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## Shot by Ex, She Wins \$10M Suit

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A Bronx jury has awarded a woman and her two sons nearly \$10 million after she charged in a lawsuit that police failed to protect her from an abusive ex-boyfriend.

Carmen Valdez wound up being shot several times in front of her children before her ex shot and killed himself.

Valdez, now 40, had gotten an order of protection against her former lover, Felix Perez, in July 1996 and presented a copy to the domestic violence unit at the 48th Precinct.

Eight days later, Perez called Valdez and threatened her life. Valdez testified that she then called the domestic violence unit to report the threat, and told them that she and her 5-year-old twin sons would stay with a relative until the situation was resolved.

According to Valdez, she was told that Perez would be arrested and there was no reason for her and the kids to leave their home. She said she was told that authorities would give her a call as soon as Perez was in custody.

The next day, as Valdez was leaving her apartment, Perez grabbed her, pulled her back inside and shot her twice in the face and once in the arm. Then he fatally shot himself in the head and fell on Valdez as her young sons screamed in horror.

"The Police Department was negligent and did not protect Carmen Valdez," her attorney, Glenn Miller, told the Daily News. "She did everything right . . . Ms. Valdez got an order of protection, called the police and waited for an arrest to be made, but it never happened."

Miller said Valdez and her sons are still trying to cope with the shooting.

One bullet entered Valdez's right jaw and exited via her left ear. The second bullet entered her right cheek and lodged there. The third shot struck her arm. She had to undergo four reconstructive surgeries as a result of her wounds, Miller said.

At the end of the two-week trial before Bronx state Supreme Court Justice Lucy Billings, the jury awarded Valdez's sons \$750,000 each for their pain and suffering, and Valdez \$430,000 for past and future medical expenses and \$8 million for past and future pain and suffering.

Fay Leoussis, chief of the tort division of the city Law Department, said in a statement yesterday: "While the city has deep empathy for this victim of domestic violence, there was nothing the Police Department could do to prevent this terrible crime by an enraged former boyfriend. The city will be appealing the verdict, which obviously reflects the sympathy that the jury felt for Ms. Valdez."

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