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**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

**IN AND FOR THE COUNTY OF COCONINO**

DOUG BROUGH and CLAUDIA  
BROUGH, husband and wife, as statutory  
wrongful death beneficiaries of their  
deceased son, COLIN BROUGH;  
NICHOLAS PIRING, an unmarried man;  
NICHOLAS PRATO, an unmarried man,

Plaintiffs,

vs.

STEVEN EDWARD JONES, an unmarried  
individual; WARREN HUGH JONES and  
ROSE ANNA JONES, husband and wife;  
SHOOTER'S CHOICE OF ARIZONA,  
LLC, an Arizona limited liability company;

Defendants.

Case No. CV 2017-00310

**COMPLAINT**

**(Tort non-motor vehicle – wrongful death)**

Plaintiffs, for their Complaint against Defendants, allege as follows:

1. Plaintiffs Doug and Claudia Brough are husband and wife and are residents of the State of Colorado. Doug and Claudia Brough are the natural parents of Colin Brough, who died on October 9, 2015.

2. Nicholas Piring is an unmarried Arizona resident currently residing in

1 Maricopa County.

2 3. Nicholas Prato is an unmarried Arizona resident currently residing in  
3 Maricopa County.

4 4. Defendant Steven Edward Jones ("Steven Jones") is an Arizona resident  
5 currently residing in Maricopa County.

6 5. Upon information and belief, Warren Hugh Jones and Rose Anna Jones are  
7 husband and wife and residents of Maricopa County, Arizona, and are the natural parents of  
8 Steven Jones. Upon information and belief Warren Jones was acting for and on behalf of  
9 his marital community at all relevant times.

10 6. Upon information and belief, Shooter's Choice of Arizona, LLC is or was a  
11 limited liability company organized under the laws of the State of Arizona, with a domestic  
12 address of 17837 N. 75<sup>th</sup> Dr., Glendale, Arizona. Arizona Corporation Commission records  
13 for Shooter's Choice of Arizona, LLC reflect the filing of Articles of Termination on  
14 February 24, 2016.

15 7. This Complaint involves events and transaction occurring in Coconino  
16 County, Arizona. Jurisdiction and venue in this Court are therefore appropriate.

17 **The Shooting**

18 8. At approximately 1:20 a.m. on October 9, 2015, witnesses report that Steven  
19 Jones left the scene of an interaction near the Courtyard Apartments in Flagstaff, Arizona  
20 near the Northern Arizona University ("NAU") campus and the Mountain View residence  
21 hall on campus.

1           9.     Upon information and belief, Steven Jones traveled approximately one  
2 hundred and fifty (150) feet from the site of the interaction to his parked car, retrieved a 40  
3 caliber Glock 22 handgun with a tactical light from his glove box, chambered a round, and  
4 then returned approximately ninety-five (95) feet back to the individuals with whom he had  
5 been interacting.

6           10.    In addition to the tactical light, the 40 caliber Glock handgun was equipped  
7 with a fifteen-shot magazine and a "competition extender" that expanded the magazine  
8 capacity to seventeen rounds. Steven Jones had the magazine fully-loaded with seventeen  
9 40 caliber "hollow point" bullets. Steven Jones also had 60 additional rounds of  
10 ammunition in the trunk of his car.

11          11.    Upon information and belief, "hollow point" bullets are designed to "expand"  
12 upon striking a target, which has the effect of decreasing penetration and disrupting more  
13 tissue as the projectile travels through the target.

14          12.    After activating the tactical light on the Glock which had the effect of  
15 blinding some of the unarmed students in the group, Steven Jones discharged an estimated  
16 ten rounds of the hollow point ammunition in the area of the unarmed students. At least  
17 seven of these rounds struck several unarmed members of the group involved in the  
18 interaction. Upon information and belief, no other member of the group in the area of the  
19 interaction, aside from Steven Jones, was in possession of a weapon. Upon information  
20 and belief, Steven Jones later admitted he knew none of the individuals with whom he had  
21 been interacting were in possession of a weapon.

14. Two other bullets fired by Steven Jones struck Nicholas Piring in the right upper arm and the left hip area, respectively.

15. One bullet fired by Steve Jones struck and went through Nicholas Prato's neck.

16. Colin Brough died from his injuries. Nicholas Piring and Nicholas Prato suffered serious injuries and required extensive medical treatment including surgical intervention. Nicholas Piring and Nicholas Prato continue to experience residual limitations from their shooting injuries.

