

Make a copy of this page to provide the below information if you are naming more than five (5) defendants

Carson City

2) Defendant Brian Ward, AWP resides at 1721 Snyder Ave. NV 89702,
(full name of first defendant) (address if first defendant)
and is employed as Associate Warden of Programs. This defendant is sued in his/her
(defendant's position and title, if any)
 individual ___ official capacity. (Check one or both). Explain how this defendant was acting

under color of law: defendant ward is employed by the Nevada Dept. of Corrections and is a state employee.

Carson City

3) Defendant David A. Mac, D.E. resides at 1721 Snyder Ave. NV 89702,
(full name of first defendant) (address if first defendant)
and is employed as a medical doctor. This defendant is sued in his/her
(defendant's position and title, if any)
 individual ___ official capacity. (Check one or both). Explain how this defendant was acting

under color of law: defendant Mac, is employed by the Nevada Dept. of Corrections and is a state employee.

4) Defendant N/A resides at _____,
(full name of first defendant) (address if first defendant)
and is employed as _____. This defendant is sued in his/her
(defendant's position and title, if any)
___ individual ___ official capacity. (Check one or both). Explain how this defendant was acting

under color of law: _____

5) Defendant N/A resides at _____,
(full name of first defendant) (address if first defendant)
and is employed as _____. This defendant is sued in his/her
(defendant's position and title, if any)
___ individual ___ official capacity. (Check one or both). Explain how this defendant was acting

under color of law: _____

DEFENDANTS

AWP Brian Ward, WNCC
1721 Snyder Ave.
Carson City, NV 89702

DR. DAVID A. MARK, WNCC
1721 Snyder Ave.
Carson City, NV 89702

6) Defendant N/A resides at _____
(full name of first defendant) (address if first defendant)
and is employed as _____. This defendant is sued in his/her
(defendant's position and title, if any)
____ individual ____ official capacity. (Check one or both). Explain how this defendant was
acting
under color of law: _____

7) Jurisdiction is invoked pursuant to 28 U.S.C. § 1343 (a)(3) and 42 U.S.C. § 1983. If you wish to assert jurisdiction under different or additional statutes, list them below.

The United States Constitution, Amendments One and Eight.

B. NATURE OF THE CASE

1) Briefly state the background of your case.

1. ON 10-3-2002, Bob Hartman, sent a copy of Dr. HANF's, medical justification that Plaintiff Courtney Stevens, 27863 be allowed a pair of Boots to accommodate pes planus, ankle instability, and bony exostosis. This was done in a Medical Memorandum to AWO Charles V. McBurney, who approved Dr. HANF's plan of medical treatment (care) of Plaintiff Stevens.

2. ON 1-21-2003, Bob Hartman, in another Medical Memorandum directed to Sgt. Hendrix, HDSP Property, as a signed directive By Charles McBurney, subject Medical Items: Shoes/Boots. Bob Hartman, directing how Plaintiff Stevens, was to secure his medically prescribed Footwear (Boots).

C. CAUSE OF ACTION

B. NATURE OF THE CASE,

continued:

3. ON 3-2-2016, F, sent an inmate request to AWP Brian Ward, and informed him my Brother James D. Stevens, would locate the approved boots, to pay for them and have them sent to me from the company. Defendant Ward, denied my request interfering with my medical care and treatment on 3-3-2016.

4. ON 3-7-2016, I sent another inmate request to the defendant Ward, and it was denied with more instructions of hoops to jump through. Defendant AWP. Brian Ward, refused to honor DR. HANF'S, permanent order of medical treatment of plaintiff Stevens, serious medical needs concerning his feet and ankles.

5. ON 3-8-2016, Plaintiff Stevens, filed his informal grievance to pursue his right to go to the Court to stop these violations of his Federally protected rights. The informal grievance was denied.

6. ON 4-12-2016, Plaintiff Stevens, filed the First Level grievance again for violation of Plaintiff's Eighth Amendment Right to adequate medical care and treatment.

7. ON 4-15-2016, Plaintiff Stevens, was taken to the infirmary which he thought was for the medical kites Plaintiff had sent in requesting to see a doctor. Stevens, was seen by doctor Max, Dr. Max, said you're here for an annual check up. do you want it. Stevens, agreed to have the physical. Plaintiff Stevens, attempted to request Dr. Max, to continue with the plan of medical treatment ordered by Dr. HANF at H.D.S.P. in the (2) medical Memorandums dated 10-3-02 and 1-21-03, Dr. Max, refused to even consider to read the memorandums.

