

**NOT FOR PUBLICATION WITHOUT THE  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-1093-16T1

JUAN D. CAPELLAN-URENA,

Plaintiff-Appellant,

v.

DREW DUBIS,

Defendant-Respondent.

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Argued February 27, 2018 – Decided March 12, 2018

Before Judges Fisher and Fasciale.

On appeal from Superior Court of New Jersey,  
Law Division, Bergen County, Docket No. L-  
4943-14.

Patrick M. Metz argued the cause for appellant  
(Dario, Albert, Metz & Eyeran, LLC,  
attorneys; Patrick M. Metz, on the brief).

Walter F. Kawalec, III, argued the cause for  
respondent (Marshall Dennehey Warner Coleman  
& Goggin, attorneys; Walter F. Kawalec, III,  
on the brief).

PER CURIAM

Claiming to have sustained personal injuries in a motor  
vehicle accident, plaintiff Juan D. Capellan-Urena filed a

complaint that alleged defendant Drew Dubis's negligence caused the right side of his vehicle to swipe the left side of plaintiff's vehicle. At the trial's conclusion, the jury rendered a verdict favorable to defendant.

Plaintiff appeals, arguing only that the trial judge "committed reversible error by not allowing the jury to consider [plaintiff's] outstanding medical bills in excess of the PIP limit." We, however, need not rule on this issue because the jury never reached the damages question. Although it found the parties equally responsible for the accident, the jury found plaintiff's claimed injuries were not proximately caused by the accident and, therefore, never quantified damages. Even an erroneous ruling on the admission of the bills would be inconsequential to the judgment under review because that evidence only had a bearing on the damages claimed by plaintiff.

Affirmed.

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

  
CLERK OF THE APPELLATE DIVISION