

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI

Othel Moore 1096163 )  
(full name) (Register No.) )

\_\_\_\_\_ )  
\_\_\_\_\_ )

Plaintiff(s).

v.

Corizon Medical Service, Inc. )  
(Full name) )

\_\_\_\_\_ )  
\_\_\_\_\_ )

Defendant(s).

Case No. \_\_\_\_\_

Jury Demand

Defendants are sued in their (check one):

Individual Capacity

Official Capacity

Both

**COMPLAINT UNDER THE CIVIL RIGHTS ACT OF 42 U.S.C. § 1983**

I. Place of present confinement of plaintiff(s): South Central Correction Center

II. Parties to this civil action:

Please give your commitment name and any another name(s) you have used while incarcerated.

A. Plaintiff Othel Moore Register No. 1096163  
Address 255 West Highway 32, Licking, MO 63542

B. Defendant Corizon Medical Service  
Is employed as Medical Service Provide

For additional plaintiffs or defendants, provide above information in same format on a separate page.



## List of Defendants

Mr. Dave, Nurse Practitioner

Shawn Bonner, Sergeant

Wixon, COI

Paul Nawrath, COI

Douglas Arthur, COI

## As To Exhaustion

Plaintiff has broken bones and seeks Temporary Restraining Order or Preliminary Injunction to compel Defendant Nurse Practitioner to refer Plaintiff to the appropriate bone specialist for emergency medical treatment to repair bones to prevent irreparable injury thereto from hands being maliciously crushed between iron door port while Defendant Paul Nawrath repeatedly viciously stabbed his hands with meter cell keys. This can't await 6 to 9 month period required to complete grievance appeal stage. Additionally, Plaintiff's hands are very swollen, disfigured and may remain crooked without treatment. However, my grievance is pending at this time.

This court has discretionary authority to allow this case to go forward to avoid irreparable harm. Evans v. Saar, 412 F.Supp.2d 519, 527 (D.Md. 2006); Jackson v. District of Columbia, 254 F.3d 262, 267-68 (D.C. Cir. 2001). Federal courts have equitable power to stop ongoing conduct that violates an inmates constitutional rights. Tvelin v. Dept. of Corr., 2003 U.S. Dist. Lexis 2227 at 5.

- (3) Court where filed: \_\_\_\_\_
- (4) Case Number and citation: \_\_\_\_\_
- (5) Basic claim made: \_\_\_\_\_
- (6) Date of disposition: \_\_\_\_\_
- (7) Disposition: \_\_\_\_\_  
(Pending) (on appeal) (resolved)
- (8) If resolved, state whether for: \_\_\_\_\_  
(Plaintiff or Defendant)

For additional cases, provide the above information in the same format on a separate page.

IX. Statement of claim:

A. State here as briefly as possible the facts of your claim. Describe how each named defendant is involved. Include the names of other persons involved, dates and places. Describe specifically the injuries incurred. Do not give legal arguments or cite cases or statutes. You may do that in Item "B" below. If you allege related claims, number and set forth each claim in a separate paragraph. Use as much space as you need to state the facts. Attach extra sheets, if necessary. Unrelated separate claims should be raised in a separate civil action.

*See Attached Section*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

B. State briefly your legal theory or cite appropriate authority:

*Excessive and Unnecessary use of Force*

*Permanent Irreparable Physical Injury*

*Deliberate Indifference to Personal Safety*

*Deliberate Indifference to serious medical needs*

*subjected to cruel and unusual punishment in violation of Amendment 8*

*Denial of Due Process in violation of Amendment 14*

\_\_\_\_\_

\_\_\_\_\_

## Statement of Facts

On March 7, 2021 during dinner meal, while assigned to administrative segregation (ad. seg.) cell 2A-109 with cellmate Keith Greenlaw, Plaintiff verbally told Defendants Paul Nawrath and Douglas Arthur that "the actions of his cellmate cause him to fear for his life."

Plaintiff verbally told Defendants Nawrath (hereafter Nawrath) and Arthur (hereafter Arthur) that the actions and verbal threats made by his cellmate (Keith Greenlaw) caused him to fear for his life.

