

The Alabama Jury Verdict Reporter

The Most Current and Complete Summary of Alabama Jury Verdicts

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Statewide Jury Verdict Coverage - Published Monthly

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Civil Jury Verdicts

Complete and timely coverage of civil jury verdicts in Alabama including circuit, presiding judge, parties, case number, attorneys and results.

Wrongful Death - A pregnant woman became involved in a car crash with a man who may have been intoxicated; the tortfeasor pled guilty to related criminal charges and went to prison, while plaintiff pursued a civil claim for punitive damages against the him for the death of her unborn child

Horton v. Francisco-Bartolo, 16-902083
Plaintiff: James R. Moncus, III,
Minner Vines Moncus, PLLC.,
Birmingham

Defense: Steven C. Corhern and
Trey Bundrick, *Balch & Bingham,*
LLP., Birmingham

Verdict: \$3,700,000 for plaintiff
(comprised entirely of punitive
damages)

Circuit: **Jefferson**, 4-21-22

Judge: Tamara Harris Johnson

On 3-7-16, a pregnant Tiffany Horton was driving east on U.S. 280 in Jefferson County. At a point near the intersection of Rocky Ridge Road and Green Valley Road, Horton was involved in a collision with a vehicle being driven by 23 year-old Irwin Francisco-Bartolo.

The record provides no further details on how the crash happened. Also, although the record is unclear on this point, it appears that Francisco-Bartolo may have been intoxicated at the time. In any event, Horton's unborn child, later named Adley Horton, died due to injuries from the crash.

Francisco-Bartolo subsequently pled guilty to reckless manslaughter and first-degree assault due to his role in Adley's death. He was sentenced to 18 years in prison and currently resides in the Bibb Correctional Facility.

Horton filed suit against

Francisco-Bartolo and blamed him for causing the crash that resulted in Adley's death. Horton also named Elvira Bartolo Sabastien and Francisco Andres Francisco as co-defendants on the ground that they negligently entrusted their vehicle to Francisco-Bartolo.

It turned out that all defendants in this case were indigent. Sabastien and Francisco filed for and were granted discharge in bankruptcy. Horton thereafter dismissed them from the case. The litigation proceeded solely against Francisco-Bartolo on Horton's claim for Adley's wrongful death.

The record does not describe Francisco-Bartolo's defenses, if any. Interestingly, it appears that Horton pursued only punitive damages against him.

The case was tried for four days in Birmingham. Francisco-Bartolo had to be transported from the Bibb Correctional Facility to the courthouse in order to participate in the trial. The jury returned a verdict for Horton in the amount of \$3,700,000. The verdict form indicated that this figure was comprised entirely of punitive damages.

The court entered a judgment that reflected the verdict. However, it is unclear how much, if any, of the judgment will ever be collected.

Case Documents:

[Jury Verdict](#)

[Final Judgment](#)