

SUPREME COURT OF MINNESOTA

Mellett v. Fairview Health Services

634 N.W.2d 421 (Minn. 2001) · No. CX-00-608 · Decided October 18, 2001

SUMMARY

The Minnesota Supreme Court held that the plaintiff's false imprisonment claim against Dr. Johnson was barred by the two-year statute of limitations. Service of process on the Fairview defendants did not constitute service on Dr. Johnson, despite the alleged joint enterprise between them. The court reversed the court of appeals and reinstated summary judgment for Dr. Johnson.

CASE DETAILS

COURT	Supreme Court of Minnesota
WRITING FOR THE COURT	Page, Justice
JURISDICTION	Minnesota
DECIDED	October 18, 2001
DOCKET	CX-00-608
DISPOSITION	reversed
PROCEDURAL POSTURE	Dr. Johnson petitioned for review of the Minnesota Court of Appeals' decision reversing the district court's dismissal of Mellett's false imprisonment claim against him on statute-of-limitations grounds. The Supreme Court granted Dr. Johnson's petition and denied the Fairview defendants' petition.
STANDARD OF REVIEW	The court reviews summary judgment to determine whether genuine issues of material fact exist and whether the lower courts erred in applying the law.
PRECEDENTIAL VALUE	Published precedential opinion
PARTIES	David Lee Johnson, M.D. v. Susannah Mellett, Fairview Health Services, Fairview University Medical Center, Daniel K. Anderson, Marcia Molinari, Barbara Hogan, Fairview University Medical Center Staff

TOPICS

- service of process
- statute of limitations
- false imprisonment
- summary judgment
- appellate procedure

PRACTICE AREAS

civil procedure

torts

appellate procedure

QUESTIONS PRESENTED

1. Whether the court of appeals properly inferred the existence of a joint enterprise between Dr. Johnson and the Fairview defendants.
2. Whether service of process on one participant in an alleged joint enterprise constitutes service on all participants for statute-of-limitations purposes.
3. Whether Mellett's false imprisonment claim accrued on January 24, 1997, rather than January 21, 1997, because the commitment petition was dismissed on January 24.

HOLDINGS

1. Service of process on one participant in an alleged joint enterprise does not constitute service on another participant for statute-of-limitations purposes absent a civil-procedure rule authorizing such service.
2. Mellett's false imprisonment claim accrued on January 21, 1997, when the alleged actual confinement ended, not on January 24, 1997, when the commitment petition was dismissed.

KEY QUOTATIONS

"There is no provision in our civil procedure rules permitting service of process on a defendant through service on another party with whom the defendant is engaged in a joint venture." (634 N.W.2d at 424)

"Accordingly, the district court was correct when it found that Mellett's false imprisonment claim was time-barred." (634 N.W.2d at 425)

FACTUAL BACKGROUND

Mellett voluntarily sought chemical-dependency treatment on January 3, 1997, was placed on a 72-hour hold, and was treated by Dr. Johnson at Fairview Riverside Medical Center. After a second 72-hour hold, Fairview Riverside filed an involuntary-commitment petition. A referee ordered Mellett released on January 21, 1997, although she alleged that the hospital held her for several additional hours. Mellett served the Fairview defendants on January 21, 1999, but delivered the summons and complaint for service on Dr. Johnson no earlier than January 22, 1999.

PROCEDURAL HISTORY

Mellett sued the Fairview defendants, Dr. Johnson, and Dr. Davis for defamation, intentional infliction of emotional distress, false imprisonment, and negligence. The district court granted summary judgment to Dr. Johnson and the Fairview defendants, holding that all claims except the false imprisonment claim against the Fairview defendants were time-barred and that the remaining claim failed for lack of an adequate expert affidavit under Minn. Stat. § 145.682. The court of appeals affirmed in part but held that Mellett's false imprisonment claim against Dr. Johnson was timely under a joint-enterprise theory and that the expert-affidavit requirement did not apply to the claim against the Fairview defendants. The Supreme Court reversed the court of appeals as to Dr. Johnson and reinstated the district court's judgment.

DISPOSITION

reversed

REMAND INSTRUCTIONS

The court reversed the court of appeals and reinstated the district court's order granting Dr. Johnson's motion for summary judgment.

CASES CITED

- Ryan Contracting, Inc. v. JAG Investments, Inc., 634 N.W.2d 176, 177, 184-85 (Minn. 2001)
- Olson v. Ische, 343 N.W.2d 284, 288 (Minn. 1984)
- Bray v. Chicago Rock Island & Pac. R. Co., 305 Minn. 31, 39, 232 N.W.2d 97, 102 (1975)
- Amaral v. Saint Cloud Hosp., 598 N.W.2d 379, 383 (Minn. 1999)
- Blaz v. Molin Concrete Prods. Co., 309 Minn. 382, 385, 244 N.W.2d 277, 279 (1976)
- Mellett v. Fairview Health Servs., No. CX-00-608, 2000 WL 1376544, at *1, *3 (Minn. App. Sept. 26, 2000)