

**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA  
 BIRMINGHAM DIVISION**

**CARIN G. ROBESON and** )  
**J. MATTHEW ROBESON, as Personal** )  
**Representatives of the Estate of** )  
**WHITNEY HARLOW ROBESON,** )  
**deceased,** )

**Civil Action No.:** \_\_\_\_\_

**Plaintiffs,** )

**JURY TRIAL DEMANDED**

**v.** )

**JEFFREY SCOTT TOWERS,** )

**an individual; and No. 1,** whether singular or plural, that entity or those entities who or which owned, maintained, or had any interest in the premises involved in the occurrence made the basis of this lawsuit; **No. 2,** whether singular or plural, that entity or those entities who or which was the lessor of the premises involved in the occurrence made the basis of this lawsuit; **No. 3,** whether singular or plural, that entity or those entities who or which was the lessee of the premises involved in the occurrence made the basis of this lawsuit at the time of or at any time before said occurrence; **No. 4,** whether singular or plural, that entity or those entities who or which controlled and/or had the right to control the premises involved in the occurrence made the basis of this lawsuit at the time of or at any time before said occurrence; **No. 5,** whether singular or plural, that entity or those entities which controlled or had the right to control the area involved in the occurrence made the basis of this lawsuit at the time of said occurrence; **No. 6,** whether singular or plural, that person or persons, entity or those entities who or which manufactured, sold, and/or maintained the firearm involved in the occurrence made the basis of this suit; **No. 7,** whether singular or plural, that person or persons, entity or those entities who or which had responsibility for the inspection of the firearm involved in the occurrence made the basis of this suit; **No. 8,** whether singular or plural, that person or persons, entity or those entities who or which was responsible for modifying, maintaining, or repairing the firearm involved in the occurrence made the basis of this suit; **No. 9,** whether singular or plural, that person or persons, entity or those entities who or which conducted safety inspections on the firearm involved in the occurrence made the basis of this lawsuit, prior to and/or on the date of said occurrence; **No. 10,** whether singular or plural, that entity or those entities, including, but not limited to, the general liability insurance carrier of the entity which owned, occupied or maintained the premises involved in the occurrence made the basis of this lawsuit which conducted any safety inspection or analysis of, or with regard to the firearm involved in the occurrence made the basis of this lawsuit at any time prior to said occurrence; **No. 11,** that person or persons who utilized, held, operated, or caused the firearm to discharge that ultimately injured and killed Plaintiffs' Decedent; **No. 12** whether singular or plural, that entity or those entities who or which provided any insurance coverage, of whatever kind or character, for any of the named defendants or fictitious party Defendants listed or named herein; **No. 13,** whether singular or plural, that entity or those entities, other than those entities described above, whose negligent or wrongful conduct caused and/or contributed to cause the occurrence made the basis of Plaintiffs' Complaint; **No. 14,** whether singular

or plural, that person or persons, entity or those entities, other than those entities described above, who or which are the successors in interest of those persons and/or entities described above; and **No. 15**, whether singular or plural, those persons, firms, corporations or other legal entities that breached a legal duty owed to the Plaintiffs’ decedent whether in tort, contract, equity or statutory violation thereby proximately causing the death of Plaintiffs’ decedent;

**Defendants.**

)  
)

**COMPLAINT**

COME NOW, the Plaintiffs in the above-styled action, by and through undersigned counsel of record, and set forth their claims against Defendants and request relief as follows:

**PARTIES, JURISDICTION, AND VENUE**

1. Plaintiffs Carin G. Robeson and J. Matthew Robeson, as duly appointed Personal Representatives of the Estate of Whitney Harlow Robeson, deceased, (hereafter “Plaintiffs”) bring this action pursuant to Ala. Code § 6-5-410. Prior to her death, Whitney Harlow Robeson (hereinafter “Decedent”, “Whitney” and/or “Whitney Robeson”) was a 22-year-old resident citizen of Henrico, Virginia. Letters Testamentary, authorizing the administration of Whitney’s Estate, are attached hereto as “**Exhibit A**”.

2. Defendant Jeffrey Scott Towers (hereinafter “Defendant Towers”) is an individual over the age of nineteen (19) years and a resident citizen of Jefferson County, Alabama, residing at 7705 Deer Trail, Trussville, AL 35173.

3. The actions, inactions, and/or events giving rise to the Plaintiffs’ claims occurred wholly within the geographical boundaries of Jefferson County in the State of Alabama.

4. The amount in controversy exceeds the jurisdictional minimums of this Honorable Court.

5. Jurisdiction and venue are proper in this Court.

6. The Fictitious party Defendants listed and described hereinabove and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 are those persons, corporations, limited liability companies, or other entities described more fully in the caption and incorporated herein, whose negligent, wanton, willful, or other wrongful conduct caused or contributed to cause the injuries, death, and damages suffered by Plaintiffs' Decedent, whose true and correct names are unknown to Plaintiffs at this time, but which will be substituted when ascertained.

