



Jung, either at 1713 Martin Luther King Jr. Blvd., Augusta, Georgia, or at her home located at 330 Connor Circle, Evans, Georgia 30809.

2. That Defendant Circle K Stores, Inc. (hereinafter “Defendant Circle K”) is a convenience store business organized and existing under the laws of the State of Texas and is authorized to do business in Georgia. Defendant Juno and Defendant Circle K are referred to herein collectively as “Defendants.” Defendant Circle K was the owner of the Property until it sold the Property on March 25, 2020 to LGP Realty Holdings LP. Defendant Circle K can be served by serving its registered agent for service of process, Corporation Service Company, 40 Technology Parkway South, Suite 300, Norcross, Gwinnett County, Georgia 30092 by second original. This Defendant can also be served by serving its Chief Executive Officer, Darrell Davis, 4080 West Jonathan Moore Pike, Columbus, Indiana 47201.

3. That Plaintiff is the widow of the late Richmond County Sheriff’s Investigator Cecil Dwayne Ridley (hereinafter “Inv. Ridley”), who was shot and killed on November 19, 2019 at the Property that was owned by Defendant Circle K and operated by Defendant Juno. Plaintiff is also the Administrator of the Estate of the late Cecil Dwayne Ridley, who at the time of his death was a citizen of Georgia and a resident of and domiciled in Augusta, Georgia. Plaintiff has been appointed as Administrator of the Estate of Cecil Dwayne Ridley by the Probate Court of Richmond County, Georgia, as shown by Exhibit “A” attached hereto, which also includes an Order of the Probate Court showing that Inv. Ridley was domiciled in Richmond County, Georgia, as well as his death certificate.

4. That at the time of the death of the late Inv. Ridley, he was married to Plaintiff; and Inv. Ridley had six (6) children, two (2) of whom are minors and are children of previous relationships.

5. That Plaintiff has standing to bring a wrongful death action on behalf of herself and the children of the late Inv. Ridley under the provisions of O.C.G.A. 51-4-2 seeking the full value of the life of the late Inv. Ridley and has standing to bring the action to recover damages for pain and suffering, medical expenses, and funeral expenses, as Administratrix of the Estate of the late Cecil Dwayne Ridley.

6. That in 2005 Defendant Circle K acquired the Property through the previous owners, Brosious & Holt Properties, LLC, in a multi-property transaction.

7. That at the time Defendant Circle K acquired the Property, it knew that this store was located in a high crime area and has known that fact for the last fifteen (15) years.

8. That Defendants knew or should have known that deputies had to be called to the areas adjacent to the Property hundreds of times in response to criminal activity in 2015, 2016, 2017, 2018, and 2019.

9. That Defendant Circle K was the landlord of Defendant Juno on November 19, 2019.

10. That at all times relevant Defendants jointly operated and controlled the Property and under O.C.G.A. §51-3-1 et seq. as the owners and operators of the Property had a non-delegable duty under Georgia law to exercise reasonable care to protect invitees against a known risk of violent crime.

11. That located on the Property are two (2) lights on a pole on the west side of the Property to provide illumination, which lights were not properly maintained by Defendants and provided no illumination to the outside of the store at the time the late Inv. Ridley was shot and killed on November 19, 2019.

12. That there are lights on the eaves of the outside of the store which were not functioning and, therefore, did not provide proper illumination of the outside area of the facility on November 19, 2019.

13. That the landlord, Defendant Circle K, and the tenant, Defendant Juno, knew that said lighting was not properly maintained; failed to have surveillance cameras, and maintained a public nuisance at the Property by negligently maintaining, inspecting, securing and managing the Property.

14. That if this lighting had been maintained and was functional, it would have discouraged criminal activity at the Property.

15. That neither Defendant Juno or Defendant Circle K took affirmative action to discourage criminal activity at the Property, including the sale of drugs as set forth herein.

16. That both Defendants failed to provide adequate security measures on the Property to discourage the criminal activity that existed there.

17. That the late Inv. Ridley did not assume the risk associated with the failure of Defendants to maintain lighting.

18. That Inv. Ridley did not go to the Property to investigate the public nuisance, but went as part of a crime suppression team.

19. That extrinsic acts of negligence of both Defendants contributed to and were in part the cause of Inv. Ridley being present at the Property.

20. That by not properly maintaining lighting and security features, Defendants created an atmosphere that encouraged illegal drug activity at the Property, which was a place where illegal drugs could be purchased.

21. That both Defendants knew or had reason to know that the failure to maintain proper outside lighting and the failure to have cameras and the failure to provide security with off duty deputies, encouraged illegal drug activities and other criminal activities at the Property.

22. That an individual named Alvin Theodore Hester, Jr. (hereinafter "Hester") was a drug dealer who used the facilities at the Property as a place to sell drugs and to be involved in other criminal activities.

23. That Hester hung out at the Property and used this location as a place to deal in drugs.

24. That based upon information and belief, Hester told Deputy Sheriffs prior to shooting Inv. Ridley that he was a part time employee of Defendant Juno.

25. That Hester was known by the owner of Defendant Juno as "Bam Bam," which was an indication that the owner of the facility knew that Hester carried pistols.

26. That Hester was a career criminal, had numerous felony and misdemeanor convictions, including shoplifting (2013 in Richmond County, GA); possession by an inmate of a weapon, drug, tobacco, or telecommunications device while in prison (2015 in Tattnall County, GA); burglary (2016 in Richmond County, GA); obstruction of a law enforcement officer (2017); possession of cocaine with intent to distribute (2017); as well as other criminal convictions.

27. That Hester did not reside in the area of the Property, but lived in south Richmond County on the south side of Bobby Jones Expressway at 1706 Apple Valley Drive, Richmond County, Augusta, Georgia, which is approximately five (5) miles from the location of the Property where the Augusta Mart was located and where Hester was selling drugs.

28. That based upon information and belief, Hester provided protection for Defendant Juno.

29. That Hester kept drugs in an inoperable Tahoe vehicle that he had parked on property in close proximity to the Augusta Mart at 1713 Martin Luther King Jr. Blvd., Augusta, Georgia.

30. That Hester's mode of operation was that he would secrete drugs he was selling in the vehicle and then retrieve sufficient drugs to make a deal at the store or in the store parking lot.

