

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT
EASTERN DIVISION

GUARANTEED RIGHTS OF WAYNE DOYLE, ENFORCED BY THE
UNITED STATES CONSTITUTION AND LAWS AND TREATISES OF
THIS UNION.

On or about March 18th 2005, the following basic civil rights were taken
from Wayne Doyle, because of his race, religion, education, background.
He was handed a letter barring him from a public library for (2) years
Denying him the following amended basic rights.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

RIGHTS DENIED

- i. Religion- Speech--Assembly—Petition
 - v. Due Process
 - vi. Right to confront accuser.
 - vii. Common law suits—jury trial
 - viii. Cruel and unusual punishment
 - ix. Non Enumerated Right 1791
 - xiii. Abolition of Slavery (1865)
 - xiv. Privileges and Immunities, Due Process, Equal Protection under the law.
- Rights to be denied on Account of Race.

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Religion-speech-assembly-Petition—Mr Doyle believed that people in positions of authority would honor the truth if it is presented to them. On April 15,2005, a hearing was held by John McConagha against Wayne Doyle, to determine if Wayne Doyle “was harassing a woman by staring and following her around the library. ”. McConagha said that he had a recorded statement from this mystery woman, who was not present at the hearing to Identify Wayne Doyle as the person she claimed had followed her around and starred at her. There was no recorded, written, signature- statement presented at the hearing except the affidavit of Stephaney Southers as well as Mr Doyle’s statement given at the appeal. See attached Stephaney Southers affidavit. The only credible evidence.. As such, MCconagha concluded that since Mr Doyle was not able to offer an explanation of why the Complainant would fabricate such a story he said: I did not find Mr Doyle’s version of what happened on March 18, 2005 credible. Wayne Doyle was barred from the library because it came down to who’s word is going to be believed; the Blackman facts, or the White-mans discriminations.

“INJUSTICE ANYWHERE IS A THREAT TO JUSTICE EVERYWHERE”

PROTECTION OF RIGHTS

U.S.C. :42 :1981 of title 42 (Equal protection under the law) based on race in making and enforcing contracts, participating in lawsuits and giving evidence,

42 (USC 1981) Protection against discrimination included civil action for deprivation of rights.

42 (USC 1983) Conspiracies to interfere with Civil Rights.

USC : 42 1985/42 U>S>C 1985 Conspiracy against Rights of Citizens.

18 U>S>C 241) Deprivation of Rights under color of law. Race dis-

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Wayne Doyle

202 Southern Avenue

Springfield, Ohio 45506

Plaintiff,

v.

John McConagha and

Clark County Library et,al

201 Fountain Avenue Springfield,

Ohio 45506

Defendant's

Civil case no.

Judge

Magistrate

Jury Demand

3 07 CV 0003

PLAINTIFF'S VERIFIED COMPLAINT

Plaintiff does hereby present to this honorable Court his Verified Complaint and Demand for damages.

SUBMITTED
Wayne Doyle
WAYNE DOYLE
202 Southern Avenue
Springfield, Ohio 45506

JURISDICTION

1. Jurisdiction of this Honorable Court is invoked because Defendants All reside in, and/or conduct business within this Federal District and Division and pursuant to 28 U.S.C. @1331 and 28 U.S.C. @ 1343(3) et seq. To enforce Rights Guaranteed by the United States Constitution and Laws and Treatises of this union.

FACTS

Plaintiff being first duly sworn, hereby alleges as follows:

2. That Plaintiff is, and was, at all times relevant to this case, a resident of this federal Judicial District.
3. That Defendant is and was, at all times relevant to this case, a state Actor conducting business and violating civil rights in this federal Judicial District. ¹³¹
6, 7, 9, 11, 14, 15
4. That on March 21, 2005, Plaintiff was exercising his 1st, 5th, 8th, 14th, Amendment rights attempting to peacefully assemble and exercise his public Accomondation rights at the Clark County public library in Springfield, OH.
5. That on arrival at such address, Defendant, John Mc Conagha, by and through Agent John Dempsey approached plaintiff with a letter banning him from the public library.

