

**IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT, IN AND FOR
VOLUSIA COUNTY, FLORIDA**

CARL EDWARD DODSON,

Plaintiff,

vs.

CASE NO.:

DIVISION:

CITY OF DAYTONA BEACH, a
Florida municipal corporation,

Defendant.

COMPLAINT

COME NOW, Plaintiff, CARL EDWARD DODSON ("Plaintiff"), by and through the undersigned attorney, and sue Defendant, CITY OF DAYTONA BEACH ("Defendant"), for damages and states as follows:

1. This is an action for damages which exceed \$50,000.00, exclusive of costs, interest, and attorneys' fees.
2. At all times material to this action, Plaintiff, CARL EDWARD DODSON, was *sui juris* and a resident of Volusia County, Florida.
3. At all times material to this action, Defendant, CITY OF DAYTONA BEACH, was, and is, a governmental entity doing business in Volusia County, Florida.
4. Notice pursuant to section 768.28(6), Florida Statutes, has been timely presented to Defendant and the Florida Department of Financial Services. Although the statutory investigation period has not expired, this action is filed to preserve Plaintiff's claims prior to the expiration of the applicable statute of limitations. Accordingly, all conditions precedent to the institution and maintenance of this action have been performed, satisfied, or have occurred. Copies of the

Notice of Claim, with personal identifying information redacted, are attached hereto as Exhibit “A.”

5. In addition, Defendant had actual notice of the subject incident immediately following its occurrence through the actions of its employee, Officer John Patrick Hicks, who was acting within the course and scope of his employment at the time of the collision. Defendant, through its Risk Management Division, acknowledged the claim and undertook handling of the same. Specifically, on or about April 1, 2024, Defendant, through its Liability Claims Specialist, John Costa (Florida License No. W648107), issued correspondence to Plaintiff, acknowledging the incident, confirming the date of loss, and assigning Claim No. 02-24-0014 (see Exhibit “B”).

6. Further, Defendant received formal written notice of Plaintiff’s representation via correspondence delivered to the City of Daytona Beach Risk Management Division by certified U.S. Mail, return receipt requested, and via electronic mail directly to Mr. Costa. Copies of this correspondence and proof of delivery are attached hereto as Exhibit “C.” Defendant, through Mr. Costa, promptly acknowledged receipt of such notice and provided claim-related information, including applicable insurance coverage details. These actions demonstrate Defendant’s actual knowledge of the claim and participation in its investigation and evaluation.

7. On March 29, 2024, Plaintiff was operating a 2008 Toyota Highlander, vehicle identification number JTEES41A [REDACTED] vehicle license number BAS38, and was lawfully stopped at or near the exit of the parking lot of 1950 West Granada Boulevard (7-Eleven).

8. At all times material, Defendant owned the 2016 Chevrolet Impala, vehicle identification number 2G1WD5E38G1104984, license number XE6369, involved in the subject collision.

9. At said time and place, Daytona Beach Police Officer John Patrick Hicks was operating said vehicle with the full knowledge, consent, and permission of Defendant, and was traveling toward a stop sign at the parking lot of 1950 West Granada Boulevard (7-Eleven), where Plaintiff was lawfully stopped.

10. At all times material to this action, Officer John Patrick Hicks was employed by and was acting within the course and scope of his employment with Defendant, while operating said vehicle, and Defendant is vicariously liable for his negligence pursuant to section 768.28, Florida Statutes.

11. At the said time and place, Officer John Patrick Hicks collided with the vehicle of Plaintiff.

12. At the said time and place, Officer John Patrick Hicks was negligent in one or more of the following respects:

- (1) Failure to maintain a safe speed.
- (2) Failing to keep a proper lookout.
- (3) Failing to control his vehicle so as to avoid negligently contacting Plaintiff or the vehicle of Plaintiff.
- (4) Failing to keep a safe distance.