## Background of Warren Jones

17. Plaintiffs incorporate all previous allegations as if the same were fully set forth at this point.

18. Steven Jones's father Warren Jones is a gun owner, gun enthusiast, and claims to be a former certified firearms instructor. Warren Jones was also the sole member of Shooter's Choice of Arizona, LLC, which appears to have been a firearm supply and/or firearm training business he operated out of his home at 17837 N. 75<sup>th</sup> Drive in Glendale, Arizona 85308.

1 19. Upon information and belief, Warren Jones enrolled his son Steven Jones in  
2 firearm training beginning when Steven was age 8.

3 20. When Steven was about 14 or 15 years old, Warren Jones began teaching  
4 Steven personal firearm defense “techniques.” These “techniques” included what Warren  
5 Jones described as a “standard tactical response for a deadly force encounter,” and this  
6 tactical response includes the firing of two rounds in rapid succession at the center mass of  
7 a target. Some firearms instructors and/or law enforcement agencies refer to the firing of  
8 two rounds in rapid succession at the same target as a “double tap” technique.

9 21. Steven Jones stated that since age 8 his father has trained him to aim for  
10 center mass and to use a “double-tap” technique in which the shooter draws and fires two  
11 rounds at the same target in under a second.

12 22. Warren Jones estimates that Steven completed between 10 to 12 shooting  
13 competitions during his teenage years.

14 **Background of Steven Jones**

15 23. Plaintiffs incorporate all previous allegations as if the same were fully set  
16 forth at this point.

17 24. Upon information and belief, Steven Jones’ parents home schooled him from  
18 kindergarten to his senior year of high school.

19 25. In 2014, Steven Jones was reported to be dating a Victoria Armenta in  
20 Glendale, Arizona.

1           26.    On July 11, 2014, after Steven Jones defied limitations imposed by Victoria  
2 Armenta's parents on their dating relationship, her parents obtained an Injunction Against  
3 Harassment from the Glendale City Court forbidding Steven from having contact with  
4 Victoria.

5           27.    In August and September of 2015, Steve Jones was known to be immature for  
6 his age and to be prone to outbursts and/or to defy directions from authority figures.

7           28.    For example, a peer instructor at Northern Arizona University who taught a  
8 class to incoming freshmen students about adjusting to life on campus reported Steve Jones  
9 was disruptive and that she had to ask him to leave her class twice for being on his cell  
10 phone. This same peer instructor also observed that Steven Jones appeared unhappy at  
11 NAU and that he appeared to have difficulty making friends.

12           29.    Steven Jones' Residence Hall Director, Jay Stokes, observed Steve Jones  
13 being disrespectful towards residence hall staff. Mr. Stokes also noted Steve Jones was the  
14 subject of several noise complaints during his short time at the NAU residence hall where  
15 he lived.

16           30.    Despite his immaturity, despite his propensity for outbursts, and despite his  
17 lack of respect for authority figures and others, upon information and belief Steven Jones'  
18 father Warren Jones provided Steven with the 40 caliber Glock 22 handgun with tactical  
19 light, and with the 17-capacity magazine and hollow point ammunition, to take with him to  
20 NAU.  
21

1           31.     Steven Jones had the 40 caliber Glock 22 in his glove box in his vehicle at the  
2 time he was involved in an interaction with members of the group in front of the Courtyard  
3 Apartments.

4                               **Cause of Action One:**

5                                       **Assault**

6                                       **Defendant Steven Jones**

7           32.     Plaintiffs incorporate all previous allegations as if the same were fully set  
8 forth at this point.

9           33.     Steven Jones intended to cause harm to and/or offensive contact with Colin  
10 Brough, Nicholas Piring, and Nicholas Prato, by firing the 40 caliber Glock 22 at them, and  
11 by using hollow point bullets designed to maximize the disruption of tissue.

12          34.     Steven Jones did in fact cause apprehension of an immediate harmful or  
13 offensive contact with Colin Brough, Nicholas Piring, and Nicholas Prato by firing the  
14 hollow point bullets from the 40 caliber Glock 22.

15          35.     As a result of Steven Jones' assault, Plaintiffs have suffered damages in an  
16 amount to be proven at trial.

17                               **Cause of Action Two:**

18                                       **Battery**

19                                       **Defendant Steven Jones**

20          36.     Plaintiffs incorporate all previous allegations as if the same were fully set  
21 forth at this point.

1           37.     Steven Jones intended to cause Colin Brough, Nicholas Piring, and Nicholas  
2 Prato harm or offensive contact by firing the 40 caliber Glock 22 at them, and by using  
3 hollow point bullets designed to maximize the disruption of tissue.

