside his police unit.⁵

8.

¹ Exhibit 4 – 911 call

² Exhibit 4 – 911 call, Exhibit 1 – LPSO File Card

³ Exhibit 3 – Officer Sandoval Body Cam Video, 00:50.

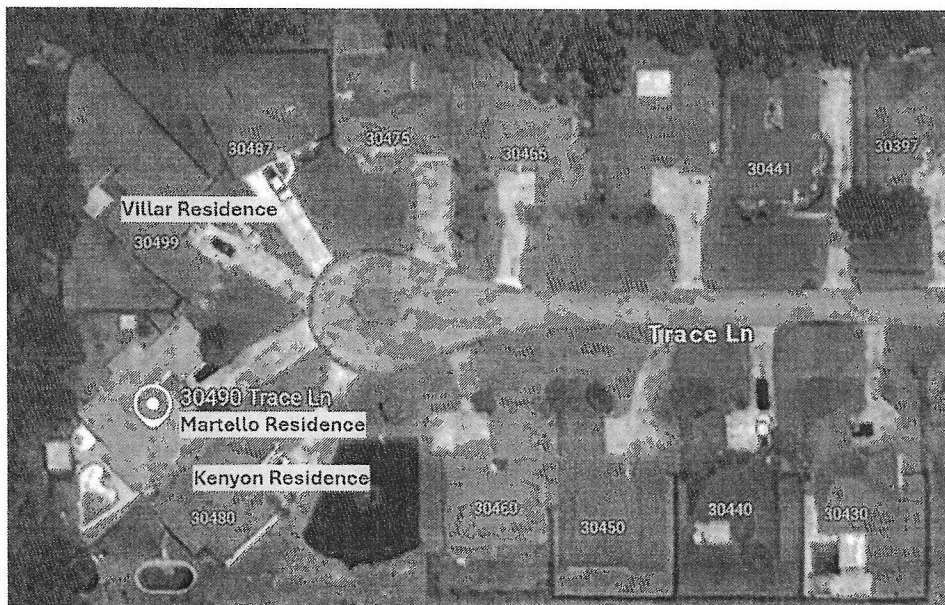
⁴ Exhibit 6 – Deputy Noland's Dash Cam Video, 5:28.

⁵ Exhibit 5 – Deputy Rucker's Dash Cam Video, 6:07

Officer Sandoval and Officer Bayonne walked in front of a house with a silver Acura and a black Lexus in the driveway. A woman later identified as Jackie Villar, standing on the driveway next door (30499 Trace Lane, identified as the Villar Residence in the below photo) told officers that Ms. Martello called her and nobody is in her back yard.⁶

9.

Officer Sandoval and Officer Bayonne then walked past Ms. Martello's house (30490 Trace Lane) and approached the Kenyon residence (30480 Trace Lane). Sandoval asked, "Which one's the house? This one here?" Bayonne motioned with his flashlight in the general direction towards the Kenyon and Martello homes but did not give a verbal response.⁷



10.

Two deputies from Livingston Parish Sheriff's office (Deputy Beall and on information and belief, Deputy Dylan Noland), joined Officer Sandoval and Officer Bayonne and they walked to the back of the Kenyon residence. The officers searched the backyard with flashlights and looked through the windows. Deputy Beall asked, "They heard it in this house?" And Sandoval says, "Yeah, this is the house, right?" And Beall points next door and says, "This is the house with the Lexus and the vehicles they described." Sandoval said, "This is the one that they (inaudible)." And Deputy Beall said, "I thought they said (inaudible)."⁸ At this point, Beall knew or should have known that the correct house was the one with the vehicles in the driveway. Nevertheless, despite him

⁶ Exhibit 3 – Officer Sandoval Body Cam Video, 1:10-1:20.

⁷ Exhibit 3 – 1:22-1:25.

⁸ Exhibit 3 – 2:15-3:04.

knowing that the target house had silver and black vehicles in the driveway, he continued forward to enter the wrong house.

11.

Deputy Beall then tried to open the back door and thought it was locked. He then tried again and opened the door. Deputy Beall, Deputy Noland, and Officer Sandoval entered the residence with flashlights and guns drawn. The house they were looking for had no unlocked doors. They entered anyway. The deputies shouted, "Sheriff's Office" as they entered the kitchen. Deputy Beall said, "Come out slow with your hands up."⁹

12.

