
IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF COLORADO

RUIZ v. ROETKER, et al
Case Number: Civil Action 1:23-cv-01055-STV

AMENDED COMPLAINT

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

APR 15 2024

JEFFREY P. COLWELL
CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:23-cv-01055-SBP
(To be supplied by the court)

DANIEL RAY RUIZ, Plaintiff

v.

Jury Trial requested:
(please check one)
 X Yes No

CAPTAIN ROETKER,

SERGEANT GUTIERREZ,

LIEUTENANT JOHN DOE,

NURSE JANE DOE,

OFFICER J. STICE, Defendant(s).

(List each named defendant on a separate line. If you cannot fit the names of all defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Section B. Do not include addresses here.)

PRISONER COMPLAINT

NOTICE

Federal Rule 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.

Plaintiff need not send exhibits, affidavits, grievances, witness statements, or any other materials to the Clerk's Office with this complaint.

A. PLAINTIFF INFORMATION

You must notify the court of any changes to your address where case-related papers may be served by filing a notice of change of address. Failure to keep a current address on file with the court may result in dismissal of your case.

Daniel Ray Ruiz # 183937, Colorado Dept. of Corrections, Unit E-2-10, P.O. Box 600, Canyon City, Colorado, 81215

(Name, prisoner identification number, and complete mailing address)

NA

(Other names by which you have been known)

Indicate whether you are a prisoner or other confined person as follows: (check one)

☐ Pretrial detainee

☐ Civilly committed detainee

☐ Immigration detainee

☒ Convicted and sentenced state prisoner

☐ Convicted and sentenced federal prisoner

☐ Other: (Please explain) _____

B. DEFENDANT(S) INFORMATION

Please list the following information for each defendant listed in the caption of the complaint. If more space is needed, use extra paper to provide the information requested. The additional pages regarding defendants should be labeled "B. DEFENDANT(S) INFORMATION."

Defendant 1: Captain Roetker, Housing Captain, P.O. Box 600, Canyon City, CO, 81215
(Name, job title, and complete mailing address)

At the time the claim(s) in this complaint arose, was this defendant acting under color of state or federal law? ☒ Yes ☐ No (*check one*). Briefly explain:

Captain Roetker was Housing Captain and had complete knowledge of the kite I wrote (and gave to C.O. Wendt) and the whole situation, and had power to move Stallings or me, and did not take any action which resulted in the attack and beating that I warned about that would happen that was caught on video. After the assault, Captain Roetker made a comment to me and said, "I guess you were right." Captain Roetker was/is an employee of Centennial Correctional Facility.

Defendant 1 is being sued in his/her ☒ individual and/or ☒ official capacity.

Defendant 2: Sergeant Gutierrez, Unit Sergeant, P.O. Box 600, Canyon City, CO, 81215
(Name, job title, and complete mailing address)

At the time the claim(s) in this complaint arose, was this defendant acting under color of state or federal law? ☒ Yes ☐ No (*check one*). Briefly explain:

Sergeant Gutierrez was the Sergeant on duty the day Terry Stallings was inviting me into the shower to fight me and beat me up and we got locked down. That same day, Monday, March 29th, 2021, I wrote a kite/letter requesting to be kept separated from Stallings, and asking them to move him for non-compliance with the program and his medication, and gave it to C.O. Wendt. C.O. Wendt and Sgt. Gutierrez were in the office together, and called Lieutenant John Doe. Sgt. Gutierrez had power to move Stallings or me and took no measures to do so in the days or weeks to come. Sergeant Gutierrez was/is an employee of Centennial Correctional Facility.

Defendant 2 is being sued in his/her ☒ individual and/or ☒ official capacity.

Defendant 3: Lieutenant John Doe (Name will be compelled upon full discovery), Lieutenant of D.O.C., P.O. Box 600, Canyon City, CO, 81215
(Name, job title, and complete mailing address)

At the time the claim(s) in this complaint arose, was this defendant acting under color of state or federal law? x Yes ___ No (*check one*). Briefly explain:

On Monday, March 29th, of 2021, Lieutenant John Doe came in our pod to talk to Terry Stallings after he received the kite/letter from C.O. Wendt. His talk with Stallings was ineffective and only made me look like I had "ratted" Stallings out. Lieutenant John Doe had power to move Stallings or me at my urgent request for separation, and chose only to talk to Stallings and took no action to move him like I requested and warned, resulting later in the beating. Lieutenant John Doe was/is an employee of Centennial Correctional Facility.

