OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION TWO

Z.S., by and through his next friend, P.S.,	)	ED111319
	)	
Appellant,	)	Appeal from the Circuit Court of
	)	St. Louis County
v.	)	20SL-CC04079
	)	
ROCKWOOD SCHOOL DISTRICT,	)	Honorable Thomas C. Albus
	)	
Respondent.	)	Filed: September 19, 2023

Z.S., by and through his next friend, P.S., appeals the summary judgment entered in favor of Rockwood School District ("District") on his action seeking damages for alleged personal injuries sustained when he collided with a gymnasium wall during a physical education class. On appeal, Z.S. argues the trial court erred in granting District's motion for summary judgment based on sovereign immunity because the gymnasium wall was a dangerous condition at the time of Z.S's injuries.

AFFIRMED.

Division Two Holds: The dispositive issue is whether the circuit court erred by granting summary judgment on grounds of sovereign immunity. The summary judgment record shows Z.S. cannot prove the gymnasium wall "was in dangerous condition at the time of the injury," so as to waive sovereign immunity pursuant to section 537.600.1(2), RSMo 2000. The judgment is affirmed.

Opinion by: Renée D. Hardin-Tammons, J.,
Michael E. Gardner, P.J., and John P. Torbitzky, J. concur.

Attorney for Appellant: Geoff S. Meyerkord
Tara M. Knowlton

Attorney for Respondent: Julie Z. Devine
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