

NOTICE OF CLAIM

Claimant, Marquis K. Jackson, represented by the law offices of BURRIS, NISENBAUM, CURRY, & LACY LLP, hereby presents written notice of his tort claim(s) and intent to sue, pursuant to Florida Statute Section 768.28, for the injuries Claimant sustained during a lethal force encounter with Okaloosa County Sheriff's Deputies on November 12, 2023.

Claimant, Mr. Jackson presents this Notice of Claim to: (a) County of Okaloosa; (b) Okaloosa County Sheriff's Office; (c) Department of Insurance; and (d) any other subdivision and/or municipality of the state of Florida with an interest in the underlying subject matter of this claim arising out the incident and occurrences on November 12, 2023, involving Claimant, Mr. Jackson, and the Okaloosa County Sheriff's Office.

For the purposes of this Notice of Claim, "CLAIMANT" means the individual claimant, claimants (plural), and all plaintiffs and parties in interest represented by the law offices of BURRIS, NISENBAUM, CURRY, & LACY LLP. Therefore, Claimant submits this Notice of Claim and presents the following information in support of his Claim pursuant to section 768.28 of the Florida Statutes:

CLAIMANT'S NAME: MARQUIS K. JACKSON

CLAIMANT'S DOB: March 28, 1999

ADDRESS TO WHICH ALL NOTICES ARE TO BE SENT:

BURRIS, NISENBAUM, CURRY, & LACY LLP
9701 Wilshire Boulevard, Suite 1000
Beverly Hills, California 90212

CLAIMANT TELEPHONE NUMBER:

C/O BURRIS, NISENBAUM, CURRY, & LACY - (310) 601-7070.

PLEASE NOTE: COUNSEL REPRESENTS CLAIMANT AND ALL CONTACT SHOULD BE MADE WITH HIS OR HER ATTORNEY ONLY.

DATE AND TIME OF INCIDENT: November 12, 2023 at or around 8:00a.m – 10a.m.

LOCATION OF INCIDENT: At or around McLaren Circle, south of Green Acres in Fort Walton Beach, Florida.

THE FOLLOWING PROVIDES A GENERAL DESCRIPTION OF THE INDEBTEDNESS, OBLIGATION, INJURY, DAMAGES OR LOSS INCURRED SO FAR AS IT MAY BE KNOWN AT THE TIME OF PRESENTATION OF THE CLAIM” AND “THE NAME OR NAMES OF THE PUBLIC EMPLOYEE OR EMPLOYEES CAUSING THE INJURY, DAMAGES, OR LOSS, IF KNOWN:

For the purposes of this claim, “AGENCY” is defined by and refers to the municipal, county, or state entity, which governs the Okaloosa County Sheriff’s Office.

DESCRIPTION OF INCIDENT:

Mr. Jackson was subjected to lethal force during an encounter with Okaloosa County Sheriff’s Office Deputies on 11/12/2023, at or around McLaren Circle, south of Green Acres in Fort Walton Beach, Florida. Mr. Jackson was unarmed and offered no resistance towards deputies at the time Okaloosa County Sheriff’s Deputies fired several lethal bullets from their duty weapons at Mr. Jackson. Mr. Jackson was detained and handcuffed in the back of a marked Okaloosa County Sheriff’s Office patrol car at the time deputies exercised deadly force against him.

DESCRIPTION OF CLAIM:

Claimant alleges that the conduct of individual employees, agents, and/or servants of AGENCY constitute State statutory violations, which might include but are not limited to assault, battery, false imprisonment, negligence, negligent hiring, and intentional infliction of emotional distress, and negligent infliction of emotional distress.

Claimant alleges those individual employees, agents and/or servants of AGENCY are responsible for Claimant’s injuries, and acts and/or omissions committed within the course or scope of employment under the theory of respondeat superior. Respondeat superior liability includes but is not limited to, negligent training, supervision, control and/or discipline.

Individual employees, agents, and/or servants of the AGENCY, include but are not limited to, the County Sheriff, chief of police, or an individual of comparable title, in charge of law enforcement for AGENCY, and DOES 1-100, and/or each of them, individually and/or while acting in concert with one another.

Claimant alleges the appropriate offenses listed below:

Claimant alleges that assault included, but was not limited to, conduct causing claimant to reasonably fear a harmful offensive touching upon claimant’s person.

Claimant alleges that battery included, but was not limited to, conduct resulting in a harmful offensive touching upon claimant’s person in a manner foreseeable likely to cause injury.

Claimant alleges that false imprisonment included, but was not limited to, acts or omissions causing claimant to be confined or restricted to an area without means of escape while claimant was aware of the confinement.

Claimant alleges that negligence included, but was not limited to, breach of duty upon failing to exercise due care by placing claimant at risk of serious physical injury.

Claimant alleges that negligent hiring included, but was not limited to, breach of duty upon failing to exercise due care by hiring individuals likely to cause physical injury to citizens while acting under color of law in an official capacity.

Claimant alleges that negligent infliction of emotional distress included, but was not limited to, the failure to use reasonable care to avoid causing emotional distress to another individual. The negligent conduct resulted in Claimants' physical injuries.

Claimant alleges that intentional infliction of emotional distress included, but was not limited to, outrageous acts or omissions with the intent to causing emotional distress to another individual. The intentional conduct resulted in Claimants' physical injuries.

Claimant will allege other causes of action subject to continuing discovery.

DESCRIBE INJURY OR DAMAGE:

Claimant has, or may have in the future, claims for general damages, including, but not limited to, claims for pain, suffering and emotional distress in amounts to be determined according to proof.

Claimant may have and/or may continue to have in the future, claims for special damages, including, but not limited to, claims for medical and related expenses, lost wages, damage to career, damage to educational pursuits, damage to property and/or other special damages in amounts to be determined according to proof.

Claimant may have, and/or may continue to have in the future, damages for permanent mental injuries, permanent mental scarring and/or other psychological disabilities in an amount according to proof.

NAME OF PUBLIC EMPLOYEE(S) BELIEVED TO HAVE CAUSED INJURY OR DAMAGE:

See description of the incident, above.

DEMAND FOR PRESERVATION OF EVIDENCE:

Claimant does hereby demand that AGENCY including, but not limited to, the appropriate city or county law enforcement agency, its employees, servants and/or attorneys, maintain and preserve all evidence, documents and tangible materials which relate in any manner whatsoever to the subject matter of this Claim, including until the completion of any and all civil and/or criminal

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litigation arising from the events which are the subject matter of this Claim. This demand for preservation of evidence includes, but is not limited to, a demand that all public safety entities preserve all tapes, logs and/or other tangible materials of any kind until the completion of any and all civil and criminal litigation arising from the subject matter of this claim.

AMOUNT OF CLAIM:

Jurisdiction is designated as “unlimited” and jurisdiction would be in the United States District Court and/or Superior Court of the State of Florida.

DISCLOSURE OF UNPAID ADJUDICATED CLAIM DUE TO THE STATE, ITS AGENCY, OR SUBDIVISION [per 768.28 (6)(c)]: “case style, tribunal, the nature and amount of all adjudicated penalties, fines, fees, victim restitution fund, and other judgments in excess of \$200, whether imposed by a civil, criminal, or administrative tribunal, owed by the claimant to the state, its agency, officer or subdivision. If there exists no prior adjudicated unpaid claim in excess of \$200, the claimant shall so state.”

DATED: 3/19/2024

Sincerely,

DEWITT M. LACY
JULIA N. QUESADA
Attorneys for Marquis Jackson

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