Defendant 3 is being sued in his/her x individual and/or x official capacity.

Defendant 4: Nurse Jane Doe (Name will be compelled upon full discovery), Medical Nurse At Centennial Correctional Facility, P.O. Box 600, Canyon City, CO 81215
(Name, job title, and complete mailing address)

At the time the claim(s) in this complaint arose, was this defendant acting under color of state or federal law? x Yes ___ No (*check one*). Briefly explain:

From the video of the beating, the jury can plainly see by the amount of blood that was shed that my wound was obviously serious enough to need a doctor's attention and stitches, which she failed to give me. I went to sleep that night with the unstitched head gash, and woke up with a blood stain about the size of a large orange on my pillow the next morning. Nurse Jane Doe was/is an employee of Centennial Correctional Facility.

Defendant 4 is being sued in his/her x individual and/or x official capacity.

Defendant 5: Officer J. Stice, Was a Corrections Officer At Centennial Correctional Facility, P.O. Box 600, Canyon City, CO 81215
(Name, job title, and complete mailing address)

At the time the claim(s) in this complaint arose, was this defendant acting under color of state or federal law? x Yes ___ No (*check one*). Briefly explain:

Officer J. Stice yelled, "Lock Down !" and made me walk right by the 2 inmates that were fighting in front of my cell to enter my cell, putting me in harms way and I got attacked. Then he allowed the fight to go on for probably 2.5 to 3 minutes without stopping Stallings from beating me while I was incapacitated on the ground. Then C.O. Stice O.C. sprayed me in the face and I couldn't breathe right for about ½ hour to 45 minutes. This violates my 8th

Amendment Right- Failure to Protect From Harm. Officer J. Stice was/is an employee of Centennial Correctional Facility.

Defendant 5 is being sued in his/her x individual and/or x official capacity.

C. JURISDICTION

Indicate the federal legal basis for your claim(s): (check all that apply)

x State/Local Official (42 U.S.C. § 1983)

 Federal Official

As to the federal official, are you seeking:

x Money damages pursuant to *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971)

 Declaratory/Injunctive relief pursuant to 28 U.S.C. § 1331, 28 U.S.C. § 1361, or 28 U.S.C. § 2201

 Other: (please identify) _____

D. STATEMENT OF CLAIM(S)

State clearly and concisely every claim that you are asserting in this action. For each claim, specify the right that allegedly has been violated and state all facts that support your claim, including the date(s) on which the incident(s) occurred, the name(s) of the specific person(s) involved in each claim, and the specific facts that show how each person was involved in each claim. You do not need to cite specific legal cases to support your claim(s). If additional space is needed to describe any claim or to assert additional claims, use extra paper to continue that

claim or to assert the additional claim(s). Please indicate that additional paper is attached and label the additional pages regarding the statement of claims as "D. STATEMENT OF CLAIMS."

CLAIM ONE: EIGHTH AMENDMENT VIOLATION OF THE FAILURE TO PROTECT FROM HARM

Claim one is asserted against these Defendant(s):
CAPTAIN ROETKER
SERGEANT GUTIERREZ
LIEUTENANT JOHN DOE
OFFICER J. STICE

Supporting facts:

On Monday, March 29th, of 2021, five major pivotal events occurred: 1.) Inmate Terry Stallings threatened to attack the plaintiff Daniel Ruiz, and kept urging and inviting Mr. Ruiz into the shower to fight him. A loud, verbal confrontation ensued and both Stallings and Ruiz were locked down.

2.) Ruiz, not wanting any problems or a fight, wrote out a thorough kite/letter requesting to be immediately kept separated from Offender Stallings, or to have Stallings removed to another pod, or regressed for program non-compliance, and non-compliance with his medications. Ruiz knew he would have future problems with Stallings and no longer wanted to be around him.

3.) Ruiz gave the kite/letter and request for a separation to Corrections Officer Wendt, and Sgt. Gutierrez was on duty as well.

4.) Later that day, Ruiz had a one on one meeting with his Clinician Dalton in which he also appealed to Dalton for help with the situation with inmate Stallings, and Dalton took computerized notes and made a computerized record of the meeting.

5.) When Ruiz returned to the pod, a Lieutenant John Doe, had been alerted by staff (who had the kite requesting separation) and had entered the pod and spoke to Offender Stallings concerning the threats of assault. Nothing was done to separate Stallings and the plaintiff Ruiz, and the Lieutenant's ineffective council to Stallings made Ruiz look like a "rat".

