

OHIO COURT OF APPEALS, NINTH JUDICIAL DISTRICT

Hall v. Wooster

2025-Ohio-5695 · No. 25AP0019 · Decided December 22, 2025

SUMMARY

The Ninth District Court of Appeals of Ohio reversed summary judgment in favor of the City of Wooster in Maribel Hall’s negligence action arising from a fall in a marked crosswalk. The court held that a marked crosswalk, defined as a portion of a roadway, falls within the public-roads exception to political-subdivision immunity under R.C. 2744.02(B)(3), and that the City failed to establish a statutory defense reinstating immunity. Hall’s second assignment of error was deemed moot.

CASE DETAILS

COURT	Ohio Court of Appeals, Ninth Judicial District
WRITING FOR THE COURT	Jill Flagg Lanzinger, Presiding Judge; Jill Flagg Lanzinger; Sutton, J.; Stevenson, J.
JURISDICTION	Ohio Court of Appeals, Ninth District
DECIDED	December 22, 2025
DOCKET	25AP0019
DISPOSITION	reversed
PROCEDURAL POSTURE	Plaintiff appealed the Wayne County Court of Common Pleas' grant of summary judgment to the City of Wooster on statutory political-subdivision-immunity grounds.
STANDARD OF REVIEW	Summary judgment and questions of statutory interpretation are reviewed de novo. The evidence is viewed most strongly in favor of the nonmoving party.
PRECEDENTIAL VALUE	Published
PARTIES	Maribel Hall v. City of Wooster

TOPICS

- municipal liability
- statutory interpretation
- summary judgment
- standard of review
- appellate procedure

PRACTICE AREAS

- municipal liability
- torts
- civil procedure
- appellate procedure

QUESTIONS PRESENTED

1. Whether a marked crosswalk, defined by statute as a portion of a roadway, is part of a public road for purposes of the exception to political-subdivision immunity in R.C. 2744.02(B)(3).
2. Whether the City was entitled to summary judgment on statutory-immunity grounds when it did not establish a defense to liability under R.C. 2744.03.
3. Whether Hall's second assignment of error concerning disputed material facts was moot after resolution of the statutory-interpretation issue.

HOLDINGS

1. A marked crosswalk is a portion of a roadway under R.C. 4511.01(LL)(2) and therefore falls within the definition of a public road under R.C. 2744.01(H). Hall consequently established the public-roads exception to political-subdivision immunity under R.C. 2744.02(B)(3).
2. The City was not entitled to summary judgment because, after Hall established that the R.C. 2744.02(B)(3) exception applied, the City failed to establish that a defense to liability under R.C. 2744.03 reinstated immunity.
3. Hall's second assignment of error concerning genuine issues of material fact was moot because the court's resolution of the first assignment of error required reversal of the summary judgment.

KEY QUOTATIONS

“Summary judgment is appropriate if: (1) [n]o genuine issue as to any material fact remains to be litigated; (2) the moving party is entitled to judgment as a matter of law; and (3) it appears from the evidence that reasonable minds can come to but one conclusion, and viewing such evidence most strongly in favor of the party against whom the motion for summary judgment is made, that conclusion is adverse to that party.” (¶9)

“Applying these rules in the context of political subdivision immunity, this Court concludes that a marked crosswalk—which is statutorily defined as any “portion of a roadway”—falls within the definition of a “[p]ublic roads” under R.C. 2744.01(H).” (¶16)

“To conclude that the public roads exception to immunity under R.C. 2744.01(B)(3) does not apply because the alleged physical defect in the roadway was within a marked crosswalk is an unreasonable interpretation of the statutes at issue.” (¶17)

FACTUAL BACKGROUND

Maribel Hall tripped and fell while crossing Liberty Street in a marked crosswalk in Wooster and sustained injuries. She alleged that a two-inch divot in the roadway, construction fencing, blocked sidewalk access, and the City's failure to maintain, inspect, repair, or warn caused or contributed to her injuries. The City sought summary judgment based on political-subdivision immunity under R.C. Chapter 2744.

PROCEDURAL HISTORY

Hall sued the City of Wooster for negligence after tripping and falling in a marked crosswalk. The trial court initially denied the City's summary-judgment motion, and the City appealed. In the first appeal, the Ninth

District reversed and remanded because the trial court had not articulated its political-subdivision-immunity analysis. On remand, the trial court instead granted summary judgment to the City, concluding that the crosswalk was not a public road under R.C. 2744.01(H). Hall appealed, and the Ninth District reversed.

DISPOSITION

reversed

REMAND INSTRUCTIONS

The judgment of the Wayne County Court of Common Pleas was reversed, and a special mandate was ordered directing that court to carry the appellate judgment into execution.

CASES CITED

- Hall v. City of Wooster, 2024-Ohio-5540, ¶¶2-5, 7, 11 (9th Dist.)
- Elliot v. Durrani, 2022-Ohio-4190, ¶8
- State ex rel. Zimmerman v. Tompkins, 75 Ohio St. 3d 447, 448 (1996)
- Temple v. Wean United, Inc., 50 Ohio St. 2d 317, 327 (1977)
- Dresher v. Burt, 75 Ohio St. 3d 280, 292-293 (1996)
- Grafton v. Ohio Edison Co., 77 Ohio St. 3d 102, 105 (1996)
- Hubbard v. Canton City School Bd. of Edn., 2002-Ohio-6718, ¶¶10-12
- Szeftcyk v. Kucirek, 2016-Ohio-171, ¶¶12-13 (9th Dist.)
- Reynolds v. Hamilton Cty. Dev. Disabilities Servs., 2024-Ohio-83, ¶51 (1st Dist.)
- Schlegel v. Summit Cty., 2021-Ohio-3451, ¶16 (9th Dist.)
- Contreras v. Bettsville, 2011-Ohio-4178, ¶23 (3d Dist.)
- E.F. v. Oberlin City School Dist., 2010-Ohio-1370, ¶16
- Tomlin v. Akron, 2021-Ohio-819, ¶10 (9th Dist.)
- State v. Kern, 1983 WL 4961, *2 (2d Dist. Sept. 21, 1983)
- Cleveland v. Smith, 2011-Ohio-1553, ¶10 (8th Dist.)
- Morley v. Sheriff of Medina Cty., 2022-Ohio-3469, ¶7
- A.S. v. Summit Cty. Prosecutor, 2022-Ohio-1040, ¶10
- State v. Turner, 2020-Ohio-6773, ¶18
- Fox v. Standard Oil Co. of New Jersey, 294 U.S. 87, 96 (1935)
- State ex rel. Dispatch Printing Co. v. Wells, 18 Ohio St. 3d 382, 384 (1985)

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