

**IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO**

ALEXANDER ANDERSON,	:	APPEAL NOS. C-230180
		C-230181
Plaintiff-Appellant,	:	TRIAL NO. A-2004431
vs.	:	<i>JUDGMENT ENTRY.</i>
CINCINNATI CHILDREN’S	:	
HOSPITAL MEDICAL CENTER,	:	
	:	
RICHARD AZIZKHAN, M.D.,	:	
	:	
ALVIN CRAWFORD, M.D.,	:	
and	:	
ERIC WALL, M.D.,	:	
Defendants-Appellees,	:	
and	:	
ABUBAKAR ATIQ DURRANI, M.D.,	:	
Defendants.	:	

The court sua sponte removes this case from the regular calendar and places it on the accelerated calendar, 1st Dist. Loc.R. 11.1(C)(1), and this judgment entry is not an opinion of the court. See Rep.Op.R. 3.1; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.

Plaintiff-appellant Alexander Anderson appeals the judgment of the trial court granting defendants-appellees Richard Azizkhan, M.D., Alvin Crawford, M.D., and Eric Wall, M.D.'s, (collectively "the Doctors") motion to dismiss his complaint under Civ.R. 12(B)(6).¹ Anderson also appeals the trial court's judgment granting defendant-appellee Cincinnati Children's Hospital Medical Center's ("CCHMC") motion to dismiss.

Anderson was born on July 13, 1993. In 2007, he was diagnosed with tarsal coalition by a foot specialist at CCHMC. Defendant Abubakar Atiq Durrani, M.D., recommended surgery for his ankles, which Anderson alleged was unnecessary when other more conservative treatments were available. Anderson further alleged Durrani negligently performed the surgery, which resulted in persistent, debilitating pain.

Anderson turned 18 years old on July 13, 2011. Durrani fled the country in November 2013. On December 20, 2020, Anderson filed suit against Durrani, the Doctors, and CCHMC alleging various tort claims and statutory violations under Ohio law. The Doctors and CCHMC moved separately for dismissal of Anderson's claims against them, which the trial court granted. Anderson now appeals.

In three assignments of error, Anderson argues that the statute of repose is tolled against CCHMC, that his negligent-credentialing and civil-fraud claims were not medical claims subject to the statute of repose, and that the Doctors owed a fiduciary duty to him.

On the authority of *Dumais v. Durrani*, 1st Dist. Hamilton Nos. C-230190 and C-230191, 2024-Ohio-1022, we overrule Anderson's assignments of error and affirm the judgments of the trial court.

¹ Azizkhan was the Chief of Surgery at CCHMC and a member of the Medical Executive Committee, Crawford was the Orthopedic Director at CCHMC prior to 2005 and a surgeon there through 2008, and Wall was the Orthopedic Director at CCHMC.

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A certified copy of this judgment entry shall constitute the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

ZAYAS, P.J., CROUSE and KINSLEY, JJ.

To the clerk:

Enter upon the journal of the court on March 27, 2024,
per order of the court _____.
Administrative Judge