

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
LOUISIANA, SHREVEPORT DIVISION

**Brittany Mahoney, Individually and on Behalf of Minor Child
Madison Skinner v. Wal-Mart Louisiana, LLC, et al.**

Mahoney · No. Civil Action No. 24-0537 · Decided February 4, 2026

SUMMARY

The United States District Court for the Western District of Louisiana granted Wal-Mart’s motion for summary judgment in a Louisiana merchant-liability slip-and-fall action. The court held that the plaintiff presented no evidence that Wal-Mart created the liquid hazard or had actual or constructive notice of it before the accident, including no evidence establishing the required temporal element for constructive notice. The claims against Wal-Mart were dismissed with prejudice.

CASE DETAILS

COURT	United States District Court for the Western District of Louisiana, Shreveport Division
WRITING FOR THE COURT	Alexander C. Van Hook
JURISDICTION	United States District Court for the Western District of Louisiana
DECIDED	February 4, 2026
DOCKET	Civil Action No. 24-0537
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants moved for summary judgment in a diversity slip-and-fall action. The court granted the motion and dismissed all claims against Wal-Mart with prejudice.
STANDARD OF REVIEW	Summary judgment is proper under Federal Rule of Civil Procedure 56 when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. Once the movant identifies the absence of evidence supporting an element on which the nonmovant bears the burden of proof, the nonmovant must present evidence establishing a genuine issue for trial; allegations and speculation are insufficient.
PRECEDENTIAL VALUE	Unknown; memorandum ruling from a federal district court.

PARTIES

Brittany Mahoney, individually and on behalf of minor child Madison Skinner v. Wal-Mart Louisiana, LLC, Wal-Mart, Inc.

TOPICS

premises liability

summary judgment

negligence

civil procedure

PRACTICE AREAS

torts

premises liability

civil procedure

summary judgment

QUESTIONS PRESENTED

1. Whether Plaintiff presented evidence that Wal-Mart created the hazardous condition under the Louisiana Merchant Liability Act.
2. Whether Plaintiff presented evidence that Wal-Mart had actual notice of the clear liquid before the fall.
3. Whether Plaintiff presented evidence that the liquid existed for a sufficient period before the fall to establish constructive notice under Louisiana Revised Statutes section 9:2800.6.
4. Whether Wal-Mart was entitled to summary judgment because Plaintiff failed to establish the notice element of her merchant-liability negligence claim.

HOLDINGS

1. Plaintiff failed to create a genuine issue of material fact that Wal-Mart created the liquid spill because she offered only unsupported allegations concerning a malfunctioning cooler and no evidence connecting Wal-Mart's floor maintenance to the spill.
2. Plaintiff failed to establish that Wal-Mart had actual notice of the clear liquid before Skinner's fall.
3. Plaintiff failed to establish constructive notice because she presented no affirmative evidence that the liquid existed for a period of time before the fall sufficient for Wal-Mart to discover it through reasonable care.
4. Wal-Mart was entitled to summary judgment because Plaintiff failed to present evidence establishing the notice element required by Louisiana's Merchant Liability Act.

KEY QUOTATIONS

“The plaintiff has the burden of proving all three elements under the Louisiana Merchant Liability Act.” (Law and Analysis, Part B)

“The statute does not allow for the inference of constructive notice absent some showing of this temporal element.” (Law and Analysis, Part C.3)

“All Plaintiffs claims filed against Wal-Mart in this matter are DISMISSED WITH PREJUDICE.”
(Conclusion)

FACTUAL BACKGROUND

On September 11, 2022, Madison Skinner slipped on a clear liquid while examining candy in an aisle at a Wal-Mart Supercenter in Shreveport, Louisiana, injuring her knee and head. Her family did not report the liquid or fall to a Wal-Mart employee before leaving the store and later returning to file an incident report. Neither the family nor Wal-Mart knew what the liquid was, how it reached the floor, or how long it had been there. Plaintiff offered allegations that a malfunctioning cooler caused the spill but provided no supporting deposition excerpt, photographs, or other evidence establishing the cooler's existence, malfunction, or connection to the spill.

PROCEDURAL HISTORY

Madison Skinner slipped on a clear liquid while shopping at a Wal-Mart store in Shreveport, Louisiana. Brittany Mahoney, individually and on Skinner's behalf, filed a negligence action alleging that Wal-Mart created the hazardous condition or knew or should have known of it. After removal based on diversity jurisdiction, Wal-Mart moved for summary judgment, arguing that Plaintiff lacked evidence that Wal-Mart created the condition or had actual or constructive notice of it before the fall. The district court granted summary judgment and dismissed the claims with prejudice.

DISPOSITION

dismissed

CASES CITED

- Quality Infusion Care, Inc. v. Health Care Serv. Corp., 628 F.3d 725, 728 (5th Cir. 2010)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248, 256 (1986)
- Celotex Corp. v. Catrett, 477 U.S. 317, 322-24 (1986)
- Erie R.R. v. Tompkins, 304 U.S. 64 (1938)
- Russell v. Morgan's Bestway of La., LLC, 113 So. 3d 448, 452 (La. App. 2 Cir. 2013)
- Bagley v. Albertsons, Inc., 492 F.3d 328, 330-31 (5th Cir. 2007)
- Berg v. Zummo, 786 So. 2d 708, 715-16 (La. 2001)
- Roberts v. Benoit, 605 So. 2d 1032, 1051 (La. 1991)
- Savoie v. Southwest Louisiana Hospital Assoc., Etc., 866 So. 2d 1078 (La. App. 3 Cir. 2004)
- Gray v. Wal-Mart Louisiana, L.L.C., 484 Fed. Appx. 963 (5th Cir. 2012)
- Deshotel v. Wal-Mart Louisiana, L.L.C., 850 Fed. 3d 742 (5th Cir. 2017)
- White v. Wal-Mart Stores, Inc., 699 So. 2d 1081, 1083 n.1, 1084 (La. 1997)
- Babin v. Winn-Dixie Louisiana, Inc., 764 So. 2d 37, 40 (La. 2000)
- Allen v. Wal-Mart Stores, Inc., 850 So. 2d 895, 898 (La. App. 2 Cir. 2003)
- Oster v. Winn-Dixie Louisiana, Inc., 881 So. 2d 1257, 1261 (La. App. 5 Cir. 2004)
- Finley v. Racetrac Petroleum, Inc., 137 So. 3d 193, 197 (La. App. 2 Cir. 2014)
- Broussard v. Wal-Mart Stores, Inc., 741 So. 2d 65, 69 (La. App. 3 Cir. 1999)

