

PATRICK W. STEINFELD (SBN 138128)
STEINFELD LAW FIRM
Patrick@SteinfeldLawFirm.com
941 Orange Ave., No. 338
Coronado, California 92101
T: (424) 529-7767 F: (777) 719-4655

Attorneys for Plaintiffs.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

MERCEDES MARTINEZ, individually
and as successor-in-interest to
CELESTE R., deceased minor; and
JESUS EDGARDO RIVAS
ALVARADO, individually and as
successor-in-interest to CELESTE R.,
deceased minor,

PLAINTIFFS,

vs.

DAVID ANTHONY BURKE, an
individual, also known as "D4VD";
D4VD ENT., LLC;
HEADSPACE PUBLISHING, LLC;
SKULLROSE MERCHANDISE, LLC;
JOSH MARSHALL, an individual;
MOGUL VISION LLC;
MOGUL VISION PARTNERS;
ROBERT MORGANROTH, an
individual;
SHELDON JACQUES, an individual;
COLLEEN BURKE, also known as
COLLEEN M. ROBERTS-BURKE, an
individual; and DOES 1 through 50,

DEFENDANTS.

Case No.

COMPLAINT FOR DAMAGES

- (1) **WRONGFUL DEATH**
- (2) **SURVIVAL ACTION – BATTERY (FATAL STABBING)**
- (3) **SURVIVAL ACTION - SEXUAL BATTERY**
- (4) **SURVIVAL ACTION - CHILDHOOD SEXUAL ASSAULT**
- (5) **SURVIVAL ACTION - ASSAULT**
- (6) **SURVIVAL ACTION - FALSE IMPRISONMENT**
- (7) **SURVIVAL ACTION - INTENTIONAL
INFLICTION OF EMOTIONAL DISTRESS**
- (8) **NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
INTERFERENCE WITH RIGHT TO CONTROL
DISPOSITION OF REMAINS (H&S § 7100)**
- (9) **SURVIVAL ACTION - HUMAN TRAFFICKING**
- (10) **SURVIVAL ACTION - CHILDHOOD SEXUAL
ASSAULT: NEGLIGENCE AND BREACH OF DUTY
TO PROTECT (CCP § 340.1)**
- (11) **SURVIVAL ACTION - NEGLIGENCE**
- (12) **SURVIVAL ACTION - AIDING AND ABETTING**

DEMAND FOR JURY TRIAL

COMES NOW plaintiffs MERCEDES MARTINEZ and JESUS EDGARDO RIVAS ALVARADO,
both individually and as successors in interest to Celeste R., deceased Minor (collectively
"PLAINTIFFS") for causes of actions against the above defendants, who complain and allege as follows.

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INTRODUCTION

1. Except for those allegations within Plaintiffs' personal knowledge, the allegations of this Complaint are made on information and belief. The grounds for that belief include, without limitation, the evidence and records of the Preliminary Hearing in People v. David Anthony Burke, Los Angeles Superior Court Case No. 26CJCF02399, the related criminal record, and Plaintiffs' continuing investigation. The specific acts alleged, with their approximate dates, are drawn from these and other sources known or available to Plaintiffs. Plaintiffs allege that these and the other factual contentions of this Complaint have evidentiary support or, where specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation and discovery. Plaintiffs reserve the right to allege additional acts and to amend as further information is obtained.

THE PARTIES

2. Plaintiff MERCEDES MARTINEZ is, and at all relevant times was, an individual residing in Riverside County, California. She is the biological mother of decedent Celeste R. ("Decedent"), a minor born September 7, 2010.

3. Plaintiff JESUS EDGARDO RIVAS ALVARADO is, and at all relevant times was, an individual residing in Riverside County, California. He is the biological father of Decedent.

4. Decedent was 14 years old at the time of her death on or about April 23, 2025. Because she was a minor, she is identified by first name and last initial only. Decedent left no surviving spouse, domestic partner, or issue. Plaintiffs are Decedent's sole surviving heirs and the persons entitled to her property by intestate succession.

5. Plaintiffs bring the First Cause of Action in their individual capacities as Decedent's heirs under Code of Civil Procedure § 377.60. Plaintiffs bring the Second through Seventh Causes of Action as Decedent's successors in interest under Code of Civil Procedure §§ 377.30 and 377.32. Plaintiffs bring the Eighth Cause of Action in their individual capacities pursuant to Health & Safety Code § 7100. Plaintiffs bring the Ninth through Twelfth Cause of Action as Decedent's successors in interest under Code of Civil Procedure §§ 377.30 and 377.32. No estate of Decedent has been opened, no proceeding for administration of Decedent's estate is now

1 pending in California, and no personal representative has been appointed. Decedent left no will
2 disposing of these causes of action or otherwise directing their disposition. Because Decedent
3 died intestate leaving no surviving spouse, domestic partner, or issue, her causes of action pass to
4 Plaintiffs, her surviving parents, who succeed to them in equal shares under Probate Code §§
5 6401 and 6402. Plaintiffs are therefore Decedent's co-equal successors in interest as defined in
6 Code of Civil Procedure § 377.11, and no other person has a superior right to commence these
7 causes of action or to be substituted as Decedent's successor in interest. The declaration required
8 by Code of Civil Procedure § 377.32, executed by both Plaintiffs to reflect their status as co-equal
9 successors in interest, is filed concurrently with this Complaint. A true and correct copy of
10 Decedent's Certified Death Certificate is submitted with that declaration.