8. DR. HANF, followed all N.D.D.C. Rules and Related Regulations on 10-3-02, Items, Medical Justification and was approved by AWO Charles V. McBurney, on both Medical Memorandums from Bob Hartman.

9. Dr. Max's, action to deny the continued medical treatment ordered by Dr. HANF, was a clear violation of all NBOC Regulations and the Eighth Amendment. as none give Dr. Max, permission to interfere with or deny Plaintiff Stevens, ordered medical treatment for a life-long medical condition with Plaintiff Stevens, feet and ankles. Dr. Max's refusal to read the (2) medical memorandums, makes

his actions unjustified, and when Plaintiff Stevens, questioned Mar, about his refusal to read the medical memorandums, Dr. Mar, threw a tantrum picked up the (2) memorandums and threw them back down on the examination table, shuffled my medical file around and closed it, Dr. Mar, blurted out he had already talked with AWP Brian Ward, then Dr. Mar, stormed out of the examination room. A few minutes passed and here he came again but he was not alone, he brought a nurse and a correctional officer, so I, thought why is a doctor consulting the AWP. He is not a medically trained person! nurse-physicians assistant-Doctor or Medical Specialist.

10. So on 4-15-2016, I found out the result of the contact between Defendants Brian Ward, and Dr. David Mar, Plaintiff Stevens, was sexually assaulted by Dr. Mar, after Dr. Mar, brought the nurse and CO, into the examination room where Dr. Mar, performed his physical examination of Plaintiff Stevens, instead of a regular exam of holding one of Plaintiff Stevens, testicals and having him turn his head and cough, defendant Mar, stuck his finger as far up the "I-syusal" areas above each testical causing a sharp pain, if that was not bad enough, defendant Mar, had Plaintiff Stevens

climb on the examination table. lay on his right side and pull his knees as far up to his chest that he could then defendant Mar, performed what was to be a standard Rectal examination, defendant Mar, performed the exam, he stuck his finger inside my anus, did the finger-wave, and pushed his finger up farther to end the exam, but then instead of defendant Mar, pulling his finger out he shoved his finger up as far as he could til it hurts, then pulled his finger out and said were done. Plaintiff Stevens, was returned to his living unit.

11. on 4-18-2016, I filed a complaint for the sexual assault against Dr. Mar, I was taken to the infirmary to be seen by Dr. Marsha Johns, who's first words out of her mouth were "your claim against Dr. Mar, will go nowhere." then she examined me and of course covered-up for Dr. Mar, and said she sees no evidence of anything. Then said she was done I, was taken back to my living unit, I, was denied my right under PRIA, and the MDOC, kept the sexual assault in house to protect defendant Mar.

12. on 4-23-2016, I, was notified by caseworker Hannah, that the inspector general's office would no longer do any further investigation of the sexual assault and the matter was settled.

13. From 4-15-16 plaintiff Stevens, suffered pain until 8-10-16. at which time the pain ceased in Plaintiff Stevens, rectum and Isquasali.

14. In early december 2016, Plaintiff Stevens, was seen by a psych. doctor who diagnosed Stevens, as suffering from Anxiety disorder and prescribed antidepressant medication 'ZoloF'. This is the result of the trauma caused by the sexual assault by Dr. Mar, and the alleged greed upon action by defendants Brian Ward and David Mar.

15. Defendants Brian Ward and David Mar, have violated Plaintiff Stevens, First and Eighth Amendment protections. Stevens, Federally Protected Constitutional Rights, First pursuant to the Eighth Amendment's right to adequate medical care and treatment, this was violated by defendant wards, interference and denial of medical care and treatment, 'concerning medical memorandums outstanding for the past (15) Fifteen years', there are no administrative regulations nor NRS. Statutes permitting defendants actions, to interfere with and deny diagnosed and ordered plan of medical treatment and care.

There are no administrative regulation or NRS. Statute permitting defendant's action to

to sexually assault Plaintiff Stevens. Again a Federally Protected Constitutional Right of Stevens, to be free from cruel and unusual Punishment.

Plaintiff Stevens, also and further states the actions of both defendants Ward, and Man, singularly and together were planed in retaliation against Plaintiff Stevens, which violate Stevens, Federally Protected Constitutional Right pursuant to the protections of the First Amendment, and the Eighth Amendment,

COUNT I

The following civil rights has been violated: my civil Rights are being violated, guaranteed By, the US. Constitution are Federally Protected Rights pursuant to the Eighth and First Amendments.

Supporting Facts: [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

Plaintiff Stevens, reiterates and realleges the Nature of the case paragraphs (1) through (9) and (16) through (20) as taking place against him by defendant's Brian Ward and David Mae, from 3-2-2016, through 4-15-2016.

