

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

KOTY WILLIAMS,)	
)	
Plaintiff)	
)	
v.)	CASE NO.
AKEEM EDMONDS;)	
CORDARO MELTON;)	
ROBERT E. RUTLEDGE;)	
HENRY TABB;)	
UNIDENTIFIED CORRECTIONAL)	
OFFICERS 1-5,)	
WEXFORD HEALTH, and)	
OCTAVIA INGRAM,)	
)	
Defendants.)	

COMPLAINT

Koty Williams complains of defendants, stating as follows:

Nature of the Action

1. This is a civil action brought by Koty Williams against various ADOC correctional officers who brutally beat Williams in violation of Williams' constitutional right, guaranteed by the Eighth Amendment, not to be subjected to excessive force.

Jurisdiction and Venue

2. This action arises under the Eighth and Fourteenth Amendments to the United States Constitution, 42 U.S.C. § 1983. The Court has jurisdiction of this

matter pursuant to 28 U.S.C. §§ 1331 and 1343(a)(3).

3. This judicial district is an appropriate venue under 28 U.S.C. § 1391(b)(2) because a substantial part of the events giving rise to the suit happened in this judicial district.

Parties

4. Koty Williams is of legal age and a citizen and resident of the state of Alabama.

5. Defendant Akeem Edmonds was a correctional officer working at Bibb County Correctional Facility in Brent, Alabama at all relevant times.

6. Defendant Cordaro Melton was a correctional officer working at Bibb County Correctional Facility in Brent, Alabama at all relevant times.

7. Defendant Robert E. Rutledge was a correctional officer working at Bibb County Correctional Facility in Brent, Alabama at all relevant times.

8. Defendant Henry Tabb was a correctional officer working at Bibb County Correctional Facility in Brent, Alabama at all relevant times.

9. Unidentified correctional officers 1-5 were correctional officers working at Bibb County Correctional Facility in Brent, Alabama at all relevant times who participated in the beating of Williams or had an opportunity to intervene to protect Williams.

10. Defendant Wexford Health Services, Inc. is a health services provider that has contracted with the Alabama Department of Corrections to provide health care services at Alabama prisons.

11. Defendant Octavia Ingram was a nurse practitioner working for Wexford at Bibb County Correctional Facility at all relevant times.

12. Ingram served as the medical director at the facility.

13. As the medical director, she had

14. All individual defendants are sued in their individual capacities only.

Facts

15. On or about November 27, 2018, Williams was an inmate at Bibb County Correctional Facility.

16. On this date, at approximately 9:30 a.m., the individual correctional officer defendants conducted a shakedown of Williams' dorm, E1.

17. Defendants claimed to have found contraband on or near Williams' bunk.

18. At the time, Williams was on the other side of the dorm watching TV.

19. Any contraband found was placed on or near Williams's bunk by another inmate.

20. Williams was called over to his bunk.

21. Defendant Edmonds, apparently upset that Williams had not responded quickly enough to his name being called, accused Williams of intentionally not responding when his name was called. (Williams did not intentionally refuse to respond.)

22. Williams was searched and then sent to the bathroom for a strip search.

23. No contraband was found.

24. After Williams returned from being strip searched, defendant Edmonds took Williams out of the dorm, out into the hall, and then into the barbershop.

25. Inside the barbershop, defendants Edmonds, Melton, Rutledge, Tabb, and unidentified correctional officers proceeded to beat Williams and/or failed to intervene to protect Williams from being beaten.

26. The beating began with a punch to Williams's face by Edmonds.

27. Numerous slaps, hits, kicks, and punches were delivered by the officers.

28. Edmonds eventually picked Williams up over his head and slammed Williams down on a bench in the room, breaking Williams' hip.

29. Williams was unable to stand.

30. The officers left Williams in the barbershop where he was found roughly 15 minutes later by other officers.

31. Williams was taken by wheelchair to medical where he was seen by defendant Ingram.

32. Williams, who was screaming and crying from the pain, could not walk or even stand, and had an obvious serious fracture that was in need of immediate medical attention.

33. Williams informed Ingram that he had been brutally beaten by Edmonds.

34. Ingram failed and refused to send Williams to the hospital or to otherwise treat him.

35. After forcing Williams to stand in excruciating pain for an x-ray, Ingram just sent Williams back to the dorm.

36. Ingram did not send Williams to the hospital for approximately 36 hours.

37. Even a layperson would have recognized Williams had a serious fracture and needed to be immediately sent to the hospital.

38. The individual defendants acted with malice and/or with reckless indifference to Williams' constitutional rights.

Count I - 42 U.S.C. § 1983 - Excessive Force

39. On or about November 27, 2018, the individual correctional officer defendants and unidentified correctional officers, acting under color of law within the meaning of 42 U.S.C. § 1983, assaulted and battered Williams without justification. These individual defendants did thereby deprive Williams of his rights under the Eighth Amendment to the Constitution of the United States in violation of

42 U.S.C. § 1983. Specifically, they violated Williams' right to be free from excessive force.

40. As a result of the conduct of defendants, Williams was caused to suffer physical and emotional injuries and damages and to incur unnecessary medical expenses.

**Count II - 42 U.S.C. § 1983 -
Deliberate Indifference to Serious Medical Needs**

41. Defendant Ingram, acting under color of state law within the meaning prescribed by 42 U.S.C. § 1983, was deliberately indifferent to Williams' serious medical needs as described above. Defendant Ingram, despite knowledge of a serious medical need, took no action or clearly inadequate action and did thereby deprive Williams of his rights under the Eighth Amendment to the Constitution of the United States in violation of 42 U.S.C. § 1983.

42. As a result of the conduct of defendant, Williams was caused to suffer physical and emotional injuries and damages.

Count II - Negligence / Wantonness

43. The individual Wexford defendants owed a duty to Williams to meet the standard of care applicable to inmates and breached that standard of care negligently and/or wantonly as stated above.

44. Because the individual defendants were acting within the scope of their

employment, defendant Wexford is liable for their negligence and/or wantonness.

45. As a result of the conduct of defendants, Williams was caused to suffer physical and emotional injuries and damages and to incur unnecessary medical expenses.

Other Matters

46. All conditions precedent to the bringing of this suit have occurred.

Relief Sought

47. As relief, Williams seeks the following:

- a. That Williams be awarded such compensatory damages as a jury shall determine from the evidence Williams is entitled to recover;
- b. That Williams be awarded against the individual defendants such punitive damages as a jury shall determine from the evidence Williams is entitled to recover;
- c. That Williams be awarded prejudgment and postjudgment interest at the highest rates allowed by law;
- d. That Williams be awarded the costs of this action, reasonable attorney's fees, and reasonable expert witness fees;
- e. That Williams be awarded appropriate declaratory and injunctive relief; and
- f. That Williams be awarded such other and further relief to which Williams is justly entitled.

Dated April 14, 2020.

Respectfully submitted,

s/ Henry F. (Hank) Sherrod III
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Jury Demand

Plaintiff requests a trial by jury.

s/ Henry F. (Hank) Sherrod III
Henry F. (Hank) Sherrod III