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Case Citation: Delahanty v. Hinckley, 564 A.2d 758 (D.C. 1989).

Parties: Thomas and Jean Delahanty, Plaintiffs / Appellants
John Hinckley, Defendant / Appellee

Facts: Thomas Delahanty was seriously injured when John Hinckley attempted to assassinate President Ronald Reagan. John Hinckley used a “Saturday Night Special” in the assassination attempt that was manufactured by R. G. Industries, a subsidiary of Roehm.

Procedural History: Appellants filed suit in U.S. District Court for the District of Columbia against John Hinkley, R.G. Industries, the gun manufacturer, Roehm, the manufacturer’s foreign parent company, and individual officers of Roehm, for injuries Appellant Thomas Delahanty suffered when Hinkley attempted to assassinate President Ronald Reagan. The District Court dismissed appellants’ complaint against R.G. Industries, Roehm, and individual officers of Roehm for failure to state a claim. On appeal, the U.S. Court of Appeals for the District of Columbia Circuit certified the question of whether, in the District of Columbia, “manufacturers and distributors of Saturday Night Specials may be strictly liable for injuries arising from these guns’ criminal use” to the District of Columbia Court of Appeals.

Issues:

Issue 1: Whether, in the District of Columbia, manufacturers and distributors of Saturday Night Specials may be held strictly liable for injuries arising from their criminal use?

Issue 2: Whether established theories of tort law in the District of Columbia provide a cause of action against gun manufacturers and distributors for injuries arising from the guns’ criminal uses?

Holdings:

Issue 1: No. Manufacturers and distributors of Saturday Night Specials are not strictly liable for injuries arising from these guns’ criminal use.

Issue 2: No. Established theories of tort law in the District of Columbia do not provide a cause of action against gun manufacturers and distributors for injuries arising from the guns’ criminal uses.

Reasoning: Appellants advanced the following three theories in support of their position:

Issue 1:

a. Strict liability for sale of defective product

The court rejected this theory of liability because appellants put on no evidence that the weapon Hinkley purchased and later used in the assassination attempt was in any way defective. Rather,

appellants argued that the manufacturers had a duty to warn of the dangers of criminal misuse of the gun. The court found this argument unpersuasive, pointing out that a manufacturer has no duty to warn because the dangerous nature of guns self-evident.

b. Strict liability for abnormally dangerous activity

Appellants argued that the manufacturer should be held liable because the Saturday Night Special is “inherently and abnormally dangerous with no social value. The “abnormally dangerous activity” doctrine had never been applied to gun manufacturers in the District of Columbia. The Court rejected this application of the doctrine, since selling weapons is not an abnormally dangerous activity “in and of itself.” In response to appellants’ reliance on Kelly v. R.G. Industries, 304 Md. 124, 497 A.2d 1143 (1985), the court stated that it is not just cheap guns that may potentially be used to commit crimes, and that the Maryland legislature had specifically overridden the Kelly decision.

Issue 2:

While the general rule is that no tort liability exists for harm resulting from the criminal acts of third parties, an exception sometimes comes in to play when a special relationship exists between parties. Examples of such “special” relationships include landlord / tenant, hospital / patient, and school / student relationships. The court declined to extend this special relationship status to gun manufacturers and sellers / gun purchaser, as Appellants neither argued that any special relationship existed, nor suggested any way that gun manufacturers could prevent their gun purchasers from misusing the purchased gun for criminal acts.

Decision:

Affirmed. The court answered the certified question from the U.S. Court of Appeals for the District of Columbia. Traditional tort theories, such as negligence and strict liability, provide no basis for holding a gun manufacturer liable for injuries caused by a buyer of the gun to a third party.

Comment: This case gives a good example of how appellate courts may certify issues to other courts (either lower or in different jurisdictions) for opinions. In this case, the U.S. Circuit Court of Appeals for the District of Columbia (federal appellate court) certified the issue to a Washington D.C. court because it presented a question of local law, not federal law.



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