

# Daughter of Grand Island hit-and-run victim says driver treated mother like 'roadkill'

By [Melinda Miller](#) | Published February 5, 2018 | Updated February 6, 2018

The man who struck Dana Papaj with his truck last June and, in the words of her daughter, "treated her like roadkill," was sentenced to one to three years in state prison Monday. But before Erie County Judge Kenneth F. Case sentenced Edward J. Kuebler III for leaving the scene of an injury accident, the family of Papaj described for the court — and for dozens of observers — how Kuebler's actions shattered their lives.

Papaj's daughter, Brittany Gruttadauria, had brought Papaj's first grandchild home just two days before the incident, and her mother had dinner at her house that evening. Gruttadauria told how her mother left to take a walk, so she could get some rest, and then how she woke up when the police came to her door to notify her her mother had been in a serious accident. When they finally found her in Erie County Medical Center, Gruttadauria said, her mother was unrecognizable. Even then, she continued, "I could not believe this was real. I didn't know that the nightmare had just begun. I didn't know that the nightmare would never, ever end."

An investigation would later show that Kuebler's 2017 pickup, while traveling at the 30 mph speed limit, left the pavement on Grand Island's East River Road at about 8 p.m. June 13 and drove onto a lawn where Papaj was walking her dog. The passenger side mirror shattered as it struck Papaj in the head, tossing her about 10 feet into the yard.

The incident was captured by a nearby home's security camera, which showed the truck's brake lights flashing briefly before the vehicle continued on its way. Kuebler, 27, would later tell investigators he thought he hit a deer, and that he thought he saw a deer run away. Assistant District Attorney Kelley Omel, who prosecuted the case, doubted Kuebler's account. "On the video," Omel said, "all you can see running away is a small white dog."

She reminded the judge that Kuebler also admitted he had been drinking that day — "he said he had two beers," Omel said — but that, because he fled the scene, he is the only one who will ever know whether he was intoxicated. She pointed out that, while neighbors were calling 911, Kuebler himself would have been in the best position to render immediate aid to the injured woman, since he is an EMT, a volunteer firefighter and, until his sentencing, a state corrections officer, trained in emergency medical procedures. "Yet he decided to flee," Omel said.

Gruttadauria said the family may have been able to forgive Kuebler if he had stopped for help, if he "showed the tiniest bit of compassion." "But by making the decision to save yourself and leave her for dead, you are the most despicable type of human being," she said. "You are a coward who treated my beautiful, kind and loving mother like roadkill."

Papaj's other daughter, Courtney Sullivan, and her husband, Don, addressed the court with similar sentiments, and Judge Case said he received nearly 80 letters from friends, family, coworkers and students of Dana Papaj who wanted to make sure he knew what an amazing woman she is.

Papaj, 53, sustained broken bones and severe head trauma that left her in a coma for a month. She has fought her way through her recovery, having to relearn how to walk, talk, use her right side and overcome a host of other obstacles. Although she was able to go home in December, she still has trouble expressing herself, so her family prepared a video for the judge so he could see her before she was injured — and what her life is like now.

Judge Case said at sentencing that he had watched the video five or six times, and it "was like a wrecking ball to the stomach."

Although Don Papaj criticized Kuebler for not reaching out after the incident and apologizing, Kuebler's attorney, Herbert Greenman, said in court that he and everyone involved feels compassion for Dana Papaj and her family. "To think that there is no remorse is sadly misguided," Greenman said before describing how Kuebler wanted to come forward, how he turned in his truck and pleaded guilty to the highest charge he could face for the crime. Kuebler offered an apology and told the judge, "I know I should've stopped that night. I regret it every day. I am deeply sorry about everything."

Judge Case first praised the Papaj family and Dana Papaj in particular, saying how impressed he was by her efforts to recover and her strong will. He said Kuebler's actions June 13 were baffling, considering the people who wrote to the judge about Kuebler, using words like decent, hardworking, trustworthy, honest and caring.

In the end, the judge told Kuebler, it just didn't make sense to him that he didn't stop. "If I'm driving down the road and my right mirror explodes, I'm gonna stop," Judge Case said, even if only to assess the damage to his brand new truck. "Which makes me ask, did you really not see Dana Papaj?"

In addition to assessing the maximum sentence he committed to when he accepted Kuebler's plea, Case ordered that Kuebler's driver's license be revoked. Greenman said that, because of Kuebler's former position as an officer at Wende Correctional Facility, he will have to be housed separately from the general prison population during his incarceration.