

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

NICOLE WALLACE

*Individually and as the Parent and
Next Friend of Daquan M. Wallace*
6507 Rosemont Avenue
Baltimore, Maryland 21206

and

DAQUAN M. WALLACE

6507 Rosemont Avenue
Baltimore, Maryland 21206

Plaintiffs,

vs.

STATE OF MARYLAND

SERVE: Nancy K. Kopp
State of Maryland Treasurer's Office
80 Calvert Street
Goldstein Treasury Building
Annapolis, Maryland 21401

and

**DEPARTMENT OF PUBLIC SAFETY &
CORRECTIONAL SERVICES**

SERVE: Stephen T. Moyer
300 East Joppa Road, Suite 1000
Towson, Maryland 21286

and

**DIVISION OF PRETRIAL DETENTION
& SERVICES**

SERVE: Michael R. Resnick
Commissioner of Pretrial Detention & Services
400 E. Madison Street
Baltimore, MD 21202

* Jury Trial Demanded

Civil Case No. _____

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CIVIL DIVISION
CIRCUIT COURT HH
BALTIMORE CITY

COMPLAINT AND DEMAND FOR JURY TRIAL

COMES NOW, Plaintiffs, Nicole Wallace, individually and as Parent and Next Friend of Daquan M. Wallace, and Daquan M. Wallace, by and through counsel, Cary J. Hansel, Erienne A. Sutherell, and the law firm Hansel Law, P.C., and sues Defendants State of Maryland, Department of Public Safety and Correctional Services, Division of Pretrial Detention and Services, and as cause therefore states the following:

INTRODUCTION

1. This action is brought by Plaintiff Daquan M. Wallace ("Mr. Wallace" or "plaintiff") as a result of the brutal attack he suffered while in custody at the Baltimore City Detention Center, rendering him permanently disfigured and disabled. The facility's Correctional Officers knowingly allowed and facilitated the heinous assault by other inmates against Mr. Wallace, and further assisted in the covering up of the attack.

2. The attack was a result of Mr. Wallace's resistance to the Black Guerilla Family gang which was operating inside of the Baltimore City Detention Center ("Detention Center"). Mr. Wallace refused to join the gang while in custody at the Detention Center as a pre-trial detainee inmate, being held on an excessive \$75,000 bail while awaiting trial for the non-violent charges pending against him.

3. The violent acts against Mr. Wallace occurred in the context of Detention Center Correctional Officers and administrators being routinely involved in criminal activity within the facility and supporting the proliferation of gang related conduct occurring within its walls. Supervisory staff not only turned a blind-eye to the behavior, but participated in it, which allowed the violence not only to continue, but effectively run rampant.

4. The State of Maryland (“State”), the Department of Public Safety and Correctional Services (hereinafter “DPSCS”), the Division of Pretrial Detention and Services (DPDS), and the administrators thereof, (collectively referred to as “Defendants”) were well aware of the atrociously violent acts taking place within the Detention Center based upon the numerous complaints, reports of misconduct, and internal investigations, yet failed to do anything to combat it.

5. By 2013, it was notoriously known that the Detention Center had succumbed to the leadership of the Black Guerrilla Family gang after the U.S. Attorney’s Office for the District of Maryland, pursuant to an on-going investigation, indicted twenty-seven (27) of the DPSCS Correctional Officers working at the Detention Center. The various criminal charges against the employees stemmed from their gang-affiliated conduct within the facility while working directly with/ for gang member inmates. Notably, this indictment occurred nearly eighteen (18) months prior to the specific facts which give rise to this case.

6. The Defendants, however, did not take action, and following the indictments, conditions within the Detention Center worsened under the gang-related leadership. Abusing their positions of leadership and authority, Correctional Officers, as employees of the Defendants, worked in tandem with gang members within the Detention Center. Defendants’ employees and agents assisted in, and contributed to, violent hazing of inmates who refused to join the BGF gang. Those inmates were routinely tortured while under the supervision of Correctional Officers. Reports were received of Correctional Officers paying gang member inmates to abuse and assault other non-gang member inmates. Also included in numerous reports are incidents in which corrections officers raped inmates and refused inmates their necessary medical treatment.

7. It was not until Governor Larry Hogan, in July of 2015, called for the closure of the facility that those subjected to the Detention Center's hostile and unsafe conditions received any reprieve. In a public address, Governor Hogan stated, "The Baltimore City Detention Center is a disgrace, and its conditions are horrendous. Ignoring it was irresponsible and one of the biggest failures of leadership in the history of the state of Maryland."

8. The Detention Center's closure in August of 2015 came too late for many of those in custody who had already suffered irreversible harm from the facility's conditions, especially Mr. Wallace, who will be permanently disfigured and disabled due to the negligent treatment he was subjected to by the Defendants and their employees and agents.

JURISDICTION AND VENUE

9. This Court has jurisdiction pursuant to the Courts and Judicial Proceedings Article of the Maryland Code §§ 6-102 and 6-103.

10. Venue is proper pursuant to the Courts and Judicial Proceedings Article of the Maryland Code § 6-201. All material events occurred in Baltimore City, Maryland.

11. Plaintiff timely filed proper notice under the Maryland State Tort Claims Act and Local Government Tort Claims Act and is in full compliance with said Acts.

PARTIES

12. Plaintiff, Nicole Wallace is and was at all times relevant to the occurrence complained of herein, an adult citizen of the United States and a resident of Baltimore City, Maryland.

13. Plaintiff Daquan M. Wallace is and was at all times relevant to the occurrence complained of herein, an adult citizen of the United States and a resident of Baltimore City, Maryland.

14. Defendant State of Maryland is a body politic and corporate body that may sue and be sued and has waived any applicable sovereign immunity in accordance with the Maryland State Tort Claims Act under the State Government Article of the Maryland Code § 12-104.

15. Defendant Department of Public Safety and Correctional Services is a state agency created and operating under the laws of the State of Maryland.

16. Defendant Division of Pretrial Detention and Services is a state agency created and operating under the laws of the State of Maryland.

17. The conduct of the agents or employees of the Defendants described herein, (referred to as "Correctional Officers," "Officers," "personnel," or "Administrators") was at all times committed within the scope of the employment with the Defendants herein named, and was committed without malice or gross negligence.

18. "Administrators" refers to policy-making officials employed by the Defendants.

STATEMENT OF FACTS

19. On December 18, 2014, Daquan Wallace ("Plaintiff"), then only twenty years of age, was savagely attacked and beaten by other inmates while in custody at the Baltimore City Detention Center.

20. The attack occurred inside of the Detention Center in the general population housing, under the supervision of Detention Center Correctional Officers, sometime prior to approximately 7:45 PM.