4           38.     Steven Jones did in fact cause harm to and/or offensive contact with Colin  
5 Brough, Nicholas Piring, and Nicholas Prato by firing the hollow point bullets from the 40  
6 caliber Glock 22. Colin Brough died from his injuries and Nicholas Piring and Nicholas  
7 Prato suffered serious injuries and serious residual limitations.

8           39.     As a result of Steven Jones' battery, Plaintiffs have suffered damages in an  
9 amount to be proven at trial.

10                               **Cause of Action Three:**

11                               **Willful or Wanton Conduct/Aggravated Negligence**

12                               **Defendant Steven Jones**

13           40.     Plaintiffs incorporate all previous allegations as if the same were fully set  
14 forth at this point.

15           41.     In the alternative, by firing the 40 caliber Glock 22 with hollow point bullets,  
16 Steven Jones acted with reckless indifference to the results, or to the rights and safety of  
17 Colin Brough, Nicholas Piring and Nicholas Prato.

18           42.     Steven Jones' actions created an unreasonable risk of harm, and the risk was  
19 so great that it was highly probable that the harm to Colin Brough, Nicholas Piring and  
20 Nicholas Prato would occur.



1           43. As a result of Steven Jones willful and wanton conduct, Plaintiffs have  
2 suffered damages in an amount to be proven at trial.

3                                   **Cause of Action Four:**

4                                   **Negligent Entrustment**

5                                   **Warren Jones and Shooter's Choice of Arizona LLC**

6           44. Plaintiffs incorporate all previous allegations as if the same were fully set  
7 forth at this point.

8           45. Upon information and belief, Warren Jones and/or his company Shooter's  
9 Choice of Arizona, LLC ("Shooter's Choice") supplied Steven Jones with the 40 caliber  
10 Glock 22, with the 17-capacity (including "competition extender") magazine and with the  
11 hollow point bullets for his use while at NAU.

12           46. Upon information and belief, Warren Jones and/or Shooter's Choice knew or  
13 should have known that Steven Jones was likely because of his youth, his immaturity, his  
14 propensity for outbursts, and his lack of respect for authority, to use the 40 caliber Glock  
15 22, magazine and hollow point bullets in a manner involving an unreasonable risk of  
16 physical harm to others whom Warren Jones and/or Shooter's Choice knew or should have  
17 known would be endangered by its use.

18           47. Steven Jones did in fact use the 40 caliber Glock 22, magazine and hollow  
19 point bullets in an unreasonable manner and as result endangered and caused harm to Colin  
20 Brough, Nicholas Piring and Nicholas Prato.

**Cause of Action Five:**

## Negligent Supervision and Training

## Warren Jones and Shooter's Choice of Arizona LLC

49. Plaintiffs incorporate all previous allegations as if the same were fully set forth at this point.

50. Under the circumstances presented by this case, including Warren Jones and/or Shooter's Choice of Arizona LLC's voluntary assumption of training and supervision responsibility of Steven Jones' use of a firearm, Steven Jones' relative youth, Steven Jones' immaturity, propensity for angry outbursts and lack of respect for authority, Warren Jones and/or Shooter's Choice of Arizona, LLC had a duty to adequately train and supervise Steven Jones as to all aspects of the safe use of the 40 caliber Glock 22.

51. Upon information and belief, Warren Jones and/or Shooter's Choice of Arizona, LLC breached the duty to properly train and/or supervise Steven Jones as to the use of the 40 caliber Glock 22.

52. As a result of Warren Jones' and/or Shooter's Choice of Arizona, LLC's failure to adequately train and supervise Steven Jones as to all aspects of the safe use of the 40 caliber Glock 22, Plaintiffs have suffered damages in an amount to be proven at trial.

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**Cause of Action Six:**

**Negligence Per Se**

**Steven Jones**

53. Plaintiffs incorporate all previous allegations as if the same were fully set forth at this point.

54. Upon information and belief, Steven Jones violated various statutes and/or City ordinances in discharging the 40 caliber Glock 22 on October 9, 2015.

55. These violations include, but may not be limited to, endangerment under A.R.S. § 13-1201(A), threatening or intimidating under A.R.S. § 13-1202(A)(1), assault under A.R.S. § 13-1203(A)(1), criminal nuisance under A.R.S. § 13-2908(A)(1), interference with or disruption of an educational institution under A.R.S. § 13-2911(A)(1)(a) and (A)(2), misconduct involving weapons A.R.S. § 13-3102(A)(8) and (12), unlawful discharge of a firearm under 13-3107(A), and the firing of a weapon within city limits under Flagstaff City Code SECTION 6-01-001-0013.

