

COMPLAINT FORM

(for filers who are prisoners without lawyers)
(revised 4/19/2022)

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA

(Full name of plaintiff(s))

Andre Moten

FILED

08/23/2023

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
Roger A.G. Sharpe, Clerk

vs

Case Number:

1:23-cv-1533-JMS-KMB

(To be supplied by clerk of court)

(Full name of defendant(s))

Officer J. Surguy

Case Worker Brown

A. PARTIES:

1. Plaintiff is a citizen of Indiana, and is located at
(State)

4490 W. Reformatory Rd

(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper).

2. Defendant

Officer J. Surguy
Case Worker Brown

(Name)

is (if a person or private corporation) a citizen of Indiana

(State, if known)

and (if a person) resides at N/A

(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for Idoc Pendleton Correctional Facility

(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

on April 17th 2023 while Plaintiff
Andre Moten was returning from
lunch in Hcell house he was attempting
to turn in legal mail to caseworker
Brown to meet a deadline
when Sgt J. Surguy said he
could not & Plaintiff said he
had a deadline & the counsler
barely walks the Ranges
Plaintiff moten & Sgt Surguy

began to have words & Sgt Surguy then said if Plaintiff didn't lock in he would show him what he does to niggers the mentor on Plaintiffs Range overheard this & asked Surguy to allow him to deescalate the issue while Plaintiff was talking to the mentor Sgt Surguy then grabbed punched & slammed Plaintiff & case worker Brown began to spray Plaintiff with mace & Sgt Surguy continued to hit Plaintiff & put his fingers in Plaintiff's throat stopping his breathing while he was maced Plaintiff was cuffed taken to medical then to the D/O Bldg where LT Terra Howard reviewed the camera & seen Plaintiff did no wrong Plaintiff was then moved to a different general population cell house no conduct report was written nor did Plaintiff get segregation

C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$ _____.

D. RELIEF WANTED

Describe what you want the court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or stop doing something.

a fair & just monetary
compensation

E. JURY DEMAND

☒ Jury Demand - I want a jury to hear my case
OR

☐ Court Trial - I want a judge to hear my case

Dated this 14th day of August 2023

Respectfully Submitted,

Andre Moten
Signature of Plaintiff

231926
Plaintiff's Prisoner ID Number

4490 W. reformatory rd
Pandleton IN 46064
(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper).

F. OPTIONAL CERTIFICATION

Under penalty of perjury, I declare that the facts alleged in this complaint are true and correct to the best of my knowledge and belief.

Andre Moten Signature of Plaintiff

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FILING FEE

☒ I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a request to proceed in the district court without prepaying the fee and attached it to the complaint.

☐ I **DO NOT** request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.