21. On December 18, 2014, Officers Jackens Rene ("Officer Rene"), Officer Ericka Shird ("Officer Shird"), Major Karen Moore ("Officer Moore"), and Sergeant Lisa Portee ("Officer Portee"), (collectively, along with additional unidentified officers "Officers") caused Mr. Wallace to be transferred from the "J" Unit of housing to the "G" Section of Housing, for the

purpose of allowing him to be subjected to the brutal attack. At all times the Officers were acting as agents or employees of the Defendants.

22. There was no reason for the transfer from the "J" Unit of housing to the "G" Section of Housing other than to assist in facilitating the subsequent beating of Mr. Wallace, as evidenced by the fact that the transfer occurred approximately twenty (20) minutes prior to the attack, the timeline of which is demonstrated below:

- a. At approximately 7:05 PM, Officers facilitated the transfer of Mr. Wallace from the "J" Unit to the "G" Section, which was approved by Officer Portee in furtherance of the conspiracy to subject Mr. Wallace to the brutal attack.
- b. At 7:20 PM, the "G" Section inmates are transferred to the dining area for dinner.
- c. At approximately 7:32 PM, when the "G" Section is alleged to be vacant of inmates, with the known exception of at least three (3) cells (not including Mr. Wallace's), the attack on Mr. Wallace occurs.
- d. At approximately 7:45 PM, "G" Section inmates return from the dining area to the "G" Section, at which time the attack on Mr. Wallace is ending and witnessed by "G" Section inmates.
- e. At approximately 7:58 PM, a medical code is alerted for "G" Section.
- f. At approximately 8:06 PM, an ambulance arrives on scene.

23. The Officers conspired with the perpetrators of the beating to ensure that it would take place, they further conspired to provide a cover-up for the inmate perpetrators *and* one-another by providing false and misleading information throughout the subsequent investigation of the incident.

24. The Officers allowed access to Mr. Wallace's cell and provided for an opportunity for inmates to carry out the gruesome beating by leaving Mr. Wallace's cell unsecured with him alone inside of it, while the other inmates in the "G" Section transferred to the dining hall for dinner.

25. The Officers allowed the perpetrators of the attack to remain in the "G" Section, even though they were supposed to be transferred to the dining hall with the rest of the Section inmates.

26. The Officers falsely claimed that Mr. Wallace left for the dining hall at 19:20 HRS, at which time, Officer Rene claims to have secured Mr. Wallace's empty cell.

27. Mr. Wallace did not leave his cell for dinner, instead, he was left alone in his unsecured cell by the Officers, so that other inmates could complete their attack on him.

28. The attack that rendered Mr. Wallace near death left blood splattered on his clothing, swelling on his left ear and face, and open, bleeding, cuts on the back of his head.

29. In an attempt to cover-up the attacks, Officers knowingly and falsely later reported that Mr. Wallace had exited to the dining hall during the time of the attack.

30. Upon information and belief, eye witnesses to the attack confirm that Officers Rene and Shird, both assigned to the "G" section on December 18, 2014, assisted in ensuring that the beating took place.

31. Officer Moore assisted in covering up the attack by providing a false timeline of events, alleging that medical assistance had been called for Mr. Wallace at 19:32 HRS, when in fact, Mr. Wallace had been left in his cell without medical assistance until 19:58 HRS, when the call was actually placed.

32. Officer Moore provided false statements concerning review of surveillance footage, alleging that nothing had been captured on video.

33. Defendants employees and agents, including the Officers, failed to properly supervise the facility and the inmates housed there, and failed to properly perform the basic essential functions of their duties, placing Mr. Wallace in the zone of danger.

34. Mr. Wallace was not a member of the BGF Gang and Correctional Officers deliberately transferred him from his cell in the "J" Unit, to a cell in the "G" Unit, where less than twenty minutes later, BGF Gang Member inmates were given access to his cell by Officer Rene.

35. Mr. Wallace's near-lifeless body had been left inside of his cell after the attack, face down, and was discovered later at which point Mr. Wallace, suffering from his injuries, was non-responsive.

36. The attack on Mr. Wallace occurred in the general population housing, where Officers are to be stationed at all times, performing rounds.

37. When the Officers and Administrators finally addressed Mr. Wallace's condition, medical assistance on-site was of little help given his progressively worsening state and EMS personnel were called to respond to the scene.

38. Mr. Wallace was taken to Johns Hopkins Hospital where he was treated for his injuries.

39. The initial treatment notes reflect that Mr. Wallace sustained a traumatic brain injury, with visible trauma evident from swelling and bleeding of the left ear and left side of Mr. Wallace's face, human lips mark on the left anterior chest wall, and multiple traumas to the left neck. In addition, a CT scan referenced a fracture to Mr. Wallace's inner eye socket.

40. Mr. Wallace remained in a comatose vegetative state for nearly one month with a poor prognosis for any recovery.

41. As a result of the attack, Mr. Wallace suffered a severe traumatic brain injury. To this date, Mr. Wallace is unable to talk or walk, remains on a ventilator to assist in his breathing function, and requires daily twenty-four (24) care.

42. The Officers and Administrators knew of the severity of the dangerous circumstances that Mr. Wallace faced, as he had knowingly been previously targeted by BGF gang members within the BCDC and such instances had been reported to the Detention Center Officers and Administrators.

43. Within one-week of his commitment to BCDC, Mr. Wallace had complained to BCDC Officers and the Administrators' offices of being targeted for rape and fights.

44. On several occasions, Mr. Wallace spoke with his mother, Nicole Wallace ("Ms. Wallace"), from the BCDC, telling her about the danger he was in because he refused to join the BGF Gang.

45. In October of 2014, shortly after being committed to the Detention Center, Mr. Wallace informed Ms. Wallace of the threats against his life due to his resistance to the Black Guerilla Family gang within the facility. Ms. Wallace then began reaching out to the Detention Center via telephone to advise Officers and the Administrators' offices about the threats against her son. On numerous occasions she spoke with Detention Center staff and told them about the severity of Mr. Wallace's situation, however, her pleadings with them to do something to protect her son were in vein.

46. Ms. Wallace continuously contacted officials and Defendant Administrators' offices at BCDC, advising them of the severity of the danger that Mr. Wallace faced.

47. During a visit to the Detention Center in November 2014, Ms. Wallace observed bruising on Mr. Wallace. He was unable to discuss it with her because of fear for his own safety.

48. The next day, after several phone calls, Ms. Wallace discussed with Detention Center Officers and Administrators' offices the need to move her son to protected custody. The Officers acknowledged the visible injury to Mr. Wallace and agreed that a move may be necessary.

49. At approximately 7:24 AM on December 2, 2014, just over two (2) weeks prior to the attack described above, Mr. Wallace was medically treated for an attack that he had sustained that morning, leaving him with bruising about his face and left eye, a laceration to his lower lip, and a left shoulder abrasion.

