

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

RICHARD SCOTT SHAFER, §
TDCJ-ID 1680002 §
W.G. McCONNELL UNIT §
3001 S. EMILY DRIVE §
BEEVILLE, TEXAS 78102 §

PLAINTIFF, §

vs., §

SENIOR WARDEN JERRY SANCHEZ §
W.G. McCONNELL UNIT §
3001 S. EMILY DRIVE §
BEEVILLE, TEXAS 78102 §

DEFENDANT. §

CAUSE NO. _____

United States Courts
Southern District of Texas
FILED

MAR 11 2022

Nathan Ochsner, Clerk of Court

COMPLAINT

I. JURISDICTION & VENUE

1. THIS IS A CIVIL ACTION AUTHORIZED BY 42 U.S.C. SECTION 1983 TO REDRESS THE DEPRIVATION, UNDER COLOR OF STATE LAW, OF RIGHTS SECURED BY THE CONSTITUTION OF THE UNITED STATES. THE COURT HAS JURISDICTION UNDER 28 U.S.C. SECTIONS 1331 AND 1343(a)(3). PLAINTIFF SEEKS DECLARATORY RELIEF PURSUANT TO 28 U.S.C. SECTIONS 2201 AND 2202. PLAINTIFF'S CLAIMS FOR INJUNCTIVE RELIEF ARE AUTHORIZED BY 28 U.S.C. SECTIONS 2283 & 2284 AND RULE 65 OF THE FEDERAL RULES OF CIVIL PROCEDURE.

2. THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, CORPUS CHRISTI DIVISION, IS AN APPROPRIATE VENUE UNDER 28 U.S.C. SECTION 1391(b)(2) BECAUSE IT IS WHERE THE EVENTS GIVING RISE TO THIS CLAIM OCCURRED.

II. PLAINTIFF

3. PLAINTIFF, RICHARD SCOTT SHAFER, IS AND WAS AT ALL TIMES MENTIONED HEREIN A PRISONER OF THE STATE OF TEXAS, IN THE CUSTODY OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, CONFINED AT THE W.G. McCONNELL UNIT LOCATED IN BEEVILLE, TEXAS.

III. DEFENDANT

4. DEFENDANT JERRY SANCHEZ, IS THE SENIOR WARDEN AT THE W.G. McCONNELL UNIT, LOCATED IN BEEVILLE, TEXAS, FOR THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. HE IS LEGALLY RESPONSIBLE FOR THE CONDUCT OF CORRECTIONAL OFFICERS AT THE UNIT AND FOR THE OVERALL OPERATIONS OF THE INSTITUTION, AS WELL AS THE WELFARE OF ALL INMATES IN THAT PRISON.

5. THE DEFENDANT IS SUED IN HIS OFFICIAL AND INDIVIDUAL CAPACITIES. AT ALL TIMES MENTIONED IN THIS COMPLAINT, THE DEFENDANT ACTED UNDER THE COLOR OF STATE LAW.

IV. FACTS

6. ON SEPTEMBER 26TH, 2019, THE PLAINTIFF WAS MOVED FROM THE H.H. COFFIELD UNIT, LOCATED IN TENNESSEE COLONY, TEXAS TO THE W.G. McCONNELL UNIT, LOCATED IN BEEVILLE, TEXAS. AT THAT TIME, AS SOON AS THE PLAINTIFF DEPARTED FROM THE BUS, THE HEAT AND HUMIDITY AFFECTED HIS PERSON, MAKING IT DIFFICULT TO EQUALIZE AND GET USE TO THE CHANGE. THE TEMPERATURES IN THE HOUSING AREAS WERE JUST AS HOT AND EVEN HOTTER AND MORE HUMID THAT OUTSIDE MEASUREMENTS.

7. ALTHOUGH THE UNIT HAS AREAS FOR RESPITE, WHICH ARE EQUIPPED WITH AIR-CONDITIONING, THOSE AREAS FOR RELIEF ARE ONLY TEMPORARY DUE TO THE OFFICERS ON THE UNIT LIMITING THE AMOUNT OF TIME AN OFFENDER CAN SPEND THERE. ONCE THEY ARE TOLD TO LEAVE, THOSE INMATES ARE ONCE AGAIN EXPOSED TO EXCESSIVE HEAT AND HUMIDITY.

