



**NAILAH K. BYRD  
CUYAHOGA COUNTY CLERK OF COURTS  
1200 Ontario Street  
Cleveland, Ohio 44113**

**Court of Common Pleas**

**New Case Electronically Filed: COMPLAINT  
March 26, 2026 13:33**

By: STANLEY JACKSON, JR. 0077011

Confirmation Nbr. 3802114

LAMIA WESTMORELAND, AS ADMINISTRATOR OF  
THE ESTATE

CV 26 135743

vs.

KASEY LOUDERMILK, ET AL.

**Judge:** DEBORAH M. TURNER

**Pages Filed:** 15

**IN THE COMMON PLEAS COURT OF CUYAHOGA COUNTY, OHIO  
CIVIL DIVISION**

**LAMIA WESTMORELAND,** :  
**as Administrator** :  
**of the Estate of TAMYA L.** :  
**WESTMORELAND** :  
19720 Detroit Ave., Apt. 102 :  
Lakewood, Ohio 44107 :

Plaintiff, :

vs. :

**KASEY LOUDERMILK** :  
Officer, Cuyahoga County Sheriff's Dept. :  
1215 W 3<sup>rd</sup> Street :  
Cleveland, Ohio 44113 :

**ROBERT PICCOLA** :  
Officer, Cuyahoga County Sheriff's Dept. :  
1215 W 3<sup>rd</sup> Street :  
Cleveland, Ohio 44113 :

**DANIEL COMERFORD** :  
Officer, Cuyahoga County Sheriff's Dept. :  
1215 W 3<sup>rd</sup> Street :  
Cleveland, Ohio 44113 :

**HAROLD PRETEL** :  
Sheriff, Cuyahoga County Sheriff's Dept. :  
1215 W 3<sup>rd</sup> Street :  
Cleveland, Ohio 44113 :

Defendants. :

Case No.:

JUDGE:

**COMPLAINT FOR PERSONAL  
INJURIES AND WRONGFUL DEATH  
WITH JURY DEMAND ENDORSED  
HEREON**

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COMES NOW, Plaintiff, LAMIA WESTMORELAND, as Administrator of the Estate of TAMYA L. WESTMORELAND, deceased, by and through her counsel, (hereinafter "Plaintiff"), and hereby files this complaint against Defendants KASEY LOUDERMILK, ROBERT

PICCOLA, DANIEL COMERFORD, and HAROLD PRETEL (hereinafter sometimes “Defendants”). Based upon information and belief, Plaintiff shows the Court as follows:

### INTRODUCTION

1) Plaintiff brings this action for damages and wrongful death sustained by the deceased, TAMYA L. WESTMORELAND, (hereinafter “TAMYA”), who was injured and perished after Defendants KASEY LOUDERMILK (“Officer LOUDERMILK”), ROBERT PICCOLA (“Officer PICCOLA”), and HAROLD PRETEL (“Sheriff PRETEL”), acting within the course and scope of their employment, authorized, initiated and engaged in a reckless high-speed chase without just cause, causing TAMYA’S catastrophic injury and death. The actions and omissions of Defendants relating to this pursuit were wanton and reckless, and thus Defendants are not entitled to immunity pursuant to Ohio R.C. § 2744.03(A)(6)(b).

2) On March 28, 2025, Officers LOUDERMILK and PICCOLA, of the Cuyahoga County Sheriff’s Department, initiated and authorized a high-speed vehicle pursuit of a suspect driving a vehicle. During the pursuit, the suspect while driving at a high rate of speed crashed into TAMYAS’ vehicle. The force and impact of this was so violent that it ejected TAMYA from her vehicle.

3) As shown herein, the actions and omissions of Defendants relating to the authorization, initiation, and engagement in a vehicle pursuit, were wanton and reckless, and without due regard for the safety of all persons and property upon the highway, in violation of Ohio law and standard operating procedures of the Cuyahoga County Sheriff’s Department.

4) Under Ohio law, Ohio R.C. §2935.031 requires that “[a]ny agency, instrumentality, or political subdivision of the state that employs a sheriff, deputy sheriff ... shall adopt a policy for the pursuit in a motor vehicle of any person who violates a law of this state or

an ordinance of a municipal corporation.” Consistent with the requirements of Ohio law, Cuyahoga County Sheriff’s Department has a written pursuit policy.

5) Under Ohio law, Ohio R.C. §4511.041 there are exceptions to traffic rules for emergency vehicles or public safety vehicles responding to an emergency, which includes officers engaged in a pursuit. But as explicitly stated in Ohio R.C. §4511.041, this exception “does not relieve the driver of an emergency vehicle or public safety vehicle from the duty to drive with due regard for the safety of all persons and property upon the highway.” Ohio R.C. §4511.041.

