

**IN THE DISTRICT COURT OF HOBBITON
REALM OF THE SHIRE
MIDDLE EARTH**

SMÉAGOL d/b/a GOLLUM,

PLAINTIFF,

v.

A Civil Action

FRODO BAGGINS and BILBO BAGGINS,

DEFENDANTS.

COMPLAINT

Plaintiff, Sméagol, *pro se* and *in forma pauperis*, demands a jury trial on all issues in this matter. Plaintiff alleges and states as follows:

PARTIES

1. Sméagol has lived transiently for some time. He was most recently domiciled at Torech Ungol in Cirith Ungol and is a citizen of Mordor.
2. Frodo Baggins (Frodo) has lived at Bag End in Hobbiton for 29 years. Frodo is domiciled in Hobbiton and is a citizen of The Shire.
3. Bilbo Baggins (Bilbo) has lived at The Last Homely House East of the Sea for 17 years. Bilbo is domiciled in Rivendell and is a citizen of Eriador.

JURISDICTION AND VENUE

4. This Court has jurisdiction over this action pursuant to 28 M.E.C. § 1332(a)(3) because this matter involves a dispute between citizens of different Realms and the value of the amount in controversy exceeds the sum of 75,000 silver pieces.

5. Venue in this judicial district is proper pursuant to 28 U.S.C. § 1391(b)(2) because the property that is the subject of the action is currently situated in this district.

BACKGROUND

6. This complaint arises out of Defendants' conversion of Plaintiff's personal property, one precious ring (hereinafter "The Ring").
7. The fair market value of the ring is estimated at 1,000,000,000,000 silver pieces.

FACTUAL ALLEGATIONS COMMON TO ALL COUNTS

8. In TA 2463, Plaintiff's friend and cousin, Déagol, went fishing in The Great River Anduin at the Gladden Fields.
9. While fishing in The Great River Anduin, Déagol discovered the ring.
10. Upon finding the ring, Déagol obtained rightful title to The Ring as the finder of property that was lost, mislaid, or abandoned when it passed from Isildur, King of all the Dúnedain, in the Disaster of the Gladden Fields, on October 5, TA 2.
11. In TA 2463, Plaintiff received the ring as a birthday present from his friend and cousin, Déagol, whose untimely death occurred shortly after conveyance of full title to Plaintiff and his heirs.
12. Plaintiff continues to retain full title to the ring and has not conveyed rights of ownership to any others, including the defendants, Bilbo and Frodo.
13. Plaintiff considers the ring extraordinarily precious and is bound to it in such a way that such ownership rights should be considered inalienable under the personhood theory of property.
14. On or about July, TA 2941 in the Misty Mountains, Defendant Bilbo converted Plaintiff's ring.
15. Upon information and belief, Plaintiff believes Bilbo fraudulently transferred this ring to Frodo Baggins at Bag End in Hobbiton on September 22, TA 3001.
16. Upon information and belief, Plaintiff believes Frodo has been in wrongful possession of this ring since September 22, TA 3001.
17. Rightful ownership of the ring has not passed through adverse possession because Plaintiff was unable to locate the defendants and had no opportunity to assert property rights.

18. Below counts are not subject to Statutes of Limitations because Plaintiff only recently learned the locations of the defendants.

COUNT I

CONVERSION BY FRODO BAGGINS

CAUSE OF ACTION

19. Plaintiff realleges and incorporates paragraphs 1-18 of this Complaint as if fully set forth herein.
20. Plaintiff is entitled to immediate possession of the ring so as to exercise rights consistent with rightful ownership.
21. Defendant Frodo has continuously exercised dominion and control over the ring.
22. Defendant Frodo has intentionally denied Plaintiff possession and use of the ring.
23. Defendant Frodo's interference with Plaintiff's rights of possession of the ring caused Plaintiff pecuniary and emotional loss.

PRAYER FOR RELIEF

WHEREFORE, Sméagol respectfully requests that this Court:

- (a) enter a judgment of Conversion and order of Replevin in favor of Sméagol and against Frodo Baggins;
- (b) require the Shiriffs to take possession of the ring from Frodo Baggins and turn it over to Sméagol;
- (c) require Frodo Baggins to tender the ring to the Shiriffs;
- (d) render Sméagol's attorneys' fees and costs incurred in prosecuting this action; and
- (e) grant such other relief as this Court deems appropriate.