8. THE PLAINTIFF WAS 49 YEARS OF AGE AT THE TIME, OVER WEIGHT, WITH PROBLEM WITH HIS CIRULATION IN HIS LOWER EXTEMITIES. ADDITIONALLY, THE PLAINTIFF TAKES MEDICATIONS FOR CHRONIC PAIN AND ALLERGIES, NERVE PAIN, AND PSYCHOTROPIC MEDICATIONS FOR ANXIETY RELATED TO POST TRAUMATICE STRESS DISORDER (PTSD). THE COMBINATION OF THESE FACTORS PLACES THE PLAINTIFF AT HIGHER RISK FOR HEAT-RELATED ILLNESSES. THESE CONDITIONS ARE DOCUMENTED WITH THE UNIT'S MEDICAL DEPARTMENT AND NOTED ON THE PLAINTIFF'S RESTRICTIONS LIST. BECAUSE OF THOSE RESTRICTIONS, THE PLAINTIFF HAS TO LIVE IN A CELL THAT IS ON THE BOTTOM LEVEL AND BOTTOM BUNK.

9. ON AUGUST 5TH, 2020, WHILE CONFINED IN A MEDIUM CUSTODY HOUSING AREA (8BLDG. J1-POD), THE PLAINTIFF SUFFERED SYMPTOMS OF HEAT-RELATED ILLNESSES, WHICH INCLUDED DIZZINESS, NAUSEA, HEADACHE, AND NOT SWEATING. THE CELL WAS EXTREMELY HOT AND HUMID. AN OFFICER WAS ADVISED (OFFICER ZAMEZ) THAT THE PLAINTIFF NEEDED A RESPITE SHOWER. THAT OFFICER REFUSED TO FOLLOW PROCEDURES FOUND IN AD 10.64: HEAT MITIGATION MEASURES. ANOTHER OFFICER, WHO WAS UNKNOWN AT THE TIME, ALSO REFUSED THE PLAINTIFF RESPITE. OTHER OFFENDERS WERE GETTING RESPITE SHOWERS WHO DO NOT SUFFER FROM PROBLEMS WITH HEAT.

10. OFFICER ZAMEZ FINALLY RETURNED HOURS LATER, DENYING THE PLAINTIFF NEEDED RESPITE, BY STATING, " IF I GIVE YOU A SHOWER, THEN I HAVE TO GIVE EVERYONE A SHOWER!"

11. THE PLAINTIFF PASSED OUT FROM THE HEAT AROUND 2:00 A.M. SOME TIME LATER, THE PLAINTIFF WOKE UP NEAR THE CELL DOOR. NEITHER OFFICER CONDUCTED HEALTH AND WELLNESS CHECKS.

12. I WROTE A GRIEVANCE AGAINST THOSE OFFICERS, WHICH WAS SENT OUT ON AUGUST 6TH, 2020. A RESPONSE TO IT CAME BACK AUTHORIZED BY WARDEN CASTRO ON SEPTEMBER 17TH, 2020, WHICH SAID "YOUR COMPLAINT HAS BEEN NOTED. INVESTIGATION DID NOT

REVEAL ANY MERIT TO YOUR CLAIMS. STAFF STATEMENTS AND VERIFICATIONS PROVIDED DO NOT COLLABORATE YOUR ALLEGATIONS." A STEP 2 APPEAL WAS FILED ON SEPTEMBER 18TH, 2020, AND WAS RETURNED FEBURARY 21ST, 2021 AFTER TWO EXTENSIONS, WITH THE RESPONSE OF "THERE IS INSUFFICIENT EVIDENCE TO SUPPORT YOUR ALLEGATIONS THAT STAFF DENIED YOU RESPITE. ADMINISTRATION IS AWARE OF YOUR COMPLAINT AND WILL CONTINUE TO MONITOR STAFF CONDUCT TO ENSURE THAT INMATES NEEDING OR REQUESTING RESPITE, RECEIVE ACCESS. IMMEDIATE CORRECTIVE ACTION WILL BE TAKEN SHOULD ANY STAFF MISCONDUCT BE CONFIRMED. BASED ON THE EVIDENCE AVAILABLE AT THIS TIME, NO FURTHER INVESTIGATION IS WARRANTED."

