



IN THE DISTRICT COURT OF CANADIAN COUNTY
STATE OF OKLAHOMA

FILED
MARIE HIRST COURT CLERK
CANADIAN COUNTY, OKLAHOMA

DEC 14 2017

BY Walter Uctor
DEPUTY

STEPHEN ARCHER as next friend and)
guardian of SHANNON ARCHER,)
a mentally incapacitated person,)
)
Plaintiff,)
)
vs.)
)
ROLLING HILLS HOSPITAL, LLC,)
an Oklahoma limited liability company,)
)
Defendant.)

Case No. CS-2017-722

PETITION

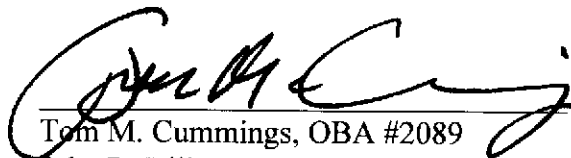
COMES NOW THE PLAINTIFF and for his cause of action against the Defendant alleges and states as follows:

1. The Plaintiff is the guardian, next friend and husband of Shannon Archer, a mentally incapacitated person.
2. The Plaintiff and Shannon Archer are citizens and residents of Oklahoma County, Oklahoma, and the Defendant is an Oklahoma limited liability company whose service agent is located in Canadian County, Oklahoma. This Court has jurisdiction over the parties and subject matter of this lawsuit and venue is properly laid in Canadian County.
3. On or about September 16, 2016, the Plaintiff's ward Shannon Archer was a patient at the Defendant's hospital in Ada, Oklahoma, having been admitted there for treatment of her alcoholism.
4. At approximately 9:00 p.m. at the above-referenced place and time, the Plaintiff's ward, Shannon Archer, while waiting for medication at a place where she was told to wait by an

CASE ASSIGNED TO:
JUDGE PAUL HESSE

- employee of the Defendant, was viciously attacked from behind by a mentally ill and possibly psychotic patient who had not been segregated from patients who were admitted to the Defendant hospital for addiction treatment.
5. The said mentally ill patient grabbed Shannon Archer from behind by her hair and aggressively slammed her head on the concrete floor.
 6. The Defendant had a duty to the Plaintiff's ward, Shannon Archer, to protect her from violence from mentally ill patients, and to segregate mentally ill patients at its facility from patients such as the Plaintiff's ward from such mentally ill and violent patients for safety reasons.
 7. The Defendant further had a duty to monitor the aggressive and potentially violent mentally ill patients at its facility from the Plaintiff's ward to prevent acts of violence from being perpetrated upon the Plaintiff's ward.
 8. The Defendant breached its said duties to the Plaintiff's ward by allowing the said mentally ill patient to attack and harm the Plaintiff's ward as described herein above.
 9. As a direct and proximate result of the negligence of the Defendant as aforesaid, the Plaintiff's ward has suffered permanent brain damage and physical injury as well as debilitating mental and emotional injury, to her damage in an amount in excess of \$75,000.
 10. As the husband of his ward, the Plaintiff has suffered the loss of the care, comfort, companionship and consortium of his wife, to his damage in excess of \$75,000.
 11. The actions of the Defendant were knowing, reckless, willful and wanton, by reason of which the Plaintiff and the Plaintiff's ward are entitled to punitive damages against the Defendant in an amount in excess of \$75,000.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays for actual damages on behalf of himself and his ward in an amount in excess of \$10,000 each, for punitive damages in excess of \$10,000 each, for his costs, for applicable interest thereon and for all other just and equitable relief to which he may be entitled.



Tom M. Cummings, OBA #2089
John B. Hill, OBA #20071
701 NW 13th Street
Oklahoma City, OK 73103-2206
Tel.: (405) 521-8900
Fax: (405) 604-9054
E-mail: tom.cummings@coxinet.net
jbilllaw@gmail.com
Attorneys for the Plaintiff

ATTORNEYS LIEN CLAIMED