

Tonya Pointer

CAUSE NO. DC-17-02098

**KEAIRA REID, INDIVIDUALLY AND ON
BEHALF OF THE ESTATE OF
WYKESHA REID AND AS NEXT FRIEND
OF AXXXXX MXXXXXXXXX, MINOR, AND
KXXXXXXXX RXXX, MINOR,**

PLAINTIFFS,

v.

**JIMMY JOE CLARKE AKA "ALICIA"
CLARKE, DENISE ROSS AKA
"WeWe," GEORGE M. REEVES III,
DESHONTE ROBINSON, INNER
TOWN, INC., GMR GP, LLC,
REEVES GROUP, LTD., CEDAR
HICKORY, L.P., BELMONT-
CARROLL, LP, MOSS PROPERTIES,
LTD., SAMUEL MILLER FIT, LLC,
GOOD-LATIMER, LP, SWISS
HAWKINS, LP, GEORGE M. REEVES
III, LTD., CITY POCKET, LTD.,
GEORGE REEVES MGT. COMPANY,
LLC, GMR, INC., AND TAMALE
HOUSE, INC.**

DEFENDANTS

**IN THE DISTRICT COURT
____ JUDICIAL DISTRICT
DALLAS COUNTY, TEXAS**

ORIGINAL PETITION

COMES NOW, KEAIRA REID, individually and on behalf of the ESTATE OF WYKESHA REID and as next friend of Xxxxxx Xxxxxxxxxx, minor, and Xxxxxxxxx Rxxx, minor, (Plaintiffs), complaining of JIMMY JOE CLARKE aka "ALICIA" CLARKE, DENISE ROSS aka "WeWe," GEORGE M. REEVES III, DESHONTE ROBINSON, INNER TOWN, INC., GMR GP, LLC, REEVES GROUP, LTD., CEDAR HICKORY,

L.P., BELMONT-CARROLL, LP, MOSS PROPERTIES, LTD., SAMUEL MILLER FIT, LLC, GOOD-LATIMER, LP, SWISS HAWKINS, LP, GEORGE M. REEVES III, LTD., CITY POCKET, LTD., GEORGE REEVES MGT. COMPANY, LLC, GMR, INC., and TAMALE HOUSE, INC. (Defendants) and for cause of action would show as follows:

REDACTION

1. Pursuant to Texas Rule of Civil Procedure 21c, this document was redacted to protect the names of the minor parties in this matter. Specifically, Rule 21c (c) states:

(c) Redaction of Sensitive Data; Retention Requirement. --Sensitive data must be redacted by using the letter "X" in place of each omitted digit or character or by removing the sensitive data in a manner indicating that the data has been redacted. The filing party must retain an unredacted version of the filed document during the pendency of the case and any related appellate proceedings filed within six months of the date the judgment is signed.

At the request of the Dallas County Clerk, Anita, 214 -653-6896, this document was changed to reflect the first initial of the Minors' first and last names.

DISCOVERY CONTROL PLAN; RULE 47 STATEMENT

2. Pursuant to Texas Rules of Civil Procedure Rule 190.3, Plaintiffs request that discovery be conducted in accordance with a Level 2 Discovery Control Plan.

3. Plaintiffs seek relief as specified by Rules 47(c)(5) & 47(d) of the Texas Rules of Civil Procedure.

JURISDICTION; VENUE

4. This Court has personal jurisdiction over each Defendant because each Defendant is either a Texas resident or has committed a tort in Texas such that the

Defendant in question is subject to specific personal jurisdiction under the Texas long-arm statute.

5. This court has subject matter jurisdiction over this suit for damages because the damages sought are within the jurisdiction limits of the court.

6. Venue is proper in Dallas County as it is the county in which all or a substantial part of the events or omissions giving rise to the claim occurred.

PARTIES

7. Plaintiffs are all individuals residing in Dallas County, Texas.

8. Defendant JIMMY JOE CLARKE AKA “ALICIA” CLARKE is an individual who may be served with process at the DALLAS COUNTY JAIL, NORTH TOWER DETENTION FACILITY, 111 W. COMMERCE STREET, DALLAS, TEXAS 75208.

