

Pro Se 14 (Rev. 09/16) Complaint for Violation of Civil Rights (Prisoner)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA

2018 NOV 16 A 10:50

U.S. DISTRICT COURT
N.D. OF ALABAMAAdrian Del'Arbis Dunning

Plaintiff

(Write your full name. No more than one plaintiff may be named in a complaint.)

CORR. OFFICERS

-v-

2:18-cv-01895-LCB-SGC

B. Gadsden, T. McElmore, Officer Gaines,
K. Speaks, Troy Hart, B. Mitchell and
C. Sanders

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all of the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here. Your complaint may be brought in this court only if one or more of the named defendants is located within this district.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee of \$400.00 or an Application to Proceed *In Forma Pauperis*.

Mail the original complaint and the filing fee of \$400.00 or an Application to Proceed *In Forma Pauperis* to the Clerk of the United States District Court for the Northern District of Alabama, Room 140, Hugo L. Black U.S. Courthouse, 1729 5th Avenue North, Birmingham, Alabama 35203-2195.

I. The Parties to this Complaint**A. The Plaintiff**

Provide the information below for the plaintiff named in the complaint.

Name Arthian De'Arbis Dunning
 All other names by which you have been known: L.A.K.A. "Toot"
 ID Number 227362
 Current Institution W.E. Donaldson Corr. Fac
 Address 100 Warrior Lane
Bessemer AL 35023
City State Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name B. Gadsden
 Job or Title (*if known*) Correctional officer - 1
 Shield Number unknown
 Employer Ala. Dept. of Corrections
 Address 301 S. Ripley St.
Montgomery AL 36130
City State Zip Code

☒ Individual Capacity ☐ Official Capacity

Defendant No. 2

Name T. McClemore
 Job or Title (*if known*) Correctional officer - 1
 Shield Number unknown
 Employer Ala. Dept. of Corrections
 Address 301 Ripley St.
Montgomery AL 36130
City State Zip Code

☒ Individual Capacity ☐ Official Capacity

Defendant No. 3

Name Gaines
 Job or Title (if known) Correctional officer - 1
 Shield Number unknown
 Employer Ala. Dept. of Corrections
 Address 301s Ripley St.
Montgomery AL 36130
City State Zip Code
☒ Individual Capacity ☐ Official Capacity

Defendant No. 4

Name K. Speaks
 Job or Title (if known) Correctional officer - 1
 Shield Number unknown
 Employer Ala. Dept. of Corrections
 Address 301s. Ripley St.
Montgomery AL 36130
City State Zip Code
☒ Individual Capacity ☐ Official Capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal law]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☐ Federal officials (a *Bivens* claim)
☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities, secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

8th Amendment - Cruel & Unusual Punishment
14th Amendment - Due Process & Equal Protect of Law

- C. Plaintiffs suing under *Bivens* may only recover for violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

NIA

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Correctional Officers (All Defendants) used unwarranted and excessive force on me causing serious physical injury.

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (*check all that apply*):

- ☐ Pretrial Detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☒ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other _____
(*explain*)

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

NIA

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

Occurred on July 5, 2018 in X3Y unit at W.E. Donaldson prison...

C. What date and approximate time did the events giving rise to your claim(s) occur?

July 5, 2018 @ 10:45 a.m. - Assault
Oct. 24, 2018 - Segregated

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

See Attache "Statement of Facts"

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries in detail.

See "Statement of Facts"

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I want each defendant to compensate me
\$ 30,000.00 dollars each.

I want this money to come out of their personal savings - and not out of the Dept. of Corrections "slush fund."

Alabama Tax Payers should not have to foot this bill... Officers are blatant in violating the Law b/c they know the State has a slush fund to cover expenses. Since they are sued in their "individual capacity" and can't be sued in their official capacity for money -- any judgements entered against them for monetary damages should be levied against their personal property and earnings...

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

W.E. Donaldson Corr. Facility - Bessemer, Ala.

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☐ Yes

☒ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☐ Yes

☒ No

☐ Do not know

If yes, which claim(s)?

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☐ Yes

☒ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No

E. If you did file a grievance:

1. Where did you file the grievance?

NIA

2. What did you claim in your grievance?

NIA

3. What was the result, if any?

NIA

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

Ala. Dept. of Corrections has no
Grievance Procedure

Former Grievance Procedure
was dismantled over 20-years ago...

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

ADOC has no Grievance Procedure

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

NIA

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

NIA

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had any cases dismissed based on grounds that it was frivolous, malicious, or failed to state a claim upon which relief may be granted?

☐ Yes

☒ No

If yes, state which court dismissed your case(s), when this occurred, and attach a copy of the order(s) if possible.

NIA

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

☐ Yes

☒ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s)

Defendant(s)

2. Court (if federal court, name the district; if state court, name the county and State)

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☒ No

If no, give the approximate date of disposition.

