

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION**

**FRANEQUA JONES, INDIVIDUALLY : CIVIL ACTION NO. 3:22-cv-05312**  
**AND ON BEHALF OF HER DECEASED:**  
**SON, DEMERIOUS JONES :**

**VS. : JUDGE TERRY A. DOUGHTY**

**LINCOLN PARISH DETENTION :  
CENTER COMMISSION (LPDCC) : MAGISTRATE JUDGE MCCLUSKY  
and/or LINCOLN PARISH DETENTION:  
CENTER (LPDC), LPDC DEPS. JOHN/ :  
JANE DOES 1-15, DANIELLE :  
WEAVER, LAUREN PLUNKETT :**

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**MOTION FOR LEAVE WITH INCORPORATED MEMORANDUM IN SUPPORT TO  
FILE SECOND SUPPLEMENTAL AND AMENDING PETITION**

**MAY IT PLEASE THE COURT:**

On motion of Key’zarious Jones, individually and as heir of the Estate of Demerious Jones and the Estate of Franequa Jones, through undersigned counsel, and on suggesting to the Court that:

Pursuant to Rule 15 of the Federal Rules of Civil Procedure, Plaintiff, Key’zarious Jones, as heir to the estate of Demerious Jones and heir to the estate of Franequa Jones, respectfully moves the Court for leave to file the Second Supplemental and Amending Complaint, which is attached hereto as Exhibit 1.

Rule 15 provides that “a party may amend it pleading [with] the court’s leave” and that “the court should freely give leave when justice so requires.” Fed. R. Civ. P. 15(a)(2). Plaintiff moves to the file the Second Supplemental and Amending Complaint within the time permitted by the Court in the scheduling order. Allowing Plaintiff to file the Second Supplemental and

Amending Complaint would serve justice and promote judicial efficiency. Further, there would be no substantial or undue prejudice, bad faith, undue delay, or futility.

Through the Second Supplemental and Amending Complaint, pursuant to Rule 19 of the Federal Rules of Civil Procedure, Plaintiff seeks to add new defendants – Stephen Williams, in his individual capacity and official capacity as Sheriff of Lincoln Parish, – as a necessary and indispensable party. Rule 19 provides that “a person who is subject to service of process and whose joinder will not deprive the court of subject matter jurisdiction must be joined as party if, in that person’s absence, the court cannot afford complete relief among existing parties.” Fed. R. Civ. P. 19(a)(1)(A). Here, for reasons fully explained below, the court may not be able to afford complete relief in the absence of the Sheriff. The addition of the new defendants will not disrupt this court’s subject-matter jurisdiction under 28 U.S.C § 1983 and the new defendant is subject to service of process.

Based upon newly discovered information from a document produced by Defendants on March 31, 2023, Plaintiff seeks leave to amend the First Amended Complaint [Dkt. No. 5] to add Stephen Williams, sheriff of Lincoln Parish (“Sheriff Williams”), regarding the policies and practices implemented at the Lincoln Parish Detention Center that caused Mr. Jones’ constitutional rights to be violated and his untimely death.

Plaintiff filed the original Complaint on September 23, 2022, alleging that the original defendants were deliberately indifferent to Mr. Jones’s serious medical condition of diabetes and jointly caused Mr. Jones to suffer diabetic ketoacidosis leading to his death. In Plaintiff’s original complaint, the Lincoln Parish Detention Center Commission (“the Commission”) and/or Lincoln Parish Detention Center (“the Detention Center”) were named as a defendants pursuant to Louisiana Revised Statutes 15:848.1, et seq. [Doc. 1, ¶ 1]. Specifically, Plaintiff relied upon La.

R.S. 15:848.3 which provides that the Commission “shall be the keeper of the Lincoln Parish Detention Center, and the Sheriff of Lincoln Parish is hereby specifically relieved of that duty in his official capacity as Sheriff,” and the Commission shall have authority to adopt “policies and guidelines” for personnel.” La. R.S. 15:848.3(D)(1-3). The Commission and Detention Center were served on October 12, 2022. [Doc. 7 & 8].

Subsequently, Plaintiff’s counsel was contacted by the Commission’s counsel informing Plaintiff’s counsel that a Cooperative Endeavor Agreement (“the Agreement”) existed between the Commission and the Office of the Sheriff Lincoln Parish (“the Sheriff’s office) wherein the Commission partially delegated a portion of its authority to operate the Detention Center to the Sheriff. Plaintiff received a copy of the Agreement on March 31, 2023, following a scheduling conference with the Court despite requesting a copy of the agreement at the time of the original phone call.

