

**IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT**

**ORA LEE LAY, AS ADMINISTRATOR OF
THE ESTATE OF WILLIE ANDREW JONES, JR.,
AND ON BEHALF OF ALL OF THE HEIRS AT LAW
AND WRONGFUL DEATH BENEFICIARIES OF
WILLIE ANDREW JONES, JR., DECEASED**

PLAINTIFF

V.

CAUSE NO. _____

**HAROLD J. O'BRYANT, JR;
AND DOE DEFENDANTS 1-10**

DEFENDANTS

**PLAINTIFF'S ORIGINAL COMPLAINT
(TRIAL BY JURY REQUESTED)**

COMES NOW the Plaintiff, Ora Lee Lay, as Administrator of the Estate of Willie Andrew Jones, Jr., and on Behalf of all of the Heirs at Law and Wrongful Death Beneficiaries of Willie Andrew Jones, Jr., Deceased (hereafter "Plaintiff"), by and through counsel and pursuant to the laws of the State of Mississippi, the Mississippi Rules of Civil Procedure and all other applicable statutes and rules of law and files this Complaint against the Defendants Harold J. O'Bryant, Jr. and Doe Defendants 1-10 (hereafter collectively "Defendants"). In support thereof would respectfully show unto the Court as follows:

A. Nature of the Action

1. This lawsuit arises out of the negligent acts and wrongful conduct of Defendants Harold O'Bryant and Doe Defendants 1-10 resulting in the wrongful death of Willie Andrew Jones, Jr. in Lake, Mississippi. Ms. Lay brings this wrongful death action on behalf of the Estate of Willie Jones, the deceased, pursuant to Mississippi Code Section 11-7-13.
2. On February 8, 2018, Mr. Jones was invited to the home of Defendant O'Bryant by Alexis Rankin, Mr. O'Bryant's stepdaughter and another resident of the home. Around midnight of that evening, Mr. Jones was pronounced dead after he was found physically injured and hanging from a tree in the front yard of Mr. O'Bryant's home.

3. Defendant O'Bryant with the help of others hanged Mr. Jones. In the alternative, Mr. O'Bryant failed to do what a reasonable, prudent person would have done under the same or similar circumstances.
4. In the days and weeks leading up to Mr. Jones' death, Mr. O'Bryant engaged in aggressive behavior directed toward Mr. Jones, which included Mr. O'Bryant threatening bodily harm to Mr. Jones in conversations with his stepdaughter Alexis Rankin.
5. Further, shortly before Mr. Jones died at Mr. O'Bryant's home, witnesses have provided statements that Mr. O'Bryant pulled out a gun with the intent to harm Mr. Jones.
6. As discussed herein, Mr. O'Bryant has engaged in a pattern of violent and abusive behavior that is well-documented.
7. Moreover, Mr. O'Bryant has publicly admitted in interviews with the press that he disapproved of interracial dating - which is exactly the type of relationship that Mr. Jones (who was African American) and Ms. Rankin (who is Caucasian) had.
8. The police investigation, police reports, and medical examination of Mr. Jones' body demonstrate that there was little to no evidence of Mr. Jones committing suicide, but there is significant and substantial evidence that Mr. O'Bryant was engaged in negligent or wrongful conduct that caused or contributed to Mr. Jones' death.

B. Parties.

9. Plaintiff Ora Lee Lay is an adult resident citizen of the State of Mississippi and may be contacted through the undersigned attorneys of record. Plaintiff brings this action as Administrator of the Estate of Willie Andrew Jones, Jr., and on Behalf of all of the Heirs at Law and Wrongful Death Beneficiaries of Willie Andrew Jones, Jr., Deceased.
10. Defendant Harold J. O'Bryant, Jr. is an adult resident citizen of Hinds County, Mississippi. Upon information and belief Defendant O'Bryant resides at 3513 Norwood Ave, Jackson, MS 39212 and may be served with process where found.
11. Doe Defendants 1-10 are other currently unknown individuals, persons, corporate persons or entities who may be liable for all or part of the negligible acts or omissions committed resulting in the subject incidents which involved and resulted in the damages sustained by the Plaintiff, and in whom Plaintiff may seek recovery.

