

Motor Vehicle

Defendant claimed collision was minor-impact

Verdict: (P) \$1,300.00

Case Type: Rear-ender

Case: Ruben Martinez v. Dulcenea Cuellar, No. CL-37303-A

Venue: Hidalgo County Court at Law No. 1, TX

Judge: Rudy Gonzalez

Date: 06-02-2003

PLAINTIFF(S)

Attorney:

- Ricardo A. Gonzalez; Oxford & Gonzalez; Edinburg, TX, for Ruben Martinez

Expert:

- Dr. J. A. Zavaleta; Medical/Health; Edinburg, TX called by: Ricardo Gonzalez

DEFENDANT(S)

Attorney:

- Ralph M. Rodriguez; English, Clemons & Rodriguez; Corpus Christi, TX, for Dulcinea Cuellar

Expert:

- Adelino Yung; Accident Investigation & Reconstruction/ Failure Analysis/Product Liability; Houston, TX called by: Ralph Rodriguez

FACTS:

On March 21, 2000, plaintiff Ruben Martinez, 65, a retired meatcutter, was involved in a low-impact, rear-end collision with Dulcenea Cuellar on North 10th Street in McAllen. Martinez was driving a 1997 Ford Thunderbird and Cuellar, who hit him, was in a 1990 Ford Mustang.

Martinez sued Cuellar, alleging that she was negligent in the operation of her vehicle.

Cuellar did not dispute liability. However, she contested damages.

INJURY:

Martinez claimed that he incurred \$6,000 in medical bills for soft-tissue injury and back and neck pain, which necessitated an MRI and physical therapy. He claimed \$236 in damage to his car and he asked the jury for \$13,000.