

10/29/25, 7:59 AM

Gmail - Mayor Pollino's Threat of Criminal Referral for Protected Speech on 8/12/2025 – Request for Confirmation, Correction, or Agenda Inclu...



Chris Comiskey <[REDACTED]>

Mayor Pollino's Threat of Criminal Referral for Protected Speech on 8/12/2025 – Request for Confirmation, Correction, or Agenda Inclusion

Brandon Christian <Brandon.Christian@unioncountync.gov>

Tue, Oct 28, 2025 at 2:24 PM

To: Chris Comiskey <[REDACTED]>

Cc: Bo Caudill <bocaudill@villmercaudill.com>, James Maye <James.Maye@unioncountync.gov>

Dear Mr. Comiskey,

Please see attached the UCSO's response to your communication. Please note that you are to cease communicating with any UCSO personnel other than by calling 911 for emergencies. Should you need to communicate further with any UCSO employee, you may communicate through your attorney to me. UCSO employees are represented in their official capacities by me, and you are not to communicate with my clients directly.

Sincerely,

--

D. Brandon Christian

Chief Legal Counsel



Union County Sheriff's Office

Office of Legal Counsel

3370 Presson Road

Monroe, NC 28112

Cell: (704) 320-6744

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Eddie Cathey Sheriff of Union County

3370 Presson Road
Monroe, North Carolina 28112



Telephone: (704) 283-3789
Fax: (704) 292-2700

Email: eddiecathey@unioncountync.gov

Via Electronic Transmission

October 28, 2025

Mr. Chris Comiskey
VIA ELECTRONIC MAIL TO: [REDACTED]

Re: Response¹

Dear Mr. Comiskey,

I am in receipt of your email purportedly directed to Lt. Maye and a Village of Marvin official, but was also copied to numerous other persons, including members of the news media, thereby constituting publication for the purposes of defamation actions.

This letter will serve as the response to your email by both the Union County Sheriff's Office and Lt. Maye in his official capacity as the public information officer for this agency and a sworn deputy Sheriff.

1. Refused to Cooperate

You claim that Lt. Maye and the UCSO falsely marked that you refused to cooperate following your criminal complaint last year. First, I want to be clear, UCSO reports are internal reporting mechanisms, not public records pursuant to N.C. Gen. Stat. § 132-1.4. They do not constitute public statements, and we do not distribute them.

You asked for a copy of the report and the public version of it was provided to you. YOU are the only person disseminating the "refused to cooperate" language. Therefore, the UCSO and Lt. Maye will not be called to account for its publication.

Much more importantly, Deputy West did offer you the only resolution he could. As I personally have previously written, under North Carolina law, a law enforcement officer may not make a warrantless arrest for a misdemeanor offense not committed in his/her presence. See N.C. Gen. Stat. § 15A-401, *et seq.* I recognize that you are

¹ This is a response to your email of 3:57 p.m. on Thursday October 23, 2025. Your subsequent public records requests will be addressed separately.

not² licensed to practice law in North Carolina, and therefore may not be familiar with or understand the subtleties of our laws. But suffice it to say, it is the routine practice of law enforcement agencies and officers to refer complainants of misdemeanor crimes to the magistrate for the complainant to seek out criminal process.

Deputy West offered this to you. You declined. He did so on body camera video. The standard practice for UCSO is to leave reports open after a complainant has been referred to the magistrate. If the complainant does not seek criminal charges through the magistrate within a reasonable time, the report is closed, noting the victim refused to cooperate by not seeking criminal charges. Your false allegations to the contrary are clearly calculated to harm the reputation of the UCSO and Lt. Maye in both his personal and official capacities, and we demand you immediately and publicly retract these defamatory allegations.

2. August 11, 2025

Neither you nor your wife were named by Lt. Maye in any public meeting on August 11, 2025. Therefore, no allegations were made against you or her.

You are the one who continues to press utterly baseless claims against the UCSO. As for the validity of any claims you may have against the Village of Marvin or any of its officials, they are beyond the scope of my knowledge. However, public court records indicate that your state lawsuit against the Village and its officials has been dismissed, your motion to remand your own appeal has been denied, and a motion to dismiss your federal claims has been fully briefed and is awaiting a ruling. So, I strongly question the validity of those claims. But again, they are beyond the scope of my involvement here.

However, when you make provably false and defamatory claims against the UCSO and its employees, you fall squarely within my area of responsibility. Therefore, I reiterate, neither Lt. Maye nor any other UCSO employee named either you or your wife at any public meeting on August 11, 2025. Your allegations to the contrary are false and defamatory. I demand you publicly retract them.

