

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF CHESAPEAKE

TABITHA WORRELL,
Plaintiff

v.

CASE No.: CL23006529-00
PLAINTIFF DEMANDS TRIAL BY JURY

SNELLINGS FUNERAL HOME, INC. and
HOLLOMON-BROWN FUNERAL HOME, INC.
Defendants.

THIRD AMENDED COMPLAINT

NOW COMES Plaintiff Tabitha Worrell, by counsel, and files this action against Snellings Funeral Home, Inc. and Hollomon-Brown Funeral Home, Inc. in the sum of Five Million and no/100 dollars (\$5,000,000.00), together with the cost of this action and prejudgment interest from May 9, 2022, and in support of her Complaints, states as follows:

1. Plaintiff, Tabitha Worrell, is a citizen and resident of Virginia.
2. Plaintiff's son, Torreon Williams, passed away on May 2, 2022, from an automobile accident.
3. Defendants own and operate businesses operating in the Commonwealth of Virginia and provide funeral services throughout the Commonwealth of Virginia, including the City of Chesapeake, Virginia.
4. Following the death of Torreon Williams, Plaintiff and her family retained the services of Defendants on or about May 2, 2022, to prepare Torreon Williams' body for services and provide funeral services related to same.

5. In conjunction with this arrangement, Plaintiff and her family made arrangements with Defendants for funeral services and open casket viewing at Defendants' Chesapeake funeral home.

6. Plaintiff made a down payment of \$3,000.00 for these services which included sanitary care and dressing of body.

7. On or about May 9, 2022, Defendants arranged for a viewing of Torreon Williams' body at which time Plaintiff and numerous friends and family of Torreon Williams attended.

8. Upon arrival, Plaintiff noticed that the doors to the facility were open to the outside and that the facility in general, and particularly the room where Torreon Williams was prepared for viewing, was warm.

9. At that time, Plaintiff, her family, and friends arrived at the location of the Defendants. As mourners approached the body of Torreon Williams, these people and Plaintiff noticed that Torreon Williams' body, particularly his face, nose, and mouth, were covered with and consumed by clumps of maggots.

10. The maggots had been on and in Torreon Williams' body for a significant period of time and had been purposely ignored on the day of Torreon Williams' service as, in addition to the aforementioned, the maggots had burrowed into holes in his cheek and mouth that had not existed previously and were infested with large clumps of moving and visible maggots.

11. Plaintiff, her family, and friends experienced shock and horror at the grotesque display of the body of Torreon Williams and Plaintiff experienced extreme emotional disturbance.

12. An employee of Defendants approached the casket, placed her hands on Plaintiff and exclaimed, "don't you make a scene."

13. A male employee of Defendants came to the casket and, after viewing the body, stated that, "flies got to him."

14. Defendants failed to adequately prepare, preserve, and inspect the body of Torreon Williams prior to the aforementioned viewing and as a result of these failures, the body of Torreon Williams was displayed in a grotesque fashion.

15. Without limitation, Defendants failed to preserve, prepare, and display the body of Torreon Williams in the following manner:

- a. Defendants failed to properly preserve his body upon receipt of his remains;
- b. Defendants failed to keep his remains in a properly sealed refrigeration environment before his service;
- c. Defendants failed to keep his remains in an environment free from outside elements including but not limited to insects, flies, maggots, and insects that would infest his body before his service;
- d. Defendants failed clean and inspect their premises for insect infestation;
- e. Defendants failed to inspect, clean, and maintain his body before his service; and
- f. Defendants failed to make modifications to his display and presentation at the service.

16. As a consequence of Defendants' actions, Plaintiff experienced pecuniary loss in the way of advanced payment for professional funeral services that were ultimately not performed in a professional or sanitary manner, and incurred unnecessary funeral expenses and monetary expenses.

17. Plaintiff experienced severe and significant emotional distress, heartache, mental turmoil, and anxiety as a result of defendants' aforementioned actions.

18. As a consequence of these events, Plaintiff has suffered and sustained severe mental and emotional trauma and this trauma required and continues to require expenses associated with psychological treatment and care.

19. As a direct and natural result of these events, Plaintiff has, and does, experience nightmares, trauma, sleeplessness, flashbacks, anxiety, depression, nausea, humiliation, embarrassment, grief, and horror that is significant and permanently affects all of her activities.

20. As a direct and natural result of these events described above, Plaintiff has undergone counseling and treatment and continues to undergo same.

21. As businesses engaging in providing funeral services, Defendants are, or should be, aware of the fragility of families and friends surviving deceased loved ones to whom it provides services. Additionally, Defendants are, or should be aware of the necessity for preparation and proper presentation of the appropriate deceased individuals and the treatment of importance of same to surviving family and friends.

COUNT I – BREACH OF CONTRACT

22. The allegations set forth in the aforementioned paragraphs of this Amended Complaint are incorporated by reference as if written in this paragraph.

23. The aforementioned parties were capable of forming a contract and did indeed form a contract, with consideration as well as terms set forth for performance of the aforementioned services and obligations on behalf of Defendants.

24. Plaintiff satisfied her contractual obligations in terms related to same.

25. Defendants breached their contractual duties to the Plaintiff.

26. Plaintiff sustained damages and pecuniary loss in connection with the breach of the Defendants'.

COUNT II – NEGLIGENCE

27. The allegations set forth in paragraphs 1 through 26 in this Amended Complaint are incorporated by reference as if written in this paragraph.

28. Defendants' actions in connection with this matter demonstrate that they owed a duty of care, that Defendants breached same, and that the aforementioned breach caused significant harm to Plaintiff and caused her to suffer damages in connection with this matter.

29. Defendants' actions address and regard the dignity and burial of a relative and Plaintiff has sustained damages regarding same.

30. Plaintiff has sustained actionable injuries and pecuniary damages as well as severe mental and emotional distress in connection with this action.

WHEREFORE, Plaintiff does hereby seek judgment in the amount of Five Million and no/100 dollars (\$5,000,000.00) plus interest from May 9, 2022, and an award of costs and fees and all other relief this Court deems fair.

PLAINTIFF HEREBY DEMANDS TRIAL BY JURY.

TABITHA WORRELL



By Counsel

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CERTIFICATE OF SERVICE

I hereby certify on this the 1 day of May, 2025, a true and correct copy of the foregoing was sent via electronic filing and email to counsel below:

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By Counsel