

Exhibit A

ADAMS DISTRICT COURT, ADAMS COUNTY, COLORADO Court Address: Adams County District Court 1100 Judicial Center Drive Brighton, CO 80601 Telephone: (303) 659-1161		DATE FILED April 17, 2026 12:58 PM FILING ID: 7F7E117CFD3BD CASE NUMBER: 2026CV30753
Plaintiff: VICTORIA DEVOIR v. Defendant: WILLARD SIMMONS AND STAR FLEET TRUCKING, INC.	▲ COURT USE ONLY ▲	
Attorney for: Plaintiff Name: Justin Mosery Address: Bachus and Schanker, LLC 1801 California Street, Suite 4800 Denver, CO 80202 Phone Number: (303) 400-4269 Fax Number: (303) 893-9900 Atty.Reg.#: 54739 Email: justin.mosery@coloradolaw.net		Case Number: Div.:
COMPLAINT AND JURY DEMAND		

Plaintiff Victoria Devoir, by and through undersigned attorney of Bachus and Schanker, LLC, hereby submits a Civil Complaint and Jury Demand against Defendants Willard Simmons and Star Fleet Trucking, INC., as follows:

GENERAL ALLEGATIONS

1. This matter arises from a motor vehicle collision (“the Collision”) that occurred on September 26, 2025 at approximately 12:30 PM at or near mile point 8.1 on Interstate 76 in Adams County, Colorado.
2. At all times pertinent to this action, Plaintiff was a resident of Denver County, Colorado.
3. At all times pertinent to this action, upon information and belief, Defendant Willard

Simmons (“Defendant Simmons”) was a resident of Titus County, with a last known address of 87 County Toad 3428, Cootville, TX 75558.

4. At all times pertinent to this action, upon information and belief, Defendant Star Fleet Trucking, Inc. , (“Defendant Star Fleet”) was and is a nonresident Delaware corporation doing business in the State of Colorado, with its principal office located at 755 W Big Beaver, Suite 1000, Troy, MI 48084, whose registered agent is C T CORPORATION SYSTEM, whose street address is 7700 E Arapahoe Rd Ste 220, Centennial, CO 80112.

5. Venue in this county is proper pursuant to C.R.C.P. 98(c) since the tortious conduct which the claims of Plaintiff are based upon was committed within Adams County, Colorado.

FACTUAL ALLEGATIONS

1. At the time of the Collision, Defendant Simmons was driving a 2021 Kenworth T680, with a license plate number of 3371635.

2. The Kenworth was owned by Defendant Star Fleet.

3. Upon information and belief, Defendant Simmons was driving the Kenworth with the express or implied permission of Defendant Star Fleet..

4. Upon information and belief, at the time of the Collision, Defendant Simmons was acting within the course and scope of his employment with Defendant Star Fleet.

5. At the time of the Collision, Plaintiff was driving a 2024 Toyota Highlander, with a license plate number of DWVP21.

6. Immediately prior to the Collision, Defendant Simmons was traveling westbound on Interstate 76 in Adams County, Colorado.

7. Immediately prior to the Collision, Defendant Simmons was transporting an oversized

load that occupied more than one lane of travel.

8. Immediately prior to the Collision, Plaintiff was traveling westbound on Interstate 76 in Adams County, Colorado.

9. Immediately prior to the Collision, Plaintiff was traveling to the left of the Kenworth while proceeding westbound on Interstate 76.

10. Immediately prior to the Collision, a tire from the load being transported by Defendant Simmons became detached.

11. The detached tire entered Plaintiff's lane of travel at highway speed.

12. Plaintiff had no opportunity to avoid the detached tire.

13. The detached tire struck the Toyota.

14. The impact caused damage to multiple portions of the Toyota, including the front of the vehicle and windshield area.

15. The Colorado State Patrol investigated the Collision.

16. The Colorado State Patrol determined that Defendant Simmons was at-fault for the Collision.

17. Plaintiff was not a cause of the Collision.

18. At the time of the Collision, the road was dry.

19. At the time of the Collision, the road was well lit.

20. At the time of the Collision, Defendant Simmons operated a motor vehicle in a negligent manner.

21. Defendant Simmons's negligent operation of a motor vehicle caused the Collision.

22. As a direct and proximate result of the Collision, Plaintiff sustained injuries, damages,

and/or losses.

23. Plaintiff has incurred a medical charge of at least one dollar for any medical treatment for any injury, no matter how small, as a result of the Collision.

