

**IN THE CIRCUIT COURT OF CLAY COUNTY, MISSISSIPPI**

**TABITHA CHANDLER, INDIVIDUALLY AND  
ON BEHALF OF THE WRONGFUL DEATH  
BENEFICIARIES OF TALEESHA CHANDLER,  
DECEASED; MESMARIAH WELCH; and TRINITY  
HORSLEY**

**PLAINTIFFS**

**VS.**

**CAUSE NO. 24-CV-007F**

**JURY TRIAL DEMANDED**

**TONY HARRIS and ELMER HARRIS d/b/a OASIS  
LOUNGE; JORDAN MILLER; 23 ENTERTAINMENTS,  
LLC; McKENZIE ROGERS; ELITE WARRIOR  
SECURITY TEAM, LLC; TERRANCE FORD;  
STR8 SECURITY, LLC; and JOHN DOES 1-20**

**DEFENDANTS**

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**COMPLAINT**

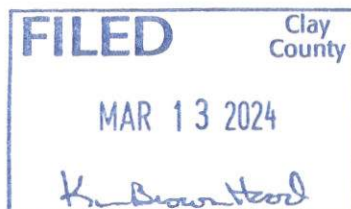
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**COME NOW**, the Plaintiffs, Tabitha Chandler, individually and on behalf of the wrongful death beneficiaries of Taleesha Chandler, deceased, MesMariah Welch, and Trinity Horsley, and file their Complaint against the Defendants, Tony Harris and Elmer Harris d/b/a Oasis Lounge, Jordan Miller, 23 Entertainments LLC, McKenzie Rogers, Elite Warrior Security Team, LLC, Terrance Ford, Str8 Security, and John Does 1-20. In support thereof, Plaintiffs would show:

**PARTIES**

1. Plaintiff, Tabitha Chandler ("Chandler"), is an adult resident citizen of Lowndes County, Mississippi. She is the mother and a wrongful death beneficiary of Taleesha Chandler, deceased ("Taleesha").

2. Plaintiff, MesMariah Welch ("Welch"), is an adult resident citizen of Lee County, Mississippi.



3. Plaintiff, Trinity Horsely ("Horsley"), is an adult resident citizen of Lowndes County, Mississippi. She is the sister and a wrongful death beneficiary of Taleesha.

4. Based on information and belief, Defendant, Tony Harris, is an owner/operator of the Oasis Lounge, and he is adult resident citizen of Clay County, Mississippi that may be served with process at his residence.

5. Based on information and belief, Defendant, Elmer Harris, is an owner/operator of the Oasis Lounge, and he is adult resident citizen of Clay County, Mississippi that may be served with process at 603 Commerce St., Apt. 407, West Point, Mississippi 39773.

6. Based on information and belief, Defendant, Jordan Miller ("Miller"), was the promoter for event and entertainment at issue in this lawsuit, and he is an adult resident citizen of Lowndes County, Mississippi that can be served with process at 312 Swedenburg Circle, Columbus, Mississippi 39702.

7. Based on information and belief, Defendant, 23 Entertainment, LLC ("23 Entertainment"), was the entity involved in the promotion of the event and entertainment at issue in this lawsuit, and it is a domestic limited liability company with its principal place of business in Columbus, Lowndes County, Mississippi. The registered agent for service of process is Jordan Miller, who can be served at 312 Swedenburg Circle, Columbus, Mississippi 39702.

8. Based on information and belief, Defendant, McKenzie Rogers ("Rogers"), was involved in the security detail for the event and entertainment at issue in this lawsuit, and he is an adult citizen of Oktibbeha County, Mississippi that can be served with process at 160 Park Circle, Apt. D., Starkville, MS 39759.

9. Based on information and belief, Defendant, Elite Warrior Security Team, LLC ("Elite Warrior"), was the entity involved in providing security for the event and entertainment at

issue in this lawsuit, and it is a domestic limited liability company with its principal place of business in Starkville, Oktibbeha County, Mississippi. The registered agent for service of process is McKenzie Rogers, who can be served at 160 Park Circle, Apt. D., Starkville, MS 39759.

