

# **Bond Case Briefs**

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## **LIABILITY - MISSISSIPPI**

### **Elliott v. First Sec. Bank**

**Court of Appeals of Mississippi - November 25, 2014 - So.3d - 2014 WL 6647744**

Pedestrian, who was injured when she tripped and fell while walking on a city sidewalk for which bank maintained an easement, brought a premises liability suit against bank. The Circuit Court granted summary judgment in bank's favor, and pedestrian appealed.

The Court of Appeals held that:

- Pedestrian's status as city's invitee could not be imputed to bank;
- Pedestrian was a licensee with respect to bank; and
- Bank did not breach the duty of care it owed to pedestrian as licensee.

Pedestrian's status as invitee with respect to city could not be imputed equally to bank, which maintained an easement for sidewalk owned by city, for purposes of determining duty owed by bank to pedestrian who tripped and fell on sidewalk in front of bank. Pedestrian's status with respect to bank was to be analyzed separately from her status with respect to city.