Case Summary — Garrett Daniel Cuellar

Case #2026-00034514 | Compiled 8/10/2026 — for continuity into new conversation

Instructions for use: Upload this file at the start of a new conversation and say "here's context from a prior conversation with Claude — please treat this as background."

THE COLLISION — 3/26/2026, ~20:29-20:39

Location: N Del Rosa Ave / E Marshall Blvd, San Bernardino. Clear, dark w/ street lights, dry roadway, no unusual conditions.

What happened: Garrett (D1, 2005 Chevrolet Silverado, brown/tan, plate 7X24622) was southbound on N Del Rosa Ave approaching the intersection. Gwendolyn Ruiz-Gonzalez (D2, 2020 Nissan Juke, black, plate 8PDR182) was stopped at a stop sign in the #1 lane, preparing to proceed straight. Garrett rear-ended her at a reported high rate of speed. CHP coded: primary factor CVC 23152(a)/(b) DUI, secondary factor CVC 22350 unsafe speed. No mechanical defects either vehicle. Garrett's truck towed on officer's orders; her car towed at owner's request.

Injuries documented:

- Ruiz-Gonzalez (age 23): complaint of pain, chest/back. Transport refused.
- Andrea Marie Gonzalez (passenger, age 49): complaint of pain, right arm/shoulder. Taken to LLUMC (transport box shows "refused" but "taken to LLUMC" also listed — unresolved inconsistency, flag for counsel).

Officers involved:

- CHP Officer J. Avalos (#23645) — first on scene, advised no serious injury, flagged possible DUI
- SBPD Officer T. Lopez Moya (#51615) — conducted DUI evaluation, made arrest
- Officer Jones (#51574) — prepared CHP 555 collision report/narrative
- Citation (Notice to Appear) lists declaring/citing officer as **"K. Junge," badge 51574** — discrepancy vs. "Jones" on collision report, same badge number. Unresolved — flag for counsel.

DUI EVALUATION (Officer Lopez Moya, #51615)

Preliminary observations: Face flushed/pale/sweaty, speech slurred/stuttering, confused attitude, odor of alcoholic beverage, eyes bloodshot/watery, droopy eyelids. Corrective lenses box: "Glasses" checked — this reflects that Garrett uses glasses, **not** that he was wearing them during testing. Garrett states his glasses were on the dash, not on his face, during the stop/FSTs — a fact only he can establish, worth confirming any vision restriction on his license and whether FSTs were validly administered without corrective lenses in use.

Self-report on injury: Answered "No" to "are you injured" and "have you bumped your head." Garrett's account: he didn't discover the forehead mark until he got home and looked in a mirror; he experienced disorientation/memory gaps around the impact unlike anything he's felt before (last clear memory is driving, next is being questioned by police). This pattern — inability to accurately self-assess injury in the moment, gaps in memory around impact — is consistent with a possible head injury/concussion affecting self-assessment. This needs to go to counsel in Garrett's own words, in detail, while fresh.

FSTs: HGN present both eyes (lack of smooth pursuit, HGN at max deviation both sides), lack of convergence present. Walk-and-turn: improper turn ("lifted both feet off ground and turned"), stepped off line. One-leg stand: foot down on left. Rhomberg: internal clock line present, seconds field blank. No PBT results recorded. No breath test recorded. **Watson Advisement marked "Not Given," no reason checked** — procedural gap.

Blood draw: Consented (checked "Will you take a Blood Test?" — Yes). Drawn by V. Vasquez, CPT #559, Law Enforcement Medical Services, San Bernardino CDC/jail, 3/26 at 22:19, single stick, cuffed. **Results still pending — lab backlog ~6-7 months out as of this writing.**

Miranda: Given by Lopez Moya, 3/26 at 22:20, location CDC.

Denial of drinking: Consistently stated "nothing" / "No" to all drinking questions throughout the form.

BOOKING / CITATION

- Booking #2603301050, San Bernardino County Sheriff's Dept, booked 3/27/26 00:50

- Charges: VC 23152(a) DUI Alcohol Only, VC 23152(b) DUI BAC 0.08+ — **both marked misdemeanor (M)** on booking sheet and citation
- No injuries/illnesses noted at booking, no medical exam prior to booking, not rendered unconscious, no force used
- Citation/Notice to Appear: **court date 8/17/2026, San Bernardino Superior Court, 8:00 AM**

DS-367 (DMV Officer's Statement / Chemical Test Admonition)

- **Narrative section entirely blank** — no written account of stop/arrest circumstances from the officer
- Objective symptoms checked: bloodshot/watery eyes, odor of alcoholic beverage, unsteady gait, slurred speech
- Chemical Test Admonition given 3/26 at 21:40; Garrett selected blood test

DMV APS PROCEEDING

- Case #202600034514, driver's license F5244243
- Hearing rescheduled multiple times: 5/21 → 6/23 → 8/5 → **now 9/24/2026**
- Current DMV contact: **K. Slaughter**
  (records/correspondence previously handled by Sierra R. Chavez, per 4/30/2026 records request to SBPD — that request confirms DMV did not yet have the full collision report as of 4/30; Garrett has since obtained it)

