

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
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**THOMAS G BRUTON
CLERK, U.S DISTRICT COURT**

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

George 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. Kim

Thomas 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: R-56224
- D. Place of present confinement: Portiac Correctional Center
- E. Address: 700^W Lincoln St Portiac, IL, 60176

(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.)

D. Defendant: John Doe #3
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 said Defendants except Thomas J. Dart are Deputy Sheriff's at Cook County Department of Corrections and is to maintain a secure environment at the said Facility. Thomas J. Dart is the Sheriff of Cook County and is responsible for the conduct of his employees 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 altercation (4) Cook County Deputy Sheriff's Ran 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 bring 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 spitting on John Doe #1 the Lieutenant from the Illinois Department of Corrections made me wear a spit mask to prevent me from spitting on anyone. ⑫ upon leaving from my court appearance, I was told by the Lieutenant from I.D.C. advised me that I will be getting remanded to Cook County Jail so that I will be finger printed and charged for spitting in the face of John Doe #1. ⑬ The same day I was finger printed and charged with (Clog Batter/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 or

- ⑩ 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.
- ⑪ 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 him.
- ⑫ While John Doe #5 was escorting me to court we were 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.
- ⑬ 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 county deputy sheriff officers.
- ⑭ John Doe #2 struck me in the face I fell 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 stomp on the right side of my face and tell me to be quiet.
- ⑮ 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.
- ⑯ John Doe #7 started kicking me in my stomach and face then he began to stomp on my legs, after John Doe #7 stopped stomping on my legs he began to spray mace in my face and mouth.
- ⑰ My face and eyes 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 Pictor's was 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 Carmack 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 accrued 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.

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29) Defendants acting under color of State Law 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 employees 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 employees.

31) Defendant John Doett #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 detainees assigned to his or her Division, Deck, wing, or Detail and is to ensure the health, and safety, and security of detainees while acting under color of State Law.

32) Defendant John Doett #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 detainees assigned to his or her Division, Deck, wing, or Detail and is to ensure the health and safety and security of detainees while acting under color of State Law.

33) 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 Detainees assigned to his or her Division, Deck, wing, or Detail and is to ensure The Health, safety, and security of Detainees while acting under color of State Law.

34) 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 Detainees assigned to his or her Division, Deck, wing, or Detail and is to ensure The health, safety, and security of Detainees while acting under color of State Law.

35) 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 Detainees assigned to his or her Division, Deck, wing, or Detail and is to ensure The safety, health, and security of Detainees while acting Under color of State Law.

36) 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 Detainees assigned to his or her Division, Deck, wing, or Detail and is to ensure The health, safety, and security of Detainees 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 Detainees assigned to his or her Division, Deck, wing, or Detail and is to ensure The health, safety and security of Detainees while acting under color of State Law.

38) This Beating was a Result of Retalitory 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 Retalitory 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: George Jones Jr	Inmate Identification Number: R-56224
Address: 700 W Lincoln St Pontiac, Illinois, 60176	Telephone Number: