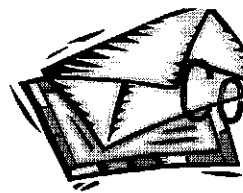


NHTSA ccmMercury Routing Slip**Congressional**

Printed: 2/7/2006

NHTSA #: ES06-000738**XREF #:****Delivery: REG****Rec'd Date: 2/6/2006****Doc Type: CNG****Address To:****Referred By: NEC-110****Doc Date: 1/20/2006****Due Date: 2/15/2006****S10 #:****DOT/I #: 2006-7105****RMP #:****Subject: LTR FWD EMAIL FM [REDACTED] (TX) RE RECALL OF A 1997 CHEVROLET LUMINA FOR DEFECTIVE STEERING COLUMN, HIS DAUGHTER [REDACTED] WAS KILLED IN AN AUTO ACCIDENT WHILE DRIVING A CHEVROLET LUMINA, REPLY ATTN JROME FOSS/DALLAS, TX OFC****Ack Date:****Sign Office: EXTERNAL****AFFAIRS****Cleared Date:****File Loc:****Added By: NMOODY x62544****Ack By:****Signature: HARRINGTON****Cleared By:****XREF File:****Modified By: NMOODY****Signed For:****Cleared For:****Closed Date:****Most Recent Comment:****Author:****JOHN CORNYN
UNITED STATES SENATE****WASHINGTON, DC 20510-4305****Tel: Fax: E-mail:**

2006 FEB -7 PM 3:14

Assigned To	Task	Asgn Date	Deadline	Returned Date
NVS-200	REPLY	2/6/2006	2/15/2006	
NVS-010	INFORMATION	2/7/2006		2/7/2006
I10	INFORMATION	2/7/2006		2/7/2006
I20	INFORMATION	2/7/2006		2/7/2006
NOA-010	INFORMATION	2/7/2006		2/7/2006

EXECUTIVE SECRETARIAT

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TRANSMITTED

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2/7/06

JOHN CORNYN

TEXAS

United States Senate

WASHINGTON, DC 20510-4305

NHTSA

January 20, 2006

Department of Transportation
Office of Congressional Affairs
400 7th Street, S.W.
Washington, District of Columbia 20590

Re: [REDACTED] / Three pages to follow

My constituent has sent the enclosed communication. A response which addresses his questions regarding the recall of 1997 Chevrolet Lumina's, and what options he may have if a recall has been issued, would be appreciated.

Please send your response to the following address:

Office of Senator John Cornyn
Occidental Tower
5005 LBJ Freeway, Suite 1150
Dallas, Texas 75244-6199

ATTN: Jerome Foss
(972) 392-9308
(972) 239-2110 (Fax)

E-mail: Jerome_Foss@cornyn.senate.gov

Enclosure

2006-7105
ES06-000738

Constituent

Georgetown, Texas
Williamson County

Phone:

Email:

Promoted From Correspondence

Web Mail Message

Dear Sir,

I'm writing to you in that you might help on a subject or at least has advice how to go forward. This has to do with two subjects that both stem from an incident that took place on July 16, 2005. I work for Sheriff James Wilson, Sheriff of Williamson County, TX. On the night of July 16th my daughter was coming to pick me up at work. She travelled SH 195. We live just north of Florence, TX. and she was headed for Georgetown. She never made it. In front of the Hacienda Bar on 195 she was involved in an accident that included a total of five vehicles and a stock trailer. From injuries she sustained in the wreck she died early on July 17th at Scott and White Hospital in Temple. The subjects I want to address are #1: the driver of the vehicle that my daughter evidently collided with first fled on foot with possibly two others. DPS or the Williamson County DA have neither secured a warrant nor have they indicted him. #2: the car my daughter was driving was out 1997 Chevrolet Lumina. The 1997 Chevrolet Lumina is on a recall list because of an apparent failure in the steering that causes the car to be hard or impossible to steer if the part fails. In the case of my daughters accident the particular part or parts may have failed causing her to loose control and steer across the oncoming lane which led to a full size Dodge pickup pulling a stock trailer with three rodeo bulls to hit her broadside on the passenger side.

