

Ms. Ronny Darnell #521825

Name

JCCC R.T.1 Box 8Helena, OK 73741-9606

Address

FILED

SEP 20 2012

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY [Signature] DEPUTYUNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMAMs. Ronny Darnell, Plaintiff
(Full Name)**CIV-12-1065**

CASE NO.

(To be supplied by the Clerk)

M

v.

OKLAHOMA Department, Defendant (s)
of CorrectionCIVIL RIGHTS COMPLAINT
PURSUANT TO 42 U.S.C.
§1983

A. JURISDICTION

- 1) Ms. Ronny Darnell, is a citizen of OKLAHOMA
(Plaintiff) (State)
who presently resides at JCCC R.T.1 Box 8 Helena, OK. 73741-9606
(Mailing address or place

of confinement)

- 2) Defendant Justin Jones is a citizen of
(Name of first defendant)
OKLAHOMA City OKLAHOMA, and is employed as
(City, State)
ODOC Director. At the time the claim(s)
(Position and title, if any)

alleged in this complaint arose, was this defendant acting under color of
state law? Yes ☒ No ☐. If your answer is "Yes", briefly explain:

He is legally responsible for the overall operations of the
Department and each institution under its jurisdiction including
James Crabtree Correctional Center.

- 3) Defendant Don Sutmlen is a citizen of OKLAHOMA City, OKLAHOMA, and is employed as Chief Medical Officer of ODOC. At the time the claim(s) alleged in this complaint arose was this defendant acting under color of state law? Yes ☒ No ☐. If your answer is "Yes", briefly explain: He is legally responsible for the overall operations of the Medical operations of each institution under its Jurisdiction including James Crabtree Correctional Center. (Use the back of this page to furnish the above information for additional defendants.)
- 4) Jurisdiction is invoked pursuant to 28 U.S.C. §1343(3); 42 U.S.C. §1983. (If you wish to assert jurisdiction under different or additional statutes, you may list them below.) _____

B. NATURE OF THE CASE

- 1) Briefly state the background of your case.

I am a (MTF) Transgender, with the Disorder called Gender Dysphoria also known as Gender Identity Disorder (GID). AND James Crabtree medical Has violated my Eighth Amendment Right, To Freedom from Cruel and unusual Punishment and my Fourteenth Amendment to Equal Protection violation.

They are denying me any kind of Medical Treatment at all for my serious Medical Need. I am a Female Not a male, I was just Born in the wrong Body. Them Denying me my Hormones Treatment has changed me in ways I do not like, it has Deepened my voice To sound like a man. I Hate what they Have turned me into By Taking my ~~Hormones~~ Hormones away from me when I came into ODOC. It puts me into Great Depression and gives me Anxiety Attacks on a Daily Basis.

③ Defendant Enid, OKLAHOMA and is employed as Deputy Warden of J.C.C.C. AT the time the claim alleged in this complaint arose was this Defendant acting under color of state Law? YES ☒ or NO ☐ She is Legally Responsible for the operation of James Crabtree Correctional Center, and for the welfare of all the inmates in that Prison.

④ Defendant Katryna Frech is a citizen of ENID, OKLAHOMA and is employed as Correctional Health Service Administrator II. AT the time the claim alleged in this complaint arose was the Defendant acting under color of state Law? YES ☒ or NO ☐ She is Legally Responsible for the operations of Medical Care for James Crabtree Correctional Center and the medical welfare of all inmates in that Prison.

⑤ Defendant James Smash is a citizen of ENID, OKLAHOMA and is employed as Psychologist at J.C.C.C. AT the time the claims alleged in this complaint arose, was this defendant acting under color of state Law? YES ☒ or NO ☐ He is the Psychologist Dotor Here at James Crabtree Correction Center, and He is Legally Responsible for The Mental Health welfare of all the inmates in that Prison.

C. CAUSE OF ACTION

- 1) I allege that the following of my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary you may attach up to two additional pages (8½" x 11") to explain any allegation or to list additional supporting facts.)