Reference your assertion that Lt. Maye has only asked for the alleged audio recording of a conversation between Det. Trull and your wife one time, I offer two rejoinders. First, he has done so. Second, I do not care if he has asked once or one hundred times. You have refused to turn it over. I can only assume that, in my opinion, you intend to use parts of the recording, manipulate the record, or otherwise distort the full and

² A search the North Carolina State Bar's attorney database returned no results when I searched by your name. If you are a licensed North Carolina attorney, please feel free to provide me with your bar number for proper inclusion in correspondence and future filings.

complete record of the conversation to suit your private ends. I cannot stop you from doing so. But making public allegations against Lt. Maye when you are withholding the alleged recording is unacceptable, I demand that you cease making these references and allegations regarding a recording that you or yours surreptitiously and maliciously made and that you now refuse to produce for complete inspection.

3. Allegations of Corruption in Office

I shall dispense with the niceties here.

You have publicly alleged that Lt. Maye, both in his personal capacity and official capacity as a Union County Deputy Sheriff, has engaged in corruption of his office.

These allegations will not be tolerated.

They are false, defamatory, injurious, and shall be immediately and publicly retracted.

Lt. Maye has no external connections to any official in the Village of Marvin. He only began to undertake responsibilities for operations in Marvin when the county failed to provide the UCSO a small-town contracts Sergeant, and he was asked by his chain of command to undertake those additional duties above and beyond his role as public information officer. He had neither the desire nor the motivation to get involved in the politics of Marvin and has, at all times, simply sought to make clear the official UCSO position on matters concerning public safety in the Village of Marvin.

4. Your "demands"

You did refuse to cooperate by not going to the magistrate. Therefore, the UCSO report is accurate and will not be changed. You are hereby demanded to publicly retract your defamatory and false statements to the contrary.

This written statement is confirmation that no changes will be made to the report.

Your demand that UCSO alter its communication practices is denied. We will continue to provide truthful and accurate statements of fact whenever appropriate. When (as I have done several times in this letter) an employee of UCSO offers an opinion, it is simply that, a personal opinion rather than a declaration of fact.

I assume this letter serves as certification that no false statements were made at any public meeting on August 11, 2025.

5. Threats

You make threats of various legal actions.

I very much enjoy litigation. So, as the old movie says, "go ahead, and make my day."

But I shall offer you a small caution. Legal actions come with risks. As explained above, neither Lt. Maye nor the UCSO have engaged in defamatory conduct. In fact, the opposite is true. You have already lost in court and continue to press baseless and frivolous claims.

I have advised Lt. Maye that if you file any sort of action against him in his personal capacity that he counterclaim against you for defamation and abuse of process. If you file any action against the UCSO or any of its employees in their official capacities, I will pursue abuse of process claims against you, including punitive damages and attorney's fees.

6. Conclusion

You have chosen to drag the UCSO into your dispute with the Village of Marvin. We had no desire to become a party to this nonsense.

You have the power to end it. Simply stop attempting to use UCSO personal to further your grudge against public officials in the Village and then turning around and defaming our personnel when we do not cooperate with your agenda.

Finally, and I cannot make this clearer, you are hereby placed on notice that you are not to contact any employee or agent of the Union County Sheriff's Office for any reason other than an emergency call to 911. You are represented by counsel (who is copied on this communication) concerning these matters.

As an attorney, I would never directly initiate communications with a represented person. You persist in doing so. You are hereby notified to cease all direct communications. Henceforth, you shall communicate through council. Your attorney knows me and knows how to communicate with me. I assume you are licensed to practice law in some jurisdiction. If you continue to violate the rules of practice in the way you seem to persist, I shall have no choice but to refer you for professional discipline in whatever jurisdiction³ you are licensed.

³ I have not, thus far, made inquiry of this nature, and shall not do so unless you continue to engage in unprofessional conduct and ethical violations.

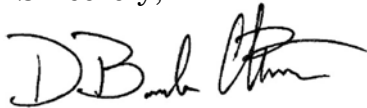
"The People's Law Enforcement"

Continuation Page

Further, I will place you on notice right now that if you do anything that crosses the line into the unauthorized practice of law in North Carolina, I will pursue criminal charges of unauthorized practice of law.

In 17 years of working in law enforcement and more than 16 years of practicing law, I have never had to write a letter like this one. I am appalled that a member of my profession could act in the utterly egregious manner that you have done. Please note, this letter is being sent to you alone and your counsel. Unlike you, I do not try to fight my battles in the press. You are free to publish this letter if you wish. I have neither the authority nor the inclination to try to prevent that. But if you publish this letter and then claim to be harmed by the publication, you will be making a terrible mistake.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Brandon Christian' with a stylized flourish at the end.

D. Brandon Christian/dbc
Chief Legal Counsel
Union County Sheriff's Office
3370 Presson Road
Monroe, NC 28112
(704) 320-6744
brandon.christian@unioncountync.gov

cc: Bo Caudil, Attorney at Law