

IN THE SUPERIOR COURT OF BOBB COUNTY
STATE OF GEORGIA

BOBBY PLAINTIFF b/n/f , :
ROBERT PLAINTIFF Sr. and ROBERT :
PLAINTIFF Sr., INDIVIDUALLY :
Plaintiffs, :
 : CIVIL ACTION
vs. :
 : FILE NO. _____
DARRYL DEFENDANT, :
 :
 :
 :
 :
Defendant. :

COMPLAINT FOR DAMAGES

COMES NOW, the Plaintiffs in the above-styled action by and through their undersigned counsel, and files this Complaint for personal injuries and shows the following:

1.

The Defendant DARRYL DEFENDANT is a resident of Macon County, State of Georgia, and may be served with a copy of this Complaint by serving him at his place of residence which is: [REDACTED] and for this reason jurisdiction over the Defendant is proper in this Court.

2.

That on or about [REDACTED] at approximately 3:45PM, Plaintiff BOBBY PLAINTIFF was operating a 2006 Hyundai Sonata automobile in an eastbound direction on GA 400 approximately 1/4 mile west of [REDACTED] Road in Montezuma, GA. The vehicle being operated by Plaintiff was being

driven by him in a cautious, careful and prudent manner. At the same time and location, Defendant DARRYL DEFENDANT was negligently operating a 1997 Ford Pickup Truck in a northbound direction away from the Middle School when he suddenly and without any warning attempted to turn left on on GA 400 and placed his vehicle directly into the path of the vehicle being driven by Plaintiff BOBBY PLAINTIFF, resulting in a violent collision wherein the vehicle being operated by Defendant DARRYL DEFENDANT forcefully struck the front of Plaintiff BOBBY PLAINTIFF's vehicle. The force of the collision was so great as to cause Plaintiff BOBBY PLAINTIFF to be violently thrown about the interior of his vehicle wherein his body was thrown with such force that the impact caused him to sustain a broken arm and substantial injuries to his neck, back, and outer extremities.

3.

That the Defendant DARRYL DEFENDANT prior to and at the time of impact, was negligent in one or more of the following ways:

- (a) in operating his vehicle in a careless, reckless and unsafe manner;
- (b) in operating her vehicle in total disregard for the safety of the Plaintiff's vehicle and other vehicles around them;
- (c) in failing to yield after stopping at a stop sign in violation of O.C.G.A. § 40-6-72(B).
- (d) in failing to keep a proper lookout;

- (e) in failing to exercise due care in violation of O.C.G.A. § 40-6-241 and,
- (f) in failing to observe the uniform rules of the road.

4.

That the Defendant prior to and at the time of impact was and is negligent per se.

5.

That as a direct proximate result of said collision, Plaintiff BOBBY PLAINTIFF sustained severe injuries to his head, neck, shoulders, arms and back areas of his body. Plaintiff further sustained a broken arm which was proximately caused by the negligent actions of Defendant DARRYL DEFENDANT. The Plaintiff BOBBY PLAINTIFF will continue to endure his pain and suffering throughout his natural life in that his injuries are permanent in nature.

6.

Plaintiff BOBBY PLAINTIFF, a minor, brings this cause of action for recovery of damages through his next friend, ROBERT PLAINTIFF Sr..

7.

As a direct proximate result of said injuries, Plaintiff ROBERT PLAINTIFF Sr. has incurred substantial medical and doctor expenses in excess of \$5,000.00 as a result of the injuries to his minor son BOBBY PLAINTIFF.

8.

Plaintiff ROBERT PLAINTIFF Sr. has a cause of action for compensation for medical expenses he has incurred as a result of the injuries to his minor child. Plaintiff ROBERT PLAINTIFF Sr. is further entitled to compensation for injuries to his minor child.

9.

BOBBY PLAINTIFF, by his next friend ROBERT PLAINTIFF Sr., has a claim for compensation for personal injuries he sustained as a proximate cause of the negligence of the Defendant. In addition to the aforementioned damages, the Plaintiff, BOBBY PLAINTIFF, has and will suffer personal injuries, pain and suffering.

10.

That each of the foregoing acts and omissions constitute an independent act of negligence on the part of the Defendant and one or more or all of the said herein above stated acts were the direct proximate cause of the injuries and damages sustained by the Plaintiffs.

WHEREFORE, the Plaintiffs pray for a judgment to be awarded against the Defendant for medical expenses, pain and suffering, and such other further relief that this court deems just and proper.

Respectfully submitted this ____ day of _____ 2011.

██████████
Attorney for Plaintiff
State Bar No. ██████████