9. Defendant DENISE ROCHELLE ROSS AKA “WEWE” is an individual that may be served by serving her attorney of record HEATH HARRIS, 1910 PACIFIC AVENUE, STE 15100, DALLAS, TEXAS 75201.

10. Defendant GEORGE M. REEVES is an individual that may be served at his residence which is 2601 N CARROLL AVENUE, DALLAS, TEXAS 75204.

11. Defendant DESHONTE ROBINSON is an individual who may be served at her residence which is 7909 TULANE DRIVE, ROWLETT, TEXAS 75088.

12. Defendant INNER TOWN, INC. is a company which does business in Texas. It may be served with process herein by serving its registered agent for service of process, George M. Reeves at 2601 N CARROLL AVENUE, DALLAS, TEXAS 75204.

13. Defendant GMR GP, LLC is a company which does business in Texas. It may be served with process herein by serving its registered agent for service of process, George M. Reeves at 2601 N CARROLL AVENUE, DALLAS, TEXAS 75204.

14. Defendant REEVES GROUP, LTD. is a company which does business in Texas. It may be served with process herein by serving its registered agent for service of process, George M. Reeves at 2601 N CARROLL AVENUE, DALLAS, TEXAS 75204.

15. Defendant CEDAR HICKORY, L.P. is a company which does business in Texas. It may be served with process herein by serving its registered agent for service of process, George M. Reeves at 2601 N CARROLL AVENUE, DALLAS, TEXAS 75204.

16. Defendant BELMONT-CARROLL, LP is a company which does business in Texas. It may be served with process herein by serving its registered agent for service of process, George M. Reeves at 2601 N CARROLL AVENUE, DALLAS, TEXAS 75204.

17. Defendant MOSS PROPERTIES, LTD. is a company which does business in Texas. It may be served with process herein by serving its registered agent for service of process, George M. Reeves at 2601 N CARROLL AVENUE, DALLAS, TEXAS 75204.

18. Defendant SAMUEL MILLER FIT, LLC is a company which does business in Texas. It may be served with process herein by serving its registered agent for service of process, George M. Reeves at 2601 N CARROLL AVENUE, DALLAS, TEXAS 75204.

19. Defendant GOOD-LATIMER, LP is a company which does business in Texas. It may be served with process herein by serving its registered agent for service of process, George M. Reeves at 2601 N CARROLL AVENUE, DALLAS, TEXAS 75204.

20. Defendant SWISS HAWKINS, LP is a company which does business in Texas. It may be served with process herein by serving its registered agent for service of process, George M. Reeves at 2601 N CARROLL AVENUE, DALLAS, TEXAS 75204.

21. Defendant GEORGE M. REEVES III, LTD. is a company which does business in Texas. It may be served with process herein by serving its registered agent for service of process, George M. Reeves at 2601 N CARROLL AVENUE, DALLAS, TEXAS 75204.

22. Defendant CITY POCKET, LTD. is a company which does business in Texas. It may be served with process herein by serving its registered agent for service of process, George M. Reeves at 2601 N CARROLL AVENUE, DALLAS, TEXAS 75204.

23. Defendant GEORGE REEVES MGT. COMPANY, LLC is a company which does business in Texas. It may be served with process herein by serving its registered agent for service of process, George M. Reeves at 2601 N CARROLL AVENUE, DALLAS, TEXAS 75204.

24. Defendant GMR, INC. is a company which does business in Texas. It may be served with process herein by serving its registered agent for service of process, George M. Reeves at 2601 N CARROLL AVENUE, DALLAS, TEXAS 75204.

25. Defendant TAMALE HOUSE, INC. is a company which does business in Texas. It may be served with process herein by serving its registered agent for service of process, George M. Reeves at 2601 N CARROLL AVENUE, DALLAS, TEXAS 75204.

