

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO  
  
JAN 31 2025  
JEFFREY P. COLWELL  
CLERK

THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:24-cv-02810

STEPHEN SPARKS,  
Plaintiff,

v.

ANDRE STANCIL, Director, CDOC  
CHARLES WYNTER, Sergeant,  
CHRISTINE GROKETT, Supervisor Nurse III and  
JOHN DOE AND JANE DOE,

Defendant.

---

AMENDED PRISONER COMPLAINT

---

Plaintiff Stephen Sparks, pro-se submits amended Prisoner Complaint pursuant Court Order issued November 8, 2024.

Re-Submitted per Order dated 1/23/2025 to sign Complaint on or before February 14, 2025.

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

Civil Action No. 1:24-cv-02810  
(To be supplied by the court)

STEPHEN SPARKS, Plaintiff

v.

**Jury Trial requested:**  
(please check one)

☒ Yes ☐ No

ANDRE STANCIL, Director, CDOC,

CHARLES WYNTER, Sergeant,

CHRISTIE GROKETT, Supervisor Nurse III and,

JOHN DOE and JANE DOE, 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.*

Sterling Correctional Facility - Box 6000  
Sterling, Colorado 80751  
Stephen Sparks #59204 - 49030 State Ave, Colorado Springs, Colorado 80926  
(Name, prisoner identification number, and complete mailing address)

Stephen Thane Sparks

(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: Andre Stancil - Director of the CDOC 1250 Academy Park loop,  
(Name, job title, and complete mailing address)

Colorado Springs, Colorado 80910

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:

Mr. Stancil is the director of the CDOC and authorizes all CDOC

Administrative Regulations that govern the CDOC via signature

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

Defendant 2: Charles Wynter-Sergeant 49030 State Hwy 71 So. Limon, CO 80826  
(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:

Mr. Wynter transported Plaintiff to hospital, refused to remove restraints to all medical doctor to treat blood clotted area.

Defendant 2 is being sued in his/her X individual and/or \_\_\_ official capacity.

Defendant 3: Christie Grockett-Supervisor nurse III, 49030 State Hwy 71 So. Limon, CO 80826  
(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:

Ms. Grockett failed to address denial by peer, failed to record innocent, causing Plaintiff to endure additional medical issues.

Defendant 3 is being sued in his/her X individual and/or \_\_\_ 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:

\_\_\_ 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: Deliberate Indifference to Serious Medical Needs.

Claim one is asserted against these Defendant(s): Charles Wynter & Christie Grockett

Supporting facts:

January 20, 2024 Sergeant (Sgt) Wynter and Correctional Officer (C/o) Sample were instructed to transport Plaintiff to Lincoln Community Hospital (LCH), per John Doe #1, facility shift commander. This was an emergency medical trip to address blood clots in right leg, and returning lymph node on left leg. Once at hospital Sgt. Wynter left emergency area to make a personal phone call on his cell phone, leaving C/o Sample to supervise the medical procedure.

Once Sgt. Wynter returned, he noticed C/o Sample removing the upper restraints, (handcuffs) to allow a medical gown to be placed on to allow needed ultrasound to be performed, and ordered C/o Sample to stop. C/o Sample questioned his order and asked the medical doctor if he had a problem with the cuffs to be temporarily be removed to allow the gown to be placed on. He said no. Sgt. Wynter again demanded he stop and to leave the upper restraints on. Realizing Sgt. Wynter would not allow Plaintiff to be examined, Plaintiff requested to return to facility to allow medical to address this issue. Once returning to facility, he stated to supervisor nurse III Ms. Grockett that he did not refuse treatment. Before allowing Plaintiff to express what took place, she ordered him back to his unit, despite excessive pain he was enduring. Ignoring several medical request to be treated. Approximately three months later after speaking with facility Health Care Supervisor did the Plaintiff begin to receive belated treatment. Said dely by Ms. Grockett and denial to treatment by Sgt. Wynter resulted in the blood clots to cause heart problems in relation to Afib, the discovery of addition blood clots, and the lymph node on left leg to grow five times the original size resulting in additional surgeries to correct delayed treatment by Sgt. Wynter and Nurse Supervisor III Grockett.

