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NO. _____

JEFFERSON CIRCUIT COURT

DIVISION _____ (#)
84873

JESSE LEWIS WALKER,

PLAINTIFF,

v.

VERIFIED COMPLAINT

LYNN LEMMON WALKER,

DEFENDANT.

SERVE: Lynn Lemmon Walker
3740 UPPER RIVER ROAD
LOUISVILLE KY 40207
*Via Electronic Mail to Counsel,
Hon. Louis Waterman, with permission*

* * * * *

The Plaintiff, Jesse Lewis Walker, by verification and by counsel, states as follows:

INTRODUCTION

This is a civil action brought by Plaintiff, Jesse Lewis Walker, against Defendant, Lynn Lemmon Walker, for intentional misrepresentation and fraud, intentional infliction of emotional distress or the tort of outrage, and punitive damages.

THE PARTIES

1. Plaintiff, Jesse Lewis Walker (hereinafter "Jesse" or "Plaintiff"), is a resident of Charlestown, Clark County, Indiana.
2. Defendant, Lynn Lemmon Walker, (hereinafter "Lynn" or "Defendant") is a resident of Louisville, Jefferson County, Kentucky.

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JURISDICTION AND VENUE

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3. This Court has jurisdiction over this matter pursuant to KRS 23A.010. The amounts claimed as damages are greatly in excess of the minimum requirements of the Circuit Court's jurisdiction.

4. Venue is proper in this Court under KRS 452.450 as the actions giving rise to this complaint occurred in Jefferson County, Kentucky, and other states as set out below.

SUMMARY OF RELEVANT FACTS

5. The Parties are mother and son. Lynn gave birth to Jesse on May 10, 1978, in Houston, Texas.

6. Through most of Jesse's childhood, he and Lynn were close.

7. Jesse's father,¹ David Walker, was often working, so Jesse interacted most with Lynn.

8. Jesse and Lynn's relationship was more tumultuous during his adolescence.

9. The entire family was in therapy on and off through the 80s and 90s.

10. Despite remaining in frequent contact into Jesse's adulthood, the relationship has often been strained.²

11. In approximately 2010, he began having serious, life-threatening medical issues. The lack of a complete family history—caused by Lynn—resulted in a significant, almost deadly, delay in Jesse getting a proper diagnosis and treatment.

¹ Plaintiff uses the term "father" despite the fact that he is not the genetic son of David Walker. The "father/son" relationship is based on mutual love and affection, despite the untruthful statements of the Defendant for at least three decades.

² Lynn has had depressive episodes and chosen to be uninvolved in the life of Jesse's daughter, her granddaughter.

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12. In February 2010, Lynn and David Walker separated.

13. Lynn filed for divorce on July 20, 2010. She entered verified pleadings on the record indicating all three children were born “of the marriage.” Lynn Lemmon Walker knowingly continued her fraud upon the Family Court.

14. The Final Decree was entered on January 4, 2011.

15. In late 2020, both David and Lynn Walker underwent genetic testing to determine whether Jesse had a genetic disorder. Unbeknownst to Jesse, Lynn expressed hesitation about genetic testing at the time. It was around this time that she told David she had been sexually assaulted around the time she got pregnant with Jesse. She had been worried about Jesse getting a DNA test for his medical conditions and was only now revealing she had known for Jesse’s entire life that his paternity was in question.

16. Importantly, the DNA testing was *not* performed to confirm paternity, so David still had no reason to believe Jesse was not his biological son.

17. On December 21, 2020, Eddie Carley contacted Jesse and disclosed an affair between himself and Lynn. Mr. Carley believed he was Jesse’s biological father. He alleged that Lynn had known this to be true “all along” and hidden the truth to retain the financial windfall she received in the divorce. *See* “Avowal Affidavit of Jesse Walker,” filed April 30, 2024, Case No. 10-CI-502674, Jefferson Family Division Four (4), attached as Exhibit 1.

18. These communications were memorialized in texts between Jesse Walker and Eddie Carley. *See also* “Texts between Jesse Walker and Eddie Carley,” dated December 21, 2020, attached as Exhibit 2.

