

Karen Helen Davis
3885 W. Florida Ave #136
Hemet, CA 92545
(619) 201-6775

Plaintiff In Pro Per

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

COUNTY OF RIVERSIDE

KAREN HELEN DAVIS, individually and
as successor in interest to, STEVEN
COLLINS DAVIS, deceased,

Plaintiff,

vs.

CITY OF HEMET, a public entity; HEMET
POLICE DEPARTMENT, a public entity;
HEMET FIRE DEPARTMENT, a public
entity; COUNTY OF RIVERSIDE, a public
entity; STATE OF CALIFORNIA, a public
entity; DYLAN JACK CALLOWAY, an
individual; DOES 1 through 50, inclusive,

Defendants.

CASE NO.: CVSW2400176

COMPLAINT FOR DAMAGES:

- 1. NEGLIGENCE**
- 2. Gov. Code Section 815.2 – GOVERNMENT LIABILITY FOR INJURIES PROXIMATELY CAUSED BY PUBLIC EMPLOYEES**
- 3. Gov. Code Section 835 – DANGEROUS CONDITION OF PUBLIC PROPERTY**
- 4. WRONGFUL DEATH**
- 5. CONTINUATION OF DECEDENT’S CAUSE OF ACTION (SURVIVAL ACTION)**

DEMAND FOR JURY TRIAL

COMES NOW Plaintiff KAREN HELEN DAVIS (“Plaintiff”), individually and as
successor in interest to STEVEN COLLINS DAVIS, deceased, who respectfully alleges the
following:

GENERAL ASSERTIONS

1. This is a wrongful death and survival action for personal injury arising out of
the actions of the Defendants, which occurred on or about January 27, 2023, and which
proximately caused serious and permanent injury to Decedent STEVEN COLLINS DAVIS.
The negligent acts and omissions of the Defendants as herein alleged took place in or about the

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3055 Wilshire Blvd. 12th Floor
Los Angeles, CA 90010-1137

1 City of Hemet, in the County of Riverside, State of California. Accordingly, venue within this
2 judicial district is proper.

3 2. At all times relevant herein, Plaintiff KAREN HELEN DAVIS was an
4 individual over the age of 18 and a resident of the City of Hemet, County of Riverside, State of
5 California.

6 3. Pursuant to the operation of *Code of Civil Procedure* Sections 377.30 and
7 377.60, Plaintiff KAREN HELEN DAVIS brings this action as a Survival Action as to the
8 causes of action held by Decedent.

9 4. Pursuant to the operation of *Code of Civil Procedure* Section 377.60, Plaintiff
10 brings this action as a Wrongful Death Action as an heir and successor in interest of Decedent.

11 5. A copy of the Decedent’s Death Certificate is attached herein as Exhibit “A”.
12 An Affidavit of Heirship by the Plaintiff is attached herein as Exhibit “B”.

13 6. Defendant CITY OF HEMET, at all times relevant herein, was a public entity
14 duly organized and existing under and by virtue of the laws of the State of California.

15 7. Defendant HEMET POLICE DEPARTMENT, at all times relevant herein, was
16 a public entity duly organized and existing under and by virtue of the laws of the State of
17 California.

18 8. Defendant HEMET FIRE DEPARTMENT, at all times relevant herein, was a
19 public entity duly organized and existing under and by virtue of the laws of the State of
20 California.

21 9. Defendant COUNTY OF RIVERSIDE, at all times relevant herein, was a public
22 entity duly organized and existing under and by virtue of the laws of the State of California.

23 10. Defendant STATE OF CALIFORNIA, at all times relevant herein, was a public
24 entity duly organized and existing under and by virtue of the laws of the State of California

25 11. Defendants CITY OF HEMET, HEMET POLICE DEPARTMENT, HEMET
26 FIRE DEPARTMENT, COUNTY OF RIVERSIDE and STATE OF CALIFORNIA are public
27 entities, upon which Plaintiff has, pursuant to Government Code §§ 905 & 910, et seq., timely
28 served written government claims on July 14, 2023 (attached herein as Exhibit “C”).

1 12. Defendants CITY OF HEMET, HEMET POLICE DEPARTMENT and
2 HEMET FIRE DEPARTMENT rejected Plaintiff’s claim on July 19, 2023 (attached hereon as
3 Exhibit “D”).

4 13. Defendant COUNTY OF RIVERSIDE rejected Plaintiffs claim on July 20,
5 2023 (attached herein as Exhibit “E”).

6 14. Defendant STATE OF CALIFORNIA rejected Plaintiffs claim on August 09,
7 2023 (attached herein as Exhibit “F”).

8 15. Defendants CITY OF HEMET, HEMET POLICE DEPARTMENT, HEMET
9 FIRE DEPARTMENT, COUNTY OF RIVERSIDE and STATE OF CALIFORNIA have
10 rejected said claims and this action is being brought within six (6) months of that denial.
11 Accordingly, Plaintiffs have standing to bring suit for monetary damages.

12 16. Plaintiff is informed and believes, and based thereon alleges that at all times
13 relevant herein, Defendant DYLAN JACK CALLOWAY was an individual over the age of 18
14 and a resident of the City of Hemet, County of Riverside, State of California.

15 17. The true names and/or capacities, whether individual, corporate, associate or
16 otherwise of the Defendants DOES 1 through 50, inclusive, and each of them, are unknown to
17 Plaintiff who therefore sues said Defendants by such fictitious names pursuant to Code of Civil
18 Procedure § 474. Plaintiff is informed and believes and thereon alleges that each of these
19 Defendants fictitiously named herein as a DOE is legally responsible, negligent or in some
20 other actionable manner liable for the events and happenings hereinafter referred to, and
21 proximately and legally caused the injuries to Plaintiff as hereinafter alleged. Plaintiff will
22 seek leave of the Court to amend this Complaint to insert the true names and/or capacities of
23 such fictitiously-named Defendants when the same has been ascertained.

24 18. Plaintiff is informed and believes, and based thereon alleges that at all times
25 relevant hereto, each Defendant, including DOES 1 through 50, was the owner, servant, agent,
26 joint-venturer, employee or employer of each of its co-Defendants, and in doing the acts
27 hereinafter mentioned, each Defendant was acting within the scope of its authority and with the
28 permission and consent of its co-Defendants, and each of them, and that said acts of each

1 Defendant was ratified by said Defendant's co-Defendants, and each of them and every
2 Defendant, as aforesaid, when acting as a principal, was negligent in the selection and hiring of
3 each and every other Defendant as an agent, employee and/or joint venturer.

4 19. Plaintiff is informed and believes, and based thereon alleges that all of the acts,
5 conduct, and nonfeasance herein carried out by each and every representative, employee or
6 agent of each and every corporate or business defendant, were authorized, ordered, and
7 directed by the respective defendant's corporate or business employers, officers, directors
8 and/or managing agents; that in addition thereto, said corporate or business employers, officers,
9 directors and/or managing agents had advance knowledge of, authorized, and participated in
10 the herein described acts, conduct and nonfeasance of their representatives, employees, agents
11 and each of them; and that in addition thereto, upon the completion of the aforesaid acts,
12 conduct and nonfeasance of the employees and agents, the aforesaid corporate and business
13 employers, officers, directors and/or managing agents respectively ratified, accepted the
14 benefits of, condoned and approved of each and all of said acts, conduct or nonfeasance of
15 their co-employees, employers, and agents. In addition, at all times herein relevant, each
16 defendant, whether named herein or designated as a DOE, was a principal, master, employer
17 and joint venturer or every other defendant, and every defendant was acting within the scope of
18 said agency authority, employment and joint venture.

