

IN THE CIRCUIT COURT OF FULTON COUNTY, ARKANSAS  
CIVIL DIVISION  
16th JUDICIAL CIRCUIT

JAMES TURNBOUGH,

PLAINTIFF,

v.

Case No. 25CV-24-72

DAVE CAMPBELL AND

CATRENIA DAWN CAMPBELL,

DEFENDANTS.

**PLAINTIFF'S RESPONSE TO DEFENDANTS' AMENDED  
COUNTERCLAIMS**

COMES NOW the Plaintiff, James Turnbough, (“Turnbough”) by and through her attorney, John T. McGinnes of The Iron Rock Law Firm, and responds to Defendants' Counterclaims (“Campbell”) filed on August 23, 2024. In support of this response, Plaintiff states as follows:

**DAVE AND CATRENIA DAWN CAMPBELL'S FIRST AMENDED  
COUNTERCLAIMS IN PLAINTIFF’S PERSONAL CAPACITY:**

**COUNTERCLAIM No. 1. ABUSE OF PROCESS:**

1. Counterclaim No. 1 of the Campbell’s First-Amended Counterclaim under Abuse of Process does require a response and is therefore denied as such.
2. Denied for lack of truth.
3. Denied for lack of truth.
4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of truth.

7. Admitted as to the date of initial service, denied as to the rest because the delay in the Sheriff's office was not attributed to the attorney; the initial filing was superseded by the amended complaint and is moot.
8. Denied for lack of truth.
9. Deny for lack of knowledge, the Sheriff did not provide a proof of service for that date.
10. Admitted as to US Mail, but this document was superseded by the Amended Complaint.
11. Admitted as to email, but this document was superseded by the Amended Complaint.
12. Admitted because the document required changes, which were made and thus the amended complaint.
13. Denied for lack of knowledge.
14. Counterclaim 14 is denied because it states an opinion and does not require a response, and is this denied.
15. Denied for lack of truth.
16. Denied for lack of truth.
17. Denied for lack of truth.
18. Denied for lack of truth.
19. Denied for lack of truth.
20. Denied for lack of truth.
21. Denied for lack of truth.
22. Denied for lack of truth.

23. Denied for lack of truth.

24. Denied for lack of truth.

**CONSPIRACY TO COMMIT ABUSE OF PROCESS**

25. Paragraph 25 does not require a response, and is thus denied.

26. Denied for lack of truth.

27. Denied for lack of truth.

28. Denied for lack of truth.

29. Denied for lack of truth.

30. Denied for lack of truth.

31. Denied for lack of truth.

32. Denied for everything in the wherefore paragraph.

**COUNTERCLAIM NO. 2: ABUSE OF PROCESS**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies any allegations of false statements.

2. Denied for lack of truth.

3. Denied for lack of truth.

4. Denied for lack of truth.

5. Denied for lack of knowledge.

6. Denied for lack of knowledge.

7. Denied for lack of knowledge.

8. Denied for lack of knowledge.

9. Denied for lack of truth.

10. Denied for lack of truth.
11. Denied for lack of truth.
12. Denied for lack of truth.
13. Denied for lack of truth.
14. Denied for lack of truth.
15. Denied for lack of truth.
16. Denied for lack of truth.
17. Denied for lack of truth.
18. Denied for lack of truth.
19. Denied for lack of truth.

**CONSPIRACY TO COMMIT ABUSE OF PROCESS**

20. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies any allegations of false statements.

21. Denied for lack of truth.
22. Denied for lack of truth.
23. Denied for lack of truth.
24. Denied for lack of truth.
25. Denied for lack of truth.
26. Denied for lack of truth.
27. Wherefore paragraph is denied.

**FIRST-AMENDED COUNTERCLAIM NO. 3**

**DEFAMATION COUNT ONE**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
2. Denied for lack of truth.
3. Denied for lack of truth.
4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of truth.
7. Denied for lack of truth.
8. Denied for lack of truth.
9. Denied for lack of truth.
10. Denied for lack of truth.
11. Denied for lack of truth.
12. Denied for lack of truth.
13. Denied for lack of truth.
14. Denied for lack of truth.
15. Denied for lack of truth.
16. Wherefore paragraph is denied.

