

Bond Case Briefs

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LIABILITY - SOUTH CAROLINA

Major v. City of Hartsville

Supreme Court of South Carolina - September 17, 2014 - S.E.2d - 2014 WL 4629587

Pedestrian, who allegedly fell while walking across unpaved area of intersection, brought personal-injury action against city, asserting claims for negligence, gross negligence, and willful and wanton conduct. The Circuit Court granted city's motion for summary judgment. Pedestrian appealed.

The Supreme Court of South Carolina held that genuine issues of material fact as to whether city should be charged with constructive notice of rut on basis that rut existed for such a period of time that city should have discovered it and as to whether recurring nature of defect created continual condition giving rise to constructive notice precluded summary judgment.