

Court: Detroit isn't liable in fire deaths

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Author: The Detroit News ; Ronald J. Hansen

DETROIT -- Even though the city of **Detroit** routinely fails to maintain working **fire** hydrants, it can't be held financially **liable for** the **deaths** of two children and another man in a **fire** that authorities couldn't quickly extinguish, the Michigan Court of Appeals has decided.

A three-judge panel agreed with the city's lawyers that state law shields it from lawsuits involving neglect of **fire** hydrants in virtually all cases.

In doing so, the judges this week dismissed a case brought by Rhonda Davis, whose children, Rayshonda Nicole Pugh, 13, and Raymonda Nichelle Pugh, 11, died in a December 2000 **fire** . Davis' 22-year-old boyfriend, Carlos Lumpkin, also died in the **fire** .

Davis, who is paralyzed below the chest from the **fire** , sued the city, its water board and **Fire** Department, claiming firefighters could not get water from the first two hydrants they tried and not enough water from a third.

Davis blames authorities **for** gross negligence by allowing the hydrants to remain out of order **for** two years.

Asked what it would require to successfully sue the city using the court's standards, Davis' attorney, John Walus, said, "What it would take, literally, is if the city lit the **fire** ."

The **fire** at Davis' home was the second in two weeks that killed children. In both cases, the closest hydrants didn't work.

In a November 2000 series, The **Detroit** News reported that at least 2,000 of the city's 30,000 hydrants needed repairs. Many more were likely broken, but the city didn't have the resources to check or fix all of the hydrants, The News found.

Walus said more recent reports by the city suggest the problem has not been fixed.

The city's law department did not return calls Wednesday.

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