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/	To Mills Cli Dall Carl To the
· · · · · · · · · · · · · · · · · · ·	In The United States District Court For The
1	Scrithern District Of Texas
	Houston, Division
	John Anthony Buchanan 1 Case No 4:19-CV-00457
	1500#02981929 1 Juge: Sim Lake
	Megistorete.
	Plaintiff 1
- '	Second Amended Complaint
:	l vs
	1 (Jury Demany)
	Caronda Harris
	Americas With Disabilities Act 1
	Courdinater 1
	Harris Courty Human Researces + 1
	Risk Management
	BIO Prentie, Suite #400
	Haston, Texas 77002
	Detention Officer Way #130996 1
	Harris County Sheriff's Office 1
	1200 Baker Street
,	Hauston Texas 7700z
	Norse Brandi Hawking 1
	Harris County Sheriff's Office 1
	Health Services 1
	· ·

	1200 Baker Street
	Ill-touston Texas 77002
	Depty Sheriff Sct. J. Wheeler 1
	Harris Courty Sheriff's Office 1
	11200 Baker Greet
	M-baston, Texas 27002
	William Laws
	ADA Comptionce Conclination
	Horris County Sheriff's Office
	11-lealth Services
	1200 Baker Sheet
	Haston, Texas 7xcz
	Defention Officer W. Gibson 1
<u> </u>	Classification Department
	Harris County Sheriffs Office
	1200 Paker Street
	Haston, Texas 77002
· · · · · · · · · · · · · · · · · · ·	Detention Officer Sct Pickens-Wilson 1
	Harris County Sheriff's Office 1.
	11200 Beker Sneet
	Houston, Texas 7700Z

Petention Officer Mendoza Horris Canty Sheriff's Office 1200 Bakes Sheet 1-bouston, Texas 77002

Defendants

Introduction

This is a Civil rights Complaint by a prose, pretried detained against the above named defendants prosent to title 42 U.S.C. \$ 1983 ("Civil Rights Act") title 42 U.S.C. \$ 1983 ("Civil Rights Act") title 42 U.S.C. \$ 12132 ("Title II, Americans with Disabilities Act") fac: (1) retaliation in violation of the First Americans with Disabilities Act") fac: (1) retaliation in violation of the First Americans with Deliberate indifference to a Serious Medical Solution of Disciplinary and Solution of Disciplinary Due Process, (6) Denico of Faval protection, (7) Compiracy to deprive him of Faval protection, and (8) failure to accommodate his disciplinary transition. Amputee, for damages and inductive relief

I. Parties

The plaintiff is a Transtitial, disabled, Retrial detainer being held in the Custody and Control of the Harris Blown Canty Sheriff's Office in the Harris County Sail, pursunt to an invalid Grand Jury indictment Charging the Crime of Agravated Assalt.

2.	The Defendant, Coranda Harris is the Harris County Human Resources
	and Risk Management ADA Coordinator Mrs. Harris is repossible faction-
	Idling Complaints and Harris County Sheriff's Office in mate grieveness that
	fore dischility or accessibility based as required by Title II of the Americans
	With Pisabilities Act She is being Seed in her individual and afficial
	Capacity.
3	The Defendant, Detention Offices lugg #130986 is a detention Offices
	in the employ of the Harris County Sheriff's Office at the Harris County
	Jail. Mrs. Wag # 130996 is responsible for the Expervision of inmates
	within the Sail She is being Sued in her individual Capacity.
f 3	
	The Defendant, Norse Brandi Howking, is a Health Care Dovider in the emp-
	loy of the Harris County Sheriff's Office Health Services Department in the
	Clinic at 701 N. Son. Jacinto in the Harris County Jul. Her duties and
P P	responsibilities within the Joil one continous at the time. She is being
	Sued in her individual Capacity
5.	The Defendant, Deputy Sheriff Sof J. Wheeler, is the first Shift Supervi-
-	Sor of the Second floor at 701 N. Son. Jacinto in the employ of the Her.
	ris Centy Sheriff's Office at the Harris County Jail His responsibilities
,	Pange from Supervising Retention Officers, to coldinassing the Conserces of the
-	invoke population. He is being Sued in his inclinical Capacity
Ĝ.	The Defendant, William Cous, is the ADA Compliance Coordinator in the
	Health Services Department in the employ of the Harris County Sherift's
	Office at the Harris Courty Soil Mr. Laws is responsible for energing the