10. Based on information and belief, Defendant, Terrence Ford ("Ford"), was involved in the security detail for the event and entertainment at issue in this lawsuit, and he is an adult citizen of Lee County, Mississippi that can be served with process at 183 Ivywood Cove, Saltillo, Mississippi 38866.

11. Based on information and belief, Defendant, Str8 Security, LLC ("Str8 Security"), was another entity involved in providing security for the event and entertainment at issue in this lawsuit, and it is a domestic limited liability company with its principal place of business in Saltillo, Lee County, Mississippi. The registered agent for service of process is Terrance Ford, who can be served at 183 Ivywood Cove, Saltillo, Mississippi 38866.

12. John Does 1 through 20 are the persons or entities, whether singular or plural, who or which caused or contributed to the injuries, death, and damages as set forth herein. Plaintiffs claim that the identities of the John Doe Defendants are unknown to Plaintiffs at this time or, if their names are known to Plaintiffs, their identities as proper parties are not known to Plaintiffs at this time, and their true names will be substituted by amendment in accordance with the Mississippi Rules of Civil Procedure, when ascertained.

### **JURISDICTION AND VENUE**

13. This civil action arises from a tragic incident at the Oasis Lounge in West Point, Mississippi, on or about March 3, 2024. Plaintiffs are seeking compensatory and other damages in an amount more than Two Hundred Dollars (\$200.00); therefore, pursuant to Section 9-7-81 of the Mississippi Code of 1972, as amended, the original jurisdiction of this matter is in the Circuit

Court.

14. Because the incident giving rise to this civil action occurred in Clay County, Mississippi and at least one of the defendants resides in Clay County, Mississippi, the proper venue for this action is in Clay County, Mississippi, pursuant to the provisions of Section 11-11-13 of the Mississippi Code of 1972, as amended.

15. Therefore, this Court has subject matter jurisdiction of this civil action and venue is proper in the Circuit Court of Clay County, Mississippi.

16. Plaintiffs demand a jury trial of this civil action under Rule 38 of the Mississippi Rules of Civil Procedure as is her right under Article III, Section 31 of the Mississippi Constitution of 1890.

### **FACTS**

17. After midnight on March 3, 2024, Taleesha, Ms. Welch, and Ms. Horsley were victims of a mass shooting at the Oasis Lounge in West Point, Mississippi.

18. Taleesha sustained fatal injuries from gun fire inside the Oasis Lounge.

19. Ms. Welch and Ms. Horsley sustained severe injuries from gun fire inside the Oasis Lounge.

20. At the time of the incident, Taleesha, Ms. Welch, and Ms. Horsley were business invitees of the Oasis Lounge where security was provided Miller, 23 Entertainment, Rogers, Elite Warrior, and one or more of the John Doe Defendants.

21. Upon information and belief, Tony and Elmer Harris d/b/a Oasis Lounge, Jordan Miller, 23 Entertainment, and John Does 1-20, invited and permitted persons with violent tendencies onto the premises of the Oasis Lounge. Moreover, on the mentioned date, Defendants and/or one or more John Doe Defendants knew and permitted individuals to enter the premises

with weapons. Further, Defendants and/or one or more John Doe Defendants knew or should have known, based on information and belief, that other individuals, who were also business invitees of the Oasis Lounge, had shown violent tendencies on the premises. Despite this knowledge, Defendants and/or one or more John Doe Defendants failed to either eject or remove the violent individuals from the premises or provide adequate security or protection for Taleesha, Ms. Welch, Ms. Horsley, and the other patrons.

22. Defendants and/or one or more John Doe Defendants were negligent in failing to control, supervise, and maintain safety for Taleesha, Ms. Welch, and Ms. Horsley as business invitees of the Oasis Lounge.

23. Based on information and belief, the Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, Str8 Security, and John Doe Defendants 1-20, were doing business as operators/managers/third-party security companies of and for Defendants, Tony and Elmer Harris d/b/a Oasis Lounge, Jordan Miller, 23 Entertainment, and John Does 1-20.

