Anaesthetic Record and Regulatory Findings Evidence Schedule

Educational sample 493 | Kisii

Educational reconstruction from a reported Kenyan decision. Newly drafted wording, not an original court filing or a matter handled by our team. Specimen identities are bracketed. Adapt to genuine facts, current law, jurisdiction and court directions before signing, swearing or filing.

Reconstructed formal document

REPUBLIC OF KENYA

IN THE CHIEF MAGISTRATES COURT AT KISII

CIVIL SUIT NO [reference]

[CLAIMANT] v [RESPONDENT]

EVIDENCE OR COMPUTATION SCHEDULE

1. Index the genuine admission, antenatal, consent, operation and anaesthetic records by date, author, custodian and bundle page. Mark each item admitted, awaiting authentication or missing, rather than reproducing a fictional clinical chart.

2. For each recorded monitoring interval identify the chart entry, parameter, author and source. Any gap is described as a gap in the record; whether monitoring occurred and its clinical consequence require the proper witness and qualified explanation.

3. Index the postmortem report and testimony, distinguishing the stated cardiac-arrest finding from the disputed reversal explanation. Record the anaesthesia type from the genuine operation documents, with contrary evidence fairly disclosed.

4. Index the regulatory inquiry letter and underlying findings by the actual misconduct issues. Identify its maker and admissibility route; do not label it a civil liability decree or imply it determines all causal questions.

5. For each special expense record the precise pleaded head, actual receipt, payer, amount and admissibility. Funeral, transport, catering, mortuary and grant expenses must not be counted twice or expanded beyond the pleaded and proved claim.

6. Record the representative grant, limitation leave, trial decree and later stay or advocate-change rulings separately. The schedule supplies evidence organisation, not an expert opinion, entitlement to unpleaded dependency damages or authority to enforce a stayed decree.

DATED at [place] on [date]. Signed [party or advocate]. DRAWN AND FILED BY [name and address for service]. TO BE SERVED UPON [each affected person and address].

Use and evidence notes

This is an evidential or accounting aid, not an originating process or independent proof. Give dates, authors or custodians, admissibility status, actual document pages and transparent calculations. Label missing and disputed items. Obtain the applicable leave or directions for supplementary evidence, serve it and prevent duplicate credits or recovery.

Supporting material: [date]; [author or custodian]; [description]; [bundle page]; [authenticating witness]; [admission or permission]. Attach genuine records only. This public specimen contains no exhibits, signatures, personal identifiers or sworn declaration.

Source and procedural limits

An estate representative challenged dismissal of a claim arising from death during caesarean surgery. The regulatory inquiry, operation notes, anaesthetic chart and conflicting medical explanations were examined. The High Court rejected the reversal-of-spinal-anaesthesia explanation but found negligent management of vital signs and hospital responsibility.

The 2022 appeal awarded KES 2,000,000 pleaded general damages for professional negligence and KES 157,000 special damages, with appeal costs and the stated interest dates. Unpleaded Law Reform and Fatal Accidents heads and unrelated legal fees were not awarded. Later rulings granted stay pending Court of Appeal proceedings, required proper post-judgment advocate-change procedure, and in September 2025 rejected the requested review of stay while permitting advocate change.

A regulatory misconduct finding is distinct from civil negligence and causation. This case does not establish that any surgical death or licensing defect automatically proves causation. Historical trial leave on limitation was case-specific. The 2022 merits result is not presented as presently executable or finally resolved in the Court of Appeal; later orders are linked.

[2022] KEHC 2296 (KLR); also reported [2022] eKLR - 10 February 2022. Source decision: https://new.kenyalaw.org/akn/ke/judgment/kehc/2022/2296/eng@2022-02-10

Reproduced primary text checked: https://sheriahub.com/cases/ke/caselaw/dennis-isoe-moruri-suing-for-and-behalf-of-the-estate-of-truphena-abisa-moruri-v-nyangena-hospital-another-2022-eklr

The original decision may identify participants. The specimen brackets identifying details. A source judgment does not prove this reconstruction was filed, an allegation succeeded, a later order remains unchanged or the same result will follow in another case.