C. Jurisdiction

12. This Court has jurisdiction over this matter pursuant to Mississippi Code Annotated § 11-46-7 (2006) any and all other statutes or Mississippi Constitutional provisions that vest authority and jurisdiction in circuit courts. This Court has jurisdiction over both the parties and the subject matter of this suit.

13. This Court has personal jurisdiction over all the Defendants in the instant suit who reside or may be found in Hinds County, Mississippi.

D. Venue

14. Pursuant to Miss. Code Ann. § 11-11-3, venue is proper because the present action has been instituted where one of the individual Defendants reside.

E. Facts

15. Willie Andrew Jones Jr. was a 21-year-old African-American resident of Forest, Mississippi. Mr. Jones had lived in Mississippi his entire life. He had been a student at Lake Middle School and later played football for the Lake High School Hornets. Mr. Jones' hobbies included riding horses at his mother's house and playing basketball with his cousins and friends. In 2017, he had begun to intermittently date Alexis Rankin, who is Caucasian. In late 2017, the two had a baby together. Mr. Jones and Ms. Rankin co-parented but did not live together.
16. Mr. Jones' co-parent, Alexis Rankin, is the stepdaughter of Defendant Harold O'Bryant. Ms. Rankin is currently a resident of Jackson, Mississippi. However, in February 2018, when the events at issue occurred, she lived in Lake, Mississippi, at 327 Green Grove Road with other family members, including Defendant O'Bryant. Neighbors have often seen Defendant O'Bryant and Ms. Rankin spending time in each other's company and riding all-terrain vehicles together. Ms. Rankin's then-boyfriend, Mr. Jones, visited Ms. Rankin's house on Green Grove Road many times. It was common for Mr. Jones to go over to Ms. Rankin's house and stay for multiple days and nights, spending time with his son who counted on him and helping Ms. Rankin's neighbors with tasks around their homes.
17. Defendant Harold O'Bryant is Alexis Rankin's stepfather. Defendant O'Bryant, who often saw Mr. Jones when Mr. Jones visited Ms. Rankin at his house on 327 Green Grove Road, repudiates interracial relationships. After Mr. Jones' death, Defendant O'Bryant was interviewed by a journalist. In that interview, Defendant O'Bryant admitted that he disliked and disapproved of interracial relationships. Specifically, Defendant O'Bryant stated, "I think what actually caused the racist situation with me is when we moved out there and the kids started seeing the black folks and they started dating, I was against it. Not because I'm racist but because it ain't right in God's eyes. It ain't right there. There aren't red birds and blue birds f**king out there."
18. Defendant O'Bryant has a history of erratic, violent and racist behavior, including some incidents stemming from excessive drinking or intoxication. For example, in one situation, Defendant O'Bryant became intoxicated, locked his family inside their home, poured gas on the floor, and threatened to burn down the house with everyone inside.
19. There were other incidents where Defendant O'Bryant demonstrated a propensity for violence against relatives and other individuals.

20. It was not unusual for local authorities to be called to Defendant O'Bryant's home to respond to emergency calls related to his actual, perceived or potential violent acts. By way of illustration, Defendant O'Bryant once threatened to harm a neighbor who had taken in Defendant O'Bryant's family on multiple occasions after he engaged in one of his rants or violent acts. On another occasion, Defendant O'Bryant bragged to friends and acquaintances about having done severe bodily harm to others.
21. On or around April 2016, Defendant O'Bryant attempted to hurt a previous boyfriend of Ms. Rankin's. Specifically, Defendant O'Bryant broke a beer bottle and charged at the boyfriend with the express intent to harm him while yelling and directing racial epithets at him. Similar to Mr. Jones, the previous boyfriend was also African American.
22. During the period when Mr. Jones was in a relationship with Ms. Rankin, he was a frequent guest at Defendant O'Bryant's home, sometimes engaging in sexual intimacy with Ms. Rankin at the home, and all the while Defendant O'Bryant had a history of racial animus against African Americans.
23. Leading up to the events of February 8, 2018, Ms. Rankin and Mr. Jones had separated and were considering reconciling in February. Mr. Jones wanted to reconcile.
24. On February 4, 2018, four days before his death, Mr. Jones and Ms. Rankin argued about whether they would reconcile at Ms. Rankin's place of employment. When Defendant O'Bryant heard, he travelled to Ms. Rankin's employer and threatened Mr. Jones' safety, warning Ms. Rankin that she knew what would happen to that "nappy-headed thug" if they argued again.
25. On the night of February 8, 2018, Alexis Rankin picked up Mr. Jones from his grandmother's home in Forest, Mississippi, to take him back to her home where she lived with Defendant O'Bryant.
26. Although Ms. Rankin and Mr. Jones were discussing a possible reconciliation four days prior, Mr. Jones discovered on the 8th that Ms. Rankin was seeing someone else.
27. When Mr. Jones confronted Ms. Rankin about it, it led to an argument on the drive to Ms. Rankin's house.
28. After they arrived at Ms. Rankin's house, Ms. Rankin exited the car and went into the house.
29. Approximately nine minutes later at 10:44 p.m. (confirmed through video surveillance), Mr. Jones got out of the car and went into the house.
30. After they were both inside the house, Ms. Rankin and other witnesses admit that Mr. Jones and Ms. Rankin continued to argue.

