

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF MISSOURI

Johnson v. O'Brien



JC-MO-010-017

ROBERT E. BULLINGTON, )  
STEVEN L. TONEY, )  
GLEN REYNOLDS, and )  
MICHAEL CLARK and on behalf of )  
all other pretrial detainees )  
in the St. Louis County Jail )  
similarly situated, )  
Plaintiffs, )

Civil Action No. 79-650-C(4)

-vs-

GENE MCNARY, )  
individually and in his official )  
capacity as Supervisor of St. Louis )  
County, Missouri, and his agents )  
subordinates and employees, )  
EDWARD MORELAND, )  
individually and in his official )  
capacity as Director of Welfare )  
of St. Louis County, Missouri, and )  
his agents, subordinates and )  
employees, )  
Defendants. )

AMENDED  
COMPLAINT FOR DECLARATORY  
JUDGEMENT, INJUNCTIVE RELIEF,  
AND OTHER APPROPRIATE RELIEF

JURISDICTION

1. Jurisdiction of this court is invoked pursuant to and in accordance with provisions of Title 28 U.S.C. Section 1331, 134(3), (4), 2201 and 2202. This action arises under Title 42 U.S.C. Section 1983, and including but not limited to the First, Fourth, Fifth, Sixth, Eighth, and Fourteenth Amendments to the Constitution of the United States, wherein the plaintiffs, individually, and on behalf of all others similarly situated, claim that rights guaranteed to them were violated by the above-named defendants acting in their official capacities under color of State law and the St. Louis County Charter.

PARTIES

2. Plaintiff ROBERT E. BULLINGTON has been confined in the St. Louis County Jail for the past 18 months. He was unable to

post bond and is being held on the charge of first degree murder. Plaintiffs STEVEN L. TONEY, GLEN REYNOLDS, and MICHAEL CLARK have been confined in the St. Louis County Jail for the past 30 days. They have been charged with felonies and have been unable to post bond. All the plaintiffs are adult citizens of the United States.

3. Defendant GENE McNARY is the elected Supervisor of St. Louis County, elected pursuant to the laws of the State of Missouri and St. Louis County Charter to carry out those duties presented in Article III Section 3.050 (3), (4) (5) and et seq of the St. Louis County Charter 1968 as amended. Included within his responsibilities are the "coordination and supervision the work of the departments and agencies of the county...executere and enforce the provisions of this charter...." The agents, subordinates and employees of Supervisor GENE McNARY are also responsible for the proper care and treatment of those citizens incarcerated in the St. Louis County Jail. Supervisor GENE McNary and his agents, subordinates and employees also have the duties to carry out all court orders and directions and not to subject plaintiffs and the class they represent to constitutional violations.

4. Defendant EDWARD MORELAND is the Director of St. Louis County Department of Welfare duly appointed pursuant to Article IV of the St. Louis County Charter 1969 as amended. Pursuant to Section 4.410 (7) et seq of Article IV of the County Charter of St. Louis County 1969 as amended. He has the " custody, rule, keeping and charge of all jails and correctional institutions and all prisoners therein..."

5. Both defendants are sued in their official capacities and are also sued in their individual capacities as citizens of the United States and the State of Missouri.

CLASS ACTION

6. Plaintiffs, Robert E. Bullington, Steven L. Toney, Glen Reynolds and Michael Clark, are members of a class of persons who are detained at the St. Louis County Jail while awaiting trial on alleged offenses against the State of Missouri. Plaintiffs bring this action pursuant to Rule 23 of the Federal Rules of Civil Procedure on behalf

of themselves and all other persons constituting the classes described above who are similarly situated. Their action is maintained as a class action because:

(1) the persons in these classes are so numerous that joinder of all members is impractical;

(2) there are questions of law and fact common to the class;

(3) the claims of the plaintiffs in the case are typical of the claims of the class; and

(4) the plaintiffs in this case will fairly and adequately protect the interests of the class.

This action is particularly appropriate as a class action because prosecution of separate actions by individual members of the class would create a risk of adjudications with respect to individual members of the class which would as a practical matter be dispositive of the interests of other members not parties to the adjudication. Further, defendants have acted and refused to act on the grounds generally applicable to the class thereby making appropriate final injunctive relief or corresponding declaratory relief with respect to the class as a whole.

#### STATEMENT OF FACTS

7. Plaintiffs and the classes each represent have been, are, and will continue to be subjected to the shocking, dehumanizing, illegal and unconstitutional conditions and practices enumerated in this complaint. These conditions and practices exist because of the willful and intentional acts, policies and omissions of the defendants in this action.