31. That Defendant Juno and its owners observed Hester at the store at numerous times and, based upon information and belief, called him to work there part time, or had his friends work there, and had sufficient evidence to know or support that Hester was a gang member who was using this location as his place of business.

32. That Hester had tattoos on his face indicating that he was a gang member and those tattoos were sufficient to put Defendant Juno on notice of gang affiliation.

33. That Defendant Juno knew or should have known that Hester was using the area as a place at which to conduct drug sales.

34. That Defendant Juno did nothing to curtail Hester from using this location for drug sales.

35. That Defendant Circle K, if it had properly inspected this location, would have known that this location was being used for criminal purposes.

36. That despite the fact that robberies and other criminal activities occur in the surrounding neighborhood to the Property, implied protection was being furnished to this location by a gang.

37. That the areas surrounding the Property is an area in which there is a substantial amount of drug activity, gun violence and other criminal activity, and this fact was known by both Defendants and they took no action to curtail such actions at the Property.

38. That as a result of the lack of maintenance of adequate lighting by the landlord and its failure to properly inspect the Property, Defendant Circle K, is in part responsible for making this location a prime drug area for the sale of drugs and gang activities.

39. That the Richmond County Sheriff's Department began conducting proactive patrolling of numerous high crime and drug areas such as the area around Augusta Mart located at 1713 Martin Luther King Jr. Blvd., Augusta, Georgia.

40. That on the evening of November 19, 2019, the late Inv. Ridley and other deputies were involved in the proactive patrolling of high crime areas in Augusta, Georgia.

41. That the late Inv. Ridley and other deputies made a stop at the Augusta Mart located at 1713 Martin Luther King Jr. Blvd., Augusta, Georgia, and as the late Inv. Ridley entered the store, he was shot in the upper torso by Hester after Hester had identified himself to another deputy as being an employee of Defendant Juno.

42. That at the time the late Inv. Ridley approached him, Hester was carrying a bag containing money, an additional gun, and illegal drugs.

43. That at the time the late Inv. Ridley was shot, Hester had a total of three (3) pistols on his person (two 9 mms and one .38), extra magazines and ammunition, as well as a .22 revolver that was contained in his bag.

44. That an employee of the Augusta Mart operated by Defendant Juno, Deonquez Reid, tried to hide evidence and tamper with evidence – that being the bag which contained a firearm and drugs.

45. That a clerk at the store operated by Defendant Juno and owned by Defendant Circle K had Hester's cellphone, which is believed to have been used in the drug trades by Hester.

46. That after the late Inv. Ridley was shot, three (3) other deputies immediately drove the late Inv. Ridley to the hospital in a Sheriff's vehicle that was at the scene.

47. That the late Inv. Ridley endured pain and suffering from the time he was shot until he died.

48. That the late Inv. Ridley incurred medical expenses before he died.

49. That the late Inv. Ridley died within an hour of arriving at the hospital.

50. That after shooting Inv. Ridley, Hester was subdued by other Sheriff's Deputies and taken to the hospital.

51. That Hester is now confined in the Richmond County, Georgia Jail and has been indicted for the murder of the late Inv. Ridley.

52. That Hester lived with his aunt, Felicia Roberta Bush, at 1706 Apple Valley Dr., Augusta, Georgia, where he stored a stolen firearm, as well as certain other cash monies that he obtained in the drug business and other illegal activities.

53. That Hester had an inoperable Chevrolet Tahoe that was located across from the Augusta Mart on an empty lot. The Tahoe is believed to have been registered to Felicia Roberta Bush. Based upon information and belief, Hester kept white rocklike powder in said vehicle, which powder was determined to be cocaine. Based upon information and belief, he also kept in said vehicle a green leafy substance (determined to be marijuana) and digital scales.

54. That the proximate cause for the late Inv. Ridley's being shot and killed by Hester is the fact that both Defendants failed to maintain the Property, failed to keep the Property

properly lighted so as to discourage drug activity, and other criminal activity and took no action to keep drug dealers like Hester from using this location for drugs and other illegal activities.

55. That the landlord, Defendant Circle K, had a duty to maintain proper lighting both outside and inside the store so as to discourage this store as being a drug hangout and where drugs were traded and sold and had a duty to inspect the Property to make sure it was not being used for drug activity.

56. That at the time Defendant Circle K acquired the Property, it knew that the Property was in a high crime area and, despite that fact, failed to take such actions so as to have additional lighting installed or to maintain lighting already present which would have had the effect of discouraging this area from being a high crime area and a place where drugs were being freely traded.

57. That Defendant Circle K, as the owner, failed to require its tenant to require as a term of its lease that security measures be taken.

58. That as a direct result of the actions of both Defendants, the late Inv. Ridley was shot and killed, endured pain and suffering prior to his death, and the estate has incurred funeral and medical expenses as a result of him being shot and killed. The exact amount of the funeral and medical expenses to be added by amendment prior to trial.

59. That Plaintiff, as Administratrix of the Estate of the late Inv. Ridley, is entitled to damages for the period of time that the late Inv. Ridley was shot until his death, as well as damages for medical expenses and funeral expenses.

60. That Plaintiff, as the widow of the late Inv. Ridley, is entitled to recover for the full value of the life of the late Inv. Ridley, who was 51 years of age at the time of his death, which award will benefit not only his wife, but his six (6) children as well.

**Count Two**  
**Nuisance**

61. That Plaintiff incorporates by reference the allegations contained in paragraphs 1 thru 60 of Count One as paragraph 61 of Count Two of this complaint.

62. That this Count is being filed pursuant to the provisions of O.C.G.A. § 16-15-7 for damages based upon the failure of both Defendants to abate the nuisances that existed at 1713 Martin Luther King Jr. Blvd., Augusta, Georgia.

63. That based upon information and belief, Hester was a member of a criminal street gang located in Augusta, Georgia, which based upon information and belief may at times been referred to as "Bloods."

64. That the lack of adequate security and lighting at the Property allowed criminal gang activity to take over this location.

65. That based upon information and belief, Augusta, Georgia has a substantial number of criminal street gangs in this community and both the Richmond County, Georgia Sheriff's Department and the Bureau of Alcohol, Tobacco and Firearms and other federal agencies have made efforts to suppress gang activities.