19 20. On or about January 27, 2023, Decedent was traveling on Florida Avenue
20 approaching the intersection of Acacia Avenue and Florida Avenue (hereinafter "SUBJECT
21 ROADWAY"). At the same time, Defendant DYLAN JACK CALLOWAY was exiting the
22 mobile home park and was attempting to make a left turn onto Florida Avenue and struck the
23 Decedent's vehicle, which caused the Decedent's vehicle to swerve into a drainage ditch at the
24 intersection.

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1 **FIRST CAUSE OF ACTION**

2 **NEGLIGENCE**

3 *[Against Defendants DYLAN JACK CALLOWAY and DOES 1 through 50, inclusive]*

4 21. Plaintiff incorporates herein by reference, as though fully set forth at length,
5 each and every allegation and statement contained in the preceding and subsequent paragraphs.

6 22. Plaintiff is informed and believes, and based thereon alleges that at all material
7 times mentioned herein, Defendant DYLAN JACK CALLOWAY owed a duty of care to all
8 reasonably foreseeable people, including the Deceased, to reasonably manage, maintain,
9 control, and operate their vehicle.

10 23. Plaintiff is informed and believes, and based thereon alleges that the standard of
11 care Defendant DYLAN JACK CALLOWAY owed to all reasonably foreseeable people,
12 including the Deceased, was to operate their vehicle as a reasonably prudent person would
13 under like circumstances and/or conditions.

14 24. Plaintiff is informed and believes, and based thereon alleges that on the above
15 date and time, Defendant DYLAN JACK CALLOWAY failed to operate their vehicle in a safe
16 or reasonable manner by failing to yield the right of way to oncoming traffic and initiating a
17 left turn from onto when other vehicles were approaching at such a distance as to constitute an
18 immediate hazard.

19 25. Moreover, Plaintiff is informed and believes, and based thereon alleges that
20 Defendant DYLAN JACK CALLOWAY negligently failed to approach the intersection with
21 due care, failed to perceive and/or take into consideration the other vehicles on the roadway,
22 and were inattentive at the time of the collision. As a result of Defendant DYLAN JACK
23 CALLOWAY's failure to exercise reasonable care, the vehicle driven by Defendant DYLAN
24 JACK CALLOWAY collided with Decedent's vehicle, causing injuries and ultimately death to
25 Decedent and injury to Decedent's property.

26 26. Plaintiff is informed and believes, and based upon such information and belief
27 alleges that Defendant DYLAN JACK CALLOWAY failed to properly check for, and yield,
28 the right-of-way to oncoming traffic prior to initiating the left turn. Further, Defendant

1 DYLAN JACK CALLOWAY knew, or in the exercise of reasonable care should have known
2 that failing to check for oncoming traffic prior to initiating a left turn created an unreasonable
3 risk of injury to the Decedent and others similarly situated.

4 27. Moreover, Defendant DYLAN JACK CALLOWAY knew, or in the exercise of
5 reasonable care should have known, that there was an oncoming vehicle approaching at the
6 time that Defendant DYLAN JACK CALLOWAY began to make the left turn from onto the
7 intersection of Acacia Avenue and Florida Avenue. In proceeding despite this actual or
8 constructive knowledge of the existence of vehicles constituting an immediate hazard,
9 Defendant created an unreasonable risk of injury to Decedent and others similarly situated.

10 28. California Vehicle Code § 21801 is a statute enacted to protect, among others,
11 motorists on California highways from collisions between vehicles and damage resulting
12 therefrom. California Vehicle Code § 21801(a) states in pertinent part: “The driver of a vehicle
13 intending to turn to the left...into public or private property...shall yield the right-of-way to all
14 vehicles approaching from the opposite direction which are close enough to constitute a hazard
15 at any time during the turning movement.”

16 29. Plaintiff is informed and believes, and based thereon alleges that Defendant
17 DYLAN JACK CALLOWAY and DOES 1 through 50, inclusive and each of them, violated
18 California Vehicle Code § 21801(a) by failing to yield the right of way to all vehicles upon the
19 roadway coming from the opposite direction which were close enough to constitute a hazard at
20 any time during the turning movement. Instead, Defendant proceeded to initiate a left hand
21 turn.

22 30. Plaintiff is informed and believes, and based thereon alleges that Defendant
23 DYLAN JACK CALLOWAY, was *per se* negligent for driving in violation of, including but
24 not limited to, California Vehicle Code § 21801, at the time of the aforementioned incident.

25 31. Plaintiff is informed and believes, and based thereon alleges that at all times
26 herein mentioned the Decedent was a member of the class of persons designed to be protected
27 by the aforementioned vehicle code section, that the subject collision was within the class of
28 risks for which the aforementioned vehicle code section was enacted to protect against, that the

1 violation by Defendant DYLAN JACK CALLOWAY of said vehicle code sections was
2 inexcusable, and that the violation of said vehicle code section was a direct, legal, and
3 proximate cause of the injuries and damages complained of herein.

4 32. As a further direct, legal and proximate result of the combined and concurrent
5 wrongful conduct of all of the Defendants, Decedent suffered and sustained loss and damages
6 within the jurisdiction of the Superior Court of California, including, but not limited to severe
7 and permanent injury to the body and nervous system of the Decedent, and ultimately the death
8 of the Decedent.

9 **SECOND CAUSE OF ACTION**

10 **Gov. Code Section 815.2 – GOVERNMENT LIABILITY FOR INJURIES**

11 **PROXIMATELY CAUSED BY EMPLOYEES WITHIN SCOPE OF EMPLOYMENT**

12 *[Against Defendants CITY OF HEMET, HEMET POLICE DEPARTMENT, HEMET FIRE*
13 *DEPARTMENT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA and DOES 1 through*
14 *50, inclusive]*

15 33. Plaintiff incorporates herein by reference, as though fully set forth at length,
16 each and every allegation and statement contained in the preceding and subsequent paragraphs.

17 34. Plaintiff is informed and believes, and based thereon alleges that on the above
18 date and time, the officers and medical personnel employed by Defendants CITY OF HEMET,
19 HEMET POLICE DEPARTMENT, HEMET FIRE DEPARTMENT, COUNTY OF
20 RIVERSIDE, STATE OF CALIFORNIA and DOES 1 through 50, inclusive and each of them,
21 had a duty to perform lifesaving services to the Decedent.

22 35. Plaintiff is informed and believes, and based thereon alleges that the officers
23 and medical personnel of Defendants CITY OF HEMET, HEMET POLICE DEPARTMENT,
24 HEMET FIRE DEPARTMENT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA and
25 DOES 1 through 50, inclusive and each of them, breached their duty to the Decedent when
26 they failed to perform lifesaving services to the Decedent, which could have prevented the
27 Decedent's death.

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1 36. Plaintiff is informed and believes, and therefore alleges that Defendants CITY
2 OF HEMET, HEMET POLICE DEPARTMENT, HEMET FIRE DEPARTMENT, COUNTY
3 OF RIVERSIDE, STATE OF CALIFORNIA and DOES 1 through 50, inclusive and each of
4 them, are liable pursuant to Government Code Section 815.2 because the actions, or lack of
5 actions, of the officers and medical personnel make them liable in tort.

