

MADISON CIRCUIT COURT
DIVISION II
CIVIL ACTION, FILE NUMBER: 23-CI-103

C. WESLEY MORGAN,)
Individually; C. WESLEY)
MORGAN, as Executor of the)
Estate of JORDAN WESLEY)
MORGAN; C. WESLEY MORGAN as)
parent and next friend of)
SIDNEY L. MORGAN)

PLAINTIFFS)

v.)

SHANNON GILDAY and KATIE)
GILDAY and JOHN DOES,)
ONE THROUGH TEN)
(UNIDENTIFIED PARTIES);)
and JANE DOES,)
A THROUGH J)
(UNIDENTIFIED PARTIES))

DEFENDANTS)

TIME	FILED	A.M./P.M.
<u>147</u>	<u>147</u>	<u>AM</u>
<u>28</u> FEB 20 2023 <u>16</u>		
MADISON CIRCUIT COURT DAVID FERNANDEZ, CLERK		

COMPLAINT

** ** *

Comes now C. Wesley Morgan in his individual capacity and in his representative capacities and states as follows:

PARTIES

1. C. Wesley Morgan, herein called "**MORGAN**", is the Plaintiff in his individual capacity, and in his representative capacity as the Executor of the estate of his deceased daughter, Jordan Wesley Morgan, and as the parent and next friend of his minor child, Sidney L. Morgan.

2. The Defendant, Shannon Gilday, is herein called "**GILDAY**" and his mother, Katie Gilday, is herein called "**KATIE**"; and they are the only Defendants whose identities are known to the Plaintiff at this time. **GILDAY** is currently in the custody of the Madison County Jailer housed in the Madison County Detention Center, and the Court is requested to appoint a guardian ad litem for him pursuant to the Kentucky Rules of Civil Procedure. The best known address of the Defendant, Katie Gilday is 515 Main Street, Apt. 326, Covington, Kentucky 41011, and service of process can be made upon her by certified mail at that address. The unknown defendants who may be identified after filing this complaint will be joined as named defendants upon learning their identities and their addresses.

3. **MORGAN** is making a claim individually for injuries he sustained by being shot by **GILDAY**; he is making claims for the wrongful death of his daughter, Jordan Wesley Morgan, who was shot to death by multiple rounds from an automatic weapon fired by **GILDAY**; and for personal injuries to his minor daughter, Sidney L. Morgan, as a result of her being shot and injured by **GILDAY**. **MORGAN** is making claims for compensatory damages and punitive damages for himself and in his representative capacities.

FACTUAL BASIS FOR CLAIMS

4. The amount in controversy exceeds the jurisdictional limitations of the Circuit Court. On or about February 22, 2022,

GILDAY unlawfully entered and invaded the home of **MORGAN** which was occupied by him and his family, which included his wife, Lindsey, Jordan Wesley Morgan and Sidney L. Morgan.

5. **GILDAY** unlawfully broke into the residence of **MORGAN** and almost immediately after gaining entry shot and killed Jordan Wesley Morgan by shooting her multiple times with an automatic weapon; thereafter, he proceeded to the area where **MORGAN** was located and was confronted by **MORGAN** and the two exchanged gunfire which resulted in three bullet wounds to **MORGAN** and one bullet wound to his daughter, Sidney L. Morgan.

6. **KATIE** participated knowingly in activities which aided or assisted **GILDAY** in his detailed planning of the invasion of the home of **MORGAN**; and she had information for some time before February 22, 2022, which should have been reported to one or more police agencies in Kentucky which would have resulted in apprehending or taking custody of **GILDAY** before he put his plan into motion; and **KATIE** failed and refused to take any action which would prevent **GILDAY** from carrying out his plan to invade the Morgan home. She knew that **GILDAY** was a danger to himself and to others and failed to take any action. She knew under the circumstances that he was armed with deadly weapons or had access to deadly weapons to carry out his mission of invading the Morgan home; and she took no action to prevent his plan from coming to fruition.

CLAIMS

7. **GILDAY** and **KATIE** are responsible for the wrongful death of Jordan Wesley Morgan, for which **MORGAN** is entitled to recover compensatory and punitive damages; and **MORGAN** is entitled to recover damages, both punitive and compensatory, on all the claims stated in this complaint in his individual and representative capacities.

8. The actions of **GILDAY** and **KATIE** resulted in physical and mental suffering for Jordan Wesley Morgan for the brief period which she may have lived while being shot multiple times by **GILDAY** with the automatic weapon; and **MORGAN** is entitled to recover damages for the wrongful death and the economic loss or losses (including specifically the destruction of the power to labor and earn money); and he is entitled to recover punitive damages. **MORGAN** is entitled under KRS 411.130 and KRS 411.133 to recover damages for wrongful death and personal injuries.

9. **MORGAN** is entitled to recover economic damages as well as damages for mental pain and suffering as well as any physical disability as the result of being shot three times by **GILDAY** and from **KATIE** as a result of her activities as described above in failing to protect the public from the plans of **GILDAY**. **MORGAN** incurred medical expenses, loss of income and physical and mental pain and suffering; and he is entitled to recover punitive damages for the willful acts by the Defendants against him.

10. **MORGAN** is entitled to recover damages in behalf of his minor child, Sidney L. Morgan, as well as damages for mental pain and suffering as well as any physical disability as a result of being shot by **GILDAY** and from **KATIE** as a result of her activities as described above in failing to protect the public from the plans of **GILDAY**. **MORGAN** incurred medical expenses and physical and mental pain and suffering and he is entitled to recover punitive damages for the willful acts by the Defendants.

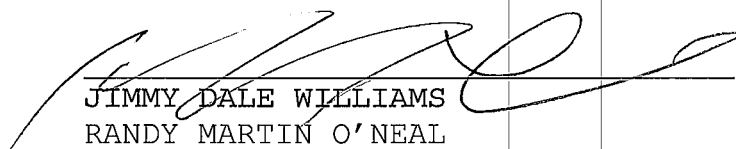
11. The claims against the unknown Defendants are on the basis of their activities whereby they knew the plans of **GILDAY** in advance of February 22, 2022, and failed to take any action to protect the public and the Morgan family from **GILDAY**; and they are jointly and severally liable with the other defendants in this action and will be substituted by name when their identities are determined.

WHEREFORE, **MORGAN** makes demand for judgment for damages against the Defendants, jointly and severally, as follows:

- A. For a sum of money which will fairly and adequately compensate the Estate of Jordan Wesley Morgan for her losses sustained as a result of the actions of Defendants; and
- B. For a sum of money which will fairly and adequately compensate **MORGAN** personally for his losses as a result of being shot by **GILDAY**; and

- C. For a sum of money which will fairly and adequately compensate his daughter, Sidney L. Morgan, for injuries she sustained as a result of being shot by **GILDAY**; and
- D. For punitive damages and costs.

WILLIAMS & O'NEAL, P.S.C.

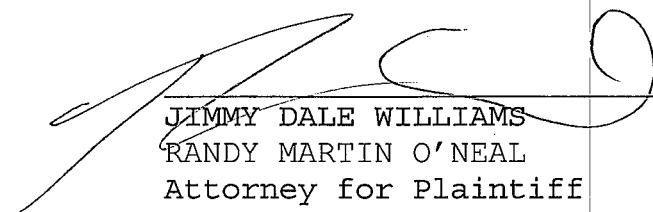


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JURY DEMAND

The Plaintiff hereby demands a trial by jury.

WILLIAMS & O'NEAL, P.S.C.



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