



Mr. Jones needed to live. Defendants' actions of deliberate indifference and/or negligence caused Mr. Jones's DKA to go untreated and Demerious Jones died as a result.

### **JURISDICTION AND VENUE**

1. This action is brought pursuant to 42 U.S.C. § 1983, pursuant to the Fourth, Eighth, and Fourteenth Amendments to the United States Constitution, and 42 U.S.C. §§ 1331, 1367(a), and 1988. Jurisdiction is founded on 28 U.S.C §§ 1331, 1332, and 1343, and the aforementioned statutory and constitutional provisions. The acts and omissions by defendants occurred at the Lincoln Parish Detention Center located in Lincoln Parish, state of Louisiana which is within the jurisdiction of this Court.

### **THE PARTIES**

#### **Plaintiff**

2. **FRANEQUA JONES, individually**, a citizen of the United States and is domiciled in St. Gabriel, Louisiana and is the biological mother of decedent, Demerious Jones.

#### **Defendants**

3. **LINCOLN PARISH DETENTION CENTER COMMISSION (LPDCC) and/or LINCOLN PARISH DETENTION CENTER (LPDC)** in its individual and official capacity as keeper and governing authority of Lincoln Parish Detention Center, pursuant to La. R.S. 15:848.1, et seq. At all times described herein, LPDCC was responsible for the hiring, training, supervision, discipline, and control of the deputies under its command, as well as medical personnel. It is responsible for all actions of LPDC staff. It is also responsible for the supervision, administration, policies, practices, customs, and operations of the Lincoln Parish Detention Center. It was the final policy maker. It liable both directly and vicariously for the actions alleged herein. Service of this Complaint upon LPDCC will hereafter be made in

accordance with Federal Rule of Civil Procedure 4(j)(2) by serving the Lincoln Parish Detention Center Commission Chairman at 100 W. Texas Avenue, Ruston, Louisiana 71270.

4. **LPDC DEPS. JOHN/JANE DOES 1-15**, in their individual and official capacities as Lincoln Parish Detention Center deputies, are adult citizens of the State of Louisiana and, on information and belief, are domiciled in the Western District of Louisiana. At all pertinent times, defendants **JOHN/JANE DOES 1-15** were employed by LPDC as correctional officers assigned to Lincoln Parish Detention Center. Defendants **JOHN/JANE DOES 1-15** were deliberately indifferent to Mr. Jones's serious medical condition when they ignored his symptoms and chose to not transfer Mr. Jones to a hospital leading to his death.

5. **DANIELLE WEAVER**, in her individual and official capacity as licensed practical nurse for LPDC, is an adult citizen of the State of Louisiana and, on information and belief, is domiciled in the Western District of Louisiana. At all pertinent times, Defendant **DANIELLE WEAVER** was employed by LPDC as a licensed practical nurse. Defendant **DANIELLE WEAVER** was deliberately indifferent to Mr. Jones's deadly medical condition when she ignored his symptoms and chose to not transfer Mr. Jones to a hospital leading to his death. Service of this Complaint upon Danielle Weaver will hereafter be made in accordance with Federal Rule of Civil Procedure 4 by serving Ms. Weaver or a person of suitable age and discretion at 320 Hogan Road, Ruston, Louisiana 71270

6. **LAUREN PLUNKETT**, in her individual and official capacity as licensed practical nurse for LPDC, is an adult citizen of the State of Louisiana and, on information and belief, is domiciled in the Western District of Louisiana. At all pertinent times, Defendant **LAUREN PLUNKETT** was employed by LPDC as a licensed practical nurse. Defendant **LAUREN PLUNKETT** was deliberately indifferent to Mr. Jones's deadly medical condition when she

ignored his symptoms and chose to not transfer Mr. Jones to a hospital leading to his death. Service of this Complaint upon Lauren Plunkett will hereafter be made in accordance with Federal Rule of Civil Procedure 4 by serving Ms. Plunkett or a person of suitable age and discretion at 177 Bradford Road, Choudrant, Louisiana 71227.

### **FACTUAL ALLEGATIONS**

7. On September 16, 2021, Demerious Jones, 21, arrived at the Lincoln Parish Detention Center to serve a 60-day sentence for two counts of misdemeanor violation of probation. Demerious Jones indicated on his Booking Medical Sheet that he was a diabetic and was taking medications to treat his diabetes.

