

# Police: Driver charged in Tracy Morgan crash was awake 24 hours

By **Kevin Conlon** and **Doug Ganley**, CNN  
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## STORY HIGHLIGHTS

- NEW:** Walmart says it believes truck driver complied with federal driving regulations
- Tracy Morgan is still in critical but stable condition
- Comedian James McNair, also known as "Jimmy Mack," died in the crash
- Four other vehicles were involved in the crash

**(CNN)** -- A truck driver charged in a weekend crash that killed a man and injured comedian Tracy Morgan and others in New Jersey was awake for more than 24 consecutive hours before the incident, a criminal complaint filed in the case says.

Kevin Roper, 35, is charged with vehicular homicide and assault by auto in the Saturday morning crash on the New Jersey Turnpike.

A Walmart spokeswoman issued a news release that said it was investigating the case.

"With regards to news reports that suggest Mr. Roper was working for 24 hours, it is our belief that Mr. Roper was operating within the federal hours of service regulations," Brooke Buchanan said in a written statement, referring to limits of 11 hours driving in a 14-hour period followed by 10 hours of rest.

The wreck took place about 1 a.m. Saturday when the limo bus Morgan was in was hit by a tractor-trailer on the New Jersey Turnpike, police said.

The collision killed Morgan's fellow passenger, comedian James McNair, who performed under the name Jimmy Mack.

McNair's sister, Valerie Daniel, said he will be buried in a private ceremony on Thursday in Peekskill, New York.

Comedians Ardie Fuqua and Harris Stanton were among the injured, as was a man named Jeffrey Millea.



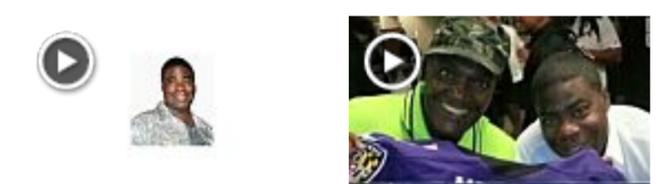
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Morgan's publicist said Monday afternoon he is still in critical but stable condition.

His fiancée, Megan Wollover, is with him, publicist Lewis Kay said.

### Morgan's injuries

Morgan suffered several injuries, including broken ribs, a broken nose, a broken leg and a broken femur.

Kay said Morgan underwent surgery on his leg on Sunday.

"We expect him to remain in the hospital for several weeks," he said.

### The truck driver



Truck driver Kevin Roper, 35, was charged with one count of death by auto and four counts of assault by auto.

The [truck driver charged in the crash](#) turned himself in to police, and was released on \$50,000 bail Saturday night.

Roper was a driver for Walmart.

"This is a tragedy, and we are profoundly sorry that one of our trucks was involved," Bill Simon, president and CEO of Walmart U.S., said in a statement.

"The facts are continuing to unfold. If it's determined that our truck caused the accident, Walmart will take full responsibility."

### Chain-reaction crash



The wreck occurred on the turnpike in Mercer County, said Sgt. Gregory Williams of New Jersey State Police.

"The driver of the tractor-trailer failed to observe slow-moving traffic ahead," Williams said. "At the last minute, he swerved to try and avoid the Mercedes limo bus but struck it from behind, forcing the limo to rotate and overturn."

Four other vehicles were involved in the crash, the prosecutor's office said, but no one in those vehicles was injured.

Williams said he does not believe alcohol played a role in the crash, but that is under investigation.

The National Transportation Safety Board will investigate "safety issues related to commercial trucking and limousine safety," said agency spokesman Keith Holloway.

"All I know is I saw traffic ... and I stopped ... and I was upside down and in the vehicle," [limo driver Tyrone Gale told WCAU](#).

Gale suffered bruises in the crash, WCAU reported.

Christopher Thompson, the co-owner of Atlantic Transportation Services, which was operating the limo bus, said he thought the bus was heading to drop Morgan off in New Jersey.

### From SNL to '30 Rock'

Morgan, 45, was a regular on "Saturday Night Live" for seven years. He later received an Emmy nomination for his role in the comedy series "30 Rock," in which he played Tracy Jordan, an exaggerated version of himself.



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The New York City native made his reputation with over-the-top characters and impressions of celebrities such as Mike Tyson and Oprah Winfrey.