6 37. As a direct, legal and proximate result of the combined and concurrent wrongful
7 conduct of all of the Defendants, Decedent suffered and sustained loss and damages within the
8 jurisdiction of the Superior Court of California, including, but not limited to severe and
9 permanent injury to the body and nervous system of the Decedent, and ultimately the death of
10 the Decedent.

11 **THIRD CAUSE OF ACTION**

12 **DANGEROUS CONDITION OF PUBLIC PROPERTY**

13 *[Against Defendants CITY OF HEMET, COUNTY OF RIVERSIDE, STATE OF*
14 *CALIFORNIA and DOES 1 through 50, inclusive]*

15 38. Plaintiff incorporates herein by reference, as though fully set forth at length,
16 each and every allegation and statement contained in the preceding and subsequent paragraphs.

17 39. Pursuant to Government Code § 835 et seq., Defendants CITY OF HEMET,
18 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA and DOES 1 through 50, inclusive,
19 and each of them, are liable for the injury caused by a dangerous condition on their property.

20 40. Plaintiff is informed and believes and based thereon alleges that Defendants
21 CITY OF HEMET, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA and DOES 1
22 through 50, inclusive and each of them, were aware of the condition of the SUBJECT
23 ROADWAY.

24 41. Although aware of the dangerous condition of the SUBJECT ROADWAY,
25 Defendants CITY OF HEMET, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA and
26 DOES 1 through 50, inclusive and each of them, took no affirmative steps to correct the
27 dangerous condition to prevent further injury.

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1 42. At the time of the SUBJECT INCIDENT, there existed various dangerous
2 condition(s) that created a substantial risk of injury when the roadway was used with due care
3 and in a manner in which it is and was reasonably foreseeable that it would be and was used,
4 including but not limited to, the following respects:

- 5 a. The roadway was unreasonably and dangerously designed and maintained;
- 6 b. The roadway lacked any or has insufficient and/or defective warning signs,
7 signals, or other forms of warning to alert drivers of the dangerous nature of
8 the roadway;
- 9 c. The warning signs or other signals or postings, if any, at or near the
10 SUBJECT ROADWAY or on adjacent property, are obstructed from the
11 view of people traveling on the roadway;
- 12 d. The roadway was defective in not being up to industry standards, regarding
13 streetlights, warning signs, traffic control lights;
- 14 e. The Defendants failed to maintain the roadway and related signage and
15 devices to put individuals on notice of the dangerous conditions, which
16 caused the incident resulting in the Decedent's death;
- 17 f. The combination of the above-referenced conditions created a concealed
18 trap to foreseeable users of the roadway, including Decedent.

19 43. Defendants CITY OF HEMET, COUNTY OF RIVERSIDE, STATE OF
20 CALIFORNIA and DOES 1 through 50, inclusive and each of them, built, drafted, engineered,
21 designed, inspected, regulated, modified, directed, supervised, planned, contracted, maintained,
22 and controlled the roadway. Defendants caused, created, and/or allowed to exist and to
23 continue to exist said dangerous condition(s) with respect to the SUBJECT ROADWAY and
24 its adjacent property.

25 44. Plaintiff is further informed and believes, and thereon alleges, that Defendants
26 CITY OF HEMET, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA and DOES 1
27 through 50, inclusive and each of them, had, within the meaning of Government Code § 835.2,
28 actual and constructive knowledge of the said dangerous and defective conditions of the

1 SUBJECT ROADWAY and adjacent property for a sufficient period of time prior to the
2 SUBJECT ROADWAY to have taken measures to prevent such incidents due to the
3 longstanding physical appearance and condition(s) of the SUBJECT ROADWAY and
4 equipment and/or lack of equipment. These actions and omissions caused the damages suffered
5 by the Decedent.

6 45. The dangerous conditions were not reasonably apparent to, and were not
7 anticipated by, persons exercising due care and using the SUBJECT ROADWAY in a
8 reasonably foreseeable manner, such as the Plaintiff. For those reasons, and others stated
9 above, the SUBJECT ROADWAY constituted a concealed trap for those exercising due care
10 and acting in a foreseeable manner, including Plaintiff. The dangerous condition(s) were the
11 legal, direct, and proximate cause of the damages suffered by Plaintiff.

12 46. The SUBJECT INCIDENT was caused by the negligence and gross negligence
13 of Defendants and their employees and/or agents.

14 47. As a direct, legal and proximate result of the combined and concurrent wrongful
15 conduct of all of the Defendants, Decedent suffered and sustained loss and damages within the
16 jurisdiction of the Superior Court of California, including, but not limited to severe and
17 permanent injury to the body and nervous system of the Decedent, and ultimately the death of
18 the Decedent.

19 **FOURTH CAUSE OF ACTION**

20 **WRONGFUL DEATH**

21 *[Against All Defendants]*

22 48. Plaintiff incorporates herein by reference, as though fully set forth at length,
23 each and every allegation and statement contained in the preceding and subsequent paragraphs.

24 49. Plaintiff KAREN HELEN DAVIS is the surviving parent of Decedent STEVEN
25 COLLINS DAVIS who was born on April 29, 1992. Based on information and belief, Plaintiff
26 KAREN HELEN DAVIS is, or will be, the Administrator of the Estate of STEVEN COLLINS
27 DAVIS.

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1 50. Pursuant to the operation of Code of Civil Procedure Section 377.60, Plaintiff
2 KAREN HELEN DAVIS is the heir, successor in interest, and the only person lawfully entitled
3 to assert a cause of action for the wrongful death of Decedent STEVEN COLLINS DAVIS. No
4 other person has any claim, right, or interest in the cause of action for wrongful death of
5 Decedent STEVEN COLLINS DAVIS.

6 51. On or about January 27, 2023, as a direct, proximate and legal result of the
7 aforementioned negligence, acts, omissions, carelessness, and malfeasance by all Defendants,
8 and each of them, STEVEN COLLINS DAVIS was fatally injured and died intestate on
9 January 27, 2023.

10 52. Prior to Decedent's death, Decedent STEVEN COLLINS DAVIS was a loving
11 member of Plaintiff's family.

12 53. As a direct, proximate and legal result of the aforementioned negligence, acts,
13 omissions, carelessness, and malfeasance by all Defendants, and each of them, Plaintiff has
14 sustained pecuniary damages resulting from the loss of love, society, comfort, companionship,
15 attention, services, solace, moral and financial support of STEVEN COLLINS DAVIS in an
16 amount exceeding the jurisdictional limit of this Court and subject to proof at trial.

17 54. As a legal result of the aforementioned combined and concurrent wrongful
18 conduct of all of the Defendants, and each of them, Plaintiff has sustained pecuniary damages
19 from loss and damage to valuable tangible items of personal property incurred and suffered by
20 Decedent STEVEN COLLINS DAVIS prior to the time of Decedent's death.

21 55. As a legal result of the aforementioned combined and concurrent wrongful
22 conduct of all of the Defendants, and each of them, the Plaintiff has sustained pecuniary
23 damages for funeral, burial and incidental expenses incurred and paid on behalf of Decedent
24 STEVEN COLLINS DAVIS.

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1 **FIFTH CAUSE OF ACTION**

2 **CONTINUATION OF DECEDENT’S CAUSE OF ACTION (SURVIVAL ACTION)**

3 *[Against All Defendants]*

4 56. Plaintiff incorporates herein by reference, as though fully set forth at length,
5 each and every allegation and statement contained in the preceding and subsequent paragraphs.

