

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF PORTSMOUTH

**AMY M. MURRAY, Administrator of the
Estate of SHANNON H. CRANE, Deceased,**

Plaintiff,

v.

Case No.: *16-3602*

**CORRECT CARE SOLUTIONS, L.L.C., a Kansas
limited liability company,**

**Serve: Corporate Creations Network, Inc.
Registered Agent
6802 Paragon Place, #410
Richmond, Virginia 23230**

and

**PAUL STAIRS, M.D., GLENN WISE,
BEVERLY DANIELS, and ANNETTE BROOKS,**

**2016 DEC -2 AM 11:08
CYNTHIA MORRISON
CIRCUIT COURT CLERK
Defendants.**

COMPLAINT

COMES NOW Plaintiff Amy M. Murray, Administrator of the Estate of Shannon H. Crane, Deceased ("Plaintiff"), by counsel, and states as follows for her Complaint against Defendants Correct Care Solutions, L.L.C., Paul Stairs, M.D., Glenn Wise, Beverly Daniels, and Annette Brooks (collectively "Defendants"):

1. Plaintiff is Shannon H. Crane's ("Crane") sister and Administrator of his Estate.
2. Crane died on February 9, 2015, at the age of 36, while a convicted inmate at the Riverside Regional Jail ("Jail"), a regional jail in Prince George, Virginia, owned and operated by the Riverside Regional Jail Authority ("RRJA"). The RRJA is and was at all relevant times herein a regional jail authority created pursuant to Va. Code §§ 53.1-95.2 et seq. Plaintiff qualified as

Administrator of Crane's Estate on September 16, 2015. Copies of Crane's death certificate and Plaintiff's Certificate/Letter of Qualification are attached hereto as Exhibits A and B, respectively, and are incorporated herein by reference. Plaintiff is and was at all relevant times herein a resident of the Commonwealth of Virginia.

3. Crane's statutory beneficiary under the Wrongful Death Act, Va. Code § 8.01-50, et seq. is his son, H.C., a minor.

4. Defendant Correct Care Solutions, L.L.C. ("CCS") is a private, limited liability company incorporated in the State of Kansas with its principal place of business in Nashville, Tennessee. At all relevant times herein, CCS operated at the Jail under a contract it maintained with the Jail and/or Jail Authority to provide health services to the Jail's inmates.

5. CCS regularly conducts substantial business activity in the City of Portsmouth.

6. Defendant Paul Stairs, M.D. ("Stairs") is a Virginia resident and was at all relevant times herein a medical doctor and an employee, agent, and/or servant of CCS, and acting within the course and scope of his employment and/or agency with CCS.

7. Defendant Glenn Wise ("Wise") is a Virginia resident and was at all relevant times herein a nurse and an employee, agent, and/or servant of CCS, and acting within the course and scope of her employment and/or agency with CCS.

8. Defendant Beverly Daniels ("Daniels") is a resident of the State of New York and was at all relevant times herein a nurse and an employee, agent, and/or servant of CCS, and acting within the course and scope of her employment and/or agency with CCS.

9. Defendant Annette Brooks ("Brooks") is a Virginia resident and was at all relevant times herein a nurse and an employee, agent, and/or servant of CCS, and acting within the course and scope of her employment and/or agency with CCS.

10. Crane was transferred to the Jail on or about November 27, 2013, from the Petersburg City Jail. As noted in multiple records made at the time of his transfer, and in a follow-up "Health and Physical Assessment" conducted shortly thereafter, Crane had no prior history of heart problems or hypertension.

11. On or about February 7, 2015, at approximately 11:30 a.m., Crane complained to Officer Brewton, a Jail correctional officer, that he was having breathing issues. Brewton allegedly contacted the Jail's medical department to inform them of the situation. According to Jail records, Crane was sent to the medical department.

12. Wise took Crane's vital signs at approximately 12:35 p.m. Wise noted that Crane's SpO2 (pulse oximetry) was 88%. Crane had no record of previous need for oxygen therapy. Wise notified Stairs of Crane's status by telephone or other electronic means. Stairs ordered that Wise be given 2L of oxygen and placed in medical housing for monitoring. Wise also gave Crane Albuterol. Following the administration of oxygen, Wise noted Crane's SpO2 at 96%.

13. Wise never conducted any further evaluation or assessment of Crane, let alone take his vitals again, and did not care for or treat Crane again.

14. Stairs never followed-up with Crane again, let alone provide any further evaluation, assessment, care or treatment. Indeed, Stairs never once laid his eyes or hands on Crane between February 7, 2015 and Crane's death.

15. Daniels became the assigned nurse for Crane's medical housing unit at 3:32 p.m. on February 7, 2015. During her shift, Daniels conducted no evaluation or assessment of Crane, let alone take his vitals, and did not care for or treat Crane with respect to his hypoxia.

16. Brooks became the assigned nurse for Crane's medical housing unit at some point during the night shift beginning on February 7, 2015. During her shift, Brooks conducted no evaluation or assessment of Crane, let alone take his vitals, and did not care for or treat Crane.

17. In short, despite Crane's troubling hypoxia, no evaluation, assessment, care, or treatment was rendered to Crane on February 7, 2015, other than the taking of initial vitals, the administration of oxygen and Albuterol, and the taking of Crane's pulse oximetry shortly thereafter.