8. Lincoln Parish Detention Center documents indicate that Demerious Jones did not receive any medication from September 19, 2021, until he died on September 24, 2021. The Lincoln Parish Detention Center medical staff and deputies knew, must have known, or should have known that Demerious Jones was in danger of developing a life-threatening condition known as diabetic ketoacidosis (DKA).

9. On September 22, 2021, at approximately 8:00 am, Demerious Jones was taken by two unknown Defendant guards to the medical exam room because of complaints of feeling ill. Defendant, Danielle Weaver, LPN, examined Mr. Jones by checking his blood sugar. Mr. Jones's blood sugar was recorded as 259, a dangerously high reading. Mr. Jones also expressed feeling thirsty and was given water to drink. Danielle Weaver knew or should have known that Mr. Jones's dangerously high blood sugar and accompanying symptoms indicated he was beginning to suffer from diabetic ketoacidosis. Danielle Weaver was deliberately indifferent to Mr. Jones's serious medical needs and did not administer any insulin. Ms. Weaver showed deliberate indifference to Mr. Jones's serious medical need when she failed to send Mr. Jones to

be treated by a physician for the life-threatening diabetic ketoacidosis Mr. Jones was suffering from. This indifference was due to the policies, practices, and customs implemented by Defendant LPDCC. (Continued on next page).



Diabetic blood sugar log for: Demerious Jones ID# 12619			
Orders: BS every AM and PM			
Insulin: Victoza 1.8 every AM , Lantus 50unit			
Date:	Time:	BS:	Date:
9/17/21	0530	239	
9-17-21	1430	119	
9-18-21	0535	135	
9-18-21	1435	95	
9-19-21	0547	161	
9-19-21	1422	150	
9-20-21	0521	177	
9-20-21	1429	188	
9-21-21	0547	R	
9-21-21	1450	L	
9-22-21	0538	R	
9-22-21	0809	259	
9-22-21	1435	R	
9-23-21	0537	R	
9/23/21	0934	324	
9-23-21	1456	R	
9-24-21	0528	184	
9-24-21	1200	50	

10. In the early morning hours of September 23, 2021, Demerious Jones continued to deteriorate with symptoms of lethargy, sweating, confusion, extreme thirst, and nausea and began urinating frequently and vomiting in the cell that he shared with several other inmates. Mr. Jones did not receive any treatment to bring his blood glucose levels down.

11. Defendant LPDCC failed to properly train its deputies and medical staff on how to properly identify the life-threatening condition of diabetic ketoacidosis. Defendant LPDCC failed to properly train its staff on how to respond when an inmate is exhibiting signs of a potentially life-threatening condition.



12. Despite knowing that Demerious Jones was a diabetic and had not taken his prescribed medication to regulate his diabetes, LPDC staff showed deliberate indifference to Mr. Jones's medical needs when they did not notify any of the nurses at LPDC or a physician that Mr. Jones had begun exhibiting signs of diabetic ketoacidosis, a life-threatening medical condition.

13. Defendant LPDCC failed to implement policies and procedures for recognizing diabetic ketoacidosis and transferring inmates to higher levels of care when they are exhibiting signs of a life-threatening condition like diabetic ketoacidosis. Defendant LPDCC failed to properly supervise its deputies and staff to ensure that its deputies and staff properly monitored and treated inmates exhibiting signs of life-threatening conditions like diabetic ketoacidosis.

14. Because of the practices, policies, and procedures implemented by Defendant LPDCC, the deputies and staff violated Mr. Jones's constitutional right to be free from cruel and unusual punishment when they were deliberately indifferent to Mr. Jones's diabetic ketoacidosis and

prevented him from receiving the life-saving treatment he needed when he began exhibiting signs of DKA.

15. At approximately 8:00 am on September 23, 2021, two John Doe defendant-deputies assisted Mr. Jones into a wheelchair brought by another John Doe defendant-deputy so that Jones could be brought to a separate individual cell. By this time, Mr. Jones was so ill that he was unable to walk under his own power. Mr. Jones's clothes and sleeping mat were soaked due to Mr. Jones's enuresis, a symptom of his life-threatening diabetic ketoacidosis. Defendants showed deliberate indifference to Mr. Jones's serious and life-threatening medical needs when they failed to get Mr. Jones the appropriate medical care, he needed to save his life. Their indifference was due to the policies, customs, and practices implemented by Defendant LPDCC. (Continued on the next page).