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19. Mr. Carley, in his text conversation with Jesse, provided inside information about Jesse, his mother, and the family. Jesse could at least confirm that Mr. Carley knew Lynn well.
20. Mr. Carley reported that he had met and spoken with Lynn regularly after Jesse was born, including soon after his birth so Mr. Carley could meet and hold Jesse.
21. Jesse's partner, Shelby York, confronted Lynn, who denied knowing Mr. Carley at all. *See* Exhibit 1.
22. Lynn quickly reached out to David, claiming that she did, in fact, know Mr. Carley. She claimed he had sexually assaulted her in 1978 in Texas. She claimed she was ashamed to share this with her then-husband and family as the reason she questioned Jesse's paternity.
23. Within days of Jesse confronting Lynn, David and Jesse met and discussed this story. They confirmed that she had given them different stories, causing them to question her credibility.
24. Lynn maintained this fabrication until she cut off contact with David. Meanwhile, David spoke with Mr. Carley.
25. Lynn eventually recanted her reports of sexual assault and admitted to the affair to David. Even so, Lynn still claimed her communication with Mr. Carley was "stalkerish."
26. Despite her admissions, she reached out in approximately 2015 and talked to him specifically about Jesse's medical issues. *See* "Texts between Lynn Walker and David Walker," dated December 27-28, 2020, attached as Exhibit 3.
27. Lynn initially stated she had been worried about Jesse's paternity when the Lynn and David were undergoing genetic testing to identify any genetic causes for his illnesses.

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28. Once her lies were revealed, she asserted she *never* believed Mr. Carlley was the father. *See* Exhibit 3.
29. Lynn kept this secret through the marriage, divorce, and Jesse's serious illnesses entirely to protect her ability to profit off of this fraud upon David and the Court.
30. In fact, on June 28, 2022, in court proceedings regarding post-dissolution attempts to continue receiving maintenance payments, Lynn explicitly stated that "**three** children were ***born of the marriage.***" Emphasis added. *See* "Affidavit of Petitioner," filed June 28, 2022, Case No. 10-CI-502674, attached as Exhibit 4.
31. For almost a decade after the divorce, Lynn received over \$2.6 million in maintenance, so she could maintain a lifestyle she only acquired and retained through deceit and fraudulent disclosures. Further, David paid additional bills including car insurance, health insurance, and telephone bills.
32. For the same period of time, Lynn silently watched as Jesse suffered through brain surgeries, the complete removal of Jesse's pituitary gland, complications that were almost fatal to her son, hormone replacement therapies, and phlebotomies.
33. Lynn watched her son struggle to maintain a full-time job because of his medical conditions and care.
34. Lynn had full knowledge of his need for antidepressants to help treat his depression and PTSD that arose from his ongoing health issues.
35. Lynn was not moved to disclose information that could have prevented this suffering and the extensive damage to her son's body.
36. Hereditary hemochromatosis is autosomal recessive, meaning ***both*** parents must pass a copy of the mutated gene to the child for the child to develop the condition.

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37. Jesse has been diagnosed with Cushing's disease, which may have a genetic component, and hereditary hemochromatosis, which clearly has a genetic component. Had Jesse's hemochromatosis been identified early, as is common for this condition, he would not have had more severe complications from the untreated condition.

38. Hemochromatosis can cause dysfunction of the pituitary gland. The delay in identifying this cause of the dysfunction of Jesse's pituitary gland likely caused the level of dysfunction that resulted in Jesse developing Cushing's disease.

39 On April 10, 2024, Plaintiff secured a DNA Paternity test which now proves that the child's father is not the Plaintiff herein. *See* "LabCorp DNA Paternity Results," dated April 10, 2024, attached as Exhibit 5.

40. As of the date of filing this complaint, and to the best of Jesse's knowledge and belief, Lynn has not attempted to communicate with her son, Jesse Walker, other than a single email asking his eventual forgiveness.

COUNT ONE: FRAUD AND MISREPRESENTATION

41. Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

42. As outlined above, the Defendant made false representations over several decades. These misrepresentations were made orally as well as in writing. They were made repeatedly. They were made on legal documents, including those provided to the State of Texas—namely, Jesse's birth certificate—and the Commonwealth of Kentucky in the Parties' divorce action in Jefferson Circuit Court as well as those provided to. She

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continued making these false representations on school enrollment documents and
medical records throughout Jesse's childhood.

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43. The misrepresentations were intentionally made to conceal material facts known to the Defendant and with the intent to cause injury to the Plaintiff.