DEFENSE ARGUMENTS / OPEN ISSUES IDENTIFIED

1. Coerced signature via alleged false felony threat (per Garrett's account — not yet corroborated by a document in hand)
2. Blank DS-367 narrative section
3. Watson Advisement not given, no reason stated
4. Possible vision-restriction/FST validity issue — glasses were on the dash, not worn during testing; need to confirm DL restriction code
5. Head injury/disorientation explaining "No" injury answers — credible, needs written counsel-ready account (see above)
6. Badge/name discrepancy: "Jones" (collision report) vs. "K. Junge" (citation), same badge 51574
7. Previously flagged (not yet re-confirmed against documents currently in hand): officer misidentification as "Moreno," badge number 51015 vs. 51615 discrepancy, DOB conflict, Miranda time conflict, vehicle description mismatch — **these may reference an earlier/different document version; re-verify against DS-367/booking sheet before relying on them**

SOURCE DOCUMENTS ALREADY REVIEWED

- CHP 555 Traffic Crash Report (5 pages) — collision narrative, coding, injured/witness info
- DMV Request for APS Records (4/30/2026, Sierra Chavez)
- DUI/Drug Influence Evaluation Report (4 pages) — Officer Lopez Moya
- Arrest/Booking Application
- Age 21 and Older Officer's Statement (DS-367), pages 1-3, including Chemical Test Admonition and Drug Admonition
- Citation / Notice to Appear (#1111757)

- Law Enforcement Medical Services blood draw invoice (both white/yellow and pink copies)

INSURANCE MATTERS (parallel to criminal/DMV case)

- **Aspire General** (policy GPCP-00528151): potential bad-faith claim. Cancellation notice sent via Insurify rather than direct mail (may not satisfy CA notice requirements), continued billing post-cancellation, $31.39 payment accepted at 1:08 AM on 3/26/2026 with portal showing $0.00 balance ~19 hours before the crash, no clear non-coverage notification. Likely contingency case.
- **Mercury Insurance / Kristine's Chrysler 300**: total-loss settlement received, no paperwork signed, title/salvage status unresolved. Mercury attempted to shift DMV notification burden to owner without signed agreement. Retitling into a trust on hold pending salvage resolution. Subrogation exposure window: 3-year property / 2-year injury from 3/26/2026.
- **National General**: email received, contents not yet reviewed/confirmed relevant — open thread, follow up.

LEGAL PLAN COVERAGE — CONFIRMED

MetLife Legal Plan, Amazon.com Services Inc. High-Seasonal plan, Coverage Code 2072, PL 9908160. Confirmed via official Fact Sheet (dated 8/8/2026):

Covered:

- Driving Under The Influence Defense — court hearings, prosecutor negotiation, trial (covers the 8/17 criminal

matter). Does not cover vehicular homicide, post-sentencing proceedings, probation violations, or appeals.

- Restoration of Driving Privileges — covers the 9/24 DMV APS hearing.
- Administrative Hearing Representation — may separately apply to the DMV hearing (excluded only where "services are available... by virtue of an insurance policy," not applicable here).

Not covered: costs or fines, matters after sentencing, probation violation hearings, appeals by either party.

Process notes:

- Client Service Center: 1-800-821-6400 / www.members.legalplans.com
- Coverage determination is finalized by the **Plan Attorney**, not the phone rep.
- Out-of-network attorneys (e.g., Wallin & Klarich) are reimbursed via a **set fee schedule**, not necessarily full cost — get the fee schedule before assuming full coverage.

ATTORNEY SELECTION

Compared five options found via MetLife's provider list. **Selected: Wallin & Klarich**, 225 West Hospitality Lane #319, San Bernardino, CA 92408, (909) 347-5542.

Reasoning: strongest DUI-specific and DMV-hearing-specific track record found in research — documented cases of successful officer cross-examination leading to DMV set-asides, DA declining to file, and wins based on improperly conducted blood tests. Likely out-of-network under MetLife (needs confirmation) — plan to ask them to structure billing to

separate DMV hearing work from criminal defense work, so DMV-side work can potentially be submitted for MetLife reimbursement even if not in-network.

Garrett is separately calling an in-network Plan Attorney found via MetLife's account portal to compare/confirm coverage before finalizing.

PERSONAL / LIFE CONTEXT RELEVANT TO THIS CASE

- Garrett is 31, works at Amazon LAX9 (Fontana, CA), Sat-Tue overnight shift 18:15-04:45
- Lives with parents in San Bernardino, CA
- Long-term relationship (~10 years) with Kristine
- Vehicle situation: currently working through affordability of a replacement/interim vehicle given ~$200 currently available and reported ~$1,500/week take-home when working full shifts consistently — getting-to-work reliability appears to be an open, related problem worth solving
- Uses "Hermes," a self-built React/Claude-API personal ops dashboard, to track life areas including a Legal lane — intended as the durable source of truth across conversations, since Claude's memory persists only as summarized notes, not full document contents

OPEN QUESTIONS / NEXT ACTIONS AS OF THIS SUMMARY

1. Confirm with MetLife: fee schedule for Wallin & Klarich as out-of-network vs. in-network attorney comparison

2. Ask Wallin & Klarich (or in-network attorney): DMV hearing experience specifically, felony-wobbler risk given two injuries, continuance strategy for 8/17 given pending blood results
3. Reconcile "Jones" vs. "K. Junge" badge 51574 discrepancy
4. Re-verify item 7 above (Moreno/badge/DOB/Miranda discrepancies) against actual documents rather than memory
5. Follow up on National General email — contents unknown, unconfirmed relevance
6. Resolve LLUMC transport inconsistency for Andrea Gonzalez
7. Vehicle affordability / reliable transportation to work — unresolved