13. ON AUGUST 6TH, 2020, AT 8:15 P.M. AND 9:35 P.M., OFFICER LARA WAS ADVISED BY THE PLAINTIFF THAT HE HAS BEEN SUFFERING FROM SYMPTOMS OF HEAT-RELATED ILLNESSES FOR THE LAST THREE DAYS. THE OFFICER REFUSED BY JUST SHRUGGING HIS SHOULDERS AND WALKING AWAY. OVER AN HOUR LATER, I TOLD HIM AGAIN THAT I NEEDED A RESPITE, AND HE SAID, "YOU'RE NOT GETTING A SHOWER BECAUSE YOUR BITCHING TOO MUCH." I ASKED FOR A SUPERVISOR AND HE REFUSED. OUT OF RETALIATION LATER FOR TELLING HIM THAT I WAS GOING TO WRITE A COMPLAINT AGAINST HIM, HE VIOLENTLY THREW MAIL AT THE PLAINTIFF THROUGH THROUGH THE DOOR.

14. ON AUGUST 6TH, 2020, THE PLAINTIFF FILED A STEP 1 GRIEVANCE AGAINST OFFICER LARA. IT WAS RETURNED SEPTEMBER 21ST, 2020 WITH THE RESPONSE OF "AFTER OBTAINING AND REVIEWING STATEMENTS FROM STAFF, [NO REFERRING TO THE TWO WITNESSES THAT WERE PROVIDED IN THE GRIEVANCE] NO EVIDENCE WAS FOUND THAT THE STAFF NAMED IN YOUR GRIEVANCE DENIED YOU A RESPITE SHOWER OR THAT STAFF VIOLATED POLICY. EMPLOYEES ARE INSTRUCTED TO ADHERE TO ALL AGENCY RULES AND REGULATIONS, SUSTAINED VIOLATIONS ARE DEALT WITH IN ACCORDANCE TO AGENCY POLICY AND NOT SUBJECT FOR DISCLOSURE."

15. ON SEPTEMBER 25TH, 2020, THE PLAINTIFF FILED A STEP 2 APPEAL, WHICH WAS RETURNED JANUARY 5TH, 2021 WITH THE FOLLOWING RESPONSE: "YOUR STEP1 GRIEVANCE HAS BEEN REVIEWED;

IT SUFFICIENTLY ADDRESSED YOUR COMPLAINT. OFFICER LARA DENIED YOUR ALLEGATIONS AND NO EVIDENCE WAS PRESENTED TO SUBSTANTIATE YOUR CLAIM. IT'S THE RESPONSIBILITY OF STAFF TO MAINTAIN THE HIGHEST POSSIBLE STANDARDS OF PERFORMANCE AND RESPONSIBILITY IN THEIR DUTIES."

16. ON SEPTEMBER 14TH, 2020, THE PLAINTIFF ADVISED SGT. NINO AND HIS OFFICER THAT HE WAS SUFFERING FROM HEAT-RELATED ILLNESSES AND NEEDED A RESPITE SHOWER AND RESPITE AREA. SGT. NINO AND HIS OFFICER REFUSED AND WALKED AWAY. THE PLAINTIFF PASSED OUT SHORTLY THEREAFTER. HIS CELLMATE, OFFENDER ZAWALA, POURED WATER OVER HIM AND PUT ALL THE FANS IN THE CELL ON HIM. THIRTY (30) MINUTES LATER THE PLAINTIFF WOKE UP, STILL SUFFERING FROM THE HEAT-RELATED ILLNESSES.

17. THE PLAINTIFF, ON SEPTEMBER 15TH, 2020, FILED A GRIEVANCE AGAINST SGT. NINO AND HIS OFFICER. IT WAS NEVER RETURNED OR PROCESSED. THE PLAINTIFF WROTE ANOTHER STEP 1 GRIEVANCE, WHICH WAS NOT PROCESSED BECAUSE OF THE TIME FRAME OF 15 DAYS HAD EXPIRED. IT IS THE BELIEF THAT SGT. NINO INTERCEPTED THE ORIGINAL STEP 1 GRIEVANCE BEFORE IT COULD REACH THE GRIEVANCE DEPARTMENT.

18. ON OCTOBER 4TH, 2020, THE PLAINTIFF WROTE THE UNIT WARDEN ABOUT THE ISSUES WITH OFFICERS NOT FOLLOWING THE RULES SET OUT IN AD-10.64, WHICH ARE THE HEAT MITIGATION MEASURES. IT WAS NEVER RESPONDED TO. THEREFORE, BECAUSE OF THE RESPONSIBILITIES A WARDEN HAS AT EACH UNIT, THEY ARE ACCOUNTABLE FOR THE ACTIONS OF THEIR OFFICERS.

