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IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

JAMES RICHARDSON and MELANIE
RICHARDSON, husband and wife and the
marital community thereof,

Plaintiffs,

v.

KING COUNTY; CITY OF SEATTLE; JOHN
and JANE DOES 1-20 and the marital
communities thereof, and ABC
CORPORATIONS 1-10,

Defendants.

No:

COMPLAINT FOR PERSONAL
INJURIES

The Plaintiffs, James and Melanie Richardson, by and through their attorneys of record,
Leemon + Royer, and Mark Leemon, complain and allege against Defendant as follows:

I. IDENTITY OF PARTIES, JURISDICTION AND VENUE

1.1 At all times material hereto, James and Melanie Richardson were husband and
wife residing in Portland, Oregon.

1.2 Defendant King County is a municipal corporation organized and existing
under the laws of the State of Washington.

1.3 Defendant City of Seattle is a municipal corporation organized and existing
under the laws of the State of Washington.

1.4 This Court has jurisdiction over the parties and subject matter herein and has
authority to grant the relief requested.

1 1.5 King County and City of Seattle have each separately been served with Claims for
2 Damages pursuant to state law, county ordinance and municipal code. Neither responded within
3 60 days allotted by statute, ordinance or municipal code.

4 **II. FACTS**

5 2.1 Melanie Richardson and James Richardson, a married couple in their mid-60s
6 from Oregon, were in Seattle to attend a Mariner's game on August 24, 2016. As they were
7 window shopping at 10:00 a.m. near Westlake Center prior to the game, they were attacked by
8 Nail Muied, who beat them with a baseball bat. Mr. Muied had, just moments earlier, hit another
9 person with the bat, and moved on to the Richardsons.

10 2.2 Nail Muied was known by law enforcement to be mentally ill, dangerous and in
11 the habit of carrying a baseball bat. He had been arrested numerous times prior to this incident,
12 the last date being July 22, 2016, just one month prior to his attack on the Richardsons. On that
13 date, while being arrested for an outstanding warrant, officers detailed in their police reports that
14 Mr. Muied, who was carrying a baseball bat, threatened them with murder in such a manner that
15 the officers specifically mentioned his threats seemed credible and they were concerned that he
16 would "actually follow through". He was released the next day.

17 2.3 Despite the seriousness of. Muied's prior arrests and threats, Seattle police
18 personnel failed to refer Mr. Muied for involuntary commitment or take other reasonable action
19 to protect the public from the risk of harm of their physical safety, essentially paving the way for
20 him to make good on his threats on August 24, 2016 when he was arrested for assaulting the
21 Richardsons with a deadly weapon.

22 2.4 Defendant King County, through its jail personnel, likewise knew Nail Muied to
23 be mentally ill and extremely dangerous. He posed an absolute danger to the community and had
24

1 proved himself to be a considerable flight risk. Muied had prior felony convictions for Assault 3
2 (2016), Felony Harassment (2013) and Assault 3 (2012). He also had a lengthy misdemeanor
3 record as well, with 29 warrants on 45 bookings. Muied was sentenced on July 15, 2016 for
4 committing an assault 3 on May 18, 2016. At sentencing the defendant was ordered to complete
5 CCAP, but CCAP was later converted into jail time following the July 22, 2016 arrest where he
6 threatened to kill people, and he was released from custody on August 12, 2016. Muied was
7 released from jail without anyone referring him to a designated mental health professional for
8 evaluation and involuntary commitment. 10 days later, he attacked the Richardsons.

10 2.5 Mr. Richardson sustained serious head and face injuries requiring surgery, oral
11 surgery, including metal plates in his jaw. Mrs. Richardson sustained a traumatic brain injury,
12 subdural and sub anural hemorrhages and has required extensive neurological rehabilitation.

13 **III. LIABILITY**

14 3.1 Defendant King County, by and through its agents and employees, was
15 negligent in ways including, but not limited to, failing to request a mental health professional
16 evaluation and civil commitment of Nail Muied before his release from jail on August 12,
17 2016. Defendant King County was also negligent in the way it trained and supervised its
18 employees on issues relating to referral of mentally ill offenders for civil commitment. The
19 County's negligence proximately caused the injuries to Plaintiffs.
20

21 3.2 Defendant City of Seattle, by and through its employees, proximately caused the
22 injuries to Plaintiffs in ways including, but not limited to failing to request a mental health
23 professional evaluation and civil commitment of Nail Muied on or about July 22, 2016.
24 Defendant City of Seattle was also negligent in the way it trained and supervised its employees
25
26

1 on issues relating to referral of mentally ill offenders for civil commitment. The City's
2 negligence proximately caused the injuries to Plaintiffs.

3 **IV. DAMAGES**

4
5 4.1 Items of damage include but are not limited to general damages including past
6 and future mental and physical pain and suffering of James and Melanie Richardson; loss of
7 support, love, affection, care, services, companionship, and consortium of each as spouse, loss
8 of enjoyment of life, disfigurement and disability.

9 4.2 Past and future medical costs and expenses of Melanie and James Richardson.

10 4.3 Other special damages

11 4.4 Emotional distress of plaintiffs related to witnessing the attacks on each other.

12 **V. PRAYER FOR RELIEF**

13 WHEREFORE, plaintiffs pray for judgment on each cause of action against each
14 defendant and damages in an amount to be proved at trial, including general and special
15 damages, together with the costs and disbursements plaintiffs incur in this action, including
16 prejudgment interest and attorney's fees.

17 DATED this 21st day of August, 2019.

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19 LEEMON + ROYER, PLLC

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22 _____
23 Mark Leemon. WSBA #5005
24 Counsel for Plaintiffs