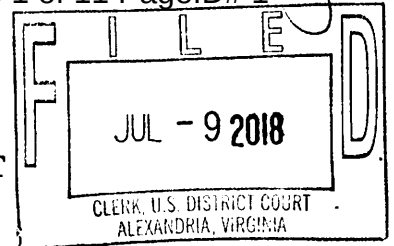


IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA



COMPLAINT UNDER CIVIL RIGHTS ACT 42 U.S.C. § 1983

Action Number 1:18cv851
(To be supplied by the Clerk, U.S. District Court)

Please fill out this complaint form completely. The Court needs the information requested in order to assure that your complaint is processed as quickly as possible and that all your claims are addressed. Please print/write legibly or type.

I. PARTIES

A. Plaintiff:

1. (a) Mitchell Younger (b) 37461
(Name) (Inmate number)
- (c) 500 Folcar Trail
(Address)

Prince George, VA 23860

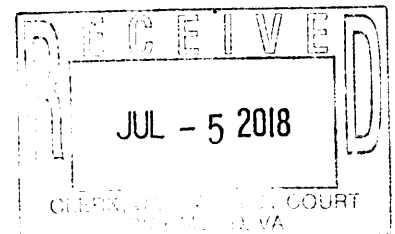
Plaintiff MUST keep the Clerk of Court notified of any change of address due to transfer or release. If plaintiff fails to keep the Clerk informed of such changes, this action may be dismissed.

Plaintiff is advised that only persons acting under the color of state law are proper defendants under Section 1983. The Commonwealth of Virginia is immune under the Eleventh Amendment. Private parties such as attorneys and other inmates may not be sued under Section 1983. In addition, liability under Section 1983 requires personal action by the defendant that caused you harm. Normally, the Director of the Department of Corrections, wardens, and sheriffs are not liable under Section 1983 when a claim against them rests solely on the fact that they supervise persons who may have violated your rights. In addition, prisons, jails, and departments within an institution are not persons under Section 1983.

B. Defendant(s):

1. (a) Jeffery Newton (b) Superintendent
(Name) (Title/Job Description)
- (c) 500 Folcar Trail
(Address)

Prince George, VA 23860



2. (a) Sgt. Talley (Name) (b) Housing Unit Sgt. (Title/Job Description)
(c) 500 Folcar Trail (Address)
Prince George VA 23860
3. (a) Sgt. Jones (Name) (b) Housing Unit Sgt. (Title/Job Description)
(c) 500 Folcar Trail (Address)
Prince George, VA 23860

If there are additional defendants, please list them on a separate sheet of paper. Provide all identifying information for each defendant named.

Plaintiff MUST provide a physical address for defendant(s) in order for the Court to serve the complaint. If plaintiff does not provide a physical address for a defendant, that person may be dismissed as a party to this action.

II. PREVIOUS LAWSUITS

- A. Have you ever begun other lawsuits in any state or federal court relating to your imprisonment? Yes [] No [☒]
- B. If your answer to "A" is Yes: You must describe any lawsuit, whether currently pending or closed, in the space below. If there is more than one lawsuit, you must describe each lawsuit on another sheet of paper, using the same outline, and attach hereto.

1. Parties to previous lawsuit:

Plaintiff(s) N/A

Defendant(s) N/A

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

N/A

3. Date lawsuit filed: N/A

4. Docket number: N/A

Additional Defendants for 1983 Form continued 6/30/18

Sgt. Armstead
500 Folar Trail
Prince George, VA 23860

Housing Unit Sgt
Housing Unit 3

Cpl. Lachowski
500 Folar Trail
Prince George, VA 23860

Housing Unit Officer
Housing Unit 3

Cpl. Rideout
500 Folar Trail
Prince George, VA 23860

Housing Unit Officer
Housing Unit 3

Officer Wright
500 Folar Trail
Prince George, VA 23860

Housing Unit Officer
Housing Unit 3

Officer Gunn
500 Folar Trail
Prince George, VA 23860

Housing Unit Officer
Housing Unit 3

Officer Childs
500 Folar Trail
Prince George, VA 23860

Housing Unit Officer
Housing Unit 3

Officer Shiplett
500 Folar Trail
Prince George, VA 23860

Housing Unit Officer
Housing Unit 3

Additional Defendants continued

6/30/18

Officer Taylor
500 Folar Trail
Prince George, VA 23860

Housing Unit Officer
Housing Unit 3

Officer Bryant
500 Folar Trail
Prince George, VA 23860

Housing Unit Officer
Housing Unit 3

Officer McConnell
500 Folar Trail
Prince George, VA 23860

Housing Unit Officer
Housing Unit 3

Officer Polunco
500 Folar Trail
Prince George, VA 23860

Housing Unit Officer
Housing Unit 3

Officer Solomon
500 Folar Trail
Prince George, VA 23860

Kitchen Patrol Officer

Mr. Keith
500 Folar Trail
Prince George, VA 23860

Corizon Manager
Independant Contractor

Chaplin Joe Collins
500 Folar Trail
Prince George, VA 23860

Heard Jail Chaplin

Additional Defendants continued

6/30/18

Mrs. Spratley
500 Folar Trail
Prince George, VA 23860

Inmate Grievance
Personnel

5. Name of Judge to whom case was assigned: N/A

6. Disposition (Was case dismissed? Appealed? Is it still pending? What relief was granted, if any?):

N/A

III. GRIEVANCE PROCEDURE

A. At what institution did the events concerning your current complaint take place:

Riverside Regional Jail

B. Does the institution listed in "A" have a grievance procedure? Yes [☒] No []

C. If your answer to "B" is Yes:

1. Did you file a grievance based on this complaint? Yes [☒] No []

2. If so, where and when: Housing Unit 3 5/16/18 - 6/22/18

3. What was the result? All grievances excluding one were NOT responded to, exceeded grievance procedure deadlines & issues disregarded.

4. Did you appeal? Yes [☒] No []

5. Result of appeal: Awaiting 1983 form for the remaining one that was responded to.

D. If there was no prison grievance procedure in the institution, did you complain to the prison authorities? Yes [] No []

If your answer is Yes, what steps did you take? N/A

E. If your answer is No, explain why you did not submit your complaint to the prison authorities:

N/A

IV. STATEMENT OF THE CLAIM

State here the facts of your case. Describe how each defendant is involved and how you were harmed by their action. Also include the dates, places of events, and constitutional amendments you allege were violated.

If you intend to allege several related claims, number and set forth each claim in a separate paragraph. Attach additional sheets if necessary.

1. On & Between 5/16/18 - 6/7/18, during the month of Ramadan, the officers that control Housing Unit 3 Pod E, which include Sgt. Jones, Sgt. Armistead, Cpl. Lachowski, Officer Wright, Officer Gunn, Officer Spinkett, Officer Taylor, Officer Bryant, knowingly & willingly provided me with Common Fare Breakfast trays that contained food that was not Kosher OR blessed by an Imam or Rabbi. Also, the trays far exceeded the (Fajr) salah times for those particular days which were between 4:37 a.m. - 4:21 a.m. so due to my Islamic religious beliefs I was not able to consume breakfast for 21 days. This act caused physical, psychological & emotional damage. This act violated my 1st Amendment right.

V. RELIEF

I understand that in a Section 1983 action the Court cannot change my sentence, release me from custody or restore good time. I understand I should file a petition for a writ of habeas corpus if I desire this type of relief. _____ (please initial)

The plaintiff wants the Court to: (check those remedies you seek)

☒ Award money damages in the amount of \$ 300,000,000.00
____ Grant injunctive relief by _____
____ Other _____

VI. PLACES OF INCARCERATION

Please list the institutions at which you were incarcerated during the last six months. If you were transferred during this period, list the date(s) of transfer. Provide an address for each institution.

N/A

VII. CONSENT

CONSENT TO TRIAL BY A MAGISTRATE JUDGE: The parties are advised of their right, pursuant to 28 U.S.C. § 636(c), to have a U.S. Magistrate Judge preside over a trial, with appeal to the U.S. Court of Appeals for the Fourth Circuit.

Do you consent to proceed before a U.S. Magistrate Judge: Yes [☒] No [☐]. You may consent at any time; however, an early consent is encouraged.

VIII. SIGNATURE

If there is more than one plaintiff, each plaintiff must sign for himself or herself.

Signed this 30th day of June, 2018.

Plaintiff Mittele G. J. Se

Statement of the Claim continued

6/30/18

2. On and Between 5/16/18 - 6/10/18, during the month of Ramadan, Corizon Kitchen Manager MR. Keith, Kitchen Officer Solomon, the officers that control Housing Unit 3. Pod E, which includes Sgt. Jones, Sgt. Armstrong, Cpl. Lachowski, Officer Wright, Officer Gunn, Officer Shiplett, Officer Childs, Officer Taylor, Officer Bryant. Knowingly & Willingly provided me with Common Fare Dinner Trays that contained food that was not Kosher or Blessed by an Imam or Rabbi. Also, the trays were Dirty & Cold. ServSafe states that any food that sits at 145° for more than 20 minutes can breed foodborne illnesses such as E. Coli & Salmonella. Also, all Common Fare Lunch & Dinner trays are disproportionate to that of a Regular Lunch or Dinner tray. My (Maghrib) trays also arrived to me at least 90 minutes early which means I was not able to consume it reason being it was still light in the sky and for obvious sanitary reasons. This Act caused Physical, Psychological and Emotional damage. This also Violated my 1st Amendment right.

Statement of the Claim continued

6/30/18

3. During the month of Ramadan 5/16/18 - 6/14/18, the volunteer imam provided us with Qurans. Chaplin Joe Collins said we would only be able to receive them at his Discretion. At no point since they arrived has the Chaplin made them available. At this point I'm being Devoid of all Islamic material that should be made available per request. Chaplin Joe Collins als frequently moves the times of Jumu'ah on Fridays which takes the Dhuhair Salah time Frame, if he allows Jumu'ah at all which was actually cancelled 6/8/18 per his discretion. However, all other Religious Denominations are able to meet and worship several times a week without question. This has severely hindered my attempts to increase the knowledge of certain aspects of my Islamic beliefs. This Act has caused Psychological & Emotional damage. This is a Violation of my 1st Amendment right.

Statement of the Claim continued

6/30/18

4. All aforementioned issues have been grieved on paper through the Inmate Grievance Procedure which states that any and all grievances will be answered within 7 business days. The majority of the grievances filed between 5/16/18 - 6/5/18 is given to officers that worked HU3 which included Sgt. Talley, Cpl. Ricleart, Officer Gunn, Officer Polunco, Officer Shiplett, Officer McConnell, Officer Taylor, Officer Carbaugh as of 6/30/18 have not been responded to nor have issues been addressed. At this point my due process has been severely disregarded. This has caused an immense amount of Psychological & Emotional Damage as well as unwarranted persecution, Blatant Retaliation and Scrutiny from various officers.