	Vail is in Compliance with Title IF of the ADA by addressing inmedes
	within the Harris County Juil accessibility grievonces. He is being Seed in
	his individual and official Capacity.
9	The Defendant, Defention Officer W. Gibson, is a defention offices who,
	From time to time, works in the Classification Department of 701 N. Son.
	Jacinto, in the employ of the Harris County Sheriff's Office at the Harris
	County Soil Mr Gibson, from time to time, is responsible for Classifying one
	hasing inmates within the Jail in Gaardance with applicable Policies and
•	the United States Constitution. He is being Seed in his individual and officia
	Capacity.
<i>~</i>	To De la Diagnos de la la designa de la la designa de la la designa de la la designa de la designa d
0	The Defendant, Defention Officer Sch. Pickers-Wilson is the third Shift Expo-
	Visor of the Second floor of 701 N Son. Jacinto in the employ of the Her- ris County Sheriff's Office at the Herris County Jail. Mr. Pickens Wilson's re-
	Spansibilities orace from Simonisia, Notontian affices to admission the
	Sponsibilities range from Supervising Detention officers to addressing the Concerns of the inmate population. He is being seed in his individual Capacity
	part of the state
q.	The Defendant, Detention Offices Memoliszer, is a detention offices in the
	employ of the Harris County Sheriff's Office at the Harris County dail.
	Mr. Mendoza is responsible for the Supervision of inmetes within the
	Dail He is being Sted in his individual Capacity.
10.	The Defendants, Uncles the Color Of State law, have and Continue to Via-
	late the plaintiff's Guil rights Secenced under the United States Constitution
	and demy him a reasonable hasing accommodation in violation of Title
,	45 LT - LT - A - A - A - A - A - A - A - A - A -

II of the ADA

II Jurisdiction and Venue
The Court has durisdiction to grant the relief requested puscant to Title 28 U.S. C. § 1331. That relief being Compensatory changes and indunu- tive relief.
Venue is proper in the Southern Diskict of Texas, Huston Division, becase the cate and Omissions of the Defendats track place within the territorial Jurisdiction of Harris County.
III Statement of Facts
On Nov. 8, 2019, at a crocut 5:05am, in Housing unit 241, the ADA Complaint hondicap housing Unit in Which the plaintiff has been housed for the majority Of his Stay within the Harris County Jail, the plaintiff was awa- Ken by Defention Officer Mendoza asked whether he would like to affect of Statement.
Not knowing why, or for what he had received a Conduct report for, the plaintiff asked why he was being asked to write a Statement, Detention Officer Membring Stated to the plaintiff, with malicias intent, "She I Adentical Officer Worg I Said you would know why."
At that point, the plaintiff went to the Detention Officers window lace- ted within the housing unit, to demand a Copy of the Confirmation of Service Form from Detention Officer Wary, which she is required to provi- cle him in accordance with Disciplinary De prexess, So that he Could be

1	made gware of the alleged rele Violation.
16.	In response to this, Detention offices Way Stated to the Plaintiff, with malicious, deliberate, intent to dery the plaintiff Due process oned Figure Protection "What's that?"
· · · · · · · · · · · · · · · · · · ·	At that point, in direct response to the Constitutionally infirm response by Detention office lung, the plaintiff become upset. At that point, the plaintiff produced to Detention Offices lung on example of a Confirmation of Service form, that she had provided him for a Conclust report he received at an earlies point of that year.
	Detention officer Using Continued to engage in this Constitutionally infirm Concluct, even though the plaintiff diligently attempted to Show her on exact copy of the form After reported by along this the plaintiff Stated that he worked a fermal grievage to address the Due process and Equal Adection Violations.
19.	In response to this, with deliberate, malicias intent, Defention officer was told the plaintiff that She elic hot have a fearment grievence, but that he Cauld write his grievence on Gox Sheet of paper, which is Stated Within the Harris Caunty Sheriffs Office innucte hardback.
20.	At that point, the plaintiff demonded to speak with the third Shift Supervisor Detention Officer Set. Pickens Wilson Detention Officer Wang de- pied the Daintiff's regest, and Continued to antagonize the Phintiff deat the issue.

