

# **Bond Case Briefs**

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## **IMMUNITY - TEXAS**

### **City of Houston v. Sauls**

**Supreme Court of Texas - May 10, 2024 - S.W.3d - 2024 WL 2096554**

Bicyclist's heirs and estate brought wrongful death action against city arising from officer's automobile accident with bicyclist while responding to a suicide call.

The 113th District Court denied summary judgment, and city filed interlocutory appeal. Houston Court of Appeals affirmed and later denied rehearing and reconsideration en banc. City filed petition for review, which was granted.

The Supreme Court held that:

- Officer was performing a "discretionary" duty when responding to the suicide call;
- City satisfied burden of making prima facie showing officer acted in good faith based on need factor;
- City satisfied burden of making prima facie showing officer acted in good faith based on risk factor; and
- Heirs and estate failed to controvert city's showing of good faith.