Douglas Kenyon came out of the bedroom without a shirt on and his hands in the air. Deputy Beall asked who else is in the house and Mr. Kenyon said his wife was there. Mr. Kenyon was placed in handcuffs.¹⁰



13.

Dogs were barking loudly inside the house.¹¹ The police had been told by the dispatcher that the house they were looking for had no pets. They ignored this intelligence and continued into the Kenyon house.

14.

Officers shouted again to come out with your hands up. Mrs. Kenyon came out of the bedroom in her nightgown. She asked if she could put some shorts on. She was not allowed to go back inside her bedroom and change clothes.¹²

⁹ Exhibit 3 – Officer's Sandoval's Body Cam, 3:10-3:28.

¹⁰ Exhibit 3 – 3:30-4:00.

¹¹ Exhibit 3 – 3:50-4:00.

¹² Exhibit 3 – 4:00-4:24.

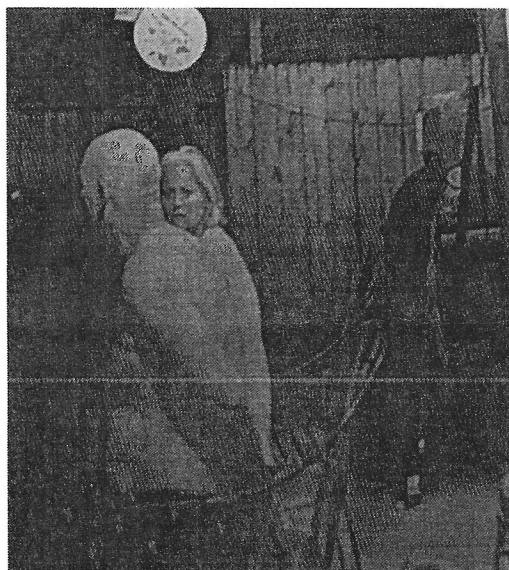


15.

Officer Bayonne arrived and asked Mrs. Kenyon who lives there. She informed him that it was her house.¹³ On information and belief, Bayonne knew or should have known that the officers were in the wrong house at this point.

16.

Officers continued to search the house while Mr. and Mrs. Kenyon sat outside. Mr. Kenyon was handcuffed without a shirt on.¹⁴



17.

Officer Sandoval met Deputy Beall and Officer Bayonne outside. They realized they were at the wrong house. Officer Sandoval said, "I asked you if this was the house." Officer Bayonne mentioned the black Lexus, and Officer Sandoval repeated, "I asked you and if this was the house and you said yes." Officer Bayonne said when Sandoval asked him that, he pointed in the middle of the two houses, and they are right next to each other.¹⁵

¹³ Exhibit 3 – Officer Sandoval's Body Cam, 4:45-4:50.

¹⁴ Exhibit 3 – 5:06-5:29.

¹⁵ Exhibit 3 – 5:36-6:00.

18.

Deputy Beall took the handcuffs off of Mr. Kenyon and questioned Mr. and Mrs. Kenyon again about any possible suspicious movements. Deputy Beall informed Mr. and Mrs. Kenyon they received a phone call about a possible burglary.¹⁶



19.

Mrs. Kenyon asked if someone called 911 from the Kenyon home, and Deputy Beall said he believed the call was anonymous, and Officer Sandoval agreed it was anonymous.¹⁷ This was not true. Ms. Martello identified herself as a retired EBRSO deputy on the phone and gave specific details about her house that were written on the file card event and shared with all officers before they arrived, including the address.¹⁸ This included that her house had silver and black vehicles in the driveway, that no doors were unlocked, and that she had no pets in the house. These critical details were all ignored by Sandoval, Noland and Beall.

20.

Officer Sandoval said the door was open, and Mrs. Kenyon said they don't tend to lock the door.¹⁹ Again, an unlocked door should have put Sandoval and Beall on notice that they were entering the wrong house. They ignored the intelligence and entered anyway.

21.

Deputy Beall showed Mr. Kenyon that he viewed guns on the table through the window before they entered the home. Mr. Kenyon told officers they are plastic BB guns.²⁰

¹⁶ Exhibit 3 – Officer Sandoval's Body Cam, 6:09-6:22.

