

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY

SALLY G. HURT
Address
City, State, ZIP

Plaintiff,

v.

JOHN DOE
Address
City, State, ZIP

Defendant.

Case No. ____

Division ____

PETITION FOR DAMAGES

For her Petition for Damages, Plaintiff alleges the following:

1. Plaintiff is over the age of eighteen and resides in Prairie Village, Johnson County, Kansas.
2. Defendant is a resident of Kansas City, Jackson County, Missouri.
3. This Court has jurisdiction because the Defendant committed a tortious act within the State of Missouri and resides in the State of Missouri.
4. Venue is proper under R.S.Mo. §508.010 because Plaintiff's cause of action arose in Jackson County, Missouri.
5. On or about "Month. Date, Year," Defendant was operating a motor vehicle traveling northbound on Road near Terrace in Kansas City, Jackson County, Missouri.
6. On or about "Month. Date, Year," Plaintiff was crossing the roadway, in the crosswalk, from the west side of Road at Terrace to the east side of Road.

7. On or about “Month. Date, Year,” while traveling northbound on Road, Defendant struck Plaintiff with his motor vehicle while she was crossing Road inside the crosswalk.

**COUNT I
NEGLIGENCE OF DEFENDANT**

8. Plaintiff incorporates the paragraphs above as though fully set forth herein.

9. While Defendant was operating his vehicle he owed Plaintiff a duty to operate the vehicle with the highest degree of care.

10. Defendant was negligent and failed to exercise the highest degree of care in one or more of the following respects:

- a. He violated a traffic signal;
- b. He failed to keep a careful lookout;
- c. He failed to stop his vehicle before striking Plaintiff in the crosswalk;
- d. He failed to swerve to avoid striking Plaintiff in the crosswalk; and
- e. He failed to slacken speed to avoid striking Plaintiff in the crosswalk.

11. As a direct and proximate result of Defendant’s negligence, Plaintiff’s legs, pelvis, neck vertebrae, and ribs were injured. Plaintiff went through extensive pain and suffering, incurred medical bills, and incurred lost wages as a result of the medical care necessary due to the negligence of Defendant.

WHEREFORE, Plaintiff prays for judgment against Defendant for a reasonable sum of money damages and for such further relief as this Court may deem just and proper.

**COUNT II
NEGLIGENCE PER SE OF DEFENDANT**

12. Plaintiff incorporates the paragraphs above as though fully set forth herein.
13. The traffic laws of the State of Missouri are designed to protect pedestrians, drivers, and passengers in the State of Missouri from automobile accidents, injury to person, and damage to property.
14. Defendant violated Section 304.012 of the Missouri Revised Statutes, which requires every person operating a motor vehicle on the roads and highways to drive in a careful and prudent manner and to exercise the highest degree of care.
15. Plaintiff was a member of the class of persons intended to be protected by this statute.
16. Plaintiff's injuries were of the kind the statute was designed to prevent.
17. As a direct and proximate result of Defendant's violation of the statute, Plaintiff's legs, pelvis, neck vertebrae, and ribs were injured. Plaintiff went through extensive pain and suffering, incurred medical bills, and incurred lost wages as a result of the medical care necessary due to the negligence of Defendant.

WHEREFORE, Plaintiff prays for judgment against Defendant for a reasonable sum of money damages and for such further relief as this Court may deem just and proper.

REQUEST FOR JURY TRIAL

Plaintiff requests a jury trial on all issues so triable.

Respectfully submitted,

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ATTORNEY FOR PLAINTIFF