

March 16th, 2022

Case Name: Swain v. Johnson

Case Number 1:19-cv-03224 SKC

Motion: To file 3rd Amended Complaint. To Amend
Complaint. Enclosed is a copy of the proposed Third
Amended Complaint.

FILED

UNITED STATES DISTRICT COURT
DENVER, COLORADO

MAR 21 2022

JEFFREY P. COLWELL
CLERK

Third Amended Complaint: March 16th, 2022

I can not be absolutely positive about dates without the proper records and notes. The Jefferson County Jail has these. But when I entered the Jefferson County Detention Center on or about August 2019, I told the nurse that processed me in that I had a prescription from Mental Health Center of Denver, it was filled at the Walgreens on Colfax and Sheridan in Denver. I informed them that I had been diagnosed with Bipolar disorder/ manic depressive. I was prescribed Lexapol, seriqul, and clonidine. The nurse then said I was out of refills and would have to be prescribed another prescription by their provider. Having all this information I met Dr. Nikki Johnson. I described what my manic episodes were like talked about my symptoms, what medication I had taken. Dr. Johnson even acknowledged lexapol being a common medication prescribed for Bipolar disorder. She then asked if I would sign a release of information to give her permission to communicate with my prescriber from Mental Health Center of Denver. After all this acting as a gatekeeper to see Dr. Reynolds the prescribing Doctor. Dr. Nikki Johnson didn't fulfill her duties to schedule me to meet with the Dr to get my prescription refilled. This was weeks or a month later that I found out I wasn't scheduled. During this time I put in multiple notes. Saying I needed my prescription, describing my symptoms, going to suicide watch because the mental anguish and manic episodes I was going through. Multiple reflexes were made from Counselors to allow me to see Dr. Reynolds, Especially after an incident with a guard that resulted in me getting 2nd degree Assault on a peace officer charges that I served 2 yrs in prison for. Dr. Johnson even acknowledged that there were many refusals made the second time I met with her. In which case she also said we've never met before but I'm Dr.

Johnson and gave her credentials. This shows the medical indifference as well as a lay person would have known to at least refuse me to the prescribing doctor. Not only from my description of symptoms and manic episodes, but the fact that I was on Bi-polar medication prior and there was record of it. Not only record of it but evidence that I actively take the medication because there was no more refills. Not being on my medication because of Dr. Johnson's medical indifference and failure to fulfill her duties had a direct result to the unusual and outlandish behavior that changed my life causing 2yrs of missed work for income and standard of living to change dramatically. This is why I am asking for monetary relief of \$150,000.

The deliberate indifference was a substantial risk to my mental state which results in outlandish behavior as well as suicidal/homicidal ideation and acts. Which can ~~be~~ make me become a serious risk to cause harm to myself or others. By Dr. Johnson not allowing me my medication or to talk/meet with someone who could the (ie) psychiatrist at Jefferson County Jail working for the same medical company as Dr. Johnson a Dr. Reynolds. Being an inmate it is very hard to get peoples names and titles. So I have to use only my memory until the court can help me subpoena my records that will reflect all this information. Being a medical professional Dr. Nicki Johnson declined or refused to provide a referral even after she should have recognized the need for further medical treatment (getting my mental health meds) she could not prescribe them so she should have referred me to someone who could. The behavior and descriptions of my symptoms even to a layperson would have made them believe I need mental health treatment, which is mainly medication and therapy. I made Dr. Nicki Johnson and other medical personal that I had Bi-polar disorder with manic depression, this is a diagnoses that is serious and when not treated can cause a person serious harm/death. Being a Professional Dr. Johnson should have known this!

US POSTAGE
02 4W
0000339735 MAR 17 2022

DENVER CO 802
18 MAR 2022 PM 5:01

Michael A. Swans
#187867
Chaffee County Detention Center
P.O. Box #699
Salida, Co. 81201

Office of the Clerk
United States District Court
Alfred A. Horsey Courthouse
901-19th St. Room 4105
DENVER, CO. 80294

Leagj mail

80294-250151