Seth Meyers told CNN's "The Lead with Jake Tapper" that Morgan was a veteran of the "Saturday Night Live" cast when he joined in 2001.

Morgan "always looked out for me ... so yeah I'm definitely thinking of him now," [said Meyers](#), now the host of "Late Night with Seth Meyers."

Morgan performed a comedy act Friday night at the Dover Downs Hotel & Casino in Dover, Delaware, the venue said.

Kay said Morgan's family "is tremendously overwhelmed and appreciative of the outpouring of love and support from his fans."

[Funny man Tracy Morgan has known fame and foibles](#)

CNN's Ralph Ellis, Holly Yan, Alexa Miranda, Suzanne Presto, Chris Welch, Faith Karimi, Rachel Wells, Carma Hassan, Joe Sutton, Alexandra Field and Janet DiGiacomo contributed to this report.

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**Kathy O'Connor Uselton** · 8 days ago

Wow, I can't believe how ugly and mean people are being in their comments about a story wherein someone was killed and others injured! And the guy that wrote the article is a reporter, not a doctor...leg, femur, either/or, both...who gives a crap, the point is someone was badly injured! If you don't have anything nice to say, don't say anything at all and then go get a life!!

51 · Reply · Share

**ltoozv** · Kathy O'Connor Uselton · 7 days ago

 **Steezy** → Kathy O'Connor Uselton · 7 days ago  
I can totally believe it. People in general are arse-holes..

5 ^ | v · Reply · Share ›

 **Tom** → Kathy O'Connor Uselton · 7 days ago  
You really shouldn't have made it out of high school if you didn't learn that the femur is part of the leg.

1 ^ | v · Reply · Share ›

 **Arcendus** → Kathy O'Connor Uselton · 7 days ago  
Why are positive comments any more warranted than negative comments...?

1 ^ | v · Reply · Share ›

 **cboy619** → Arcendus · 7 days ago  
Good question, positive comments are respectful and show sympathy/empathy. Negative comments don't make anyone else feel any good.  
Were you raised hearing: "If you don't have anything nice to say, don't say anything?"

5 ^ | v · Reply · Share ›

 **howdydoodoo** · 8 days ago  
GOOD THING HE DIDN'T BREAK HIS FUNNY BONE.

35 ^ | v · Reply · Share ›

 **Mr Moonlight** → howdydoodoo · 7 days ago  
He didn't have one to break. No worries.

8 ^ | v · Reply · Share ›

 **One other person is typing...** → howdydoodoo · 8 days ago  
Ba dum bump!

1 ^ | v · Reply · Share ›

 **Bizy296** · 8 days ago  
Sad....that a lot of these posters think tragedy is a joke. If they live long enough they will be faced with a tragedy. If not, they will become one. No one is invulnerable.  
Hoping that Mr. Morgan will pull through this one.

15 ^ | v · Reply · Share ›

 **PJparker** → Bizy296 · 7 days ago  
The most vile posters here are young men working in the military with nothing to do all day, and they think being nasty on CNN is fun.

1 ^ | v · Reply · Share ›

 **Jared Russell** → PJparker · 7 days ago  
Is that a fact?

2 ^ | v · Reply · Share ›

 **PJparker** → Jared Russell · 7 days ago  
Ask them if they've ever served. Many of them will tell you they are in the military now.

1 ^ | v · Reply · Share ›

 **Jared Russell** → PJparker · 7 days ago  
That's interesting.

1 ^ | v · Reply · Share ›

 **Dan Morgan** · 8 days ago  
A broken leg AND a broken femur....wow

27 ^ | v · Reply · Share ›

**YesOkBut** → Dan Morgan · 8 days ago

Regardless of the semantics of which bones were broken, a worse thing that happens when you have that many broken bones (tibia/fibula, femur, ribs,..) is that there is accompanying major soft tissue (muscle) trauma. That can mean rhabdomyolysis, which can stop your kidneys from working and may even lead to compartment syndrome (sever swelling in areas that will need to be cut open), DIC (blood clots and bleeding at the same time) and other not fun stuff. That will put you in critical condition, even disregarding any possible head trauma.

11 ^ | v · Reply · Share ›

**Mr Moonlight** → YesOkBut · 7 days ago

Your post is mostly incorrect and completely pretentious.

