

# Alabama Court of Civil Appeals Affirmed Summary Judgment in Vehicular Accident

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In a personal injury suit involving co-workers, the Plaintiff alleged that the Defendant driver was operating his vehicle in a wanton manner causing a t-bone collision and resulting in serious injuries for the Plaintiff – who was a passenger in the vehicle. The Plaintiff alleged and argued by virtue of darting across eight (8) lanes of traffic, the vehicle operator's conduct was nothing short of wanton.

Defendant argued that, at most, the driver was negligent and therefore the Plaintiff cannot recover based on the guest passenger statute. In addition, the Defendant argued that he, as driver, would be just as likely to be seriously injured in a t-bone type collision and would never knowingly and recklessly pull into oncoming traffic. As such, the defendant could not be guilty of wanton conduct.

The trial court granted summary judgment and dismissed all claims against the Defendant.

Plaintiff's appealed and the Alabama Court of Civil Appeals affirmed the trial court's decision upholding the judgment in favor of the Defendant driver.