

2003 WL 25569030 (S.C.Com.Pl.) (Trial Pleading)
Court of Common Pleas of South Carolina,
Ninth Judicial Circuit.
Charleston County

Glenn P. CHURCHILL, as Court Appointed Guardian for George Albert
Knebel a.k.a. George Albert Knobloch (an incapacitated person), Plaintiff,

v.

Valerie ROBERTS, Defendant.

No. 2003-CP-10-1491.
April 7, 2003.

Jury Trial Requested
Forgery
Civil Conspiracy
Theft

Complaint

Respectfully submitted, Savage & Savage, P.A., 15 Prioleau Street, Post Office Box 1002, Charleston, SC 29402, Telephone (843) 720-7470, [David L. Savage](#), Attorney for Plaintiff.

The Plaintiff above-named, complaining of the Defendant above named, alleges and says as follows:

1. That the Plaintiff is the court appointed guardian of George Knebel a.k.a. George Knobloch, who is a citizen and resident of the County of Charleston, State of South Carolina.
2. That upon information and belief, the Defendant Valerie Roberts is a citizen and resident of the County of Charleston, State of South Carolina.
3. That this Honorable Court has jurisdiction over the parties herein and the subject matter of this action.
4. That in December of 2001, the Department of Social Services intervened in the care of your Plaintiff, who is an incapacitated person.
5. That through the intervention of the Department of Social Services (DSS), it was determined that your Plaintiff had suffered **financial exploitation** at the hands of others and failed to exercise the minimal amount of judgment to care for his property and prevent dissipation of his assets.
6. That after DSS intervention your Plaintiff was placed in Lashawn's Residential Home.
7. That unbeknownst to the Department of Social Services, at the request, instigation or direction of your Defendant Valerie Roberts, your Plaintiff did remove himself from Lashawn's Residential Home and live with your Defendant Valerie Roberts, in her private home, an unlicensed facility.
8. That this move was without the knowledge or consent of the Department of Social Services.

9. That after this time, your Plaintiff Glenn Churchill, was appointed as guardian for the Plaintiff George Knebel.

10. That subsequent to September 16th, 2002, your Plaintiff Churchill, along with Tony Melendez and DSS Adult Protective Service Agent, Mary Robinson, went to the residence of your Defendant, where it was discovered that your Plaintiff Knebel was residing.

11. That at that meeting your Plaintiff Churchill confronted your Plaintiff Knebel with copies of checks totaling Eight Thousand Six Hundred (\$8,600.00) Dollars, which appeared to be forgeries.

12. That at that meeting your Plaintiff Knebel indicated that the checks did not contain his signature and he was without knowledge as to their purpose.

13. That of the aforementioned checks, amounts totaling approximately Five Thousand Four Hundred (\$5,400.00) Dollars were deposited into the account of your Defendant Valerie Roberts.

14. That a review of the checks revealed that there were approximately four (4) months since December 2001, when there appeared to be double payments for residential care going to the benefit of your Defendant Valerie Roberts.

15. That your Plaintiff, along with Robinson and Melendez, confronted your Defendant, who admitted that she had forged all of the checks, after initially accusing her daughter of committing the forgeries.

FIRST CAUSE OF ACTION (FORGERY)

16. That the foregoing paragraphs are set forth as if *verbatim*.

17. That upon information and belief, your Defendant and/or her family members or others working at her direction, did without consent forge checks belonging to your Plaintiff in amounts of at least Eight Thousand Six Hundred (\$8,600.00) Dollars.

18. That money was received as a result of these forgeries, which benefitted the Defendant.

19. That your Plaintiff has been unlawfully deprived of these funds based upon the forgeries.

WHEREFORE, the Plaintiff prays for both actual and punitive damages in an amount deemed appropriate by a jury and for such other relief as this Court may deem proper.

FOR A SECOND CAUSE OF ACTION (CIVIL CONSPIRACY)

20. That the foregoing paragraphs are set forth as if *verbatim*.

21. That your Defendant did combine, conspire, or unite with others.

22. That the purpose of this combining, conspiracy, or uniting was for the purpose of injuring your Plaintiff by depleting his financial resources, by forging his signature on checks or inducing your Plaintiff to transfer funds to the Defendant.

23. That the combination, conspiracy, or uniting had the result of depleting Plaintiff's resources.

WHEREFORE, your Plaintiff prays for judgment against your Defendant in an amount of actual and punitive damages that a jury may deem appropriate.

FOR A THIRD CAUSE OF ACTION (THEFT)

24. That the foregoing paragraphs are set forth as if *verbatim*.
25. That your Plaintiff did have monetary funds in excess if Eight Thousand Six Hundred (\$8,600.00) Dollars.
26. That your Defendant did steal or take, by way of forgery, the financial resources of your Plaintiff.
27. That this taking was without consent or permission and with the intent to permanently deprive Plaintiff of his funds.
28. That as a result of the taking, your Plaintiff has been denied his financial resources.

WHEREFORE, the Plaintiff prays for judgment against the Defendant in an amount of actual and punitive damages, if so awarded by a jury, that will fully, fairly and justly compensate him for injuries sustained and for such other and further relief as may be deemed appropriate by the jury.

Respectfully submitted,

SAVAGE & SAVAGE, P.A.

15 Prioleau Street

Post Office Box 1002

Charleston, SC 29402

Telephone (843) 720-7470

BY: <<signature>>

DAVID L. SAVAGE

ATTORNEY FOR PLAINTIFF

Charleston, South Carolina

April 3, 2003

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