50. Officers had allowed the attack by other inmates on Mr. Wallace to occur by failing to intervene and turning a blind eye, leaving Mr. Wallace vulnerable to the inmates whom the Officers knew, or had reason to know, were targeting him.

51. Later that morning, at approximately 10:00 AM, on December 2, 2014, Mr. Wallace was transported to the Baltimore City Circuit Courthouse for a pre-trial conference.

52. During transport, Officers again allowed an attack on Mr. Wallace.

53. Mr. Wallace was brought before the Honorable Judge Geller that morning, and his attorney pled for a bail reduction so that Ms. Wallace could post bail and protect her son from further harm.

54. The Court acknowledged that Mr. Wallace had fresh cuts and bruising on his face and it was apparent that Mr. Wallace was in danger.

55. Mr. Wallace was bleeding from one eye while his other eye was nearly swollen shut from the second beating he had sustained that day and because his vision was blurry from the recent assault, Officers had to guide his walking as he was unable to see where he was going.

56. Present in the courtroom were Ms. Wallace and Assistant Public Defender Jerome LaCorte, who addressed the court on Mr. Wallace's behalf. Mr. LaCorte expressed the severity of the conditions that Mr. Wallace faced while in custody and pled with the court for intervention, or at a minimum, for a bail review hearing to take place that morning in the hopes of lowering Mr. Wallace's bail or releasing him on his own recognizance. Unfortunately, the court refused a bail review.

57. Later that day, at approximately 6:03 PM, Mr. Wallace reported to Officers and Administrators at the BCDC that he had been hit in the eye and needed medical treatment as he was having difficulty seeing. However, nothing further was done to address Mr. Wallace's safety.

58. Ms. Wallace called Detention Center officials that night to express her grave concern over her son's welfare, but such communication, as she had previously experienced, had little to no effect.

59. Ms. Wallace had been contacting employees of the Detention Center for months to file complaints about the safety and well-being of her son.

60. For the next two weeks, Ms. Wallace spoke with her son a handful of times, on each occasion, he stated that too many people were present to discuss his safety.

61. On December 18, 2014, Ms. Wallace received a phone call advising her that she needed to respond to Johns Hopkins Hospital. The caller would not provide any additional information.

62. When she arrived to the hospital, Ms. Wallace learned that her son had been unconscious for nearly four hours, that he had been found in his cell face down, and was unresponsive.

63. While at the hospital, Detention Center officers were present and hid their badges from Ms. Wallace to keep their name tags from her view.

64. She was told by Detention Center staff that no photographs were to be taken while in the hospital.

65. Five days passed from the date of the incident before Ms. Wallace heard from Detention Center personnel, at which time no additional information about the attack was provided to her.

66. While in treatment, Mr. Wallace experienced bed sores, pneumonia, a tracheostomy tube for ventilation, and a feeding tube for nutrition. To date, the feeding and tracheostomy tubes have been removed, but he is still unable to use his arms and legs, is confined to a chair, unable to talk or write, and undergoes intensive daily therapy. The charges that he was facing which had placed him in confinement, ultimately weren't pursued.

67. Defendants failed to protect, supervise, and otherwise perform their jobs as required, so as to appease gang member inmates and others involved in illicit activities, thereby participating in the corrupt and illegal conduct.

68. Defendants' pattern of practice and conduct caused the brutal attacks on Mr. Wallace.

69. Defendants failed to timely render aid to Mr. Wallace despite the means and duty to do so. Defendants' employee officers have a duty to supervise and observe inmates, and are required to prevent, respond to, and report any incidents between inmates.

70. Prior to the attack, Mr. Wallace had been committed to the Baltimore City Detention Center on September 3, 2014, for pending charges, as a pre-trial detainee inmate. As of the incident date of December 18, 2014, more than three months after the initial charges, Mr. Wallace was still in custody for the same pending, non-violent charges, being held on a seventy-five thousand (\$75,000) dollar bail.

71. Defendants failed to ensure that Officers were properly trained, and further, failed to adequately supervise Officers.

72. Defendants failure to train, supervise, and discipline Officers directly caused the injuries suffered by Plaintiffs.

73. The Officers had Administrators' consent, authority, and ratification when they facilitated the attacks on Mr. Wallace.

74. Administrators were responsible for the operation and implementation of policies and procedures within BCDC.

75. Administrators allowed, fostered and encouraged an environment of injustice and violations of constitutional rights, where Officers used their positions of authority to further unlawful assaults, attacks, and retaliation against detainees, such as Mr. Wallace. Officers were therefore acting with the approval and ratification of Administrators when committing constitutional violations.

76. On information and belief, Defendants had knowledge of the implementation of such policies and procedures, and despite this knowledge, acted with deliberate indifference to detainees' constitutional rights and failed to otherwise take action to correct such customs.

COUNT I
Articles 24 and 26 of the Maryland Declaration of Rights

77. The Plaintiff adopts and incorporates by reference the allegations contained elsewhere herein with the same effect as if herein fully set forth.

78. Defendants' agents or employees engaged in an activity that violated Plaintiff's rights as protected under the Maryland Declaration of Rights, violating Mr. Wallace's Due process rights and right to be free from excessive force.

79. By the actions detailed herein, including, but not limited to: facilitating the attacks on Mr. Wallace, encouraging and failing to prevent the brutal attacks against Plaintiff, the covering up of the attacks against Plaintiff after their occurrence, and the failure to render aid to Plaintiff despite the means and duty to do so, Defendants' agents or employees deprived Plaintiff of his rights under the Maryland Declaration of Rights, including, but not limited to:

- a. freedom from imprisonment and seizure of freehold, liberty and privilege without due process, and without judgment of his peers;
 - b. freedom from the deprivation of liberty without due process of the law, and without the judgment of his peers;
 - c. freedom from the abuse of power by law enforcement and correctional officers;
- and
- d. freedom from summary punishment.
 - e. freedom from the use of excessive force.

80. Plaintiff has a right to be free from the use of excessive and unnecessary physical force on his person by correctional officers. This right was denied to Plaintiff when Defendants' agents or employees knowingly allowed the brutal attacks by other correctional inmates against Plaintiff without legal cause, excuse or justification.

81. Plaintiff has a protected property and liberty interest in his freedom, his ability to exercise his free will and domain over his person, his ability to be free from unlawful and unwelcome abuse and attack by Defendants' agents or employees, and his ability to practice his chosen profession and earn a living thereby.

82. Plaintiff was deprived of numerous protected property and liberty interests by Defendants' agents or employees.

83. Specifically, Defendants' agents or employees' actions were not for penological purposes and were committed with the intent to cause serious bodily injury to Mr. Wallace.

