FILED

OCT 17 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY DEPUTY CLERK

IN THE SUPREME COURT OF THE STATE OF NEVADA

LEE E. SZYMBORSKI,
Appellant,
vs.
SPRING MOUNTAIN TREATMENT CENTER; AND DARRYL DUBROCA, IN HIS OFFICIAL CAPACITY,
Respondents.

Supreme Court No. 66398
District Court No. A700178
Due Date: October 13, 2014

CIVIL PROPER PERSON APPEAL STATEMENT

Lee E. Szymborski
4605 Black Stallion Ave.
N. Las Vegas NV 89031

Appellant in Proper Person

Michael Prangle
Kerry J. Doyle
Hall Prangle & Schoonveld, LLC
1160 N. Town Center Dr., Ste. 200
Las Vegas, NV 89144
Attorney's for Respondents

Spring Mountain Treatment Center
Darryl Dubroca
Respondents

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14-34641

Judgment or Order You Are Appealing. List the judgment or order that you are appealing from and the date that the judgment or order was filed in the district court.

Filed Date	Name of Judgment or Order
~~August 2014~~	
7/23/2014	Order For Dismissal

Notice of Appeal. Give the date you filed your notice of appeal in the district court: 8/25/2014

Related Cases. List all other court cases related to this case. Provide the case number, title of the case and name of the court where the case was filed.

Case No.	Case Title	Name of Court

Issues on Appeal. Does your appeal concern any of the following issues? Check all that apply:

- ☐ divorce
- ☐ child custody/visitation
- ☐ child support
- ☐ relocation
- ☐ termination of parental rights
- ☐ attorney fees
- ☐ paternity
- ☐ marital settlement agreement
- ☐ division of property
- ☐ adoption
- ☐ prenuptial agreement
- ☐ spousal support
- ☒ other—briefly explain: Negligence Professional Negligence Public Safety

Statement of Facts. Explain the facts of your case. (Your answer must be provided in the space allowed.)

This is an action of NEGLIGENCE on the part of Spring Mountain Treatment Center a For Profit Business that has violated Codes Statutes pertaining to the Safe Release of patients by Licensed Social Workers (LSW) and an M.A. that perpetrated a Felony Crime against the State of Nevada and Public Safety of which I am the victim. I am Elderly, permanently disabled with a Fractured Skull

And the Social Workers + M.A "Recklessly will fully with wanton disregard of Public Safety in violation of NRS. 202.595 caused over 20,000 in Property Damage and Extreme physical Harm and extreme mental Anguish and demonstrate a conscious "an evil Rising to injury Criminal Mind or Neglect because since they are licensed with the State of Nevada they are held to strict liability this complaint has nothing to do with Medical Malpractice Regarding me the Plaintiff! Sure what they did to my son I concede is Medical Malpractice But he is NOT the Plaintiff, I. Am. and my complaint is for Negligence Professional Negligence, Malpractice Gross Negligence, Negligence Per Se. The Defense "Frames the Case as a Medical Malpractice But this is clearly "Nonsensical Argument and therefore NRS. 41A.009 does not apply. But all available NRS. "Negligence Rules apply NRS 41A.015 Professional Negligence, NRS. 41A.017 "Provider of Healthcare Defined. clearly applies to this specific case and facts. and specifically in Professional Services of a Licensed Social Worker(s) LSW and or M.A. of which acts caused by them caused great personal injury + property damage Since this is NOT a Medical Malpractice case NRS. 041A Clearly does not not apply and is nonsensical argument to say so. There is no Medical Doctor or expert that practices in the Area of breaking Nevada Laws Rules And Procedures and perpetrating a felony Crime and endangering Public Safety I confirmed with Nevada Board of Medical Examiners that Spring Mountain Treatment Center is not licensed with them and that they dont Have any "medical expert" that practices in the malpractice of this specific case. The Hospital or any Doctor licensed in that area. So this is Professional Negligence and NOT MEDICAL MALPRACTICE

