

## Motor Vehicle

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**Verdict:** (D) \$0.00

**Case Type:** Medical Malpractice - Wrongful Death

**Case:** Irene Bustamante, as Representative of the Estate of Reymundo Villalon, and a/n/f of Roxanne Villalon and Kimberly Villalon, minors vs. Randy Maldonado

**Venue:** Nueces County District Court, 148th, TX

**Judge::** Rose Vela

**Verdict Date::** 08-28-2000

### PLAINTIFF(S)

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#### Expert:

- Richard Cortez; economics
- Todd Cox; police procedures
- Franciso Perez Ph.D.; neuropsychology
- Allen Piekert; police procedures
- Michael Raines; accident prevention
- Lewis Rhodes Jr.; accident prevention

### DEFENDANT(S)

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#### Expert:

- Adelino Yung; accident prevention

### FACTS:

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### INJURY:

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This accident occurred at approximately 5:52 p.m. on 1-12-97 on U.S. Hwy. 59 near Wharton. Raymundo Villalon, a firefighter for the City of Zapata, was traveling south on U.S. 59 from Houston to Zapata with a friend, Ana Gonzalez, and her three children when he lost control of his 1985 Ford Crown Victoria on an icy overpass and left it straddling both lanes of U.S. 59 on the downslope of the overpass. Approximately 15-20 minutes before this occurred, a one-car accident had occurred on the northbound side of U.S. 59. This accident was being investigated by DPS Trooper Patrick Mulligan. Trooper Mulligan had moved the wrecked vehicle off of the overpass and a wrecker was at the scene with its lights on. Trooper Mulligan testified that a cold cell dropped the temperature 15-20 degrees while he was investigating his accident. Wharton P.D. Officer Todd Cox arrived just minutes before the Villalon vehicle lost control and witnessed the incident. As Trooper Mulligan was just about to finish the investigation, he heard but did not see a vehicle (Villalon) skidding on the southbound portion of the overpass. He then saw, within 10-15 seconds, two vehicles almost side by side heading south, crest the overpass and hit their brakes (he saw the brake lights). The vehicle in the left lane was a 1993 Isuzu Rodeo driven by