84. Plaintiff's rights were denied when Defendants' agents or employees refused to timely render appropriate medical assistance to Plaintiff, despite the means and duty to do so.

85. Plaintiff was afforded less process than was due under law by Defendants' agents or employees in depriving him of the rights in question.

86. At no time relevant to this action was Mr. Wallace a threat to the safety of any Officers, himself, or others.

87. At no time did Mr. Wallace resist detention or attempt to evade detention by flight or otherwise.

88. At the time of the events complained of herein, Mr. Wallace had a clearly established right to be secure in his person and free from excessive force.

89. Any reasonable agent or employee of Defendants knew or should have known of these rights at the time of the complained of conduct.

90. Defendants' agents or employees acted unreasonably in their conduct towards Mr. Wallace, subjecting him to excessive force.

91. Defendants' agents or employees were the direct cause of the excessive force suffered by Mr. Wallace, which caused near-death, serious bodily injury.

92. Defendants' agents or employees participated in a conspiracy to exact serious bodily injury upon Mr. Wallace, and carried out such conspiracy to ensure that the injury occurred.

93. None of the Defendants' agents or employees took reasonable steps to protect Mr. Wallace, and instead, acted to place him in the zone of danger.

94. At all relevant times herein, all Defendants' agents or employees were acting pursuant to custom, policy, decision, ordinance, widespread habit, practice, and usage in their actions against Mr. Wallace.

95. By the actions detailed above, Defendants' agents or employees deprived Plaintiff of his constitutional rights including, but not limited to, freedom from abuse of power by those acting under color of state law and authority.

96. At all times relevant hereto, Defendants' agents or employees acted under color of State law and in a manner which was not objectively reasonable.

97. Defendants' agents or employees had a duty to maintain security, prevent disturbances, and take reasonable measures to guarantee safety of detainees, to protect them from violence at the hands of other detainees.

98. Defendants' agents or employees conduct subjected Mr. Wallace to atypical and significant hardships, in relation to the ordinary conditions for a pre-trial detainee.

99. At no time relevant to this action, did Mr. Wallace engage in any criminal or illegal act, or act in violation of the policies, regulations, and procedures of BCDC.

100. Defendants' agents or employees acted in violation of Mr. Wallace's established rights.

101. As a direct and proximate result of the aforesaid conduct, actions and inactions of Defendants' agents or employees, and that stated elsewhere herein, Plaintiff was caused to suffer and continues to suffer temporary and permanent physical injuries, physical pain and suffering, mental pain and suffering, including but not limited to, undue emotional distress, mental anguish, humiliation, embarrassment, loss of respect, shame, loss of enjoyment of life and disability, an inability to perform and enjoy his normal and usual activities, and economic damages including, but not limited to, past and future medical bills and expenses, past and future lost time and wages from work, past and future lost earning capacity and unnecessary attorneys' fees, all to the great detriment of Plaintiff.

WHEREFORE, Plaintiff demands judgment against Defendants in an amount to be determined at trial, but in excess of \$75,000.00, plus interest, costs and attorneys' fees, in an amount to be determined at trial.

COUNT II
Articles 16 and 25 of the Maryland Declaration of Rights

102. The Plaintiff adopts and incorporates by reference the allegations contained elsewhere herein with the same effect as if herein fully set forth.

103. As alleged herein, Defendants maintained a policy and practice of denying rights to detainees within the BCDC.

104. Defendants' agents or employees engaged in an activity that violated Plaintiff's rights as protected under the Maryland Declaration of Rights, subjecting Mr. Wallace to cruel and unusual punishment.

105. Defendants' agents or employees' actions, intentionally promulgated and executed for unlawful reasons, i.e., for furtherance of BGF Gang criminal activity, were done in complete disregard for the medical and safety needs of Mr. Wallace.

106. Mr. Wallace was detained by Defendants' agents or employees under conditions which posed a substantial risk of harm.

107. Defendants' agents or employees knew of and completely disregarded the risk posed to Mr. Wallace.

108. Mr. Wallace was deprived of the minimal civilized measure of life's necessities by the Defendants' agents or employees, who alternatively, deliberately placed Mr. Wallace in substantial risk of serious harm.

109. Defendants' agents or employees were deliberately indifferent to Mr. Wallace's serious medical conditions.

110. Defendants' agents or employees were aware of facts from which the inference could be drawn that a substantial risk of harm existed.

111. By facilitating and assisting in the assaultive attacks and beatings exacted upon Mr. Wallace, Defendants' agents or employees deprived him of his right to be free from cruel and unusual punishment.

112. As a direct and proximate result of the aforesaid conduct, actions and inactions of Defendants' agents or employees, and that stated elsewhere herein, Plaintiff was caused to suffer and continues to suffer temporary and permanent physical injuries, physical pain and suffering, mental pain and suffering, including but not limited to, undue emotional distress, mental anguish, humiliation, embarrassment, loss of respect, shame, loss of enjoyment of life and disability, an inability to perform and enjoy his normal and usual activities, and economic damages including,

but not limited to, past and future medical bills and expenses, past and future lost time and wages from work, past and future lost earning capacity and unnecessary attorneys' fees, all to the great detriment of Plaintiff.

WHEREFORE, Plaintiff demands judgment against Defendants in an amount to be determined at trial, but in excess of \$75,000.00, plus interest, costs and attorneys' fees, in an amount to be determined at trial.

COUNT III
Article 40 of the Maryland Declaration of Rights

113. The Plaintiff adopts and incorporates by reference the allegations contained elsewhere herein with the same effect as if herein fully set forth.

114. Defendants' agents or employees retaliated against Mr. Wallace for reporting the unconstitutional behavior that he was subjected to.

115. Mr. Wallace's reporting of his injuries was protected conduct.

116. Defendants' agents or employees' actions in facilitating the attacks on Mr. Wallace permanently chilled his ability to exercise his First Amendment rights.

117. Defendants' agents or employees' conduct did not reasonably advance a legitimate correctional goal.

118. By retaliating against Mr. Wallace for reporting his injuries to medical staff, his attorney, and on the record in open court, the Defendants' agents or employees violated Mr. Wallace's right to free speech under the Maryland Declaration of rights.

119. As a direct and proximate result of Defendants' agents or employees' actions to suppress Mr. Wallace's right to freedom of speech, and as a result of the actions and inactions of Defendants' agents or employees as stated elsewhere herein, Plaintiff was caused to suffer and continues to suffer temporary and permanent physical injuries, physical pain and suffering,

mental pain and suffering, including but not limited to, undue emotional distress, mental anguish, humiliation, embarrassment, loss of respect, shame, loss of enjoyment of life and disability, an inability to perform and enjoy his normal and usual activities, and economic damages including, but not limited to, past and future medical bills and expenses, past and future lost time and wages from work, past and future lost earning capacity and unnecessary attorneys' fees, all to the great detriment of Plaintiff.

