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BISH LAW
22505 Market St, Ste 104
Newhall, CA 91321

1 STACEY R. CUTTING, ESQ. (SBN 265993).
2 **BISHLAW**
3 22505 Market Street, Suite 104
4 Newhall, CA 91321-2935
5 Telephone: (661) 255-8300
6 Fax: (661) 255-8301

ELECTRONICALLY FILED
Superior Court of California
County of Santa Barbara
Darrel E. Parker, Executive Officer
10/18/2019 1:35 PM
By: Elizabeth Spann, Deputy

7 Attorney for Plaintiff

8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF SANTA BARBARA**

10 ANA ESQUIVEL, an individual,
11 Plaintiff,

Case No.: 19CV05589
Judge:
Dept:

12 v.

**PLAINTIFF'S COMPLAINT FOR DAMAGES
FOR WRONGFUL DEATH OF ALESSANDRO
ESQUIVEL**

13 ISLA VISTA RECREATION AND PARK
14 DISTRICT; COUNTY OF SANTA
15 BARBARA; and DOES 1 TO 100,
16 Inclusive,
17 Defendants.

PARTIES

18 1. Plaintiff ANA ESQUIVEL (hereinafter "PARENT") is the mother of ALESSANDRO
19 ESQUIVEL.

20 2. On October, 2018, ALESSANDRO ESQUIVEL was at all times relevant to this action
21 a student at the University of California at Santa Barbara located in the County of Santa Barbara.
22 ALESSANDRO ESQUIVEL was at all time relevant to this action a resident in the off-campus
23 student housing in the unincorporated city of Isla Vista in the County of Santa Barbara.

24 3. ALESSANDRO ESQUIVEL fell to his death from an area in and around Camino Del
25 Sur beach access on October 20, 2018. ALESSANDRO ESQUIVEL was twenty (20) years old, was
26 unmarried and had no children. His only heir was his PARENT.

27 4. Camino Del Sur beach access area, is one of the areas that overlook the ocean in the
28

1 unincorporated city of Isla Vista in the County of Santa Barbara.

2 5. Defendants COUNTY OF SANTA BARBARA, ISLA VISTA RECREATION &
3 PARK DISTRICT, and DOES 1 to 40 are the entities who authorized the changes made to the cliff
4 side in order to create the area in and around Camino Del Sur beach access. ALESSANDRO
5 ESQUIVEL'S PARENT alleges that the defendant COUNTY OF SANTA BARBARA, ISLA VISTA
6 RECREATION & PARK DISTRICT and DOES 1 to 40 controlled the area in and around Camino
7 Del Sur beach access .

8 6. Defendants COUNTY OF SANTA BARBARA, ISLA VISTA RECREATION &
9 PARK DISTRICT and Does 41 to 60 are the entities who controlled the beach access and parks and
10 adjoining areas in the unincorporated city of Isla Vista. ALESSANDRO ESQUIVEL'S PARENT
11 alleges that the defendants COUNTY OF SANTA BARBARA, ISLA VISTA RECREATION &
12 PARK DISTRICT and DOES 11 to 20 also controlled the area in and around Camino Del Sur beach
13 access .

14 7. Defendants COUNTY OF SANTA BARBARA, ISLA VISTA RECREATION &
15 PARK DISTRICT, and Does 61 to 80 are the entities responsible for approving barriers and fences
16 along the coastline in the State of California. The PARENT alleges upon information and belief that
17 these entities controlled the coastline in and around the area in and around Camino Del Sur beach
18 access and the other parks that sit on top of the cliffs in the unincorporated areas of Isla Vista. The
19 PARENT further alleges that these defendants shared in the ability to require safety barriers and other
20 protections to protect the community from accidental falls from the cliffs.

21 8. The PARENT is ignorant of the true names and capacities of defendants sued herein
22 as DOES 1 TO 100, and therefore sues said defendants by such fictitious names. As soon as the
23 PARENT learns of the true identities of said defendants, the PARENT will amend her complaint
24 setting forth their true names.

