

ELBERT R. COMPTON,
PLAINTIFF,

v.

CASE NO: 12-CV-837

WISCONSIN DEPT. OF CORRECTIONS, BUREAU OF HEALTH SERVICES, CINDY O'DONNELL, CORI ALSUN, JEANANNE GREENWOOD, RICHARD HEIDORN, DOUGLAS ARMATO, STEPHANIE SEQUIEN, RN MILLER, BELENDA SCHRUBBE, PAUL SUMNICH, JEFFREY MANIOWE, MARY GORSKE, ANN TABB, BRIDGET BAYER, CRYSTAL MESEROLE, CHRISTINE DEYOUNG, AMY RADCHIFF, J.K. LETTKE, MARY SINGER, DONNA LARSON, ANN SLINGER, JUDY SCRAEFFER, GAIL WAITZ, JANE DOE HSU MANAGER - WSPF, BURTON COX, J. WATERMAN, RN CAMPBELL, THOMAS W. GROSSMAN, MARGARET ANDERSON, AND SEAN ANDERSON, MARY MILLER,
DEFENDANTS

AMENDED

AMENDED PURSUANT TO FED. RULES OF CIVIL PROCEDURE RULE 15 (A)

FEDERAL CIVIL RIGHTS COMPLAINT

PURSUANT TO 42 U.S.C. §1983 §1981, 1985, 1986, AND 1988, §1977.

THIS IS A CIVIL ACTION FOR MONEY DAMAGES IN EXCESS OF \$75,000.00, BROUGHT PURSUANT TO 42 U.S.C. §1981 §1983 §1985 §1986 AND §1988, AND THE 8th, 4th, 10th, AND 14th AMENDMENTS TO THE U.S. CONSTITUTION, AND UNDER STATE AND FEDERAL LAW FOR THE STATE OF WISCONSIN AGAINST ALL NAMED DEFENDANTS IN THEIR INDIVIDUAL AND OFFICIAL CAPACITIES UNDER THE COLOR OF LAW, AND 42 U.S.C. §1997.

I.) JURISDICTION.

JURISDICTION IS BASED UPON 28 U.S.C. §1331, §1343(A)(3), AND THE COURTS SUPPLEMENTAL JURISDICTION UNDER 28 U.S.C. §1367(A) OVER STATE LAW CLAIMS FOR MALPRACTICE AGAINST THE DEFENDANTS UNDER STATE LAW, AND BECAUSE THE DAMAGES SOUGHT IN THIS CIVIL RIGHTS ACTION EXCEEDS \$75,000.00. AND UNDER 28 U.S.C. §2201, §2204, §2283, §2284 AND FED. R. CIVIL. 65(A) THE APPLICABLE JURISDICTIONAL STATEMENTS AND SECTIONS TO GRANT INJUNCTION AND OR DECLARATORY RELIEF.

II.) STATEMENT ON EXHAUSTION OF ADMINISTRATIVE REMEDIES:

PLAINTIFF HAS EXHAUSTED ALL OF HIS AVAILABLE ADMINISTRATIVE REMEDIES BY FILING INMATE COMPLAINTS GBCI-2007-12709, WCI-2012-16515, AND WCI-2013-18211 REGARDING ALL MATTERS COMPLAINED OF IN THIS FEDERAL CIVIL RIGHTS COMPLAINT. THE PLAINTIFF HAS NO OTHER ADEQUATE REMEDY. ALSO WCI-2011-19644.

III.) PARTIES.

1) DEFENDANT CINDY O'DONNELL IS AN ADMINISTRATIVE EMPLOYEE OF THE WISCONSIN DEPARTMENT OF CORRECTIONS (HEREIN AFTER REFERED TO AS "DOC") OFFICE OF THE SECRETARY OF THE DOC WHO REVIEWS ALL INMATE COMPLAINT APPEALS TO THE DOC SECRETARY OFFICE AND IS RESPONSIBLE FOR ALL FINAL DECISIONS OF SUCH COMPLAINT APPEALS BY INMATES, AT ALL TIMES RELEVANT TO THIS COMPLAINT.

2) DEFENDANT LORI ALSUM IS THE BUREAU OF HEALTH SERVICES (HEREIN AFTER REFERRED TO AS "BHS.") NURSING COORDINATOR WHO'S RESPONSIBILITY IS TO SUPERVISE THE MEDICAL CARE GIVEN TO ALL INMATES IN THE D.O.C., INVESTIGATE AND DECIDE INMATE COMPLAINTS REGARDING INADEQUATE OF HSU MANAGERS, DOCTORS, NURSE PRACTITIONERS, AND REGISTERED NURSES EMPLOYED BY THE DOC. AND B.H.S., AND TO ENSURE THAT INMATES ARE RECEIVING ADEQUATE, COMPETENT MEDICAL CARE AT ALL DOC. FACILITIES, AT ALL TIMES RELEVANT TO THIS COMPLAINT.

DEFENDANTS #1 + #2 ABOVE WORK AT THE D.O.C. CENTRAL OFFICE LOCATED AT:

WISCONSIN DEPT. OF CORRECTIONS
3099 E. WASHINGTON AVE
P.O. Box 7857
MADISON, WI 53707-7857

3) DEFENDANT JEANEANNE GREENWOOD IS THE HSU MANAGER AT THE GREEN BAY CORRECTIONAL INSTITUTION (HEREIN AFTER REFERRED TO AS G.B.C.I.) AND IS RESPONSIBLE FOR THE SUPERVISION OF ALL DR.'S AND NURSE PRACTITIONERS, X-RAY TECHNICIANS, AND REGISTERED NURSES AT G.B.C.I. TO INCLUDE THE TRAINING AND TESTING OF THEM AND MAKING SURE THEY COMPLY WITH ALL APPLICABLE MEDICAL TREATMENT AND CARE STANDARDS, AT ALL TIMES RELEVANT TO THIS COMPLAINT.

4) DEFENDANT DR. RICHARD HEIDORN IS THE MEDICAL DOCTOR AT G.B.C.I. AND IS/WAS RESPONSIBLE FOR PROVIDING ADEQUATE, MEANINGFUL MEDICAL CARE TO THE PLAINTIFF AND DIRECTION OF NURSING STAFF TO PROVIDE SUCH AT ALL TIMES RELEVANT TO THIS COMPLAINT.

5) DEFENDANT DR. DOUGLAS ARMATO IS A RADIOLOGY DOCTOR THAT IS EMPLOYED BY THE D.O.C., G.B.C.I., AND B.H.S., AND WAS/IS RESPONSIBLE FOR THE REVIEW OF ALL X-RAYS THAT HE TAKES OF INMATES AT G.B.C.I. AND IS RESPONSIBLE FOR MAKING DIAGNOSIS OF FROM SUCH AND RECOMMENDED TREATMENT CARE PLANS FOR THOSE INMATES, AT ALL TIMES RELEVANT TO THIS COMPLAINT.

6) DEFENDANTS RN STEPHANIE SEQUIN, RN MILLER, ARE/WERE REGISTERED NURSES EMPLOYED BY D.O.C., BHS., AND G.B.C.I. THEIR DUTIES WERE TO PROVIDE ADEQUATE, MEANINGFUL MEDICAL CARE TO INMATE'S HOUSED AT G.B.C.I., AND ASSIST THE HSU MANAGER AND DOCTOR IN DOING SUCH AS WELL AT ALL TIMES RELEVANT TO THIS COMPLAINT. (PLEASE NOTE: RN SEQUIN IS NOW DECEASED SO HER LIABILITY IS HEREBY SUPPLEMENTED TO HER EMPLOYER WISCONSIN D.O.C./B.H.S.)

DEFENDANTS #3, #4, #5, AND #6 ABOVE WORK FOR OR AT THE G.B.C.I. LOCATED AT:

GREENBAY CORRECTIONAL INSTITUTION
2833 RIVERSIDE DRIVE
P.O. Box 19033
GREEN BAY, WI 54307-9033

7) DEFENDANT BEINDA SCHRUBBE IS THE HSU MANAGER ALL THE WAUWATONIA CORRECTIONAL INSTITUTION (HEREIN AFTER REFERRED TO AS "W.C.I.") AND IS RESPONSIBLE FOR THE SUPERVISION OF ALL DR.'S AND NURSE PRACTITIONERS, X-RAY TECHNICIANS, AND REGISTERED NURSES AT W.C.I., TO INCLUDE THE TRAINING, TESTING, AND MAKING SURE THEY COMPLY WITH ALL APPLICABLE MEDICAL TREATMENT AND CARE STANDARDS AT ALL TIMES RELEVANT TO THIS COMPLAINT.

8) DEFENDANT DR. PAUL SUMNECHT IS A MEDICAL DOCTOR FOR THE DOC, AND WAS AT WCI AT ALL TIMES RELEVANT TO THIS COMPLAINT AND WAS RESPONSIBLE FOR PROVIDING ADEQUATE, MEANINGFUL MEDICAL CARE TO THE PLAINTIFF AND DIRECTION OF NURSING STAFF TO PROVIDE SUCH AT ALL TIMES RELEVANT TO THIS COMPLAINT.