66. That Hester was a convicted felon and under federal and state law it was illegal for him to possess any firearm.

67. That at the time of the shooting of the late Inv. Ridley, Hester had in his possession three (3) firearms, as well as illegal drugs (cocaine, Percocet and marijuana), and other drugs that he kept in a vehicle across the street from the location of the shooting. (Said vehicle was later seized by law enforcement.)

68. That because of this criminal gang activity on the Property, both Defendants have created a public nuisance and are liable under O.C.G.A. §16-15-7.

69. That as a result of maintaining this nuisance by Defendants at the Property, the late Inv. Ridley was killed and Plaintiff has a cause of action for statutory treble damages under O.C.G.A. §16-15-7, and attorney fees.

70. That there have been more than three (3) persons who have been associated with Hester and who have been engaged in this criminal gang activity and which have assisted things, either by acts of commission or omission.

71. That by turning a blind eye toward the criminal gang activity, Defendants gave this gang the run of the location at the Property.

72. That based upon information and belief the gang of which Hester is a member is known as the "Bloods."

73. That based upon information and belief the area of the Property is in the territory, which this gang has sought to have exclusive gang control over that section of Augusta, Georgia.

74. That based upon information and belief the gang has been involved in drug and illegal gun sales in this area of Augusta, Georgia.

75. That Augusta, Georgia has passed and had in effect on November 19, 2019, Ordinance §7-3-61 et seq., all as shown by Exhibit "B" attached hereto, which requires that owners of property maintain property so that it is not a hazard to the health, safety and welfare of the people of Augusta, Georgia and the State of Georgia.

76. That by Defendants' failure to comply with this ordinance and State law, the Property constitutes a public nuisance under the City Code of the City of Augusta, Georgia and under State law.

77. That Defendants were negligent *per se* for violating the Code of Augusta, Georgia and State law by maintaining a public nuisance.

78. That Defendants had a duty to abide by the Code of Augusta and State law and protect its residents and those who frequented this area.

79. That Defendants breached that duty and kept and maintained a public nuisance.

80. That Plaintiff has a cause of action for three (3) times the actual damages sustained, including three (3) times the full value of the life of the late Inv. Ridley.

81. That Plaintiff brings this claim for punitive damages against Defendants, pursuant to O.C.G.A. §§16-5-7(c) and 51-12-5.1, in that Defendants' actions and inactions as herein alleged show willful misconduct, malice, wantonness or that entire want of care, which raises the presumption of conscious indifference to consequences, thereby authorizing the award of punitive damages to punish, penalize or deter Defendants from such conduct in the future.

82. Plaintiff is also entitled to reasonable attorney's fees under the provisions of O.C.G.A. § 16-15-7(c).

WHEREFORE, Plaintiff prays:

(a) That process issue requiring Defendants to be and appear in this Court to answer the allegations contained in Plaintiff's complaint;

(b) That Plaintiff and the Estate of the late Inv. Ridley recover damages for medical and funeral expenses and pain and suffering and damages that occurred from the moment the late Inv. Ridley was shot until his death on November 19, 2019;

(c) That Plaintiff recover for the full value of the life of the late Inv. Ridley as authorized by Georgia law;

(d) That Plaintiff's damages be trebled against both Defendants, all as authorized by O.C.G.A. § 16-15-7(c);

(e) That Plaintiff be awarded punitive damages pursuant to O.C.G.A. §§16-5-7(c) and 51-12-5.1;

(f) That Plaintiff recover her reasonable attorney's fees as allowed by O.C.G.A. §16-15-7(c);

(g) That Plaintiff have such other and further relief as is just and equitable; and

(h) That the issues in this case be tried by a jury.

This 2<sup>nd</sup> day of July, 2020.

***/s/ John B. Long***

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JOHN B. LONG, ESQ.  
Georgia State Bar No. 457200

***/s/ Thomas W. Tucker***

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THOMAS W. TUCKER, ESQ.  
Georgia State Bar No. 717975

Attorneys for Plaintiff

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**IN THE PROBATE COURT OF RICHMOND COUNTY  
STATE OF GEORGIA**

IN RE: ESTATE OF

CECIL DWAYNE RIDLEY,  
DECEASED

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ESTATE NO. 2020-RCGP-103

**LETTERS OF ADMINISTRATION**  
*[Bond, Inventory and Returns Required]*

At a regular term of Probate Court, this Court granted an order allowing SHARON BELTON RIDLEY to qualify as Administratrix of the above-named Decedent, who was domiciled in this County at the time of his death or was domiciled in another state but owned property in this County at the time of his death, and that upon so doing, Letters of Administration be issued to such Administratrix.

THEREFORE, the said Administratrix, having taken the oath of office and complied with all necessary prerequisites of the law, is legally authorized to discharge all the duties and exercise all powers of Personal Representative, according to Georgia law.

IN TESTIMONY WHEREOF, I have hereunto affixed my signature as Associate Judge of the Probate Court of said County and the seal of this office this 18th day of June, 2020.



Harry B. James, III  
Judge of the Probate Court  
Richmond County, Georgia



FILED IN PROBATE COURT

IN THE PROBATE COURT OF RICHMOND COUNTY  
STATE OF GEORGIA

2020 JUN 18 AM 11:02

*Vanessa W. Wingfield*  
CLERK  
RICHMOND COUNTY, GA

IN RE: ESTATE OF

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CECIL DWAYNE RIDLEY,  
DECEASED

ESTATE NO. 2020-RCGP-103

ORDER APPOINTING ADMINISTRATRIX

A Petition for Letters of Administration for the above named Decedent was filed.

SHARON BELTON RIDLEY was nominated Administratrix in the Petition and is hereby found to be legally qualified for said office. The Court finds that the Decedent died domiciled within, or domiciled outside the State of Georgia but owning property within, the above County. The Court finds that the Decedent died intestate. The Court further finds that all of the heirs at law were served or acknowledged service. The Court further finds that no objections were filed, and all requirements of law have been fulfilled.

ACCORDINGLY, IT IS ORDERED that the person named above are found to be qualified for such office and are hereby appointed Administratrix of the estate of the Decedent, and that appropriate Letters be issued upon said Administratrix giving bond with approved surety in the sum of \$ 10,000.00 and taking the oath as provided by law. The Administratrix shall not make any distribution to a person for the benefit of a minor unless that person is qualified to receive such funds according to law.

SO ORDERED this 18th day of June, 2020.

*Harry B. James, III*  
\_\_\_\_\_  
Harry B. James, III  
Judge of the Probate Court  
Richmond County, Georgia

IN THE PROBATE COURT OF RICHMOND COUNTY  
STATE OF GEORGIA

IN RE: ESTATE OF )  
 )  
CECIL DWAYNE RIDLEY, ) ESTATE NO. 2020RCGP103  
DECEASED )

**ORDER FINDING THAT THE LATE CECIL DWAYNE RIDLEY  
WAS DOMICILED IN RICHMOND COUNTY, GEORGIA AND  
THAT THIS COURT HAS JURISDICTION TO APPOINT AN ADMINISTRATOR  
OF THE ESTATE OF THE LATE CECIL DWAYNE RIDLEY**

In connection with the above-captioned case, the deceased, Cecil Dwayne Ridley, was an Investigator with the Richmond County Sheriff's Department and was married to the Petitioner, Sharon Belton Ridley. Both the Petitioner, Sharon Belton Ridley, the deceased's wife, and the decedent, Investigator Cecil Dwayne Ridley, maintained two (2) separate residences and the question before the Court was what is the domicile of Cecil Dwayne Ridley.

This Court has examined the commercial driver's license of the late Cecil Dwayne Ridley and it shows his address as 3509 Melody Court, Augusta, Richmond County, Georgia 30906, with an expiration date of 2025. The Court has also reviewed the installment sales contract with the Augusta VA Federal Credit Union, which shows his address as 3509 Melody Court, Augusta, Georgia; has examined the paystubs of the late Cecil Dwayne Ridley from the Richmond County Sheriff's Department, which show his address of 3509 Melody Court, Augusta, Georgia; has reviewed the motor vehicle registration relating to the 2013 Ram 1500 vehicle owned by the late Cecil Dwayne Ridley, which shows his address as 3509 Melody Court, Augusta, Georgia, and has reviewed the power bill, SCANA bill, and the Comcast Xfinity bill of the late Cecil Dwayne Ridley, which all show his address as 3509 Melody Court, Augusta, Richmond County, Georgia.

After reviewing these documents and other evidence presented at the hearing to have Letters of Administration appointing Sharon Belton Ridley as Administratrix of the Estate of the late Cecil Dwayne Ridley, this Court has determined that the domicile of the late Cecil Dwayne Ridley at the time of his death was in Augusta, Richmond County, Georgia, and that this Court has jurisdiction to appoint an Administrator of his estate.

This 18<sup>th</sup> day of June, 2020.

  
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JUDGE, PROBATE COURT  
RICHMOND COUNTY, GEORGIA

Presented by:

  
\_\_\_\_\_  
JOHN B. LONG, ESQ.  
Attorney for Petitioner  
Georgia State Bar No. 457200  
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**GEORGIA DEATH CERTIFICATE**

State File Number **2019GA000072058**

1. DECEDENT'S LEGAL FULL NAME (First, Middle, Last) <b>CECIL DWAYNE RIDLEY</b>		1a. IF FEMALE, ENTER LAST NAME AT BIRTH		2. SEX <b>MALE</b>		2a. DATE OF DEATH (Mo., Day, Year) <b>ACTUAL DATE OF DEATH 11/19/2019</b>	
3. SOCIAL SECURITY NUMBER <b>[REDACTED]</b>		4a. AGE (Years) <b>51</b>		4b. UNDER 1 YEAR Mos. Days Hours Mins.		4c. UNDER 1 DAY	
6. BIRTHPLACE <b>GEORGIA</b>		7a. RESIDENCE - STATE <b>GEORGIA</b>		7b. COUNTY <b>RICHMOND</b>		7c. CITY, TOWN <b>AUGUSTA</b>	
7d. STREET AND NUMBER <b>3509 MELODY COURT</b>		7e. ZIP CODE <b>30906</b>		7f. INSIDE CITY LIMITS? <b>YES</b>		8. ARMED FORCES? <b>YES</b>	
8a. USUAL OCCUPATION <b>INVESTIGATOR</b>		8b. KIND OF INDUSTRY OR BUSINESS <b>LAW ENFORCEMENT</b>					
9. MARITAL STATUS <b>MARRIED</b>		10. SPOUSE NAME <b>SHARON BELTON</b>			11. FATHER'S FULL NAME (First, Middle, Last) <b>RICHARD RIDLEY</b>		
12. MOTHER'S MAIDEN NAME (First, Middle, Last) <b>AGNES DUNN</b>		13a. INFORMANT'S NAME (First, Middle, Last) <b>SHARON RIDLEY</b>			13b. RELATIONSHIP TO DECEDENT <b>SPOUSE</b>		
13c. MAILING ADDRESS <b>6342 MORNINGVIEW COURT CHARLOTTE NORTH CAROLINA 28269</b>				14. DECEDENT'S EDUCATION <b>ASSOCIATE DEGREE</b>			
15. ORIGIN OF DECEDENT (Italian, Mex., French, English, etc.) <b>NO, NOT SPANISH/HISPANIC/LATINO</b>				16. DECEDENT'S RACE (White, Black, American Indian, etc.) (Specify) <b>BLACK OR AFRICAN-AMERICAN</b>			
17a. IF DEATH OCCURRED IN HOSPITAL <b>EMERGENCY ROOM/OUTPATIENT</b>				17b. IF DEATH OCCURRED OTHER THAN HOSPITAL (Specify)			
18. HOSPITAL OR OTHER INSTITUTION NAME (If not in either give street and no.) <b>AUGUSTA UNIVERSITY MEDICAL CENTER</b>				19. CITY, TOWN or LOCATION OF DEATH <b>AUGUSTA</b>		20. COUNTY OF DEATH <b>RICHMOND</b>	
21. METHOD OF DISPOSITION (specify) <b>BURIAL</b>		22. PLACE OF DISPOSITION <b>BELLEVEU MEMORIAL GARDENS, INC. 4501 WRIGHTSBORO ROAD GROVETOWN GEORGIA 30813</b>			23. DISPOSITION DATE (Mo., Day, Year) <b>11/26/2019</b>		
24a. EMBALMER'S NAME <b>RUSSELL PAGE</b>		24b. EMBALMER LICENSE NO. <b>4265</b>		25. FUNERAL HOME NAME <b>WILLIAMS FUNERAL HOME INC. HEPHZIBAH</b>			
25a. FUNERAL HOME ADDRESS <b>2945 OLD TOBACCO RD. HEPHZIBAH GEORGIA 30815</b>							
26a. SIGNATURE OF FUNERAL DIRECTOR <b>RENATA W BOSTON</b>				26b. FUN. DIR. LICENSE NO. <b>3589</b>		AMENDMENTS	
27. DATE PRONOUNCED DEAD (Mo., Day, Year) <b>11/19/2019</b>		28. HOUR PRONOUNCED DEAD <b>20:45 MILITARY</b>					
29a. PRONOUNCER'S NAME <b>ADIL ABUZEID</b>				29b. LICENSE NUMBER <b>068090</b>		29c. DATE SIGNED <b>11/19/2019</b>	
30. TIME OF DEATH <b>20:45 MILITARY</b>				31. WAS CASE REFERRED TO MEDICAL EXAMINER <b>YES</b>			
32. Part I. Enter the chain of events-diseases, injuries, or complications that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, Or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE.						Approximate interval between onset and death	
IMMEDIATE CAUSE (Final disease or condition resulting in death)						<b>MINUTES</b>	
A. <b>GUNSHOT WOUND OF THE CHEST</b>							
Due to, or as a consequence of							
B.							
Due to, or as a consequence of							
C.							
Due to, or as a consequence of							
D.							
Part II. Enter significant conditions contributing to death but not related to cause given in Part 1A. If female, indicate if pregnant or birth occurred within 90 days of death.				33. WAS AUTOPSY PERFORMED? <b>YES</b>		34. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH? <b>YES</b>	
35. TOBACCO USE CONTRIBUTED TO DEATH <b>NO</b>		36. IF FEMALE (range 10-54) PREGNANT <b>NOT APPLICABLE</b>			37. ACCIDENT, SUICIDE, HOMICIDE, UNDETERMINED (Specify) <b>HOMICIDE</b>		
38. DATE OF INJURY (Mo., Day, Year) <b>11/19/2019</b>		39. TIME OF INJURY <b>20:23 MILITARY</b>	40. PLACE OF INJURY (Home, Farm, Street, Factory, Office, Etc.) (Specify) <b>AUGUSTA MART</b>			41. INJURY AT WORK? (Yes or No) <b>YES</b>	
42. LOCATION OF INJURY (Street, Apartment Number, City or Town, State, Zip, County) <b>1713 MARTIN LUTHER KING JR BOULEVARD AUGUSTA GEORGIA 30901 RICHMOND</b>							
43. DESCRIBE HOW INJURY OCCURRED <b>SHOT BY ANOTHER</b>					44. IF TRANSPORTATION INJURY <b>NO</b>		
45. To the best of my knowledge death occurred at the time, date and place and due to the cause(s) stated. Medical Certifier (Name, Title, License No.)				46. On the basis of examination and/or investigation, in my opinion death occurred at the time, date and place and due to the cause(s) stated. Medical Examiner/Coroner (Name, Title, License No.) <b>/S/ MARK BOWEN CORONER</b>			
45a. DATE SIGNED (Mo., Day, Year)		45b. HOUR OF DEATH		46a. DATE SIGNED (Mo., Day, Year) <b>11/21/2019</b>		46b. HOUR OF DEATH <b>20:45 MILITARY</b>	
47. NAME, ADDRESS, AND ZIP CODE OF PERSON COMPLETING CAUSE OF DEATH <b>MARK BOWEN 912 8TH STREET AUGUSTA GEORGIA 30904</b>							
48. REGISTRAR (Signature) <b>/S/ CHRISTOPHER JP HARRISON</b>					49. DATE FILED - REGISTRAR (Mo., Day, Year) <b>11/21/2019</b>		

THIS IS TO CERTIFY THAT THIS IS A TRUE REPRODUCTION OF THE ORIGINAL RECORD ON FILE WITH THE STATE OFFICE OF VITAL RECORDS, GEORGIA DEPARTMENT OF PUBLIC HEALTH. THIS CERTIFIED COPY IS ISSUED UNDER THE AUTHORITY OF CHAPTER 31-10, CODE OF GEORGIA AND 511-1-3 DPH RULES AND REGULATIONS.

*Christophe J. Harrison*

STATE REGISTRAR AND CUSTODIAN  
GEORGIA STATE OFFICE OF VITAL RECORDS

COUNTY CUSTODIAN:

*Danya M. Boos*

ISSUED BY:

*DM Boos*

DATE ISSUED:

JUN 29 2020

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estate unsafe or inimical to safe human habitation, such use is dangerous and injurious to the health, safety, and welfare of the people of Augusta and a public necessity exists for the repair of such condition or the cessation of such use which renders the adjacent real estate unsafe or inimical to safe human habitation. The governing authority of Augusta finds that there exists in Augusta dwellings, buildings, or structures which are unfit for human habitation or for commercial, industrial, or business uses due to dilapidation and which are not in compliance with applicable codes; which have defects increasing the hazards of fire, accidents, or other calamities; which lack adequate ventilation, light, or sanitary facilities; or other conditions exist rendering such dwellings, buildings or structure unsafe or unsanitary, or dangerous or detrimental to the health, safety, or welfare, or otherwise inimical to the welfare of the residents of Augusta, or vacant, dilapidated dwellings, buildings, or structures in which drug crimes are being committed, and private property exists constituting an endangerment to the public health or safety as a result of unsanitary or unsafe conditions to those persons residing or working in the vicinity of the property.

(c) It is the intention of the governing authority that this Ordinance shall comply with and does comply with O.C.G.A. § 41-2-9(a) as a finding that conditions as set out in O.C.G.A. § 41-2-7 exist within Augusta, Georgia.  
(Ord. No. 6454, § 1, 1-15-02)

**Secs. 7-3-62—7-3-70. Reserved.**

**ARTICLE 8 RULES AND REGULATIONS FOR ABATEMENT OF UNSAFE OR UNHEALTHFUL PREMISES\***

**Sec. 7-3-71. Definitions.**

(a) *Applicable codes* shall mean

- (1) Any technical code, together with applicable appendices, adopted in Augusta-Richmond County Code §7-1-16, as currently provided or hereafter amended.