1.) on 10-3-2002, Bob Hartman, sent a copy of Dr. HANF's medical Justification that Plaintiff Courtney, Joe Stevens, a 783 Be allowed a pair of Boots to accommodate 'pes planus, ankle instability, and Bony exostosis. A Life long serious medical condition Plaintiff Stevens suffers from. This was done in a medical memorandum to AWO Charles V. McBurney, who approved Dr. HANF's, plan of medical treatment (care) of Plaintiff Stevens.

2.) on 1-21-03, Bob Hartman, in another Medical Memorandum directed to Sgt. Hendrix, MID. S.P. Property Officer, as a signed Directive from Charles V. McBurney, Subject: Medical Items Shoes/Boots. Bob Hartman, directing how Plaintiff Stevens, was to secure and receive his medically prescribed Footwear (Boots)

3.) ON 3-2-2016, I, sent an inmate request to AWP Brian Ward, and informed him my Practitioner James D. Stevens, would locate the approved boots, to pay for them and have them sent to me from the company. Defendant Ward, denied my request interfering with my medical care and treatment on 3-3-2016.

4.) ON 3-7-2016, I, sent another Inmate Request to the defendant ward, and it was denied with more instructions of hoops to jump through. Defendant AWP Brian Ward, refused to honor Dr. Hanf's, permanent order of medical treatment of Plaintiff Stevens, serious medical needs concerning his feet and ankles.

5.) ON 3-8-2016, Plaintiff Stevens, filed his informal grievance to pursue his right to go to the Court to stop these violations of his Federally Protected Rights. The informal grievance was denied.

6.) ON 4-12-2016, Plaintiff Stevens, filed the first level grievance again for violations of Plaintiff's Eighth Amendment Right to adequate medical care and treatment.

7.) ON 4-15-2016, Plaintiff Stevens, was taken to the infirmary which he thought was for the medical Kites Plaintiff Stevens, had sent in requesting to see a doctor. Stevens, was seen by Dr. Mar, Dr. Mar, said you're here for an annual check-up do you want it. Stevens, agreed to have the physical. Plaintiff Stevens, attempted to request Dr. Mar, to continue with the plan of medical treatment ordered by Dr. Hant, at Hibisip, in the (2) medical Memorandums. dated 10-3-02 and 1-21-03, Dr. Mar, refused to even consider to read the memorandums.

8.) Dr. Hant, followed all N.B.O.C. Rules and related regulations on 10-3-02. Items, medical justification and was approved by ANO, Charles V. McBurney, on both medical memorandums from Bob Hartman.

9.) ON 4-15-2016, Dr. Mar's denied the continued medical treatment ordered by Dr. Hant, was a clear violation of all N.B.O.C. Regulations and the Eighth Amendment as none give Dr. Mar, permission to interfere with or deny Plaintiff Stevens, ordered medical treatment for a life-long medical condition with Plaintiff Stevens, feet and ankles. Dr. Mar's, refusal to read the (2) medical memorandums makes his actions. . . .

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unjustified, and when plaintiff Stevens, questioned defendant Mar, about his refusal to read the medical memorandums. Dr. Mar, threw a tantrum picked up the (2) memorandums and threw them back down on the examination table, shuffled my medical file around and closed it. Dr. Mar, blurted out he had already talked with AWP Brian Ward, then Dr. Mar, stormed out of the examination room. A few minutes passed and here he came again but he was not alone he brought a nurse and a correctional officer. So I, thought why is a doctor consulting with the AWP? He is not a medically trained person - nurse - physicians assistant - doctor - or medical specialist.

16.) AWP, Brian Ward, and Dr. Mar's interfered with and denied a doctors prescribed plan of medical treatment which was an adverse action taken against Plaintiff Stevens, in retaliation.

17.) The actions of defendants Ward, and Mar, were taken against Plaintiff Stevens, because of his exercising his Federally Protected Constitutional Right guaranteed pursuant to the Eighth Amendment to adequate medical care/treatment.

18.) The actions taken by defendants Ward, and Mar, against Plaintiff Stevens, were done to punish 'Stevens', for exercising his Federally Protected Constitutional Right guaranteed pursuant to the Eighth Amendment to adequate medical care / treatment, and further, defendants Ward, and Mar's actions violate Plaintiff Stevens, Federally Protected Constitutional Right guaranteed pursuant to the First Amendment to be free from Retaliation.

19.) The actions taken by defendant's Ward, and Mar, were done to silence or chill Plaintiff Stevens, from exercising his Federally Protected Constitutional Right guaranteed pursuant to the Eighth Amendment, to adequate medical care and treatment, and further the actions violate Plaintiff Stevens, Federally Protected Constitutional Right guaranteed pursuant to the First Amendment Right to be free from Retaliation.

