

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA

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U.S. DISTRICT COURT  
N.D. OF ALABAMA

JERRY BAKER, ANTHONY,

CAPABLE, DILL, FRAY DAVIS

JOHNNY DEFRIES, TONY

DEXTER, JAMES FRED, LUV

TED MCGINNIS, DARRELL

MULLER, ROBERT RACE

Case No. CV-03-C-1114-M

## NATURE OF THE ACTION

This is a civil action brought to vindicate the Plaintiff's rights.

Plaintiff are suffering

serious harm and are at risk of future serious harm.

Plaintiff are entitled to injunctive relief.

Plaintiff

Plaintiff

Plaintiff

Plaintiff

Plaintiff

all of the named Plaintiffs have been and continue to be provided grossly

inadequate medical care services in all ADOC facilities and

monitoring and oversight of medical health care services that have been

contracted out to private companies. It is the Plaintiff's responsibility for

ensuring that Alabama prisons operate in a manner that is consistent with

the United States Constitution. He is sued in his official capacity only.

Defendant Ralph Hooks is the Warden of St. Clair Correctional Facility.

medical care. Under the terms of the contract, Naphcare is obligated to

“provide all reasonable and necessary medical, dental, and mental

healthcare to inmates” in accordance with the “Standards of Care” set forth in the contract.

Plaintiffs contend that Naphcare has failed to provide the minimum standard of care required by the contract. Specifically, Plaintiffs contend that Naphcare has failed to provide the health care provided to inmates at St. Clair. The acts by Naphcare about which the plaintiffs complain are part of Naphcare’s formal and informal policies and practices.

## CEASSION ALLEGATIONS

### b. The Plaintiff Allegations

The Plaintiff Allegations are set forth below:

a. Plaintiff Allegations

b. Plaintiff Allegations

c. Plaintiff Allegations

d. Plaintiff Allegations

e. Plaintiff Allegations

f. Plaintiff Allegations

g. Plaintiff Allegations



## **Insufficient Staffing**

10. There is insufficient medical and dental staff to properly screen, diagnose and treat inmates with medical and/or dental problems.

The inmates at St. Clair have no access to a primary care physician.

In addition, the over 1500 inmates were served by *one* part-time urologist

present at St. Clair only *one* day per week. Although another physician has

apparently been hired recently, it is unclear whether this physician

and undesignated physician is certified, and the dentist is available only two days per week. As a result, inmates are denied prompt access to medical care and are forced to



patients, resulting thereby naturally to appropriately refer inmates to physician for further

physician for t

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## 12. Medical Co-Payments

12. Inmates are charged a \$3.00 co-pay every time they are

seen by the Nurse, even if no treatment is provided. Moreover, inmates must pay

this fee for each medical condition that is assessed; inmates are not allowed

to combine medical conditions or illnesses in one sick call request. These

practices prevent inmates with legitimate medical problems from seeking

medical attention. Inmates with chronic illnesses are often required

utilize the co-pay system for necessary care (as opposed to elective care)

that is related to their chronic illness. For example, inmates with dia-

must pay \$3.00 for each visit they seek treatment for hypoglycemia.

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adjustment.

13. Inmates are typically denied information about the results of

medical tests, even when these results are abnormal. Not only do inmates

are uninformed, they are not educated about their disease or how to manage their illness. As a result, inmates do not always seek proper follow-up treatment that could improve their health.

## Healthcare

Inmates are entitled to receive medical care if they are ill or injured. This includes treatment for mental health issues, dental problems, and other physical health concerns. Inmates who require medical attention are typically transported to a hospital or clinic outside of the prison grounds.

Prisons often have their own medical facilities, such as clinics or infirmaries, where inmates can receive basic medical care. These facilities may be staffed by medical professionals or by inmates who have been trained to provide basic medical services.

Inmates who are severely ill or injured may be transported to a hospital or clinic for further treatment. This may involve air ambulance transport or ground transport by ambulance. In some cases, inmates may be transported to a hospital or clinic for elective surgery or other medical procedures.

