

Bond Case Briefs

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Cancel v. City of Providence

Supreme Court of Rhode Island - June 22, 2018 - A.3d - 2018 WL 3078090

Administratrix of bicyclist's estate brought action against city and various city officials, alleging bicyclist had suffered serious personal injuries when he was thrown from his bicycle after striking a pothole on road in city park, as a result of city's negligence in maintaining the park.

The Superior Court granted city's motion for summary judgment, and administratrix appealed.

The Supreme Court of Rhode Island held that:

- Immunity under Recreational Use Statute applied to city with regard to negligence claim, and
- Exception to landowner immunity under the Recreational Use Statute for the willful or malicious failure to guard or warn against a dangerous condition, use, structure, or activity after discovering the user's peril did not apply.