11 6. Defendant DAVID ANTHONY BURKE ("Burke"), born March 28, 2005, and known
12 professionally as "D4VD," is a recording artist who at all relevant times resided in Los Angeles County
13 at 1368 Doheny Place, Los Angeles, and previously at 804 North Doheny Drive, West Hollywood.

14 7. Defendant D4VD ENT., LLC ("D4VD Entertainment") is, and at all relevant times
15 was, a limited liability company formed under the laws of the State of Delaware and registered to
16 transact business in Texas, with a mailing address of 1501 S. MoPac Expressway, Suite 220,
17 Austin, Texas. Burke is its owner and a director, and Colleen M. Roberts-Burke and Dawud
18 Burke are its members. D4VD Entertainment was Burke's principal recording and entertainment
19 enterprise, and Burke's recording income was paid into D4VD Entertainment. Plaintiffs are
20 informed and believe, and thereon allege, that D4VD Entertainment conducted business in, and
21 directed its enterprise activities into, Los Angeles County.

22 8. Defendant HEADSPACE PUBLISHING, LLC ("Headspace") is, and at all relevant
23 times was, a limited liability company formed under the laws of the State of Delaware and
24 registered to transact business in Texas, with a mailing address of 1501 S. MoPac Expressway,
25 Suite 220, Austin, Texas. Burke is its owner and a director. Headspace was Burke's music-
26 publishing enterprise.

27 9. Defendant SKULLROSE MERCHANDISE, LLC ("Skullrose") is, and at all relevant
28 times was, a limited liability company formed under the laws of the State of Delaware and

1 registered to transact business in Texas, with a mailing address of 1501 S. MoPac Expressway,
2 Suite 220, Austin, Texas. Burke is its owner and a director. Skullrose was Burke's merchandising
3 enterprise. D4VD Entertainment, Headspace, and Skullrose are collectively referred to herein as
4 the "ENTITY DEFENDANTS."

5 10. Defendant JOSH MARSHALL is, and at all relevant times was, an individual who
6 owned and controlled Defendants MOGUL VISION LLC and MOGUL VISION PARTNERS
7 (collectively, "MOGUL VISION"). Mogul Vision was a music-management enterprise whose
8 principal client was Burke, and Marshall served as Burke's personal manager. Mogul Vision
9 leased the Los Angeles residence at which Burke resided and at which acts alleged herein
10 occurred; a portion of the lease cost was paid by one or more of Entity Defendants, and approved
11 by Defendant Colleen Burke. Mogul Vision arranged the hiring of a live-in security guard,
12 Defendant Sheldon Jacques, to reside with Burke.

13 11. Defendant ROBERT MORGANROTH is, and at all relevant times was, an individual
14 who served as Burke's "day-to-day" manager, was a salaried employee paid through Mogul Vision
15 Partners, relocated to Los Angeles to manage Burke's affairs, processed and routed Burke's bills for
16 payment, and maintained a room at the 1368 Doheery Place residence. Marshall, Mogul Vision, and
17 Morganroth are collectively referred to herein as the "MANAGEMENT DEFENDANTS."

18 12. Defendant SHELDON JACQUES is, and at all relevant times was, an individual hired
19 to serve as Burke's live-in security guard, who resided with Burke for approximately six months
20 during the period of the abuse alleged herein.

21 13. Defendant COLLEEN BURKE, also known as COLLEEN M. ROBERTS-BURKE, is,
22 and at all relevant times was, an individual who is Burke's mother, and a member of D4VD Ent.,
23 LLC who served as Burke's personal finance director at a salary of approximately \$75,000 per year.
24 She was a signatory on Burke's accounts, approved and paid the bills of the enterprise (including the
25 Los Angeles residence lease), replenished his accounts, and controlled the flow of the enterprise's funds.

26 14. The liability alleged against the Entity Defendants rests on their own direct negligence
27 and breach of duty, and not on vicarious liability for Burke's intentional torts or for the killing of
28 Decedent. Plaintiffs do not, in this Complaint, assert any alter-ego or veil-piercing claims against

1 the Entity Defendants, and expressly reserve any such theory, and any related asset-recovery
2 remedy, for post-judgment proceedings.

3 15. The true names and capacities, whether individual, plural, corporate, partnership,
4 association, or otherwise, of defendants DOES 1 through 50, inclusive, are unknown to Plaintiffs,
5 who therefore sue those defendants by such fictitious names. The full extent of the facts linking
6 such fictitiously sued defendants is unknown to Plaintiffs. Plaintiffs are informed and believe, and
7 thereon allege, that each of the defendants designated herein as a DOE was, and is, negligent, or
8 in some other actionable manner, responsible for the events and happenings hereinafter referred
9 to, and thereby negligently, or in some other actionable manner, legally and proximately caused
10 the injuries and damages hereinafter described. Plaintiffs are informed and believe, and thereon
11 allege, that one or more DOE defendants participated in the killing, dismemberment,
12 concealment, or disposal of Decedent or her remains, or otherwise facilitated the conduct alleged
13 herein, and Plaintiffs will hereafter seek leave of the court to amend this Complaint to show the
14 defendants' true names and capacities after the same have been ascertained. Burke, the Entity
15 Defendants, the Management Defendants, Sheldon Jacques, Colleen Burke, and DOES 1 through
16 50, inclusive, are collectively referred to herein as "Defendants."

