

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

MALIK HARRISON,	:	APPEAL NOS. C-230196
		C-230197
Plaintiff-Appellant,	:	TRIAL NO. A-2100560
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.,	:	
Defendant.	:	

The court sua sponte removes this cause from the regular calendar and places it on the court’s 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 Malik Harrison 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 her complaint under Civ.R. 12(B)(6).<sup>1</sup> Harrison also appeals the trial court’s judgment granting defendant-appellee Cincinnati Children’s Hospital Medical Center’s (“CCHMC”) motion to dismiss.

Harrison was born in 1996. He suffered an injury in middle school while playing football. After a month of physical therapy, he was referred to defendant Abubakar Atiq Durrani, M.D. Durrani recommended surgery to prevent damage to Harrison’s spine and preserve his mobility. Harrison alleges that surgery was unnecessary, dangerous, and unindicated and resulted in significant pain, disfigurement, mental anguish, and other damages.

Harrison turned 18 years old in 2014. Durrani fled the country in November 2013. On February 15, 2021, Harrison 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 Harrison’s claims against them, which the trial court granted. Harrison now appeals.

In three assignments of error, Harrison 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. Cincinnati Children’s Hosp. Med. Ctr.*, 1st Dist. Hamilton Nos. C-230190 and C-230191, 2024-Ohio-1022, we overrule Harrison’s assignments of error and affirm the judgments of the trial court.

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.

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<sup>1</sup> 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.

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

To the clerk:

Enter upon the journal of the court on April 5, 2024,  
per order of the court \_\_\_\_\_.  
Administrative Judge