56. The statutes and ordinances Steven Jones violated are statutes and ordinances enacted for the protection and safety of the public.

57. Plaintiffs fall within the class of persons these statutes and ordinances are intended to protect.

58. These statutes and ordinances are intended to protect members of the public from the harm associated with discharging a firearm and/or assaulting, endangering,

1 threatening and intimidating, interfering with or disrupting an educational institution,  
2 and/or creating a criminal nuisance.

3 59. As a direct and proximate result of Steven Jones' violation of these statutes  
4 and ordinances, Plaintiffs have suffered injuries and damages as will be proven at trial.

5 60. This Court should adopt as the standard of care of a reasonable man the  
6 requirements of these statutes and ordinances, and any violations thereof should constitute  
7 negligence per se.

8 **Cause of Action Seven:**

9 **Negligence Per Se**

10 **Warren Jones and Shooter's Choice of Arizona LLC**

11 61. Plaintiffs incorporate all previous allegations as if the same were fully set  
12 forth at this point.

13 62. Upon information and belief, Warren Jones and/or Shooter's Choice of  
14 Arizona, LLC, violated A.R.S. § 13-3102(A)(14) by supplying, selling or giving possession  
15 or control of the 40 caliber Glock 22 to Steven Jones knowing or having reason to know  
16 that Steven Jones would use the firearm in the commission of any felony.

17 63. This statute was enacted for the protection and safety of the public.

18 64. Plaintiffs fall within the class of persons this statute was intended to protect.

19 65. This statute protects members of the public from the harm associated with the  
20 felonious use of a firearm.

21

1           66. As a direct and proximate result of Warren Jones and/or Shooter's Choice of  
2 Arizona, LLC's violation of this statute, Plaintiffs have suffered injuries and damages as  
3 will be proven at trial.

4           67. This Court should adopt as the standard of care of a reasonable man the  
5 requirements of this statute, and any violation thereof should constitute negligence per se.

6                           **Cause of Action Eight:**

7                                   **Intentional Infliction of Emotional Distress**

8   **Steven Jones**

9           68. Plaintiffs incorporate all previous allegations as if the same were fully set  
10 forth at this point.

11          69. Steven Jones' actions in discharging his 40 caliber Glock 22 with hollow  
12 point bullets into unarmed members of the crowd in front of the Courtyard Apartments,  
13 including Colin Brough, Nicholas Piring and Nicholas Prato, was extreme and outrageous.

14          70. Steven Jones' actions were either intentional or reckless, and his actions  
15 caused Plaintiffs to suffer severe emotional distress.

16          71. As a result of Steven Jones extreme and outrageous actions Plaintiffs have  
17 suffered damages in an amount they will prove at trial.

18                           **Cause of Action Nine:**

19                                   **Negligent Infliction of Emotional Distress**

20   **Steven Jones**

21          72. Plaintiffs incorporate all previous allegations as if the same were fully set

1 forth at this point.

2 73. Steven Jones was at a minimum negligent in discharging his 40 caliber Glock  
3 22 into an unarmed crowd.

4 74. Steven Jones' negligence created an unreasonable risk of bodily harm and did  
5 in fact cause bodily harm to Colin Brough, Nicholas Piring and Nicholas Prato.

6 75. Steven Jones' negligence was a cause of emotional distress to Nicholas Piring  
7 and Nicholas Prato, and resulted in physical injury or illness to them as well.

8 76. As a result of Steven Jones' negligence, Plaintiffs have suffered damages in  
9 an amount they will prove at trial.

10 Plaintiffs request the following relief on their Complaint:

- 11 1. For Plaintiffs Doug and Claudia Brough, for wrongful death damages for the loss  
12 of love, affection, companionship, care, protection, and guidance of Colin, and  
13 for their pain, grief, sorrow, anguish, stress and mental suffering now and in the  
14 future, and for the reasonable expenses of funeral and burial and for necessary  
15 medical care and services for the injury that caused Colin's death;
- 16 2. For all remaining Plaintiffs, for reasonable expenses of necessarily medical care,  
17 for pain, discomfort, suffering, disability and anxiety, for any lost earnings  
18 and/or lost earning capacity, and for loss of enjoyment of life;
- 19 3. For punitive or exemplary damages against all Defendants found to have acted  
20 with reckless indifference or with an evil hand guided by an evil mind;
- 21 4. For all further damages the Court deems appropriate under the circumstances.

1 DATED: June 30, 2017.

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