¹⁷ Exhibit 3 – 6:58-7:10.

¹⁸ Exhibit 1 – LPSO File Card

¹⁹ Exhibit 3 – 7:35-7:57.

²⁰ Exhibit 3 – 8:05-8:20.

22.

Officer Sandoval received a call over the radio asking if they were at the right house. He says, "I believe we are next door."²¹

23.

Mrs. Kenyon spoke to a Walker Police Department officer a few days following the incident and was advised to make a formal complaint in person with their Internal Affairs department.

24.

There were no cars parked in the driveway of the Kenyon residence on May 4, 2025. This should have put all officers on notice that they were at the wrong house, especially since right next door were the cars as described.

25.

No wrongful home invasion was mentioned in Officer Sandoval's incident report, completed on May 19, 2025.²²

26.

As a result of the above incident and the intentional acts committed, petitioners Douglas and Melissa Kenyon suffered and continue to suffer psychological and emotional injuries of a past, present and continuing nature.

27.

**CAUSE OF ACTION 1
TRESPASS UNDER LOUISIANA LA CC ART. 2315**

Plaintiffs reiterate all factual allegations, *supra*, and incorporate them here. Defendants Beall, Noland, Sandoval and Bayonne entered the Kenyon house without a warrant or consent, with clear guidance from the dispatch office that the house they were looking for had two cars in front, had no unlocked doors, and did not have pets. By disregarding clear instructions that all officers had access to, Defendants committed a trespass against Plaintiffs and entered their house with guns drawn in the middle of the night, terrifying Plaintiffs.

28.

²¹ Exhibit 3 – Officer Sandoval's Body Cam, 8:39-8:53.

²² Exhibit 4 – Walker Incident Report

As a result of this trespass, Plaintiffs have suffered compensatory damages including fear, anxiety, post-traumatic stress, mental anguish, and distrust of the police. Any reasonable police officer would have known that the house they were looking for had silver and black vehicles parked in the front, that the doors were locked, and that there were no dogs in the house. The Kenyon house had no vehicles in front; the back door was unlocked and there were dogs immediately visible in the house. The police ignored their training and ignored critical facts given to them by the dispatcher, and as a result of this reckless conduct, they trespassed in the Kenyon home.

29.

By the grace of God, there was not a tragedy here because most citizens in Livingston Parish have guns in their house and would have met unknown intruders with deadly force. Luckily, Mr. Kenyon had left his firearm at his business that evening and his children were sleeping over with friends.

30.

Trespass is an intentional tort and not subject to qualified immunity.

31.

**CAUSE OF ACTION 2
ASSAULT AND BATTERY UNDER LOUISIANA LA CC ART. 2315**

Plaintiffs reiterate all factual allegations, *supra*, and incorporate them here. Defendants entered the Kenyon house with their weapons trained on Plaintiffs, putting Plaintiffs in reasonable apprehension of being shot by the police.

32.

Mrs. Kenyon came out of the bedroom to encounter armed men in her house, with weapons trained on her and her husband. This conduct put Mrs. Kenyon in apprehension of being shot. This constitutes an assault in our law.

33.

Further, Defendants, together, in concert, grabbed Mr. Kenyon, handcuffed him and put him on the ground against his will and at gunpoint. This was without probable cause of a crime, and against his consent. This constitutes battery under our law.

34.

As a result of this assault and battery, Plaintiffs have suffered and continue to suffer compensatory damages.

35.

Assault and battery are intentional torts and not subject to qualified immunity.

36.

**CAUSE OF ACTION 3:
FALSE IMPRISONMENT UNDER LOUISIANA LA CC ART. 2315**

Plaintiffs reiterate all factual allegations, *supra*, and incorporate them here. The Kenyons were held against their will, unable to move about freely in their own home, and in Mr. Kenyon's case, was handcuffed and held at gunpoint. This constitutes false imprisonment under our law.

37.

As a result of this intentional act by the police, the Kenyons suffer and continue to suffer fear, anxiety, post-traumatic stress, and other damages to be proven at the trial on the merits. This conduct is utterly intolerable in civilized society and contributes to the negative perception by the public that the police are abusing their authority against the people without adequate supervision or accountability.

38.

False imprisonment is an intentional tort and not subject to qualified immunity.