24. At all material times, McKenzie Rogers, Elite Warriors, Terrance Ford, Str8 Security, and John Doe Defendants 1-20, owned, managed, maintained, secured, inspected, and/or controlled the day-to-day security activities at the Oasis Lounge on the night of the incident, and/or did so through its employees, contractors, and agents who, at all material times and regarding the operation, maintenance, and security at the premises, were subject to all Defendants' right of control.

25. At all material times, the Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, Str8 Security, and John Doe Defendants 1-20, had and/or assumed the duty to provide security and security personnel, premises configurations, security cameras, metal detectors, lighting, gates, fences, and control over points of ingress and/or egress to prevent harm to invitees

a the Oasis Lounge, to control and guard against criminal activity at, or in the immediate vicinity of, the Oasis Lounge and, thereby, had and/or assumed duties to invitees such as Taleesha, Ms. Welch, and Ms. Horsley, to provide reasonable security at the Oasis Lounge or otherwise had a duty to provide reasonable security measures in compliance with the Clay County "Roadhouse Ordinance."

26. At all material times, Defendants, through their agents, employees, and/or servants, had actual or constructive knowledge of a history of criminal activity on, and in the immediate vicinity of, the Oasis Lounge and knew, or in the exercise of reasonable care should have known, that there was a propensity for criminal conduct by third persons which unreasonably exposed invitees—including Taleesha, Ms. Welch, and Ms. Horsley—to an unreasonable, dangerous condition at the Oasis Lounge which was likely to cause harm to invitees.

27. Defendants and/or one or more John Doe Defendants were also negligent *per se* in failing to control, supervise, and maintain safety for Taleesha, Ms. Welch, and Ms. Horsley, as business invitees of the Oasis Lounge, as required by the Clay County "Roadhouse Ordinance."

28. Defendants' negligence proximately caused Taleesha's death, and as a result, the decedent's estate and her wrongful death beneficiaries have suffered damages, injuries, and losses.

29. Defendants' negligence proximately caused Ms. Welch's injuries, and as a result, she has suffered damages, injuries, and losses.

30. Defendants' negligence proximately caused Ms. Horsley's injuries, and as a result, she has suffered damages, injuries, and losses.

31. Plaintiffs allege that each of the Defendants negligently, willfully, wantonly and/or recklessly breached their duties as described above.

32. As a result of the Defendants' negligence, willfulness, wantonness and recklessness, Taleesha was fatally injured, and Ms. Welch was severely injured.

### **CAUSES OF ACTION**

#### **COUNT I – ACTS OF NEGLIGENCE, WILLFULNESS, WANTONNESS, AND RECKLESSNESS OF OASIS LOUNGE**

33. Plaintiffs incorporate by reference the preceding paragraphs.

34. The time of the above referenced incident, Taleesha, Ms. Welch, and Ms. Horsley were business invitees of the Oasis Lounge that, based on information and belief, is operated by Tony and Elmer Harris.

35. Defendants, Tony Harris and Elmer Harris, as the owners and operators of the Oasis Lounge, had a legal duty to exercise reasonable care for the safety of its business invitees, like Taleesha, Ms. Welch, and Ms. Horsley.

36. One or more John Doe Defendants, who were the agents of the Defendants failed to ensure the property security measures were in place in compliance with the "Roadhouse Ordinance" in Clay County, Mississippi, failed to protect the Plaintiffs from violence, and its continuance, and failed to otherwise protect the decedent from further harm.

37. Defendants, as the parties in possession and control of the premises where the incident took place, had a duty of care to Taleesha, Ms. Welch, and Ms. Horsley, who were business invitees, and were negligent with respect to their duty of care, which was the proximate cause of Taleesha's death and Ms. Welch's and Ms. Horsley's serious injuries.

38. Defendants had inadequate security on the premises in violation of the "Roadhouse Ordinance," and were negligent in their selection of the security detail for the event and entertainment held at the Oasis Lounge.

39. Defendants had a duty to Plaintiffs to hire security guards who were well-trained and otherwise competent to protect them from any potential danger.

40. Defendants failed or refused to properly hire, screen, train and/or supervise those members of the security detail it employed to carry out their duties in a manner that was well-trained, restrained, orderly, and/or competent.