#### PARTIES AND JURISDICTION

6) TAMYA, the deceased, was a resident of Cuyahoga County, Ohio at the time of her death, and was a citizen of the United States during all times relevant and material to this cause of action.

7) Plaintiff is the mother of TAMYA and is the duly appointed Administrator of the Estate of TAMYA L. WESTMORELAND.

8) At all times relevant, Defendants were peace officers certified by the Ohio Peace Officer Training Academy (OPOTA) and were employed by the Cuyahoga County Sheriff’s Department, performing duties and acting within the course of their said employment.

9) At all relevant times, Officer LOUDERMILK was acting within the course and scope of his employment and in the capacity of agent, servant, and employee of the Cuyahoga County Sheriff’s Department. Officer LOUDERMILK is sued in his individual capacity.

10) At all relevant times, Officer PICCOLA was acting within the course and scope of his employment and in the capacity of agent, servant, and employee of the Cuyahoga County Sheriff’s Department. Officer PICCOLA is sued in his individual capacity.

11) At all relevant times, Officer COMERFORD was acting within the course and

scope of his employment and in the capacity of agent, servant, and employee of the Cuyahoga County Sheriff's Department. Officer COMERFORD is sued in his individual capacity.

12) At all relevant times, Sheriff PRETEL was the duly elected Sheriff of the Cuyahoga County Sheriff's Department and responsible for supervising the activities and subsequently ratified the conduct and activities of Officer LOUDERMILK and Officer PICCOLA, along with Sergeant COMERFORD. Sheriff PRETEL is sued in his official capacity.

### **FACTUAL ALLEGATIONS**

13) On March 28, 2025, Officers LOUDERMILK and PICCOLA were on patrol when they observed a black Dodge Neon traveling westbound on St. Clair Avenue near East 9<sup>th</sup> Street and reported observing the vehicle committing several traffic violations.

14) Officers LOUDERMILK and PICCOLA conducted a license plate check via the Mobile Data Terminal (MDT), which they reported, revealed the vehicle's registration had expired in 2024 despite displaying a 2025 registration sticker.

15) Officers LOUDERMILK and PICCOLA suspected the vehicle to be stolen or that the registration sticker had been stolen or forged.

16) Officers LOUDERMILK and PICCOLA reported observing the vehicle turn without signaling and attempting to park outside the Galleria building.

17) According to Officers LOUDERMILK and PICCOLA, based on their observations of what they describe as reckless driving, including "the driver's inability to maintain his lane of travel during the pursuit" they "believed the driver may have been operating the vehicle under the influence."

18) According to Officers LOUDERMILK and PICCOLA, they followed the vehicle on East 9th Street and before activating lights and siren, "the driver briefly pulled to the side of

the road, as if to park or exit” which led them to believe that “the operator had noticed their presence and attempted to avoid a traffic stop by allowing the patrol unit to pass.”

19) Officers LOUDERMILK and PICCOLA activated their emergency lights to initiate a traffic stop on East 9th Street south of Lakeside Avenue, and “[i]n response, the driver accelerated northbound, fleeing from the attempted stop” which prompted their “requested pursuit authorization from their supervisor, Sergeant Comerford, who acknowledged the request,” at which point “[e]mergency sirens were activated.”

20) During the traffic stop, Officer LOUDERMILK activated the emergency lights, and Officer PICCOLA advised radio of the traffic stop.

21) According to Officer LOUDERMILK, as the suspect’s vehicle entered the I90 Eastbound on ramp near Lakeside Avenue at a high rate of speed, he instructed Officer PICCOLA to request permission to perform the Precision Immobilization Technique (PIT), but according to Officer PICCOLA, the request was not acknowledged.

22) Officer LOUDERMILK reported that he requested permission to perform a PIT maneuver because of “the danger associated with pursuits and high risk to the public.”

23) Officer LOUDERMILK reported that when they advised dispatch and Sergeant COMERFORD of the fleeing vehicle and requested permission to pursue and PIT, Sergeant COMERFORD “asked us if we had a second unit with us.”

24) According to Officer PICCOLA, while pursuing the vehicle eastbound on I-90, “the suspect continued to drive recklessly, committing numerous traffic violations and reaching speeds of 98 mph” before the suspect’s vehicle exited at the Martin Luther King Jr. Drive ramp, drove through the intersection, and re-entered I-90 Eastbound.

