

Bond Case Briefs

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Paulk v. Wilson

Court of Appeals of Georgia - June 25, 2025 - S.E.2d - 2025 WL 1751914

Plaintiff filed complaint against county sheriff in his official capacity, alleging injuries caused by deputy's negligent operation of sheriff's department vehicle.

The trial court denied sheriff's motion to dismiss on grounds of sovereign immunity. Sheriff filed application for interlocutory review, which was granted.

The Court of Appeals held that statutes waiving sovereign immunity for certain motor vehicle claims against local government entities permitted claim against sheriff in his official capacity.

Statutes waiving sovereign immunity for certain motor vehicle claims against local government entities permitted plaintiff's claim against county sheriff in his official capacity alleging injuries caused by deputy's negligent operation of sheriff's department vehicle, although statutes did not permit claim against sheriff in his individual capacity for deputy's alleged negligence because sheriff was local government officer whose sovereign immunity was not waived by statutes; plaintiff's action against sheriff in his official capacity constituted claim against county itself, and county was local government entity whose sovereign immunity was waived under statutes.