FILED IN OFFICE
CLERK OF COURTS, CANDLER CO. GA
DEC 1 2016

IN THE SUPERIOR COURT OF CANDLER COUNTY

STATE OF GEORGIA

LIONEL SEABROOKS, as Administrator of the Estate of Fanecia Holloway, deceased & as Conservator of Adrianna Seabrooks, a Minor Child.	)	
Plaintiff,	)	**Civil Action File No.:** 16CV161
v.	)	
METTER, GEORGIA and CHARLIE MINCEY	)	
Defendants.	)	

COMPLAINT

COMES NOW, Lionel Seabrooks, as Administrator of the Estate of Fanecia Holloway, deceased & as Conservator of Adrianna Seabrooks, a Minor Child, and states this Complaint against Metter, Georgia and Charlie Mincey as follows:

1.

Plaintiff is a resident of Georgia.

2.

Defendant Metter, Georgia (hereinafter "Metter") is a municipal corporation.

3.

Metter may be served with process according to law upon its Mayor, William M. Trapnell at 49 South Rountree Street, Metter, Georgia 30439.

4.

Venue is proper in this Court as to Defendant Metter.

5.

Metter is subject to the jurisdiction of this Court.

6.

Relative to the allegations contained herein and pursuant to O.C.G.A. § 36-92-2, Metter waived its sovereign immunity to the extent that it purchased liability insurance in the amount of $1,000,000.00.

7.

Prior to the filing of this lawsuit, the requirements of O.C.G.A. 36-33-5 were satisfied by way of the document attached hereto as *Exhibit A*.

8.

Defendant Charlie Mincey (hereinafter "Mincey") is a resident of Chatham County, Georgia.

9.

Defendant Mincey may be served with process at his residence at 637 Northbrook Road, Savannah, Georgia 31419.

10.

Defendant Mincey is subject to the jurisdiction of this Court because he is a Georgia resident.

11.

Venue is proper in this Court as to Defendant Mincey.

12.

On December 5, 2015, Officer Adrian Montealvo acted with reckless disregard for proper law enforcement procedures in his decision to initiate and continue the pursuit of a vehicle in which Fanecia Holloway was a passenger.

13.

At all times relevant hereto, Officer Adrian Montealvo was acting within the course and scope of his employment and/or agency with Metter.

14.

As a proximate cause of Officer Adrian Montealvo's reckless disregard for proper law enforcement procedures in his decisions to initiate and continue the pursuit of a vehicle in which Fanecia Holloway was a passenger, Fanecia Holloway was killed.

15.

Fanecia Holloway bears no responsibility for the December 5, 2015 collision which led to her death.

16.

At the time of her death, the life of Fanecia Holloway was valuable.

17.

At the time of her death, Fanecia Holloway was unmarried, intestate, and her only child, surviving or otherwise, was Adrianna Seabrooks.

18.

As the sole issue of Fanecia Holloway, who died unmarried and intestate, Adrianna Seabrooks is the proper party to recover for purposes of intestacy and wrongful death.

19.

As the duly appointed Conservator of Adrianna Seabrooks, Lionel Seabrooks is the proper party to bring this lawsuit for the wrongful death of Fanecia Holloway.

20.

As the duly appointed Administrator of the Estate of Fanecia Holloway, Lionel Seabrooks is the proper party to bring all claims vested in said Estate.

WHEREFORE, Lionel Seabrooks prays:

a. That Defendants be served with summons, process, and a copy of this Complaint;

b. That Plaintiff be granted a trial by jury as to all triable issues in this cause;

c. For judgment in favor of Plaintiff and against Defendants;

d. That Plaintiff be awarded special damages in an amount to be proved at trial;

e. That Plaintiff be awarded general damages in an amount to be determined by the enlightened conscience of a fair and impartial jury;

f. That Plaintiff be awarded the full value of the life of Faneeia Holloway, deceased, in an amount to be determined by the enlightened conscience of a fair and impartial jury; and

g. For such other and further relief as this Court deems just and proper under the circumstances of this case.

Respectfully submitted this 30th day of November, 2016.

BUTLER TOBIN, LLC

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