

## **U.S. Supreme Court Allows Darien Resident's Suit Against Metro-North to Proceed in State Court**

**Author :** David Gurliacci

**Categories :** [Transportation](#)

**Tagged as :** [Jamey Murphy](#), [Metro-North](#), [Noroton Heights Railroad Station 2020](#), [Noroton Heights Train Station 2020](#)

**Date :** January 13, 2020

The U.S. Supreme Court decided not to hear objections to a lawsuit against Metro-North by a Darien widow after her husband fell onto the train tracks in 2013 and was hit by an oncoming train at the Noroton Heights station.

The court's decision means the lawsuit against Metro-North can be held in a state court, likely state Superior Court in Bridgeport, probably in March or April, according to [an article](#) in the Connecticut Law Tribune.

Jamey Murphy, widow of commuter Kevin Murphy, against Metro-North, filed the lawsuit after her husband slipped on a patch of ice on a station platform and fell on the tracks in 2013.

The lawsuit states that Murphy's husband wouldn't have been killed if the train, which wasn't making a stop at the Noroton Heights station, hadn't been speeding down the track that was closest to the platform.

The train using that track put her husband in much greater danger, and Connecticut law forbids trains from using tracks closest to a station platform when the train isn't making a stop there.

Metro-North's attorneys argued that a federal law trumps state authority the case should have been filed in federal court. They also argued that federal law also allows the train to run at speeds of 80 mph, and the train going past the Noroton Heights station was only doing 70 mph.

“This is clearly a multimillion-dollar case,” Murphy's lawyer, James Faxon of of New Haven-based Faxon Law Group told the Tribune.