

Chad Read's Widow Files Wrongful Death Suit, Sought Custody Over Stepchildren

A confrontation over a child custody exchange turned deadly for one of the parents, and the remaining parties struggle to deal with the aftermath.

HOUSTON, TEXAS, UNITED STATES, March 22, 2022 /EINPresswire.com/ -- A domestic dispute which turned deadly has now sparked a wrongful death lawsuit by the widow of the man shot. At the heart of the lawsuit is the claim that the killing was unjustified and was the result of a child custody dispute between the victim 54-year-old Chad Read, his ex-wife Christina Read, and Christina Read's boyfriend Kyle Carruth. The mother of the deceased has since filed her own wrongful death lawsuit against the shooter as well. The case is JENNIFER MARIE READ, Plaintiff, v. WILLIAM KYLE CARRUTH, Individually and d/b/a WC LAND SERVICES and VITRUVIAN DEVELOPMENT, LLC, Defendants (CAUSE NO: DC-2021-CV-055).



Maria S. Lowry, Houston, Texas Family Law Attorney

Chad Read showed up at a residence in Lubbock, Texas on November 5 with his wife Jennifer Read to pick up Chad Read's son who was with his ex-wife Christina Read and her boyfriend Kyle Carruth. Jennifer Read stayed in her vehicle and recorded the incident. Jennifer Read has since publicly released the video in an effort to shed light on what she has called an unjustified shooting.

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The video opens with Kyle Carruth appearing to interject himself into a heated verbal disagreement between Chad

Read and his ex-wife. As Read is talking to his ex-wife, Carruth can be heard telling Chad Read to get off his property. The two men begin their own verbal argument before Carruth turns around to go into the residence, leaving Chad to continue his heated discussion with his ex-wife.

Chad Read is heard telling his ex-wife that his son was supposed to be ready by 3:15. Christina Read can be heard explaining that their child was not at the residence and that she did not follow the court order because she wanted to see her son. Chad responds "I don't care if you wanted to see him or not." He goes on, "I get him at 3:15 p.m. If you want to see him, you see him up until 3:15. You keep trying to keep my son from me."

Chad Read goes on to threaten subpoenas against several individuals including Carruth's estranged wife Ann-Marie Carruth and Christina Read's mother. As Read continues with his threats of legal action, Kyle Carruth can be seen in the video emerging from the residence with a shotgun-style rifle. Moments later, Carruth aims and shoots the gun at Chad Read's feet in an effort to get him to leave. The men square up and before Carruth jumps away from Read as Read tries to grab for the gun. As the two men scuffle, Carruth fatally shoots Read in the chest.

Weeks after the shooting, Jennifer Read came forward with her attorney Tony Buzbee to plead for justice for the death of her husband. Jennifer Read has since filed a wrongful death lawsuit and pled for Kyle Carruth to be arrested. No charges have been brought forward in the case, but Lubbock police officials have since turned over the case files to the Texas Attorney General's Office.

Buzbee shared during the conference, "Jennifer Read watched her unarmed husband get gunned down and killed in front of her eyes. We want action." When Read addressed the crowd of about 30 people, she explained, "We only went there to try and find his son who we thought would be there." She added, "Chad was not a violent man. He did not have a gun."

The press conference and wrongful death suit are the latest attempts by Jennifer Read to get justice for her husband's death. Shortly following the shooting, Jennifer Read filed a petition to seek custody of Christina Reed's two boys, aged 9 and 14. Jennifer Read alleges that Christina Read had endangered the well-being of the two boys because she allowed them to be in the presence of Kyle Carruth.

In her petition, Jennifer Read details, "Christina's decision to allow either of these children to be in Kyle Carruth's presence has caused, and continues to cause, significant impairment of their emotional well-being. The oldest child has expressed to me that he blames his mother for the shooting and that he will run away from home if he sees Kyle there again." Jennifer Read adds, "It is in the best interest of the children to be removed from Christina Read, and that her contact with the children be denied or at least restricted. [A child involved] is over the age of 12, and will confer in chambers with the Court to express his desire to reside with me."

While this may seem like a novel issue, the Texas Supreme Court recently considered this issue in

a case known as *In Re CIC*. According to [Houston family law attorney Maria Lowry](#), the standards set out in that case would be important for any suit that Read may have. The facts of the case would be applied to CIC, Lowry says, along with other applicable laws. Lowry says the best interest of the children would be a factor, as would be the fit-parent presumption. "The family courts are all trauma-informed," says Lowry, "and this would help them to ensure that the solution is one which addresses the trauma already suffered by the children while reducing current and future traumas."

We won't know how the courts would have ruled on the matter, however. The judge in charge of the case rejected Jennifer Read's petition on November 30 and closed the divorce case between Christina and Chad due to Chad's death, according to local news outlet KLBK.

Jennifer Read's affidavit goes on to shed light on an alleged extra-marital affair between Christina Read and Carruth. The affidavit explains, "Christina Read and Kyle Carruth have been engaged in an ongoing affair, despite Kyle Carruth being married. On October 30, 2021, Chad Read informed Christina Read that he had evidence of her affair with Kyle Carruth and that he was going to go public with it."

Carruth was not immediately identified after the shooting. His name was only released after a court affidavit signed on November 8 by Judge Ann-Marie Carruth was released as part of her countersuit in the couple's divorce proceedings. Ann-Marie Carruth wrote that she was "notified that my husband, William Kyle Carruth, is under investigation for the shooting and killing of his girlfriend's children's father after he attempted to pick up his children late Friday afternoon. My knowledge of the incident is very limited at this time, and it is my understanding that the police are still investigating." Ann-Marie Carruth, who was appointed over Texas' 72nd District Court, also shared that she hadn't spoken to her estranged husband in a long time and was "concerned about his mental state."

The couple filed for divorce in September, with the divorce being finalized on November 19. Court records of the divorce have since been sealed.

Jennifer Read's lawsuit names Kyle Carruth and his businesses and seeks \$50 million in damages. Kyle Carruth is also the subject of another lawsuit filed by an attorney representing Chad Read's mother and three children. That suit is seeking more than \$1 million in damages.

Attorney Lowry says that for parents in a custodial dispute, the court is the solution, not confrontation. "If a custodial parent is not surrendering the child at the time and place ordered," Lowry explains, "you can file an enforcement in the family court." Lowry goes on to explain, "In an enforcement, the court can find a person in contempt of court for failing to obey a court order." Lowry cautions, though, that enforcement requires the petition and order to be very specific, and it is easy to lose the case for a seemingly small reason. "Your attorney can avoid problems that you wouldn't even see," she says. Lowry also points out that when an enforcement is over, the person at fault is ordered to reimburse the legal fees and costs the

other party had to pay.

If a parent is told by the other parent that the child will not be going, Lowry advises that the parent should still go to the exchange point at the proper time and place in case the other parent shows up and to document if they don't. "Many apps on a smartphone, including the camera, will tag the date, time and location so your attorney can use that to prove that you appeared at the correct place and time and were not given the child," Lowry says.

Finally, Lowry points out what should have been obvious at the start: guns have no place in a custody dispute. "No one should ever get into an argument or fight at a custody exchange," reminds Lowry. "If the exchange is not happening, there are remedies through the courts."

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