6 57. As set forth in the preceding cause of action, the negligence of Defendants,
7 inclusive and each of them, was the proximate and legal cause of the death of Decedent
8 STEVEN COLLINS DAVIS.

9 58. Plaintiff is informed and believes, and based thereon alleges that Decedent
10 STEVEN COLLINS DAVIS died of injuries sustained on January 27, 2023 intestate as alleged
11 herein on January 27, 2023, in the City of Hemet, State of California.

12 59. Prior to the time of Decedent’s death on January 27, 2023, Decedent STEVEN
13 COLLINS DAVIS had valuable claims and causes of action against all Defendants herein,
14 which Decedent would have asserted if Decedent had lived.

15 60. Plaintiff KAREN HELEN DAVIS, who is or will be the Administrator of the
16 Estate of STEVEN COLLINS DAVIS, deceased. Pursuant to the operation of Code of Civil
17 Procedure Section 377.10, Plaintiff KAREN HELEN DAVIS succeed to the causes of action
18 held by Decedent STEVEN COLLINS DAVIS at the time of Decedent’s death. No other
19 person has a superior right to continue this action or to be substituted for Decedent STEVEN
20 COLLINS DAVIS in this action.

21 61. As a legal result of the combined and concurrent wrongful conduct of all of the
22 Defendants, and each of them, the Estate of STEVEN COLLINS DAVIS has sustained
23 pecuniary damages as a result of medical, hospital and incidental expenses incurred and
24 suffered by Decedent prior to the time of Decedent’s death.

25 62. As a legal result of the aforementioned combined and concurrent wrongful
26 conduct of all of the defendants, and each of them, the Estate of STEVEN COLLINS DAVIS
27 has sustained pecuniary damages from loss and damage to valuable tangible items of personal
28

1 property incurred and suffered by Decedent STEVEN COLLINS DAVIS prior to the time of
2 Decedent's death.

3 63. As a legal result of the aforementioned combined and concurrent wrongful
4 conduct of all of the defendants, and each of them, the Estate of STEVEN COLLINS DAVIS
5 has sustained pecuniary damages for funeral, burial and incidental expenses incurred and paid
6 on behalf of STEVEN COLLINS DAVIS.

7 **PRAYER FOR RELIEF**

8 WHEREFORE, Plaintiff KAREN HELEN DAVIS hereby prays for judgment against
9 all Defendants and each of them as follows:

- 10 1. All past and future economic damages, including but not limited to, medical
11 expenses, loss of property, loss of earnings and earning capacity;
12 2. All past and future noneconomic damages;
13 3. Pre-trial and post-trial interest;
14 4. Costs of suit.

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16 DATED: January 4, 2024

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18 By: *Karen Helen Davis*
19 by Wilshire Law Firm
20 Karen Helen Davis
21 Plaintiff In Pro Per
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DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury in this action.

DATED: January 4, 2024

By: *Karen Helen Davis*
by Wilshire Law Firm
Karen Helen Davis
Plaintiff In Pro Per

WILSHIRE LAW FIRM, PLC
3055 Wilshire Blvd. 12th Floor
Los Angeles, CA 90010-1137

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EXHIBIT "A"

STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

3052023031558

CERTIFICATE OF DEATH

3202333001987

Form containing personal data, residence, informant, spouse, funeral, place of death, cause of death, physician's certification, and coroner's use only sections.

CERTIFIED COPY OF VITAL RECORD

STATE OF CALIFORNIA }
COUNTY OF RIVERSIDE } SS

This is a true and exact reproduction of the document officially registered and placed on file by the Riverside University Health System, Department of Public Health.



DATE ISSUED Feb 21, 2023

Dr. Geoffrey Leung, M.D., Ed.M., County Health Officer

This copy is not valid unless prepared on an engraved border, displaying the date, seal, and signature of the Registrar.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



EXHIBIT "B"

STATE OF CALIFORNIA

AFFIDAVIT OF HEIRSHIP

AS TO

DECEDENT STEVEN COLLINS DAVIS

The undersigned(s), Karen Helen Davis do hereby declare and swear under penalty of perjury of the laws of the State of California, as follows:

1. I/We are over the age of 18. I/We have personal knowledge of the information set forth herein, and if called upon as a witness, we could and would competently testify to the facts stated below as truthfully and correctly and to the best of my own personal knowledge.
2. Decedent, Steven Collins Davis, was born on 4/29/1992, and died on 1/27/2023, in Riverside, State of California at the age of 30 years old.
3. In the event that the Decedent, Steven Collins Davis, was married, listed below is/are the name(s) of the spouse(s) and current status of said marriage.

Name of Spouse	Status (e.g., terminated, predeceased, etc.)

4. I/We am/are the decedent's only successors in interest, as defined in Code of Civil Procedure Section 377.11, and succeed to their interest in this action. As one of the successors in interest as defined by California Code of Civil Procedure Sections 377.10 and 377.11, I/We are the person(s) entitled to commence an action on any cause of action that survives the death of the decedent. There are no personal representatives for the decedent;

5. Decedent, Steven Davis Collins, natural born and adopted children are:

Name of Child/Current Address	Date of Birth	Name of Child's Other Parent

6. The decedent, Steven Collins Davis, has no other children, born or adopted, and nobody/nobody else relied upon him for one-half or more of his/her support.

7. No proceeding is now pending in California for administration of the decedent's estate.

8. No other person has a superior right to commence the action or proceeding or to be substituted for the decedent in the pending action or proceeding.

9. Pursuant to the facts set forth above and the laws of the State of California. I/We request that any Bodily Injury Benefits be paid to the declarant(s).

10. (Check one of the following applicable facts:)

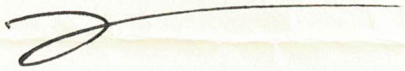
The affiant or declarant is the decedent's successor in interest (as defined in Section 377.11 of the California Code of Civil Procedure) and succeeds to the decedent's interest in the action or proceeding.

The affiant or declarant is authorized to act on behalf of the decedent's successor in interest (as defined in Section 377.11 of the California Code of Civil Procedure) with respect to the decedent's interest in the action or proceeding.

11. Attached is a true and correct certified copy of the decedent's death certificate.

12. (If the decedent's estate was administered.) Attached is a true and accurate copy of the final order showing the distribution of the decedent's cause of action to the successor in interest.

We declare under penalty of perjury under the law of the State of California that the foregoing is true and correct.



Karen Helen Davis, Declarant

Dated: 9/30/2023

_____, Declarant

Dated: _____

_____, Declarant

Dated: _____

_____, Declarant

Dated: _____

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Riverside)

On September 30, 2023 before me, Denise H. Hensley, Notary Public, personally appeared Karen Helen DAVIS who proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledgment to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Denise H. Hensley

(Seal)

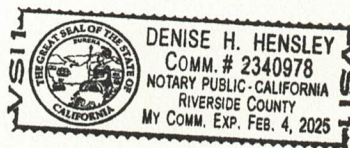
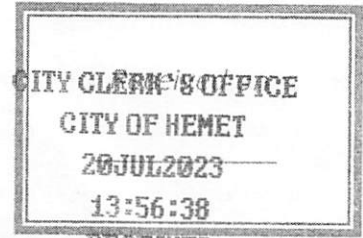


EXHIBIT "C"

CLAIM FOR DAMAGES



City of Hemet
CLAIM FOR DAMAGES

INSTRUCTIONS

Please fill out claim form completely and please print. Additional sheets may be attached if more space is needed. Missing information may delay the processing of your claim. This is for a claim against the City of Hemet. The original and one identical copy of this form, together with copy of all attachments, are to be filed with the City of Hemet. Retain one copy for your records.