8. The St. Louis County Jail was erected in 1940 to serve as a "county" jail. At that time the population of St. Louis County was less than 1 million and the County was primarily rural. The county has grown and its character changed as the St. Louis County Metropolitan Area has grown. The county is now primarily urban with a population in excess of one million.

9. The inmates in the St. Louis County Jail, both pre-trial detainees and sentenced inmates, are housed on the 4th floor of the structure.

10. The St. Louis County Jail's inmate population fluctuates. The average daily number of prisoners housed at the jail is 112.

UNSANITARY AND UNSAFE CONDITIONS

11. The cells are infested with roaches and mice. There is also a fungus which frequently grows on some walls of the jail during periods of high humidity and heat. Whenever this fungus is present, there is an increase of respiratory ailments among the inmates.

12. Windows in the jail vary in their condition. In 1975 a majority of the windows were blocked up and air conditioning units installed. The exhaust vents on the roof provide the only source of ventilation in the cell areas. This lack of ventilation causes foul odors to collect and constantly permeate the air.

13. The mattresses for the bunks are filthy, foul-smelling and never cleaned, aired out or disinfected. No mattress covers are furnished and there is often a long period of time between changing of sheets.

14. The only cleaning in the jail is done by the inmates. Inmates who are trustees are responsible for the halls and common areas, while all inmates are solely responsible for their cells. Inmates who are not trustees frequently have difficulty obtaining the proper cleaning tools, such as mops and brooms.

15. Showers and open toilet areas are contained in each cell except for the women's cell that has a separate enclosed bath room. The only cleaning of these areas is done by the inmates occupying the individual cells who are seldom provided with the proper materials to adequately clean these areas. Consequently these areas are breeding grounds for bacteria and fungus.

16. Inmates are required to eat their meals in their cells, which are usually in a dirty and unsanitary condition due to the limited amount of cleaning previously described.

17. There is insufficient hot water for inmates to take showers. Normally an inmate must shower in cold water or remain dirty.

18. Personal hygiene items such as shampoo, soap, tooth paste, tooth brushes, and combs, are sometimes difficult to obtain. No

razors are given to any inmates, except during sporadic times when groups of inmates are allowed to shave in one common room.

19. Laundry is supposed to be done once a week for all inmates by the trustees. However, because of breakdowns in the equipment, washing is often done only once a month. Also inmates must wash their own socks in the sink without any detergent.

20. There are heating and cooling problems, causing the jail to be unreasonably cold in the winter and unreasonably hot in the summer. At all times, the temperature varies from floor to floor. Inmates often suffer the harsh physiological effects of temperature extremes.

#### LACK OF USE OF RECREATIONAL FACILITIES

21. An indoor area is provided for exercise or recreation of the inmates, but is not utilized due to a shortage of staff to supervise the area. This lack of recreation leads to mental and physical deterioration.

#### F O O D

22. The food served to the inmates is nutritionally deficient. Food which is supposed to be hot is always cold. Inmates never receive fresh fruits or vegetables. The portions of food which inmates do receive are too small, leaving inmates still hungry immediately after eating a meal.

#### MEDICAL FACILITIES AND CARE

23. An inmate needing medical attention or medication from 5:00 p.m. to 9:00 a.m. must request it by getting a written or oral message to a correctional officer. These officers have no procedure for routinely checking with inmates to see who needs medical attention and they do not in fact do so. Even when officers receive requests for medical attention, these messages may not be transmitted promptly to the medical staff and they may not be conveyed to the medical staff at all. Therefore, inmates must sometimes endure unreasonable delay in obtaining needed care. For "minor" problems, such as colds, sores, dandruff, insect bites, rashes, corns, athlete's foot, headaches and tooth aches, it is very difficult to get any relief, even an aspirin.

24. When medical requests are made, the officer decides if the inmate receives medical attention. The officer has no specialized training to diagnosis or to determine if medical assistance is required. Therefore, the decision to allow medical assistance is often at the whim of the officer.

25. There is no medical screening procedure to test for contagious diseases. Trustees who handle all food preparation tasks do receive a limited amount of screening for certain diseases. However, this screening frequently does not take place until the inmate has been on the job for a number of weeks, thus rendering these tests meaningless, exposing other inmates to great harm.

