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10 *Attorneys for Plaintiff*
11 *Michelle Pettitt*

12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE DISTRICT OF ARIZONA

14 Michelle Pettitt,
15 Plaintiff,

No.
COMPLAINT

16 v.

17 Glen Marvin Lineberry, an individual;
18 Sherry Dorathy, an individual; Bradley D.
19 Beauchamp, an individual; and Miami
20 Unified School District #40,

21 Defendants.

22 Plaintiff Michelle Pettitt brings this action for deprivation of rights afforded by the
23 Constitution and laws of the United States and Arizona, malicious prosecution, First
24 Amendment retaliation, declaratory relief, and abuse of process against Glen Marvin
25 Lineberry, Sherry Dorathy, Bradley D. Beauchamp, and the Miami Unified School District
26 #40 (the "District") (collectively, "Defendants"). For her Complaint, Pettitt alleges as
27 follows:

28 **NATURE OF THE CASE**

1 The U.S. Constitution, including under the First and Fourteenth Amendments,
2 and Arizona law prohibit government officials from abridging freedom of speech, the right
3 to vote, the right to peaceably associate and assemble, and the right to petition for a redress
4 of grievances. Consequently, federal and Arizona law forbids government officials from
5 subjecting individuals to retaliatory actions, including criminal prosecutions, for exercising

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1 their First Amendment rights and for engaging in other protected activity, such as speaking
2 out, criticizing public officials, engaging in political speech, voting, electioneering, and
3 peaceably assembling.

4 2. The Due Process Clause of the Fourteenth Amendment and Arizona law also
5 bar government officials from infringing the fundamental rights of parents to make
6 decisions concerning the care, education, and upbringing of their children and from
7 depriving parents of their constitutional rights or other protected rights (including by
8 abridging freedom of speech and the right to assemble and retaliating against those parents
9 because of their speech and association) without due process of law.

10 3. This case seeks to vindicate the rights of Michelle Pettitt, an Arizona doctor
11 and mother, who has suffered unlawful and malicious retaliation and prosecution at the
12 hands of the Defendants simply for exercising her constitutionally protected rights.

13 4. Specifically, after Pettitt publicly criticized a school official (Lineberry) and
14 filed a state administrative complaint against him, Defendants retaliated against her by:

- 15 a. Unlawfully banning her from all of the District's property, including
16 from a school where her children attended and where other events open
17 to the public occurred, at all times, and imposing this ban against her
18 without due process;
- 19 b. Wrongfully obtaining an invalid and void injunction based on false or
20 misleading evidence to further force Pettitt to comply with the
21 District's unlawful ban; and
- 22 c. Instituting a baseless criminal misdemeanor charge against Pettitt that
23 Defendants quickly dismissed. Then, when Pettitt exercised her
24 constitutional rights to vote and engage in protected political speech,
25 Defendants escalated their retaliation against her by directing,
26 requesting, and pressuring for the prosecution of Pettitt on groundless
27 felony charges for harassment. A jury eventually acquitted Pettitt on
28 all criminal charges on January 30, 2025.

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JURISDICTION & VENUE

11. The events giving rise to this lawsuit occurred primarily in Gila County, Arizona.

12. The Court has jurisdiction of the subject matter of this action under 28 U.S.C. § 1331 in that this action arises under the laws of the United States, specially 42 U.S.C. §§ 1983 and 1988 as well as 28 U.S.C. §§ 2201 and 2202. The Court has supplemental jurisdiction over the state-law claims pursuant to 28 U.S.C. § 1367.

13. The Court has personal jurisdiction over Defendants as they either reside in Arizona or, at all relevant times alleged in the Complaint, they engaged in the tortious acts or omissions that give rise to this lawsuit in Arizona, thereby having sufficient minimum contacts with Arizona.

14. Venue is proper in the District of Arizona pursuant to 28 U.S.C. § 1391(b)(2) and (3) because a substantial part of the events or omissions giving rise to the claims occurred in the District of Arizona, and to the extent § 1391(b)(2) does not apply, this Court has personal jurisdiction over the Defendants in connection with this action.

15. All preconditions for bringing this Complaint against each of the Defendants were fulfilled because sufficient notice that Pettitt may pursue litigation was submitted to the necessary entities, including the Miami Unified School District, and the individual Defendants Lineberry, Dorathy, and Beauchamp within the statutory time for doing so pursuant to A.R.S. § 12-821.01. Moreover, A.R.S. § 12-821.01 does not apply to the claims asserted in this Complaint based on federal law.

FACTS COMMON TO ALL CLAIMS FOR RELIEF

PETTITT ENGAGES IN PROTECTED ACTIVITY BY FILING A COMPLAINT AND PUBLICLY CRITICIZING LINEBERRY, A PUBLIC OFFICIAL

Pettitt Files Complaint with the Arizona Department of Education Against Lineberry

16. Between 2020 and 2022, Pettitt had two minor children who attended Miami Junior-Senior High School (the “School”), a combined seventh through twelfth grade school within the District.

1 17. Pettitt’s oldest son, J.C., was a star football player for the Miami Vandals—
2 the varsity football team for the School. Throughout his freshman to senior high school
3 years, J.C. played on the varsity football team and was recruited to play college football.

4 18. During this time, Lineberry served as Principal and taught economics at the
5 School, and he recognized J.C. as a star football player and “stellar” athlete.

6 19. During this same time, Beauchamp served as an assistant coach for the
7 School’s varsity football team and coached J.C.

8 20. In October 2020, Lineberry voluntarily—and without court order or
9 subpoena—officiously inserted himself into a child custody dispute between Pettitt and
10 J.C.’s biological father. In particular, at the request of J.C.’s father and the father’s counsel,
11 Lineberry drafted and emailed to the father a letter of support to be used as evidence in the
12 custody dispute case. In the letter, Lineberry opined that “any contemplated change of
13 address” for J.C to live with his father “need not change” J.C.’s classes, schedule, or overall
14 academic progress. Lineberry also offered to speak directly with the court.

15 21. Making matters worse, during this time, Pettitt expressed to Lineberry, in
16 person and by email, her concerns about J.C.’s declining academic performance,
17 absenteeism, and classroom misbehavior and potential ways to address these issues. At one
18 point, Pettitt told Lineberry that she intended to remove her son from the School’s football
19 team until his academic performance improved. Lineberry, however, forwarded those
20 emails to J.C., a minor, or responded to Pettitt by copying J.C. on the emails—thereby
21 unnecessarily antagonizing Pettitt’s relationship with her minor son during a difficult
22 custody battle.

23 22. Lineberry improperly inserted himself into Pettitt’s custody dispute—and
24 sided with J.C.’s father—because Lineberry did not want Pettitt to remove her son and star
25 football player from the School’s football team.

26 23. In February 2021, Pettitt filed a complaint against Lineberry with the Arizona
27 Department of Education (“AZDOE”), alleging, among other things, that: (a) Lineberry
28 improperly injected himself into a child custody dispute between herself and J.C.’s

1 biological father; and (b) Lineberry improperly attempted to curry favor with J.C. by sharing
2 his mother’s emails and communications with him during the child custody dispute.

3 24. In August 2021, Lineberry first learned that Pettitt filed this AZDOE
4 complaint against him when a state investigator contacted him to schedule an interview in
5 early August 2021 to discuss Pettitt’s allegations.

6 25. The AZDOE complaint infuriated Lineberry. Indeed, before filing the
7 AZDOE complaint, Pettitt asked Lineberry to provide the complete email correspondence
8 between himself, J.C.’s father, and the father’s counsel regarding his letter of support.
9 Lineberry refused and became defiant and angry. In one email, Lineberry wrote that Pettitt
10 did not have the right to obtain the communication, confusingly writing that “although it is
11 a public record, the parent does not have a right to it as a public record because it is not in
12 the best interest of the District to provide communications about a student” to the parent.
13 When Pettitt followed up again and requested the entire email communication, Lineberry
14 wrote “Enough.” and demanded an apology from Pettitt.

15 *Pettitt Publicly Criticizes Lineberry’s Character and Fitness to Serve*
16 *as the Principal of and Teacher at the School*

17 26. In or around January 2010, a jury in Maricopa County, Arizona, found
18 Lineberry—while serving as President and Chief Operating Officer of two art galleries—
19 liable for breach of fiduciary duties and breach of contract for essentially stealing
20 commissions and other monies owed to his employer. The jury found that Lineberry
21 wrongfully diverted his employer’s commissions to himself and a company that Lineberry
22 created in which he was the sole owner.

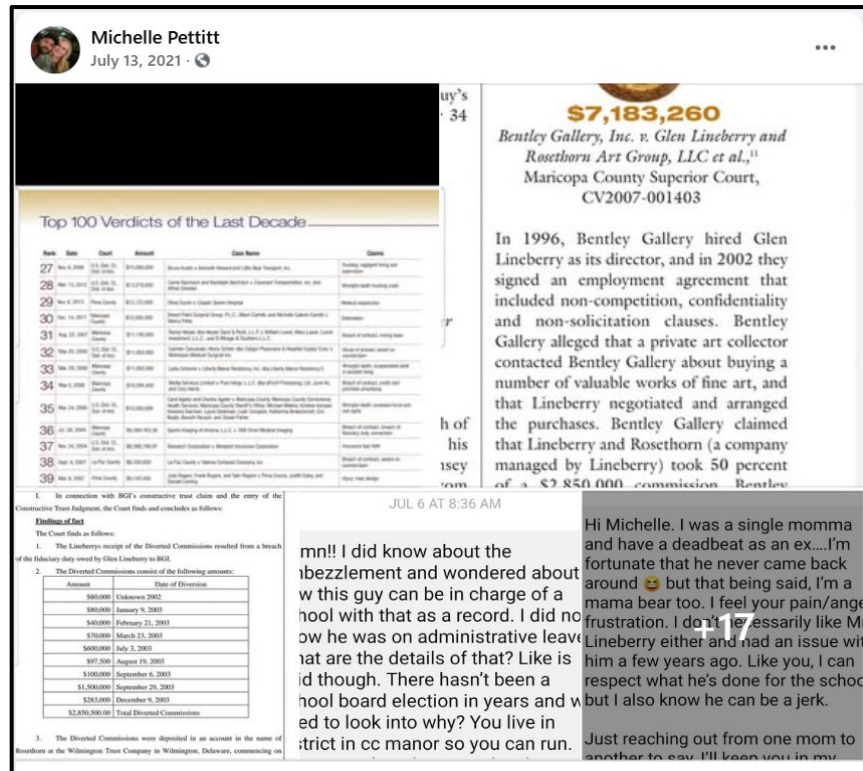
23 27. In March 2010, the Maricopa County Superior Court entered a final judgment
24 against Lineberry for his breaches of fiduciary duties and contract, totaling over \$7 million
25 of civil liability against Lineberry and his now ex-wife.