17 JURISDICTION AND VENUE

18 16. This Court has subject-matter jurisdiction because the amount in controversy exceeds
19 the jurisdictional minimum and Plaintiffs seek damages according to proof.

20 17. Venue is proper in Los Angeles County because the acts alleged of sexual abuse, the
21 killing, and the mutilation and concealment of Decedent's remains, occurred in Los Angeles
22 County, and Burke resided in this County at all relevant times.

23 GENERAL ALLEGATIONS

24 18. Burke, born March 28, 2005, is a recording artist who performs professionally under
25 the name "D4VD." Decedent, Celeste R., was a child born September 7, 2010.

26 19. Burke first contacted Decedent online on or about August 8, 2022, when Decedent was
27 11-years old and Burke was 17. The two first met in person in or about November 2023. Between November
28 2023 and mid-March 2025, Burke and Decedent exchanged approximately 8,000 to 9,000 text messages.

20. Beginning on or about November 2023, when Decedent was 13 years old and Burke was 18, and continuing through 2024 and into 2025, Burke engaged in a continuous sexual relationship with Decedent, repeatedly engaging in sexual intercourse and other sexual acts with her. By his own admission, Burke engaged in sexual intercourse with Decedent no fewer than six times while she was 13 years old, and he engaged in additional sexual acts with her thereafter. The specific acts include, without limitation: (a) on or about November 2023, Burke began engaging in sexual intercourse with Decedent, then 13 years old; (b) on or about November 25, 2023, and in the weeks following, Burke exchanged text messages with Decedent tracking her menstrual cycle and discussing potential pregnancy, and directed her to use a period-tracking application, reflecting ongoing sexual intercourse; (c) on or about December 23, 2023, Burke and Decedent exchanged text messages concerning Decedent's use of the "Plan B" emergency contraceptive following sexual intercourse; (d) on or about December 31, 2023, when Decedent was 13 years old, after Decedent referred to Burke having had sex with her "ten times," Burke responded, "Six actually baby," thereby admitting that he had engaged in sexual intercourse with the 13-year-old Decedent no fewer than six times as of that date (People v. Burke, RT Vol 4, 118:15); (e) on or about January 8-9, 2024, Burke and Decedent exchanged text messages concerning an abortion of a pregnancy Burke acknowledged was his, following sexual intercourse; (f) on or about June 24, 2024, and on multiple later dates in 2024, Burke created and possessed photographic images depicting Burke and Decedent, then 13 and 14 years old, engaged in sexual intercourse and oral copulation and depicting Decedent's genitalia and bare breasts, taken in Burke's bedroom at 1368 Doherty Place; (g) on or about August 30, 2024, Burke and Decedent exchanged text messages concerning the loss of a pregnancy that Burke acknowledged was his, again reflecting ongoing sexual intercourse; and (h) through on or about March 2025, Burke continued to engage in sexual acts with Decedent, as reflected in their text messages, including Decedent's message that "all we do is have sex" (People v. Burke, RT Vol 4, 158:19-20).

21. At all relevant times Burke was an adult who occupied a position of authority over Decedent, a minor, and was able to and did exercise undue influence and control over her, including by providing her a concealed cellular telephone to maintain contact outside her parents'

1 knowledge, using false identities, and arranging and paying for her travel.

2 22. In or about February 2024, Burke orchestrated Decedent's departure from her family.
3 On or about February 17, 2024, law enforcement told Burke that Decedent was only 13 years old.
4 Despite this knowledge, Burke continued his sexual relationship with Decedent.

5 23. During the course of the relationship, and while Decedent was 13 years old, Burke caused
6 Decedent to become pregnant and to undergo an abortion, and repeatedly engaged her in discussions
7 of pregnancy, abortion, and the use of the 'Plan B' emergency contraceptive, manipulating and
8 coercing her throughout the relationship and causing her documented emotional deterioration.

9 24. On or about April 22, 2025, beginning at approximately 10:06 p.m., Burke and
10 Decedent engaged in a prolonged argument by text message concerning Burke's relationships
11 with other women.

12 25. At approximately 10:21 p.m. on April 22, 2025, Decedent threatened to end Burke's
13 career and to expose their relationship, texting words to the effect of "I will end your career and
14 your life." (People v. Burke, RT Vol. 5, 14:18-19) At the time, Burke had an emerging,
15 multi-million-dollar music career and a debut studio album scheduled for release on or about April
16 25, 2025, which gave Burke a motive to silence Decedent.

17 26. On or about April 23, 2025, at approximately 8:20 p.m., Decedent asked Burke to send a
18 rideshare vehicle. Between approximately 8:34 and 8:39 p.m., Burke arranged and confirmed an Uber
19 to transport Decedent from the vicinity of her family's home to his residence at 1368 Doheny Place.

20 27. At approximately 10:02 p.m. on April 23, 2025, Decedent texted that she was arriving.
21 At approximately 10:10 p.m. Burke responded "Gate open. Door unlocked," (People v. Burke,
22 RT Vol. 5, 18:9). Uber records reviewed by the investigating detective confirm the Decedent
23 arrived at approximately 10:10 p.m. (People v. Burke, RT Vol. 5, 20:1-6). Decedent sent no
24 further communications after approximately 10:31 p.m. that night.