26. No dental care is provided.

#### VISITATION AND COMMUNICATION RIGHTS

27. The visiting facilities are grossly inadequate. The visitation area consists of a "fish-bowl" area where visitors enter. Inmates are viewed through glass-like panels which are the walls of the "fish-bowl". If more than two or three persons occupy this area it becomes very crowded. Inmates with visitors must stand on the outside of the "fish-bowl" and communicate with their visitors through a hole. They are difficult for effective and meaningful communication. There is only one visit allowed per week. Each inmate is allotted 1/2 hour per week for visitation, with a limit of 3 visitors.

28. Inmates are allowed an initial phone call upon admittance and are thereafter allowed to make one call per week. According to the whims of some guards, certain inmates are permitted to make more calls, while some have their weekly call delayed until the very end of the week. Inmates are only allowed to speak to the person called for a period of 5 minutes. The calls take place in an office, with a social worker or officer present, depriving them of any privacy. If an inmate uses this call to speak with his attorney, he is denied the confidentiality of the attorney-client relationship.

## JAIL DISCIPLINE

29. The only written rules and regulations issued to inmates consist of a general list of infractions classified by level of seriousness. Included with this list is a generalized statement as to the punishment to be given if a certain rule is broken. The jail purports to have a policy whereby all inmates are to receive a copy of these rules upon admission. However, officers neglect to provide this document to incoming inmates. Frequently inmates are, therefore, unaware of the existence of any formal rules or regulations.

30. When inmates do violate a rule or regulation, no due process whatsoever is afforded the inmate. Guilt or innocence is an arbitrary decision made by the individual guard and the inmate may or may not be punished depending on the mood of the guard. There is no procedure for appeal of a decision of guilt.

31. A procedure exists for reducing the time to be served by a sentenced inmate if he shows good behavior while in the jail. Inmates lose "good time", as this practice is called, on the whim of the corrections officers and are frequently not informed of this decision when it is made.

32. Shakedowns occur at unreasonable times and are harrasing in nature. When shakedowns do occur it is normal practice for officers to throw bedding onto floors that have standing pools of water and to scatter personal items throughout the cell areas, causing them to become lost and damaged.

33. When admitted to the jail, all of an inmate's personal effects are placed in a numbered bin in the property room located in the basement.

34. Inmates are subjected to verbal abuse from officers, such as threats, name-calling, intimidations, insinuations and harrassment.

35. There is no established procedure for registering inmate complaints. The inmate must depend upon the good humor of the staff to correct any problem he or she might be having.

INMATE SECURITY AND SUPERVISION

36. Those persons hired as guards for the St. Louis County Jail receive no training to prepare them for their duties at a detention facility.

37. There is no effective procedure for the classification of inmates. Pre-trial detainees, misdemeanants and felons are all housed together. No classification procedure exists based upon inmates' age, physical size, crime or experience with the criminal justice system. The only system of classification which does exist is an arbitrary one imposed by the staff attempting to separate violent inmates from those more well-behaved.

38. Adequate supervision of the inmates is impeded by the structure of the jail itself and the limited number of guard staff employed by the jail. There is no central location in the jail where guards can supervise inmates located in cells and there are too few guards on duty at any given time to have someone stationed on each of the floors at all times. Consequently, when assaults or medical emergencies have occurred in the past, guards have had difficulty determining from what part of the jail an inmate's cries for help have come. Delays in locating disturbances or medical emergencies have resulted in unnecessary injuries which could have been prevented. In instances where inmates are so severely injured or seriously ill preventing them from crying out for help, even more grievous harm has occurred.

PSYCHOLOGICAL EFFECT OF DETENTION IN THE JAIL

39. Plaintiffs and the class they represent suffer mental and emotional as well as physical harm by incarceration at the St. Louis County Jail. Long term psychological damage results from the degradation and demoralization associated with the unsanitary and inhumane living conditions, the lack of adequate recreational facilities, the long hours of idleness, the isolation, the deficient health program, the almost total denial of contact with their families and friends, and the inconsistent treatment by jail personnel. This atmosphere deprives plaintiffs and the class they



represent of all dignity and severely damages their mental and emotional well-being. The mental and emotional harm is demonstrated by the numerous suicide attempts at the jail.

FREEDOM TO PRACTICE RELIGION

40. No special diets are provided for those inmates whose religious preference requires one.

IMPAIRMENT OF FIRST AMENDMENT RIGHTS

41. Plaintiffs and the class they represent, pretrial detainees, First Amendment Rights are violated by the officers placing the inmates' reading material from publishers in the property bin without allowing the inmates access to the bin. The inmates are restricted to only two pieces of literature per week.