COUNT I - NEGLIGENCE

13. Paragraphs 1 through 12 of this Complaint are incorporated herein by reference as if fully set forth herein.

14. On March 29, 2024, Officer John Patrick Hicks owed a duty to Plaintiff to operate his motor vehicle in reasonably careful manner under the circumstances and with due regard for the safety of others.

15. At said time and place, Officer John Patrick Hicks breached that duty by failing to maintain a proper lookout, failing to control his vehicle, and failing to stop or otherwise avoid colliding with Plaintiff's vehicle among other acts of negligence as included herein.

COUNT II – VICARIOUS LIABILITY

16. Plaintiff realleges and incorporates paragraphs 1 through 12 as if fully set forth herein.

17. At all times material, Officer John Patrick Hicks was acting within the course and scope of his employment with Defendant. As such, Defendant, as Officer John Patrick Hicks employee, is liable for his actions, including the negligent actions on this day.

18. Defendant owned the subject vehicle and entrusted its operation to Officer John Patrick Hicks.

19. Pursuant to section 768.28, Florida Statutes, Defendant is vicariously liable for the negligent acts and omissions of its employee.

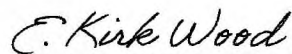
20. As a direct and proximate result of the negligence of Defendant's employee, Plaintiff suffered the injuries and damages described above.

21. As a direct and proximate result of the collision, Plaintiff has suffered and continues to suffer pain and suffering, disability, physical impairment, mental anguish, and loss of capacity for the enjoyment of life, has incurred medical expenses, and will continue to incur such expenses in the future. The injuries sustained are permanent within a reasonable degree of medical probability, including permanent loss of bodily function and/or significant and permanent limitation of use of affected body parts. Any pre-existing conditions were aggravated and exacerbated by the subject collision.

WHEREFORE, Plaintiff, CARL EDWARD DODSON, demands judgment against Defendant, CITY OF DAYTONA BEACH, for damages, subject to the limitations set forth in section 768.28, Florida Statutes, together with costs of this action, and such other relief as this Court deems just and proper, and demands trial by jury of all issues so triable.

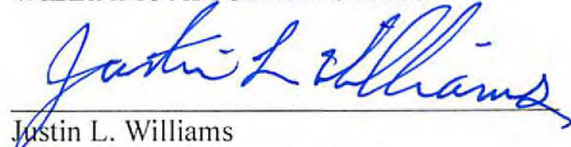
DATED this 27th day of March, 2026.

WOOD LAW FIRM, LLC



E. Kirk Wood, Jr.
Florida Bar Number: 831836
P.O. Box 382434
Birmingham, Alabama 35238-2434
205-612-0243
ekirkwood1@cs.com

WILLIAMS ATTORNEYS PLLC



Justin L. Williams
Texas Bar Number: 21555800
500 N Water St., Ste 500
Corpus Christi, Texas 78401
361-885-0184
service@williamstrial.com
justin@williamstrial.com
Pro Hac Vice Pending

Attorneys for Plaintiff

EXHIBIT “A”

Notice of Claim pursuant to §768.28, Florida Statutes



NOTIFICATION OF CLAIM PURSUANT TO F.S. 768.28(6)(c)

March 26, 2026

via USPS Mail CMRRR#7017304000009475700

City of Daytona Beach
Attn: Benjamin Gross, City Attorney
301 South Ridgewood Avenue
Daytona Beach, Florida 32114

RE: CLAIM FOR DAMAGES
Our Client: Carl Edward Dodson
Date of Loss: March 29, 2024

Dear Mr. Gross,

Our office represents Carl Edward Dodson for injuries he sustained in a motor vehicle accident on March 29, 2024. Pursuant to the provisions of Florida Statute 768.28, please accept this letter as notice of a personal injury claim on behalf of Carl Edward Dodson, for physical injuries, pain and suffering, mental anguish, disfigurement, and loss of normal life activities.

Our investigation shows that, at the time of this accident, Carl Edward Dodson was the driver of a 2008 Toyota Highlander. Mr. Dodson was parked at or stopped at, at stop sign preparing to exit the parking lot, when a 2016 Chevrolet Impala, owned by the City of Daytona beach, and driven by Officer John Patrick Hicks, collided with his vehicle.

