

NO. C-2344-19-E

**SANTA CRUZ DE LEON SAUCEDA
AND MARTHA MARTINEZ
Plaintiffs,**

V.

**IRAISY MONTALVO REYNA
Defendant.**

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IN THE DISTRICT COURT

275TH JUDICIAL DISTRICT

OF HIDALGO COUNTY, TEXAS

CHARGE OF THE COURT

MEMBERS OF THE JURY:

After the closing arguments, you will go to the jury room to decide the case, answer the questions that are attached, and reach a verdict. You may discuss the case with other jurors only when you are all together in the jury room.

Remember my previous instructions: Do not discuss the case with anyone else, either in person or by any other means. Do not do any independent investigation about the case or conduct any research. Do not look up any words in dictionaries or on the Internet. Do not post information about the case on the Internet. Do not share any special knowledge or experiences with the other jurors. Do not use your phone or any other electronic device during your deliberations for any reason.

Any notes you have taken are for your own personal use. You may take your notes back into the jury room and consult them during deliberations, but do not show or read your notes to your fellow jurors during your deliberations. Your notes are not evidence. Each of you should rely on your independent recollection of the evidence and not be influenced by the fact that another juror has or has not taken notes.

Here are the instructions for answering the questions.

1. Do not let bias, prejudice, or sympathy play any part in your decision.
2. Base your answers only on the evidence admitted in court and on the law that is in these instructions and questions. Do not consider or discuss any evidence that was not admitted in the courtroom.
3. You are to make up your own minds about the facts. You are the sole judges of the credibility of the witnesses and the weight to give their testimony. But on matters of law, you must follow all of my instructions.
4. If my instructions use a word in a way that is different from its ordinary meaning, use the meaning I give you, which will be a proper legal definition.
5. All the questions and answers are important. No one should say that any question or answer is not important.
6. Answer “yes” or “no” to all questions unless you are told otherwise. A “yes” answer must be based on a preponderance of the evidence. Whenever a question requires an answer other than “yes” or “no,” your answer must be based on a preponderance of the evidence. The term “preponderance of the evidence” means the greater weight of credible evidence presented in this case. If you do not find that a preponderance of the evidence supports a “yes” answer, then answer “no.” A preponderance of the evidence is not measured by the number of witnesses or by the number of documents admitted in evidence. For a fact to be proved by a preponderance of the evidence, you must find that the fact is more likely true than not true.
7. Do not decide who you think should win before you answer the questions and then just answer the questions to match your decision. Answer each question carefully without considering who will win. Do not discuss or consider the effect your answers will have.

8. Do not answer questions by drawing straws or by any method of chance.
9. Some questions might ask you for a dollar amount. Do not agree in advance to decide on a dollar amount by adding up each juror's amount and then figuring the average.
10. Do not trade your answers. For example, do not say, "I will answer this question your way if you answer another question my way."
11. The answers to the questions must be based on the decision of at least ten of the twelve jurors. The same ten jurors must agree on every answer. Do not agree to be bound by a vote of anything less than ten jurors, even if it would be a majority.

As I have said before, if you do not follow these instructions, you will be guilty of juror misconduct, and I might have to order a new trial and start this process over again. This would waste your time and the parties' money, and would require the taxpayers of this county to pay for another trial. If a juror breaks any of these rules, tell that person to stop and report it to me immediately.

DEFINITIONS

“Negligence” means failure to use ordinary care, that is, failing to do that which a person of ordinary prudence would have done under the same or similar circumstances, or doing that which a person of ordinary prudence would not have done under the same or similar circumstances.

“Ordinary care” means that degree of care that would be used by a person of ordinary prudence under the same or similar circumstances.

“Proximate cause” means a cause that was a substantial factor in bringing about an event, and without which cause such event would not have occurred. In order to be a proximate cause, the act or omission complained of must be such that a person using ordinary care would have foreseen that the event, or some similar event, might reasonably result therefrom. There may be more than one proximate cause of an event.

“Occurrence in question” means the motor vehicle collision that occurred on or about September 28, 2017.

“Physical pain and mental anguish” means the conscious physical pain and emotional pain, torment, and suffering experienced by the Plaintiff as a result of the occurrence in question.

“Physical impairment” means the loss of the Plaintiff’s former physical capabilities. In determining compensation for physical impairment, if any, you shall consider the effect of any physical impairment on the Plaintiff’s former lifestyle. “Physical impairment” includes loss of enjoyment of life.

