

Exhibit B

SHERIFF'S ENTRY OF SERVICE

Civil Action No. 13 CV 1488
Date Filed: _____

Superior Court
State Court
Juvenile Court
Magistrate Court
Probate Court

Georgia CANON COUNTY

Attorney's Address:
Charles C. Ward, Atty.
278. Board St
Newport, VA 20965

Sandra Miller
Carole Miller
Plaintiff

Name and Address of Party to be Served
Ken Roberts
373 Kauton Lane
Villa Rica, VA 20980

vs.
Ken Roberts
Robert J. Roberts
Defendant

Garnishee _____

SHERIFF'S ENTRY OF SERVICE

PERSONAL

I have this day served the defendant Ken Roberts personally with a copy of the within action and summons.

NOTORIOUS

I have this day served the defendant _____ by leaving a copy of the action and summons at his most notorious place of abode in this County.

Delivered same into hands of _____ described as follows: age, about _____ years; weight, about _____ pounds; height, about _____ feet and _____ inches; domiciled at the residence of the defendant.

CORPORATION

Served the defendant _____ a corporation by leaving a copy of the within action and summons with _____ in charge of the office and place of doing business of said Corporation in this County.

TACK & MAIL

I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by depositing a true copy of same in the United States Mail, First Class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.

NON EST

Diligent search made and defendant _____ not to be found in the jurisdiction of this Court.

This 16 day of September 2014

[Signature]
DEPUTY

SHERIFF DOCKET _____ PAGE _____
WHITE-CLERK CANARY-PLAINTIFF PINK-DEFENDANT

FILED
GA. CARROLL COUNTY

IN THE SUPERIOR COURT OF CARROLL COUNTY CLERK _____ COURT

STATE OF GEORGIA

SINATRA MILLER and,
ARLENE MILLER
Plaintiff,

*
*
*
*
*
*
*
*

v.

Civil Action

KIM ROBERTS and BOBBY J.
ROBERTS,

File No.: 13CV01488
Palmer

Defendants.

COMPLAINT FOR DAMAGES

COMES NOW, SINATRA MILLER AND ARLENE MILLER ("Plaintiffs"), and file this Complaint for Damages against Defendants KIM ROBERTS and BOBBY J. ROBERTS ("Defendants"), showing the Court the following:

Parties, Jurisdiction and Venue

1.

Plaintiffs, Sinatra Miller and Arlene Miller, are residents of Haralson County, Georgia.

2.

Defendant Kim Roberts is a resident of Carroll County and may be served with a copy of this Complaint and Summons at 372 Barton Lane, Villa Rica, Georgia 30180-4047. Kim Roberts is subject to the jurisdiction and venue.

3.

Defendant Bobby J. Roberts is a resident of Carroll County and may be served with a copy of this Complaint and Summons at 372 Barton Lane, Villa Rica, Georgia 30180-4047.

Bobby J. Roberts is subject to the jurisdiction and venue.

FACTUAL BACKGROUND

4.

On the evening of January 12, 2013, Plaintiff Sinatra Miller was visiting the Defendant Kim Roberts at her home located at 372 Barton Lane, Villa Rica, Georgia.

5.

While sitting at Kim Roberts' kitchen table, Defendant Bobby J. Roberts entered the residence ordered Plaintiff Sinatra Miller and Defendant Kim Roberts not to move.

6.

Defendant Bobby J. Roberts then walked into a bedroom. Plaintiff Sinatra Miller exited home through the front door.

7.

Defendant Bobby J. Roberts followed Plaintiff Sinatra Miller into the front yard of the home and shot him multiple times with an automatic handgun.

COUNT I
AGGRAVATED ASSUALT

8.

Plaintiffs incorporate by reference the allegations in paragraphs 1-8 as if fully set forth herein at length.

9.

The actions of Defendant Bobby J. Roberts in shooting Plaintiff constitutes the intentional tort of aggravated assault. Defendant Bobby J. Roberts is liable for the torts he commit.

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10.

Defendant Kim Roberts, as the property owner, is responsible for the intentional torts of guests on her premises. At the time of the acts complained of herein, Bobby J. Roberts was a visitor at the residence of Defendant Kim Roberts.

COUNT II
PREMISES LIABILITY

11.

Plaintiffs incorporate by reference the allegations in paragraphs 1-10 as if fully set forth herein at length.

12.