**D. STATEMENT OF CLAIMS(S)**

**CLAIM ONE: Continuation**

---

Once returned to facility, Sgt. Wynter failed to inform his supervisors of his denial to allow plaintiff to have restraints removed to allow medical doctor treat reason for emergency transport. When questioned by grievance responder in grievance #R-LF-23/24-00259057-1 why didn't he report what took place on January 20, 2024 because "he felt it was not noteworthy." Sgt. Wynter failure to inform his superiors why he denied medical doctor to treat resulted in areas seeking treatment to worsen in pain and suffering.

**CLAIM TWO: Abuse of discretion to CDOC Administrative Regulation 300-37(RD)**

---

Claim two is asserted against these Defendant(s): CDOC Director Andre Stancil and Sgt. Charles Wynter.

CDOC Administrative Regulations are approved by CDOC the director of the CDOC Andre Stancil.

Administrative Regulation 300-37(RD) [Restrictive Document] Authorizes transport staff to deny medical treatment to offenders transported to hospital who are wearing restraints. Grievance #R-LF23/24-00249739-1 states "It is the officer's discretion to let the offender out of the restraints when requested by physician. Medical attention can still be administered while in restraints." The Plaintiff required an ultrasound to be performed on his left thigh and groin area in addition to right leg for blood clots. Plaintiff suffers from a chronic blood disorder titled Anti-Phospholipid and Deep Vain Thrombosis (DVT), a life threatening disorder if untreated.

A.R. 300-37(RD) removes medical treatment from the medical professional and places it in the hands of the transport officer. Furthermore, A.R. 300(RD) does not require transport officer who deny medical professional order to treat by removing restraint to report to facility or supervisor their decision to deny medical professional order. Grievance #R-LF23/24-00259057-1 Responder Ammon Monson asked Defendant Whyter why did he not record what took place on January 20, 2024 he reported "...because he did not believe what occurred at the hospital was noteworthy..." Supporting A.R. 300-37(RD) removes emergency medical treatment from the medical professional, giving it to the transport officer.

**CLAIM THREE: Eight Amendment Violation - Failure to Treat**

---

Claim three is asserted against these Defendant(s) Christine Grockett Nurse III - Supervisor.

January 20, 2024 agency nurse Amonise Zimaly summoned Plaintiff to medical to address medical kite to examine for blood clots. Once she discovered a warm leg and small lump on left thigh, she informed Defendant Grockett and called the on call provider Christophor Love. Due to Nurse Zimaly speaking in a heavy Haitian accent, provider Love spoke with Defendant Grockett, directing her to

**D. STATEMENT OF CLAIM(S)**

**CLAIM THREE: Continuation**

---

Plaintiff transported via emergency to LCH for an ultrasound on left thigh and right leg. Defendant Grockett spoke with facility security and LCH to transport Plaintiff via an emergency trip.

Once returned from LCH without treatment, Plaintiff attempted to tell Defendant Grockett that he was not examined and that he did not refuse to be treated. Defendant Grockett sent Plaintiff back to his housing unit.

Within two months Plaintiff complained regarding pain in left thigh and right leg. When Plaintiff was receiving his COVID booster shot he was able to speak with the facility Health Supervisor Administrator (HSA) regarding what took place on January 20, 2024. This was the first time the HSA (Sara West) was aware of the lack of treatment to Plaintiff.

Defendant Grockett failed to record the events of January 20, 2024 that occurred regarding Plaintiff.