9) DEFENDANT DR. JEFFREY MANLOVE IS THE CURRENT MEDICAL DOCTOR AT WCI, AND IS RESPONSIBLE FOR PROVIDING ADEQUATE, MEANINGFUL MEDICAL CARE TO THE PLAINTIFF AND DIRECTING OF NURSING STAFF TO PROVIDE SUCH AT ALL TIMES RELEVANT TO THIS COMPLAINT.

10) DEFENDANTS RN MARY GORSKE, RN ANN TABB, RN BRIDGET BAYER, RN CRYSTAL MESEROLE, RN CHRISTINE DE YOUNG, RN ANNY RADCLIFF, RN J.K. LETTKE, RN MARY A. SINGER, RN DONNA LARSON, RN ANN SINGER, RN JUDY SCHRAUFNAGEL, RN GAIL WAITZ, ARE REGISTERED NURSES EMPLOYED BY D.O.C., B.H.S. AND W.C.I. TO PROVIDE ADEQUATE, MEANINGFUL MEDICAL CARE TO INMATE'S HOUSED AT W.C.I., AND TO ASSIST THE HSU MANAGER AND DOCTOR IN DOING SUCH AS WELL AT ALL TIMES RELEVANT TO THIS COMPLAINT. (PLEASE NOTE: THAT RN MARY A. SINGER IS NOW DECEASED SO HER LIABILITY IS HEREBY SUPPLEMENTED TO HER EMPLOYER D.O.C./B.H.S.).

DEFENDANT'S #7-#10 ABOVE WORK FOR / AT WCI
LOCATED AT:

WAUPUN CORRECTIONAL INSTITUTION
200 S. MADISON STREET
P.O. Box 351
WAUPUN, WI 53963-0351

11) DEFENDANT MARY MILLER IS THE HSU MANAGER AT THE WISCONSIN SECURE PROGRAM FACILITY (HEREIN AFTER REFERRED TO AS "WSPF") AND IS RESPONSIBLE FOR THE SUPERVISION OF ALL DR.'S AND NURSE PRACTITIONERS, X-RAY TECHNICIANS, AND REGISTERED NURSES AT WSPF TO INCLUDE TRAINING, TESTING, AND MAKING SURE THEY COMPLY WITH ALL APPLICABLE MEDICAL TREATMENT AND CARE STANDARDS AT ALL TIMES RELEVANT TO THIS COMPLAINT.

12) DEFENDANT DR. BUATON COX IS THE MEDICAL DOCTOR AT W.S.P.F., AND IS RESPONSIBLE FOR PROVIDING ADEQUATE, MEANINGFUL MEDICAL CARE TO THE PLAINTIFF, AND DIRECTING NURSING STAFF TO PROVIDE SUCH AT ALL TIMES RELEVANT TO THIS COMPLAINT.

13) DEFENDANTS RN J. WATERMAN AND RN CAMPBELL ARE REGISTERED NURSES EMPLOYED BY D.O.C., B.H.S., W.S.P.F. TO PROVIDE ADEQUATE, MEANINGFUL MEDICAL CARE TO INMATES HOUSED AT W.S.P.F., AND TO ASSIST THE HSU MANAGER AND DOCTOR IN DOING SUCH AS WELL AT ALL TIMES RELEVANT TO THIS COMPLAINT.

DEFENDANT'S #11-#13 ABOVE WORK FOR / AT W.S.P.F. LOCATED AT:

WISCONSIN SECURE PROGRAM FACILITY
P.O. Box 9900
BOSCOBEL, WI 53805-9900

IN RE: TO ALL NAMED DEFENDANTS IN THE ABOVE #1-#13 ALL ARE BEING SUED IN THEIR INDIVIDUAL AND OFFICIAL CAPACITIES UNDER 42 U.S.C §1985 AS WELL AS OTHER LISTED 42 U.S.C. SECTIONS ON PAGE ONE, FOR THEIR CONSPIRACY TO DEPRIVE THE PLAINTIFF OF ADEQUATE AND MEANINGFUL MEDICAL CARE AS A PART OF POLICY, PATTERN AND PRACTICE OF THE DEFENDANTS TO DEPRIVE THE PLAINTIFF AND ALL INMATES DELIBERATELY INDIFFERENT, INADEQUATE, AND INCOMPETENT MEDICAL CARE, IN PART TO TRY AND SAVE THE DOC/BHS. MONEY, BUT MOSTLY TO CAUSE INTENTIONAL, WANTON PAIN OR INMATE'S WHO SOME DEFENDANTS HAVE ROUTINELY COMPLAINED ABOUT "CRIMINALS" THEY ARE SUPPOSE TO PROVIDE MEDICAL CARE TO EVEN GETTING THE MINIMAL AMOUNT OF MEDICAL CARE FROM THEM.

14) DEFENDANT DR. THOMAS W. GROSSMAN IS A MEDICAL DOCTOR CONTRATED BY THE D.O.C. B.H.S/W.C.I. TO PROFORM ORTHOPEDIC SURGERY TREATMENT ON INMATE'S AT W.C.I. AND IS THUS A STATE ACTOR ACTING UNDER THE COLOR OF LAW WHEN HE PROVIDES ORTHOPEDIC AND MEDICAL TREATMENTS AND CARE, AND IS RESPONSIBLE FOR PROVIDING ADEQUATE AND MEANINGFUL MEDICAL CARE AND SURGICAL PROCEDURES ON W.C.I. INMATES AT ALL TIMES RELEVANT TO THIS COMPLAINT.

15) DEFENDANT MARGARET ANDERSON IS A NURSE PRACTICIONER CONTRATED BY THE DOC/B.H.S/W.C.I TO PROVIDE MEDICAL CARE AND TREATMENTS TO W.C.I INMATE'S, AND ASSIST DR. THOMAS W. GROSSMAN IN HIS ADMINISTERING MEDICAL TREATMENTS, SURGERIES, AFTER CARE, AND ANY OTHER MEDICAL NEEDS OF INMATES SEEN BY DR. GROSSMAN, AT ALL TIMES RELEVANT TO THIS COMPLAINT.

16) DEFENDANT SEAN ANDERSON IS A X-RAY TECH FROM ACCURATE IMAGE CONTRATED BY D.O.C. DEFENDANTS #14 & #15 ABOVE WORK FOR THE WAUPUN MEMORIAL HOSPITAL (HEREIN AFTER REFERRED TO AS "W.M.H.") LOCATED AT:

WAUPUN MEMORIAL HOSPITAL
620 W. BROWN STREET
WAUPUN, WI 53963

DEFENDANT #16 WORKS FROM ACCURATE IMAGE LOCATED AT:

ACCURATE IMAGE
2985 ALGOMA BLVD.
OSHKOSH, WI 54901

NOTE:

IT HAS BEEN WELL ESTABLISHED THAT MEDICAL PROVIDES WHO ARE CONTRATED TO PROVIDE MEDICAL CARE TO INMATE'S OF CORRECTIONAL FACILITIES ARE STATE ACTORS PROVIDING SUCH CARE UNDER THE COLOR OF LAW AND ARE LIABLE UNDER SUCH STANDARDS AND ARE REQUIRED TO PROVIDE ADEQUATE AND MEANINGFUL MEDICAL CARE, THUS DR. GROSSMAN, AND APNP ANDERSON ARE BEING SUED IN THEIR OFFICIAL AND INDIVIDUAL CAPACITIES.

STATEMENT OF CLAIM

IV)

1) ON 4/24/07 WHILE AT RECREATION AT G.B.C.I I INCURRED A SEVERE INJURY TO MY RIGHT HAND FROM A SLIP AND FALL WHILE PLAYING BASKETBALL ON A WET FLOOR THAT WAS RECENTLY WET MOPPED AND "NO WARNING SIGN THAT THE FLOOR WAS SLIPPERY AND/OR WET."

2) ON 4/24/07 AFTER I SLIPPED AND FELL I WAS IMMEDIATELY TAKEN TO THE HEALTH SERVICES UNIT (HEREIN AFTER REFERRED TO AS H.S.U.) WHERE AS I WAS SEEN BY RN STEPHANIE SEQUIN WHO TOLD ME AFTER LOOKING AT MY HAND AND FINGER THAT THERE WAS NOTHING SHE COULD DO EXCEPT GIVE ME SOME OTC IBUPROFEN'S. AS I WAS COMPLAINING OF SEVERE PAIN. SHE ACTED IN DELIBERATE INDIFFERENCE.

3) UPON WITNESSING NURSE SEQUIN'S OBVIOUS NEGLECT AND FAILURE TO TREAT AS STATED IN #2 ABOVE, AND SEEING THAT, I WAS IN SEVERE PAIN, SUFFERING AND DISCOMFORT RN MILLER AT THAT TIME ON 4/24/07 TOOK OVER TENDING TO MY HAND AND FINGER INJURY, AND UPON SUCH SHE DETERMINER THAT I PROBABLY BROKE MY RIGHT PINKY FINGER.

