

FILED  
DATE: February 23, 2026  
TIME: 1:14:31 PM  
DUPLIN COUNTY  
CLERK OF SUPERIOR COURT  
BY: K. Jackson

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
26CV000260-300

NORTH CAROLINA  
  
DUPLIN COUNTY

**JESSICA THOMAS,**  
PLAINTIFF

VS

**TOWN OF WARSAW,  
CRYSTAL LEA TURNER,  
(in her official capacity as Town  
Manager of Warsaw and individually)**  
DEFENDANTS

**COMPLAINT**

COMES NOW the Plaintiff named above, and respectfully moves the Court for an order Compelling the Defendants, Town of Warsaw and Crystal Lea Turner in her official capacity as Town Manager of Warsaw as well as individually, to disclose public records pursuant to N.C.G.S. § 132, and in support of this Complaint, alleges and says:

1. The Plaintiff is a resident of Duplin County, North Carolina.
2. Defendant, Town of Warsaw, is a municipal corporation located in Duplin County, North Carolina.
3. Defendant Crystal Lea Turner is the Town Manager for the Town of Warsaw and a custodian of public records under N.C.G.S. § 132-2. She is sued in her official capacity as the administrative head of the town and individually for her personal and intentional failure to comply with her statutory duties. Defendant is a resident of Duplin County in her individual capacity.
4. This Court has jurisdiction over this matter pursuant to N.C.G.S. § 132-9, which provides that any person denied access to public records may apply

to the appropriate division of the General Court of Justice for an order compelling production.

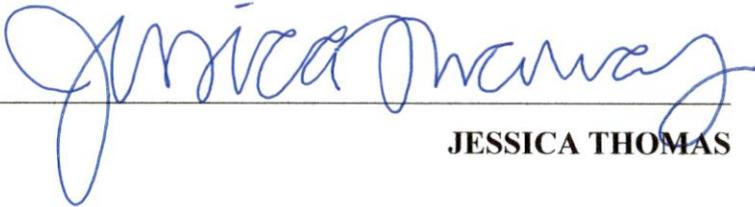
5. On or about **October 20, 2025**, Plaintiff submitted an electronic written public records request to the Town of Warsaw seeking **all correspondence (including emails, text messages, letters, meeting notes, or memoranda) between any official or employee of the Town of Warsaw and any representative of the following parties, from January 1, 2020 to present: North Carolina Department of Environmental Quality (NCDEQ), Villari Foods, C2NC, North Carolina State House Representative Jimmy Dixon or his office, North Carolina State Senator Brent Jackson or his office, United States House Representative Greg Murphy or his office. All attachments, reports, or data transmitted with or referenced in the above correspondence, including (but not limited to) wastewater-treatment, compliance, discharge, violations, or permit-related documents.**
6. Pursuant to N.C.G.S. § 132-6, the Town is required to furnish copies of public records “as promptly as possible.”
7. Since the initial request, Plaintiff has followed up with the Town of Warsaw and Town Manager, Crystal Lea Turner, on multiple occasions, specifically on **November 6, 2025, November 12, 2025, December 4, 2025, December 8, 2025, January 13, 2025, and February 9, 2025.**
8. Copies of the email correspondence and logs documenting these requests are attached as Exhibit A.
9. Despite these repeated requests over a period of months, the Defendants have failed to produce the requested records and have provided only one non-substantive response.
10. This multi-month delay constitutes a constructive denial of the Plaintiff’s rights under the North Carolina Public Records Act.
11. The requested documents are public records as defined by N.C.G.S § 132-1.

12. The Defendants failure to produce the records violates the statutory mandate to provide records “as promptly as possible.’

WHEREFORE, the Plaintiff respectfully prays that this Court:

1. Issue an order compelling the Defendants, the Town of Warsaw, and Crystal Lea Turner, to produce the requested records immediately.
2. Conduct an in camera review of any records the Defendants claim are exempt from disclosure to determine if such exemptions are lawful.
3. Assign this matter priority status for a hearing at the earliest convenience of the Court as indicated by N.C.G.S. § 132-9.
4. Order that the Defendant Crystal Lea Turner be held personally liable for Plaintiff’s costs pursuant to N.C.G.S. § 132-9[c], as her refusal to disclose records was not based on the advice of counsel and was unjustified.
5. Any other relief that the Court deems just.

