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38TH

           JUDICIAL DISTRICT

UVALDE COUNTY, TEXAS

**TO THE HONORABLE JUDGE OF SAID COURT:**

COMES NOW, Plaintiff CHRISTOPHER SALINAS father and next friend of S.N.S., *a minor*, OSCAR ORONA father and next friend of N.O., *a minor*, CRISTINA OLIVAREZ mother and next friend of K.O., *a minor* and ANGELICA RODRIGUEZ mother and next friend of L.G., *a minor* (“Plaintiff”) and in their capacities as next friend for their minor children file this their Original Petition complaining of Salvador Ramos, by and through the personal representative of the Estate of Salvador Ramos (“Defendant”) and hereby state as follows:

On May 24, 2020 the community of Uvalde and these young Plaintiffs were the victims of the latest in a tragic line of mass shootings that have taken place at our schools. Starting with Columbine High School in 1999 with 13 dead, and continuing to Virginia Tech in 2007 (33 dead), Sandy Hook Elementary in 2012 (26 dead), Marjory Stoneman Douglas High School in 2018 (17 dead), and Santa Fe High School in El Paso in 2018 (10 dead) our schools have become

Christina Ovalle, District Clerk  
Uvalde County, TX

targets and places of mayhem for deranged killers. Institutions where we send our children, believing them to be safe and trusting them to the care of others charged with that responsibility, are turned into scenes of horror and death by the foreseeable actions of those intent to cause chaos and harm. Over the last two decades there have been at least 12 mass shootings at our schools killing over 140 children and adults and wounding dozens of others. This has to stop.

On the morning of May 24, 2022 Salvador Ramos became the latest shooter to enter a school armed with semi-automatic assault style weapons with the intent to harm as many children and adults as he could. Through his actions and the failures of others involved, 17 children and 2 adults were killed and many others were injured, including these Plaintiffs.

**I.**  
**DISCOVERY LEVEL**

1. Discovery shall be conducted in this case according to Level III discovery control plan.

**II.**  
**PARTIES/SERVICE**

2. Plaintiff Christopher Salinas is an individual residing in Uvalde County, Texas and is the father and next friend of S.N.S., a minor, who also resides in Uvalde County, Texas.

3. Plaintiff Oscar Orona is an individual residing in Uvalde County, Texas and is the father and next friend of N.O., a minor, who also resides in Uvalde County, Texas.

4. Plaintiff Cristina Olivarez is an individual residing in Uvalde County, Texas and is the mother and next friend of K.O., a minor, who also resides in Uvalde County, Texas.

5. Plaintiff Angelica Rodriguez is an individual residing in Uvalde County, Texas and is the mother and next friend of L.G., a minor, who also resides in Uvalde County, Texas.

6. Defendant Salvador Ramos, deceased, is an individual who resided in

Uvalde County, Texas. To the Plaintiffs' knowledge an estate has not yet been established and an administrator has not yet been appointed. Pursuant to Texas Estates Code Sections 22.018, 303.051 and 304.001(5) the Plaintiffs will move to appoint his mother Adriana Martinez as the administrator and will file this suit upon her in that capacity. She may be served at her place of residence. In the event the court appoints another qualified individual to act as administrator of the estate the suit will continue with that person acting as personal representative.

### **III. JURISDICTION AND VENUE**

7. Venue is proper in Uvalde County, Texas, pursuant to §15.001 of the TEXAS CIVIL PRACTICE & REMEDIES CODE as all or a substantial portion of the events made the basis of this lawsuit occurred in Uvalde County, Texas.

8. This Court has jurisdiction over the parties named herein because Defendants are residents and citizens of the State of Texas and/or routinely and regularly conduct business in this State.

9. This is a cause of action for money damages within this Court's jurisdiction.

10. Pursuant to Rule 47 of the TEXAS RULES OF CIVIL PROCEDURE, Plaintiffs seek monetary relief OVER ONE MILLION DOLLARS (\$1,000,000.00), which is in excess of the minimum jurisdictional limits and a demand for judgment for all the other relief to which Plaintiffs deem themselves justly entitled at the time of filing this suit, which, with the passage of time may change and is within the Court's jurisdictional limits. Because Rule 47 of the TEXAS RULES OF CIVIL PROCEDURE requires Plaintiffs to affirmatively plead the amount of damages sought, Plaintiffs plead that any amount in excess of ONE MILLION DOLLARS (\$1,000,000.00) in an amount to be determined by the jury.



