

UNITED STATES DISTRICT COURT

for the

District of

Division

1-1-1981 (Birthdate)
8412 (Last 4 digits of social sec. #)

Case No.

1:21-cv-1166
(to be filled in by the Clerk's Office)
Crytzer / Steger

Donyell Dewayne Holland

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

C.O. Moore / C.O. Booth

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS (Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Donyell Dewayne Holland

All other names by which
you have been known:

N/A

ID Number

62563

Current Institution

Hamilton County Silverdale Detention Center

Address

P.O. Box 23148

Chattanooga

City

TN.

State

37422

Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Officer Booth

Job or Title (*if known*)

Security

Shield Number

Employer

Hamilton County Jailer

Address

P.O. Box 23148

Chattanooga

City

TN.

State

37422

Zip Code

☒ Individual capacity☒ Official capacity

Defendant No. 2

Name

Officer Moore

Job or Title (*if known*)

Security

Shield Number

Employer

Hamilton County Jailer

Address

P.O. Box 23148

Chattanooga

City

TN.

State

37422

Zip Code

☒ Individual capacity☒ Official capacity

Defendant No. 3

Name

Job or Title (if known)

Shield Number

Employer

Address

City

State

Zip Code

☐ Individual capacity

☐ Official capacity

Defendant No. 4

Name

Job or Title (if known)

Shield Number

Employer

Address

City

State

Zip Code

☐ Individual capacity

☐ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐ Federal officials (a *Bivens* claim)

☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

5th Amendment, 8th Amendment, and 14th Amendment

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

III.

Prisoner Status

While restrained in handcuffs Officers Booth and Moore Violently abused me, using unnecessary Excessive Force. While in restraint Both officers pushed me into the wall very hard swelling and scarring my shoulder, Officer Booth hit me in my jaw very hard, and ran my head into the door very hard. Both

Indicate whether you are a prisoner or other confined person as follows (check all that apply): while getting escorted to #4

- ☒ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain)

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

In G2 unit — Cameras Recorded this assault on June 14th, 20

On June 14th 2021 at approximately 7:00pm - 7:30pm in G2 Unit at Hamilton County Silverdale Detention Center

C. What date and approximate time did the events giving rise to your claim(s) occur?

(Monday) June 14th, 2021 at about or around approximately 7:00pm - 7:30

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

While in restraint handcuffs behind my back, Officers Booth and Officer Moore slammed pushed their bodies against me into G2-Unit wall very hard with Excessive Force, then yanked me hard off the wall squeezing my arms with handcuffs cutting off my circulation, then raised my arms up high while walking me fast to the door feeling like my arms was gone brake, and at full speed pushing forward Officers Booth and Officer Moore Violently Slammed my Head into the Thick Cast IRON Door and pushed the Door open with my Head, everything went Black in my Vision. Injuries then Booth and Moore slammed me into G3 wall and G3 Unit Cage and then Shoved threw me inside the cage. 1st and 2nd Shift Security + G-Unit Officers saw it. If you sustained injuries related to the events alleged above, describe your injuries and state what medical and G-2 in treatment, if any, you required and did or did not receive. and G-2 came and G-3 came

I have a Swollen Four Head, and I've been having continuous Severe Headaches + Dizziness and constant short term Memory Loss, My Neck Hurts when I turn to far, my Back is in Pain, my Jaw is Swollen, and my teeth cutted the inside of my jaw, I can't open my mouth wide, nor can I chew hard, my right Shoulder is Swollen and pink discolor from ripped skin. 3 days after the incident on June 17th Nurses Trina and Ms. Love observed my injuries and documented it and prescribed me pain pills and a Swelling Reducing pill for relief days. 7 days started on the 18th till the 25th. On June 28th Nurse Ms. Martin Recontinued it.

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

\$5 Million Dollars for the Brain/Head Injury.
 \$4 Million Dollars for my Swollen Jaw Injury
 \$3 Million Dollars for my Neck Injury
 \$2 Million Dollars for my Back Injury
 \$1 Million Dollars for Pain + Suffering
 \$200,000 PTSD

500,000 Mental Anguish
 400,000 Paranoid
 300,000 Paranoid Tendencies

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

G2 Unit

Hamilton County Silverdale Detention Center

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes

☐ No

☐ Do not know

If yes, which claim(s)?

Restraining, Physical Abuse, Neglected Proper Medical Treatment:
Video, G2 Unit Inmate Witnesses, Lt. Lowery
Finally after Complained
was Notified and made aware
Nurses Ms. Trina and Ms. Love prescribed me
Medication and Sutellina Me

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No

- E. If you did file a grievance:

1. Where did you file the grievance?

At Hamilton County Silverdale Detention Center

2. What did you claim in your grievance?

5th, 14th, and 8th Amendment Cruel + Unusual Punishment

3. What was the result, if any?

No Response to my grievance and its been 30 days ago

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

I turned the grievance form in to Counselor S. Bennis And Counsel S. Bennis said she turned it in to Jason Clark. And I've been asking when am I going to get a response for the grievance sent in on June 14th 2021. No one is Responding.

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The “three strikes rule” bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has “on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this “three strikes rule”?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

No

☐ Yes

☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: July 1st 2021

Signature of Plaintiff Donyell Holland

Printed Name of Plaintiff Donyell Holland

Prison Identification # 62563

Prison Address P.O. Box 23148

Chattanooga TN. 37422
City State Zip Code

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Address _____

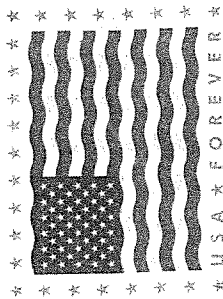
City State Zip Code

Telephone Number _____

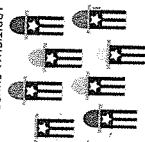
E-mail Address _____

Donyell Holloman # 25263
P.O. Box 23148
Chatt, TN. 37422

HCSO - Silverdale Detention Center
This Letter has been mailed by an Inmate.
The Hamilton County Sheriff's Office
is not responsible
for the contents of this letter.



ADDITIONAL DUNCES - USA



Civil Suit Court
Federal Building
900 Georgia Ave
United States Courthouse
Soel W. Solomon Federal
Chatt, TN. 37402