

Alabama Supreme Court Affirms Summary Judgment in Lowndes County Wrongful Death Case

In a recent Opinion, the Alabama Supreme Court affirmed summary judgment in favor of Southern Sportsman Hunting Lodge, Inc., Jim Mason, and David Lyons, individually. These Defendants were represented by Paul James and Amanda Hines in the Circuit Court of Lowndes County, Alabama. The case involved a wrongful death claim brought by Veronica Edwards, individually, and as Personal Representative of the Estate of Corey Hatcher. The Plaintiffs argued that Southern Sportsman, Mason, and Lyons were responsible for the death of the decedent because horses they allowed to be corralled on their property escaped and were on a highway when the plaintiff struck the horse, killing both in the accident.

In the Opinion, the Alabama Supreme Court affirmed summary judgment for Mr. James' and Ms. Hines' clients on all counts, reaffirming all of the Defendants' positions regarding Ala. Code § 3-5-3, et seq. The court specifically noted arguments made by Mr. James before the trial court regarding the pleading deficiency inherent in the plaintiff's complaint, a major issue that supported their decision.