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IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ALABAMA

PRISONER COMPLAINT [FOR INMATE ACTION] UNDER 42 U.S.C. § 1983

Brandon Washington

Name under which you were convicted

283165

Your prison number

CIVIL ACTION NO. 17-CV-95-KD-B (To be supplied by Clerk of Court)

vs.

Jefferson Dunn, et al.,

Name of Defendant(s)

Holman Unit 3700 Atmore, Al. 36503-3700

Place of Confinement and Address

INSTRUCTIONS - READ CAREFULLY

A. Complaint Form. You must file your original complaint and a copy for each named Defendant. Your complaint must be clearly handwritten or typewritten. Do not use the back of a page. Your complaint must be signed by you; no notary is required. Any false statement of material fact may serve as the basis for prosecution for perjury.

B. Proper Court. Your complaint can only be brought in this Court if a defendant is located in the Southern District of Alabama and the rest of the defendants are located in Alabama or if your claim arose in this district. The Southern District of Alabama is comprised of the following counties: Baldwin, Clarke, Choctaw, Conecuh, Dallas, Escambia, Hale, Marengo, Mobile, Monroe, Perry, Washington, and Wilcox.

C. Separate Case. It is necessary to file a separate complaint form for each claim unless the claims are related to the same incident or issue.

D. Defendants. The persons who are listed as defendants in section III of the complaint are deemed by the Court to be the only defendants to this action. A defendant's present address must be provided. The Court is unable to serve process without the present address being furnished. The first defendant listed in section III should be the defendant that you list in the style of your case on your complaint form and motion to proceed without prepayment of fees and costs, if applicable, and any other pleading filed with the Court.

D. Defendants. The persons who are listed as defendants in section III of the complaint are deemed by the Court to be the only defendants to this action. A defendant's present address must be provided. The Court is unable to serve process without the present address being furnished. The first defendant listed in section III should be the defendant that you list in the style of your case on your complaint form and motion to proceed without prepayment of fees and costs, if applicable, and any other pleading filed with the Court.

E. Pleading the Complaint. Your complaint should not contain legal arguments, case law or statutory citations. You are required to provide facts. Your complaint shall be a short and plain statement of your claim and shall provide fair notice to each defendant of the claim against that defendant and of the factual grounds upon which the claim rests.

F. Fees. This complaint cannot be properly filed unless it is accompanied by the current filing fee or a motion to proceed without prepayment of fees and costs if you are unable to afford the filing fee and other costs associated with prosecuting this action.

If you are unable to pay the filing fee and service costs for this action, you may ask the Court to let you proceed without prepayment of fees and costs. A blank motion for this purpose is included.

If you wish to proceed without prepayment of fees and costs, you must complete and mail to the Clerk of the Court a copy of the "Motion to Proceed Without Prepayment of Fees and Costs" mailed to you with this complaint. This motion will be returned to you without action unless you have an authorized officer at the jail or prison complete the financial statement mailed to you with this form.

Even if the Court authorizes you to proceed without prepayment of filing fees, you are obligated to pay the full current filing fee. If you have the ability to pay a partial filing fee when your complaint is filed, you will be required to pay an amount based on your assets, of up to the greater of 20 percent of your average monthly balance in your prison account or your average monthly balance for six months immediately preceding the filing of your complaint. Thereafter, your prison account will be garnished at the rate of 20 percent of your monthly income until the filing fee is paid.

G. Form of Pleadings. All pleadings and other papers filed must be on 8½ x 11" paper, legibly handwritten or typewritten. Every document filed after the complaint must have the style of the

A. Have you filed any other lawsuits in state or federal court dealing with the same or similar facts involved in this action:

Yes () No (X)

B. Have you filed other lawsuits in state or federal court relating to your imprisonment:

Yes () No (X)

C. If your answer to questions A or B above is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using this same outline.)