As the owner of the property upon which Plaintiff Sinatra Miller was injured, Defendant Kim Roberts owed a duty of reasonable care to her invitees to maintain the premises in a reasonably safe condition. As such, Defendant Kim Roberts owed a duty to exercise reasonable care to prevent and deter the intentional, harmful acts of third parties likely to be committed against invitees, their person and property, while at the residence of Defendant Kim Roberts; to give adequate warning to enable invitees such as the Plaintiff Sinatra Miller to avoid harm; and to otherwise institute reasonable security procedures to protect invitees such as Plaintiff Sinatra Miller from harm.

13.

Defendant Kim Roberts failed to maintain the premises in a reasonably safe and secure manner by not taking adequate security measures to prevent and deter its Bobby J. Roberts from initiating crimes against the person and property of her invitees.

14.

As a direct, proximate result of Defendant Kim Roberts' negligence and wanton and willful disregard for the life and safety of her invitees and her willful failure to provide her invitees a reasonably safe premises the Plaintiff Sinatra Miller was violently attacked and assaulted in the front yard of Defendant Kim Roberts' home.

**COUNT III
LOSS OF CONSORTIUM**

15.

Plaintiffs incorporate by reference the allegations in paragraphs 1-14 as if fully set forth herein at length.

16.

17.

DAMAGES

18.

As a result of the Defendants' intentional and negligent acts which failed to prevent or deter the reasonably foreseeable attack on Plaintiff Sinatra Miller, Plaintiff has suffered severe and permanent bodily injury and the resulting pain and suffering, mental anguish, loss of the capacity for the enjoyment of life, and the expense of hospitalization and medical care and treatment.

19.

In addition, Plaintiff Sinatra Miller has suffered the loss of earnings.

20.

Plaintiffs show the conduct of the Defendants was such as to evince an entire want of care and indifference to the consequences of their conduct so as to entitle him to punitive or exemplary damages.

21.

Despite a demand for payment, Defendants have failed and refused to compensate Plaintiffs for their damages. Defendants have acted in bad faith, have been stubbornly litigious and have caused Plaintiffs unnecessary trouble and expenses thereby entitling Plaintiffs to the expenses of litigation, including reasonable attorney's fees, pre-judgment interest from January 12, 2013, the date of this occurrence, until the date of judgment, for which Plaintiffs sue.

WHEREFORE, Plaintiffs prays as follows:

- (a) That process and service be issued as provided by law;
- (b) That Plaintiffs be awarded judgment in amount to compensate them for the damages they have suffered and will suffer into the future, all as will be shown at trial;
- (c) That Plaintiffs be awarded judgment in an amount sufficient to punish and deter the Defendants from their wrongful acts;
- (d) That Plaintiffs be awarded cost of this litigation, including but not limited to, reasonable attorney's fees;
- (e) That Plaintiffs have a trial by a jury; and
- (f) That Plaintiffs have such other and further relief as this Court shall deem

necessary and proper.

This 17th day of October, 2013.



Graylin C. Ward
Georgia Bar No. 736855
Attorney for Plaintiff

WARD LAW OFFICE
27 E. Broad Street
Newnan, Georgia 30264
770-251-1289
770-251-2629 (FAX)

VERIFICATION

Personally appeared before me, the undersigned officer authorized to administer oaths, appeared the Plaintiff herein, who, after being duly sworn, on oath say that the facts set forth in the above Complaint for Damages are true and correct.

This 25th day of August, 2013.

Sinatra Miller
SINATRA MILLER, Plaintiff

Sworn to and subscribed

before me this 25th day

of August, 2013.

[Signature]

NOTARY PUBLIC

My Commission expires on 4-24-2015

CARLA C EUBANKS
NOTARY PUBLIC
EMULSION COUNTY, GEORGIA

FILED
GA. CARROLL COUNTY
COURT
CLERK
2013 OCT 21 PM 12:12
[Signature]
CLERK OF SUPERIOR COURT
CARROLL COUNTY, GEORGIA

VERIFICATION

Personally appeared before me, the undersigned officer authorized to administer oaths, appeared the Plaintiff herein, who, after being duly sworn, on oath say that the facts set forth in the above Complaint for Damages are true and correct.

This 25th day of August, 2013.

Arlene Miller
ARLENE MILLER, Plaintiff

Sworn to and subscribed

before me this 25th day

of August, 2013.

Carla C. Eubanks
NOTARY PUBLIC

CARLA C. EUBANKS
NOTARY PUBLIC
FULTON COUNTY, GEORGIA

My Commission expires on 4-24-2015

FILED
GA. CIRCUIT COURT
CLERK
2013 OCT 21 PM 12:12
Michelle H. [Signature]