4) RN MILLER THEN ISSUED A WRAPPED THE PINKY FINGER IN BUDDY TAPE WITHOUT PUTTING THE FINGER BONES BACK IT'S PLACE/ALIGNED AND ISSUES ME OTC IBUPROFENS, AND REFERRED ME TO SEE DR. HEIDORN.

5) ON 4/24/07 RN MILLER AFTER SEEING ME AS STATED IN #3 AND #4 ABOVE FALSIFIED INFORMATION WHEN WRITING IN THE PROGRESS NOTES OF MY MEDICAL FILE THAT THE INJURY TO MY PINKY FINGER HAPPENS A WEEK 1/2 EARLIER INCORRECTLY QUOTING ME ON PURPOSE, AND THEN ALSO FURTHERED HER LIE "BY FABRICATING THAT, I SAID THE INJURY WAS A WEEK 1/2 AGO" BUT CONTINUOUS PLAYING BASKETBALL, ACTING IN DELIBERATE INDIFFERENCE.

6) ON 4/27/07 I WAS SEEN BY DR. RICHARD HEIDORN SEEN ME DUE TO THE ABOVE #4 REFERRAL WHEREAS, I TOLD DR. HEIDORN I WAS IN SEVERE PAIN AND DISCOMFORT, AND THAT THE IBUPROFEN'S WERE DOING NOTHING FOR THE PAIN AND DISCOMFORT, SO HE ORDERED ME TO UNDERGO A X-RAY AND INCREASED THE MG. OF IBUPROFEN, AND REFUSED TO SEND ME OUT TO THE HOSPITAL, AND REFUSED MY REQUEST TO RESET MY PINKY FINGER SO IT WAS ALIGNED AND WOULD HEAL CORRECTLY.

7) ON 4/27/07 I SUBMITTED AN INMATE COMPLAINT COMPLAINING ABOUT THE LACK OF ADEQUATE MEDICAL CARE AND SEVERE PAIN FOR AND FROM MY PINKIE FINGER INJURY AS DESCRIBED ABOVE.

8) ON 5/3/07 AN X-RAY WAS TAKEN BY X-RAY TECHNICIAN DR. DOUGLAS ARMATO AT WHICH TIME HE X-RAY'D MY RIGHT PINKY FINGER; AND UPON SUCH HE REVIEWED THE X-RAY FILM WITH DR. HEIDORN, AND THEN INFORMED ME THAT MY 5TH DIGIT (PINKY FINGER) WAS BROKEN. (NOT FRACTURED, "BROKEN.")

9) ON 5/22/07 IN RESPONSE TO THE INMATE COMPLAINT I FILED IN THE ABOVE #7, G.B.C.I HSN MANAGER: JEANEANNE GREENANOOD STATED "PATIENTS ARE TOLD THAT IF THEY DONT HERE ANYTHING THEIR X-RAY IS NORMAL, IN SUCH CONFIRMING THAT I WAS PROVIDED NO MEDICAL TREATMENT FOR MY PINKY FINGER AND THE PAIN ASSOCIATED WITH SUCH, EVEN THOUGH DR. ARMATO TOLD ME IT WAS BROKEN ON 5/3/07 AFTER HE X-RAY'D IT. ACTING IN DELIBERATE INDIFFERENCE.

10) I WAS THEN TRANSFERRED TO U.S.P.F THE LAST WEEK OF APRIL

BEGINNING OF MAY WHEREAS I IMMEDIATELY BEGAN TO SEEK MEDICAL TREATMENT FOR MY BROKEN PINKY FINGER AND THE SEVERE PAIN I WAS EXPERIENCING FROM SUCH, WHICH WAS IGNORED, IS ACT OF DELIBERATE INDIFFERENCE.

11) ON 5/18/08 AFTER I INFORMED U.S.P.F. HEALTH SERVICES STAFF THAT I WAS STILL EXPERIENCING A SHARP THROBBING PAIN AND NUMBNESS IN MY RIGHT PINKY FINGER, IN WHICH I WAS INFORMED BY NURSE CAMPBELL THAT SHE WOULD NOT BE SEEING ME, AND THAT I WOULD BE "PUT ON A WAITING LIST TO SEE DR. BURTON COX. IN DELIBERATE INDIFFERENCE

12) FROM 5/18/08 TO 6/23/08 I REPEATEDLY COMPLAINED TO RN CAMPBELL AND RN WATERMAN THAT I WAS IN SEVERE PAIN AND NEEDED TO SEE THE DR. A.S.A.P AND SOMETHING FOR THE PAIN AND DISCOMFORT BUT THEY DID NOTHING, IN DELIBERATE INDIFFERENCE.

13) ON 6/23/08 I WAS SEEN BY DR. BURTON COX WHO TOLD ME THAT "THERE WAS NOTHING HE COULD DO, THAT NOTHING WOULD BE GIVEN FOR THE PAIN I WAS EXPERIENCING, AND THAT MY FINGER WOULD HAVE TO REMAIN IN ITS DEFORMED STATE," IN DELIBERATE INDIFFERENCE.

14) ON 6/23/08 AFTER SEEING DR. COX I WROTE TO H.S.U. BECAUSE I WAS IN SEVERE PAIN AND DID NOT FULLY UNDERSTAND WHY/HOW DR. COX COULD SAY THAT NOTHING COULD BE DONE

15) ON 6/24/08 RN J. WATERMAN SENT A REPLY TO MY 6/23/08 REQUEST TO HBU AS STATED IN #14 ABOVE STATING THERE WOULD BE NO INTERVENTION EXCEPT BUDDY TAPING DURING ACTIVITY, AND NOT REPLYING AT ALL TO MY COMPLAINT OF BEING IN SEVERE PAIN AND DISCOMFORT, IN DELIBERATE INDIFFERENCE.

16) ON 7/2/08 I SUBMITTED ANOTHER HSD REQUEST ADVISING HSD STAFF THAT I WAS EXPERIENCING "EXCRUCIATING PAIN" IN MY RIGHT PINKY FINGER.

17) ON 7/2/08 I TOLD RN J. WATERMAN WHILE MAKING HER NURSE ROUNDS IN DETAIL THE EXTENT OF MY PAIN, MY LIMITED ABILITY TO WRITE, AND THE WORSE PAIN WHEN I ACCIDENTALLY BUMP MY FINGER, BUT WAS TRYING TO USE IT ANYWAY, WHEREAS SHE REPIRES "WHAT DID DR. COX TELL YOU? THAT WERE NOT DOING ANYTHING ABOUT YOUR FINGER! STOP PUTTING IN HSD REQUESTS", IN DELIBERATE INDIFFERENCE.

18) AFTER MY 7/2/08 ENCOUNTER WITH RN J. WATERMAN (SEE #17 ABOVE.) I WAS INFORMED THAT IN THE LATE 80'S AND EARLY 90'S THAT DR. BURTON COX WAS DISCIPLINED IN THE STATE OF KANSAS AND MAINE "FOR DRUG USE", AND IN 1992 THE WISCONSIN MEDICAL EXAMINING BOARD AGREED TO GIVE HIM "A LIMITED LICENSE" WITH CONDITIONS THAT HE UNDERGO DRUG ABUSE TREATMENT AND REMAIN FREE FROM "DRUG AND ALCOHOL".

19) ON 12/2/08 AFTER BEING TRANSFERRED TO WC.I AND FORCED TO SUFFER IN PAIN FROM 7/081 UNTIL 12/2/08 I WAS SEEN BY RN MARY A. STINGER WHERE I IMMEDIATELY INFORMED HER ON THE SEVERE PAIN I WAS IN AND ONGOING HISTORY OF MY INJURY OF MY RIGHT PINKY FINGER AND THE FACT THAT I HAD NOT RECEIVED ANY ADEQUATE MEDICAL CARE FOR SUCH; WHEREAS SHE TOLD ME

THAT MY X-RAY BY DR. ARMATO AT G.B.C.I.F WERE NEGATIVE FOR FRACTURE, AND THAT SHE WOULD SCHEDULE ME TO SEE THE DOCTOR FOR FURTHER EVALUATION AND POSSIBLE TREATMENT. IN DELIBERATE INDIFFERENCE.

20) FROM 12/2/2008 UNTIL 3/20/09 I REPEATEDLY WROTE TO WCI HSU MANAGER BELINDA SCHRUBBE AND NURSING STAFF ADVISING THEM I WAS IN SEVERE PAIN AND NEEDED TO SEE THE DR. AS PROMISED MY RN MARY SLINGER. (SEE ABOVE #19.) BUT I WAS NEVER SEEN BY ANYONE AND WAS FORCED TO SUFFER IN PAIN, DISCOMFORT AND INSOMNIA AND LACK OF APPETITE FOR 3 MONTHS. IN DELIBERATE INDIFFERENCE.