### **STATEMENT OF FACTS**

7. On March 7, 2026, at approximately 9:30 PM, Whitney Robeson was an invitee at the residence of Defendant Towers located at 7705 Deer Trail, Trussville, Alabama 35173.

8. At the time of the incident, Defendant Towers was showing Whitney and his son, Brandon Towers, a collection of antique firearms in the upstairs area or attic of the residence.

9. Defendant Towers was handling a firearm, identified by law enforcement as a .22 caliber revolver.

10. Whether known or unknown to Defendant Towers, the firearm being handled was loaded, and as he displayed the weapon to Whitney and his son, a single shot was inadvertently discharged.

11. The discharged bullet struck 22-year-old Whitney Robeson in the upper left side of her chest.

12. Emergency responders arrived at the scene and performed life-saving measures. Whitney Robeson was transported from the scene to St. Vicent's East.

13. Despite life-saving measures, Whitney Robeson was pronounced dead at St. Vincent's East at or around 10:49 PM.

14. An autopsy identified Whitney's cause of death to be a gunshot wound to the chest resulting in devastating injury to her left lung, heart, and aorta.

15. Toxicological analysis detected no drugs or alcohol in Whitney's system at the time of her death.

**COUNT I**  
**NEGLIGENCE/ WRONGFUL DEATH**

16. Plaintiffs adopt and incorporate each and every paragraph above as if fully set out herein.

17. Defendant Towers and/or Fictitious Party Defendant No. 11 owed a duty of care to Whitney Robeson to act reasonably and safely in the handling, operation, and control of a firearm.

18. Defendant Towers and/or Fictitious Party Defendant No. 11 breached this duty by negligently handling, pointing, and discharging a loaded firearm, striking Whitney Robeson in the chest, resulting in fatal harm.

19. Defendant Towers and/or Fictitious Party Defendant No. 11 had a duty to safely inspect and maintain any and all firearms on his property, including that which was involved in the incident at issue, so as not to cause harm or death to invitees, including Whitney Robeson.

20. Defendant Towers and/or Fictitious Party Defendant No. 11 breached this duty by negligently failing to inspect the firearm to ensure it was not loaded prior to handling it in the presence of others and/or pointing it in a direction that would allow a discharged bullet to strike others, including Whitney Robeson.

21. Firearms are inherently dangerous. Defendant Towers and/or Fictitious Party Defendant No. 11 had a duty to reasonably familiarize himself with firearm safety, the mechanics of the firearm he was holding, and the dangers posed by firearms, so as not to cause harm or death to others.

22. Defendant Towers and/or Fictitious Party Defendant No. 11 breached this duty by handling a firearm with insufficient or a complete lack of knowledge of firearm safety, firearm mechanics, or how to safely handle firearms as to prevent harm or death to others, including Whitney Robeson.

23. As a direct and/or proximate consequence of the negligence of Defendant Towers and/or Fictitious Party Defendant No. 11, Whitney Robeson was shot and suffered fatal injuries.

WHEREFORE, Plaintiffs Carin G. Robeson and J. Matthew Robeson, as the Personal Representatives of the Estate of Whitney Harlow Robeson, Deceased, demand judgment against the Defendants, named and fictitious, jointly and severally, in an amount to be determined by a struck jury, pursuant to Alabama Code § 6-5-410, plus interest from the date of judgment and the costs of this proceeding.

**COUNT II**  
**WANTONNESS / WRONGFUL DEATH**

24. Plaintiffs adopt and incorporate each and every paragraph above as if fully set out herein.

25. Defendant Towers, with reckless indifference to the consequences and a conscious disregard for the safety of others, engaged in the unsafe handling of a firearm without verifying whether the weapon was loaded.

26. Defendant Towers, with reckless indifference to the consequences, consciously disregarded the safety of Whitney Robeson by manipulating the firearm in close proximity to her, leading to her being struck and fatally injured by the discharged bullet.

27. Defendant Towers, with reckless indifference to the consequences and a conscious disregard for the safety of others, engaged in the egregiously unsafe handling of a firearm without any prior knowledge of firearm safety, firearm mechanics, or the proper methods to safely handle firearms as to prevent harm or death to others.

28. As a direct and proximate result of Defendant Towers' reckless and wanton conduct, the firearm discharged and struck Whitney Robeson, causing her fatal injuries.

WHEREFORE, Plaintiffs Carin G. Robeson and J. Matthew Robeson, as the Personal Representatives of the Estate of Whitney Harlow Robeson, Deceased, demand judgment against the Defendants, named and fictitious, jointly and severally, in an amount to be determined by a struck jury, pursuant to Alabama Code § 6-5-410, plus interest from the date of judgment and the costs of this proceeding.