6 ^ | v · Reply · Share ›

**YesOkBut** → Mr Moonlight · 7 days ago

Well.. no it's not. But you will never matter one way or the other.

8 ^ | v · Reply · Share ›

**Arcendus** → YesOkBut · 7 days ago

So basically:

"It's bad."

1 ^ | v · Reply · Share ›

**Kabc Gabc** → Dan Morgan · 8 days ago

Assumedly they meant he broke his tibia and/or fibula in addition to his femur, and they didn't want to say tibia and it be his fibula...

He is very lucky if bone injuries are his worst concern. It is likely they fixed his broken femur in the surgery due to the vasculature.

4 ^ | v · Reply · Share ›

**Dan Morgan** → Kabc Gabc · 8 days ago

I think it's far more likely assumption that the author doesn't know the femur is part of the leg.

33 ^ | v · Reply · Share ›

**Ouchie** → Dan Morgan · 8 days ago

The femur is part of the leg? That's crazy. I'm Brian Fellows!

21 ^ | v · Reply · Share ›

**regularrates** → Dan Morgan · 8 days ago

in medical practice the leg starts below the knee and thigh is considered separate. that's how physicians differentiate trauma to lower limbs

although in human anatomy the entire lower limb is considered the leg

10 ^ | v · Reply · Share ›

**Dan Morgan** → regularrates · 8 days ago

I appreciate y'all giving the author the BOD, but I'm still fairly certain that the article is not targeted to the trauma doc crowd.

13 ^ | v · Reply · Share ›

**Sean Kurnow** → Dan Morgan · 8 days ago

yes, we get your point....you've harped on it enough...point is Tracy's leg is injured.

6 ^ | v · Reply · Share ›

**Orphic Dragon** → Dan Morgan · 8 days ago



No jacktard but the report is based on a release by the trauma doc crowd.

Additionally the femur is one of, if not THE, strongest bone in the human body. It merits special notice/commentary because it is not only so much more unlikely to be broken than other bones in the leg, but it has a much higher trauma/danger value when broken.

So yes the "stupid" reporter went out of his way to report accurately what hundreds, possibly thousands of media outlets will also be reporting with...you know...accuracy.

I'm sorry accurate, relevant and topical details confuse you so. The rest of us however possess the ability to process this information and would appreciate you playing "hurr durr I'm smarts!" some the f\*\*k where else.

There are all sorts of places where bloggers play journalist, I suggest you seek them out if accurate detailed reporting makes you feel inferior.

8 ^ | v · Reply · Share ›



**Dan Morgan** → Orphic Dragon · 8 days ago

Relax man, it's not a question of accuracy, but of redundancy don't you think? Besides, as Sean Kurnow pointed out, this has already generated more text than it merits. Far more important is the welfare of the victims involved.

3 ^ | v · Reply · Share ›



**YesOkBut** → Orphic Dragon · 8 days ago

This.

^ | v · Reply · Share ›



**regularrates** → Dan Morgan · 8 days ago

its not, but most peeps dunno tibia/fibula. femur is a very common term.

regardless. home Mr. Morgan gets well... he's in for lots more surgeries (internal/external fixations)/coumadin/steroids/Abx

also at least 12 weeks of physiotherapy.

4 ^ | v · Reply · Share ›



**Roshi** → regularrates · 7 days ago

The average journalist knows absolutely nothing about medical terminology or anatomy and in order to avoid mistakes will parrot whatever the physicians or hospital say word for word.

1 ^ | v · Reply · Share ›



**Californianeyez** → regularrates · 7 days ago

Wrong, they differentiate by terminology like dorsal, superficial, anterior, posterior, ect ect

^ | v · Reply · Share ›



**Robert177** → Dan Morgan · 8 days ago

Cut them some slack. Remember, these are the same writers who claim that a gunman "sprayed" gunfire around a room. Making 90% of the readers think a gun operates akin to a garden hose.

5 ^ | v · Reply · Share ›



Dmulla → Dan Morgan · 8 days ago

Haha

^ | v · Reply · Share ›



AiraCobra → Dan Morgan · 8 days ago

I've been there, He is in for a long painful recovery.

3 ^ | v · Reply · Share ›



H4BAF → Dan Morgan · 8 days ago

I'm surprised the writer didn't say he had broken ribs and a broken torso or something equally as dumb.