Send to the following address: City Clerk
City of Hemet
445 E Florida Ave
Hemet, CA 92543

Name of Claimant: KAREN HELEN DAVIS on behalf of STEVEN COLLINS DAVIS
(First Name) (Middle Initial) (Last Name)

Home Address: 3885 West Florida Avenue #136 Date of Birth: 4/29/1992

Email: Lit@wilshirelawfirm.com Soc. Security No: _____ CA Driver's License No: E2080542

Daytime Phone: (213) 381-9988 Cell: _____

Address you want notices sent: 3055 Wilshire Blvd., 12th Fl. [ATTN: Alivia Abreu, Esq.]

City, State, Zip Los Angeles, CA 90010

Type of Loss Personal Injury Other _____ Police Report No: 2023-00642

Property Damage Indemnity-Date Complaint Served: _____

When did injury or Damage occur? 1/27/2023 Friday 9:36 PM (AM/PM)
(Month Day Year) (Day of Week) (Time of Day)

Where did Injury or Damage occur? at or near the intersection of Florida Ave. and Acacia Ave. in Hemet, CA
(Street address, Intersecting streets, or measurements from specific landmarks)

How did Injury or Damage occur? (Describe accident or occurrence)

Please see Attachment A.

CLAIM FOR DAMAGES

What is your basis for claiming that the City is liable to you? (Please be specific and include all reasons.)

Please see Attachment A.

What Injury or Damage did you suffer?

Death of Steven Collins Davis.

Witnesses (if any) Name-Address-Phone No: Please see attached Traffic Collision Report for a list of Witnesses.

Name of Public Employee(s) involved: Unknown at this time; City of Hemet; Hemet Police Dept.; Hemet Fire Dept.

Is total amount of claim greater than \$10,000? [X] Yes [] No If "Yes" is this a limited civil case? [] Yes [X] No

If "No" state the amount claimed: Personal Injury \$ Property Damage \$ Other \$

What is the basis for your damage computation: In excess of \$1,000,000 for compensatory, general and punitive damages.

NOTE: Please attach copies of any documents, photographs or other evidence supporting your claim and your damages to this form. If your claim relates to an automobile accident, please answer the following and attach PROOF OF INSURANCE

Was your insurance coverage in effect at the time of the incident? [X] Yes [] No

Insurance Policy No: CAA1471211623 Insurance Company: AAA/Interinsurance Exchange of the Automobile Club

Insurance Broker/Agent: Claudia Jalomo, Claims Service Representative

Address: PO Box 25210, Santa Ana, CA 92799 Phone No: (213) 741-3130

Any additional information that might be helpful: Please see Attachment A and TCR.

WARNING: California State Law generally requires that most claims against a public entity, such as the City of Hemet, be presented within SIX (6) MONTHS from the date of the action or incident giving rise to the claim. Be sure your claim is actually against the City of Hemet and not some other public entity. Certain other claims must be filed within ONE (1) YEAR from the action or incident. You should check the Government Code to determine what presentation period applies in your case.

WARNING: A) It is a Criminal Offense to File a False Claim! (Penal Code Sec. 72; Insurance Code Sec. 556.1)

B) It is a Criminal Offense to File a False Claim against a Peace Officer! (Penal Code 143.6)

I have read the matters and statements made in the above claim and I know the same to be true of my knowledge, except as to those matters stated upon information or belief, and as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is true and correct.

Signature: Patricia Hanson Date: 7/14/2023

Relationship (self, attorney, guardian, etc.): Attorney for Claimant

"All Claims Are Public Record"

WILSHIRE LAW FIRM, PLC
3055 Wilshire Blvd., 12th Floor
Los Angeles, CA 90010-1137

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ATTACHMENT A

Claimant KAREN HELEN DAVIS on behalf of Decedent STEVEN COLLINS DAVIS, hereby presents the following information in support of his claims against the HEMET POLICE DEPARTMENT, the HEMET FIRE DEPARTMENT, and the CITY OF HEMET:

How did the Damage or Injury Occur?

The SUBJECT INCIDENT occurred on January 27, 2023 at or near the intersection of Florida Avenue and Acacia Avenue in the City of Hemet, CA (hereinafter "SUBJECT ROADWAY"). The Decedent, who was driving westbound on Florida Avenue, was fatally injured when a vehicle, driven by a third party, attempted to make a left turn into the Decedent's lane and struck the Decedent's vehicle. This caused the Decedent's vehicle to go off the road and collide with the concrete drainage tunnel west of Acacia Avenue and south of Florida Avenue.

Additional information regarding the facts and circumstances of the SUBJECT INCIDENT are included in the attached Traffic Collision Report which is incorporated herein by reference.

Why is the Government Entity Responsible?

DANGEROUS ROAD CONDITIONS

Claimant contends that the physical condition of the area where the SUBJECT INCIDENT occurred, and the surrounding area played a substantial role in causing the SUBJECT INCIDENT. Claimant further contends that the CITY OF HEMET, its employees, agents, and contractors improperly and negligently controlled, designed, constructed, repaired, and maintained the area where the SUBJECT INCIDENT occurred, including the area surrounding the location where the SUBJECT INCIDENT occurred. This failure to properly control, design, construct, repair, and maintain said SUBJECT ROADWAY led to the existence of dangerous conditions for individuals such as the Decedent using the SUBJECT ROADWAY with due care and in a reasonably foreseeable manner, including but not limited to an increase in motor vehicle collisions along the roadway, an increase in the speed of traffic along the roadway, a decrease in

1 driver reaction times, a decrease in motor vehicle stability for traffic along the
2 roadway, and a decrease in the visibility of vehicles moving along the roadway. These
3 defects included, but were not limited to a lack of adequate crosswalks, lighting, traffic
4 control devices, traffic signals, sidewalks, roadway markings, signage, warnings,
5 crossing guards, speed restrictions, and other traffic safety devices, as well as the
6 presence of hidden conditions not known to a reasonably prudent individual using the
7 roadway, sightline restrictions, and implementation of an improper and excessive
8 speed limit given the other factors and conditions of the roadway. Furthermore, the
9 curvature, slope, lack of uniformity, lack of roadway design, and angle of the roadway
10 caused and/or contributed to the ability of the parties to see and appreciate the
11 presence of each other on the SUBJECT ROADWAY. Claimant also contends that the
12 CITY OF HEMET was aware and had notice that said SUBJECT ROADWAY was
13 dangerous and in a defective condition and failed to do anything to improve and
14 remedy said dangerous conditions, or to warn those using the SUBJECT ROADWAY of
15 such dangers.

16 NEGLIGENCE

17 Claimant further contends that the death of the Decedent was caused by
18 negligence of the officers and medical personnel of the HEMET POLICE DEPARTMENT,
19 HEMET FIRE DEPARTMENT, and CITY OF HEMET. Claimant alleges that the Decedent
20 was left in the vehicle for several hours, and that no lifesaving services were provided
21 to the Decedent.