42. Pretrial detainees are impaired as to their right to aid in the preparation of their defense at trial in the following manner.

a. There is no adequate facility for private conversations between inmates and attorneys. Most attorney-client visits take place in Social Workers' offices. Attorneys who do wish to speak privately with their clients must wait their turn to use the Social Worker's office. The hours for these visits are limited and if there are a large number of requests for private attorney visits, there may be a delay of several days before an inmate can consult privately with his attorney.

b. The jail does not have a Law Library. The legal books are scattered remotely in Social Works' offices and are inadequate to assist the inmates. No provisions are made for inmates to have access to a law library if they should need to use one.

c. Inmate's legal papers, documents, notes, letters, and other records have been confiscated or destroyed.

d. Writing paper, pens, envelopes, etc. are often difficult to obtain, especially by those detainees who are indigent.

e. Lack of access to telephones inhibits proper attorney-client communication. There are no special telephone privileges for contacting attorneys, so a detainee has to use his one weekly

call for this purpose. If the attorney is not in his office when the call is made, the inmate cannot try again for another week.

43. Inmates are often forced to appear in court unshaven and wearing dirty, malodorous clothing. The psychological impact of being unable to relate to a jury as dignified human beings has caused many inmates to be ineffective witnesses at trial.

44. Information, rumors and personal correspondence concerning an inmate's case are openly and loudly discussed by jail staff.

#### FIRST CLAIM

45. The imposition of summary, harsh and brutal punishment and conditions upon plaintiffs and their class enumerated in paragraphs 9 through 44 denies them the right to be free from cruel and unusual punishment in contravention of the Eighth and Fourteenth Amendments to the United States Constitution.

#### SECOND CLAIM

46. That the conditions found in the St. Louis County Jail are severely punitive in nature and effectively punish the class of pre-trial detainees and prior to trial and before they have been convicted of any crimes or given any sentence. Thus detainees are deprived of their life and liberty without due process of law, all in violation of their rights under the Fifth and Fourteenth Amendments to the Constitution of the United States.

#### THIRD CLAIM

47. Failure to afford plaintiffs proper disciplinary hearings prior to imposition of punishment and the arbitrary taking away of "good time" as described in paragraphs 29 through 35 denies plaintiffs life and liberty without due process of law in contravention of the Fourteenth Amendment to the United States.

#### FOURTH CLAIM

48. Plaintiffs and the class they represent are denied effective representation of counsel and the right to a fair trial guaranteed by the Sixth and Fourteenth Amendments to the United States Constitution, by the practices, procedures, acts and policies,

of the defendants which described in paragraphs 42 through 44 which restrict, limit and prevent access to legal materials, to legal counsel and to other persons and means necessary to prepare a defense.

FIFTH CLAIM

49. Failure to provide a law library and other materials needed by plaintiffs and the class they represent or to provide a reasonable alternative to direct access to a law library denies plaintiffs the right to access to the courts as guaranteed by the First and Fourteenth Amendment to the United States Constitution.

SIXTH CLAIM

50. Plaintiffs and the class they represent are denied the right to freedom of speech and association in violation of the First and Fourteenth Amendments to the United States Constitution by practices, procedures, acts and policies of defendants which restrict and limit visitation, arbitrarily prohibit visitation with certain friends, and deny plaintiffs the right to communicate with other persons by means of telephone as enumerated in paragraphs 27 and 28.

SEVENTH CLAIM

51. Unreasonable searches and seizures of papers and effects and the careless handling of inmates' property as described in paragraphs 32 and 33 denies plaintiffs their right to be secure in their personal property in contravention of the Fourth and Fourteenth Amendments to the United States Constitution.

EIGHTH CLAIM

52. Failure to provide special diets required by certain faiths as discussed in 40 inhibits and restricts plaintiffs and the class they represent from practicing the religion of their choice in contravention of the First and Fourteenth Amendments to the United States Constitution.

