

IN THE DISTRICT COURT WITHIN AND FOR TULSA COUNTY, STATE OF OKLAHOMA

STATE OF OKLAHOMA,)

Plaintiff)

Case No.

vs.)

Tulsa Police Report #2019023590

Ortiz-Luevano, Evelyn)

CF-2019-2059

Defendant(s))

AFFIDAVIT

DISTRICT COURT
F I L E D

STATE OF OKLAHOMA)

APR 26 2019

COUNTY OF TULSA)

DON NEWBERRY, Court Clerk
STATE OF OKLA. TULSA COUNTY

The undersigned, of lawful age, being duly sworn, upon oath deposes and states as follows:

1. He is a City of Tulsa Police Officer assigned to Riverside Division Traffic Investigation Unit.
2. The crimes described in this affidavit occurred within Tulsa County, State of Oklahoma.
3. He has read certain official investigative reports and statements of witnesses regarding the above named Defendant(s) and from these reports it appears as follows:

On April 23, 2019 at about 8:30 P.M. the Defendant did cause the death of her son, 5 year old Caiden Reyes-Ortiz, while riding a motorized scooter with him as a passenger. She committed several misdemeanors, including riding a motorized scooter into oncoming traffic and failing to remain at the outer edge of the roadway. She crossed both lanes and recklessly rode the scooter into on-coming traffic, and in an attempt to veer out of the path of a vehicle, caused her son to fall from the scooter and then to be hit by that vehicle, causing his death.

On April 23, 2019 at 8:53 P.M., I was contacted by Sergeant Boyes of the Tulsa Police Department Riverside Traffic Unit to respond to a fatality collision in the area of 3100 Riverside Drive in the City and County of Tulsa.

The investigation revealed Evelyn Ortiz-Luevano was operating a "Lime" motorized scooter with her son, 5 year-old Caiden Reyes-Ortiz as a passenger. Caiden Reyes-Ortiz fell from the scooter and was struck by a vehicle on Riverside Drive.

A friend of Ortiz-Luevano was present at the time of the collision. She had stated they picked up two Lime scooters from downtown, put them in the car and brought them back to the Gathering Place. They had parked in the parking lot just south of John Williams Way on the east side of Riverside Drive. They wanted to enter the Gathering Place but, instead of going through the entrance at that location, they decided to take Riverside Drive to 31st Street to the entrance there. They both used the Lime scooters to facilitate their movement and both individuals had one child on the scooter with them. Witness stated Ortiz-Luevano was approximately forty yards in front of her when the collision occurred as Ortiz-Luevano accelerated away from her as they were driving on Riverside Drive. Witness saw the scooter swerve to the left as a northbound vehicle swerved to its left to avoid striking Ortiz-Luevano and her son Caiden. As Ortiz-Luevano avoided the northbound vehicle, Caiden was thrown from the scooter onto the pavement and was struck by the northbound vehicle.

Another witness that was walking across the pedestrian bridge that crosses over Riverside Drive saw another individual stop on the bridge and begin yelling down towards the roadway. Witness then looked down and observed 2 electric scooters being driven southbound on Riverside Drive in the northbound lanes of traffic. A white SUV had stopped northbound was honking its horn. He observed the two scooters split around the SUV on both sides and continue southbound in the northbound lanes. Witness observed the first scooter zigzagging across the lanes of traffic and heard more horns honking as they entered the tunnel where he lost sight of them. Witness stated the first scooter was being driven at full speed.

My investigation revealed that the Defendant was illegally operating the motorized scooter contrary to traffic laws and operating the scooter in a reckless and negligent manner which led to

the death of her 5 year old son, Caiden Ortiz-Reyes, as he fell off the scooter and was struck by a northbound vehicle on Riverside Drive.