

SUPREME COURT OF MISSISSIPPI

Vickie Greer v. Michael C. Key

No. 2024-CA-01393-SCT · No. 2024-CA-01393-SCT · Decided February 19, 2026

SUMMARY

The Supreme Court of Mississippi affirmed a judgment for Michael C. Key in Vickie Greer’s personal-injury action arising from a rear-end automobile accident. The court held that Greer’s failure to file a motion for a new trial procedurally barred review of her challenge to the jury’s verdict as against the overwhelming weight of the evidence. It also held that the trial court did not abuse its discretion by excluding reptile-theory questioning concerning traffic rules, safety, and foreseeability.

CASE DETAILS

COURT	Supreme Court of Mississippi
WRITING FOR THE COURT	Branning, J.; Randolph, C.J.; King, P.J.; Coleman, P.J.; Ishee, J.; Griffis, J.; Sullivan, J.
JURISDICTION	Supreme Court of Mississippi
DECIDED	February 19, 2026
DOCKET	2024-CA-01393-SCT
DISPOSITION	affirmed
PROCEDURAL POSTURE	Greer appealed a final judgment entered on a unanimous jury verdict for Key in a personal-injury action. The appeal challenged the verdict as against the overwhelming weight of the evidence and challenged the exclusion of questions concerning traffic rules and safety objectives.
STANDARD OF REVIEW	A challenge to a jury verdict as against the overwhelming weight of the evidence is ordinarily reviewed with great deference, with conflicts and permissible inferences resolved in favor of the appellee; the verdict is disturbed only when it contradicts the overwhelming weight of the evidence so as to constitute an unconscionable injustice. Evidentiary rulings are reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published opinion; precedential value under Mississippi law not otherwise specified in the source.
PARTIES	Vickie Greer v. Michael C. Key

TOPICS

personal injury

proximate cause

evidence

appellate procedure

preservation of error

PRACTICE AREAS

personal injury

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QUESTIONS PRESENTED

1. Whether the jury's verdict that Key's negligence was not a proximate contributing cause of Greer's damages was against the overwhelming weight of the evidence despite Greer's failure to file a motion for a new trial.
2. Whether the trial court abused its discretion by excluding Greer's questions and references concerning Key's knowledge of traffic rules, the safety purposes of those rules, and his personal sense of safety under Mississippi Rules of Evidence 401 through 403.

HOLDINGS

1. An appellant who contends that a jury verdict is against the overwhelming weight of the evidence must first present that contention to the trial court through a motion for a new trial; failure to do so procedurally bars appellate review of the issue.
2. The trial court did not abuse its discretion by excluding questions that asked Key about the safety purposes of traffic rules, his responsibility to protect others, and the consequences of failing to follow those rules because the questions constituted inadmissible reptile-theory or community-conscience arguments.

KEY QUOTATIONS

“A ‘[m]otion for new trial must be made where it is contended that the verdict of the jury is against the overwhelming weight of the evidence.’” (¶ 10)

“While duty and causation both involve foreseeability, duty is an issue of law, and causation is generally a matter for the jury.” (¶ 15)

FACTUAL BACKGROUND

On November 1, 2017, Greer was stopped or moving very slowly at the bottom of an exit ramp while attempting to merge onto Hacks Cross Road when Key's vehicle struck hers from behind. The vehicles sustained minimal damage, and Greer was transported to a hospital and later received limited medical treatment. Greer had undergone lower-back surgery approximately twenty years earlier but denied having back problems immediately before the accident. Key admitted negligence for the accident, leaving proximate causation and damages as the central trial issues.

PROCEDURAL HISTORY

After Key rear-ended Greer's vehicle, Greer filed a personal-injury lawsuit in the DeSoto County Circuit Court. Before trial, the circuit court granted in part Key's motion in limine concerning reptile-theory and golden-rule arguments. Key admitted liability for the accident, and the jury found that his negligence was not a proximate contributing cause of Greer's damages. The circuit court entered judgment for Key, and Greer appealed without first filing a motion for a new trial.

DISPOSITION

affirmed

CASES CITED

- Patterson v. Liberty Assocs., L.P., 910 So. 2d 1014, 1018 (Miss. 2004)
- Venton v. Beckham, 845 So. 2d 676, 684 (Miss. 2003)
- Robinson Prop. Grp., L.P. v. Mitchell, 7 So. 3d 240, 243 (Miss. 2009)
- Whitten v. Cox, 799 So. 2d 1, 13 (Miss. 2000)
- Eubanks v. State, 341 So. 3d 896, 911 (Miss. 2022)
- Jackson v. State, 423 So. 2d 129, 132 (Miss. 1982)
- DeLaughter v. Lawrence Cnty. Hosp., 601 So. 2d 818, 820 (Miss. 1992)
- Graves v. Dudley Maples, L.P., 950 So. 2d 1017, 1021 (Miss. 2006)
- McLemore v. State, 669 So. 2d 19, 24 (Miss. 1996)
- Purvis v. Barnes, 791 So. 2d 199, 203 (Miss. 2001)
- Bender v. N. Meridian Mobile Home Park, 636 So. 2d 385, 389 (Miss. 1994)
- Danner v. Mid-State Paving Co., 252 Miss. 776, 173 So. 3d 608, 612 (1965)
- Copiah Dairies, Inc. v. Addikson, 247 Miss. 327, 153 So. 2d 689, 694 (1963)
- Westbrook v. Gen. Tire & Rubber Co., 754 F.2d 1233, 1238-39 (5th Cir. 1985)
- Criss v. Roll-Offs Trucking, Inc., No. 3:22-CV-457-KHJ-MTP, 2024 WL 268416, at *2 (S.D. Miss. Jan. 24, 2024)
- Woulard v. Greenwood Motor Lines, Inc., No. 1:17cv231-HSO-JCG, 2019 WL 3318467, at *3 (S.D. Miss. 2019)
- Donald v. Amoco Prod. Co., 735 So. 2d 161, 174 (Miss. 1999)
- Foster v. Bass, 575 So. 2d 967, 972-73 (Miss. 1990)
- Roundtree v. State, 568 So. 2d 1173, 1179-80 (Miss. 1990)