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As a personal injury attorney, I get asked a lot of questions about why I do what I do. Questions about why I choose to fight for individuals when I could just as easily defend big businesses and insurance companies. Questions of how I am able to deal with families that have been through such awful tragedies.

Recent events serve as a heart-wrenching reminder of why I do what I do.

On December 11, 2009, a 27-year-old woman had her young life unfairly stolen from her by the irresponsibly dangerous and inexcusable actions of another man and the bar establishment that enabled him.

Sonia Baker's car was struck by Jesus Cisneros, an off-duty Fort Worth police officer – a person who is supposed to serve and protect – whose blood alcohol level at the time was more than twice the legal limit. The collision left Sonia Baker's car a mangled mess of metal and glass, and unfairly took her from this earth.

Sonia was on her way to pick up breakfast for her two beautiful young boys, Amarion and Tayshawn, and her loving husband, Mario. They would never see her again; nor would her mother, Stella Lopez, who had just lost her husband less than half a year earlier.

Cisneros had been drinking and partying throughout the night and was allowed to continue drinking heavily by the Pour House and its' staff – even after he showed dangerous signs of intoxication.

The Pour House put profits and a "good time" over safety and in turn allowed the life of a young woman to be stolen away from her at a far too young age – leaving behind a mother, husband and two children to try to pick up the pieces and deal with the loss of her solace, comfort and companionship.

Sonia's family and friends may never find closure or come to grips with having this young woman ripped from their lives. As a husband and father of three, I personally can't imagine the grief that they are enduring.

Sonia's son, Amarion, was so distraught that he began binge eating and asked his grandmother if his mother had ran away from him. He saw her leave that morning and could not understand why she had not come home yet. His grandmother had to explain to him that his mom had gone to live with his grandfather in Heaven.

To even imagine having to explain to my child that his mother didn't runaway, but rather is dead, is overwhelming.

(Continues on page 2.)

MOTORCYCLE FATALITIES AND INJURIES:

the sobering statistics



With warmer weather arriving, more and more motorcycle riders will take to the roads in the coming months. But with those additional riders, also come major concerns about their safety.

The National Highway Traffic Safety Administration (NHTSA) reports that 5,290 motorcyclists were killed in 2008, an increase of 2 percent over 2007, which marks the eleventh straight year fatalities have increased. In addition, nearly 100,000 motorcyclists were injured in 2008.

Part of the increase in fatalities can be attributed to the significantly higher number of motorcycles on the road (over 7.5 million now vs. 3.9 million in 1998), but some of the blame still has to go to the states. Only 20 states, the District of Columbia, and Puerto Rico, require helmet use by all motorcyclists. Other states require just a subset of riders (such as riders under the age of 18) to wear helmets or have no requirement at all.

According to estimates by the NHTSA, helmets saved the lives of 1,829 motorcyclists in 2008. Additionally, the NHTSA estimates that 823 more lives could have been saved if all motorcyclists had worn helmets.

Alcohol continues to be a major factor in motorcycle crashes, as well as fatalities. In 2008, 43 percent of motorcycle riders who died in single-vehicle crashes had blood alcohol levels (BAC) of .08 or higher.

The NHTSA says wearing a helmet and the right gear, checking equipment before riding, never drinking and riding, and getting the right training can make a big difference in motorcyclists' safety. ■

(“Sonia Baker Story” cont.)

Understanding how hard this has been on the Baker family is impossible for me.

But to do what is right and demand justice for all is not.

Not only did the Pour House continue to serve Cisneros, but one of its security guards, another off-duty cop, allowed Cisneros, and maybe even encouraged him, to drive home. Plain and simple, the Pour House showed complete disregard for the law. Any reasonable server knows that if an intoxicated customer drives, then there is an extreme degree of risk or a high probability that harm to third parties may occur. As such, any reasonable server knows that they MUST take into account the safety and welfare of others when serving liquor to their customers. On December 11, the law did not deter the Pour House from serving booze to an obviously intoxicated individual – a police officer nonetheless – who would in fact inflict considerable grief and pain on an unsuspecting family.

Allowing a man this intoxicated to get behind the wheel is inexcusable.

The statistics are staggering – The Pour House had an absolute and unequivocal duty to know that:

Three out of every ten Americans will be involved in an alcohol related accident crash at some point in their lives.

More than 1000 families every month are forced to live with the tragic consequences of drunk driving.

On average someone is killed by a drunk driver every 45 minutes. In 2008, an estimated 11,773 people died in drunk driving related crashes

The Pour House was unequivocally the last in line to prevent this tragic accident from occurring. Regardless of whether Cisneros knew he was drunk or whether the City of Fort Worth failed to take reasonable precautions to keep Cisneros off the road, the Pour House provided the last alcohol- causing Cisneros' inebriation, his poor judgment, and the tragic death of Sonia Baker.

So, when I am asked why I do what I do, I think about people like Sonia and her family. I think about holding careless businesses responsible for their actions.

I say I do what I do because people like Mario Baker and Stella Lopez need somebody on their side. I also think about the hundreds and hundreds of other families that have been hurt or had loved ones unfairly ripped from them by the reckless conduct of others. Then, I ask how can I NOT do what I do? ■



dog bites

CHILDREN ARE AT
GREATEST RISK

Dogs are undoubtedly one of the most popular pets in America. And with good reason; dogs can make great companions, tend to be very loyal, and are usually good protectors for families.

In some cases, though, dogs don't live up to their moniker as man's best friend. According to the Centers for Disease Control and Prevention (CDC), more than 4.7 million people are bitten by dogs each year, with 800,000 of those bites requiring medical attention. Of those injured, around 16 die each year.

Children ages 5 to 9 are at greatest risk for suffering dog bite-related injuries, with boys having a significantly higher injury rate than girls.

The good news is that many experts believe that incidences of dog bites can be reduced through public education. The CDC lists the following tips to teach children basic safety around dogs and to help prevent dog bites:

- Do not approach an unfamiliar dog
- Do not run from a dog and scream
- Remain motionless (e.g., "be still like a tree") when approached by an unfamiliar dog
- If knocked over by a dog, roll into a ball and lie still (e.g., "be still like a log")
- Do not play with a dog unless supervised by an adult
- Immediately report stray dogs or dogs displaying unusual behavior to an adult
- Avoid direct eye contact with a dog
- Do not disturb a dog that is sleeping, eating, or caring for puppies
- Do not pet a dog without allowing it to see and sniff you first
- If bitten, immediately report the bite to an adult ■

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texting while driving banned

FOR TRUCKERS, BUS DRIVERS

Coming on the heels of a study by Virginia Tech's Transportation Institute that indicated that truckers who text while driving are 23 more times likely to be in a crash or near-crash, the federal government has formally banned truck and bus drivers from texting while behind the wheel.

The move may lead to a push to ban texting for all drivers. Nineteen states have already banned the practice, and both houses of Congress are considering bills restricting texting as well.

The Federal Motor Carrier Safety Administration reports that texting drivers take their eyes off the road to an average of 4.6 out

of every six seconds. Even more disconcerting, the agency said that at running speed of 55 mph, a texting driver travels more than the length of a football field without looking at the road. ■



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