

MISSOURI COURT OF APPEALS EASTERN DISTRICT

OPINION SUMMARY

BRADLEY A. NORMAN,)	No. ED95661
)	
Appellant,)	Appeal from the Circuit Court
)	of St. Louis County
vs.)	
)	
RICHARD C. LEHMAN, M.D.,)	Hon. Tom W. DePriest
)	
Respondent.)	FILED: July 26, 2011

Bradley Norman appeals from the trial court’s summary judgment in favor of Dr. Richard Lehman finding that Norman’s claim was filed outside the two-year statute of limitations for medical malpractice. Norman asserts that the trial court erred because there are contested facts as to how long he was under Dr. Lehman’s care and thus whether the “continuing care” exception tolled the statute of limitations.

REVERSED AND REMANDED.

DIVISION THREE HOLDS: The trial court erred in granting Dr. Lehman’s motion for summary judgment. Material facts are in dispute concerning when Dr. Lehman’s continuing care of Norman ended, and consequently, when the statute of limitations began to run on Norman’s cause of action.

Opinion by: Clifford H. Ahrens, J. Sherri B. Sullivan, J., and Lawrence E. Mooney, J., concur.

Attorney for Appellant: John T. Papa

Attorney for Respondent: Kevin F. O’Malley

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.