

The Mississippi Jury Verdict Reporter

The Most Current and Complete Summary of Mississippi Jury Verdicts

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Statewide Jury Verdict Coverage

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Medical Malpractice - The plaintiff presented to the ER with back pain that radiated to her lower leg – the ER doctor (defendant) did a spinal CT that was clear and diagnosed the plaintiff with sciatica – a few days later the plaintiff was back at the ER with a thrombotic event in her lower leg that led to an above-the-knee amputation – in this lawsuit the plaintiff alleged that at the first ER visit the defendant failed to consider an ischemic crisis and that with prompt intervention the plaintiff’s limb could have been saved

Roland v. Walker, 23-14

Plaintiff: Edwin L. Bean, Jr., McComb and Gary L. Honea and Nelson Estess, *Honea Law Firm*, McComb

Defense: Whitman B. Johnson, III, *Currie Johnson & Myers*, Flowood
Verdict: Defense verdict on liability
Court: **Pike**

Judge: David H. Strong
Date: 5-8-26

Gwendolyn Roland, then age 73, reported to the ER at Southwest Regional Medical Center in McComb on 3-7-21. She was seen by an ER physician, Dr. Robert Walker. She was complaining of back pain that radiated to her right leg. He found equal pulses, warmth and color in both legs. He then ordered a CT scan without contrast of her spine. It did not reveal any lumbar abnormality beyond degenerative disc disease. There was no vascular abnormality either by exam or history. Walker diagnosed sciatica (for which there

was a history) and discharged Roland.

Roland would later come to believe that Walker had made a diagnosis error. What had he missed? She had a blood clot in her lower extremity.

Roland was back to the ER three days later at Southwest Regional. Her lower right leg was now mottled and cold. A CT angiogram revealed occluded vessels in her right groin and leg. She underwent an emergency thrombectomy surgery. Although her leg initially regained good pulse and color, within a few days, there was no viable pulse in her lower leg. It was subsequently amputated above the knee.

Roland sued White and alleged malpractice by him in failing to consider a vascular source for her complaints. Factually, the plaintiff and her family members recalled her leg was cool and pale at the initial ER visit and Walker failed to appreciate this.

On the medicine, her ER expert, Dr. Gayle Galan, Akron, OH claimed that whatever the leg looked like at the ER, blood work, an EKG and a CT angiogram were required. Her vascular surgery expert, Dr. Ali Khoobehi, Mandeville, LA, didn’t think that Walker had “seriously considered” an ischemic compromise and Khoobehi believed that with prompt vascular imaging and resulting intervention, the limb could have been salvaged.

Walker denied fault. The doctor testified that he considered a possible vascular source but ruled it

Historical Mississippi Verdict

Railroad Negligence - A brakeman was crushed to death between two rail cars in a switching accident – he was represented by John Grisham still practicing but after his *The Firm* and *The Pelican Brief* fame who tried this as his last civil case – the jury awarded the man’s estate \$683,500 at a January 1996 trial in Brookhaven

King v. Illinois Central,

Plaintiff: John Grisham, Oxford, Bobby Moak, Bogue Chitto and Danny Cupit, Jackson

Defense: Charles Ozier, Jackson

Verdict: \$683,500 for plaintiff

Court: **Lincoln**

Date: January 24, 1996

John King, age 45, was working as a brakeman for the Illinois Central Railroad on January 8, 1991 at a railyard in Bogue Chitto, MS. He was attaching a loose rail car that was loaded with lumbar. It rolled into King and he was pinned between rail cars. King suffered severe trauma and died that day during surgery.

His estate sued Illinois Central and alleged negligence by his co-workers in managing the switching operations. This was a relatively ordinary FELA case except for one element. The lawyer for the plaintiff was John Grisham. This was 1996 and he’d published *The Firm* and *The Pelican Brief*. He was no longer an anonymous trial lawyer in Hernando, MS. His composite picture can still be seen in the courthouse outside the Circuit Clerk’s Office.

Grisham was now famous. The trial itself was a spectacle as fans of his books came to watch him in action. This was his first jury trial in

John Grisham wins ‘best verdict ever’

Brookhaven jury awards King’s widow more than \$600,000

From Staff, Wire Reports

John Grisham, who won what is expected to be his last case as a trial lawyer, said he is returning to book writing because “in fiction you never lose.”

The author of “The Firm” and “The Pelican Brief” convinced a jury Wednesday that Illinois Central Railroad was responsible for the death of brakeman John Wayne King, who was crushed between two rail cars.

The jury deliberated two hours before awarding King’s widow, Barbara, \$683,500.

“There were some surprised people when Grisham won and some very happy people,” said Brookhaven *Daily Leader* Managing Editor Bill Jacobs. “The betting after closing arguments was that the railroad would win since Grisham ended weakly and the defense ended strongly.”

Jacobs said facts showed the

“I might wake up 10 years from now and get tired of writing books and decide to start suing people again,” he said.

Grisham said he will not accept any money for his work. “I would love for Ms. King to get every dime of it. I couldn’t accept a fee.”

King’s family sued Illinois Central, claiming the railroad’s negligence led to his death on Jan. 8, 1991. The family had sought about \$5 million.



King, 45, Grisham was trying to reattach a loose rail car to the rest of the train when the car, loaded with timber, rolled and pinned him between two cars. He died of shock and blood loss after surgery.

Defense attorney Charles Ozier of Jackson said he didn’t know if an appeal would be filed.

A 1996 report on the King v. Illinois Central trial

seven years.

Ozier for the railroad had called the defense railroad crew seasoned and experienced. He wondered why in the modern era no one wanted to accept responsibility for their actions anymore. This was a simple accident.

How did it go? The jury found for the estate and awarded damages of \$683,500. Grisham, in what is pretty unusual in a civil case, conducted a press conference at the courthouse in

Brookhaven following the trial. He indicated he wouldn’t accept a “dime” from his clients for this case, and that the trial had delayed work on his forthcoming novel, *The Runaway Jury*. Grisham was complimentary of his co-counsel, calling the trio a “Legal Dream Team.” He was also described as gracious in signing autographs and posing for pictures with fans who had come to the trial.

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Louisville, Kentucky 40241
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