

ORIGINAL

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

TRACY MILLER

(Enter above full name of plaintiff or plaintiffs)

CV 698 109

U. S. DISTRICT COURT
Southern District of Ga.
Filed in Office

v.
RONALD KING
WAYNE GARNER

(Enter above full name of defendant or defendants)

8-4^{M.} 1998
N. Thomas
Deputy Clerk
7-20-98
NUNC PRO TUNC DATE

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: TRACY MILLER
Defendants: RONALD KING et al

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

Southern District of Georgia

3. Docket number: CV-697-154

4. Name of judge assigned to case: JAMES E. GRAYSON

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

Still pending

6. Approximate date of filing lawsuit: Dec 97

7. Approximate date of disposition:

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: Gray Miller
Defendants: Pedro Diaz

2. Court (name the district):
See Attached

3. Docket number:

4. Name of judge assigned to case:

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

6. Approximate date of filing lawsuit:

7. Approximate date of disposition: _____

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:

NY-697-154 Miller v. Diaz
NY-2503 v. Miller v. Garner Northern District
NY-996 NY-0148 HLW Miller v. Tanner
NY 698-57 Miller v. Padgett

II. Place of present confinement: Casp Fendville, Ga

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? Highest of Com go to
The Commissioner & all remedies
have been exhausted

2. What was the result? Denies at all level

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

If yes, what was the result? Denied
ASUSA

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: See Attached
Address: _____

(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: See Attached
Position: _____
Place of employment: _____
Current Address: _____

C. Additional defendants: _____

STATEMENT OF CLAIM ON RONALD KING

ON Jan 2 1997 A DISCIPLINARY Report was wrote on me in which I called a witness Jerry Goodman Ronald King Denied me right to call the witness for reason not related to the Security Concerns violated my DUE PROCESS OF LAW. he clearly abused his discretion.

ON 6/13/97 Ronald King failed to Give me notice of a charge for which he convicted me of a moderate infraction and later Change the records that he now Give me 30 days isolation time for which I added The DISCIPLINARY Report was entered The insubordination was Dropped, after nearly 9 year he says I was found Guilty of that Discipline, but my Copy Shows that Charge was Dropped because of my Pending litigation he put an attached page to the same Discipline Denying me notice of the Charge and Sanctions, Also Ronald King Denied me right to DISCOVER, in that Discipline on 6/13/97 without any Reason at all, written or oral. Statement Ronald King on 7/10/98 Denied me a hearing on a Discipline found me guilty because I was in the Federal Court of a injunction Relief hearing in front of the Court as he has done on many occasions From 4-27-98. Until 7-14-98 Ronald King has Denied me right to notice of the Charge 48 times right to call witness 63 times right to put up a Defense 72 times

Ronald King has DISCRIMINATED AGAINST me because I am Black and Handicap Denied me right to Come Down OF Isolation every 30 days AUG 5 1987 Sept 4 97 Oct 4 97 DEC -3-97 JAN -4-98 Feb 4 98 MARCH 5-98 APRIL 5 98 MAY 3-98 June 2 98 July 1 98 Ronald King has Denied me right to Come Down OFF Isolation every 30 day violating my Due Process in Continuing Isolation time Ronald King Also has conspired to Deprive me of my liberty and was hearing officer on a Disciplinary and a witness on several Disciplinary Reports most recent on 12/16/97 4/26/98 - 4-20/98 4/20/98 in This Disciplinary Report I list Ronald King as a witness and he presided over that Disciplinary Finding me guilty Conflict of Interest, Also Ronald King is Discriminatory in Continuing me on Isolation time when policy is he must put me on Segregation time, without any justification whatever and for reason not related to Concerns of Security Ronald King has ABUSED His Discretion in Continuing me on Isolation Status 2 years he has conspired with Wayne Garner and Johnny Sikes to deprive me of my Constitutional rights Johnny Sike and Wayne Garner told King that I would not be placed on Segregation no matter what policy says Because I keep filing Grievances and Lawsuits Ronald King told me that On Sept 4, 97, Also Ronald King has violated The Constitutional right of placing Plaintiff on Civil Restriction