\*Editor's note—Ord. No. 6455, § 1, adopted January 15, 2002, designated the provisions of this article as §§ 7-3-44—7-3-46. Inasmuch as these sections already exist in this Code, at the editors' discretion, these sections have been redesignated as §§ 7-3-71—7-3-73.

- (2) Any optional housing or abatement standard provided in Chapter 2 of Title 8 of the O.C.G.A. as adopted by ordinance or operation of law, or general nuisance law, relative to the safe use of real property;
- (3) Any fire or life safety code as provided for in Chapter 2 of Title 25 of the O.C.G.A.; and
- (4) Any building codes adopted by local ordinance prior to October 1, 1991, or the minimum standard codes provided in O.C.G.A. Chapter 2 of Title 8 after October 1 provided that such building or minimum standard codes for real property improvements shall be deemed to mean those building or minimum standard codes in existence at the time such real property improvements were constructed unless otherwise provided by law.

(b) *Closing* shall mean causing a dwelling, building, or structure to be vacated and secured against unauthorized entry.

(c) *Drug crime* shall mean an act which is a violation of O.C.G.A. Article 2 of Chapter 13 of Title 16, known as the Georgia Controlled Substances Act.

(d) *Dwellings, buildings, or structures* shall mean any building or structure or part thereof used and occupied for human habitation or commercial, industrial, or business use, or intended to be so used, and includes any outhouses, improvements, and appurtenances belonging thereto or usually enjoyed therewith and also includes any building or structure of any design. The term 'dwellings, buildings, or structures' shall not mean or include any farm, any building or structure located on a farm, or any agricultural facility or other building or structure used for the production, growing, raising, harvesting, storage, or processing of crops, livestock, poultry, or other farm products.

(e) *Governing authority* shall mean the Augusta-Richmond County Commission.

(f) *Municipality* shall mean Augusta-Richmond County.



(g) *Owner* shall mean the holder of the title in fee simple and every mortgagee of record.

(h) *Parties in interest* shall mean:

- (1) Persons in possession of said property and premises;
- (2) Persons having a record in the county in which the dwelling, building, or structure is located any vested right, title, or interest in or lien upon such dwelling, building, or structure or the lot, tract, or parcel of real property upon which the structure is situated or upon which the public health hazard or general nuisance exists based upon a 50 year title examination conducted in accordance with the title standards of the State Bar of Georgia;
- (3) Persons having paid an occupational tax to the governing authority for a location or office at the subject building or structure; or
- (4) Persons having filed a property tax return with the governing authority as to the subject property, building, or structure.

(i) *Public authority* shall mean any member of a governing authority, any housing authority officer, or any officer who is in charge of any department or branch of the government of the municipality, county, or state relating to health, fire, or building regulations or to other activities concerning dwellings, buildings, or structures in the county or municipality.

(j) *Public officer* shall mean the officer or officers who are authorized by O.C.G.A. Section 41-2-7, Section 41-2-8 and Sections 41-2-9 through 41-2-17 and by this Ordinance adopted under Section 41-2-7, Section 41-2-8, and Sections 41-2-9 through 41-2-17 to exercise the powers prescribed by this article or any agent of such officer or officers.

(k) *Repair* shall mean altering or improving a dwelling, building, or structure so as to bring the structure into compliance with the applicable codes in the jurisdiction where the property is located and the cleaning or removal of debris,

trash, and other materials present and accumulated which create a health or safety hazard in or about any dwelling, building, or structure.

(l) *Resident* shall mean any person residing in the jurisdiction where the property is located on or after the date on which the alleged nuisance arose.

(Ord. No. 6455, § 1, 1-15-02)

#### **Sec. 7-3-72. Duties of owners.**

It is the duty of the owner of every dwelling, building, structure, or property within the jurisdiction of Augusta to construct and maintain such dwelling, building, structure, or property in conformance with applicable codes in force within Augusta, or such ordinances which regulate and prohibit activities on property and which declare it to be a public nuisance to construct or maintain any dwelling, building structure or property in violation of such codes or ordinances;

(Ord. No. 6455, § 1, 1-15-02)

#### **Sec. 7-3-73. Nuisance abatement procedures.**

(a) *Appointment of public officer*: The Augusta-Richmond County Commission appoints and designates the Director, License and Inspection and his/her designee as public officer(s) to exercise the powers prescribed by this Article;

(b) *Procedures for determining premises to be unsafe or unhealthful*.

- (1) Whenever a request is filed with the public officer by a public authority or by at least five (5) residents of Augusta charging that any dwelling, building, or structure is unfit for human habitation or for commercial, industrial or business use and not in compliance with applicable codes; is vacant and being used in connection with the commission of drug crimes; or constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions, the public officer shall make an investigation or inspection of the specific dwelling, building, structure, or property. If the public officer's investigation or inspection identifies that any dwelling, building, structure, or property is unfit for human hab-

itation or for commercial, industrial, or business use and not in compliance with applicable codes; is vacant and being used in connection with the commission of drug crimes; or constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions, the public officer shall make an investigation or inspection of the specific dwelling, building, structure, or property. If the officer's investigation or inspection identifies that any dwelling, building, structure, or property is unfit for human habitation or for commercial, industrial, or business use and not in compliance with applicable codes; is vacant, and being used in connection with the commission of drug crimes; or constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions, the public officer may issue a complaint in rem against the lot, tract, or parcel of real property on which such dwelling, building, or structure is situated or where such public health hazard or general nuisance exists and shall cause summons and a copy of the complaint to be served on the owner and parties in interest in such dwelling, building, or structure. The complaint shall identify the subject real property by appropriate street address and official tax map reference; identify the owner of the parties in interest, state with particularity the factual basis for the action; and contain a statement of the action sought by the public officer to abate the alleged nuisance. The summons shall notify the owner and parties in interest that a hearing will be held before a court of competent jurisdiction as determined by O.C.G.A. Section 41-2-5, at a date and time certain and at a place within Augusta where the property is located. Such hearing shall be held not less than fifteen (15) days nor more than forty-five (45) days after the filing of said complaint in court. The owner and parties in interest shall have the right to file an answer to the complaint and to appear in person or by attorney and offer testimony at the time and place fixed for hearing;