21	Shertly after this Detention Officer Mendoza intervened, with deliberte
	Malicias, intent to acquiresce out ratify the actions of Defention off
	ices lung, Detention Offices Mendoze, Stated "Whit!" Already for Fretzely the
	Plaintiff asked Why?"
22	At that point, with deliberate, malicias intent to assist in the depoint
	ion of the plaintiff's Dre process and Foqual Hotection rights, Detention of
	licer Meroloza Stated to the Plaintiff "Well, fack you then Get any from
-	the Picket." At that point, the plaintiff returned to his beel.
23	you returning to his been, the plaintiff observed Defention officers were
	and Mendoza looking toward the plaintiff! bed area, and laghing in Chi-
	Son After about two minutes, the plaintiff observed through the picket
	lurroux Detention officer Mendozer leave.
24	Shortly after thet, the plaintiff observed Detention office lucy pick
	up the phone receiver in the picket. After obert 30 seconds into the Cell
	the plaintiff observed Detention Officer lung erupt with bystesical
4	Jaghter and look toward the plaintiff's bed area. At that point, in res-
	Porse, the paintiff Orch his middle finger up at detention Officer lang-
25.	your doing this, the plaintiff observed Defention Officer Wary speak into
	the received of the phone "year, he diet Stock his middle finger up at me."
-	Based on this, the plaintiff believes that Detention Officer Ware was Comme
	Unicating With Detention Officer Set Pickens-Wilson. This belief is predi-
	Cated on the fact that the plaintiff was tonstened later that merning in
	iretaliation.

-	
26.	Cater that morning at about 9:20 cm, the plaintiff was awaken by
	Defention Officer Newboker men told to poch his property, because he
	Was being transferred from the ADA Compliant housing unit 2H1 in the
	Harris County chil as an colverse cetian for him engaging in Protected
,	Conclut.
27	After paking his property, the plaintiff want to the Fcc. Upon arriving to the
	IFCe, the plaintiff was told to wait in the inmote holder After check
	30 mins, the detention officer working the FCC told the plaintiff to have
	his preperty onel so to Clessification becase to have be transferring to
	"D-Ro," & Seneral population housing Unit of the Herris Courty deil, Which
7	is alson kected on the Second Floor
4	
28	When the plaintiff arrived to the Classification department, he obser
	hed that detention Officer he Gibson was the Offices working the Classifi-
	Cation deportment at the time At their point, the paintiff asked defention
	Officer W. Gibson Why he was drensferring him from an ADA Compliant
	housing unit to a general population housing unit, along the Classification alexan
	theat is fely acrose of him being a treastibiou compater
<u>'</u>	
29.	Detention Officer W Gibson, with deliberate melicias intent to deny the
	plaintiff equal protection out inolitherent to the substantial pick of herm to
	the Akintiff Desed on his serious medical resells, Stated to the phintiff "I
	had to switch you with a 75 yr old men with glacema " At Hot pinh
	Defention offices Gibsun Stated to the Plaintiff "you need to speak with
	a Sperisor immeelidely. If you Con final Someone to Switch with I bill
,	cloit."

ļ	
	when the plaintiff returned to the Second floor, he ripped his T-Cercl out of frostration and Simmened Deputy Sheriff Soft of Wheeler. The plaintiff oxplained to Soft Wheeler what took place with deliberate, medicially intent, Soft of Wheeler Stated "There is nothing that I can do It is at as my Central."
	At that point, the plaintiff immediately refised to be hosed in a has- ing unit that did not accommedate his disability as a trenstition amputer. At that point, with deliberate, malicians intent to temple the plaintiff's Might to Equal protection under the ADA as other immutes similarly Situated, SSL J. Wheeler Stated "Ef you do not so to D-pad, I am soing to place you in hand afts and along you there."
	At that point, the plaintiff made a more reasonable aftempt to speck to Set I wheeler, expressing to him that it would be fealish for him to accommodate his closulity.  At that point, Set I wheeler stated to the plaintiff "I will so to Class:  Ification and speak with them. But those is no surrantee that you will be accommodated. If it does not change, you will need to all the paper—  water, and I will possible you a grievance."
	Shortly after, St. J. Wheeler returned and gove the plaintiff on inmete grievance form and told him they he hed to so to the pan-ADA Compliant housing unit.
34,	When the plaintiff conineced to D-pool, the plaintiff noticed that there per no tolets with reils, no hereigap sinks, no Sharer with a Secut or

