

# Mississippi Supreme Court Limits Foreseeability For Auto Accidents

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The Mississippi Supreme Court recently addressed the limited “realm of foreseeability” for auto accidents in *Ready v. RWI Transportation*, 203 So. 3d 590 (Miss. 2016). In *Ready*, an auto accident occurred on northbound I-55. The accident caused traffic to back up for nearly a mile. Subsequently, a second accident occurred nearly an hour later and almost a mile behind the first when the plaintiff, Ready, rear-ended another vehicle. Ready sued the at-fault motorist in the first accident alleging that his accident and injuries were a foreseeable consequence of the first accident causing traffic to back up on the interstate.

The defendants moved for summary judgment on the theory that the second accident was not a “legal cause,” foreseeable under the circumstances. The trial court and Mississippi Supreme Court agreed. The Court stated that negligence is too remote to be actionable when it merely causes a person to be at a particular place at a particular time. The Court held that the intervening and superseding cause of Ready’s accident was his own negligence in rear-ending the delivery truck. Further, the two accidents were too far apart in space and time to warrant an action against the motorist in the first accident.

This holding is particularly important for auto accident defendants and their insurers as a defense to injury allegations arising from remotely related events. Defendants should keep in mind that distance in time and space between events is relevant to reducing or eliminating exposure.

Summary by Heath Sullivan.