25 28. Soon after Decedent entered the residence, and no later than approximately 10:31 p.m.
26 on April 23, 2025, Burke intentionally stabbed Decedent multiple times in the torso, inflicting at
27 least two penetrating wounds: one to the right abdomen extending through the diaphragm into the
28 liver, and one to the left chest penetrating at least two inches and chipping the ribs. Each wound

1 was independently life-threatening. The front-to-back path of the abdominal wound and the
2 absence of any hesitation marks are consistent with an attack upon Decedent by another, rather
3 than any self-inflicted injury.

4 29. Burke did not call 911, summon medical aid, or attempt to save Decedent's life.
5 Instead, he let her bleed to death, which the medical evidence indicates would have occurred
6 within minutes to approximately one hour.

7 30. The Los Angeles County Medical Examiner determined that Decedent's cause of
8 death was multiple penetrating injuries to the torso and that the manner of death was homicide.

9 31. After killing Decedent, Burke mutilated and concealed her remains through a series of
10 discrete acts, including: (a) on or about April 23-24, 2025, immediately after the killing,
11 driving to a remote area of Santa Barbara County off State Route 154 to begin disposing
12 of evidence; (b) on or about April 24, 2025, ordering a shovel delivered to his residence; (c) on
13 or about May 1, 2025, ordering two chainsaws delivered to his residence; (d) on or about May 3,
14 2025, ordering an inflatable pool delivered to his residence; (e) on or about May 5, 2025, ordering
15 cadaver/body bags and heavy-duty laundry bags delivered to his residence. Several of these
16 purchases were made under false names; (f) thereafter placing Decedent's body in the inflatable
17 pool and using a power saw to dismember her body, severing both arms, severing both legs at two
18 points each, and amputating the ring and pinky fingers of her left hand (the ring finger bearing a
19 tattoo of Burke's name), which have never been recovered; (g) on or about July 7, 2025, ordering
20 a "burn cage" to incinerate evidence; (h) placing Decedent's dismembered remains into a body
21 bag and a garbage bag; and, on or about late July 2025, before leaving on a concert tour,
22 concealing those remains in the front trunk ("frunk") of his Tesla and leaving the vehicle parked on
23 a nearby public street, where it was later towed and the remains were discovered on September 8,
24 2025, more than four months after Burke killed Decedent. During that period Burke used
25 numerous air fresheners to mask the odor of decomposition.

26 32. Decedent's remains were not discovered until on or about September 8, 2025, and
27 were recovered only in a dismembered and severely decomposed condition, with portions never
28 recovered. Decedent was positively identified as Plaintiffs' daughter on or about September 16,

2023, and her DNA was matched to blood recovered from Burke's vehicle and garage.

33. Burke has been charged in *People v. David Anthony Burke*, Los Angeles Superior Court Case No. 26CJCF02399, with murder, continuous sexual abuse of a child under 14 (Penal Code § 268.5(a)) alleged to have occurred between September 7, 2023 and September 7, 2024, and unlawful mutilation of human remains. Plaintiffs are informed and believe that Burke will be convicted of the felony homicide of Decedent.

34. At all relevant times, Burke's music, publishing, and merchandising activities were operated through and monetized by the Entity Defendants, which he owned and directed, and Burke's recording income was paid into D4VD Entertainment. The Entity Defendants and the Management Defendants together comprised the enterprise through which Burke's career was managed and funded, and through which the arrangements enabling Burke's continued access to Decedent were made.

35. Entity Defendants and the Management Defendants, through their agents, employees, and funds, and not merely through Burke's personal acts, provided or facilitated the residence, transportation, travel, communications, security, and other logistics that enabled Burke to isolate Decedent from her family and to be alone with her. Mogul Vision, whose principal client was Burke, leased the Los Angeles residence at which Burke resided and at which acts alleged herein occurred, with a portion of the lease cost paid by one or more of Entity Defendants and approved by Colleen Burke; Mogul Vision arranged the hiring of Defendant Jacques as a live-in security guard; Robert Morganroth managed Burke's day-to-day affairs, processed the enterprise's bills, and resided at the 1368 Doheny Place residence; and Colleen Burke, as a member of D4VD Ent. LLC, and Burke's personal finance director, approved and paid the enterprise's bills (including the residence lease), was a signatory on Burke's accounts, and controlled the flow of the enterprise's funds.

36. In or about early 2024, during a period in which Decedent repeatedly left her family home, Burke arranged for Decedent to be transported to and from his residence. Burke's contemporaneous text messages reflect a plan to enlist his live-in security guard, Defendant Sheldon Jacques, to assist in removing Decedent from her family home and in transporting her to Burke's mansion in the Hollywood Hills. Plaintiffs are informed and believe, and thereon allege, that Jacques participated in that conduct. Jacques resided in Burke's residence during the period of the sexual abuse alleged herein.

1 37. The Entity Defendants and the individual Defendants, through their agents and
2 employees, knew or should have known of Burke's dangerous propensities toward, and sexual
3 exploitation of, Decedent, a minor, and failed to take reasonable steps to protect her, to supervise
4 Burke, or to prevent the continued abuse. Burke's knowledge of his own conduct and propensities, as
5 owner and director of the Entity Defendants, is imputed to those entities. The Entity Defendants are
6 not excused from their duty to protect Decedent merely because Burke owned them.

7 38. After Decedent's death, Burke and others acting in concert engaged in a concerted effort
8 to hide evidence relating to the sexual abuse and the killing, including the concealment,
9 dismemberment, and disposal of Decedent's remains and the destruction and concealment of evidence,
10 as alleged above, constituting a cover up within the meaning of Code of Civil Procedure § 340.1.