INSTRUCTIONS FOR DAMAGES QUESTIONS

Do not add any amount for interest on damages.

Do not consider or include any amount for any condition not resulting from the occurrence in question.

Answer each question separately. Do not speculate about what any party's ultimate recovery may or may not be. Any recovery will be determined by the Court when it applies the law to your answers at the time of judgment.

QUESTION NO. 1:

Did the negligence, if any, of Iraissy Montalvo Reyna proximately cause the occurrence in question?

Answer "Yes" or "No": _____

Only if you answered "Yes" to Question No. 1, answer Question No. 2.

QUESTION NO. 2:

What sum of money, if paid now in cash, would fairly and reasonably compensate Santa Cruz De Leon Saucedo for her injuries, if any, that resulted from the occurrence in question?

Consider the elements of damages listed below and none other. Consider each element separately. Do not award any sum of money on any element if you have otherwise, under some other element, awarded a sum of money for the same loss. That is, do not compensate twice for the same loss, if any. Do not include interest on any amount of damages you find.

Answer in dollars and cents for damages, if any.

(a) Physical pain and mental anguish sustained in the past.

Answer: \$ _____

(b) Physical pain and mental anguish that, in reasonable probability, will be sustained in the future.

Answer: \$ _____

(c) Physical impairment sustained in the past.

Answer: \$ _____

(d) Physical impairment that, in reasonable probability, will be sustained in the future.

Answer: \$ _____

(e) Medical care expenses incurred in the past.

Answer: \$ _____

Only if you answered "Yes" to Question No. 1, answer Question No. 3.

QUESTION NO. 3:

What sum of money, if paid now in cash, would fairly and reasonably compensate Martha Martinez for her injuries, if any, that resulted from the occurrence in question?

Consider the elements of damages listed below and none other. Consider each element separately. Do not award any sum of money on any element if you have otherwise, under some other element, awarded a sum of money for the same loss. That is, do not compensate twice for the same loss, if any. Do not include interest on any amount of damages you find.

Answer in dollars and cents for damages, if any.

(a) Physical pain and mental anguish sustained in the past.

Answer: \$ _____

(b) Physical pain and mental anguish that, in reasonable probability, will be sustained in the future.

Answer: \$ _____

(c) Physical impairment sustained in the past.

Answer: \$ _____

(d) Physical impairment that, in reasonable probability, will be sustained in the future.

Answer: \$ _____

(e) Medical care expenses incurred in the past.

Answer: \$ _____

PRESIDING JUROR

1. When you go into the jury room to answer the questions, the first thing you will need to do is choose a presiding juror.

2. The presiding juror has these duties:
 - (a) have the complete charge read aloud if it will be helpful to your deliberations;
 - (b) preside over your deliberations, meaning manage the discussions, and see that you follow these instructions;
 - (c) give written questions or comments to the bailiff who will give them to the judge;
 - (d) write down the answers you agree on;
 - (e) get the signatures for the verdict certificate; and
 - (f) notify the bailiff that you have reached a verdict.

Do you understand the duties of the presiding juror? If you do not, please tell me now.

INSTRUCTIONS FOR SIGNING THE VERDICT CERTIFICATE

1. You may answer the questions on a vote of ten jurors. The same ten jurors must agree on every answer in the charge. This means you may not have one group of ten jurors agree on one answer and a different group of ten jurors agree on another answer.
2. If ten jurors agree on every answer, those ten jurors sign the verdict.

If eleven jurors agree on every answer, those eleven jurors sign the verdict.

If all twelve of you agree on every answer, you are unanimous and only the presiding juror signs the verdict.
3. All jurors should deliberate on every question. You may end up with all twelve of you agreeing on some answers, while only ten or eleven of you agree on other answers. But when you sign the verdict, only those ten who agree on every answer will sign the verdict.

Do you understand these instructions? If you do not, please tell me now.

SIGNED THIS 11th of February, 2026.

JUDGE ISRAEL RAMON PRESIDING BY
ASSIGNMENT

VERDICT CERTIFICATE

Check one:

Our verdict is unanimous. All twelve of us have agreed to each and every answer. The presiding juror has signed the certificate for all twelve of us.

Signed this 11th day of February, 2026.

Signature of Presiding Juror

Printed Name of Presiding Juror

Our verdict is not unanimous. Eleven of us have agreed to each and every answer and have signed the certificate below.

Our verdict is not unanimous. Ten of us have agreed to each and every answer and have signed the certificate below.

Signed this 11th day of February, 2026.

SIGNATURE	NAME PRINTED
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