On Sunday, May 23rd of 2021, Offender Stallings had attempted to assault another offender in the pod. Officer Stice began to yell, "Lock Down!" Offender Stallings and Offender "Chucky" were right in front of Ruiz' cell so Ruiz was reluctant to lock down. Neither wanting to be in non-compliance, Ruiz attempted to lock down and Offender Stallings aggressively approached him. Ruiz tried to back up and go back up the four stairs carrying his food he was attempting to prepare, when Stallings attacked him and began to viciously and violently beat him. The duration of the beating lasted about 3 minutes in which Officer Stice made no attempt to neutralize Stallings. Then the Plaintiff Ruiz was O.C. sprayed in the face and could not breathe right for about ½ hour to 45 minutes because the Plaintiff has respiratory issues and uses 2 different prescribed breathing inhalers.

After the assault, the plaintiff was escorted to intake to shower after being exposed to O.C. spray, then left in intake for about an hour or two.

From the video of the assault (quoting Al-Turki, 762 F.3d at 1192-93), the severity of the

wound and the need for stitches “is so obvious that even a lay person would easily recognize the necessity for a doctor’s attention” by the amount of blood that was shed. However, Nurse Jane Doe examined the injuries and misconcluded that the Plaintiff was o.k. to be returned to his dayhall with no stitches. The approximately ¾”- 1 inch long head gash/wound continued to bleed into the night leaving a blood stain about the size of a large orange on the Plaintiff’s pillow the next morning. After the assault, a Corrections officer of the Delta-2 pod named Marmolejo laughed and joked to the Plaintiff Ruiz that Ruiz needed to learn to “block” or “duck & dodge”. C.O. Marmolejo said to the Plaintiff, in front of the nurse at medline, “I knew that was gonna happen!”

CLAIM TWO: FOURTEENTH AMENDMENT VIOLATION OF THE EQUAL PROTECTION CLAUSE

Claim two is asserted against these Defendant(s):
CAPTAIN ROETKER
SERGEANT GUTIERREZ
LIEUTENANT JOHN DOE
OFFICER J. STICE

CLAIM THREE: THE FAILURE TO PROVIDE ADEQUATE MEDICAL TREATMENT ALSO UNDER THE EIGHTH AND THE FOURTEENTH AMENDMENT OF THE U.S. CONSTITUTION

Claim three is asserted against these Defendant(s):
NURSE JANE DOE

CLAIM FOUR: MEDICAL INDIFFERENCE UNDER THE EIGHTH AMENDMENT OF THE U.S. CONSTITUTION

Claim four is asserted against these Defendant(s):
NURSE JANE DOE

1.) DEFENDANT: CAPTAIN ROETKER, as the Designated Housing Supervisor of Centennial Correctional Facility had the requisite knowledge of the substantial risk of harm to the plaintiff by:

- The kite that was submitted to Corrections Officer Wendt detailing the aggressive actions that were being committed by Offender Stallings.
- The Defendant failed to act in the interest to protect the Plaintiff by not separating Offender Stallings at the warning of the kite/letter in which other offenders in similar situations have been separated and removed at the response of a written “kite”, hence the terminology, “I

kited that person out of the pod”, after the nature of the kite/letter of warning was made available to him.

-Plaintiff Ruiz also had a one on one meeting with his Clinician Dalton on Monday, March 29th , of 2021, in which he appealed to Dalton for help with the situation with Stallings, and Dalton took computerized notes and made computerized record of the meeting.

- After the assault, the Defendant, Captain Roetker, commented to Ruiz, “ I guess you were right”.

The inactions of Defendant Captain Roetker violated the Plaintiff’s Eighth Amendment Constitutional right of reasonable protection from substantial harm by other inmates, paired with the Equal Protection Clause under the Fourteenth Amendment by depriving the Plaintiff of reasonable safety by the failure of utilizing his Official Powers to separate the Plaintiff away from Offender Stallings at the pleas and urgent request of the kite/letter in which similar situations have had the effect of removing an offender entirely from the pod/unit. Hence, the jailhouse terminology, “I kited that guy out of the pod”!

This constitutes a Dereliction of Duty by the deliberation of not performing the duties of his appointed office, by failing to execute his oath and bond to uphold, as well as protect those appointed within his department and under his charge from the liability of harm. The violation of constitutional, along with statutory rights, pierces all QUALIFIED IMMUNITY afforded to State Officials, because the defendant acted with criminal recklessness (see Pearson v. Callahan, 555 U.S. 223, 129, S. Ct. 808, 818, 172 L. Ed. 2d 565 (2009)) and is therefore liable to pay damages allowable by law.

