

Bond Case Briefs

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City of Milton v. Chang

Supreme Court of Georgia - March 12, 2026 - S.E.2d - 2026 WL 695364

Parents of college student who died in car accident brought negligence and nuisance action against city, alleging city failed to remove a concrete planter located near the road that constituted a defect in public roads.

Following trial, the State Court, Fulton County, entered judgment on the jury verdict finding city liable under both theories and awarding \$35 million in damages, reduced by seven percent for comparative fault. City appealed, arguing that parents' claims were barred by sovereign immunity. The Court of Appeals affirmed the judgment, finding city had no immunity from the negligence claim, and did not address the city's argument that parents failed to establish a nuisance. The Supreme Court granted city's petition for writ of certiorari.

The Supreme Court held that city's ministerial duty to keep city streets safe for ordinary travel was not implicated by the facts of parent's negligence claim and thus city's municipal immunity for a claim involving defects in the public roads was not waived.