19. ON JUNE 9TH, 2021, OFFICER GARNER DENIED MY REQUESTS FOR A RESPITE SHOWER WHEN I COMPLAINED TO HIM ABOUT PROBLEMS WITH THE HEAT. SGT. REYES, THE SUPERVISOR ON DUTY, ALSO REFUSED THE PLAINTIFF A RESPITE SHOWER.

20. THE PLAINTIFF FILED A STEP 1 GRIEVANCE AGAINST OFFICER GARNER AND SGT. REYES. IT WAS RETURNED 8-27-2021 STATING, STAFF
CONCERNED AT THE TIME.

"CONTEND AT NO TIME WERE YOU DENIED A RESPITE SHOWER. NOTE SECURITY STAFF IS TRAINED TO ALWAYS CARRY A HEAT RESTRICTED LIST OF INMATES IN THEIR ASSIGNED AREA. NO EVIDENCE WAS FOUND TO SUBSTANTIATE THAT STAFF ACTED INAPPROPRIATELY. NO FURTHER ACTION IS WARRANTED."

1. ON AUGUST 30TH, 2021, THE PLAINTIFF FILED A STEP 2 APPEAL, WHICH WAS RETURNED ON NOVEMBER 20TH, 2021. THE RESPONSE STATES: "AN INVESTIGATION WAS CONDUCTED INTO YOUR ALLEGATIONS. DUE TO OFFICER GARNER NOT WORKING YOUR SECTION ON SAID DATE AND SGT REYES NOT HAVING THE AUTHORITY TO DENY RESPITE IN ITS ENTIRETY YOUR STATEMENTS COULD NOT BE VERIFIED. NO FURTHER ACTION IS WARRANTED." THERE WAS NO MENTION IN EITHER GRIEVANCE THAT THEY QUESTIONED THE WITNESSES OR CONSULTED THE CAMERA. IT IS QUITE OFTEN DAILY THAT WHILE OFFICERS GO TO LUNCH, OTHERS WILL WORK IN ALL AREAS BECAUSE OF STAFF SHORTAGES.

2. ON JULY 11TH, 2021, OFFICER MONTOYA REFUSED TO LET THE PLAINTIFF HAVE A RESPITE SHOWER BECAUSE HE WAS HAVING DIFFICULTIES WITH THE HEAT. A SGT WAS ADVISED DURING CHOW WHO TOOK THE PLAINTIFF'S INFORMATION, BUT THE PLAINTIFF WAS STILL DENIED RESPITE. ON JULY 11TH, 2021, THE PLAINTIFF FILED A STEP 1 GRIEVANCE, WHICH WAS RETURNED ON AUGUST 20, 2021 WITH THE RESPONSE: "NO EVIDENCE OF STAFF MISCONDUCT OR STAFF VIOLATING POLICY. EMPLOYEES ARE INSTRUCTED TO ADHERE TO ALL AGENCY RULES AND REGULATIONS, SUSTAINED VIOLATIONS ARE DEALT WITH IN ACCORDANCE WITH AGENCY POLICY AND NOT SUBJECT TO DISCLOSURE. NO FURTHER ACTION IS WARRANTED BY THIS OFFICE."

3. ON AUGUST 26TH, 2021, THE PLAINTIFF FILED HIS STEP 1 APPEAL WHICH WAS RETURNED NOVEMBER 19TH, 2021 WITH THE RESPONSE: "...NOTHING WAS DISCOVERED TO INDICATE ANY TDCJ POLICY HAS BEEN VIOLATED AND/OR TO SUGGEST ANY EMPLOYEE MISCONDUCT. NO FURTHER ACTION IS WARRANTED BY THIS OFFICE."

