


# Hometown News

## Mistrial declared in bridge hit-and-run case

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By Sarah Stover

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**SINGER ISLAND** - A mistrial was declared in the case of the man accused of killing two pedestrians on the Blue Heron Bridge two years ago as the jury could not reach a verdict.

Palm Beach Shores resident Adam Gaillard, 35, faced 15 years in prison if found guilty of leaving the scene of a fatality, the crime for which he was charged and was being tried.

Under current law, the offense is a first-degree felony, and the maximum sentence is 30 years; however, since this law went into effect six days after the accident, Mr. Gaillard was being tried under previous law, which puts the offense as a second-degree felony with a maximum of a 15 year sentence, as stated in a previous *Hometown News* article.

Mr. Gaillard instead will serve five years in prison and 10 years afterwards on probation. In addition, his driver's license will be permanently revoked. The deal was negotiated between the attorneys when the jury indicated to them that they were deadlocked on a decision, said Richard Tendler, a defense attorney in the case.

Mr. Gaillard struck West Palm Beach residents Cynthia Andrews, 49, and Linda Taylor, 56, in the early morning hours of Sept. 25, 2006, as the friends went for a walk across the Blue Heron Bridge. The impact caused Ms. Andrews to become airborne and she landed on the beach below.

Ms. Taylor was found bleeding on the sidewalk. Both women were pronounced dead at the scene.

Mr. Gaillard's trial began last week, when six jurors and an alternate were selected from a group of 22. On March 28, Andy Fore, a mechanical engineer who has done extensive work with software that reenacts collisions, testified.

The drop Ms. Andrews made was approximately a 50-foot fall, said Mr. Fore from the witness stand in the Palm Beach County Courthouse in West Palm Beach.

Mr. Fore became involved in the case in July 2007, he said.

He inspected the accident site twice, the teal 1994 GMC Suburban Mr. Gaillard was driving that day a few times and took an aerial shot of the scene. His shot was not shown to the jurors, but a similar aerial shot was. When he visited the accident site, even though it was a year later, the marks made by police were

still present, as was the paint from the car on the concrete, said Mr. Fore.

He could also see the concrete mark on the front left lens of the car's headlight, he said.

The front axle was damaged, as is the case in most collisions, added Mr. Fore, who said he has completed at least 100 inspections/reenactments of front-end collisions involving pedestrians.

By his estimation, Mr. Gaillard was driving at least 35 miles per hour when he struck Ms. Andrews and Ms. Taylor.

The defense was hoping his testimony might help give a better image of what happened, since witnesses only saw the vehicle after the accident occurred. Mr. Gaillard drove to a friend's apartment immediately afterward. When he finally spoke with police, about 12 hours later, Mr. Gaillard told them he left the scene because his license was expired due to not paying child support, as reported in a previous *Hometown News* article.

Mr. Gaillard drove off the roadway as a result of problems he was having with his girlfriend, he told police. He threw his cell phone on the floor of the passenger side of his Suburban.

"When he threw it on the ground, he banged on the steering wheel, and he took his eyes off the road. That's what he told us," said investigator Larry Colagiovanni with the Palm Beach County Sheriff's Office in the article.

Since enough time had passed between the accident and when Mr. Gaillard spoke with police to make a blood test irrelevant, and investigators could not prove he was speeding, Mr. Gaillard was not charged with manslaughter. Although the police had a confession, they still needed evidence as demanded by law, so Mr. Gaillard was not arrested for leaving the scene of a fatality until Oct. 19, 2006, Mr. Colagiovanni said at the time.

Since then, Mr. Gaillard posted a \$50,000 bond set by Judge Cory Ciklin at a hearing on Oct. 20, 2006. He also changed attorneys. Originally, attorney Steven Sessa spoke to the police on Mr. Gaillard's behalf, but two months later, he was represented by West Palm Beach attorneys Marc Shiner and Heidi Perlet of the law firm Shiner and Perlet. Mr. Gaillard was represented at trial by attorneys David Roth and Mr. Tendler.

Ellen Roberts, an assistant state attorney, was the prosecutor on the case, which was heard before Circuit Judge Sandra McSorley.

Although it was unclear what would happen, a friend of Ms. Andrews shared her perspective.

"Adam knows what happened and Cynthia and Linda know what happened, along with God who sits high and looks low. Monday will be a sad day in Palm Beach County if this man walks for killing two beautiful people. Tonight I feel like Adam will get off for this, tomorrow I don't know, but if the jurors follow the instructions of the courts, the state didn't present a case that would convince me that he didn't know that he didn't know that he hit Linda and Cynthia," wrote family friend Perri Demps in an e-mail on March 29.

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