WHEREFORE, Plaintiff demands judgment against Defendants in an amount to be determined at trial, but in excess of \$75,000.00, plus interest, costs and attorneys' fees, in an amount to be determined at trial.

COUNT IV
Longtin-type Unconstitutional
Pattern or Practice of Improper Conduct

120. The Plaintiff adopts and incorporates by reference the allegations contained elsewhere herein with the same effect as if herein fully set forth.

121. Defendants maintained a policy of unconstitutional and unlawful supervision and abuse of authority. The Defendants' employees' specific conduct here, including participating in gang-related criminal activity, deprivation of constitutional rights, including rights under the Civil Rights Act (as set forth herein), deprivation of liberty and freedom from abuse of power, represents not a single isolated, accidental or peculiar event, but occurrences in the regular procedures followed by these officers and administrators, and thus constitutes a pattern or practice of such conduct.

122. Prior to the date of this incident, Defendants permitted and tolerated a pattern and practice of unjustified, unreasonable, and illegal excessive force and brutality through an abuse of power and authority.

123. The Defendants' failure to not take action on mitigating or fighting against the gang-related violence within the Detention Center in and of itself amounts to an unconstitutional pattern or practice of improper conduct. As such, the Defendants' widespread knowledge of, and out-right participation in, the illicit gang activity certainly constitutes as being an unconstitutional pattern or practice of improper conduct.

124. Moreover, Defendants failed to properly train, prosecute, supervise, and discipline the officers of the Detention Center, including, but not limited to, all of the named Defendants, in the proper constitutional use of force as required by the Maryland Declaration of Rights. The failure to properly train, prosecute, supervise, and discipline its officers demonstrates a gross disregard for the constitutional rights of the public in the Plaintiff, and was a proximate cause of the injuries to the Plaintiff.

125. In addition, Defendants caused its agents and employees to believe that their use of excessive force by way of using inmates to commit assaults against other inmates, would not be aggressively, honestly, and properly investigated.

126. As a result, Defendants' employees have been caused and encouraged to believe that excessive force and illegal force could be used, and that it would be permitted without reproach.

127. Defendants should have foreseen that such a policy would promote the use of illegal, unconstitutional, and excessive force, where such force is unreasonable.

128. Defendants have instituted and maintained formal and informal customs, policies, and practices that foster, promote and encourage Correctional Officers to violate the rights of citizens.

129. The abuse of authority, collaboration with gang member inmates, excessive use of force, and breach of duties to provide protection, care, and safekeeping, occurred so frequently that it became an accepted manner by the individual Defendants and other employees of the Detention Center. This is a result of the Defendants' failure to establish effective procedures, rules, orders, guidelines and practices to ensure that such violations do not occur and to ensure that allegations of such violations will be thoroughly investigated and appropriately punished when found to have occurred. As a result of this failure, there has been a regular pattern and practice of conduct similar to that complained of here. This pattern and practice has been manifested in other prior incidents involving officers and employees of the State, the Department of Public Safety and Correctional Services, and the Division of Pretrial Detention and Services.

130. Upon information and belief, Defendants lack an effective internal affairs procedure in its correctional services and has no meaningful system to control and monitor its officers and employees who have a pattern or history of unlawful behavior.

131. Defendants have failed and refused to take even elementary steps to protect citizens from the type of abuses detailed above.

132. The policies and customs of the Defendants as set forth herein, demonstrate a gross disregard for the constitutional and other rights of the public and the Plaintiff. At the time of the occurrence alleged in this complaint, the individual Defendants were operating under unconstitutional customs, policies, and procedures of the Detention Center. These customs, policies, and procedures were a proximate cause of the injuries to the Plaintiff.

133. As a direct and proximate result of the aforesaid acts, omissions, systemic flaws, policies, and customs of the Defendants, the individual Defendants' employees deprived the Plaintiff of his rights under the Maryland Declaration of Rights as detailed above.

134. In sum, the execution of the policy or custom of Defendants inflicted injury upon the Plaintiff.

135. Defendants engaged in an activity that violated Plaintiff's rights as protected under the Maryland Declaration of Rights.

136. Plaintiff's rights were clearly established, and Defendants knew, or should have known, of such clearly established rights at the time of the complained of conduct herein.

137. Defendants actions demonstrate an unconstitutional pattern and practice of violating detainees' rights, protected by the Maryland Declaration of Rights.

138. As a direct and proximate result of the aforesaid conduct, actions and inactions of Defendants and as stated elsewhere herein, Plaintiff was caused to suffer and continues to suffer temporary and permanent physical injuries, physical pain and suffering, mental pain and suffering, including but not limited to, undue emotional distress, mental anguish, humiliation, embarrassment, loss of respect, shame, loss of enjoyment of life and disability, an inability to perform and enjoy his normal and usual activities, and economic damages including, but not limited to, past and future medical bills and expenses, past and future lost time and wages from work, past and future lost earning capacity and unnecessary attorneys' fees, all to the great detriment of Plaintiff.

WHEREFORE, Plaintiff demands judgment against Defendants in an amount to be determined at trial, but in excess of \$75,000.00, plus interest, costs and attorneys' fees, in an amount to be determined at trial.

COUNT V
Negligent Hiring, Retention, Training, and Supervision

139. Plaintiffs adopt and incorporate by reference each and every allegation contained elsewhere herein verbatim with the same effect as if herein fully set forth.

140. Defendants had a duty to use reasonable care to select employees who are competent and fit to perform the duties of an employee of the Detention Center.

141. Individual Officers and Administrators herein were employees of the State of Maryland at all times relevant hereto.

142. Upon information and belief, individual officers, administrators, and other employees have previously committed violations such as those at issue here.

143. Defendants had constructive and/or actual knowledge of individual employees' and other officers' previous violations.

144. The prior transgressions of individual employees and other officers are such to put Defendants on notice that the individual employees are unfit for duty.

145. The prior transgressions of individual employees are such to give rise to a duty to terminate the employment of individual employees.

146. Despite having the duty and authority to terminate the employment of individual employees, Defendants negligently maintained their employment.

147. As a direct and proximate result of the negligent retention of the employment of individual employees as described herein, individual employees were put in a position to commit the wrongs in this case.

148. Had Defendants' exercised reasonable diligence and care, it would have been known that the individual employees were capable of inflicting this type of harm on Plaintiff.

149. Defendants failed to use proper care in selecting, supervising, disciplining, and/or retaining individual employees.

150. Defendants failed to supervise and train individual employees in a manner sufficient to ensure that they would not engage in unlawful, unconstitutional, or tortious conduct.

