

SUPREME COURT OF MISSISSIPPI

Illinois Central Railroad Company v. Samson

799 So. 2d 20 (Miss. 2001) · No. No. 1999-IA-01865-SCT · Decided February 8, 2001

SUMMARY

The Supreme Court of Mississippi reviewed an interlocutory appeal concerning Illinois Central Railroad Company's motion to dismiss a Federal Employers' Liability Act action on forum non conveniens grounds. The court held that Mississippi was not an inconvenient forum after balancing the relevant private and public interest factors and affirmed the denial of the motion to dismiss.

CASE DETAILS

COURT	Supreme Court of Mississippi
WRITING FOR THE COURT	Smith, J.; Banks, P.J.; Mills, J.
JURISDICTION	Mississippi
DECIDED	February 8, 2001
DOCKET	No. 1999-IA-01865-SCT
DISPOSITION	affirmed
PROCEDURAL POSTURE	Interlocutory appeal from the Hinds County Circuit Court's denial of Illinois Central Railroad Company's motion to dismiss on forum non conveniens grounds.
STANDARD OF REVIEW	The circuit court's findings are reviewed for substantial, credible, and reasonable evidentiary support and will not be disturbed unless manifestly wrong, clearly erroneous, or based on an erroneous legal standard. The forum non conveniens determination receives substantial deference when the lower court considers the relevant private and public interest factors and reasonably balances them. The motion-to-dismiss allegations are taken as true unless the plaintiff could prove no set of facts supporting the claim.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Illinois Central Railroad Company v. Wickliff J. Samson

TOPICS

- forum non conveniens
- motions to dismiss
- interlocutory appeal
- appellate procedure
- civil procedure

PRACTICE AREAS

civil procedure

appellate procedure

employment law

QUESTIONS PRESENTED

1. Whether the Hinds County Circuit Court erred by denying Illinois Central's motion to dismiss under the doctrine of forum non conveniens.
2. Whether the circuit court was required to make findings of fact on the record explaining its denial of the forum non conveniens motion.

HOLDINGS

1. The circuit court correctly denied Illinois Central's motion to dismiss because, after balancing the seven forum non conveniens factors, Mississippi was not an inconvenient forum and Samson's choice of forum was entitled to deference.
2. The circuit court was not required on its own initiative to make findings of fact supporting its denial of the forum non conveniens motion, and Illinois Central could not complain about the absence of findings because it had not requested them.

KEY QUOTATIONS

“Where the [lower] court has considered all relevant public and private interest factors, and where its balancing of these factors is reasonable, its decision deserves substantial deference.” (23)

“Since it is for the plaintiff to choose the place of suit, his choice of a forum should not be disturbed except for weighty reasons ...” (25)

FACTUAL BACKGROUND

Samson, a machinist employed by Illinois Central Railroad Company in Baton Rouge, Louisiana, alleged that he was injured while changing a locomotive brake shoe. He claimed that Illinois Central failed to provide a reasonably safe workplace, safe and suitable tools, proper instruction, and adequate assistance and supervision. Illinois Central maintained substantial business operations and a corporate representative in Hinds County, Mississippi, while the occurrence and some witnesses were located in Baton Rouge.

PROCEDURAL HISTORY

Samson filed a Federal Employers' Liability Act action in the Hinds County Circuit Court. Illinois Central moved to dismiss, arguing that Louisiana was a more appropriate forum; the circuit court denied the motion and denied certification for interlocutory appeal. The Mississippi Supreme Court granted Illinois Central's petition for interlocutory appeal and affirmed the denial of dismissal.

DISPOSITION

affirmed

CASES CITED

- Lang v. Bay St. Louis/Waveland Sch. Dist., 764 So. 2d 1234 (Miss. 1999)
- T.M. v. Noblitt, 650 So. 2d 1340, 1342 (Miss. 1995)
- City of Jackson v. Perry, 764 So. 2d 373, 376 (Miss. 2000)
- Puckett v. Stuckey, 633 So. 2d 978, 982 (Miss. 1993)
- Sweet Home Water & Sewer Ass'n v. Lexington Estates, Ltd., 613 So. 2d 864, 872 (Miss. 1993)
- Allied Steel Corp. v. Cooper, 607 So. 2d 113, 119 (Miss. 1992)
- Bell v. City of Bay St. Louis, 467 So. 2d 657, 661 (Miss. 1985)
- Missouri Pac. R.R. v. Tircuit, 554 So. 2d 878 (Miss. 1989)
- Piper Aircraft Co. v. Reyno, 454 U.S. 235, 257, 102 S. Ct. 252, 70 L. Ed. 2d 419 (1981)
- Metropolitan Life Ins. Co. v. Aetna Cas. & Surety Co., 728 So. 2d 573, 576, 578-79 (Miss. 1999)
- Shewbrooks v. A.C. & S., Inc., 529 So. 2d 557, 562 (Miss. 1988)

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