#### **IV. FIRST-AMENDED COUNTERCLAIM NO. 4**

##### **DEFAMATION COUNT TWO**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
2. Denied for lack of truth.

3. Denied for lack of truth.
4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of truth.
7. Denied for lack of truth.
8. Denied for lack of truth.
9. Denied for lack of truth.
10. Denied for lack of truth.
11. Denied for lack of truth.
12. Denied for lack of truth.
13. Denied for lack of truth.
14. Denied for lack of truth.
15. Denied for lack of truth.
16. Denied as to the wherefore paragraph.

**V. FIRST-AMENDED COUNTERCLAIM NO. 5 DEFAMATION COUNT 3**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
2. Denied for lack of truth.
3. Request for a more definite statement, and thus denied until clarified.
4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of truth.
7. Denied for lack of truth.

8. Denied for lack of truth.
9. Denied for lack of truth.
10. Denied for lack of truth.
11. Denied for lack of truth.
12. Denied for lack of truth.
13. Denied for lack of truth.
14. Denied for lack of truth.
15. Denied for lack of truth.
16. Denied for lack of truth.
17. Wherefore paragraph denied.

**VI. FIRST-AMENDED COUNTERCLAIM NO. 6 -**

**DEFAMATION COUNT 4**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
2. Denied for lack of truth.
3. Denied for lack of truth.
4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of truth.
7. Denied for lack of truth.
8. Denied for lack of truth.
9. Denied for lack of truth.

10. Denied for lack of truth.

11. Denied for lack of truth.

12. Denied for lack of truth.

13. Denied for lack of truth.

14. Denied for lack of truth.

15. Denied for lack of truth.

#### CONSPIRACY TO COMMIT DEFAMATION

16. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.

17. Denied for lack of truth.

18. Denied for lack of truth.

19. Denied for lack of truth.

20. Denied for lack of truth.

21. Denied for lack of truth.

22. Denied for lack of truth.

23. Wherefore paragraph denied.

#### **VII. FIRST AMENDED COUNTERCLAIM NO. 7,**

#### **DEFAMATION COUNT 5**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.

2. Denied for lack of truth.



3. Please provide a more definite statement here, this is confusing, and thus is denied.
4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of knowledge as to what others told Defendants.
7. Denied for lack of truth.
8. Denied for lack of truth.
9. Denied for lack of truth.
10. Denied for lack of truth.
11. Denied for lack of truth.
12. Denied for lack of truth. (Labeled as 2)
13. Denied for lack of truth.
14. Denied for lack of truth.
15. Denied for lack of truth.
16. Denied for lack of truth.
17. Where paragraph is denied.

**VIII. FIRST-AMENDED COUNTERCLAIM NO. 8 FALSE LIGHT COUNT 1**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
2. Denied for lack of truth.
3. Denied for lack of truth.
4. Denied for lack of truth.

5. Denied for lack of truth.
6. Denied for lack of truth.
7. Denied for lack of truth.
8. Denied for lack of truth.
9. Denied for lack of truth.
10. Denied for lack of truth.
11. Wherefore paragraph denied.

**IX. FIRST-AMENDED COUNTERCLAIM NO. 9 FALSE LIGHT COUNT**

**2**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
2. Denied for lack of truth.
3. Denied for lack of truth.
4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of truth.
7. Denied for lack of truth.
8. Denied for lack of truth.
9. Denied for lack of truth.
10. Where paragraph is denied.

**X. FIRST-AMENDED COUNTERCLAIM NO. 10 FALSE LIGHT COUNT**

**3**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
2. Denied for lack of truth.
3. Denied for lack of truth.
4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of truth.
7. Denied for lack of truth.
8. Denied for lack of truth.
9. Denied for lack of truth.
10. Denied for lack of truth.
11. Where paragraph is denied.

