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MAR 28 2014

SUPERIOR COURT OF NEW JERSEY
SALEM COUNTY CIVIL PART

BRUCE G. CASSIDY & ASSOCIATES, P.A.

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Attorney for Plaintiff

LEON FOREMAN, JR. (a/k/a LEON CARTER)

Plaintiff,

v.

COUNTY OF SALEM,
Sheriff CHARLES M. MILLER,
Warden RAYMOND C. SKRADZINSKI,
CORRECTIONS OFFICERS
BROOKS and WHITE and DiMAURO,
CORRECTIONS OFFICERS JOHN DOE(s),
JOHN DOE(S), Supervisory Personnel at Salem
County Correctional Facility and JOHN DOE(S)

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
SALEM COUNTY

DOCKET NO.: L- 54 -14

Civil Action:
**COMPLAINT,
DEMAND FOR JURY TRIAL,
DESIGNATION OF TRIAL COUNSEL,
DEMAND FOR ANSWERS TO
FORM C INTERROGATORIES and
CERTIFICATION PURSUANT
TO R.4:5-1**

Plaintiff LEON FOREMAN, JR. (a/k/a LEON CARTER), residing at 7029 Gregory Drive,
Norfolk, Virginia 23513, by way of Complaint against defendants, states as follows:

COUNT 1

- 1. Defendant COUNTY OF SALEM is a political subdivision of the State of New Jersey
maintaining a place where it regularly conducts business c/o The Board of Chosen Freeholders,

Salem County Administration Building, 94 Market Street, Salem, Salem County, New Jersey 08079.

2. Defendant Sheriff CHARLES M. MILLER is an individual and is the Sheriff of Salem County, maintaining a place where he regularly conducts business at Salem County Administration Building, 94 Market Street, Salem, Salem County, New Jersey 08079.
3. Defendant Warden RAYMOND C. SKRADZINSKI is an individual and is the Warden at the Salem County Correctional Facility, maintaining a place where he regularly conducts business at Salem County Correctional Facility, 125 Cemetery Road Woodstown, Salem County, New Jersey 08098.
4. Defendant CORRECTIONAL OFFICER BROOKS is an individual and is a Correctional Officer at the Salem County Correctional Facility, maintaining a place where he/she regularly conducts business at Salem County Correctional Facility, 125 Cemetery Road Woodstown, Salem County, New Jersey 08098.
5. Defendant CORRECTIONAL OFFICER WHITE is an individual and is a Correctional Officer at the Salem County Correctional Facility, maintaining a place where he/she regularly conducts business at Salem County Correctional Facility, 125 Cemetery Road Woodstown, Salem County, New Jersey 08098.
6. Defendant CORRECTIONAL OFFICER DiMAURO is an individual and is a Correctional Officer at the Salem County Correctional Facility, maintaining a place where he/she regularly conducts business at Salem County Correctional Facility, 125 Cemetery Road Woodstown, Salem County, New Jersey 08098.
7. Defendant(s) CORRECTIONAL OFFICERS JOHN DOE(S) is/are Correctional Officers whose identities are presently unknown to plaintiff, but who at all times material to plaintiff's cause of action were employed by the Salem County Correctional Facility, maintaining a place where

he/she regularly conducts business at Salem County Correctional Facility, 125 Cemetery Road Woodstown, Salem County, New Jersey 08098.

