

IN THE CIRCUIT COURT, OF THE
FOURTH JUDICIAL CIRCUIT, IN AND
FOR DUVAL COUNTY, FLORIDA

CECILIA J. SHEPARD, individually,
and as Personal Representative
of the ESTATE OF KEEGAN VON ROBERTS,
and ELIANY DIAZ ROBERTS, individually.

CASE NO.: 2017-CA-7492
DIVISION: CV-E

Plaintiffs,

v.

MICHAEL CENTANNI, IV.

Defendant.

AMENDED COMPLAINT AND DEMAND FOR JURY TRIAL

COMES NOW, the Plaintiffs, CECILIA SHEPARD, individually, and as Personal Representative of the ESTATE OF KEEGAN VON ROBERTS, deceased, and ELIANY DIAZ ROBERTS, individually, by and through their undersigned counsel, and hereby file this amended complaint against Defendant, MICHAEL CENTANNI, IV., (hereinafter "CENTANNI") and allege as follows:

JURISDICTIONAL ALLEGATIONS

1. For jurisdictional purposes, Plaintiffs allege that this is an action in excess of FIFTEEN THOUSAND DOLLARS (\$15,000.00), exclusive of interest, costs, and attorneys' fees. Damages are expected to exceed \$2,500,000.00.

2. At all times material, Plaintiff, CECILIA SHEPARD was the natural parent of KEEGAN VON ROBERTS, deceased, and has been appointed as the duly authorized Personal Representative of the Estate of KEEGAN VON ROBERTS,

by Judge Thomas M. Beverly of the Circuit Court for Duval County, Florida. A copy of the Letters of Administration and the Order Appointing Personal Representative is attached hereto as Exhibit "A".

3. Plaintiff, ELIANY DIAZ ROBERTS, was the spouse of KEEGAN VON ROBERTS and also the co-parent of two of the children of KEEGAN VON ROBERT's, (Y.K.R.)(age 2) and (E.K.R.)(who she was 5 months pregnant with and who she delivered stillborn on August 10, 2017).

4. At all times material, Plaintiffs, CECILIA J. SHEPARD and ELIANY DIAZ ROBERTS were residents of Duval County, Florida.

5. All potential beneficiaries of any recovery for wrongful death and their relationship to the deceased, KEEGAN VON ROBERTS, are identified as follows:

- (a) Cecilia Shepard, as Personal Representative of the Estate of Keegan Roberts; and
- (b) Cecilia Shepard, the natural parent of Keegan Roberts.
- (c) Roger Roberts, the natural parent of Keegan Roberts.
- (d) Eliany Roberts, the spouse of Keegan Roberts.
- (e) YKR, the child of Keegan Roberts.

6. Plaintiff, CECILIA SHEPARD, as Personal Representative of the Estate of KEEGAN VON ROBERTS, is entitled and empowered by the Florida Wrongful Death Act to recover for KEEGAN VON ROBERT's survivors, beneficiaries, and estate, all the damages allowed pursuant to its provisions.

7. Upon information and belief, and at all times material, Defendant MICHAEL CENTANNI, IV., was a resident of Jacksonville, Duval County, Florida.

8. The incidents giving rise to this action occurred in Jacksonville, Duval County, Florida.

9. Specifically, this action is based on a fatal shooting that occurred on Peach Drive, in Jacksonville, Duval County, Florida.

FACTUAL ALLEGATIONS

10. On and before July 20, 2017, Michael Centanni had engaged his neighbors, including Keegan Roberts, repeatedly in argument, using words of hate such as "nigger" (to describe Keegan Roberts who is of African American descent) and "spic" (to describe his wife and his wife's family who are of Cuban descent"). He also referred to them as, "welfare bread".

11. On or before, July 20, 2017, the relationship of these neighbors had deteriorated to the point that both parties indicated to each other that they would defend themselves at the sign of aggression and Centanni even documented this with a call to the police.

12. In a statement to law enforcement, Michael Centanni admitted spending an exorbitant amount of time not only watching the residents and visitors of 3539 Peach Drive in Jacksonville, but also creating a log of license plates of visitors and monitoring them.

13. In a statement to law enforcement, Michael Centanni admitted that on or after July 4, 2017, he increased his watching the residents and visitors

of 3539 Peach Drive in Jacksonville, by installing security cameras facing said residence.