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Printed Name of Plaintiff

Adrian De'Aris Dunning

Prison Identification #

227362

Prison Address

100 Warrior LaneBessemer

City

Ala

State

35023

Zip Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

(Date)

Adrian De'Aris Dunning
Signature of Plaintiff

STATEMENT OF FACTS

IN SUPPORT OF 1983 CIVIL ACTION

ADRIAN DUNNING V. ALA. CORR.'L OFFICERS,

ON OR ABOUT JULY 5, 2018, @ APPROX.' 10:45 a.m. OFFICERS:

R. GADSDEN, T. MCCLEMORE, "GAINES", K. SPEAKS, TROY HART, C. SANDERS, & B. MITCHELL----- ALL ASSAULTED ME WIHTOUT JUST CAUSE OR PROVOCATION...

ALL OFFICERS WORK AT WILLIAM E. DONALDSON CORRECTIONAL FACILITY
IN THE CAPACITY OF CORRECTIONS OFFICER-#1...(THEY ALL HAVE THE SAME
RANK)...

THE INCIDENT BEGAN AT 10: 45 a.m., ON JULY 5, 2018. OFFICERS:
GADSDEN, MCCLEMORE, GAINES & SPEAKS ROLLED MY DOOR TO MY CELL: "Y-12",
AS IF THEY WEWREWERE ABOUT TO TAKE ME TO THE MENTAL HEALTH COUNSELOR
WHICH IS LOCATED IN ANOTHER UNIT.. ONE OF THEM SPRAYE DME WITH A
CHEMICAL AGENT ("RED SABRE") AND BEGAN TO BRUTALLY BEAT ME WITH
THEIR FEET, FIST AND BATONS. THEY DRAGGED ME OUT OF MY CELL INTO
[THE DAYROOM FLOOR AREA AND CONTINUED BEATING ME. ONE OF THEM
RADIOED IN FOR ASSISTANCE "A CODE RED"..... WHILE I WAS BEING
BEATEN I HEARD ONE OF THEM SAY: "DRAG THAT BITCH BACK INTO THE CELL"". .
BUT, AS THEY WERE DRAGGING ME I LATCHED ONTO TO BACK DOOR TO THE
UNIT---TO THE SECURITY GRILL-GATE BARS,---WHILE THEY CONTINUED TO
DBEAT ME... THEN I NOTICED OFFICERS: HART, MITCHELL & SANDERS
PARTICIPATING IN THE BEATING. SOMEHOW I CAUGHT A "SECOND WIND" AND
STRENGTH OUT OF NOWHERE; I WAS ABLE TO GET UP ON MY FEET AND RUN
UPSTAIRS ON THE TOP TIER...SEVERAL OFFICERS FOLLOWED ME. I CLIMBED
OVER THE RAIL ATTEMPTING TO DROP BACK DOWNSTAIRS BUT OFFICER MCCLEMORE

HIT ME ON ONE OF MY HANDS WITH HIS BATON, CAUSING ME TO FALL TO THE FLOOR BELOW WHICH IS WELL OVER 12-FEET. I TRIED TO RUN AFTER DROPPING TO THE FLOOR BELOW---BUT BY THIS TIME SEVERAL OF THE DEFENDANTS HAD ME SURROUNDED AND BEGAN TO BEAT ME AGAIN... THERE COULD HAVE BEEN MORE DEFENDANTS THAN JUST THE 7 OFFICERS NAMED IN THIS SUIT BUT I CAN ONLY REMEMBER THESE SEVEN WHICH WERE/ARE NAMED IN MY SUIT... COI. OFFICER S. STEAD IS ABOUT 6'5½ TALL AND ABOUT 295 pounds OF MUSCLE. BY FAR HE IS THE BIGGEST OFFICER IN THIS FACILITY. HE IS OVER A 15-YEAR VET OF THE DEPT. OF CORRECTIONS AND MOST OF THIS TIME HAS BEEN SERVED RIGHT HERE AT WILLIAM E. DONALDSON. HE IS WELL KNOWN AND RESPECTED BY OFFICERS AND INMATES. OFFICER STEAD RAN TOWARDS THE CROWD OF OFFICERS, YELLING AND SCREAMING AND DEMANDED THAT THEY STOP!!! HE SAVED MY LIFE AND IF IT WAS'NT FOR HIM I WOULD BE DEAD! I SUFFERED SEVERAL INJURIES IN THIS INCIDENT.: MY ARMS, LEG, ANKLE & NOSE WERE ALL BROKEN. ONE OF MY ARMS WAS BROKEN IN 3 PLACES AND MY LEG IN TWO DIFFERENT PLACES... MY HEAD WAS BUSTED IN 4-5 DIFFERENT SPOTS; i.e., MY FOREHEAD, EYEBROW AREA (RIGHT EYEBROW). I WAS RUSHED TO UAB HOSPITAL BY AMBULANCE. THE NURSING PERSONNELLE AT DONALDSON DID DO A BODY CHART ON ME AND THEY TOOK PICTURES AND DID AN X-RAY ON ME. ONCE I WAS ADMITTED INTO UAB HOSPITAL I WAS PLACED IN THE INTENSIVE CARE UNIT. I UNDERWENT SEVERAL "M.R.I.'s", Cat Scans" AND HAD TO BE PLACED IN A MEDICALLY INDUCED COMA IN ORDER FOR DOCTORS TO DO SURGERY ON MY ARM, HAND AND LEG. A STEEL PLATE WAS PUT IN MY HAND AND WHEN I WOKE UP I HAD A CAST ON BOTH MY ARMS, MY LEGS AND I WAS HOOKED UP TO A BREATHING MACHINE AND ALL TYPES OF I.V.'s... I REMAINED LIKE THIS FROM JULY-5th until JULY-10th, 2018.

