

Mother of teen killed in crash sues driver of pickup

By Scott Daugherty
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CHESAPEAKE

A couple of months after her 19-year-old daughter's death, Cindy Calloway said she didn't hold a grudge against the man police believe was responsible for the wreck that killed her.

"They were really good friends," Christina Calloway's mother told *The Virginian-Pilot* in October. "I feel bad for him. ... He's gotta live with it physically and mentally for the rest of his life. I don't see what pressing charges is going to do."

Last week, however, Calloway filed a \$10.75 million lawsuit against Michael Dan Mills III.

Calloway and her attorney,

David Dickerson Jr., did not return several phone calls and emails seeking comment.

Mills, 22, of Virginia Beach was indicted in September on one count of aggravated involuntary manslaughter in connection with the Aug. 14 crash on Blackwater Road. The criminal case remains on hold while Mills recovers from injuries he suffered in the wreck, prosecutors said.

"He's been in a very touch-and-go situation," said Andrew Protogyrou, noting that his client almost died in the crash and has had to fight off several infections in the past eight months.

In light of his injuries, Mills was not taken into custody last fall, according to

Capt. Glen Strathmann of the Chesapeake Sheriff's Office. He said deputies check on him periodically.

According to an affidavit for a search warrant, Mills was driving south shortly after 2:30 a.m. when his 2005 Ford F150 pickup veered off the side of the road and struck a tree in the 1200 block of Blackwater Road. Calloway, who was in the truck's passenger seat, died at the scene.

Mills, who the indictment alleged was "under the influence" at the time of the wreck, escaped from the burning truck and was dragged across the street by a witness. He was flown to Sentara Norfolk General Hospital with serious injuries.

Medics informed police at the hospital that Mills smelled of alcohol, according to the affidavit, and beer containers were located in the passenger compartment of the vehicle.

The lawsuit alleges negligence on the part of Mills.

Among other things, the lawsuit says Mills failed to maintain proper control over his vehicle, failed to maintain a safe distance between his vehicle and the ditches bordering the road, and failed to apply his brakes to avoid a collision. It does not mention alcohol.

Pilot writer Veronica Gonzalez contributed to this report.

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