The Agreement, which is attached hereto as Exhibit 2, provides:

Notwithstanding the provisions of LSA R.S. 15:848.3 A, the COMMISSION hereby designates the SHERIFF as keeper of the Detention Center and the SHERIFF agrees in their capacity. As the keeper of the Detention Center, the primary responsibility of the SHERIFF shall be to oversee and manage the incarceration of Lincoln Parish prisoners either awaiting trial or serving state and/or parish sentences for violation of criminal statutes enacted by the State of Louisiana.

*See* Exhibit 2, p. 3.

The Agreement goes on to provide that the Sheriff is responsible for “[providing] for the basic routine health care needs of inmates, with all health care personnel responsible for dispensing medical services to inmates.” *Id.*

Plaintiff maintains that the Commission remains ultimately responsible for the policies and procedures that contributed to the deliberate indifference shown toward Demerious Jones’s serious

medical condition. However, in light of the information contained the Agreement, Plaintiff seeks to amend to add the Sheriff to ensure the court is able to accord complete relief.

Therefore, pursuant to Federal Rules of Civil Procedure rules 15 and 19, Plaintiff moves the Court for leave file the attached Second Supplemental and Amending Complaint adding the necessary and indispensable parties.

Counsel for defendants have been contacted for consent but no response has been received.

Respectfully Submitted,  
**THE TOWNSLEY LAW FIRM, LLP**

*s/ D. Grant Castillo*  
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**D. GRANT CASTILLO, LSBA Roll No. 39833**  
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and

*s/ Sean R. Guy*  
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Facsimile: (601) 510-2939  
[sguy@mmqnlaw.com](mailto:sguy@mmqnlaw.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on 10th day of April 2023, a copy of the foregoing Motion to Set Status Conference for Extended Discovery Calendar was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to Eli J. Meaux with Provosty, Sadler, & deLaunay, APC and Eli J. Neilsen with Nelson, Zentner, Sartor & Snellings, LLC by operation of the Court's electronic filing system. I also certify that I have mailed by US Postal Service this filing to the following non-CM/ECF participants: none.

*/s/ D. Grant Castillo*

\_\_\_\_\_

D. GRANT CASTILLO

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION**

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JANE DOES 1-15, DANIELLE :  
WEAVER, LAUREN PLUNKETT :**

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**ORDER**

IT IS ORDERED that the plaintiff's Motion and Incorporated Memorandum for Leave to File Second Supplemental and Amending Complaint be and is hereby GRANTED, and that the Second Supplemental and Amending Complaint be filed into the record.

THUS DONE AND SIGNED in Lake Charles, Louisiana, this \_\_\_\_\_ day of April, 2023.

\_\_\_\_\_  
**DISTRICT COURT JUDGE**

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION**

**FRANEQUA JONES, INDIVIDUALLY : CIVIL ACTION NO. 3:22-cv-05312  
AND ON BEHALF OF HER DECEASED:  
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JANE DOES 1-15, DANIELLE :  
WEAVER, LAUREN PLUNKETT :**

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**SECOND SUPPLEMENTAL AND AMENDING COMPLAINT**

NOW INTO COURT, through undersigned counsel, comes, comes Key'zarious Jones for the Estate of Franequa Jones on behalf of her child, Demerious Jones, respectfully amends his original Complaint as follows:

I.

Plaintiff wishes to amend paragraph 1 under Nature of Action of the original complaint as follows:

1. This action is filed as a result of the death of Demerious Jones, the son of Plaintiff and cherished member of her family, who died from diabetic ketoacidosis (DKA) while in the custody of Defendants, **LINCOLN PARISH DETENTION CENTER COMMISSION, LINCOLN PARISH DETENTION CENTER, AND STEPHEN WILLIAMS, AS SHERIFF OF LINCOLN PARISH, AND THE LINCOLN PARISH SHERIFF'S OFFICE** at the Lincoln Parish Detention Center. Mr. Jones and his family expected that the defendants would keep him safe and provide him with the necessary and prompt medical care he needed while he was in their

custody. Instead, Defendants and their employees were deliberately indifferent to Mr. Jones's serious and lethal medical condition and did not provide or procure the treatment 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.