#### **IV. FACTS**

11. On the morning of May 24, 2022 Salvador Ramos entered the Ross Elementary School armed with at least on AR-15 assault style rifle and over 1000 rounds of ammunition. His intent was to harm as many children and adults in that school as he could. Sadly, he did just that- entering two classrooms at the school, firing his weapon and unleashing hundreds of bullets, killing 19 young children and two adults and injuring scores of others.

12. Ramos had purchased two AR-15 assault style rifles from Davis Defense online on May 17, 2022 and May 20, 2022. These sales were facilitated by the local federally licensed arms dealer, Oasis Outback.

13. Prior to the shooting on May 24, 2022, Ramos had expressed his intent to shoot up a school. In his online chat he stated:

“I just shot my grandma in her head. Ima go shoot up an elementary school rn.”

14. He carried out that intent on the morning of May 24, 2022. On that fateful morning Ramos shattered the peaceful school day being enjoyed by these Plaintiffs and engaged in a reign of terror that lasted for over an hour.

15. The acts of Ramos were premeditated, intentional and tragic.

16. The four minor Plaintiffs named herein were in these classrooms and were injured by Ramos in this hail of bullets. Each one of them were intentionally shot by Ramos. He intentionally injured these young children, stole their innocence, and forever changed their lives. Minor S.N.S. was shot in the leg; Minor N.O. was shot in the shoulder; Minor L.G. was shot in the face; Minor K.O. was shot in the back, leg and the shoulder.

17. Each of these children have undergone extensive medical care. Some have undergone multiple surgeries. They have all suffered severe physical injuries and unimaginable emotional trauma. They witnessed their friends and teachers being shot and dying in front of them. They were locked into the room with Ramos as he shot their friends and were forced to stay there for over 45 minutes hurt and frightened before police finally entered the room and shot and killed Ramos. The emotional toll they endured is incomprehensible and will be with them for the remainder of their lives. They, along with their families and their community will never be the same. The acts of violence they experienced and the physical injuries they received were the direct cause of the intentional and senseless acts of Ramos facilitated by the actions and failures of others. He entered that classroom with the intent to harm as many people and to cause as much terror and heartache as he could. Sadly, he was successful.

V.  
**INTENTIONAL ACTS OF SALVADOR RAMOS**

18. The Plaintiffs hereby incorporate the factual assertions contained in paragraphs 11-17.

***ASSAULT AND BATTERY***

19. As to Defendant Salvador Ramos by and through the personal representative of the estate of Salvador Ramos, Plaintiffs would hereby allege that this Defendant committed the intentional tort of assault and battery and that these intentional acts were the proximate cause of the injuries suffered by S.N.S., N.O., K.O. and L.G.

20. In this regard these Plaintiffs would hereby allege that the Defendant Ramos intentionally, knowingly, or recklessly caused bodily injury to S.N.S., N.O., K.O. and L.G. In this regard the Plaintiffs would hereby allege that Ramos assaulted these Plaintiffs and committed battery against them by threatening them with bodily harm and intentionally inflicted

upon them bodily harm with the specific intent to do so. This assault and battery was done through the use of a deadly weapon and through the use of this deadly weapon these Plaintiffs were severely and permanently injured, both physically and emotionally.

***INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS***

21. The Plaintiffs hereby incorporate the factual assertions contained in paragraphs 11-17.

22. In this regard these Plaintiffs would hereby allege that the Defendant Ramos acted intentionally or recklessly, his conduct was extreme and outrageous, the actions of the Defendant Ramos caused S.N.S., N.O., K.O. and L.G. emotional distress, and the emotional distress suffered by S.N.S., N.O., K.O. and L.G. was severe.