4. ON SEPTEMBER 15, 2021, THE PLAINTIFF WROTE AN INMATE REQUEST FORM TO WARDEN SANCHEZ REGARDING THE TERRIBLE INFESTATION OF RATS AND COCKROACHES IN HIS CELL. IT WAS NOT

RESPONDED TO. THE PLAINTIFF FILED A GRIEVANCE ON THAT DATE, WHICH WAS RESPONDED TO ON NOVEMBER 1ST, 2021 WITH THE RESPONSE AS FOLLOWS: "THE AREA HAS BEEN SCHEDULED FOR PEST CONTROL. BE ADVISED, EACH UNIT HAS AN ESTABLISHED PEST CONTROL TREATMENT SCHEDULE FOR THEIR UNIT. NORMALLY THE FOOD SERVICES AND COMMISSARY DEPARTMENT AREAS ARE TREATED AT 30-DAY INTERVALS AND OTHER PARTS OF THE UNIT ARE TREATED AT 90-DAY INTERVALS. REQUESTS FOR PEST CONTROL TREATMENTS DUE TO EMERGENCIES OR UNUSUAL CIRCUMSTANCES RECEIVE TOP PRIORITY AND ARE TREATED AS SOON AS POSSIBLE. NO FURTHER ACTION WARRANTED." AT THE TIME OF THIS COMPLAINT, IT HAS BEEN 8 MONTHS SINCE THE LAST SPRAYING.

25. ON NOVEMBER 3, 2021, THE PLAINTIFF FILED HIS STEP 2 APPEAL. IT WAS RETURNED FEBRUARY 8, 2021 WITH THE FOLLOWING: "YOU WERE APPROPRIATELY ADVISED AT THE STEP 1 LEVEL. IF DEEMED NECESSARY, YOU MAY SUBMIT A SEPARATE STEP 1 GRIEVANCE (1427) REGARDING ADDITIONAL COMPLAINTS. NO FURTHER ACTION IS WARRANTED AT THIS TIME."

26. THE CONDITIONS OF CONFINEMENT ARE DEPLORABLE AND INHUMANE. TO BE CONTINUALLY SUBJECTED TO EXCESSIVE HEAT, ESPECIALLY TO THOSE WITH MORE SUSCEPTIBILITY TO IT, AMOUNTS TO DELIBERATE INDIFFERENCE AND CRUEL AND UNUSUAL PUNISHMENT. THE DEFENDANT HAS DELIBERATELY IGNORED HIS RESPONSIBILITIES TO CARE FOR THE NEEDS OF THE INMATES. BECAUSE OF THE LOCATION OF THE MCCONNELL UNIT TO THE GULF OF MEXICO, THE HUMIDITY COMBINED WITH THE EXCESSIVE HEAT MAKES IT IMPOSSIBLE FOR INMATES TO COOL THEMSELVES, EVEN WITH THE MITIGATION MEASURES IN PLACE.

27. NOWHERE IN THE TEXAS DEPARTMENT OF JUSTICE ARE THEIR UNITS THAT PROVIDE AIR-CONDITIONING FOR GENERAL POPULATION. THEY DO NOT HAVE THE ROOMS AVAILABLE TO HOUSE INMATES IN AREAS THAT ARE COOLER AND SUPPLIED WITH AIR-CONDITIONING. BEEVILLE, TEXAS AND SIMILAR IMPLACED CITIES ARE SUBJECT TO HIGHER LEVELS OF HEAT AND HUMIDITY, BUT EVEN MOVING INMATES AROUND TO UNITS TO THE NORTH, SUBJECTS THE INMATES TO HIGH HEAT AS WELL.

VII EXHAUSTION OF LEGAL REMEDIES

28. PLAINTIFF RICHARD SCOTT SHAFER USED THE PRISONER GRIEVANCE PROCEDURES AVAILABLE AT THE W.G. McDONNELL UNIT TO ATTEMPT AND SOLVE THE ISSUES. THE FACTS OF THIS IS ALREADY EMBEDDED WITH THE FACTS SECTION OF THIS COMPLAINT

VIII LEGAL CLAIMS

29. PLAINTIFF REALLEGES AND INCORPORATES BY REFERENCE PARAGRAPHS 1 - 27.

30. THE SUBJECTION TO EXCESSIVE HEAT AND EXPOSURE TO INFESTATIONS OF RODENTS AND COACHROACHES THAT CARRY DISEASE AND BITE INMATES CONSTITUTES UNSAFE AND UNHEALTHY CONDITIONS OF CONFINEMENT. THIS VIOLATES THE PLAINTIFF'S RIGHTS AND CONSTITUTES VIOLATION OF THE EIGHTH AMENDMENT OF THE UNITED STATES CONSTITUTION, THE CRUEL AND UNUSUAL PUNISHMENT CLAUSE.

