

# METRO & STATE

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## Lakeway officer wins lawsuit, will get \$47,000 from attacker

By Claire Osborn

AMERICAN-STATESMAN STAFF

A Travis County jury has awarded \$47,000 to a Lakeway police officer who sued a man for assaulting him in 2003.



**Hector Almaguer**

Lakeway police officer Hector Almaguer suffered a concussion and torn muscles when he was attacked by Lakeway resident Garland E. Gross Jr., a pharmacist, said Almaguer's lawyer, Kevin Madison.

"I think it was clear-cut this guy was way out of control and

he felt he was above the law," Madison said.

Gross, who declined to comment Thursday, received five years of probation for assault on a peace officer in connection with the incident.

Almaguer and other officers were called to Gross' house in Lakeway on a report of a domestic disturbance on Oct. 13, 2003, Madison said. He said Gross had left the house when Almaguer arrived, so the officer went upstairs to interview Gross' family.

Gross returned and went upstairs after two officers told him not to, Madison said, and at that point Gross punched Almaguer in the throat and chest and pulled him down the stairs. The two officers had to pull Gross off of Almaguer at the

bottom of the stairs, he said.

Almaguer, 52, said he was stunned during the attack.

"I must have blacked out, because I don't remember that trip down the stairs," he said.

Almaguer said the muscle tear in his right shoulder caused him to lose the use of 30 to 35 percent of the muscle. He said he's in physical therapy to rehabilitate the shoulder.

The jury reached its verdict Wednesday in a trial presided over by visiting judge and former Texas Supreme Court Justice Rose Spector. Gross' lawyer could not be reached for comment Thursday.

Domestic assault charges against Gross were dropped at the family's request, Madison said.

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