Defendant Grockett failed to inform on call provider that Plaintiff was not examined via emergency medical trip failing to follow protocol to ensure Plaintiff's health and safety. As a result of not ensuring Plaintiff injuries were treated as prescribed by on call provider. It was later discovered that Plaintiff has a large lymph node on left thigh with lumps within groin, requiring surgery to for removal; currently causing great pain. It was further discovered that the plaintiff has contracted additional blood clots in the right leg resulting in DVT in addition to his chronic blood clotting condition. Information well know by Defendant Grockett.

It was also discovered that the Plaintiff has contracted [Afib], a heart condition that required the Plaintiff to have his heart shocked by placing a device down his throat to shock the backside of his heart. Plaintiff has to endure heart treatments for the rest of his life due to the deliberate indifference exhibited by Defendant Grockett.

**CLAIM FOUR: First Amendment Violation - Retaliation**

---

Claim four is asserted against these Defendant(s): Charles Wynter

March 20, 2024 Defendant Wynter entered two false Chronological reports (Chron) against the Plaintiff in the attempt justify his actions. One chron was back dated to January 20, 2024, [time 3:52:31 PM] **Date Taken** . The second Chron legally recorded was for March 20, 2024 [time 4:03:22PM] **Date Taken**. Both chrons are identical giving false accounts to the actions that took place on January 20, 2024. What Defendant Wynter did not know is that his Co-worker had submitted on record a chron for January 20, 2024 on day of the of the event. Contradicting what was written by Defendant Wynter.

D. STATEMENT OF CLAIM(S)

CLAIM FOUR: Continuation

Defendant Wynter falsified chons may have an affect liberty interest towards Plaintiff progressive progress to include application for clemency.

To support retaliation for submitting grievance against Defendant Wynter, Grievance #R-LF23/24-00259057-1 support if the Plaintiff had committed the infractions as mentioned within late falsified chrons, why did Defendant Wynter not follow protocol to inform his supervisors of the problems presented by the Plaintiff. Chron submitted by C/O Sample on January 20, 2024 contradict the perception of Defendant Wynter's account entered approximately three months later.

**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): Sparks v. Singh

Docket number and court: 12-cv-01897-RM-MJW

Claims raised: 8th Amendment-Deliberate Indifference

Disposition: (is the case still pending?  
has it been dismissed?; was relief granted?) No

Reasons for dismissal, if dismissed: Summary Judgment

Result on appeal, if appealed: Denied

**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)

**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."*

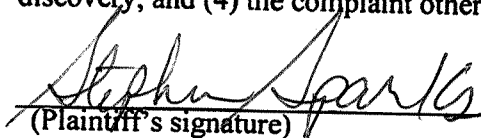
Change in A.R. 300-37(RD) that allow transport officer unchecked authority to deny medical doctor order to treat offender wearing restraints when offender is not a threat to security and emergency transport.

Pain and suffering in the amount of \$5,000,000.00 for future medical treatment due to delay in medical treatment.

**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.

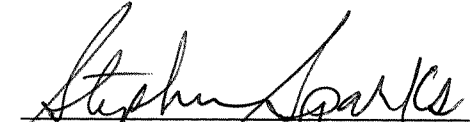
  
(Plaintiff's signature)

1-27-25  
(Date)

(Revised November 2022)

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Amended Prisoner Complaint [Signed] was mailed to the Clerk of the Court, Alferd A. Arraj, United States Courthouse, 901 19th Street, Room A105, Denver, Colorado 80294-3589 on JANUARY 28, 2025. By placement within the Sterling Correctional Facility Office mail bag.

  
Stephen Sparks - 59204

Colorado Department Of Corrections  
Name Stephen Sparks  
Register Number 59204  
Unit 3  
Box Number 6000  
City, State, Zip Sterling, CO 80751

Clerk of the Court  
Alfred A. Arraj, United States Courthouse  
901 19th Street, Room A105  
Denver, CO 80294-3589

No. 1:24-cv-02810

0294-250151



Registered Inspection Mail Stamp  
Sterling Correctional Facility 1/28/25  
Oberte  
33344  
spay  
1/28/25