14. Additionally, Centanni regularly accused the residents and/or visitors of 3539 Peach Drive in Jacksonville of dealing drugs publicly, and confronted Keegan Roberts about this and was asked by Keegan Roberts and law enforcement to cease such confrontation.

15. Michael Centanni was a criminal justice student at the University of North Florida and otherwise was assigned an internship or coursework dealing with law enforcement and even spoke in class about self-defense and "stand your ground" laws prior to this incident.

15. On the morning of July 20, 2017, Centanni went over to Keegan Roberts' property and left a note on Roberts' car, parked on his property, mandating Roberts clean up some litter, debris or trash.

16. In the late night hours of July 20, 2017, or early morning hours of July 21, 2017, Centanni watched and waited for his neighbor to get home- a neighbor he was angry with over litter, debris or yard trash, or suspected criminal activity.

17. In the late night hours of July 20, 2017, or early morning hours of July 21, 2017, Centanni knowingly left his residence with a loaded firearm in his pocket during the middle of the night, specifically to confront Keegan Roberts about litter, debris or yard trash, or suspected criminal activity.

18. Centanni willfully, maliciously, and repeatedly harassed Keegan Roberts and his family and made one or more credible threats to them prior to July 20, 2017. He was asked to stop. His actions during the middle of the night/morning of July 20, 2017, could be reasonably perceived as an act of aggression and a threat.

19. In the late night hours of July 20, 2017, or early morning hours of July 21, 2017, Keegan Roberts arrived back home, and sat in the car with his pregnant wife, Eliany Roberts.

20. Centanni struck Keegan Roberts' vehicle with his hand or fist in a manner which scared his wife and which was designed to initiate confrontation with and/or aggression to Keegan Roberts and/or the occupants of the vehicle.

21. Keegan Roberts ultimately recognized it was Centanni and asked him to leave his residence. Centanni refused and remained on Keegan Robert's family's private property.

22. Keegan Roberts exited his vehicle to demand Centanni to leave and/or to defend his person, property and pregnant wife.

23. At all material times, Keegan Roberts was in his own yard or the driveway or grassy right of way immediately adjacent to his property.

24. Keegan Roberts was threatened by Centanni.

25. Keegan Roberts had a license to carry a weapon on his person issued by the State of Florida.

26. Centanni claims Keegan Roberts exercised his right to defend his person, property and spouse by aiming a gun at Centanni, despite Centanni initiating the threat and not legally being in a place where he was allowed and when he was asked not to be previously.

27. Keegan Roberts never attempted to fire his gun, never fired his gun and in no way was outside of his rights on his own property.

28. Centanni exposed and knowingly fired his own gun 3-4 times at Keegan Roberts and in the direction of Keegan Robert's pregnant wife, who sat in the car.

29. Keegan Roberts was shot at least three times at close range, by Centanni.

30. There was a prolonged gap between shots fired by Centanni.

31. Keegan Roberts wife, Eliany Roberts, was 5 months pregnant at the time of the shooting.

32. For several days thereafter, Centanni proceeded to stand outside in front of his house with his shirt off and stare at the residence inhabited by Keegan Roberts's pregnant widow and child.

33. The homicide of her husband, and the aggravated assault and harassment, by Centanni directly lead to the miscarriage of Keegan Roberts and Eliany Roberts' unborn child.

COUNT I
WRONGFUL DEATH BY GUNFIRE

Plaintiffs' re-alleges Paragraphs 1-33 as if set forth fully herein and further alleges:

34. Defendant CENTANNI, negligently and/or recklessly and/or intentionally fired his weapon at Keegan Roberts.

35. Defendant CENTANNI knew, or should have known that his actions were substantially certain to cause or could result in great bodily harm or death.

36. As a direct and proximate result of the foregoing conduct of Defendant CENTANNI, Keegan Roberts sustained injuries that resulted in his death. As a result of his death, the Estate of Keegan Roberts has suffered damages including medical or funeral expenses that have become a charge against his Estate or were paid by or on behalf of the decedent. Further, as a direct and proximate result of the aforementioned conduct of Defendant CENTANNI and death of Keegan Von Roberts, the Estate has lost its prospective net accumulations that might have reasonably been expected but for the wrongful death, reduced to present value. The Estate and survivors are also entitled to all other damages as allowed by 768.21, Florida Statutes.