1. Parties to this previous lawsuit:

Plaintiffs: N/A

Defendants: _____

2. Court (if federal court, name the district; if state court, name the county): _____

3. Docket Number: _____

4. Were you granted the opportunity to proceed without payment of filing fees?

Yes () No ()

5. Name of judge to whom the case was assigned: _____

6. If your case is no longer pending and has been dismissed, state the reason given by the Court as to why your case was dismissed, i.e., frivolous, malicious, failed to state a claim, defendants were immune, etc.

N/A

7. Approximate date of filing lawsuit: N/A

8. Approximate date of ruling by court: N/A

II. YOUR PRESENT COMPLAINT.

A. Place or institution where action complained of occurred: Holman Corr. Facility

B. Date it occurred: November 9, 2016

C. Is there a prisoner grievance procedure in this institution? NO

D. Did you present the facts relating to your complaint in the state prisoner grievance procedure?
Yes () No ()

E. If your answer is YES:

1. What steps did you take? N/A

2. What was the result? _____

F. If your answer is NO, explain why not: No Grievance

G. Your claim (briefly explain your claim: what, when, where, who; do not cite cases; you may, without leave of Court, add up to five (5) additional pages if necessary):

See Attachment

ATTACHMENT TO MY 42 USC §1983 CIVIL ACTION

G. YOUR CLAIM.

On November 7, 2016, members of the Alabama Department of Corrections C.E.R.T., Correctional Officer Scarborough and other Correctional Officers assigned to Holman Correctional Facility entered Bravo Unit (B-Dorm) to conduct the institutional count, at this time Holman Correctional Facility was in a serious crisis due to the overcrowding conditions of the entire Alabama Department of Corrections and the lack of Correctional Officers to protect and control the inmates, which resulting in the inmate (s) putting up makeshift tents to gain some space from the inmate he shares the 5'x6' living area with.

Once inside Bravo Unit and instructed the inmates to remove the makeshift tents they had around their beds while the inmates was removing the tents, one of the C.E.R.T. Members aggressively broke a stick from off an inmate bed Quandarian Falkner, as he was removing the tent from around his assigned bed, the C.E.R.T. Member action in aggressively breaking the stick resulted in a reaction from the C.E.R.T. Members, Correctional Officers present and the Inmates, after a brief stillness, the count was conducted and the C.E.R.T. TEAM Members and Count Team exited the dorm.

Approximately two days later on November 9, 2016, at approximately 6:30 a.m. over 50 members of the Alabama Department of Corrections C.E.R.T. TEAM, entered Bravo Unit armed with their Riot Gear (Helmets with face Shields, Neck Collar, Body Vest, Shields, Arms and Legs Gear), and Shotguns, Knives, Mace and Sticks, while at least One-Hundred (100) of the One-Hundred and Fourteen (114), inmates assigned to Bravo Unit was sound asleep, and immediately Assaulted the inmates like they were Animals, without provocation, because the majority of the inmates were Harmlessly asleep, after about 35 to 45 minutes of assaulting the inmates, the C.E.R.T. TEAM Members¹ placed Plastic Restraining Tyes on the inmates to lay face down on their beds while other C.E.R.T. TEAM members was parading up and down Bravo Unit still assaulting and Harrassing the inmates and making statements belittling the inmates and making fun of those that had Gang Affiliation, statements like: "Where the GD's, Crips and Bloods at now", "Aryan Brotherhood & Nations where yall at", on "C.E.R.T. We will beat your Ass", "Yall Bitches and Fuck Niggers stood up the other day Standup now...On C.E.R.T. we will beat your Ass", "Yall old Mutha Fuuckers in this Dorm yall better move to D & E Dorms, because when we come back, We going to beat some more of yall Ass Too".

1. Because the Alabama Department of Corrections C.E.R.T. TEAM Members, that entered Bravo Unit that Morning had their full full Riot Gear on, with no name tags and faces partially concealed, making it impossible to identify them at that time.

" Yall Stabbed Warden Davenport and Killed Officer Bettis, pull something out now on C.E.R.T. we will beat your Ass". After the Assaults some of the inmates that were Assaulted unmercifully were taken to the infirmary, however, a lot of the injured inmates were refused a body chart and treatment by the nurses on duty, and was instructed to sign up for sick call, causing the inmates not to receive a body chart and treatment until days after the assault.