2) DEFENDANT: SERGEANT GUTIERREZ: Sergeant Gutierrez was the Sergeant on duty the day Terry Stallings was inviting me into the shower to fight me and beat me up and we got locked down. That same day, Monday, March 29th, 2021, I wrote a kite/letter requesting to be kept separated from Stallings, and asking them to move him for non-compliance with the program and his medication, and gave it to C.O. Wendt. C.O. Wendt and Sgt. Gutierrez were in the office together, and called Lieutenant John Doe. Sgt. Gutierrez had power to move Stallings or me and took no measures to do so in the days or weeks to come.

DEFENDANT: SERGEANT GUTIERREZ, as a Sergeant of Centennial Correctional Facility, had the requisite knowledge of the substantial risk of harm to Plaintiff by:

- Information from Corrections Officer Wendt who was on duty the same day, Monday, March 29th, 2021, the Plaintiff gave her the kite/letter detailing Stallings’ threats of violence and Plaintiff’s urgent request for separation or removal of Stallings for threats of violence and non-compliance with the residential treatment program and non-compliance with his medications.
- Sergeant Gutierrez and C.O. Wendt were together in the office on Monday, March 29th, 2021, when Plaintiff gave the kite/letter to C.O. Wendt, and soon thereafter, Lieutenant John Doe was alerted to the situation and summoned to the pod to speak to Stallings, making Ruiz look as though he had “ratted” on Stallings.
- Plaintiff Ruiz also had a one on one meeting with his Clinician Dalton on Monday, March 29th, of 2021, in which he appealed to Dalton for help with the situation with Stallings, and Dalton took computerized notes and made computerized record of the meeting.

- Neither Sergeant Gutierrez, Corrections Officer Wendt, or Lieutenant John Doe used their powers to separate Ruiz and Stallings, resulting in Stallings later attacking the Plaintiff Ruiz, who is a disabled, at risk victim with traumatic brain injury.

The inactions of Defendant Sergeant Gutierrez violated the Plaintiff's Eighth Amendment Constitutional Right of Reasonable Protection From Substantial Harm from other inmates by not separating Plaintiff Ruiz and Offender Stallings; This paired with the Equal Protections Clause under the Fourteenth Amendment, by depriving the Plaintiff of reasonable safety, by the failure of utilizing her Official Powers to separate the Plaintiff away from Offender Stallings at the prompting, request, and urgent pleas by the Plaintiff in the kite/letter of which in similar situations, have had the effect of removing an offender entirely from the pod/unit at the urging of a hand written "kite". Hence the jailhouse terminology, "I kited that offender out of the pod" ! Sgt. Gutierrez failed to take other steps to ensure the proper procedures in accordance with Administrative Regulations pertaining to the housing of offenders which would ensure further reasonable safety to the Plaintiff, and other offenders, after such 'at-risk' factors were made evident.

This constitutes a Dereliction of Duty by the deliberation of not performing the duties of her appointed office, by failing to execute her oath and bond to uphold, as well as protect those appointed within her department and under her charge from the liability of harm. The violation of constitutional, along with statutory rights, pierces all QUALIFIED IMMUNITY afforded to State Officials, because the defendant acted with criminal recklessness.(see Pearson v. Callahan, 555 U.S. 223, 129, S. Ct. 808, 818, 172 L. Ed. 2d 565 (2009)) and is therefore liable to pay damages allowable by law.

3.) DEFENDANT: LIEUTENANT JOHN DOE (Name will be compelled upon a full discovery) as a Lieutenant of Centennial Correctional Facility had the requisite knowledge of the substantial risk of harm to the Plaintiff by:

- Lieutenant John Doe was alerted to the entire situation at hand unfolding on Monday, March 29th, of 2021 when the Plaintiff gave C.O. Wendt a detailed kite/letter requesting a separation from Offender Stallings, and Stallings' removal from the pod due to Stallings' threats of violence and non-compliance with the Residential Treatment Program.

- Lieutenant John Doe came in to talk to Stallings on Monday, March 29th, of 2021 after having been alerted by C.O. Wendt and/or Sgt. Gutierrez (who were both on duty that day) making it obvious that Plaintiff Ruiz had raised an issue, making Ruiz look like a "rat", like he had "ratted" on Offender Stallings.

