

Jones v. Dart, No. 13-cv-2652 (N.D. Ill)

Pro se complaint alleging unconstitutional conditions in Cook County jail

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Apr 9, 2013

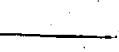
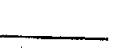
APR 09 2013 *new*THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURTUNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISIONGeorge Jones jr(Enter above the full name
of the plaintiff or plaintiffs in
this action)

13 C 2651

vs.

Judge John W. Darrah
Magistrate Judge Young B. KimThomas j. Dart
John Doe#1, John Doe#2,
John Doe#3, John Doe#4,
John Doe#5, John Doe#6
John Doe#7(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983.
U.S. Code (state, county, or municipal defendants)COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

I. Plaintiff(s):

- A. Name: George Jones Jr
- B. List all aliases: Lil George
- C. Prisoner identification number: P-56224
- D. Place of present confinement: Pontiac Correctional Center
- E. Address: 700 W Lincoln St Pontiac, Ill, 61764

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

A. Defendant: Thomas J. Dart

Title: Sheriff of Cook County

Place of Employment: Cook County Sheriff Department

B. Defendant: John Doe #1

Title: Cook County Deputy Sheriff Officer

Place of Employment: Cook County Department of Corrections

C. Defendant: John Doe #2

Title: Cook County Deputy Sheriff Officer

Place of Employment: Cook County Department of Corrections

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

Title: Cook County Deputy Sheriff Officer

Place of employment: Cook County Dept of Corrections

E. Defendant: John Doe#4

Title: Cook County Deputy Sheriff Officer

Place of employment: Cook County Dept of Corrections

F. Defendant: John Doe#5

Title: Cook County Deputy Sheriff Officer

Place of employment: Cook County Dept of Corrections

G. Defendant: John Doe#6

Title: Cook County Deputy Sheriff Officer

Place of employment: Cook County Dept of Corrections

H. Defendant: John Doe#7

Title: Cook County Deputy Sheriff Officer

Place of employment: Cook County Dept of Corrections

All Solid Defendants except Thomas J. Doft one
Deputy Sheriff's at Cook County Department of
Corrections and is to maintain a secure environment
at The Solid Facility. Thomas J. Doft is The Sheriff
of Cook County and is responsible for the conduct of
his employee's so once there is an issue of this
magnitude it is his duty to have it investigated.

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

A. Name of case and docket number: None

B. Approximate date of filing lawsuit: None

C. List all plaintiffs (if you had co-plaintiffs), including any aliases: None

D. List all defendants: None

E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): None

F. Name of judge to whom case was assigned: None

G. Basic claim made: None

H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): None

I. Approximate date of disposition: None

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

- ① ON AUGUST, 31st, 2011 I was Transported From Stateville Correctional Center on a Court Writ to appear Before a Judge at Cook County Jail.
- ② While Being escorted to court by Illinois Department of Corrections Officer's I had an incident with one of my escorting officer's, in the midst of this alteration (4) Cook County Deputy Sheriff's Rode at me and Tackled me to the ground.
- ③ At the time of this attack I was hand cuffed and had on leg shackles, I began to cry out for help because my head had slammed into the concrete.
- ④ When I began to cry out for help John Doe #1 started to his co-workers that "This Bitch Just spit in my Face".
- ⑤ Upon hearing this John Doe #2 began to kick me in my Face.
- ⑥ After this John Doe #3 grabbed me by my I.D.O.C. jump suit stood me up and began to choke me from behind.
- ⑦ At this time John Doe #4

