



SARASOTA

LITIGATOR

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**VERDICT INCREASED IN CASE AGAINST
TEENAGE DRUNK DRIVER**

Every step Daniel Travis Kirkland takes reminds him of the dangers of drinking and driving. He was on his way home on March 18, 2004 with a friend when they were rear-ended by Matthew Sexton, a minor at the time, who was leaving a Bradenton bar after celebrating St. Patrick's Day. After Kirkland's truck came to a rest, he exited the passenger door to assess the damages. Sexton restarted his Jeep and fled the scene of the initial crash. As he was driving away, Sexton struck Kirkland and threw him about 10 feet in the air. Even though he struck Kirkland, Sexton left the scene of the crash. He was later apprehended by Manatee County Sheriff and charged and convicted of driving under the influence with serious bodily injury and fleeing the scene of a crash. Sexton was jailed for approximately one year following his conviction.

Emergency personnel, called to the scene, determined that Kirkland immediately required a trauma center for emergency medical care. Flown to Bayfront Medical Center, he stayed for approximately one week; he returned a few days later for surgery to reconstruct his right knee. In addition, Kirkland suffered a closed head injury, neck injuries, a concussion, sutures to his head and a low back injury. Kirkland underwent seven surgical procedures for his injuries, including a total

knee replacement on his right knee in August 2006. He continues to seek medical care and attention for his injuries and will likely need three additional knee replacements.

Shortly after suffering these devastating injuries, Kirkland's attorneys, Greg Linehan and Steve Wittmer, offered to settle the claims with Sexton's insurance company, Allstate. Allstate failed to meet the terms of the settlement offer and a lawsuit was filed. In February 2007, after approximately two-and-a-half years of litigation, the case went to trial. Despite the overwhelming facts of the case, Sexton maintained that he was not responsible for either of the crashes or the injuries Kirkland suffered. It was not until the third day of trial that Mr. Sexton finally accepted responsibility for the crash and injuries.

A jury verdict was rendered in the amount of \$326,516.00 for Kirkland on February 8, 2007. After the trial, attorneys Linehan and Wittmer requested an increase in the jury verdict, as it was inadequate for the serious injuries. The Court granted their request and increased the total verdict to \$578,301.00. Kirkland is now attempting to fully recover from his injuries and work in a new field.