

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

MS. JEANNE MARIE DRULEY, )  
Plaintiff, )  
v. )  
JUSTIN JONES, in his Official )  
and Individual Capacity, et al, )  
Defendants. )

Case No. Civ-13-1191-D

**FILED**

NOV 07 2013

U.S. ROBERT D. DENNIS, CLERK  
WESTERN DIST. OF OKLA.  
DEPUTY

CIVIL RIGHTS COMPLAINT JURY TRIAL  
DEMANDED PURSUANT TO 42 U.S.C. § 1983

A. JURISDICTION

- 1.) Ms. JEANNE MARIE DRULEY, is a citizen of Oklahoma who presently resides at 16161 Moffat Rd., P.O. Box 548 Lexington, Ok. 73051-0548.
- 2.) Defendant Justin Jones is a citizen of Oklahoma City, Oklahoma, and is employed as Director for the Oklahoma Department of Corrections (ODOC). At the time the claims alleged in this complaint arose, was this defendant acting under ~~color-of-~~ color of state law? YES! Justin Jones is legally Responsible under 57 O.S. 2011 § 507 et seq. for the operations of each Institutions of the (ODOC) including Joseph Harp Correctional Center (JHCC). Defendant Jones is being sued in Both ~~his~~ his Official and Individual Capacity.
- 3.) Defendant Don Suttmiller is a citizen of Oklahoma City, Oklahoma, and is employed as Chief Medical Officer of (ODOC). At the time the claims alleged in this complaint arose the Defendant was acting under color of the state law. Defendant Suttmiller is legally Responsible for the overall supervision of operations of Medical Department of each institution under (ODOC) including (JHCC) under 57 O.S. 2011 § 513. Defendant Suttmiller is being sued in both his Official and Individual Capacity.
- 4.) Defendant Michael Addison is a citizen of Lexington, Oklahoma, and is employed as the Warden of Joseph Harp Correctional Center (JHCC).

At the time the claims alleged in this complaint arose, Defendant Addison was acting under color of the state Law, because he is Responsible for the care, custody, and supervision of all Employees, as set forth under op-119205, including Defendants Honaker, Keithly, and McCurdy. Defendant Addison is also Responsible for investigating all claims of ~~offenders~~ employees misconducts under (ODOC)-op-110205, which is made by all offenders including the Plaintiff.

Defendant Addison, also has the Responsibility for ~~all~~ the care, ~~of~~ custody, and supervision of all offenders at (JHCC) and has the Responsibility for the investigating of all claims of offenders abuse, in any capacity, pursuant to ~~570~~ 57 O.S. 2011 § 511 and (ODOC)-op-010101.

Defendant Addison, also has the Responsibility for the investigations and reviewing of all disciplinary claims filed against (ODOC)-(JHCC) offender pursuant to (ODOC)-op-060125, as well as all administrative grievances reviews under (ODOC)-op-090124.

Defendant Addison is being sued in both his Official and Individual capacity.

5.) Defendant Buddy Honaker, is a citizen of Lexington, Oklahoma who resides at 16161 Moffat Rd, P.O. Box 548, Lexington, Ok. 73051-0548, and is employed as Correctional Health Service Administrator (CHSA), at (JHCC), and is Responsible for the supervision of all employees in the Medical Service Department Division, and Mental Health Service Division at (JHCC), under (ODOC)-op-140117 et seq.

Defendant Honaker is responsible for the Supervision of all employees in the (JHCC), to ascertain that they Provide all the necessary care for all of the offenders with a "serious medical need" like the Plaintiff, in Pursuant to (ODOC)-op-110205 and ~~104~~ 140117 et seq.

Defendant Honaker is responsible for the Provisions of an ~~adequate~~ adequate system for identifying offenders at (JHCC) with Medical Needs, and making sure that they are ~~diagosed~~ diagnosed and treated.

Defendant Honaker is responsible for the Previsions of adequate medical care at (JHCC) as ~~definid~~ defined by U-Brown-v.- Bounds v. Smith, 97 S.ct. 1491 (1977); and, that the failure to do so Constitutes "deliberate indifferente" under the ~~Eithg~~ Eighth Amendment of the U.S. Consitution.

Defendant Honaker is also Responsible for ascertaining that offenders receive Specialized Treatment as needed from an outside Medical Facility, if the offenders Medical Needs and Condition is one that cannot be treated at (JHCC), as required

in 57 O.S. 2011 § 627.

Defendant Honaker also is responsible for addressing all grievances based of the denial of Medical Care, as Required in (ODOC)-op-090124

Defendant Honaker is being sued in both his Official and Individual Capacity.

- 5.) Defendant James Keithley, is a citizen of Lexington, Oklahoma, and resides at (JHCC), 16161 Moffat Rd., P.O. Box 548, Lexington, Ok. 73051-0548.

Defendant Keithley is the Psychologist assigned to render assistance to the ~~Residence~~ Residents of J-Unit, of which is where the Plaintiff Ms. Jeanne Marie Druley Resides.

However Keithley is also the Internal Head of the (JHCC) Mental Health Department, as of July 1, 2013. Dr. Linda Evens, who was th chairmen of the (JHCC), MHU/Mental Health Department Resigned. Moreover, as the Internal Head of the Mental Health Department, ~~Defe~~ Defendant Keithley is responsible for asscertaining that sufficent staff is hired to provide the Mental Health Needs for all 1450 offenders here at (JHCC), and that his failure to do so constitutes "delibrate indifference" to the Mental Health Needs of the Plaintiff.

That because of the Delibrate Indifference to the Mental Health Needs of the Plaintiff, that this treatment is in clear violation of the Eighth Amendment, and Article II § 20, of the Oklahoma Constitution, because it is grossly incompetent, inadequate or excessive, as to shock the conseience, aswell as "so inappropriate as to evidence intentional ~~Malpractice~~ Maltreatment", and violates the Eighth Amendment.

Defendant Keithley is being sued in both his Official and Individual Capacity.

- 6.) Defendant Joel B. McCurdy, is a citizen of Lexington, Oklaahoma, and Resides at (JHCC) 16161 Moffat Rd., P.O. Box 548, Lexington, Oklahoma 73051-0548.

Defendant McCurdy is employed as the cronic clinic Doctor at (JHCC)) and is responsible for the supervision of all Medical Providers at (JHCC) as defined by (ODOC)-op-140117, in order to ensure that they are providedg all offenders with adequate Medical Care, so that these offenders are b not shown "Deliberate Indifference" to there "Serious Medical Needs".

Defendant McCurdy is responsible for asscertaining that the Plaintiff is Provided with the necessary treatment for her

"Serious Medical Needs" in her case (GID) Gender Identity Disorder, by either himself or an outside provider, who is knowledgeable and experienced in the treatment of (GID), and, that his failure to do so constitutes "Deliberate Indifference" to the Plaintiff's "Serious Medical Need".

Defendant McCurdy is responsible for the Supervision of all Medical Staff at (JHCC), Pursuant to 42 U.S.C. § ~~19823~~ 1983, and 57 O.S. 2011 § 151 et seq. In Order to ascertain they act in a Professional Manner in Accordance with the Provisions and Regulations of the Oklahoma Health Care Act, and (ODOC)-op-140117 et seq.

Defendant McCurdy is being sued in both his Official and Individual Capacity.

**B.) NATURE OF THE CASE**

- 1.) **Briefly state the background of the case.** Plaintiff is a Post-op-Transsexual who has 2 out of 3 surgeries needed to complete the Transformation from Male to Female. She has already had her Name changed legally, and her anatomy changed from Male to Female on her Birth Certificate to match her Gender Identity, and the two surgeries that she has already went through are:

1.) Breast Augmentation (Breast Implants)

2.) Orchiectomy (Removal of the Testicles)

And the Third Surgery needed is called "Vaginoplasty" (Creating a Vagin), and her Transformation will be complete.

Plaintiff has been taking Hormones since Sept. 1979 to March 1985 after being Diagnosed with Gender Identity Disorder (GID), also known as Transsexualism, by her Doctor at the Tulsa Psychologist center, in Tulsa, Ok.. Account #21870, and then recommended to Dr. Krenning at the Family Practice Clinic in Tulsa, Ok. where she started Receiving Hormones. Then on Dec. 1, 1980 Dr. Hans P. Norberg (surgen) preformed a bi-lateral Orchiectomy/surgical castration. And then on April 26, 1984 Dr. Norberg, at St. John's Hospital Preformed a Mammoplasty/ Breast Augmentation, Plaintiff's

Account #47836549.

(see Exhibit "A" P.g. 2 starting at 4, 6, In summary 1, and 3, then enter Gender Dysphoria/Transsexualism, Birth Certificate.) I was incarcerated on April 15, 1986, about a year or two later I was at (OSR) Granite when Dr. Claravel put me on 2.5mg of ~~Pr~~<sup>Pr</sup>émrin once a day in Pill form, from 1987 to 1988, and then they changed Doctors, and the new Doctor cut off her Hormone Treatment, and she has been off her Hormone Treatment until 2012 when Dr. Conger a Psychologist helped her get the Hormone Treatments started again.

### C. CAUSE OF ACTION

- 1.) I allege that the following of my constitutional rights, Privilege or immunities have been violated and that the following facts form the basis of my allegations: (If necessary you may attach up to two additional pages (8½x11") to explain any allegation or to list additional supporting facts.)
  - A) (1) **Count I:** My Eighth Amendment Rights has been violated to be free from Cruel and ~~Un~~ Unusual Punishment by Providing inadequate Medical Care, and Starting and Stopping Hormone Therapy, and not giving me the Proper Dosage for the last two years of taking Hormones.
  - (2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each Defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

Dr. Joel B. McCurdy ordered my Hormones, on 3-16-2011, and I received them on 3-19-2011, and then ~~were~~ ~~were~~ ~~su~~ ~~support~~ support to be raised every 30 day until they reached the Max Dosage of 8mg per day, of Estrace. But for the first 60 days he had given me 2mg twice per day, for a total of 4mg per day. But he then stopped it saying that it was a mistake, that I was only support to be getting 2mg per day, which I have paper work that I am attaching as Exhibit "D" on the proper way to distribute Hormone Treatment. But because of his lack of knowledge about treating Transsexual, and Transgenders Offenders, he then lowed my dosage to the lowest dosage of Hormones, which at

this point of my Transition, 2mg per day do nothing for me at all, I need to be raised ~~th~~ to the proper dosage of 8mg per day to meet the requirements of my Transition, and her Spironalalone is below the normal lowest dosage, it should have started at 100mg per day and then every 30 day be raised by 50 to 100mg per day until you reach the max dosage of 300mg per day, and one of the ones that I need the most they are not even giving me which is my 200mg of Progesterone per day.

B) (1) Count II: My ~~Fourth~~ Fourteenth Amendment Rights to equal Protection has been violated, by keeping me housed in an all male Facility when I have all ready been Casterated and has a "D"-size Breast,

(2) Supporting Facts: In 1981 my Birth Certificate was Amended to show that my sex had been changed from **MALE to FEMALE**. And on April 15, 1986 I came to Prison for Murder, and I was placed in an all Male Facility. At which time I was cut off of my Hormone Therapy. Dr. Keenning at the Family ~~Pro~~ Practice Clinic in Tulsa had Prescribed ~~Homen~~ Hormone Therapy from 1979 to 1985 at which time I was locked up in Tulsa County, However Tulsa County kept giving me my Hormones medication until I transferred to L.A.R.K. on April 15, 21986 at which time (ODOC) stopped all my Hormone Treatments. Over the last 27 years they have started and stopped my medication for Hormone Replacement Therapy about 5 or 6 Times, over the last 27 years; of which hurts more than helps. Plus at one time, Dr. McCurdy attempted to put me on Testosterone Hormones, instead of Estance. And while I was a "cank" (ODOC), Dr. McCurdy tried to get OU Medical Center to perform a "breast reduction" on the Plaintiff; however, OU Medical Center refused to do so, because of liability concerns.

#### **D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF**

1) Have you begun other Lawsuits in State or Federal Court dealing with the same facts involved in this action, or otherwise relating to the conditions of your imprisonment? **NO**.

2) Have you previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C? **YES**. If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No", briefly explain why administrative relief was not sought.



I talked to Dr. McCurdy about raising my hormones to a proper doseage; but, he is not qualified to access my hormone treatment, and he has denied my request. I then filed a grievance to Buddy Honaker, and Warden Addison, which was denied. I then appealed the denial of the grievance to Dr. Don Suttmiller, the Chief Medical Officer of ODOC. on August 26, 2013. I then filed a TRO and Preliminary Injunction, which was returned to me, stating that I needed to file a complaint first; but, according to the Law Books that I possess, it stated that I Could file an Emergency TRO and Preliminary Injunction while waiting for the Grievance Process to be completed.

**E. REQUEST FOR RELIEF:**

I believe that I am entitled to the following Relief from the Defendants in this Cause of action:

- 1) To be seen by a qualified transgender specialist, who can grant me the proper treatment for my condiction.
- 2) To have hormone therapy doseages raised to coincide with transgender specialist recommendations.
- 3) To be allowed to purchase female undergarments, such as Bras and Panties.
- 4) The "Real Life" experience, which entails living life as a woman full time, which is one of the requirements before you are allowed to receive sex reassignment surgery (SRS); and, if women are allowed to have it, then I should also be allowed to buy it through the canteen; or, ship me to a female facility for my real life experience.
- 5) Lacon Hair removal, or allow me to purchase a "NO NO" machine, which would be no different than having an electric razor or a beard trimmer.
- 6) Having a tracheal shave-the shaving of the adam's apple.
- 7) Compensatory damages in the amount of \$500,000 per defendant.
- 8) Punitive damages in the amount of \$500,000. per defendant.
- 9) ONE-ON ONE COUNSELING for my transgender issues.
- 10) Vaginoplasty surgery, the creation of a vagina.
- 11) TRansfer to a female facility.

Respectfully Submitted,

Mr Jeannie Marie Druley  
JEANNIE MARIE DRULEY #152158  
JOSEPH HARP CORR. CENTER  
P.O. Box 548  
Lexington, OK. 73051-0548  
Plaintiff, Pro Se

**F. VERIFICATION UNDER PENALTY OF PERJURY:**

STATE OF OKLAHOMA       )  
                                      ) SS.  
COUNTY OF CLEVELAND   )

I hereby certify, under the penalty of perjury as set for under 28 U.S.C. §1746, that on this \_\_\_\_ day of November, 2013, that the foregoing document, Initial Pleading of Civil Rights Suit, is true and correct to the best of my knowledge, abilities, belief and understanding.

SWORN AND SUBSCRIBED TO in the date previously stated in Cleveland County, Lexington, Oklahoma.

Mr Jeannie Marie Druley  
JEANNIE MARIE DRULEY