

Revision 2007

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
BIBB DIVISION

QUESTIONNAIRE FOR PRISONERS PROCEEDING
PRO SE UNDER 42 U.S.C. §1983

2016 AUG -3 AM 9:02

JERRY THOMAS COEN
GDC# 757465

(GIVE FULL NAME AND PRISON NUMBER OF PLAINTIFF)

Plaintiff

VS.

WARDEN WALTER BERRY, DEPUTY
WARDEN JOHN FAGAN ET AL.
DEPUTY WARDEN MICHAEL THOMAS

(NAME OF EACH DEFENDANT)

Defendant(s)

DEPUTY WARDEN WILLIAM CZARNESKI,
CHIEF COUNSELOR SUANITA THROPE, CASE
COUNSELOR. MS JONES, CASE COUNSELOR
MS MONERIEF. GDC COMMISSIONER HOWARD
BRYSON, DEPUTY WARDEN MIZELL DAVIS
UNIT MANAGER KING LT BASELY, LTPHILLIP
NO.

5:16-CV-353

I. GENERAL INFORMATION

1. Your full name and prison number JERRY THOMAS COEN AND 757465
2. Name and location of prison where you are now confined CENTRAL STATE PRISON
4600 FULTON MILL RD MACON, GEORGIA. 31208
3. Sentence you are now serving (how long?) TEN YEAR RECIDIVIST
 - (a) What were you convicted of? BURGLURY AND FALSE IMPRISONMENT
 - (b) Name and location of court which imposed sentence GLYNN COUNTY
SUPERIOR COURT STATE OF GEORGIA
 - (c) When was sentence imposed? FEBURARY 20, 2007
 - (d) Did you appeal your sentence and/or conviction? ☐ Yes ☒ No
 - (e) What was the result of your appeal? N/A
 - (f) Approximate date your sentence will be completed FEBURARY 18, 2017

II. PREVIOUS LAWSUITS

4. Other than the appeal of your conviction or sentence, have you ever submitted a lawsuit for filing in any federal or state court dealing with the SAME FACTS involved in this lawsuit or otherwise related to your imprisonment? ☐ Yes ☒ No

5. If your answer to question 4. is "Yes," list that lawsuit below, giving the following information: (IF YOU HAVE FILED MORE THAN ONE LAWSUIT, LIST OTHER LAWSUITS ON A SEPARATE SHEET OF PAPER, GIVING THE SAME INFORMATION FOR EACH)

(a) Parties to the previous lawsuit INVOLVING SAME FACTS:

Plaintiff(s): N/A

Defendant(s): N/A

(b) Name of Court: N/A

(c) Docket Number: N/A When did you file this lawsuit? N/A

(d) Name of judge assigned to case: N/A

(e) Is this case still pending ☐ Yes ☒ No

(f) If your answer to (e) is "No," when was it disposed of and what were the results?
(DID YOU WIN? WAS THE CASE DISMISSED? DID YOU APPEAL?) N/A

6. Have you ever submitted a lawsuit for filing in any federal or state court dealing with facts OTHER THAN those involved in this lawsuit? ☐ Yes ☒ No

7. If your answer to question 6. is "Yes," list that lawsuit below, giving the following information: (IF YOU HAVE FILED MORE THAN ONE LAWSUIT, LIST OTHER LAWSUITS ON A SEPARATE SHEET OF PAPER, GIVING THE SAME INFORMATION FOR EACH)

(a) Parties to the previous lawsuit:

Plaintiff(s): N/A

Defendant(s): N/A

(b) Name of Court: N/A

(c) Docket Number: N/A When did you file this lawsuit? N/A

(d) Name of judge assigned to case: N/A

(e) Is this case still pending ☐ Yes ☒ No

(f) If your answer to (e) is "No," when was it disposed of and what were the results?
(DID YOU WIN? WAS THE CASE DISMISSED? DID YOU APPEAL?) N/A

8. AS TO ANY LAWSUIT FILED IN ANY FEDERAL COURT in which you were permitted 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

If your answer is Yes, state the name of the court and docket number as to each case:

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

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

III. PLACE OF INCIDENT COMPLAINED ABOUT

9. Where did the matters you complain about in this lawsuit take place? CENTRAL
STATE PRISON 4600 FULTON MILL ROAD MACON, GEORGIA 31208

(a) Does this institution have a grievance procedure? ☒ Yes ☐ No

(b) If your answer to question 9(a) is "Yes," answer the following:

(1) Did you present your complaint(s) herein to the institution as a grievance?

☒ Yes ☐ No

(2) If Yes, what was the result? WAS NOT ADDRESSED BY THE
ADMINISTRATION AND WHEN I APPEALED THEY
NEVER RETURNED ANSWER.