11 39. Plaintiffs reserve the right to amend this Complaint as discovery, including the full
12 contents of Burke's iCloud and device data and the balance of the criminal record, is obtained.

13 **FIRST CAUSE OF ACTION**
14 **Wrongful Death**
15 **(Against David Anthony Burke)**

16 40. Plaintiffs re-allege and incorporate by reference the allegations contained in
17 paragraphs 1 through 38 of this Complaint as though fully set forth herein.

18 41. Defendants owed Decedent a duty to refrain from causing her physical harm.
19 Defendants breached that duty through the intentional and unlawful conduct that caused
20 Decedent's death, as alleged above.

21 42. Defendants' wrongful conduct was a direct and proximate cause of Decedent's death.

22 43. Decedent left no surviving spouse, domestic partner, or issue. Plaintiffs, as Decedent's
23 surviving parents and the persons who succeed to her property by intestate succession, have
24 standing to bring this action under Code of Civil Procedure § 377.60.

25 44. As a direct and proximate result of Defendants' wrongful conduct, Plaintiffs have
26 suffered damages including the loss of Decedent's love, companionship, comfort, care,
27 assistance, affection, society, moral support, together with funeral and burial expenses, in
28 amounts to be proven at trial.

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45. Plaintiffs are informed and believe that Burke has been charged with, and will be convicted of, the felony homicide of Decedent, and upon such conviction Plaintiffs will be entitled to exemplary damages under Civil Code § 3294, subdivision (d), subject to Code of Civil Procedure § 377.62.

SECOND CAUSE OF ACTION
Survival Action - Battery (Fatal Stabbing)
(Against David Anthony Burke)

46. Plaintiffs re-allege and incorporate by reference the allegations contained in paragraphs 1 through 38 of this Complaint as though fully set forth herein.

47. As alleged above, Burke intentionally stabbed Decedent multiple times in the torso, causing harmful and offensive contact with her person. Decedent did not consent.

48. The harmful and offensive contact caused Decedent grievous injury, conscious suffering, and death.

49. Had she survived, Decedent would have been entitled to recover for this battery; the cause of action survives to Plaintiffs, as her successors in interest, under Code of Civil Procedure §§ 377.20 and 377.30.

50. Burke acted with malice and oppression within the meaning of Civil Code § 3294, entitling Plaintiffs, as her successors in interest, to the exemplary damages Decedent could have recovered had she lived, as permitted by Code of Civil Procedure § 377.34.

THIRD CAUSE OF ACTION
Survival Action - Sexual Battery
(Against David Anthony Burke)

51. Plaintiffs re-allege and incorporate by reference the allegations contained in paragraphs 1 through 38 of this Complaint as though fully set forth herein.

52. As alleged above, on numerous occasions beginning when Decedent was 13 years old and continuing thereafter, Burke acted with the intent to cause, and did cause, harmful and offensive contact with the intimate parts of Decedent, and sexually offensive contact directly resulted, in violation of Civil Code § 1708.5.

53. At all relevant times Burke was an adult who occupied a position of authority over Decedent, a minor, and was able to and did exercise undue influence over her. Consent is

1 therefore not a defense to this cause of action under Civil Code § 1708.5.5.

2 54. Had she survived, Decedent would have been entitled to recover for these sexual
3 batteries, including general, special, and punitive damages under Civil Code § 1708.5,
4 subdivision (b). The cause of action survives to Plaintiffs, as her successors in interest, under
5 Code of Civil Procedure §§ 377.20 and 377.30.

6 **FOURTH CAUSE OF ACTION**
7 **Survival Action - Childhood Sexual Assault**
8 **(Against David Anthony Burke)**

9 55. Plaintiffs re-allege and incorporate by reference the allegations contained in
10 paragraphs 1 through 38 of this Complaint as though fully set forth herein.

11 56. While Decedent was under the age of 18, Burke committed acts of childhood sexual
12 assault against her, including acts that would have been proscribed by Penal Code § 288, within
13 the meaning of Code of Civil Procedure §§ 340.1 and 340.11, as alleged above.

14 57. Had she survived, Decedent would have been entitled to recover for the childhood
15 sexual assault she suffered. The cause of action survives to Plaintiffs, as her successors in interest,
16 under Code of Civil Procedure §§ 377.20 and 377.30 and is timely under Code of Civil Procedure
17 §§ 340.1, 340.11, and 366.1.

18 58. As a direct and proximate result of Burke's conduct, Decedent suffered injury,
19 entitling Plaintiffs, as her successors in interest, to damages according to proof and to exemplary
20 damages under Civil Code § 3294.

21 **FIFTH CAUSE OF ACTION**
22 **Survival Action - Assault**
23 **(Against David Anthony Burke)**

24 59. Plaintiffs re-allege and incorporate by reference the allegations contained in
25 paragraphs 1 through 38 of this Complaint as though fully set forth herein.

26 60. As alleged above, Burke threatened and intended to cause harm to decedent, and did
27 cause harmful and offensive contact with Decedent when he attacked her with a knife or other
28 sharp instrument, and Decedent reasonably apprehended imminent harmful contact.

61. Decedent did not consent to the harmful contact and Burke's conduct was a substantial
factor in causing her harm.

62. Had she survived, Decedent would have been entitled to recover for this assault; the cause of action survives to Plaintiffs, as her successors in interest, under Code of Civil Procedure §§ 377.20 and 377.30 and supports exemplary damages under Civil Code § 3294.

