

# **Bond Case Briefs**

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## **IMMUNITY - TEXAS**

### **City of El Paso v. Lopez**

**Court of Appeals of Texas, El Paso - December 16, 2019 - S.W.3d - 2019 WL 6838005**

Estate of motorcyclist brought wrongful death action against the City alleging lack of signs and illumination on road that ended abruptly caused motorcyclist's death.

The County Court at Law denied the City's plea to the jurisdiction. The City filed an interlocutory appeal.

The Court of Appeals held that:

- The City had "actual notice" of motorcyclist's claim under the Tort Claims Act, and thus a "notice of claim" was not required, and
- Public road that ended at a canal and concrete barrier constituted special defect for which the City was not immune under Tort Claims Act.