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Ronald King has denied me Recreation privileges
 Yard work. I Cessaly Detaining me in Isolation Status
 he Denied me Opportunity to Confront witnesses in the
 prison disciplinary right to obtain exculpatory evidence
 On June 12 1998 Plaintiff was Denied right to Call witnesses
 Statement Forms or Present a Defense Ronald King offered
 no justification for not Presenting these witnesses On
 June 5 1997 Plaintiff was taken to Court without Given
 notice of the Charge or to present a Defense also Plaintiff
 not being Brought Down of Isolation in violation of his due
 Process of Law and liberty interest violating my due Process
 of Law in the initiation and continuation of Isolation
 Status. for minor disciplinary infractions also Plaintiff
 Written Statement were Denied Request to Call witness
 Request Discovery On June 1997. June 12 97 June 20
 98 1-9-97. April 30 1998 and other times for reasons
 not having to do with institutional security of corrections
 Goals and Ronald King's Denial of my Request (Heard
 A Buster His Discretion The Disciplinary team acted
 On June 3 97, 7-9-97 April 30 98 June 12 97 June
 20 98 without probable cause. There was no evidence
 Also on every occasion Plaintiff is Denied to Call the officer
 who wrote the disciplinary Report when Credibility
 is the only evidence for Reason not Having to do with
 the corrections Goals where the petitioner was Denied
 The right to Question his Accuser. without any
 Reason why Ronald King said on June 20 1998
 he dont have to give me None

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Plaintiff Shows the Court that on Jan 8-9-10 1998
 - 4-5-6-7-8-9- the 18-19-20 28-29-30
 13 day in February 1998 16 day in March 1998 12 days
 in April 1998 13 days in May 1998 14 days in June 1998
 9 days in July 1998 Plaintiff has been placed on Cell
 Restriction - including MAY-10-97 - Feb-18-97 June 4
 1997 April-28 1997 And Then Given 3 days Cell
 Restriction For A DISCIPLINARY Report and then
 Turned Around and Given 30 day isolation time
 For the same disciplinary Double jeopardy and
 Ronald King says they can do that The Second
 Sentence violates Due process of Plaintiff Because your
 policy 1145-0001 30 days is the maximum you can
 receive for one DIR it's a violation of the policy
 5901.6 so on as well ALSO Ronald King Charges
 Plaintiff 4 dollars for a DISCIPLINARY That
 Rule That G.I.O.G. adopted and violates
 The Constitution because the Senate ~~th~~ did not
 pass on it There fore Plaintiff Challenges the
 Constitutionality of the Fee, it's being unconstitutional
 Prison officials has no right to racketeer and take
 Prisoner's money by adopting policies that they
 will benefit from the inmate funds without some
 Approval from the Senate or Congress
 Also on all the dates Plaintiff is given no notice
 of being placed on cell restriction Denying me
 notice of the charge violating my Due process of law

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Ronald King Discriminated in continuing Plaintiff on Isolation time when no healthy Able Body Prisoner is placed on that much Isolation time Plaintiff has 21791 day of Isolation time left this has never been heard of in USA of America and there is no cases involving such conduct by prison officials all because I am Black and handicap and Ronald King is trying to justify keeping me at Georgia State Prison for reason not having to do with Corrections Goals. An example the same discipline I am accused of serving Isolation time the other inmates at GSP in Reidsville Ronald King gives them Segregation time that they get all their privates, also after numerous letters to King he refused to answer why I am on continuous Isolation in writing he states that it is the warden that want approve it and the warden states that King trying to cause me emotional harm they are trying to run me crazy by isolating me in a wheel chair in solitary confinement not a Isolation unit the K Building was policy broken to place me in K Building when the Building is designed only to house H.M. and disciplining Segregation. Also Plaintiff is never told he is on Cell Restriction and only knows when he ask the officer can he go on the yard the officer says you is on Cell Restriction in violation of V.H. 45-0001 5901 so you must get 3hrs a week Recreation violates my DUE PROCESS OF LAW

