

(Cite as: 952 So.2d 129)

City of Jackson v. Sutton Miss., 2001.

Supreme Court of Mississippi.  
CITY OF JACKSON and Michael McLendon  
v.  
Annie Mae SUTTON, Ricky Sutton and April Gibson.  
**No. 1999-IA-02110-SCT.**

Oct. 11, 2001.

Injured motorist and family of deceased motorist filed complaint against driver of vehicle who collided with their car, police officer who completed an accident report on that same driver earlier on day of fatal accident, and city. The Circuit Court, Hinds County, [James E. Graves, Jr.](#), J., denied city and officer's motion for summary judgment. City and officer filed interlocutory appeal. The Supreme Court, [Pittman](#), C.J., held that Tort Claims Act provided only basis on which motorist and family could bring claim for money damages against city and police officer, precluding their state constitutional claim.

Reversed and rendered.

[McRae](#), P.J., and [Easley](#), J., dissented without opinion.