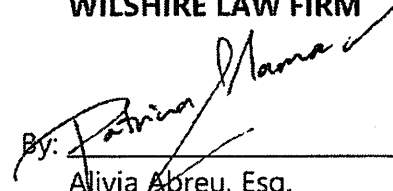
22 Claimant is informed and believes that the officers and medical personnel were
23 agents or employees of the HEMET POLICE DEPARTMENT, the HEMET FIRE
24 DEPARTMENT, and the CITY OF HEMET. Claimant is further informed and believes that
25 the officers and medical personnel were acting with the express or implied authority
26 and permission of the HEMET POLICE DEPARTMENT, the HEMET FIRE DEPARTMENT,
27 and the CITY OF HEMET.

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DATED: July 14, 2023

WILSHIRE LAW FIRM

By: 

Alivia Abreu, Esq.
Patricia Mamac, Esq.
Attorney for Claimant

WILSHIRE LAW FIRM, PLC
3055 Wilshire Blvd, 12th Floor
Los Angeles, CA 90010-1137

COUNTY OF RIVERSIDE

CLAIM FOR DAMAGES TO PERSON OR PROPERTY



INSTRUCTIONS:

1. Read claim *thoroughly*.
2. Fill out claim as indicated; attach additional information if necessary.
3. This office needs the original completed claim form and clear readable copies of attachments (if any) if originals are not available.
4. This claim form *must* be signed.

OFFICE USE ONLY

RECEIVED

CLAIM# 392-23 SUM# _____
 Duplicate
 JUL 24 2023

CLERK OF THE BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

BY: [Signature] Deputy
 TIME STAMP HERE

DELIVER OR U.S. MAIL TO:

CLERK OF THE BOARD OF SUPERVISORS
 ATTN: CLAIMS DIVISION
 P.O. BOX 1147, 4080 LEMON ST., 1ST FL.
 RIVERSIDE CA, 92502-1147 (951) 955-1060

1. FULL NAME OF CLAIMANT Karen Helen Davis on behalf of Steven Collins Davis				5. WHY DO YOU CLAIM THE COUNTY IS RESPONSIBLE? Please see Attachment A.	
2. MAILING ADDRESS (STREET / PO BOX) 3055 Wilshire Blvd., 12th Fl. [ATTN: Alivia Abreu, Esq.]					
CITY Los Angeles		STATE CA	ZIP CODE 90010		
HOME TELEPHONE 213 381-9988		BUSINESS TELEPHONE ()			
3. WHEN DID DAMAGE OR INJURY OCCUR (PLEASE BE EXACT) January 27, 2023, at approx. 9:36PM				9. NAMES OF ANY COUNTY EMPLOYEES (AND THEIR DEPARTMENTS) INVOLVED IN INJURY OR DAMAGE (IF APPLICABLE)	
4. WHERE DID DAMAGE OR INJURY OCCUR? at or near the intersection of Florida Ave. & Acacia Ave.				10. WITNESSES TO DAMAGE OR INJURY; LIST ALL PERSONS AND ADDRESSES OF PERSONS KNOWN TO HAVE INFORMATION.	
STREET Hemet	CITY Hemet	STATE CA	ZIP CODE 92545	NAME Please see attached TCR.	
5. DESCRIBE IN DETAIL HOW DAMAGE OR INJURY OCCURRED. Please see Attachment A and Traffic Collision Report.				ADDRESS	
				NAME	
				PHONE	
				ADDRESS	
				NAME	
				PHONE	
				ADDRESS	
6. WERE POLICE OR PARAMEDICS CALLED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO				11. LIST DAMAGES INCURRED TO DATE (attach copies of receipts or repair estimates) Death of Steven Collins Davis.	
7. IF PHYSICIAN/HOSPITAL WAS VISITED DUE TO INJURY, INCLUDE DATE OF FIRST VISIT AND HOSPITAL'S NAME, ADDRESS AND PHONE NUMBER:					
DATE OF FIRST VISIT N/A		PHYSICIAN'S/HOSPITAL'S NAME N/A			
PHYSICIAN'S/HOSPITAL'S ADDRESS N/A		PHONE N/A		TOTAL DAMAGES TO DATE \$ TBD	
				TOTAL ESTIMATED PROSPECTIVE DAMAGES \$ in excess of \$1,000,000.00	

THIS CLAIM MUST BE SIGNED TO BE VALID. NOTE: PRESENTATION OF A FALSE CLAIM IS A FELONY (PENAL CODE SECTION 72.)

WARNING:

- CLAIMS FOR DEATH, INJURY TO PERSON OR TO PERSONAL PROPERTY MUST BE FILED NOT LATER THAN SIX (6) MONTHS AFTER THE OCCURRENCE. (GOVERNMENT CODE SECTION 911.2)
- ALL OTHER CLAIMS FOR DAMAGES MUST BE FILED NOT LATER THAN ONE (1) YEAR AFTER THE OCCURRENCE. (GOVERNMENT CODE SECTION 911.2)
- SUBJECT TO CERTAIN EXCEPTIONS, YOU HAVE ONLY SIX (6) MONTHS FROM THE DATE OF THE WRITTEN NOTICE OF REJECTION OF YOUR CLAIM TO FILE A COURT ACTION. (GOVERNMENT CODE SECTION 945.6)
- IF WRITTEN NOTICE OF REJECTION OF YOUR CLAIM IS NOT GIVEN, YOU HAVE TWO (2) YEARS FROM ACCRUAL OF THE CAUSE OF ACTION TO FILE A COURT ACTION. (GOVERNMENT CODE SECTION 945.6)

12. CLAIMANT OR PERSON FILING ON HIS/HER BEHALF <u>[Signature]</u> SIGNATURE		RELATIONSHIP TO CLAIMANT Attorney		13. PRINT OR TYPE NAME Patricia Mamac, Esq.		DATE 7/14/2023	
------------------------------------------------------------------------------------	--	---------------------------------------------	--	-------------------------------------------------------	--	--------------------------	--

ATTACHMENT A

1
2 Claimant KAREN HELEN DAVIS on behalf of Decedent STEVEN COLLINS DAVIS,
3 hereby presents the following information in support of his claims against the
4 COUNTY OF RIVERSIDE:

5 **How did the Damage or Injury Occur?**

6 The SUBJECT INCIDENT occurred on January 27, 2023 at or near the intersection
7 of Florida Avenue and Acacia Avenue in the City of Hemet, in the County of Riverside,
8 CA (hereinafter "SUBJECT ROADWAY"). The Decedent, who was driving westbound on
9 Florida Avenue, was fatally injured when a vehicle, driven by a third party, attempted
10 to make a left turn into the Decedent's lane and struck the Decedent's vehicle. This
11 caused the Decedent's vehicle to go off the road and collide with the concrete
12 drainage tunnel west of Acacia Avenue and south of Florida Avenue.

13 Additional information regarding the facts and circumstances of the SUBJECT
14 INCIDENT are included in the attached Traffic Collision Report which is incorporated
15 herein by reference.