A) (1) Count I: I've been Denied my Eighth Amendment
Right to Freedom from Cruel and unusual
Punishment

(2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and date. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

ON APRIL 9th, 2012 I filed a medical Request To Be seen By Dr. Smash for (GID), and I received NO RESPONSE, ON APRIL 16th, 2012 I put in a second Request, and this time he sent my Request Back denied. So I sent him a Request of staff asking why he Denied me and he said "NO ONE is being treated in DOC for (GID) as far as he knows. I have given you my answer so don't ask again. So then I started the Grievance Process To Kathryn Frech and she answer Back that (GID) is not a mental Health issue. So then I filed an appeal with Don Sutcliffe and waited 20 working day, but still no answer, so I waited another 20 working day for a total of 40 working day but still no answer.

B) (1) Count II: I've been Denied my Fourteenth Amendment
for Equal Protection Violation.

(2) Supporting Facts: Everyone in Prison has a Constitutional Right to adequate medical and mental health care under the Eighth Amendment of the US Constitution. This includes access to mental health care and hormones. I have been diagnosed with Gender Identity Disorder (GID) legal name change are part of the standard medical treatment for (GID) as recognized by the National and international medical and psychiatric communities and by standards adopted by C.A.R.K. Denying my name change would interfere with my medical treatment, and put me at risk of serious psychological harm, while serving no legitimate purpose.

C) (1) Count III: _____

(2) Supporting Facts:

D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

1) Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to the conditions of your imprisonment? Yes ☐ No ☒ If your answer is "Yes", describe each lawsuit. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

a) Parties to previous lawsuit:

Plaintiffs: _____

Defendants: _____

b) Name of court and docket number _____

c) Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____

d) Issues raised _____

e) Approximate date of filing lawsuit _____

f) Approximate date of disposition _____

- 2) I have previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C. Yes ☒ No ☐ . If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No", briefly explain why administrative relief was not sought.

Through the Grievance Process
The Result, I was Denied

E. REQUEST FOR RELIEF

- 1) I believe that I am entitled to the following relief:

① Hormone Treatment

② Counseling

③ Name Change to fit my Identity to Phoebe Halliwell

④ Laser Hair Removal Treatment

But the first thing I need, is to see a Transgender Specialist.

Signature of Attorney (if any)



Signature of Petitioner

(Attorney's full address and
telephone number.)

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares (or certifies, verifies, or states) under penalty of perjury that he is the plaintiff in the above action, that he has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. § 1746. 18 U.S.C. § 1621.

Executed at JCCC R.T. 1 Box 8, Helepa, OK on Aug. 22, ²⁰¹²199
(Location) (Date)

Ms. Ronny Darnell
(Signature)

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 THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

MS. RONNY DARNELL

DEFENDANTS

1) James Smash 4) Don Sutcliffe
2) Kristina Freeh 5) Justin Jones
3) Janet Dowling

(b) County of Residence of First Listed Plaintiff

Alfalfa

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant

Alfalfa

(IN U.S. PLAINTIFF CASES ONLY)

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

(c) Attorney's (Firm Name, Address, and Telephone Number)

CIV-

Attorney (Known)

12-1065

M

II. BASIS OF JURISDICTION

(Place an "X" in One Box Only)

☐ 1 U.S. Government Plaintiff☐ 3 Federal Question (U.S. Government Not a Party)☐ 2 U.S. Government Defendant☒ 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	PTF ☒ 1	DEF ☒ 1	Incorporated or Principal Place of Business in This State	PTF ☐ 4	DEF ☒ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated and Principal Place of Business in Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT

(Place an "X" in One Box Only)

