

[YOUR NAME]
[YOUR ADDRESS]
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STATE OF ARIZONA
MARICOPA COUNTY SUPERIOR COURT

_____, a [single/married
man/woman],

Plaintiff,

v.

[Name of Defendant] and Jane Doe [last
name of defendant], husband and wife;
JOHN DOES 1-5; JANE DOES 1-5;
BLACK CORPORATIONS 1-5; and
WHITE PARTNERSHIPS 1-5,

Defendants.

Case No. CV _____

COMPLAINT
(TORT-MOTOR VEHICLE)

Plaintiff _____ (hereinafter "Plaintiff"), through her undersigned counsel,
for her Complaint against Defendants, alleges the following:

I. JURISDICTION AND VENUE

1. Plaintiff is a resident of Maricopa County, Arizona. This action is based in
Tort, and arises from an automobile accident in Maricopa County, Arizona. Therefore, this
Court has territorial jurisdiction, and Maricopa County is a proper venue, pursuant to
A.R.S. §12-401(10).

2. The Superior Court has subject matter jurisdiction, pursuant to A.R.S. §22-
201(B) and Art. 6, §14, Arizona Constitution.

1 3. Defendant _____ (hereinafter "Defendant"), upon
2 information and belief, is a resident of Maricopa County, Arizona and is, therefore, within
3 the geographical limits of this Court.

4 **II. NAMES OF DEFENDANTS**

5 4. Defendant _____ and JANE DOE _____ (hereinafter
6 "Defendant"), are husband and wife, and Defendant is now, and was at all times relevant
7 to this action, acting on behalf of the marital community. The true name and identity of
8 Defendant JANE DOE _____ is unknown to Plaintiff. Upon receipt of the proper
9 name, Plaintiff will request leave of the Court to amend this Complaint, pursuant to
10 A.R.C.P. 10(f).
11

12 5. John Does 1-5, Jane Does 1-5, their respective spouses, Black Corporations
13 1-5, and White Partnerships 1-5 are principals or agents of Defendant, and are either
14 residents of Arizona, or are entities that are now, or were at all times relevant to this
15 action, doing business in Arizona. The names of these Defendants are fictitious, as the
16 true name is unknown to Plaintiff. Upon receipt of the proper name, Plaintiff will request
17 leave of the Court to amend this Complaint, pursuant to A.R.C.P. 10(f).
18

19 **III. ALLEGATIONS**

20 6. On _____, Defendant was traveling eastbound on SR 202, near
21 Milepost 42.5 in Chandler, Arizona, Maricopa County. At approximately the same time,
22 Plaintiff was also traveling eastbound on SR 202. As Plaintiff slowed for traffic ahead,
23 Defendant failed to slow his vehicle and hit Plaintiff's vehicle from behind, causing a
24 collision.
25

26 **A. Common Law Negligence**

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2 7. Defendant was under a common law duty or obligation to exercise
3 reasonable care for the safety of others while driving his automobile. Defendant violated
4 that duty by failing to control the speed of his vehicle to avoid a collision. Defendant's
5 conduct was, therefore, negligent.

6 **B. Negligence Per Se**

7
8 8. Defendant's actions violate Arizona statutes designed to protect the public
9 from harm. Defendant's rate of speed was unreasonable under the conditions and he
10 failed to control his speed to avoid a collision, in violation of A.R.S. Section 28-701.A.
11 Plaintiff is within the class which these laws were designed to protect, and the harm to
12 Plaintiff is of the nature the statutes were designed to prevent. Consequently, this
13 violation constitutes a negligent act *per se*.

14
15 **IV. DAMAGES**

16 **A. General and Special**

17 9. Due to Defendant's negligence, Plaintiff sustained neck pain, lumbar strain,
18 dizziness and headaches, as well as other injuries. In addition, Plaintiff suffered pain,
19 alteration in her lifestyle, inconvenience, and other effects of the injuries.

20
21 10. Plaintiff underwent reasonable and necessary medical treatment as a result
22 of her injuries. Plaintiff has incurred medical bills arising from that medical treatment.

23 **V. DEMAND FOR JUDGMENT**

24 WHEREFORE, Plaintiff requests judgment against Defendants as follows:

- 25 A. General damages in an amount to be proven at trial;
26 B. Special damages in an amount to be proven at trial;
27 C. Property Damage
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D. Attorneys' fees and costs; and

E. Such other and further relief as the Court deems just and proper

under the circumstances.

DATED this _____ day of _____, 2014.

[YOUR NAME]

By: _____

[Your name]
[Your address]
Pro per