

Form - Auto Accident Complaint

IN THE UNITED STATES DISTRICT COURT
FOR THE _____ DISTRICT OF _____

_____,)
)
Plaintiff,) Civil Actions No. _____
vs.)
) Judge _____
_____,)
)
Defendant)

COMPLAINT

COMES NOW, plaintiff, _____ and for his/her complaint, alleges as follows:

1. Plaintiff, for all times mentioned herein, was a resident of the County of _____, State of _____.
2. Plaintiff is informed and believes and thereon alleges that defendant, _____, was and is a resident of the County of _____, State of _____.
3. This is an action for damages in excess of \$75,000.00, as required by 28 USC 1332.
4. Plaintiff is informed and believes and thereon alleges that at all times and places herein mentioned defendant, _____, was operating a certain 20__ (vehicle description), (state) License No. _____, owned by _____.
5. At all times herein mentioned plaintiff was and now is the owner of a certain 20__ (vehicle description), (state) License No. _____.
6. At all times herein mentioned ___ Avenue was and now is a public street and highway running in a general easterly and westerly direction in the City of _____, County of _____, State of _____ and _____ Drive was and now is a public street and highway in said city and county, running in a general northerly and southerly direction and intersecting _____ Avenue, and at that intersection, governmental authorities had caused an arterial stop sign to be erected which required all northbound traffic on _____ Drive to stop for _____ avenue, which is a thoroughfare.
7. On or about _____, 20__, at about the hour of _____ .m., plaintiff was operating his automobile in a prudent and careful manner in a general easterly direction upon and along _____ Avenue in the vicinity of its intersection with _____ Drive; at said time and place defendant was operating said 20__ (vehicle

description) along _____ Drive in a general northerly direction; at said time and place defendant failed to stop said vehicle at the stop sign located south of the intersection of _____ Drive and _____ Avenue, or at any time prior to entering the intersection; but rather, drove his automobile into the intersection with wanton disregard of the approach of the vehicle driven by the plaintiff.

8. At said time and place, defendant with gross negligence and wanton disregard for the safety of others, drove and operated his automobile so as to cause the same to collide with great force and violence with the automobile that the plaintiff was driving.

9. Defendant operated his vehicle in a reckless and negligent manner and in violation of several _____ state statutes, including but not limited to:

10. Plaintiff was injured as a direct result of the collision, the same having been directly and proximately caused by the negligent, wanton conduct of the defendant and by defendant's total heedless and reckless disregard of the rights of others.

11. By reason of said negligence and collision aforesaid, and as a proximate result thereof, plaintiff suffered injuries consisting of, but not limited to, severe injuries, bruises, contusions, strain to all the muscles of his body, laceration of both knees, and severe laceration of his forehead of a permanent disfiguring nature; the injuries thus received by plaintiff have greatly impaired his health, strength, and activity and have thereby caused and continue to cause him great mental, physical and nervous pain and suffering and extreme shock to plaintiff's nervous system; and the plaintiff is informed and believes, and thereon alleges, that the injuries will result in some disability to him, all to his general damage in an amount in excess of _____ (Statutory amount for jurisdiction of court. Remember, in federal court for diversity of citizenship jurisdiction, it is presently \$75,000.00).

12. In addition to the general damages sustained by plaintiff, he has suffered substantial expenses, which he has incurred and will continue to incur, including, but not limited to, expenses for medical treatment including the services of doctors, hospitals and the like, all in an amount in excess of _____, the exact amount to be proven at time of trial.

13. As a further proximate result of the herein above alleged carelessness and negligence of said defendant, plaintiff lost the use of his automobile for period of time, all to his further special damage in an amount equal to the reasonable value of said loss of use.

14. As a further, direct and proximate result of the carelessness and negligence of the defendant, plaintiff was prevented from attending to his usual occupation or any occupation whatsoever and has been damaged in an amount not yet ascertainable, plaintiff is informed and believes and thereon alleges that by reason on said carelessness and negligence of defendant, plaintiff will in the future, be prevented from attending to his usual occupation for an undetermined period of time, all to his further special damage in an amount to be proven at trial.

WHEREFORE, plaintiff, _____, prays for judgment against the defendant, _____, for:

1. General damages in excess of _____;
2. Special damages in excess of _____;
3. Reasonable attorneys fees and costs of suit; and

4. Such other and further relief as the Court may deem proper.

(FIRM NAME)

By: _____

Attorney's name and address of firm