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12 *Attorneys for Plaintiffs*

13 **IN THE SUPERIOR COURT OF ARIZONA**

14 **IN AND FOR THE COUNTY OF MARICOPA**

15 Seth Lachica and Gayle Lachica, husband
16 and wife, for the wrongful death of their
17 son Kaelen Lachica; and Seth Lachica on
18 behalf of the estate of Kaelen Lachica,

19 Plaintiffs,

20 v.

21 VHS OF ARROWHEAD, INC. d/b/a
22 Abrazo Arrowhead Campus, a foreign
23 corporation; Jean Anne Schemm, RN, and
24 John Doe Schemm, wife and husband;
25 Blake Bewley, MD and Jane Doe Bewley,
26 husband and wife; Solomon Y
Amdemariam, MD and Jane Doe
Amdemariam; ROES I-X; and DOE
ENTITIES I-EX,

Defendants.

No.

COMPLAINT

For their complaint, pursuant to A.R.S. § 12-561 et seq., § 12-611 et seq., and § 46-455 et seq., Seth and Gayle Lachica on their own behalf, and Seth Lachica on behalf of the estate of Kaelen Lachica, allege as follows:

INTRODUCTION

1
2 1. As of early August of 2025, Kaelen was a happy 27-year-old man. He lived
3 with his grandmother in a home in Gold Canyon, Arizona, down the street from his
4 parents, Seth and Gayle. Kaelen had fought anorexia
5 for about nine years, but he was doing remarkably
6 well, going to the gym, gaining weight, and becoming
7 healthy again.

8 2. On August 6, 2025, Kaelen suddenly
9 grew weak and confused. He was taken to Abrazo
10 Arrowhead Hospital (“Abrazo”). Over the course of
11 the next week, the staff at Abrazo noted that Kaelen
12 was lethargic (12 times), confused (7 times),
13 disoriented (4 times), exhibiting slurred speech (11
14 times), having a disjointed thought process (17 times),
15 and being wheelchair dependent (17 times).



16 3. On August 10, Seth saw his son’s
17 decline and warned the Abrazo staff that Kaelen might try to leave the hospital. Seth
18 cautioned Defendant Abrazo’s staff that if that happened, Kaelen “will end up dead.” The
19 following note details that conversation:

20 Pt’s father Seth asked RN to speak with [case manager]. [Case
21 manager] in room to speak with Pt’s father Seth. Seth states
22 that 2 weeks prior to this, Pt is independent, active taking his
23 medications and eating well. **Seth states that Pt is not the
24 same person now and he is worried that if Pt signs out
25 [against medical advice] that Pt will end up dead.** Seth states
26 he is [medical power of attorney] and would like to be notified
any time Pt threatens to sign out [against medical advice]. Seth
is aware that Pt is refusing medication and currently is
hallucinating/delirium. Seth informed that Psych has been
consulted.

1 At this time clinical course continues and Pt's father **Seth**
2 **would like to speak with [case manager] again before d/c** to
3 see what may be needed

4 (*Emphasis added*).

5 See Exhibit A.

6 4. On August 12, Kaelen didn't recognize Seth, and he lost the ability even to
7 turn himself over in bed.

8 5. In the early morning hours of August 13, constant observation of Kaelen
9 was ordered.

10 6. Shortly thereafter, Kaelen lashed out, struck a nurse, and asked to leave the
11 hospital.

12 7. Even though he was delusional, immobile, and totally unable to care for
13 himself, the Abrazo staff discharged him.

14 8. Even though Seth had medical power of attorney over Kaelen, they only
15 tried to reach him twice (two phone calls around 5:30 a.m. that went unanswered because
16 Seth was asleep).

17 9. Even though Kaelen lived in a home with his grandmother, the Abrazo staff
18 transferred Kaelen from a wheelchair and into an Uber which the hospital paid for, with
19 instructions that the driver drop him off in at a homeless shelter in downtown Phoenix.