25 9. The PARENT is informed and believes that each of the defendants, including those
26 designated as a "Doe" are in some way responsible, either by their acts, omissions, or negligence for
27 the damages suffered by the PARENT as a result of the death of ALESSANDRO ESQUIVEL.

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1 **FACTS**

2 10. A dangerous condition existed at the area in and around Camino Del Sur beach access,
3 as well as all other parks which are adjacent to the cliffs in the unincorporated city of Isla Vista at the
4 time of ALESSANDRO ESQUIVEL'S death. The Cliffs had been altered to create a man-made and
5 un-natural condition on the top of sandstone cliffs. There are inadequate barriers to prevent anyone
6 from walking to the cliff edge, the signs were so small as to fail to provide any reasonable notice of
7 the danger and there was no lighting at night.

8 11. Defendants and each of them knew or should have known the following facts:

9 a. Approximately 10000 students from UCSB lived in Isla Vista.

10 b. That since Isla Vista was in essence a college town, the population from one
11 year to the next would change as new students moved in and others graduated and moved away.

12 c. The sororities and fraternities from UCSB located their sorority and fraternity
13 houses in Isla Vista.

14 d. UCSB resident students had parties and events that occupied the streets,
15 houses and cliff sides of Isla Vista such as Chill-A-Vista.

16 e. That the residents and visitors to the area in and around Camino Del Sur beach
17 access and adjacent parks, were, on a regular basis walking to the edge of the cliff in order to look at
18 the ocean and beach below.

19 12. It is further alleged that the defendants and each of them knew or should have known
20 that more than ten (10) college age students in the years prior to ALESSANDRO ESQUIVEL'S death,
21 had fallen from the cliffs and died. Defendants and each of them knew or should have known that
22 even more college age students had fallen from the cliffs and suffered serious injury including
23 paralysis. Defendants and each of them knew or should have known that in almost every instance
24 the student had ingested some alcohol.

25 13. As a direct and proximate result of Defendants' wrongful conduct, the PARENT has
26 suffered general damages, including not limited to loss of love, companionship, assistance,
27 protection, affection, society and moral support. The amount of the PARENT damages will be
28 determined at trial.

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FIRST CAUSE OF ACTION
DANGEROUS CONDITION ON PUBLIC PROPERTY
(As to ALL DEFENDANTS AND DOES 1 TO 80)

14. The PARENT alleges paragraphs 1-13 as though they were fully set for herein.

15. Liability as to each of the defendants alleged herein is based on California Government Code section 835.

16. Defendants and each of them had control of the area in and around Camino Del Sur beach access, as well as all other parks which are adjacent to the cliffs in the unincorporated city of Isla Vista pursuant to California Government Code section 830. The defendants and each of them had the power to prevent, fix, or guard against the dangerous condition, as more fully set forth in paragraphs 10-12. which lead to the death of ALESSANDRO ESQUIVEL.

17. Based on the number of deaths and serious injuries, defendants and each of them knew and had known for more than five (5) years that there was a risk of serious injury and death as a result of falls from the cliff at the area in and around Camino Del Sur beach access as well as the other cliff side parks in the unincorporated city of Isla Vista.

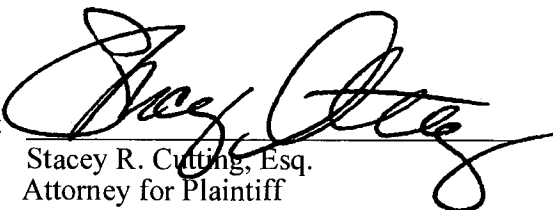
18. As a result of the man made danger that existed at the area in and around Camino Del Sur beach access, ALESSANDRO ESQUIVEL fell to his death on October 20, 2019.

WHEREFORE, the PARENT prays for judgment against Defendants as follows:

1. General damages in a sum which exceeds the statutory minimum of \$25,000;
2. Costs of suit;
3. That the court grant such other and further relief as it deems just and proper.

Dated: October 18, 2019

BISH LAW

By: 
Stacey R. Cutting, Esq.
Attorney for Plaintiff