

**STATE OF NEW MEXICO
COUNTY OF BERNALILLO
SECOND JUDICIAL DISTRICT COURT**

**RONALD SILVER, and NICOLE
CHAVEZ, as Personal Representatives
of the ESTATE OF JAYDON CHAVEZ-
SILVER.,**

Plaintiffs,

No. D-202-CV-2017-04625

v.

MATTHEW SANCHEZ,

Defendant.

**COMPLAINT FOR MEDICAL NEGLIGENCE
AND WRONGFUL DEATH**

Plaintiffs Ronald Silver and Nicole Chavez, as Personal Representatives and Parents of Decedent Minor, Jaydon Chavez-Silver, by and through their counsel of record, Paul Kennedy & Associates, P.C., hereby state the following as and for their Complaint in the above-styled cause:

1. Plaintiffs are residents of Bernalillo County, State of New Mexico, wherein all of the events described in the Complaint occurred.

2. Matthew Sanchez was, at the time of the events in this Complaint, a resident of Bernalillo County, State of New Mexico.

3. One June 26, 2015, in Albuquerque, New Mexico, at a residence on Nakomis NE, Jaydon Chavez-Silver was the victim of a gunshot wound to his chest. At the time he was shot, he was a guest at a party attended by many young people who were friends and classmates.

4. Having suffered the aforementioned gunshot wound, Jaydon collapsed to the floor and was attended to by several of his friends. They immediately started to attempt to apply

cardiopulmonary resuscitation (“CPR”) and attempted to administer other first aid.

5. One friend, who was applying CPR, called the emergency number 911. She was connected with a dispatcher who asked her to hold the line while she connected her to an emergency medical dispatcher.

6. That person was the Defendant, Matthew Sanchez, an employee with the City of Albuquerque, a firefighter and licensed by the New Mexico Department of Health as an emergency medical dispatcher/technician. Upon information and belief, his function as a dispatcher that evening was to advise people in the caller’s situation as to proper CPR and other first aid that could be administered to a victim in extremis until emergency medical services could be provided in person.

7. Upon repeatedly asking the caller if Jaydon was still breathing and having received affirmative answers to that question, along with some profanity, Matthew Sanchez replied to the caller: “I don’t have to deal with this, you deal with it.” Whereupon, Defendant Sanchez hung up the phone, thereby refusing to provide any advice to the young people attempting to administer aid to the victim.

8. Defendant Sanchez’s actions were totally outside any standard of care for an emergency medical dispatcher or technician. His actions were willful, wantonly negligent and intentional. His actions constituted medical malpractice and intentional abandonment of a patient while acting within the scope of his duties. He was supposed to be providing healthcare services, as he was licensed to do by the State of New Mexico.

9. As a result of Defendant Sanchez’s intentional abandonment and wanton negligence in regards to Jaydon Chavez-Silver, Jaydon Chavez-Silver lost his last clear chance to be kept alive pending the provision of in person medical services.

10. Upon information and belief, Defendant Sanchez's actions resulted in the delayed arrival of paramedics to the scene and again caused Jaydon Chavez-Silver to lose his last clear chance to be kept alive.

11. Defendant Sanchez's actions therefore resulted in the wrongful death of Jaydon Chavez-Silver. Plaintiff Personal Representatives are entitled to compensatory damages.

WHEREFORE, Plaintiff's ask for compensatory damages, plus the costs of the litigation.

Respectfully submitted,

PAUL KENNEDY & ASSOCIATES, P.C.

/s/Paul J. Kennedy

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