

IN THE CIRCUIT COURT OF ALCORN COUNTY, MISSISSIPPI

ADRIAN MARK PADY, INDIVIDUALLY AND
IN BEHALF OF ALL WRONGFUL DEATH BENEFICIARIES OF
WILLIAM HENRY PADY, SR., DECEASED

PLAINTIFFS

VS

CAUSE NO. CV 2024-209 JWA

MICHAEL WAYNE HAWLEY

DEFENDANT

COMPLAINT
(JURY TRIAL DEMANDED)

COMES NOW the Plaintiff, Adrian Mark Pady, individually and in behalf of all wrongful death beneficiaries of William Henry Pady, Sr., deceased, through counsel, and file this Complaint against the Defendant, Michael Wayne Hawley, and in support thereof would show unto the Court the following, to wit:

PARTIES

1. Plaintiff, Adrian Mark Pady, is an adult resident citizen of Alcorn County, MS, who currently resides at 68 County Road 249, Glen, Mississippi 38846. Other parties interested in this action include, William Henry Pady, Jr., an adult resident citizen of Alcorn County, MS, who currently resides at 1001 Beechwood Circle, Lot 129, Corinth, Mississippi 38834; Ellton Pady, an adult resident citizen of Alcorn County, MS, who currently resides at 122 County Road 217, Corinth, Mississippi 38834; Charlotte Newman, an adult resident citizen of Alcorn County, MS, who currently resides at 1503 Levee Road, Apt. 59, Corinth, Mississippi 38834; and other wrongful death beneficiaries, to be determined, and the Estate of William Pady, Sr.

2. Defendant, Michael Wayne Hawley, is an adult resident citizen of Alcorn County, MS, who currently resides at 47 County Road 230, Corinth, Mississippi 38834. **FILED**

MAY 30 2024

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction over the matters in this case pursuant to Miss. Code Ann. § 9-7-81 (1972), as amended.

4. Venue is proper in this Court as the events giving rise to this Complaint occurred and accrued in Alcorn County, Mississippi, as required by Miss. Code Ann. § 11-11-3, as amended.

FACTS

5. This cause of action arises out of a motor vehicle collision which occurred on or about April 25, 2024, at approximately 9:30 a.m. on Highway 72 in Corinth, Alcorn County, Mississippi.

6. On or about April 25, 2024, William Henry Pady, Sr. (hereinafter “Bill Pady”) was stopped at the southbound stop sign on Galyean Road at the intersection with Highway 72 in Corinth, Alcorn County, Mississippi. At all times hereinafter mentioned, Galyean Road and Highway 72 were public roadways and thoroughfares in Corinth, Alcorn County, Mississippi.

7. On the same date and at the same time, Defendant, Michael Wayne Hawley (hereinafter “Defendant”) was traveling westbound on Highway 72 in Corinth, Alcorn County, Mississippi.

8. After approaching the intersection of Galyean Road and Highway 72 and observing no oncoming traffic from westbound Highway 72, Bill Pady proceeded to turn left onto Highway 72 to travel eastbound.

9. As Bill Pady was in the process of making his left turn and after making it into the

turning lane of Highway 72, Defendant drove over the hill on westbound Highway 72 preceding the intersection with Galyean Road traveling at an extreme and excessive rate of speed in the turn lane of Highway 72.

10. Defendant's excessive rate of speed while traveling in the turn lane of Highway 72 caused a collision, resulting in his vehicle crashing into the front driver's side of Bill Pady's vehicle and injuring Bill Pady, whose death was not instantaneous, and from which injuries he suffered great pain, suffering and anguish from which he ultimately succumbed and died.

11. Defendant negligently operated his vehicle without care or concern of other motorists on the roadway. He failed to keep a proper lookout and operated his vehicle in a careless manner, endangering other vehicles on the road.

12. The aforesaid collision was due to the grossly negligent acts of the Defendant. Specifically, Defendant was guilty of unlawful and grossly negligent acts proximately causing the collision and damage to include, but not limited to, the following respects, to wit:

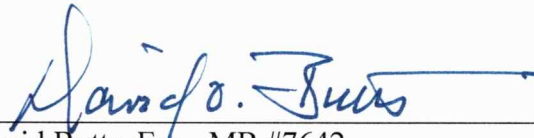
- a. Defendant drove his vehicle in willful and wanton disregard for the safety of persons or property in violation of Miss. Code Ann. § 63-3-1201;
- b. Defendant operated his vehicle at a rate of speed in excess of the maximum speed limit in violation of Miss. Code Ann. §§ 63-3-501 and 63-3-503.
- c. Defendant negligently failed to maintain a safe lookout, failed to keep his motor vehicle under proper control and failed to devote full time and attention to operating the motor vehicle;
- d. Defendant drove his vehicle in a careless or imprudent manner, without due regard for the width, grade, curves, corner, traffic and use of the streets and highways and all other attendant circumstances in violation of Miss. Code Ann. § 63-3-1213;
- e. Defendant failed to stop, turn or take other action to avoid the collision when he knew, or should have known that a collision was imminent; and
- f. Any other matters that would be proven at the trial of this action before a jury.

INJURIES AND DAMAGES

13. As a direct and proximate cause of the Defendant's gross negligence, Plaintiffs are entitled to recover of and from the Defendant all such damages allowable by law as the jury may determine to be just, taking into consideration all damages of every kind to the decedent and all damages of every kind to any and all parties interested in this suit, as well as damages for expenses incurred as a result of Defendant's gross negligence, including medical and funeral expenses.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs demand a judgment in an amount exceeding the minimum jurisdictional limits of this Court for actual and consequential damages, punitive damages, plus all costs of this proceeding as well as pre-judgment and post-judgment interest.

RESPECTFULLY SUBMITTED, this the 20th day of May, 2024.



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