151. Defendants knew or should have known that the supervision and training was inadequate to ensure that its individual employees do not engage in unlawful, unconstitutional, or tortious conduct.

152. The negligent supervision and training has led to a pattern or practice of unlawful, unconstitutional, and tortious conduct on the part of Defendants.

153. As a direct and proximate result of the aforesaid conduct, actions and inactions of Defendants and that stated elsewhere herein, Plaintiff was caused to suffer and continues to suffer temporary and permanent physical injuries, physical pain and suffering, mental pain and suffering, including but not limited to, undue emotional distress, mental anguish, humiliation, embarrassment, loss of respect, shame, loss of enjoyment of life and disability, an inability to perform and enjoy his normal and usual activities, and economic damages including, but not limited to, past and future medical bills and expenses, past and future lost time and wages from work, past and future lost earning capacity and unnecessary attorneys' fees, all to the great detriment of Plaintiff.

WHEREFORE, Plaintiff demands judgment against Defendants in an amount to be determined at trial, but in excess of \$75,000.00, plus interest, costs and attorneys' fees, in an amount to be determined at trial.

COUNT VI
Negligence

154. Plaintiff adopts and incorporates by reference each and every allegation contained elsewhere herein verbatim with the same effect as if herein fully set forth.

155. Defendants' agents or employees had a duty to provide care, safekeeping, and protection, and, *inter alia*, not create or maintain a dangerous condition which could harm persons such as Plaintiff, who were under their control.

156. Defendants' agents or employees had a special duty to Plaintiff because of the custodial relationship between Defendants and Plaintiff, and because Defendants' employees put Plaintiff in harm's way by placing him in a zone of danger.

157. Defendants' agents or employees breached their duty of reasonable care under the circumstances by creating a dangerous condition in the form of encouraging and allowing the brutal attack by other inmates to occur against Plaintiff.

158. Defendants' agents or employees breached their duty of reasonable care by intentionally failing to timely render appropriate medical aid to Plaintiff, despite the means and duty to do so.

159. Defendants' agents or employees breached their duty of reasonable care when they actually and proximately caused Plaintiff to suffer physical and mental injuries.

160. As a direct and proximate result of the aforesaid conduct, actions and inactions of Defendants' agents or employees, and as stated elsewhere herein, Plaintiff was caused to suffer and continues to suffer temporary and permanent physical injuries, physical pain and suffering, mental pain and suffering, including but not limited to, undue emotional distress, mental anguish, humiliation, embarrassment, loss of respect, shame, loss of enjoyment of life and disability, an inability to perform and enjoy his normal and usual activities, and economic damages including, but not limited to, past and future medical bills and expenses, past and future lost time and wages from work, past and future lost earning capacity and unnecessary attorneys' fees, all to the great detriment of Plaintiff.

WHEREFORE, Plaintiff demands judgment against Defendants in an amount to be determined at trial, but in excess of \$75,000.00, plus interest, costs and attorneys' fees, in an amount to be determined at trial.

COUNT VII
Civil Conspiracy

161. Plaintiff adopts and incorporates by reference each and every allegation contained elsewhere herein verbatim with the same effect as if herein fully set forth.

162. Defendants' agents or employees, by agreement and understanding, agreed to and did jointly commit the unconstitutional, unlawful and tortious conduct described herein by unlawful and tortious means, including but not limited to: facilitating violent physical attacks on Mr. Wallace, retaliating against him for not joining the BGF Gang, retaliating against him for reporting the injuries that he sustained, and committing such actions without furthering a legitimate correctional goal.

163. Defendants' agents or employees took at least one unlawful action in knowing furtherance of the conspiracy.

164. Plaintiff suffered, and continues to suffer, actual legal damage as a direct and proximate result of Defendants' actions.

165. As a direct and proximate result of the aforesaid conduct, actions and inactions of Defendants, as well as those stated elsewhere herein, Plaintiff was caused to suffer and continues to suffer the mental, emotional, and economic damages described above.

WHEREFORE, Plaintiff demands judgment against Defendants in an amount to be determined at trial, but in excess of \$75,000.00, plus interest, costs and attorneys' fees, in an amount to be determined at trial.

COUNT VIII
Assault

166. Plaintiff adopts and incorporates by reference each and every allegation contained elsewhere herein verbatim with the same effect as if herein fully set forth.

167. At all times relevant to this action, Defendants' agents or employees acted in concert and joint action with one another.

168. Defendants' agents or employees, in words and actions, acted with intent and capability to do bodily harm to Mr. Wallace.

169. Defendants' agents or employees intended to cause, and did cause, Mr. Wallace to suffer apprehension of immediate battery.

170. As a direct and proximate result of the aforesaid conduct, actions and inactions of Defendants' agents or employees and as stated elsewhere herein, Plaintiff was caused to suffer and continues to suffer temporary and permanent physical injuries, physical pain and suffering, mental pain and suffering, including but not limited to, undue emotional distress, mental anguish, humiliation, embarrassment, loss of respect, shame, loss of enjoyment of life and disability, an inability to perform and enjoy his normal and usual activities, and economic damages including, but not limited to, past and future medical bills and expenses, past and future lost time and wages from work, past and future lost earning capacity and unnecessary attorneys' fees, all to the great detriment of Plaintiff.

WHEREFORE, Plaintiff demands judgment against Defendants in an amount to be determined at trial, but in excess of \$75,000.00, plus interest, costs and attorneys' fees, in an amount to be determined at trial.

COUNT IX
Battery

171. Plaintiff adopts and incorporates by reference each and every allegation contained elsewhere herein verbatim with the same effect as if herein fully set forth.

172. Under the direction and encouragement of Defendants' agents or employees, inmates brutally attacked and beat Mr. Wallace on numerous occasions, subjecting him to severe bodily injury.

173. The actions described herein constitute an intentional touching of Mr. Wallace.

174. Mr. Wallace did not consent to the actions of Defendants' agents or employees.

175. As a direct and proximate result of the aforesaid conduct, actions and inactions of Defendants' agents or employees and as stated elsewhere herein, Plaintiff was caused to suffer and continues to suffer temporary and permanent physical injuries, physical pain and suffering, mental pain and suffering, including but not limited to, undue emotional distress, mental anguish, humiliation, embarrassment, loss of respect, shame, loss of enjoyment of life and disability, an inability to perform and enjoy his normal and usual activities, and economic damages including, but not limited to, past and future medical bills and expenses, past and future lost time and wages from work, past and future lost earning capacity and unnecessary attorneys' fees, all to the great detriment of Plaintiff.

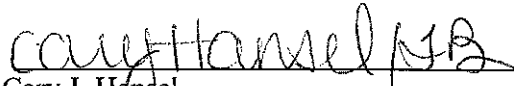
WHEREFORE, Plaintiff demands judgment against Defendants in an amount to be determined at trial, but in excess of \$75,000.00, plus interest, costs and attorneys' fees, in an amount to be determined at trial.