25) According to Officer PICCOLA, “throughout the pursuit” they “maintained

communications with dispatch and provided regular updates on the suspect's speed, direction of travel, and surrounding traffic conditions.”

26) During the pursuit, Officer LOUDERMILK reported that “the vehicle continued to flee at a high rate of speed” and “at speeds estimated to be 90-100 MPH.”

27) The pursuit ended as the suspect's vehicle exited at the Eddy Road off-ramp, ran the red light at the intersection, and attempted to re-enter I-90 Eastbound, at which point the suspect's vehicle collided with a white Range Rover, being driven by TAMYA.

28) According to Officer LOUDERMILK, the collision resulted when “[t]he vehicle failed to slow down while driving at a high rate of speed when it failed to yield to the red traffic signal, colliding with another vehicle [Range Rover] that had the right-of-way at the intersection.”

29) The impact of the collision between the suspect's vehicle and the Range Rover being driven by TAMYA caused the Range Rover to flip over the bridge and land near the railroad tracks adjacent to the bridge, becoming fully engulfed in flames.

30) The force of the impact caused TAMYA, the sole occupant of the Range Rover, to be ejected from her vehicle where she was located lying face down approximately 90 feet from the wreckage.

31) Officer LOUDERMILK reported that the “collision happened at approximately 2153 hours, approximately 4 to 5 minutes after the initial attempt to stop the vehicle.”

32) Officers LOUDERMILK and PICCOLA contacted dispatch to send EMS and Cleveland Fire to the scene.

33) Officer PICCOLA located TAMYA'S body in a brush-filled area and rolled her onto her back and administered a sternum rub to assess her responsiveness.

34) Officer PICCOLA attempted to engage in conversation with TAMYA until the

EMS arrived, and observed that TAMYA appeared to be in shock, her eyes were open, and she was conscious, breathing, and semi-responsive.

35) When Cleveland Fire and EMS arrived, TAMYA was secured to a backboard and transported to University Hospital for further medical evaluation and treatment.

36) On April 13, 2025, TAMYA passed away from injuries she sustained in the collision.

37) The actions and omissions of Officers LOUDERMILK and PICCOLA were in clear violation of Cuyahoga County Sheriff's Department (CCSD) policy/procedure regarding pursuits, which has as its primary purpose to "provide deputies with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law" and "to minimize the potential for pursuit-related collisions." *Cuyahoga County Sheriff's Department Policy 307, Vehicle Pursuits, Section 307.1, Page 1.*

38) The CCSD'S policy regarding pursuits states: "Vehicle pursuits require deputies to exhibit a high degree of common sense and sound judgment" and "Deputies must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing deputies (ORC §2935.031)." Furthermore, the policy states: "Deputies conduct during the course of a pursuit must be objectively reasonable." *Id.*

39) Regarding initiation of a pursuit, CCSD's policy states: "Deputies are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle that has been given a signal to stop by a peace officer (ORC §2921.331(B))." Furthermore, the policy states, "If permission is not given, or there is no immediate response from the supervisor, deputies shall terminate the pursuit." *Id., Section 307.4.1, Pages 2-3. (emphasis in original).*

40) Regarding when to terminate a pursuit, CCSD'S policy states: "Pursuits should be discontinued whenever the totality of objective circumstances known or which reasonably ought to be known to the deputy or supervisor during the pursuit indicates that the present risk of continuing the pursuit reasonably appears to outweigh the risk resulting from the suspect's escape." *Id.*, Section 307.4.2, Page 3. Furthermore, the policy states that "in deciding whether to initiate or continue a pursuit" deputies should consider "[t]he seriousness of the known or reasonably suspected crime and its relationship to community safety" and "[t]he importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to deputies, innocent motorists or others." *Id.*, Section 307.4.1, Pages 2-3. (emphasis in original).

41) The CCSD's pursuit policy states, "Extended pursuits of violators for misdemeanors not involving abuse or risk of serious harm (independent of the pursuit) are discouraged" and that "[t]he speed of a pursuit is a factor that should be evaluated on a continuing basis by the deputy and supervisor" and that "[v]ehicle speeds shall be taken into consideration to prevent endangering public safety, officer safety and the safety of the occupants of the fleeing vehicle." *Id.*, Sections 307.4.2 (e) and 307.4.3, Page 4.

42) The actions of Officers LOUDERMILK and PICCOLA, along with Sergeant COMERFORD, were taken jointly, in concert, and with shared intent.

43) TAMYA was an innocent bystander who did nothing that caused or contributed to her death, which was preventable.

