

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

VINCENT MORRIS, on his own)	
behalf and on behalf of a class of those)	
similarly situated,)	
)	
Plaintiff,)	
)	
v.)	No. 1:20-cv-00034
)	
SHERIFF OF ALLEN COUNTY, in)	
his official capacity;)	
ALLEN COUNTY, INDIANA,)	
)	
Defendants.)	

Motion to Certify Case as a Class Action
Pursuant to Federal Rule of Civil Procedure 23(b)(2)

Plaintiff, by counsel, says that:

1. This action is brought by plaintiff on his own behalf and on behalf of a class of those similarly situated pursuant to Rule 23(a) and (b)(2) of the Federal Rules of Civil Procedure.
2. The class is defined as:

all persons currently confined, or who will in the future be confined, in the Allen County Jail.
3. All the requirements of Rule 23(a) are met in this cause in that:
 - a. The class is so numerous that joinder of all members is impractical. Although the Jail has 741 operational beds, it regularly houses more than this number of persons and the membership of the class is constantly changing as prisoners enter and leave the facility.

- b. There are questions of law or fact common to the class: whether conditions in the Allen County Jail violate the United States Constitution.
 - c. The claims of the representative party are typical of those of the class.
 - d. The representative party will fairly and adequately protect the interests of the class.
4. The further requirements of Rule 23(b)(2) are met in this cause as at all times defendants have acted or have refused to act in a manner generally applicable to the class, thereby making final injunctive and declaratory relief appropriate with respect to the class as a whole.
5. Undersigned counsel are appropriate persons to be appointed as counsel for the class pursuant to Federal Rule of Civil Procedure 23(g) and should be appointed.

WHEREFORE, plaintiffs request that this case be certified as a class action pursuant to Federal Rule of Civil Procedure 23(b)(2), and for all other proper relief.

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Attorneys for Plaintiff and the
Putative Class

Certificate of Service

I hereby certify that on this 21st day of January, 2020, a copy of the foregoing was filed electronically with the Clerk of this Court and was served on the below-named persons by first class U.S. postage, pre-paid.

Sheriff of Allen County
715 S. Calhoun Street
No. 101
Fort Wayne, IN 46802

Allen County, Indiana
c/o Allen County Commissioners
200 E. Berry St. #410
Fort Wayne, IN 46802

Kenneth J. Falk
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