ATTACHMENT OF MY CLAIM SET OUT IN THE FACTS BELOW:

On the morning of November 9th, 2016. I was laying in bed asleep. I was awoken by loud noises and screaming. When I raised from my bed, All I saw were C.E.R.T officers running into the dorm with Shields, masks over their face, Guns and sticks in their hand banging against the concrete screaming "It's Cert Mother fuckers, Lay on your stomach!!" I slept on bed 35 in B-dorm in the back of the dorm on what is considered the "Low Side". Since I slept in the back I had about maybe 10 seconds (if that) to address the situation. For those 10 seconds I watched members viciously hit and beat inmates with sticks screaming "Lay on your stomach!!" These inmates were already in their bed sleeping or just laying there as the Cert members attacked them. As the C E RT members made their way closer to me, I begin to turn over on my stomach, in the hopes that I don't get hit or beat. I turned my head away from the board on my bed, so I could face the main aisle and continue to see what's going. Unfortunately, that was a mistake because I was hit with the Butt end of a

Stick anyway and told to cross my legs, turn my head and put my hands behind my back. I writhe in pain ^{from} the blow that hit me directly in the middle of my back on my spine. I complied with every instruction and I could feel plastic restraints being placed upon my wrist. As I listened to others scream and holler I heaved a sigh of relief that I was only hit one time in the back. The screams of the inmates began to recede as the CERT members had placed the entire dorm in plastic restraints atop their bed. Then CERT began to call out names of inmates, supposedly looking for certain individuals. As they called out names and bed numbers, the screams of pain began to arise again, out of curiosity I slowly lifted my head to see groups of CERT members crowded around multiple beds beating inmates with sticks. The CERT members weren't ~~and~~ wildly swingin the sticks, It's like they were trying to push the butt end of the sticks into the sides, backs, legs (anywhere soft) being careful to ~~and~~ avoid the heads of the inmates. It's like they had done this before and knew what to do. Just then I heard my name called and I quickly laid my head back down. They called my name multiple times but I didn't answer for fear of getting beat. That's when I heard a CERT member say "Here he is, I found Washington!" I turned my head away from the board because I knew the pain was about to come and I wanted to at least see when they ~~and~~ hit me with the sticks, in an attempt to brace myself for the ensuing pain. That's when a CERT member screamed "Turn around motherfucker", and then it happened. The sticks began to crash and slam into my body. Pain erupted from my ribs, spine, legs and arms. It took every ounce of strength in me not to pass out and the blows to my ribs knocked so much air outta my lungs that I couldn't scream if I wanted to. I began to squirm on my bed and writhe in pain as the blows finally stopped. I laid there tryin to catch my breath but it was so hard that I began to gasp and hyper-ventilate. There was an orange ~~and~~ cooler sitting atop my locker box filled with Ice cold water. One of the CERT team members by the name of Pancheco saw me gasping for air and decided to take the orange cooler and dump the Ice cold water on me. I remembered the officers name only because he was

