

SUMMARY STATEMENT

Bright v. Maznik

No. 44129

In Whitney L. Bright's appeal from the Canyon County district court's grant of summary judgment to Roman and Natalya Maznik, the Idaho Supreme Court affirmed. The Mazniks are property owners who leased an apartment to James and Katherine Thomas, owners of a Belgian Shepherd. When Bright visited the Thomas' apartment in an effort to collect on a debt, the Thomas' dog attacked her. Bright then lodged a complaint against the Mazniks, alleging various tort claims arising from the attack. The Idaho Supreme Court held that the district court properly granted summary judgment on Bright's negligence *per se* claim because Bright failed to establish a predicate violation of Idaho Code section 25-2805(2). Additionally, the Idaho Supreme Court held that the district court properly granted summary judgment on Bright's remaining claims, including her liability for domestic animals claim, because Bright failed to establish that the Mazniks had actual or constructive notice that the Thomas' dog had a dangerous or vicious propensity.