

COURT OF APPEALS OF MISSISSIPPI

Jack Rehm v. Robinson Property Group, LLC d/b/a Horseshoe
Tunica and The Service Companies, Inc.

No. 2025-CA-00043-COA · No. 2025-CA-00043-COA · Decided May 19, 2026

SUMMARY

The Mississippi Court of Appeals affirmed summary judgment dismissing Jack Rehm’s personal-injury slip-and-fall lawsuit against Robinson Property Group, LLC and The Service Companies, Inc. The court held that judicial estoppel barred the claim because Rehm failed to disclose it in his Chapter 7 bankruptcy proceeding, the bankruptcy court accepted his nondisclosure, and the omission was not inadvertent. The court reviewed the circuit court’s application of judicial estoppel for abuse of discretion.

CASE DETAILS

COURT	Court of Appeals of Mississippi
WRITING FOR THE COURT	Carlton, P.J.; Barnes, C.J.; Wilson, P.J.; Lawrence, J.; Emfinger, J.; Weddle, J.; Lassitter St. Pé, J.; McDonald, J.; Westbrooks, J.; McCarty, J.
JURISDICTION	Mississippi Court of Appeals
DECIDED	May 19, 2026
DOCKET	2025-CA-00043-COA
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the Tunica County Circuit Court's grant of summary judgment in favor of defendants based on judicial estoppel, dismissing the personal injury lawsuit with prejudice.
STANDARD OF REVIEW	Abuse of discretion for the application of judicial estoppel; de novo for summary judgment generally, but because the summary judgment was based entirely on judicial estoppel, the review is for abuse of discretion.
PRECEDENTIAL VALUE	Published
PARTIES	Jack Rehm v. Robinson Property Group, LLC d/b/a Horseshoe Tunica and The Service Companies, Inc.

TOPICS

summary judgment affirmative defenses bankruptcy disclosure requirements bankruptcy personal injury
premises liability negligence appellate procedure standard of review civil procedure

PRACTICE AREAS

Personal Injury Bankruptcy Civil Procedure Appellate Procedure

QUESTIONS PRESENTED

1. Whether the circuit court erred in applying judicial estoppel to bar Rehm's personal injury claim.
2. Whether there is a genuine issue of material fact as to whether Rehm's nondisclosure was inadvertent, precluding summary judgment.

HOLDINGS

1. The circuit court did not abuse its discretion because Rehm had knowledge of his personal injury claim and motive to conceal it, and his failure to disclose was not inadvertent.
2. Because the summary judgment was based entirely on judicial estoppel, the only question is whether the circuit court abused its discretion in imposing judicial estoppel; if no abuse, summary judgment was proper. The court found no abuse, so summary judgment was proper.

KEY QUOTATIONS

“The standard of review when considering a trial court's application of judicial estoppel is abuse of discretion.” (¶17)

“Common sense tells us that in obvious cases, like a . . . slip-and-fall tort claim, knowledge of the facts giving rise to a claim may very well be sufficient for a layperson to have knowledge of a potential tort claim.” (¶24)

“Judicial estoppel is an equitable concept and operates to protect the integrity of the judicial system.” (¶18)

“If the court's imposition of judicial estoppel was not an abuse of discretion, it necessarily follows that its grant of summary judgment was proper.” (¶38)

FACTUAL BACKGROUND

On August 14, 2020, Jack Rehm slipped and fell in a restroom at Horseshoe Tunica in Tunica, Mississippi. He retained counsel who sent a letter of representation and later a formal demand for \$80,000 to the defendants' third-party administrator. On March 16, 2022, Rehm filed for Chapter 7 bankruptcy in Missouri but did not disclose the personal injury claim in his bankruptcy schedules, despite having knowledge of the claim. The bankruptcy court discharged his debts on June 23, 2022. Within a year, Rehm filed the personal injury lawsuit against Robinson Property Group and The Service Companies. The defendants moved for summary judgment on judicial estoppel grounds.

PROCEDURAL HISTORY

Rehm filed a slip-and-fall lawsuit in Tunica County Circuit Court. Defendants moved for summary judgment, arguing that Rehm was judicially estopped from pursuing the claim because he failed to disclose it in his prior Chapter 7 bankruptcy. The circuit court granted summary judgment and dismissed the case with prejudice. Rehm appealed.

DISPOSITION

affirmed

CASES CITED

- Gibson v. Williams, Williams & Montgomery P.A., 186 So. 3d 836 (Miss. 2016)
- Jones v. Alcorn State Univ., 337 So. 3d 1062 (Miss. 2022)
- Kane v. Nat'l Union Fire Ins. Co., 535 F.3d 380 (5th Cir. 2008)
- Clark v. Neese, 131 So. 3d 556 (Miss. 2013)
- Saunders v. Nat'l Collegiate Athletic Ass'n, 352 So. 3d 618 (Miss. 2022)
- Adams v. Graceland Care Ctr. of Oxford LLC, 208 So. 3d 575 (Miss. 2017)
- Kirk v. Pope, 973 So. 2d 981 (Miss. 2007)
- Rogers v. Gulfside Casino P'ship, 206 So. 3d 1274 (Miss. Ct. App. 2016)
- Jackson v. Harris, 303 So. 3d 454 (Miss. Ct. App. 2020)
- Mississippi Power & Light Co. v. Cook, 832 So. 2d 474 (Miss. 2002)
- Smith v. Baker, 321 So. 3d 575 (Miss. Ct. App. 2021)
- Chantey Music Pub. Inc. v. Malaco Inc., 915 So. 2d 1052 (Miss. 2005)
- Lefler v. Wasson, 295 So. 3d 1007 (Miss. Ct. App. 2020)
- Karpinsky v. Am. Nat'l Ins. Co., 109 So. 3d 84 (Miss. 2013)
- Jourdan River Ests. LLC v. Favre, 278 So. 3d 1135 (Miss. 2019)
- Sherrod v. U.S. Fid. & Guar. Co., 518 So. 2d 640 (Miss. 1987)
- Browning Mfg. v. Mims (In re Coastal Plains Inc.), 179 F.3d 197 (5th Cir. 1999)