41. As a direct and proximate result of Defendants' failure to properly hire, screen, train and/or supervise the security detail, Taleesha was fatally wounded, and Ms. Welch and Ms. Horsley were severely injured.

42. Defendants Tony Harris and Elmer Harris are liable for the injuries, damages, and/or losses caused by its negligent, willful, wanton and reckless conduct.

**COUNT II – PREMISES LIABILITY OF TONY HARRIS AND ELMER HARRIS  
d/b/a OASIS LOUNGE**

43. Plaintiffs incorporate by reference the preceding paragraphs.

44. At the time of the above referenced incident, Plaintiffs were business invitees of Defendants Tony Harris and Elmer Harris at the Oasis Lounge.

45. Defendants had a legal duty to exercise reasonable care for the safety of its business invitees, like the Plaintiffs.

46. One or more John Doe Defendants, who were the agents of the Defendants failed to stop the incident, allowed weapons into the Oasis Lounge, failed to protect the Plaintiffs from injury, and its continuance, and failed to otherwise protect the Plaintiffs from harm.

47. Defendants, as the parties in possession and control of the premises where the incident took place, had a duty of care to the Plaintiffs, who were business invitees, and were negligent with respect to their duty of care, which was the proximate cause of Taleesha's death and Ms. Welch's and Ms. Horsley's serious injuries.



48. Defendants had inadequate security on the premises, and based on information and belief, were in violation of the Clay County "Roadhouse Ordinance." Likewise, Defendants were aware of the history of violence at the Oasis Lounge and knew or should have known that it was foreseeable that this incident could and would occur without the proper and adequate security. Further, Defendant, and one or more John Doe Defendants, who were either security guards on the premises or in charge of the security detail, failed to provide proper security for the business invitees by not ensuring patrons were checked with a "hand wand metal detector" as required by the "Roadhouse Ordinance."

49. Defendants had a duty to Plaintiffs to hire security guards who were well-trained and otherwise competent to protect the decedent from any potential danger.

50. Defendants failed or refused to properly hire, screen, train and/or supervise those members of its security team to carry out their duties in a manner that was well-trained, restrained, orderly, and/or competent.

51. As a direct and proximate result of Defendants' failure to properly hire, screen, train and/or supervise its security team, Taleesha was fatally injured, and Ms. Welch and Ms. Horsley were severely injured.

52. The conduct of Defendants and/or one or more John Doe Defendants actively and affirmatively, with the degree of conscious decision-making, and impelled the wrongful conduct of individuals that fired shots inside the Oasis Lounge.

53. Defendants are liable for the injuries, damages, and/or losses caused by its negligent, willful, wanton, and reckless conduct.

**COUNT III – NEGLIGENCE PER SE OF TONY HARRIS AND ELMER HARRIS  
d/b/a OASIS LOUNGE, JORDAN MILLER, AND 23 ENTERTAINMENT**

54. Plaintiffs incorporate by reference the preceding paragraphs.

55. Miss. Code Ann. § 19-3-40 allows counties to enact ordinances regarding county affairs, and under this statute, Clay County has adopted an ordinance, titled the “Roadhouse Ordinance,” to regulate establishments, like the Oasis Lounge, and promoters of events, like Jordan Miller and 23 Entertainment.

56. Under the “Roadhouse Ordinance,” a permit is required as a “condition precedent” to having an event by applying to the Clay County Sheriff’s Office whereby the Regulations Committee shall issue a permit for a scheduled event. Upon information and belief, there was no permit for the event where Plaintiffs were injured at the Oasis Lounge.

57. The “Roadhouse Ordinance” also requires the use of “hand wand metal detectors” to be used on all persons entering the establishment. Upon information and belief and considering what occurred, “hand wand metal detectors” were not used as required before patrons was allowed to enter the Oasis Lounge.

58. The “Roadhouse Ordinance” also requires that all security guards must have Mississippi Department of Public Safety guard permits and present those to the Clay County Sheriff before serving as security guards for a scheduled event at an establishment like the Oasis Lounge.