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16. Moments later, a John Doe defendant-deputy wheeled Mr. Jones to his individual cell. Then Defendants placed Mr. Jones in his individual cell. A short time later, Defendants placed Mr. Jones on the floor on top of his sleeping mat. Mr. Jones continued to exhibit signs of diabetic ketoacidosis, including extreme thirst and altered mental status evidenced by Mr. Jones attempting to drink water from the toilet in his room. Mr. Jones was unable to stand or walk on his own power to get to the sink to fill his cup with water because he was suffering from DKA. Defendants continued to show deliberate indifference to Mr. Jones's serious medical needs when they failed to obtain the necessary medical care to treat Mr. Jones's diabetic ketoacidosis. Their indifference was due to the policies, customs, and practices implemented by Defendant LPDCC.





17. At approximately 9:32 am, a John Doe defendant-deputy entered Mr. Jones's cell and checked Mr. Jones's blood sugar while Mr. Jones remained on the floor. LPDC records indicated that Mr. Jones's blood sugar registered at 324, a dangerously high reading. The unknown guard left Mr. Jones's cell without providing any treatment or aid to Mr. Jones after taking the reading. The defendant-deputy knew or should have known that Mr. Jones's dangerously high blood glucose reading, along with his other symptoms indicated Mr. Jones was in need of emergent medical attention. The unknown defendant-guard showed deliberate indifference to Mr. Jones's serious medical needs when he did not obtain any treatment for Mr. Jones while he was suffering from ketoacidosis. This indifference was due to a policy, practice, and/or custom implemented by defendant LPDCC.

18. While he was gone, two more unknown defendant guards knocked on the window of Mr. Jones's cell door while Mr. Jones remained on the floor. The unknown defendants opened the cell door, remained in the doorway for a brief time, and then closed the door and left without providing any medical treatment to Mr. Jones. The unknown defendant-guards showed deliberate indifference to Mr. Jones's serious medical needs when they failed to contact a physician to treat Mr. Jones's life-threatening diabetic ketoacidosis. Their indifference was due to policies, practices, and customs implemented by Defendant LPDCC. (Continued on the next page).



Diabetic blood sugar log for: Demerious Jones ID# 12619

Orders: BS Every AM 8:00 AM - 1 PM

Insulin: Victoza 1.8 every AM , Lantus 50units PM if BS over 140

Date:	Time:	BS:	Date:	Time:	BS:
9/17/21	0520	239			
9-17-21	1430	119			
9-18-21	0535	135			
9-18-21	1435	95			
9-19-21	0547	161			
9-19-21	1422	150			
9-20-21	0521	177			
9-20-21	1429	188			
9-21-21	0547	R			
9-21-21	1450	R			
9-22-21	0538	R			
9-22-21	0809	259			
9-22-21	1435	R			
9-23-21	0517	R			
9/23/21	0934	324			
9-23-21	1435	R			
9-24-21	0528	184			
9-24-21	1200	50			

19. At approximately 12:23 pm, the two unknown defendant-guards who carried Mr. Jones out of his original cell brought Mr. Jones a lunch tray. Mr. Jones remained on the floor. The two unknown defendant guards left Mr. Jones’s room and showed deliberate indifference to Mr. Jones’s serious medical needs when they did not provide or obtain any treatment for Mr. Jones’s diabetic ketoacidosis.

20. Mr. Jones continued to display signs of severe ketoacidosis, including confused mental state and extreme thirst when attempted to drink toilet water while lying on the ground.

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21. One Defendant deputy entered Mr. Jones's room and observed Mr. Jones drinking water from the toilet. The deputy spoke to Mr. Jones briefly then left the cell. The deputy did not offer any medical assistance, nor did she alert any medical personnel about Mr. Jones's symptoms. The LPDC did not make any effort to get Mr. Jones to a higher level of care despite witnessing Mr. Jones experience tell-tale symptoms of diabetic ketoacidosis, a condition that is well-known to be fatal. Defendant LPDCC failed to adequately train this deputy on how to properly recognize and properly respond when an inmate exhibits signs of diabetic ketoacidosis. Defendant LPDCC implemented policies and procedures that caused defendant-deputy to be deliberately indifferent to Mr. Jones's serious medical needs. The policies and procedures, along with the deliberate indifference by the deputy, directly led to Mr. Jones's preventable death.

