

Reiber v. County of Gage, Nebraska

Case Number

S-18-0692

Call Date

March 28, 2019

Court Number

Gage

Case Location

Lincoln

Case Summary

S-18-0692, Rhonda Reiber, Administrator of the Estate of Chad Gesin, Deceased (Appellant) v. County of Gage, Nebraska; Millard Gustafson, Gage County Sheriff; and Unknown Employees of the Gage County Sheriff's Office, Individuals.

District Court for Gage County, Hon. Julie Smith

Attorneys: Lyle J. Koenig (Koenig Law Firm) (Appellant) --- Brandy R. Johnson (Governmental Law, LLC)

Civil: Wrongful Death, Political Subdivisions Tort Claims Act (PSTCA)

Proceedings below: After her son, Gesin, committed suicide while in custody, Reiber sued Gage County and the Gage County Sheriff under the PSTCA. Reiber alleged wrongful death caused by the negligence of the county jail staff. Following a bench trial, the district court dismissed Reiber's cause of action.

Issues: Reiber assigns that the district court erred in (1) finding that Appellees acted with reasonable care in their treatment of Gesin during his incarceration, (2) permitting the testimony of Dr. Terry Davis, as it lacked foundation, was not relevant, and was not necessary to assist the finder of fact in determining whether Gesin's suicide was foreseeable, and (3) finding that the Appellees acted with due care in applying the rules of the Jail Standards Board.