SIXTH CAUSE OF ACTION
Survival Action - False Imprisonment
(Against David Anthony Burke)

63. Plaintiffs re-allege and incorporate by reference the allegations contained in paragraphs 1 through 38 of this Complaint as though fully set forth herein.

64. On or about April 23, 2025, Defendants induced Decedent, a 14-year-old child, to come alone to Burke's residence by arranging her rideshare transportation, and thereafter intentionally and without lawful privilege confined her within that residence against her will for an appreciable length of time, by means of force and other unreasonable duress, culminating in the fatal attack. Decedent did not consent to the confinement. To the extent Burke also exercised nonconsensual control over Decedent's movements throughout the period of abuse, as alleged above, such confinement is encompassed within the childhood sexual abuse pleaded in the Fourth Cause of Action.

65. This cause of action is timely. Decedent was a minor at the time of the confinement alleged above; the applicable limitations period was tolled during her minority under Code of Civil Procedure § 352, subdivision (a), and had not begun to run at the time of her death. This survival action was commenced within the period allowed by Code of Civil Procedure § 366.1 and is timely.

66. Had she survived, Decedent would have been entitled to recover for this false imprisonment; the cause of action survives to Plaintiffs, as her successors in interest, under Code of Civil Procedure §§ 377.20 and 377.30 and supports exemplary damages under Civil Code § 3294.

SEVENTH CAUSE OF ACTION
Survival Action - Intentional Infliction of Emotional Distress
(Against David Anthony Burke)

67. Plaintiffs re-allege and incorporate by reference the allegations contained in paragraphs 1 through 38 of this Complaint as though fully set forth herein.

68. As alleged above, Burke engaged in extreme and outrageous conduct exceeding all bounds of decency tolerated in a civilized community and directed at Decedent, including the sustained sexual exploitation of Decedent as a child, followed by her killing. Burke acted with the intent

1 to cause, or with reckless disregard of the probability of causing, Decedent severe emotional distress.

2 69. Decedent suffered severe emotional distress as a direct and proximate result of
3 Burke's conduct.

4 70. Had she survived, Decedent would have been entitled to recover for this intentional
5 infliction of emotional distress; the cause of action survives to Plaintiffs, as her successors in
6 interest, under Code of Civil Procedure §§ 377.20 and 377.30 and supports exemplary damages
7 under Civil Code § 3294.

8 **EIGHTH CAUSE OF ACTION**
9 **Negligent Infliction of Emotional Distress**
10 **Interference with the Right to Control Disposition of Remains**
11 **(Against David Anthony Burke)**

12 71. Plaintiffs re-allege and incorporate by reference the allegations contained in
13 paragraphs 1 through 38 of this Complaint as though fully set forth herein.

14 72. As Decedent's surviving parents, and because Decedent left no surviving spouse or
15 adult children, Plaintiffs are the persons in whom the right to control the disposition of
16 Decedent's remains vested under Health & Safety Code § 7100. As Decedent's next of kin,
17 Plaintiffs held a protected interest in receiving Decedent's remains and in ensuring their dignified
18 and respectful treatment and disposition.

19 73. Defendants owed Plaintiffs, as Decedent's next of kin, a duty not to mutilate,
20 desecrate, or interfere with their right to control the disposition of Decedent's remains.
21 Defendants breached that duty through the acts of mutilation and concealment alleged above,
22 including dismembering Decedent's body with a power saw, amputating and discarding portions
23 of her body that have never been recovered, sealing her remains in bags, and concealing them for
24 more than four months, including placing Decedent's decomposed and dismembered remains in
25 front trunk of Burke's vehicle on or about late July 2025, until her remains were discovered on
26 September 8, 2025, thereby depriving Plaintiffs of their right to receive and dispose of their
27 daughter's remains in a dignified manner.

28 74. Plaintiffs need not have witnessed Defendants' misconduct to recover, because
Defendants breached a duty owed directly to them as Decedent's next of kin, and there is no

1 uncertainty that the mutilated remains were those of their daughter, who was positively identified.

2 75. As a direct and proximate result of Defendants' conduct, Plaintiffs have suffered
3 severe emotional distress, in amounts to be proven at trial.

4 **NINTH CAUSE OF ACTION**
5 **Survival Action - Human Trafficking (Civ. Code § 52.5)**
6 **(Against David Anthony Burke)**

7 76. Plaintiffs re-allege and incorporate by reference the allegations contained in
8 paragraphs 1 through 38 of this Complaint as though fully set forth herein.

9 77. Burke committed human trafficking against Decedent within the meaning of Penal
10 Code § 236.1. Burke caused, induced, or persuaded, or attempted to cause, induce, or persuade,
11 Decedent, a minor, to engage in commercial sex acts, and deprived and violated her personal
12 liberty, acting with the intent required by Penal Code § 236.1.

13 78. The money, food, shelter, designer gifts, travel, a ring, and a promise of future
14 marriage that Burke gave to Decedent were given on account of the sexual acts, satisfying the
15 commercial-sex-act element. Because Decedent was a minor, neither her purported consent nor
16 any mistake as to her age is a defense.

17 79. Decedent was a victim of human trafficking as defined in Penal Code § 236.1 and was
18 entitled to bring a civil action under Civil Code § 52.5. Had she survived, Decedent would have been
19 entitled to recover under § 52.5; the cause of action survives to Plaintiffs, as her successors in interest,
20 under Code of Civil Procedure §§ 377.20 and 377.30, and is timely pursuant to Civil Code § 52.5(c).