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22. At approximately 1:30 pm on 9/23/2021, Demerious Jones urinated on himself while he continued to lie on the floor. At approximately 2:45 pm, the defendant-deputy returned to Mr. Jones's cell, held a brief conversation with Mr. Jones, offered no medical assistance to Mr. Jones, then left. This deputy exhibited deliberate indifference to Mr. Jones's deadly medical condition when she chose to ignore Mr. Jones's symptoms and to not get him any help. This deliberate indifference was caused by the unconstitutional policies, procedures, and training implemented by Defendant Lincoln Parish Detention Center Commission. The deliberate indifference by Defendants caused Mr. Jones to die a painful and tortuous death.

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23. A few minutes later, another unknown defendant deputy stuck his head inside of Demerious Jones's cell, said a few words to Mr. Jones, then left the cell. This defendant-deputy was deliberately indifferent to Mr. Jones's life-threatening medical condition and did not make any effort to get Mr. Jones treatment for his condition. This deliberate indifference was due to the unconstitutional policies, procedures, and training implemented at Lincoln Parish Detention Center by defendant Lincoln Parish Detention Center Commission. LPDCC and its staff's deliberate indifference violated Mr. Jones's constitutional rights to be free from cruel and unusual punishment and the right to due process of law. The defendants' deliberate indifference to Mr. Jones's deadly condition caused Mr. Jones to die an excruciating death.

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24. Shortly before 3:00 pm, three female defendant-deputies enter Mr. Jones's cell. Two of the female defendant-deputies appeared to cover their noses due to the stench in the room. At this time, Mr. Jones begged for water and attempted to fill his cup with toilet water again because he was unable to get up and fill his cup with water from sink. One of the defendant deputies checked Mr. Jones's blood glucose with a meter while two more defendant-deputies congregated in hall outside of Mr. Jones's cell. The LPDC staff, however, documented that Mr. Jones **refused** to have his sugar checked at this time despite remaining on the ground unable to stand under his own power.

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**Diabetic blood sugar log for: Demerious Jones ID# 12619**

Orders: BS every AM and PM  
 Insulin: Victoza 1.8 every AM, Lantus 50units PM if BS

Date:	Time:	BS:	Date:	Time:
9-17-21	0530	239		
9-17-21	1430	119		
9-18-21	0535	135		
9-18-21	1435	95		
9-19-21	0547	161		
9-19-21	1422	150		
9-20-21	0521	177		
9-20-21	1429	188		
9-21-21	0547	R		
9-21-21	1450	R		
9-22-21	0538	R		
9-22-21	0809	259		
9-22-21	1435	R		
9-23-21	0537	R		
9/23/21	0930	371		
9-23-21	1456	R		
9-24-21	0528	181		
9-24-21	1200	50		



25. Over the next 20 or more minutes, several other defendant-deputies enter the cell. One brought crackers for Mr. Jones to eat. One attempted to give Mr. Jones a cup of water but Mr. Jones was too weak to hold it and it fell out of his hands. Another brought a bottle of red juice

for Mr. Jones to drink. All of which would only raise Mr. Jones's already dangerously high blood glucose levels even higher. At one point, one of the deputies pulled Mr. Jones's head back and attempted to force him to eat the crackers. Defendant Weaver stopped in the hallway and watched while the deputies dealt with Mr. Jones. Defendant Weaver did not assess Mr. Jones or show any concern for his well-being. She did not call a doctor or attempt to have Mr. Jones transferred to hospital. Ms. Weaver's actions were reckless, wanton, and deliberately indifferent to Mr. Jones's deadly medical condition.

26. All of the defendant-deputies showed deliberate indifference to Mr. Jones's life-threatening medical condition when they did not immediately transfer Mr. Jones to medical facility that could have treated his diabetic ketoacidosis and saved his life. This deliberate indifference was caused by the unconstitutional policies and procedures implemented by Defendant Lincoln Parish Detention Center Commission. Defendants' deliberate indifference led directly to Mr. Jones's inhumane death. (Continued on next page).

