OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DIVISION

SOUTHERN DIVISION

SHARON A. BRUCKERHOFF, INDIVIDUALLY, AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF PHILLIP BRUCKERHOFF, DECEASED,	)	No. ED111670
Appellant,	)	Appeal from the Circuit Court of Cape Girardeau County
vs.	)	20PR-CC00021-01
CITY OF PERRYVILLE, MISSOURI,	)	Honorable Scott A. Lipke
Respondent.	)	Filed: December 19, 2023

Before Philip M. Hess, P.J., James M. Dowd, J., and Lisa P. Page, J.

On September 28, 2019, a vehicle struck appellant Sharon Bruckerhoff as she crossed the street in the city of Perryville, Missouri resulting in a serious injury to her right foot. Bruckerhoff sued the City alleging the road's lack of a crosswalk constituted a "dangerous condition" which, pursuant to section 537.600.1(2), stripped the City of its sovereign immunity protection. After the trial court granted the City's motion for summary judgment on sovereign immunity grounds, Bruckerhoff appeals alleging there are genuine disputes of material fact (1) that the City's road constituted a dangerous condition and (2) that the injury directly resulted from the dangerous condition.

REVERSED AND REMANDED.

SOUTHERN DIVISION HOLDS: We reverse and remand because Bruckerhoff has adduced sufficient evidence through her civil engineer expert witness that the City's road was in a dangerous condition which caused or contributed to cause her injuries.

Opinion by: James M. Dowd, Judge

Philip M. Hess, P.J., and Lisa P. Page, J., concur.

Attorneys for Appellant: Matthew R. Davis and Jacob D. Lawrence

Attorney for Respondent: Albert M. Spradling, III

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.