***MALICE***

23. Defendant's conduct was more than momentary thoughtlessness or inadvertence. Rather, Defendant's conduct involved were intentional and involved an extreme degree of risk, considering the probability and magnitude of the potential harm to Plaintiffs. Defendant had actual, subjective awareness of the risk involved but, nevertheless, proceeded in an intentional and conscious indifference to the rights, safety, or welfare of Plaintiffs or others similarly situated.

24. The acts and/or omissions by Defendant outlined in Paragraphs 11-17 constitute malice as that term is defined in §§ 41.001(7) and 41.001(11) CIVIL PRACTICE & REMEDIES CODE. Plaintiffs further hereby allege that the limitations on the exemplary damages should be removed pursuant to Section 41.008 (c)(4) aggravated assault, and (7) injury to a child.



25. The above acts and/or omissions were singularly and cumulatively the proximate cause of the occurrence in question and the resulting injuries and damages sustained by Plaintiffs S.N.S., N.O, K.O. and L.G.

26. For such malicious conduct by the Defendant, Plaintiffs sue for exemplary damages.

## **VI. DAMAGES**

27. As a direct and proximate result of the incident and the intentional conduct of the Defendant, Plaintiff S.N.S., a minor, suffered severe and permanent bodily injuries to his leg, thigh and other parts of his body generally. The injuries have had a serious effect on the Plaintiff's health and well-being. These specific injuries and their ill effects have, in turn, caused his physical and mental condition to deteriorate generally and the specific injuries and ill effects have and will, in reasonable probability, cause him to suffer consequences and ill effects of this deterioration throughout his body in the future, if not for the balance of his natural life. The Plaintiff has also suffered great physical and mental pain, suffering and anguish and, in reasonable probability, will continue to suffer in this manner in the future, if not for the balance of his natural life.

28. Additionally, as a direct and proximate result of the occurrence made the basis of this lawsuit, Plaintiff was caused to incur the following damages:

1. Pain and suffering in the past;
2. Pain and suffering in the future;
3. Mental anguish in the past;
4. Mental anguish in the future;
5. Past medical expenses;
6. Future medical expenses;
7. Physical impairment in the past;
8. Physical impairment in the future;
9. Physical disfigurement in the past;

10. Physical disfigurement in the future;
11. Pre judgment interest;
12. Post judgment interest;
13. Exemplary damages;
14. Loss of enjoyment of life in the past; and,
15. Loss of enjoyment of life in the future.

29. As a result, the damages sought are in excess of one million dollars (\$1,000,000.00).

30. As a direct and proximate result of the incident and the intentional conduct of the Defendant, Plaintiff N.O., a minor, suffered severe and permanent bodily injuries to his shoulder, arm, back and other parts of his body generally. The injuries have had a serious effect on the Plaintiff's health and well-being. These specific injuries and their ill effects have, in turn, caused his physical and mental condition to deteriorate generally and the specific injuries and ill effects have and will, in reasonable probability, cause him to suffer consequences and ill effects of this deterioration throughout his body in the future, if not for the balance of his natural life. The Plaintiff has also suffered great physical and mental pain, suffering and anguish and, in reasonable probability, will continue to suffer in this manner in the future, if not for the balance of his natural life.

31. Additionally, as a direct and proximate result of the occurrence made the basis of this lawsuit, Plaintiff was caused to incur the following damages:

1. Pain and suffering in the past;
2. Pain and suffering in the future;
3. Mental anguish in the past;
4. Mental anguish in the future;
5. Past medical expenses;
6. Future medical expenses;
7. Physical impairment in the past;
8. Physical impairment in the future;
9. Physical disfigurement in the past;
10. Physical disfigurement in the future;
11. Pre judgment interest;



12. Post judgment interest;
13. Exemplary damages;
14. Loss of enjoyment of life in the past; and,
15. Loss of enjoyment of life in the future.

32. As a result, the damages sought are in excess of one million dollars (\$1,000,000.00).

33. As a direct and proximate result of the incident and the intentional conduct of the Defendant, Plaintiff K.O., a minor, suffered severe and permanent bodily injuries to her shoulder, back, leg, and other parts of her body generally. The injuries have had a serious effect on the Plaintiff's health and well-being. These specific injuries and their ill effects have, in turn, caused her physical and mental condition to deteriorate generally and the specific injuries and ill effects have and will, in reasonable probability, cause her to suffer consequences and ill effects of this deterioration throughout her body in the future, if not for the balance of her natural life. The Plaintiff has also suffered great physical and mental pain, suffering and anguish and, in reasonable probability, will continue to suffer in this manner in the future, if not for the balance of her natural life.