- Plaintiff Ruiz also had a one on one meeting with his Clinician Dalton on Monday, March 29th, of 2021, that same day, in which he appealed to Dalton for help with the situation with Stallings, and Dalton took computerized notes and made computerized record of the meeting.

- By causing the Plaintiff to look like a rat, Lieutenant John Doe placed the plaintiff into a position of significant risk of bodily harm because of the assaults from other inmates that are labeled rat are long standing, well documented, and pervasive enough to be a dangerous living condition.

-Lieutenant John Doe took no action to separate Ruiz or remove Stallings from the unit, resulting in the assault, and Plaintiff Ruiz is a disabled, at-risk victim.

-Lieutenant John Doe violated Plaintiff's Eighth Amendment Right- Failure to Protect From Harm by ignoring Defendant's pleas for help, and not using his powers to separate us or remove Stallings for violent threats and non-compliance with the Residential Treatment Program, or his medications, and he also violated Plaintiff's Fourteenth Amendment Right to Equal Protection by failing to respond to the kite/letter requesting a separation or the removal of Offender Stallings for violent threats, which in similar situations have had the result of having an offender entirely removed from the unit/pod. Hence, the jailhouse terminology, "I kited that guy out of the pod"!

This constitutes a Dereliction of Duty by the deliberation of not performing the duties of his appointed office, by failing to execute his oath and bond to uphold, as well as protect those appointed within his department and under his charge from the liability of harm. The violation of constitutional, along with statutory rights, pierces all QUALIFIED IMMUNITY afforded to State Officials, because the defendant acted with criminal recklessness (see Pearson v. Callahan, 555 U.S. 223, 129, S. Ct. 808, 818, 172 L. Ed. 2d 565 (2009)) and is therefore liable to pay damages allowable by law.

4.) DEFENDANT: NURSE JANE DOE (Name will be compelled upon a full discovery)

From the video of the assault (quoting Al-Turki, 762 F.3d at 1192-93), the severity of the wound and the need for stitches "is so obvious that even a lay person would easily recognize the necessity for a doctor's attention" by the amount of blood that was shed. However, Nurse Jane Doe examined the injuries and misconcluded that the Plaintiff was o.k. to be returned to his dayhall with no stitches. The approximately 1 inch long head gash/wound continued to bleed into the night leaving a blood stain about the size of an orange on the Plaintiff's pillow the next morning.

Nurse Jane Doe denied medical treatment by not giving me the at least two or three required stitches to my head gash wound which was between ¾" to 1 inch long which left a disfigured scar. Nurse Jane Doe was indifferent to my serious medical need and seemed to not want to be bothered. The wound continued to bleed into the night of Sunday, May 23rd, of 2021, of the assault and left a blood stain about the size of an orange on Plaintiff Ruiz's pillow the next day because it wasn't stitched up. The wound was very painful for days afterward and Plaintiff suffered headaches for many days after the assault and there were no follow up medical appointments that were scheduled to check in with the Plaintiff or even a Tylenol was given to him for his headaches. This violates Claim Three- The Failure to Provide Adequate Medical Treatment under the Eighth and Fourteenth Amendment of the United States Constitution. This also violates Claim Four- Medical Indifference under the Eighth Amendment of the United States Constitution.

5.) DEFENDANT: OFFICER J. STICE, as the Designated Floor Corrections Officer of Centennial Correctional Facility, had the requisite knowledge of the substantial risk of harm to the Plaintiff by:

- The access to the information of the 'kite/letter' available through roll call, and the discussions between the unit Supervisors and their Subordinates.

-During the incident that details Offender Stallings instigating violent actions against other offenders in the pod, and the assault at hand, Officer Stice was the first acting responder in the

efforts of breaking up the assault. Officer Stice used O.C. spray to the Plaintiff's face in spite of the fact that the Plaintiff uses Albuterol Inhaler for Asthma and is prescribed two separate breathing inhalers for serious breathing issues, and O.C. spray could have caused an issue as serious as death to the Plaintiff who is a disabled, at-risk adult with traumatic brain injury.

- The Defendant's actions were insufficient in regards to the protection of the Plaintiff because the assault was not arrested within a modicum amount of time, and due to the severity of the Plaintiffs injuries, he should have been taken to the hospital immediately after the assault.

The inactions of Defendant Officer J. Stice violated the Plaintiff's Eighth Amendment Constitutional right of reasonable protection from substantial harm by other inmates, paired with the Equal Protection Clause under the Fourteenth Amendment by depriving the Plaintiff of reasonable safety by the failure of utilizing his Official Powers to separate the Plaintiff away from Offender Stallings at the pleas and urgent request of the kite/letter in which similar situations have had the effect of removing an offender entirely from the pod/unit. Hence, the jailhouse terminology, "I kited that guy out of the pod"!

