

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT

The Estate of JAMES C. ANDERSON, by and

PARTIES

beneficiary of James C. Anderson, deceased. Young is also the duly appointed Administratrix of

the Estate of James C. Anderson. Young is, and, at all times relevant hereto, has been, an adult

resident citizen of Lafayette County, Mississippi.



14. Venue is proper in Hinds County pursuant to § 11-11-3(1)(a)(i) of the Mississippi Code because decedent's injuries and death as well as substantial alleged acts and/or omissions

that are the subject of this lawsuit occurred in Hinds County, Mississippi.

**STATEMENT OF FACTS**

15. All of the events giving rise to this lawsuit occurred in Hinds County, Mississippi.

provide support to the others and to act as lookouts. All Defendants surrounded Anderson

preventing his escape

20 After briefly speaking with Anderson, Defendants Dodson and Diaz, acting with

26. Defendants Montgomery, Graves, and Richards aided, abetted, and/or encouraged the battery by acting as lookouts and by surrounding Anderson, preventing witnesses of access

27. All Defendants acted jointly, in concert, in the wrongful conduct inflicted on

35. Defendants Graves, Richards, Montgomery, Blaylock, and Butler agreed with the other Defendants to “go fuck with some niggers.”

36. Having made an agreement to “fuck with some niggers,” and having seen Defendants Dedmon and Rice severely and repeatedly attack Anderson, Defendants Graves

Richards, Montgomery, Blaylock, and Butler owed an affirmative duty to Anderson to exercise reasonable care.

duty by:

2. failing to intervene or take any remedial action to prevent and/or stop Dedmon

40. The failures and actions of Defendants Graves, Richards, Montgomery, Blaylock, and Butler as heretofore described constitute gross negligence, as they acted in reckless disregard for Anderson's safety.

41. ~~Plaintiffs seek compensatory and punitive damages for the negligence~~

**COUNT IV: NEGLIGENCE**  
**Against Defendant Dedmon**

42. Plaintiffs reiterate and reaffirm all allegations set forth heretofore in this

43. Defendant Dedmon owed a duty to Anderson to operate his vehicle in a reasonable and safe manner, keeping a proper lookout and being on alert for persons ahead in the



e. accelerating before making impact with Anderson.

f. not operating the vehicle at a safe speed under the circumstances;

g. failing to stay within the lane of traffic along Ellis Avenue prior to striking Anderson.

46. Anderson's death was a foreseeable result of Dedmon's negligence.

47.

As a direct and proximate result of the negligence of the defendant, the death of Anderson was a foreseeable result of the defendant's negligence.

54. As a result of the Defendants' negligence, gross negligence, and/or intentional conduct James C. Anderson lost his life and his three children will forever be deprived of

comfort, society, services, companionship, and financial support of their brother and son, James C. Anderson.

**COUNT VI: SURVIVAL CLAIM**  
**Against all Defendants**

55. Plaintiffs petition and sue for all relief to which they are entitled.

Butler, James C. Anderson sustained severe and painful injuries. As a result of these injuries, Anderson incurred medical expenses. Further, Anderson sustained severe physical pain and suffering, mental anguish and anxiety, disability, and impairment from his injuries. P. 11

Respectfully submitted, this the 6<sup>th</sup> day of September, 2011.

The Estate of JAMES C. ANDERSON, by and  
through the Administratrix, BARBARA  
ANDERSON YOUNG, and ANNZORA  
ANDERSON, LOUIS ANDERSON,  
EDWARD J. ANDERSON, BARBARA  
ANDERSON YOUNG, Individually