Began to punch me in my stomach and yell we got you now. ⑧ After John Doe#3 Let me go From The choke hold John Doe# 1 grabbed my head and started to邦 my head up against The concrete wall. ⑨ After John Doe# 1 began to do This, Illinois Department of Corrections Officer's Told John Doe#1 "That is enough we have to take him to court". ⑩ Upon hearing This John Doe# 2 began to say "Don't worry we will get you, we will catch you". ⑪ Because I was accused of spiting on John Doe# 1 The Lieutenant from The Illinois Department of Corrections made me wear a spit mask to prevent me from spiting on any one. ⑫ upon leaving from my court appearance, I was told by The Lieutenant from I.D.O.C advised me that I will be getting Reminded to Cook County Jail so that I will be finger printed and charged for spiting in The Face of John Doe# 1. ⑬ The same Day I was finger printed and charged with (Agg Battery / peace Officer) ⑭ After going through processing I was admitted to The North 2 mental Health unit, where I had No access to pencils OR Grievances. ⑮ On September 1st 2011 while Being escorted to a

- ⑯ Upon Leaving The First Set OF holding Cell's I was Taken To a Second Set OF holding Cell's where I was Told To wait until an escort officer came and called my name to escort me to court.
- ⑰ While waiting Inside The Second Set of holding Cell's John Doe#5 came To The holding cell where I was present and called my name and advised me to follow
- ⑯ While John Doe#5 was escorting me to court we was walking up what is called The Bridge, There is where I seen John Doe#2 John Doe#2 Stated didn't I tell you That we would catch you.
- ⑯ When me and John Doe#5, and John Doe#2 reached The top of The Bridge I tried to Turn Right to get on The elevator But my path was Blocked By Two more Cook County Deputy Sheriff officer's.
- ⑳ John Doe#2 struck me in The Face I Fall to The ground and started yelling for help, Instead of my escorting Officer who was John Doe#5 stopping The attack he began to participate in The Attack. John Doe#5 began to stamp on The Right Side of my Face and Tell me To Be quiet.
- ㉑ John Doe#6 Started Kicking me in my Back and neck Then he got Down on ONE knee and began punching me in The Face.
- ㉒ John Doe#7 Started Kicking me in my stomach and face Then he began TO stamp on my Legs, After John Doe#7 stopped stamping on my Legs he began to spray mace in my Face and mouth.
- ㉓ My Face and Eye's as well as my Lips and nose was Swollen my nose and Lips and Face was Bleeding During The attack I was hand cuffed, I was taken To a area where Pictures was taken of my injuries I was Then Transported By ambulance to St. Anthony hospital.

- 24 On September 7 2011 after Picture's were Taken of my Injuries I was Transported to St. Anthony hospital and on the same Day I was Transported Back to The Cook County Department of Corrections and upon my arrival I was admitted to The Cermack health care unit, it was reported that St. Anthony hospital mishandled some paper work and No Test was conducted, I was then transported by Ambulance to John Stroger hospital where it was said that I suffered from Blunt Trauma to the head.
- 25 On September 9 2011 I was charged in Case No. #11CR1534201 with false allegations of Spitting on John Doe #2 which he claim justified his actions.
- 26 On September 10 2011 while in Division #9 I filed a Grievance in connection with the excessive use of force on August 31 2011 and September 1 2011.
- 27 On September 16 2011 I was transferred back to the Illinois Department of Corrections, on October 2 2011 I wrote a letter to the Cook County Department of Corrections Grievance Department as to why I never received a response to my Grievance, the Cook County Department of Corrections Grievance Department never responded to my letter had such exhaustion not occurred it simply reflects on the procedure not being available.
- 28 Defendants John Doe #1, John Doe #2, John Doe #3, John Doe #4, John Doe #5, John Doe #6, John Doe #7 have done physical damage to the Plaintiff where as plaintiff suffered from Blunt Trauma to the head.

