

CITATION: Lebatchi v. Center for Addiction and Mental Health, 2012 ONCA 2
DATE: 20120104
DOCKET: C54145

COURT OF APPEAL FOR ONTARIO

Laskin, MacPherson and Lang JJ.A.

BETWEEN

Ramin Lebatchi

Plaintiff/Appellant

and

Center for Addiction and Mental Health

Defendant/Respondent

Ramin Lebatchi, in person

E. Krajewska, for the defendant/respondent

Heard: January 3, 2012

On appeal from the judgment of Justice Kevin W.V. Whitaker of the Superior Court of Justice dated May 24, 2011.

APPEAL BOOK ENDORSEMENT

[1] The appellant's claim against the Center for Addiction and Mental Health (CAMH) was based on his allegedly improper detention, treatment and medication while he was involuntarily detained at the hospital. CAMH moved to dismiss the appellant's

action and in support delivered an expert report providing an opinion that CAMH met and exceeded the standard in its care of the appellant. In the absence of any evidence challenging this opinion, the motion judge was entitled to conclude that there was no issue concerning the appropriateness of the appellant's treatment that required a trial. We see no error in this conclusion. The appeal is dismissed. No costs.