26 28. After entry of the final judgment, Lineberry and his ex-wife filed for Chapter
27 11 bankruptcy. The Bankruptcy Court eventually determined that a portion of the final
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1 judgment was not dischargeable due to Lineberry’s “fraud or defalcation while acting in a
 2 fiduciary capacity, embezzlement, or larceny.” 11 U.S.C. § 523(a)(4).

3 29. In the summer of 2021, Pettitt learned about Lineberry’s checkered past
 4 (including the above-mentioned fraud and misappropriation of funds) and began to publicly
 5 raise legitimate concerns about his suitability to serve as the Principal of the School,
 6 particularly given that, as Principal, Lineberry helped manage and oversee the School’s
 7 budget, finances, and grant money.

8 30. For instance, on July 13, 2021, Pettitt publicly exposed and called attention
 9 to Lineberry’s civil judgment through a Facebook post, a true and accurate copy of which
 10 appears below:



23 31. Similarly, on August 18, 2021, Pettitt emailed others at the School in which
 24 she again called attention to Lineberry’s prior civil liability and questioned his character
 25 and fitness as a principal and teacher at the School, asking “Ever wonder how a HS teacher
 26 will ever pay back the more than 7 million he embezzled?” The email contained links to
 27 articles about Lineberry’s civil judgment and bankruptcy proceedings.

1 32. Lineberry saw, read, and knew about Pettitt’s public criticisms of him, even
2 admitting in writing that “Pettitt posted documents from the lawsuit I was involved in nearly
3 15 years previously” on Facebook and in her August 2021 email.

4 33. Pettitt’s public criticisms enraged Lineberry, who thereafter schemed with
5 Dorathy and Beauchamp to bully and retaliate against Pettitt for speaking out, criticizing
6 him, and filing a complaint against him with the AZDOE.

7 **DEFENDANTS BEGIN TO RETALIATE AGAINST PETTITT, INCLUDING BY**
8 **BANNING HER AND OBTAINING AN INJUNCTION FORCING PETTITT**
9 **TO COMPLY WITH THAT UNLAWFUL BAN**

10 *Dorathy and Lineberry Impose a Baseless and Facially Unreasonable “Parent*
11 *Management Contact Management Plan” Against Pettitt*

12 34. Seven days after Pettitt sent her August 18, 2021 email publicly criticizing
13 Lineberry, on August 25, 2021, Dorathy—as Superintendent and on behalf of the District—
14 delivered a letter notifying Pettitt that the District decided to prospectively ban her from all
15 of the District’s property for an indefinite period of time. Dorathy copied Lineberry on the
16 letter. A true and accurate copy of the letter is attached to this Complaint as Exhibit 1.

17 35. In the letter, the District unequivocally stated in bold: “[Y]ou may not come
18 onto District owned property at any time unless your presence falls within the
19 exceptions delineated below.” The District defined the District’s property to include all
20 of the “MJSHS buildings, Dr. Charles A. Bejarano Elementary School, Lee Kornegay
21 School, Auditorium, Gymnasium, athletic fields, Ragus Stadium, MUSD parking lots, and
22 any other property owned or controlled by [the District].” (emphasis added). The District
23 defined “any time” to include “the instructional day, any extracurricular school activity, any
24 athletic competition or student performance, any school- or district-sponsored event, or any
25 event hosted on campus by an outside organization.” (emphasis added).

26 36. While Dorathy and the District characterized this policy as a “parent contact
27 management plan,” it was in effect a categorical and prospective ban on Pettitt’s presence
28 on the District’s property at any time.

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1 37. The District did not specify in its letter how long Pettitt was banned from all
2 District property, thereby imposing an indefinite ban against her.

3 38. The District’s property at issue is, at a minimum, a limited public forum, and
4 some of the indicated property, like the adjoining sidewalks, is a traditional public forum.

5 39. The District, Lineberry, and Dorathy afforded Pettitt no process before or
6 after imposing a sweeping, categorical, and indefinite ban from the District’s property at
7 any time and for any purpose.

8 40. The District, Lineberry, and Dorathy never provided any warnings to Pettitt,
9 let alone afforded her any notice, before imposing this ban, and the District made the ban
10 effective immediately.

11 41. The District, Lineberry, and Dorathy afforded Pettitt no pre-deprivation or
12 post-deprivation hearing or appeal, including to challenge the ban or the articulated reasons
13 for the ban, or to request reasonable modifications or changes to the ban.

14 42. The District, however, provided four narrow exceptions to the ban: (1) Pettitt
15 could come onto the District’s property for a 15-minute window from 7:30 – 7:45 a.m. to
16 drop off her children for school; (2) she could come onto the District’s property for a 15-
17 minute window from 3:30 – 3:45 p.m. to pick up her children from school; (3) if the school
18 requested the emergency pick up of Pettitt’s children, she could briefly come onto the
19 District’s property for that purpose only; or (4) if Pettitt wished “to attend a school event
20 involving her minor child in her custody,” she had to request permission to attend the event
21 by emailing both Lineberry and Dorathy “no later than noon two (2) school days before the
22 event,” and Lineberry would approve or deny the request “with reasonable promptness” and
23 could condition any approval on Pettitt having to comply with other “time, parking
24 arrangements, or other requirements” as determined unilaterally by Lineberry or Dorathy.

25 43. The District also stated that Pettitt could “submit questions, suggestions or
26 concerns about [her] children’s education *via email at any time.*” (emphasis added).

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44. During the ban, events occurred at the School that were open to the public or to all parents of children attending the School, which Pettitt was prospectively banned from attending.

45. The District claimed that it implemented this ban to “protect the staff from unwarranted verbal abuse, intimidation and unfounded allegations and to minimize campus or disruptions [sic] in the future.”

46. The District’s letter detailed some purported “examples” that justified this ban, but these examples are either false, fabricated, grossly mischaracterized, or misleading.

47. For example, in the letter, Dorathy claimed that “[o]n April 1, 2021, you emailed the Superintendent demanding to know why you were excluded from knowledge about an overnight student event in the gymnasium. The event did not exist.”

48. This supposed example, however, is a false and inaccurate description of the email. On April 1, 2021, Pettitt emailed Dorathy, with the subject line of “School event Friday April 2nd,” and stated as follows:

Subject: School event Friday April 2nd
From: "Dr. Pettitt" <drmpettitt@gmail.com>
To: Sherry Dorathy <sdorathy@miamiusd40.org>
Date Sent: Thu, 1 Apr 2021 09:22:36 -0700
Date Received: Thu Apr 01 16:22:36 UTC 2021

Hello Dr. Dorathy~

Justin tells me that he is attending a school event that is scheduled through the night, although I cannot seem to find any information on this to confirm.

Can you send me the email or flyer or any information on this school event please.

Thank you,

Michelle Pettitt

49. Dorathy responded, stating:

Subject: Re: School event Friday April 2nd
From: Sherry Dorathy <sdorathy@miamiusd40.org>
To: "Dr. Pettitt" <drmpettitt@gmail.com>
Date Sent: Thu, 1 Apr 2021 15:00:52 -0700
Date Received: Thu, 1 Apr 2021 15:01:03 -0700 (PDT)

Ms. Pettitt,

There are no "overnight" events planned through the end of this year or any year. I do not know what Justin is referring to. There is a dance tomorrow night and if he is on the committee to clean up, they may not be through until 11:30 p.m to 12:00 am. However, that is the only event that would require a "late" evening.

Sincerely,

1 50. In reply, Pettitt simply stated: “Thank you.”

2 51. A true and accurate copy of this April 1, 2021 email exchange is attached to
3 this Complaint as Exhibit 2.

4 52. Nowhere in this entire email exchange does Pettitt demand to know why she
5 was excluded from knowing about this event. Nowhere does she use the term “overnight.”
6 Rather, she politely asked if there was a “school event” that was “scheduled through the
7 night” on Friday, April 2. And Dorathy confirmed that such an event existed, stating that
8 there was a school dance scheduled on Friday, April 2, with the student clean-up committee
9 ending between 11:30 p.m. and 12:00 a.m. A school dance taking place through 11:30 p.m.
10 to 12:00 a.m. is clearly an event taking place “through the night” and into the morning.
11 Thus, contrary to the District’s letter, this event did, in fact, exist, and Pettitt did not demand
12 to know about a nonexistent event. Pettitt’s April 1 emails were not threatening,
13 intimidating, or harassing in any way.

14 53. Similarly, the District complained of alleged statements made by Pettitt back
15 in “September 2017.” Not only are the District’s allegations about events taking place in
16 September 2017 untrue, but the District nowhere explains how purported statements made
17 *almost four years earlier* in *September 2017* somehow warrant a categorical, prospective,
18 and indefinite ban from the District’s property in *August 2021*.

19 54. All of the District’s articulated reasons for the ban are false, misleading, or
20 gross distortions. Instead, they are mere pretext to retaliate against and bully Pettitt for,
21 among other things, filing an AZDOE complaint against Lineberry and publicly criticizing
22 Lineberry’s character and fitness as a principal and teacher given the civil judgment against
23 him for essentially stealing over \$7 million from his former employer.

24 55. Tellingly, the District’s own August 25, 2021 letter indicates that Dorathy and
25 Lineberry targeted and singled out Pettitt for engaging in protected activity, including under
26 the First Amendment. Dorathy states that she and Lineberry instituted this ban because
27 Pettitt had “filed complaints” (including the AZDOE complaint) and sent an “August 17,”
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1 2021 email to School community members about Lineberry’s prior employment history,
2 resulting civil judgment, and findings of fraud and defalcation.

3 56. Dorathy explained in the letter that she had final and ultimate decision-
4 making authority to implement this ban against Pettitt, stating: “As Superintendent, I am
5 exercising my authority to impose restrictions on you to avoid further disruption to the
6 District’s educational or other operations.”

7 57. Lineberry consulted and advised Dorathy about the District’s ban and agreed
8 to imposing it against Pettitt.

9 58. Along with this ban, Lineberry and Dorathy had the District’s IT Department
10 block Pettitt from emailing anyone at the District other than them. Consequently, Pettitt
11 could not email any of her sons’ teachers or advisors.

12 59. Before notifying Pettitt of this ban, Lineberry, Dorathy, and other District
13 employees told others in the Miami-Globe community about this ban, including J.C.’s
14 football team, J.C.’s father, and the father’s counsel in the custody dispute involving J.C.

15 60. For instance, on August 8, 2021—17 days *before* Pettitt received notice of the
16 District’s ban—the father’s counsel emailed Pettitt’s counsel, stating: “I’m told your client
17 has been banned from Miami High School as a result of her conduct and can not [sic] even
18 go to his football games.” Pettitt and her counsel had no idea what this statement concerned
19 because, as of August 8, 2021, she had not been notified that she had been banned from the
20 District’s property.