FACTS

1. **3/21/05 Incident report written by Jeffery S. Smith. John Dempsey said: "I John Dempsey escorted him to the Directors office" even though the incident report has only one hand writing. Angie Jones nor John Dempsey wrote on the incident report. Jeffery S. Smith wrote for Angie Jones and John Dempsey; "Hearsay."**
2. **3/21/05 letter banning Plaintiff Doyle from the library. Director John McConagha said"Because you have violated the Clark County Library,s Code of Conduct by staring, following, a library user about the library, and harassing a library user, you are banned effective March 21, 2005 until March 21, 2007 from the library facilities. The complaint against you was made to one of our security officers at the Main Library on Friday, March 18,2005 by a female Africar: American library user. I confirmed the complaint by phone today."hearsay. 3/21/05 permission to appeal decision. Director John McConagha said after banning Plaintiff from the library "You may appeal this decision in writing to me within 30 days of your receipt of this letter. Your appeal may include your version of events on March 18,2005. Plaintiff was banned from the library without being asked his side of the story Then Plaintiff Wayne Doyle was advised that he could submit the only written version of the "alleged" 3/21/05 incident.**
3. **4/25/05 Appeal Decision. Director John McConagha said: In making my decision,I have considered the report of the security guard, my phone call to the complaintant, the affidavit of Stephanie Southers as well as Mr Doyle's statement given at the appeal hearing. I found the Complaintant's version of what happened and the security guard's report to be credible. The Complaintant's statement that she made to me was consistent with what she reported to the officer. I did not find Mr Doyle's version of what happened on March 18,2005 credible. Mr Doyle was not able to offer an explanation of why the Complaintant would fabricate such a story**

Note. The alleged complaintant, Angie Jones nor the security officer's Jeffery Smith or John Dempsey were present at the appeal hearing to give their written,spoken,assumed statement concerning Plaintiff DoyleS 'alleged misconduct. Director John McConagha held the 4/25/2005, appeal hearing representing the evidence, Judge and the jury.

Plaintiff Wayne Doyle received a copy of the incident report for the first time at the appeal hearing on 4/25/05.

4. 4/25/2005 Plaintiff Wayne Doyles written statement. Wayne Doyle said: I also have a witnesses from security staff name John /Dempsey. On the second page of the incident report that there were no teens or children in the teen area at no time,when I was using the area. Other adults use the same area without teen or children present. It seems to me, if there is really a complaintant, this person was probably watching and following me around on days my kids were there. Her complaint is nothing more than a lie so that the Director can paint the picture of me that he's already has in his mind to paint regardless of wheather or not the complaint was true or false"

5. 10/23/06 Public records request. John McConagha said: (1) There is no written statement from Angie Jones. (2) Angie Jones recorded statement from 3/21/05 is enclosed.

6. 11/6/2006 Public records request. John Mc Conagha said: We do not have a recorded statement from Angie Jones.

7. 11/16/2006 Public records request. John McConagha said no charges of: Disorderly conduct had been filed against Plaintiff Wayne Doyle. No criminal charges filed against Wayne Doyle by the Clark County Library for Harrassing her.No record of criminal charges filed against Wayne Doyle by Angie Jones.

SERVICE

I, the undersigned, solemnly SAY that a true and accurate copy of this Motion was mailed to Defendant, with a courtesy copy of Plaintiff's Verified Complaint,this 3rd day of January, 2007 to:

John McConagha

PLAINTIFF'S VERIFICATION:

THE UNDERSIGNED HAS COMPLETED THE ABOVE-CITED ALLEGATIONS TO THE FULLEST AND MOST ACCURATE EXTENT POSSIBLE, USING THEIR FIRST HAND KNOWLEDGE TO COMPLETE SAME,

SWORN AND SIGNED BEFORE ME THIS 3RD DAY OF JANUARY, 2007

JURY DEMAND

Plaintiff hereby demands a trial by jury on the merits in this matter.

THE CLAIMS

COUNT ONE:

VIOLATION OF PLAINTIFF'S SUBSTANTIVE DUE PROCESS RIGHTS, AS GUARANTEED BY THE (1ST) AMENDMENT TO THE UNITED STATES CONSTITUTION.

Plaintiff has a right to peacefully assemble and visit the Clark County Library. Such right was violated by Defendants.

COUNT TWO:

VIOLATION OF PLAINTIFF'S SUBSTANTIVE DUE PROCESS RIGHTS GUARANTEED BY THE FOURTEENTH(14) AMENDMENT TO THE UNITED STATES CONSTITUTION.