31. THE PLAINTIFF HAS NO PLAIN, ADEQUATE OR COMPLETE REMEDY AT LAW TO REDRESS THE WRONGS DESCRIBED HEREIN. THE DEFENDANT HAS SHOWN DELIBERATE INDIFFERENCE TO THE SAFETY AND HEALTH OF THE PLAINTIFF AND HAS FAILED TO CORRECT THE ISSUES. TRANSFER TO ANOTHER UNIT WILL NOT RESOLVE THE ISSUES WITH HEAT IN TEXAS DUE IN PART TO THE INCREASES SUSECPTIBILITY TO HEAT THAT THE PLAINTIFF HAS. PLAINTIFF HAS BEEN AND WILL CONTINUE TO BE IRREPARABLE INJURED BY THE CONDUCT OF THE DEFENDANT UNLESS THE COURT GRANTS THE DECLATORY AND INJUNCTIVE RELIEF WHICH THE PLAINTIFF SEEKS.

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VIII PRAYER FOR RELIEF

WHEREFORE, PLAINTIFF RESPECTFULLY PRAYS THAT THIS COURT ENTER JUDGMENT GRANTING PLAINTIFF

32. A DECLARATION THAT THE ACTS AND OMISSIONS DESCRIBED IN THE COMPLAINT AND IN THE GRIEVANCES HEREIN HAVE VIOLATED PLAINTIFF'S RIGHTS UNDER THE CONSTITUTION AND LAWS OF THE

UNITED STATES.

33. A PRELIMINARY AND PERMANENT INJUNCTION ORDERING DEFENDANT WARDEN JERRY SANCHEZ TO NOT TRANSFER PLAINTIFF FROM THE mCConnell UNIT UNTIL ALL AVENUES OF REDRESS THROUGH THIS COURT HAVE BEEN EXHAUSTED.

34. THAT THE PLAINTIFF SHALL NOT BE RETALIATED AGAINST BY THE DEFENDANT OR ANYONE OF HIS AGENTS, EMPLOYEES OR STAFF MEMBERS THAT ARE SUPERVISED BY THE DEFENDANT, AND HE WILL INSURE THAT THE PLAINTIFF'S PROPERTY AND MAIL ARE NOT TAMPERED WITH OR DESTROYED OR CONFISCATED.

35. THE DEFENDANT SHALL INCREASE MEASURES TO ELIMINATE THE INFESTATION OF RODENTS AND ROACHES AND OTHER INSECTS FROM THE McCONNELL UNIT.

36. THE DEFENDANT SHALL INSTALL AIR-CONDITIONING UNITS TO ALL AREAS OF THE UNIT, INCLUDING DORM AND REGULAR HOUSING, WHICH ARE ALREADY DESIGNED TO ACCOMMODATE SUCH SYSTEMS. THIS SHALL BE DONE WITH BUDGETARY FUNDS AVAILABLE TO THE UNIT THROUGH TDCU MAINTENANCE FUNDS AND SHALL BE COMPLETED WITHIN 1 YEAR OF THE ORDER FROM THE COURT FOR INJUNCTIVE RELIEF.

37. PUNITIVE DAMAGES ARE REQUESTED IN THE AMOUNT OF \$50,000 AGAINST THE DEFENDANT FOR KNOWING THAT THE ISSUE EXISTS AND FAILING TO CORRECT IT.

38. COMPENSATORY DAMAGES IN THE AMOUNT OF \$1,000 FOR THE INJURIES SUFFERED AS A RESULT OF THE HEAT AND INSECT BITES.

39. A JURY TRIAL ON ALL ISSUES TRIABLE BY JURY.

40. PLAINTIFF'S COSTS IN THIS SUIT.

41. ANY ADDITIONAL RELIEF THIS COURT DEEMS JUST, PROPER, AND EQUITABLE.


DATED: March 3rd, 2022
RESPECTFULLY SUBMITTED,

RICHARD SCOTT SHAFER
TDCJ-ID 1680002
W.G. McDONNELL UNIT
8001 S. EMILY DRIVE
BEEVILLE, TEXAS 78102

VERIFICATION

I HAVE READ THE FOREGOING COMPLAINT AND HEREBY VERIFY THAT THE MATTERS ALLEGED THEREIN ARE TRUE, EXCEPT AS TO MATTERS ALLEGED ON INFORMATION AND BELIEF, AND AS TO THOSE I BELIEVE THEM TO BE TRUE. I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED AT BEEVILLE, TEXAS ON March 3rd, 2022.


RICHARD SCOTT SHAFER