

**OPENING STATEMENT**  
**PLAINTIFFS**

**Santa Cruz De Leon Saucedo and Martha Martinez**

v.

**Iraissy Montalvo Reyna**

Cause No. C-2344-19-E

275th District Court, Hidalgo County, Texas

Trial Date: February 2026

*Estimated Time: 12-15 minutes*

## I. INTRODUCTION

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*[Stand at podium. Make eye contact with entire jury. Speak slowly and deliberately.]*

May it please the Court.

Ladies and gentlemen of the jury.

— PAUSE —

This case is about a simple rule of the road that every driver in Texas knows: when you are behind another vehicle, you must keep a proper lookout, maintain control of your vehicle, and never put yourself in a position where you strike the car in front of you.

On September 28, 2017, the Defendant, Iraissy Montalvo Reyna, broke that rule. She attempted to pass in a no-passing zone and struck my clients from behind while they were lawfully stopped in their lane of traffic.

And because she did, two people—Santa Cruz De Leon Saucedo and Martha Martinez—were hurt.

— PAUSE —

**This case is not complicated. It is not about tricks. It is not about exaggeration. It is about accountability.**

## **II. THE COLLISION – SEPTEMBER 28, 2017**

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*[Paint the picture. Help them see it.]*

Let me take you back to that afternoon. It was around 5:30 in the evening on FM 3072 in Hidalgo County—a two-lane road with one lane going each direction.

Ms. Saucedo was driving her 2008 Chevrolet HHR eastbound in the outside lane. Sitting next to her in the passenger seat was Ms. Martinez. They were stopped. Their vehicle was not moving. They were doing exactly what any lawful driver does—waiting in their lane of traffic.

Behind them, coming up from the rear, was the Defendant, Iraissy Montalvo Reyna, driving a 2014 Nissan Sentra.

— PAUSE —

Now, what happened next is important, because even the Defendant cannot dispute the basic facts.

The Defendant attempted to pass. She tried to move from the outside lane to the inside lane. But here is the problem: that stretch of FM 3072 is a no-passing zone. And instead of waiting safely behind my clients, the Defendant misjudged. She failed to maintain a proper lookout. She failed to control her vehicle.

**And she struck Ms. Saucedo's Chevy HHR from behind.**

— PAUSE —

This was not a phantom accident. This was not imagined. Officer G. Valdez of the Hidalgo Police Department responded to the scene. He investigated. He spoke with the drivers. He documented what he found. And his report reflects what the physical evidence shows: the Defendant was at fault.

You will see the damage to my clients' vehicle—damage to the rear and side that does not happen unless the trailing driver fails to maintain proper control and clearance. The

property damage estimate from Vic's Auto Rebuilders documents the collision-related damage.

### **III. THE IMMEDIATE AFTERMATH**

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*[Humanize. Address the 'no ambulance' issue head-on.]*

Immediately after the impact, everyone was shaken. Adrenaline was high. No one called an ambulance.

And I want to address that directly, because it matters.

In real life—not in movies, but in real life—people do not always know they are hurt right away. The body's stress response masks pain. People are startled, confused, trying to figure out what just happened. They exchange information. They talk to the officer. They go home thinking they are fine.

That is exactly what happened here.

But later that evening—and certainly by the next day—the pain came.

#### **IV. SANTA CRUZ DE LEON SAUCEDA'S INJURIES**

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*[Specific. Credible. No overreach.]*

Ms. Saucedo began experiencing lower back pain that she had never had before. Pain that interfered with bending, lifting, sitting, and standing—basic movements required for her daily life.

She tried to push through it. She tried over-the-counter medication. When it did not resolve, she did what a reasonable person does: she sought medical treatment.

She went to Chiro Sync in McAllen, where she was treated by Dr. David Gosalvez, a chiropractor. She received adjustments and therapy to address her injuries. When conservative chiropractic care was not enough, she was referred for additional treatment.

She went to Texas Pain Clinic in Weslaco, where Dr. Jorge Saenza—a pain management physician—evaluated her and provided injections to help manage her pain.

She had imaging done at Upper Valley Radiology and Digital Views so her doctors could see what was happening inside her body.

Ms. Saucedo's medical bills total \$16,540. That includes \$7,815 at Chiro Sync, \$5,275 at Texas Pain Clinic, \$2,500 at Upper Valley Radiology, and \$950 at Digital Views.

These were not luxury treatments. These were not excessive. This is what it costs to treat the injuries the Defendant caused.

## **V. MARTHA MARTINEZ'S INJURIES**

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*[Different injuries. Same credibility approach.]*

Ms. Martinez's injuries were different from Ms. Saucedo's, but just as real.

She began experiencing pain in her neck, her back, and her hip. She had difficulty with daily activities. These were not complaints she had before September 28, 2017.

Like Ms. Saucedo, Ms. Martinez followed the same path that many people follow after a car crash. She sought conservative care first. She treated at Chiro Sync with Dr. Gosalvez. When more was needed, she was referred to Texas Pain Clinic to see Dr. Saenza. She had imaging done at Upper Valley Radiology and Digital Views.

Ms. Martinez's medical bills total \$20,465. That includes \$7,590 at Chiro Sync, \$6,925 at Texas Pain Clinic, \$5,000 at Upper Valley Radiology, and \$950 at Digital Views.

Again—conservative treatment. Documented treatment. Real treatment for real injuries.

## **VI. CREDIBILITY – WHAT THE EVIDENCE WILL SHOW**

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*[Inoculate against defense attacks. Build trust.]*

I want to talk to you about something that matters in every case: credibility.

— PAUSE —

Neither Ms. Saucedo nor Ms. Martinez rushed to a courtroom after this accident. They did not call a lawyer the next day. They focused on getting better.

Neither of them exaggerated their symptoms. They did not ask for surgery. They did not claim they were paralyzed. They did not stop their lives and sit at home waiting for a lawsuit.

They worked when they could. They treated when they could. They endured pain when they had to.

And here is something else that matters: neither Plaintiff knew how much their medical treatment cost at the time they were receiving it. They were focused on getting better—not on building a case. That tells you something about who these people are.

— PAUSE —

You will also hear from the Defendant herself. She will have her version of events. You will be asked to decide who to believe.

But here is what the law says: even if you set aside any dispute about distraction or cell phones, a driver who strikes a stopped vehicle from behind—while attempting to pass in a no-passing zone—has failed to keep a proper lookout and failed to control her vehicle.

**That is negligence under Texas law. Period.**

## **VII. WHAT THIS CASE IS ABOUT**

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*[Frame the verdict. Make it about fairness, not punishment.]*

This case will not ask you to punish anyone.

It will ask you to do something quieter and more important: to restore balance.

When someone breaks the rules of the road and causes harm, the law says they are responsible for the consequences. Not because we want revenge. But because that is how our system works. That is how we hold each other accountable.

— PAUSE —

Ms. Saucedo and Ms. Martinez did not ask to be in this courtroom. They did not ask to be hurt. They were stopped in their lane, minding their own business, when the Defendant's negligence changed their lives.

The combined medical expenses in this case total \$37,005. That is real money spent on real treatment for real injuries.

But the bills are only part of the story. You will also be asked to consider the physical pain both Plaintiffs experienced. The disruption to their daily lives. The mental anguish of dealing with injuries they did not cause and did not deserve.

## VIII. CONCLUSION – WHAT WE WILL ASK

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*[Clear. Direct. Confident.]*

At the end of this case, after you have heard all the evidence, the Judge will give you a series of questions to answer.

We will ask you to answer 'yes' to the liability question: yes, the Defendant was negligent.

We will ask you to answer 'yes' to the causation question: yes, that negligence caused these injuries.

And we will ask you to award fair compensation—not excessive, not inflated—but fair compensation for what Ms. Saucedo and Ms. Martinez went through, and what they continue to live with today.

— PAUSE —

**That is what justice looks like in a case like this. Not dramatic. Not excessive. Just fair.**

Thank you for your attention. I look forward to presenting our case.

*[Sit down. Do not thank individual jurors.]*

## **REFERENCE: KEY FACTS FOR OPENING**

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### **Collision Facts:**

- Date: September 28, 2017, approximately 5:30 p.m.
- Location: 2700 Block FM 3072, Hidalgo County, Texas
- Plaintiffs' Vehicle: 2008 Chevrolet HHR (stopped, eastbound, outside lane)
- Defendant's Vehicle: 2014 Nissan Sentra
- Mechanism: Defendant attempted to pass in no-passing zone, struck Plaintiffs from behind
- Investigating Officer: Officer G. Valdez, Hidalgo Police Department

### **Medical Providers:**

- Chiro Sync – Dr. David Gosalvez, III, D.C., CCSP (McAllen)
- Texas Pain Clinic – Dr. Jorge Saenza, M.D. (Weslaco)
- Upper Valley Radiology – Dr. William Martin, M.D. (McAllen)
- Digital Views (McAllen)

### **Medical Specials – Santa Cruz De Leon Saucedo:**

- Chiro Sync: \$7,815.00
- Texas Pain Clinic: \$5,275.00
- Upper Valley Radiology: \$2,500.00
- Digital Views: \$950.00
- **TOTAL: \$16,540.00**

### **Medical Specials – Martha Martinez:**

- Chiro Sync: \$7,590.00
- Texas Pain Clinic: \$6,925.00
- Upper Valley Radiology: \$5,000.00
- Digital Views: \$950.00
- **TOTAL: \$20,465.00**

### **COMBINED MEDICAL SPECIALS: \$37,005.00**

### **Theories of Negligence (per Disclosure):**

1. Failed to maintain in a single lane
2. Attempted to pass in a no-passing zone
3. Failed to keep proper lookout
4. Failed to maintain proper control of vehicle
5. Failed to control speed
6. Failed to apply brakes
7. Failed to maintain assured clear distance