

**IN THE COMMON PLEAS COURT OF LUCAS COUNTY, OHIO
CIVIL DIVISION**

ZACHARY BURKETT
2805 Airport Highway
Toledo, Ohio 43609

Plaintiff,

v.

PARRISH JONES
885 Hampton
Toledo, Ohio 43609

Defendant.

) Case No.:

) Judge:

) **COMPLAINT**

) *(Jury Demand Endorsed Hereon)*

) Charles E. Boyk (0000494)

) Andrea R. Young (0096334)

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) *Attorneys for Plaintiff*

G-4801-CI-0201904223-000

Judge

GARY G. COOK

By and through the undersigned counsel, Plaintiff Zachary Burkett hereby files this Complaint against Defendant Parrish Jones for injuries arising from an automobile collision in Toledo, Lucas County, Ohio. In support of his claims, Plaintiff states as follows:

THE PARTIES

1. Plaintiff Zachary Burkett is an individual and resident of Toledo, Lucas County, Ohio.
2. Upon information and belief, Defendant Parrish Jones is an individual and a resident of Toledo, Lucas County, Ohio.

JURISDICTION AND VENUE

3. Plaintiff incorporates by reference each preceding and succeeding paragraph as though fully rewritten herein.
4. The Lucas County Common Pleas Court has jurisdiction over this matter pursuant to R.C. 2305.01.
5. Venue is proper in this Court pursuant to Civil Rule 3(C)(1) and (C)(6), as this is the county in which Defendant Parrish Jones resides and the county in which all or part of the claims for relief arose.
6. Pursuant to Civil Rule 8(A), Plaintiff seeks judgment in excess of \$25,000.00.

FACTUAL ALLEGATIONS

7. Plaintiff incorporates by reference each preceding and succeeding paragraph as though fully rewritten herein.
8. On or about August 6, 2019, Plaintiff Zachary Burkett was lawfully operating a vehicle westbound on Arlington Avenue approaching Toronto Avenue, Toledo, Lucas County, Ohio.
9. At all relevant times, Plaintiff Zachary Burkett was restrained by a shoulder and lap belt.
10. At the same time, Defendant Parrish Jones was operating a vehicle northbound on Toronto Avenue, Toledo, Lucas County, Ohio.
11. Defendant Parrish Jones failed to stop at the stop sign and drove into the intersection of Arlington Avenue and Toronto Avenue, Toledo, Lucas County, Ohio, striking the front driver's side of the vehicle Plaintiff was operating.
12. On August 12, 2019 the Traffic Crash Report was amended with a supplemental statement given by Defendant's attorney. The supplemental statement alleges that Defendant Parrish

Jones was traveling eastbound on Arlington Avenue, Toledo, Lucas County, Ohio and was making a left turn onto Toronto Avenue, Toledo, Lucas County, Ohio at the time of the collision.

13. Defendant Parrish Jones was cited by The Toledo Police Department for failure to stop at a stop sign.
14. After the collision, Plaintiff Zachary Burkett presented to the University of Toledo Medical Center (UTMC) Emergency Room where he was evaluated for his injuries.

FIRST CAUSE OF ACTION
(Negligence/ Negligence Per Se- Defendant Parrish Jones)

15. Plaintiff incorporates by reference each preceding and succeeding paragraph as though fully rewritten herein.
16. Defendant Parrish Jones owed Plaintiff Zachary Burkett a duty of care to operate the vehicle he was driving in accordance with the laws of the State of Ohio and Toledo, Ohio, and a duty not to operate the vehicle he was driving in such a manner that may cause injury to Plaintiff.
17. Defendant Parrish Jones breached this duty by failing to stop at a stop sign and striking the front driver side of the vehicle driven by Plaintiff Zachary Burkett.
18. Defendant Parrish Jones was cited for violating Ohio Revised Code 4511.43.
19. Defendant Parrish Jones' stop sign violation constitutes *negligence per se*.
20. As a direct and proximate result of Defendant Parrish Jones' negligence and breach of his duty of care, Plaintiff Zachary Burkett sustained serious personal injuries including but not limited to injuries to his head, neck, back and arm. Plaintiff was required to undergo medical care and incurred medical care costs, and other economic loss including lost

wages. He also incurred great pain, suffering, severe mental anguish, and emotional distress. Further, Plaintiff Zachary Burkett believes these injuries are permanent in nature and that he will require future medical care and medical care costs, and that he will continue to endure great pain, suffering, mental anguish, and emotional distress.

WHEREFORE, Plaintiff prays for judgment against Defendant Parrish Jones on each of the claims against him in an amount exceeding Twenty-Five Thousand Dollars (\$25,000.00), together with interest, costs, reasonable attorney fees, and such other relief as the Court may deem just.

Respectfully submitted,



Charles E. Boyk
Andrea R. Young
Attorneys for Plaintiff

JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues triable by right.

Respectfully submitted,




Charles E. Boyk
Andrea R. Young
Attorneys for Plaintiff

PRAECIPE

TO THE CLERK:

Please serve summons and Complaint upon Defendant by certified mail, return receipt requested, at the respective address listed on the caption.



Charles E. Boyk
Andrea R. Young
Attorneys for Plaintiff