Plaintiff has had his liberty of movement taken from him without due process of law.

COURT THREE:

VIOLATION OF 42 U.S.C. @1983.

The above cited civil rights violations were conducted at the behest of state actors, a fact which clearly implicates several and numerous 42 U.S.C. @ 1983 violations.

COURT FOUR:

MALICIOUS PROSECUTION

The above-cited facts provide a strong basis for a restraining order and acquittal in the underlying case, with respect to the spurious complaint brought by the defendants against Plaintiff. As Much , Malicious Prosecution may be readily inferred.

COUNT FIVE:

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

Plaintiff asserts that any reasonable observer will concur that the Defendant's behaviour shocks the conscience and that they are liable for the above-cited pendant state law tort.

COUNT SIX:

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

Plaintiff asserts that any reasonable observer will concur that

Defendants behaviour shocks the conscience and that they are liable for the above –cited pendant state law tort.

COUNT SEVEN:

Plaintiff reiterates all preceding paras. As incorporated herein and states that the above (in)actions constitute a common law breach of contract on multiple occasions.

COUNT EIGHT:

Plaintiff reiterates all preceding paras as if incorporated herein and states that the above (in)actions have constitute a violation of principals enunciated in by way of promissory estoppel.

DEMANDS AND PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that this Honorable Court enter

Judgment against Defendant in the following manner:

- 1. Declaraory Judgment declaring the above described activities as Standing in derogation of laws and principles of the United States and Ohio Constitution, Laws, and Treatises;***
- 2. Issuance of Permanet Injunctive Relief enjoining Defendant from Acting officially, individually or inconcert in any way which would violate Civil rights of those governed by it.***
- 3. Issuance of any and all equitable relief, including, but not limited***

To, punitive damages which this Honorable Court may find just and proper.

WHEREFORE, Plaintiff Wayne Doyle, demands judgment against the Defendants, jointly and severally, in an amount of 350,000.00, which will Fully compensate him, plus reasonable cost.

SUBMITTED,

+

JURY DEMAND

Plaintiff spectfully demand a Jury to hear this case on the Merits.

1

INCIDENT REPORT

Branch: Denton
 Date of Incident: 3/18/05
 Time of Incident: 2:00 pm

1. Client <u>Clark County Library</u>	Address <u>201 South Fawcett Ave. Ste 310</u>	Post
2. Police / Fire Department Notified: <input type="checkbox"/> Yes <input type="checkbox"/> No	Time:	Officer's Name: RPT#/Badge #
3. Securitas Office Notified: <input type="checkbox"/> Yes <input type="checkbox"/> No	Time:	Name: Title:
4. Client Notified: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Time:	Name: <u>John McConagha</u> Title: <u>Director</u>
5. Persons Involved/Witnesses (insert category of relationship letter opposite name in * column) A. Employee B. Client Employee C. Other		
* Name / Position Title	Phone Number	Organization Name and Address
<u>Angie Jones Jones</u>	<u>937-520-6774</u>	<u>Patron</u>
6. Description of Property / Equipment (example: Brand, Model, License or Serial #, Color, Year) <u>None</u>		

7. Description of Incident / Injury (WHO, WHAT, WHERE, WHY, and HOW. Include all information in detail and attach statement if required.)

where?

Angie ~~Jones~~ Jones told me Jeff Smith, Security Officer that Wayne Doyle was harrassing her on the date of March 18th 2005. She gave me her name and number on March 20th 2005 with a full detailed complaint of the incident.

Angie said he was following her around the library, and staring at her, making her feel uncomfortable. This was not the first time he has followed her around. Angie told me that she has seen Wayne in the Back Section of the library, messing around with young females, and coupling around with them. Angie was very concerned about the well being of the young girls. On March 21st 2005 12:50pm Jim Demosey Security Officer gave Wayne Doyle five letter that the Director told him to give to Wayne Doyle. See Attached Sheet

Officer Name: Jeffrey S. Smith Signature: J/S. Smith Date & Time of Report: 3/21/05

FACE The Adduser

MLK

John Dempsey told Wayne Doyle that he was to leave the property, to read the letter, and that he was trespassing, but he did not leave the property. He asked to see the Director. I. John Dempsey escorted him, to the Director's Office. The Director John McConagha informed him, he was trespassing, and was to leave now, or the Police would be called immediately. Wayne Doyle said OK, and left.