FIRST CLAIM FOR RELIEF
(Negligence – Defendant Simmons)

24. The foregoing statements and allegations are incorporated herein.

25. At the time of the Collision, Defendant Simmons owed Plaintiff a duty to use reasonable care in the operation of a motor vehicle.

26. At the time of the Collision, Defendant Simmons breached the duty of care to Plaintiff, without limitation, by:

- a. failing to keep a proper lookout;
- b. being inattentive to the operation and condition of the Kenworth and its load;
- c. failing to properly inspect, maintain, and/or secure the load and its component parts, including the subject tire;
- d. operating the Kenworth while transporting an unsafe and improperly secured load; and
- e. operating a motor vehicle in a careless and negligent manner.

27. The Collision was a cause of the injuries sustained by Plaintiff.

28. The Collision occurred as a direct and proximate result of Defendant Simmons's negligence in the operation of a motor vehicle.

29. As a direct and proximate result of the Collision, Plaintiff sustained damages, including past and future: economic losses, including medical bills, lost wages, loss of ability to earn money, property damage, and other expenses; noneconomic losses, including physical and

mental pain and suffering, inconvenience, emotional stress, and impairment of the quality of life; physical impairment and disfigurement.

SECOND CLAIM FOR RELIEF
(Negligence *Per Se* – Defendant Simmons)

30. The foregoing statements and allegations are incorporated herein.

31. At the time of the Collision, Defendant Simmons drove a motor vehicle without due regard for traffic, traffic signals, use of the streets, traffic laws and other attendant circumstances or in violation of a state or municipal traffic code, which constituted negligence *per se*.

32. At the time of the Collision, C.R.S. § 42-4-1402 (Careless Driving), C.R.S. § 42-4-202 (Unsafe Vehicles), and C.R.S. § 42-4-1407 (Spilling Loads on Highways Prohibited) (collectively, the “Statutes”) were in effect in the State of Colorado.

33. A violation of the Statutes constitutes negligence on the part of Defendant Simmons.

34. The purpose of the Statutes is to protect against the type of injuries the Plaintiff suffered as a result of the Collision.

35. Plaintiff is a member of the group of persons the Statutes were intended to protect.

36. Defendant Simmons’s violation of the Statutes was a cause of Plaintiff’s injuries, damages or losses.

37. As a direct and proximate result of Defendant Simmons’s negligence *per se*, Plaintiff sustained damages, including past and future: economic losses, including medical bills, lost wages, loss of ability to earn money, and other expenses; noneconomic losses, including physical and mental pain and suffering, inconvenience, emotional stress, and impairment of the quality of life; physical impairment and disfigurement.

THIRD CLAIM FOR RELIEF

(Respondeat Superior – Defendant Star Fleet Trucking, Inc.)

38. The foregoing statements and allegations are incorporated herein.

39. At the time of the Collision, Defendant Simmons was the agent of Defendant Star Fleet.

40. At the time of the Collision, Defendant Simmons was the employee of Defendant Star Fleet.

41. At the time of the Collision, Defendant Simmons was acting within the scope of Defendant Simmons's employment and authority with Defendant Star Fleet.

42. At the time of the collision, Defendant Simmons was performing acts which were in furtherance of the business interests of Defendant Star Fleet, in the regular course of business for Defendant Star Fleet, and connected to Defendant Simmons's work with Defendant Star Fleet.

43. As a direct and proximate result of the act or omissions of Defendant Star Fleet's agents or employees, Plaintiff sustained damages, including past and future: economic losses, including medical bills, lost wages, loss of ability to earn money, and other expenses; noneconomic losses, including physical and mental pain and suffering, inconvenience, emotional stress, and impairment of the quality of life; physical impairment and disfigurement.

WHEREFORE, Plaintiff requests judgment against Defendants in an amount to be determined at trial for damages, including past and future: economic losses, including medical bills, lost wages, loss of ability to earn money, and other expenses; noneconomic losses, including physical and mental pain and suffering, inconvenience, emotional stress, and impairment of the quality of life; physical impairment and disfigurement; attorney's fees; interest on all damages at the highest rate allowed by law computed from the date of the injury; costs and expenses; and any other relief the Court deems just and proper.

JURY DEMAND

Plaintiff demands a trial to a jury of six (6) on all triable issues.

DATED: April 17, 2026

BACHUS & SCHANKER, LLC

/s/ Justin Mosery
Justin Mosery, Esq.

Plaintiff's Address
9045 E. 47th Ave.
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