59. The “Roadhouse Ordinance” also requires the installation of “security cameras” to record events inside the premises of the establishment and the parking lot. These cameras are to be inspected by the Clay County Sheriff’s Office before a scheduled event. Upon information and belief, the required security cameras were not installed or were not in operation at the time of the incident.

60. As business invitees of Defendants, Plaintiffs were members of the class sought to be protected under the statute and ordinances.

61. Plaintiffs' injuries were within the type sought to be avoided by "Roadhouse Ordinance."

62. Defendants' violation of the "Roadhouse Ordinance" proximately caused or contributed to Plaintiffs' injuries, damages, and losses.

63. Defendants are liable for the injuries, damages, and/or losses caused by its violation of the "Roadhouse Ordinance."

**COUNT IV – NEGLIGENT HIRING AND SELECTION OF SECURITY BY TONY HARRIS AND ELMER HARRIS d/b/a OASIS LOUNGE, JORDAN MILLER, AND 23 ENTERTAINMENT**

64. Plaintiffs incorporate by reference the preceding paragraphs.

65. Upon information and belief, Tony Harris, Elmer Harris, Jordan Miller, and 23 Entertainment, scheduled and promoted an event and entertainment at the Oasis Lounge for March 2, 2024, where individuals from all over North, East and Central Mississippi were invited to attend.

66. Upon information and belief, Defendants did not act as security themselves, but hired two individuals and their entities to provide security at the Oasis Lounge for the event and entertainment.

67. Upon information and belief, Defendants hired McKenzie Rogers and Elite Warrior and Terrance Ford and Str8 Security for the security detail for the event and entertainment at the Oasis Lounge.

68. Before employing these individuals and entities, Defendants possessed a non-delegable duty to use reasonable care in selecting a competent and careful security outfit that was licensed and permitted to provide security at the Oasis Lounge.

69. Defendants knew or should have known that these events and entertainment involve a risk of physical harm because of the violence that can accompany them without the proper

security measures in place to be performed and provided by skillful, careful, and qualified security entities and security guards.

70. Defendants breached their non-delegable duty when they employed McKenzie Rogers and Elite Warrior and Terrance Ford and Str8 Security without establishing that those individuals and entities were competent, careful, licensed, bonded, and permitted to perform security at establishments like the Oasis Lounge.

71. The negligence of the Defendants was the proximate cause, or a proximate contributing cause, of Plaintiffs' injuries, damages, and losses. Therefore, Defendants are liable to Plaintiffs for their injuries, damages, and/or losses.

**COUNT V – ACTS OF NEGLIGENCE, WILLFULNESS, WANTONNESS,  
AND RECKLESSNESS OF McKENZIE ROGERS, ELITE WARRIOR,  
TERRANCE FORD, AND STR8 SECURITY**

72. Plaintiffs incorporate by reference the preceding paragraphs.

73. The time of the above referenced incident, Taleesha, Ms. Welch, and Ms. Horsley were business invitees of the Oasis Lounge where security was provided through McKenzie Rogers of Elite Warrior and Terrance Ford of Str8 Security.

74. Defendants, McKenzie Rogers of Elite Warrior and Terrance Ford of Str8 Security, had a legal duty to exercise reasonable care for the safety of the individuals they were employed to protect at the Oasis Lounge. Upon information and belief, Defendants violated the "Roadhouse Ordinance" by not obtaining the proper bonds, licenses, permits, and security measures for the event at the Oasis Lounge.

75. One or more John Doe Defendants, who were the agents of the Defendants failed to ensure the property security measures were in place in compliance with the "Roadhouse

Ordinance” in Clay County, Mississippi, failed to protect the Plaintiffs from violence, and its continuance, and failed to otherwise protect the decedent from further harm.

76. Defendants had inadequate security on the premises in violation of the “Roadhouse Ordinance,” and were negligent in their selection of the security measures for the event and entertainment held at the Oasis Lounge.

77. Defendants had a duty to Plaintiffs to employ security guards who were well-trained and otherwise competent to protect Plaintiffs from any potential danger and to prevent weapons and other harmful objects from entering the Oasis Lounge.

78. Defendants failed or refused to properly hire, screen, train and/or supervise those members of the security detail it employed to carry out their duties in a manner that was well-trained, restrained, orderly, and/or competent.

