

DISTRICT COURT, WELD COUNTY, COLORADO 901 9 th Avenue, P.O. Box 2038, Greeley, CO 80632 (970) 475-2400	
SANDRA RZUCEK; FRANKLIN RZUCEK, SR.; FRANKLIN RZUCEK, SR. AS PERSONAL REPRESENTATIVE OF THE ESTATE OF SHANANN CATHRYN WATTS Plaintiffs v. CHRISTOPHER LEE WATTS Defendant	DATE FILED: November 19, 2018 10:20 AM FILING ID: 5F2033555BEEE CASE NUMBER: 2018CV31038 <p style="text-align: center;">▲ COURT USE ONLY ▲</p>
ATTORNEYS FOR PLAINTIFF: Michael J. Newman (Pro Hac Vice) (#15993 N.C.) Van Camp, Meacham & Newman, PLLC Two Regional Circle, Pinehurst, NC 28374 Tel: 910-295-2525 Fax: 910-295-2001 Email: michaeln@vancamplaw.com Thomas D. Grant (#22619) Brad Hoffman (#34635) Steven Lambert (#51346) GRANT & HOFFMAN LAW FIRM, P.C. 821 9 th Street Greeley, Colorado 80631 Phone: (970) 356-5666 Fax: (970) 356-8967 Email: tgrant@grantandhoffmanlaw.com Email: bhoffman@grantandhoffmanlaw.com Email: slambert@grantandhoffmanlaw.com	Case Number: Division:
COMPLAINT AND JURY DEMAND	

Plaintiffs, Sandra Rzucek and Frank Rzucek, Sr., as heirs of the Estates of Shanann Cathryn Watts, Bella Marie Watts, and Celeste Cathryn Watts, and Franklin Rzucek, Sr. as Personal Representative of the Estate of Shanann Cathryn Watts, by and through their attorneys of record, Michael Newman of Van Camp, Meacham & Newman, PLLC and Thomas D. Grant, Brad Hoffman, and Steven

Lambert of Grant & Hoffman Law Firm, P.C., hereby submit their Complaint and Jury Demand as follows:

SUMMARY OF THE CASE

1. This case seeks economic, non-economic, and at the appropriate time punitive and exemplary damages under Colorado's Wrongful Death Statute (C.R.S. § 13-21-201, *et. seq.*), arising from Defendant Christopher Watt's (hereinafter referred to as "Defendant") intentional and premeditated murder of his pregnant wife, Shanann Cathryn Watts (age 34) (hereinafter referred to as "Shanann"), and his two daughters, Bella Marie Watts (age 4) (hereinafter referred to as "Bella") and Celeste Cathryn Watts (age 3) (hereinafter referred to as "Celeste"). Defendant murdered his family on August 13, 2018 inside their home in Frederick, Colorado. Defendant thereafter attempted to conceal his crimes by dumping the remains of Bella, and Celeste in oil tanks and burying Shanann nearby in a shallow grave.

2. The State of Colorado indicted and charged Defendant with nine felony counts, including the first degree murder of Shanann, Bella, and Celeste, and unlawful termination of a pregnancy. On November 6, 2018, Defendant entered a plea of guilty as to all nine felonies.

PARTIES

3. Plaintiffs Sandra Rzucek (hereinafter referred to as "Plaintiff Sandra") and Franklin Rzucek, Sr. (hereinafter referred to in his individual capacity as "Plaintiff Franklin") are the mother and father of Shanann, and the maternal grandparents of Bella and Celeste. By this virtue they are the deceased's next of kin under Colorado law.

4. Plaintiff Franklin is also the duly-appointed Personal Representative of the Estate of Shanann per Colorado Case Number 2018PR190. In that case Judge Hartmann appointed Plaintiff Franklin as the Personal Representative of Shanann's Estate on October 4, 2018 by the issuance of

unrestricted Letters of Administration, attached hereto as *Exhibit 1*. This enables Plaintiff Franklin, on behalf of the Estate of Shanann, to bring a survival action in Shanann's stead.

5. Defendant Christopher Lee Watts is a citizen and resident of Frederick, Colorado located in Weld County. Defendant was the husband of Shanann, and the father of Bella and Celeste.

JURISDICTION AND VENUE

6. Plaintiff hereby incorporates all allegations made elsewhere in the Complaint, by reference.

7. Venue for this proceeding is proper in the City of Greeley, County of Weld, pursuant to C.R.C.P. Rule 98(c) as Defendant is a resident of Weld County.