5 ^ | v · Reply · Share ›



Shiroe from Log Horizon → Dan Morgan · 8 days ago

Yes, but the femur is externally perceived as your thigh, well anything below the knee is considered your leg. Not everyone is in a medical profession and knows the difference.

1 ^ | v · Reply · Share ›



sCuNcNks · 7 days ago

I used to drive a Semi Tractor Trailer, the employer did not care how much you slept,

"you just better get that load there on time"

"no I do not care if we gave you 2 hours less time to get there just get it there yesterday.", "Sleep? you can sleep when you get back home next week"

yes told to me many times 2 months later I quit , let their truck in Cincinnati, running with a full tank of gas and the keys locked in the truck , called them and said I was" going home", they said " if you do you will be fired" , and I said "too late I already quit you need to come find your truck here in ohio because I am taking a bus"

We can blame the truck driver but we better include the employer, these companies think you better do it on their time line or someone else will have your job, like I said they do not care how much sleep you get just get that load to its destination on time.

12 ^ | v · Reply · Share ›



OrmondGeorge → sCuNcNks · 7 days ago

Like I SAID!

1 ^ | v · Reply · Share ›



Jimilee → sCuNcNks · 7 days ago

WM has the best scores in the nation in the "driver fatigue" safety category.

They have no ability to forge logs and will even get docked safety bonuses if the satellite catches them speeding.

^ | v · Reply · Share ›



sCuNcNks → Jimilee · 7 days ago

I do not care about what it says on the BOOKS, Books are to make the company look good , Try living that life and talking to them more times than not they are forced in one way or another to get there faster without interruption.

2 ^ | v · Reply · Share ›



Igalb → sCuNcNks · 7 days ago

Walmart does have a history of smart technology usage in their infrastructure. It's very likely they know where every truck is on the roads and therefore make it impossible to cook the books on the driver's log.

^ | v · Reply · Share ›



sCuNcNks → Igalb · 7 days ago

 again you people do not seem to think that COMPUTERS are not hacked or manipulated to benefit the user / owner.

Nothing is impossible , computers are programmed by humans.

[^](#) | [v](#) · [Reply](#) · [Share](#) ›

 **Igalb** → [sCuNcNks](#) · 7 days ago

Smart programmers design in audit trails.

1 [^](#) | [v](#) · [Reply](#) · [Share](#) ›

 **sCuNcNks** → [Igalb](#) · 7 days ago

only if the company they work for tell them to do that

[^](#) | [v](#) · [Reply](#) · [Share](#) ›

 **OrmondGeorge** → [sCuNcNks](#) · 7 days ago

RIGHT, and WalMart "would NEVER do that."

[^](#) | [v](#) · [Reply](#) · [Share](#) ›

 **OrmondGeorge** → [Igalb](#) · 7 days ago

It might be "impossible" for drivers to cook the books, but the head office???

[^](#) | [v](#) · [Reply](#) · [Share](#) ›

 **Jimilee** → [OrmondGeorge](#) · 7 days ago

I'm pretty sure WM can't hack the Qualcomm satellite.

[^](#) | [v](#) · [Reply](#) · [Share](#) ›

 **sCuNcNks** → [OrmondGeorge](#) · 7 days ago

I have had trips where they would hand me a log book already filled out and another for on the fly. all I had to do was sign the logs

[^](#) | [v](#) · [Reply](#) · [Share](#) ›

 **Igalb** → [sCuNcNks](#) · 7 days ago

That's true only if there's no independent monitoring. For example, GPS reporting, EZPass logs for the highways and bridges, ....

You can bet that in a major case such as this one, the police and NTSB will be confirming every detail in the log. Cheating is much easier when it's just to get past a routine inspection.

1 [^](#) | [v](#) · [Reply](#) · [Share](#) ›

 **Jim Gloster** → [sCuNcNks](#) · 7 days ago

Who are THEY?

[^](#) | [v](#) · [Reply](#) · [Share](#) ›

 **Brian Hartman** · 7 days ago

It's been a long time since I've watched SNL, and I've never watched 30 Rock, but I don't understand the people attacking Morgan. He didn't eat babies or blow up a bus full of nuns. He's an actor. I don't get what the hate's about.

I wish him a full recovery as quickly as possible.

12 [^](#) | [v](#) · [Reply](#) · [Share](#) ›

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