

Bond Case Briefs

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Steward v. State

Supreme Court of Alaska - April 11, 2014 - P.3d - 2014 WL 1408549

After fatal car accident, estate and surviving spouse of motorist brought negligence action against state. The Superior Court granted partial summary judgment to state and, following jury trial, entered judgment in favor of state. Estate appealed.

The Supreme Court held that:

- Discretionary function immunity applied to state's decision not to reinstall a removed guardrail;
- Trial court's exclusion of motorist's estate's expert witness on accident reconstruction from courtroom, during testimony of police officer witness for state regarding his conclusions about what occurred during accident, was error; but
- Such error was harmless error.