79. As a direct and proximate result of Defendants’ failure to properly hire, screen, train and/or supervise the security detail, Taleesha was fatally wounded, and Ms. Welch and Ms. Horsley were severely injured.

80. Defendants, McKenzie Rogers and Elite Warrior and Terrance Ford and Str8 Security, are liable for the injuries, damages, and/or losses caused by its negligent, willful, wanton and reckless conduct.

**COUNT VI – NEGLIGENT SECURITY BY McKENZIE ROGERS, ELITE  
WARRIOR, TERRANCE FORD, AND STR8 SECURITY**

81. Plaintiffs incorporate by reference the preceding paragraphs.

82. At all material times, McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security, through its officers, agents, servants, and employees, undertook to provide security services and keep the Oasis Lounge in a state consistent with the due regard for the safety of the business invitees, including Taleesha, Ms. Welch, and Ms. Horsley.

83. At all material times, McKenzie Rogers, Elite Warrior, Terrance Ford, Str8 Security, through its officers, agents, servants and employees owed a duty to the business invitees of the Oasis Lounge to exercise reasonable care to keep and maintain the premises in a condition reasonably safe for use by the business invitees, including the area within Oasis Lounge.

84. Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security, had a duty to take such precautions as were reasonably necessary to protect Oasis Lounge's business invitees from criminal attacks which were and/or, in the exercise of reasonable care, should have been reasonably foreseeable.

85. At all material times, Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security, through its officers, agents, servants, and employees knew, or in the exercise of reasonable care, should have known that the Oasis Lounge and its immediate vicinity was a high crime area, that there had been numerous violent criminal acts and attacks perpetrated on invitees, and the public in said areas, and that criminal acts and attacks were reasonably likely to be perpetrated on business invitees, and the public on the premises unless Defendants took reasonable and proper steps to provide adequate security at the premises.

86. At all material times, Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security, knew, or in the exercise of reasonable care, should have known, on account of the nature and frequency of crime at the Oasis Lounge, that said premises constituted a dangerous and hazardous area for its residents, invitees, and the public of which Defendants were in a superior position to appreciate such hazards and take necessary steps to prevent harm to the business invitees of the Oasis Lounge, including Taleesha, Ms. Welch, and Ms. Horsley.

87. Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security, did itself, and/or by and through its agents, servants, and employees, breach its duty to the Plaintiffs

to exercise reasonable care for the safety and protection of the business invitees of the Oasis Lounge, including Taleesha, Ms. Welch, and Ms. Horsley, and acted in a careless and negligent manner in various respects including, but not limited to the following acts or omissions:

- a. Failing to have security guards/officers at the Oasis Lounge during relevant hours;
- b. Failing to have an adequate amount of security guards/officers at the Oasis Lounge during relevant hours;
- c. Failing to warn the residents and invitees at the Oasis Lounge, including Taleesha, Ms. Welch, and Ms. Horsley, of the nature and character of the Oasis Lounge and its immediate vicinity when McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security knew or, in the exercise of reasonable care, should have known that many criminal incidents against persons and property had occurred on and around the Premises;
- d. Failing to take reasonable measures that would guard against and otherwise deter the conduct of criminal activity at the Oasis Lounge and in failing to be proactive in the prevention of crimes at the Oasis Lounge and against its residents and invitees;
- e. Failing to inspect and evaluate the Oasis Lounge for dangerous conditions and security deficiencies;
- f. Failing to implement reasonable monitoring devices such as working surveillance cameras on, and around, the exterior of the Oasis Lounge;
- g. Failing to create, implement, distribute, and/or enforce reasonable security policies, security measures, and security procedures necessary to protect the residents,

invitees, and the general public at the Oasis Lounge and the Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security;