1	
	hard rails, or other amenities the plaintiff head access to in heasing init
-	2H) The plaintiff as policed that there was not a bottom bank axi- lable for the plaintiff.
	partition in the property of t
35.	Since the plaintiff's transfer, he has been anable to recess the Shears
1	as Other inheres Simally Situated who remain in hearing unit 241. Leve
	has the plaintiff hed access to toilets that have rails, Casing him discomfat liner soing to believe himself
36.	The Pkintiff also developed sizes on his period limb as a perultion
	of his inchility to properly bothe himself, G-Clean his Prothetic
37.	On NOV. 09, 2019, the plaintiff filed a reasonable accommedation request
	Combined with an accessibility strenge with the following people at the following generies: (1) william Laws, ADA Compliance Coordinates in the Health
	Services Department of the Houris County Sheriff's Office, and (2) Copanda
	Harris, ADA Courdinater with the Harris Genty Human Desarces and Risk
	Mongye ment.
38.	The plaintiff received a response deten Dec. 12, 2019 from Coronala Harris
	that recels "The ADA issues you've reported have been forwered to the
	Sheriff's Office (HCSO) for investigation. Tam only authorized to headle
	Complaints dealing with the accessibility of pregrams, facilities, and Services
	of Horris Country to persons with discipilities as required by Title IT of
	He Americans with Dischilties Act."

- 39. On Dec 20, 2019, William Laws Contracted the plaintiff in housing unit 3F, located at 700 N. San. Judintos C'DPC'D. At that time, William Laws, with deliberate intent to deceive the plaintiff and deny him equal protection Stated "I am the reason why you are over here I3FI. I Contacted Marse Brent: Howking and total her that you necessary to be trensferred immediately to this during that has all the accommodations you request."
  - Prior to this, On Low 13, 2019, the plaintiff received a little, flimsy, Chair for him to take Showers with in heasing chit 204. Attached to the Chair, was a Harris Carnty Shesiff's Office Special needs columnated chatch Commander: Shower Charris Until placed in heading basing."

## IV Claims For Relief

- In The Defendent, Corenela Harris Violated the plaintiff's Forteenth Amendment right by: (1) Denving him Equal Robection credent Title II OF the Americas with Dischilities Ach by: (a) failing to properly investigate the Plaintiff's accessibility strengue as others Similarly Situated, and (b) Ifailing to provide the plaintiff his accommedation as requested in accordance with title IT of the ADA.
- 2. The Defendent Corenela Harris, Violated Title IP of the Americans With Disconlities Act by: (1) Derying the plaintiff's request for a resource of a cocommerciation in his hasing assignment after receiving a pageody Stocked written regress from him.

3.	The Defendent, Defention Officer home #130996, violated the plaintiffs
	Farteenth Amendment right by: (1) Being deliberately indifferent te
	the plaintiff's right to Die process are Equal protection by: (c) failing
1	to praide him notice of a allegen rule violation by denying him the Con-
	Firmation Of Service form She is proposed to previde.
4.	The Defendat, Defention officer Wang #130996, Vicilated the plaintiff's
	First Amendment right, acting under Color of State law, by: (1) retaliating against
	the plaintiff for engaging in protected Conduct by tooking the columns action
	of "(a) Contacting Refer tion Officer St. Mickens-Willow to how the plaintiff
1	transferred from a tendicap housing unit to assess papeledian housing unit,
	Casin him cliscomfect.
×-	
5.	The Defendant, lurse Brandi Hawking, Violated the Pkintiff's Facteenth
	Amendment right, acting under Color of State kow, by: (1) Being deliberately
3	indifferent to a Substratial risk of hum to the plaintiff based on his serious
·	medical Condition as a trastition Ampulee by: (a) Authorizing the rand,
	2019 treasfer of the plaintiff from the ADA Compliant hardicap housing unit
1	2HI to the general population howing unit 2D4, Casing the plaintiff extreme
	Pain and mental anguish.
6	The Defendant, Defention officer Set Pickens-Wilson, Violatece the plaintiff's
	First Amenged right, acting Under Color of Stede law by: (1) Being the Sde race
	Son responsible for initiating the Casal Connection recessory to affectivate
	the retaliatory transfer of the plaintiff from the ADA Complicit hardicap
	howing but 2H to a general population howing Coil 204, Casing the

