

IN THE COUNTY COURT OF PIKE COUNTY, MISSISSIPPI

ASHLEIGH BETTIS AND BRITTANY BARNES

PLAINTIFFS

VS.

Cause No.: 20-CV-809

AMANDA B. WHITEHEAD AND JOHN DOES 1 - 10

DEFENDANTS

COMPLAINT

JURY TRIAL DEMANDED

COME NOW, Plaintiffs, ASHLEIGH BETTIS AND BRITTANY BARNES, by and through their attorneys of record and file this, their Complaint, against Defendants, AMANDA B. WHITEHEAD and JOHN DOES 1 - 10, and in support thereof would state as follows, to-wit:

PARTIES

1. Plaintiff, ASHLEIGH BETTIS, is a resident of citizen of Mississippi. She may be served with process at her Attorneys' Offices, address is included herein.

2. Plaintiff, BRITTANY BARNES, is a resident citizen of Mississippi. She may be served with process at her Attorneys' Offices, address is included herein.

3. Defendant, AMANDA B. WHITEHEAD, is an adult resident citizen of Pike County, Mississippi. This Defendant may be served with process at her address: 2031 Emerld Lane, McComb, Mississippi 39648.

4. Defendants John Does 1-10 are other individuals, persons, businesses, corporate persons or entities who may be liable for all or part of the acts and/or omissions committed resulting in the subject incident which involved and resulted in the causes of action alleged by the Plaintiffs herein from which the Plaintiffs may seek recovery of damages.

JURISDICTION AND VENUE

5. This Court has subject matter jurisdiction over this matter pursuant to Miss. Code Ann. § 9-9-21 (2007) and any and all other applicable statutes or Mississippi Constitutional provisions that vest authority and jurisdiction in county courts.

6. This Court has personal jurisdiction over the Defendants pursuant to all applicable Mississippi statutory and case law. The allegations which caused and/or contributed to the subject complaint occurred within the confines of Pike County, Mississippi.

7. Venue is proper in this Court as the automobile accident complained of herein occurred in Pike County, Mississippi.

FACTS

8. On or about, June 29, 2020, ASHLEIGH BETTIS AND BRITTANY BARNES, were traveling at the intersection of Broadway Boulevard and Main Street, in Pike County, Mississippi.

9. Defendant Driver, AMANDA B. WHITEHEAD, suddenly, and without warning, violently / negligently hit and ran directly into the automobile containing Plaintiffs ASHLEIGH BETTIS AND BRITTANY BARNES.

10. The Defendant Driver is AMANDA B. WHITEHEAD. Plaintiffs ASHLEIGH BETTIS AND BRITTANY BARNES suffered severe injuries.

11. At all times relevant to the occurrence of the subject accident, the Defendant Driver, AMANDA B. WHITEHEAD, owed certain duties to Plaintiffs, ASHLEIGH BETTIS AND BRITTANY BARNES, while operating a vehicle on a public roadway. Those duties include, but are not necessarily limited to, the following: (a) the duty to operate her vehicle in a reasonably careful and prudent manner, (b) the duty to maintain proper control of her vehicle, (c) the duty to

maintain a proper lookout for other vehicles on the roadway, (d) the duty to observe and obey all traffic control devices, (e) the duty to operate her vehicle at a speed which is safe for the existing conditions, and (f) other duties to be proven at the trial of this cause.

12. At all times relevant to the occurrence of the subject accident, the the unknown and presumed Defendant Driver breached certain duties owed to Plaintiffs. Those breached duties include, but are not necessarily limited to, the following: (a) her failure to operate her vehicle in a reasonably careful and prudent manner, (b) her failure to maintain proper control of her vehicle, (c) her failure to maintain a proper lookout for other vehicles on the roadway, (d) her failure to observe and obey all traffic control devices, (e) her failure to operate her vehicle at a speed which is safe for the existing conditions, and (f) other duties to be proven at the trial of this cause.

13. The sole, proximate cause of the subject accident and Plaintiffs, ASHLEIGH BETTIS AND BRITTANY BARNES, resulting injuries and damages was the grossly negligent conduct of the Defendant Driver, AMANDA B. WHITEHEAD, as described in the preceding paragraphs and/or as may be otherwise proven at the trial of this cause.

14. At all times relevant to the subject accident, Plaintiff, MARETTA HUDSON, was operating her vehicle in a careful, prudent and non-negligent manner.

15. As a direct, proximate cause of Defendant Driver, AMANDA B. WHITEHEAD's negligence, Plaintiffs, ASHLEIGH BETTIS AND BRITTANY BARNES, suffered property damage, lost wages, physical injuries, pain and suffering, expenses related to medical care, and other injuries and damages to be proven at the trial of this cause.

16. On or about the date of the accident, the Plaintiffs sustained injuries and damages as a result of Defendant's use of the chattel at issue.

17. Further, the act(s) and/or omission(s) of the Defendant Driver, AMANDA B. WHITEHEAD, and the Defendant resulted in the Plaintiffs' losses and damages.

RIGHT TO AMEND

18. Pursuant to Rule 15 of the Mississippi Rules of Civil Procedure, Plaintiffs reserve the right to amend this complaint.

WHEREFORE PREMISES CONSIDERED, Plaintiffs respectfully requests that upon a trial of this action, judgment be entered against Defendant for any and all actual, consequential and compensatory damages they may be entitled to, including, without limitation, pre and post-judgment interest, lost wages, attorney's fees, property damage, costs and expenses, in order to compensate them for the injuries and damages suffered as a result of Defendant's negligent conduct as set forth herein.

RESPECTFULLY SUBMITTED, this the 27th day of October, 2020.

**ASHLEIGH BETTIS AND BRITTANY
BARNES, THE PLAINTIFFS**

BY: /s/ Deshun T. Martin
DESHUN T. MARTIN
One of Their Attorneys

OF COUNSEL:

Deshun T. Martin, Esq. (MSB No. 101526)
Vatteria M. Martin, Esq. (MSB No. 101235)
MARTIN AND MARTIN, PA
Attorneys & Counselors
228 East Capitol Street
Jackson, Mississippi 39201
Telephone: (601) 355-0955
Facsimile: (601) 355-0957
E-mail: DTMartin@4MartinsAtLaw.com
E-mail: VMMartin@4MartinsAtLaw.com