

Bond Case Briefs

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Kamphaus v. Town of Granite

Supreme Court of Oklahoma - May 17, 2022 - P.3d - 2022 WL 1550074 - 2022 OK 46

Mother of child, who was injured when headstone fell on him while visiting cemetery, brought action against town, the operator of the cemetery, for negligence.

The District Court granted summary judgment in favor of town. Mother appealed. The Court of Civil Appeals reversed. Town filed petition for certiorari.

The Supreme Court held that:

- Town had no duty to maintain headstone, and
- Town had no duty to inspect headstone.

Town had no duty to maintain headstone, which fell on child while visiting cemetery operated by town; town only provided routine maintenance to common areas of cemetery, such as roadways, fences, and shrubbery, and mowing services, and town had no property interest in headstone placed on easement belonging to purchaser of cemetery plot.

Town had no duty to inspect headstone, which fell on child while visiting cemetery operated by town, where headstone was not owned, placed, or controlled by town.