JURY DEMAND

Plaintiff demands a jury trial as to all claims so triable.

Respectfully submitted,

HANSEL LAW, P.C.

A handwritten signature in black ink that reads "Cary Hansel" with a stylized flourish at the end.

Cary J. Hansel
Erienne A. Sutherell
2514 North Charles Street
Baltimore, Maryland 21218
Phone: (301) 461-1040
Fax: (443) 451-8606
Counsel for Plaintiff

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

NICOLE WALLACE
*Individually and as the Parent and
Next Friend of Daquan M. Wallace*
6507 Rosemont Avenue
Baltimore, Maryland 21206

and

DAQUAN M. WALLACE
6507 Rosemont Avenue
Baltimore, Maryland 21206

Plaintiffs,

vs.

STATE OF MARYLAND
SERVE: Nancy K. Kopp
State of Maryland Treasurer's Office
80 Calvert Street
Goldstein Treasury Building
Annapolis, Maryland 21401

and

**DEPARTMENT OF PUBLIC SAFETY &
CORRECTIONAL SERVICES**
SERVE: Stephen T. Moyer
300 East Joppa Road, Suite 1000
Towson, Maryland 21286

and

**DIVISION OF PRETRIAL DETENTION
& SERVICES**
SERVE: Michael R. Resnick
Commissioner of Pretrial Detention & Services
400 E. Madison Street
Baltimore, MD 21202

*** Jury Trial Demanded**

Civil Case No. _____

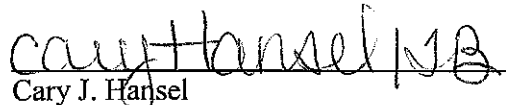
LINE REGARDING SUMMONSES

SIR/MADAM CLERK:

Kindly accept the attached Complaint for Filing, issue summonses thereon, and return to undersigned counsel for service by private process.

Respectfully submitted,

HANSEL LAW, P.C.

Handwritten signature of Cary J. Hansel in black ink, written over a horizontal line.

Cary J. Hansel

Erienne A. Sutherell

2514 North Charles Street

Baltimore, Maryland 21218

Phone: (301) 461-1040

Fax: (443) 451-8606

Counsel for Plaintiffs

CIVIL - NON-DOMESTIC CASE INFORMATION REPORT

DIRECTIONS

Plaintiff: This Information Report must be completed and attached to the complaint filed with the Clerk of Court unless your case is exempted from the requirement by the Chief Judge of the Court of Appeals pursuant to Rule 2-111(a).

Defendant: You must file an Information Report as required by Rule 2-323(h).

THIS INFORMATION REPORT CANNOT BE ACCEPTED AS A PLEADING

FORM FILED BY: PLAINTIFF DEFENDANT CASE NUMBER _____

CASE NAME: Nicole Wallace, et al vs. State of Maryland, et al
Plaintiff Defendant

PARTY'S NAME: Nicole Wallace PHONE: 3014611040

PARTY'S ADDRESS: 6507 Rosemont Avenue, Baltimore, MD 21206

PARTY'S E-MAIL: see below

If represented by an attorney:

PARTY'S ATTORNEY'S NAME: Cary J. Hansel/ Erienne Sutherell PHONE: 301-461-1040

PARTY'S ATTORNEY'S ADDRESS: 2514 N. Charles Street, Baltimore, MD 21218

PARTY'S ATTORNEY'S E-MAIL: csutherell@hansellaw.com

JURY DEMAND? Yes No

RELATED CASE PENDING? Yes No If yes, Case #(s), if known: N/A Federal Filing

ANTICIPATED LENGTH OF TRIAL?: _____ hours 14 days

PLEADING TYPE

New Case: Original Administrative Appeal Appeal

Existing Case: Post-Judgment Amendment

If filing in an existing case, skip Case Category/ Subcategory section - go to Relief section.

IF NEW CASE: CASE CATEGORY/SUBCATEGORY (Check one box.)