(3) If No, explain why not: N/A

(c) What, if anything else, did you do or attempt to do to bring your complaint(s) to the attention of prison officials? Give dates and places and the names of persons talked to.

I WROTE THE INMATE AFFAIRS OMBUDSMAN OFFICE
OF INVESTIGATIONS AND COMPLIANCE

(d) Did you appeal any denial of your grievance to the highest level possible in the prison system? ☒ Yes ☐ No

(1) If Yes, to whom did you appeal and what was the result? THEY HAVE
PURPOSEFULLY AND INTENTIONALLY FAILED TO
RETURN A VALID RESPONSE.

(2) If No, explain why you did not appeal: N/A

10. In what other institutions have you been confined? Give dates of entry and exit.

COASTAL STATE PRISON, FEBURARY 20, 2008

MEN'S STATE PRISON, MARCH 2008 TO 2010

CENTRAL STATE PRISON, OCT 2010 TO PRESENTLY CONFINED

IV. PARTIES TO THIS LAWSUIT

11. List your CURRENT place of incarceration/mailling address.

JERRY THOMAS COEN 757465 E-3 101-B

CENTRAL STATE PRISON

4600 FULTON MILL ROAD

MACON, GEORGIA 31208

12. List the full name, the official position, and the place of employment of each defendant in this lawsuit. (ATTACH ADDITIONAL PAGES IF NECESSARY)

HOMER BRYSON'S COMMISSIONER DEPARTMENT OF CORRECTIONS

WALTER BERRY WARDEN CENTRAL STATE PRISON

JOHN FAGAN DEPUTY WARDEN CENTRAL STATE PRISON

MICHEAL THOMAS DEPUTY WARDEN CENTRAL STATE PRISON

JUANITA THROPE CHIEF COUNSELOR CENTRAL STATE PRISON

WILLIAM CZARNESKI DEPUTY WARDEN OF ADMINISTRATION G.S.P.

UNIT MANAGER SHENECA KING, CASE COUNSELOR JONES

V. STATEMENT OF CLAIM

13. In the space hereafter provided, and on separate sheets of paper, if necessary, set forth your claims and contentions against the defendant(s) you have named herein. Tell the court WHAT you contend happened to you, WHEN the incident(s) you complain about occurred, WHERE the incident(s) took place, HOW your constitutional rights were violated, and WHO violated them? Describe how each defendant was involved, including the names of other persons who were also involved. If you have more than one claim, number and set forth each claim SEPARATELY.

DO NOT GIVE ANY LEGAL ARGUMENT OR CITE ANY CASES OR STATUTES AT THIS TIME; if such is needed at a later time, the court will advise you of this and will afford you sufficient time to make such arguments. KEEP IN MIND THAT RULE 8 OF THE FEDERAL RULES OF CIVIL PROCEDURE REQUIRES THAT PLEADINGS BE SIMPLE, CONCISE, AND DIRECT! If the court needs additional information from you, you will be notified.

WHERE did the incident you are complaining about occur? That is, at what institution or institutions? CENTRAL STATE PRISON (BUT STATEWIDE)

WHEN do you allege this incident took place? SINCE MY INCARCERATION

WHAT happened? I HAVE FILED SEVERAL GRIEVANCE WHICH HAVE GONE UNRESPONDED TOO BY THE STATE, THE DEPARTMENT OF CORRECTIONS, THE WARDEN AND CENTRAL STATE PRISON ADMINISTRATION (INCLUDING ALL NAMED DEFENDANTS) TO THE PROBLEM THATS IN VIOLATION OF MY FIRST AMENDMENT RIGHT TO FREE SPEECH, FIRST AMENDMENT RIGHT TO FREE EXERCISE OF RELIGION, EIGHT AMENDMENT PROTECTION FROM CRUEL & UNUSUAL PUNISHMENT, FOURTEETH AMENDMENT RIGHT TO EQUAL PROTECTION, FOURTEETH AMENDMENT RIGHT TO DUE PROCESS, CONSTITUTIONAL RIGHTS, ADA AND REHABILITATION ACT, AMERICANS WITH DISABILITIES ACT AND RLUIPA. I AM A PROFOUNDLY DEAF AND I DO NOT HAVE AN ACCESS AND NEVER HAD ACCESS TO ICS (INMATE CALLING SERVICES) OR ACCESS TO THE TTY'S TO COMMUNICATE WITH MY FAMILY, FRIENDS, LAWYERS, AND DEAF ADVOCACY FOR ALMOST NINE YEARS THAT TTY AND GEORGIA RELAY SERVICE IS INACCESSABLE, INOPERABLE, OUTDATED, OUTMODDED AND OBSOLETE. THERE IS ALSO NO PROGRAMS, ACTIVITIES, AND RELIGION AVAILABLE FOR ME DUE TO? MY NATIVE LANGUAGE IS AMERICAN SIGN LANGUAGE, AND DUE TO THESE FACTS I CONTINUE TO