1 plaintiff poin and discontest

7.	The Defendant, Depoty Sheriff Sch. J. Wheeler, Violated the plaintoff's
	Forteenth Amendment Cight, acting webs Color of State law, by: (1) thosest
	oning to engage in a mouse of Faree against the plaintiff in the term
	of herelauthy him and dragging him to a general population hasing unit
<u> </u>	Itor: (a) the plaintiff tetising to be hased in a hasing chit that did
	1807 accommedate his Constition as a tonstitud ampleter, Casing him emotion
· · · · · · · · · · · · · · · · · · ·	al discomfort
<i></i>	
<u> </u>	The Defendant, Deputy Shesiff Schol, Wheeler, Violateor the plaintiff.
· .	Forteen the American right, acting under Color of State law, by: (1) Being
	deliberately indifferent to the plaintiff's right to Fegure partection indes
	Title II of the Americas with Dischilities Act by: (a) telling the plain- tiff that there was nothing that he land do about the plaintiff being
	hetalictorily toursderred from a heralicop horsing unit to a general papulation
	basing unit, resulting in the plaintiff experiencing pain and disconfest
1	
9	The Defendant, Defention officer W. Gibran, Violated the plaintiff's Far
-	Heenth Amanlmont right, acting wow Caler CP Storte Kow, byill Being deliberate-
	11 y indifferent to a Substantial nick of herm to the phintiff based on
	his Serious nectical Consisters as a transfibial amplea, by: (a) transferring the
.1	Paintiff on Nov. 8, 2019 from the APA Compilat, herelicap hersing chip 2H
	to the general population having unit 204, resulting in the plaintiff experien-
	King pain and mental orguish.
10.	The Defendant, Dekntion Officer W. Gibson, Viahted the plaintiff's
1	Facteenth Amendedment right, acting Loder Celer of State law, by: (1) Being
	deliberately indifferent to the plaintiffs night to Eguel poketion Creles

	Title II of the Americas with Dischilities Act by: (a) howing the plain- Liff in the several population howing conit 2D4 instead of the ADA Com- Pliant howing wit 2H1 as others Similarly Sitested as the plaintiff resulting in the plaintiff experiencing pain and mental against.
	Plient howing Uit ZHI as Others Similarly Sitested as the Daintiff
	resulting in the plaintiff experiencing pain and mental cognition
11	The Defendat, William Laws, acting uncles Color of State law, violated
	the plaintiff's Forteenth Amendment Fight by: (1) Denying the plaintiff
	Equal protection must Title II of the ADA by: (a) toiling to properly
	inestigate the plaintiff's accessibility gravence as others similarly Situated,
	and (b) failing to provide the plaintiff his accommedation as prepared reques-
	ted in accordance with title IP of the Americans with pischilities Act.
12.	The Defendant, William Lows, Getting under Color of State key, Violated
· · ·	Hitle IP of the Americas with Dischilities Act by: (1) Denging the plain-
	tiff's request for a recordable accommedation in his housing assignment after
	receiving a properly Stated Written regres) from him.
	V. Prever For Relief
	WHEREFORE, the plaintiff Days fer relief from the Defendent in
	the following respects:
	a Compensatory damages in the amount of Il , as
	From Defendant Granda Harris;
	b A permonent intention entiring the Defendent
	Caronda Harris From: (1) failing to paper investigate the plaintiff's property
	Carondo Harris From: (1) failing to paperly investigate the plaintiff's property hospital districts or occessibility crewnes, and (2) from Donning the

	Phintiff's reasonable accommedation requests Salamitted in accordance with title II of the ADA;
	C. Compossitory damages in the award of \$ 3,000 from Defendant Defendant Defendant Wage #130996;
	d. Compensatory okemages in the amount of \$ 2,000 from
	Defendant Verse Brenot: Hawking
	e. Compensatory damages in the ameent of \$1,500,00
<del></del>	From Defendent Deputy Sheriff Set. J. Wheeler;
	P. Compository changes in the ancuns of \$1500 from
	Defendant huilliam Lows;
·	
	S. A. permenent induntion endinging preferent William
	leas from: (1) failing to properly imposigate the phintiff's preparly presented
<del></del>	disability and accessibility spierces, and (2) from derying the plaintiff's
	recognishe accommodation request submitted in considere with title II of the ADA;
	h. Compository alcomages in the amount of A 2500 from
	Defendant IV, Gibson;
	i A permonent intenction endining the Defendant Detention
	Officer W. Gibson Way from time to time, he works of the Classification
	department at 21 & Sen Servido, from: (1) hasing the Maintiff in general
	Republicy housing Chits Hat are chebic to accommodate the flaintiff'S
	Correlation co a domostial amorates

	I Compassetury damages in the amount of \$ 3500 from Defendant
·	Bekentin Officer Soft Pickens-Willan;
	V Cat according to the last of the contract of
	K. Compensatory chameges in the ament of \$100.00 from Defen-
	I Any other relief the Gert deems appropriate;
	In M. Casts to be taxed to the defendants;
	n. Hersgment and protedgment into est to be Calculated in accordance
	Lith applicable law.
	Pak: Feb 19, 2020
	Respectfully Submitted,
<del></del>	John Anthony Behenen
	Pro Se
	SPW #02981929
	Harris Canty Jail-JA07
	Harris Carty Jeil-JA07
	701 N. Son, Jacinto Houston, Texas 77002
	MOUNTON, LUXUS / 10012.