20 10. At about 8:00 a.m., on August 13, 2025, at the direction of the Abrazo staff,
21 Kaelen—delusional, immobile, and incapacitated--was unceremoniously dumped on a
22 sidewalk in downtown Phoenix by the Uber driver and left to fend for himself.

23 11. About two hours later, a police officer encountered Kaelen lying motionless
24 on the sidewalk and emergency medicine technicians arrived shortly thereafter. Kaelen's
25 core temperature was discovered to be 107 degrees. Kaelen was rushed to Banner
26 University Medical Center, but he was critically ill upon arrival and at 11:14 a.m., about
3 hours after the Abrazo staff instructed the Uber driver to dump him on a sidewalk in

1 downtown Phoenix in the middle of August 27-year-old Kaelen Lachica was pronounced
2 dead.

3 12. Kaelen’s autopsy would later reveal:

4 *In consideration of the known circumstances surrounding this*
5 *death, the available medical history, and the examination of the*
6 *remains, it is my opinion that the cause of death is*
7 *complications of anorexia nervosa, **with environmental heat***
exposure as a significant contributory condition.

8 *(Emphasis added).*

9 *See Exhibit B.*

10 13. 41 minutes after Kaelen was pronounced dead, Abrazo physician Dr. Blake
11 Bewley wrote Kaelen’s Abrazo discharge summary. **As Kaelen lay dead** at Banner
12 University Medical Center--literally from *cooking* to death—Dr. Bewley wrote:

13 **The patient is not clinically intoxicated, free from**
14 **distracting pain, appears to have intact insight, judgment**
15 **and reason and in my medical opinion has the capacity to**
16 **make decisions.** The patient is also not under any duress to
17 leave the hospital. In this scenario, it would be battery to
18 subject a patient to treatment against his/her will. I have voiced
19 my concerns for the patients’ health given that a full evaluation
20 and treatment had not occurred.

21 ...

22 **I attest that I was physically present at the key portions of**
23 **the service and evaluated the patient** with the
24 Resident/Medical Student and reviewed and discussed the case
25 with the Resident/Medical Student and agree with the
26 Resident/Medical Student’s findings and plan of care as
documented above.

(emphasis added). *See Exhibit C).*

14. One would not expect a bouncer at a bar to dump an incapacitated patron
onto a hot Phoenix sidewalk in the middle of August—let alone the staff at a hospital. Yet
that is exactly what the Abrazo staff did to Kaelen. This conduct goes beyond mere
negligence, or medical malpractice—their decision to have their very sick young patient

1 dumped onto the sidewalk—in Phoenix, in August--directly caused Kaelen’s death. The
2 Abrazo medical staff showed a conscious disregard for Kaelen’s physical safety and well-
3 being which shocks the conscience of all reasonable persons.

4 **JURISDICTION AND VENUE**

5 15. Plaintiffs bring this suit for the wrongful death of their son Kaelen. *See*
6 A.R.S. § 12-611, *et seq.*

7 16. Plaintiffs also bring this suit for medical malpractice which caused Kaelen’s
8 death. A.R.S. § 12-561, *et seq.*

9 17. Plaintiffs also bring this suit for the abuse of Kaelen, a vulnerable adult,
10 pursuant to A.R.S. § 46-451, *et seq.* (the “Adult Protective Services Act” or “APSA”).

11 18. Plaintiff Seth Lachica also brings this claim as the representative of Kaelen’s
12 estate, for the purposes of asserting general damages for the violations of APSA. *See, e.g.,*
13 *In re Denton*, 190 Ariz. 152, 155 (1997).

14 19. At all material times herein, all Defendants were residents of Maricopa
15 County, Arizona.

16 20. Defendant VHS OF ARROWHEAD, INC. dba Abrazo Arrowhead Campus
17 (“Abrazo”) is a foreign corporation doing business in Maricopa County, Arizona, and a
18 healthcare provider pursuant to A.R.S. § 12-561.

19 21. Defendant Jean Schemm is a registered nurse and healthcare provider
20 pursuant to A.R.S. § 12-561.

21 22. Defendant Blake Bewley, MD is a licensed medical doctor and healthcare
22 provider pursuant to A.R.S. § 12-561

23 23. Defendant Solomon Y. Amdemariam, MD is a licensed medical doctor and
24 healthcare provider pursuant to A.R.S. § 12-561.

25 24. All of the events caused by each and every Defendant, which gives rise to
26 this occurrence, happened in Maricopa County, State of Arizona.

25 25. Venue and jurisdiction are proper in this court.

26 26. The Plaintiff’s counsel avers and certifies that this is a “Tier 3” case for
purposes of Ariz.R.Civ.Proc. 26.2.

1 negligence of Nurse Schemm, Dr. Bewley, and Dr. Amdemariam, and any presently
2 unknown actors, as alleged herein.

3 37. Defendant Abrazo is vicariously liable for the negligence, acts, and/or
4 omissions of all named and unnamed defendants as alleged herein.

5 38. Defendant Abrazo is also independently liable for its own negligence, for
6 its failure to properly hire, train, and supervise the agents and employees who provided
7 care to Kaelen while he was patient there.

8 39. Defendant Abrazo is also independently liable for its own negligence for its
9 failure to establish policies and protocols regarding safe discharge planning for patients
10 such as Kaelen, and for establishing protocol that planned for or permitted incapacitated
11 patients such as Kaelen to be dumped on sidewalks in front of homeless shelters, to be left
12 to die.

12 **FACTS**

13 40. On August 6, 2025, Kaelen presented to East Valley Hospital for weakness
14 and difficulty breathing.

15 41. Kaelen was then transferred to Defendant Abrazo.

16 42. At Defendant Abrazo, Kaelen exhibited mental, physical, and cognitive
17 declines.

18 43. Seth was medical power of attorney for Kaelen and presented that
19 paperwork to Defendant Abrazo.

20 44. During Kaelen's hospitalization at Defendant Abrazo, Seth warned the staff
21 that Kaelen may try to leave against medical advice, and cautioned that if that happened,
22 Kaelen may end up dead.

23 45. During Kaelen's hospitalization at Defendant Abrazo, Seth asked to be
24 notified before discharge or anytime Kaelen attempted to leave against medical advice.

25 46. On August 13, 2025, at approximately 6 a.m., Seth missed a phone call from
26 Defendant Nurse Schemm, who had made the decision to discharge Kaelen against
medical advice.

1 67. All allegations set forth above are incorporated by reference as if fully set
2 forth herein.

3 68. At all material times herein, Kaelen was a vulnerable adult as that term is
4 defined pursuant to A.R.S. § 46-451(A)(12).

5 69. The acts and omissions of all Defendant Arrowhead constitutes a breach of
6 the above-enumerated duties and a deviation from the appropriate standard of care and
7 the reckless disregard for the needs of Kaelen Lachica, constituting abuse and neglect of
8 a vulnerable adult, as defined by statute, giving rise to a cause of action under A.R.S. §46-
9 455, and justifying an award of compensatory and punitive damages.

10 70. As a result of Defendants' actions, the statutory beneficiaries have been
11 damaged by the loss of their son.

12 71. Punitive damages under APSA need only be proven by a preponderance of
13 evidence. *See* A.R.S. § 46-455(L).

14 WHEREFORE, Plaintiffs pray for the following relief:

- 15 A. For special, general, and punitive damages in an amount to be proven at
16 trial;
- 17 B. For all damages recoverable pursuant to A.R.S. § 12-611, *et seq.* (*see also*,
18 RAJI (Civil) 3d, Personal Injury Damages #3);
- 19 C. For all damages recoverable pursuant to A.R.S. § 46-451, *et seq.*, including
20 but not limited to Kaelen's pain and suffering damages;
- 21 D. For taxable costs incurred and incurring;
- 22 E. For all other damages allowable under Arizona law; and
- 23 F. For any other relief which this Court deems appropriate.

24 Dated this 10th day of February, 2026.

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