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9 Attorneys for Defendants Gort,
Patterson, Garcia, and Law

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE DISTRICT OF ARIZONA

12 Ryan Wesley Buckman,
13 Plaintiff,
14 v.
15 Joseph Arpaio, et al.,
16 Defendant.

NO. CV 06-1500-PHX-DGC (JJM)
FIRST AMENDED ANSWER

17
18 Defendants Detention Officers Samantha Gort, Michael Patterson, Sgt.
19 Craig Garcia and Lt. Donald Law hereby admit, deny and otherwise respond to
20 the allegations contained in Counts 3-5, 13 and 16-18 of the Complaint as
21 follows:

22 . . .

1 1. Defendants Law, Gort and Patterson deny that they violated any of
2 Plaintiff's constitutional rights as a result of writing a disciplinary report on
3 Plaintiff on or about June 3, 2005 or as a result of the subsequent assignment to
4 disciplinary isolation from then until approximately June 11, 2005.

5 2. Defendants Law, Gort and Patterson deny that they were
6 deliberately indifferent to Plaintiff's serious medical needs during any of the time
7 referenced above.

8 3. Defendant Lt. Donald Law specifically alleges that he has had no
9 involvement in this matter and that Plaintiff has confused him with another
10 person in naming him as defendant here.

11 4. Defendant Garcia denies that he filed a false disciplinary report on
12 Plaintiff on or about January 1, 2006, that such a report was motivated by a
13 desire to retaliate against Plaintiff for his filing numerous grievances, or that he
14 in any way violated Plaintiff's constitutional rights.

15 5. Defendant Garcia denies that he violated Plaintiff's first amendment
16 right to petition for redress of grievances and denies that he retaliated against
17 Plaintiff by using intimidation and the implied threat of excessive force and
18 discipline, or by housing Plaintiff away from his legal help in unduly restrictive
19 conditions in order to stop him from following through on filing grievances and a
20 lawsuit.

21 6. Defendant Garcia denies that he violated Plaintiff's first amendment
22 right to petition for redress of grievances, or that he retaliated against Plaintiff by

1 moving Plaintiff away from his legal help, or by stripping him out, or by restricting
2 his phone access, or by housing Plaintiff for fifty days in isolation conditions that
3 exceeded the normal hardships associated with being incarcerated, and denies
4 that he punished Plaintiff for not dropping grievances or as persuasion to get
5 Plaintiff to drop grievances.

6 7. Defendant Garcia denies that he violated Plaintiff's eight
7 amendment rights or subjected him to cruel and unusual punishment by housing
8 Plaintiff in unduly isolated conditions for fifty days that exceeded the normal
9 hardships associated with being incarcerated causing Plaintiff such emotional
10 distress as to cause Plaintiff to hurt himself and develop a psychological injury.

11 8. These answering Defendants deny each and every allegation of the
12 Complaint not expressly admitted herein.

13 9. These answering Defendants allege that the Complaint fails to state
14 a claim against any of them, that they are protected from suit by the doctrine of
15 absolute or qualified immunity, that Plaintiff has suffered no physical injuries
16 supporting an award of compensatory damages, and hereby preserve each and
17 every affirmative defense set forth in Rule 8(c), Fed. R. Civ. P., that further
18 discovery in this matter may indicate to be relevant.

19 . . .

20 . . .

21 . . .

22 . . .

1 DATED this 19th day of July 2007.

2 ANDREW P. THOMAS
3 MARICOPA COUNTY ATTORNEY

4 BY: s/Steven B. Palmer
5 STEVEN B. PALMER
6 Deputy County Attorney
7 Attorneys for Defendants Gort,
Patterson, Garcia, and Law

8 ORIGINAL of the foregoing E-FILED
9 (LODGED) this 19th day of July, 2007:

10 and copies mailed to:

11 Honorable David G. Campbell
12 United States District Court
13 Sandra Day O'Connor U.S. Courthouse Suite 623
14 401 West Washington Street SPC 58
15 Phoenix, Arizona 85003

16 Honorable Jacqueline Marshall
17 United States District Magistrate Judge
18 Evo DeConcini U.S. Courthouse
19 405 West Congress Street, Suite 6650
20 Tucson, Arizona 85701

21 and COPY to:

22 Ryan Wesley Buckman P073171
FAJ-Phoenix
Fourth Avenue Jail
201 South Fourth Avenue
Phoenix, AZ 85003
Plaintiff Pro Per

s/Michele Haney