I WAS RELEASED FROM UAB HOSPITAL ON JULY 10, 2018 AND SENT BACK TO THE PRISON, WITH THE PROMISES THAT I WOULD RECEIVE "THERAPY" FROM THE A.D.O.C... ONCE I ACTUALLY ARRIVED BACK TO THE PRISON I WAS NOT GIVEN ANY PHYSICAL THERAPY. I WAS PLACED IN THE INFIRMARY UNIT: Z-5 UNDER "ASW/MHO--WHICH IS WHERE I STAYED UNTIL: JULY 22, 2018: AT WHICH TIME I WAS RELEASED.

... ..

I WAS GIVEN A WHEEL CHAIR TO MOVE AROUND WITH. I WAS PLACED ON "PINK SLIP" TREATMENT SO THAT I COULD HAVE MY STITCHES & WOUNDS CLEANED AND FRESH-WRAPPED, EVERY FOUR DAYS. HOWEVER, I WAS GIVEN "DAILY" BLOOD PRESSURE CHECKS. I WAS ALSO GIVEN MY MENTAL HEALTH MEDICATIONS. * I AM MENTAL HEALTH/DISABLED, INCARCERATED CITIZEN *. ON JULY 22, 2018, AT AROUND 10 p.m. I WAS MOVED TO R,S,T,U, MENATL HEALTH SEGREGATION UNIT AND PLACED IN CELL: "R-3". INSIDE THE CELL I TAUGHT MYSELF HOW TO WALK AGAIN, BUT I STILL COULD NOT STAND FOR LONG PERIODS OF TIME... ON SEPT. 6th or 8th (?) 2018,---I WAS RELEASED BACK INTO GENERAL POPULATION BY MENTAL HEALTH COUNSELOR "MISS. BOYD" & "CAPTAIN CALDWELL". I WAS PLACED IN A & B UNIT... CELL: B-45.... ON OCTOBER 24, 2018, I WAS SUMMONED TO THE INFIRMARY AND I HAD A BODY CHART CONDUCTED/PREPARED ON ME. SGT. EDMUNDS PLACED HANDCUFFS ON ME AFTER MY BODY CHART WAS COMPLETE AND ESCORTED ME TO SEG. UNIT: J-block, Cell:6... ON 11-7-2018 I WAS MOVED TO ANOTHER SEG. UNIT: E-block, Cell:3... THIS IS WHERE I AM NOW. I HAVE NOT BEEN TOLD AS OF YET WHY I HAVE BEEN PLACED [BACK] IN SEG., BUT I AM PRETTY SURE IT HAS SOMETHING TO DO WITH MY BEING ASSAULTED AND HAVING MY FAMILY CALL TO ADOC HEADQUARTERS COMPLAINING... I HAVE SEVERAL INMATES WILLING TO TESTIFY ON MY BEHALF AS TO WHAT OCCURRED ON JULY 5, 2018:----

INMATES: EDWARD KNIGHT #253623, Michael Baker#3259123, DEVON BROWN# 275487,
CAMERON FORD #308631, & TERRELL PENICK #212410.....

ALSO INMATES: EDWIN BRAZIL #207096, & LEANDRE DUNKLIN #248686

THERE ARE AT LEAST FOUR OTHER INMATE/WITNESSES BUT I DO NOT KNOW THEIR
REAL NAMES RIGHT NOW; ALL I KNOW IS THEIR NICKNAMES. I WILL SUBMIT
THOSE CORRECT NAMES ONCE I GET THEM.....

I HEARD A RUMOR THAT OFFICER MCCLEMORE PRESSING THE ISSUE ABOUT ME
BEING PLACED IN SEG. BUT I DO NOT NKNOW THAT TO BE THE TRUTH. I
DO KNOW HOWEVER, THAT I DID NOT DESERVE THIS AT ALL.

ALSO I WANT TO ADD THAT OFFICER TROY HART HAS HAD TWO NOTEWORTHY CIVIL
ACTIONS FILED AGAINST IN THIS COURTS' JURISDICTION; BOTH WITHIN LESS
THAN 5 YEARS. IN ONE CASE: WILLIE THIGPEN V. ... CHRISTIAN HILL & TROY HART
INMATE THIGPEN ALLEGED THAT HE WAS SEDUCED INTO A SEXUAL RELATIONSHIP
BY OFFICER HILL AND THAT OFFICER HART WAS IN CAHOOTS WITH THIS.
THIGPEN SUBMITTED SEMEN TO THE A.DO.C.'S INVESTIGATION & INSPECTION
DIVISION WHO SUBMITTED IT TO FORENSICS FOR TESTING. DNA TESTING
MATCHED THAT OF OFFICER HILL AND HE WAS TERMINATED FROM HIS
EMPLOYMENT. IN LESS THAN A YEAR AFTER THIS, OFFICER HART WAS NAMED
IN A SEPERATE INCIDENT WHERE HE ALLEGEDLY ENTERED THIGPENS CELL UNDER
PRETENSE OF SEARCHING THE CELL FOR A CELULAR PHONE, BUT WHEN FORCING
THIGPEN TO SUBMIT TO A STRIP SEARCH--HE PENETRATED THIGPENS' BUTTOCKS
WITH HIS FINGERS...IT SHOULD BE NOTED THAT THIGPEN WAS NEVER WRITTEN
A DISCIPLINE REPRIMAND FOR ANY CELL PHONES, AND THIS INCIDENT OCCURRED
AT NIGHT TIME, AFTER "LIGHTS-OUT/LOCKDOWN"; THE SAME PATTERNED TIME-
PERIOD THAT THE PREVIOUS INCIDENT OCCURRED INVOLVING OFFICER HILL...

IN YET ANOTHER INCIDENT, OFFICER HART WAS SUED BY INMATE ANTHOINY JONES. IN THIS CASE, OFFICER HART---STILL STAYING TRUE TO HIS PATTERN OF DOING HIS DIRT AFTER LIGHTS-OUT/LOCKDOWN---ENTERED THE CELL OF INMATE JONES ON THE PRETENSE OF A FALSE SHAKEDOWN SEARCH. ONCE JONES COMPLIED WITH ORDERS TO GET OUT OF BED AND RAISE HIS HANDS, HE WAS ASSAULTED BY OFFICER HART AND SEVERAL OTHER OFFICERS WHO ONLY WENT TO JONES' CELL TO ASSIST HIM (HART). HART THREWED AN INMATE MADE KNIFE ON THE FLOOR BESIDES JONES, (PLANTING IT ON HIM), AND USED THIS AS HIS BASIS FOR ASSAULTING JONES AND SEGREGATING HIM IN ISOLATION. HOWEVER, A FELLOW CORRECTIONAL OFFICER EXPOSED THE TRUTH TO A WARDEN THAT HART HAD CONFISCATED THAT KNIFE OFF ANOTHER INMATE EARLIER THAT DAY AND HAD PLACED IT IN AN EVIDNCE/CONTRABAND HOLDING FOOTLOCKER. BUT, THAT HE RETRIEVED IT FROM THE LOCKER BOX JUST BEFORE HE WENT TO JONES' CELL. THE WARDEN, ACTING OFF THIS INFORMATION, DISAPPROVED JONES DISCIPLINARY ACTIONS FOR POSSESSION OF A WEAPON. JONES SOUGHT FEDERAL, 1983 RELIEF IN THIS COURTS' JURISDICTION. COUNSEL WAS APPOINTED TO REPRESENT JONES. IN THE END THE DEPT OF OCRRECTIONS SETTLED OUT OF COURT WITH JONES FOR AN UNDISCLOSED AMOUNT OF MONEY AND TRANSFERRED JONES TO ANOTHER FACILITY. THIS COURT IS ASKED TO TAKE JUDICIAL NOTICE OF ITS' OWN REOCRDS, AND OF THE 201-FILE/EMPLOYEE CONDUCT RECORDS OF ALL OFFICERS NAMED IN THIS COMPLAINT; i.e., OFFICER TROY HART & T. MCLEMORE. 201-FILES FOR OFFICERS ARE MAINTAINED AT THE ALABAMA STATE PERSONNELLE BOARD, IN MONTGOMERY, ALABAMA.

I HEREBY SWEAR AND AFFIRM THAT EVERYTHING IN THIS STATEMENT OF FACTS IN SUPPORT OF MY §1983 ACTION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND ABILITY SO HELP ME GOD. UNDER OATH & PENTLATY OF PERJURY....