

STATE OF INDIANA) IN THE HOWARD _____ COURT
) SS:
COUNTY OF HOWARD)

ESTATE OF JAMES BRANDON PATTERSON)
 Plaintiff,)

VS.)

CAUSE NO.:

HOWARD COUNTY SHERIFF DEPARTMENT,)
UNKNOWN OFFICERS OF HOWARD)
COUNTY JAIL, in their Individual and Official)
capacities, AND UNKNOWN AGENTS OF)
HOWARD COUNTY JAIL, in their individual)
And Official Capacities.)
 Defendants.)

COMPLAINT

Comes Now, Plaintiff, Estate of James Brandon Patterson, by Counsel Russell W. Brown, Jr. of King, Brown & Murdaugh, LLC and for his Complaint against the Defendants, Howard County Sheriff Department, Unknown Officers of Howard County Jail in their official and individual capacity and Unknown Agents of the Howard County Jail in their official and individual capacity states and alleges as follows:

PARTIES

1. The Plaintiff, the Estate of James Brandon Patterson, is a legal entity with the capacity to sue and be sued.
2. Defendant Howard County Sheriff Department is a governmental agency located in Howard County, State of Indiana.
3. Defendant Unknown Officers of Howard County Jail, at all relevant times hereto, were employed as correctional officers at the Howard County Jail located in Howard County, Indiana.

4. Defendant Unknown Agents of the Howard County Jail, at all relevant times hereto, were contracted with Howard County Sheriff Department to provide medical services to inmates of the Howard County Jail.
5. Each individual Defendant was acting within the scope of his or her employment in regard to the conduct and actions asserted in this Complaint.
6. Each individual Defendant was acting under color of state law within the meaning of 42 U.S.C. § 1983 in regard to the conduct and actions asserted in this Complaint.

ALLEGATIONS OF FACT AS TO ALL CAUSES OF ACTION

7. On August 8, 2017, James Brandon Patterson was arrested by the City of Kokomo Police Department and taken to the Howard County Jail.
8. Mr. Patterson was placed in a holding cell at the Howard County Jail.
9. While he was in custody at the Howard County Jail, Mr. Patterson exhibited signs of mental instability and that he was suicidal.
10. Despite the signs that he was suicidal, Mr. Patterson was not evaluated by the Unknown Officers of Howard County Jail or the Unknown Agents of the Howard County Jail.
11. Mr. Patterson was not referred to a mental health specialist or placed on “special watch.”
12. Instead, Mr. Patterson was placed in a holding cell where he committed suicide.
13. The Howard County Jail had a regular practice and policy of permitting its correctional officers to disregard the fact that an inmate was suicidal.

VIOLATIONS OF LAW

14. Because of their deliberate indifference in failing to protect Mr. Patterson from his known risk of committing suicide, the individual Defendants are responsible for having failed to protect Mr. Patterson while he was in their care and/or custody from his known propensity to commit suicide, in violation of Mr. Patterson's right to be free from cruel and unusual punishment, guaranteed by the Eighth Amendment to the United States Constitution.
15. Because of their deliberate indifference in addressing the known serious medical needs of Mr. Patterson, the individual Defendants are responsible for having allowed Mr. Patterson to commit suicide while in their care and/or custody, in violation of Mr. Patterson's right to be free from cruel and unusual punishment, guaranteed by the Eighth Amendment to the United States Constitution.
16. Defendant Howard County Sheriff Department maintained a policy, custom, or practice of deliberate indifference to the serious medical needs of inmates at the Howard County Jail, including James Brandon Patterson, in violation of Mr. Patterson's rights protected by the Eighth Amendment to the United States Constitution.

DAMAGES

17. By virtue of unlawful actions alleged above, James Brandon Patterson sustained loss of life, economic losses, pain, suffering, mental and emotional distress, and other damages for which his estate should be compensated in an amount deemed just by the Court.

DEMAND FOR JURY TRIAL

18. Plaintiff hereby demands a trial by jury of all issues triable of right to a jury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that the Court grant judgment against Defendants, awarding it:

1. Monetary damages in an amount that will fairly compensate Plaintiff for its injuries;
2. Its costs, attorneys' fees, and litigation expenses as well as any further relief

that this Court deems just.

Dated this 8th day of August, 2019.

Respectfully submitted,

King, Brown & Murdaugh, LLC

By: /s/ Russell W. Brown, Jr.
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