The Information Place.

2

March 21, 2005

MAIN LIBRARY
201 SOUTH FOUNTAIN AVE
PO BOX 1080
SPRINGFIELD OHIO
45501-1080
937 323-9751
FAX: 937 328-6908
www.ccpl.lib.oh.us

Mr. Wayne Doyle

Dear Mr. Doyle:

HOUSTON BRANCH
5 W JAMESTOWN ST
BOX 127
SOUTH CHARLESTON OHIO
45368
937 462-8047

Because you have violated the Clark County Public Library's Code of Conduct by staring, following a library user about the library, and harassing a library user, you are banned effective March 21, 2005 until March 21, 2007 from all library facilities. The complaint against you was made to one of our security officers at the Main Library on Friday, March 18, 2005 by a female African-American library user. I confirmed the complaint by phone today.

INDIAN MOUND BRANCH
45 INDIAN DR
ENON OHIO
45323
937 864-2502

Under the ban you are not permitted to use or be in or on the grounds of any Clark County Public Library facility. If you are on the property of any Clark County Public Library facility during the ban time period, you will be arrested for trespassing.

PARK CENTER BRANCH
1119 BECHTLE AVE
SPRINGFIELD OHIO
45504
937 322-2498

You may appeal this decision in writing to me within 30 days of your receipt of this letter. Your appeal may include your version of events on March 18, 2005.

SOUTHERN VILLAGE BRANCH
1123 SUNSET AVE
SPRINGFIELD OHIO
45505
937 322-2226

Sincerely,

John McConagha
John McConagha
Library Director

*2nd hand
information*

Pat



The Information Place.

3

April 25, 2005

MAIN LIBRARY
201 SOUTH FOUNTAIN AVE
PO BOX 1080
SPRINGFIELD OHIO
45501-1080
937 323-9751
FAX: 937 328-6908
www.ccpl.lib.oh.us

HOUSTON BRANCH
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1123 SUNSET AVE
SPRINGFIELD OHIO
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937 322-2226

Mr. Edwin A. Grinvalds, Esq.
12 West Main Street
Springfield, Ohio 45502

Re: Wayne Doyle Appeal Decision

Dear Mr. Grinvalds:

This appeal came before me, the Clark County Public Library ("CCPL") Director, on Friday, April 15, to determine whether Mr. Wayne Doyle should be suspended from the library for violating the Library's Code of Conduct.

CCPL's Code of Conduct states that "Patrons shall respect the rights of others and shall not harass or annoy others by acts including, but not limited to: staring, following another person about the building, or behaving in a manner which reasonably can be expected to disturb others." A library patron ("Complainant") reported that Mr. Doyle was harassing her by staring and following her around the library. This behavior is in violation of CCPL's Code of Conduct.

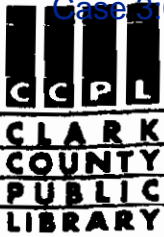
Honors Hearing

In making my decision, I have considered the report of the security guard, my phone call to the Complainant, the affidavit of Stephanie Southers as well as Mr. Doyle's statement given at the appeal hearing. I found the Complainant's version of what happened and the security guard's report to be credible. The Complainant's statement that she made to me was consistent with what she reported to the Officer. I did not find Mr. Doyle's version of what happened on March 18, 2005 credible.

- 1. Security Guard report
- 2. Phone call to the complainant
- 3. Mr. Doyle's statement Affidavit of Stephanie Southers

At the hearing, Mr. Doyle was given an opportunity to tell his side of the story. He denied that he followed the Complainant around the library, and was staring at anyone. Mr. Doyle did however acknowledge that he frequently sits in the Teen Room. Although he denies the Complainant's report of what happened, Mr. Doyle was not able to offer an explanation of why the Complainant would fabricate such a story.

Preponderance of evidence.



The Information Place.

Re: Wayne Doyle Appeal Decision (continued)

Therefore, I will reinstate the suspension effective immediately until March 21, 2007, from all library facilities. As detailed in my letter sent to Mr. Doyle on March 21, 2005, Mr. Doyle is not permitted to use, be in, or on the grounds of any Clark County Public Library facility. If Mr. Doyle is found on the grounds of the Clark County Public Library, he will be arrested for trespassing.