44) As a direct and proximate result of the negligent, grossly negligent, willful, wanton, reckless, intentional, extreme, and outrageous actions and omissions of Officers LOUDERMILK and PICCOLA, along with Sergeant COMERFORD, as shown by their

authorization, initiation, continuation and execution of the pursuit, TAMYA suffered terror and pain inflicted upon her, including severe personal injuries and extreme emotional distress, resulting in pain and suffering and ultimately, her death.

45) As a direct and proximate result of the negligent, grossly negligent, willful, wanton, reckless, intentional, extreme, and outrageous actions and omissions of Officers LOUDERMILK and PICCOLA, along with Sergeant COMERFORD, as shown by their authorization, initiation, continuation, and execution of the pursuit, TAMYA'S estate and heirs suffered and continue to suffer, *inter alia*, severe grief, injury, pain and suffering, mental distress, loss of love, affection, society, companionship, consortium, pecuniary loss, medical and burial expenses, as well as other injuries resulting from TAMYA'S death.

46) The actions of Officers LOUDERMILK and PICCOLA, along with Sergeant COMERFORD, as shown by their authorization, initiation continuation, and execution of the pursuit, were wanton and reckless and in conscious disregard and indifference to a known or obvious risk of harm to others and were unreasonable under the circumstances.

47) The actions of Officers LOUDERMILK and PICCOLA, along with Sergeant COMERFORD, as shown by their authorization, initiation, continuation, and execution of the pursuit, violated CCSD'S pursuit policy and Ohio law.

48) The outrageous, unlawful, malicious, wanton, willful, and/or reckless conduct of Officers LOUDERMILK and PICCOLA, along with Sergeant COMERFORD, as shown by their authorization, initiation, continuation, and execution of the pursuit demonstrated their disregard for the safety of other motorists and constitutes outrageous conduct and gross negligence under Ohio law.

49) The CCSD through its duly elected official, Sheriff PRETEL is responsible and

liable for the underlying conduct of Officers LOUDERMILK, PICCOLA, and Sergeant COMERFORD, as referenced herein pursuant to R.C. § 2744.02.

50) Pursuant to Ohio R.C. § 2935.031 requires that “[a]ny agency, instrumentality, or political subdivision of the state that employs a sheriff, deputy sheriff ... shall adopt a policy for the pursuit in a motor vehicle of any person who violates a law of this state or an ordinance of a municipal corporation.” Consistent with requirements of Ohio law, CCSD has a written pursuit policy.

51) Pursuant to Ohio R.C. § 2744.02(B)(1) a political subdivision is liable for injuries caused by the negligent operation of a motor vehicle by its employees who are acting within the course and scope of their employment where the operation of the motor vehicle constituted willful or wanton misconduct.

52) At all times relevant herein, Officers LOUDERMILK and PICCOLA, along with Sergeant COMERFORD, had a duty to the public at large, including TAMYA, to act lawfully and reasonably and to not act in a negligent, grossly negligent, willful, wanton, reckless, intentional, extreme, and/or outrageous manner.

53) On March 28, 2025, it was highly foreseeable to Officers LOUDERMILK and PICCOLA, along with Sergeant COMERFORD, that a high-speed chase involved significant risk of harm such that the conduct creating such a danger to the public at large was extreme and outrageous.

54) Ohio R.C. § 4511.041 establishes exceptions to traffic rules for public safety vehicles responding to an emergency call but "does not relieve the driver of an emergency vehicle or public safety vehicle from the duty to drive with due regard for the safety of all persons and property upon the highway.”

55) Under Ohio law and CCSD'S policy and procedure Officers LOUDERMILK and PICCOLA, along with Sergeant COMERFORD had a duty to the public at large, including TAMYA, to act lawfully and reasonably and to not act in a negligent, grossly negligent, willful, wanton, reckless, intentional, extreme, and/or outrageous manner.

56) Officers LOUDERMILK and PICCOLA, along with Sergeant COMERFORD, negligently, grossly negligent, willfully, wantonly, recklessly, intentionally, extremely, and/or outrageously drove a motor vehicle on the date in question, and their actions were a direct and proximate cause of the collision with pursuing vehicle and TAMYA.

57) Pursuant to Ohio R.C. § 2744.03(A)(6)(b), Officer LOUDERMILK and Officer PICCOLA are liable to Plaintiff and have no immunity because their actions and omissions regarding the vehicle pursuit were carried out in a wanton and/or reckless manner.

58) The actions and omissions of Officers LOUDERMILK and PICCOLA, along with Sergeant COMERFORD, were done with knowledge or reason to know that their conduct created an unnecessary risk of physical harm to innocent drivers on the highway such as TAMYA.