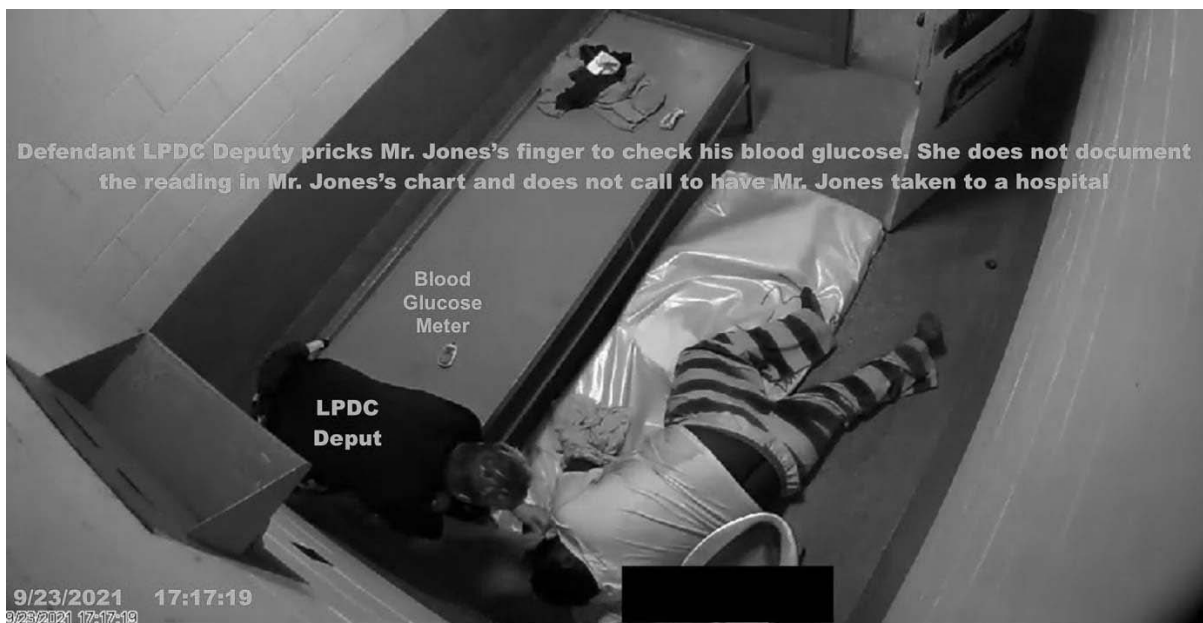






27. Two hours later at 5:15 pm, the same defendant-deputy who took Mr. Jones's blood glucose reading at approximately 3:00 returned to check Mr. Jones's blood sugar again. This

reading was not recorded in Mr. Jones's records. Again, the defendant-deputy showed deliberate indifference to Mr. Jones's serious medical condition when she failed to document Mr. Jones's blood glucose reading or call to have Mr. Jones transferred to a hospital to treat his diabetic ketoacidosis. This deliberate indifference was caused by the unconstitutional policies and procedures implemented by Defendant Lincoln Parish Detention Center Commission. Defendants' deliberate indifference led directly to Mr. Jones's inhumane death.



28. At approximately 8:40 on the night of September 23, 2021, Demerious Jones vomited a significant amount of brown fluid on to his mattress as he laid face-down on his mattress. Mr. Jones's DKA was so severe that he was unable to get to the toilet to throw up and was unable to remove himself from the vomit. As a result, Mr. Jones was forced to lie in a puddle of his own vomit for nearly an hour. The defendants failed to properly monitor Mr. Jones using the camera feed from the deputies' station desk.

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29. At 11:00 pm on September 23, 2021, one defendant deputy came into Mr. Jones's cell and noticed the vomit on the floor and on Mr. Jones's shirt. He left the cell without giving any medical care to Mr. Jones and failed to call to have Mr. Jones taken to hospital. He returned with another defendant deputy who stuck his head in and then left. Neither defendant deputy rendered any aid to Mr. Jones or attempted to have Mr. Jones taken to a hospital. Neither deputy made efforts to get Mr. Jones's body and clothes clean from his own vomit.



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30. At approximately 11:40, one of the defendant deputies entered Mr. Jones's cell and mopped up Mr. Jones's vomit while Mr. Jones continued to lie on the floor in his own filth. The defendant deputy did not make any effort to get Mr. Jones cleaned up from lying in his own vomit. Defendant-deputy demonstrated deliberate indifference to Mr. Jones's life-threatening medical condition. Defendant-deputy did not provide any therapeutic treatment to Mr. Jones, did not contact any medical personnel, and did not attempt to have Mr. Jones transferred to a hospital. This deliberate indifference was caused by the unconstitutional policies and procedures implemented by the Lincoln Parish Detention Center Commission and Defendant LPDCC. Defendants' deliberate indifference led directly to Mr. Jones's inhumane death.

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31. At 2:19 am on September 24, 2021, Demerious Jones vomited a significant amount of brown liquid for a second time. Again, Mr. Jones was unable to remove himself from the vomit due to the severe weakness caused by his DKA. As a result, Mr. Jones was forced to remain lying down in a puddle of his own vomit.