CONTRACT	REAL PROPERTY	PERSONAL INJURY	PRISONER PETITIONS	FORFEITURE/PENALTY	LABOR	BANKRUPTCY	IMMIGRATION	PROPERTY RIGHTS	SOCIAL SECURITY	FEDERAL TAX SUITS	OTHER STATUTES
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☒ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excl. Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 444 Welfare ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☒ 440 Other Civil Rights	☒ 362 Personal Injury - Med. Malpractice ☐ 365 Personal Injury - Product Liability ☐ 368 Asbestos Personal Injury Product Liability ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability ☐ 510 Motions to Vacate Sentence ☐ 530 General Habeas Corpus: ☐ 535 Death Penalty ☐ 540 Mandamus & Other ☒ 550 Civil Rights ☐ 555 Prison Condition	☐ 610 Agriculture ☐ 620 Other Food & Drug ☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 630 Liquor Laws ☐ 640 R.R. & Truck ☐ 650 Airline Regs. ☐ 660 Occupational Safety/Health ☐ 690 Other ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Mgmt. Relations ☐ 730 Labor/Mgmt. Reporting & Disclosure Act ☐ 740 Railway Labor Act ☐ 790 Other Labor Litigation ☐ 791 Empl. Ret. Inc. Security Act ☐ 462 Naturalization Application ☐ 463 Habeas Corpus - Alien Detainee ☐ 465 Other Immigration Actions	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 ☐ 820 Copyrights ☐ 830 Patent ☐ 840 Trademark ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit ☐ 490 Cable/Sat TV ☐ 810 Selective Service ☐ 850 Securities/Commodities/Exchange ☐ 875 Customer Challenge 12 USC 3410 ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 892 Economic Stabilization Act ☐ 893 Environmental Matters ☐ 894 Energy Allocation Act ☐ 895 Freedom of Information Act ☐ 900 Appeal of Fee Determination Under Equal Access to Justice ☒ 950 Constitutionality of State 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 ☐ 7 Appeal to District Judge from Magistrate Judgment

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

Brief description of cause:

1983 (as 4th for violation of my Eighth and Fourteenth Amendment Rights

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

1111PS v. Michigan DOC 731 F.Supp 792 (W.D.Mich) 1370

DATE

SIGNATURE OF ATTORNEY OF RECORD

8-11-2012

Ms. Ronny Darnell

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

VS

D. O. D. O. C.

To the Court Clerk

9:24-2012

8:06 AM.

I'm not sure how this works, because I'm not very smart when it comes to the Law, so that's why I enclosed a motion for the Court to grant me a Lawyer, because I don't know which way to turn or what comes next.

I've been getting very Depressed over not receiving my Treatments, and now this, its making it Really hard for me to go on without Legal Counsel.

If there is anything I'm missing on this Packet I'm sending you, will you please let me know, so that they won't Dismiss it before it starts?

I would like to ask you something for me. Will you please address me as Ms. Ronny Darnell, or "She" or "Her" Please at least until I can get my new name changed in court to "Phoebe Halliwell" Because it is Really Depressing when People call me "Sir" or "Him" or "He", I just hate it. Please and Thank you!

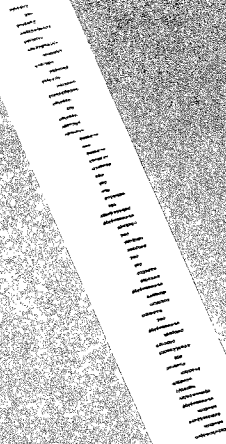
Signed Mrs. Ronny Darnell #521825-

JCCC UNIT #3

R.T. 1 BOX 8

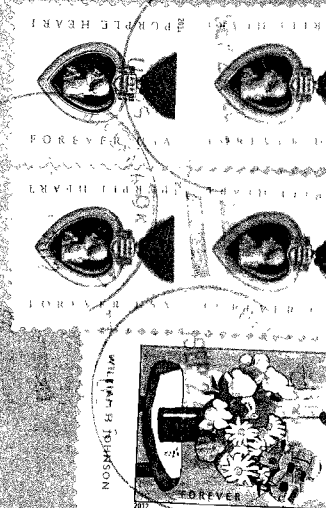
Helena, OK. 73741-9606

UCCO UNIT #3
R.T.1 Box 8
Helena, OK 73741-9606



Office of the Clerk
United States District Court
Western District of Oklahoma
200 N.W. 4th Street
Oklahoma City, OK 73102-3092

RECEIVED
SEP 25 2012
Clerk, U.S. District Court
WEST. DIST. OF OKLA.



SEP