- (2) If after such notice and hearing, the court determines that the dwelling, building, or structure in question is unfit for human habitation or is unfit for its current commercial, industrial, or business use and not in compliance with applicable codes; is vacant and being used in connection with the commission of drug crimes; or constitutes an endangerment to the public health and safety as a result of unsanitary or unsafe conditions, the court shall state in writing findings of fact in support of such determination and shall issue and cause to be served upon the owner and any parties in interest that have answered the complaint or appeared at the hearing an order:
  - a. If the repair, alteration, or improvement of the said dwelling, building, or structure can be made at a reasonable cost in relation to the present value of the dwelling, building, or structure, requiring the owner, within the time specified in the order, to repair, alter, or improve such dwelling, building, or structure so as to bring it into full compliance with the applicable codes relevant to the cited violation and if applicable, to secure the structure so that it cannot be used in connection with the commission of drug crimes; or
  - b. If the repair, alteration, or improvement of the said dwelling, building, or structure in order to bring it into full compliance with applicable codes relevant to the cited violations cannot be made at a reasonable cost in relation to the present value of the dwelling, building, or structure, requiring the owner, within the time specified in the order, to demolish and remove such dwelling, building, or structure and all debris from the property.

For purposes of this Article, the court shall make its determination of reasonable cost in relation to the present value of the dwelling, building or

structure without consideration of the value of the land on which the structure is situated; provided, however, that costs of the preparation necessary to repair, alter, or improve a structure may be considered. Income and financial status of the owner shall not be a factor in the court's determination. The present value of the structure and the costs of repair, alteration, or improvement may be established by affidavits of real estate appraisers with a Georgia appraiser classification as provided in Chapter 39A of Title 41, of the O.C.G.A., qualified building contractors, or qualified building inspectors without actual testimony presented. Costs of repair, alteration, or improvement of the structure shall be the cost necessary to bring the structure into compliance with the applicable codes relevant to the cited violations in force in the jurisdiction.

- c. If the owner fails to comply with an order to repair or demolish the dwelling, building, or structure, the public officer may cause such dwelling, building, or structure, to be repaired, altered, improved, to be vacated and closed, or demolished. The public officer shall cause to be posted on the main entrance of the building, dwelling, or structure a placard with the following words:

'This building is unfit for human habitation or commercial, industrial, or business use and does not comply with applicable codes or has been ordered secured to prevent its use in connection with drug crimes or constitutes an endangerment to public health or safety as a result of unsanitary or unsafe conditions. The use or occupation of this building is prohibited and unlawful.'

- d. If the public officer has the structure demolished, reasonable effort shall be made to the salvage reusable ma-

terials for credit against the cost of demolition. The proceeds of any moneys received from salvaged materials shall be used or applied against the cost of the demolition and removal of the structure, and proper records shall be kept showing application of sales proceeds. Any such sale of salvaged materials may be made without necessity of public advertisement and bid. The public officer and Augusta are relieved of any and all liability resulting from or occasioned by the sale of any such salvaged materials, including, without limitation, defects in such salvaged materials.

- e. The amount of the cost of demolition, including all court costs, appraisal fees, administrative costs incurred by the tax commissioner, and all other costs necessarily associated with the abatement action, including restoration to grade of the real property after demolition, shall be a lien against the real property upon which such cost was incurred.

1. The lien provided for in paragraph c. of subsection 2. of this Ordinance section shall attach to the real property upon the filing of a certified copy of the order requiring repair, closure or demolition in the office of the Clerk of Superior Court in Richmond County and shall relate back to the date of the filing of the lis pendens notice required under subsection (g) of O.C.G.A. § 41-2-12. The Clerk of Superior Court shall record and index such certified copy of the order in the deed records of Richmond County and enter the lien on the general execution docket. The lien shall be superior to all other liens on property, except liens for taxes to which the lien shall be inferior,

and shall continue in force until paid. After filing certified copy of the order with Clerk of Superior Court, the public officer shall forward a copy of the order and final statement of costs to the county tax commissioner. It shall be duty of the county tax commissioner to collect the amount of lien in conjunction with the collection of ad valorem taxes on the property and to collect the amount of the lien as if it were real property ad valorem tax, using all methods available for collection of real property ad valorem tax, including specifically Chapter 4 of Title 48 of the O.C.G.A., provided, however that the limitation of O.C.G.A. § 48-4-78 which requires twelve (12) months of delinquency before commencing a tax foreclosure shall not apply. The tax commissioner shall remit the amount collected to the governing authority of Augusta, Georgia. Thirty days (30) after imposition of the lien, the unpaid lien amount shall bear interest and penalties in the same amount as applicable to interest and penalties on unpaid real property ad valorem taxes.

2. The tax commissioner shall collect and retain an amount equal to cost of administering a lien authorized by O.C.G.A. § 41-2-7 et seq. unless such costs are waived by resolution of the Augusta. Any such amount collected and retained for administration shall be deposited in the general fund of the county to pay the cost of administering the lien.
3. Augusta may waive and release any such lien imposed on

property upon the owner of such property entering into a contract with the county or municipality agreeing to a timetable for rehabilitation of the real property or the dwelling, building, or structure on the property and demonstrating the financial means to accomplish such rehabilitation.