**COUNT III**  
**NEGLIGENCE**

29. Plaintiffs adopt and incorporate each and every paragraph above as if fully set out herein.

30. Defendants, named or fictitious, serviced, repaired, modified, and/or performed maintenance on the subject firearm that was discharged and struck Whitney Robeson.

31. Defendants, named or fictitious, had a duty to exercise due and proper diligence in the servicing, repair, modification, and/or maintaining of the subject firearm, to prevent it from inadvertently discharging.

32. Defendants, named or fictitious, breached this duty by failing to perform proper servicing, repair, modification, and/or maintenance of the subject firearm, which caused the firearm to inadvertently discharge, resulting in fatal injuries to Whitney Robeson.

WHEREFORE, Plaintiffs Carin G. Robeson and J. Matthew Robeson, as the Personal Representatives of the Estate of Whitney Harlow Robeson, Deceased, demand judgment against the Defendants, named and fictitious, jointly and severally, in an amount to be determined by a struck jury, pursuant to Alabama Code § 6-5-410, plus interest from the date of judgment and the costs of this proceeding.

**COUNT IV**  
**ALABAMA'S EXTENDED MANUFACTURER'S LIABILITY DOCTRINE**

33. Plaintiffs adopt and incorporate each and every paragraph above as if fully set out herein.

34. Defendants, named or fictitious, designed, tested, manufactured, marketed, and distributed the subject firearm in a defective and unreasonably dangerous condition, in that it was capable of an inadvertent discharge when used in an intended or reasonably foreseeable manner.

35. Defendants, named or fictitious, designed, tested, manufactured, marketed, and distributed the subject firearm in a defective and unreasonably dangerous condition, in that it lacked specific design features and safety mechanisms as to prevent inadvertent discharge when used in an intended or reasonably foreseeable manner.

36. The safety risks posed by the subject firearm's design, manufacturing, and lack of adequate warnings regarding its foreseeable risks and dangers, exceed any utility inherent in its use and the reasonable consumer's expectations for safety.

37. As a direct and/or proximate cause of the subject firearm's defective and unreasonably dangerous condition, Whitney Robeson was caused to be struck by an inadvertently discharged bullet and suffered fatal injuries.

WHEREFORE, Plaintiffs Carin G. Robeson and J. Matthew Robeson, as the Personal Representatives of the Estate of Whitney Harlow Robeson, Deceased, demand judgment against the Defendants, named and fictitious, jointly and severally, in an amount to be determined by a struck jury, pursuant to Alabama Code § 6-5-410, plus interest from the date of judgment and the costs of this proceeding.

**COUNT V**  
**BREACH OF WARRANTIES**

38. Plaintiffs adopt and incorporate each and every paragraph above as if fully set out herein.

39. Defendants, named or fictitious, breached express and/or implied warranties by designing, developing, marketing, modifying, and/or selling the subject firearm in a condition that was unfit for its ordinary purpose, so as not to inadvertently discharge.

40. Defendants' breach of their warranties proximately caused Whitney Robeson's fatal injuries. In a foreseeable situation, the subject firearm inadvertently discharged, which caused Whitney Robeson to be struck by a bullet and suffer fatal injuries.

WHEREFORE, Plaintiffs Carin G. Robeson and J. Matthew Robeson, as the Personal Representatives of the Estate of Whitney Harlow Robeson, Deceased, demand

judgment against the Defendants, named and fictitious, jointly and severally, in an amount to be determined by a struck jury, pursuant to Alabama Code § 6-5-410, plus interest from the date of judgment and the costs of this proceeding.

**JURY DEMAND**

Plaintiffs hereby demand a trial by struck jury.

Respectfully Submitted this, the 15<sup>th</sup> day of May 2026.

*/s/ Andrew J. Moak*  
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Andrew J. Moak (MOA001)  
Zachary J. Peagler (PEA040)  
D. Brett Turnbull (TUR060)  
H. Ben Brown III (BRO332)  
*Counsel for the Plaintiffs*

**OF COUNSEL:**

TURNBULL, MOAK & PENDERGRASS, LLC  
2501 20th Place South, Ste. 425  
Birmingham, Alabama 35223  
Telephone: (205) 831-5040  
Facsimile: (205) 205-848-6300  
[amoak@turnbullfirm.com](mailto:amoak@turnbullfirm.com)  
[zpeagler@turnbullfirm.com](mailto:zpeagler@turnbullfirm.com)  
[bturnbull@turnbullfirm.com](mailto:bturnbull@turnbullfirm.com)  
[bbrown@turnbullfirm.com](mailto:bbrown@turnbullfirm.com)

**TO THE CLERK: PLEASE SERVE DEFENDANT  
VIA CERTIFIED MAIL AS FOLLOWS:**

JEFFREY SCOTT TOWERS  
7705 Deer Trail  
Trussville, AL 35173