

FILED
CLERK, U.S. DISTRICT COURT
AUG 02 2017
CENTRAL DISTRICT OF CALIFORNIA
BY: DTS DEPUTY

Chad Richie
FULL NAME
Same As Above
COMMITTED NAME of defendant
California Men's Colony - West
FULL ADDRESS INCLUDING NAME OF INSTITUTION
P.O. Box 8103
San Luis Obispo, CA 93403-8103
PRISON NUMBER (if applicable)
BC-5675

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CHAD RICHIE,

PLAINTIFF,

v.
JOHN DOE #1 and JOHN DOE #2,

DEFENDANT(S).

CASE NUMBER
CV 17-5597-JAK (KK)
To be supplied by the Clerk
FIRST AMENDED
CIVIL RIGHTS COMPLAINT
PURSUANT TO (Check one)
 42 U.S.C. § 1983
 Bivens v. Six Unknown Agents 403 U.S. 388 (1971)

A. PREVIOUS LAWSUITS

- 1. Have you brought any other lawsuits in a federal court while a prisoner: Yes No
- 2. If your answer to "1." is yes, how many? _____

Describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on an attached piece of paper using the same outline.)

- a. Parties to this previous lawsuit:
 Plaintiff _____

 Defendants _____

- b. Court _____

- c. Docket or case number _____
- d. Name of judge to whom case was assigned _____
- e. Disposition (For example: Was the case dismissed? If so, what was the basis for dismissal? Was it appealed? Is it still pending?) _____
- f. Issues raised: _____

- g. Approximate date of filing lawsuit: _____
- h. Approximate date of disposition _____

B. EXHAUSTION OF ADMINISTRATIVE REMEDIES

1. Is there a grievance procedure available at the institution where the events relating to your current complaint occurred? Yes No.

2. Have you filed a grievance concerning the facts relating to your current complaint? Yes No

If your answer is no, explain why not _____

3. Is the grievance procedure completed? Yes No

If your answer is no, explain why not Plaintiff is illiterate. The grievance was conducted in the L.A. County Jail by video interview and staff complaint

4. Please attach copies of papers related to the grievance procedure.

C. JURISDICTION

This complaint alleges that the civil rights of plaintiff Chad Richie
(print plaintiff's name)

who presently resides at California Men's Colony - P.O. Box 8103 - San Luis Obispo, CA 93403
(mailing address or place of confinement)

were violated by the actions of the defendant(s) named below, which actions were directed against plaintiff at

Los Angeles County Jail
(institution/city where violation occurred)

on (date or dates) August, 2016 (Claim I) (Claim II) (Claim III)

NOTE: You need not name more than one defendant or allege more than one claim. If you are naming more than five (5) defendants, make a copy of this page to provide the information for additional defendants.

1. Defendant John Doe #1 resides or works at
(full name of first defendant)
Los Angeles, CA County Jail
(full address of first defendant)
Deputy Sheriff
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): individual official capacity.

Explain how this defendant was acting under color of law:

Deputy Sheriff "John Doe #1" deliberately and with malice closed a hand operated heavy steel/iron bar door on the plaintiff's back, causing extreme injury to spine.

2. Defendant John Doe #2 resides or works at
(full name of first defendant)
Los Angeles, CA County Jail
(full address of first defendant)
Deputy Sheriff
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): individual official capacity.

Explain how this defendant was acting under color of law:

Deputy Sheriff "John Doe #2" failed to intervene on plaintiff's behalf when John Doe #1 cranked the iron bar door, which caused the injury to plaintiff.

3. Defendant _____ resides or works at
(full name of first defendant)

(full address of first defendant)

(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): individual official capacity.

Explain how this defendant was acting under color of law:

4. Defendant _____ resides or works at
(full name of first defendant)

(full address of first defendant)

(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): individual official capacity.

Explain how this defendant was acting under color of law:

5. Defendant _____ resides or works at
(full name of first defendant)

(full address of first defendant)

(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): individual official capacity.

Explain how this defendant was acting under color of law:

D. CLAIMS*

CLAIM I

The following civil right has been violated:

Defendant John Doe #1 deliberately inflicted Cruel and Unusual Punishment on the plaintiff, in violation of the 8th Amendment to the U.S. Constitution.

Supporting Facts: Include all facts you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be certain you describe, in separately numbered paragraphs, exactly what each DEFENDANT (by name) did to violate your right.

