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MUNICIPAL LIABILITY - DISTRICT OF COLUMBIA

Woods v. District of Columbia

District of Columbia Court of Appeals - March 28, 2013 - A.3d - 2013 WL 1235465

Stroke victim's reliance on alleged misdiagnosis by District of Columbia ambulance crew did not give rise to a special relationship, as required in order to avoid the application of the public-duty doctrine.

Stroke victim brought negligent diagnosis action against the District. The superior court granted District's motion to dismiss, and stroke victim appealed.

The court of appeals held that stroke victim's reliance on alleged misdiagnosis by District ambulance crew did not give rise to a special relationship, as required in order to avoid the application of the public-duty doctrine.

The court stated that the public-duty doctrine barred a claim that a plaintiff's situation was made worse because the plaintiff relied upon actions taken by District emergency personnel in providing the kind of on-the-scene emergency assistance that the District normally provides to the general public.