16 **Why is the Government Entity Responsible?**

17 **DANGEROUS ROAD CONDITIONS**

18 Claimant contends that the physical condition of the area where the SUBJECT
19 INCIDENT occurred, and the surrounding area played a substantial role in causing the
20 SUBJECT INCIDENT. Claimant further contends that the COUNTY OF RIVERSIDE, its
21 employees, agents, and contractors improperly and negligently controlled, designed,
22 constructed, repaired, and maintained the area where the SUBJECT INCIDENT
23 occurred, including the area surrounding the location where the SUBJECT INCIDENT
24 occurred. This failure to properly control, design, construct, repair, and maintain said
25 SUBJECT ROADWAY led to the existence of dangerous conditions for individuals such
26 as the Decedent using the SUBJECT ROADWAY with due care and in a reasonably
27 foreseeable manner, including but not limited to an increase in motor vehicle collisions
28 along the roadway, an increase in the speed of traffic along the roadway, a decrease in

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3055 Wilshire Blvd. 12th Floor
Los Angeles, CA 90010-1137

1 driver reaction times, a decrease in motor vehicle stability for traffic along the
2 roadway, and a decrease in the visibility of vehicles moving along the roadway. These
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4 control devices, traffic signals, sidewalks, roadway markings, signage, warnings,
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8 speed limit given the other factors and conditions of the roadway. Furthermore, the
9 curvature, slope, lack of uniformity, lack of roadway design, and angle of the roadway
10 caused and/or contributed to the ability of the parties to see and appreciate the
11 presence of each other on the roadway. Claimant also contends that the COUNTY OF
12 RIVERSIDE was aware and had notice that said SUBJECT ROADWAY was dangerous
13 and in a defective condition and failed to do anything to improve and remedy said
14 dangerous conditions, or to warn those using the SUBJECT ROADWAY of such
15 dangers.

16 NEGLIGENCE

17 Claimant further contends that the death of the Decedent was caused by
18 negligence of the officers and medical personnel of the COUNTY OF RIVERSIDE.
19 Claimant alleges that the Decedent was left in the vehicle for several hours, and that
20 no lifesaving services were provided to the Decedent.

21 Claimant is informed and believes that the officers and medical personnel were
22 agents or employees of the COUNTY OF RIVERSIDE. Claimant is further informed and
23 believes that the officers and medical personnel were acting with the express or
24 implied authority and permission of the COUNTY OF RIVERSIDE.

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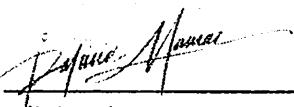
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DATED: July 14, 2023

WILSHIRE LAW FIRM

By: 

Alivia Abreu, Esq.
Patricia Mamac, Esq.
Attorney for Claimant

WILSHIRE LAW FIRM, PLC
3055 Wilshire Blvd., 12th Floor
Los Angeles, CA 90010-1137

JUL 21 2023

RECEIVED

COPY

CLAIMANT INFORMATION

LAST NAME Davis		FIRST NAME Steven		MIDDLE INITIAL C
INMATE OR PATIENT IDENTIFICATION NUMBER (if applicable) N/A		BUSINESS NAME (if applicable) N/A		
TELEPHONE NUMBER (213) 381-9988		EMAIL ADDRESS Lit@wilshirelawfirm.com		
MAILING ADDRESS 3055 Wilshire Law Firm, 12th Floor		CITY Los Angeles	STATE CA	ZIP 90010
IS THE CLAIMANT UNDER 18 YEARS OF AGE? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		INSURED NAME (Insurance Company Subrogation)		
IS THIS AN AMENDMENT TO A PREVIOUSLY EXISTING CLAIM? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		EXISTING CLAIM NUMBER (if applicable)	EXISTING CLAIMANT NAME (if applicable)	

ATTORNEY OR REPRESENTATIVE INFORMATION

LAST NAME Abreu		FIRST NAME Alivia		MIDDLE INITIAL
TELEPHONE NUMBER (213) 381-9988		EMAIL ADDRESS Lit@wilshirelawfirm.com		
MAILING ADDRESS 3055 Wilshire Law Firm, 12th Floor		CITY Los Angeles	STATE CA	ZIP 90010

CLAIM INFORMATION

STATE AGENCIES OR EMPLOYEES AGAINST WHOM THE CLAIM IS FILED State of California	DATE OF INCIDENT 1/27/2023
------------------------------------------------------------------------------------	-------------------------------

LATE CLAIM EXPLANATION (Required, if incident was more than six months ago)

N/A

DOLLAR AMOUNT OF CLAIM In excess of \$1,000,000	CIVIL CASE TYPE (Required, if amount is more than \$10,000) <input type="checkbox"/> Limited (\$25,000 or less) <input checked="" type="checkbox"/> Non-Limited (over \$25,000)
----------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

DOLLAR AMOUNT EXPLANATION
Total amount is for Claimant' suffering, past and future wage loss, funeral and burial expenses.

INCIDENT LOCATION
At or near the intersection of Florida Avenue and Acacia Avenue

SPECIFIC DAMAGE OR INJURY DESCRIPTION

Decedent sustained the following injuries but not limited to: blunt force trauma resulting in death.

CIRCUMSTANCES THAT LED TO DAMAGE OR INJURY

Please see Attachment A and Traffic Collision Report.

EXPLAIN WHY YOU BELIEVE THE STATE IS RESPONSIBLE FOR THE DAMAGE OR INJURY

Please see Attachment A.

AUTOMOBILE CLAIM INFORMATION		
DOES THE CLAIM INVOLVE A STATE VEHICLE? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	VEHICLE LICENSE NUMBER(if known) N/A	STATE DRIVER NAME (if known) N/A
HAS A CLAIM BEEN FILED WITH YOUR INSURANCE CARRIER? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	INSURANCE CARRIER NAME AAA	INSURANCE CLAIM NUMBER 015641865
HAVE YOU RECEIVED AN INSURANCE PAYMENT FOR THIS DAMAGE OR INJURY? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AMOUNT RECEIVED (if any) N/A	AMOUNT OF DEDUCTIBLE(if any) N/A

NOTICE AND SIGNATURE

I declare under penalty of perjury under the laws of the State of California that all the information I have provided is true and correct to the best of my information and belief. I further understand that if I have provided information that is false, intentionally incomplete, or misleading I may be charged with a felony punishable by up to four years in state prison and/or a fine of up to \$10,000 (Penal Code section 72).

SIGNATURE 	PRINTED NAME Patricia Mamac, Esq.	DATE 7/14/2023
------------------------------------------------------------------------------------------------	--------------------------------------	-------------------

INSTRUCTIONS

- Include a check or money order for \$25, payable to the State of California.
 - \$25 filing fee is not required for amendments to existing claims.
- Confirm all sections relating to this claim are complete and the form is signed.
- Attach copies of any documentation that supports your claim. Do not submit originals.

Mail the claim form and all attachments to:
Office of Risk and Insurance Management
Government Claims Program
P.O.Box 989052, MS414
West Sacramento, CA 95798-9052

Claim forms can also be delivered to:
Office of Risk and Insurance Management
Government Claims Program
707 3rd Street, 1st Floor
West Sacramento, CA 95605
1-800-955-0045

Department of General Services Privacy Notice on Information Collection

This notice is provided pursuant to the Information Practices Act of 1977, California Civil Code Sections 1798.17 & 1798.24 and the Federal Privacy Act (Public Law 93-579).

The Department of General Services (DGS), Office of Risk and Insurance Management (ORIM), is requesting the information specified on this form pursuant to Government Code Section 905.2(c).

The principal purpose for requesting this data is to process claims against the state. The information provided will/may be disclosed to a person, or to another agency where the transfer is necessary for the transferee-agency to perform its constitutional or statutory duties, and the use is compatible with a purpose for which the information was collected and the use or transfer is accounted for in accordance with California Civil Code Section 1798.25.

