

Houston Chronicle

Wednesday, February 22, 1984

50 Cents ★★★

Woman sues store chain

The mother of a West University Place teen-ager seriously injured in a Dec. 22 car crash has filed a \$12.5 million lawsuit against a convenience store chain, claiming it sold beer to a minor, who caused the crash because he was allegedly drunk at the wheel.

Southland Corp., operator of 7-Eleven stores, was sued in state district court Tuesday by Sue Hammerle, mother of Mark Hammerle, 18, a University of Texas freshman.

Southland officials were not available for comment. Other defendants are Rex Woods, 18, driver of the car, and his father, Darrel Woods. The lawsuit says the elder Woods was negligent in not preventing his son from driving the car while intoxicated.

Plaintiff attorney Richard Mithoff said Hammerle suffered permanent brain damage. "He was a good student, but he is having to learn to add and subtract," Mithoff said.

He said a clerk at a 7-Eleven at 11th Street and Durham in the Heights area should have known that Woods was under the legal age of 19 and already intoxicated when he bought beer there.

The car driven by Woods, and in which Hammerle was a passenger, crashed into a utility pole a few miles south on South Shepherd. Woods was charged with driving while intoxicated, Mithoff said.

Last year, a former Houston bar owner was ordered to pay \$140,000 for serving liquor to an intoxicated customer who later caused a traffic accident in which another person was injured.

But Mithoff said his suit may be unique because it claims the convenience store has responsibility for liquor consumed off the premises.