MISSOURI COURT OF APPEALS
WESTERN DISTRICT

JEFF WOOSLEY, Appellant,
v.
SUPER 6 INN, L.L.C., D/B/A MOTEL 6, Respondent.

DOCKET NUMBER WD88296

DATE: November 10, 2026

Appeal From:

Callaway County Circuit Court
The Honorable Benjamin J. Miller, Judge

Appellate Judges:

Division One: Alok Ahuja, Presiding Judge, Thomas N. Chapman, Judge, and Janet Sutton, Judge

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Attorneys:

Tracy J. Cowan, St. Louis; Jonathan Craig, Kansas City, MO, for Respondent

Gage K. Fletcher, Kansas City, MO; Christina Nielsen, Arlington, VA, for Appellant

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MISSOURI APPELLATE COURT OPINION SUMMARY

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JEFF WOOSLEY, Appellant,
v.
SUPER 6 INN, L.L.C., D/B/A MOTEL 6, Respondent.

WD88296 Callaway County

Before Division One: Alok Ahuja, Presiding Judge, Thomas N. Chapman, Judge, and Janet Sutton, Judge

Jeff Woosley slipped and fell on snow and ice in the parking lot of a Motel 6 operated by Super 6 Inn, LLC (the "Hotel"). At the time of Woosley's fall, freezing rain was falling in the area.

The Hotel's parking lot consisted of two adjacent areas: a concrete area marked with designated spaces for passenger vehicles; and an adjoining area with a gravel surface, where larger trucks and cargo vehicles parked. The concrete parking surface had been cleared of snow from a previous winter storm. Unlike the concrete area, however, the gravel area had not been cleared or treated during or following the earlier storm. Trucks driving and parking on the gravel had created an uneven, rutted area, with packed snow and ice accumulated in the tire tracks. Woosley's fall occurred in the gravelled area.

Woosley sued the Hotel in the Circuit Court of Callaway County to recover compensation for his injuries. The Hotel moved for summary judgment, contending that it owed no duty to protect Woosley from ongoing weather conditions which applied generally to the entire community, and that any dangerous condition of its property was open and obvious. The circuit court granted the Hotel's motion and entered judgment in its favor. Woosley appeals.

REVERSED AND REMANDED FOR FURTHER PROCEEDINGS.

Division One holds:

1. The circuit court concluded that the condition of the parking lot was open and obvious, in part because Woosley had traversed the area multiple times on the morning of his fall. The circuit court's judgment ignores, however, that the Hotel's summary judgment evidence all concerned the condition of the concrete parking area, which had been cleared of snow from a previous storm. But the evidence indicated that Woosley fell in a different area: in the gravelled area, which had not been cleared of snow, and where vehicle traffic had created an uneven, rutted, artificial surface. The summary judgment

record would support a jury finding that Woosley fell before sunrise when it was dark, in an area that was in an artificially dangerous condition due to the Hotel's failure to clear it; the snow pushed into the area from the concrete-covered area; and the rutting caused by large-vehicle traffic. The Hotel presented no evidence that Woosley was aware, or should have been aware, of the dangerous condition of *that* area. Summary judgment cannot be sustained on the basis that the condition of the area where Woosley fell was open and obvious as a matter of law.

2. Nor was the Hotel entitled to summary judgment based on application of the "Massachusetts Rule." Under that Rule, a landowner is not liable for injuries caused by the natural accumulation of ice or snow as the result of weather conditions which exist community-wide. The Massachusetts Rule does not absolve a landowner of liability, however, if the condition which caused a plaintiff to fall was a localized, artificially created condition. In particular, prior cases have recognized that the Massachusetts Rule is inapplicable to snow or ice which has been rendered dangerous by vehicle or pedestrian traffic over an untreated (or only partially treated) surface. In this case, a genuine factual issue exists whether the area where Woosley fell was in the same condition as the entire community, or was instead in a localized, artificial condition caused by the Hotel's actions and inaction. In these circumstances, genuine factual issues exist as to whether the Massachusetts Rule is applicable.

Opinion by: Alok Ahuja, Judge November 10, 2026

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