

Bond Case Briefs

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LIABILITY - GEORGIA

City of Atlanta v. Jacobs

Court of Appeals of Georgia - September 23, 2026 - S.E.2d - 2026 WL 2858431

Pedestrian brought negligence action against city after she allegedly tripped over raised metal slab protruding from sidewalk.

After city's motion for directed verdict was denied and jury awarded pedestrian damages, city filed motion for judgment notwithstanding the verdict (JNOV). The Superior Court denied city's motion, and city appealed.

The Court of Appeals held that evidence supported jury's finding that city had assumed responsibility to keep the street and sidewalk safe for travel on the state route at issue, such that city was liable for pedestrian's injuries.

Evidence supported jury's finding that city had assumed responsibility to keep the street and sidewalk safe for travel on the state route at issue, such that city was liable for injuries pedestrian sustained when she allegedly tripped over raised metal slab protruding from sidewalk; metal protrusion was the remnants of Department of Transportation (DOT) sign, city had notice of hazard for years before pedestrian fell and dispatched inspector who noted that sign should be replaced, but city failed to notify DOT, and statute provided that municipality is relieved of any and all liability resulting from or occasioned by defective construction of those portions of state highway system or resulting from failure of DOT to maintain such roads as required by law unless municipality constructed or agreed to perform necessary maintenance of such road.