21 *Pettitt Complies with the District’s Unlawful and Unreasonable Ban*

22 61. The District’s ban against Pettitt is unconstitutional and unlawful under both
23 federal and Arizona law. Lineberry, Dorathy, and the District imposed this ban against
24 Pettitt in retaliation for exercising her First Amendment rights and for engaging in other
25 protected activity, including criticizing the School’s officials (including Lineberry) and
26 filing a complaint against him with AZDOE.

27 62. The District’s ban prohibits Pettitt from accessing the District’s property for
28 any athletic events, school board meetings, parent-teacher conferences, graduations or

1 ceremonies, voting and election-related activities, community functions, or any other events
2 that are open to the public. It thus precluded Pettitt from meeting other parents and
3 community members and discussing issues of common concern.

4 63. In so doing, this ban infringes upon Pettitt's First Amendment rights,
5 including the right to vote, to electioneer and engage in political speech, to petition, and to
6 peaceably assemble and associate.

7 64. For example, in 2022, Pettitt's assigned polling place for voting was at the
8 School, which is located on the District's property. Consequently, under the District's ban,
9 Pettitt was prohibited from accessing the District's property to vote.

10 65. To try and avoid any perceived violation of the District's ban, Pettitt was
11 forced to email Lineberry and Dorathy to obtain permission to access the District's property
12 to vote. On August 2, 2022—Arizona's primary election day—Pettitt emailed Dorathy and
13 Lineberry and notified them that she would be on the School's campus to vote. Dorathy
14 responded by dictating where Pettitt could park, writing: "Please park in the student parking
15 lot in order to have the easiest access to the voting room." Thus, the District, Dorathy, and
16 Lineberry continued to affirm the ban's ongoing existence and scope. This burden on her
17 right to vote was unlawful.

18 66. Under the ban, Pettitt is prohibited from attending any school board meetings
19 on the District's property, and as a result, Pettitt did not attend some school board meetings
20 to which she had a right and wished to attend.

21 67. The ban excludes Pettitt from attending any sporting events on the District's
22 property (which are open to the public) unless her sons are involved in the event. Further,
23 because of the ban, Pettitt was excluded from attending sporting events involving her
24 children unless she obtained permission to attend two school days in advance of the event.

25 68. For example, Pettitt missed J.C.'s football game on Friday, August 27, 2021,
26 because of the ban. J.C.'s father, however, did attend the game and even sat and schmoozed
27 with Lineberry.

28

1 69. Under the ban, Pettitt could attend a school event on the District’s property
2 only if it involved “a minor child in her custody.” When J.C. graduated in 2022, he was no
3 longer a minor, and he was no longer in Pettitt’s custody as he was living with his father.
4 In short, on its face, the District’s ban excluded Pettitt from attending her own son’s high
5 school graduation—an event made open to the public.

6 70. The District’s ban is not a reasonable response to the articulated (albeit
7 pretextual) reasons set forth in Dorathy’s letter dated August 25, 2021. The ban is not
8 narrowly tailored and fails to impose less restrictive means for addressing the District’s
9 purported concerns. More specifically:

- 10 a. As a busy doctor, the District’s ban prohibited Pettitt from picking up
11 her sons at different times outside of two 15-minute windows,
12 including for midday doctor’s appointments, evening practices and
13 games, and early morning or nighttime school functions.
- 14 b. If Pettitt wanted to attend a school event involving her son, she had to
15 request permission “no later than noon two (2) school days before the
16 event.” In practice, because the School was not in session on Fridays,
17 this notice requirement meant that Pettitt had to request permission
18 sometimes five or six days in advance of the scheduled event.
- 19 c. Complicating matters, school events, practices, and games were
20 subject to change with little notice, especially during the COVID-19
21 pandemic. Because such changes were not announced until the same
22 day or hours before the scheduled time, the ban’s notice provision
23 effectively precluded Pettitt from attending rescheduled events.
- 24 d. The District’s ban also forced Pettitt to have to decipher what
25 constituted the District’s property, which was particularly difficult if
26 the District was holding events at different locations throughout Gila
27 County or the State.

1 71. In short, through the District's ban, Lineberry and Dorathy imposed
2 requirements that are not only unconstitutional and unlawful but are facially and patently
3 unreasonable for any parent, let alone a professional, working mom. By forcing Pettitt to
4 jump through such hoops, Lineberry and Dorathy were hellbent on punishing Pettitt (and
5 interfering with her relationship with her children) all in retaliation for exercising her First
6 Amendment and other protected rights.

7 72. Nevertheless, Pettitt attempted to comply—and did comply—with the
8 District's unconstitutional, unlawful, and unreasonable ban.

9 73. At the beginning of each week, an email was sent from Pettitt's email address
10 stating: "I am requesting to attend any event that [my sons] may be participating in this
11 week on MUSD property."

12 74. Because Pettitt's youngest son often had athletic games and practices on
13 Mondays and Wednesdays, an email was sent from Pettitt's email address stating: "I am
14 requesting to attend the game Mon." or "I am requesting to attend the game Wed."

15 75. At times, when Pettitt requested permission to attend certain events,
16 Lineberry falsely claimed that no event was scheduled—even though the School's calendar
17 clearly showed a scheduled event. A true and accurate copy of one such email exchange is
18 attached to this Complaint as Exhibit 3.

19 76. At other times, if a school event was cancelled, changed, or not taking place
20 on the District's property, Pettitt informed Lineberry and Dorathy that they could disregard
21 her request—further evidencing Pettitt's good-faith attempt to comply with the District's
22 unlawful ban.

23 77. Pettitt's compliance (even imperfect compliance) with the District's ban
24 further upset and enraged Lineberry and Dorathy, and they then worked together to request
25 and obtain an injunction against harassment against Pettitt based on false, incomplete, and
26 misleading testimony. Indeed, Dorathy ratified, affirmed, and approved Lineberry's actions
27 and decisions.

28

1 *Lineberry Presents False, Incomplete, and Misleading Testimony*
2 *to Obtain an Injunction Against Harassment Against Pettitt*

3 78. On June 26, 2022, the District itself filed an *ex parte* petition for an injunction
4 against workplace harassment against Pettitt in Maricopa County Superior Court.

5 79. Based on information and belief, the District’s governing board never
6 authorized this legal action. Rather, based on information and belief, Dorathy and
7 Lineberry, on behalf of the District, reviewed, approved, and authorized this *ex parte*
8 petition for a workplace injunction against Pettitt.

9 80. The petition contained false and misleading allegations and omitted
10 exculpatory information, including, among other things, incorrectly alleging that Pettitt had
11 sent over 200 emails during the past schoolyear (which was untrue) and failing to inform
12 the Court that the District’s own ban required Pettitt to contact Lineberry and Dorathy via
13 email to obtain permission to come onto the District’s property for events involving her
14 minor sons.

15 81. In other words, the District petitioned for an injunction against workplace
16 harassment against Pettitt because the District issued a ban that required Pettitt to email the
17 District for permission to access the District’s property and because Pettitt complied with
18 the terms of that unlawful ban.

19 82. Two days later, on June 28, 2022, the Maricopa County Superior Court
20 entered an injunction against workplace harassment against Pettitt. The injunction required
21 Pettitt to “comply with [the] current or amended Contact Plan” and barred her from
22 submitting any “personal complaints about school personnel unrelated to either Defendants’
23 children or school events.”

24 83. Pettitt requested an evidentiary hearing, which was set for July 25, 2022.

25 84. At the hearing, Pettitt appeared without counsel. The District was represented
26 by counsel. The District called only one witness, Lineberry, to testify on its behalf.

27 85. Lineberry testified that “all the statements made in the petition” were true.
28 He then proceeded to give false and misleading testimony. For example, he testified that

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1 Pettitt sent over 200 emails (which was incorrect); that the District instituted the “contact
2 plan” against her, in part, because she sent an email “wondering why she had been excluded
3 from knowledge about an overnight student event in the gymnasium” and that “the event
4 didn’t exist” (which was false as detailed in Paragraphs 47 through 52 of this Complaint);
5 and that she improperly emailed Lineberry to request to attend a non-existent event in June
6 2022 (when in fact an outside organization, Freeport-McMoRan, was hosting a free
7 “summer splash” and live music event on June 18, 2022 on the District’s property open to
8 the public).

9 86. Lineberry provided this false and misleading testimony in retaliation for
10 Pettitt for engaging in protected activity, including filing the AZDOE complaint against him
11 and for publicly criticizing his character and fitness as a principal and educator of the
12 School.

13 87. Lineberry’s false testimony violated Arizona law, including at least under
14 A.R.S. § 13-2702.

15 88. After receiving testimony from Lineberry and hearing briefly from Pettitt, the
16 Court reaffirmed its prior injunction against Pettitt and issued an injunction dated July 25,
17 2022. This injunction continued to require Pettitt to “comply with [the] current or amended
18 Contact Plan” and continued to bar her from lodging any personal complaints about the
19 District’s personnel unrelated to her children or school events.

20 89. Arizona law, however, prohibits the issuance of an injunction “that prohibits
21 speech or other activities that are constitutionally protected or otherwise protected by law.”
22 A.R.S. § 12-1810(M)(2).

23 90. And yet, both injunctions requested by Lineberry and the District, as well as
24 issued by the Court, required Pettitt to comply with the District’s “Contact Plan”—the very
25 ban that infringes upon Pettitt’s constitutional and statutory rights (including her right to
26 freedom of speech, to vote, to petition, and to peaceably assemble)—and prohibits her from
27 speaking out, complaining, or criticizing the public school officials at issue in this case.

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At Lineberry, Dorathy, and Beauchamp’s Request, Pettitt Is Charged with a Misdemeanor, and Shortly Thereafter, the Misdemeanor Action Is Dismissed After Consultation with Lineberry

91. In early July 2022, Deputy Winget of the Gila County Sherriff’s Office contacted and met with Pettitt at her medical office. During this meeting, Deputy Winget indicated that the Sheriff’s Office had been contacted by the District’s attorney on behalf of the District, Lineberry, and Dorathy. Deputy Winget stated that Pettitt had been accused of sending three purported emails to purportedly harass Lineberry and Dorathy. Deputy Winget stated that “they wanted an arrest” of Pettitt for these emails.

92. Pettitt understood Deputy Winget’s use of the word “they” to mean Lineberry, Dorathy, and J.C.’s assistant football coach, Beauchamp. From this conversation, Pettitt also understood that, Lineberry, Dorathy, and Beauchamp had communicated with one another and agreed to characterize these alleged emails as harassing all-the-while failing to disclose to Deputy Winget the District’s ban, including the requirement that Pettitt submit permission requests via email.

