

BEVERLY LANGLEY et al.

v.

TOWN OF HAMPDEN

Submitted on Briefs April 30, 2008

Decided May 15, 2008

Panel: SAUFLEY, C.J., and CLIFFORD, ALEXANDER, and, LEVY, JJ.

#### MEMORANDUM OF DECISION

Beverly Langley and Vivian Knowles appeal from a judgment entered by the Superior Court (Penobscot County, *Cuddy, J.*) granting a summary judgment in favor of the Town of Hampden. Contrary to Langley and Knowles's contentions, they failed to generate a genuine issue of material fact as to whether the Town of Hampden had any duty that was breached by negligence of the Town. *See Reid v. Town of Mt. Vernon*, 2007 ME 125, ¶ 14, 932 A.2d 539, 544; *Paschal v. City of Bangor*, 2000 ME 50, ¶¶ 9-10, 12, 747 A.2d 1194, 1197; *Blackburne & Brown Mortgage Fund I v. Atmos Energy Corp.*, No. 2-06-393-CV, 2007 Tex. App. LEXIS 9071, at \*6 (Tex. App. Nov. 16, 2007) (holding that evidence of a defendant accepting responsibility for an accident does not present evidence of a duty).

The entry is:

Judgment affirmed.

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