Medical care for inmates is provided by a variety of healthcare providers, including physicians, nurses, and medical technicians. Inmates are typically assigned to a specific healthcare provider who is responsible for their medical care. Inmates may also be assigned to a medical team, which consists of a physician, nurse, and medical technician.

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17. The Defendants have filed to ~~the~~ ~~2018~~ ~~and~~ annual

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A decorative horizontal bar at the bottom of the page, featuring a repeating pattern of small black and white squares.

10 of 10

ANSWER: The answer is **10**.

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[www.english-test.net](#)

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www.nursingcenter.com

www.ijerph.org

## Medication and Medical Supply Practices

20. Inmates on medication, including medication for chronic

illnesses, if available, their prescriptions, if any, and if discontinued or changed.

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to their abdomen for proper waste removal. Without such bags should be

provided daily, the official practice is to keep them in their cell

times per

ment bag,

s with what...

week. Some inmates have gone over one month without a replace-

forcing the inmates to clean feces from the bag in the sinks in their cel-

medical gloves or disinfectant. In addition to the obvious

mess, the practice pos-

s a risk of infection

to themselves and other inmates from the

infection.

Dental Care

Inmates who want dentures are medically necessary must wait

for months and sometimes years

years to receive them. Inmates who previously

received dentures from the

DOC must wait at least five years before

getting another set even if

their old ones fall out or are broken.

Inmates without appro-

priate dentures cannot eat properly, a problem that

creates or exacerbates other ma-

lical problems, including malnourishment

and acid reflux.

## STATEMENT OF FACTS

### REGARDING NAMED PLAINTIFFS

26. After the original Plaintiff, Jerry Baker, died on Thursday, May 15, 2003. He was 58 years old. Plaintiff Jerry Baker

died on Thursday, May 15, 2003. He was 58 years old. Plaintiff Jerry Baker

Baker had been placed in the infirmary because he was suffering from a

Baker had been placed in the infirmary because he was suffering from a

problem.

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less of twenty-six

he was not  
ing or colon

His weight loss was caused  
at he had only two teeth on the top of his  
bottom. He had been given a top denture plate

but that plate had been broken for over

back together with Crazy

...approximately every six months,

When he took it to the infirmary, they glued  
Glue; it did not hold for Mr. For the last  
a plate in the top of his mouth

Even though the Doctor gave him extra

(says), he was unable to consume enough food and therefore

nourishment due to his difficulty in chewing food.

28. Plaintiff Andrew Shony Cable is 27 years old and has resided at [REDACTED] house

at [REDACTED]

on his condition

on his condition

xx. At the time of the incident [REDACTED]

[REDACTED] was [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

RECORDED DATE: 09/20/2010 BY: [REDACTED]

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spider bite. Three days later, he was sent back to Carraway hospital.

He was admitted to the hospital with a severe infection.

He was given antibiotics and was released from the hospital.

He was sent back to Carraway hospital again because he had a fever.

He was given more antibiotics and was released from the hospital.

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33. Mr. Davis is currently prescribed medication for his lung

October or November 2013, Deifies contracted shingles again

- The figure consists of six horizontal panels, each representing a segment of a DNA sequence. Each panel contains four vertical chromatogram tracks, one for each base: Adenine (A, red), Thymine (T, green), Cytosine (C, blue), and Guanine (G, yellow). The height of each track indicates the signal strength or frequency of that base at that position. In the first panel, the peaks are relatively small and faint. As you move from left to right through the panels, the peaks grow progressively taller and more intense in color, indicating the successful sequencing of the DNA strand.

constant pain during the month following the surgery, the Lortab that was prescribed for him was only given to him sporadically.