93. Lineberry’s, Dorathy’s, and Beauchamp’s false reports to police were clearly unlawful in Arizona, including at least under A.R.S. § 13-2907.01.

94. Shortly thereafter, on or around July 10, 2022, the Gila County Attorney’s Office charged Pettitt with one count of harassment in violation of A.R.S. § 13-2921(A)(1), a class 1 misdemeanor.

95. A.R.S. § 13-2921(E) defines “harassment” to mean “conduct that is [1] directed at a specific person *and* [2] that would cause a reasonable person to be *seriously* alarmed, annoyed, humiliated or mentally distressed *and* [3] the conduct *in fact seriously* alarms, annoys, humiliates or mentally distressed the person.” (emphasis added).

96. Further, A.R.S. § 13-2921(A)(1) requires showing that a person “knowingly” committed an act or acts of harassment.

97. The misdemeanor citation was based on only three emails, namely:

- a. An email dated July 3, 2022, from Pettitt’s email address to Lineberry and Dorathy stating: “I am requesting to attend any event that [my

1 sons] may be participating in this week on MUSD property. Thank
2 you. Dr. Pettitt.”

3 b. An email dated July 4, 2022, from Pettitt’s email address to Lineberry
4 and Dorathy stating, “I am requesting to attend the game on Wed.”

5 c. An email dated July 5, 2022, from Pettitt’s email address to Lineberry
6 and Dorathy stating, “I am requesting to attend the game on Mon.”

7 d. True and accurate copies of the July 3-5, 2022 emails are attached to
8 this Complaint as Exhibit 4.

9 98. None of these emails, whether viewed individually or collectively, constitute
10 harassment as they would not cause a reasonable person to be seriously alarmed, annoyed,
11 humiliated, or mentally distressed. Additionally, none of these emails were knowingly sent
12 by Pettitt because all of the Defendants believed that these were “automated” emails, which
13 necessarily indicates a lack of awareness or consciousness of an act to harass.

14 99. After commencing the misdemeanor criminal action, the Gila County
15 Attorney’s Office continued to request continuances of the arraignment and pretrial
16 conference.

17 100. On October 10, 2022, the Gila County Attorney’s Office moved to dismiss
18 the case in the interest of justice.

19 101. Later that same day, the Court dismissed the action without prejudice.

20 102. A few days after the dismissal, on October 18, 2022, Beauchamp personally
21 contacted Pettitt’s counsel in the now-dismissed misdemeanor action. Beauchamp stated
22 that “he chose” to dismiss the criminal misdemeanor action because he felt “like it was in
23 the best interest of both parties [Lineberry and Pettitt].” He also threatened that he would
24 “refile” the case as a “felony” if Pettitt “harassed the school in the future.”

25 103. Beauchamp admitted that he conferred with Lineberry and that Lineberry
26 “agreed to the misdemeanor case being dismissed . . . so long as Ms. Pettitt” complied with
27 the District’s unlawful ban.

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1 104. In short, before any indictment for a felony, Beauchamp and Lineberry were
2 wielding the threat of a felony prosecution over Pettitt to further chill and bully her in
3 retaliation for exercising her First Amendment rights and other constitutionally protected
4 activities.

5 **LINEBERRY, DORATHY, AND BEAUCHAMP FURTHER RETALIATE AGAINST PETTITT**
6 **FOR EXERCISING HER CONSTITUTIONAL RIGHTS**

7 *Pettitt Angered Lineberry for Lawfully Exercising Her Constitutional Rights to Vote and*
8 *Campaign for a School Board Candidate*

9 105. Given her significant dissatisfaction with the District’s current leadership,
10 Pettitt began campaigning in the summer of 2022 for new members of the District’s
11 governing board. In particular, she advocated for a write-in candidate, Brittany Pearsall.

12 106. Pettitt’s assigned polling place for Arizona’s November 2022 general election
13 was on the District’s property.

14 107. Because of the ban’s unconstitutional and unlawful scope, Pettitt had to
15 request permission from Dorathy and Lineberry to effectively vote, which Pettitt obtained
16 from Dorathy. This burden on her right to vote was unlawful.

17 108. On November 8, 2022, Pettitt went onto the District’s property to vote. That
18 same day, along with other voters, Pettitt helped set up a small table and distribute cards
19 with the spelling of Brittany Pearsall’s name because Pearsall was a write-in candidate—
20 all of which took place on the District’s property outside the requisite 75-foot limit from
21 the polling place. These activities were never reported, investigated, or charged by law
22 enforcement because they were entirely lawful.

23 109. Lineberry, however, became enraged when he learned that Pettitt was on the
24 District’s property that day to vote and to advocate for a school board candidate. He
25 immediately called Beauchamp, falsely reported that Pettitt was still harassing him and the
26 School, and demanded that Beauchamp prosecute her. Dorathy approved of, ratified, and
27 agreed with Lineberry’s demand to re-prosecute Pettitt.

28 110. Beauchamp has admitted that the Gila County Attorney’s Office prosecuted
Pettitt at Lineberry’s request and insistence, stating in writing that Pettitt “was not allowed

1 to campaign on the property of the Miami Unified School District while she was there to
2 vote” and that “Glen Lineberry immediately reported the harassing behavior had not
3 stopped and asked the State to review the original case.”

4 111. Beauchamp engaged in these actions in an administrative or investigative
5 capacity beyond the prosecutorial function, before any determination of probable cause was
6 made, outside of any statutory or judicial forum, in his capacity as advising or consulting
7 with Dorathy and Lineberry about their claims and reports, and/or in his capacity as an agent
8 of the School and District.

9 *At Lineberry, Dorathy, and Beauchamp’s Direction, Pettitt Is Maliciously Prosecuted for*
10 *Aggravated Harassment but Is Ultimately Acquitted by a Jury*

11 112. Three weeks later, Beauchamp did as Lineberry requested and directed the
12 Gila County Attorney’s Office to prosecute Pettitt.

13 113. On November 29, 2022, a grand jury indicted Pettitt for three counts of
14 aggravated harassment, in violation of A.R.S. §§ 13-2921.01(A)(1) and 13-2921, a class 6
15 felony with a presumptive prison sentence of at least one year.

16 114. A.R.S. § 13-2921.01(A)(1) requires showing, among other things, that a
17 person has committed “harassment” in violation of § 13-2921. In other words, the State
18 had to prove that the conduct is “[1] directed at a specific person *and* [2] that [it] would
19 cause a reasonable person to be *seriously* alarmed, annoyed, humiliated or mentally
20 distressed *and* [3] the conduct *in fact seriously* alarms, annoys, humiliates or mentally
21 distressed the person.” A.R.S. § 13-2921(E).

22 115. The indictment, however, was not based on any new allegations, including
23 the November 8, 2022 allegations. Instead, the indictment was based only on the same three
24 emails sent on July 3, 4, and 5, 2022 as detailed in Paragraph 97(a)-(d) of this Complaint.

25 116. To secure the indictment, the State presented only one witness, Deputy
26 Winget, who presented false and misleading testimony to the grand jury. For example,
27 Deputy Winget testified that Pettitt was not permitted to send emails to the District “when
28 school was not in session, because there are no activities going on.” But that testimony is

1 false because the District’s ban plainly permits Pettitt to email Lineberry and Dorathy “at
2 any time” regarding her sons’ education.

3 117. Deputy Winget further falsely testified that, prior to the injunction against
4 harassment, Pettitt had sent Lineberry emails “by the hundreds.” Not only is this factually
5 untrue, but Deputy Winget materially and misleadingly omitted testifying about the
6 District’s ban, which would thus provide important, exculpatory context for Pettitt’s
7 conduct and email history.

8 118. The Gila County Attorney’s Office also suppressed and did not show the
9 grand jury the three alleged harassing emails—which are exculpatory and undermine any
10 finding of harassment. Whether viewed individually or collectively, none of these emails
11 constitute harassment as they would not cause a reasonable person to be seriously alarmed,
12 annoyed, humiliated, or mentally distressed, particularly if provided truthful and accurate
13 context that the District’s ban required Pettitt to request permission via email to access the
14 District’s property.

15 119. The State conducted two criminal trials against Pettitt. During the first trial,
16 Dorathy and Lineberry testified against Pettitt and provided false, misleading, and
17 fabricated testimony. For instance, Dorathy and Lineberry testified that Pettitt violated the
18 District’s ban by sending emails outside of business hours. But nowhere does the District’s
19 ban set time parameters for when Pettitt could email the School’s administrators. Indeed,
20 the District’s ban indicates that Pettitt may email Lineberry and Dorathy “at any time.”
21 They both falsely testified that Pettitt sent “hundreds” of demanding emails, which was
22 untrue.

23 120. During the first trial, the Court declared a mistrial because the three alleged
24 harassing emails sent on July 3, 4, and 5—the very emails that served as the basis for the
25 harassment charges—were not provided to the jury during their deliberations.

26 121. Following the mistrial, Lineberry and Dorathy—in consultation with
27 Beauchamp—wanted and agreed to proceed with a second trial. And so, the State elected
28 to try Pettitt again. During the second trial, Dorathy and Lineberry again provided false,

1 misleading, and fabricated testimony, including that Pettitt sent “hundreds” of demanding
2 and harassing emails.

3 122. On January 31, 2025, and after the close of evidence and arguments, the jury
4 deliberated for a little less than 40 minutes and found Pettitt “not guilty” on all counts,
5 thereby acquitting her.

6 **PETTITT HAS SUFFERED SUBSTANTIAL DAMAGES AS A RESULT OF**
7 **DEFENDANTS’ RETALIATION**

8 123. As a direct and proximate result of Defendants’ retaliation (including causing
9 Pettitt to be prosecuted for baseless criminal felony charges), Pettitt has incurred over
10 \$140,000 in attorneys’ fees and costs.

11 124. Pettitt also had to defend her medical license before the state regulatory board
12 because of these false criminal charges.

13 125. She also sustained great emotional, mental, physical, and reputational pain,
14 suffering, distress, and other related harm arising out of these baseless charges and
15 retaliatory conduct.

16 126. Lineberry, Dorathy, and Beauchamp acted with a sufficient evil mind and evil
17 hand to warrant the imposition of punitive damages. In particular, they set into motion the
18 parade of horrors that they used to institute baseless criminal charges against Pettitt in
19 order to bully and chill her protected activities (constitutional or otherwise), including by:
20 (a) imposing an unconstitutional, unlawful, and facially unreasonable ban; (b) wrongfully
21 obtaining through false and misleading evidence an invalid and void injunction against
22 Pettitt that required her to comply with the District’s unlawful ban; and (c) directing,
23 requesting, or pressuring for the prosecution of Pettitt on baseless charges that ultimately
24 resulted in her acquittal.