44. The Defendant deceived the Plaintiff and his physicians, causing him to be substantially injured.

45. The misrepresentations were made by the Defendant intentionally and knowingly.

46. The false representations were deliberately designed to deceive and mislead the Plaintiff and his father on the issue of the actual paternity of a minor child.

47. The Defendant also acted toward the Plaintiff with malice.

48. Lynn's deceit in the face of her firstborn's suffering demonstrates a flagrant indifferent to the rights of the Plaintiff. As the Plaintiff suffered through brain surgeries and complications from his hereditary medical conditions, the Defendant at all times was subjectively aware that her continued deceit and concealment of the Plaintiff's paternity could result in his death or bodily harm.

49. The Defendant intended to deceive the Plaintiff for her own pecuniary gain.

50. The Defendant acted entirely indifferent to the Plaintiff, seeking instead to protect her personal reputation alongside assets and monies gained through her deceit upon the Plaintiff's father and the Jefferson Family Court.

51. The Plaintiff has incurred physical injury and economic and other damages causally related to the wrongful and spiteful representations of the Defendant.

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COUNT TWO - OUTRAGE

52. Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

53. Defendant's conduct was intentional or reckless.

54. Defendant's conduct was outrageous and intolerable in that it offends against the generally accepted standards of decency and morality.

55. Defendant's malicious disregard of her firstborn son's physical and emotional pain and suffering in favor of her own pecuniary gain is utterly intolerable in a civilized community.

56. Defendant's conduct caused Plaintiff to suffer severe emotional distress, including but not limited to PTSD and depression for which he must take daily medication to attempt to manage his symptoms.

57. As a direct and proximate result of Defendant's outrageous conduct, Plaintiff has suffered damages.

DAMAGES

58. Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

59. Plaintiff seeks damages as will be proven at trial. These damages include, but are not limited to, compensation for medical expenses, loss of assets, attorney fees, and litigation expenses.

60. Defendant's conduct was willful, wanton, malicious, and demonstrated reckless disregard for the rights of Plaintiff.

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61. Plaintiff is entitled to punitive damages to punish Defendant for her conduct and to deter similar conduct.

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REQUEST FOR JURY TRIAL

WHEREFORE, the Plaintiff prays:

1. For a trial by jury;
2. For his actual damages, compensatory damages, and punitive damages as set out hereinabove.
3. For his attorney fees and other litigation costs herein expended;
4. For any and all proper relief to which the Plaintiff may be entitled including, but not limited to, prejudgment interest, post-judgment interest after entry of judgment, attorney fees, court costs, expenses, and any other and all proper relief.

VERIFICATION

Plaintiff, Jesse Lewis Walker, states that the allegations and demand for relief set out in this Verified Complaint represent the relief to which Plaintiff is entitled and that all allegations contained therein are true to the best of his knowledge.

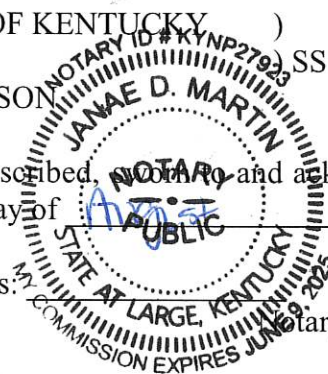


Jesse Lewis Walker
Plaintiff

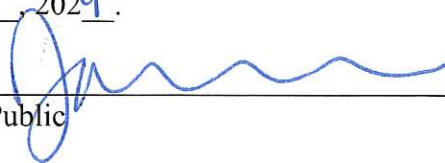
COMMONWEALTH OF KENTUCKY)
COUNTY OF JEFFERSON) SS

The foregoing was subscribed, read, and acknowledged before me by Jesse Lewis Walker on this 22nd day of August, 2024.

My Commission expires:



Notary Public



Presiding Judge: HON. ERIC J. HANER (630420)

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Dated: August 22, 2024

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Respectfully submitted,

HELMERS + ASSOCIATES

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By: /s/ John H. Helmers, Jr.

John H. Helmers, Jr.

KBA No. 84873

By: /s/ Melina Hettianatchi

KBA No. 99256

607 West Main St, Suite 202

Louisville, Kentucky 40202

Phone: (502) 581-0077

Fax: (502) 581-0078

jhelmers@helmerslaw.com

melina@helmerslaw.com

Counsel for Plaintiff

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