

COMMONWEALTH COURT OF PENNSYLVANIA

Linda Lamberson v. Southeastern Pennsylvania Transportation Authority

Lamberson v. SEPTA · No. 1009 C.D. 2023 · Decided April 2, 2025

SUMMARY

The Pennsylvania Commonwealth Court affirmed a nonsuit entered in favor of Southeastern Pennsylvania Transportation Authority in a negligence action arising from the collapse of a train-platform section. The Court held that the plaintiff did not present sufficient evidence that SEPTA had actual or constructive notice of the alleged dangerous condition, as required under the Commonwealth’s sovereign-immunity real-estate exception. Post-accident photographs and video of the incident did not establish that the defect was apparent upon reasonable inspection before the accident.

CASE DETAILS

COURT	Commonwealth Court of Pennsylvania
WRITING FOR THE COURT	Anne E. Covey; Lori A. Dumas; Matthew S. Wolf
JURISDICTION	Commonwealth Court of Pennsylvania
DECIDED	April 2, 2025
DOCKET	1009 C.D. 2023
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from an order of the Philadelphia County Court of Common Pleas entering judgment for SEPTA after the trial court granted a nonsuit at the close of Lamberson's evidence in a negligence action.
STANDARD OF REVIEW	On review of a nonsuit, the appellate court gives the appellant the benefit of all reasonable inferences of fact and reverses only when the fact-finder could not reasonably conclude that the essential elements of the cause of action were established. The lack of evidence must be so clear that it admits no room for fair and reasonable disagreement, and the fact-finder may not decide on speculation or conjecture.
PRECEDENTIAL VALUE	Published opinion of the Commonwealth Court of Pennsylvania.
PARTIES	Linda Lamberson v. Southeastern Pennsylvania Transportation Authority

TOPICS

negligence

premises liability

municipal liability

standard of review

appellate procedure

PRACTICE AREAS

civil procedure

torts

municipal law

appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court erred by granting a nonsuit where Lamberson relied on post-accident photographs and video to establish that SEPTA had constructive notice of a dangerous condition in the train platform.
2. Whether Lamberson presented sufficient evidence that the alleged dangerous condition was apparent upon reasonable inspection, as required to establish constructive notice under the Commonwealth real-estate exception to sovereign immunity.

HOLDINGS

1. A plaintiff proceeding under the Commonwealth real-estate exception must establish that the Commonwealth agency had actual or constructive notice of the dangerous condition; constructive notice requires that the condition was apparent upon reasonable inspection.
2. The trial court properly granted a nonsuit because Lamberson did not present evidence from which a fact-finder could reasonably conclude that the alleged dangerous condition was apparent upon reasonable inspection before the accident.

KEY QUOTATIONS

“we reverse only if, after giving appellant the benefit of all reasonable inferences of fact, we find that the fact[-]finder could not reasonably conclude that the essential elements of the cause of action were established.” (2)

“For the governmental entity to be charged with constructive notice of a dangerous condition of a roadway, the condition had to be apparent upon reasonable inspection.” (4)

“Lamberson did not present any evidence that the alleged dangerous condition was “apparent upon reasonable inspection[.]” Carletti, 190 A.3d at 777, thus “reasonable minds could not differ as to the conclusion” that Lamberson did not establish constructive notice.” (10)

FACTUAL BACKGROUND

SEPTA owned and maintained the Bristol train station in Pennsylvania. On October 10, 2018, while Lamberson was stepping from the concrete platform onto a waiting train, the platform cracked beneath her foot, causing her to fall and allegedly sustain serious injuries. Lamberson regularly commuted through the station but testified that she had not noticed any crumbling or other problem with the platform before the accident and had received no warning. The photographs were taken after the accident, and the video showed other passengers stepping in the same location without revealing an observable defect before the platform collapsed.

PROCEDURAL HISTORY

Lamberson and her husband filed an amended complaint after Lamberson was injured when a train-station platform allegedly crumbled beneath her. Following arbitration, Lamberson appealed and demanded a jury trial; her husband later discontinued his claims. After a jury trial, the trial court granted SEPTA's motion for nonsuit, denied Lamberson's post-trial motion, and entered judgment for SEPTA. The Pennsylvania Superior Court transferred Lamberson's appeal to the Commonwealth Court, which affirmed.

DISPOSITION

affirmed

CASES CITED

- Munoz v. Children's Hospital of Philadelphia, 265 A.3d 801, 805-06 (Pa. Super. 2021)
- Rolon v. Davies, 232 A.3d 773, 776-77 (Pa. Super. 2020)
- Carletti v. Commonwealth, Department of Transportation, 190 A.3d 766, 776-77 (Pa. Cmwlth. 2018)
- Angell v. Dereno, 134 A.3d 1173, 1183 (Pa. Cmwlth. 2016)
- Miller v. Lykens Borough Authority, 712 A.2d 800, 803 (Pa. Cmwlth. 1998)
- Good v. City of Philadelphia, 6 A.2d 101 (Pa. 1939)
- Department of Transportation v. Patton, 686 A.2d 1302, 1304-05 (Pa. Cmwlth. 1997)