

FILED
2017 JAN 26 P 1:19

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

NO. 17-815

DIVISION "A"

DANIELL SAVOY INDIVIDUALLY AND AS THE NATURAL TUTRIX
OF THE MINOR CHILD NICHOLAS GLENN

SECTION 15

VERSUS
DALE N. ATKINS
CLERK, CIVIL DISTRICT COURT
402 CIVIL COURTS BUILDING
421 LOYOLA AVENUE - ROOM 402
NEW ORLEANS, LA 70117
504-407-0000
DEPUTY CLERK

FILED: _____

PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes Daniell Savoy

individually and as the natural tutrix of the minor child Nicholas Glenn, a resident of the full
age of majority of the State of Louisiana, who, with respect, shows the Court as follows:

Receipt Date 1/26/2017 1:23:00 PM
Case Number 2017-00815
Cashier mgagliano
Register 508740

Grand Total \$514.00
Amount Received \$514.00
Balance Due \$0.00
Change Due \$0.00

That made Defendants herein are:

Payment/Transaction List
Check # 343853 \$514.00

- (a) MARCELLUS WHITE, a resident of the full age of majority domiciled in the Parish of Orleans, State of Louisiana;
- (b) PHI BETA SIGMA FRATERNITY, INC., a foreign non-profit corporation not authorized to do and doing business in the State of Louisiana.

Item	Charged	Paid	Bal
Petition for Damages	\$444.50	\$444.50	\$0.00
Judicial College	\$0.00	\$0.00	\$0.00
Building Fund Fee	\$25.00	\$25.00	\$0.00
Indigent Legal Fee	\$10.00	\$10.00	\$0.00
JSC	\$24.00	\$24.00	\$0.00
Supreme Court- Proc	\$10.00	\$10.00	\$0.00
essing Fee			

That the above named Defendants are solidarily liable to Plaintiff for the following:

That Daniell Savoy is the mother of and natural tutrix of the minor Nicholas Glenn,
and has qualified as such.

III.

That Phi Beta Sigma Fraternity, Inc., is a Greek organization with a youth auxiliary group. The auxiliary group known as the Sigma Beta Club was founded with its focus on four major principles of Culture, Athletics, Social and Educational needs of children.

IV.

That Marcellus White is a 19 year veteran officer of the New Orleans Police Department

and was president of the New Orleans Phi Beta Sigma Beta Club, which mentored children, and gave him access to the minor child Nicholas Glenn.

V.

That membership in the Sigma Beta Club is restricted to males which have not reached the age of majority and the parents of the minors were not allowed to attend fraternity events.

VI.

That during the Spring of 2013, the minor Nicholas Glenn, applied and was subsequently initiated into the New Orleans chapter of the Sigma Beta Club.

VII.

That at all relevant times herein Nicholas Glenn was an active member of the New Orleans Sigma Beta Club.

VIII.

That as a member of the Sigma Beta Club, the minor, Nicholas Glenn, participated in community service projects, meetings, and traveled to out of state conventions with active members of Phi Beta Sigma Fraternity, Inc.

IX.

That on or about February 2016, Marcellus White was the weekend host of Nicholas Glenn and his minor brothers at his home located at 3101 Rue Parc Fontaine, #108, in New Orleans, Louisiana, during which he sexually abused him.

X.

That the aforesaid incident and resulting damages and emotional stress was the fault of and proximately caused by Defendant, Marcellus White, in the following, non-exclusive, respects:

- (a) by sexually abusing him;
- (b) by using his supervisory position with the Sigma Beta Club to gain access to minor Nicholas Glenn;
- (c) by failing to exercise reasonable and proper adult supervision over minors and forcing minors to engage in lewd acts; and
- (d) other acts of misconduct which were the cause of the incident and resulting damages to the minor Nicholas Glenn, which will be shown at the trial of this matter.


XI.

That at all relevant times herein, Defendant, Marcellus White, was President of and supervisor of the New Orleans Sigma Beta Club, and acting within the authority of his position with, Phi Beta Sigma Fraternity, Inc. and therefore said Defendants are legally responsible for the acts of Phi Beta Sigma Fraternity member, Marcellus White, pursuant to the Louisiana Civil Code.


XII.

That as a result of the aforesaid acts of Marcellus White and/or fault which led to the sexual abuse of the minor Nicholas Glenn, his custodial parent and natural tutrix, Daniell Savoy, is entitled to recover damages as are reasonable in the premises pursuant to Louisiana Civil Code, including but not limited to the loss of love, affection, companionship, and society of her minor child, Nicholas Glenn.

XIII.

Plaintiff shows that the damages sued on herein exceed the jurisdictional requisite for a jury trial, ~~and pray for a trial by jury on all issues raised herein.~~ 

WHEREFORE, your Plaintiff, Daniell Savoy individually and as the natural tutrix of the minor Nicholas Glenn prays that Defendants Phi Beta Sigma Fraternity, Inc. and Marcellus White be served with a certified copy of this Petition for Damages, and after being duly cited to appear and answer hereto, and after the expiration of all legal delays and due proceedings are had, that there be judgment rendered herein in favor of Plaintiff, Daniell Savoy individually and as the natural tutrix of the minor Nicholas Glenn, and against Defendants, Phi Beta Sigma Fraternity, Inc. and Marcellus White, in solido, for damages as are reasonable in the premises; each of said judgments to bear legal interest from the date of judicial demand, for all costs of these proceedings, and for any and all general and equitable relief to which Plaintiffs may be entitled.

~~Plaintiffs further pray for a trial by jury on all issues raised herein.~~ 

RESPECTFULLY SUBMITTED,

MORRIS BART, LLC
601 POYDRAS STREET, FLOOR 24
NEW ORLEANS, LA 70130
TELEPHONE: (504) 599-3374
TELEFAX: (800)803-0577
E-MAIL: rjames@morrisbart.com

BY: 
RODERICK A. JAMES, NO. 28823

PLEASE SERVE

MARCELLUS WHITE

*Inmate currently incarcerated
Orleans Parish Prison
2800 Gravier St
New Orleans, LA 70119*

THROUGH THE LONG ARM STATUE

PHI BETA SIGMA FRATERNITY, INC

Through its registered agent for service of process:
National Registered Agents Inc.
1015 15th Street NW
Suite 1000
Washington, D.C. 20005