COUNT II

CONVERSION BY BILBO BAGGINS

CAUSE OF ACTION

24. Plaintiff realleges and incorporates paragraphs 1-18 of this Complaint as if fully set forth herein.

25. Plaintiff is entitled to immediate possession of the ring so as to exercise rights consistent with rightful ownership.
26. Defendant Bilbo exercised dominion and control over the ring by fraudulently transferring it to Defendant Frodo.
27. Defendant Bilbo intentionally denied Plaintiff possession and use of the ring in the Misty Mountains on or about July, TA 2941.
28. Defendant Bilbo's interference with Plaintiff's rights of possession of the ring caused Plaintiff pecuniary and emotional loss.

PRAYER FOR RELIEF

WHEREFORE, Sméagol respectfully requests that this Court:

- (a) enter an order of detinue in favor of Sméagol and against Bilbo Baggins;
- (b) require the Shiriffs to take the ring from Frodo Baggins and turn it over to Sméagol;
- (c) require Bilbo Baggins to instruct Frodo Baggins to tender the ring to the Shiriffs;
- (d) render Sméagol's attorneys' fees and costs incurred in prosecuting this action;
and
- (e) grant such other relief as this Court deems appropriate.

COUNT III

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS BY BILBO BAGGINS

CAUSE OF ACTION

29. Plaintiff realleges and incorporates paragraphs 1-18 of this Complaint as if fully set forth herein.
30. On or about July, TA 2941 in the Misty Mountains, Plaintiff and Defendant Bilbo engaged in a Riddle Game (hereinafter "Riddles in the Dark").
31. The final riddle given by Defendant Bilbo, "What have I got in my pocket?" was not a legal riddle.

32. For the purposes of the game, only, and in the interests of promoting fair play, Plaintiff allowed Defendant Bilbo to proceed with his final riddle under the provision that Plaintiff have three chances to guess the contents.
33. Upon information and belief, Plaintiff believes his first guess, "Handses," was correct and that Defendant Bilbo removed his hand from his pocket in response to Plaintiff's guess.
34. In the alternative, upon information and belief, Plaintiff believes his third guess, "String, or nothing" was correct because Defendant Bilbo had at least one pocket that was empty or contained only a stray thread.
35. Upon information and belief, Plaintiff believes Defendant Bilbo was in possession of the ring when the contestants engaged in Riddles in the Dark.
36. Upon information and belief, Plaintiff believes that Bilbo Baggins was fully aware that the ring was rightfully owned by the Plaintiff but did not return the ring to its rightful owner.
37. In maintaining possession of the ring, Defendant Bilbo acted with an intentional disregard for Plaintiff's rights.
38. Defendant Bilbo was aware that the Plaintiff considered the ring "precious."
39. Defendant Bilbo was substantially certain that depriving Plaintiff of the ring would cause Plaintiff to suffer not only anxiety but also sustained and severe emotional distress.
40. In light of this substantial certainty, the conduct exhibited by Defendant Bilbo would be considered outrageous by any reasonable person's standard.
41. As a result of this outrageous conduct, Plaintiff now exhibits signs of klazomania, including coprolalia and palilalia
42. Also as a result of this outrageous conduct, Plaintiff exhibits signs of schizoaffective disorder, including hallucinations, delusions, psychosis, and extreme social isolation.

PRAYER FOR RELIEF

WHEREFORE, Sméagol respectfully requests that this Court:

- (a) enter a verdict of Intentional Infliction of Emotional Distress in favor of Plaintiff and against Defendant Bilbo Baggins;
- (b) award Plaintiff his compensatory damages for the emotional distress intentionally caused by Defendant Bilbo Baggins;

(c) award Plaintiff punitive damages for the emotional distress intentionally caused by Defendant Bilbo Baggins; and

(d) grant such other relief as this Court deems appropriate.

Respectfully submitted *pro se* and *in forma pauperis*,

Sméagol

By /s/ Sméagol

Sméagol
c/o Shelob
Torech Ungol
Cirith Ungol, Mordor