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Linden v. City of Southfield, Michigan

United States Court of Appeals, Sixth Circuit - July 26, 2023 - F.4th - 2023 WL 4758817

Personal representative of patient's estate filed § 1983 action against city and emergency medical responders alleging deliberate indifference to patient's serious medical needs and violation of substantive due process after responders pronounced her dead and discontinued treatment while she was still alive.

The United States District Court for the Eastern District of Michigan dismissed complaint and affirmed order denying plaintiff's motion of leave to file third amended complaint. Plaintiff appealed.

The Court of Appeals held that:

- Responders were entitled to qualified immunity;
- City was not subject to municipal liability under § 1983; and
- District court did not abuse its discretion in denying plaintiff's motion for leave to file third amended complaint.

It was not clearly established in August 2020 that government officials' failure to treat patient based on their mistaken belief that patient was dead violated patient's substantive due process rights under state-created danger doctrine, and thus city emergency medical responders were entitled to qualified immunity from liability in § 1983 action alleging violation of substantive due process after they pronounced patient dead and discontinued treatment while she was still alive, even if their mistake increased risk that funeral home employee would begin processing her presumed-dead body for funeral proceedings; patient was not in state custody, and responders did not prohibit any private party from seeking or rendering aid.

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