25 127. As a result of Lineberry, Dorathy, and Beauchamp’s retaliation and abuse,
26 Pettitt’s youngest son changed school districts to attend a new high school.

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**TO THIS DAY, PETTITT CONTINUES TO BE SUBJECT TO THE
DISTRICT'S UNLAWFUL BAN**

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3 128. Because the District's ban is indefinite, Pettitt is still banned from accessing
4 the District's property at any time for any events, including events hosted by an outside
5 organization on the District's property or school events opened to the public. Due to this
6 ban, Pettitt has not attended various public events on the School and District's property,
7 including sporting events, board meetings, or other community events taking place in 2024
8 and 2025 that she would have liked to attend.

9 129. Further, to avoid violating the District's ban, Pettitt will at times email the
10 District's Superintendent to request permission to come onto the District's Property—which
11 is an unreasonable burden on her rights.

12 130. For example, on December 2, 2025, the District organized a sudden
13 candlelight vigil at 6 p.m. in honor of a deceased student who attended the School and was
14 the victim of a violent crime. This student was a friend of Pettitt's youngest son when he
15 attended the School. The District invited the public to attend this candlelight vigil.

16 131. Because of her son's relationship with his deceased friend, Pettitt emailed the
17 School's new Superintendent, Richard Ramos, requesting permission to attend the
18 candlelight vigil. In her email, Pettitt stated: "In accordance with the letter from the Miami
19 Unified School District #40 dated August 25, 2021, I am requesting permission to attend
20 the vigil being held for [deceased student] tonight, December 2, 2025, at 6:00 PM at Miami
21 High School."

22 132. The District approved the request, authorizing Pettitt to escort her son to the
23 vigil and reaffirming that the ban remained in effect.

24 133. In sum, Pettitt remains subject to the District's ban, including having to
25 request permission to attend school or District events involving her children.

26 134. The District's ban of Pettitt is a policy or custom of the District as the District
27 has imposed similar bans against other parents within the District.
28

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1 135. The District’s alleged liability arises from, among other things, one or more
2 of the following: official policies of the District; practices or customs of the District; actions
3 through final policymakers of the District; actions ratified by final policymakers of the
4 District; and the District’s failure to train.

5 **COUNT I**

6 **For Violation of Rights Under 42 U.S.C. § 1983**

7 **(Malicious Prosecution, Conspiracy to Commit Malicious Prosecution, and**
8 **Deprivation of Civil Rights)**

9 **Against All Defendants**

10 136. Pettitt incorporates by reference the above allegations.

11 137. Defendants, including Lineberry, Dorathy, and Beauchamp, individually and
12 collectively took an active part in and conspired to wrongfully cause the prosecution of a
13 criminal felony action against Pettitt, including by, among other things: (i) initiating,
14 directing, requesting, or pressuring the Gila County Attorney’s Office to prosecute Pettitt,
15 by knowingly providing false or materially incomplete information to the prosecutor;
16 (ii) concealing exculpatory evidence; (iii) providing false or materially incomplete
17 testimony at the criminal trials of Pettitt; and (iv) prosecuting Pettitt for allegedly violating
18 a void and invalid injunction.

19 138. The criminal action terminated in Pettitt’s favor, with an acquittal on all
20 counts, on January 31, 2025.

21 139. Defendants acted without probable cause because, among other things: (i) the
22 District’s ban expressly required Pettitt to request attendance by email, and Lineberry and
23 Dorathy repeatedly approved Pettitt’s attendance requests by email; (ii) the ban did not
24 prohibit automated or after-business hour emails; (iii) the July 3-5, 2022 emails were brief
25 and non-threatening, and thus, none of these emails were harassing because a reasonable
26 person would not to be seriously alarmed, annoyed, humiliated, or mentally distressed by
27 these emails, particularly in light of the District’s ban against Pettitt; (iv) the Defendants
28 reasonably believed that Pettitt did not knowingly send these emails because they believed

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1 that they were automated emails; and (v) Defendants demanded and pressured for a felony
2 prosecution only after dismissing the criminal misdemeanor charges and only after
3 becoming enraged that Pettitt went onto the District's property to lawfully vote and engage
4 in protected political speech and assembly.

5 140. Defendants acted with malice or a primary purpose other than bringing Pettitt
6 to justice because, among other reasons, they sought and intended to deprive Pettitt of her
7 constitutional rights and to retaliate against her by means of prosecution for exercising those
8 constitutional rights, including her First and Fourteenth Amendment rights regarding
9 freedom of speech, the right to vote, the right to peaceably associate and assemble, the right
10 to petition for a redress of grievances, due process of law, and the right to direct and control
11 the education and upbringing of her children.

12 141. Defendants' malicious conduct has injured and damaged Pettitt in an amount
13 to be proven at trial, including for attorneys' fees, costs, and other expenses incurred in
14 defending against Defendants' retaliatory actions (including a baseless criminal
15 prosecution), attorneys' fees, costs, and other expenses incurred defending her medical
16 license, and great emotional, mental, physical, reputational, pain, suffering, distress, and
17 other related harms.

18 142. The acts and omissions of Defendants, including acting in their individual
19 capacities and under color of law, were malicious, punitive, and in reckless disregard of
20 Pettitt's rights. As a result, punitive damages in an amount to be determined by a jury
21 should be awarded against Defendants to punish them for their wrongdoing and to prevent
22 them and others from acting in a similar manner in the future.

23 **COUNT II**

24 **For Violation of Rights Under 42 U.S.C. § 1983**

25 **(First Amendment Retaliation)**

26 **Against All Defendants**

27 143. Pettitt incorporates by reference the above allegations.

28 144. Pettitt engaged in constitutionally protected activity under the First

1 Amendment, such as speaking out, publicly criticizing school officials (including
2 Lineberry), filing complaints with the school board and the AZDOE regarding Lineberry,
3 peacefully assembling and associating, voting, and engaging in political speech,
4 electioneering, and campaigning.

5 145. Defendants took action that would chill or silence a person of ordinary
6 firmness from future First Amendment activities, including by: (i) prosecuting Pettitt for
7 criminal felony charges in retaliation for voting and campaigning for a particular candidate;
8 (ii) categorically and prospectively banning her from the District's property, including for
9 public events such as board meetings and public events—a ban that still remains in effect
10 to this day, because of Pettitt's criticism of school officials and the filing of an AZDOE
11 complaint against a school official; and (iii) obtaining an invalid and void injunction based
12 on false and misleading evidence requiring Pettitt to comply with the District's unlawful
13 and unconstitutional ban.

14 146. Defendants' desire to cause the chilling effect was a but-for cause of their
15 action because, among other things: (i) Defendants engaged in their chilling and retaliatory
16 conduct immediately or shortly after reading, hearing, or seeing Pettitt engage in her
17 protected First Amendment activities; (ii) Lineberry and Dorathy referenced or alluded to
18 certain protected activities in the District's August 21, 2021 letter banning Pettitt from the
19 District's Property; (iii) Beauchamp has admitted in writing that Lineberry requested and
20 demanded the prosecution of Pettitt after seeing her vote and campaign on the District's
21 property; (iv) before notifying Pettitt, Defendants spread information and news about the
22 District's ban against Pettitt, including to J.C.'s father and his counsel, to attempt to shame
23 and silence Pettitt; and (v) adverse, retaliatory actions escalated only after Pettitt engaged
24 in protected First Amendment activities.

25 147. Defendants lacked probable cause for the criminal prosecution because,
26 among other things: (i) the District's ban expressly required Pettitt to request attendance by
27 email, and Lineberry and Dorathy repeatedly approved Pettitt's attendance requests by
28 email; (ii) the ban did not prohibit automated or after-business hour emails; (iii) the July 3-

1 5, 2022 emails were brief and non-threatening, and thus, none of these emails were
2 harassing because a reasonable person would not to be seriously alarmed, annoyed,
3 humiliated, or mentally distressed by these emails, particularly in light of the District’s ban
4 against Pettitt; (iv) the Defendants reasonably believed that Pettitt did not knowingly send
5 these emails because they believed that they were automated emails; and (v) Defendants
6 demanded and pressured for a felony prosecution only after dismissing the criminal
7 misdemeanor charges and only after becoming enraged that Pettitt went onto the District’s
8 property to lawfully vote and engage in protected political speech and assembly.

9 148. Defendants’ malicious conduct has injured and damaged Pettitt in an amount
10 to be proven at trial, including for attorneys’ fees, costs, and other expenses incurred in
11 defending against Defendants’ retaliatory actions (including a baseless criminal
12 prosecution), attorneys’ fees, costs, and other expenses incurred defending her medical
13 license, and great emotional, mental, physical, reputational, pain, suffering, distress, and
14 other related harms.

15 149. The acts and omissions of Defendants, including acting in their individual
16 capacities and under color of law, were malicious, punitive, and in reckless disregard of
17 Pettitt’s rights. As a result, punitive damages in an amount to be determined by a jury
18 should be awarded against Defendants to punish them for their wrongdoing and to prevent
19 them and others from acting in a similar manner in the future.

20 **COUNT III**

21 **Declaratory Judgment**

22 **Against the District**

23 150. Pettitt incorporates by reference the above allegations.

24 151. The U.S. Constitution, including under the First and Fourteenth Amendments,
25 the Arizona Constitution, and Arizona law prohibit government officials from abridging
26 freedom of speech, the right to vote, the right to peaceably associate and assemble, and the
27 right to petition for a redress of grievances.

28

1 152. The Due Process Clause of the Fourteenth Amendment, the Arizona
2 Constitution, and other Arizona laws also bar government officials from infringing the
3 fundamental rights of parents to make decisions concerning the care, education, and
4 upbringing of their children and from depriving parents of their constitutional rights or other
5 protected rights (including by abridging freedom of speech and the right to assemble and
6 retaliating against those parents because of their speech and association) without due
7 process of law.

8 153. A.R.S. § 1-601 provides that Pettitt has “a fundamental right” “to direct the
9 upbringing, education, health care and mental health of [her] children” and that any
10 governmental entity “shall not infringe on these rights without demonstrating that the
11 compelling governmental interest as applied to the child involved is of the highest order, is
12 narrowly tailored and is not otherwise served by a less restrictive means.” Section 1-602(F)
13 further requires the government entity to prove that any interference with a parent’s
14 fundamental rights to direct their child’s education “is essential to accomplish a compelling
15 government interest of the highest order, as long recognized in the history and traditions of
16 this state in the operation of its regulatory powers” and that “the method . . . used by the
17 government is narrowly tailored and is not otherwise served by a less restrictive means.”

18 154. Arizona laws likewise bars government officials and entities from prohibiting
19 persons from engaging in electioneering and other political speech. For instance, A.R.S.
20 § 16-411(I), which was previously numbered A.R.S. § 16-411(H), states that “any facility
21 that is used as a polling place on election day or that is used as an early voting site during
22 the period of early voting *shall allow* persons to electioneer and engage in other political
23 activity outside of the seventy-five foot limit . . . in public areas and parking lots used by
24 voters.” (emphasis added).