- h. Failing to create and/or implement a reasonable security plan which would meet the known industry standards and customs for safety in the community;
- i. Failing to take reasonable precautionary measures to deter and prevent violent crime upon the Premises, in light of the history of violent crime, at the Oasis Lounge;
- j. Failing to police, patrol, guard, deter, and otherwise provide adequate protection for the residents and invitees of the Oasis Lounge, when Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security, knew or, in the exercise of reasonable care, should have known of foreseeable criminal acts;
- k. Failing to have an adequate number of security guards at the Oasis Lounge to protect the Oasis Lounge's business invitees, including Taleesha, Ms. Welch, and Ms. Horsley;
- l. Failing to hire and/or retain competent security guards to protect Oasis Lounge's business invitees, including Taleesha, Ms. Welch, and Ms. Horsley;
- m. Failing to properly train security guards to be reasonably skillful, competent, and/or qualified to exercise appropriate and proper security measures so that they could protect Oasis Lounge's business invitees, including Taleesha, Ms. Welch, and Ms. Horsley;
- n. Failing to adequately and properly implement and/or execute a plan to patrol the Oasis Lounge;
- o. Failing to implement or operate adequate access control to the community; and



p. Additional acts of negligence not yet discovered but may be asserted at trial.

88. At all material times, Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security, were on notice or, in the exercise of reasonable care, should have been on notice of violent criminal activity as is evidenced by prior crimes at the Oasis Lounge and within its immediate vicinity.

89. At all material times, Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security, did foresee or, in the exercise of reasonable care, should have foreseen the likelihood of criminal activity on the Oasis Lounge as is evidenced by prior crime there.

90. At all material times, Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security, through its agents and employees, negligently failed to have any procedures governing the inspection, supervision, and/or security of the Oasis Lounge where the subject incident occurred.

91. Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security, through its agents and employees, did not have procedures governing the inspection, supervision, and security of the area where the subject incident occurred. Defendants acted negligently and carelessly failed to implement said procedures.

92. Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security, through its agents and employees, did not have procedures governing the inspection, supervision, and security of the area where the subject incident occurred, and the measures they did implement were carried out in a careless and negligent manner.

93. At all material times, Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security, through its agents and employees, created and/or allowed to be created said dangerous conditions as stated above at the Oasis Lounge. Defendants, McKenzie Rogers, Elite

Warrior, Terrance Ford, and Str8 Security, failed to warn Oasis Lounge's business invitees, including Taleesha, Ms. Welch, and Ms. Horsley, of the existence of said dangerous condition; or, in the alternative, did allow said dangerous condition to exist for a length of time sufficient in which a reasonable inspection would have revealed the same.

94. The negligence of Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security, proximately caused the assault and death of Taleesha, and directly led to the severe injuries sustained by Ms. Welch and Ms. Horsley because there was inadequate and/or nonexistent visible deterrence to prevent said weapons from entering the Oasis Lounge in compliance with the "Roadhouse Ordinance."

95. Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security, are liable for the injuries, damages, and/or losses caused by its negligent, willful, wanton and reckless conduct.

**COUNT VII – NEGLIGENCE PER SE OF BY MCKENZIE ROGERS, ELITE  
WARRIOR, TERRANCE FORD, AND STR8 SECURITY**

96. Plaintiffs incorporate by reference the preceding paragraphs.

97. Miss. Code Ann. § 19-3-40 allows counties to enact ordinances regarding county affairs, and under this statute, Clay County has adopted an ordinance, titled the "Roadhouse Ordinance," to regulate establishments, like the Oasis Lounge and the events held there.

98. Under the "Roadhouse Ordinance," a permit is required as a "condition precedent" to having an event by applying to the Clay County Sheriff's Office whereby the Regulations Committee shall issue a permit for a scheduled event. Upon information and belief, there was no permit for the event where Plaintiffs were injured at the Oasis Lounge.

99. The "Roadhouse Ordinance" also requires the use of "hand wand metal detectors" to be used on all persons entering the establishment. Upon information and belief and considering

what occurred, “hand wand metal detectors” were not used as required before patrons was allowed to enter the Oasis Lounge.

100. The “Roadhouse Ordinance” also requires that all security guards must have Mississippi Department of Public Safety guard permits and present those to the Clay County Sheriff before serving as security guards for a scheduled event at an establishment like the Oasis Lounge.

