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Mother suing over son's death in hot car





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ONTARIO, Calif. ([KCAL/KCBS](#)) — A mother is fighting for justice after her disabled son was left to die in a caretaker's steaming hot car.

As CBSLA's Nicole Comstock reports, it's excruciating for Irene Melendez to think about how her oldest son slipped away from the world.

"That particular day it was like 110 to 112 outside," said Melendez. "So my son fried to death."

51-year-old Timothy Cortinas died inside a hot car in West Covina back in August.

He was developmentally disabled and only spoke a few words.

So when he was left in a car outside his care home driver's personal residence for five hours on that summer evening his mother says he couldn't save himself.

"The guy forgot to drop him off," said Melendez.

Tuesday, Melendez filed a wrongful death lawsuit against Timothy's care home — Holy Family Children's Care as well as the Easter Seals and the San Gabriel Pomona Regional Center.

It alleges negligent hiring, neglect of a dependent adult and false imprisonment.

CBSLA asked the San Gabriel Regional Center about Timothy's death. They said they could not comment on their clients.

The other two organizations have not yet returned messages from CBSLA.

"I think she wants positive changes to come of this and she deserves to know what happened," said Dan Ayanchi, West Coast Trial Lawyers.

West Coast Trial Lawyers and Valiant Law are representing the family.

They say the care home called authorities within hours of Timothy not coming back from his day program.



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But they say the care home did not have their new driver’s phone number to call him.

“When someone who’s disabled is left entrusted to these individuals you need to have some protocol and procedure,” said Kamran Shahabi, Valiant Law.

They say it appears the care home had no policy for calling family in such a situation.

Melendez says she abruptly learned of her son’s death the following morning, when she got a call from the morgue.

“I called her up and I told her ‘I found out Timmy’s dead, why didn’t you call me?’ And she said ‘I didn’t know what to say,’ ” said Melendez.

Timothy’s mother said the care home did later call her again after the incident to sincerely apologize.

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