

2025-CV-0178

JUN 10, 2025 07:38 PM

Kyemeshia T. Gibson
Kyemeshia "Kye" T. Gibson, Clerk
Meriwether County, Georgia

IN THE SUPERIOR COURT OF MERIWETHER COUNTY
STATE OF GEORGIA

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| <p>OCTOVENE MORELAND, as the next of kin to RONALD MORELAND</p> <p>Plaintiff,</p> <p>v.</p> <p>CHUCK SMITH, in his official capacity as Sheriff of Meriwether County Sheriff's Office</p> <p>Defendants.</p> | <p>CIVIL ACTION FILE NO.</p> <p>DEMAND FOR JURY TRIAL</p> |
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COMPLAINT FOR DAMAGES

COMES NOW Octovene Moreland, as the next of kin to Ronald Moreland (hereinafter "Plaintiff"), through her undersigned counsel, files this Complaint against the above-named Defendant Chuck Smith (hereinafter "Defendant Smith" or "Sheriff Smith") and in support thereof states as follows:

PARTIES AND JURISDICTION

1.

Plaintiff is a resident of Meriwether County, Georgia and submits to the jurisdiction of the Court.

2.

Defendant Smith is the Sheriff of the Meriwether County Sheriff's Office, whereby he is responsible and has control over deputies and employees of the Meriwether County Sheriff's Office

and can be served with process at 17400 Roosevelt Highway Greenville, Georgia 30222. Defendant Smith is made party to the action pursuant to OCGA § 36-92-3

3.

Within twelve (12) months of April 2, 2024, a notice was sent to pursuant to the requirements of O.C.G.A. § 36-11-1.

4.

Venue is proper in this Court.

STATEMENT OF FACTS

5.

On April 2, 2024, at approximately 6:09 am, Ronald Moreland was lawfully negotiating a left turn off GA-85 onto GA-74 S in Senoia, Fayette County, Georgia.

6.

At the same time, Deputy Norman Siefken, in a Meriwether County issued vehicle, was traveling west on GA-85 at a high rate of speed.

7.

Deputy Siefken was driving his patrol vehicle at a speed exceeding the posted limit of 45 mph by 19 to 20 miles per hour, specifically while traversing a narrow bridge on State Route 85. Instead of decelerating, Deputy Siefken chose to accelerate to 67 mph as he approached the intersection of GA-85 and GA-74, which is 12 miles per hour over the posted speed limit of 55 mph on State Route 85, ultimately leading to a significant collision with the vehicle of Ronald Moreland.

8.

At all pertinent times, Deputy Siefken was neither utilizing his emergency lights nor responding to any emergency call.

9.

As a direct and immediate result of Deputy Siefken's negligent and/or reckless conduct in operating his patrol vehicle at an excessively high speed of 67 mph, which is significantly above the established speed limit, Ronald Moreland sustained considerable bodily injury and property damage. Ultimately, Mr. Moreland did not survive his injuries

10.

At all times relevant, Defendant Chuck Smith was responsible for and had control over the deputies and employees of the Sheriff of Meriwether County Sheriff's Department at the time of the accident including Deputy Siefken.

CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF

WRONGFUL DEATH (Georgia Common Law)

11.

Plaintiff realleges and incorporates herein by reference each and every allegation contained in paragraphs 1 through 10 of this Complaint.

12.

Deputy Siefken had a duty to exercise reasonable care while operating his vehicle to avoid causing harm to others on the day of the accident. Furthermore, Deputy Siefken had a duty to obey all Georgia traffic laws.

13.

Deputy Siefken was negligent and/or reckless in the operation of his Meriwether County issued vehicle when he drove his vehicle twenty (22) miles per hour over the posted speed limit and

failed to maintain a proper lookout for Ronald Moreland's vehicle.

14.

Deputy Siefken's negligence, which constitutes the direct and proximate cause of the injuries and death to Ronald Moreland, also consisted of, but was not limited to, the following:

- a. Driving in reckless disregard for the safety of others in violation of O.C.G.A. § 40-6-390;
- b. Failing to exercise ordinary care in violation of O.C.G.A. § 51-12-64;
- c. Failing to maintain reasonable control of a vehicle;
- d. Failing to operate a vehicle in a safe fashion under the circumstances;
- e. Failing to drive at a reasonable and prudent speed when approaching and crossing an intersection in violation of O.C.G.A. § 40-6-180; and
- f. Committing other reckless and negligent acts and omissions, as shall be shown by the evidence and proven at trial.