Continue on Back →

the ~~officer~~ officer that had broken the stick of the makeshift ~~tools~~ tools days earlier. My body was ~~hot~~ ^{hot} and in pain and his attempt to make me suffer more, actually brought a welcomed relief to my body. I felt numb but somehow refreshed from the ice cold water. I began to catch my breath but continued to act as if I was hyper-ventilating ~~with~~ with hopes that the cert~~ain~~ members would think I was too badly injured already to be beat again. That idea didn't work. Just then I was surprised with another blow right beneath my armpit that made me forget all the other pain in my body and made me bite my tongue. I was snatched up off my bed, stood up and hit again in my spine and told to walk forward towards the front. As I began to walk towards the front I saw that every inmate was subdued on their beds, Arms tied behind their backs and legs crossed. There were a few empty beds but I quickly saw where those inmates were. Multiple inmates were laying on the floor in the bathroom. Arms tied, and their bodies thrown across each other. I watched as grown men cried and writhe in pain... Anger began to fill me and I did everything I could to fight back the tears. Suddenly I was kicked in the back and fell forward only to fall on top of the other inmates. I laid there trying to find a comfortable position atop the bodies only to be kicked in the mouth by a CERT member and told ~~to be~~ ^{to be} still. I felt humiliated but it wasn't over. ~~then~~ I watched and listened as the officers walked around and screamed out insults like "fuck niggers" and "I wish I ~~could~~ could piss on you mother fuckers". To add insult to injury an officer placed his boot on the side of my face and began to step on to my head. It didn't hurt because my head was resting on another inmate's leg but all I could think of was slavery. The officer continued to stand on my face and head, walking back and forth as if I was the concrete itself. Then ~~he~~ he stopped and we were all told to stand up. As I looked around I saw about ~~20~~ 20 inmates, spirits broken, everybody in pain. I couldn't take it anymore and I began to speak. "Do you feel better!?" I screamed to the officers. "What have you accomplished" I screamed. "I did 6 years on Death Row, you will never break me!!" Tears began to run down my face as I continue to scream out

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"You will never Break me!!" "Death Row didn't Break me, and you want either I am a strong educated Black man!!" I expected to be Beat with sticks but I wasn't. I was only told to shut up and when I didn't I ~~was~~ was only isolated away from the rest of the inmates and placed in the corner. Then one by one we were taken to the infirmary where the nurse looked at my face asked for my name and sent me back. One of the older guys on the CERT Team knew me and told me to go back to my bed because he said I was never a problem. My hands still in restraints I walked to my bed and sat down I was there for about 30 seconds when an officer by the name of Nathan McQuinter came to me slapped me and took me back up front. I know his name because he is also a regular officer at Holman. Minutes later myself and about 20 other inmates were herded together and taken to solitary confinement. When I got to my cell, I was able to get a hold of a cell phone and took pictures to all the burns and bruises on my body and sent them to my family and friends, who in turn sent them to my lawyers. For 2 months I dealt with extreme pain primarily in my ribs which made every breath excruciating!! ~~no~~ No medical treatment was given nor did a nurse do a body chart prior to me coming back here. Even now I deal with occasional rib and back pain that I've never had before. I've also ~~been~~ I was given a disciplinary but was found not guilty but yet and still never released from solitary

Nathan McQuinter is the tallest Black man on the Cert at Holman and easily identifiable
 Alfie Pacheco is the shortest non-Black

III. PARTIES.

A. Plaintiff (Your name/AIS): Brandon Washington / 283165

Your present address: 3700 Holman Correctional, Atmore, AL 36503

B. Defendant(s): **SEE ATTACHMENT**

1. Defendant (full name) _____ is employed as _____ at _____.

His/her present address is _____.

(a) Claim against this defendant: _____

(b) Supporting facts (Include date/location of incident):

See Attachment

2. Defendant (full name) **See Attachment** is employed as _____

at _____.

His/her present address is _____.

(a) Claim against this defendant: _____

(b) Supporting facts (Include date/location of incident):

3. Defendant (full name) _____ is employed as _____

at _____.

His/her present address is _____.

(a) Claim against this defendant: See Attachment

(b) Supporting facts (Include date/location of incident):
See Attachment

C. Additional Defendants: (If there are additional defendants, you may list them on separate pages using the same outline above). See Attachment

IV. A. You must answer the following questions:

1. State the conviction(s) for which you are presently incarcerated: Capital murder

2. When were you convicted? January 13th 2006

3. What is the term of your sentence? LWOP

4. When did you start serving this sentence? ~~March 2012~~ March 2012, I was previously on Death Row

5. Do you have any other convictions which form the basis of a future sentence?
Yes () No ()

If so, complete the following:

(a) Date of conviction: _____

(b) Term of sentence: _____

6. What is your expected end of sentence (E.O.S.) date? N/A

B. If this present lawsuit concerns your criminal conviction or sentence, state whether your conviction has been:

	Conviction	Sentence
Reversed	yes() no()	yes() no()
Expunged	yes() no()	yes() no()
Invalidated	yes() no()	yes() no()

