

A wrongful death lawsuit has been filed in Texas on behalf of a family that lost a loved one in a drunken driving accident involving an off-duty police officer. The lawsuit has been filed in Tarrant County, and is filed against the establishment that continued to over serve the officer, even though he showed obvious signs of inebriation.

### **The Tragic, yet Avoidable Events of Friday, December 11, 2009**

In the early hours of [Friday, December 11, 2009](#), Sonia Baker was on her way to pick up breakfast for her two children and husband before heading out to work as a dialysis technician. Unbeknownst to her, at the same time, off-duty Fort Worth police officer, Jesus Cisneros was leaving a popular Fort Worth bar, the Pour House. With a blood alcohol level of more than twice the legal limit, Cisneros flew through the residential neighborhood at speeds in excess of 70 mph. Tragedy struck when his city-issued SUV collided with Baker's PT Cruiser, killing her and leaving an unrecognizable heap of twisted metal and glass.

Not only was Cisneros allowed to continue drinking at the Pour House while visibly intoxicated, and possibly getting in at least one altercation, but he was also believed to be drinking throughout the night on some form of undercover bar detail. To make matters worse, he was driving a city-owned vehicle while he drove around partying and carousing throughout the night; completely disregarding his duties as an officer and responsible citizen.

### **Who's Legally Responsible?**

Cisneros has been suspended in the past for alcohol problems, an obvious precursor to the actions of December 11. He will be tried in Tarrant County court on charges of alcohol manslaughter and if convicted will more than likely receive a lengthy prison term.

The wrongful death lawsuit has been filed against the Pour House, which according to state Dramshop law, failed to monitor and accordingly, discontinue serving alcohol to Cisneros after it became apparent that he had become too intoxicated.

Under [Texas law](#), any establishment that fails to monitor and cease serving an intoxicated individual is to be held responsible for that person's actions during after they leave their establishment.

All employees in the state of Texas that serves alcohol of any kind must pass a course administered by the Texas Alcohol and Beverage Commission. These classes stress that any bar and its employees that over serve a patron is ultimately responsible for this person and their actions once they leave the bar, restaurant or other establishment.

The Pour House was fully aware of the consequences of allowing a patron to over indulge and leave their premises, especially behind the wheel of a vehicle.

The Pour House put profit over safety and continued to serve Cisneros after he was visibly intoxicated and then allowed, and shockingly, according to some witness accounts, encouraged, him to leave the bar while stumbling out the door to his car.

The 27-year-old Baker leaves behind a loving husband, two beautiful children and her mother, who had lost her husband no more than six months before.

The pain and suffering that has been caused this family could and should have been avoided, but because of the greed of a few negligence individuals, these children will grow up without a mother and her husband will have to spend the rest of his life asking why this happened to his love.

If you feel that you had a loved one injured or taken from you because of the negligence of another or the negligence of an establishment such as the Pour House, please don't hesitate to contact the Rasansky Law Firm at 214.651.6100, or fill out a free case evaluation form today.