The only witness(s) to what happened to cause the wreck in the first place is, I think, the driver of this first other vehicle or his passengers. DPS believes there were three occupants that night. The driver of the full size Dodge pulling the rodeo bulls was a witness after the fact. My daughter allegedly hit the right rear of a Ranger extended cab pickup with the left front of our car. 195 is a two lane highway at this point with shoulders. It looked like she was going around to the right onto the shoulder to avoid hitting him. It looks like he may have been turning left into the bar parking lot. She is supposed have gone on past the little pickup on the right. For some reason though, she took a hard left and was then 90 degrees from her original direction. She crossed the oncoming lane in time to be hit on the passenger side. The driver of the Ranger pickup and possible passengers fled on foot. If the reason that she drove into oncoming traffic was because of this recall situation and a failed part I have no means to be able to research it. The vehicle is now, and has been, at Lee's Wrecker on 195 just north of where the accident occurred. I have been paying Lee storage money in hopes that I can have someone with expertise look at the vehicle from the stand point of part failure or manufacture defect. If this part failed at just that time of the accident I think it would lead to a wrongful death lawsuit. I called Chevrolet and the last I heard from them two months or more ago is they would have someone contact me to go with me to look at it. I haven't heard anything since. The recall notices sent to me direct me to Hewitt Chevrolet in Georgetown. I can't get them to commit to come and see the car. Most of the time they don't return my calls.

As for the driver of the Ranger, he might in fact be the registered owner. [REDACTED] has been in the Williamson County Jail three times. All related to two DWI arrests. One was in 1993 and the second in 1998. His address is Sunset Ranch on Nameless Road between Leander and Jonestown. He worked and lived there it seems since before 1993. Each time he

was arrested it looks like the ranch owners paid a cash bond to get him out. On July 17th DPS took a trip out to [REDACTED]'s address to see if he had been driving the night before. There are several houses on the ranch and he evidently lived in a house behind a house. I say lived there because the morning after the accident his neighbor told DPS that [REDACTED] had already packed and left. He told his neighbor he was leaving, going to Mexico, and had to go right then. When asked what his hurry was, for instance could his mom be sick, he replied that yes his mom was sick and he had to go now. When asked when he was coming back his reply was he was never coming back. So, after living and working there for all those years he just up and left without pre-arrangement and never to return(?). My belief is that after having lived in the US and tasted the good life he can't or won't stay away. He could be back at the Ranch now and so far he hasn't been charged with any crime. When my daughter was found to be at fault for the accident naturally our insurance paid on the various claims. Our insurance adjustor was in communication with the owners and bosses of [REDACTED] in the event he wanted to place a claim for damage to his Ford Ranger pickup. About two or three weeks after the wreck [REDACTED] is said to have called back to his boss and told her he was the driver of the Ranger pickup the night of July 16th.

I was told after DPS had analyzed the Ranger that I could look at it so long as I didn't take anything. I looked it over with one of the tow truck drivers of Wiley's Wrecker, where the little pickup was being held. I took pictures inside and out. I found an 18 pack of Budweiser sitting behind the front seat. It was open and there were open cans in the front seat and rear. The driver told me that when the truck was picked at at the scene to be brought there that there were cans open in the front seat where the driver would have had access. The tow truck driver also told me the 18 pack was cold and sweating in the back at the time of the accident which indicated it had been bought just prior to the wreck. [REDACTED] might not want to implicated himself as to having caused the wreck in the first place, but the passengers when identified and located might shed some light on the subject. I noticed the 18 pack of beer or the loose beer cans on the floor had not been processed for fingerprints as there was no fingerprint dust residue. I asked Sheriff Wilson if the Sheriff's Department could process the pickup to help identify the occupants if DPS wasn't going to. Sheriff Wilson said he would inquire to DPS to see if they were in fact done with the truck as I was told they were. He said he'd be happy to send a technician over to process the truck. When he did ask DPS he was told by a Sgt. Pratt that they had everything under control and to please ask me to stop sticking my nose in their investigation. He implied I was interfering. This of course wasn't true and in fact I had gone out of my way to be sure that anything I did would in no way hamper their ongoing investigation. In conclusion nothing in almost 6 months has come of the driver fleeing the scene so far as DPS or the Williamson Co. DA is concerned unless it has taken place just this last week and I'm not aware of it. Also, I still haven't a way to prove or disprove that the part caused the death of my daughter only because I don't have the money or means it would take to do so. Do you have any suggestions? Can you do anything to help or can you suggest what I might do now?

Some other time I'd like to talk to you about generating legislation on a particular topic. When someone fails to ID themselves it carries a particular punishment. If, however, they are wanted for something at the time they fail to ID the punishment for failure to ID is enhanced. My question is what if anything could be done to enhance the punishment for crimes committed by persons that are in the United States illegally? Could this not be compared to my first example in that if when they commit a crime here, that it is secondary to the crime they committed already of being here illegally in the first place?

Thank you for any ideas you may have in respect to what I have laid out for you in the first of this message. I have also sent a similar request to my United States Rep. John Carter.

[REDACTED]