In August of 2016, while in the custody of Los Angeles County Sheriff's Department, the plaintiff was escorted by two deputies from the infirmary to 5000 floor. However, the escort diverted from the Sgt's order and took plaintiff to 2000 floor. The defendant John Doe #1 told plaintiff that they "had to get your stuff." He cranked open the cell and ordered the plaintiff to "get your bag." As plaintiff entered, John Doe #1 quickly cranked the door closed on plaintiff's back, causing him to scream out in pain. John Doe #2 calmly watched the incident, doing nothing. John Doe #1 did not stop cranking the lever until the door could no longer move. After a moment, he released the mechanism, allowing the plaintiff to fall free. From there, he was placed in the "Mat-Room." John Doe #1 asked the plaintiff: "who did it?" The Sgt. arrived before plaintiff could respond and separated them. Plaintiff was taken on a gurney to the infirmary and treated by a doctor, nurse, and a psych. The Plaintiff was interviewed on video, where he described in detail the incident. Plaintiff chose to press charges, then was returned to the psyche. There, medication was prescribed for 1 week for an anxiety attack. Another video interview was conducted to properly document the physical injuries.

**If there is more than one claim, describe the additional claim(s) on another attached piece of paper using the same outline.*

E. REQUEST FOR RELIEF

I believe that I am entitled to the following specific relief:

\$80,000,000 in punitive damages due to physical and mental anguish suffered from the deliberate and malicious actions perpetrated against the plaintiff.

\$80,000,000 in compensatory damages, as the plaintiff will never be able to perform any form of physical labor, and his quality of life will forever be adversely affected.

Protective measures be implemented in the form of increased surveillance cameras in all common areas of the County Jails; heightened and intense training to prevent such sadistic behavior by its employees.

August 2, 2017
(Date)

Chad Richie
(Signature of Plaintiff)

Chad Richie BCS695

I was escorted by two sheriffs, from infirmary to 5000 floor. Instead I was taken to 2000 floor. Upon arrival I inquired as to why I was not being taken to my assigned Housing Unit. One deputy replied "we have to get your stuff." He opened the cell he ~~told~~ ^{told} me, "Mr Ritchie to go get your bag." As I entered the cell that was half way open without warning, clear the door, he (Sheriff) shut the door on my back. The deputy asked me to come back to him, towards the Mat room. After putting me in the mat-room he asked me who did it? The Sgt. arrived before the question was asked ^{separated} and the deputy and I. I was then taken on a gurney to the infirmary where I was seen by a nurse, doctor, and psyche. The Sgt. asked me for an interview, I said yes. At the video interview I described what happened. He asked me if I wanted to press charges? I replied "Yes". After the interview the Sgt. and his deputy escorted me to the psyche ward, where I received psyche meds for an anxiety attack for LWK. I was evaluated by the psyche and escorted to the 5000 floor. Upon arriving at the 5000 floor the Sgt. did another video interview to get images of the injury.

I, Chad Richie is providing you with a supplemental copy to my original complaint filed. In the notice I received from your office on 7/31/17 it indicates that I must submit for scanning an exact copy of my complaint originally filed (mailed) to the court and that it may not be modified. However, my original is already in your possession, thus I no longer have that for scanning. To the best of my ability I am providing you another copy as close to the original in accuracy as possible.

From:
Sent: Monday, July 31, 2017 3:33 PM
To:
Subject: Activity in Case 2:17-cv-05597-JAK-KK Chad Richie v. Officer-Sheriff of L.A. County et al
Notice of Deficiency in Prison Email Pilot Project (CV-12)

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

NOTE TO PUBLIC ACCESS USERS Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Notice of Electronic Filing

The following transaction was entered on 7/31/2017 at 3:33 PM PDT and filed on 7/28/2017

Case Name: Chad Richie v. Officer-Sheriff of L.A. County et al

Case Number: 2:17-cv-05597-JAK-KK

Filer:

Document Number: 4

Docket Text:

Notice of Deficiency. On 7/27/2017, the Court received, through the United States Mail, a complaint arising under 42 U.S.C. 1983. Please be advised that the Court and California Men's Colony (CMC) are participants in a pilot project that requires all such documents to be scanned and submitted to the Court by electronic mail, General Order No. 17-04. Submission of this complaint by U.S. Mail violates the terms of General Order 17-04. To submit a complaint arising under 42 U.S.C. 1983 to the Court for filing, you must present it to designated CMC staff for scanning and emailing to the Court. If you are unable to comply with these procedures, you must submit with your complaint a motion for leave to file your documents by U.S. Mail that demonstrates good cause for your inability to submit your documents to the Court electronically. You must now re-submit your complaint to the Court electronically. You must submit for scanning an exact copy of the complaint you previously mailed to the Court; it cannot be modified in any way. You must include this notice on top of the complaint submitted for scanning. If your complaint is received in the Court's electronic mail box within two weeks from the date of this letter, your complaint will be deemed filed as of the date that appears on the envelope you originally sent via U.S. Mail. (esa)

2:17-cv-05597-JAK-KK Notice has been electronically mailed to:

2:17-cv-05597-JAK-KK Notice has been delivered by First Class U. S. Mail or by other means BY THE FILER to :

Chad Richie
BC5695
California Men's Colony State Prison
W.9E.6U
PO Box 8101
San Luis Obispo, CA 93409-8101

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:LA17CV05597-CV12.pdf

Electronic document Stamp:

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