STATEMENT OF CHARGE
WAYNE J GARNER

WAYNE GARNER HAS SET A FEE ON DISCIPLINARY
 Reports IF YOU ARE FOUND GUILTY, YOU MUST PAY
 (4) dollars Four dollars Plaintiff Challenges the
 Constitutionality OF WAYNE GARNER POLICYS
 Because The Senator or Congress Pass
 on his proposal he made this policy his
 SELF trying deprive Plaintiff OF any gifts by his
 Family members the Congress Pass on the 5 dollars
 medical fees and Wayne Garner Decided to
 Step Over a little further Violating Plaintiff Rights
 and Racketeering telling the OFFICERs to write more
 DISCIPLINARY to Benoit him this was only done
 to Deprive Plaintiff OF any gifts his Family Sends
 Him Also Wayne Garner Set the policies OF
 Vth-45-0001, 5801 and Refuses to Obey them
 and After Filing numerous Grievances and letters
 he refuses to take me down off Isolation after
 30 days and Demands I stay on Isolation Also he
 is responsible for the every 9 month Change in
 The Hearing OFFICER Vth 45-0001 he refuses to
 Change Ronald King he is in violation of his
 Policies and Violating Plaintiff Due Process of
 Law in continuation of Isolation time in a
 more isolated unit but on solitary punishment
 Because I am Black and handicapped and I refuse
 retaliation for filing lawsuits

(w)

Our State Prison reidouble our 30453 (HEARING OFFICERS
RONALD King IS Sued IN His individual and
OFFICIAL CAPACITIES IN THE AMOUNT OF 100 dollars
A DAY every day in isolation violation of Due Process
and 30000 dollars emotional Harm. Punitive Damages
Nominal Damages and Compensatory Damages Plaintiff
Seeks Declaratory and Propective Injunctive Relief
(Declaratory Judgment)

WAYNE GARNER IS Sued IN His individual
and OFFICIAL CAPACITIES (Compensation and
Nominal and Punitive Damages

(Commissioner), GIDIG, Atlanta, Georgia 30303
Seeks Declaratory Judgment and Propective Injunctive Relief

Plaintiff invokes the pendant Jurisdiction 42, USC § 1983
§ 3431 28 USC...

BOTH DEFENDANTS HAVE ACTED UNDER COLOR OF STATE LAW
all time relevant to this Complaint. and Breached
Their owed obligated duties to Plaintiff

Plaintiff Demand For JURY TRIAL on all issues
Plaintiff invokes Third party Claims Packer
influenced an current organization set 18 USC
§ 1963 vs 6111 Property held by a Third party
Plaintiff interest was superior to defendant at the
time of Commission. Justice Plaintiff Funds

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.)

Plaintiff Being Physically and Mentally
Disable to be in isolation, monitoring
; V/A # 45-1001, 159011. In fact the injuries
on Plaintiff the conditions of the confinement
which Plaintiff lives violate the Delany
standard of humane and King refuses
to take corrective measure and waive
Garnery

VI. Relief

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

money for damages Defendant's Judgment and Preceptive-
 mative Relief, Plaintiff Challenges the Confirmation of Disciplinary
 Isolation Status, and Unconstitution Cell Restriction Feature
 to give notice of the Charge i.e. for being isolated. Plaintiff invoke
 The Diversity Jurisdiction, Plaintiff invokes, REHABILITATION ACT OF
 1973 501, et seq. 42 U.S.C. § 29, USCA 8 78 of Sec.
 American Disabilities Act, Person with Disabilities Violation
 OF Plaintiff Fourteenth Amendment Due Process of Law,
 Defendants are Discriminatory Against Plaintiff because he is
 Black and a handicap, for filing lawsuit and grievances Plaintiff
 Challenges The Constitutionality of The Four (4) dollars
 Disciplinary Fees because the Senate did not pass nor
 only 14 presented to the Senate for votes Plaintiff
 Constitutionality of Cell Restriction because it impinges
 on the Plaintiff Fourteenth Amendment rights and it
 superseded any of the Supreme Court Rulings
 in The U.S.

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

Signed this 16 day of July, 19 98

Prisoner No. 241919

[Signature]
 (Signature of Plaintiff)