

(Rev. 5/05)

FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

FILED CLERK, U.S. DISTRICT COURT DISTRICT OF DELAWARE 2013 JUN 27 PM 2:54

(1) Jamarr Campbell #00330993 (Name of Plaintiff) (Inmate Number) P.O. Box 500 Georgetown, De 19947 (Complete Address with zip code)

(2) Joseph Rushing #00370242 (Name of Plaintiff) (Inmate Number) P.O. Box 500 Georgetown, De 19947 (Complete Address with zip code)

13 - 1144

(Case Number) (to be assigned by U.S. District Court)

(Each named party must be listed, and all names must be printed or typed. Use additional sheets if needed)

vs.

CIVIL COMPLAINT

(1) Commissioner Robert Coupe (2) Warden G.R. Johnson (3) c/o James Apgar (Names of Defendants)

Jury Trial Requested

(Each named party must be listed, and all names must be printed or typed. Use additional sheets if needed)

I. PREVIOUS LAWSUITS

A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

N/A

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

A. Is there a prisoner grievance procedure available at your present institution? Yes No

B. Have you fully exhausted your available administrative remedies regarding each of your present claims? Yes No

C. If your answer to "B" is Yes:

1. What steps did you take? I wrote a grievance and talk to LT. Callaway
2. What was the result? The guard was remove from the housing Unit.

D. If your answer to "B" is No, explain why not: N/A

III. DEFENDANTS (in order listed on the caption)

(1) Name of first defendant: Robert Coupe
 Employed as Commissioner at Department of Corrections
 Mailing address with zip code: 245 McKee Road
Dover, De 19904

(2) Name of second defendant: G.R. Johnson
 Employed as Warden at SCI Prison
 Mailing address with zip code: P.O. Box 500 Georgetown, De
19947

(3) Name of third defendant: James Apgar
 Employed as Correctional Officer at SCI Prison
 Mailing address with zip code: P.O. Box 500 Georgetown, De
19947

(List any additional defendants, their employment, and addresses with zip codes, on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State 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 no more than three extra sheets of paper if necessary.)

1. See the attach pages:
- 2.
- 3.

V. RELIEF

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

1. Requesting: That the appropriate disciplinary actions is taken against the defendants as well as punitive, compensatory and damages for Pain + Suffering in the amount of: 2.5 millions dollars and release with all criminal charges dropped.

2. _____


To: Whom it may concern,

From: Jamarr L. Campbell S.B.I #00330993

Date: June 14, 2013

Time: 10:35 a.m.

Re: Reprerstation for Class Action Lawsuit.

On June 05, 2013 at approx. 8:30 p.m. - 9:15 p.m. a Correctional Officer by the name James Apgar put some chemicals (Ajax/Comet) in a half loaf of bread and shook it up and sealed it back and gave it to inmate Chris Powell to put it in a common area, and then have some body get it. So whoever got the bread would get very sick or even die from the chemicals in the Ajax/Comet. I, Jamarr L. Campbell asked ^{Im} Chris Powell for some bread early that day. He stated I will see what I can do for you. When I come out for receation at 8:30 p.m. ^{Im} Chris Powell told me where some bread was location, and I went to retrieve the bread and took it back to my room. Me, Joseph Rushing, Tevon Savage got very sick after eating the bread. We had head aches, stomach cramps, vomitting, our stool was running, sharp pains in our chest, sore throat, they even called in Poison Control and the doctor's to exam us. I was rush to the in firmary because my chest was hurting really bad and the nurses done a EKG on me and I had a abnormal slow heart beat.  TURN OVER.

They thought that my heart was going to stop beating. We had notify the (DSP) Delaware State Police and Internal Affairs and they said that someone would be over to S.C.I Prison and talk to us. But nobody has come yet to speak with us. The LT. Callaway called us to his office and told us that a full investigating is being done into this matter and that Internal Affairs and Delaware State Police will be talking to us. They aren't letting us call out on the phones, They aren't letting us have any visits from our family members, they are even checking our mail and not letting our mail go out. They are trying to keep this from the public eye's. This officer James Apgar should and will be hold a ccountable for his actions. Me and my room mates need someone to come over here and take a statement from us. No body been over here yet to see us. They are trying to hide this situation and sweep it under the rug. I almost died from this situation. And now they got all 3 of us on Zantac for 2 weeks. This Correctional Officer James Apgar needs to be charge with Attempt Murder. Thank you! Come and see us please... Filed:cc

CC:

CIVIL LITIGATION / PERSONAL INJURY A2

TO: Warden G.R. Johnson, Internal affair, NAACP,
WBOC News, LT. Callaway, Federal Court.

S.B.I # 00330993

00370242

00546278

From: Jamarr Campbell, Joseph Rushing, Tevon Savage

Date: June 05, 2013

Time: 8:30 p.m. - 9:15 p.m.

Re: "Pain + Suffering - Cruel + Unusual Punishment, Racial
Slur. Emotional stress + Trumatize."

