

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

v.

MATAGORDA COUNTY, TEXAS,

and

JAMES D. MITCHELL,  
Matagorda County Sheriff, in  
his official capacity,

Defendants.

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CIVIL ACTION NO.  
JUDGE SAMUEL B. KENT  
"JURY"

COMPLAINT

Plaintiff, United States of America, alleges:

1. This action is brought on behalf of the United States to enforce the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et seq.
2. This Court has jurisdiction of the action under 42 U.S.C. § 2000e-5(f) and 28 U.S.C. §1345.
3. Defendant Matagorda County is a corporate, governmental body created pursuant to the laws of the State of Texas.
4. Defendant James D. Mitchell, Matagorda County Sheriff, (hereinafter referred to as the "Sheriff") is the chief employment officer of the Matagorda County Sheriff's Department ("sheriff's department"). The Sheriff is sued in his official capacity only.
5. The defendants are persons within the meaning of 42 U.S.C. § 2000e(a) and employers within the meaning of 42 U.S.C. § 2000e(b).
6. The defendants have discriminated against Christopher Jordan, who was employed by the sheriff's department from on or about October 7, 1995, until on or about April 21, 1999, on the basis of his race, black, in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-2(a), among other ways, by:
  - (a) subjecting Mr. Jordan to disparate discipline, including discharging Mr. Jordan from employment

with the sheriff's department; and

(b) failing or refusing to take appropriate action to remedy the effects of the discriminatory treatment of Mr. Jordan.

7. The defendants also have discriminated against Mr. Jordan in violation of Section 704(a) of Title VII, 42 U.S.C. §2000e-3(a), among other ways, by:

(a) subjecting Mr. Jordan to disparate discipline, including discharging Mr. Jordan from employment with the sheriff's department because Mr. Jordan filed a charge with the Equal Employment Opportunity Commission ("EEOC") alleging discrimination in employment on the basis of race and retaliation in the sheriff's department and/or because Mr. Jordan complained to officials in the sheriff's department about what he believed to be discrimination in employment on the basis of race; and

(b) failing or refusing to take appropriate action to remedy the effects of the discriminatory treatment of Mr. Jordan.

8. The EEOC received a timely charge filed by Mr. Jordan alleging that he had been discriminated against in employment on the basis of race and retaliation in the sheriff's department and discharged from employment in the sheriff's department on the basis of race and retaliation. Pursuant to Section 706 of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-5, the EEOC investigated the charge, found reasonable cause to believe that the allegations of racial discrimination and retaliation were true, attempted unsuccessfully to achieve through conciliation a voluntary resolution of the charge and subsequently referred the matter to the Department of Justice.

9. All conditions precedent to the filing of suit have been performed or have occurred.

WHEREFORE, the plaintiff prays this Court to:

(a) Enter an order enjoining the defendants from failing or refusing to provide remedial relief sufficient to make whole the charging party, Mr. Jordan, for the individual loss he has suffered as a result of the discrimination against him as alleged in this Complaint;

(b) Award compensatory damages to Mr. Jordan to fully compensate him for injuries caused by the discriminatory conduct, pursuant to and within the statutory limitations of Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a; and

(c) Take other appropriate nondiscriminatory measures to overcome the effects of the discrimination.

The plaintiff prays for such additional relief as justice may require, together with its costs and disbursements in this action.

#### JURY DEMAND

The United States hereby demands a trial by jury of all issues so triable pursuant to Rule 38 of the Federal Rules of Civil Procedure and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. §1981a.

JANET RENO  
Attorney General

By:

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