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Children banned from mother's nursing home over social media posts, suit claims

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By KELLY HOLLERAN

The children of a woman living in a Sugar Land nursing home claim they have been banned from the facility because of postings on social media.

Mackey Glen Peterson, Don Leslie Peterson and Lonny Peterson filed a lawsuit July 29 in the U.S. District Court for the Southern District of Texas Houston Division against Silverado Senior Living, doing business as Silverado Senior Living–Sugar Land, and Tana McMillon.

In their complaint, the Petersons allege their visitation rights to Silverado Senior Living had been revoked based on the “posting of exploitive and invasive materials which also violate the privacy rights of other Silverado residents.”

The plaintiffs would have been allowed to visit their mother if they agreed to immediately remove all pictures, videos, blogs, comments, articles or postings depicting their mother or other residents of the facility, according to the complaint.

However, the plaintiffs contend the nursing home's decision to revoke their visitation rights was arbitrary and unreasonable. They say they have not published anything that could be considered invasive or exploitive.

The plaintiffs further allege the actions of Silverado revoking access and prohibiting association with their mother by themselves and their spouses was retaliatory and oppressive, based on the content of communication and publication relating to matters of general public concern, the complaint says.

Lonny Peterson claims he attempted to visit his mother July 27, but was told to leave the premises. That same day, Don Peterson and his spouse also attempted to see their mother at the home, but were stopped at the door and warned, saying they would be arrested if they did not immediately leave the premises, according to the complaint.

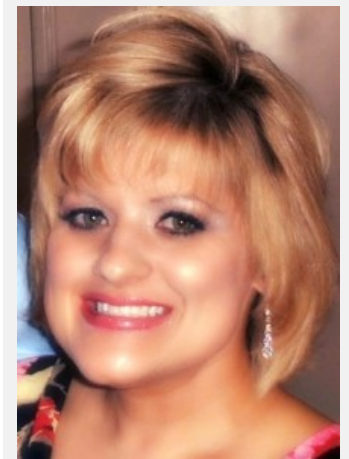
The plaintiffs say they currently have no way to see their mother – they are prohibited from visiting the nursing home and cannot remove their mother from the facility because it is locked.

Because of the nursing home's actions, the plaintiffs suffered physical and mental harm, including mental, emotional and physical distress and anxiety, the suit states. They also suffered physical discomfort, loss of sleep, crying, pain and suffering, the complaint says.

The plaintiffs say the defendants retaliated against them and failed to provide access to reasonable and necessary visitation, violating their constitutional rights.

The plaintiffs seek nominal and actual damages of more than \$100,000, but less than \$500,000, plus exemplary or punitive damages, pre- and post-judgment interest, costs, attorneys' fees and other relief the court deems just.

They are being represented by attorneys Candice Leonard Schwager of The Schwager Law Firm in Houston and Philip M. Ross of San Antonio.



Schwager

This is a report on a civil lawsuit filed at the U.S. District Court for the Southern District of Texas Houston Division. The details in this report come from an original complaint filed by a plaintiff. Please note that a complaint represents an accusation by a private individual, not the government. It is not an indication of guilt, and it represents only one side of the story.

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Sherry Johnston · 5 days ago

I had the same thing happen with me at Silverado Kingwood. During this time mother had her leg broke and forced drugged with the Exelone patch which nearly killed her . David Dexel was her guardian and then later his creepy associate Ginger Lott became her guardian just to drain mom 's money and punish the family THESE FOLKS SHOULD BE PUNISHED TO DEATH FOR ABUSING THE ELDERLY AND THE FAMILY. CHECK OUT STOPGURDIANABUSE/WILLIEJO MILLS SILVERADO SUCKS.COM AND LETRUBYGO.COM

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