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32. Demerious Jones remained on the floor and was not checked on again until Defendant LPN Jennifer Plunkett made rounds at 4:00 am on 9/24/2021. Defendant Plunkett entered Mr. Jones's cell and motioned for Mr. Jones stand up and walk out of the cell for his glucose check and medication. Mr. Jones's white t-shirt and bed sheet were stained from sitting in his own vomit for hours. Mr. Jones was too weak to get up due to his worsening DKA. LPN Plunkett left Mr. Jones's cell and did not administer any care to treat Mr. Jones's DKA or have Mr. Jones cleaned up. She did not call to have Jones transferred to a hospital. (Continued on the next page).



33. Defendant Plunkett returned to Mr. Jones's cell with a defendant-deputy. Defendant-Deputy and Defendant Plunkett checked Mr. Jones's blood glucose then left his cell. LPN Plunkett originally marked that Mr. Jones refused to have his glucose checked despite him being unable to stand or walk on his own power. She marked through that and recorded his blood glucose as 185. This reading is suspicious considering Mr. Jones had not received any medication to lower his blood glucose and his last reading was recorded as 324. Mr. Jones's shirt and bed sheet are clearly covered in vomit.

34. The defendants knew or should have known that Mr. Jones needed immediate medical attention and needed to be transferred to a hospital. The defendants were reckless and wanton and showed deliberate indifference to Mr. Jones's deadly medical condition when they chose to not give any medication to Mr. Jones, to not call a doctor, and to not have Mr. Jones transferred to a hospital. The defendants did not even attempt to get Mr. Jones cleaned up. Their deliberate indifference was due to the unconstitutional policies and procedures implemented at the Lincoln

Parish Detention Center by the Lincoln Parish Detention Center Commission. The deliberate indifference of each defendant caused Mr. Jones to die a painful death.



**Diabetic blood sugar log for: Demerious Jones ID# 12619**

Orders: BS every AM and PM  
 Insulin: Victoza 1.8 every AM, Lantus 50um

Date:	Time:	BS:	Date:
9/17/21	0530	239	
9-17-21	1430	119	
9-18-21	0535	135	
9-18-21	1435	95	
9-19-21	0547	161	
9-19-21	1422	150	
9-20-21	0521	177	
9-20-21	1429	188	
9-21-21	0547	R	
9-21-21	1450	R	
9-22-21	0538	R	
9-22-21	0809	259	
9-22-21	1435	R	
9-23-21	0537	R	
9/23/21	0934	324	
9-23-21	1456	R	
9-24-21	0528	184	
9-24-21	1200	50	

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35. At 7:18 am, a defendant-deputy entered Mr. Jones's cell briefly before exiting. The defendant did not give any medication or call to have Mr. Jones transferred to a hospital despite Mr. Jones being covered in his own vomit and being too weak to stand or walk. At approximately 7:30 am, Mr. Jones vomited for a third time. Again, Mr. Jones was too weak to get to the toilet or to move himself from the puddle of vomit because of the severity of his untreated DKA. Consequently, Mr. Jones was forced to remain lying in a puddle of his own vomit without receiving any care.



36. At 11:33 am, a defendant-deputy opened the cell door momentarily before leaving. The defendant-deputy returned at 11:54 am, entered Mr. Jones's cell and shook Mr. Jones attempting to get a response from him. The deputy left the cell and summoned Defendant Plunkett. The two entered Mr. Jones's cell at 11:58 am and checked Mr. Jones's blood glucose. Mr. Jones's blood glucose was 500. The defendant-deputy then checked Mr. Jones's temperature before leaving the

cell. Defendant Plunkett gave Mr. Jones a shot of insulin – the only dose he received since becoming ill. Defendant Plunkett then left the cell.

37. Nurse Plunkett knew or should have known that Mr. Jones was in dire need of immediate medical care from a hospital. Defendant Plunkett was deliberately indifferent to Mr. Jones’s deadly medical condition when she chose to not have Mr. Jones transferred to a hospital. Her deliberate indifference was due to the unconstitutional practice, policies, procedures, and customs implemented by the Lincoln Parish Detention Center Commission. Defendants’ deliberate indifference caused Mr. Jones to die a torturous death.