STATE OF NEVADA

is licensed with the "Dept. of Health and Human Services Division of Public and Behavioral Dept. and that their authority is Supreme under NRS 439.150. I attached the 9 pages of Substantiated charges S.O.D. Statement of Deficiencies Complaint Number NV003368 That fully satisfies NRS 41 A 100 Required Evidence: exceptions rebuttable presumption of negligence. "The Regulations of the licensed medical facility wherein the alleged negligence occurred is presented to demonstrate the alleged personal injury. Specifically that (1) the facility failed to ensure a resident was discharged to a safe environment (2) Failed to notify a patients family member prior to discharge and (3) Failure to identify weapons, and access to weapons on discharge. Their failure caused my son to pick up heavy barbells to smash walls windows, doors causing over $22,000.00 in property damage. They are held to strict liability and had the "mens rea" that they knew or should have known my son would use these as weapons to destroy my home because that's the reason he went into the facility that he was destroying property and being violent towards me so I had to run out of the house to call police because I have a fractured skull and a blow to the head would be fatal! Furthermore the whole controlling issue is this: That "I demanded to the licensed social worker that my son not to be released to my home. He doesn't live here. I haven't seen him in over 2 years and this is clear on "page 3" and I left several very adamant messages saying in no uncertain terms not to send my son to my home" A clear demanding order" I am the public

It's Just Good ole Common Horse Sense that If you tell Someone NOT to Trespass on your Property Because they were Destroying your Property and attacking you and then they still Trespass and cause Felony Crime against you (the public) after being duly warned this now Rises to where the Licensed Social Workers and M.A. Grossly Deviated from the Standard of Care and that this is an unjustified substantial and Foreseeable risk that now only Resulted in Harm to me but to Public Safety and that this was a "Willful act and that any and all strick liability laws apply and therefore Rises to a Criminal Federal Civil Rights violations

This is why Chief Deputy Assistant Attorney General Linda Anderson instructed me to put in a "Request for Prosecution" to Catherine Masto. Governor Sandoval's office told me on August 5, 2014 that Michael Willden Chief of Staff is aware of my situation and had Chelsea Scronia Deputy Administrator of Clinical Services contact me and is actively involved on 6/2/14

Kyle Devine Bureau Chief sent me an affidavit + the 9 pages of Deficiencies Dated September 12 2014 that I attached as an "Addendum" to my Motion for Reconsideration I spoke with Kyle Devine at length and on 10/10/14 and he referred me to "the Board of Licensed Social Workers and expressed great concern that I get relief for my Damages. I informed the Court of the States involvement at the June 24th Hearing with Judge Bonaventure It is very clear that I must now be afforded Relief and that now "I pray the Supreme Court for Relief" and Justice Regarding Public Safety as well Like "Wonderwoman":

I am also fighting for a poor defenseless class of people that cannot fight for themselves and to stop "Patient Dumping Hospitals that "Dump their responsibility to Harm the public, the patients unnecessarily tying up the Police Force, clog the the court systems when instead they should be given the proper mental health treatment they so desperately need. Yes indeed "THE TIME HAS COME FOR ALL PATIENT Dumping TO Stop!"

"MORE COMMA"

Statement of District Court Error. Explain why you believe the district court was wrong. Also state what action you want the Nevada Supreme Court to take. (Your answer must be provided in the space allowed).

I feel the District Court erroneously dismissed the case due to lack of Due Dilligence caused by the framing of the Defense.

I am asking the Supreme Court to reverse the decision and pray for any and all relief deemed appropriate by this Honorable Court. I also feel the District Court should have given more weighting to fact that this involves public safety and that a very clear message should have been sent to Spring Mountain Treatment Center that "perpetrating felony crimes against public safety will not be tolerated!

Respectfully Submitted,

10/13/14

LEE E. SZYMBORSKI
4605 Black Stallion Avenue
North Las Vegas, Nevada 89031

CERTIFICATE OF SERVICE

I certify that on the date indicated below, I served a copy of this completed appeal statement upon all parties to the appeal as follows:

☐ By personally serving it upon him/her; or

☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es) (list names and address(es) of parties served by mail):

DATED this 13 day of October, 2014

Signature of Appellant

Lee Szymborski

Print Name of Appellant

4605 Black Stallion Avenue

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