MAIN LIBRARY
201 SOUTH FOUNTAIN AVE
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BRANCH**
1123 SUNSET AVE
SPRINGFIELD OHIO
45505
937 322-2226

cc: Wayne Doyle
Johnny Pryor, Esq.

Sincerely,

John McConagha
Library Director

The Second Conviction

4:25.05

WAYNE DOYLE'S
STATEMENT given
TO JOHN McCONAGHA

(4)

UN Verified

~~HEAR~~ - SM

- SEVERAL OCCASIONS
- FROM OUT OF TOWN
- OCCASIONALLY USES CCPL

March 30, 2005

Notes from John McConagha's phone call to complainant regarding March 18, 2005 incident:

John McConagha, Library Director, called the complainant on March 21, 2005, regarding harassment by Wayne Doyle. The complainant, an African-American female adult, informed me that Mr. Doyle had been staring at her and following her on several occasions. When asked for a specific date/time, she indicated that one instance was in the afternoon on Friday March 18, 2005. The complainant said that she was from out of town and only occasionally uses CCPL, but was in the library to do some research. She further indicated that she observed Mr. Doyle staring at and following teenagers and younger children. The complainant said that Mr. Doyle situated himself in the Teen Room at the Main Library in such a way as to be able to stare at teenage children in the Teen Room and to stare at young children in the adjacent Children's Room. She observed the same behavior from Mr. Doyle toward herself and others on Saturday, March 19 as well. She filed a complaint with the library security officer on Sunday, March 20.

A Statement From Wayne Doyle

I also have witnesses from security staff name John Dempsey, on the second page of the incident report, that there were no teens or children in the teen area at no time, when I was using the area alone to read certain books that were in that area.

Other adults use the same area ~~with~~ without CC

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October 23, 2006

John McConagha, Director
Clark County Public Library
201 Fountain Avenue
Springfield, Ohio 45506

Re: PUBLIC RECORDS REQUEST

Wayne Doyle v. Clark County Library

This is a public information request for a copy of any and all reports, documents, recordings in your care,

These materials should include but not limited to: (1) Angie Jones March 20, 2005 written detailed statement.

(2) Angie Jones recorded statement taken by John McConagha on or about March 20, 2006.

I would appreciate your prompt and immediate response to this request.

Wayne Doyle
202 Southern Avenue
Springfield, Ohio 45506

10/31/06

① THERE IS NO WRITTEN STATEMENT FROM ANGIE JONES

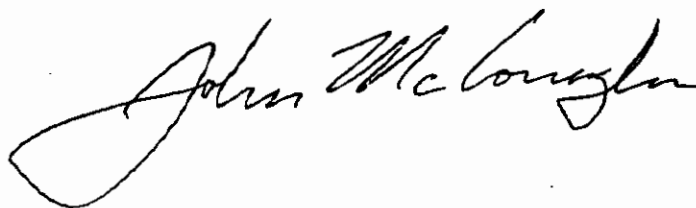
② ANGIE JONES RECORDED STATEMENT FROM 3/21/05 IS ENCLOSED.

John McConagha

March 30, 2005

Notes from John McConagha's phone call to complainant regarding March 18, 2005 incident:

John McConagha, Library Director, called the complainant on March 21, 2005, regarding harassment by Wayne Doyle. The complainant, an African-American female adult, informed me that Mr. Doyle had been staring at her and following her on several occasions. When asked for a specific date/time, she indicated that one instance was in the afternoon on Friday March 18, 2005. The complainant said that she was from out of town and only occasionally uses CCPL, but was in the library to do some research. She further indicated that she observed Mr. Doyle staring at and following teenagers and younger children. The complainant said that Mr. Doyle situated himself in the Teen Room at the Main Library in such a way as to be able to stare at teenage children in the Teen Room and to stare at young children in the adjacent Children's Room. She observed the same behavior from Mr. Doyle toward herself and others on Saturday, March 19 as well. She filed a complaint with the library security officer on Sunday, March 20.

A handwritten signature in cursive script, reading "John McConagha". The signature is written in dark ink and is positioned in the lower right quadrant of the page.

