

Commonwealth Of Kentucky

Court of Appeals

NO. 2001-CA-002606-MR

WILLIE R. MEADS

APPELLANT

v. APPEAL FROM SCOTT CIRCUIT COURT
HONORABLE PAUL F. ISAACS, JUDGE
ACTION NO. 01-CI-00222

TOYOTA MOTOR MANUFACTURING,
KENTUCKY

APPELLEE

OPINION
AFFIRMING

** ** *

BEFORE: BAKER, COMBS, AND SCHRODER, JUDGES.

BAKER, JUDGE: Willie R. Meads brings this *pro se* appeal from a November 1, 2001, opinion and order of the Scott Circuit Court. We affirm.

While employed by appellee, appellant was observed by two team leaders to be breathing heavily and sweating profusely while working on his line. The team leaders decided to send appellant to the on-site medical clinic. While at the clinic, appellant's blood pressure was reported as 160/110 and as

180/110. The clinic personnel recommended that appellant be transported to Scott County Hospital for further evaluation. At the hospital, appellant's blood pressure was reported as normal. He was, however, instructed to take the rest of the day off and to have his blood pressure checked at the hospital the following day before returning to work. After having his blood pressure re-checked at the hospital, he returned to work. Appellant was charged with two absences as he refused to take vacation or emergency vacation time.

On May 9, 2001, appellant filed a *pro se* complaint against appellee in the Scott Circuit Court. Therein, he alleged:

- a. Illegal act of forcing unneeded medicine.
- b. Forcing unneeded, unwanted, rejected medical treatment.
- c. Privacy violation later changed to embarrassment.
- d. Violation of religion
- e. Unprofessional medical treatment
- f. Lost wages and damage to appellant's [sic] career all for an illness the appellant never had.

Brief for Appellant at 3.

Appellee filed a motion to dismiss pursuant to Ky. R. Civ. P. (CR) 12.02 and, alternatively, filed a motion for summary judgment pursuant to CR 56. On November 1, 2001, the circuit court entered an opinion and order dismissing appellant's action, thus precipitating this appeal.

We observe that appellant has filed a *pro se* brief with this Court. In the brief, appellant failed to make any references to the record or to cite a single case or statute in support of the many arguments advanced therein. The arguments raised are curt and confusing.

It is well-established that "in order to secure reversal of a judgment, it is incumbent upon the appellant to show error and to overcome the presumption that the trial court's decision was correct." Sloan v. Jewel Ridge Coal Corporation, Ky., 342 S.W.2d 504, 506 (1961). Here, appellant has failed to demonstrate any error and to overcome the presumption that the circuit court's decision was proper.

For the foregoing reasons, the opinion and order of the Scott Circuit Court is affirmed.

ALL CONCUR.

BRIEF FOR APPELLANT – *pro se*:

Willie R. Meads
Lexington, Kentucky

BRIEF FOR APPELLEE:

Jeffrey A. Savarise
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