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38. Mr. Jones was found unresponsive in his cell at 12:47 pm. Several defendant deputies attempted to revive Mr. Jones by performing chest compressions. EMTs arrived and attempted to revive Mr. Jones with chest compression. Their efforts were unsuccessful, and Mr. Jones was declared dead 1:37 pm on September 24, 2021, at Northeast Louisiana Medical Center.

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### **FIRST CAUSE OF ACTION**

39. Plaintiffs reaver and re-allege each and every allegation of this Complaint.

40. Defendants, acting individually and together, under color of law, engaged in a course of conduct and conspired to engage in a course of conduct that acted to deprive Demerious Jones of his constitutional rights and did deprive him of said rights, specifically, the right to a reasonably safe place of detention, the right to be free from cruel and unusual punishment, the right to due process and equal protection of the laws as protected by the Fourteenth Amendment and Article IV of the United States Constitution and 42 U.S.C. § 1983.

41. At all times pertinent herein, Defendants, acting individually and collectively, acted unreasonably, recklessly, and with deliberate indifference and disregard for the constitutional and civil rights, life, and serious medical needs of the deceased, Demerious Jones.

42. Defendants' actions were reckless, willful, wanton, and/or malicious.

43. Defendants, individually and collectively, had the duty and ability to intervene to prevent the violations of the rights of Demerious Jones, deceased, described herein, but failed to do so.

44. Plaintiff further alleges that such acts as alleged herein were the proximate cause and cause in fact of the injuries sustained and the death of Jason Marler and the damages incurred thereby.

### **SECOND CAUSE OF ACTION**

45. Plaintiffs reaver and re-allege each and every allegation of this Complaint.

46. Defendant **LINCOLN PARISH DETENTION CENTER COMMISSION** established, condoned, ratified, and encouraged customs, policies, patterns, and practices that directly and proximately caused the deprivation of the civil and constitutional rights of the deceased, as alleged herein, and the damages and injuries described herein, in violation of the Fourteenth

Amendment of the U.S. Constitution and 42 U.S.C. § 1983. It did so with deliberate indifference to the rights of detainees and Demerious Jones at the LPDC facility.

47. These written and unwritten policies, customs, patterns and practices include but are not limited to:

- a. Inadequate monitoring of areas where inmates are housed;
- b. Inadequate, improper, and unreasonable training of their deputies and staff on how to recognize and treat diabetic ketoacidosis.
- c. Hiring of inadequately trained and inexperienced persons to attend to and monitor persons in custody of LPDC;
- d. Inadequate hiring, training, and supervision of deputies and personnel responsible for the observation and monitoring of detainees and the identification and communication of problems to appropriate personnel;
- e. Inadequate quality control of policies, procedures, and practices and inadequate identification and correction of serious deficiencies in policies and practices affecting the delivery and quality of medical services; and

48. At all times pertinent herein Defendants acted unreasonably and with deliberate indifference and with disregard for the constitutional and civil rights to life and safety of the deceased, Demerious Jones. The actions of Defendants were malicious, willful, wanton and reckless.

### **THIRD CAUSE OF ACTION**

49. Plaintiff reavers and re-alleges each and every allegation of this Complaint.

50. The supplemental jurisdiction of the Court is invoked for all claims under state law.

51. At all times described herein, Defendants, individually and collectively, acted negligently, with gross negligence and/or intentionally in denying reasonable and necessary medical care to Demerious Jones, failing to properly monitor him, confining him in unsafe, unreasonable, and dangerous conditions that denied him access to adequate life-saving medical care, and in inflicting physical injury and severe emotional, mental, and physical pain and suffering upon him, in violation of Louisiana constitutional and statutory law.

52. The actions and inactions of Defendants proximately caused the wrongful death of Demerious Jones. At all pertinent times Defendant employees of the LPDC and LPN Weaver and LPN Plunkett were acting in the course and scope of their employment and Defendant LPDCC, in its official capacity, are vicariously liable for the injuries and damages incurred as a result of their actions.

53. All Defendants named herein are liable for the wrongs complained of herein by virtue of encouraging, aiding, abetting, counseling, ratifying and condoning the commission of the afore-described acts, by their failure to properly administer, organize, and staff the correctional program and for the failure to properly screen, hire, train, and supervise persons under their supervision and control whose acts and omissions contributed to the death of Demerious Jones.

54. Defendants are liable individually and jointly for their actions as alleged herein.

55. Plaintiffs further allege that the above-described actions and omissions were the proximate cause and cause in fact of the injuries sustained herein.