6

John McConogha, Director

November 6, 2006

Clark County Library
201 Fountain Avenue
Springfield, Ohio 45506

Re: PUBLIC RECORDS REQUEST

Wayne Doyle v. Clark County Library

This is a public information request for a copy of any and all reports, documents, records, recordings in your file concerning Angie Jones complaint against Wayne Doyle.

These materials should include but not be limited to:

- (1) Angie Jones tape recorded statement taken by John Mc Conogha on March 20, 2005.
- (2) A copy of the library's code of conduct.
- (3) The posting locations of the library's code of conduct in the library.
- (4) The number of patrons who have been barred from the library for looking at other patrons in a unappropriate way.
- (5) The number of patrons who have been barred from the library for following other patrons.

I would appreciate your prompt and immediate response to this request.

Wayne Doyle
202 Southern Avenue
Springfield, Ohio 45506

John McConogha
11/16/06

- ① WE DO NOT HAVE A RECORDED STATEMENT FROM ANGIE JONES
- ② LIBRARY CODE OF CONDUCT IS ENCLOSED
- ③ THE CODE OF CONDUCT IS POSTED AT THE ENTRANCE OF ALL LIBRARY FACILITIES.
- ④ THIS IS NOT A REQUEST FOR PUBLIC RECORDS
- ⑤ THIS IS NOT A REQUEST FOR PUBLIC RECORDS

AFFIDAVIT OF STEPHANIE SOUTHERS:

RE: WAYNE DOYLE

I WENT TO THE CLARK COUNTY PUBLIC LIBRARY ON OR ABOUT MARCH 22, 2005. MY REASON FOR THIS VISIT WAS TO INQUIRE WHY MY DAUGHTER HAD BEEN BAN FROM THE LIBRARY ON A PREVIOUS DATE. I SPOKE TO THE DIRECTOR, MR. MC CONAGHA REGARDING MY DAUGHTER TO SEE IF SHE HAD FILED A COMPLAINT AGAINST WAYNE DOYLE. THERE HAVE BEEN TIMES WHEN I HAVE ASKED MR. DOYLE KEEP AN EYE ON MY DAUGHTER AT THE LIBRARY. THE DIRECTOR INFORMED ME THAT SHE DID NOT FILE A COMPLAINT. AT THAT TIME MR. MCCONAGHA STARTED TO ASK ME QUESTIONS AND TELLING ME ABOUT WAYNE, THINGS LIKE : WAYNE DOYLE IS A SEXUAL PREDATOR, HE STARES AT WOMEN, FOLLOWS THEM AROUND THE LIBRARY AND THAT THERE HAVE BEEN OTHER COMPLAINTS ABOUT HIM. AND IF I COULD HELP HIM FOUND OUT ANY INFORMATION ABOUT WAYNE IT WOULD BE HIGHLY APPRECIATED. HE FEELS THAT WOMEN SHOULD BE ALLOWED TO COME TO THE LIBRARY WITHOUT BEING SEXUALLY HARASSED. ALSO, SOMETHING ABOUT HIM, WAYNE BEING BAN ONCE ALREADY AND THAT HE WOULD LIKE TO KEEP HIM OUT PERMANENTLY.

STEPHANIE SOUTHERS

SWORN TO AND SUBSCRIBED IN MY PRESENCE ON THIS 14TH DAY OF APRIL, 2005.

NOTARY PUBLIC

(My Lawyers) took this
Secretary Affidavit

Mutual respect makes it possible

for everyone to enjoy
library materials and
services. You can help
by refraining from
behavior that
interferes with
the rights of
others and the
duties of the
library staff.



Code of Conduct

columbuslibrary.org
645-2ASK

(9)

Mutual respect makes it possible

for everyone to enjoy library
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behavior that
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others and the
duties of the
library staff.



OPEN TO ALL



Code of Conduct

columbuslibrary.org
645-2ASK

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN
DISTRICT OF OHIO EASTERN DIVISION

SERVICE

Mailed to John McConagha this 6th day of January 2007, via
U.S mail , postage paid.

John McConagha
201 Fountain Avenue
Springfield, Ohio 45506

Wayne Doyle
202 Southern Avenue
Springfield, Ohio 45506

Wayne Doyle