As a result of this collision, Mr. Dodson suffered serious bodily injuries, physical pain therefrom, and lost the ability to lead a normal life, suffered mental anguish, disability, and has incurred medical expenses. The Plaintiff's damages are either permanent or continuing in nature and as a result of this accident, the Plaintiff will suffer such losses and impairment in the future.

JUSTIN L. WILLIAMS
Shareholder
Licensed in Texas & North Dakota
Board Certified Civil Trial Law
National Board of Trial Advocacy
justin@williamstrial.com

SEAN WILLIAMS
Shareholder
Licensed in Texas
sean@williamstrial.com

RYAN WILLIAMS
Shareholder
Licensed in Texas
ryan@williamstrial.com

DALILA RAMOS
Associate Attorney
Licensed in Texas
dalila@williamstrial.com

Pursuant to Florida Statute 768.28(6)(c), Carl Edward Dodson's date of birth is [REDACTED], and his place of birth is in the city of [REDACTED]. His social security number is [REDACTED] 4052 and his Florida Driver's License Number is [REDACTED]. It is unknown if our client owes the state, any of its agency officers or subdivisions any adjudicated penalties, fines, fees, victim restitution, funds, or other judgments in excess of \$200.00.

If you require additional information concerning this case, please contact our office immediately. I would ask that you please have a representative advise our office as to your position in this claim at your earliest convenience.

Sincerely,

WILLIAMS ATTORNEYS PLLC

/s/ Justin L. Williams

Justin L. Williams

Attorney for Plaintiff

CC: Blaise Ingoglia, CFO, Florida Dept of Financial Services



NOTIFICATION OF CLAIM PURSUANT TO F.S. 768.28(6)(c)

March 26, 2026

via USPS Mail CMRRR# [REDACTED]

Florida Department of Financial Services
Attn: Blaise Ingoglia, Chief Financial Officer
200 East Gaines Street
Tallahassee, FL 32399-0301

RE: CLAIM FOR DAMAGES
Our Client: Carl Edward Dodson
Date of Loss: March 29, 2024

Dear Mr. Ingoglia,

Our office represents Carl Edward Dodson for injuries he sustained in a motor vehicle accident on March 29, 2024. Pursuant to the provisions of Florida Statute 768.28, please accept this letter as notice of a personal injury claim on behalf of Carl Edward Dodson, for physical injuries, pain and suffering, mental anguish, disfigurement, and loss of normal life activities.

Our investigation shows that, at the time of this accident, Carl Edward Dodson was the driver of a 2008 Toyota Highlander. Mr. Dodson was parked at or stopped at, at stop sign preparing to exit the parking lot, when a 2016 Chevrolet Impala, owned by the City of Daytona beach, and driven by Officer John Patrick Hicks, collided with his vehicle.

As a result of this collision, Mr. Dodson suffered serious bodily injuries, physical pain therefrom, and lost the ability to lead a normal life, suffered mental anguish, disability, and has incurred medical expenses. The Plaintiff's damages are either permanent or continuing in nature and as a result of this accident, the Plaintiff will suffer such losses and impairment in the future.

JUSTIN L. WILLIAMS
Shareholder
Licensed in Texas & North Dakota
Board Certified Civil Trial Law
National Board of Trial Advocacy
justin@williamstrial.com

SEAN WILLIAMS
Shareholder
Licensed in Texas
sean@williamstrial.com

RYAN WILLIAMS
Shareholder
Licensed in Texas
ryan@williamstrial.com

DALILA RAMOS
Associate Attorney
Licensed in Texas
dalila@williamstrial.com

Pursuant to Florida Statute 768.28(6)(c), Carl Edward Dodson's date of birth is [REDACTED], and his place of birth is in the city of [REDACTED]. His social security number is [REDACTED] and his Florida Driver's License Number is [REDACTED]. It is unknown if our client owes the state, any of its agency officers or subdivisions any adjudicated penalties, fines, fees, victim restitution, funds, or other judgments in excess of \$200.00.