26. Whenever in this petition it is alleged that a defendant did or failed to do any act or thing, it is meant that the defendant's governing body, directors, officers, agents,

servants, employees and/or other representatives and/or independent contractors subject to its control, did or failed to do any act or thing and that, at the time such conduct occurred, it occurred with the authorization and/or ratification of such defendant and/or was done in the normal and routine course and scope of employment or agency of the defendant, and/or pursuant to the defendant's direction and control.

27. At all relevant times, each Defendant was an agent of the other Defendants. In committing the acts alleged herein, the Defendants acted within the scope of their agency and were acting with the consent, permission, authorization and knowledge of their other respective Defendants, and perpetrated and/or conspired to or aided and abetted the unlawful acts described herein. All actions of the Defendants alleged herein were ratified and approved by the other respective Defendants or their respective officers, directors, controlling persons, agents, aiders and abettors or co-conspirators.

FACTS

28. This is a wrongful death suit necessitated by an incident that occurred on or about February 18, 2015. On that day, Wykesha Reid visited 3815 East Side Avenue (East Side Property) to receive a "Brazilian Butt Lift," also referred to as "Brazilian Butt Injections," from Defendants Jimmy Joe Clarke (Clarke) and Denise Rochelle Ross (Ross) who represented themselves as medical doctors. Clarke and Ross were not, in fact, doctors and lacked any medical training. Defendant Deshonte Robinson rented the premises from the owner of the property George M. Reeves and/or his various co-defendant entities. On February 18, 2015, at approximately 6:00 p.m., Wykesha Reid visited this property and

received injections of some type of liquid substance (possibly hydrogel, which is not approved for such application) into her buttocks by these two medical frauds.

29. Serious health complications arose for Wykesha Reid soon after the injections. She began having a seizure and ultimately died from pulmonary silicone embolization as the silicone traveled through her heart and became lodged in Ms. Reid's lungs. Essentially, Ms. Reid suffocated slowly as silicone prevented the lungs from working properly. Instead of calling for help or alerting someone else, or trying to render aid, these two boils on the backside of Dallas county—Defendants Clarke and Ross—ran from the scene, leaving Ms. Reid locked inside the property overnight, condemning her to death and turning the slum at 3815 East Side Avenue into her tomb.

30. Before leaving, Clarke and Ross took time to throw away evidence and order other workers and customers to leave the premises of the illegal operation.

31. After abandoning Ms. Reid to die a painful suffocation death, one of the career criminals, Clarke, returned the next morning at 7:50 am and finally called police. But instead of being truthful with authorities, Clarke tried to fool the authorities by telling the ridiculous story that Ms. Reid was not feeling well and had asked to lie down, so the career criminals just let her sleep overnight in the building and were shocked to find her dead the next morning. Ross and Clarke were both charged with murder and practicing medicine without a license or a permit.

32. Astonishingly, Clarke and Ross had already seriously injured another individual while delivering these illegal injections and had gone to police. Even so, Ross and Clarke continued to perform these illegal and highly dangerous operations and the other

Defendants continued to assist in and allow the unlawful behavior to continue, most likely because of the strong financial incentive. The previous victim reported that one session of injections cost \$520.00 and came with superglue and cotton balls to help plug the gaping holes left by the large needles.

33. At all material times and in all material respects, the commercial property at 3815 East Side Avenue, Dallas, Texas (East Side property) was owned, operated, managed, and controlled by some or all of the Defendants.

34. Upon current information and belief, the various Defendants who owned, operated, managed, and controlled the East Side property at the time in question were engaged in a joint enterprise or joint venture to operate and/or maintain the Eastside property, and each had the actual right to control the business operations, policies, procedures, conditions and activities of such property. Additionally and/or alternatively, they comprised and constituted a single business enterprise in such regard. Additionally and/or alternatively, they were managers, vice principals, agents, mere tools, instrumentalities, departments, and/or alter egos of each other or of one or another of them with regard to operation of the Eastside property and the commercial enterprise therewith. They are vicariously and/or jointly and/or severally liable for the conduct of one another in such regard.

