

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

AUG - 2 2024

JEFFREY P. COLWELL
CLERK

REQUESTING PRO-BONO COUNSEL

Civil Action No. _____

(To be supplied by the court)

ARTHUR WALKER, Plaintiff

v.

FOREMAN

Jury Trial requested:
(please check one)

☒ Yes ☐ No

VERIFIED
COMPLAINT
TRUE AND CORRECT
UNDER PENALTY OF
PERJURY 28 U.S.C. 1746

_____, 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.

ARTHUR WALKER #61612 BENT COUNTY CORRECTIONAL
(Name, prisoner identification number, and complete mailing address)

FACILITY 11560 ROAD FF 75 LAS ANIMAS COLORADO 81054
(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: FOREMAN-CASEMANAGER - LIMON CORRECTIONAL FACILITY
(Name, job title, and complete mailing address)

49030 STATE HWY 71 SOUTH LIMON COLORADO 80826

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:

THIS DEFENDANT WAS AT WORK WHEN
DEFENDANT VIOLATED MY RIGHTS

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

Defendant 2:

(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:

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

Defendant 3:

(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:

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

C. JURISDICTION

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

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

☐ Federal Official

As to the federal official, are you seeking:

☐ 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*) _____

VERIFIED CLAIM
TRUE AND CORRECT
UNDER PENALTY OF
PERJURY.

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: SEXUAL ASSAULT BY FORCE / DELIBERATE INDIFFERENCE

Claim one is asserted against these Defendant(s): FOREMAN

Supporting facts: I hereby declare that on 4-11-24 AT AROUND 9:20 A.M IN UNIT 5 AT CARMANAGER FOREMAN OFFICE, FOREMAN TOLD ME SHE WANTS TO SUCK MY BIG BLACK NIGGER DICK AND SHE WANTS TO HAVE A SEXUAL RELATIONSHIP WITH ME AND IF I SAID ANYTHING SHE WOULD RETALIATE BY PUTTING ON THE BUSINESS COMPUTERS THAT I WAS IN CLOSE SECURITY, AND POISON MY FOOD AND HAVE HARD CORE GANG MEMBERS KILL ME IF I DON'T COOPERATE, AND THEN FOREMAN STOOD UP AND PULLED MY DICK OUT WITHOUT MY CONSENT AND STARTED SUCKING IT I TOLD FOREMAN TO STOP SEVERAL TIMES BUT FOREMAN CONTINUED UNTIL I EJACULATED IN HER MOUTH, I HAVE A CONSTITUTIONAL RIGHT TO BE FREE FROM ANY TYPE OF SEXUAL ASSAULTS BY CORRECTIONAL AUTHORITIES, SEE COLORADO DEPARTMENT OF CORRECTIONS PREA AR#100-40 ZERO TOLERANCE POLICY, ALSO SEE PREA THAT WAS PASSED BY CONGRESS IN 2003, ALL COURTS AGREE THAT SEXUAL ASSAULTS AND SEXUAL ABUSE OF PRISONERS BY CORRECTIONAL AUTHORITIES VIOLATES THE EIGHTH AMENDMENT SEE FARMER V. BRENNAN 511 U.S. 825 1994, ALSO SEE, SCHENK V. HARTFORD 204 F.3D 1187 9TH CIR 2000, AND THE FOREGOING IS TRUE AND CORRECT UNDER PENALTY OF PERJURY.

ARTHUR WALKER
7-21-24

1 of 2

E. PREVIOUS LAWSUITS

Have you ever filed a lawsuit, other than this lawsuit, in any federal or state court while you were incarcerated? ☒ Yes ☐ 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):

MEYER ET AL

Docket number and court:

07-CV-1000-WJM-KMT

Claims raised:

DEPRIVED OF DENTAL CARE

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

NO

Reasons for dismissal, if dismissed:

Result on appeal, if appealed:

NO APPEAL

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?

☒ Yes ☐ No (check one)

Did you exhaust administrative remedies?

☒ Yes ☐ No (check one)

E.

PREVIOUS LAWSUITS

PAGE 2 OF 2

WALKER V. WISLAMB ET AL 07-CV-1540-ZLW
WALKER V. BAY ET AL 07-CV-1848-PAB-KMT
WALKER V. ROBINSON ET AL 08-CV-01557-
WALKER V. MEYER ET AL 08-CV-1911-REB-KLM
WALKER V. CONNOR ET AL 2010-CV-721-ZLW
WALKER V. STARK 2011-CV-1876-LTB
WALKER V. STARK 2011-CV-2314-LTB
WALKER V. MODSET ET AL 2015-CV-1915-RBJ-meh
WALKER V. NATHANIEL 2017-CV-2586-LTB
WALKER V. GUTIERREZ ET AL 2018-CV-00201
WALKER V. MOZATTI ET AL 18-CV-03292-RBJ-meh
WALKER V. ESSERS ET AL 19-CV-01656-
WALKER V. KWATIC, Tresch 20-CV-02179-RBJ-meh
WALKER V. LANSFORD ET AL 21-CV-01524-RBJ-meh

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."

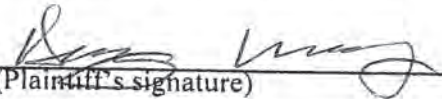
I AM SUEING FOREMAN IN HER INDIVIDUAL CAPACITY FOR \$90,000 IN PUNITIVE DAMAGES, COMPENSATORY DAMAGES.

I AM SUEING FOREMAN IN HER OFFICIAL CAPACITY FOR INJUNCTIVE RELIEF BECAUSE THIS CLAIM CAN BE REPETITIOUS, AND THE RELIEF SEEKING IS NECESSARY TO BE SEXUALLY ASSAULTED BY C.D.O.C. AUTHORITIES AND FOR C.D.O.C. TO TAKE A ANATOMICAL AND TO MOVE THE INMATE OF THE C.D.O.C. AUTHORITIES FROM THAT PRISON IMMEDIATELY. FURTHER MORE THE PLAINTIFF IS ORDERING THE COURT TO ORDER THE PRISON TO CHANGE THE POLICY, BECAUSE IT PUTS INMATES SAFETY IN DANGER.

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.


(Plaintiff's signature)

7-23-24
(Date)

ARTHUR WALKER
#61612
BENT COUNTY CORRECTIONAL FACILITY
11560 COUNTY ROAD FF 73
LAS ANIMAS, COLORADO
81054

LEGAL MAIL
JUL 29 2024



UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
901-19TH ST, ROOM A-105
DENVER, COLORADO
80294

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UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
901-19TH ST, ROOM A-105
DENVER, COLORADO
80294

BCE 7/29/24
FACILITY
DATE REC'D 8/1/24
DOC EMPLOYEE LAST NAME 3152
ID # 2
INT
DOC # 61612
OFFENDER LAST NAME 3152
ID # 2
INT