

Coaster victim's family files lawsuit against Rodeo

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HOUSTON (KTRK) -- As different groups of investigators work to figure out why a man fell out of the Hi-Miler rollercoaster at the rodeo and died, we've uncovered a complaint about that very same ride -- a complaint that goes back two years ago.

Over the last couple days, we've spoken to several people who have said they have raised the red flag about this roller coaster before, most recently last Thursday; but complaints have been made as far back as 2009 as shown in a complaint filed with the state. It's a complaint the rodeo never told us about even when asked.

Four days after Brian Greenhouse fell to his death while riding the Hi-Miler, the rollercoaster was being disassembled and loaded onto a truck. In years past it often headed west -- even in 2009 -- despite this complaint filed with the state.

"She says someone has got to do something because my daughter and I were almost killed at the rodeo," Attorney Joe Stephens said.

Stephens, who has sued Ray Cammack Shows (RCS), the company that owns and operates the rodeo carnival, encouraged his friend Barbara Peterson to make it official and write to the Texas Department of Insurance, the state agency that regulates carnival rides.

Peterson wrote that she and her four-year-old daughter had a horrifying experience. The handle popped straight up, leaving them virtually unattached. She was screaming, her daughter was crying and they were hanging on for dear life.

When the ride was over, the ride operator tested it, she wrote, and it seemed to lock but then popped right out.

She alerted multiple people at the rodeo, she says, but the ride kept operating.

"She was extremely upset," Stephens said.

The state notified RCS as well as the rodeo telling them they had received a complaint about the Hi-Miler.

At the state's request, RCS inspected the ride again but found nothing mechanically wrong.

And since then, the rodeo has seemed to forget about it -- even after Greenhouse died.

In interviews, it appears they haven't been forthcoming about prior safety concerns.

"Were there any complaints made regarding a loose safety bar?" we asked Leroy Shafer, the chief operating officer of the Houston Livestock Show and Rodeo.

"A loose safety bar, no, they have had no complaints of somebody saying the safety bar came up," he said.

That was Tuesday.

Thursday over the phone, Shafer told us he thought we were asking about complaints with the ride this year and that at the time had not looked into the ride's complete history. He did emphasize the rodeo would not put a ride into operation that is not safe or has not passed a daily inspection.

"All this deal about passing the inspection deal is just a paper game so if anything happens due to shoddy operations, they then have the paperwork to say look, this is what we did," Stephens said.

The woman who filed the 2009 complaint feared the worst. She and her daughter were sitting in the lead car. So was Greenhouse. His family is now suing both RCS and the rodeo saying both are responsible for his death.

"No one should fly out of a roller coaster when it's moving," said Tony Denena, the attorney representing Greenhouse's family. "When you pay your money to go ride a roller coaster, you should have the expectation and the belief that the ride is going to be safe and that you're going to be secure on that rollercoaster for the duration of the ride."

RCS declined to comment. The rodeo is doing its own investigation.

We did find an injury report on the State Department of Insurance's website taken from a report filed by RCS about the incident involving Greenhouse. In the column for alleged injury, all it says is possible internal or pre-existing injury. It never says Greenhouse died, which certainly makes you question how well these incidents are reported.