DECLARATORY JUDGMENT AND OTHER INJUNCTIVE RELIEF

53. There exists between the parties an actual controversy as herein set forth. The plaintiffs and others similarly situated and affected, on whose behalf this action is maintained, are suffering

irreparable injuries and are threatened with further irreparable injuries in the future by reason of the acts and omissions herein complained of. Plaintiffs and the class they represent, have no plain, adequate or complete remedy, administratively or at law, to redress the wrongs and unlawful acts herein complained of other than this action for declaration of rights and for injunctive relief. Other remedies to which plaintiffs and others similarly situated could be remitted would be attended by such uncertainties and delays as to deny substantial relief and would involve multiplicity of suits and would cause further irreparable injury, damage and inconvenience to the plaintiffs and others similarly situated. Defendants have persisted in deliberately subjecting plaintiffs and the classes they represent to inhumane, brutal conditions and to the loss of rights secured to them by the Constitution of the United States, despite protest and demands by public officials, prisoners, and other private citizens. Unless there is a declaration of the rights of the plaintiffs and the classes they represent, these unlawful acts, practices and omissions of the defendants will never cease and unless this Court restrains and enjoins the defendants from denying plaintiffs' constitutional rights, plaintiffs will continue to suffer irreparable injury without means of redress.

54. Plaintiffs thereby make a motion for a hearing on a preliminary injunction to enjoin the unconstitutional acts herein alleged.

PRAYER FOR RELIEF

WHEREFORE, plaintiffs, on behalf of themselves and the class they represent, respectfully pray for relief as follows:

1. That the Court enter an order that plaintiffs' action be maintained as a class action.
2. That the Court thereafter order that all members of the class be notified of the action by the posting of one copy of the complaint and the Court order establishing the class in a conspicuous place in each section of the St. Louis County Jail. There shall also be posted a notice explaining that the class action case is before the court and directing inmates to contact plaintiffs' attorneys or

the Court if they have questions. The notice shall for this reason include the names, addresses and telephone numbers of plaintiffs' attorneys. These items shall remain posted, being replaced by defendants as necessary, during the pendency of this litigation.

3. That the Court enter an order declaring that due to the individual and collective effects of their acts, practices and omissions, the defendants:

- (a) have subjected plaintiffs and the class they represent to punishment without due process of law and to cruel and unusual punishment within the meaning of the Eighth and Fourteenth Amendments to the United States Constitution;
- (b) have deprived plaintiffs and the subclasses of pre-trial detainees whom they represent due to the punitive conditions found in the St. Louis County Jail of life and liberty without due process of law and contravened the presumption that they are innocent until proven guilty in violation of the Fifth and Fourteenth Amendments to the United States Constitution;
- (c) have subjected plaintiffs and the class they represent to discipline without due process and in violation of the Fourteenth Amendments to the United States Constitution;
- (d) have deprived plaintiffs and the class they represent of the right to effective assistance of counsel and of assisting in their defense and their constitutionally protected right to a fair trial in violation of the Sixth and Fourteenth Amendments to the United States Constitution;
- (e) have deprived plaintiffs and the class they represent to their rights of access of the courts under the First and Fourteenth Amendments to the United States Constitution;
- (f) have deprived plaintiffs and the classes they represent of their rights to freedom of speech and association in violation of the First and Fourteenth Amendments to the United States Constitution;
- (g) have subjected plaintiffs and the classes they represent to unlawful searches and seizures of papers and effects and theft of their personal property in violation of the Fourteenth Amendment to the United States Constitution; and
- (h) have deprived plaintiffs and the class they represent of their rights to freedom of religion in violation of the First and Fourteenth Amendments to the United States Constitution.

4. That the Court issue preliminary and permanent injunctions enjoining and restraining defendants from engaging in any of the unlawful acts, practices or omissions complained of in this complaint.

5. That the Court order defendants to submit to the Court and thereafter implement a plan whereby plaintiffs and the class they represent are assured:

- (a) that the St. Louis County Jail and the cells therein be restored to and kept in safe and sanitary condition, with proper plumbing, heating, ventilation, cleaning, fumigation, and other repair and maintenance and that the jail population be reduced to a number which can be safely housed in the present jail facility;
- (b) that the Court immediately order that no inmate be housed in the St. Louis County Jail unless he can be continuously and directly viewed by a corrections officer without assistance of electronic aids and unless a sufficient number of additional officers be available to immediately intervene in any fight, assault or attack to protect him;
- (c) that a regular recreational and exercise program outside of the cells and tanks be established and that inmates be permitted outside of the jail for sufficient periods to assure their continuous physical and mental well-being;
- (d) that all inmates be fed in suitable, sanitary facilities outside of their cells, that meals be prepared and served in accordance with recognized nutritional standards and that procedures providing for special diets for either health or religious purposes be established and followed;
- (e) that inmates be permitted sufficient showers in safe and sanitary facilities to assure that they remain clean;
- (f) that inmates be furnished clean and sanitary mattresses and beds, a complete set of bedding and clothing, including socks and undergarments, which are cleaned and changed at least three times weekly, adequate towels, proper cleaning equipment and other personal hygienic necessities (such as toothpaste, soap, tooth brush);
- (g) that inmates be accorded essential preventive medical services, including complete physical and mental examinations upon admission to the jail and periodically thereafter, and receive adequate medical, dental and mental health care;
- (h) that inmates be classified according to age, prior record and type of offense committed so that alleged, youthful and first offenders are not confined with multiple offenders;
- (i) that voluntary educational, vocational and work release programs be established;
- (j) that visiting regulations and facilities be established which insure decency, comfort, privacy, reasonable