15.

As a direct and proximate result of Deputy Siefken's negligent and/or reckless acts or omissions, Ronald Moreland suffered life-threatening injuries which eventually resulted in his death. Plaintiff has suffered damages caused by Deputy Siefken's negligence which includes, but not limited to, pain and suffering, loss of consortium, funeral and burial expenses, and future earnings of the deceased.

16.

At the time of the complained incident, Deputy Siefken was acting within the scope of his employment with the Meriwether County Sheriff's Department. At the time, Deputy Siefken committed the acts described herein, he was acting within the course and scope of his employment

and/or agency with the Meriwether County Sheriff's Department under the authority and supervision of Sheriff Chuck Smith. As such, Sheriff Smith is liable for the negligent and/ or reckless acts of Deputy Siefken. Therefore, the negligent and/ or reckless acts of Deputy Siefken are imputed to Sheriff Smith through the doctrines of agency and vicarious liability.

SECOND CLAIM FOR RELIEF
NEGLIGENCE
(Georgia Common Law)

17.

Plaintiff realleges and incorporates herein by reference each and every allegation contained in paragraphs 1 through 10 of this Complaint.

18.

Deputy Siefken's negligence, which constitutes the direct and proximate cause of the injury to the Plaintiff, also consisted of, but was not limited to, the following:

- a. Driving in reckless disregard for the safety of others in violation of O.C.G.A. § 40-6-390;
- b. Failing to exercise ordinary care in violation of O.C.G.A. § 51-12-64;
- c. Failing to maintain reasonable control of a vehicle;
- d. Failing to operate a vehicle in a safe fashion under the circumstances;
- e. Failing to drive at a reasonable and prudent speed when approaching and crossing an intersection in violation of O.C.G.A. § 40-6-180; and
- f. Committing other reckless and negligent acts and omissions, as shall be shown by the evidence and proven at trial.

19.

Deputy Siefken was negligent and/or reckless in failing to travel at a reasonable speed.

20.

As a direct and proximate result of Deputy Siefken's negligence and/or reckless acts and omissions, Ronald Moreland suffered serious bodily injuries resulting in death and property damage.

21.

At the time of the complained incident, Deputy Siefken was acting within the scope of his employment with the Meriwether County Sheriff's Department. At the time, Deputy Siefken committed the acts described herein, he was acting within the course and scope of his employment and/or agency with the Meriwether County Sheriff's Department under the authority and supervision of Sheriff Chuck Smith. As such, Sheriff Smith is liable for the negligent and/ or reckless acts of Deputy Siefken. Therefore, the negligent and/ or reckless acts of Deputy Siefken are imputed to Sheriff Smith through the doctrines of agency and vicarious liability.

PRAYER FOR RELIEF

Plaintiff prays that this Court enter judgment for the Plaintiff and against each of the Defendants and grant:

- (a) That Plaintiff be granted a trial by jury;
- (b) That Plaintiff be awarded compensatory damages against Defendants in such an amount as may be shown by the evidence and as may be determined in the enlightened conscience of the jury;
- (c) That Plaintiff be awarded special damages in an amount as may be shown by the evidence and proven at trial;
- (e) That Defendants be charged with all Court costs attributable to this action and such other costs reasonably incurred in the prosecution and trial of this case;
- (f) Unliquidated damages pursuant to O.C.G.A. §51-12-14, interest at the rate of prime

plus 3% per annum on the amount demanded before suit upon trial of the case;

- (g) That Plaintiff be granted such other and further relief as may be shown by the evidence and the law, and as this Court may deem just and appropriate;
- (h) That Plaintiff recover the full value of the life of Ronald Moreland and future lost wages in an amount to be proven at trial;
- (i) That Plaintiff recover for pain and suffering, funeral expenses, medical expenses in an amount to be determined by the enlightened conscience of the jury.
- (j) That Plaintiff recovers such other and further relief as this Court deems just and proper.

Respectfully submitted this 10th day of June 2025.

/s/Crystal R. Carey

Crystal R. Carey
Georgia Bar No.: 808839

/s/Harry M. Daniels

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Georgia Bar No.: 234158

Attorneys for Plaintiff

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