

Bond Case Briefs

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LIABILITY - LOUISIANA

Jenkins v. Doucet

Supreme Court of Louisiana - June 30, 2014 - So.3d - 2014-0879 (La. 6/30/14)

Pedestrian filed suit against city, alleging he was injured when he fell due to a crack or deviation in a sidewalk. City moved for summary judgment. The District Court denied summary judgment, and the Court of Appeal denied supervisory relief, and certiorari was granted.

The Supreme Court of Louisiana held that city was not responsible for injuries that pedestrian sustained when he fell due to a crack or deviation in a sidewalk.

Deviation in the sidewalk (approximately one to three inches) was relatively small, deviation was typical of other cracks in the sidewalk caused by tree roots, which were typical in older neighborhoods, city had received no complaints about the deviation, nor had there been any prior accidents involving the deviation in over 25 years, and pedestrian admitted he was not keeping a proper look-out at the time of the fall.