II.

Plaintiff wishes to add paragraph number 6a of the original complaint as follows:

6a. **STEPHEN WILLIAMS IN HIS OFFICIAL CAPACITY AS LINCOLN PARISH SHERIFF (Sheriff Williams)**, in his individual and official capacity as keeper and governing authority of Lincoln Parish Detention Center, pursuant to a joint cooperative endeavor agreement. At all times described herein, Sheriff Williams was also responsible for the hiring, training, supervision, discipline, and control of the deputies under his command, as well as medical personnel. He is responsible for all actions of LPDC staff. He is also responsible for the supervision, administration, policies, practices, customs, and operations of the Lincoln Parish Detention Center. He is liable both directly and vicariously for the actions alleged herein. Service of this Complaint upon Sheriff Williams will hereafter be made upon him at 161 Road Camp Rd., Ruston, LA 71270.

III.

Plaintiff wishes to add paragraph number 6b of the original complaint as follows:

6b. **LINCOLN PARISH SHERIFF'S OFFICE (LPSO)**, a political subdivision and governing authority of Lincoln Parish Detention Center, pursuant to a joint cooperative endeavor agreement. At all times described herein, LPSO was also responsible for the hiring, training, supervision, discipline, and control of the deputies under their command, as well as medical



personnel. They were responsible for all actions of LPDC staff. They were also responsible for the supervision, administration, policies, practices, customs, and operations of the Lincoln Parish Detention Center. They are liable both directly and vicariously for the actions alleged herein. Service of this Complaint upon LPSO as a political subdivision of the State of Louisiana may be served through its duly elected officer, Sheriff Stephen Williams, 161 Road Camp Rd., Ruston, LA 71270.

IV.

Plaintiff wishes to supplemental and amend paragraph 11 of the original complaint as follows:

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



V.

Plaintiff wishes to supplemental and amend paragraphs 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, 26, 27, 30, 37, 46, 52, 56, 59 of the original complaint to reflect that in each paragraph where the word(s) or phrases “Defendant LPDCC” and/or “Defendant Lincoln Parish Detention Center Commission” should be amended to read “Defendants LPDCC, LPDC, Sheriff Williams, and LPSO”.

VI.

Plaintiff wishes to supplement and amend paragraph 44 of the original complaint as follows:

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 Demerious Jones and the damages incurred thereby.

VII.

Plaintiff wishes to add paragraph 57a to the original complaint as follows:

58. Plaintiff continues to assert that the LPDCC is the responsible party for the maintenance,, equipping, operating, and supporting the jail under LSA R.S. 15:848.3. However, out of an abundance of caution and, in light of the Cooperative Endeavor Agreement dated June 10, 2020 and entered into by the LPDCC and LPSO produced to plaintiff the LPSO and Sheriff Williams should be included as necessary parties to ensure the Court can accord complete relief among the parties.

VIII.

Plaintiff reiterates and re-alleges all the allegations set forth in the original Complaint and the First Supplemental Complaint as if set out herein in extenso, except as amended.

WHEREFORE, petitioner prays that they be allowed to supplement and amend his original Complaint herein and that the defendants be duly cited and served with a copy and made to answer thereto.

Respectfully Submitted,  
**THE TOWNSLEY LAW FIRM, LLP**

*s/ D. Grant Castillo*  
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*s/ Sean R. Guy*  
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**CERTIFICATE OF SERVICE**

I hereby certify that on 10th day of April 2023, a copy of the foregoing Second Supplemental and Amending Complaint was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to Eli J. Meaux with Provosty, Sadler, & deLaunay, APC and Eli J. Neilsen with Nelson, Zentner, Sartor & Snellings, LLC by operation of the Court's electronic filing system. I also certify that I have mailed by US Postal Service this filing to the following non-CM/ECF participants: none.

*/s/ D. Grant Castillo*

\_\_\_\_\_   
D. GRANT CASTILLO

**SERVICE INSTRUCTIONS:**

**Sheriff Stephen Williams  
161 Road Camp Rd.  
Ruston, LA 71270**

**Lincoln Parish Sheriff's Office  
Who may be served through the Sheriff  
Sheriff Stephen Williams  
161 Road Camp Rd.  
Ruston, LA 71270**