8. Plaintiffs have judicial standing to bring an action for wrongful death as they are the heirs of Shanann's estate. Defendant is a felonious killer as defined by C.R.S. § 15-11-803, *et seq.*, and is by law is deemed to have predeceased his victims. As a consequence of his actions, he is prohibited from maintaining any estate action or otherwise profiting from his crimes. Further, because there are no lineal descendants of Shanann due to Defendant's felonious killing, Plaintiffs are statutorily permitted to bring this action pursuant to C.R.S. § 13-21-201, *et seq.*, as they are the lawful heirs of the deceased. As stated above, Plaintiff Franklin is enabled by statutory law to bring a survival action in Shanann's place under C.R.S. § 13-20-101, *et seq.*, as he has been appointed the Personal Representative for Shanann's Estate.

9. Jurisdiction is proper because Defendant is a resident of Weld County, Colorado and his crimes as referenced occurred in Weld County, Colorado.

FACTUAL ALLEGATIONS

8. Plaintiff hereby incorporates all allegations made elsewhere in the Complaint, by reference.

9. Defendant and Shanann were married on 3 November 2012, in Charlotte, North Carolina. Their first child, Bella, was born in 2013, and their second child, Celeste, was born in 2015. At the time of the events complained of herein, Shanann was 15 weeks pregnant with their third child, who the family had already named Nico Watts.

10. At approximately 1:48 a.m. in the early morning hours of August 13, 2018, Shanann, who was returning from a business trip to Arizona, was dropped off by her friend, Nicole Utoft Atkinson, at the family's home located at 2825 Saratoga Trail, in Frederick, Colorado. A neighbor's video surveillance camera established that Ms. Atkinson's vehicle drove away from Shanann's home at approximately 1:48 a.m.

11. Upon information and belief, shortly after she returned home, and within the family home, Shanann was murdered by Defendant. Defendant likewise murdered Bella and Celeste.

12. Several hours later, at approximately 5:27 a.m., the neighbor's video surveillance cameras showed Defendant backing his truck into the driveway and driving away a short time later.

13. Defendant originally told investigators he had backed his truck into the driveway at that time to load tools, because he had decided to leave early for work that morning. Defendant also originally told investigators that Shanann and the children were asleep in bed when he left for work.

14. Defendant's statements to investigators were patently false, and were a complete fabrication. In reality, Defendant backed his truck into the driveway that morning to remove the bodies of his wife and children from the home, in an effort to conceal the fact that he had just brutally murdered his entire family.

15. After loading the bodies of his family into his truck, Defendant drove to an oil work site, later identified as CERVI 319 with GPS coordinates 40.21624374, -104.36667. In an effort to

further conceal his crimes, Defendant buried Shanann near two oil tanks, and dumped the bodies of his children, Bella and Celeste inside the oil tanks.

16. Later that morning, and concerned because Shanann had not returned her phone calls and texts, Ms. Atkinson drove to Shanann's home to check on her well-being. Shanann's car was in the garage, with the children's car seats inside, and the front door was latched. Ms. Atkinson telephoned the Defendant to express her concern that Shanann may have suffered a medical episode, and asked Defendant to return home. Ms. Atkinson also called law enforcement to report her concerns.

17. Law enforcement arrived at the family home shortly after receiving Ms. Atkinson's call, and Defendant arrived thereafter. The investigating officers searched the home, but could not locate Shanann, Bella, or Celeste. Defendant, when questioned by law enforcement, continued with his efforts to conceal his crimes, and falsely informed investigators that Shanann and the children had been asleep in bed when he left early that morning, and that he had no idea where they might be.

18. Defendant continued with his efforts to mislead investigators for several days, falsely claiming that he had no knowledge of the whereabouts of Shanann, Bella, and Celeste. Defendant also gave multiple interviews to television and media outlets, where he falsely claimed that he missed his family and was hoping they would all come home, so as to end his supposed "nightmare" of life without his wife and children.

19. Defendant made these false statements to law enforcement, the media, and anyone else from whom he could gain sympathy. He did this despite knowing full well that he had murdered his entire family, and that the bodies of his wife and children currently lied buried and submerged in oil drums.

20. Only days later, with his cover story falling apart and investigators closing in, did Defendant purportedly "confess" as to his involvement in Shanann's, Bella's, and Celeste's

disappearances. However, even in his initial purported “confession,” Defendant again maliciously and fraudulently attempted to mislead investigators by falsely claiming that he had only murdered Shanann after he caught her attempting to strangle Celeste. Defendant’s initial “confession” was patently false, absurd, and grotesque.

21. On August 16, 2018 Defendant was arrested and charged with nine separate felony counts. Thereafter, on November 6, 2018, Defendant finally pled guilty to all nine felony counts, including first degree murder for the killings of Shanann, Bella, and Celeste.

