

2. The Defendant, _____, a minor, is a resident citizen of _____ County, Mississippi, on whom the process of this Court may be had by simultaneously serving him/her and serving his/her natural mother/father and legal guardian, _____, at _____, Mississippi, _____.

3. That the Defendant, _____, is an adult resident citizen of _____ County, Mississippi, on whom the process of this Court may be had at _____, _____, Mississippi, _____.

4. That on _____, _____, at a point on _____ in _____ County, Mississippi, _____ was severely, painfully and fatally injured as a direct and proximate result of the gross and reckless negligence of the defendant, _____. Plaintiffs charge that the automobile being driven by _____ in a _____ direction on _____ was struck head on by the _____ owned by the Defendant, _____, and being driven by the Defendant, _____, in a _____ direction on _____. That at all times referred to herein and material hereto, _____, was completely within his/her own lane of travel and on his/her side of the center of the _____, which, at the point of the collision, was marked with a double yellow stripe center line. That the Defendant, _____, while driving the said _____ at a highly dangerous and unlawful rate of speed, crossed over the solid yellow center line in his lane of travel, and into the lane of travel of _____, causing a violent collision, which severely, painfully and fatally injured _____. That the death of _____ and the damages proximately resulting there from were proximately caused by and proximately contributed to by the gross and reckless negligence of _____.

5. Plaintiff charges that the Defendant, _____, was negligent in the following particulars:

a. He/She was driving at a rate of speed in excess of the posted speed limit of _____ miles per hour, as specified for traffic on _____ by Order of the Board of Supervisors of County Mississippi, fixing the speed limit pursuant to Section 63-3-511 of the Mississippi Code of 1972.

b. He/She drove his vehicle to the left of and across the solid yellow center stripe in his/her lane of travel, over into the lane of travel for _____, so that he/she violated Section 63-3-601 and 63-3-607 of the Mississippi Code of 1972.

c. He/She failed to yield the right of way to _____ who was traveling completely in his/her lane of travel when the Defendant crossed the centerline and into his/her lane of travel;

d. He/She failed to keep and maintain a reasonable and proper lookout; center of the Road, which, at the point of the collision, was marked with a double yellow stripe centerline. That the Defendant, _____, while driving the said _____ at a highly dangerous and unlawful rate of speed, crossed over the solid yellow center line in his/her lane of travel, and into the lane of travel of _____, causing a violent collision, which severely, painfully and fatally injured _____. That the death of _____ and the damages proximately resulting there from were proximately caused by and proximately contributed to by the gross and reckless negligence of _____.

5. Plaintiff charges that the Defendant, _____, was negligent in the following particulars:

a. He/She was driving at a rate of speed in excess of the posted speed limit of 45 miles per hour, as specified for traffic on _____ by Order of the Board of Supervisors of County, Mississippi, fixing the speed limit pursuant to Section 63-3-511 of the Mississippi Code of 1972.

b. He/She drove his/her vehicle to the left of and across the solid yellow center stripe in his/her lane of travel, over into the lane of travel for _____, so that he/she violated Section 63-3-601 and 63-3-607 of the Mississippi Code of 1972.

c. He/She failed to yield the right of way to _____ who was traveling completely in his/her lane of travel when the Defendant crossed the centerline and into his/her lane of travel;

d. He/She failed to keep and maintain a reasonable and proper lookout;

e. He/She failed to have his/her vehicle under free, easy and proper control;

f. He/She failed to slow the speed of his/her vehicle while traveling on a winding, curving roadway as required by Section 63-3-505 of the Mississippi Code of 1972;

g. He/She was guilty of reckless driving as defined by Section 63-3-1201 of the Mississippi Code of 1972.

That all of said negligence was gross and evinced a reckless disregard for the rights of other motorists and _____, Deceased. That said negligence proximately caused and proximately contributed to the cause of the collision, Plaintiff's injuries, damages and death.

6. Plaintiff charges that the Defendant, _____, is liable for the negligence of while driving the _____ pickup truck owned by _____ and driven with his/her permission by the Defendant to _____, pursuant to Section 63-1-23 and 63-1-25 of the Mississippi Code of 1972, by virtue of _____ having agreed, under said statutes and the signing of the said application for Mississippi driver's license, to be jointly and severally liable for the negligence of _____ in the operation of vehicles until _____ reached the age of _____ () years. That at the time of the wreck herein complained of, _____ was _____ () years of age.

That _____ is liable for the negligence of _____ which proximately caused and proximately contributed to the cause of the collision, the injuries and death of _____, Deceased, and the damages proximately resulting there from.

That at the time of his/her death, _____, was _____ (_____) years of age and had a reasonable life expectancy of _____ years. That had he not been killed, he/she would have probably attained a college degree and worked to age _____. That the net present cash value of the earnings lost as a result of his/her death is \$ _____. That the loss of household services which _____ would have rendered to the Plaintiffs and his/her kindred during his/her life expectancy has a net present cash value of \$ _____. That _____ enjoyed life to the fullest and the loss of enjoyment of life, which was eliminated by his/her death and the negligence of the Defendants has a value of at least \$ _____ per year, and a net present cash value of \$ _____ over his/her life expectancy. That the cost of his/her funeral and burial amounted to \$ _____. That each of the survivors have been deprived of the love, society and companionship which each had of receiving from him/her had he/she not been killed. That _____ endured extreme conscious pain, suffering and mental anguish from the instant of impact until his/her death, which ensued within an hour after the collision. That all of said injuries and damages, and the damages of every kind and character allowed by Section 11-7-13 of the Mississippi Code of 1972, were proximately caused and proximately contributed to by the gross and reckless negligence of _____, for which negligence of _____, is jointly and severally liable.

WHEREFORE, Plaintiff demands judgment against the Defendants, jointly and severally, in the sum of (\$) actual and punitive damages, together with prejudgment interest, post-judgment interest, and all costs of court to accrue in this cause.

Respectfully submitted,

,
ADMINISTRATOR OF THE ESTATE OF
, DECEASED

BY: _____
, His/Her Attorney