**XI. FIRST-AMENDED COMPLAINT NO 11 FALSE LIGHT COUNT 4**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
2. Denied for lack of truth.
3. Denied for lack of truth.
4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of truth.
7. Denied for lack of truth.
8. Denied for lack of truth.

9. Denied for lack of truth.
10. Denied for lack of truth.
11. Denied for lack of truth.
12. Where paragraph is denied.

**THE NEXT SECTION IS LABELED IX. FIRST-AMENDED COUNTERCLAIM NO. 9 FALSE LIGHT COUNT 5, it seems out of order, but will be answered here.**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
2. Denied for lack of truth.
3. Denied for lack of truth.
4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of truth.
7. Denied for lack of truth.
8. Denied for lack of truth.
9. Denied for lack of truth.
10. Wherefore paragraph is denied.

**XIV. FIRST AMENDED COUNTERCLAIM NO 14 FRAUD**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
2. Denied for lack of truth.
3. Denied for lack of truth.

4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of truth.
7. Denied for lack of truth.
8. Denied for lack of truth.
9. Denied for lack of truth.
10. Denied for lack of truth.
11. Denied for lack of truth.
12. Denied for lack of truth.
13. Denied for lack of truth.

#### **CONSPIRACY TO COMMIT FRAUD**

14. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.

16. Denied for lack of truth.

17. Denied for lack of truth.

18. Denied for lack of truth.

19. Denied for lack of truth.

20. Denied for lack of truth.

21. Wherefore paragraph is denied.

#### **XV. FIRST-AMENDED COUNTERCLAIM NO. 15, IIED OUTRAGE**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
2. Denied for lack of truth.
3. Denied for lack of truth.
4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of truth.
7. Denied for lack of truth.
8. Denied for lack of truth.
9. Denied for lack of truth.
10. Denied for lack of truth.
11. Denied for lack of truth.
12. Denied for lack of truth.
13. Wherefore paragraph denied.

**XVI. FIRST-AMENDED COUNTERCLAIM No. 16, CIVIL RIGHTS OFFENSE**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
2. Denied for lack of truth.
3. Denied for lack of truth.
4. This is a statement of law opinion which does not require a response and is thus denied.

5. Denied for lack of knowledge.
6. Denied for lack of knowledge.
7. Denied for lack of knowledge.
8. This is a statement of law opinion which does not require a response and is thus denied.
9. Denied for lack of knowledge.
10. Denied for lack of knowledge.
11. Denied for lack of truth.
12. Denied for lack of truth.
13. Denied for lack of truth.
14. Denied for lack of truth.
15. Denied for lack of truth
16. Denied for lack of truth
17. Denied for lack of truth
18. Denied for lack of truth
19. Denied for lack of truth
20. Denied for lack of truth
21. Wherefore paragraph denied.

**XVII. FIRST-AMENDED COUNTERCLAIM NO 17 CIVIL RIGHTS  
OFFENSE, Ark.**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.

2. No response required and thus denied.
3. Denied for lack of truth.
4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of truth.
7. Denied for lack of truth.
8. Denied for lack of truth.
9. Denied for lack of truth.
10. Denied for lack of truth.

**CONSPIRACY TO COMMIT CIVIL RIGHTS OFFENSE**

11. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.

12. Denied for lack of truth.
13. Denied for lack of truth.
14. Denied for lack of truth.
15. Denied for lack of truth.
16. Denied for lack of truth.
17. Denied for lack of truth.
18. Wherefore paragraph is denied.

**XVIII. FIRST-AMENDED COUNTERCLAIM NO 18 CIVIL RIGHTS OFFENSE, Ark.**



1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
2. Denied for lack of truth.
3. Denied for lack of truth.
4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of truth.
7. Denied for lack of truth.
8. Denied for lack of truth.
9. Denied for lack of truth.
10. Denied for lack of truth.
11. Denied for lack of truth.
12. Denied for lack of truth.
13. Denied for lack of truth.
14. Denied for lack of truth.
15. Denied for lack of truth.