**FIRST CLAIM FOR RELIEF—WRONGFUL DEATH
(Shanann, Bella, and Celeste)**

21. Plaintiffs hereby incorporates all allegations made in the Complaint, by reference.

22. Plaintiffs may sue and recover damages for the decedent’s deaths caused by the wrongful act of the Defendant because said act, if death had not ensued, would have entitled the decedents to maintain an action and recover damages in respect thereof.

23. Defendant willfully and wantonly murdered Shanann Cathryn Watts, Bella Marie Watts, and Celeste Cathryn Watts, and has entered a plea of guilty as to those crimes.

24. Shanann, Bella, and Celeste, and each of them, were in excellent health at the time of their death, and Shanann was actively employed and earned an income to support her family.

25. Because of Defendant’s actions complained of herein, Plaintiffs and the estate heirs have incurred funeral expenses and burial expenses for Shanann, Bella, and Celeste. Further, Defendant’s actions have caused Plaintiffs pain and suffering, emotional trauma and the loss of the society and companionship of Shanann, Bella, and Celeste.

26. Pursuant to Colorado’s Wrongful Death statute and other applicable law, and based upon Defendant’s actions complained of herein, Plaintiffs are entitled to recover from Defendant

economic and non-economic damages for the deaths of Shanann, Bella, and Celeste, and each of them, as permitted by law and as the evidence presented at trial will demonstrate.

27. Further, following the sixty (60) days after the parties' exchange of initial disclosures in this matter, and pursuant to C.R.S. § 13-21-203(3)(c), Plaintiff hereby notifies Defendant that Plaintiff shall seek leave of court to amend this Complaint to assert against Defendant an additional claim for punitive and exemplary damages as permitted by applicable law.

**SECOND CLAIM FOR RELIEF – SURVIVAL ACTION
(Shanann – Unlawful Termination of a Pregnancy)**

28. Plaintiffs hereby incorporates all allegations made in the Complaint, by reference.

29. At the time of Shanann's death, she was pregnant with her and the Defendant's third child, to be named Nico Watts. At that time, Defendant knew Shanann was pregnant. Therefore, Defendant knowingly caused the wrongful termination of Shanann's pregnancy.

30. C.R.S. § 13-20-101 concerns survival actions and states that "all causes of action, except actions for slander and libel, survive and may be brought... notwithstanding the death of the person in favor of... whom such action has accrued."

31. Under C.R.S. § 13-20-101(2), any survival action may be brought by the personal representative of the deceased. Such actions, under subsection (1), may be brought in conjunction with a wrongful death claim.

32. As stated above, Plaintiff Franklin was appointed the personal representative for the Estate of Shanann in Colorado Case Number 2018PR190.

33. C.R.S. § 13-21-1205 allows a woman to bring an action for damages against any person who intentionally, knowingly, or recklessly caused an unlawful termination of her pregnancy. Such an action allows for the recovery of economic, non-economic, and exemplary damages under C.R.S. § 13-21-102.

34. Pursuant to the above, Plaintiff Franklin, on behalf of the Estate of Shanann, is entitled to recover economic, non-economic, and exemplary damages for Defendant's wrongful termination of Shanann's pregnancy with Nico Watts.

PRAYER FOR RELIEF

Plaintiffs Sandra Rzucek and Franklin Rzucek, Sr. , both as heirs for Shanann Cathryn Watts, Bella Marie Watts, and Celeste Cathryn Watts, and as the Personal Representative of the Estate of Shanann, pray for judgment upon all claims against Defendant Christopher Lee Watts, and request economic, non-economic, and exemplary damages for pain and suffering, Plaintiffs' and the family's permanent and continuing emotional distress, the wrongful termination of Shanann's pregnancy with Nico Watts, and funeral expenses as a result of Defendant's fraudulent, malicious, willful and wanton conduct, plus pre- and post-judgment interest as provided by law, attorneys' fees and costs, and such other relief as the Court deems just and proper.

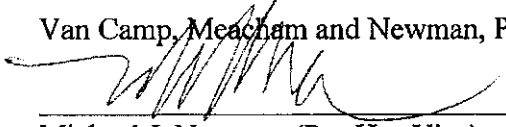
JURY DEMAND

PLAINTIFF HEREBY DEMANDS TRIAL BY JURY ON ALL ISSUES SO TRIABLE.

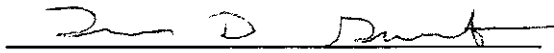
Dated this 19 day of November, 2018.

Respectfully submitted,

Van Camp, Meacham and Newman, PLLC


Michael J. Newman (Pro Hac Vice)

Grant & Hoffman Law Firm, P.C.


Thomas D. Grant and Steven Lambert

ATTORNEYS FOR PLAINTIFF