21 80. Burke acted with malice, oppression, fraud, and duress in committing the act of human
22 trafficking. Among other things, Burke made a promise of future marriage to Decedent without any
23 intention of performing it, in order to deceive and induce her. Plaintiffs are therefore entitled, under
24 Civil Code § 52.5, to actual, compensatory, and punitive damages; to up to three times Decedent's
25 actual damages or ten thousand dollars (\$10,000), whichever is greater, and to attorney's fees and costs.

26 **TENTH CAUSE OF ACTION**
27 **Survival Action - Childhood Sexual Assault**
28 **Negligence and Breach of Duty to Protect (Code Civ. Proc. § 340.1)**
(Against Entity Defendants)

81. Plaintiffs re-allege and incorporate by reference the allegations contained in

1 paragraphs 1 through 38 of this Complaint as though fully set forth herein.

2 §2. At all relevant times, the Entity Defendants owed Decedent a duty of care. The Entity
3 Defendants employed or engaged Burke and, through their agents, employees, and funds, made
4 the arrangements that enabled Burke to be alone with Decedent and to continue his abuse of her.
5 A special relationship and a duty to protect Decedent arose from that undertaking, and the Entity
6 Defendants are not excused from that duty merely because Burke owned said Entity Defendants.

7 §3. The Entity Defendants negligently hired, retained, and supervised Burke, and
8 negligently failed to protect Decedent, when they knew or should have known of Burke's
9 dangerous propensities toward minors, including his ongoing sexual abuse of Decedent. Burke's
10 knowledge, as owner and director of the Entity Defendants, is imputed to them.

11 §4. The negligent and wrongful acts and omissions of the Entity Defendants were a legal
12 cause of the childhood sexual assault of Decedent, within the meaning of Code of Civil Procedure
13 § 340.1, subdivision (a)(2). There is no time limit for the commencement of this action under
14 Code of Civil Procedure § 340.1, and the cause of action survives to Plaintiffs, as her successors
15 in interest, under Code of Civil Procedure §§ 377.20 and 377.30.

16 §5. The childhood sexual assault of Decedent resulted from a cover up and a concerted
17 effort to hide evidence relating to the childhood sexual assault as alleged above, entitling
18 Plaintiffs to recover up to treble damages under Code of Civil Procedure § 340.1, subdivision
19 (b)(1), in addition to damages according to proof.

20 **ELEVENTH CAUSE OF ACTION**
21 **Survival Action - Negligence**

22 **(Against Management Defendants, Sheldon Jacques, & Colleen Burke)**

23 §6. Plaintiffs re-allege and incorporate by reference the allegations contained in
24 paragraphs 1 through 38 of this Complaint as though fully set forth herein.

25 §7. By reason of their own conduct and undertakings, each of these Defendants owed
26 Decedent a duty of reasonable care. The Management Defendants hired, retained, and controlled
27 the personnel and premises of the enterprise, including hiring and retaining Jacques and leasing
28 and controlling the residence at which the abuse occurred; Jacques, as the live-in security guard
residing in the household in which Decedent, a minor, was present, occupied a position of

responsibility and control giving rise to a duty to exercise reasonable care to protect her; and Colleen Burke, by approving and funding the arrangements that housed Decedent and enabled Burke's access to her, and by hosting Decedent, a minor, for one or more nights in her own home with Burke, undertook conduct giving rise to a duty to exercise reasonable care for Decedent's protection.

88. These Defendants breached their duty of care by negligently hiring, retaining, and supervising personnel; by negligently maintaining and controlling the premises; by negligently undertaking and facilitating the arrangements that exposed Decedent to Burke's abuse; and by failing to exercise reasonable care when they knew or should have known that a minor was being exploited within the enterprise. In providing for housing, and controlling access to a minor, Defendants were required to conform their conduct to the standards for the protection of minors established by Penal Code §§ 273a and 272.

89. Plaintiffs are informed and believe, and thereon allege, that Defendant Jacques, as the live-in security guard residing in the household in which Decedent was present, permitted Burke to be alone with Decedent, a minor, and failed to take reasonable steps to protect her, when he knew or should have known of the risk of sexual abuse, thereby facilitating the abuse alleged herein.

90. As a direct and proximate result of these Defendants' negligence, which was a substantial factor in causing Decedent's harm, Decedent suffered injury. Had she survived, Decedent would have been entitled to recover for this negligence; the cause of action survives to Plaintiffs, as her successors in interest, under Code of Civil Procedure §§ 377.20 and 377.30.

TWELFTH CAUSE OF ACTION
Survival Action - Aiding and Abetting
(Sexual Battery, Childhood Sexual Assault, and False Imprisonment)
(Against Sheldon Jacques)

91. Plaintiffs re-allege and incorporate by reference the allegations contained in paragraphs 1 through 38 of this Complaint as though fully set forth herein.

92. As alleged above, Burke committed the tortious acts of sexual battery, childhood sexual assault, and false imprisonment against Decedent.

93. Plaintiffs are informed and believe, and thereon allege, that Defendant Jacques, with actual knowledge that Burke was committing sexual battery, childhood sexual assault, and false

1 imprisonment against Decedent, a minor, gave substantial assistance and encouragement to Burke,
2 including by assisting in removing Decedent from her family home, transporting her, and arranging
3 and facilitating Burke's continued access to and control over Decedent, and made a conscious
4 decision to participate in that tortious conduct with the intent and for the purpose of assisting Burke.

