

BARBARA LIBBY

v.

WAL-MART STORES EAST, LLC

Submitted on Briefs February 24, 2011

Decided March 17, 2011

Panel: ALEXANDER, LEVY, SILVER, MEAD, GORMAN, and JABAR, JJ.

MEMORANDUM OF DECISION

Barbara Libby appeals a grant of a summary judgment by the Superior Court (Cumberland County, *Wheeler, J.*) in favor of Wal-Mart Stores East, LLC, on Libby's premises liability claim. Contrary to Libby's contentions, she failed to present evidence that a rug on which she alleges she tripped was unsafe. Libby therefore failed to generate a genuine issue of material fact regarding whether Wal-Mart breached its duty to exercise "reasonable care in providing reasonably safe premises," and the court did not err in granting a summary judgment in favor of Wal-Mart. See *Durham v. HTH Corp.*, 2005 ME 53, ¶¶ 8-9, 870 A.2d 577, 579 (quotation marks omitted).

The entry is:

Judgment affirmed.

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