This the 23 day of February, 2026

  
\_\_\_\_\_  
**JESSICA THOMAS**



Jessica Thomas <jessica.1221.thomas@gmail.com>

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## Public Records Request - WWTP Information

8 messages

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**Jessica Thomas** <jessica.1221.thomas@gmail.com>  
To: "manager@townofwarsawnc.com" <manager@townofwarsawnc.com>

Mon, Oct 20, 2025 at 11:55 AM

Hello,

Pursuant to the North Carolina Public Records Law, N.C. Gen. Stat. Chapter 132, I respectfully request access to the following records:

1. All correspondence (including emails, text messages, letters, meeting notes, or memoranda) between any official or employee of the Town of Warsaw and any representative of the following parties, from January 1, 2020 to present:

- North Carolina Department of Environmental Quality (NCDEQ)
- Villari Foods
- C2NC
- Representative Jimmy Dixon or his office
- Senator Brent Jackson or his office
- Representative Greg Murphy or his office

2. All attachments, reports, or data transmitted with or referenced in the above correspondence, including (but not limited to) wastewater-treatment, compliance, discharge, violations, or permit-related documents.

Please provide the records in an electronic format. If any portions are withheld, identify the specific statutory exemption relied upon and describe the nature of the material withheld.

Thank you for your attention and your commitment to transparency.

Kindly,

Jessica Thomas

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**Lea Turner** <manager@townofwarsawnc.com>  
To: Jessica Thomas <jessica.1221.thomas@gmail.com>

Mon, Oct 20, 2025 at 4:22 PM

Ms. Thomas,

I acknowledge your request and respectfully ask that you allow me some time to review and gather the items you are requesting. I am in the middle of a large project at this time and will respond as quickly as possible.

Thank you in advance for your understanding and cooperation.

**Lea Turner**

Town Manager  
Town of Warsaw  
PO Box 464  
Warsaw, NC 28398  
(910) 293-7814 ext. 105 phone  
(910) 385-6710 mobile  
manager@townofwarsawnc.com



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**Jessica Thomas** <jessica.1221.thomas@gmail.com>  
To: Lea Turner <manager@townofwarsawnc.com>

Mon, Oct 20, 2025 at 7:07 PM

Hi Lea,

Sure—that will be no problem at all. Thank you for the acknowledgement and for your attention!

Jessica

[Quoted text hidden]

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**Jessica Thomas** <jessica.1221.thomas@gmail.com>  
To: Lea Turner <manager@townofwarsawnc.com>

Thu, Nov 6, 2025 at 1:24 PM

Hello!

Just circling back here—Do we have an estimated time of completion for this records request?

Kindly,  
Jessica Thomas

[Quoted text hidden]

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**Jessica Thomas** <jessica.1221.thomas@gmail.com>  
To: Lea Turner <manager@townofwarsawnc.com>

Wed, Nov 12, 2025 at 11:50 AM

Do we have an update on this?

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**Lea Turner** <manager@townofwarsawnc.com>  
To: Jessica Thomas <jessica.1221.thomas@gmail.com>

Thu, Nov 13, 2025 at 6:31 PM

Ms. Thomas,

I am finishing up my project now and working on training a new employee. I have sent the request out to my board members for them to review their records. As I get their responses, I will work on getting information to you.

Lea Turner

[Quoted text hidden]

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**Jessica Thomas** <jessica.1221.thomas@gmail.com>  
To: Lea Turner <manager@townofwarsawnc.com>

Thu, Nov 13, 2025 at 7:55 PM

Thank you for the update. —Jessica

[Quoted text hidden]

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**Jessica Thomas** <jessica.1221.thomas@gmail.com>  
To: Lea Turner <manager@townofwarsawnc.com>

Thu, Dec 4, 2025 at 1:53 PM

Hi! Any updates?

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Jessica Thomas <jessica.1221.thomas@gmail.com>

## Public Records Follow-up

4 messages

Jessica Thomas <jessica.1221.thomas@gmail.com>

Mon, Dec 8, 2025 at 1:44 PM

To: Lea Turner <manager@townofwarsawnc.com>

Bcc: kemp@cfw.us, hnelson@selc.org, Coachebonywells@gmail.com, mmorris272@aol.com, James Smith <presidentnaacpduplin@gmail.com>, Ena Sellers <ena@northstatejournal.com>, Lauren Branch <lbranchnews@gmail.com>, Christa Parker <czparker089@gmail.com>

Good afternoon,

I'm writing to follow up on my public records request submitted Monday, October 20, regarding all communications between elected officials and the Town of Warsaw. The issue I am questioning is related to the recent 10-million-gallon untreated wastewater spill affecting the Town of Warsaw and the downstream communities located in the Cape Fear River Basin.

