

Settlement approved in lawsuit over Los Angeles County's failure to provide medical care at Sylmar juvenile hall

A teen's appendix burst at Barry J. Nidorf Juvenile Hall following days of staff dismissing the classic symptoms of acute appendicitis

LOS ANGELES, CALIFORNIA, UNITED STATES, December 21, 2022 /EINPresswire.com/ -- The [Los Angeles County Board of Supervisors](#) today approved a

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settlement in the amount of \$790,000.00 to resolve a 2018 civil rights lawsuit filed by a teenaged boy against a county pediatrician and others at the Sylmar juvenile hall who dismissed obvious and worsening signs of appendicitis for days, resulting in the teen suffering a burst appendix while alone in his room.

Dr. Su-Pin Kuo dismissed classic, textbook symptoms of appendicitis; the teen's growing physical distress; and his pleas to be taken to a hospital. Court documents alleged that after learning the teen's appendix had burst, Kuo added notations in her medical file which contradicted

what nurses and the teen told her about his steadily worsening condition.

Toxic bacteria from the teen's burst appendix spread throughout his abdomen, causing peritonitis, a life-threatening complication that required intensive medical intervention.

The settlement was approved by the Los Angeles County Board of Supervisors during their Dec. 20 meeting. A civil rights lawsuit was filed in September 2018 on behalf of the teen, M.H.C., then a minor, against the county, Kuo, and Los Angeles Probation Chief Terri McDonald.

“The dangerously unhealthy and unsafe climate of Barry J. Nidorf Juvenile Hall is well known to the Los Angeles County Board of Supervisors. This settlement highlights the need for immediate intervention to provide a safer secured environment for our youth offenders with an emphasis on providing resources for true rehabilitation,” said the youth's civil rights attorney, V. James DeSimone, of [V. James DeSimone Law](#).

“This was a clear case of deliberate indifference,” he added, “the county should have rushed our client to the hospital. Instead, he was left alone in his room, writhing in pain, until the predictable happened and his appendix burst.”

Today’s settlement comes more than two years after the county sought a motion for summary judgment, arguing that the teen and his mother did not follow the county’s written grievance process, that state law barred the teen from suing the county, and that Kuo was entitled to qualified immunity — a law often used to shield police from lawsuits arising from police abuse or wrongful death at the hands of officers.

Judge Michael W. Fitzgerald, on Oct. 20, 2020, denied summary judgment on the key claims. He held that the teen followed the juvenile hall’s verbal grievance procedures and rejected the qualified immunity argument. Fitzgerald also found that a reasonable jury could conclude that several Nidorf officials had reason to know M.H.C. had a serious medical condition and required immediate medical care, yet failed to timely summon such care. Once the way was cleared for the civil rights case to proceed to trial, the settlement was reached.

The lawsuit, (Case No. 2:18-cv-08305-MWF-AFM) was filed Sept. 25, 2018 at [U.S. District Court, Central District of California](#).

Los Angeles civil rights attorney V. James DeSimone has dedicated his 35-year law career to providing vigorous and ethical representation to achieve justice for those whose civil and constitutional rights are violated.

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