59) The actions and omissions of Officers LOUDERMILK and PICCOLA, as described herein, violated the policies and procedures of CCSD.

60) The actions and omissions of Officers LOUDERMILK and PICCOLA, along with Sergeant COMERFORD, as described herein violated Ohio law regarding the exceptions to traffic rules for police officers responding to emergency calls, as set forth in Ohio R.C. § 4511.041.

61) That Officers LOUDERMILK and PICCOLA, along with Sergeant COMERFORD, at all times owed to the deceased, TAMYA, the following duties and obligations:

- (a) To ensure due care and caution in the operation of motor vehicles during a pursuit;

- (b) To refrain from reengaging in unreasonable and high-speed vehicular pursuits where injury and death are likely to result and are reasonably foreseeable;
- (c) To act in a reasonable and prudent manner to avoid placing known innocent third parties, including TAMYA, in an inherently dangerous situation;
- (d) To refrain from an unreasonable high-speed pursuit of a vehicle, taking into account the speed of the pursuit, the area of pursuit, weather and road conditions, the pedestrian and vehicular traffic, the warning used and the reason for the pursuit, presence of air support;
- (e) To refrain from operating a motor vehicle in a careless, reckless, and willful and wanton manner; i.e., engaging in a vehicular activity in such a manner as to make likelihood of injury equivalent to an intent such that injury or death will or would occur; and
- (f) Once the chase has been undertaken, to carry it out in a manner that was reasonably designed not to endanger the general public, in particular TAMYA, and in a manner which was not wanton and reckless.

62) Notwithstanding the above duties and obligations, Officers LOUDERMILK and PICCOLA, along with Sergeant COMERFORD, did jointly and severally violate each of the above duties and did violate the standard of care with respect to those duties which were owed to TAMYA.

**FIRST CLAIM FOR RELIEF  
WRONGFUL DEATH PURSUANT TO OHIO R.C. §2125.02  
AGAINST ALL DEFENDANTS**

- 63) Plaintiff repeats and realleges the above allegations as if fully stated herein.
- 64) TAMYA is survived by her heirs, who have suffered and will continue to suffer,

*inter alia*, pecuniary loss, loss of her aide, comfort, consortium, society, companionship, guidance and protection, as well the grief and sorrow from the loss of the love and affection of and for their loved one and otherwise suffered damages to their detriment.

65) Officers LOUDERMILK and PICCOLA, along with Sergeant COMERFORD, acted negligently, willfully, wantonly, recklessly, intentionally, extremely, and/or outrageously in committing the acts alleged in this complaint, which resulted in the injuries and wrongful death of TAMYA.

66) As a direct and proximate result of the actions of the defendants in this complaint, TAMYA died from injuries she sustained in a car crash, subjecting the defendants to liability pursuant to Ohio R.C. § 2125.02.

**SECOND CLAIM FOR RELIEF  
SURVIVORSHIP ACTION AGAINST ALL DEFENDANTS**

67) Plaintiff repeats and realleges the above allegations as if fully set forth herein.

68) Plaintiff further claims that as a direct and proximate result of the negligent, willful, wanton, reckless, and/or outrageous conduct of Officers LOUDERMILK and PICCOLA as alleged herein, individually and/or jointly, TAMYA was caused to suffer mental anguish and conscious physical pain and suffering prior to her death, for which compensation is sought.

69) Officers LOUDERMILK and PICCOLA, along with Sergeant COMERFORD, owed TAMYA a duty of care, they breached that duty, and their breach of duty was the proximate cause of TAMYA'S death.

1) Plaintiff brings this survivorship action pursuant to Ohio R.C. § 2305.21.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, LAMIA WESTMORELAND, as Administrator of the Estate of TAMYA L. WESTMORELAND, demands judgment against Defendants, jointly and severally, as follows:

- a. Compensatory damages in an amount in excess of \$25,000 to be determined at trial;
- b. Punitive damages in an amount sufficient to punish Defendants for their actions, as set forth herein, and to deter such conduct in the future;
- c. An award of Plaintiff's costs of suit; including reasonable attorney's fees;
- d. Interest on all damage awards; and,
- e. All other relief to which Plaintiff may lawfully be entitled.

Respectfully submitted,

/s/ Stanley Jackson

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**JURY DEMAND**

Now comes Plaintiff, by and through counsel, and hereby demands a trial by jury on all issues of this matter.

/s/ Stanley Jackson  
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Robert L. Gresham, Esq.  
Stanley Jackson, Esq.  
*Attorneys for Plaintiff*