35. At all material times, Defendants Clarke and Ross were engaged in the unauthorized practice of medicine.

36. Wykesha Reid's death was a foreseeable and preventable tragedy that occurred because Defendants failed to properly hire, train, warn, protect, and supervise

their employees, agents, invitees, and/or contractors, and failed to exercise reasonable oversight and control over the premises in question.

CAUSES OF ACTION

37. Plaintiff is entitled to and does bring this action pursuant to Title 4, Chapter 71, Subchapter A of the Texas Civil Practice and Remedies Code, Texas Wrongful Death statute. Defendants are liable to Plaintiffs for the actual damages arising from the injury which caused Wykesha Reid's death because such injury was caused by Defendants or their agents or servants wrongful acts, neglect, carelessness, unskillfulness, or default, as set forth below, and the decedent would have been entitled to bring an action for such injury had she lived.

38. In addition, Plaintiff sues on behalf of Wykesha Reid's estate. No administration of such estate remains pending and none is necessary. Plaintiff is entitled to and does bring this action in such representative capacity pursuant to Title 4, Chapter 71, Subchapter B of the Texas Civil Practice and Remedies Code, the Texas Survival statute. Plaintiff asserts against Defendants all causes of action for personal injury to the health and person of Wykesha Reid caused by Defendants' or its agents or servants wrongful acts, intentional acts, fraud, neglect, carelessness, unskillfulness, or default, as set forth below.

39. Defendants owed a duty to the public and to Wykesha Reid to conduct their work with ordinary care. On the day of the incident in question, Defendants breached their duty and their breach was a proximate cause of the death of Wykesha Reid and the damages of the Plaintiffs as set forth below.

40. Defendants committed acts and omissions of negligence which directly and proximately caused and/or were a producing cause of Plaintiffs' damages herein. Defendants were negligent toward Plaintiff in failing to provide a safe environment to receive medical treatment in and failing to exercise ordinary care in preventing injury to business invitees on the premises. Even when aware of the significant threat of harm, the Defendants were negligent and grossly negligent in failing to stop or prevent further dangerous actions by those on the premises. Defendants failed to take actions to protect Ms. Reid when they had actual and/or constructive knowledge that she was in danger. The Defendants' negligent acts and/or omissions were a proximate cause of Plaintiffs' injuries and damages which are described below.

41. On the date in question, Defendants Ross and Clarke falsely imprisoned Ms. Reid by willfully detaining Ms. Reid without her consent and without legal authority or justification within the East Side Property overnight, causing her to die from medical complications.

42. Defendants Ross and Clarke also committed fraud by materially misrepresenting their medical training and their ability to perform the operation at issue in a safe manner. This representation was false and the Defendants knew this representation was false at the time it was made. Defendants made the representation with the intent that Ms. Reid act on it. Ms. Reid relied on these representations, which caused Ms. Reid's death. Defendants used this fraud to induce Ms. Reid to obtain their services. The Defendants failed to disclose that Clarke and Ross were in fact not medical practitioners. Additionally, Plaintiff makes a claim for negligent misrepresentation.

43. Defendants were negligent per se by practicing medicine without a license, and committing murder, as well as violating other numerous state, federal, and local regulations.

44. Defendants maintained a common nuisance by maintaining a place to which persons habitually go for the purpose of engaging in organized criminal activity as a member of a combination, engaging in assault and aggravated assault, and engaging in murder. Defendants breached their duty to the Plaintiff by maintaining a common nuisance and by failing to make reasonable attempts to abate said common nuisance.

45. Wykesha Reid entered the premises upon which she was injured at the express or implied invitation of the Defendants and for a purpose connected with the business of the Defendants that did or could have resulted in the mutual economic benefit to the Plaintiff and the Defendants. Ms. Reid was an invitee. In the alternative, she was a licensee or a guest. Plaintiff was a permissive user of the premises. The premises upon which she was injured posed an unreasonable risk of harm, Defendants knew or should have known of the danger, and Defendants failed to exercise ordinary care to protect the Plaintiff from the danger by adequately warning Plaintiff of the condition and/or by failing to make that condition reasonably safe.

