

# 9-year-old Boca girl injured in wreck dies

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The 9-year-old girl who was injured when her stepfather's car collided with a train Tuesday in Boca Raton has died, police said.

Traffic homicide investigators will now decide whether to charge Scott Wynkoop, 40, of Boca Raton, for the death of Samantha Rosales, of Boca Raton.

Wynkoop's 2005 Mazda RX-8 collided with a northbound freight train when he may have tried to go around crossing gates at Hidden Valley Boulevard where train tracks run parallel to Dixie Highway, police said. The Florida East Coast Railway crossing gates were down and the flashing lights were on, witnesses told police. The train collided with the car's rear driver's side.

The decision on whether Wynkoop is criminally negligent will depend on factors leading up to the crash. Investigators will have to determine whether the railroad gates and lights were operating properly and whether Wynkoop violated multiple driving laws, said Michael Edmondson, spokesman for the Palm Beach County State Attorney's Office.

FEC officials have already determined

that the intersection's crossing gates and lights didn't malfunction, Boca Raton Police Officer Chris Somers said.

The investigation is expected to be wrapped up within weeks, Somers said.

Wynkoop and Rosales were heading home from the grocery store when the crash occurred shortly before 5 p.m., said Kenneth Lipman, a lawyer for Wynkoop's wife, Maria, and a family spokesman. The family will not comment on what led up to the crash until it completes its own reconstruction of the incident, Lipman said.

"This is an unspeakable tragedy for them," Lipman said. "Both are absolutely devastated."

Rosales was the couple's only child, he said. She died shortly after the crash at Delray Medical Center, where Wynkoop was treated and released.

Investigators are asking anyone who may have witnessed the crash to call Somers at 561-620-6141.

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