

Original

IN THE SUPREME COURT OF THE STATE OF NEVADA

Marilee Brown, Marilou Brown, Gregory J. Brown, Et Al (Approved Informa Pauperis)

Pro Se, Informa Pauperis Plaintiffs/Appellants,

vs.

Supreme Court Case No: 81434 (COA)

District Court Case No: CV 20-00422

St. Mary's Regional Medical Center - Tami Evans (Tiffany Coury), Prem Reddy, MD
Tanzeel Islam, MD, Mark McAllister, MD Sridevi Challapalli, MD
DOES I through X inclusive; ROES Businesses I through X, inclusive

Defendants,

APPELLANTS' PETITION FOR REVIEW TO NV SUPREME COURT PURSUANT TO NRAP 40B

A. On July 21, 2022, the Appellate Court Denied Appellants' Petition For Rehearing under NRAP 40 they had

Filed to Clarify Facts, Misunderstandings: Appellants Reiterated their Counsel's Valid arguments in his

Briefs and their own District/Appellate Court Briefs in the Record, as they address the following issues

Worthy of Nevada Supreme Court Review.

B. The Other Law Violation claims; Ordinary, Gross Negligent; Non-medical claims; Appellants' Counsel's

Law claims; Etc Applicable for Case Reinstatement - addressed in Appellants' Complaint, District/Appellate

Court Filings offered from onset for Complaint Amendment clearly show impact against the public in general

and worthy of Appellate and Nevada Supreme Court Review.

C. Issues/Arguments Detailed Below Worthy of Nevada Supreme Court Review (In Filings):

1. The Questions presented in Appellants' case provide 1st Impression of Statewide, even National, Significance.

2. The Questions presented in Appellants' case support Decisions conflicting with the NV Supreme Court's
Rulings related to non medical issues for case reinstatement.

3. The Questions presented in Appellants' case related to Fundamental Issues of Statewide, even National,
Public Importance - impact of Discriminatory/Unconstitutional legislation requiring medical Affidavits,
difficult to obtain due to fear of reprisal, when NO other profession requires same to proceed under merit.

4. Appellants Object to granting any Remitter to Defendants in that:

a. The Courts have supported Appellants' case is Meritous as medical negligence - leading to the death of their
mother;

b. Big medical insurance lobbyists who pay for Defendants' legal fees caused such Discriminatory legislation
of a medical affidavit requisite when a simple cap on monetary awards would suffice - when NO other
profession requires same for litigation to proceed;

c. This is a Discriminatory manner in which the Courts have ruled to related to the medical affidavit requisite
vs. other professions. Defendants relieved by the Courts of valid Default Judgment against them in which
Appellants would have prevailed; the Courts Ignoring valid non medical vs. medical arguments contrary to
NV Supreme Court Rulings; Again = Unconstitutionality / Discrimination of medical affidavit requisites is
NOT required of other professions, Etc;

d. Appellants are of in proper Status for proceedings.

AUG 05 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

FILED

AUG 05 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT

DEPUTY CLERK

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22-24590

Of Note, the Rulings in this case are a grave miscarriage of justice that allows of dismissed cases to be Reinstated even if dismissed decades earlier. (RE Grunav (2008) 169 Cal.App. 5th 997)

NOTE: Appellants are Pro Se, Exempt from Electronic Filing and of In Pauperis Status for proceedings

D. Summary of Case Arguments

1. MEDICAL AFFIDAVIT DISCRIMINATION/UNCONSTITUTIONALITY, Et Al:

A/1. No Other Profession requires an Affidavit to proceed, Discriminatorily allowing for the Courts to use such a technicality to dismiss meritorious cases by erroneously asserting both medical and non medical/ordinary negligent claims are nexused to the medical profession involved in the cases and therefore all claims dismissed. Such arbitrary dismissal is contrary to the Nevada Supreme Court Rulings noted in Appellants' District and Appellate Court Briefs Reinstating Non medical, ordinary negligence claims nexused in a medical profession case:

A/2. The Nevada Supreme Court has mandated the return of cases back to the Lower Court for ongoing litigation proceedings related to NON Medical issues and Ordinary, Gross negligent, etc claims in perceived medical malpractice cases - which Appellants have Supported their claims consist of in their Lower Court Filings, and Defendants' own Lower Court dismissal Motion affirms:

"Reversing the district court in part, the Nevada Supreme Court held that the gravament of each claim, rather than its form, must be examine to determine whether the claim sounds of medical malpractice....The Court held a claim is not for medical malpractice if it is not related to medical diagnosis, judgment, treatment"

(See Address 3 Below: REINSTATEMENT OF (Multiple) NON MEDICAL CLAIM ISSUES & ORDINARY/GROSS NEGLIGENCE CLAIM ISSUES, as noted in Appellants'/their Counsel's District / Appellate Court Filings)

A/3. As Appellants and Appellant's Counsel meritoriously asserted, such a Requisite is also Discriminatory In Nature in that Claimants cannot afford to obtain such an Affidavit because medical professionals in the local area will not provide samefearing austrization & reprisal by comrades. So medical experts have to be sought from out of area at extensive cost.

- Again, as noted above, such a requisite Unjustifiably, Discriminatorily from all other professions allows for a Court to simply dismiss a meritorious case on a technicality or for another reason simply because a claimant could not afford/other to a medical Affidavit to proceed to trial.

- Such a Requisite may be an obstacle for such claimants at trial if their opponent had such a medical expert, but that would be up to a jury to decide if a paid (bias) medical expert outweighed the common sense of the facts/evidence in a case.

- Appellants clearly supported their presentation that the facts and evidence in their case would be readily evaluated by a jury without the need of a medical expert for case Reinstatement – as they could (as per the Courts - that a lay person, jury could evaluate information with common understanding and sense) addressed further below.

See Appellants' Other Lower Court Brief Arguments - that was further addressed in their and their counsel's Opening/Other Appellate Briefs in Support of their Case Reinstatement - At Least for Ordinary, Gross Negligence issues and their MULTIPLE Non medical claims.

B/1. The above points lead again to Discrimination noted in these cases against Appellants in that No Other Profession requires such an Affidavit to commence a Civil Court case else the Courts Unjustly dismiss same Meritorious cases; Clearly supporting Discrimination By Nature and how the Courts/law Unconstitutionally Discriminate in how other professions in litigation DON'T require same to proceed (Other States have ruled same as noted in the Record), &

B/2. It is during the Discovery phase is when a medical professional or any other profession is to supply same or testify as per the party's prerogative...not mandatory else a case is dismissed. Discriminatory in nature for medical cases – clearly an action by lawmakers made due to lobbying by medical insurances/ medical practitioners to reduce costs for them and lure medical practitioners to an area.

See Argument D/I Below.

B/3. It is understandable to cap any financial amounts in any Civil case, but an Affidavit requisite is DiscriminatoryBy Nature if No other profession requires it and is Contrary to Federal Law.

C. Various other States in the Country have deemed such Requisite as Unconstitutional or as other unjustified laws and dismissed such Requisites.

D/1. Pg 7 of the Court's Order – the Court references discovery is not needed for experts to render standard opinion, only the review of medical records that can be obtained prior to case onset. As Appellants asserted in their filings that is what they did; And lay person review of such records, as well as observed facts, verified medical and Multiple NON-medical, Ordinary, Simple, Gross Negligence claims they presented in their Complaint and District / Appellate Court filings;

- which Appellants and their Counsel summarized their interpretation what a Lay person/Jury could easily make without any expert opinion on Appellants' claims;

- Thus not requiring a medical expert Affidavit to explain same; And

- Such Multiple Non-medical, Ordinary, Gross Negligence, Etc claims could Continue to Trial, per Nevada Supreme Court Rulings.