**CONSPIRACY TO COMMIT CIVIL RIGHTS OFFENSE**

16. Denied for lack of truth.
17. Denied for lack of truth.
18. Denied for lack of truth.
19. Denied for lack of truth.
20. Denied for lack of truth.

21. Denied for lack of truth.
22. Denied for lack of truth.
23. Wherefore paragraph denied.

**XIX. FIRST-AMENDED COUNTERCLAIM No 19 - RETALIATION  
AND INTERFERENCE**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
2. Denied for lack of truth.
3. Denied for lack of truth.
4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of truth.
7. Denied for lack of truth.
8. Denied for lack of truth.
9. Denied for lack of truth.
10. Denied for lack of truth.

**CONSPIRACY TO COMMIT CIVIL RIGHTS OFFENSE**

10. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
11. Denied for lack of truth.
12. Denied for lack of truth.
13. Denied for lack of truth.

14. Denied for lack of truth.
15. Denied for lack of truth.
16. Denied for lack of truth.
17. Wherefore paragraph denied.

**XX. COUNTERCLAIM NO 20 ACTION UNDER COLOR OF LAW**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
2. Denied for lack of truth.
3. Denied for lack of truth.
4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of truth.
7. Denied for lack of truth.
8. Denied for lack of truth.
9. Denied for lack of truth.
10. Denied for lack of truth.
11. Denied for lack of truth.
12. Denied for lack of truth.
13. Denied for lack of truth.

**CONSPIRACY TO COMMIT CIVIL RIGHTS OFFENSES**

14. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.

15. Denied for lack of truth.
16. Denied for lack of truth.
17. Denied for lack of truth.
18. Denied for lack of truth.
19. Denied for lack of truth.
20. Denied for lack of truth.
21. Wherefore paragraph denied.

**XXI. COUNTERCLAIM No 21 - ACTION UNDER COLOR OF STATE**

**LAW COUNT 6**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
2. Denied for lack of truth.
3. No response required, denied as such.
4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of truth.
7. Denied for lack of truth.
8. Denied for lack of truth.
9. Denied for lack of truth.
10. Denied for lack of truth.
11. Denied for lack of truth.
12. Denied for lack of truth.

13. Denied for lack of truth.

**CONSPIRACY TO COMMIT CIVIL RIGHTS OFFENSE**

14. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.

15. Denied for lack of truth.

16. Denied for lack of truth.

17. Denied for lack of truth.

18. Denied for lack of truth.

19. Denied for lack of truth.

20. Denied for lack of truth.

21. Wherefore paragraph denied.

**XXII. COUNTERCLAIM NO 22 - COLOR OF STATE LAW**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.

2. Denied for lack of truth.

3. No response required, denied as such.

4. Denied for lack of truth.

5. Denied for lack of truth.

6. Denied for lack of truth.

7. Denied for lack of truth.

8. Denied for lack of truth.

9. Denied for lack of truth.

10. Denied for lack of truth.

11. Denied for lack of truth.

12. Denied for lack of truth.

13. Denied for lack of truth.

**CONSPIRACY TO COMMIT CIVIL RIGHTS OFFENSE**

14. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.

15. Denied for lack of truth.

16. Denied for lack of truth.

17. Denied for lack of truth.

18. Denied for lack of truth.

19. Denied for lack of truth.

20. Denied for lack of truth.

21. Wherefore paragraph denied.

**XXIII. COUNTERCLAIM 23 - ACTION UNDER COLOR OF STATE LAW**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.

2. Denied for lack of truth.

3. No response required, denied as such.

4. Denied for lack of truth.

5. Denied for lack of truth.

6. Denied for lack of truth.

7. Denied for lack of truth.
8. Denied for lack of truth.
9. Denied for lack of truth.
10. Denied for lack of truth.
11. Denied for lack of truth.
12. Denied for lack of truth.
13. Denied for lack of truth.

**CONSPIRACY TO COMMIT CIVIL RIGHTS OFFENSE**

14. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
15. Denied for lack of truth.
16. Denied for lack of truth.
17. Denied for lack of truth.
18. Denied for lack of truth.
19. Denied for lack of truth.
20. Denied for lack of truth.
21. Wherefore paragraph denied.

