

THE IOWA DISTRICT FOR PAGE COUNTY

ESTATE OF PAYTON MONTANA  
CASTEEL, by and through its administrator,  
Anna D. Hutt; and TIRAN CASTEEL,  
individually,

Plaintiffs,

v.

PATRICIA CHERIE WRAY,

Defendant.

LAW NO. LACV104785

**DEFENDANT'S FIRST  
SUPPLEMENTAL JURY  
INSTRUCTIONS**

**COMES NOW** the Defendant, Patricia Cherie Wray, by and through their undersigned  
counsel of record, and hereby submits her First Supplemental Jury Instructions.

BRADSHAW, FOWLER, PROCTOR & FAIRGRAVE, P.C.

By: /s/ Janice M. Thomas

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing instrument was served upon one of the attorneys of record for all parties to the above-entitled cause by serving the same on such attorney at his/her respective address/fax number as disclosed by the pleadings of record herein, on the 1st of August 2017 by:

<input type="checkbox"/> U.S. Mail	<input type="checkbox"/> FAX
<input type="checkbox"/> Hand Delivered	<input type="checkbox"/> UPS
<input type="checkbox"/> Federal Express	<input checked="" type="checkbox"/> Other _____ EDMS

\_\_\_\_\_  
*/s/ Peggy Rosky*

**JURY INSTRUCTION NO. \_\_\_\_\_**

A person shall not operate any motor vehicle upon a highway in Iowa unless the person has a driver's license issued by the Iowa Department of Transportation valid for the vehicle's operation.

**JURY INSTRUCTION NO. \_\_\_\_\_**

Where a motorist intending to make a left turn gives a proper signal of his/her intent to a driver following him/her, no additional signal is required.

**JURY INSTRUCTION NO. \_\_\_\_\_**

The defendant claims the plaintiff was negligent in one or more of the following particular(s):

- (a) Failing to use reasonable care for his own safety;
- (b) Failing to maintain a proper lookout;
- (c) Operating an unlicensed off road bike on the highway;
- (d) Failing to drive at a reasonable and proper speed;
- (e) Failing to drive at posted speed limit;
- (f) Failing to drive at a speed which would allow to stop within the assured clear distance;
- (g) Failing to have his vehicle under control;
- (h) Failing to pass when it was clear;
- (i) Operating the off road bike without a license.
- (j) Operating a motorcycle without a headlight.

The defendant must prove both of the following propositions:

1. The plaintiff was at fault.
2. The plaintiff's fault was a cause of the plaintiff's damage.

If the defendant has failed to prove either of these propositions, the defendant has not proved its defense. If the defendant has proved both of these propositions, then you will assign a percentage of fault against the plaintiff and include the plaintiff's fault in the total percentage of fault found by you answering the special verdicts.

**JURY INSTRUCTION NO. \_\_\_\_\_**

The driver of a vehicle overtaking another vehicle going in the same direction shall pass to the left at a safe distance, and shall not drive to the right side of the road until safely clear of the overtaken vehicle.

A violation of this law is negligence.

**JURY INSTRUCTION NO. \_\_\_\_\_**

Every motorcycle shall be equipped with at least one and not more than two head lights.

A violation of this law is negligence.