In particular, among other things, Defendants:

- a. Did not order or make arrangements for Crane to be transported to a hospital;
- b. Did not order or make arrangements for Crane to be sent for further evaluation and/or testing;
- c. Did not order or take repeat vitals;
- d. Did not order or have labs drawn;
- e. Did not order or perform an EKG or other cardiac monitoring;
- f. Did not order or conduct an x-ray or any other radiological study; and
- g. Did not undertake any effort to ascertain the cause of Crane's hypoxia.

18. Throughout the entirety of the following day, February 8, 2015, no one took Crane's vitals, performed any kind of evaluation or assessment of him, or administered any kind of care or treatment to him with respect to his hypoxia.

19. At approximately 4:35 a.m. on February 9, 2015, Crane was noted to be lifeless within his cell. Crane never responded to efforts to rouse him, and EMS pronounced him dead at 4:53 a.m.

20. In short, despite the indication of hypoxia on February 7, 2015, between being transferred to medical housing and his death, no one took Crane's vitals, performed any kind of evaluation or assessment of him, or administered any kind of care or treatment to him with respect to his hypoxia. Crane was simply forgotten and/or ignored.

21. Crane died of hypertensive cardiomyopathy.

22. Defendants, and each of them, had common law duties to ensure that Crane's life and health were properly cared for and maintained throughout the time he was within their custody. Specifically, Defendants and each of them had affirmative duties to provide appropriate access to medical care, timely and adequate medical care, and medical care in a manner consistent with the standard of care in medicine and nursing.

23. Notwithstanding said duties, Defendants, and each of them, breached said duties by failing to provide medical and nursing services within an acceptable standard of medical care within the medical community in a negligent manner by, among other things:

- a. Failing to properly and/or promptly identify and treat Crane's medical emergency;
- b. Failing to order or make arrangements for Crane to be transported to a hospital;
- c. Failing to order or make arrangements for Crane to be sent for further evaluation and/or testing;
- d. Failing to properly observe and monitor Crane;
- e. Failing to order or take a repeat set of vitals;
- f. Failing to order or have labs drawn;
- g. Failing to order or perform an EKG or other cardiac monitoring;
- h. Failing to order or conduct an x-ray or other appropriate radiological study;
- i. Failing to undertake any effort to ascertain the cause of Crane's hypoxia;
- j. Failing to properly and/or promptly summon the assistance of health care providers more adept to address Crane's

- medical emergency based upon their education, experience, and/or training; and
- k. Failing to properly and/or promptly treat Crane's medical emergencies.

24. Defendant CCS is liable for Crane's wrongful death under the doctrine of *respondeat superior* for the actions and/or inactions of Stairs, Wise, Daniels, and Brooks, for failing to render medical or nursing services within an acceptable standard of care within the medical or nursing community.

25. Defendants, and each of them, were negligent.

26. Defendants, and each of them, were grossly negligent in that their actions and inactions showed such indifference to Crane as to constitute an utter disregard of caution amounting to a complete neglect of the safety of Crane, such as would shock fair-minded people.

27. Defendants, and each of them, were willfully and wantonly negligent in that they acted, or failed to act, consciously in disregard of Crane's rights. In addition, Defendants Stairs, Wise, Daniels, and Brooks acted, or failed to act, with a reckless indifference to the consequences to Crane when they were aware of their conduct and also aware, from their knowledge of existing circumstances and conditions, that their conduct would probably result in injury and death to Crane.

28. Defendants are liable for the negligence, gross negligence, and/or willful and wanton negligence of Defendants Stairs, Wise, Daniels, and Brooks, and were otherwise negligent, grossly negligent and/or willfully and wantonly negligent.

29. As a direct and proximate result of Defendants' negligence, gross negligence, and/or willful and wanton negligence, Crane died on February 9, 2015.

30. The Estate and Crane's surviving beneficiaries have sustained the following compensable damages as a result of his wrongful death:

- a. Sorrow, mental anguish, and solace which may include society, companionship, comfort, guidance, kindly offices and advice of the decedent;
- b. Compensation for reasonably expected (i) loss of income of the decedent and (ii) loss of his services, protection, care and assistance.
- c. Expenses for the care, treatment and hospitalization of the decedent incident to the injury resulting in death; and
- d. Funeral and related expenses.

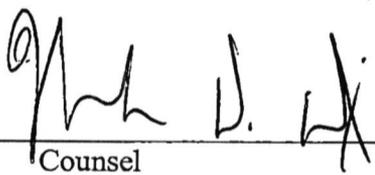
WHEREFORE, FOR THE FORGOING REASONS, Amy M. Murray, Administrator of the Estate of Shannon H. Crane, Deceased, by counsel, prays for and demands judgment against Defendants Correct Care Solutions, L.L.C., Paul Stairs, M.D., Glenn Wise, Beverly Daniels, and Annette Brooks, jointly and severally, as follows:

- (1) Compensatory damages in the amount of FIVE MILLION DOLLARS (\$5,000,000), plus pre-judgment interest from February 9, 2015, and post-judgment interest;
- (2) Punitive damages in the amount of THREE HUNDRED FIFTY-THOUSAND DOLLARS (\$350,000), plus pre-judgment interest from February 9, 2015, and post-judgment interest; and
- (3) Such other legal and equitable remedies as may be allowed by law.

TRIAL BY JURY IS DEMANDED.

DATED: December 1, 2016

AMY M. MURRAY, Administrator of the Estate of SHANNON H. CRANE, Deceased.

By: 
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and

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