WHEREFORE, Plaintiff, CECILIA SHEPARD, as Personal Representative of the Estate of Keegan Von Roberts, demands judgment against Defendant CENTANNI for compensatory damages, costs, interest as allowed by law, and for such other relief as this Court deems just and proper.

COUNT II
FAILURE TO RENDER AID RESULTING IN WRONGFUL DEATH

Plaintiffs' re-alleges Paragraphs 1-33 as if set forth fully herein and further alleges:

37. Due to the discharge of his handgun, Defendant CENTANNI created a situation in which Keegan Roberts' life was immediately in jeopardy after the gun was discharged.

38. Since the immediate danger to the life of Keegan Roberts was created by Defendant CENTANNI's actions, Defendant CENTANNI had a duty to reasonably render aid to Keegan Roberts.

39. Defendant CENTANNI breached his duty to render aid in the following ways:

- a. By failing to call emergency personnel as soon as it was apparent that Keegan Roberts had been shot;
- b. By failing to seek immediate medical attention at a hospital or other urgent care facility after the shooting; and
- c. By leaving Keegan Roberts' body to bleed out while running back to his own house, knowing Keegan Robert's life was in jeopardy.

40. Due to the above breaches of Defendant CENTANNI's duty to render aid, Keegan Roberts' life ceased to exist. Had Defendant CENTANNI not breached his duty, Keegan Roberts could have survived the gunshot

wounds. Therefore, Defendant CENTANNI's omissions are the direct and proximate cause of Keegan Roberts' death.

41. As a direct and proximate result of the foregoing conduct of Defendant CENTANNI, Keegan Roberts sustained injuries that resulted in his death. As a result of his death, the Estate of Keegan Roberts has suffered damages including medical or funeral expenses that have become a charge against his Estate or were paid by or on behalf of the decedent. Further, as a direct and proximate result of the aforementioned conduct of the Defendant CENTANNI and death of Keegan Roberts, the Estate has lost its prospective net accumulations that might have reasonably been expected but for the wrongful death, reduced to present value. The Estate and survivors are also entitled to all other damages as allowed by 768.21, Florida Statutes.

WHEREFORE, Plaintiff, CECILIA SHEPARD, as Personal Representative of the Estate of KEEGAN VON ROBERTS, demands judgment against Defendant CENTANNI for compensatory damages, costs, interest as allowed by law, and for such other relief as this Court deems just and proper.

COUNT III
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO CECILIA J. SHEPARD, INDIVIDUALLY, AND AS
PERSONAL REPRESENTATIVE OF THE ESTATE OF KEEGAN VON ROBERTS

Plaintiffs' re-alleges Paragraphs 1-33 as if set forth fully herein and further alleges:

42. Prior to the encounter on July 20, 2017, CENTANNI was told by Keegan Roberts and members of his household to leave them alone.

43. Prior to the encounter on July 20, 2017, CENTANNI was told by Keegan Roberts and members of his household that they felt threatened by Centanni's presence on their property and was asked to stay away from them.

44. Despite this request, Centanni continued to keep watch on Keegan Roberts and his family from his window of his home and also kept logs of people who came and went from the residence.

45. On July 5, 2017, Centanni made a call to police and was informed by police "not to confront his neighbor again in reference to the traffic and to call the police."

46. Despite this request, an armed Centanni went over to Keegan Roberts's residence and vehicle and confronted Keegan Roberts.

47. Michael Centanni shot and killed Keegan Roberts on Keegan Roberts' family's property.

48. After Keegan Roberts was shot, Defendant CENTANNI intentionally and with reckless indifference falsified the true facts of what happened during his encounter with Keegan Roberts. Said false story was given to police in order to hinder prosecution or otherwise effectuate the escape and conviction of himself.

49. Defendant CENTANNI knew, or should have known, that giving false information to police would not only hinder the prosecution of the person ultimately responsible for Keegan Roberts' death, but would also cause serious

emotional harm to the family of Keegan Roberts, including his mother, spouse and unborn child.