- 29) Defendant Thomas J. Dart is a Cook County Sheriff and must follow all state, federal, local, and applicable laws and yet here the plaintiff has suffered a violation of his rights to be free from cruel and unusual punishment, and a violation of his right to equal protection, therefore violating and depriving plaintiff of his rights under the Eighth and Fourteenth Amendments of the United States Constitution, therefore neglecting their duties.
- 30) Defendant Thomas J. Dart is the Sheriff of Cook County and is therefore responsible for the conduct of his employee's and once there is an issue of this magnitude it is his duty to have it investigated, because my grievance was never answered and no relief was granted show that Thomas J. Dart has turned a blind eye to this issue and such type conduct of his employee's.
- 31) Defendant John Doe #1 is a Cook County Deputy Sheriff Officer at the Cook County Department of Corrections and is responsible for but not limited to supervising jail conditions and operating the facility and detainee's assigned to his or her division, deck, wing, or detail and is to ensure the health, and safety, and security of detainee's while acting under color of state law.
- 32) Defendant John Doe #2 is a Cook County Deputy Sheriff Officer at the Cook County Department of Corrections and is responsible for but not limited to supervising jail conditions and operations, and detainee's assigned to his or her division, deck, wing or detail and is to ensure the health and safety and security of detainee's while acting under color of state law.

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- ⑬ John Doe#3 is a cook county Deputy Sheriff Officer at The Cook County Department OF Corrections and is Responsible, But not Limited To supervising Jail Conditions and Operations and Detainee's assigned to his or her Division, Deck, wing, Or Detail and is to ensure The health, Safety, and Security of Detainee's while acting Under Color OF State Law.
- ⑭ John Doe#4 is a cook county Deputy Sheriff Officer at The Cook County Department OF Corrections and is Responsible For But Not Limited To supervising Jail Conditions and Operations and Detainee's assigned to his or her Division, Deck, wing, or Detail and is to ensure The health, Safety, and Security OF Detainee's while acting Under Color OF State Law.
- ⑮ John Doe#5 is a cook county Deputy Sheriff Officer at The Cook County Department OF Corrections and is Responsible For But not Limited To supervising Jail Conditions and Operations and Detainee's assigned to his or her Division, Deck, wing, or Detail and is to ensure The safety, health, and Security of Detainee's while acting Under Color OF State Law.
- ⑯ Defendant John Doe#6 is a cook county Deputy Sheriff Officer at The cook County Department OF Corrections and is Responsible For But Not Limited To supervising jail Conditions and operations and Detainee's assigned to his OR her Division, Deck, wing, or Detail and is to ensure The health, Safety, and Security of Detainee's while acting under Color OF State Law.

37) Defendant John Doe #7 is a Cook County Deputy Sheriff Officer at The Cook County Department of Corrections and is responsible for but not limited to supervising jail conditions and operations and Detainee's assigned to his or her Division, Deck, wing, or Detail and is to ensure the health, safety and security of Detainee's while acting under color of State Law.

38) This Beating was a result of Retaliatory Treatment in which I was accused of spitting in a Deputy Sheriff Face at The Cook County Department of Corrections, as well as a wide spread custom adopted by Cook County Deputy Sheriff's at The Cook County Department of Corrections.

39) Plaintiff supports the following claims by reference to the previous paragraphs of this complaint
The excessive use of force and retaliatory treatment by Defendants Thomas J. Dart, John Doe #1, John Doe #2, John Doe #3, John Doe #4, John Doe #5, John Doe #6, John Doe #7 amounted to cruel and unusual punishment at The Cook County Department of Corrections on August 31, 2011 and September 1, 2011 violating and depriving Plaintiff of his rights under the Eighth and Fourteenth Amendment of the United States Constitution.

RELIEF REQUESTED

(State exactly what relief you want from the court.)

plaintiff seeks \$150,000 in compensatory damages individually from each defendant, plaintiff seeks \$80,000 in punitive damages from each defendant individually. plaintiff respectfully pray that this honorable court declare that the acts and omissions described herein violated plaintiff rights under the laws and constitution of the united states. plaintiff ask that this honorable court enter judgment in favor of the plaintiff for compensatory and punitive damages as allowed by law against the defendants in their individual and official capacity.

JURY DEMAND

Yes No

Signed this 15th day of March,
2013.

(Signature of Plaintiff)

Name of Plaintiff:	Inmate Identification Number:
George Jones Jr	R-56224
Address: 700 W Lincoln St Pontiac Illinois, 61764	Telephone Number: