

Plain woman's family sues ex-employer

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The family of a woman killed in a service station robbery filed suit yesterday seeking almost \$7 million in damages from Diamond Shamrock, saying it failed to provide adequate security precautions.

Corpus Christi attorney Rene Rodriguez filed the suit on behalf of Mr. and Mrs. Louis G. Vargas Jr., whose daughter, Wanda Jean Lopez, 24, was killed when the Diamond Shamrock service station at 2602 S. Padre Island Drive was robbed on Feb. 4, 1983.

Ms. Lopez's last pleas for life during the robbery were recorded on a police department tape as she called for help.

The suit has been assigned to Judge Vernon Harville's 105th District Court in Corpus Christi. No trial date has been set.

Carlos DeLuna, 21, of Corpus Christi, was tried before a Nueces County jury and convicted of capital murder in Ms. Lopez's slaying. He was sentenced to death by lethal injection.

Eyewitness testimony and physical evidence presented at DeLuna's trial showed Ms. Lopez was stabbed to death as she was describing her murderer to a Corpus Christi police dispatcher on the telephone.

A tape-recording of her conversation with the dispatcher revealed that Ms. Lopez hysterically pleaded to her attacker to take all the money in the store before he killed her.

In their suit, the Lopezes contend that Diamond Shamrock was negligent and was a cause of their daughter's death because it failed to provide security precautions for employees and customers.

In addition, they contend that Diamond Shamrock was negligent because it failed

- To provide protective training or any other security instructions regarding self-protection for employees.

- To notify the public by placing signs in windows and other areas that employees cannot open the store safe, that large amounts of cash are not kept in the cash register and that security systems are in effect in the store.

- To provide employees with an audible alarm system which could have dissuaded and prevented a would-be robber from proceeding with the commission of a crime.

- To install a glass or other protective barrier around the service station counter to protect employees from physical contact with potential robbers.

- To provide employees with an alternative exit from the counter area to serve as protection from a dangerous situation.

The Lopezes are seeking \$3.5 million in damages from Diamond Shamrock's for its failure to provide the safety services despite the service station being located in a high crime area and having been robbed before, Rodriguez said.

In addition, Mr. and Mrs. Lopez seek \$900,000 in actual damages for themselves for the untimely death of their daughter. In addition to suffering mental anguish, grief and sorrow, the Lopezes said they have suffered the loss of their daughter's advice, counsel, comfort, care and protection.

The Lopezes seek an additional \$2.5 million for their granddaughter, Mellisa Adele Lopez, who, as a result of her mother's death has lost the right to a mother's love, affection, solace, comfort, companionship, emotional support and happiness.