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News

Family Sues Queens Funeral Home, NJ Cemetery Over Botched Burial Of Murder Victim

Relatives Claim Grave Too Small For Nequia Webb-Davidson's Casket

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NEW YORK (CBSNewYork) — A Queens funeral home and a New Jersey cemetery are being sued for allegedly botching the burial of a murder victim.

The family of Nequia Webb-Davidson, 40, has filed the lawsuit against J. Foster Phillips Funeral Home, Inc. in Jamaica and Rosehill Cemetery of Linden.

As CBS2's Dave Carlin reported, Webb-Davidson was shot and killed by her husband in a murder suicide in 2014.

Relatives claim the Brooklyn native's casket did not fit in the too-small grave and the lid opened as it was lowered into the plot, sending soil and stones onto the remains during her funeral last January.

"It was a desecration of the remains," family attorney Ron Katter told 1010 WINS.

Webb-Davidson's sister said it was traumatizing to see dirt and rocks rain on her sister's open casket as cemetery workers scrambled to fix the situation.

"It just was a horrifying sight," Kandice Webb said. "They tried to fix it, you know make the hole a little bigger and what they did was make a mess...we sat there for hours trying to bury her."

The funeral had to be postponed until the next day so the funeral home and cemetery could dig a larger grave, clean the casket, replace the soiled liner and properly close the casket, Katter said.

"The funeral home showed an incredible amount of disrespect not only for the deceased, but for her family, who had to witness this incompetence and negligence," Katter said. "It is tragic enough that the family continues to feel the anguish of their sudden loss but, worse, they still have to experience the horrors that occurred that day at the graveside service."

Webb-Davidson was shot to death by her husband in a murder-suicide on Jan. 12, 2014. Katter said the tragic circumstances surrounding her death were "exacerbated by the faulty handling of her remains by the cemetery and the funeral home" and someone needs to be held accountable.

"If you have a casket that can't fit into the grave, someone made a big mistake," Katter said.

Webb said they family is filing the lawsuit to make sure this doesn't happen again, and to get damages for pain and suffering.

"No one should have to go through that," she said.

The funeral home had no comment.

A cemetery spokesperson said they have not yet been served with the lawsuit and have no comment at this point.