101. The “Roadhouse Ordinance” also requires the installation of “security cameras” to record events inside the premises of the establishment and the parking lot. These cameras are to be inspected by the Clay County Sheriff's Office before a scheduled event. Upon information and belief, the required security cameras were not installed or were not in operation at the time of the incident.

102. As business invitees of the Oasis Lounge, Plaintiffs were members of the class sought to be protected under the statute and ordinances.

103. Plaintiffs’ injuries were within the type sought to be avoided by “Roadhouse Ordinance.”

104. Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security, violated the “Roadhouse Ordinance” which proximately caused or contributed to Plaintiffs’ injuries, damages, and losses.

105. Defendants, McKenzie Rogers, Elite Warrior, Terrance Ford, and Str8 Security, are liable for the injuries, damages, and/or losses caused by its violation of the “Roadhouse Ordinance.”

#### **COUNT VIII – JOINT VENTURE**

106. Plaintiffs incorporate by reference the preceding paragraphs.

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107. Defendants, and one or more of the John Doe Defendants, were engaged in a joint venture to operate the Oasis Lounge and hold events for entertainment purposes for profit and for the mutual benefit of all Defendants.

108. The joint venture created by the Defendants, and one or more of the John Doe Defendants, was based on a contribution of efforts, property, money, skill and/or knowledge with the intent of carrying out a single undertaking.

109. Defendants, and one or more of the John Doe Defendants had a common interest in the venture and had an equal right to direct and/or had influence to govern the event and entertainment at the Oasis Lounge, or reserved the right to control those activities.

110. Plaintiffs' were injured due to the conduct of the joint venture between the Defendants, and one or more of the John Doe Defendants.

**COUNT IX – ACTS OF NEGLIGENCE, WILLFULNESS, WANTONNESS, AND  
RECKLESSNESS OF DEFENDANTS JOHN DOES 1-20**

111. Plaintiffs incorporate by reference the preceding paragraphs.

112. Plaintiff alleges that the wrongful conduct of the John Doe Defendants combined and concurred with the wrongful conduct of the named Defendants and, as a proximate consequence thereof, resulted in the death Taleesha and the severe injuries to Ms. Welch and Ms. Horsley.

113. The foregoing Counts and causes of action stated herein or contained in any subsequent amendment are hereby adopted and alleged against any fictitious party described in the caption and style of this or any Amended Complaint, as well as others that may be discovered during this litigation.

**DAMAGES**

114. Plaintiffs incorporate by reference the preceding paragraphs.

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115. As a proximate consequence, or proximate contributing consequence, of the above-described acts of the Defendants, the wrongful death beneficiaries of Taleesha and her Estate have suffered and sustained injuries, damages, and/or losses and damages, including, but not limited to, the following:

- i. conscious pain and suffering of Taleesha prior to her demise;
- ii. funeral and burial expenses;
- iii. net present value of lost future earnings;
- iv. loss of society and companionship; and
- v. other injuries, losses and damages which may be shown upon the trial of this action.

116. As a proximate consequence, or proximate contributing consequence, of the above-described acts of the Defendants, Ms. Welch and Ms. Horsley suffered and sustained injuries, damage, and/or losses and damages, including, but not limited to, the following:

- i. past, present and future medical expenses;
- ii. past, present and future pain and suffering, emotional distress and mental anguish;
- iii. loss of enjoyment of life;
- iv. inconvenience; and
- v. other injuries, losses and damages which may be shown at the trial of this cause.

117. The actions and/or inactions of Defendants were grossly negligent, wanton, willful and reckless, entitling Plaintiff to punitive damages under Mississippi Code Section 11-1-65 (1972, as amended) and/or under the common law, in an amount sufficient to punish Defendants and to deter similar future conduct.

**WHEREFORE, PREMISES CONSIDERED,** the Plaintiffs demand judgment against the Defendants, jointly and severally, for actual and compensatory damages, as well as punitive damages and any other damages allowable under law, in an amount to be determined by a jury in this cause, together with pre-judgment and post-judgment interest of 8% as provided by law, and any and all additional relief to which the Plaintiffs may be entitled.

Respectfully Submitted,

**TABETHA CHANDLER**

**MESMARIAH WELCH**

**TRINITY HORSLEY**

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