25 155. Arizona law provides that “[a] public vote shall be taken before any legal
26 action binds the public body.” A.R.S. § 38-431.03(D).

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1 161. Defendants, including Lineberry, Dorathy, and Beauchamp, individually and
2 collectively, took an active part in and conspired to wrongfully cause the prosecution of a
3 criminal felony action against Pettitt, including by, among other things: (i) initiating,
4 directing, requesting, or pressuring the Gila County Attorney’s Office to prosecute Pettitt,
5 by knowingly providing false or materially incomplete information to the prosecutor;
6 (ii) concealing exculpatory evidence; and (iii) providing false or materially incomplete
7 testimony at the criminal trials of Pettitt.

8 162. The criminal action terminated in Pettitt’s favor, with an acquittal on all
9 counts, on January 31, 2025.

10 163. Defendants acted without probable cause because, among other things: (i) the
11 District’s ban expressly required Pettitt to request attendance by email, and Lineberry and
12 Dorathy repeatedly approved Pettitt’s attendance requests by email; (ii) the ban did not
13 prohibit automated or after-business hour emails; (iii) the July 3-5, 2022 emails were brief
14 and non-threatening, and thus, none of these emails were harassing because a reasonable
15 person would not be seriously alarmed, annoyed, humiliated, or mentally distressed by these
16 emails, particularly in light of the District’s ban against Pettitt; (iv) the Defendants
17 reasonably believed that Pettitt did not knowingly send these emails because they believed
18 that they were automated emails; and (v) Defendants demanded and pressured for a felony
19 prosecution only after dismissing the criminal misdemeanor charges and only after
20 becoming enraged that Pettitt went onto the District’s property to lawfully vote and engage
21 in protected political speech and assembly.

22 164. Defendants acted with malice or a primary purpose other than bringing Pettitt
23 to justice because, among other reasons, they sought and intended to deprive Pettitt of her
24 constitutional rights and to retaliate against her by means of prosecution for exercising those
25 constitutional and statutory rights, including: (i) her First and Fourteenth Amendment rights
26 regarding freedom of speech, the right to vote, the right to peaceably associate and
27 assemble, the right to petition, due process of law, and the right to direct and control the
28 education and upbringing of her children; and (ii) her rights under the Arizona Constitution

1 (including but not limited to Article 2, § 4 (due process of law), § 5 (the right to petition
2 and peaceably assemble), § 6 (freedom of speech), Article 7 (voting)), and Arizona law
3 (including but not limited to A.R.S. §§ 1-601, 1-602, and 16-411).

4 165. Defendants’ malicious conduct has injured and damaged Pettitt in an amount
5 to be proven at trial, including for attorneys’ fees, costs, and other expenses incurred in
6 defending against Defendants’ retaliatory actions (including a baseless criminal
7 prosecution), attorneys’ fees, costs, and other expenses incurred defending her medical
8 license, and great emotional, mental, physical, reputational, pain, suffering, distress, and
9 other related harms.

10 166. The acts and omissions of Defendants, including acting in their individual
11 capacities and under color of law, were malicious, punitive, and in reckless disregard of
12 Pettitt’s rights. As a result, punitive damages in an amount to be determined by a jury
13 should be awarded against Defendants to punish them for their wrongdoing and to prevent
14 them and others from acting in a similar manner in the future.

15 **COUNT V**

16 **Abuse of Process**

17 **Against All Defendants**

18 167. Pettitt incorporates by reference the above allegations.

19 168. Defendants willfully used the judicial process, including but not limited to by
20 prosecuting Pettitt and proceeding with the continuation of a second, baseless criminal trial
21 against her in January 2025, falsely testifying in that second trial, and, to the extent the
22 District’s governing board did not approve or properly approve seeking an injunction
23 against Pettitt, improperly prosecuting Pettitt for violating an injunction against harassment
24 that is null and void *ab initio* and has no legal or factual effect as a matter of law.

25 169. Defendants used that criminal legal proceeding, including the second trial, to
26 primarily accomplish a perverted and or improper use: to retaliate against Pettitt for
27 exercising her constitutional and statutory rights under both federal and Arizona law and to
28 chill and silence Pettitt from exercising those rights in the future.

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1 170. Defendants’ malicious conduct has injured and damaged Pettitt in an amount
2 to be proven at trial, including for attorneys’ fees, costs, and other expenses incurred in
3 defending against Defendants’ retaliatory actions (including a baseless criminal
4 prosecution), attorneys’ fees, costs, and other expenses incurred defending her medical
5 license, and great emotional, mental, physical, reputational, pain, suffering, distress, and
6 other related harms.

7 171. The acts and omissions of Defendants, including acting in their individual
8 capacities and under color of law, were malicious, punitive, and in reckless disregard of
9 Pettitt’s rights. As a result, punitive damages in an amount to be determined by a jury
10 should be awarded against Defendants to punish them for their wrongdoing and to prevent
11 them and others from acting in a similar manner in the future.

12 **COUNT VI**

13 **For Violations of Art. 2, § 6 of the Arizona Constitution**

14 **(Free Speech Retaliation)**

15 **Against All Defendants**

16 172. Pettitt incorporates by reference the above allegations.

17 173. Article 2, § 6 of the Arizona Constitution provides that “[e]very person may
18 freely speak, write, and publish on all subjects, being responsible for the abuse of that right.”

19 174. Pettitt engaged in constitutionally protected activity under Art. 2, § 6 of the
20 Arizona Constitution, such as speaking out, publicly criticizing school officials (including
21 Lineberry), filing complaints with the school board and the AZDOE regarding Lineberry,
22 peacefully assembling and associating, voting, and engaging in political speech,
23 electioneering, and campaigning.

24 175. Defendants took action that would chill or silence a person of ordinary
25 firmness from future free speech activities under Art. 2, § 6 of the Arizona Constitution,
26 including by: (i) prosecuting Pettitt for criminal felony charges in retaliation for voting and
27 campaigning for a particular candidate; (ii) categorically and prospectively banning her
28 from the District’s property, including from public events such as board meetings and public

1 events—a ban that still remains in effect to this day—because of Pettitt’s criticism of school
2 officials and the filing of an AZDOE complaint against a school official; and (iii) obtaining
3 an invalid and void injunction based on false and misleading evidence requiring Pettitt to
4 comply with the District’s unlawful and unconstitutional ban.

5 176. Defendants’ desire to cause the chilling effect was a but-for cause of their
6 action because, among other things: (i) Defendants engaged in their chilling and retaliatory
7 conduct immediately or shortly after reading, hearing, or seeing Pettitt engage in her
8 protected free speech activities; (ii) Lineberry and Dorothy referenced or alluded to certain
9 protected activities in the District’s August 21, 2021 letter banning Pettitt from the District’s
10 property; (iii) Beauchamp has admitted in writing that Lineberry requested and demanded
11 the prosecution of Pettitt after seeing her vote and campaign on the District’s property;
12 (iv) before notifying Pettitt, Defendants spread information and news about the District’s
13 ban against Pettitt, including to J.C.’s father and his counsel, in an attempt to shame and
14 silence Pettitt; and (v) adverse, retaliatory actions escalated only after Pettitt engaged in
15 protected First Amendment activities.

16 177. Defendants’ retaliatory conduct has injured and damaged Pettitt in an amount
17 to be proven at trial, including for attorneys’ fees, costs, and other expenses incurred in
18 defending against Defendants’ retaliatory actions (including a baseless criminal
19 prosecution), attorneys’ fees, costs, and other expenses incurred defending her medical
20 license, and great emotional, mental, physical, reputational, pain, suffering, distress, and
21 other related harms.

22 178. The acts and omissions of Defendants, including acting in their individual
23 capacities and under color of law, were malicious, punitive, and in reckless disregard of
24 Pettitt’s rights. As a result, punitive damages in an amount to be determined by a jury
25 should be awarded against Defendants to punish them for their wrongdoing and to prevent
26 them and others from acting in a similar manner in the future.

**SNELL
& WILMER**

COUNT VII

Intentional Infliction of Emotional Distress

Against All Defendants

179. Pettitt incorporates by reference the above allegations.

180. Defendants’ conduct was extreme and outrageous, as evidence by, among other things, (i) their prosecution of Pettitt for criminal felony charges in retaliation for voting and campaigning for a particular candidate; (ii) their categorical and prospective ban of Pettitt from the District’s property, including from public events such as board meetings and public events—a ban that still remains in effect to this day—because of Pettitt’s criticism of school officials and the filing of an AZDOE complaint against a school official; and (iii) their efforts to obtain an invalid and void injunction based on false and misleading evidence requiring Pettitt to comply with the District’s unlawful and unconstitutional ban.

181. Defendants’ extreme and outrageous conduct was in retaliation for Pettitt’s speech on matters of public interest and concern, including public criticisms of Lineberry’s character and fitness to serve as a public officer of the School, filing complaints (including with the AZDOE) regarding Lineberry’s actions, and voting and campaigning for a write-in candidate for the District’s governing board.

182. Defendants either intended to cause emotional distress or recklessly disregarded the near certainty that such distress would result from their conduct.

183. Defendants’ actions caused Pettitt to suffer severe emotional distress, in an amount to be proven at trial.

184. The acts and omissions of Defendants, including acting in their individual capacities and under color of law, were malicious, punitive, and in reckless disregard of Pettitt’s rights. As a result, punitive damages in an amount to be determined by a jury should be awarded against Defendants to punish them for their wrongdoing and to prevent them and others from acting in a similar manner in the future.

JURY DEMAND

185. Pettitt demands a trial by jury.

**SNELL
& WILMER**

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PRAYER FOR RELIEF

Pettitt requests judgment against all Defendants, jointly and severally, as follows:

- A. An award of general and compensatory damages in an amount to be determined at trial for all injuries suffered as a result of Defendants’ wrongdoing;
- B. An award of nominal damages;
- C. An award of punitive damages;
- D. An award of injunctive and declaratory relief;
- E. An award of attorneys’ fees and costs, incurred in connection with this litigation, including but not limited to 42 U.S.C. § 1988, 28 U.S.C. § 1920, and A.R.S. § 1-602(G).
- F. An award of pre-judgment and post-judgment interest at the maximum legal rate;
- G. All other remedies or relief afforded by 42 U.S.C. § 1983; and
- H. Such other and further relief as the Court may deem just and proper.

DATED this 28th day of January, 2026.

SNELL & WILMER L.L.P.