Writ of habeas corpus granted yes() no() yes() no()

C. If you answered yes to any of the questions, state the Court or entity that relieved you from your conviction or sentence and the date: N/A

V. State briefly exactly what you want the Court to do for you if you win (make no legal argument, cite no cases or statutes):

\$200,000 against each liable Defendants; Compensatory, Punitive, Declaratory and Injunctive Relief; Trial by Jury; State Law Claims of Assault \$ Battery; Slander; Harrassment and such other Relief as the Law and this Court Deem Just.

VI. AFFIRMATION. By my signature below, I swear or affirm under penalty of perjury that the facts set out in this complaint are true and correct.

2-9-17
Date

Brandon Washington
(Signature of Plaintiff Under Penalty of Perjury)

3700 Holman Correctional Facility
Current Mailing Address

Atmore, AL 36503

N/A
Telephone Number

PLAINTIFF SHALL IMMEDIATELY ADVISE THE COURT IN WRITING OF ANY CHANGE IN HIS ADDRESS. E.G., RELEASED, TRANSFERRED, MOVED, ETC. FAILURE TO NOTIFY THE COURT OF A NEW ADDRESS WILL RESULT IN THE DISMISSAL OF THIS ACTION FOR FAILURE TO PROSECUTE AND TO OBEY THE COURT'S ORDER.

ATTACHMENTS TO 42 U.S.C. § 1983 COMPLAINT

III. PARTIES.

B. DEFENDANTS

1. Jefferson Dunn is employed as Commissioner of the Alabama Department of Corrections. Dunn address is 301 South Ripley Street Montgomery, Alabama 36130.

Dunn is responsible overseeing the operation of each of the facility within the Alabama Department of Corrections, including Holman and is responsible for the writing, implimentation and enforcements of the regulations, Policies and Customs of the Alabama Department of Corrections.

CLAIMS AGAINST DUNN.

- I. ASSAULT & BATTERY
- II. EXCESSIVE FORCE
- III. Implimentation of the procedures used.
- IV. Failure To Protect

SUPPORTING FACTS:

Plaintiff re-alleges the facts of his claims as set out in Section II. G. of this Complaint, and adopts and incorporates herein. Attachment to Complaint)

2. Grant Culliver is employed as Associate Commissioner of the Alabama Department of Corrections. Culliver address is 301 Ripley St. Montgomery Alabama 36130.

Culliver is Commander and Chief of the C.E.R.T. Team, and is responsible for over seeing and Operation of Holman Prison and ensuring that the Employees and inmates are protected and provided Medical Care.

CLAIMS AGAINST CULLIVER

- I. Assault & Battery
- II. Excessive Force
- III. Implimentation of the Procedure Used
- IV. Failure To Protect

SUPPORTING FACTS

Plaintiff re-alleges the facts of his claims as set out in Section II. G. of the Complaint, and adopts and incorporates herein. (See Attachment to Complaint G. YOUR CLAIM)

3. Cynthia Stewart is employed as Warden III. at Holman Correctional Facility. Stewart address is Holman Unit 3700 Atmore, Al. 36503-3700.

Stewart is responsible for the day to day operation of Holman Correctional Facility and is responsible for the safety and protection of the inmates and ensuring that the inmates receive Medical Care.

CLAIMS AGAINST STEWART

- I. Assault & Battery
- II. Excessive Force
- III. Failure to Protect/Intervene
- IV. Denial of Medical Care

Supporting Facts:

Plaintiff re-alleges the facts of his claims as set out in Section II. G. of the Complaint, and adopts and incorporates herein. (See Attachment to Complaint G. YOUR CLAIM.)

4. Terry Raybon is employed as Warden II. at Holman Correctional Facility. Raybon address is Holman Unit 3700 Atmore, Al. 36503-3700.