50. Centanni's false statements were made in reckless disregard for the emotional harm which is certain to result from said actions.

51. Said actions and false stories given by Defendant CENTANNI were utterly intolerable in a civilized society and were extreme and outrageous.

52. Said statements caused the State Attorney's Office to refuse charges against Centanni.

53. Said torment, disregard of his neighbors privacy, untruthfulness and other extreme and outrageous conduct by Defendant CENTANNI caused Plaintiffs, CECILIA SHEPARD and ELIANY ROBERTS to experience extreme emotional trauma and other emotional harms as the investigation of Keegan Roberts' death was thwarted and delayed. Said emotional trauma and damages were proximately caused by Defendant CENTANNI.

WHEREFORE, Plaintiffs, CECILIA SHEPARD, and ELIANY ROBETS demand judgment against Defendant CENTANNI for compensatory damages, costs, interest as allowed by law, and for such other relief as this Court deems just and proper.

COUNT IV
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS, AS TO ELIANY D. ROBERTS
LEADING TO MEDICAL DAMAGES

Plaintiffs' re-alleges Paragraphs 1-33 as if set forth fully herein and further alleges:

54. Prior and subsequent to shooting and killing Keegan Roberts, Michael Centanni did threaten, harass and use words of hate against Keegan Roberts and his wife, Eliany Roberts.

55. This harassment included actions of calling Keegan Roberts a "nigger" and calling his wife, Eliany Roberts a "spic", calling police over to the home they resided in, staring at Eliany Roberts and her residence after Keegan Roberts was shot and killed and other threatening use of words and actions.

56. Centanni shot and killed Keegan Roberts, which was done in the immediate vicinity of his wife. Post shooting, Centanni continued to harass Mrs. Roberts and her family.

57. Centanni's harassment was intentional.

58. Said actions by Defendant, CENTANNI, were utterly intolerable in a civilized society constituted a violation of Florida law.

59. Said conduct by Defendant, CENTANNI caused Plaintiff, ELIANY ROBERTS to experience extreme emotional trauma and other emotional harms as well as injuries and medical damages, including the loss of her unborn child.

60. Emotional trauma and damages were proximately caused by Defendant, CENTANNI.

WHEREFORE, Plaintiff, ELIANY D. ROBERTS, demands judgment against Defendant, CENTANNI, for her injuries, including those resulting in the death of her unborn child, including all available compensatory damages, costs, interest as allowed by law, and for such other relief as this Court deems just and proper.

COUNT V
ASSAULT BY DEFENDANT, CENTANNI, LEADING TO MEDICAL DAMAGES OF ELIANY D. ROBERTS; TO WIT INJURIES AND THE DEATH OF THE VIABLE UNBORN CHILD OF ELIANY D. ROBERTS

Plaintiffs' re-alleges Paragraphs 1-33 as if set forth fully herein and further alleges:

61. Prior and subsequent to shooting and killing Keegan Roberts, Michael Centanni did threaten, harass and use words of dangerous rage against Keegan Roberts and Eliany Roberts.

62. This included actions of calling Keegan Roberts a "nigger" and calling his wife, Eliany Roberts a "spic", calling police over to the home they resided in, staring at Eliany Roberts and her residence after Keegan Roberts was shot and killed and other threatening use of words and actions.

63. Assault is putting the victim in fear of immediate injury while the perpetrator has the ability to inflict such injury. Eliany Roberts was assaulted by Centanni which lead to altered medical stability to her and her viable unborn child.

64. On the night in question, Defendant, CENTANNI, fired multiple shots in the direction of Keegan Roberts and also at the direction of Eilany Roberts. Post shooting, Centanni continued to assault Eliany Roberts.

65. Said conduct by Defendant, CENTANNI caused Plaintiff, ELIANY ROBERTS to experience extreme emotional trauma and other emotional harm as well as injuries and medical damages, including the loss of her unborn child.

66. Emotional trauma and damages were proximately caused by Defendant, CENTANNI.

WHEREFORE, Plaintiff, ELIANY ROBERTS, demands judgment against Defendant, CENTANNI, for wrongful death and/or tort, including all available compensatory damages, costs, interest as allowed by law, and for such other relief as this Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury for all issues so triable by a jury.

DATED this 9th day of February, 2018.

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