V. STATEMENT OF CLAIM

BE MISTREATED AND DISCRIMINATED AGAINST BASED ON MY ABILITY TO UNDERSTAND AMERICAN SIGN LANGUAGE OR ENGLISH AS WELL THESE NO AMERICAN SIGN LANGUAGE INTERPRETERS AVAILABLE WITH CERTIFIED COUNSELORS TO TEACH ANY PROGRAMS FOR THE DEAF TO BE HARRASSED AND TREATED IN A CRUEL AND UNUSUAL PUNISHMENT AND MANNER IN VIOLATION OF THE EIGHT AMENDMENT TO THE UNITED STATE CONSTITUTION. THIS IS A DELIBERATE INDIFFERENCE TO ME AND ALL OTHER DEAF INMATES HERE AT CENTRAL STATE PRISON.

LEGAL ARGUMENT AND CITATION OF AUTHORITY

(1) NOTE: PRO-SE COMPLAINTS ARE ENTITLED TO LIBERAL CONSTRUCTION SEE: HAINES V. KERNER 404 U.S. 519, 520-21 (1972) AND BILLMAN V. INDIANA DEPARTMENT OF CORRECTION 56 F.3d 785, 789-90 (1995).

ALL THE DEFENDANT(S) NAMED IN THIS ACTION HAS VIOLATED MY CIVIL AND CONSTITUTIONAL RIGHTS UNDER THE ADA, SECTION 504 OF THE REHABILITATION ACT BY PURPOSELY ME COMMUNICATION WITH MY FAMILY IMPOSING ABUSE AND HARDSHIP BY DENIAL OF ACCESS TO COMMUNICATION EQUIPMENT AND DEVICES AND AUXILIARY AIDS AND PROGRAMS THAT ARE INSTITUTED UNDER TITLE II OF THE ADA AND U.S. DEPARTMENT OF JUSTICE REGULATIONS TO TITLE II 28 C.F.R. § 35.104 ALSO SEE: 42 USC § 12141 et seq.

V. STATEMENT OF CLAIM

I HAVE CONTINUALLY COMPLAINED TO THE WARDEN OF CENTRAL STATE PRISON COMMISSIONER HOMER BRYAN WHO REPLACED BRIAN OWENS ABOUT OBTAINING THE NEW TECHNOLOGY CALLED VIDEO RELAY SERVICE (VRS) PROVIDING BY PURPLE COMMUNICATIONS INC AND SORENSON COMMUNICATIONS, VIDEOPHONE DUE TO MY ONLY MEANS TO COMMUNICATE IS BY MEANS OF AMERICAN SIGN LANGUAGE. THIS TECHNOLOGY HAS ALREADY BEEN MANDATED AND INSTITUTED SEE: STATE OF MARYLAND V. CHRISTOPHER SARBOE CASE. NO: ELH-12-572, COMMONWEALTH OF KENTUCKY V. ADAMS CASE. NO: 3:14-CV-00001-GFVT-EBA DOCKET #: 76-1-1381 DATE: 05/19/2015

STATEMENT OF CLAIM CONT.

I AM NOT ABLE TO COMMUNICATE BY TTY'S WHICH IS MOSTLY INACCESSABLE, INOPERABLE, OUTDATED, OUTMODED, AND OBSOLETE HERE AT THIS FACILITY AND THE MANY COMPLAINTS HAVE BEEN REJECTED OR WHEN TOLD TO THE ADMINISTRATION RESPONDED BACK IN AN ABUSIVE MANNER INCONSISTENT WITH A LESS THAN PERFECT RESOLUTION. I AM ALSO CONTINUFULLY DISCRIMINATED AND ALIENATED AGAINST BY THE STAFF COUNSELORS AND

STATEMENT OF CLAIM CONT.

THIS INSTITUTION CAUSE THERE IS NO PROGRAM FOR THE DEAF WITH NO CERTIFIED AMERICAN SIGN LANGUAGE INTERPRETERS AND OR TRAINING PROGRAMS FOR ME EACH INQUIRY TO ANY PROGRAMS OR ASSISTANCE IN EDUCATION OR ANY HELP PERIOD, LEADS TO ABUSIVE REACTIONS RETAVATION AND THREATS. MY RECENT GRIEVANCE WAS DENIED CAUSE THEY SAY THERE INSTALLING J-PAY VISITATION BUT THEY HAVE NOT ADDRESSED THE FACT THAT IT WILL STILL REQUIRE A LIVE AMERICAN SIGN LANGUAGE INTERPRETER FOR ME TO COMMUNICATE WITH OTHER WHO DO NOT UNDERSTAND AMERICAN SIGN LANGUAGE WHICH I AM A PROFOUNDLY DEAF AND MY NATIVE LANGUAGE IS AMERICAN SIGN LANGUAGE IN AND IS BASICALLY MY ONLY MEANS OF COMMUNICATION. I CONTINUE TO BE DISCRIMINATED AGAINST DUE TO THEY ARE NOT WILLING TO COMPLY WITH FEDERAL LAW BASED ON THERE BUDGETARY NEEDS BUT THEY ARE RECEIVING FEDERAL FUNDING BUT NOT PROPERLY USING THEM FOR THE PURPOSE SOUGHT AND THAT'S TO ACCOMMODATION THE NEEDS OF THE DEAF INMATES. BECAUSE OF DENIAL AND DELIBERATE INDIFFERENCE TO ACCOMMODATION TO THE NEEDS OF THE DEAF. MY FAMILY IS FORCED TO BLOCK OUR COMMUNICATION WITH EACH OTHERS THAT THEY COULD NOT BE ABLE TO HEAR FROM ME AND I DESERVE TO WANT TO HEAR FROM THEM BECAUSE THEY WANT TO HEAR FROM ME.

STATEMENT OF CLAIM CONT

THIS HAS CAUSED A HARDSHIP ON THEM AS WELL HAS CAUSED THEM AND ME TO EXPERIENCE EXTREME EMOTIONAL AND PHYSICAL TRAUMA AND DISTRESS. I HAVE NO WAY OF MAKE A CALL MY FAMILY AND FRIENDS, AND LAWYERS, AND DEAF ADVOCARY. THERE'S NO AMERICAN SIGN LANGUAGE INTERPRETERS DURING ANY DISCIPLINARY PROCEEDINGS AND I HAVE ALWAYS ENDED UP BEING CONVICTED OF CONSEQUENCES. I AM NOT RESPONSIBLE FOR. I AM BEING DENIED DUE PROCESS AND A MEANINGFUL RIGHT TO BE HEARD AND UNDERSTOOD THIS IS JUST A FEW OBSTACLES I FACE ON A DAILY BASIS THAT'S BEING CREATED BY THOSE IN THE THEIR POSITION TO OVERSEE ME AND MAKE SURE I AM PROPERLY REHABILITATED. I LEAVE ROOM TO AMEND AND ADD TO THIS COMPLAINT. FED R. CIVP. 15(a)

JC

JC

JC

JC

14. List the name and address of every person you believe was a WITNESS to the incident(s) you complain about, BRIEFLY stating what you believe each person knows from having seen or heard what happened. (USE ADDITIONAL SHEETS, IF NECESSARY)

I AM MAKING COPIES OF ALL MY EXHIBITS AND LETTERS, GRIEVANCES, RESPONSES AND AGENCY RESPONSES WHICH WILL BE FORWARDED TO THIS COURT. ONCE MY CASE IS DOCKETED OR AN ATTORNEY IS APPOINTED.

15. BRIEFLY state exactly what you want the court to do for you. That is, what kind of relief are you seeking in this lawsuit? Do not make any legal arguments and do not cite any cases or statutes! (USE ADDITIONAL SHEETS, IF NECESSARY)

I WANT THE SAME INSTITUTIONS AS BASED ON THE HOLDINGS IN: GORDON V. TEXAS H-98-0394 JARBOE V. MARYLAND DEPT OF PUBLIC SAFETY & CORRECTIONAL SERVICES AND THE CASE ADAMS V. COMMONWEALTH OF KENTUCKY AND FOR YEARS OF DAMAGE PAIN AND SUFFERING HUMILIATION DENIAL OF MY CIVIL AND CONSTITUTIONAL RIGHTS 15 MILLION DOLLARS ALL TAXES AND FEES PAID BY THE DEFENDANT(S)

16. You may attach additional pages if you wish to make any legal argument. However, legal arguments are NOT required in order for you to obtain relief under §1983. If the court desires legal argument from you, it will request it. If any defendant presents a legal argument, you will be afforded an opportunity to respond thereto.

17. KEEP IN MIND THAT ONCE YOUR LAWSUIT IS FILED, THE COURT WILL REQUIRE YOU TO DILIGENTLY PROSECUTE IT. That means that you will be required to go forward with your case without delay. Thus, if you fail to adequately prepare your case before you file it, you may find your lawsuit dismissed for failure to prosecute if you take no action once it is filed. YOU WILL RECEIVE NO FURTHER INSTRUCTIONS FROM THE COURT TELLING YOU WHAT TO DO OR HOW TO DO IT! IT IS YOUR RESPONSIBILITY AND YOURS ALONE TO PROSECUTE YOUR OWN CASE! If you fail to prosecute your case, it will be dismissed under Rule 41 of the Federal Rules of Civil Procedure.

Signed this 1 day of AUGUST, 20 16.

Gerry Thomas Coen
PLAINTIFF