By: s/ Patrick A. Tighe
 Patrick A. Tighe
 Matthew Racioppo
 One East Washington St., Suite 2700
 Phoenix, Arizona 85004-2556

*Attorneys for Plaintiff
 Michelle Pettitt*

Exhibit 1

MIAMI UNIFIED SCHOOL DISTRICT #40



Dr. Sherry Dorathy, Superintendent
PO Box 2070
Miami, AZ 85539
Phone (928) 425-3271 Fax: (928) 425-7419

August 25, 2021

Sent via: drmpettitt@gmail.com & Certified Mail – Return Receipt Requested

Michelle L. Pettitt
742 First Avenue
Miami, AZ 85539

Re: Parent Contact Management Plan =

Dear Ms. Pettitt:

The Miami Unified School District has appreciated the opportunity to provide a quality educational experience for your two sons at Miami Junior-Senior High School (MJSHS). As a parent, you play an important role and District and school personnel have sought to work in a collaborative way with you. However, you have demonstrated a pattern of conduct that has resulted in significant disruption to District and school operations. Therefore, I am writing to provide you with notice that effective immediately, you will be expected to adhere to the parent contact management plan (“the Plan”) as described below.

This letter describes the reasons for the Plan, the Plan’s steps to protect your right to have input on your children’s education, and the Plan’s provisions to protect MJSHS and the District.

A. Facts Giving Rise to the Plan

MJSHS and MUSD have made reasonable efforts to manage your disruptive and unproductive communications with and about our school and our employees. Your unwarranted behavior has wasted valuable time and resources. Your repeated mistreatment of school staff amounts to intimidation and bullying. Examples include but are not limited to:

1. At the Open House on July 26, 2021, you cut a line of more than a dozen students and parents waiting for assistance and demanded that a staff member change contact information for a student who does not reside with you. When your demand was refused, you falsely stated that you are “in a lawsuit with the school”.
2. You have filed complaints with the school or made public statements about teachers, coaches and administrators, including assertions in September 2017 that solid pedagogy and meeting state standards somehow constituted illegal acts, and as recently as August 17 assertions that school employees have committed crimes. The allegations have been false or unfounded.
3. On January 13, 2021, you emailed the Superintendent and Governing Board falsely claiming that a school administrator improperly interfered in a custody case with an “unprofessional, unethical and possibly illegal” letter to a judge. No letter was ever sent to the judge in question.

4. On April 1, 2021, you emailed the Superintendent demanding to know why you were excluded from knowledge about an overnight student event in the gymnasium. The event did not exist.
5. Despite annually signing enrollment documents since August 2016 that include an agreement to follow MUSD and MJSHS Policies, you have failed to follow protocols for expressing questions, concerns and complaints.
6. In January, June and July of this year, you repeatedly demanded copies of cumulative files, ignoring the fact that information in such files changes only marginally and slowly, wasting significant time and resources. Upon receipt of those files, you have then demanded to know why specific documents were not provided, when those documents were included.
7. On January 13, 2021, you improperly demanded changes in your student's educational records (e.g. changing addresses on records where the address was correct at the time the record was created).
8. You have recently expanded your range of targets with online attacks on a local judge, the judge's family, and at least one member of the MUSD Governing Board.

School staff has reported that they feel intimidated and demeaned by your speech and behavior. You are disrespectful toward staff and are highly confrontational when you speak with School and District staff. Your communications with School staff have increased to the point that the Principal and others feel harassed.

Moving forward, the District will not tolerate the behaviors you have demonstrated in the past. School personnel have a right to work in an environment free from intimidation and hostility. This cannot be accomplished if a parent disrupts the business of the school. As Superintendent, I am exercising my authority to impose restrictions on you to avoid further disruption to the District's educational or other operations.

B. Review of Pertinent Laws and Governing Board Policies.

A.R.S. 15-507 – This statute provides: “A person who knowingly abuses a teacher or other school employee on school grounds or while the teacher or employee is engaged in the performance of his duties is guilty of a class 3 misdemeanor.”

Governing Board Policy KFA, “Public Conduct on School Property” – This Policy provides in part:

No person shall engage in conduct that may cause interference with or disruption of an educational institution. Interference with or disruption of an educational institution includes any act that might reasonably lead to the evacuation or closure of any property of the educational institution or the postponement, cancellation or suspension of any class or other school activity. For the purposes of this policy, an actual evacuation, closure, postponement, cancellation or suspension is not required for the act to be considered interference or disruption.

A person commits interference with or disruption of an educational institution by doing any of the following: * * *

- Intentionally or knowingly entering or remaining on the property of an educational institution for the purpose of interfering with or denying lawful use of the property to others.
- Intentionally or knowingly refusing to obey a lawful order given by the Superintendent *
* *

A person may also interfere with or disrupt the District function by committing any of the following:

- Any conduct intended to obstruct, disrupt, or interfere with teaching, research, service, administrative, or disciplinary functions or any activity sponsored or approved by the Board.
- Physical or verbal abuse or threat of harm to any person on property owned or controlled by the District or at supervised functions sponsored by the District. * * *
- Use of speech or language that is offensive or inappropriate to the limited forum of the public school educational environment.
- Failure to comply with the lawful directions of District officials or of District security officers or other law enforcement officers acting in performance of their duties, and failure to identify oneself to such officials or officers when lawfully requested to do so.
- Knowing violation of a District rule and regulation. Proof that an alleged violator has a reasonable opportunity to become aware of such rules and regulations shall be sufficient proof that the violation was done knowingly.
- Any conduct constituting an infraction of any federal, state, or city law or policy or regulation of the Board. from the appropriate school administrator.

A complete copy of Policy KFA is enclosed with this letter.

C. Protecting Parental Rights

The District understands that you may want or need to communicate with District personnel regarding your children or general school matters, just as District personnel sometimes need to communicate information to you. To preserve your ability to communicate with District personnel on school related matters and at the same time protect the staff from unwarranted verbal abuse, intimidation and unfounded allegations, the District is expecting you to adhere to the instructions set forth below until further notice:

1. You may submit questions, suggestions or concerns about your children's education via email at any time. Your emails must:
 - a. Be addressed to both the MUSD Superintendent and the MJSHS Principal.
 - b. Include no other MUSD or MJSHS recipients.
 - c. Be written in polite language with no false statements, threats, intimidation, or harassing content.
 - d. Involve no issues unrelated to the education of your children.

2. MJSHS and/or MUSD will conduct timely investigation of concerns if needed and otherwise respond when and only when further information is required, or administration deems a reply to be helpful to advancing your children's education.
3. If a meeting is required, it will be held via electronic means. The meeting will be recorded, and a copy of the recording provided to you, to avoid any misunderstanding or misrepresentation.
4. You may speak with administrators, teachers or staff members who call you regarding your children so long as you are not abusive, threatening or use the telephone contact to undermine any staff member's authority.
5. You may contact the Principal or the Vice Principal by telephone in the event of a true emergency involving your children.

D. Protecting Students, Staff & School

To protect the staff from unwarranted verbal abuse, intimidation and unfounded allegations and to minimize campus or disruptions in the future, **you may not come onto District owned property at any time unless your presence falls within the exceptions delineated below.** For purposes of this letter:

- District property includes: MJSHS buildings, Dr. Charles A. Bejarano Elementary School, Lee Kornegay School, Auditorium, Gymnasium, athletic fields, Ragus Stadium, MUSD parking lots, and any other property owned or controlled by MUSD.
- "Any time" includes the instructional day, any extracurricular school activity, any athletic competition or student performance, any school- or district-sponsored event, or any event hosted on campus by an outside organization.

Exceptions: You are permitted to come onto District owned property as follows:

1. You may be in the north parking lot between 7:30 am and 7:45 am to drop off your children. You may not exit your vehicle absent a true emergency and the need to do so. You must obey all traffic regulations and conduct your vehicle in a safe and orderly manner.
2. You may be in the north parking lot between 3:30 pm and 3:45 pm to pick up your children. You may not exit your vehicle absent a true emergency and the need to do so. You must obey all traffic regulations and conduct your vehicle in a safe and orderly manner.
3. If the school requests the emergency pick up of your children, you may be in the north parking lot at the appointed time. A staff member will deliver the child to your vehicle and obtain your signature on the check-out form. You must leave campus immediately after signing the paperwork and once your child is safely in your vehicle. You must obey all traffic regulations and conduct your vehicle in a safe and orderly manner.
4. If you wish to attend a school event involving a minor child in your custody, you must:
 - a. Request permission to attend via email to the Principal and the Superintendent no later than noon two (2) school days before the event. The email may not include any additional MJSHS or MUSD recipients.

- b. The request must be written in polite language with no false statements, threats, intimidation, or harassing content.
- c. The Principal will respond with reasonable promptness, clearly indicating that your request is approved or denied. An approval may be conditional as to time, parking arrangements, or other requirements. The response may be based on our experience during prior approved events, on general security requirements, and on other reasons.

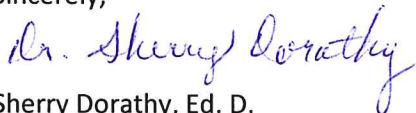
This Plan may be changed by MJSHS and MUSD as needed. Should you demonstrate compliance with the Plan, I am willing to revisit or discontinue the plan at the end of the fiscal year.

If the District determines that you have violated the above expectations, or you have otherwise conducted yourself in a manner that is disruptive to its operations, we will take further appropriate action, including appropriate legal action against you.

If you have questions regarding this letter or need any clarification of the District's expectations for you going forward, please send me an email at sdorathy@miamiusd40.org.

Your anticipated cooperation is appreciated.

Sincerely,



Sherry Dorathy, Ed. D.
Superintendent

Enclosure: Policy KFA

Cc: Glen Lineberry, Principal & CTE Director, MJSHS

**KFA ©
PUBLIC CONDUCT ON
SCHOOL PROPERTY**

No person shall engage in conduct that may cause interference with or disruption of an educational institution. Interference with or disruption of an educational institution includes any act that might reasonably lead to the evacuation or closure of any property of the educational institution or the postponement, cancellation or suspension of any class or other school activity. For the purposes of this policy, an actual evacuation, closure, postponement, cancellation or suspension is not required for the act to be considered interference or disruption.

A person commits interference with or disruption of an educational institution by doing any of the following:

- Intentionally, knowingly or recklessly interfering with or disruption of the normal operations of an educational institution by either:
 - Threatening to cause physical injury to any employee or student of an educational institution or any person on the property of an educational institution.
 - Threatening to cause damage to the District, the property of the District, or the property of any person attending the District.
- Intentionally or knowingly entering or remaining on the property of an educational institution for the purpose of interfering with or denying lawful use of the property to others.
- Intentionally or knowingly refusing to obey a lawful order given by the Superintendent or a person designated to maintain order.

The above identified acts need not be directed at a specific individual, the District, or specific property of the District to constitute a violation of this policy.

