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Dibble v. Village of Sleepy Hollow

Supreme Court, Appellate Division, Second Department, New York - December 6, 2017 - N.Y.S.3d - 2017 WL 6029696 - 2017 N.Y. Slip Op. 08503

Driver brought personal injury action against village and other parties after manhole cover exploded underneath driver's vehicle.

The Supreme Court, Westchester County, granted village's motion for summary judgment. Driver appealed.

The Supreme Court, Appellate Division, held that village was not liable for driver's injuries because it did not receive prior written notice of the alleged dangerous condition that caused driver's injuries.

Village was not liable for personal injuries allegedly sustained by driver when manhole cover owned by village exploded underneath driver's vehicle; village did not receive prior written notice of the alleged dangerous condition that caused driver's injuries, and village did not create the alleged condition through an affirmative act of negligence.

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