20.) The actions taken by defendant's Ward and Mar, did not advance a legitimate correctional goal such as preserving institutional order, or discipline, or safety, or security. Their actions violate Plaintiff Stevens, Federally Protected Constitutional Rights guaranteed pursuant

to the Eighth Amendment to adequate medical
care/treatment and the First Amendment's to be
Free from Retaliation.

COUNT II

The following civil rights has been violated: my Civil Rights are being violated, Guaranteed By the US Constitution are Federally Protected Rights pursuant to the Eighth and First Amendments.

Supporting Facts: [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

Plaintiff Stevens, Reiterates and Realleges the nature of the case paragraphs (10) through (20) and as taking place against him By defendant's ward, and Mar, on 4-15-2016.

10.) So on 4-15-2016, I, found out the result of the contact Between defendant's ward and Mar, Plaintiff Stevens, alleges the agreement Between the defendants was the sexual assault of Plaintiff Stevens, By Dr. Mar, and that the sexual assault took place in the guise of performing a physical examination of Stevens, After Dr. Mar, Brought the nurse and CO. into the examination room where Dr. Mar, performed his physical examination (sexual assault of Plaintiff Stevens) instead of a regular physical examination of holding one testicles and having him turn his head and cough, and then repeating with the other one Dr. Mar, stuck his finger as far up the "Isquasal" areas above each testical causing a sharp pain in each one, and had Plaintiff Stevens, cough. If that was not Bad

enough, defendant Mar, had Plaintiff Stevens, climb on the examination table lay on his right side and pull his knees as far up to his chest that he could, then defendant Mar, performed what was to be a standard rectal examination, defendant Mar, performed the exam, he stuck his finger inside my anus, did the finger-wave, and pushed his finger up further to end the exam. But then instead of pulling his finger out he shoved his finger up as far as he could til it hurt, then pulled his finger out and said were done. Plaintiff Stevens, was returned to his living unit.

11.) on 4/18/2016, I, filed a complaint for the sexual assault against Dr. Mar., I was taken to the infirmary to be seen by Dr. Marsha Johns., whose first words out of her mouth were "your claim against Dr. Mar, will go no-where." then she examined me and of course covered-up for Dr. Mar., and said she sees no evidence of anything. then said she was done. I, was taken back to my living unit. I, was denied my right under PRA, and the N.B.O.C., kept the sexual assault in house to protect defendant Mar.

12.) On 4-23-2016, I, was notified by case worker HANNAH, that the inspector general's office would no longer do any further investigation of the sexual assault and the matter was settled.

13.) From 4-15-16, plaintiff Stevens, suffered pain until 8-10-16, at which time the pain ceased in Plaintiff Stevens, rectum and Esqusal.

14.) In early December 2016, Plaintiff Stevens, was seen by a psych doctor, who diagnose Stevens, as suffering from Anxiety Disorder, and prescribed Stevens, antidepressant medication 'ZoloF'. This is the result of the trauma caused by the sexual assault by Dr. Mar, and the alleged greed upon action by defendants Brian Ward and David Mar.

16.) Defendants Brian Ward and David Mar, have violated Plaintiff Stevens, First and Eighth Amendment protections. Stevens, Federally Protected Constitutional Rights, First pursuant to the Eighth Amendment Right to adequate medical care and treatment. This was violated by defendant wards, interference and denial of medical care, and treatment. 'concerning medical memorandums outstanding for the past (15) fifteen years.' There are no administrative Regulations nor N.R.S. statutes permitting defendants actions, to interfere

with and deny, diagnosed and ordered plan of medical treatment and care. There are no administrative Regulations or N.R.S. Statutes permitting defendants action to sexually assault Plaintiff Stevens, again a Federally Protected Constitutional Right of Stevens, to be free from Cruel and Unusual Punishment.

Plaintiff Stevens, also and further states the actions of both defendants Ward, and Mae, singularly and together were played in Retaliation against Plaintiff Stevens, which violate Stevens, Federally Protected Constitutional Right pursuant to the protections of the First Amendment and the Eighth Amendment.

16.) Dr. David A. Marz's, sexual assault of Plaintiff Stevens, on 4-15-2016, was an adverse action taken against Plaintiff Stevens, in Retaliation.

17.) The action of defendant Mae, was taken against Plaintiff Stevens, because of his exercising his Federally Protected Constitutional Right guaranteed pursuant to the Eighth Amendment to adequate medical care/treatment.

