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Prison Health Services
105 Wesley Park Dr/ Suite 200
Brentwood TN 37037
Attn: Andy Swartz

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G M LARKIN MD

Forensic Pathology • Legal Medicine

22 August 3005

Prison Health Services
105 Wesley Park Dr/ Suite 200
Brentwood TN 37037
Attn: Andy Swartz

Re: Pathrick Swiney, Alabama inmate ID # 150466 G-79

Dear: Mr Swartz:

By now you have received several letters concerning the seemingly urgent condition of inmate Swiney, now under your company's care at Donaldson prison in Bessemer Alabama. The concern expressed in other letters is by no means trivial, and mandates an immediate response from your medical staff.

Swiney has had three previously documented heart attacks, and currently has severe cardio-vascular disease. Your company did authorize him to have a cardio-vascular work-up, and the consultant wrote orders, new medication and a work-up by a cardio-vascular surgeon. This was in April.

To date none of this has happened. Furthermore, his nitroglycerine has been discontinued by one of your "nurses", apparently unaware or the implications of this denial. Patrick is having severe dyspnea, and no doubt needs oxygen. On site treatment has been denied this man.

Sir, I need not remind you of your fiduciary relationship, through your corporate contract with the Alabama Department of Corrections, and the bunch of lawsuits scattered throughout the country alleging breach of contract and inefficient medical care delivery. I will not, as some allege that this is a systemic attempt to allow certain patients to die through malicious neglect. There are others who will attempt to prove this in a court of law; I

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am concerned with the immediate treatment of Patrick Swiney, whose every breath is a gasp for air. There is no legal or moral reason to deny Swiney his consultation with a vascular surgeon to get his arteriogram, and appropriate therapy, as suggested by this consultant. More import, Swiney has to live long enough to get that consultation.

It may be of no concern to you that Swiney is in the appeals process, and has more than convincing proof of *de facto* innocence. It will cost your corporation much much more if Swiney dies from lack of a twenty-five cent pill, while being adjudicated innocent.

By contracting with the state of Alabama, your corporation assumed the responsibility to care for his medical needs. There is ample case law from *Eyres v Shaftsbury* (1722) winding its way to *Gamble v Estes* and newer cases, not to speak of the moral issues involved. Swiney is but one inmate in your care, but he will not go away until there is a favorable outcome in his quest for medical care. Do the right and moral thing. Your corporation's track record is not inspiring elsewhere. The world is watching.

Sincerely.

G M Larkin MD

G M Larkin MD
cc: Sherry Swiney
Patrick Swiney
File