39.

**CAUSE OF ACTION 4
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

As a result of the wanton and reckless acts of the defendants, Plaintiffs have suffered extreme emotional distress and are under medical treatment for their injuries.

40.

The police have a duty to operate in a professional manner and this event shows that they knew or should have known they were in the wrong house, entered anyway, knew or should have known that the Kenyons were the homeowners, handcuffed Kenyon anyway and kept both at gunpoint, knew or should have known that they had made a terrible error; but instead of apologizing and immediately remedying the mistake, the Kenyons were left with no apology, no explanation, and no meeting with the Sheriff or the Chief of Police to make amends and fix this terrible offense.

41.

Now the Kenyons are left to pick up the pieces of their shattered lives and seek redress so that this does not happen to another family. A review of the police report shows that police intentionally omitted the fact that they raided the wrong house and terrorized an innocent family. That is not a simple mistake. That is a malicious omission done to avoid accountability.

42.

BYSTANDER DAMAGES UNDER LA CC ART. 2315.6

Plaintiffs reiterate all factual allegations, *supra*, and incorporate them here

Art. 2315.6. Liability for damages caused by injury to another

A. The following persons who view an event causing injury to another person, or who come upon the scene of the event soon thereafter, may recover damages for mental anguish or emotional distress that they suffer as a result of the other person's injury:

(1) The spouse, child or children, and grandchild or grandchildren of the injured person, or either the spouse, the child or children, or the grandchild or grandchildren of the injured person.

(2) The father and mother of the injured person, or either of them.

(3) The brothers and sisters of the injured person or any of them.

(4) The grandfather and grandmother of the injured person, or either of them.

B. To recover for mental anguish or emotional distress under this Article, the injured person must suffer such harm that one can reasonably expect a person in the claimant's position to suffer serious mental anguish or emotional distress from the experience, and the claimant's mental anguish or emotional distress must be severe, debilitating, and foreseeable.

43.

Damages suffered as a result of mental anguish or emotional distress for injury to another shall be recovered only in accordance with this Article. As a result of viewing their spouses in the above-described event, plaintiffs have not only suffered damages of their own but are also entitled to bystander damages for viewing what happened to their spouse.

44.

The City of Walker, as employer of Bayonne and Sandoval, is vicariously liable for their delicts performed in the course and scope of their employment.

45.

Sheriff Ard, as employer of Noland and Beall, is vicariously liable for their delicts performed in the course and scope of their employment.

46.

All delicts were performed in the course and scope of the defendants' employment as law enforcement officers.

47.

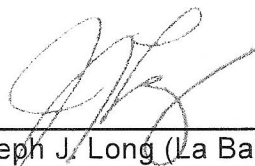
All acts described above, and claims contained herein occurred in Livingston Parish. Accordingly, venue is proper.

48.

Damages will exceed \$10,000. Plaintiffs demand trial by jury.

WHEREFORE, Plaintiffs pray that a copy of this pleading be served upon the Defendants, that it be cited to answer, and after all due proceedings, a judgment be entered in favor of Plaintiffs and against Defendants, in solido, awarding damages as proved, court costs, judicial interest from date of Judicial demand, and any other relief Equity and Justice require.

Respectfully Submitted,



Joseph J. Long (La Bar Roll #25968)
Ryan T. Hau (La Bar Roll #41776)
251 Florida Street, Suite 308
Baton Rouge, Louisiana 70801
(225) 343-7288 (telephone)
JOE@LEGAL225.COM
RYAN@LEGAL225.COM

PLEASE SERVE:

Jason Ard, Sheriff of Livingston Parish

At his place of work:
20300 Government Boulevard
Livingston, LA 70754

Sheriff Deputy Dylan Noland

At his place of work:
20300 Government Boulevard
Livingston, LA 70754

Sheriff Deputy Garrett Beall

At his place of work:
20300 Government Boulevard
Livingston, LA 70754

Officer Raul Sandoval

At his place of work:
Walker Police Department
10136 Florida Blvd.
Walker, LA 70785

Officer Victor Bayonne

At his place of work:
10136 Florida Blvd.
Walker, LA 70785

City of Walker, Louisiana
Through Mayor Jimmy Watson
13600 Aydele Ln
Walker, LA 70785