4. Where the abatement action does not commence in the superior court, review of a court order requiring the repair, alteration, improvement, or demolition of a dwelling, building, or structure shall be by direct appeal to Richmond County Superior Court under O.C.G.A. § 5-3-29.
5. The public officers designated herein may issue citations for violations of state minimum standard codes, optional building, fire, life safety, and other codes adopted by ordinance, and conditions creating a public health hazard or general nuisance, and may seek to enforce such citation in any court of competent jurisdiction prior to issuing a complaint in rem as provided in this Article.
6. Nothing in this Article shall be construed to impair or limit in any way the power of Augusta to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

(c) *Powers of Public Officers.* The public officer(s) designated in this Article shall have the following powers:

- (1) To investigate the dwelling conditions in Augusta in order to determine which dwellings, buildings, or structures therein are unfit for human habitation or are unfit for current commercial, industrial, or busi-

- ness use are vacant, dilapidated, and being used in connection with the commission of drug crimes;
- (2) To administer oaths and affirmations, to examine witnesses, and to receive evidence;
  - (3) To enter upon premises for the purpose of making examinations; provided, however, that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession;
  - (4) To appoint and fix the duties of such officers, agents, and employees as he or she deems necessary to carry out the purposes of this Article; and
  - (5) To delegate any of his or her functions and powers under this Article to such officers and agents as he or she may designate.
- (d) *Services of Complaints.*
- (1) Complaints issued by a public officer pursuant to this Article shall be served in the following manner: In all cases, a copy of the complaint and summons shall be conspicuously posted on the subject dwelling, building, or structure within three (3) business days of filing of the complaint and at least ten (10) days prior to the date of the hearing. A copy of the complaint and summons shall be served in one of the following ways:
    - a. Personal service upon each owner and party in interest if such parties are residents of the county. Service shall be perfected at least ten (10) days prior to the date of the hearing. Service may be made by the public officer designated by this Article to abate nuisances or by any law enforcement officer of Augusta; and a return of service, filed with the clerk of the appropriate court, shall be deemed sufficient proof that service was perfected;
    - b. Pursuant to the provisions of O.C.G.A. § 41-2-12; or
    - c. Statutory overnight delivery.
      - (2) If any owner or party in interest is a resident of this state but resides outside of the county, service shall be perfected by certified mail or statutory overnight delivery, return receipt requested, to the most recent address shown in the County tax files and mailed at least fourteen (14) days prior to the date of the hearing.
      - (3) Nonresidents of this state, whose mailing address is known, shall be served by certified mail or statutory overnight delivery, return receipt requested, mailed at least fourteen (14) days prior to the date of the hearing. For nonresidents whose mailing address is unknown, a notice stating the date, time, and place of the hearing shall be published in the newspaper in which the sheriff's advertisements appear in such county once a week for two (2) consecutive weeks prior to the hearing.
      - (4) In the event either the owner or any party in interest is a minor, estate, an incompetent person, or person laboring under disabilities, the guardian or other personal representative of such person shall be served and such guardian or personal representative resides outside the county or is a nonresident of this state, he or she shall be served as provided for in (d) subsection (6) of this Section. If such owner or party in interest has no guardian or personal representative, service shall be perfected by serving the judge of the Probate Court of Richmond County at least thirty (30) days prior to the date of the hearing which judge shall stand in the place of and protect the rights of such minor, estate, or incompetent person or appoint a guardian ad litem for such person.
      - (5) In the event of unknown persons or unborn remaindermen who are likely to have any rights in the property or interest or the proceeds thereof, the judge of the probate court of the county wherein such property or interest is located shall be personally served at least thirty (30) days

prior to the date of the hearing, and it shall be the duty of the judge of the Probate Court to stand in the place of the protect the rights of such unknown parties or unborn remaindermen.

- (6) In the event the whereabouts of any owner or party in interest is unknown and the same cannot be ascertained by the public officer in the exercise of reasonable diligence or if any owner or party in interest cannot, after due diligence, be served as provided in this Section, the public officer shall make an affidavit to that effect and serve by publication in the manner provided in subsection (5) of this Section, and such publication shall be sufficient proof that service was perfected.
  - (7) A notice of lis pendens shall be filed in the office of the Clerk of Superior Court in the county in which the dwelling, building, or structure is located at the time of filing the complaint in the appropriate court. Such notice shall have the same force and effect as other lis pendens notices provided by law.
  - (8) Orders and other filings made subsequent to service of the initial complaint shall be served in the manner provided in this Section on the owner and any party in interest who answers the complaint or appears at the hearing. Any party who fails to answer or appear at the hearing shall be deemed to have waived all further notice in the proceedings."
  - (9) Continued Use of Other Laws and Ordinances. It is the intent of the Augusta-Richmond County Commission that nothing in this Article shall be construed to abrogate or impair the powers of the courts or of any department of Augusta to enforce any provisions of any local enabling Act, charter, or ordinance or regulation nor to prevent or punish violations thereof; and the powers conferred by this Article shall be in addition to and supplemental to the powers conferred by any other law or ordinance, legislation, or regulation.
- (Ord. No. 6455, § 1, 1-15-02; Ord. No. 6939, § 13, 1-2-07)

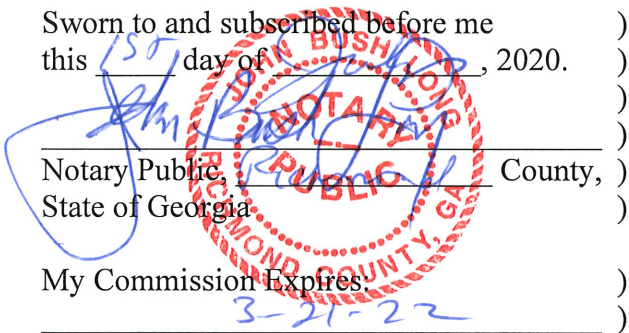
STATE OF GEORGIA )  
 )  
COUNTY OF RICHMOND )

VERIFICATION

Personally appeared before the undersigned attesting authority, duly authorized to administer oaths, SHARON BELTON RIDLEY, *Individually, and on Behalf of the Children of the Late Cecil Dwayne Ridley, and as Administratrix of the Estate of Cecil Dwayne Ridley*, who after first being duly sworn, states that she has read the attached ***Complaint for Wrongful Death of Cecil Dwayne Ridley and Complaint for Damages***, and the facts contained therein are true and correct.

This 1<sup>st</sup> day of July, 2020.

Sworn to and subscribed before me )  
this 1<sup>st</sup> day of July, 2020. )  
 )  
 )  
Notary Public, Richmond County, )  
State of Georgia )  
My Commission Expires: )  
3-21-22 )



Sharon Belton Ridley  
SHARON BELTON RIDLEY, *Individually,*  
*and on behalf of the Children of the late*  
*Cecil Dwayne Ridley, and as Administratrix*  
*Of the Estate of Cecil Dwayne Ridley*