My request is as follows:

**All correspondence (including emails, text messages, letters, meeting notes, or memoranda) between any official or employee of the Town of Warsaw and any representative of the following parties, from January 1, 2020 to present:**

- **North Carolina Department of Environmental Quality (NCDEQ)**
- **Villari Foods**
- **C2NC**
- **Representative Jimmy Dixon or his office**
- **Senator Brent Jackson or his office**
- **Representative Greg Murphy or his office**

**2. All attachments, reports, or data transmitted with or referenced in the above correspondence, including but not limited to wastewater-treatment, compliance, discharge, violations, or permit-related documents.**

I want to be absolutely clear: I am investigating this public-health emergency on behalf of the residents of Warsaw who have asked me to dig for answers *and* the hundreds of thousands of people downstream who are impacted by the ten-million-gallon spill specifically.

Furthermore, it is my understanding that there has been communication between the "Town of Warsaw" and some (if not all parties) mentioned and I am curious as to what those communications include. Also, I have spoken with several others who have expressed serious concern about the scale and potential ramifications of this spill. I do intend to get to the bottom of what happened, what was known, when it was known, who knew it and how this crisis has been handled.

Regarding the email/public records issue...it has come to my attention that elected officials with the Town of Warsaw do not utilize separate emails for their official duties. However, as I am sure you are aware, **North Carolina public records law applies to *all* records created or received in the transaction of public**

**business** regardless of whether an official used a government email account, a personal email account, a cell phone, a smoke signal, or any other device or platform. Using a personal email account does **not** exempt a public official from public records requirements under N.C. Gen. Stat. § 132. It is my understanding that the law follows the *content*, not the inbox. Therefore, any responsive emails, messages, or correspondence concerning the spill, its reporting, internal discussions, mitigation efforts, or communications with agencies or private entities **must be produced**. If responsive public records exist on personal accounts or devices, they **must be retrieved and provided**. Failure to do so would constitute an improper withholding of public records. Should you fail to produce said records I will make an official report to the State Auditor's office and the Department of Justice.

**Given the urgency and magnitude of this public-health matter**, I am requesting that these records be provided **as soon as possible**. If there are delays, I ask that you provide a written explanation describing the scope of retrieval, expected timeline for production, and any questions regarding clarification.

Thank you for your prompt attention to this request. I look forward to receiving the records.

Kindly,

Jessica Thomas

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Lea Turner <manager@townofwarsawnc.com>  
To: Jessica Thomas <jessica.1221.thomas@gmail.com>

Wed, Dec 10, 2025 at 1:00 PM

Dear Ms. Thomas,

The Town of Warsaw acknowledges receipt of your public records request dated October 20, 2025, and your follow-up correspondence dated December 8, 2025, concerning communications related to the recent wastewater discharge incident involving the Town of Warsaw and downstream communities.

The Town takes its obligations under North Carolina's Public Records Act, N.C. Gen. Stat. Chapter 132, seriously and is committed to complying in good faith with all lawful disclosure requirements.

Consistent with Chapter 132, the Town will produce **non-exempt public records in its possession or custody** that were **created or received in the transaction of public business**, within the applicable timeframe of January 1, 2020 to the present, including:

1. **Final correspondence** (including emails and letters) between Town officials or employees and:

to the extent such correspondence relates to Town business concerning wastewater treatment, compliance, reporting, permitting, or response measures.

- The North Carolina Department of Environmental Quality (NCDEQ);
- Villari Foods;
- C2NC; and
- State or federal elected officials or their offices,

1. **Attachments and reports** that were transmitted with responsive communications or that are maintained by the Town as official records.

2. **Factual records and data** maintained by the Town related to wastewater operations, reporting, mitigation efforts, and regulatory compliance, subject to lawful redactions.

Records will be produced on a rolling basis as they are gathered and reviewed.

Certain materials requested are not subject to disclosure under North Carolina law and will be withheld or redacted as permitted by statute and case law, including but not limited to:

- **Attorney-client privileged communications** and attorney work product;
- **Draft documents**, internal deliberations, or preliminary materials protected under applicable law;

- **Trade secrets or confidential commercial information** belonging to private entities as protected by N.C. Gen. Stat. § 132-1.2;
- **Security-sensitive or infrastructure vulnerability information** exempt from disclosure;
- **Personnel records** protected under N.C. Gen. Stat. § 160A-168 or related statutes;
- Communications that are **purely political, personal, or unrelated to the transaction of Town business**;
- Records that are **not in the Town's possession or custody**, including communications held solely by third parties or legislative offices; and
- Records that were **not retained** pursuant to applicable records-retention schedules.