However, Nawrath and Arthur refused to acknowledge that request, the written request on paper, and told Plaintiff to "remove his hand from door port (opening where food tray is inserted).

As Plaintiff pled earnestly for his personal safety Nawrath and Arthur began jointly punishing Plaintiff shoving the iron door port on to his hands yelling, "dumb ass nigger we're not going to remove you from the cell so get your fucking hands off the chuck-hole!"

Plaintiff, experiencing excruciating pain, begged Nawrath and Arthur to release his hands from the door port. Instead Nawrath called Bonner and Wixom.

Bonner and Wixom jointly applied their hand to door port and began shoving it even harder to achieve maximum pain.

Nawrath, as camera will show, pulled keys from his pocket and repeatedly stabbed

Plaintiff's hands in viciously sadistic manner and gritting his teeth stating, "you coward wigger bitch I'm going to teach you a lesson."

Bonner and Wixom grabbed Plaintiff fingers and wrist and twist and bend them backwards and sideways as hard as they could, until they cracked.

As a result Plaintiff's fingers are swollen, painful to the point that he can barely manage ink pen, eating utensils, and tooth brush.

Under promulgated Missouri Department of Corrections Protective Custody Policy § 21-1.3 staff are to immediately remove offender from cell who express that action by cellmate put him in fear of life or personal safety.

The bone breaking degree of force utilized against Plaintiff for simply requesting his due process right to protective custody, was both excessive and unnecessary. In violation of Amendments 8 and 14 to Constitution of United States.

Plaintiff didn't pose a threat to Defendants nor other staff member locked inside of his prison cell.

Defendants Bonner, Nawsath, Wixom, and Arthur showed a deliberate indifference to or reckless disregard for Plaintiff's personal safety. In violation of Amendments 8 and 14 the Constitution of United States.

Plaintiff request damages from Defendants as set forth

Shawn Bonner: \$250,000 Compensatory, \$100,000 Punitive

Paul Nawrath: \$350,000 Compensatory, \$250,000 Punitive

Douglas Arthur: \$250,000 Compensatory, \$100,000 Punitive

WEXOM : \$250,000 Compensatory, \$100,000 Punitive

## Statement of Facts

To date 6 weeks hereafter Plaintiff has not received any medical treatment for his injuries to hands and arm.

On March 12, 2021 Plaintiff was escorted to prison hospital where he was given Xray of his hands and arm.

Plaintiff filed 29 Health Service Request (HSR) pleading for treatment of what is believe to be broken bones, ruptured joints, etc.

Corizon Medical Service, Inc is the exclusive medical service provider of the MDOC. To whom Plaintiff expressed extreme pain and suffering.

CMS, Inc. has shown a deliberate indifference to Plaintiff's serious medical needs. In violation of Hospital and specialized ambulatory care policy JS11-30

Nurse Caroline told Plaintiff his hands will remain in the swollen disfigured condition the rest of his life.

CMS, Inc. showed deliberate indifference to Plaintiff's serious medical needs, to which Plaintiff has due process right. CMS, Inc subjected Plaintiff to cruel and unusual punishment in violation of Amendments 8 and 14 to constitution of United States.

Plaintiff request damages from Defendant CMS, Inc. of:  
\$300,000 Compensatory and \$100,000 Punitive

Othel Moore  
Othel Moore



X. Relief: State briefly exactly what you want the court to do for you. Make no legal arguments.  
Appoint Attorney to represent me  
Grant temporary restraining order or preliminary injunction for medical treatment

XI. Counsel:

A. If someone other than a lawyer is assisting you in preparing this case, state the person's name. Bill

B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action? Yes \_\_\_ No

If your answer is "Yes," state the names(s) and address(es) of each lawyer contacted.  
Don't have attorney contact information.

C. Have you previously had a lawyer representing you in a civil action in this court? Yes \_\_\_ No

If your answer is "Yes," state the name and address of the lawyer.

**I declare under penalty of perjury that the foregoing is true and correct.**

Executed (signed) this 13 day of April 20  .

[Signature]  
Signature(s) of Plaintiff(s)