

Chase County v. City of Imperial

Case Number

S-17-0813

Case Audio

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December 6, 2018

Court Number

Chase

Case Location

Lincoln

Case Summary

S-17-0813 County of Chase, Nebraska v. City of Imperial, Nebraska (Appellant)

Chase County, Judge David W. Urbom

Attorneys: Arlan G. Wine (Chase County Attorney)(Appellee) --- Katherine L. Gatewood (Sarpy County Attorney's Office)(Amicus Brief in Support of Appellee) --- Joshua J. Wendell (McQuillan & Wendell, P.C., L.L.O.)(Appellant) --- Andre R. Barry & Nathan D. Clark (Cline Williams Wright Johnson & Oldfather, L.L.P.)(Amicus Curiae brief of the League of Nebraska Municipalities in Support of Appellant)

Civil: Payment for medical services provided to arrestee

Proceedings below: The district court found Appellant was liable. The Court of Appeals reversed. Appellee filed a petition for further review, which was granted by the Nebraska Supreme Court.

Issues: The Court of Appeals erred in 1) concluding that Appellee's obligation to pay the incurred medical cost began "at the time such person is arrested, detained, taken into custody, or incarcerated," and 2) concluding that "in all other cases" where there was no injury or wound suffered during the course of the apprehension or arrest, medical services are chargeable to the Chase County Sheriff as the operator of the Chase County Jail, when the recipient of the medical services was not then lodged in the county jail.