<p>TORTS</p> <p><input type="checkbox"/> Asbestos</p> <p><input type="checkbox"/> Assault and Battery</p> <p><input type="checkbox"/> Business and Commercial</p> <p><input type="checkbox"/> Conspiracy</p> <p><input type="checkbox"/> Conversion</p> <p><input type="checkbox"/> Defamation</p> <p><input type="checkbox"/> False Arrest/Imprisonment</p> <p><input type="checkbox"/> Fraud</p> <p><input type="checkbox"/> Lead Paint - DOB of Youngest Plt: _____</p> <p><input type="checkbox"/> Loss of Consortium</p> <p><input type="checkbox"/> Malicious Prosecution</p> <p><input type="checkbox"/> Malpractice-Medical</p> <p><input type="checkbox"/> Malpractice-Professional</p> <p><input type="checkbox"/> Misrepresentation</p> <p><input type="checkbox"/> Motor Tort</p> <p><input type="checkbox"/> Negligence</p> <p><input type="checkbox"/> Nuisance</p> <p><input type="checkbox"/> Premises Liability</p> <p><input type="checkbox"/> Product Liability</p> <p><input type="checkbox"/> Specific Performance</p> <p><input type="checkbox"/> Toxic Tort</p> <p><input type="checkbox"/> Trespass</p> <p><input type="checkbox"/> Wrongful Death</p> <p>CONTRACT</p> <p><input type="checkbox"/> Asbestos</p> <p><input type="checkbox"/> Breach</p> <p><input type="checkbox"/> Business and Commercial</p> <p><input type="checkbox"/> Confessed Judgment</p> <p>(Cont'd)</p> <p><input type="checkbox"/> Construction</p> <p><input type="checkbox"/> Debt</p> <p><input type="checkbox"/> Fraud</p>	<p><input type="checkbox"/> Government Insurance</p> <p><input type="checkbox"/> Product Liability</p> <p>PROPERTY</p> <p><input type="checkbox"/> Adverse Possession</p> <p><input type="checkbox"/> Breach of Lease</p> <p><input type="checkbox"/> Detinue</p> <p><input type="checkbox"/> Distress/Distrain</p> <p><input type="checkbox"/> Ejectment</p> <p><input type="checkbox"/> Forcible Entry/Detainer</p> <p><input type="checkbox"/> Foreclosure</p> <p><input type="checkbox"/> Commercial Residential</p> <p><input type="checkbox"/> Currency or Vehicle</p> <p><input type="checkbox"/> Deed of Trust</p> <p><input type="checkbox"/> Land Installments</p> <p><input type="checkbox"/> Lien</p> <p><input type="checkbox"/> Mortgage</p> <p><input type="checkbox"/> Right of Redemption</p> <p><input type="checkbox"/> Statement Condo</p> <p><input type="checkbox"/> Forfeiture of Property / Personal Item</p> <p><input type="checkbox"/> Fraudulent Conveyance</p> <p><input type="checkbox"/> Landlord-Tenant</p> <p><input type="checkbox"/> Lis Pendens</p> <p><input type="checkbox"/> Mechanic's Lien</p> <p><input type="checkbox"/> Ownership</p> <p><input type="checkbox"/> Partition/Sale in Lieu</p> <p><input type="checkbox"/> Quiet Title</p> <p><input type="checkbox"/> Rent Escrow</p> <p><input type="checkbox"/> Return of Seized Property</p> <p><input type="checkbox"/> Right of Redemption</p> <p><input type="checkbox"/> Tenant Holding Over</p>	<p>PUBLIC LAW</p> <p><input type="checkbox"/> Attorney Grievance</p> <p><input type="checkbox"/> Bond Forfeiture Remission</p> <p><input checked="" type="checkbox"/> Civil Rights</p> <p><input type="checkbox"/> County/Mncpl Code/Ord</p> <p><input type="checkbox"/> Election Law</p> <p><input type="checkbox"/> Eminent Domain/Condemn.</p> <p><input type="checkbox"/> Environment</p> <p><input type="checkbox"/> Error Coram Nobis</p> <p><input type="checkbox"/> Habeas Corpus</p> <p><input type="checkbox"/> Mandamus</p> <p><input type="checkbox"/> Prisoner Rights</p> <p><input type="checkbox"/> Public Info. Act Records</p> <p><input type="checkbox"/> Quarantine/Isolation</p> <p><input type="checkbox"/> Writ of Certiorari</p> <p>EMPLOYMENT</p> <p><input type="checkbox"/> ADA</p> <p><input type="checkbox"/> Conspiracy</p> <p><input type="checkbox"/> EEO/HR</p> <p><input type="checkbox"/> FLSA</p> <p><input type="checkbox"/> FMLA</p> <p><input type="checkbox"/> Workers' Compensation</p> <p><input type="checkbox"/> Wrongful Termination</p> <p>INDEPENDENT PROCEEDINGS</p> <p><input type="checkbox"/> Assumption of Jurisdiction</p> <p><input type="checkbox"/> Authorized Sale</p> <p><input type="checkbox"/> Attorney Appointment</p> <p><input type="checkbox"/> Body Attachment Issuance</p> <p><input type="checkbox"/> Commission Issuance</p>	<p><input type="checkbox"/> Constructive Trust</p> <p><input type="checkbox"/> Contempt</p> <p><input type="checkbox"/> Deposition Notice</p> <p><input type="checkbox"/> Dist Ct Mtn Appeal</p> <p><input type="checkbox"/> Financial</p> <p><input type="checkbox"/> Grand Jury/Petit Jury</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Perpetuate Testimony/Evidence</p> <p><input type="checkbox"/> Prod. of Documents Req.</p> <p><input type="checkbox"/> Receivership</p> <p><input type="checkbox"/> Sentence Transfer</p> <p><input type="checkbox"/> Set Aside Deed</p> <p><input type="checkbox"/> Special Adm. - Atty</p> <p><input type="checkbox"/> Subpoena Issue/Quash</p> <p><input type="checkbox"/> Trust Established</p> <p><input type="checkbox"/> Trustee Substitution/Removal</p> <p><input type="checkbox"/> Witness Appearance-Compel</p> <p>PEACE ORDER</p> <p><input type="checkbox"/> Peace Order</p> <p>EQUITY</p> <p><input type="checkbox"/> Declaratory Judgment</p> <p><input type="checkbox"/> Equitable Relief</p> <p><input type="checkbox"/> Injunctive Relief</p> <p><input type="checkbox"/> Mandamus</p> <p>OTHER</p> <p><input type="checkbox"/> Accounting</p> <p><input type="checkbox"/> Friendly Suit</p> <p><input type="checkbox"/> Grantor in Possession</p> <p><input type="checkbox"/> Maryland Insurance Administration</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Specific Transaction</p> <p><input type="checkbox"/> Structured Settlements</p>
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17 DEC 15 PM 3:39
 CIVIL DIVISION
 BALTIMORE CITY

**COMPLEX SCIENCE AND/OR TECHNOLOGICAL CASE
MANAGEMENT PROGRAM (ASTAR)**

*FOR PURPOSES OF POSSIBLE SPECIAL ASSIGNMENT TO ASTAR RESOURCES JUDGES under
Md. Rule 16-302, attach a duplicate copy of complaint and check whether assignment to an ASTAR is requested.*

- Expedited** - Trial within 7 months of Defendant's response **Standard** - Trial within 18 months of Defendant's response

**IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY, OR BALTIMORE COUNTY,
PLEASE FILL OUT THE APPROPRIATE BOX BELOW.**

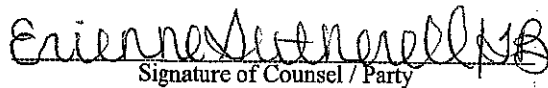
CIRCUIT COURT FOR BALTIMORE CITY (CHECK ONLY ONE)

- Expedited Trial 60 to 120 days from notice. Non-jury matters.
- Civil-Short Trial 210 days from first answer.
- Civil-Standard Trial 360 days from first answer.
- Custom Scheduling order entered by individual judge.
- Asbestos Special scheduling order.
- Lead Paint Fill in: Birth Date of youngest plaintiff _____.
- Tax Sale Foreclosures Special scheduling order.
- Mortgage Foreclosures No scheduling order.

CIRCUIT COURT FOR BALTIMORE COUNTY

- Expedited (Trial Date-90 days) Attachment Before Judgment, Declaratory Judgment (Simple), Administrative Appeals, District Court Appeals and Jury Trial Prayers, Guardianship, Injunction, Mandamus.
- Standard (Trial Date-240 days) Condemnation, Confessed Judgments (Vacated), Contract, Employment Related Cases, Fraud and Misrepresentation, International Tort, Motor Tort, Other Personal Injury, Workers' Compensation Cases.
- Extended Standard (Trial Date-345 days) Asbestos, Lender Liability, Professional Malpractice, Serious Motor Tort or Personal Injury Cases (medical expenses and wage loss of \$100,000, expert and out-of-state witnesses (parties), and trial of five or more days), State Insolvency.
- Complex (Trial Date-450 days) Class Actions, Designated Toxic Tort, Major Construction Contracts, Major Product Liabilities, Other Complex Cases.

12/ 15/ 2017
Date
2514 N. Charles Street
Address
Baltimore MD 21218
City State Zip Code


Signature of Counsel / Party
Erienne A. Sutherland
Printed Name