

## AUTO ACCIDENT COMPLAINT

Sample Only  
Use At Your Own Risk



**INSTRUCTIONS:** The following is a “cause of action” to be inserted after the heading of the complaint and common allegations. Include as many other causes of action as you have claims such as fraud, accounting, etc. Your “prayer” (request for relief) comes after your causes of action and must describe the relief you are seeking for each cause of action.

### \_\_\_\_\_ CAUSE OF ACTION

(For Negligence Against \_\_\_\_\_)

<>. Defendant \_\_, \_\_ is \_\_, and at all times herein mentioned was \_\_, a resident \_\_ of the City of \_\_, County of \_\_, State of California.

<>. Defendant \_\_, \_\_, is \_\_, and at all times herein mentioned, was \_\_ a Corporation organized and existing under the laws of the State of California with principle offices located at \_\_, in the City of \_\_, County of \_\_.

<>. Plaintiff \_\_ is \_\_ ignorant of the true names and capacities of defendants sued herein as DOES I through X, inclusive, and therefore sues \_\_ these defendants by such fictitious names. Plaintiff \_\_ will amend this complaint to allege their true names and capacities when ascertained.

<>. Plaintiff \_\_ is \_\_ informed and believes \_\_ and thereon alleges \_\_ that, at all times herein mentioned, each of the defendants sued herein was the agent and employee of each of the remaining defendants and was at all times acting within the purpose and scope of such agency and employment.

<>. At all times herein mentioned, defendant \_\_\_\_\_ was the owner of a certain \_\_\_\_\_ automobile, California License No. \_\_\_\_\_.

<>. At all times herein mentioned defendant \_\_ [--DOE NUMBER--] was the

agent and employee of \_\_\_ and in doing the things herein alleged, was acting within the purpose and scope of this agency and employment.

<>. At all times herein mentioned, defendant \_\_\_\_[--DOE NUMBER--] was driving and operating the \_\_\_ automobile with the consent, permission, and knowledge of defendant \_\_\_\_.

<>. At all times herein mentioned plaintiff was, and is, the owner of a certain \_\_\_ automobile, California License no. \_\_\_\_.

<>. At all times herein mentioned \_\_\_[--STREET--] and \_\_\_[--STREET--] were and are intersecting public streets and highways in \_\_\_, California, and running in a \_\_\_ and a \_\_\_ direction, respectively.

<>. On or about \_\_\_, 19\_\_\_, at or about the hour of \_\_\_ .M., plaintiff was operating the \_\_\_ automobile along and on \_\_\_[--STREET--] in a general \_\_\_ direction at [--OR near--] the intersection of \_\_\_ and \_\_\_\_.

<>. At that time and place defendants, and each of them, so negligently, carelessly, recklessly, and unlawfully entrusted, managed, maintained, drove, and operated the \_\_\_ automobile long and on \_\_\_[--STREET--] in a general \_\_\_ direction, so as to proximately cause it to collide with plaintiff's automobile and to proximately cause the injuries and damages hereinafter described.

<>. As a proximate result of the negligence, carelessness, and unlawfulness of defendants, and each of them, and the resulting collision, as herein alleged, plaintiff was injured in \_\_\_ health, strength, and activity, sustaining injury to \_\_\_ body and shock and injury to \_\_\_ nervous system and person, and among others, sustained the following personal injuries: \_\_\_\_[--DESCRIBE--], all of which injuries have caused and continue to cause plaintiff great mental, physical, and nervous pain and suffering. These injuries will result in some permanent disability to plaintiff, all to \_\_\_ general damage in the sum of \$\_\_\_\_\_.

<>. As a further proximate result of the negligence of defendants, and each of

them, as herein alleged, plaintiff was required to and did employ physicians and surgeons for medical examination, treatment, and care of these injuries and did incur medical and incidental expenses. As a further proximate result of the negligence of defendants, and each of them, plaintiff has incurred other and will incur further medical and incidental expenses for the care and treatment of these injuries, the exact amount of which is unknown at the present time.

<>. At the time of the events described herein plaintiff was gainfully employed as \_\_\_\_, and was earning an average monthly income in excess of \$\_\_\_\_. As a further proximate result of the negligence of defendants, and each of them, as herein alleged, plaintiff was prevented from attending to his usual occupation and has been damaged thereby the exact amount of which is unknown at the present time.

<>. Immediately prior to and at the time of the collision, plaintiff's automobile was in good mechanical condition. As a further proximate result of the negligence of defendants, and each of them, as herein alleged, plaintiff's automobile was damaged and depreciated to the extent of \$\_\_\_\_, which sum is a reasonable amount for the necessary repairs to the automobile.

<>. As a further proximate result of the negligence of defendants, and each of them, as herein alleged, plaintiff has lost use of his \_\_\_\_ automobile for a period of \_\_\_\_ days, and was damaged thereby in the sum of \$\_\_\_\_.

WHEREFORE, plaintiff prays judgment against defendants, and each of them, as follows:

1. For general damages in the sum of \$\_\_\_\_\_.
2. For all medical and incidental expenses according to proof.
3. For all loss of earnings according to proof.
4. For repairs to plaintiff's automobile in the sum of \$\_\_\_\_\_.
5. For loss of use of that automobile in the sum of \$\_\_\_\_\_.

6. For costs of suit herein incurred.

7. For such other and further relief as the court may deem proper.

Date: \_\_\_\_\_

\_\_\_\_\_ [Plaintiff's name]  
Plaintiff *In Pro Per*

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