D/2. The District and Supreme Court further stated if a jury could only evaluate a claim by standards of care presented by a medical expert, the claim is for medical malpractice. However, if a lay person can evaluate the facts and evidence of a medically nexused issue, then a medical expert is not required. Appellants clearly supported their presentation of the facts and evidence in their case would be readily evaluated by a jury without a medical expert.

E. Appellants Refer the Court to the valid arguments in their (Appellants') & their Counsel's District/Appellate Court Briefs.

2. MERITOUS DEFAULT JUDGEMENT ON TWO (2) DEFENDANTS – District and Appellate Court Record:

A/1. Appellants note that the District Court disparately failed to execute Default Judgment against two (2) Defendants after twice being informed by Appellants same Defendants did NOT Respond to Service of this Complaint Upon them as required by the Rules. Instead, the District Court allowed for Defendant attorneys to quickly intervene & represent them,

A/2. Defendants falsely claim Appellants' 4/13/20 Amended Complaint was not properly filed or served; with same false claim to justify their Invalid Representation of Defendants Tanzeel Islam, Sridevi Challapalli after Appellants justifiably supported Default Judgment against same.

Defendants attempted to use same false, refuted assertions to dismiss Appellants' legitimate Default Judgment against their now representation of Defendants' Tanzeel Islam and Sridevi Challapalli – which the Court Disparately would not rule for Justified Default Judgment despite Appellants' supporting Briefs for Default Judgment and the Court's errors related to same issue – addressed in the Record of Appellants' Appellate and District Court Briefs - Summarized Below.

B. Yet conversely, the Court dismissed any Default Judgment on a technicality asserting Appellants did not use an Affidavit format in their Default Judgment Requests – though Appellants had the same information and signature in their Briefs.

In addition, the District Court failed to serve Appellants this Order of an Affidavit Requisite knowing Appellants do not have access to electronic filing and are electronically exempt in this case (mail service authorized). Yet the Court would not Order a JUSTIFIED Default Judgment against these two (2) Defendants after Appellants provided same Affidavit format upon learning of the District Court's invalid reasoning for dismissing any MERITOUS Default Judgment, and had Rectified/Resubmitted the format of their VALID Default Judgment Request against these two (2) Defendants. as Ordered by the Court.

C. The District Court Disparately denied/then ignored Appellants' VALID Request for Default Judgment against these two (2) Defendants, Tanzeel Islam, Sridevi Challapalli, while ignoring a related error by the Judge's clerk on NON-Service to Appellants; yet Disparately, erroneously ruled against all claims made by Appellants, while having allowed Defendants and their counsels to continue with invalid representation of same.

D. Discrimination/Disparate Treatment Summary: The District Court clearly favored these Defendants with their technical errors which should have resulted in Default Judgment for Appellants against these two (2) Defendants

E. CONCLUSION; Appellants request they PREVAIL IN DEFAULT JUDGMENT AGAINST THESE TWO (2) DEFENDANTS for the aforementioned meritorious arguments, as addressed in their filings.

3. REINSTATEMENT OF (MULTIPLE) NON MEDICAL CLAIMS ISSUES and ORDINARY/GROSS NEGLIGENCE CLAIM ISSUES:

(See Address 1 Above on MEDICAL AFFIDAVIT DISCRIMINATION / UNCONSTITUTIONALITY, Etc - Related to NON MEDICAL and ORDINARY/GROSS NEGLIGENCE, ETC CLAIM ISSUE REINSTATEMENT)

(A-F) Appellants request the Court review Appellant's counsel's arguments with the aforementioned fact in mind; on the MULTIPLE Non Medical and Ordinary/Gross Negligent Claim Issues and Other Law Violations Noted in the District and Appellate Court Record for Claim Issue Reinstatement

A/1. CLARIFICATION/MISUNDERSTANDING: Appellants' Counsel thought only One (1) Claim needed clarification as requested by the Appellate Court. Appellants' District and Appellate Court Filings have consistently addressed MULTIPLE Ordinary, Gross Negligent claims and NON medical claims for (per Affirmation by the Supreme Court of Nevada), reiterated below.

