

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 836

26STCV22307

**JAMIE BRADLEY, et al. vs L. A. GENERAL HOSPITAL
CENTER**

August 7, 2026

1:30 PM

Judge: Honorable Curtis A. Kin
Judicial Assistant: Mysty Mort
Courtroom Assistant: Rosa Monterroso

CSR: None
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Jamie Bradley

For Defendant(s): Natasha L. Mosley an dBrandi Miles Moore appearing for L. A. General
Hospital Center

NATURE OF PROCEEDINGS: Order to Show Cause Re: Preliminary Injunction and
Temporary Restraining Order

The matter is called for hearing.

Today, plaintiffs also filed the "Request to Transfer Case to Presiding Judge Riff to Preserve the Status quo Pt. on Life Support," in which plaintiffs "respectfully ask the Court to have this case govern [sic] by Presiding Judge Riff." (8/7/26 Request to Transfer at 1.) In accordance with the Court's Local Rules and procedures, this matter is assigned to Judge Steven A. Ellis in Department 514 of this Court. As for the instant proceedings concerning the Temporary Restraining Order and Order to Show Cause Re: Preliminary Injunction, they are properly assigned to this Department to handle pursuant to Local Rule 2.8 of the Los Angeles County Court Rules. Accordingly, the request for transfer is DENIED.

The Court provides the following tentative ruling:

Plaintiffs' request for a preliminary injunction is DENIED.

I. BACKGROUND

On July 16, 2026, plaintiffs Jamie Bradley, Rochelle Grant, and Dejianna Lane initiated this medical malpractice action against defendant L.A. General Hospital Center., seeking the following: (1) a temporary restraining order; (2) demand defendant continues to provide life support and medication; and (3) transfer plaintiff Dejianna Lane to another medical hospital. (Compl. at pg. 3, ¶ 13.)

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As framed by plaintiffs' ex parte application, plaintiff Dejianna Lane ("Lane") was admitted to L.A. General Hospital Center on July 6, 2026 after sustaining a gun shot wound to the head. (Ex Parte App.; Grant Decl. at 1:16-18.) Plaintiffs claim that a Doctor Evan Fields from USC Medical Center evaluated Lane on July 8, 2026 and stated that she had signs of life. (Id. at 2:4-8.) They also claim that Lane produced tears when a pastor prayed with her on July 15, 2026. (Id. at 2:12-14.) Despite defendant's determination that Lane is brain dead, plaintiffs also claim that Lane has withdrawn from painful stimuli and has demonstrated gross motor movements. (Supp. Mem. at 6 [Grant Supp. Decl.].) They also claim that Lane has responded to verbal commands. (Id. at 9 [Grant's Letter, dated 7/20/26].) Plaintiffs further submit the Declaration of Michel Accad, M.D., who reviewed two videos of Lane and attested that she exhibited "complex bodily movements." (Id. at 23 [Accad Decl. ¶ 4].) Based on his observations, Dr. Accad attests that a new evaluation should be conducted. (Id. at 24 [Accad Decl. ¶ 6].) Dr. Accad admits in his declaration that he has not reviewed Lane's medical records. (Id. at 24 [Accad Decl. ¶ 10].)

On July 20, 2026, the Court (Hon. Joseph Lipner presiding) granted plaintiffs' Ex Parte Application for Temporary Restraining Order and Order to Show re: Preliminary Injunction. The Court concurrently issued a Temporary Restraining Order ("TRO") that ordered the following:

- (1) defendant and its agents "shall continue all currently ongoing life-sustaining care to patient [Lane]" and "shall not withdraw or discontinue the ventilator" while continuing the current level of care;
- (2) defendant "shall permit an independent, outside neurologist selected by the family to examine [Lane] and review her medical condition" and "cooperate with transferring [Lane] to any care facility that will accept the transfer;"
- (3) defendant shall provide Lane's medical information to plaintiffs no later than July 24, 2026; and
- (4) any opposition shall be filed by July 28, 2026 and any reply shall be filed by August 3, 2026.

(7/20/26 Order.) On July 28, 2026, defendant filed its opposition to the Order to Show Cause re: Preliminary Injunction ("OSC").

II. ANALYSIS

A. Request for Continuance

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As an initial matter, plaintiffs' request to continue the hearing on the OSC is DENIED. As noted above, plaintiffs initially sought the TRO and OSC on July 16, 2026, which the Court issued on July 20, 2026. The hearing for the OSC was scheduled for August 4, 2026, and, on the Court's own motion, moved to August 6, 2026. CCP 527 requires that the OSC be heard on the earliest date the Court's business permits, but not later than 15 days or, for good cause, 22 days from the date the TRO is issued. The current hearing date is 18 days following the date of issuance of the TRO.

