

FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983
in the UNITED STATES DISTRICT COURT for the SOUTHERN DISTRICT of GEORGIA


RODERICK D. HAYNES

(Enter above full name of plaintiff or plaintiffs)

v.

RICHMOND COUNTY SHERIFF OFFICE
DEPUTY MICHAEL GARBER
IN INDIVIDUAL AND OFFICIAL
CAPACITIES, ET AL

(Enter above full name of defendant or defendants)

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GA.
2014 DEC 23 / AM 11:45
CLERK
SO. DIST. OF GA.


C V 1 1 4 - 2 3 7

I. Previous lawsuits.

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action? Yes ___ No

If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiffs: n/a

Defendants: n/a

2. Court (if federal court, name the district; if state court, name the county):

n/a

3. Docket number: n/a

4. Name of judge assigned to case: n/a

5. Disposition
(for example, was the case dismissed? appealed? is it still pending?):

_____ n/a _____

6. Approximate date of filing lawsuit: _____ n/a _____

7. Approximate date of disposition: _____ n/a _____

8. Were you allowed to proceed *in forma pauperis* (without prepayment of fees)?
Yes _____ No

B. While incarcerated or detained in any facility, have you brought any lawsuits in federal court which deal with facts other than those involved in this action?
Yes _____ No

If your answer to B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to previous lawsuit:

Plaintiffs: _____ n/a _____

Defendants: _____ n/a _____

2. Court (name the district):

_____ n/a _____

3. Docket number: _____ n/a _____

4. Name of judge assigned to case: _____ n/a _____

5. Disposition
(for example, was the case dismissed? appealed? is it still pending?):

_____ n/a _____

6. Approximate date of filing lawsuit: _____ n/a _____

7. Approximate date of disposition: N/A

8. Were you allowed to proceed *in forma pauperis* (without prepayment of fees)? Yes No

C. As to any lawsuit filed in federal court where you were allowed to proceed *in forma pauperis*, was any suit dismissed on the ground that it was frivolous, malicious, or failed to state a claim? Yes No

1. If your answer to C is yes, name the court and docket number for each case:

N/A
N/A
N/A
N/A

II. Place of present confinement: LIABE STATE PRISON

A. Is there a prisoner grievance procedure in this institution? Yes No

B. Did you present the facts relating to your complaint to the appropriate grievance committee? Yes No

C. If your answer to B is yes:

1. What steps did you take? N/A

2. What was the result? N/A

3. Did you appeal any adverse decision to the highest level possible in the administrative procedure? Yes ___ No

If yes, what was the result? N/A

D. If you did not utilize the prison grievance procedure, explain why not: _____

IV. Parties

(In Item A below, list your name as plaintiff and current address. Provide the name and address of any additional plaintiffs on an attached sheet.)

A. Name of plaintiff: RODERICK D. HAYNES
Address: WARE STATE PRISON
3620 HARRIS ROAD
WAYCROSS, GEORGIA 31503

(In Item B below, list the defendant's full name, position, place of employment, and current address. Provide the same information for any additional defendants in Item C below.)

B. Name of defendant: RICHMOND COUNTY SHERIFF OFFICE
Position: _____
Place of employment: _____
Current address: RICHMOND COUNTY
AUGUSTA, GEORGIA

C. Additional defendants: DEPUTY MICHAEL GARDNER
P/O/EMPL - RICHMOND COUNTY SHERIFF OFFICE
POSITION: DEPUTY
CUR. ADDR: [REDACTED] N/A

* DO SUMMONS TO BE PROVIDED CURRENT ADDRESS
BY THE HONORABLE COURT.

V. Statement of Claim

State here as briefly as possible the FACTS in your case. Describe how each defendant is personally involved in the depriving you of your rights. You must include relevant times, dates, places, and names of witnesses. DO NOT GIVE LEGAL ARGUMENTS OR CITE ANY CASES OR STATUTES. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

ON MAY 12 2013, DEPUTY MICHEAL GARNER OF RICHMOND COUNTY SHERIFF DEPT. DID INTENTIONALLY, KNOWINGLY, AND DELIBERATELY WITH ALL MALICE FUNCTIONING UNDER THE COLOR OF STATE LAW IN HIS OFFICIAL AND INDIVIDUAL CAPACITY USED THE VEHICLE (PATROL CAR) OF RICHMOND COUNTY SHERIFF DEPT. AND DID HIT ME, KNOCKING ME UP IN THE AIR (OVER 6FT) TO WIT DID CAUSED EXTENSIVE DAMAGE TO THE WINDSHIELD OF PATROL CAR BEING DRIVEN BY HIM. THAT HAVE RESULTED IN BODILY INJURIES TO MY NECK, SHOULDER, BACK AND LEG. I WAS TAKEN BY AMBULANCE TO AN AUGUSTA AREA HOSPITAL. DEPUTY MICHEAL GARNER INTENTIONALLY HIT ME MALICIOUSLY AT A SPEED IN EXCESS OF 60 MPH BECKLESSLY DRIVING AROSS AN CHURCH PARKING LOT. DEPUTY GARNER AT NO TIME GAVE ME ANY FORMAL WARNING (BY PATROL CAR SIREN) NOR EXTERNAL SPEAKER OF PATROL CAR) PRIOR TO SUCH MALICE UNPROFESSIONAL, DELIBERATE ACT USING THE RICHMOND COUNTY SHERIFF DEPT. (GOVERNMENT) VEHICLE AS AN DEADLY WEAPON. NOT TO EXCLUDE ES EXCESSIVE FORCE / DEADLY FORCE. THIS WAS AN CRIMINAL ACT AGAINST THE LAWS) OF THE STATE (DIGNITY OF) BY DEPUTY MICHEAL GARNER. THERE WAS MEASURES THAT DEPUTY MICHEAL GARNER COULD HAVE TAKEN BUT CHOSE INDIVIDUALLY, YET WAS

VI. Relief

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

PLAINTIFF SEEK AS SET OUT AS FOLLOWS

COMPENSATORY DAMAGES IN THE AMOUNT OF:
\$ 1.2 MILLION (\$1,200,000.00)

NOCTURNAL DAMAGES IN THE AMOUNT OF:
\$ 15,000 THOUSAND (\$15,000,000.00)

PUNITIVE DAMAGES IN THE AMOUNT OF:
\$ 2.2 MILLION (\$2,200,000.00)

AND ANY OTHER THIS HONORABLE COURT DEEMS NECESSARY, DONE BY DEPUTY MICHAEL GARNER ON DUTY WITH PATROL CAR OF RICHMOND COUNTY SHERIFF DEPARTMENT.

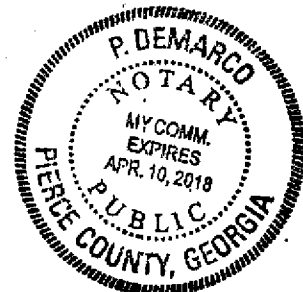
I declare under penalty of perjury that the foregoing is true and correct.

Signed this 1ST day of DECEMBER, 19 14.

Prisoner No. 1154064

Richard Payne
(Signature of Plaintiff)

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EXP 4-10-18
Mrs Demarco
12-01-14



MR. ROBERTICK HAYNES

GOC # 1154064 (I4/3IT)

WARE STATE PRISON

3620 N. HARRIS RD.

WAYCROSS, GEORGIA

31503
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UNITED STATES DISTRICT COURT
CLERK OF COURT

125 BULL STREET

C