Appellants' counsel clearly explained the faxing of medical / other documents from one hospital to another As Standard Practice, with the delayed faxing being an Ordinary, Gross Negligent claim and Non medical in nature - clearly worthy of Reinstatement; similar to the other MULTIPLE Ordinary, Gross Negligent and Non on medical claims addressed by Appellants in the District and Appellate Court Record - deemed worthy for Reinstatement as per Nevada Supreme Court Rulings.

A/2. Regarding this One (1) NON medical; Ordinary/Gross Negligence Claim addressed - DELAYED FAXING DOCUMENTS, NO medical nexus:

- the Court incorrectly asserted the faxing documents pertained to a medical diagnosis asserting Appellants' mother had pneumonia from being placed in a room ON DISCHARGE, NO TREATMENT, with the infected patient, and thus erroneously dismissed same claim as medical nexus.

Correction: There was NO diagnosis of pneumonia in same faxed documents as a prevailing medical condition ON DISCHARGE (NO Treatment/Diagnosis, etc) - else Defendant St Mary's would expectedly NOT have discharged Appellants' mother with such a condition. Renown later diagnosed her with same likely caused by this NON medical, Simple/Ordinary/Gross Negligent action by Defendant St. Mary's of simple room placement of a patient while discharge paperwork was being completed. There is NO medical nexus except Defendant being a hospital, which the Nevada Supreme Court Rulings have stated is NOT relevant for Simple, Ordinary, Gross and NON medical claims regardless of nexus to a medical profession/environment.

B/1. DISCHARGE, ADMINISTRATIVE NON medical PLACEMENT IN A ROOM WITH AN INFECTED PATIENT:

Again, this Non medical, Ordinary/Gross Negligence claim dealt with Appellants' mother simply being placed in a room with a known infected patient UPON DISCHARGE from St Mary's; with no other care expect discharge paperwork and proceedings - A CLAIM FOR REINSTATEMENT PER NEVADA SUPREME COURT RULING addressed in the Record.

B/2. Of note again, Appellants mother was being DISCHARGED from Defendant St. Mary's with NO alleged condition being treated. She was simply Administratively and Negligently placed in a room with a patient known to have some contagious infection not yet specifically diagnosed. This took place while Appellants mother was simply undergoing while discharge proceedings NOT being treated for any ailment - clearly a Simple, Ordinary Negligent claim situation per the Supreme Court.

C. NON medical & Simple/Ordinary/Gross Negligence of ADMIN PROTOCOL-Claim For REINSTATEMENT:

C/1. The District Court erred in her Address of Appellant's assertions related to the Appellants' claims on NON Medical Administrative Protocol. This is another example of misunderstanding by the District Court; same Court erroneously stated "Appellants complained St Mary's did NOT follow Protocol".

C/2. Correction (as noted in the District and Appellate Court Record): Appellants complained St. Mary's DID follow Non medical, Administrative Protocol of ordering staff not to contact Specialists when treating patients, esp. Appellants' mother's cardiologist who would have corrected negligent treatment of Appellants' mother being and having been conducted by St. Mary's.

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D/1. The Nevada Supreme Court has mandated the return of cases back to the Lower Court for ongoing litigation proceedings related to NON Medical issues and Ordinary, Gross, Etc claims in perceived medical malpractice cases - which Appellants have Supported their claims consist of in their Lower Court Filings, and Defendants' own Lower Court dismissal Motion affirms.

"Reversing the district court in part, the Nevada Supreme Court held that the gravament of each claim, rather than its form, must be examine to determine whether the claim sounds of medical malpractice....The Court held a claim is not for medical malpractice if it is not related to medical diagnosis, judgment, treatment"

D/2. The District and Supreme Court further started if a jury could only evaluate a claim by standards of care presented by a medical expert, the claim is for medical malpractice; unless a lay person, jury could evaluate same with common understanding and sense. Appellants clearly supported their presentation of the facts and evidence in their case would be readily evaluated by a jury WITHOUT the need of a medical expert, as they did. Such was addressed in Appellants' Opening / Other district, Appellate Court Briefs in Support of their Case Reinstatement, at minimum NON medical. Ordinary Negligence claims.

D/3. The Lower Court erroneously portrayed Appellants' NON Medical issues as medical issues and made other erroneous assertions to support dismissal of Appellants' entire meritous case. Such assertions were Refuted in Appellants' Opening Brief and other Court Filings, summarized herein.

E. SUMMARY – MULTPLE NON MEDICAL, ORDINARY NEGLIGENT CLAIMS ADDRESSED:

a. ADMINISTRATIVE placement of patient UPON DISCHARGE - NO FURTHER DIAGNOSIS, TREATMENT, ETC (SIMPLY PAPERWORK PROCEEDINGS) in a room and hallway with known infected patients, and Defendants' attempt to cover up same SIMPLE, ORDINARY, NON Medical NEGLIGENCE Act thereafter in this litigation;

b. Age discrimination,

c. Administrative Protocols of non communication,

d. delinquent faxing of vital information;

e. Etc, more below requested with law Amendments in Appellants' Complaint

F. OTHER Law Violation claims such as Age/Other Discrimination; as well as the Aforementioned Simple, Ordinary Negligent, NON medical claims (addressed in Appellants' Complaint and District/Appellate Court Filings) were offered from onset for Complaint Amendment, clearly show impact against the public in general and worthy of Appellate and Nevada Supreme Court Review for claims Reinstatement (Excerpt below:

a. NRS 41.1395: Action for Damages for Injury or loss suffered by an OLDER (over 60 yrs) or vulnerable person from abuse, neglect (failure of a person or organization, To Wit: Defendants - that has assumed legal responsibility or contractual obligation for caring for an older person or who has voluntarily assumed responsibility for that person's care, to include services within the scope of the person's or organization's responsibility or obligation, which are necessary to maintain the physical or mental health of the older person - only to the extent that the person has

acknowledged the person's responsibility to provide such care) exploitation: double damages, attorney fees/costs:

(-) if an older or vulnerable person suffers a personal injury or death that is caused by abuse or neglect, etc the person who caused the injury, death or loss is liable to the older, vulnerable person for 2 X the actual damages incurred by the older or vulnerable person,

(-) a person who is liable for damages when acted with recklessness, etc, the court shall order that person to pay fees, costs, etc of persons who initiated lawsuit;

- b. Plaintiffs Requested to Amend their Complaint to include Age/Other Discrimination, as per addresses in said Complaint asserting stated Patient Beverly M Brown was "OLD", pushing DNR when she was NOT a hospice case (similar to another elderly witness for this case who asserted Defendant pushed hospice care when to date she is recovered from ailments and well) - AMENDMENT REQUESTED TO ADD AS A CAUSE OF ACTION / FOR RELIEF: DISCRIMINATION BASED ON DISABILITY (amputee), AGE (OVER 40)/Other, ETC - ALL PURSUANT TO THE CIVIL RIGHTS ACT OF 1964, 42 USC 2000e, et seq; REHABILITATION ACT OF 1973, 29 USC 794; AGE DISCRIMINATION ACT OF 1967, 29 USC 633a(b); Other as Yet To Be Determined, Et, Seq
- c. NRS 41A - was simply noted because Defendant St. Mary's Medical Group is a professional business, Plaintiffs annotated as one of their laws, 41A – and for no other reason as clarified in this Opposition. TOLLING of Filing applies due to Defendants' Concealment (1-3/2020 – Exh 2, 3)
- d. Plaintiffs Reserved the Request to submit further arguments, evidence, laws, etc clarifying their dispute of professional/medical negligence that were simple annotated verbiage and laws; yet their Complaint, Clarified in this Opposition, addresses factual allegations that in this clarification are noted in Laws NOT specifically related to Professional, Medical Negligence, but Laws related to Gross, Ordinary, Simple Negligence / Laws on Gross, Ordinary, simple Negligence which the Court acknowledges/upheld as NOT being medical even with medical nexus such as: laws related to jeopardy negligence to safety and health, EX: placement of persons with/around known infected people; Law related to Negligent care of elderly and saying :she's old" & pushing DNR - see Age Discrimination law/NRS Statute herein on elder abuse, neglect; Etc
- e. Nevada Supreme Court implications, inference and direct statements of Breach of Duty, Simple, Ordinary and Gross Negligent claims by Plaintiffs in their Civil Action Complaints without the necessity of medical expert affidavits Survive any dismissal motion by Defendants, as Plaintiffs do in their Civil Action:
- "Reversing the district court in part, the Nevada Supreme Court held that the gravamen of each claim, rather than its form,
- must be examined...the Court held the following: "a claim is not for medical malpractice if it is not related to medical diagnosis, judgment , treatment"
- f. Appellants Supported with Laws Corresponding to their Civil Complaint issues, Nexused to *authorized Amendment Requests and clear *NON MEDICAL claim clarifications - Leading To/In Support of Valid Law / Claims meeting Requisites for Case Continuation (Such damages include the medical and NON medical References Asserted in Plaintiffs' Complaint and (Redundantly) Clarified in their Opposition; NRS 41 Actions and Proceedings in Particular Cases Concerning Persons - ACTIONS FOR PERSONAL INJURIES OR DEATH BY WRONGFUL ACT, NEGLIGENCE OR DEFAULT - address the NON medical claims for continued litigation in this matter,
4. CONCLUSION:
- A. Appellants request the Court Review for Rehearing the valid arguments addressed in the Appellants' District and Appellate Court Filings regarding the Discriminatory nature of requiring Affidavits in medical malpractice cases

NOT required in any other profession for litigation – Affirmed by various other States in the Country as

Unconstitutional, Et Al with Caselaw/cases presented in the District and Appellate Court Record.

B. Appellants request the issue of Default Judgment against the two (2) defendants addressed Be Honored by the Appellate Court, per meritous arguments noted in Appellants' District and Appellate Court filings SUMMARIZED ABOVE; and that Appellants PREVAIL IN DEFAULT JUDGMENT AGAINST THESE TWO (2) DEFENDANTS

C/1. Appellants simply seek valid Reinstatement of their Multiple NON medical and Simple, Ordinary, Gross Negligence claims, as Affirmed by the Nevada Supreme Court meritous for reinstatement per caselaw (all noted in the District and Appellate Court Record):.

a. ADMINISTRATIVE placement of patient UPON DISCHARGE - NO FURTHER DIAGNOSIS, TREATMENT, ETC (SIMPLY PAPERWORK PROCEEDINGS) in a room and hallway with known infected patients, and Defendants' attempt to cover up same SIMPLE, ORDINARY, NON Medical NEGLIGENCE Act thereafter in this litigation;

b. Age discrimination,

c. Administrative Protocols of non communication,

d. delinquent faxing of vital information,

e. Other law violation claims and the aforementioned Ordinary negligent, Non medical claims addressed in Appellants' Complaint and District/Appellate Court Filings Appellant offered from onset for Complaint Amendment clearly show impact against the public in general and worthy of Appellate and Nevada Supreme Court Review.

C/2. The Nevada Supreme Court has mandated the return of cases back to the Lower Court for ongoing litigation proceedings related to NON Medical issues and Ordinary, Gross, Etc claims in perceived medical malpractice cases - which Appellants have Supported their claims consist of in their Lower Court Filings, and Defendants' own Lower Court dismissal Motion affirms

"Reversing the district court in part, the Nevada Supreme Court held that the gravament of each claim, rather than its form, must be examine to determine whether the claim sounds of medical malpractice....The Court held a claim is not for medical malpractice if it is not related to medical diagnosis, judgment, treatment"

D. General/Specific Summary Addresses in Appellants' Briefs:

a. The District Court erroneously stated Appellants asserted Defendants should not be following Protocol – which is contrary to Appellants' repeated assertions that Defendants were following Non medical Administrative Protocol of NOT contacting patients' specialists which is what Appellants requested.

b. The District Court incorrectly referenced issues related to "amputated leg", which in fact was not specific to Appellants' claims against Defendant (except for background negligent actions by same Defendant which ultimately led to same action)

c/1. The District Court erroneously claimed medical nexus to Administrative, NON medical, Simple, Ordinary Negligence claims - which Appellants Justifiably Request be Reinstated, such as:

- ADMINISTRATIVE placement of patient UPON DISCHARGE - NO FURTHER DIAGNOSIS, TREATMENT, ETC (SIMPLY PAPERWORK PROCEEDINGS) in a room and hallway with known infected patients, and Defendants' attempt to cover up same SIMPLE, ORDINARY, NON Medical NEGLIGENCE Act thereafter in this litigation;

- Age discrimination,

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- Other law violation claims and the aforementioned Ordinary negligent, Non medical claims addressed in Appellants' Complaint and District/Appellate Court Filings Appellant offered from onset for Complaint Amendment clearly show impact against the public in general and worthy of Appellate and Nevada Supreme Court Review.

Etc

c/2. The District Court erroneously portrayed Appellants' NON Medical issues as medical issues and made other erroneous assertions to support dismissal of Appellants' entire meritorious case. Such assertions were refuted in Appellants' Opening Brief and other Court Filings, summarized herein.

c/3. In addition, the District and Supreme Court further started if a jury could only evaluate a claim by standards of care presented by a medical expert, the claim is for medical malpractice - unless a lay person, jury could evaluate same with common understanding and sense. Appellants clearly supported their presentation of the fact and evidence in their case would be readily evaluated by a jury without a medical expert.

d. The District Court failed to hold a Requested Hearing, - which would have clarified Lower court's erroneous interpretation of the issues; Appellants provided

- Supporting Laws Corresponding to their Civil Complaint issues, Nexused to *authorized amendment requests and clear *NON MEDICAL claim clarifications:

- Leading To/In Support of Valid Law / Claims meeting Requisites for Case Continuation (Such damages include medical & NON medical References Asserted in Plaintiffs' Complaint and (Redundantly) Clarified in their Opposition;

- NRS 41 Actions and Proceedings in Particular Cases Concerning Persons - ACTIONS FOR PERSONAL INJURIES OR DEATH BY WRONGFUL ACT, NEGLECT OR DEFAULT - address the NON medical claims for continued litigation in this matter;

- The Other Law Violation claims; Ordinary, Gross Negligent; Non-medical claims; Appellant's Counsel's Law claims; Etc Applicable for Case Reinstatement - addressed in Appellants' Complaint. District/Appellate Court Filings offered from onset for Complaint Amendment clearly show impact against the public in general and worthy of Appellate and Nevada Supreme Court Review.

All which would have been further clarified if the Lower Court held a Hearing as requested by both Appellants and Defendants to plea their case - but was not held; and misunderstanding of issues addressed in Appellate Court, Clarified herein and through further address if required by the Appellate Court.

e. ETC

E. Issues/Arguments Detailed Below Worthy of Nevada Supreme Court Review (In Filings):

1. The Questions presented in Appellants' case provide 1st Impression of Statewide, even National, Significance.

2. The Questions presented in Appellants' case support Decisions conflicting with the NV Supreme Court's Rulings related to non medical issues for case reinstatement.

