

FILED

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

2008 JUL 14 PM 1:39

SUPERIOR COURT DIVISION

LEE COUNTY

LEE COUNTY, C.S.C.

80 00824

SHERRILL NORMANN, JR.

BY

[Handwritten signature]

Plaintiff,

v.

JAMES McCORMICK,

Defendant.

COMPLAINT
(Jury Trial Demanded)

The Plaintiff, complaining of the Defendant, alleges and says that:

1. The Plaintiff is a citizen and resident of Lee County, North Carolina.
2. The Defendant is a citizen and resident of Lee County, North Carolina.
3. The Plaintiff was lawfully married to Margaret Dossenbach Normann on April 9, 1989 and was married to her at all times relevant to the facts alleged herein. Plaintiff continues to be married to Margaret Dossenbach Normann.
4. Two daughters were born to the marriage between Plaintiff and Margaret Dossenbach Normann.
5. From and after the marriage of Plaintiff to the said Margaret Dossenbach Normann and prior to the acts of conduct of Defendant as hereinafter alleged, the Plaintiff enjoyed a loving relationship with his wife and enjoyed the love, affection, society, companionship, support, right of consortium and kindly offices of Margaret Dossenbach Normann. There was a relationship of genuine love and affection between the Plaintiff and his wife.

6. The Defendant began and continued to engage in a course and pattern of conduct over no less than two years whereby he interfered with the loving marital relationship that existed between the Plaintiff and Margaret Dossenbach Normann. The Defendant sought out and thereafter nurtured a romantic and sexual relationship with Mrs. Normann. Defendant carried out this romantic and sexual relationship with Margaret Dossenbach Normann in public to the embarrassment and humiliation of Plaintiff. By his actions, enticements and conduct, Defendant induced Margaret Dossenbach Normann to abandon the marital relationship with Plaintiff. Defendant also used his position as the Superintendent of the Lee County Schools to exploit Mrs. Normann who is a teacher with the Lee County Schools.
7. Defendant, by his conduct, enticements and actions as aforesaid and as shall be proven at the trial of this matter, intentionally, did wrongfully, with malice and without legal justification, alienate and destroy the love and affection that existed between Plaintiff and Margaret Dossenbach Normann.
8. Defendant's conduct as aforesaid was wrongful and malicious and the same proximately caused, produced and brought about the alienation of the love and affection which existed between the Plaintiff and Margaret Dossenbach Normann.

9. Defendant has carried out an extramarital relationship with Margaret Dossenbach Normann. Defendant has rendezvoused with her on numerous occasions during the daytime and nighttime hours.
10. Defendant knew, or should have known, of Plaintiff's efforts, in good faith, to maintain and foster the marital relationship; but despite the same and knowing that his actions would result, or were likely to result, in the destruction of the marital relationship, Defendant continued and persisted in a deliberate and intentional course of conduct with the malicious intent and design to seduce and alienate the love and affections of the said Margaret Dossenbach Normann from Plaintiff. Defendant willfully, intentionally, wrongfully, maliciously and unjustifiably did interfere with the marital relationship which existed between Plaintiff and Margaret Dossenbach Normann and the same was reckless, wanton and aggravated.
11. As a direct and proximate result of Defendant's conduct as aforesaid, the marital relationship previously existing between the Plaintiff and Margaret Dossenbach Normann has been irretrievably damaged and destroyed. Plaintiff has further, as a direct and proximate result of the wrongful, wanton, aggravated and malicious conduct of the Defendant as aforesaid, been deprived of the love, affection, society, companionship, support and consortium of his wife, Margaret Dossenbach Normann and his emotional health has been grievously injured thereby.

FIRST CAUSE OF ACTION

(Alienation of Affection)

12. Paragraphs 1 through 11 hereinabove are hereby realleged and specifically incorporated herein by reference as if fully set forth.
13. The acts and conduct of Defendant as aforesaid constitute an alienation of the affection of Plaintiff's lawful wife, Margaret Dossenbach Normann, from Plaintiff.
14. As a direct and proximate result of acts and conduct of Defendant as aforesaid, Plaintiff has suffered and continues to suffer from the loss of the love, affection, society, companionship, support and consortium of his wife, Margaret Dossenbach Normann and his emotional health has been grievously injured thereby and Plaintiff is entitled to recover of Defendant compensatory and punitive damages in an amount in excess of \$10,000.00 each.