21) ON 3/20/09 AFTER MONTHS OF WRITING HSU STAFF AS STATED IN #20 ABOVE, I WAS BROUGHT TO HSU TO SEE RN MARY GORSKE FOR A FOLLOW-UP FOR MY ASTHMA, AND INJURY AND PAIN IN MY RIGHT PINKY. RN GORSKE NOTES THAT MY PINKY FINGER WAS DEFORMED. I EXPLAINED TO HER I WOULD LIKE IT FIXED AND I WAS EXPERIENCING SEVERE PAIN AND NUMBNESS, WHEREAS RN GORSKE DECIDED TO IGNORE SUCH AND PUNISH ME AND RETALIATE AGAINST ME FOR WRITING HSU SO MUCH, AND TO INFLICT WANTON AND INTENTIONAL PAIN ON ME SHE DISCONTINUED THE PRESCRIPTION I HAD FOR IBUPROFEN, AND TOLD ME "IF I WAS HURTING THAT BAD THEN I CAN BUY THEM OFF CANTEN" SCHEDULED ME FOR A 3-6 MONTH FOLLOW-UP. IN DELIBERATE INDIFFERENCE.

22) FROM 3/20/09 UNTIL 3/16/2010 I REPEATEDLY WROTE TO WCI HSU MANAGER BELINDA SCHRUBBE AND NURSING STAFF ADVISING THEM I WAS IN SEVERE PAIN AND NEEDED TO SEE THE DR. FOR MY RIGHT PINKY FINGER INJURY, BUT I WAS NEVER SEEN BY ANYONE AND WAS FORCED TO SUFFER IN PAIN, DISCOMFORT, INSOMNIA, AND A LACK OF APPETITE FOR "A YEAR", IN DELIBERATE INDIFFERENCE.

23) ON 3/16/10 I WAS SEEN "A YEAR LATER" BY NURSE GORSKE, WHEREAS DESPITE MY COMPLAINT OF BEING IN SEVERE PAIN AND WANTING TREATMENT FOR THAT AND MY FINGER INJURY SHE TOLD ME THAT SHE "WASNT GOING TO DO NOTHING TO FIX MY FINGER BECAUSE IT DID NOT HAPPEN HERE AT WCI." IN DELIBERATE INDIFFERENCE.

24) FROM 3/16/10 UNTIL 6/2/2011, I REPEATEDLY, WROTE WCI HSU MANAGER BELINDA SCHRUBBE AND NURSING STAFF ADVISING THEM I WAS IN SEVERE PAIN AND NEEDED TO SEE THE DR. FOR MY RIGHT PINKY FINGER INJURY, BUT I WAS NEVER SEEN BY ANYONE AND WAS FORCED TO SUFFER IN PAIN, DISCOMFORT, INSOMNIA AND LACK OF APPETITE "FOR 15 MONTHS" IN DELIBERATE INDIFFERENCE.

25) ON 6/2/2011 I WAS SEEN BY NURSE J.K. LETTKE A.K.A JUDY SCHARFFER, WHEREAS I EXPLAINED TO HER THE SEVERE PAIN I'VE BEEN IN DUE TO MY INJURED PINKY FINGER, AND ASKED HER TO PLEASE PROVIDE TREATMENT FOR SUCH, WHERE SHE GOT VERY BELIGERANT AND ARGUMENTATIVE MAKING ME VERY FRUSTRATED, AND ENDED WITH HER REFUSING TO GIVE ME ANYTHING FOR THE PAIN, AND ONLY AGREEING TO SCHEDULE ME TO SEE THE DOCTOR FOR MY BROKEN PINKY FINGER INJURY. IN DELIBERATE INDIFFERENCE.

26) ON 6/8/11 I WAS SEEN BY DR. PAUL SUMNIGHT WHERE I INFORMED HIM OF MY SEVERE PAIN, PINKY FINGER INJURY, INSOMNIA AND LOSS OF APPETITE, AND "DR. SUMNIGHT NOTED THE DEFORMITY IN MY FINGER" AND DESCRIBED IT AS A "VOID TENDON RUPTURE" (WHICH RUPTURE MEANS "BROKEN") AND SCHEDULED ME TO BE X-RAY'D AGAIN, BUT REFUSED TO PRESCRIBE ANYTHING ~~FOR~~ FOR THE SEVERE PAIN. IN DELIBERATE INDIFFERENCE

28) ON 7/20/11 I WROTE A REQUEST TO HSU INFORMING THEM OF MY CONTINUOUS SEVERE PAIN AND DISCOMFORT. WHEREAS I EXPLAINED IT IN DETAIL FROM: 6/20/11 UNTIL 8/18/11.)

29) ON 7/22/14 RN ANN TABB SAYING IN RESPONSE TO MY 7/20/11 HSU REQUEST IN ABOVE # 28 THAT "THERE WAS NEVER A REFERRAL PUT IN FOR ME TO BE SEEN BY A SPECIALIST" IN DELIBERATE INDIFFERENCE

30) ON 8/18/11 WITH SEEING ME DR. PAUL SUMNIGHT WROTE A NOTE AND PRESCRIPTION FOR 600mg OF GABAPENTIN FOR TEMPORARY RELIEF IN RESPONSE TO MY TELLING HIM OF MY SEVERE PAIN, INSOMNIA AND LOSS OF APPETITE AND DISCOMFORT.

31) THE GABAPENTIN PRESCRIBED TO ME IN THE ABOVE #30 DID NOT ALLEVIATE ANY PAIN IN MY RIGHT PINKY FINGER, WHICH I THEN LEARNED FROM OTHERS THAT GABAPENTIN IS "A MUSCLE RELAXER NOT A PAIN RELIEVER. IN DELIBERATE INDIFFERENCE.

32) ON 8/18/11 DR. SUMNIGHT WROTE IN THE 8/18/11 PROGRESS NOTES FROM SEEING ME AS STATED ABOVE IN #30 THAT "FUNCTIONAL HEALING OF A CHRONIC RIGHT FINGER EXTENSOR TENDON RUPTURE WITH Mallet Finger. P: PATIENT REPORTS PAIN WHEN TRYING TO WORKOUT AND WRITING LETTERS OR HOLDING A FIST. BUT REFUSED TO PROVIDE ANY OTHER TREATMENT OR REFERRAL TO A BONE SPECIALIST IN DELIBERATE INDIFFERENCE.

33) ON 9/13/11 I WROTE TO DR. PAUL SUMNIGHT COMPLAINING ABOUT THE SIDE EFFECTS OF THE GABAPENTIN REPORTING THAT I WAS EXPERIENCING UP SET STOMACH, DOUBLE AND/OR BLURRED VISION, AND WAS STILL HAVING SHARP THROBBING PAIN IN MY PINKY FINGER, WHICH DR. SUMNIGHT HAD ME SCHEDULED TO SEE A RN.

34) I WAS THEN SEEN BY RN AMY RADCHEFF WHO I TOLD ABOUT THE SEVERE PAIN I WAS IN, AND ALL SHE DID WAS PRESCRIBE ME WITH 325mg OF ACETAMINOPHEN 4X'S A DAY IN CONJUNCTION WITH 800MG. IBUPROFEN. WHICH WAS WHOLLY INADEQUATE FOR THE SEVERE LEVEL OF PAIN I WAS IN. IN DELIBERATE INDIFFERENCE.

35) ON 9/26/11 I SUBMITTED ANOTHER HSU REQUEST COMPLAINING ABOUT THE PAIN AND CONSTANT THROBBING IN MY INJURED PINKY FINGER. WHICH DR. SUMNIGHT RESPONDED TO SAYING "IT HAS HEALED IN A FUNCTIONAL POSITION. NO MEDICAL NECESSITY TO SEE A BONE SPECIALIST." THEREBY REFUSING TO TREAT ME FOR THE SEVERE DISCOMFORT FIND PAEN, AND MY DEFORMED PINKY FINGER. HE MADE NO RESPONSE TO MY COMPLAINT OF CONSTANT THROBBING, SEVERE PAIN AND NUMBNESS. IN DELIBERATE INDIFFERENCE.

36) ON 9/29/11 I WROTE A HSU REQUEST TO HSU MANAGER: BELINDA SCHROBBE ASKING TO SEE A BONE SPECIALIST TO ADDRESS THE ISSUE OF MY PINKY FINGER, SEVERE PAIN AND THROBBING SINCE THE INJURY OCCURRED IN 2007. BUT, SHE IGNORED SUCH, AND MY REQUEST WAS RETURNED WITH NO RESPONSE, AND I WAS NEVER SEEN BY ANYONE. IN DELIBERATE INDIFFERENCE.

37) I THEN IMMEDIATELY FILE ICI WCI-2011-19644 COMPLAINING ABOUT NOT GETTING ANY MEDICAL CARE AND BEING IN SEVERE PAIN, AND DISCOMFORT AND THROBBING FOR/ABOUT MY PINKY FINGER INJURY.

38) ON 10/12/11 BELINDA SCHRUBBE FAISIFIED INFORMATION AND LIES TO THE INMATE COMPLAINT INVESTIGATOR WHEN SHE STATED IN RESPONSE TO THE COMPLAINT WCI-2011-19644 THAT I NEVER CONTACTED HER CLAIMING TO BE IN "UNBEARABLE PAIN" AND NO PRIOR CONTACT WITH ME REVEALED SUCH A CLAIM; TO COVER UP HER & WCI HSU STAFF'S NEGLIGENCE, DELIBERATE INDIFFERENCE, AND MEDICAL MALPRACTICE TO MY MEDICAL NEEDS, WHICH IS A COMMON POLICY AND PRACTICE OF WCI HSU STAFF TO COVER UP SUCH THINGS INVOLVING FAILURE TO TREAT.

39) CLEARLY HSU MANAGER: BELINDA SCHRUBBE; AND ALL WCI HSU STAFF HAVE DISPLAYED BLATANT DISREGARD TO MY VERIFIED MEDICAL NEEDS TO PUNISH ME, RETALIATE AGAINST ME, AND CAUSE ME WANTON INTENTIONAL PAIN AND SUFFERING, INSOMNIA, LACK OF APPETITE, DISCOMFORT, AND MENTAL ANGUISH; AS THEY IGNORES ALL MY HSU REQUESTS & LETTERS TO THEM? IN DELIBERATE INDIFFERENCE.

40) ON 10/17/11 I SENT A VERIFIED NOTICE OF INJURY AND CLAIM TO THE WISCONSIN ATTORNEY GENERAL OFFICE PURSUANT TO WIS. STATS. § 893.82(1)(2) AND (3M).

41) ON 10/20/11 I WROTE DR. SUMNIGHT CONCERNING MY FOLLOW-UP, AND INFORMED DR. SUMNIGHT THAT I WAS STILL HAVING SEVERE PAIN, AND THAT THE MUSCLE RELAXER (SEE ABOVE #33) WAS DOING NOTHING TO TAKE AWAY OR REDUCE THE AMOUNT OF PAIN I WAS IN.

42) ON 10/21/11 I RECEIVED A RESPONSE TO MY REQUEST TO DR. SUMNIGHT AS STATED ABOVE IN #41 BY A NURSE TELLING ME I WOULD SEE THE DOCTOR SOON.

43) I WAS NOT SEEN BY THE DOCTOR UNTIL JANUARY 2012; WHEREAS I WAS SEEN BY THE AS INTER DR. HENNESSY, DESPITE MY CONSTANTLY WRITING TO HSU MANAGER BELINDA SCHRUBBE AND WCI NURSING STAFF FROM OCTOBER 2011 UNTIL JANUARY 2012 TELLING THEM I WAS IN NEED OF TREATMENT FOR MY RIGHT PINKY FINGER AND WAS IN CONSTANT PAIN; THROBBING, AND INSOMNIA, AND LOSS OF APPETITE AS A RESULT. IN DELIBERATE INDIFFERENCE.

44) ON 1/5/12 I WROTE TO THE DEPT. OF SAFETY AND PROFESSIONAL SERVICES IN AN ATTEMPT TO GET MEDICAL TREATMENT FOR MY PINKY FINGER, PAIN, ETC... AND RECTIFY THE SITUATION, BUT THEY NEVER RESPONDED.

45) ON 4/17/12 I WROTE TO HSU MANAGER BELINDA SCHRUBBE ASKING HER TO RETURN THE MONEY HER & HER STAFF ILLEGALLY TOOK AND FORFEITED FROM ME FOR MEDICAL CO-PAYS FOR MY ONGOING ISSUE FOR MY PINKY FINGER. SHE REFUSED TO REFUND MY MONEY TO ME, AND INFORMED ME I HAD A 1 YEAR FOLLOW-UP WITH DR. SUMNIGHT IN NOVEMBER. (WHICH I WASN'T SEEN - UNTIL JANUARY 2012) IN DELIBERATE INDIFFERENCE

46) ON 6/29/12 I WAS SEEN BY RN ANN STINGER ANN ASKED HER TO GIVE ME MEDICAL TREATMENT FOR MY FINGER, PAIN, DISCOMFORT, THROBBING, NUMBNESS, AND LACK OF APPETITE / AND SHE REFUSED TO DO ANYTHING EXCEPT NOTE THAT MY PAIN LEVEL WAS AT AN 8. IN DELIBERATE INDIFFERENCE

47) ON 8/8/12 I FILED INMATE COMPLAINT MCI-2012-16515 COMPLAINING ABOUT DR. BURTON COX FAILING TO TREAT MY RIGHT PINKY, AND THE PAIN, YMOBBING, INSOMNIA, LACK OF APPETITE, ETC....

48) IN JANUARY OF 2013 I WAS SEEN BY DR. HENNESSY WHO EXAMINED MY FINGER INJURY, AND REFUSED TO SEND ME OUT TO A BONE SPECIALIST AND PUT ME ON "A ANTI-DEPRESSANT/PAIN MEDICINE" THAT HE SAID WILL TAKE AWAY THE PAIN, DISCOMFORT AND INSOMNIA, AND LOSS OF APPETITE, IN DELIBERATE INDIFFERENCE

49) ON 2/2/13, 2/12/13, AND 3/9/13 I WROTE SEPERATE HSU REQUEST'S TO DR. HENNESSEY, BETINDA SCHRUBBE AND MCI NURSING STAFF ADVISING THEM THAT "THE ANTI-DEPRESSANT MEDICINE" HE PUT ME ON WAS NOT WORKING TO ALLEVIATE ANY PAIN, INSOMNIA, DISCOMFORT, AND LOSS OF APPETITE.

50) IN RESPONSE TO THE ABOVE #49 HSU REQUEST'S RN BAYER, RN WAITZ RESPONDED TO SUCH SIMPLY FORWARDING THEM TO THE "PROVIDER" WITHOUT CALLING ME UP TO EXAMINE ME AND ASSESS MY MEDICAL PROBLEM AS REQUESTED BY POLICY, CAUSING ME TO SUFFER IN PAIN, IN DELIBERATE INDIFFERENCE.

51) ON 4/22/13 I FINALLY WAS BROUGHT TO HSU TO THE NEW DR. JEFFERY MANLOVE WHO EXAMINED MY PAIN FINGER AND FOUND "IT TO BE A DEFORMED (MAYBE) FINGER, AND IMMEDIATELY ORDERED ME TO SEE A BONE SPECIALIST, AND PUT ME ON 800 MG IBUPROFEN FOR AN ATTEMPT TO ALLEVIATE THE SEVERE PAIN I WAS IN.

52) ON 4/22/13 DR. MANLOVE SENT A CLASS III REQUEST FOR ME TO GO SEE A BONE SPECIALIST STATING THAT A 2011 X-RAY SHOWED "A CYST OR GEODE IN THE HEAD OF THE MIDDLE PHALANX, AND THE PAIN BEING SO SEVERE THAT IT WAS INTERFERING WITH MY SLEEP AND ACTIVITY."

53) I WAS NEVER TOLD BY (ANYONE) AFTER THE 2011 X-RAY THAT THERE WAS "A CYST OR GEODE IN THE BONE JOINT OF MY FINGER" WHICH WAS PART OF THE CAUSE OF THE SEVERE PAIN AND DISCOMFORT I WAS EXPERIENCING. IN DELIBERATE INDIFFERENCE

54) DR. SUMMICH, RN TABB, RN AMY RADCLIFF, HSU MANAGER BETINDA SCHRUBBE, DR. HENNESSY, RN ANN STINGER, RN BRIDGET BAEYER, RN GAIL WAITZ, AND X-RAY KNEW THAT THERE WAS "A CYST/GEODE IN THE HEAD OF THE MIDDLE PHALANX AND DID NOT ORDER ME TO SEE A BONE SPECIALIST, NOR DID THEY TAKE ANY ADEQUATE MEDICAL ACTION" DESPITE MY WRITE TO THEM CONSTANTLY COMPLAINING ABOUT THE PAIN, INSOMNIA, DISCOMFORT AND LOSS OF APPETITE. IN DELIBERATE INDIFFERENCE.

55) ON 6/5/13 I WAS TAKEN TO SEE DR. THOMAS W. GROSSMAN PER THE REFERRAL CLASS II MADE BY DR. MANLOVE (SEE #52 ABOVE). AT SAID VISIT DR. GROSSMAN FOUND THAT BECAUSE OF THE 6 YEARS OF D.O.C., B.H.S., G.B.C.F, W.S.PF, AND MCI. DR'S AND NURSING STAFF REFUSING TO ADMINISTER EVEN MINIMAL MEDICAL CARE FOR MY RIGHT PINKY FINGER, AND REFUSING TO SEND ME OUT TO A BONE SPECIALIST (AS STATED IN #1-54 ABOVE) MY PINKY FINGER HAS GROWN A CYST/GEODE, AND GROWN DEFORMED INTO A 45 DEGREE ANGLE; WHERE IT WOULD NOT STAY IN FULL EXTENSION, "WITH ONLY 40% OF NORMAL LIGHT TOUCH." THE DR. ALSO FOUND THAT DUE TO THE YEARS

(IV. STATEMENT OF CLAIM, CONT.) OF DELIBERATE INDIFFERENCE TO MY BROKEN PINKY FINGER (BY THE NAMED DEFENDANTS "IT HAD DETERIORATED AND DEFORMED" TO A POINT WHERE MY FINGER WOULD HAVE TO BE RECONSTRUCTED IN SURGERY, I AGREED TO THE SURGERY TO BE DONE. PROVING DELIBERATE INDIFFERENCE.