3. The Questions presented in Appellants' case related to Fundamental Issues of Statewide, even National, Public Importance - impact of Discriminatory/Unconstitutional legislation requiring medical Affidavits, difficult to obtain due to fear of reprisal, when NO other profession requires same to proceed under merit.

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a. The Courts have supported Appellants' case is Meritorious as medical negligence - leading to the death of their mother;

b. Big medical insurance lobbyists who pay for Defendants' legal fees caused such Discriminatory legislation of a medical affidavit requisite when a simple cap on monetary awards would suffice - when NO other profession requires same for litigation to proceed;

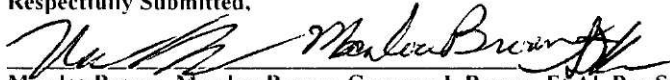
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d. Appellants are of In Pauperis Status for proceedings.

Of Note, the Rulings in this case are a grave miscarriage of justice that allows of dismissed cases to be Reinstated even if dismissed decades earlier. (RE Grunav (2008) 169 Cal.App. 5th 997)

NOTE: Appellants are Pro Se, Exempt from Electronic Filing and of In Pauperis Status for proceedings.

Respectfully Submitted,

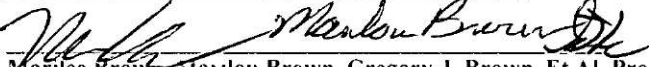


Marilee Brown, Marilou Brown, Gregory J. Brown, Et Al, Pro Se, Approved Informa Pauperis Plaintiffs/Appellants
45 Nives Court
Sparks, NV 89441
775-425-4216
August 4, 2022

Appellants are Exempt from Electronic Filing and of In Pauperis Status for proceedings.

AFFIRMATION Pursuant to NRS 239B.030

The undersigned do hereby affirm that the preceding document, APPELLANTS' PETITION FOR REVIEW TO NV SUPREME COURT PURSUANT TO NRAP 40B, does not contain the Social Security Number of any person.



Marilee Brown, Marilou Brown, Gregory J. Brown, Et Al, Pro Se, Approved Informa Pauperis Plaintiffs/Appellants
45 Nives Court
Sparks, NV 89441
775-425-4216
August 4, 2022

Certificate of Service

The undersigned do hereby affirm that the preceding document, APPELLANTS' PETITION FOR REVIEW TO NV SUPREME COURT PURSUANT TO NRAP 40B, was served on all parties by electronic means per their request on same date.



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District Court Case No. CV 20-00422

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Tanzeel Islam, MD, Mark McAllister, MD Sridevi Challapalli, MD
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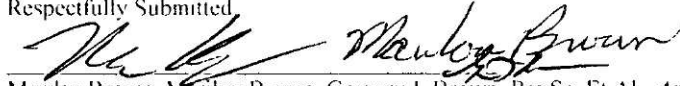
Defendants.

REQUEST FOR SUBMISSION

* It is Requested that APPELLANTS' PETITION FOR REVIEW TO NV SUPREME COURT PURSUANT TO NRAP 40B0 filed (*sent / Filed via regular mail to the Nevada Appellate Court*) on the 4th day of August 2022 in the above entitled matter Be Submitted to the Court for Decision

* *No Response by defendants authorized except by Leave of the Court.*

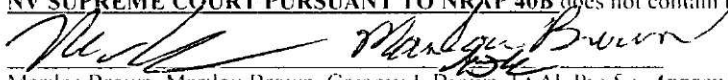
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AFFIRMATION Pursuant to NRS 239B 030

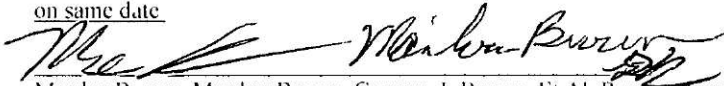
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