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Dead cyclist's parents sue over death

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SANTA CRUZ — The parents of a cyclist struck and killed on Mission Street last summer are suing the city, the state, the county, the driver who hit their son and the company the driver works for, saying all in some way are responsible for his death.

John Myslin was 25 and a popular teacher at Pacific Collegiate School on the city's Westside last August when he collided with a big rig at Mission and Bay streets while on his mountain bike. He was killed in the wreck. Another cyclist was struck and killed at the same intersection last month.

Santa Cruz police ruled the August accident was Myslin's fault.

Myslin's parents, Paul and Maria Myslin, disagree, and have sued the city and county of Santa Cruz, state of California, the demolition company Radazzo Enterprises Inc. of Castroville and truck driver Gabriel Manzur Vera for monetary damages in Santa Cruz County Superior Court.

Vera should have seen Myslin and thus avoided hitting him, said the Myslins' attorney, David Dibble of Eureka, where the couple lives.

In addition, the suit, filed last month, blames Myslin's death on the "dangerous and defective condition of the roadway," and on the city, county and state, which "negligently and carelessly failed to provide a safe place for bicyclists to ride," among other issues.

"Hopefully, out of the suit will come an awareness of some of the problems with bicycle-traffic collisions like this in the area," Dibble said.

The Myslins are seeking compensatory damages, Dibble said. A judge would decide how much money the couple would receive should they win the case.

Micah Posner, director of bicycle advocacy group People Power, said the Myslins' decision to file suit makes sense.

"They're upset, understandably. Not only was their family member killed but the police report seemed to blame him for it," Posner said.

City Attorney John Barisone said the state will be handling the suit because the accident happened on Mission Street, which doubles as state Highway 1 as it passes through the Westside. Caltrans representatives said Monday that they had not seen the lawsuit.

Meanwhile, the Santa Cruz City Council today will consider signs for Mission Street reminding drivers that cyclists can take over the right-hand lane if conditions are not safe for them to ride along the right side of the road. That issue will be heard at the council's 7 p.m. session in City Hall, 809 Center St., Santa Cruz.

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