Restitution for any financial loss caused by a violation of the policy may be required. Furthermore, an individual who interferes with or disrupts an educational institution is subject to misdemeanor or felony charges as provided in A.R.S. [13-2911](#).

A person may also interfere with or disrupt the District function by committing any of the following:

- Any conduct intended to obstruct, disrupt, or interfere with teaching, research, service, administrative, or disciplinary functions or any activity sponsored or approved by the Board.
- Physical or verbal abuse or threat of harm to any person on property owned or controlled by the District or at supervised functions sponsored by the District.
- Forceful or unauthorized entry to or occupation of District facilities, including both buildings and grounds.
- Illicit use, possession, distribution, or sale of tobacco, alcohol, or drugs, other controlled substances, or other illegal contraband on District property or at school-sponsored functions.
- Use of speech or language that is offensive or inappropriate to the limited forum of the public school educational environment.
- Failure to comply with the lawful directions of District officials or of District security officers or other law enforcement officers acting in performance of their duties, and failure to identify oneself to such officials or officers when lawfully requested to do so.
- Knowing violation of a District rule and regulation. Proof that an alleged violator has a reasonable opportunity to become aware of such rules and regulations shall be sufficient proof that the violation was done knowingly.
- Any conduct constituting an infraction of any federal, state, or city law or policy or regulation of the Board.

- Carrying or possessing a weapon on school grounds unless the individual is a peace officer or has obtained specific authorization from the appropriate school administrator.

Additional Requirements of the General Public

The definition of *general public* is anyone who does not come under the definition of student, faculty member, staff member, or employee.

- No person shall visit or audit a classroom or other school activity, nor shall any person come upon or remain upon school premises, without approval by the principal or the principal's authorized representative. Nor shall any person conduct or attempt to conduct any activity on school premises without prior approval by the Superintendent or the Superintendent's authorized representative.
- Any member of the general public considered by the Superintendent, or a person authorized by the Superintendent, to be in violation of these rules shall be instructed to leave the property of the District. Failure to obey the instruction may subject the person to criminal proceedings pursuant to A.R.S. [13-2911](#) and to any other applicable civil or criminal proceedings, or to tribal ordinance.
- Persons attending special functions shall confine themselves to the specific part of the facility assigned in the permit.
- Persons who engage in disorderly conduct of any kind may be subject to removal and exclusion from the facility.
- The use of facilities shall be granted only for legitimate purposes. Therefore, the permit holder shall assume full responsibility for any unlawful act committed during the exercise of the permit.
- No person shall possess or engage in the use of medical marijuana on District property, at a District event, or in a District vehicle.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

[13-2905](#)

[13-2911](#)

[13-3102](#)

[15-341](#)

[15-507](#)

[36-2801](#) *et seq.*

[36-2802](#)

CROSS REF.:

[GBEB](#) - Staff Conduct

[GCQF](#) - Discipline, Suspension, and Dismissal of Professional Staff
Members

[GDQD](#) - Discipline, Suspension, and Dismissal of Support Staff Members

[JIC](#) - Student Conduct

[JK](#) - Student Discipline

[KI](#) - Visitors to Schools

Exhibit 2

Subject: Re: School event Friday April 2nd
From: drmpettitt <drmpettitt@gmail.com>
To: Sherry Dorathy <sdorathy@miamiusd40.org>
Date Sent: Thu, 01 Apr 2021 19:01:59 -0700
Date Received: Thu, 01 Apr 2021 19:02:01 -0700 (PDT)

Thank you

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Sherry Dorathy <sdorathy@miamiusd40.org>
Date: 4/1/21 3:01 PM (GMT-07:00)
To: "Dr. Pettitt" <drmpettitt@gmail.com>
Subject: Re: School event Friday April 2nd

Ms. Pettitt,

There are no "overnight" events planned through the end of this year or any year. I do not know what Justin is referring to. There is a dance tomorrow night and if he is on the committee to clean up, they may not be through until 11:30 p.m to 12:00 am. However, that is the only event that would require a "late" evening.

Sincerely,

On Thu, Apr 1, 2021 at 9:22 AM Dr. Pettitt <drmpettitt@gmail.com> wrote:

Hello Dr. Dorathy~

Justin tells me that he is attending a school event that is scheduled through the night, although I cannot seem to find any information on this to confirm.

Can you send me the email or flyer or any information on this school event please.

Thank you,

Michelle Pettitt

--

Dr. Sherry Dorathy

Superintendent

Miami Unified School District #40

(928) 425-3271

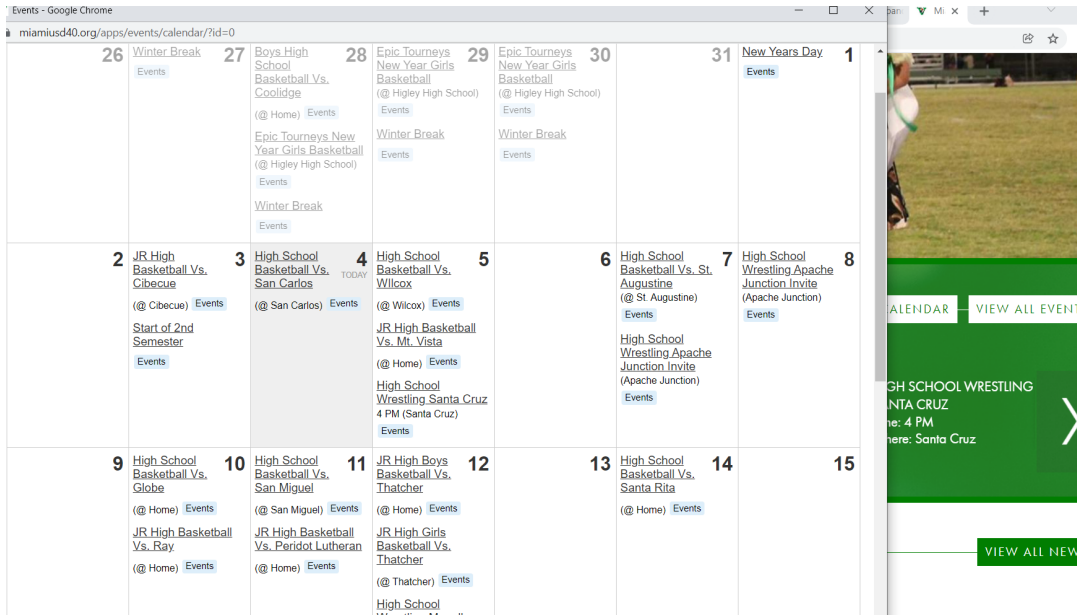
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Exhibit 3

Subject: Re: request to attend
From: "Dr. Pettitt" <drmpettitt@gmail.com>
To: Glen Lineberry <glineberry@miamiusd40.org>
Cc: Sherry Dorathy <sdorathy@miamiusd40.org>
Date Sent: Tue, 4 Jan 2022 19:46:42 -0700
Date Received: Wed Jan 05 02:46:42 UTC 2022

As the Principal and Superintendent, I am sure one or both of you approved this calendar...which shows that there's a home game on Monday (Jan. 10th).



On Tue, Jan 4, 2022 at 2:51 PM Glen Lineberry <glineberry@miamiusd40.org> wrote:
 We do not show a game schedule for Monday, and so must deny your request.

On Tue, Jan 4, 2022 at 1:00 AM Dr. Pettitt <drmpettitt@gmail.com> wrote:
 I am requesting to attend the game on Mon.

--
 Glen Lineberry
 Principal & CTE Director
 Miami Junior-Senior High School
 Miami, Arizona
 928.425.3271 x 1201

You see, idealism detached from action is just a dream. But idealism allied with pragmatism, with rolling up your sleeves and making the world bend a bit, is very exciting. It's very real. It's very strong. - Bono

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Exhibit 4



request to attend

Dr. Pettitt <drmpettitt@gmail.com>

Sun, Jul 3, 2022 at 12:01 AM

To: Glen Lineberry <glineberry@miamiusd40.org>, Sherry Dorathy <sdorathy@miamiusd40.org>

I am requesting to attend any event that Gavin and/or Justin may be participating in this week on MUSD property.

Thank you,

Dr. Pettitt



Miami Unified
School District #40

request to attend

Dr. Pettitt <drmpettitt@gmail.com>

Mon, Jul 4, 2022 at 4:00 AM

To: Glen Lineberry <glineberry@miamiusd40.org>, Sherry Dorathy <sdorathy@miamiusd40.org>

I am requesting to attend the game Wed.



Miami Unified
School District #40

request to attend

Dr. Pettitt <drmpettitt@gmail.com>

Tue, Jul 5, 2022 at 1:00 AM

To: Glen Lineberry <glineberry@miamiusd40.org>, Sherry Dorathy <sdorathy@miamiusd40.org>

I am requesting to attend the game on Mon.

Civil Cover Sheet

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the District of Arizona.

The completed cover sheet must be printed directly to PDF and filed as an attachment to the Complaint or Notice of Removal.

Plaintiff(s): **Michelle Pettitt , ;**

**Glen Marvin Lineberry , ; Sherry Dorathy , ; Bradley
Defendant(s): D. Beauchamp , ; Miami Unified School District #40 ,
;**

County of Residence: Gila

County of Residence: Gila

County Where Claim For Relief Arose: Gila

Plaintiff's Atty(s):

Defendant's Atty(s):

**Patrick A. Tighe ,
SNELL & WILMER L.L.P.
One East Washington Street, Suite 2700
Phoenix, Arizon 85004
602-382-6000**

**Matthew Racioppo ,
SNELL & WILMER L.L.P.
One East Washington Street, Suite 2700
Phoenix, Arizona 85004
602-382-6000**

IFP REQUESTED

REMOVAL FROM COUNTY, CASE #

II. Basis of Jurisdiction: **3. Federal Question (U.S. not a party)**

III. Citizenship of Principal Parties(Diversity Cases Only)

Plaintiff:- **N/A**

Defendant:- **N/A**

IV. Origin : **1. Original Proceeding**

V. Nature of Suit: **440 Other Civil Rights**

VI.Cause of Action: **42 U.S.C. § 1983 – Malicious Prosecution and First Amendment Retaliation; Declaratory Judgment; Malicious Prosecution; Abuse of Process; Violations of Art. 2, Section 6 of the Arizona Constitution; Intentional Infliction of Emotional Distress.**

VII. Requested in Complaint

Class Action: **No**

Dollar Demand:

VIII. This case **is not related** to another case.

Signature: s/ Patrick A. Tighe

Date: 1/28/2026

If any of this information is incorrect, please go back to the Civil Cover Sheet Input form using the *Back* button in your browser and change it. Once correct, save this form as a PDF and include it as an attachment to your case opening documents.

Revised: 01/2014