56) BECAUSE OF DR. GROSSMAN 6/5/13 FINDING IT PROVES THAT ALL OF THE NAMED DEFENDANTS FROM "2007" TO THEN DID NOT DO WHAT WAS MINIMALLY REQUIRED TO FIX MY FINGER AND/OR TO PREVENT IT FROM GETTING WORSE WHICH IS CLEARLY INADEQUATE, INCOMPETENT, AND GROSSLY ILLEGITIMATE CARE SHOWING THEY ALL WERE DELIBERATE INDIFFERENT ALL 6 YEARS FORCING ME TO PAY FOR TREATMENT NOT RENDARED, AND SUFFER FROM SEVERE PAIN, NUMBNESS, INSOMNIA, LOSS OF APPETITE AND SEVERE DEPRESSION AND MENTAL ANGUISH THE ENTIRE TIME, "CAUSING MY INJURY TO IN FACT GET WORSE."

57) ON 8/8/13 I WENT TO THE HOSPITAL WHERE DR. THOMAS W. GROSSMAN PERFORMED THE "DIP" EXTENSOR FINGER RECONSTRUCTION SURGERY, AND WHILE DOING SAID SURGERY FOUND THAT THE EXTENSOR MECHANISM (WHEN HE CUT MY FINGER OPEN TO BE EXTREMELY ATTENUATED DUE TO THE YEARS OF DELIBERATE INDIFFERENCE BY THE DEFENDANTS FROM 2007 UNTIL THAT DAY.)

58) ON 8/12/13 I WENT TO HSU AS AN EMERGENCY BECAUSE THE INCISION SITE FROM THE PINKY FINGER SURGERY AND PIN, AND MY FINGER WAS EXTREMELY SWOLLEN, THROBBING, HAD PUSS COMING OUT OF IT, AND WAS CAUSING ME SEVERE PAIN. I WAS SEEN BY RN GAIL WALTZ WHEREAS SHE STATED "I HAD AN INFECTION" CLEANED AND CHANGED THE DRESSING (BUT DID NOTHING FOR THE INFECTION DESPITE SEEING IT, AND MY ASKING HER TO TREAT THE INFECTION), FORCING ME TO SUFFER IN PAIN, AND THROBBING IN MY FINGER. IN DELIBERATE INDIFFERENCE.

59) ON 8/24/13 I WROTE A HSU REQUEST COMPLAINTING OF SEVERE PAIN. RN BAYER REFUSED TO SEE ME, AND TOLD ME "MY PAIN MEDS WERE ONLY GIVEN TO ME FOR A SHORT TERM AFTER MY SURGERY FORCING ME TO SUFFER IN PAIN, THROBBING AND SWELLING. IN DELIBERATE INDIFFERENCE.

60) ON 9/3/13 I WROTE ANOTHER HSU REQUEST TELLING HSU THAT I WAS IN SEVERE PAIN, MY PINKY FINGER WAS SWOLLEN STILL, THAT I COULD NOT BEND IT, AND THERE WAS BROWN PUSS COMING OUT OF THE SURGICAL CUT AND PIN AREA. NO ONE SEEN ME IN RESPONSE THIS, THIS, AND SIMPLY WROTE BACK STATING (RN DONNA LARSON) THAT DR. MANLOVE EXTENDED MY PAIN MEDS, "BUT NEVER CARED TO SEE ME FOR THE INFECTION" THAT WAS OBVIOUSLY IN MY FINGER CAUSING IT TO GET WORSE, ACTING IN DELIBERATE INDIFFERENCE.

61) ON 9/13/13 I WAS SEEN BY RN CHRISTINE DE YOUNG WHEREAS I TOLD HER I WAS IN SEVERE PAIN, AND SHOWED "HER MY SWOLLEN INFECTED PINKY FINGER, AND YELLOW PUSS COMING OUT OF IT, AND DRIED UP BLOOD UNDER MY SKIN AND NAIL." (SHE DID NOT DO ANYTHING), SHE DID NOT CLEAN THE WOUND, DID NOT PUT ANTI-BIOTIC ORTENTAMENT ON IT, NOR PROSCRIBE ME ANTI-BEONTEC IN DERECT DELIBERATE INDIFFERENCE

(III. STATEMENT OF CLAIMS CONT.) Case: 3:12-cv-00837-jdp Document #: 13 Filed: 06/06/14 Page 12 of 17
62) ON 9/10/13 I WAS SEEN BY RN C. DEYOUNG AND TOLD HER THE SAME AS STATED IN (ABOVE #61), AGAIN SHE DIDNT DO ANYTHING TO TREAT IT IN DIRECT DELIBERATE INDIFFERENCE

63) ON 9/13/13 I WAS SEEN BY RN C. DEYOUNG AGAIN WHEREAS I WAS IN SUCH "BAD PAIN AND SUFFERING WITH MY FINGER INFECTION, AND HAD TEARS IN MY EYES", SHE ONLY THEN CONSULTED DR. MANIOME WHO TOLD HER TO CONSULT DR. GROSSMAN, WHICH SHE WAS TOLD BY DR. GROSSMAN AND MARGARET ANDERSON APNP TO DO IMMEDIATE X-RAY OF MY RIGHT PINKY FINGER. HOWEVER DID NOT WANT ME BROUGHT TO THEM FOR MEDICAL TREATMENT. THE X-RAY WAS DONE, AND APNP ANDERSON AND DR. GROSSMAN ORDERED THAT BECAUSE SUCH CONFIRMED THERE WAS A SEVERE INFECTION I WAS TO BE STARTED ON ANTI-BIOTIC'S IMMEDIATELY, WHICH FINALLY WAS DONE. REPEATING DELIBERATE INDIFFERENCE. AFTER (A MONTH AN A DAY OF SUFFERING)

64) ON 9/17/13 I WAS TAKEN TO SEE DR. GROSSMAN AND APNP MARGARET ANDERSON WHERE THEY TOOK "THE 4X4 PIN" OUT OF MY FINGER AND FOUND THAT THEY INCORRECTLY PUT THAT IN AND THE STITCHES ON THE TOP OF MY FINGER LEAVING A HOLE WHERE YOU CAN SEE THE BONE AND IT HAD ERONEOUSLY HEALED LIKE THAT SHOWING "THAT DR. GROSSMAN AND APNP ANDERSON WHEN (THEY DID MY SURGERY ON 8/8/13 MADE MISTAKES THAT LED TO MY INFECTION) AS CITED ABOVE IN CONJUNCTION WITH THE LACK OF COMPETENT MEDICAL CARE BY THE DEFENDANTS CAUSING "FURTHER INJURY AND PERMANENT SCARS. IN DELIBERATE INDIFFERENCE

65) ON 9/17/13 AFTER I GOT FROM THE OUTSIDE HOSPITAL SEEING DR. GROSSMAN ET. I WAS IN SEVERE EXCRUCIATING PAIN AND THROBBING, AND I WROTE A HCU REQUEST TELLING THE DEFENDANTS SUCH AND THAT THE IBUPROFEN WAS DOING NOTHING FOR THE PAIN. NO ONE RESPONDED TO THAT REQUEST NOR SEEN ME FOR ASSESSMENT, EXCEPT SCHEDULED TO BE SEEN AT HCU BY RN D. LARSON, BUT I WAS NEVER SEEN, CAUSING ME TO SUFFER IN SEVERE PAIN. IN DELIBERATE INDIFFERENCE.

66) ON 9/25/13 I STOPPED RN DEYOUNG WHEN SHE WAS WALKING AROUND THE SEG UNIT SHOWING HER THAT MY PINKY FINGER WAS STILL SWOLLEN AND PAINFUL. SHE REFUSED TO DO ANYTHING TO TREAT SUCH CAUSING ME TO SUFFER IN PAIN. IN DELIBERATE INDIFFERENCE

67) ON 10/31/13 I WROTE A HCU REQUEST FOR MEDICAL CARE AGAIN BECAUSE (I NOW ONLY HAVE 40% FEELING IN MY PINKY FINGER, BUT I WAS SUFFERING FROM A BURNING, ITCHING, SHARP THROBBING PAIN AS IF I WAS BEING STUNG BY A 100° BEE'S IN MY FINGER, THAT THE IBUPROFEN DOES NOT WORK, AND THAT I'VE BEEN SUFFERING FOR YEARS, WHICH RN ANN SPINGER RESPONDED TO IT BY SAYING THAT I WAS SCHEDULED TO SEE THE DOCTOR, WITHOUT SEEING ME TO ASSESS AND EVALUATE THE PROBLEM CAUSING ME TO CONTINUE TO SUFFER IN PAIN. IN DELIBERATE INDIFFERENCE

68) ON 11/13/13 I WROTE TO DR. BETTIE MANLOVE EXPLAINING TO HIM THAT I HAVE BEEN SUFFERING IN SEVERE PAIN, "I ONLY HAVE 40% OF FEELING IN MY RIGHT PINKY FINGER," AND THE CONSTANT DELIBERATE INDIFFERENCE BY HIM AND ALL NAMED DEFENDANTS FOR 6 YRS, "AND ASKING HIM TO PLEASE DO SOMETHING TO ALLEVIATE THE PAIN I'M IN." WHICH HE SEEN ME ON 11/8/13 AND DID NOTHING TO ASSESS AND ADDRESS THE PAIN I WAS IN AND POSSIBLY WHY I WAS HAVING SUCH, CAUSING ME TO SUFFER IN PAIN. IN DELIBERATE INDIFFERENCE.