46. The negligence of Defendants included the following: creating a hazardous and dangerous premises condition; maintaining and/or allowing a hazardous and dangerous premises condition; failing to warn of the hazardous and dangerous condition; failing to use ordinary care to reduce or eliminate an unreasonable risk of harm created by a premises condition which Defendant knew about, or in the exercise of ordinary care should have

known about; failing to properly inspect the premises to discover, cure, or warn of such dangerous condition of the premises; failing to properly hire and train qualified employees, agents and servants in the safe operation, maintenance, and supervision of the premises; failing to properly supervise its employees, agents, servants and/or invitees in the safe operation, maintenance, and supervision of the premises; and failing to implement and/or enforce appropriate guidelines, rules, policies and/or procedures to ensure that the premises was operated, maintained, and supervised safely.

47. Defendants entered into a civil conspiracy to perform this medical fraud resulting in the wrongful death and murder of Wykesha Reid. Deshonte Robinson rented the premises on behalf of Clarke and Ross and participated in this illegal enterprise. Defendant George Reeves allowed and assisted said illegal enterprise to exist and persist and joined with the other defendants for an unlawful purpose.

48. Each of the foregoing negligent acts and omissions, whether taken singularly or in any combination, proximately caused the injuries and damages of Plaintiff set forth herein.

49. Defendants engaged in an act or omission which, when viewed objectively from their standpoints at the time of its occurrence, involves an extreme degree of risk, considering the probability and magnitude of the potential harm to others and of which each had actual, subjective awareness of the risk involved, but nevertheless proceeds with conscious indifference to the rights, safety, or welfare of others.

DAMAGES

50. As a result of Defendants' conduct and the death of Wykesha Reid, Plaintiffs have suffered damages in the past and will suffer damages in the future, including but not limited to, mental anguish, loss of consortium, grief, bereavement, loss of future financial contributions, loss of services, loss of advice, care and counsel, loss of society and companionship, and medical, funeral, and burial expenses, for which damages are sought under Article XVI, section 26 of the Texas Constitution and Chapter 41 of the Texas Civil Practice and Remedies Code.

51. Plaintiffs will continue to suffer these injuries for the rest of Plaintiffs' lives, and seek compensation for such future damages.

52. Defendants are liable to the Estate of Wykesha Reid for her physical pain, suffering and mental anguish, loss of earning capacity, physical disfigurement, physical impairment, and funeral and burial expenses.

CONDITIONS PRECEDENT

53. All conditions precedent to Plaintiffs right to recover the relief sought herein have occurred or have been performed.

JURY TRIAL

54. Plaintiffs demand a trial by jury.

REQUESTS FOR DISCLOSURE

55. Defendants are requested to provide the disclosure of the items set forth in Rule 194.2 of the Texas Rules of Civil Procedure with 50 days after service of this request on you.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully pray that upon final hearing of the cause, judgment be entered for the Plaintiffs against the Defendants for actual and exemplary damages in an amount within the jurisdictional limits of the Court, together with pre-judgment and post-judgment interest at the maximum rate allowed by law, and costs of court. Plaintiffs further pray for such other relief to which they may show themselves justly entitled.

Respectfully submitted,


James R. Ames
State Bar No. 24091111
Steven R. Samples
State Bar No. 24086348
SAMPLES AMES PLLC
1512 Crescent Drive, Suite 119
Carrollton, Texas 75006
Direct (214) 308-6505
Fax (855) 605-1505
james@texaslit.com

/s/ Robert L. Crill
Robert L. Crill
State Bar No. 05079700
CRILL LAW FIRM
1221 North I-35 East
Carrollton, Texas 75006
214-432-4402 Telephone
817-887-1604 Facsimile
bobcrill@msn.com

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was served by private process server at the time and in the manner set forth in the return of service.


James R. Ames