Furthermore, plaintiffs have not presented any good cause as to why the hearing should be continued further within the 22-day period. Although plaintiffs state they have made good faith efforts to retain counsel, they provide no explanation as to what those good faith efforts have entailed and why a further extension for the purpose of retaining counsel is warranted. Plaintiffs also state they must appear in two other courts, namely, the Stanley Mosk and Inglewood courthouses. They do not state what those other matters entail, whether they actually present a scheduling conflict with the hearing in this matter, and why it would not be possible to attend the hearing in this case either remotely or in-person (particularly as this matter is also being heard in the Stanley Mosk courthouse).

On the morning of the date of the instant hearing, plaintiff Jamie Bradley filed another request for continuance, asserting that plaintiffs need until at least September 9, 2026 to file a further written response to defendant's Opposition to the Order to Show Cause and contending plaintiffs have only had "approximately forty-eight (48) hours to prepare and file a written response," whereas defendant was "afforded approximately ten (10) days to prepare and file their Opposition." (8/7/26 Request at 1-2.) To begin with, a continuance until September 9, 2026 would run afoul of CCP 527's requirement that the hearing be held no later than 22 days after issuance of the TRO. More to the point, defendant was given eight days to file and serve its Opposition to the Order to Show Cause, which it did by July 28, 2026. (See 7/20/26 Order.) Plaintiff was given six days (until August 3, 2026) to file a response to that opposition but did not do so. (See 7/20/26.) Moreover, a full 10 days have elapsed since the filing and service of defendant's opposition, and plaintiffs have not submitted any response. Relative to the short time frames afforded by the statutory scheme for the emergency relief plaintiffs have sought, they have been afforded ample time and opportunity to be heard.

Accordingly, the request for a continuance is DENIED.

B. Legal Standard

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“[T]he question whether a preliminary injunction should be granted involves two interrelated factors: (1) the likelihood that the plaintiff will prevail on the merits, and (2) the relative balance of harms that is likely to result from the granting or denial of interim injunctive relief.” (White v. Davis (2003) 30 Cal.4th 528, 554.) However, before the Court can exercise its discretion and consider the two interrelated factors, “[T]he applicant must make a prima facie showing of entitlement to injunctive relief. The applicant must demonstrate a real threat of immediate and irreparable injury due to the inadequacy of legal remedies.” (Triple A Machine Shop, Inc. v. State of California (1989) 213 Cal.App.3d 131, 138, citation omitted.)

B. Balance of Harm

It is not lost upon this Court the gravity of the issue before it, as the harm that plaintiffs would face is permanently losing Lane once life-sustaining care for her ends. Defendant also acknowledges the gravity of this asserted injury. (See Opp. at 7:6.)

By contrast, any harm that defendant would face is minimal by comparison. In short, the loss of life is permanent and any increased burden to defendant of expense, inconvenience, or diversion of resources and care is outweighed by such loss of life. The Court thus finds that the balance of harm weighs in plaintiffs’ favor.

C. Likelihood of Success on the Merits

Plaintiffs claim that there is a likelihood of success on the merits of their medical malpractice claim against defendant on the grounds that Lane has shown signs of life. The record before this Court indicates otherwise.

Health and Safety Code § 7180(a) states: “An individual who has sustained either (1) irreversible cessation of circulatory and respiratory functions, or (2) irreversible cessation of all functions of the entire brain, including the brain stem, is dead. A determination of death must be made in accordance with accepted medical standards.” “The jurisdiction of the court can be invoked upon a sufficient showing that it is reasonably probable that a mistake has been made in the diagnosis of brain death or where the diagnosis was not made in accord with accepted medical standards.” (Dority v. Superior Court (1983) 145 Cal.App.3d 273, 280.)

Here, plaintiffs have not submitted any meaningful evidence to indicate that defendant’s brain death diagnosis was made in error. As presented by defendant, two separate physicians, who are

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certified in neurology and specialized in neurology and neurocritical care, performed clinical examinations of Lane within the proper medical standard on July 9, 2026, and reached the conclusion that Lane was clinically brain dead. (Poblete Decl. ¶¶ 3-6 & Exs. A-B; Breit Decl. ¶2-7 & Exs. A-B; Khahera Decl. ¶ 13.) These findings were confirmed by ancillary testing that included a nuclear medicine study, which showed that there was no blood flow to Lane's brain. (Poblete Decl. ¶¶ 4-6; Breit Decl. ¶ 6; Khahera Decl. ¶ 5.) Upon the request of plaintiffs, a third examination was performed by a different neurologist on July 10, 2026, and the same conclusion was reached. (Khahera Decl. ¶ 5.) A subsequent nuclear medicine study was performed on July 27, 2026, and the findings from this study were consistent with the July 10 scan. (Khahera Decl. ¶ 12.)

