

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KEVIN DAMION CRICHLLOW,

Plaintiff,

-against-

ACTING COMMISSIONER ANTHONY J.
ANNUCCI DOCCS, et al.,

Defendants.

ORDER

18-CV-03222 (PMH)

PHILIP M. HALPERN, United States District Judge:

Kevin Damion Crichlow (“Plaintiff”), on April 14, 2022, filed a document entitled “Supplemental Declaration.” (Doc. 215). Totalling 112 pages (12 handwritten pages with 100 pages of attachments), this submission—construed liberally—appears to complain that: (1) Plaintiff was refused mental health treatment at some juncture; (2) Plaintiff objects to the procedures followed at unspecified hearings; (3) hundreds of “pounds” of “legal materials” were destroyed; (4) the Assistant Attorneys General assigned to defend this matter have engaged in a conspiratorial “coverup; (5) Plaintiff wants discovery; (6) Plaintiff wants to be transferred to a different facility; and (7) Plaintiff wants a copy of his Third Amended Complaint. (*Id.* at 1-12). Defendants opposed the requests contained in this filing with a one-page letter filed on April 26, 2022. (Doc. 217).

Approximately one week after the Court received the Supplemental Declaration, the Court received a letter from Plaintiff complaining that he was assaulted at Midstate Correctional Facility in Marcy, New York, on April 14, 2022. (Doc. 216). Defendants responded to this submission with a one-page letter filed on April 29, 2022. (Doc. 219).

Insofar as Plaintiff complains about current conditions of confinement (i.e., being denied mental health treatment, objections to procedures followed at unspecified hearings, destruction of personal property, and assaults), the Court is directed to the associated New York State Department

of Corrections and Community Supervision policies and procedures. (*See* Doc. 130; Doc. 136; Doc. 171). With respect to Plaintiff’s request to be transferred, that application is, again, denied. (*See* Doc. 99; Doc. 108; Doc. 171). To the extent Plaintiff demands discovery, that application is premature and denied without prejudice to renew at a later date. (*See* Doc. 99; Doc. 108; Doc. 119). Finally, as to the claim that the Assistant Attorneys General have engaged in a “coverup,” Plaintiff provides no information about the alleged falsehoods—and, it appears, makes that conclusory allegation on the basis that the Assistant Attorneys General are defending this action. (Doc. 215 at 6).

Counsel for Defendants are, however, directed to mail Plaintiff a copy of the Third Amended Complaint to Plaintiff and file proof of service by 5:00 p.m. on May 11, 2022.

Plaintiff is reminded that Defendants were granted leave to file a motion to dismiss the Third Amended Complaint in accordance with the following schedule: (1) Defendants’ moving papers shall be served and filed on May 20, 2022; (2) Plaintiff’s opposition papers must be served and filed on June 24, 2022; and (3) Defendants’ reply papers, if any, shall be served and filed on July 8, 2022. (Doc. 214).

The Clerk of the Court is respectfully directed to mail a copy of this Order to Plaintiff.

SO ORDERED:

Dated: White Plains, New York
May 10, 2022



PHILIP M. HALPERN
United States District Judge