38. Mr. DeFries uses dentures that are ~~over~~ ~~two years old~~. He ~~recently~~ ~~has~~ ~~no~~ ~~teeth~~ ~~on~~ ~~the~~ ~~top~~ ~~of~~ ~~his~~ ~~mouth~~. ~~He~~ ~~is~~ ~~virtually~~ ~~unable~~ ~~to~~ ~~use~~ ~~them~~ ~~properly~~. During a recent visit to the orthodontist, the top ~~denture~~ ~~was~~ ~~not~~ ~~properly~~ ~~re-lined~~, causing pain when the plate is worn. Without ~~any~~ ~~teeth~~ ~~in~~ ~~his~~ ~~mouth~~, he ~~now~~ ~~uses~~ ~~a~~ ~~partial~~ ~~denture~~ ~~with~~ ~~three~~ ~~teeth~~ ~~in~~ ~~his~~ ~~mouth~~. Despite ~~the~~ ~~partial~~ ~~denture~~, ~~he~~ ~~can~~ ~~eat~~ ~~nothing~~ ~~solid~~.

multiple requests, the Defendants refuse to replace his dentures.

Although Mr. Defries has multiple nutritional needs, he cannot chew any solid food, exacerbating the problem of his missing teeth.

Defendant Mr. Defries suffers from a type of hemophilia,

Willebrand Type II, Case, a bleeding disorder characterized by the inability of the blood to properly clot.

Mr. Defries has been unable to stop bleeding from his nose and mouth.

He has been unable to stop bleeding from his nose and mouth.

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He has been unable to stop bleeding from his nose and mouth.

He has been unable to stop bleeding from his nose and mouth.

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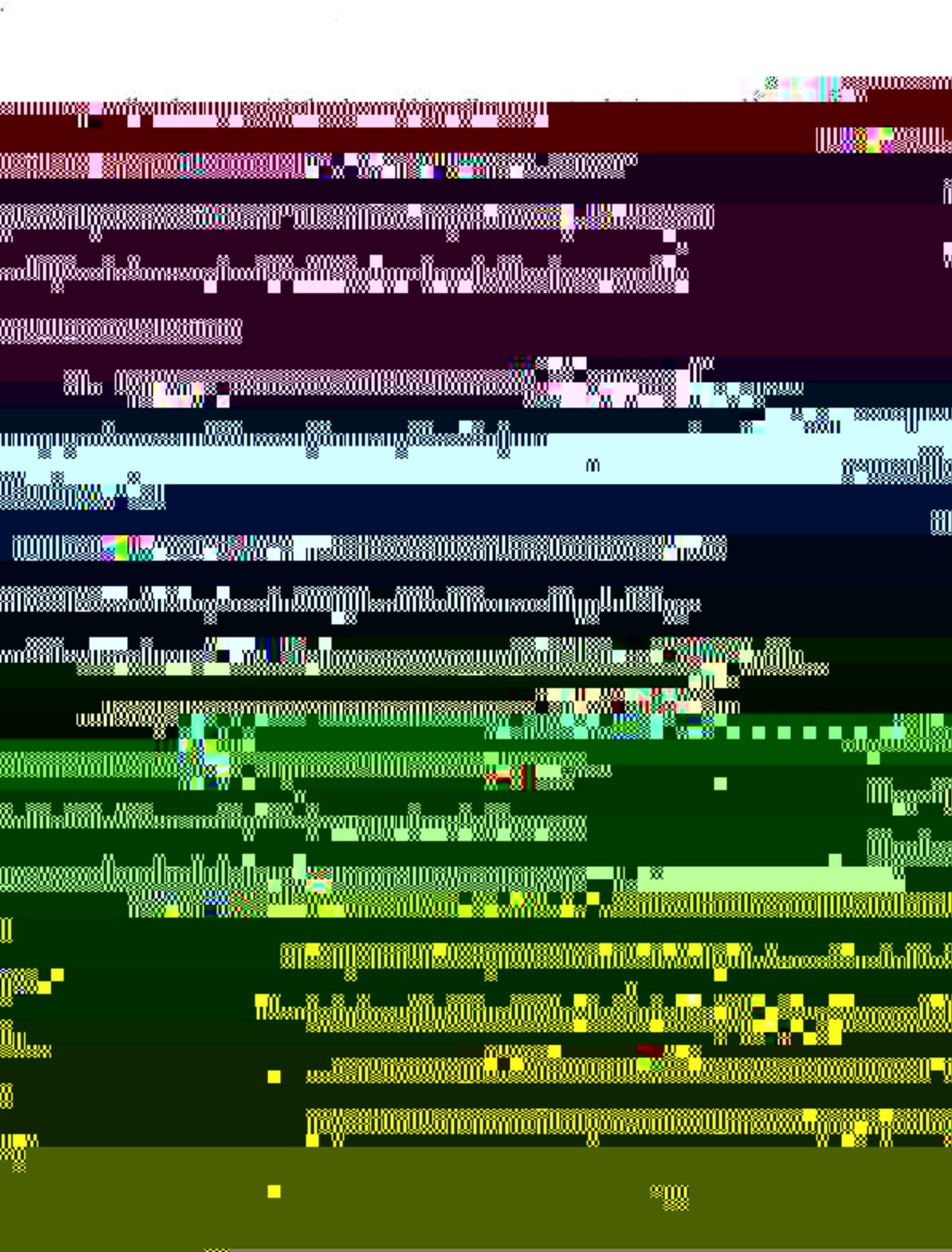
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used to treat HCV. Despite that physician's recommendation, Mr.