visiting periods and no restrictions on the identity of visitors; and that visiting be increased to 7 days a week;

- (k) that inmates have access to books, magazines, newspapers and law books and other legal materials in sufficient quantity and quality;
- (l) that religious services following the preferences of the inmates be established;
- (m) that adequate telephones, which shall not be subject to wire tapping or other monitoring, be installed and prisoners have access to them in order to make local outgoing calls without charge;
- (n) that no punishment, restraint or disciplinary measures be taken against any inmate pursuant to procedures which assure, inter alia, that:
  - (1) inmates are disciplined only for infractions of specific, written rules of conduct, which shall be published and distributed to every inmate;
  - (2) the inmate is informed in writing of any charges against him, the name of the accusing officer, the names of witnesses against him and the date and time of the hearing;
  - (3) the disciplinary panel is an impartial tribunal;
  - (4) the charging officer is present and testifies at the hearing;
  - (5) the inmate is allowed to testify in his own behalf;
  - (6) the inmate is allowed to call witnesses;
  - (7) the inmate is allowed to cross-examine the charging officer and other witnesses;
  - (8) the inmate is allowed to select and to be assisted in investigation and at the hearing by an attorney, a law student, another inmate or a member of the jail staff.
  - (9) a detailed record of the hearing is kept;
  - (10) decisions regarding guilt or innocence are based on substantial evidence;
  - (11) findings of not guilty are clearly indicated in the inmate's institution record;
  - (12) the inmate is informed of the reasons for the Board's decision and disposition;
  - (13) all disciplinary proceedings are reviewed by the Sheriff, who shall not increase the severity of any disposition.
- (o) That procedures for filing formal complaints or grievances by inmates be established.

6. That if a satisfactory plan is not submitted and implemented, the defendants be enjoined and restrained from incarcerating or detaining any and all of the members of the class at the jail and further be enjoined from transferring plaintiffs and their class to an alternative facility unless defendants can provide evidence satisfactory to the Court that the alternative does not suffer from the conditions herein complained of and is fully accessible to visitors and counsel.

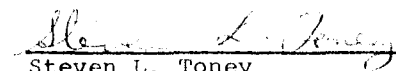
7. That the Court retain jurisdiction over defendants and each of them until such time as the Court is satisfied that the practices, policies and omissions alleged herein no longer exist and will not recur.

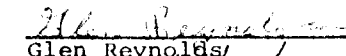
8. That during the pendency of this action and thereafter, defendants, and each of them, and each of the jail officials and guards under their direction and control, be restrained and enjoined from any and all acts of punishment and/or reprisal with respect to the named plaintiffs and the members of the class by reason of this action.

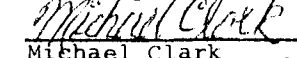
9. That plaintiffs be awarded reasonable attorney fees, costs, and disbursements, pursuant to the Civil Rights Attorneys Fees Award Act of 1976, 42 U.S.C § 1988 (1979).

10. That the Court enter such further relief as may be just and proper.

  
\_\_\_\_\_  
Robert E. Bullington

  
\_\_\_\_\_  
Steven L. Toney

  
\_\_\_\_\_  
Glen Reynolds

  
\_\_\_\_\_  
Michael Clark

Plaintiffs

STATE OF MISSOURI )  
COUNTY OF ST. LOUIS ) SS  
)

We, the undersigned, the named plaintiffs, have read the foregoing amended petition, consisting of 17 pages, and state that the facts contained therein are true to the best of our



knowledge, information and belief

Robert E. Bullington  
Robert E. Bullington

Steven L. Toney  
Steven L. Toney

Glen Reynolds  
Glen Reynolds

Michael Clark  
Michael Clark

Subscribed and sworn to before me this 31st day of August, 1979.

My commission expires: 2/4/80

James Thomas  
Notary Public

James L. Thomas  
James L. Thomas MBE 24986  
Attorney for Plaintiffs  
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