Raybon is responsible for the Security of Holman Prison and ensuring that the Laws, Regulation & Policies are followed and that the inmates are protected and provided Medical Care.

CLAIMS AGAINST RAYBON

- I. Assault & Battery
- II. Excessive Force
- III. Failure To Protect/Intervene
- IV. Denial Of Medical Care

Supporting Facts:

Plaintiff re-alleges the facts of his claims as set out in Section II. G. of the Complaint, and adopts and incorporates herein. (See Attachment to Complaint G. YOUR CLAIM.)

5. C. Mitchell is employed as Warden I. at Holman Correctional Facility. Mitchell address is Holman Unit 3700 Atmore, Al. 36503-3700.

Mitchell is responsible for the Security of Holman Prison and ensuring that the Laws, Regulations & Policies are followed and that the inmates are protected and provided Medical Care.

CLAIMS AGAINST MITCHELL

- I. Assault & Battery
- II. Excessive Force
- III. Failure to Protect/Intervene
- IV. Denial of Medical Care

6. Darryl Failsure is employed as Captain of the Holman Prison. Failsure address is Holman Unit 3700 Atmore, Al. 36503-3700.

Captain Failsure is responsible for the Security of the Prison and ensuring that the Laws, Policies and Procedures are being followed, and ensuring that the inmates are protected and provided Medical Care.

CLAIMS AGAINST CAPTAIN FAILSURE:

- I. Assault & Battery
- II. Excessive Force
- III. Failure to Protect/Intervene
- IV. Denial of Medical Care

Supporting Facts:

Plaintiff re-alleges the facts of his claim as set out in Section II. G. of the Complaint, and adopts and incorporates herein. (See Attachment to Complaint G. YOUR CLAIM.)

7. Ashley Kidd is employed as Lieutenant at Holman Correctional Facility. Kidd address is Holman Unit 3700 Atmore Al. 36503-3700.

Kidd is responsible for supervising and ensuring that the Laws, Regulations & Policies are followed and that the inmates are protected and provided Medical Care.

CLAIMS AGAINST KIDD:

- I. Assault & Battery
- II. Excessive Force
- III. Failure to Protect/Intervene
- IV. Denial of Medical Care

Supporting Facts:

Plaintiff re-alleges the facts of his claim as set out in Section II. G. of the Complaint, and adopts and incorporates herein. (See Attachment to Complaint G. YOUR CLAIM.)

8. Officer Scarborough is employed as a Correctional Officer at Holman Correctional Facility. Scarborough address is 3700 Holman Unit, Atmore, Al.36503-3700.

Scarboruogh is responsible for the Sercurity of the Prison and to Protect the inmates from assualts, and ensure Medical Care.

CLAIMS AGAINST SCARBOROUGH

I. Assault & Battery

II. Failure to Protect/Intervene

III. Excessive Force

Supporting Facts:

Plaintiff re-alleges the facts of his claim as set out in Section II. G. of the Complaint and adopts and incorporates herein. (See Attachment to Complaint G. YOUR CLAIM.)

9. Officer Timothy Vignolo is employed as a Correctional Officer at Holman Prison. Vignolo address is 3700 Holman Unit, Atmore, Al.36503-3700.

Timothy Vignolo is responsible for the Sercurity of the prison and to protect the inmates from assualts and ensure Medical Care. Vignolo was assigned to Bravo Unit at the time of the Incident.

CLAIMS AGAINST VIGNOLO

I. Assault & Battery

II. Failure to Protect/Intervene

III. Excessive Force

IV. Denial of Medical Care

Supporting Facts;

Plaintiff re-alleges the facts of his claims as set out in Section II. G. of the Complaint and adopts and incorporates herein. (See Attachment to Complaint G. YOUR CLAIM.)

10. Cubicle Officer assigned to Cubicle 1. at 6:30am on November 9, 2016., is employed by Alabama Department of Corrections, as Correctional Officer, ²This defendant address is Holman 3700 Atmore Alabama 36503-3700.