69) ON 11/18/13 I WROTE REINDA SCHRUBBE, HSU MANAGER AND ADVISED HER I WAS IN SEVERE EXCRUCATING PAIN AND HER, NOR DR. MANLOVE, NOR HER NURSING STAFF WERE PROVIDING ME WITH ADEQUATE, MEANFUL MEDICAL CARE UNDER A EVEN MINIMALLY ACCEPTED LEVEL FOR YEARS, AND SUCH WAS VIOLATING MY CIVIL RIGHTS. MS. SCHRUBBE DID NOT RESPOND TO THIS LETTER AT ALL IN DELIBERATE INDIFFERENCE TO MY MEDICAL NEEDS PASSING IT OFF TO DR. MANLOVE WHO IS ACTING DELIBERATELY INDIFFERENCE.

70) ON 11/20/13 I WAS SEEN BY RN GAYL WAITZ, WHEREAS I TOLD HER THAT I WEAR MY FINGER SPLINT AT ALL TIMES, AND "SHE FOUND THAT I CAN ONLY MOVE IT AT THE BASE." SHE REFUSED TO DO ANYTHING TO ASSESS AND TREAT THE PAIN CAUSING ME TO SUFFER THAT I REPORTED TO HER. IN DELIBERATE INDIFFERENCE.

71) ON 11/24/13 I WROTE A HSU REQUEST "COMPLAINING OF SEVERE PAIN ONLY 40% FEELING IN MY FINGER, AND HAVING THE ITCHING, BURNING SHARP THROBBING PAIN, THAT THE IBUPROFEN WAS DOING NOTHING FOR. RN JUDY SCRAETTER SENT THE STIP BACK WITH NO RESPONSE IN DELIBERATE INDIFFERENCE TO MY MEDICAL NEEDS.

72) FROM 11/24/13 TO PRESENT I HAVE CONTINUES TO WRITE HSU REQUESTS TO THE DEFENDANTS ABOUT THE PAIN I'M IN, HOW THE IBUPROFEN'S DONT WORK, AND NONE OF THE DEFENDANT'S HAVE SEEN ME TO ASSESS AND TREAT SUCH "MAKING ME SUFFER IN CONSTANT PAIN" BECAUSE OF THEIR ~~DELIB~~ DELIBERATE INDIFFERENCE TO MY SERIOUS MEDICAL NEEDS.

73) IT IS COMMON KNOWLEDGE THAT DOC, BHS HEALTH CARE NURSES DOCTORS, PURPOSELY AS PART OF CUSTOM, POLICY, AND PRACTICE REFUSE TO PROVIDE INMATES COMPETENT ADEQUATE MEDICAL CARE IN A EFFORT TO SAVE MONEY, AND IN SUCH CASES LIKE MINE ALSO TO PUNISH ME AND RETALIATE AGAINST ME FOR DEMANDING ADEQUATE MEDICAL CARE, AND FILING COMPLAINTS BECAUSE OF NOT RELIEVING SUCH TO INTENTIONALLY INFLECT PAIN ON ME/INMATES FOR DOING SUCH. IN DELIBERATE INDIFFERENCE

74) AT NO TIMES DURING THE EVENTS DESCRIBED ABOVE WAS I ABLE TO PROVIDE MEDICAL CARE TO MYSELF, EXCEPT TO COMPLY WITH ALL TREATMENT DIRECTIVES GIVEN TO ME BY THE DEFENDANTS.

75) AT ALL TIMES DURING THE EVENTS DESCRIBED ABOVE THE DEFENDANTS WERE ENGAGED IN A COLLECTIVE PASSED ALONG JOINT VENTURE. THE INDIVIDUAL DEFENDANTS ASSISTED EACH OTHER IN FAILING TO PROVIDE ME WITH ADEQUATE MEANINGFUL MEDICAL CARE AND TREATMENT, AND CONSPIRED TO DO SO, AND LENT THEIR OFFICIAL POSITIONS AND PHYSICAL PRESENCE AND SUPPORT AND THE AUTHORITY OF THEIR OFFICES TO EACH OTHER DURING THESE EVENTS OF MEDICAL MALPRACTICE, AND DELIBERATE INDIFFERENCE TO MY SERIOUS VERIFIED MEDICAL NEEDS.

76) AS A DIRECT AND PROXIMATE RESULT OF THE SAID ACTS AND OMISSIONS OF THE DEFENDANTS, I SUFFERED THE FOLLOWING INJURIES AND DAMAGES:

- A) VIOLATION OF MY 4TH, 8TH, 10TH, AND 14TH AMENDMENT RIGHTS GUARANTEED BY THE U.S. CONSTITUTION.
- B) LOSS OF MY PHYSICAL LIBERTY, AND LOSS OF ENJOYMENT OF PHYSICAL PARTS OF MY BODY, INCLUDING PERMANENT SCARS FOR LIFE.
- C) PHYSICAL PAIN AND SUFFERING, AND EMOTIONAL TRAUMA AND SUFFERING REQUIRING THE EXPENDITURE OF MONEY FOR TREATMENTS PAST, PRESENT AND FUTURE.

77) THE ACTIONS OF THE DEFENDANTS VIOLATED THE FOLLOWING CLEARLY ESTABLISHED AND WELL SETTLED FEDERAL CONSTITUTIONAL RIGHTS OF ELBERT R. COMPTON:

- A) FREEDOM FROM UNREASONABLE SEIZURE OF HIS MONEY.
- B) FREEDOM FROM CRUEL AND UNUSUAL PUNISHMENTS.
- C) FREEDOM FROM BEING TREATED DIFFERENTLY THAN SIMILARLY SITUATED INDIVIDUALS.
- D) FREEDOM FROM VIOLATIONS OF MY DUE PROCESS RIGHTS BY VIOLATIONS OF STATE LAW, FEDERAL CONSTITUTION, AND ADMINISTRATIVE RULES, POLICIES AND PROCEDURES.

IV.) INDIVIDUAL CLAIMS FOR DAMAGES.

A) STATE LAW CLAIMS: I HEREBY INCORPORATE PAR. 1-77 AS THOUGH STATED FULLY HEREIN:

78) DEFENDANTS HAVE A MANDATORY DUTY UNDER STATE LAW, AND ADMINISTRATIVE POLICY, AND PROCEDURE PROMULGATED PURSUANT TO STATE LAW TO PROVIDE ME WITH ADEQUATE MEANINGFUL COMPETENT MEDICAL CARE WHICH THEY HAVE COMPLETELY FAILED IN DOING FOR 7 YEARS ACTING IN DELIBERATE INDIFFERENCE TO MY VERIFIED MEDICAL NEEDS ACTING IN MALPRACTICE (MEDICAL) AS SUCH VIOLATES STATE LAW § 946.26 "ABUSE OF RESIDENT OF FACILITIES"; AND § 940.29 WHEN THEY FAILED TO TAKE REASONABLE AND MEANINGFUL MEASURES TO DIAGNOSE AND TREAT MY MEDICAL NEEDS, AS CLEARLY ALL DEFENDANTS HAVE BREACHED THEIR DUTIES."

79) DEFENDANTS WHEN FALSIFYING REPORTS AS DESCRIBED HEREIN VIOLATED THE EXECUTIVE DIRECTIVE 43-DOC WORK CONDUCT RULES - "PROHIBITED CONDUCT" RULES #1, #2, #4, #6, #7, #9, #12, #13, #21 AND #24 FOR THE CONDUCT DESCRIBED IN PAR. 1-78 ABOVE, AND AS SUCH/IN SUCH VIOLATED § 939.05(2)(C); § 227.01(13); § 946.12(1) INCLUDING BUT NOT LIMITED TO FALSIFYING REPORTS + MISCONDUCT IN PUBLIC OFFICE.

80) DEFENDANTS BY VIOLATING STATE LAW, ADM. RULE, AND MEDICAL MALPRACTICE THRESHOLDS MULTIPLE TIMES AS STATED HEREIN PROVE THAT THEY BREACHED MY RIGHTS TO ADEQUATE MEANINGFUL / AND REASONABLE MEDICAL CARE THAT SUCH PRESCRIBED A DUTY OWES TO ME, AND BECAUSE OF THEIR BREACHES HAS

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V) INDIVIDUAL DAMAGES (M.T.) RESULTED IN ME SUFFERING IN PAIN, INSOMNIA, DISCOMFORT, LOSS OF APPETITE, WEIGHT LOSS, MULTIPLE INJURIES TO MY BODY AND PINKY FINGER, AND PERMANENT SCARS AND LOSS OF ENJOYMENT OF MY PINKY FINGER DUE TO SUCH, AND DUE TO BECAUSE OF SUCH MALPRACTICE AND DELIBERATE INDIFFERENCE. "I HAVE A DEFORMED PINKY WITH ONLY 40% FEELING IN SUCH WHICH PRECLUDES ME FROM ENJOYING THE PHYSICAL ACTIVITIES BEFORE THIS INJURY"....