McGinness has not been given biopsy or any follow-up treatment. Instead,

he was placed on a chronic care list to be treated for a liver disorder.

"I'm not being treated for hepatitis C," he says.

He has been told to take a daily dose of interferon and to avoid alcohol.

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was not in contact with the Defendants on March 10, 2003.

Defendant **John Strickland** has cataracts in his right eye, causing blurry vision from the left eye. He is extremely hearing-impaired and has difficulty understanding speech. Multiple requests

for him to wear glasses have been denied by the Defendants.

Defendant **James W. Tamm** has cataracts in both eyes, causing blurry vision from both eyes. He is extremely hearing-impaired and has difficulty understanding speech. Multiple requests

for him to wear glasses have been denied by the Defendants.

Defendant **Robert L. Williams** has cataracts in both eyes, causing blurry vision from both eyes. He is extremely hearing-impaired and has difficulty understanding speech. Multiple requests

for him to wear glasses have been denied by the Defendants.

Defendant **James E. Gandy** has cataracts in both eyes, causing blurry vision from both eyes. He is extremely hearing-impaired and has difficulty understanding speech. Multiple requests

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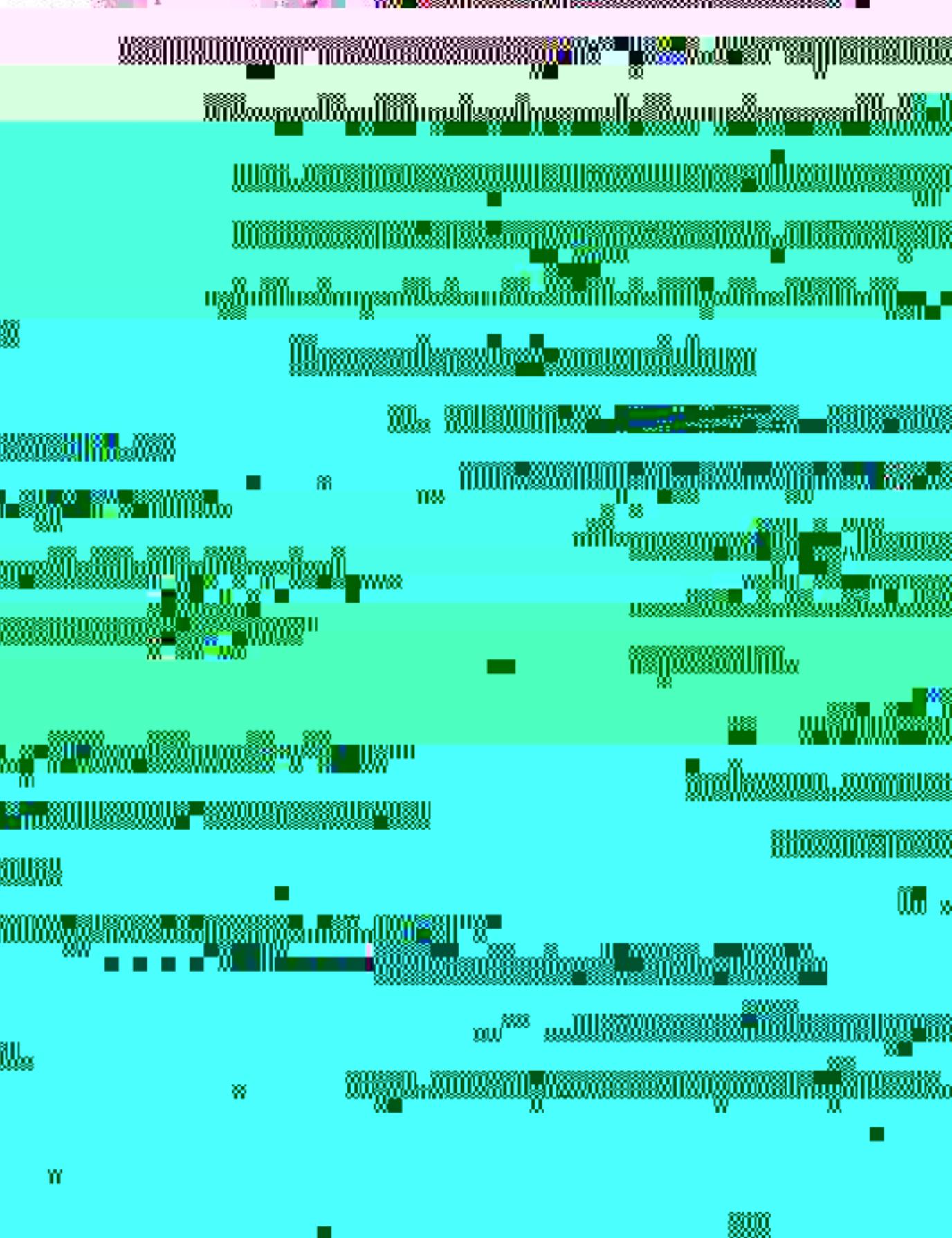
for a hearing aid have been ignored. Mr. Youngblood's inability to hear makes it difficult for him to adequately monitor his surroundings, placing him at risk of harm from other inmates and at danger of getting in trouble from correctional officers for not following orders.

