

**NOT FOR PUBLICATION WITHOUT THE
APPROVAL OF THE APPELLATE DIVISION**

This opinion shall not "constitute precedent or be binding upon any court." Although it is posted on the internet, this opinion is binding only on the parties in the case and its use in other cases is limited. R. 1:36-3.

**SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-2360-17T3**

LISA MERMELSTEIN,

Plaintiff-Appellant,

v.

HARBORSIDE UNIT A URBAN
RENEWAL, LLC, IRONSTATE
DEVELOPMENT, LLC, and AJD
CONSTRUCTION CO.,

Defendants-Respondents,

and

CANDLEWOOD JC, UR c/o K.
FAHEY-THOMPSON,

Defendant.

Submitted December 4, 2018 – Decided December 11, 2018

Before Judges Fisher and Suter.

On appeal from Superior Court of New Jersey, Law
Division, Hudson County, Docket No. L-1474-16.

Brandon J. Broderick, LLC, attorneys for appellant
(Alan K. Albert, on the brief).

Wilson, Elser, Moskowitz Edelman & Dicker, LLP,
attorneys for respondents (Maxwell L. Billek and
Michael P. Chipko, of counsel; Michael P. Chipko, on
the brief).

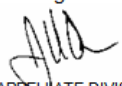
PER CURIAM

In April 2014, while in Jersey City strolling from one business to another, plaintiff walked passed defendants' commercial property; she stepped off the curb, onto the street, and fell. She commenced this suit, claiming defendants' negligent maintenance of their property triggered the fall. Defendants successfully moved for summary judgment, and plaintiff now appeals.

We find no merit in the argument that the judge mistakenly granted summary judgment. An occupier of commercial property owes a duty to users of abutting sidewalks, Stewart v. 104 Wallace St., Inc., 87 N.J. 146, 159 (1981), but that duty extends no farther. Plaintiff testified at her deposition that she stepped "off the curb" and "out into the street" when she "went down." There is no genuine factual dispute that her fall was not caused by nor occurred on the abutting sidewalk. Defendants owed plaintiff no duty regarding the condition of the street.

Affirmed.

I hereby certify that the foregoing
is a true copy of the original on
file in my office.


CLERK OF THE APPELLATE DIVISION