18.) The actions taken by defendant Mar, against Plaintiff Stevens, were done to 'punish' Stevens, for exercising his Federally, Protected Constitutional Right guaranteed pursuant to the Eighth Amendment to adequate medical care/treatment, and further defendant Mar's action violate Plaintiff Stevens, Federally, Protected Constitutional Right guaranteed pursuant to the First Amendment to be free from Retaliation.

19.) The action taken by defendant Mar, were done to silence or chill Plaintiff Stevens, from exercising his Federally, Protected Constitutional Right guaranteed pursuant to the Eighth Amendment to adequate medical care and treatment and further the actions violate Plaintiff Stevens, Federally, Protected Constitutional Right guaranteed pursuant to the First Amendment Right to be free from Retaliation.

20.) The action taken by defendant Mar, did not advance a legitimate correctional goal such as preserving institutional order, or discipline, or safety, or security. Dr. Mar's, action's violate Plaintiff Stevens, Federally, Protected Constitutional Right guaranteed pursuant to the Eighth Amendment to adequate medical care/treatment and the First

Amendments to be Face from Retaliation.

COUNT III

The following civil rights has been violated: _____

N/A

Supporting Facts: [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

N/A

D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

- 1) Have you filed other actions in state or federal courts involving the **same or similar facts** as involved in this action? Yes ___ No. If your answer is "Yes", describe each lawsuit. (If more than one, describe the others on an additional page following the below

outline).

- a) Defendants: Stevens v. Walsh et al.
- b) Name of court and docket number: US Dist. Ct. #
- c) Disposition (for example, was the case dismissed, appealed or is it still pending?):
settled
- d) Issues raised: denial of adequate medical care, Physical Torture, Retaliation,
- e) Approximate date it was filed: July 7, 2014
- f) Approximate date of disposition: December 15, 2015

2) Have you filed an action in federal court that was **dismissed because it was determined to be frivolous, malicious, or failed to state a claim upon which relief could be granted?**
 Yes No. If your answer is "Yes", describe each lawsuit. (If you had more than three actions dismissed based on the above reasons, describe the others on an additional page following the below outline.)

Lawsuit #1 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: _____
- b) Name of court and case number: _____
- c) The case was dismissed because it was found to be (check one): frivolous
 malicious or failed to state a claim upon which relief could be granted.
- d) Issues raised: _____
- e) Approximate date it was filed: _____
- f) Approximate date of disposition: _____

Lawsuit #2 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: _____
- b) Name of court and case number: _____

- c) The case was dismissed because it was found to be (check one): _____ frivolous
_____ malicious or _____ failed to state a claim upon which relief could be granted.
- d) Issues raised: _____

- e) Approximate date it was filed: _____
- f) Approximate date of disposition: _____

Lawsuit #3 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: _____
- b) Name of court and case number: _____
- c) The case was dismissed because it was found to be (check one): _____ frivolous
_____ malicious or _____ failed to state a claim upon which relief could be granted.
- d) Issues raised: _____

- e) Approximate date it was filed: _____
- f) Approximate date of disposition: _____

- 3) Have you attempted to resolve the dispute stated in this action by seeking relief from the proper administrative officials, e.g., have you exhausted available administrative grievance procedures? Yes ___ No. If your answer is "No", did you not attempt administrative relief because the dispute involved the validity of a: (1) ___ disciplinary hearing; (2) ___ state or federal court decision; (3) ___ state or federal law or regulation; (4) ___ parole board decision; or (5) ___ other _____

If your answer is "Yes", provide the following information. Grievance Number 20063019241
Date and institution where grievance was filed 3-8-2016 NPCC 20063021894
14-19-2016

Response to grievance: all grievance's were denied.

E. REQUEST FOR RELIEF

I believe that I am entitled to the following relief:

I believe im intitled to the following ^{money} damages From
each defendant:

\$750,000 dollars from defendaant Brian Ward for actual damages
\$2,250,000 dollars from defendant Brian Ward in punitive damages.
\$750,000 dollars from defendant David Mar, for actual damages,
\$2,250,000 dollars from defendant David Mar in punitive damages,
And I want Dr. Harts, medical Memorandums followed unchanged,
permanantly.

I understand that a false statement or answer to any question in this complaint will subject me to penalties of perjury. I **DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.** See 28 U.S.C. § 1746 and 18 U.S.C. § 1621.

(Name of Person who prepared or helped
prepare this complaint if not Plaintiff)

Cauntry Stevens
(Signature of Plaintiff)

2-10-2017
(Date)

(Additional space if needed; identify what is being continued)

Inadequance and denial of adequate medical care by medical
staff at NCC.