In contrast to such overwhelming evidence of brain death, plaintiffs rely on observations of movement and tearing by Lane, as well as Dr. Accad's video review. Such evidence is not sufficient to call into question that the repeated determinations of brain death made by defendant's neurologists were made in error. Even Dr. Accad, who is not a neurologist, conceded he had not reviewed plaintiff's medical record at the time of his declaration, which substantially lessens any weight this Court should give to his opinion. (Supp. Mem. at 24 [Accad Decl. ¶ 24].)

The Court also notes that the Court's TRO provides for plaintiffs' ability to transfer Lane to another facility or have another neurologist examine Lane. Plaintiffs have not done either. Given that plaintiffs have neither submitted any evidence to undermine defendant's brain death determination nor prioritized the completion of a subsequent neurological examination as contemplated by the TRO, the Court finds that plaintiffs have not established any likelihood of success to support the issuance of a preliminary injunction.

III. CONCLUSION

Despite the balance of harm weighing in plaintiffs' favor, the request for preliminary injunction must be DENIED, as plaintiffs have failed to establish any likelihood of success of prevailing on the merits of their claim against defendant. (Jamison v. Dep't of Transportation (2016) 4 Cal.App.5th 356, 362 ["A trial court may not grant an preliminary injunction, regardless of the balance of interim harm, unless there is some possibility that the plaintiff would ultimately prevail on the merits of the claim"].)

Consequently, the Court DENIES plaintiffs' request for a preliminary injunction. The temporary restraining order issued on 7/20/26 is hereby discharged.

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The matter is argued.

Court's exhibit 1 (3-page document NRMN Neurology Service) which is attached to this minute order at the direction of the Court.

The Court having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

The Court DENIES plaintiffs' request for a preliminary injunction. The Order to Show Cause is discharged.

The temporary restraining order issued on 7/20/26 is hereby dissolved.

Clerk to give notice.

Certificate of Service is attached.

08/10/2026

Exhibit 1

NRM NEUROLOGY SERVICES

Dr. Thomas Zabiega

Dr. Zabiega will begin seeing patients December 8th. He is Board Certified in Neurology and will be in office one week a month in the NRM Specialty Clinic.

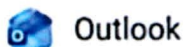
Some common conditions that Dr. Zabiega can evaluate:

- Alzheimer's disease
- Brain injuries
- Epilepsy
- Headaches (including migraines)
- Multiple sclerosis
- Nerve disorders
- Parkinson's disease
- Stroke related issues

New patients & self referrals welcome

 **NRM SPECIALTY CLINIC**
417-448-2121





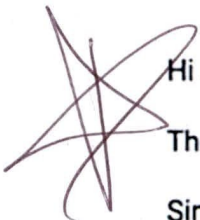
Fwd: Urgent Brain Death Matter

From Alexandra Snyder <alexandra@lifelegal.org>
Date Mon 8/3/2026 3:46 PM
To Michelle Prochnow <mprochnow@lifelegal.org>

Sent from my iPhone

Begin forwarded message:

From: Thomas Zabiega <tzabiega@hotmail.com>
Date: July 20, 2026 at 8:31:18 PM PDT
To: Alexandra Snyder <alexandra@lifelegal.org>
Cc: Mark Price <mprice@lifelegal.org>
Subject: Re: Urgent Brain Death Matter



Hi Alexandra,

The movement of the right leg is definitely purposeful. There are no such reflexes.

Sincerely,

Thomas Zabiega

From: Alexandra Snyder <alexandra@lifelegal.org>
Sent: Sunday, July 19, 2026 7:30 PM
To: Thomas Zabiega <tzabiega@hotmail.com>
Cc: Mark Price <mprice@lifelegal.org>
Subject: Urgent Brain Death Matter

Dr. Zabiega,

We were contacted a few days ago by the family of a 29-year-old woman who was shot in the head on July 5. She was an innocent victim apparently caught in cross-fire while she was stopped at a light in Los Angeles. The hospital has declared her brain dead, but it looks like she has been trying to lift her torso and move her legs on command.

Would you be willing to look at [these videos](#) and let me know what you think? The hospital was planning to withdraw life support last week, but the woman's mother was able to get a court order continuing care for 7 days. If this looks at all like purposeful movement, I want to find a local



attorney who can get the video before a judge, along with a request for an outside opinion. The woman is currently at Los Angeles County Hospital.

Here are the videos (in case the above link didn't work): <https://www.dropbox.com/sc/fo/G4cmgat72klgcdbvxzd8n/AHJ1pSph-xFMOQfJiodXMulk?rlkey=w4jvd3li6tz36ldkbwqtsn2n6&dl=0>

Thank you,
Alexandra

Alexandra Snyder
Life Legal Defense Foundation
202.717.7371