31. According to witness statements obtained by local authorities, there were nine people in the home during the argument.
32. Witnesses claim that Mr. Jones had taken Ms. Rankin's cell phone and that Defendant O'Bryant went into the bedroom to confront Mr. Jones.
33. At some point during the argument, Defendant O'Bryant became unreasonable and retrieved a gun with the intent to confront Mr. Jones with the weapon.
34. Before Defendant O'Bryant used or discharged the weapon against Mr. Jones, Ms. Rankin's mother intervened and urged Defendant O'Bryant to put the gun away.
35. Witnesses also state that Mr. Jones removed himself from the argument and walked outside of the home.
36. Immediately thereafter, Defendant O'Bryant followed Mr. Jones outside and closed the door behind himself.
37. At approximately 10:50 p.m. (six minutes after Mr. Jones exited the car and went into the house), Defendant O'Bryant placed a call to the emergency response 911 number and told them that Mr. Jones had hung himself and was dead.
38. During the 911 call, Defendant O'Bryant repeatedly indicated that he could have cut down Mr. Jones, an action that could have saved his life, but he refused to do so out of a purported concern that doing so would invite prosecution.
39. Specifically, he told the operator, "I don't want to touch him because I don't want to be in this stuff." Moments later, he stated, "I don't want to cut him down because I don't want to be in it."
40. Mr. O'Bryant also told the operator that Mr. Jones had offered to leave, saying, "If y'all want me to leave, tell me to leave," a statement that indicates a willingness to return home rather than hang himself in Defendant O'Bryant's yard.
41. Defendant O'Bryant also falsely claimed to the operator that Mr. Jones had been outside for "20 or 30 minutes or so." Defendant O'Bryant's statement is refuted by time-stamped video surveillance and the time of the 911 emergency call, which demonstrate that approximately six (6) minutes elapsed from the time Mr. Jones exited the car and the time of the 911 call.
42. During those six minutes, a neighbor also heard loud arguing and commotion outside. The neighbor believed that there was a fight or an argument. Upon information and belief, those were the sounds of Defendant O'Bryant fulfilling his previous threat to physically assault Willie Andrew Jones Jr. to the point of death.

43. The crime scene and subsequent investigation reveal that it is unlikely that Mr. Jones committed suicide. For example, when authorities arrived, Mr. Jones was hanging from a limb that was 7.5 to 9 feet high on a tree in the right corner of Defendant O'Bryant's home. It was dark. Mr. Jones' feet were on the ground. His knees were bent, and a blue and white cloth belt tied to a yellow nylon rope choked his neck.
44. It had rained for multiple days leading up to February 8, leaving the ground soft and malleable. The earth beneath Mr. Jones' feet consisted of mud, grass, and leaves. However, there was no disturbance of the ground beneath his feet, which would have the indentations of his shoes had he hung himself with his feet on the ground as he was found.
45. Mr. Jones had no rope burns on his hands.
46. Mr. Jones was 5 feet 8 inches tall, with an arm injury, and did not have the ability to hang himself from a limb that was 7.5 feet high at its lowest point.
47. Moreover, when the funeral home received his body, Mr. Jones' shoulder was dislocated, and he had scratches and bruising.
48. Importantly, Mr. Jones had no history of self-harm. Mr. Jones had been a frequent visitor to Defendant O'Bryant's house, and he had never threatened or attempted any type of self-harm. Further, Mr. Jones and Ms. Rankin had a newborn child. Outside of statements obtained four days following Mr. Jones' death from the O'Bryant family, no one has ever alleged that Mr. Jones had ever suggested or considered suicide.
49. Moreover, the statements obtained from Defendant O'Bryant's family contain contradictions regarding material events. As one example, Ms. Rankin's mother claimed that she went outside to retrieve her grandchildren from the car and attempted to dissuade Mr. Jones from committing suicide. However, there were no children in the car, and other accounts place her inside the house.
50. Additionally, one of Defendant O'Bryant's nine family members who were at his house at the time of Mr. Jones' death, left the house after Defendant O'Bryant called emergency services and did not return until after authorities had already arrived. Police never questioned him about leaving.
51. Upon information and belief, Defendant O'Bryant and potentially others at his house were responsible for the harm to Mr. Jones.
52. Upon information and belief, Defendant O'Bryant and potentially others followed Mr. Jones outside, confronted Mr. Jones outside, battered Mr. Jones, and used the nylon rope to hang him.
53. Additionally, and in the alternative, Defendant O'Bryant breached his duty owed to Mr. Jones by preventing him from committing suicide.

