

Family of Nonverbal 16-Year-Old Who Died While Restrained in Overheated Room Files Wrongful Death Lawsuit

GEORGETOWN, SC, UNITED STATES, September 29, 2026 /EINPresswire.com/ -- The family of Nicholas Walter Brown, a 16-year-old with severe autism who was nonverbal, has filed a wrongful death and survival lawsuit against the South Carolina Department of Behavioral Health and Developmental Disabilities (BHDD) in the Richland County Court of Common Pleas. The case,

Civil Action No. 2026-CP-40-06944, was filed by Nicholas's father, Brandon Lee Brown, as Personal Representative of his son's estate.

“

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James B. Moore III

Nicholas was diagnosed with severe autism, intellectual disability, ADHD, anxiety disorder, obsessive-compulsive disorder, and insomnia. He functioned at a toddler's developmental level. He was a resident of the agency's Midlands Center in Columbia at the time of his death on

May 25, 2025.

What happened at Midlands Center

According to the complaint, the air conditioning at Midlands Center malfunctioned that day, leaving Nicholas's room in the Walnut Unit excessively hot. The lawsuit alleges that Nicholas, visibly agitated and holding an empty water cup, began hitting his head and vomiting into a trash can. Rather than seeking a medical assessment, staff allegedly brought two Humane Wraps to his room and restrained him in one at approximately 6:40 p.m. A Humane Wrap is a thick canvas or cotton blanket that encloses a person from the torso to the feet and is cinched with Velcro straps to immobilize them. Shortly after being restrained, Nicholas was heard calling for help. By approximately 6:50 p.m., he was unresponsive. He was pronounced dead at MUSC Health Columbia Medical Center Northeast.

The pathologist who performed the autopsy concluded that the cause of death was "probable hyperthermia due to being restrained in [a humane] wrap in [a] hot room."

A pattern of restraint and prior warnings

The complaint alleges that the restraint in a Humane Wrap is intended for use as a last resort. But Midlands Center staff restrained Nicholas in this way twenty-nine times in a single month, with the knowledge and approval of the facility's medical director. The lawsuit further alleges that the agency was already on notice of the risks Nicholas faced at Midlands Center, after he was allegedly physically assaulted by several staff members there in November 2024, an incident that led to personnel actions and a report to the South Carolina Law Enforcement Division. The complaint incorporates by reference a video showing the series of events leading up to Nicholas's death, which can be accessed at: <https://www.youtube.com/watch?v=wp8ZXCdaOcU>

Findings after Nicholas's death

Following Nicholas's death, an administrative review suspended the use of Humane Wraps and identified several concerns, including the failure to request a medical assessment before restraining Nicholas given the room temperature, his head banging, and his repeated vomiting; the lack of a readily available Ambu bag to assist with CPR; and the failure to begin CPR within the first four minutes after he was observed to be unconscious.

"Nicholas was a child who could not speak for himself, and he depended entirely on the people entrusted with his care," said James B. Moore III, the family's attorney. "His family hopes that bringing this case will lead to accountability and greater awareness, and that it will help prevent other children and families from suffering the way Nicholas did."

The lawsuit asserts claims for gross negligence under South Carolina's wrongful death and survival statutes and requests a jury trial. The family is represented by James B. Moore III, Scott C. Evans, and George W. Bryan III of Evans Moore, LLC, and Aleksandra B. Chauhan of Chauhan Law, LLC.

About Evans Moore, LLC

Evans Moore, LLC is a South Carolina trial firm based in Georgetown at 121 Screven Street, with additional offices in Charleston and Pawleys Island. The firm's attorneys are South Carolina natives who represent injured individuals and families in [personal injury](#), [medical malpractice](#), catastrophic injury, and civil rights matters. Clients come from across the Lowcountry, including Georgetown, Charleston, Pawleys Island, and the surrounding communities.

The allegations in the complaint have not yet been proven in court.

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