Individuals should not provide personal information that is not requested.

The submission of all information requested is mandatory unless otherwise noted. If you fail to provide the information requested to DGS, or if the information provided is deemed incomplete or unreadable, this may result in a delay in processing.

Department Privacy Policy

The information collected by DGS is subject to the limitations in the Information Practices Act of 1977 and state policy (see State Administrative Manual 5310-5310.7). For more information on how we care for your personal information, please read the [DGS Privacy Policy](#).

Access to Your Information

ORIM is responsible for maintaining collected records and retaining them for 5 years. You have a right to access records containing personal information maintained by the state entity. To request access, contact:

DGSORIM
Public Records Officer
707 3rd St., West Sacramento, CA 95605
(916) 376-5300

1 **ATTACHMENT A**

2 Claimant KAREN HELEN DAVIS on behalf of Decedent STEVEN COLLINS DAVIS,
3 hereby presents the following information in support of his claims against the STATE
4 OF CALIFORNIA:

5 **How did the Damage or Injury Occur?**

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16 **Why is the Government Entity Responsible?**

17 **DANGEROUS ROAD CONDITIONS**

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19 INCIDENT occurred, and the surrounding area played a substantial role in causing the
20 SUBJECT INCIDENT. Claimant further contends that the STATE OF CALIFORNIA, its
21 employees, agents, and contractors improperly and negligently controlled, designed,
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19 Claimant alleges that the Decedent was left in the vehicle for several hours, and that
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21 Claimant is informed and believes that the officers and medical personnel were
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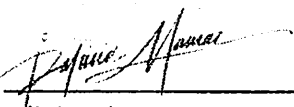
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DATED: July 14, 2023

WILSHIRE LAW FIRM

By:  _____

Alivia Abreu, Esq.
Patricia Mamac, Esq.
Attorney for Claimant

WILSHIRE LAW FIRM, PLC
3055 Wilshire Blvd., 12th Floor
Los Angeles, CA 90010-1137

EXHIBIT "D"



CARL WARREN & COMPANY
Claims Management and Solutions

A  **VENBROOK** Company

July 19, 2023

Wilshire Law Firm
Attn: Alivia Abreu, Esq.
3055 Wilshire Blvd., 12th Floor
Los Angeles, CA 90010

REJECTION NOTICE

RE: Entity : City of Hemet
Claimant : Karen Helen Davis
D/Incident : 1/27/23
Our File : 3048946 LSV

We are the administrators for the self-insured liability claims program for the City of Hemet. The above referenced claim which you filed with the above captioned entity on July 18, 2023 has been referred to us for investigation and handling.

Notice is hereby given that the claim presented to the captioned entity on July 18, 2023 was denied on July 19, 2023. No further action will be taken on this claim by the City of Hemet.

Any and all further communications relative to your claim should be directed to the undersigned at the address or telephone number shown below.

WARNING

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the United States mail to file a court action on this claim. (See government Code Section 945.6) The six month time for filing such a court action is neither enlarged nor extended by the provisions of CCP Section 335.1.

This time limitation applies only to causes of action arising under California law for which a claim is mandated by the California Government Tort Claims Act. Government Code Sections 900 et. seq.. Other causes of action, including those arising under federal law, may have different time limitations for filing.

You may seek the advice of an attorney or your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Very Truly Yours,

PO Box 2411, Tustin, CA 92781
T: 657-622-4200 | F: 866-254-4423 | www.carlwarren.com
CA License #2607296



CARL WARREN & COMPANY
Claims Management and Solutions

A  **VENBROOK** Company

CARL WARREN & CO.

Timothy M. Varon

Timothy M. Varon
Claims Supervisor

EXHIBIT "E"



OFFICE OF THE
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060 FAX: (951) 955-1071

KIMBERLY A. RECTOR
Clerk of the Board of Supervisors

APRIL BOYDD
Assistant Clerk of the Board

July 20, 2023

KAREN HELEN DAVIS O/B/O STEVEN COLLINS DAVIS
C/O WILSHIRE LAW FIRM, PLC
3055 WILSHIRE BLVD. 12TH FLOOR
LOS ANGELES, CA 90010

RE: NOTICE OF REJECTION OF CLAIM BECAUSE OF LACK OF COUNTY INVOLVEMENT

Claimant: DAVIS, Karen Helen & DAVIS, Steven Collins
Date of Loss: 01/27/2023
Claim No: 392-23
Date Claim Received: 07/17/2023

Notice is hereby given that the Board of Supervisors has considered your claim, and rejected it on July 20, 2023, because the acts and omissions alleged in the claim do not concern any property owned or controlled by the County of Riverside, or the acts or omissions of any employee of the County of Riverside.

WARNING

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim. See Government Code section 945.6.

You may seek the advice of any attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

This warning, and the six-month deadline, only apply to the extent a lawsuit would be based on California law, and do not apply to the extent a lawsuit would be based on federal law.

Kimberly A. Rector
Clerk to the Board of Supervisors

By: 
Joseph Sheinin, Clerk of the Board Assistant

I declare that my business address is 1st Floor, County Administrative Center, 4080 Lemon Street, Riverside California, that I am a citizen of the United States of America, employed by the County of Riverside and am not a party to the action. On the date stated below I mailed the foregoing notice by depositing a copy thereof in the outgoing mail at Riverside, California, in a sealed envelope, with postage prepaid, addressed to the person(s) listed above. I declare under penalty of perjury that the foregoing is true and correct.

Executed at Riverside, California on July 20, 2023.



Joseph Sheinin, Clerk of the Board Assistant
GL100

EXHIBIT "F"

08/09/2023

Alivia Abreu
Attorney at Law
3055 Wilshire Blvd Fl 12
Los Angeles, CA 90010-1176

RE: Claim GCP202301494 for Steven C Davis, Decedent, Karen H Davis against State of California

Dear Alivia Abreu,

Government Claims Program (GCP) staff completed its investigation of your claim and rejected it for the following reason(s).

The claim involves complex issues that are beyond the scope of analysis and legal interpretation typically undertaken by the GCP. Claims involving complex issues are best determined by the courts. Therefore, staff did not make a determination regarding the merit of the claim, and it is being rejected so you can initiate court action if you choose to pursue this matter further.

If you choose to pursue court action in this matter, it is not necessary or proper to include the GCP in your lawsuit unless the GCP was identified as a defendant in your original claim. Please consult Government Code section 955.4 regarding proper service of the summons.

If you have questions about this matter, please feel free to contact GCP by phone, mail, or email using the contact information below. Please remember to reference the assigned claim number (GCP202301494) in your communication.

Sincerely,



Sheila Emami, Program Analyst
Government Claims Program
gcinfo@dgs.ca.gov

WARNING: Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim. See Government Code Section 945.6. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

DECLARATION OF SERVICE BY U.S. MAIL

Name of Claimant: Steven C Davis, Decedent, Karen H Davis
GCP File no.: GCP202301494

I am employed by the Government Claims Program. I am 18 years of age or older. I am familiar with the business practice at the Government Claims Program for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Government Claims Program is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business. On 08/09/2023, I served the attached letter by placing a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Government Claims Program, located at 707 Third Street, West Sacramento, CA 95605, addressed as follows:

Alivia Abreu
Attorney at Law
3055 Wilshire Blvd Fl 12
Los Angeles, CA 90010-1176

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on 08/09/2023, at West Sacramento, California.



Sheila Emami