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TP sues coroner in autopsy reports He won't release Memorial records

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By Gwen Filosa
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The Times-Picayune has sued Orleans Parish Coroner Frank Minyard over his refusal to make public the autopsy reports of nine patients who died at an Uptown hospital in the desperate days after Hurricane Katrina.

The nine patients died at Memorial Medical Center, and their deaths prompted Louisiana Attorney General Charles Foti to launch a criminal investigation against one surgeon and two nurses who stayed to work at the hospital during the hurricane.

Foti's investigation, however, failed to produce any criminal charges. An Orleans Parish grand jury refused to indict Dr. Anna Pou on July 24, despite prosecutors' attempts to charge her with murder. Nurses Cheri Landry and Lori Budo testified before the grand jury after prosecutors gave them immunity.

Times-Picayune reporter Laura Maggi requested the nine autopsy reports two days after the grand jury chose not to indict Pou, citing the Louisiana public records law. But Minyard has repeatedly said, through his attorney, that he will not produce any of the autopsy reports because he believes they are still the subject of an ongoing criminal investigation and therefore exempt from the Public Records Act.

"Minyard's failure to provide for inspection and copying of all of the requested information constitutes a violation" of the state public records act, wrote attorney Lori Mince in the lawsuit, filed Wednesday in Orleans Parish Civil District Court.

The Times-Picayune's position is that the criminal investigation into Memorial patient deaths is over, lifting any legal seal that Minyard can place on the autopsy reports.

"Both the district attorney and attorney general have stated several times that the criminal investigation in this matter has been concluded," Mince wrote to Minyard's attorney, William Bradley, in a letter dated Sept. 24.

"There is still a fear that criminal prosecutions could reasonably be undertaken" in the nine patient deaths, Bradley wrote in reply.

The case has been allotted to Civil Court Chief Judge Nadine Ramsey.

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