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LAWSUIT BLAMES TESLA FOR DEATH OF JOVANI MALDONADO

Jovani Maldonado Garcia, 15, was ejected from a Ford Explorer after it was hit by a Tesla Model 3.

By [David A. Wood](#), CarComplaints.com • Posted in [News](#)

March 29, 2025 — A Tesla Model 3 crash lawsuit will proceed to a jury trial four years after the lawsuit was filed.

The crash occurred in August 2019 when Benjamin Maldonado Escudero was driving a Ford Explorer on a California freeway with his 15-year-old son, Jovani Maldonado Garcia, in the front passenger seat.

The plaintiff signaled to turn right into lane three of Interstate 880 because the vehicle in front had slowed, but Mr. Escudero quickly tried to travel back into lane two when his Explorer was hit from behind by a Tesla Model 3. ([Watch a six-second video taken from the Tesla](#))

The rear-end crash caused the Ford Explorer to roll over and crash into the center barrier wall of the freeway. Jovani was ejected and died at the scene, while the lawsuit alleges Mr. Escudero sustained back injuries. The lawsuit does not mention this, but 15-year-old Jovani was not wearing a seat belt.

Driving the Tesla Model 3 was Romeo Lagman Yalung with his wife Vilma in the passenger seat. The Model 3 was traveling 69 mph in a 65 mph zone, then accelerated to 70 mph about two seconds before impact.

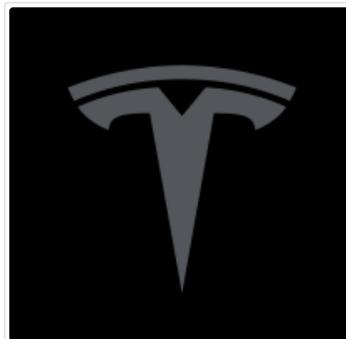
Yalung had engaged Tesla's Autopilot system, and it wasn't until a fraction of a second before the crash that the driver tried to slow the Tesla Model 3. The lawsuit blames Tesla by alleging Autopilot and the vehicle were defective, in addition to blaming Tesla driver Romeo Lagman Yalung and even his wife Vilma.

According to the wrongful death lawsuit, Tesla drivers are "allowed to use the self-driving mode in any traffic and conditions and at speeds in excess of the speed limit."

Tesla argues the police report blames the Tesla driver for the crash, not the car. Tesla also says if it made any misrepresentations about Autopilot or the Tesla Model 3, those misrepresentations were not made to the family members who filed the lawsuit.

Judge Rebekah Everson could have dismissed the lawsuit over the past four years but allowed it to proceed to trial for a jury to determine fault.

"The Court's decision is a significant step toward justice, finding sufficient evidence for a jury to determine whether



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at trial that will demonstrate to the jury the merits of our claims and hold Tesla accountable for this tragedy.” —

Brett Schreiber

The Tesla Model 3 crash lawsuit was filed in the Superior Court of California, County of Alameda: *Escudero v. Tesla, et al.*, case number RG21090128.

The plaintiff is represented by Brett Schreiber of Singleton Schreiber and the Swanson Law Group.

— This story was updated March 31, 2025, adding information from the plaintiff's attorney.

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