49. Plaintiff [REDACTED] [REDACTED] [REDACTED]

50. The current contract medical provider [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

over inadequate media, a state of affairs which has been



d. Plaintiff Defries submitted comments to the Commission.

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ANSWER: The answer is 1000. The first two digits of the answer are 10.

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pooling operation, which is a sum of all the values in a receptive field.

## CLAIMS FOR RELIEF

32. The Plaintiff alleges that the Defendants' deliberate indifference to the

serious medical

needs of Plaintiff violated Plaintiff's rights under the Eighth and Fourteenth Amendments.

at this time Plaintiff respectfully requests the Court grant the

following relief:

1. Certify the plaintiff c

ass;

2. Declare that the acts and

omissions of the Defendants with

the Fifth and Fourteenth Amendments...

regard to the class members violate

to the United States Constitution;

3. Enter a preliminary and

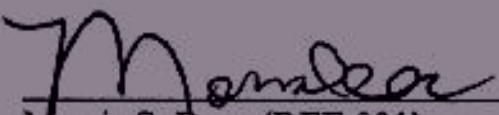
permanent injunction requiring the

Defendants, their agents, employees,

and all persons

Defendants, their agents, employees,

Respectfully submitted,



Morris S. Pees (DEE 001)

Rhonda

67-300

(334) 956-8481 (fax)

Attorneys for

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a true and correct copy of the document .....  
on the 25th of May, 2003, by facsimile and first-class mail, postage prepaid, on the  
following persons at the addresses listed below:

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Seattle, WA 98101-3144  
(206) 467-1200

Morris

Dees