If you require additional information concerning this case, please contact our office immediately. I would ask that you please have a representative advise our office as to your position in this claim at your earliest convenience.

Sincerely,

WILLIAMS ATTORNEYS PLLC

/s/ Justin L. Williams

Justin L. Williams

Attorney for Plaintiff

CC: Benjamin Gross, City Attorney, City of Daytona Beach, Florida

EXHIBIT “B”

City of Daytona Beach Risk Management Division

Correspondence to Plaintiff

April 1st, 2024



CITY OF DAYTONA BEACH

RISK MANAGEMENT DIVISION

P. O. Box 2451

Daytona Beach, FL 32115

Phone: (386) 671-8227

Fax: (386) 671-3261

April 1st, 2024

Carl Dodson
217 Riverbend Road
Ormond Beach, Florida 32174

Date of Loss: 03/29/2024
Claim#: 02-24-0014

Mr. Dodson,

Please contact me regarding the accident occurring on 3/29/2024 when your vehicle was involved in an accident with our city owned vehicle. I would like to discuss this matter with you directly.

Sincerely,

A handwritten signature in black ink, appearing to read "John Costa". The signature is fluid and cursive, with the first name "John" and last name "Costa" clearly distinguishable.

John costa
Liability Claim Specialist
License # W648107
City of Daytona Beach
CostaJohn@CODB.US

EXHIBIT “C”

Letter of Representation to City of Daytona Beach

November 8, 2024

**Letter of Acknowledgement from City of Daytona
Beach**

November 8, 2024



WILLIAMS

ATTORNEYS PLLC

November 8, 2024

CMRRR [REDACTED] 4

Email: costajohn@codb.us

County of Daytona Beach

Risk Management

PO Box 2451

Daytona Beach, FL 32115

RE: Your Insured: County of Daytona Beach

My client(s): Carl Dodson

Date of Accident: [REDACTED]

To Whom It May Concern,

Please be advised that we represent Carl Dodson for an incident that occurred on or about on March 29, 2024. Should you have any questions, please contact me at linda@williamstrial.com.

We look forward to a speedy and amicable resolution of this claim. In the spirit of good faith, I ask that you please forward to my office any investigation documents, written or recorded statements, or other materials evidencing your investigation into the incident so that we may avoid resorting to costly litigation to obtain such information. Also, include the declaration page with policy information.

Very truly yours,
WILLIAMS ATTORNEYS PLLC

Linda Segovia

Linda Segovia

Paralegal

JUSTIN L. WILLIAMS

Shareholder

Licensed in Texas & North Dakota
Board Certified Civil Trial Law
National Board of Trial Advocacy
justin@williamstrial.com

SEAN WILLIAMS

Shareholder

Licensed in Texas
sean@williamstrial.com

RYAN WILLIAMS

Shareholder

Licensed in Texas
ryan@williamstrial.com

DALILA RAMOS

Associate Attorney

Licensed in Texas
dalila@williamstrial.com



CITY OF DAYTONA BEACH
RISK MANAGEMENT DIVISION

P. O. Box 2451
Daytona Beach, FL 32115
Phone: (386) 671-8227

November 8, 2024

Williams Attorneys PLLC
Att: Linda Segovia
500 N. Water St., Ste 500
Corpus Christi, TX. 78401

Re: Date of Accident: 3/29/2024
Your Client: Carl Dodson
Our Claim# 02-24-0014

Dear Ms. Segovia,

This letter is in response to your letter dated November 8th, 2024, in which you are requesting disclosure of information. The City is self-insured with excess coverage through Illinois Insurance Company, 525 W. Monroe Street, Chicago, IL 60661 with a \$2,500,000/\$5,000,000 limit of liability, policy number PEP G [REDACTED]

Should you wish for a certified copy please do not hesitate to contact us directly and it will be ordered through our insurance broker.

Sincerely,

John Costa *(386) 671-8227*
Liability Claims Specialist
City of Daytona Beach