5 94. Plaintiffs are informed and believe and thereon allege that other Defendants, including one
6 or more of the Management Defendants, with actual knowledge that Burke was committing sexual
7 battery and childhood sexual assault against Decedent, a minor, likewise gave substantial assistance to
8 Burke; Plaintiffs will seek leave to amend to conform to proof as discovery is obtained.

9 95. As a direct and proximate result of these Defendants' conduct, which was a substantial
10 factor in causing Decedent's harm, Decedent suffered injury. In knowingly assisting Burke's
11 sexual abuse and unlawful confinement of a minor, these Defendants acted with malice and
12 oppression within the meaning of Civil Code § 3294(d). Had she survived, Decedent would have
13 been entitled to recover for this conduct, including exemplary damages; the cause of action survives
14 to Plaintiffs, as her successors in interest, under Code of Civil Procedure §§ 377.20 and 377.30.

15 **PRAYER FOR RELIEF**

16 WHEREFORE, Plaintiffs pray for judgment against Defendants, and each of them, as follows:

- 17 1. On the FIRST CAUSE OF ACTION (Wrongful Death): For Plaintiffs' own economic and
18 noneconomic damages, including loss of Decedent's love, companionship, comfort, care,
19 assistance, affection, society, and moral support, together with funeral and burial
20 expenses, according to proof;
- 21 2. On the SECOND CAUSE OF ACTION (Survival-Battery): For all damages Decedent
22 sustained or incurred before death that she would have been entitled to recover had she lived,
23 recoverable by Plaintiffs as her successors in interest under Code of Civil Procedure § 377.34,
24 and for exemplary damages under Civil Code § 3294, according to proof;
- 25 3. On the THIRD CAUSE OF ACTION (Survival-Sexual Battery, Civ. Code § 1708.5):
26 For general and special damages, and for punitive damages under Civil Code § 1708.5,
27 subdivision (b), recoverable by Plaintiffs as Decedent's successors in interest under Code
28 of Civil Procedure § 377.34, according to proof;

4. On the FOURTH CAUSE OF ACTION (Survival-Childhood Sexual Assault, Code Civ. Proc. §§ 340.1, 340.11): For all damages recoverable by Plaintiffs as her successors in interest under Code of Civil Procedure § 377.34, and for exemplary damages under Civil Code § 3294, according to proof;
5. On the FIFTH CAUSE OF ACTION (Survival — Assault): For all damages recoverable by Plaintiffs as her successors in interest under Code of Civil Procedure § 377.34, and for exemplary damages under Civil Code § 3294, according to proof;
6. On the SIXTH CAUSE OF ACTION (Survival-False Imprisonment): For all damages recoverable by Plaintiffs as her successors in interest under Code of Civil Procedure § 377.34, and for exemplary damages under Civil Code § 3294, according to proof;
7. On the SEVENTH CAUSE OF ACTION (Survival-Intentional Infliction of Emotional Distress): For all damages recoverable by Plaintiffs as her successors in interest under Code of Civil Procedure § 377.34, and for exemplary damages under Civil Code § 3294, according to proof;
8. On the EIGHTH CAUSE OF ACTION (Negligent Infliction of Emotional Distress-Interference with the Right to Control Disposition of Remains): For Plaintiffs' own emotional-distress damages, according to proof;
9. On the NINTH CAUSE OF ACTION (Survival-Human Trafficking, Civ. Code § 52.5): For actual, compensatory, and punitive damages; for up to three times Decedent's actual damages or ten thousand dollars (\$10,000), whichever is greater, and for attorney's fees and costs, under Civil Code § 52.5, recoverable by Plaintiffs as her successors in interest under Code of Civil Procedure § 377.34, according to proof;
10. On the TENTH CAUSE OF ACTION (Survival-Childhood Sexual Assault: Negligence and Breach of Duty to Protect, Code Civ. Proc. § 340.1): For all damages recoverable by Plaintiffs as her successors in interest under Code of Civil Procedure § 377.34, and for up to treble damages against any Defendant found to have covered up the childhood sexual assault of Decedent, under Code of Civil Procedure § 340.1, subdivision (b)(1), according to proof;

11. On the ELEVENTH CAUSE OF ACTION (Survival-Negligence): For all damages recoverable by Plaintiffs as her successors in interest under Code of Civil Procedure § 377.34, according to proof;

12. On the TWELFTH CAUSE OF ACTION (Survival-Aiding and Abetting): For all damages recoverable by Plaintiffs as her successors in interest under Code of Civil Procedure § 377.34, and for exemplary damages under Civil Code § 3294, according to proof;

13. ON ALL CAUSES OF ACTION:

14. For exemplary damages arising from the felony homicide of Decedent under Civil Code § 3294, subdivision (d), upon Defendant Burke's conviction, subject to Code of Civil Procedure § 377.62;

15. For costs of suit incurred herein;

16. For prejudgment interest as allowed by law; and

17. For such other and further relief as the Court deems just and proper.

DATED: September 4, 2026

By:

STEINFELD LAW FIRM


PATRICK STEINFELD
Attorney for Plaintiffs

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a trial by jury as to all causes of action.

DATED: September 4, 2026

By:

STEINFELD LAW FIRM


PATRICK STEINFELD
Attorney for Plaintiffs