

**IN THE SUPERIOR COURT OF THE STATE OF RIDGEWAY
IN AND FOR RIDGEWAY COUNTY**

JOSEPHRICHMOND,
Plaintiff,

v.

KINGMOON1008,
Defendants.

No. RSC-CV-2690

COMPLAINT

JosephRichmond, by and through undersigned counsel, hereby brings this action against KingMoon1008 and in support thereof alleges as follows–

STATEMENT OF FACTS¹

1. JosephRichmond ("Plaintiff") has on multiple occasions suffered traumatic and fatal injuries caused by Kingmoon1008 ("Defendant.")
2. On April 13, 2024, at an unknown time, Plaintiff was in Ridgeway County.
3. Plaintiff was suddenly approached by Defendant.
4. Defendant, using a handheld firearm, fired multiple shots hitting and causing the death of Plaintiff.
5. On April 20, 2024, at an unknown time, Plaintiff was walking down a public road in Sterling Heights, Ridgeway County.
6. Plaintiff was suddenly approached by Defendant.
7. Defendant, using a handheld firearm, fired multiple shots hitting and causing the death of Plaintiff.
8. Upon death, Plaintiff instantly dropped approximately \$598.00 worth of property. This includes a legally obtained Cline 911 and 11 boxes of 9mm ammunition.
9. Defendant took the property described in the preceding paragraph.
10. On April 20, 2024, at around 16:22 UTC-05, Plaintiff was walking on a public sidewalk in Palmer, Ridgeway County near a mechanic shop.
11. Plaintiff was suddenly approached by Defendant.
12. Defendant, using a handheld firearm, fired multiple shots hitting and causing the death of Plaintiff.
13. Upon death, Plaintiff instantly dropped approximately \$598.00 worth of property. This

¹ The allegations contained in the statement of facts are chronologically ordered.

includes a legally obtained Cline 911 and 11 boxes of 9mm ammunition.

14. Defendant took the property described in the preceding paragraph.

15. Plaintiff never posed a threat of harm to anyone nor committed any other act which reasonably warranted the conduct of Defendant as set forth in this Complaint.

16. Defendant's conduct as set forth in this Complaintt, including Defendant's taking of Plaintiff's property, was done without Plaintiff's consent or permission.

17. At all times herein, Defendant acted knowingly, intentionally, and without legal cause, reason, or justification.

18. Plaintiff fears for his life due to the substantial threat of future harm by Defendant.

JURISDICTION AND VENUE

19. The Court has original jurisdiction over this Complaint under Article V, Section IV of the Ridgeway Constitution.

20. The Court's jurisdiction is invoked in equity.²

21. Venue is proper in this Court because the actions and omissions alleged in this Complaint occurred in the State of Ridgeway.

PARTIES

22. Plaintiff JosephRichmond is a resident of the State of Ridgeway and an individual.

23. Defendant KingMoon1008 is a resident of the State of Ridgeway and an individual.

FIRST CAUSE OF ACTION

Wrongful Death

(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3109)

24. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

25. On April 13, 2024, at an unknown time, Defendant, using a handheld firearm, caused the death of Plaintiff in Ridgeway County without legal cause or justification.

26. Plaintiff is entitled to compensatory damages and punitive damages.

SECOND CAUSE OF ACTION

Wrongful Death

(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3109)

² This Complaint states a prayer for declaratory and permanent injunctive relief. See eBay Inc. v. Mercexchange, 547 U.S. 388, 126 S. Ct. 1837, 164 L. Ed. 2d 641 (2006) ("The decision to grant or deny permanent injunctive relief is an act of equitable discretion"); see also Samuels v. Mackell 401 U.S. 66, 91 S. Ct. 764, 27 L. Ed. 2d 688 (a suit for declaratory judgment is "an equitable cause of action.")

27. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

28. On April 20, 2024, at an unknown time, Defendant, using a handheld firearm, caused the death of Plaintiff in Sterling Heights without legal cause or justification.

29. Plaintiff is entitled to compensatory damages and punitive damages.

THIRD CAUSE OF ACTION
Wrongful Death
(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3109)

30. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

31. On April 20, 2024, at around 16:22 UTC-05, Defendant, using a handheld firearm, caused the death of Plaintiff in Palmer without legal cause or justification.

32. Plaintiff is entitled to compensatory damages and punitive damages.

FOURTH CAUSE OF ACTION
Trover
(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3102)

33. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

34. The death of Plaintiff as set forth in the Second Cause of Action above caused Plaintiff to drop a Cline 911 and the ammunition thereof. Defendant thereafter took Plaintiff's property without legal reason or justification.

