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Years have passed, but bills, legal issues and injuries linger on



When April Mapp was hit by a motorcyclist in July 2003, the collision nearly killed her. Years later, she still faces medical bills and lingering injuries. (Rich-joseph facun/the virginian-pilot)

By jen mccaffery
The Virginian-Pilot

PORTSMOUTH - After drinking with friends at Three Cheers Lounge on a July night in 2003, Joshua Bristol got on his motorcycle, drove around a parking lot and struck bystander April Dawn Mapp, nearly killing her.

Mapp and Bristol, both in their mid-20s at the time, didn't know each other before the collision. Nearly four years have passed.

Mapp doesn't remember the incident, but she lives with its effects every day: She can't return to work as a waitress because her injuries left her unable to stand for long periods of time. She doesn't have enough money to pay for college classes, and she has poor credit because she owes roughly \$600,000 in medical bills.

"She did nothing wrong," said her mother, Renee Mapp. "It's going to go against her all her life, for his mistake."

Bristol was convicted and sentenced to prison for driving under the influence of alcohol and maiming.

In November 2006, however, the Virginia Supreme Court reversed Bristol's convictions.

Portsmouth Commonwealth's Attorney Earle C. Mobley decided earlier this month to retry Bristol on both charges.

"The charges are serious enough that we just can't let that go," said Bill Prince, spokesman for Mobley's office.

Mapp and her family were pleased to hear that prosecutors planned to try Bristol again because they were angry his convictions were reversed on what they considered a technicality.

Mapp's family remembers the weeks Mapp spent in a coma, her three brain surgeries, how every bone in her face and lower right leg were shattered, and the fact that she had the cognitive function of a toddler after the accident.

In 2003, after Bristol was convicted, he apologized to Mapp and told her that not a day goes by that he doesn't think about what happened.

Bristol had served the majority of his 3-year, 6-month sentence for both charges when the Virginia Supreme Court reversed his convictions, his attorney, Timothy Anderson, said in December..

A majority of the judges ruled that Bristol, a former petty officer second class in the Navy, had not been officially arrested when he consented to have his blood tested for alcohol after the accident. He wasn't formally indicted until three months later.

Because of that, a certificate of analysis from a blood sample Bristol gave should not have been admitted as evidence during his trial, the judges ruled.

Anderson did not return several messages left at his Virginia Beach office about the case this month. Bristol could not be located for comment.

In 2005, Mapp and her family filed a lawsuit in Portsmouth Circuit Court against the corporation that owns Three Cheers Lounge, seeking coverage for Mapp's outstanding medical bills. That case is still pending.

In a separate lawsuit, Mapp recovered about \$25,000 from Bristol's insurance company, according to her attorney, Steve Heretick.

But Mapp still wants to see Bristol prosecuted again, even though the evidence indicated that his blood-alcohol level was just over the legal limit.

"It doesn't matter if he was drunk or not," Mapp said. "He still did it."

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