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Dawson v. Ross

Supreme Court, Appellate Division, Second Department, New York - May 6, 2026 - N.Y.S.3d - 2026 WL 1236817 - 2026 N.Y. Slip Op. 02821

Passenger in sanitation truck brought action against truck driver, city that owned truck, and taxi driver to recover damages for injuries that passenger allegedly sustained in collision at intersection.

The Supreme Court, Queens County, granted truck driver's and city's motion for summary judgment dismissing complaint and denied passenger's cross-motion to preclude audio recording of taxi driver's on-scene statement. Passenger appealed.

The Supreme Court, Appellate Division, held that truck driver and city were not liable for passenger's injuries.

Sanitation truck driver and city that owned truck were not liable for injuries that truck passenger allegedly sustained as a result of collision at intersection between truck and taxi, where truck driver entered intersection with a green traffic light and had the right-of-way, and taxi driver's conduct in entering intersection against a red traffic light was sole proximate cause of the accident.

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