F. Causes of Action

Negligence

54. Plaintiff re-alleges and incorporates herein the foregoing allegations of this Complaint as if set forth herein in their entirety.
55. At the time and on the occasion in question, Defendants possessed a duty of ordinary care. Defendants breached their duties and were negligent in failing to do what a reasonable, prudent person would have done under these circumstances.
56. Defendants were negligent in the following particulars, including but not limited to:
- (a) failing to protect life;
 - (b) failing to take action to prevent severe bodily injury or death; and
 - (c) other acts of negligence as will be more fully shown at trial.
57. The act(s) or omission(s) of the Defendants constitute common law negligence and negligence per se and were each a proximate cause of the occurrence in question. Further, the act(s) or omission(s) of the Defendants resulted in the Plaintiff's losses and damages.

Gross Negligence

58. Plaintiff re-alleges and incorporates herein the foregoing allegations of this Complaint as if set forth herein in their entirety.
59. When viewed objectively, the Defendants' act(s) or omission(s) involved an extreme degree of risk and constituted willful, wanton and reckless conduct under these circumstances. Defendants had actual knowledge of the risk of the tree, but nevertheless failed to remedy the unsafe condition with conscious indifference to the rights, safety or welfare of Plaintiff herein. To this end, Defendants' act(s) or omission(s) constitute gross negligence under Mississippi law.
60. The act(s) or omission(s) of the Defendants constitute gross negligence and were each a proximate cause of the occurrence in question. Further, the act(s) or omission(s) of the Defendants resulted in the Plaintiff's losses and damages.

Res Ipsa Loquitur Liability

61. Plaintiff re-alleges and incorporates herein the foregoing allegations of this Complaint as if set forth herein in their entirety.
62. The incident at issue is of a kind which ordinarily does not occur in the absence of someone's negligence, and the evidence will overwhelmingly show that these Defendants were negligent.
63. The incident at issue was caused by an agency or instrumentality within the exclusive control of these Defendants.

64. The incident as well as the resulting injuries was not due to any voluntary action on the part of the Plaintiff.
65. As a result of the act(s) or omission(s) of these Defendants, Plaintiff sustained economic as well as non-economic losses.

Negligent Infliction of Emotional Distress

66. Plaintiff re-alleges and incorporates herein the foregoing allegations of this Complaint as if set forth herein in their entirety.
67. The act(s) and/or omission(s) of the Defendants (including agents, employees and/or independent contractors of the aforementioned in their official capacities as well as other unknown entities, businesses, parent companies, corporations, and etc.), on the dates and times in question caused Plaintiff severe emotional distress through their negligent conduct.
68. The negligent conduct perpetrated upon the Plaintiff was awful, traumatic, and disturbing events, which have caused the Plaintiff to suffer serious emotional anguish.
69. At all relevant times, the Plaintiff was in the zone of danger as the result of the act(s) and/or omission(s) of the Defendants.
70. The act(s) and/or omission(s) of the aforementioned Defendants constitute a negligent infliction of emotional distress as defined under Mississippi law, and were each a proximate cause of the injuries of the Plaintiff as well as the damages and losses sustained by the Plaintiff.

