

CAUSE NO. DC-24-04018

Victoria Shores,
Plaintiff

IN THE DISTRICT COURT

v.

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§

DALLAS COUNTY, TEXAS

Rayne Dakota Prescott,
Defendant

160th

___ JUDICIAL DISTRICT

PLAINTIFF’S ORIGINAL PETITION

Plaintiff Victoria Shores (hereinafter “Plaintiff”) complains of Defendant Rayne Dakota Prescott., (hereinafter, “Defendant”), and would respectfully show the Court that:

Discovery Control Plan

1. Plaintiff intends to conduct discovery in this matter under Level 3 of the Texas Rules of Civil Procedure.

Jurisdiction and Venue

2. The claims asserted arise under the common law of Texas. This Court has jurisdiction and venue is proper because all or a substantial part of the events or omissions giving rise to the claim occurred in Dallas County, Texas.

Statement Regarding Monetary Relief Sought

3. Pursuant to Texas Rule of Civil Procedure 47(c), Plaintiff seeks monetary relief of more than \$1,000.00, excluding interest, statutory or punitive damages and penalties, and attorney’s fees and costs to which Plaintiff is justly entitled.

Parties

4. Plaintiff is an individual residing in Tarrant County, Texas.

5. Defendant, Rayne Dakota Prescott, is an individual residing in Collin County, Texas. He may be served at his address at 741 Broadmoor Ln Prosper, TX 75078, or wherever found.

Facts

6. This lawsuit is necessary as a result of a sexual assault that Plaintiff suffered on or about February 2, 2017. At that time, Plaintiff and Defendant met at the former's place of employment. Both parties, along with two members of Defendant's entourage entered a Black SUV style vehicle. Defendant directed Plaintiff to the furthest back row to the strip club known as XTC Cabaret. On the way to the strip club, Defendant exposed his genitalia and Plaintiff refused these advances. Defendant Prescott then proceeded to use physical force and forcibly penetrate Plaintiff.

SEXUAL ASSAULT

7. Defendant is liable for sexual assault due to him engaging in behavior that a reasonable person would interpret as unwanted physical contact and sexual in nature.

Texas Civ. Prac. And Rem. Code Section 16.063

8. The above mentioned section states that "The absence from this state of a person against whom a cause of action may be maintained suspends the running of the applicable statute of limitations for the period of the person's absence.

9. Due to Mr. Prescott's time constantly out of the State, Plaintiff will show that the statute has been tolled and Plaintiff's claim is within the statute of limitations.

DAMAGES

10. As a result of these acts or omissions, Plaintiff sustained damages recognizable by law.

11. By virtue of the actions and conduct of Defendant as set forth above, Plaintiff was seriously injured and is entitled to recover the following damages:

- a. Past and future medical expenses;
- b. Past and future pain, suffering and mental anguish;
- c. All other relief, at law or in equity, to which Plaintiff is entitled.

12. By reason of the above, Plaintiff is entitled to recover damages from Defendant in an amount within the jurisdictional limits of this Court, as well as pre and post-judgment interest.

Jury Demand

13. Plaintiff hereby demands a trial by jury.

Duty to Disclose

14. Pursuant to 194, Tex. R. Civ. P. exempted by Rule 194.2(d), Defendant must, without waiting a discovery request, provide to Plaintiff the information or material described in Rule 194.2, Rule 194.3, and Rule 194.4.

Initial Disclosures

15. Pursuant to Rule 194, Tex. R. Civ. P., Defendant must, without awaiting a discovery request, provide information or materials described in Texas Rule of Civil Procedure 194.2 in Defendant's initial disclosure at or within 30 days after the filing of the first answer. Copies of documents and other tangible things must be served with Defendant's response.

Rule 193.7 Notice

16. Plaintiff hereby gives actual notice to Defendant that any and all documents produced may be used against Defendant at any pre-trial proceeding and/or at trial of this matter without the necessity of authenticating the documents.

Prayer

18. Plaintiff prays that this citation issues and be served upon Defendant in a form and manner prescribed by law, requiring that Defendant appears and answers, and that upon final hearing, Plaintiff has judgment against Defendant in a total sum in excess of the minimum jurisdictional limits of this Court, plus pre and post-judgment interest, all costs of Court, and all such other and

further relief, to which she may be justly entitled.

[signature block on next page]

Respectfully submitted,

**LAW OFFICE OF BETHEL
ZEHAIE**

/s/ Yoel Zehaie

Yoel Zehaie

Texas State Bar No. 24127899

/s/ Bethel Zehaie

Bethel Zehaie

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