



**In the Missouri Court of Appeals
Eastern District
DIVISION FOUR**

LEE RICHARDSON, as Wife of)	No. ED97002
STANFORD RICHARDSON, SR.,)	
Deceased,)	Appeal from the Circuit Court of
)	the City of St. Louis
Appellant,)	0822-CC2150-01
)	
vs.)	Honorable Mark H. Neill
)	
BRYAN BURROW,)	
)	
Respondent.)	Filed: February 21, 2012

OPINION SUMMARY

Lee Richardson, as wife of Stanford Richardson, Sr., deceased ("Plaintiff") appeals the grant of summary judgment in favor of Bryan Burrow on her wrongful death action. In the underlying case, Plaintiff's petition alleged that Burrow, a paramedic employed by the City of St. Louis, placed an endotracheal tube in Stanford Richardson, Sr.'s ("Decedent") esophagus, rather than his trachea, causing Decedent to suffer an anoxic brain injury resulting in his death. The trial court granted Burrow summary judgment on the grounds that his alleged negligent acts are protected by official immunity.

REVERSED AND REMANDED.

Division Four holds:

Burrow is not protected by official immunity because, under the circumstances of this case, Burrow's intubation of Decedent was a ministerial act performed pursuant to a City

of St. Louis mandate with no exercise of judgment involved. Therefore, the trial court erred in granting Burrow summary judgment.

Opinion by: Glenn A. Norton, J. Patricia L. Cohen, P.J. and Robert M. Clayton III, J., concur

Attorneys for Appellant: Mark T. McCloskey and Patricia N. McCloskey

Attorney for Respondent: Patricia A. Hageman and Thomas R. McDonnell

**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.**