35. Plaintiff is entitled to compensatory damages and punitive damages.

FIFTH CAUSE OF ACTION
Trover
(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3102)

36. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

37. The death of Plaintiff as set forth in the Third Cause of Action above caused Plaintiff to drop a Cline 911 and the ammunition thereof. Defendant thereafter took Plaintiff's property without legal reason or justification.

38. Plaintiff is entitled to compensatory damages and punitive damages.

SIXTH CAUSE OF ACTION
Negligence Per Se
(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3105)

39. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

40. The Civil Claims Act prescribes a duty³ on every person in the State of Ridgeway to refrain from causing “the death of another without legal cause or justification” See 1 R. Stat. § 3109. Defendant’s conduct as set forth in the First Cause of Action above violated this statute and resulted in serious and fatal bodily injury against Plaintiff.

41. Plaintiff is entitled to compensatory damages and punitive damages.

SEVENTH CAUSE OF ACTION
Negligence Per Se
(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3105)

42. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

43. The Civil Claims Act prescribes a duty⁴ on every person in the State of Ridgeway to refrain from causing “the death of another without legal cause or justification” See 1 R. Stat. § 3109. Defendant’s conduct as set forth in the Second Cause of Action above violated this statute and resulted in serious and fatal bodily injury against Plaintiff.

44. Plaintiff is entitled to compensatory damages and punitive damages.

EIGHTH CAUSE OF ACTION
Negligence Per Se
(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3105)

45. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

46. The Civil Claims Act prescribes a duty⁵ on every person in the State of Ridgeway to refrain from causing “the death of another without legal cause or justification” See 1 R. Stat. § 3109. Defendant’s conduct as set forth in the Third Cause of Action above violated this statute and resulted in serious and fatal bodily injury against Plaintiff.

47. Plaintiff is entitled to compensatory damages and punitive damages.

NINTH CAUSE OF ACTION
Battery

³ *Compare* Monterey v. Del Monte Dunes at Monterey, Ltd., 526 U.S. 723 (interpreting that a statute creating a private cause of action for deprivation of rights “creates a **duty** to refrain from interference with the federal rights of others.”)

⁴ *See* *ibid.*.

⁵ *See* *ibid.*

(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3102)

48. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

49. Defendant's physical attack against Plaintiff as set forth in the First Cause of Action above resulted in an unconsented harmful contact to Plaintiff.

50. Plaintiff is entitled to punitive damages.

TENTH CAUSE OF ACTION

Battery

(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3102)

51. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

52. Defendant's physical attack against Plaintiff as set forth in the Second Cause of Action above resulted in an unconsented harmful contact to Plaintiff.

53. Plaintiff is entitled to punitive damages.

ELEVENTH CAUSE OF ACTION

Battery

(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3102)

54. Plaintiff incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

55. Defendant's physical attack against Plaintiff as set forth in the Third Cause of Action above resulted in an unconsented harmful contact to Plaintiff.

56. Plaintiff is entitled to punitive damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays as follows—

On the First Through Third Causes of Action

- A. For declaratory judgment that Defendant wrongfully caused Plaintiff's deaths;
- B. For awardment of compensatory damages;
- C. For awardment of punitive damages;

On the Fourth Through Fifth Causes of Action

- D. For declaratory judgment that Defendant wrongfully took Plaintiff's property;
- E. For awardment of compensatory damages;
- F. For awardment of punitive damages;

On the Sixth Through Eighth Causes of Action

- G. For declaratory judgment that Defendant's conduct was negligent per se;
- H. For awardment of compensatory damages;
- I. For awardment of punitive damages;

On the Ninth Through Eleventh Causes of Action

- J. For declaratory judgment that Defendant battered Plaintiff;
- K. For awardment of punitive damages;

On All Causes of Action

L. For an equitable statewide and permanent restraining order restraining Defendant from further illegally harming or causing the death of Plaintiff;

M. For an equitable statewide and permanent restraining order restraining Defendant from knowingly following or entering the immediate presence of Plaintiff;

N. For awardment of attorney's fees and costs;⁶

O. For such other, further, or different legal and equitable relief as the Court may deem Plaintiff is entitled to receive.

DATED: JUNE 6, 2024
Palmer County Hall

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⁶ The amount of attorney's fees and costs incurred remains subject to increase and will be computed upon disposition of this case.