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AUG 24 2010

Clerk, U. S. Dist. Court
W. Dist. of N. C.

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA**

Lynn Ellen Mendes
PLAINTIFF,

vs.

**COMPLAINT
(42 U.S.C. §1983, §1985)**

Charles Brown
Charlotte-Mecklenburg
Public Library

CASE NO. 3:10cv397

DEFENDANT(S).

A. JURISDICTION

Jurisdiction is proper in this court according to:

- a. 42 U.S.C. §1983
- b. 42 U.S.C. §1985
- c. Other (Please Specify) _____

B. PARTIES

1. **Name of Plaintiff:** Lynn Ellen Mendes
Address: 1216 Falls Creek Ln. #15
Charlotte, NC 28209

2. **Name of Defendant:** Charles Brown
Address: Charlotte-Mecklenburg PL
310 N. Tryon St.
Charlotte, NC 28202

Is Employed as Executive Director at Charlotte-Mecklenburg Public Library
(Position/Title, if any) **(Organization)**

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES NO . If your answer is "YES" briefly explain.

Title 42 USC 1983 - Discrimination in publicly owned facilities such as a library cannot discriminate based on race, disability, religion, etc. Banned due to discrimination

3. Name of Defendant: Charles Brown
Address: PLCMC

310 N. Tryon St.
Charlotte, NC 28202

Is Employed as Executive Director at PLCMC
(Position/Title, if any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES NO . If your answer is "YES" briefly explain.

4. Name of Defendant: _____
Address: _____

Is Employed as _____ at _____
(Position/Title, if any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES NO . If your answer is "YES" briefly explain.

(Use additional sheets if necessary.)

C. NATURE OF CASE

Why are you bringing this case to court? Please explain the circumstances that led to the problem.

I have complained about the use of laser beam technology in the library but its female operators are unknown to me. I merely asked they not allow this intrusion into the library as its mind reading equipment and was banned.

D. CAUSE OF ACTION

I allege that my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary you may attach additional pages)

a. (1) **Count I:** *Civil Rights Violation Public Accommodations Ban*

(2) **Supporting Facts: (Describe exactly what each defendant did or did not do. State the facts clearly in your own words without citing any legal authority. Use additional sheets if necessary.)**

Defendant, Charles Brown, has essentially banned me from a public building through no fault of my own citing race and/or disability, also free speech

b. (1) **Count II:** _____

(2) **Supporting Facts:**

E. INJURY

How have you been injured by the actions of the defendant(s)?

Not being allowed in the library takes away the usage of books not only for myself and grandson. Also takes away public computers (I do not own a personal computer), public restroom, water fountain, an air conditioned or heated building in my neighborhood.

F. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

Have you filed other lawsuits in state or federal court that deal with the same facts that are involved in this action? YES NO

If your answer is "YES", describe each lawsuit. (If there are more than one lawsuits, describe additional lawsuits on additional separate pages, using the same outline.)

1. Parties to previous lawsuits:

Plaintiff(s): Lynn E. Mendes

Defendant(s): United States

2. Name of court and case or docket number:

U.S. Court of Federal Claims Case 09-487C

3. Disposition (for example, was the case dismissed? Was it appealed? Is it still pending?)

Case dismissed; however, I had not been banned from the library at the time. Ban went into effect Feb. or March 26th of 2010.

4. Issues raised:

Laser Beam Technology stemming from the Central Intelligence Agency

5. When did you file the lawsuit? July 2009
Date: Month/Year

6. When was it (will it be) decided? 08/26/2009

Have you previously sought informal or form relief from the appropriate administrative officials regarding the acts complained of in Part D?

YES NO

If your answer is "YES" briefly describe how relief was sought and the results. If your answer is "NO" explain why administrative relief was

not sought.

A dispute mediation was scheduled by
the Community Relations Dept. in Charlotte, NC
and Mr. Brown did not attend.

G. REQUEST FOR RELIEF

I believe I am entitled to the following relief:

Through no fault of my own, I have
been banned from a public building with all
its resources such as a library. I merely
asked if they were open it was occurring not
to allow it. It's unconstitutional and cruel
to blame me for the action of other citizens.

JURY TRIAL REQUESTED

YES ___ NO

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty that he/she is the plaintiff in the above action, that he/she has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. §1746; 18 U.S.C. §1621.

Executed at Charlotte on 08/24/2010
(Location) (Date)

Jay E. White
Signature