

## Austin Personal Injury Attorney Brooks Schuelke Comments on Texas Dog Bite Injury Law

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**Austin, TX (Law Firm Newswire) April 24, 2017** – Bitten by a dog? In Texas, many people think that there is a one free bite rule – meaning you cannot sue a dog owner unless the dog has previously bitten someone else. They are wrong.

If a person is bitten by a dog in Texas, there is a two year window of time to file a claim in the state’s civil court system. In Texas, there is no precise statute covering civil liability for dog bites. The time limit usually begins running the day the dog bite occurred. If the case is not filed within two years, it is not unusual for courts to dismiss the action without hearing it.

“Time lines are important when it comes to filing lawsuits,” indicated Austin dog bite attorney, Brooks Schuelke. “Make sure you keep track of time if your injury was serious, you required medical attention and are seeking compensation.”

Proving negligence in a dog bite case means demonstrating the owner knew or should have known the dog was aggressive, and did not exercise reasonable care to stop the dog from biting or attacking. An example would be a free-ranging, unrestrained, aggressive dog that bites someone. If a dog knocks someone down and causes injuries, the owner may also be sued for failure to control the dog.

It is true that it is easier to prove liability if the dog owner knew that the dog bit someone else before the dog bit another individual. However, even when there is no evidence of a prior bite, there are other ways to show that the dog was aggressive.

“What that means is for a plaintiff to obtain compensation, they must show that the canine’s owner knew the animal had bitten someone, or acted aggressively in the past, or that the owner was negligent controlling the dog or preventing the bite and that negligence was the proximate cause of the victim’s injuries,” Schuelke explained.

There are two common defenses against a dog bite lawsuit: trespassing on private property and lack of knowledge. Simply put, if the owner is able to prove they had no knowledge the dog had allegedly bitten anyone or was aggressive, and that they were not negligent in controlling the animal, they may not be held liable for the bite. Similarly, if a dog bites someone trespassing on its property/in its yard the owner may not be liable for bite injuries.

Learn more at <http://www.civtrial.com>

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- [Dog Attacks/Dog Bites: Which Dogs Attack Humans The Most?](#)

This is an older article, which was recently pointed out to me, tries to identify the dog breeds that have attacked the most. The results probably won't surprise you much. According to the article, the top 5 breeds for most attacks on people are: Pit Bull Rottweiler German Shepherd Siberian Husky Akita These results would [...]

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This is another question I've recently received from potential clients. They were involved in an incident — a car wreck, a slip and fall, or something similar. They went to the ER, and the ER performed an MRI or a CT scan looking for problems, but scan came back negative. Does this mean that the [...]

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This is a question I've seemed to be answering for clients lately. You are in a wreck or other event. You go to the emergency room. They look you over, they never say anything about a brain injury, and they send you home. Does this mean you don't have some type of brain injury? Absolutely [...]

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