On the above date and time, (I) Jamarr Campbell, Joseph Rushing, Tevon Savage was in possession of a half loaf of bread with ajax/comet on it. % James Apgar made a home bread with ajax/comet on it. And %m Chris Powell put the bread in a common area and told me to go get the bread when I come out for recreation. %m Jamarr Campbell proceed to the location where %m Chris Powell had inform him it was at. Then %m Jamarr Campbell brought the half loaf bread back to the room. Around approx. 8:45 p.m. Sgt. Duker come to do a shake down for extra items. All of us come back to the room and ate the half loaf of bread with ajax/comet on it. % James Apgar was walking around yelling out who ever got that bread, I hope that you like that home made, gritty bread and you better have clean sheets. Because you will be shitting. %m Chris Powell informed % James Apgar that %m Jamarr Campbell, Joseph Rushing, Tevon Savage had the bread. % James Apgar come to room 309 and stated I hope yall enjoy → TURN OVER.

that homemade gritty bread, because you people are always stealing. I'm Tevon Savage stated I know what you people mean, that is a racial slur. I'm Tevon Savage ask for a grivence, ^{to} James Appgar stated "NO" they won't believe you, it's your word over mine "boy."

medical: Poison Control had to be called in and he did a exam on us. The doctor prescribe us zantac for 2 weeks to flush the chemicals out of our body. We all been throwing up, headache, stomach pain, chest pain, sore throat, our stool been black and cramps. We are emotional stress and traumatize from this matter.

notify: On June 11, 2013 at 1:45 p.m. The state Police was notify about this incident, they contacted the internal affair and S.C.I Prison and they wanted to know why they wasn't inform about this matter.

On June 12, 2013 at 9:30 p.m We were all called to the LT. Office (LT. Callaway) to sign our grievances and he stated that it is a full investigating into this matter. He also stated that Internal affair and Delaware State Police will be over here (S.C.I) to talk to yall on this matter so be ready.

statement of
witness 15

A 4

10:10 AM

On June 5th 2013 James Apgar told us that he was going to put something in the bread (Ajax/Comet) if we ate it would get sick. later after we all had locked in I'm Steve. Saw him put the stuff (Ajax) in the bread. he (C/O Apgar) then called one of the cart workers (Chris Powell) to get the bread and put it out on the cart so it would get taken by an inmate and they would get sick. It was taken by an inmate in 309. He also said (Apgar) that if he got wrote up that it would be his word against ours.

Steve [Signature]

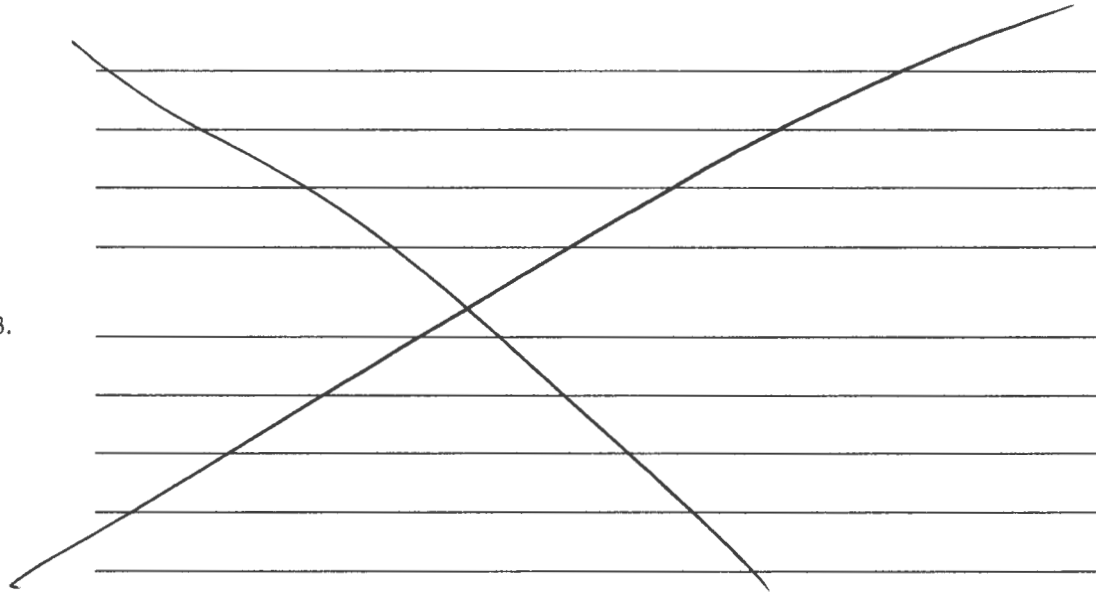
Pre-Trial Housing UNIT # 3

A 3

WITNESSES

- 1) Jamarr Campbell / Jamar Campbell 27)
- 1) Tivon Savage / Tuon Savage. 28)
- 1) Joseph Rushing / Joseph Rushing 29)
- 1) Tyone Hayward 30)
- 1) Willie Sewell 31)
- 1) Adam LaGarde 32)
- 1) JOSHUA LOWE John E. 33)
- 1) Peter Burton 34)
- 1) Roy Moss 35)
- 0) John Kulligier 36)
- 1) ~~Dustin~~ ^{Dustin} ~~Alfiso~~ 37)
- 2) Richard Roundtree 38)
- 3) Jermaine Lathorn 39)
- 4) William Bramble 40)
- 5) Steve Floresta 41)
- 6) 42)
- 7) 43)
- 8) 44)
- 9) 45)
- 0) 46)
- 1) 47)
- 2) 48)
- 23) 49)
- 24) 50)
- 25) 51)
- 26) 52)

3.



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

Signed this 21 day of June, 2013.

Jamon L. Campbell
(Signature of Plaintiff 1)

Joseph Rushing
(Signature of Plaintiff 2)

Levon Savage
(Signature of Plaintiff 3)