This constitutes a Dereliction of Duty by the deliberation of not performing the duties of his appointed office, by failing to execute his oath and bond to uphold, as well as protect those appointed within his department and under his charge from the liability of harm. The violation of constitutional, along with statutory rights, pierces all QUALIFIED IMMUNITY afforded to State Officials, because the defendant acted with criminal recklessness (see *Pearson v. Callahan*, 555 U.S. 223, 129, S. Ct. 808, 818, 172 L. Ed. 2d 565 (2009)) and is therefore liable to pay damages allowable by law.

E. PREVIOUS LAWSUITS

Have you ever filed a lawsuit, other than this lawsuit, in any federal or state court while you were incarcerated? ___ Yes x No (*check one*).

If your answer is "Yes," complete this section of the form. If you have filed more than one previous lawsuit, use additional paper to provide the requested information for each previous lawsuit. Please indicate that additional paper is attached and label the additional pages regarding previous lawsuits as "E. PREVIOUS LAWSUITS."

Name(s) of defendant(s): NA

Docket number and court: NA

Claims raised: NA

Disposition: (is the case still pending?
has it been dismissed?; was relief granted?) NA

Reasons for dismissal, if dismissed: NA

Result on appeal, if appealed:

NA

F. ADMINISTRATIVE REMEDIES

WARNING: Prisoners must exhaust administrative remedies before filing an action in federal court regarding prison conditions. See 42 U.S.C. § 1997e(a). Your case may be dismissed or judgment entered against you if you have not exhausted administrative remedies.

Is there a formal grievance procedure at the institution in which you are confined?

 x Yes No (*check one*)

Did you exhaust administrative remedies?

 x Yes No (*check one*)

G. REQUEST FOR RELIEF

State the relief you are requesting or what you want the court to do. If additional space is needed to identify the relief you are requesting, use extra paper to request relief. Please indicate that additional paper is attached and label the additional pages regarding relief as "G. REQUEST FOR RELIEF."

The Plaintiff is hereby making the following request for relief to ORDER THE DEFENDANTS IN THEIR INDIVIDUAL PRIVATE CAPACITIES TO PAY:

- I. To pay the Plaintiff COMPANSITORY DAMAGES IN THE AMOUNT OF TWO HUNDRED THOUSAND USD (\$200,000.00) EACH.
- II To pay the Plaintiff PUNITIVE DAMAGES IN THE AMOUNT OF ONE HUNDRED THOUSAND USD (\$100,000.00) EACH.
- III. The full cost of litigation, and
- IV. Any other relief that the Courts may find appropriate and equitable under law.

H. PLAINTIFF'S SIGNATURE

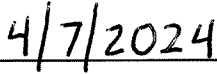
I declare under penalty of perjury that I am the plaintiff in this action, that I have read this complaint, and that the information in this complaint is true and correct. *See* 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Under Federal Rule of Civil Procedure 11, by signing below, I also 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 or modifying 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.

DANIEL RAY RUIZ

A handwritten signature in black ink that reads "Daniel Ray Ruiz". The signature is written in a cursive style and is positioned above a horizontal line.

4/3/2024

A handwritten date "4/7/2024" in black ink, written in a cursive style, positioned above a horizontal line.

(Revised November 2022)

CERTIFICATE OF MAILING

I, Daniel Ray Ruiz, hereby certify that I
Placed a true and exact copy of the attached
Motion in the United States mail, postage
Prepaid, addressed to the Colorado State
Attorney General's Office, 1300 Broadway Street
Denver, CO 80203 on this 6th day of April, of 2024.

Daniel Ray Ruiz

Daniel Ray Ruiz
Plaintiff, Pro Se

Colorado Dept. of Corrections
Daniel Ruiz # 183937
Unit e-2-10
P.O. Box 600
Cañon City, CO 81215



THU 11 APR 2024 4M

Office of the Clerk
United States District Court
Alfred A. Arraj Courthouse
901 - 19th st., Room A 105
Denver, CO 80294-3589

CCF
FACILITY
DATE REC'D 4/17/24
STAFF LAST NAME ID# INT
DENNIS 2924 INT
STAFF LAST NAME ID# INT
K3937 RM12 DB
DOC# OFFENDER LAST NAME INT