SECOND CAUSE OF ACTION

(Criminal Conversation)

15. Paragraphs 1 through 14 hereinabove are hereby realleged and specifically incorporated herein by reference as if fully set forth.
16. Defendant has had the opportunity and inclination to commit adultery and engage in sexual relations and intercourse with Margaret Dossenbach Normann and the Defendant has engaged in sexual relations and intercourse with her on more than one occasion.

17. At the time of Defendant's sexual relations and intercourse with Margaret Dossenbach Normann, there was a valid and existing marriage between Plaintiff and his wife, Margaret Dossenbach Normann.
18. The sexual relations and intercourse of the Defendant with Margaret Dossenbach Normann was without the knowledge, consent or connivance of the Plaintiff.
19. As a direct and proximate result of the Defendant's sexual relations and intercourse with Margaret Dossenbach Normann as hereinabove set forth, Plaintiff has been deprived of the right of consortium with his lawful wife, Margaret Dossenbach Normann, and has been deprived of her love, affection, society, companionship, support, friendship, aid and assistance, and has suffered and continues to suffer humiliation, great mental anguish and injury to his health and well-being.
20. Defendant knew of the Plaintiff's marriage to Margaret Dossenbach Normann, nonetheless, despite the same, Defendant engaged in and continued to engage in a sexual relationship with Margaret Dossenbach Normann, when she knew, or should have known, that Plaintiff was maintaining and seeking to maintain and continue his marriage to Margaret Dossenbach Normann and his sexual relations and intercourse with Margaret Dossenbach Normann were reckless, wanton, willful and especially aggravated in nature.
21. As a direct result of Defendant's criminal conversation with Plaintiff's wife, Margaret Dossenbach Normann, Plaintiff has suffered and continues

to suffer from the loss of the love, affection, society, companionship, support and consortium of his wife, and his emotional health has been grievously injured thereby and Plaintiff is entitled to recover of Defendant compensatory and punitive damages in an amount in excess of \$10,000.00 each.

WHEREFORE, Plaintiff respectfully prays the court as follows:

1. That he have and recover of the Defendant a sum in excess of Ten Thousand Dollars (\$10,000.00) as compensatory damages for Defendant's alienation of affections of and the loss of the love, affection, society, companionship, support and consortium of his wife, Margaret Dossenbach Normann and the loss of his emotional health and well being.
2. That he have and recover of the Defendant a sum in excess of Ten Thousand Dollars (\$10,000.00) as punitive damages for Defendant's alienation of affections of Plaintiff's wife, Margaret Dossenbach Normann.
3. That he have and recover of the Defendant a sum in excess of Ten Thousand Dollars (\$10,000.00) as compensatory damages for Defendant's criminal conversation with Plaintiff's wife, Margaret Dossenbach Normann and the loss of the love, affection, society, companionship, support and consortium of his wife, Margaret Dossenbach Normann and of his emotional health and well-being.
4. That he have and recover of the Defendant a sum in excess of Ten Thousand Dollars (\$10,000.00) as punitive damages for Defendant's

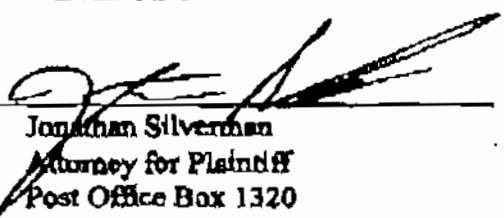
criminal conversation with Plaintiff's wife Margaret Dossbach
Normann.

5. That Plaintiff have and recover interest of the Defendant pursuant to
N.C.G.S. § 24-5 for all compensatory damages awarded in each cause of
action herein.
6. That all the costs heretof be taxed to Defendant.
7. For all such other and further relief as the Court may deem just, fit and
proper.

JURY TRIAL DEMANDED ON ALL ISSUES SO TRIABLE.

**STATON, DOSTER, POST,
SILVERMAN & FOUSHEE**

By: _____


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