

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

Anthony J. DuBois — PETITIONER
(Your Name)

vs.

MWV Healthcare Assoc Inc et al — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the First Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Anthony J. DuBois
(Your Name)

513 South High Street
(Address)

Bridgton Maine 04009
(City, State, Zip Code)

(207) 808-9577
(Phone Number)

F.

QUESTION(S) PRESENTED

1. How is it that there is no statute of limitations for crimes such as murder, but there is a statute of limitation in the matter of stripping someone of their ability to function properly on a day to day basis as well as fearing for their life every moment of every day?
2. Shouldn't Memorial Hospital's Physicians be held accountable for their actions of hastily rushing their patients & tourists visitors from afar, including other countries, through their system resulting in gross neglect, misdiagnoses, & ultimately maiming?

6.

Scribed by Doreen Wentworth *Doreen Wentworth*

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

☒ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

MNV Healthcare Associates Inc, Memorial Hospital
Rita Kostacek, MD

Charisse Hirschfeld, ARNP

Raymond Robideau, MD

Anthony DuBois

Doreen Wentworth Brant

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IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was February 21, 2018.

☒ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

United States District Court
District of New Hampshire
Case: 1:11-cv-00086-JL

STATUTES AND RULES

New Hampshire Statutes

Title LXII; CHAP. 625; SEC. 625:8

www.gencourt.state.nh.us/rsa/html/LXII/625/625-8.htm

OTHER

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Medical Malpractice is defined as any act or omission by a physician during treatment of a patient that deviates from accepted norms of practice in the medical community and causes an injury to the patient.

Scribed by Doreen Wentworth
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STATEMENT OF THE CASE

1. A CT Scan was requested by Doreen Wentworth Brant to Dr. Rabideau on 9/20/2007. He said that was not necessary.
2. IF the CT SCAN was performed the tumor would have been found and would not have caused any complications.
2. Over the course of a year and a half and multiple Dr. Appointments for many symptoms such as severe headaches, nausea, neck pain, increased blood pressure, whooshing in the ears, etc., MWV Physicians failed to provide Anthony DuBois with adequate medical care.
3. The size of tumor and build up of Spinal fluid on the brain; unable to drain due to tumor blockage, resulted in extreme pressure within the cranial cavity causing complete atrophy of the Left Optic nerve as well as partial atrophy in the right optic nerve.
4. On April 28, 2009 the brain Tumor was removed by Dr. James Wilson. After two weeks Anthony DuBois had recovered with no mental or physical deficit except blindness.

5. On May 4, 2011 the two year follow-up MRI revealed a small piece of tumor on the brain stem.

5a. Healthy brain tissue is pink / Gray and tumor tissue is neon blue. Due to extreme oxygen deprivation, the brain tissue & tumor were the same shade of gray. This lack of being able to distinguish caused a tiny piece to be missed on the brain stem.

6. On June 27, 2011 Anthony DuBois's second surgery was performed by Neurosurgeon Dr. James Wilson.

7. During the second surgery on June 27, 2011 Dr. James Wilson discovered the tumor to be growing into the brain stem resulting in the need to scrape Anthony DuBois' brain stem.

8. It quickly became apparent that Anthony Dubois had life altering deficits following the second surgery including but not limited to extensive nerve damage, inability to control his left hand + inability to speak, minor cognitive deficits, and PFS.

8a. PFS, Posterior Fossa Syndrome, The symptoms of PFS include problems with speech and language, motor skills, and mood changes. Anthony Dubois has suffered severely due to PFS.

9. A Doctor/Ophthalmologist when looking into an eye can and should be able to recognize any pressure on the brain as well as any damage or issues to the optic nerves and what category the cause lies. Anthony Dubois's eyes were checked on multiple occasions at MUV Healthcare.

10. Shortly after 4/28/2009 Council was ascertained by Doreen Wentworth in the Stead of Anthony Dubois.
11. In September 2012 trial date was set for June 4, 2013. Later in 2012, after obtaining all evidence, depositions, and expert witnesses, Council for Doreen Wentworth, notified the courts of his intent to withdraw from the case.
12. In May 2013, a trial was held to discuss Council's motion to withdraw. At the trial Doreen Wentworth was asked if she would allow Council to withdraw. Knowing that Council was unwilling to follow through with his binding agreement to fight for this case Doreen Wentworth allowed Council to withdraw. After Doreen Wentworth allowed Council to withdraw, Judge Joseph N Laplante, ruled that Doreen Wentworth had 60 days to find new representation.

- or the case would be dismissed with prejudice. The Judge gave these stipulations after Doreen Wentworth's decision had been made. No inclination was ever given that funding new Council would be next to impossible within 60 days.

REASONS FOR GRANTING THE PETITION

This petition should be granted because MWV Healthcare and it's Associates should be held accountable for their lack of actions and lack of patient care resulting in the maiming of Anthony DuBois and to prevent it from happening to others.

Judge LaPlante dismissing the case with prejudice was extremely unethical for two reasons: 1- Amount of substantial evidence and 2- No Guidance was provided to Doreen Wentworth, or formal explanation was given for there to be full understanding of the consequences for letting Council go.

The Supreme Court should rule on this issue because this not only affects Locals but hundreds of thousands of tourists that come from afar & other Countries to visit the White Mountains. People need to feel comfortable knowing they will be safe in the hands of MWV Healthcare without fear of being maimed.

- It is unethical to hold Anthony Dubois accountable for Donella Wentworth's lack of action. It is even more so unethical to do so because Anthony Dubois only recently reacquired the mental faculties to be able to appeal this case.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Anthony DuBois

Date: April 26, 2018