CLAIMS AGAINST THIS DEFENDANT:

I. Assault & Battery

II. Excessive Force

III. Failure to Protect/Intervene

IV. Denial of Medical Care

Supporting Facts:

Plaintiff re-alleges the facts of his claim as set out in Section II. G. of the Complaint, and adopts and incorporates herein. (See Attachment of Complaint G. YOUR CLAIM.)

11. Nurse N. Walls is employed as Nurse at Holman Prison Infirmary and is responsible for providing Medical Services to the inmates at Holman by Corizon and Alabama Department of Corrections. Walls address is Holman 3700 Atmore Alabama 36503-3700.

12. Nurse Langford is employed as a nurse at Holman Prison Infirmary and is responsible for providing Medical Services to the inmates at Holman Prison by Corizon and Alabama Department of Corrections. Langford address is Holman Unit 3700 Atmore Alabama 36503.

13. Nurse 1, 2, 3, 4, is employed as nurses and/or Dental or Medical Assistants who were employed by Alabama Department of Corrections, to provide Medical Care to inmates at Holman Prison, and were so employed on November 9, 2016, and were present in the Infirmary during the hours of 6:30am thru 6:30pm, and refuse to provide a body chart and Medical Care to the inmates assaulted.

²Plaintiff preserve the right to Amend his Complaint upon discovery of this Specific Defendant Identity.

³This defendants address is Holman Unit 3700 Atmore Alabama 36503-3700.

CLAIMS AGAINST DEFENDANTS 11, 12, 13,.

I. Denial of Medical Care

II. Inadequate Treatment

Supporting Facts:

Plaintiff re-alleges the facts of his calims as set out in Section II. G. of this Complaint and adopts and incorporates herein. (See Attachment to Complaint G. YOUR CLAIM.)

14. All Alabama Department of Corrections Emergency Response Team (C.E.R.T.) Members, that entered Holman Correctional Facility on November 9, 2016, including those present on cite at the time of Assaults, between the hours of 5:30am---3:00pm, The CERT members includes but not limited to, McQuirter, Fountain, Bullard, Smith, J. Pryor, J. Staniford, S. Terry, *Pacheco*, D.Whitley, D. Dennis, J. Griffin, B. Walker, Duren, W. Streeter, Arthur, J. Baldwin, Lewis, Fleeton, Harrison, Robinson, Snelson, Brown, Edmund, Parker, J. Wilson, Knight, Mixon...⁴

The CERT Members are employed by the Alabama Department of Corrections at various Correctional Facilities around the State. Their principal address is 301 South Ripley Street Montgomery, Al. 36130.

³ The names of these defendants will be amended to the Complaint because the Plaintiff was denied access to Infirmary and/or n no Medical Care; Inadequate Care; and Treatment, these defendants, for Plaintiff to be specific as to his claims, will Amend such upon Discovery of Defendants names.

⁴ As previously mentioned because the CERT Members concealed their Identity during the Assaults, Plaintiff request leave to Amend Complaint upon Discovery.

The CERT Members, though they hold different positions and rankings as Correctional Officials, on November 9, 2016, they were responsible for the safety and protection of the inmates at Holman Prison and to ensure receipt of Medical Care.

CLAIMS AGAINST CERT MEMBERS

- I. Assault & Battery
- II. Excessive Force
- III. Failure to Protect/Intervene
- IV. Denial of Medical Care

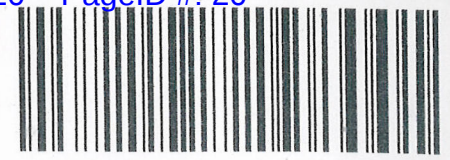
Supporting Facts:

Plaintiff re-alleges the facts of his claims as set out in Section II. G. of this Complaint and adopts and incorporates herein. (See Attachment to Complaint G. YOUR CLAIM.)

Brandon Washington
3700 Holman
Atmore, AL 36503

Ais# 283165
Cell n-10

CERTIFIED MAIL™



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US
FIR
071
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Office of the Clerk
U.S. District Court
113 St. Joseph St.
Mobile, AL 36602.