Loss of Consortium, Society, Companionship and Household Services

71. Plaintiffs re-allege and incorporate herein the foregoing allegations of this Complaint as if set forth herein in their entirety.
72. The decedent's mother, child and relatives each individually set forth claims for loss of the decedent's society, consortium, companionship and household services, a loss proximately caused by the acts and omissions of the named Defendants. Claimants were deprived the benefit of the full life of the decedent.

G. Damages

73. As a direct and proximate result of the conduct of all Defendants, Plaintiff has suffered and will continue to suffer damages in an amount in excess of the minimum jurisdictional limits of the Court as set forth herein, directly attributable to the occurrence made the basis of this lawsuit and directly attributable to the injuries and the harm it has sustained.
74. Plaintiff requests an award of economic, non-economic, actual, compensatory, special, incidental and consequential damages available to it under the law.

75. Plaintiff has suffered out-of-pocket expenses which include attorneys' fees, costs of court, loss of income and other expenses. Accordingly, Plaintiff seeks all general, special, incidental and consequential damages as shall be proven at the time of trial, including exemplary, enhanced and trebled damages. Plaintiff seeks pre-judgment interest at a rate commensurate with the actual rate of interest in the marketplace or, alternatively, a statutory rate of interest because of the delay in receiving the damages and also to avoid unjust enrichment to Defendants. Plaintiff also seeks post-judgment interest at the maximum rate allowed by law.
76. The amount of total damages suffered by the Plaintiff is significant and continuing in nature.

H. Punitive Damages

77. Plaintiff re-alleges and incorporates herein the foregoing allegations of this Complaint as if set forth herein in their entirety.
78. Pursuant to Miss. Code Ann. § 11-1-65, inasmuch as the conduct of these Defendants, constitutes a willful, wanton, egregious and reckless disregard for the rights and safety of the Plaintiff, an award of punitive damages is appropriate and necessary under these facts.

I. Right to Amend Pursuant to Fed.R.Civ.P. 15

79. Pursuant to Rule 15 of the Mississippi Rules of Civil Procedure, Plaintiff reserves the right to name additional defendants should later facts establish that others are liable herein.

J. Jury Trial Demanded

80. Plaintiff demands a jury trial.

K. Prayer for Relief

81. For these reasons, Plaintiff asks for judgment against all Defendants for the following:
- a. Damages for the net cash value of the life of the decedent, sustained conscience pain and suffering; loss of earning capacity; loss of enjoyment of life; emotional distress, past and future medical expenses, emergency care related to the deceased's final illness or injury, funeral and burial expenses, pain and suffering incurred as a result of the loved one's untimely death, loss of society and companionship of the deceased, net cash value of the lost wages and benefits the deceased would likely have earned if he had lived, and all types and kinds of economic and non-economic damages allowable by law;
 - b. All kinds of economic and non-economic damages, including compensation for all injuries complained of herein, including but not limited to past, present and future emotional pain and suffering, mental distress, related medical bills, loss of earning capacity, past and future loss of enjoyment and quality of life, severe mental pain, anguish, suffering, dismemberment, disfigurement, inconvenience, worry,

emotional distress, loss of society and companionship, physical impairment, hedonic damages and others;

- c. Reasonable attorneys' fees;
- d. Costs of suit;
- e. Pre-judgment interest at the maximum legal rate for all damages suffered;
- f. Post-judgment interest at the maximum legal rate for all damage suffered; and
- g. For such other and further relief, at law or in equity, to which Plaintiff may show itself justly entitled.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that upon final trial hereof, it be entitled to take, have and recover, of and from said Defendants the above damages, including actual, compensatory, economic, non-economic, exemplary, pre-judgment interest, post-judgment interest, costs of Court, and for such other and further relief to which it may show justly entitled.

Respectfully submitted this the 28th day of December, 2020.

**ORA LEE LAY, AS ADMINISTRATOR OF THE
ESTATE OF WILLIE ANDREW JONES, JR., AND ON
BEHALF OF ALL OF THE HEIRS AT LAW AND
WRONGFUL DEATH BENEFICIARIES OF WILLIE
ANDREW JONES, JR., DECEASED**

Counsel for Plaintiff:



_____/s/ Thomas J. Bellinder, Esq. _____

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*Motion to appear *pro hac vice* pending