Additionally, while the Town will make a reasonable and good-faith effort to locate responsive public records, the Public Records Act does not require the Town to produce entire personal email accounts, personal devices, or non-responsive personal communications of Town officials or employees.

The Town is currently conducting a reasonable search for responsive records, including requesting that Town officials and employees identify and provide public records created or received in the transaction of Town business. Any records located on personal accounts or devices that meet the legal definition of public records will be produced consistent with the law.

Given the scope of the request and the volume of potentially responsive records, the Town anticipates that production will occur in phases. If additional time is required, the Town will continue to communicate expected timelines and status updates.

The Town intends to comply fully with its legal obligations under North Carolina law while protecting confidential, privileged, and exempt information as required. If you wish to clarify or narrow any portion of your request to facilitate production, you may do so, though such clarification is not required.

Thank you for your attention to this matter. Please direct any further correspondence regarding this request to my office.

Sincerely,

**Lea Turner**

Town Manager  
 Town of Warsaw  
 PO Box 464  
 Warsaw, NC 28398  
 (910) 293-7814 ext. 105 *phone*  
 (910) 385-6710 *mobile*  
[manager@townofwarsawnc.com](mailto:manager@townofwarsawnc.com)



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**Jessica Thomas** <jessica.1221.thomas@gmail.com>  
 To: Coachebonywells@gmail.com

Tue, Dec 30, 2025 at 3:53 PM

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**Jessica Thomas** <jessica.1221.thomas@gmail.com>  
 To: Lea Turner <manager@townofwarsawnc.com>  
 Bcc: Ena Sellers <ena@northstatejournal.com>, Coachebonywells@gmail.com, Marzella Morrissey <mmorris272@aol.com>

Tue, Jan 13, 2026 at 1:01 PM

Ms. Turner,

Thank you for your December 10, 2025, response acknowledging my public records request originally submitted on October 20, 2025.

As of today, I have still not received any records, nor have I been provided a concrete timeline for when I would receive them. At this point, almost three whole months have passed since the request was submitted and as you know under North Carolina law, public records must be produced "as promptly as possible," This should be a simple search and send...and three months is in no way "prompt".

To be clear, I am not requesting access to entire personal email accounts or devices. I am requesting production of public records specifically around the wastewater treatment plant debacle and elected officials ...regardless of where they are stored. .

Given the scale of the **ten-million-gallon untreated wastewater spill and the significant downstream public-health implications, further delay is absolutely not reasonable.**

Best Regards,  
Jessica Thomas  
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Public comment submitted to the Town of Warsaw on February 9, 2026 at their Town meeting:

Good evening.

My name is Jessica Thomas. I am not a resident of Warsaw. I am the Environmental Justice Chair for the Duplin County NAACP and a Board Member for the Cape Fear River Watch.

I was contacted by several Warsaw citizens and stakeholders to investigate the wastewater treatment plant problems—before the 10 million gallon spill into Stewart’s Creek was even an issue.

I’m here tonight because next week will mark four months since I submitted a lawful public records request to the Town Manager, Lea Turner, regarding the recent discharge incident and related communications. Despite written acknowledgement of my request and statements by Ms. Turner that records would be produced on a “rolling basis,” I have received nothing of what I have asked for.

My original request was sent on October 20, 2025. Ms. Turner replied later that afternoon and stated that she was in the middle of a “large project” and would get started on this request after that was completed. On November 6th and 12th, I followed up on the status of fulfilling my request. On November 13th, Ms. Turner stated she sent the request out to the necessary officials and would get the information to me as it was made available. I followed up again three weeks later on December 8th. On December 10th I received a very long theatrical response where Ms. Turner stated I would receive these records on a rolling basis—which is what she stated one month prior. I followed up once again on January 13, 2026 and here we are almost a month later. Again, 4 months after my original request.

North Carolina law says these records are “property of the public” and they must be provided “as promptly as possible.” To be clear, I am not asking for private material from personal accounts—I am asking for public records created or received in the transaction of public business in any form.

This should not be allowed to stand any longer as transparency is part of your legal and ethical responsibility and further delay is extremely unnecessary.

I’m happy to answer any questions that the board may have regarding this request. However, tonight I must insist that all non-exempt responsive records that have been identified be released to me by the end of business on Friday, February 13, 2026.

If not, I am prepared to take further action.

Thank you.