

Galloway Obtains Early Dismissal in Favor of a Mississippi-based Medical Transport Company

Matthew Williams and Jennifer Young, attorneys from Galloway's Gulfport office, obtained an early dismissal in favor of a Mississippi-based medical transport company. Following a traffic stop, the plaintiff alleged that she was arrested and mishandled by various individuals, including law enforcement officials. Her claims against the medical transport company included allegations that she was assaulted by EMTs during her temporary incarceration as they provided medical assistance. The U.S. District Court for the Southern District of Mississippi, after agreeing that the plaintiff asserted only state law claims against the medical transport company, found that her claims were barred under the Mississippi Tort Claims Act. Because the alleged misconduct of the EMTs occurred during the plaintiff's incarceration, the Court applied the inmate exception to her claims against the medical transport company and granted the defendants' motion for judgment on the pleadings for "failure to state a claim upon which relief can be granted," dismissing all claims against them with prejudice.

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