### **DAMAGES**

56. As a result of the deliberate indifference to Mr. Jones's serious medical needs and the policies, practices, and customs implemented at LPDC by Defendants Lincoln Parish Detention

Center Commission and LPDCC, Demerious Jones suffered the following non-exclusive damages:

- a. Life-threatening diabetic ketoacidosis;
- b. Mental anguish, fear and anxiety;
- c. Loss of enjoyment of life;
- d. Damages due to the deliberate indifference to provide prompt medical care;
- e. Violation of Demerious Jones's Fourth, Eighth, and Fourteenth Amendment rights;
- f. Damages from being summarily punished;
- g. Punitive Damages by Defendant Plunkett and Weaver;
- h. Compensatory damages;
- i. And other damages proven at trial.

57. The deliberate indifference to Mr. Jones's serious medical needs violated Mr. Jones's civil rights under the Eighth Amendment's protection against cruel and unusual punishment.

58. Plaintiff seeks compensation for:

- a. Compensatory damages as proven at trial;
- b. Past physical pain and suffering;
- c. Past emotional pain and suffering;
- d. Punitive damages against defendants Plunkett and Weaver sued herein in their individual capacities;
- e. Attorney's fees under 42 U.S.C. § 1988;
- f. Judicial interest from the filing of this suit;
- g. Other damages, proven at trial.



59. In addition to federal claims, Plaintiff seeks compensatory damages against Defendants Lincoln Parish Detention Center Commission, LPDCC, Weaver, Plunkett, and unknown defendant-deputies under state law including La. C.C. arts. 2315 and 2320.

**PRAYER FOR RELIEF**

60. **WHEREFORE**, the plaintiff Franequa Jones, respectfully requests

- a. Compensatory damages as to all defendants;
- b. Punitive Damages as to Defendants Jennifer Plunkett and Danielle Weaver;
- c. Reasonable attorney's fees, as provided in 42 U.S.C. § 1988, and costs as to all defendants;
- d. Such other and further relief as may appear just and appropriate and for all such damages as is reasonable in the premises;
- e. Judicial Interests and costs.
- f. All other relief as appear just and proper to this Honorable Court.

Respectfully submitted,

**THE TOWNSLEY LAW FIRM**

By: /s/ D. GRANT CASTILLO  
TODD A. TOWNSLEY (#21095)  
**D. GRANT CASTILLO** (#39833)  
3102 Enterprise Boulevard  
Lake Charles, LA 70605  
Tel. (337) 478-1400  
Fax (337)478-1577

**PLEASE SERVE THE FOLLOWING DEFENDANTS:**

- 1) **LINCOLN PARISH DETENTION CENTER COMMISSION**  
**100 W. Texas Avenue**  
**Ruston, La. 71270**
- 2) **LPDCC**  
**170 Road Camp Road**  
**Ruston, La. 71270**
- 3) **JENNIFER PLUNKETT**  
**177 Bradford Road**  
**Choudrant, La. 71227**
- 4) **DANIELLE WEAVER**  
**320 Hogan Road**  
**Ruston, La. 71270**
- 5) **LINCOLN PARISH POLICE JURY**  
**100 W. Texas Avenue**  
**Ruston, La. 71270**

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

FRANEQUA JONES, INDIVIDUALLY AND ON BEHALF OF HER DECEASED SON, DEMERIOUS JONES

(b) County of Residence of First Listed Plaintiff IBERVILLE (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) THE TOWNSLEY LAW FIRM- D. GRANT CASTILLO 3102 ENTERPRISE BLVD., LAKE CHARLES, LA 70601

DEFENDANTS

LINCOLN PARISH DETENTION CENTER COMMISSION (LPDCC) AND/OR LINCOLN PARISH DETENTION CENTER (LPDC), LPDC DEPS. JOHN/JANE DOES 1-15, DANIELLE WEAVER, LAUREN PLUNKETT

County of Residence of First Listed Defendant LINCOLN (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, INTELLECTUAL PROPERTY RIGHTS, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District (specify), 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 42 U.S.C. 1983 and 42 U.S.C. 1988

Brief description of cause: Deceased prisoner's family claiming civil rights violation related to medical care

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE: Sept 23, 2022 SIGNATURE OF ATTORNEY OF RECORD: /s/ D. Grant Castillo

FOR OFFICE USE ONLY: RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
  - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
  - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
  - Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
  - Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
  - Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
  - Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
  - Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
  - Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
  - Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
  - Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
  - Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.