**XIV. COUNTERCLAIM NO 24 ACTION UNDER COLOR OF STATE**

**LAW**

1. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
2. Denied for lack of truth.

3. No response required, denied as such.
4. Denied for lack of truth.
5. Denied for lack of truth.
6. Denied for lack of truth.
7. Denied for lack of truth.
8. Denied for lack of truth.
9. Denied for lack of truth.
10. Denied for lack of truth.
11. Denied for lack of truth.
12. Denied for lack of truth.
13. Denied for lack of truth.

**CONSPIRACY TO COMMIT CIVIL RIGHTS OFFENSE**

14. Plaintiff acknowledges Defendants' incorporation of prior paragraphs but denies otherwise.
15. Denied for lack of truth.
16. Denied for lack of truth.
17. Denied for lack of truth.
18. Denied for lack of truth.
19. Denied for lack of truth.
20. Denied for lack of truth.
21. Wherefore paragraph denied.



22. Prayer for relief paragraph denied.

**CLAIMS FROM ANSWER AND OTHER SECTIONS OUTSIDE OF  
THE COUNTERCLAIM SECTION**

1. As to any and all claims of fact or assertions of fact made outside of the Counterclaim section of the Campbell's filing Def's Response and Counterclaims to Plaintiff's Amended Complaint at Law for Defamation/Injunctive Relief, they are Denied for lack of truth generally, and incorporated here by reference specifically as if set forth paragraph by paragraph word for word and each is Denied for lack of truth as such.

**REGARDING MOTION TO QUASH ARREST WARRANT**

Paragraphs 1-7 and wherefore are beyond the scope of these pleadings, Plaintiff is without knowledge, and thus such is denied.

**REGARDING INDISPENSABLE PARTIES SECTION**

Paragraphs 1 through 2 are denied because it is impracticable to join these non-relevant parties.

**REGARDING MOTION FOR JOINDER OF CASES AND PARTIES**

Mr. Turnbough agrees to join cases 25CV-24-72 and 25CV-24-73 for judicial economy. Denied as to the request to join parties listed in the REQUEST TO JOIN PARTIES section, all paragraphs.

**AFFIRMATIVE DEFENSES**

Counterclaim-Defendant Rogers assert the following affirmative defenses in response to Campbell's claims:

1. Assumption of Risk: Counterclaim-Plaintiff's claims are barred, in whole or in part, by Counterclaim-Plaintiff's assumption of the risk associated with the alleged conduct.
2. Contributory Negligence: Counterclaim-Plaintiff's claims are barred, in whole or in part, by Counterclaim-Plaintiff's own contributory negligence which contributed to the harm alleged.
3. Estoppel: Counterclaim-Plaintiff's claims are barred, in whole or in part, by the doctrine of estoppel, based on Counterclaim-Plaintiff's prior representations or conduct which preclude them from asserting the claims.
4. Fraud: Counterclaim-Plaintiff's claims are barred, in whole or in part, by fraud perpetrated by the Counterclaim-Plaintiff, which undermines the validity of the claims.
5. Waiver: Counterclaim-Plaintiff's claims are barred, in whole or in part, by the doctrine of waiver, as Counterclaim-Plaintiff has knowingly and voluntarily relinquished any rights to assert the claims.

WHEREFORE, Counterclaim-Defendant respectfully requests that this Court dismiss the Campbell's Counterclaims in their entirety and grant any other relief the Court deems just and proper.

Respectfully submitted,

Melissa Rogers, Plaintiff

/s/John T. McGinnes, Esq.

Bar# 2024042

The Iron Rock Law Firm

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**CERTIFICATE OF SERVICE**

I, John T. McGinnes, do hereby state that I have on this 19th day of November, 2024, served a true and correct copy of the above and foregoing electronically:

Dave and Dawn Campbell  
campbell@ilovejesus.com  
440 Main St  
Mammoth Spring, AR 72554

/s/John T. McGinnes, Esq.

ARBar#2024042