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CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY \_\_\_\_\_  
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Plaintiff's Name Kenneth I. Edmonton  
Inmate No. CO-109-9  
Address P.O. Box 5003  
Coalinga; California 93210

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

Kenneth I. Edmonton  
(Name of Plaintiff)

1:08-CV-01712-OWW-SMS (PC)

(Case Number)

vs.

COMPLAINT

Theresa Morrissey, Unit Supervisor,  
Daniel Meeks, Program Administrator,  
Pam Ahlin, Executive Director,  
Jose Valencia, Clinical Administrator,

Civil Rights Act, 42 U.S.C. § 1983

**\*AMENDED COMPLAINT\***

(Names of all Defendants)

DPS Wiley, et al.

**I. Previous Lawsuits (list all other previous or pending lawsuits on back of this form):**

A. Have you brought any other lawsuits while a prisoner? Yes  No

B. If your answer to A is yes, how many? 2 or 3

Describe the previous or pending lawsuits in the space below.  
(If more than one, use back of paper to continue outlining all lawsuits.)

(PC) Edmonton v. Morrissey et al

Doc. 9 Att. 1

1. Parties to this previous lawsuit:

Plaintiff Kenneth I. Edmonton

Defendants John Washington

2. Court (if Federal Court, give name of District; if State Court, give name of County)  
Central District

3. Docket Number ? 4. Assigned Judge ?

5. Disposition (For example: Was the case dismissed? Was it appealed? Is it still pending?)  
Pending ?

6. Filing date (approx.) 2004 7. Disposition date (approx.) ?

OVER

**II. Exhaustion of Administrative Remedies**

A. Is there an inmate appeal or administrative remedy process available at your institution?

Yes  No

B. Have you filed an appeal or grievance concerning ALL of the facts contained in this complaint?

Yes  No

If your answer is no, explain why not \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C. Is the process completed?

Yes  If your answer is yes, briefly explain what happened at each level.  
Although I do not have to file a patient's rights complaint  
I did out of respect to correct this issue in house, but  
it was denied.

No  If your answer is no, explain why not.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTICE:**

Pursuant to the Prison Litigation Reform Act of 1995, "[n]o action shall be brought with respect to prison conditions under [42 U.S.C. § 1983], 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." 42 U.S.C. § 1997e(a). If there is an inmate appeal or administrative remedy process available at your institution, you may not file an action under Section 1983, or any other federal law, until you have first completed (exhausted) the process available at your institution. You are required to complete (exhaust) the inmate appeal or administrative remedy process before filing suit, regardless of the relief offered by the process. Booth v. Churner, 532 U.S. 731, 741 (2001); McKinney v. Carey, 311 F.3d 1198, 1999 (9th Cir. 2002). **Even if you are seeking only money damages and the inmate appeal or administrative remedy process does not provide money, you must exhaust the process before filing suit.** Booth, 532 U.S. at 734.

For the court's information I am a civil detainee, not committed and not on parole or any criminal sanctions and am a registered voter with my rights restored, but being held per W&I Code 6600.3§

III. Defendants

(In Item A below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item B for the names, positions and places of employment of any additional defendants.)

- A. Defendant Theresa Morrisey is employed as Unit Supervisor  
unit #10 at Coalinga State Hospital
- B. Additional defendants Daniel Meeks, Program Administrator  
Pam Ahlin, Executive Director  
Jose Valencia, Clinical Administrator  
All defendants are employed at Coalinga State Hospital

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach extra sheets if necessary.)

SEE ATTACHED STATEMENT OF CLAIM  
PAGES 4 & 5

V. Relief.

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

- RETURN OF DVD'S BEING HELD
- DECLARATORY RELIEF
- INJUNCTIVE RELIEF FROM CENSORSHIP
- MONETARY RELIEF OF \$550,000.00 FOR THERESA MORRISEY & DANIEL MEEKS
- MONETARY RELIEF OF \$1,000,000.00 FOR PAM AHLIN & JOSE VALENCIA
- APPOINTMENT OF COUNSEL
- ANY OTHER RELIEF THE COURT DEEMS NECESSARY SUCH AS PUNITIVE DAMAGES

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

Date Jan. 9, 2008

Signature of Plaintiff Kenneth J. Jenson

(revised 6/01/04)

On November 4, 2008, I recieved 20 (twenty) dvd videos from an approved vendor with Coalinga State Hospital and none of them were rated x-rated per a memo of 10/08/08 generated by Jose Valencia. I complied with this memo when ordering the dvd's which were marked UR, NR and R rated. None of these dvd's are considered pornographic by the approved vendor per the memo. I had all of them confiscated by the package room officer DPS Wiley and handed over to the U.S. Theresa Morrisey for approval. She refused to give them to me and said she will not approve them or let me have them. She then called a special team meeting with the program administrator present, Daniel Meeks, who also would not approve them and confiscated them and is now holding them. I received no due process and my 1st amendment rights as well as my 4th amendment rights were violated and are still being violated by them and now the Executive Director Pam Ahlin and Jose Valencia, Clinical Administrator.

I informed them all that I was not on parole, in any treatment programs and that they could not violate my rights and censor me. I also informed them that x-rated magazines are allowed in the institution, yet these are not x-rated. They stated because of the nudity content, I will not get them under any conditions and take us to court if you want. This is the hospitals favorite saying to all of us.

I also learned from a letter I recieved from Pam Ahlin Exec. Dir., that the team had no authority to approve or disapprove the dvd's, yet the Executive Director still sided with the defendants to deny the videos. It also appears that other patients are receiving their dvd's and not being censored and this may be discrimination and/or a violation of my equal protection rights. Also, on December 25, 2008, Daniel Meeks informed me that if I were on the streets, not on parole, I could any of these dvd's as long as they were legal for sale, however, he stated that because I am in here under the SVP statute, I could not have them because of the nudity content, etc. I informed him that this was discrimination by putting me a citizen, in a special class even though I have constitutional rights intact and that because I am being held per W&I Code 6600 for trial, does not diminish my rights nor does W&I Code 6600 state anywhere that any rights are diminished. It appears that this is retaliation for filing another lawsuit with this court and now further retaliation

for filing this one against them.

Jose Valencia was the person who signed the memo of 10/08/08 setting forth the criteria to purchase any dvd's, and I stated, I complied with the memo. However, Jose Valencia is now deny the dvd's also and restricting what can come in, although other people are getting them with their U.S. and/or package room officer's help.

Respectfully Submitted,



Kenneth I. Edmorton, pro se

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