B) 42 U.S.C. § 1983 - AGAINST INDIVIDUAL DEFENDANTS AND 42 U.S.C. § 1997

81) PARAGRAPHS 1-80 ARE INCORPORATED HEREIN BY REFERENCE AS THOUGH FULLY SET FORTH

82) PLAINTIFF CLAIMS DAMAGES FOR THE INJURIES SET FORTH ABOVE UNDER 42 U.S.C. § 1983 AGAINST ALL DEFENDANTS AND STATE ACTOR DEFENDANTS FOR VIOLATION OF HIS CONSTITUTIONAL RIGHTS UNDER THE COLOR OF LAW, AND DAMAGES FOR INJURIES SET FORTH ABOVE UNDER 42 U.S.C. § 1997 AGAINST ALL DEFENDANTS AND STATE ACTOR DEFENDANTS FOR VIOLATION OF HIS CONSTITUTIONAL RIGHTS UNDER THE COLOR OF LAW.

C) 42 U.S.C. § 1981 - AGAINST INDIVIDUAL DEFENDANTS:

83) PARAGRAPHS 1-82 ARE INCORPORATED HEREIN BY REFERENCE AS THOUGH FULLY SET FORTH.

84) PLAINTIFF CLAIMS DAMAGES FOR THE INJURIES SET FORTH ABOVE UNDER 42 U.S.C. § 1981 AGAINST ALL DEFENDANTS AND STATE ACTOR DEFENDANTS FOR VIOLATION OF HIS EQUAL RIGHTS UNDER THE COLOR OF LAW.

D) 42 U.S.C. § 1985 - AGAINST INDIVIDUAL DEFENDANTS:

85) PARAGRAPHS 1-84 ARE INCORPORATED HEREIN BY REFERENCE AS THOUGH FULLY SET FORTH

86) PLAINTIFF CLAIMS DAMAGES FOR THE INJURIES SET FORTH ABOVE UNDER 42 U.S.C. § 1985 AGAINST ALL DEFENDANT AND STATE ACTOR DEFENDANTS FOR CONSPIRACY TO INTERFERE WITH AND VIOLATE THE CONSTITUTIONAL RIGHTS OF THE PLAINTIFF UNDER COLOR OF LAW.

E) 42 U.S.C. § 1986 - AGAINST INDIVIDUAL DEFENDANTS:

87) PARAGRAPHS 1-85 ARE INCORPORATED HEREIN BY REFERENCE AS THOUGH FULLY SET FORTH.

88) PLAINTIFF CLAIMS DAMAGES FOR THE INJURIES SET FORTH ABOVE UNDER 42 U.S.C. § 1986 AGAINST ALL DEFENDANTS AND STATE ACTOR DEFENDANTS FOR NEGLIGENCE TO PREVENT THE PLAINTIFF UNDER THE COLOR OF LAW.

F) 42 U.S.C. § 1988 - AGAINST INDIVIDUAL DEFENDANTS:

89) PARAGRAPHS 1-88 ARE INCORPORATED HEREIN BY REFERENCE AS THOUGH FULLY SET FORTH.

90) PLAINTIFF CLAIMS DAMAGES FOR THE INJURIES SET FORTH ABOVE UNDER 42 U.S.C. § 1988 AGAINST ALL DEFENDANTS AND STATE ACTOR DEFENDANTS IN VINDICATION OF CIVIL RIGHTS VIOLATED BY THEM UNDER COLOR OF LAW.

G) 42 U.S.C. § 1983 - AGAINST DEPARTMENT OF CORRECTIONS; AND BUREAU OF HEALTH SERVICES AND 42 U.S.C. § 1997:

91) PARAGRAPHS 1-90 ARE INCORPORATED HEREIN BY REFERENCE AS THOUGH FULLY SET FORTH.

92) AT ALL TIMES RELEVANT TO THIS COMPLAINT IT WAS/IS THE POLICY AND/OR CUSTOM OF THE D.O.C. AND B.H.S TO RENDER INADEQUATE, UNREASONABLE, UNMEANINGFUL, NEGLIGENT, AND IMPRACTICE MEDICAL CARE TO INMATES AT ALL STATE PRISONS THOUGH ALL OF IT'S EMPLOYEE'S INCLUDING THE DEFENDANTS IN THIS ACTION.

93) AT ALL TIMES RELEVANT TO THIS COMPLAINT IT WAS/IS THE POLICY AND/OR CUSTOM OF THE D.O.C. AND B.H.S. TO INADEQUATELY SUPERVISE AND TRAIN IT'S MEDICAL DOCTOR'S, HSU MANAGERS, REGISTERED NURSES, NURSE PRACTICERS, CONTRACT STATE ACTOR DOCTORS AND APNP'S, THEREBY FAILING TO ADEQUATELY DISCOURAGE FURTHER CONSTITUTIONAL VIOLATIONS AND DELIBERATE INDIFFERENCE TO INMATE MEDICAL NEEDS ON THE PART OF IT'S MEDICAL STAFF.

94) AS PRIOR TO THE FILING OF THIS LAWSUIT THE D.O.C. AND B.H.S. DEVELOPED AND MAINTAINED POLICIES, RULES, AND CUSTOMS THAT EXHIBIT AND CAUSE DELIBERATE INDIFFERENCE TO THE CONSTITUTIONAL RIGHTS OF INMATES HOUSED IN THE WISCONSIN PRISON SYSTEM WHICH CAUSED THE VIOLATIONS OF MR. COMPTON'S RIGHTS.

95) AS A RESULT OF THE ABOVE DESCRIBED POLICIES AND CUSTOMS, MEDICAL STAFF OF THE D.O.C. AND B.H.S., INCLUDING DEFENDANT MEDICAL CARE PROVIDERS BELIEVE THAT THEIR ACTION'S/IN ACTION, AND DELIBERATE INDIFFERENCE TO MR. COMPTON'S SERIOUS MEDICAL NEEDS WOULD NOT BE PROPERLY MONITORED BY SUPERVISORY STAFF AND THAT MISCONDUCT AND DELIBERATE INDIFFERENCE AND FAILURE TO PROVIDE ADEQUATE AND MEANINGFUL MEDICAL CARE WOULD NOT BE INVESTIGATED OR SANCTIONED, BUT WOULD BE ENCOURAGED AND TOLERATE.

96) THE ABOVE DESCRIBED POLICIES AND CUSTOMS DEMONSTRATED A DELIBERATE INDIFFERENCE ON THE PART OF POLICY MAKERS OF THE D.O.C. AND B.H.S. TO THE CONSTITUTIONAL RIGHTS OF PERSONS CONFINED IN WISCONSIN PLAINTIFF MR. COMPTON'S RIGHTS ALLEGES HEREIN.

VI) REQUESTED RELIEF:

- 1) THAT THIS COURT GRANT ME A JURY TRIAL.
- 2) THAT THIS COURT GRANT ME A PRELIMINARY INJUNCTION REQUIRING THE DEFENDANT'S TO HIRE A PRIVATE DOCTOR TO PROVIDE PLAINTIFF CARE FOR HIS INJURY AND PAIN THROUGHTOUT THIS LITIGATION AND STABILIZE SUCH,
- 3) THAT THIS COURT AWARD THE PLAINTIFF FEE'S AND COST'S, AND ATTORNEY FEE'S.
- 4) THAT THIS COURT AWARD THE PLAINTIFF DAMAGES AS FOLLOWS:
 - A) COMPENSATORY DAMAGES, IN THE AMOUNT OF \$10,000,000.00 AGAINST ALL DEFENDANTS
 - B) PUNITIVE DAMAGES, IN THE AMOUNT OF \$1,000,000.00 FOR EACH DEFENDANT FOR A TOTAL OF \$29,000,000.00.
 - C) MONETARY DAMAGES, IN THE AMOUNT OF \$1,000,000.00.

VI REQUEST RELIEF, CONT'D
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5) AWARD DECLARATORY RELIEF AGAINST DEFENDANTS
FOR THEIR UNCONSTITUTIONAL AND DELIBERATELY INDIFFERENCE POLICIES
AND CUSTOMS.

6) AWARD SUCH OTHER AND FURTHER RELIEF AS THIS COURT MAY
DEEM APPROPRIATE.

I HEREBY SWEAR THE ABOVE TO BE TRUE AND CORRECT
UNDER THE PENALTIES OF PERJURY.

DATED THIS 29TH DAY OF MAY, 2014.

SIGNED

MR. ELBERT R. COMPTON
MR. ELBERT R. COMPTON #325771
C/O: WAUPUN CORRECTIONAL INSTITUTION
P.O. Box 351
WAUPUN, WI 53963-0351

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