34. Additionally, as a direct and proximate result of the occurrence made the basis of this lawsuit, Plaintiff was caused to incur the following damages:

1. Pain and suffering in the past;
2. Pain and suffering in the future;
3. Mental anguish in the past;
4. Mental anguish in the future;
5. Past medical expenses;
6. Future medical expenses;
7. Physical impairment in the past;
8. Physical impairment in the future;
9. Physical disfigurement in the past;
10. Physical disfigurement in the future;
11. Pre judgment interest;
12. Post judgment interest;
13. Exemplary damages;

14. Loss of enjoyment of life in the past; and,
15. Loss of enjoyment of life in the future.

35. As a result, the damages sought are in excess of one million dollars (\$1,000,000.00).

36. As a direct and proximate result of the incident and the intentional conduct of the Defendant, Plaintiff L.G., a minor, suffered severe and permanent bodily injuries to her face, nose, cheek and other parts of his body generally. The injuries have had a serious effect on the Plaintiff's health and well-being. These specific injuries and their ill effects have, in turn, caused her physical and mental condition to deteriorate generally and the specific injuries and ill effects have and will, in reasonable probability, cause her to suffer consequences and ill effects of this deterioration throughout her body in the future, if not for the balance of her natural life. The Plaintiff has also suffered great physical and mental pain, suffering and anguish and, in reasonable probability, will continue to suffer in this manner in the future, if not for the balance of her natural life.

37. Additionally, as a direct and proximate result of the occurrence made the basis of this lawsuit, Plaintiff was caused to incur the following damages:

1. Pain and suffering in the past;
2. Pain and suffering in the future;
3. Mental anguish in the past;
4. Mental anguish in the future;
5. Past medical expenses;
6. Future medical expenses;
7. Physical impairment in the past;
8. Physical impairment in the future;
9. Physical disfigurement in the past;
10. Physical disfigurement in the future;
11. Pre judgment interest;
12. Post judgment interest;
13. Exemplary damages;
14. Loss of enjoyment of life in the past; and,
15. Loss of enjoyment of life in the future.

38. As a result, the damages sought are in excess of one million dollars (\$1,000,000.00).

**VII.**  
**EXEMPLARY DAMAGES**

39. Plaintiffs hereby incorporates each of the foregoing paragraphs herein as if set forth in full in this section.

40. Plaintiffs sue for exemplary damages in an amount in excess of \$100,000,000.

**VIII.**  
**INTEREST**

41. Plaintiffs seek pre-judgment and post-judgment interest as allowed by law.

**IX.**  
**DEMAND FOR JURY TRIAL**

42. Plaintiffs demand a trial by jury. Plaintiffs acknowledge payment this date of the required jury fee.

**X.**  
**NOTICE OF SELF-AUTHENTICATION**

43. Pursuant to RULE 193.7 of the TEXAS RULES OF CIVIL PROCEDURE, Defendants are hereby noticed that the production of any document in response to written discovery authenticates the document for use against that party in any pretrial proceeding or at trial.

**PRAYER**

WHEREFORE, PREMISES CONSIDERED, Plaintiff CHRISTOPHER SALINAS IANF of S.N.S., *a minor*, OSCAR ORONA IANF of N.O., *a minor*, CRISTINA OLIVAREZ IANF of



K.O., *a minor* and ANGELICA RODRIGUEZ IANF of L.G., *a minor* respectfully request Defendant be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for the Plaintiffs against Defendant, for actual damages as alleged and exemplary damages, in an amount within the jurisdictional limits of this Court; together with pre-judgment interest (from the date of injury through the date of judgment) at the maximum rate allowed by law; post-judgment interest at the legal rate, costs of court; and such other and further relief to which the Plaintiffs may be entitled at law or in equity.

Respectfully submitted,

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**ATTORNEYS FOR PLAINTIFFS**

### **Automated Certificate of eService**

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