8. Defendant(s) JOHN DOE(S), Supervisory Personnel at Salem County Correctional Facility is/are individuals whose identities are presently unknown to plaintiff, but who at all times material to plaintiff's cause of action were employed by the Salem County Correctional Facility, maintaining a place where he/she regularly conducts business at Salem County Correctional Facility, 125 Cemetery Road Woodstown, Salem County, New Jersey 08098.
9. Defendant John Doe(s) is/are individuals/entities whose identities are presently unknown to plaintiff at this time but whose actions or inactions lead to and/or contributed to plaintiff's injuries and damages hereinafter set forth.
10. At all times material to plaintiff's cause of action defendants acted by and through their agents, servants and employees.
11. All of the acts alleged to have been done or not to have been done by defendants herein were done or not done by said defendants, their agents, servants and/or employees, all of whom were acting within the course and scope of their authority granted by supervisory defendants with and on behalf of said defendants.
12. On or about June 1, 2013, plaintiff was a detainee housed in the Salem County Correctional Facility located at 125 Cemetery Road Woodstown, Salem County, New Jersey 08098.
13. At the aforesaid date and place, plaintiff was assaulted and beaten by approximately seven (7) correctional officers, including CO BROOKS, CO WHITE and CO DiMAURO and other John Doe(s) Correctional Officers.
14. After the aforescribed assault, plaintiff was taken to the Salem County Hospital where two of the correctional officers continued to assault plaintiff.

15. As a result of the aforesaid assaults, plaintiff sustained severe injuries to his head, trunk and extremities and has sustained severe physical, mental and emotion pain and suffering.
16. As a further result of defendants' conduct as aforesaid, plaintiff has been forced to receive and undergo medical care and attention and to incur costs/liability for same and may continue to require future medical care and attention, with accompanying costs, for an indefinite time in the future.
17. As further result of defendants' conduct as aforesaid, plaintiff has suffered loss of earnings and/or earning capacity which will continue for an indefinite time in the future.
18. As further result of defendants' conduct as aforesaid, plaintiff's ability to stand and walk have been impaired and his prior medical conditions have been aggravated.

WHEREFORE plaintiff demands judgment against defendants, jointly and severally, for damages, plus costs, interest and attorneys' fees.

COUNT II

1. Plaintiff incorporates herein the allegations of Count I in their entirety.
2. Plaintiff believes and therefore avers that defendants COUNTY OF SALEM, Sheriff CHARLES M. MILLER and Warden RAYMOND C. SKRADZINSKI and JOHN DOE(s) Supervisory Personnel at Salem County Correctional Facility were reckless, negligent and careless in their supervision of the Correctional Officers described in Count I and in failing to prevent and/or stop the aforesaid assault in order to prevent and/or minimize plaintiff's injuries.
3. As a result of defendants' recklessness, negligence and carelessness as aforesaid, plaintiff has suffered the damages more fully set forth in Count I.

WHEREFORE, plaintiff demands judgment against defendants, jointly and severally, for damages, plus costs, interest and attorneys' fees.

COUNT III

1. Plaintiff incorporates herein the allegations of Counts I and II in their entirety.
2. Defendants COUNTY OF SALEM, Sheriff CHARLES M. MILLER and Warden RAYMOND C. SKRADZINSKI JOHN DOE(s) Supervisory Personnel at Salem County Correctional Facility were reckless, negligent and careless in hiring and in training and/or adequately training and monitoring the correctional officers and intermediate supervisory personnel at the Salem County Correctional Facility, including the correctional officers more fully described in Count I of this Complaint.
3. Plaintiff's injuries and damages hereinbefore stated were caused by defendants' negligent supervision and/or inadequate training and monitoring of said personnel.

WHEREFORE, plaintiff demands judgment against defendants, jointly and severally, for damages, plus costs, interest and attorneys' fees.

COUNT IV

1. Plaintiff incorporates herein the allegations of Counts I, II and III in their entirety.
2. Plaintiff believes and therefore avers that defendants' conduct as set forth in Count I of this Complaint was intentional and/or willful, wanton and done with reckless disregard for the rights and safety of plaintiff.

WHEREFORE, plaintiff demands punitive damages against defendants, jointly and severally, plus costs, interest and attorneys' fees

COUNT V

1. Plaintiff incorporates herein the allegations of Counts I, II, III and IV in their entirety.

2. Plaintiff believes and therefore avers that defendants have willfully and recklessly failed to investigate the above described conduct of defendants, and that defendants' suppression of evidence substantiating plaintiff's claims of assault set forth herein has further contributed to plaintiff's injuries and damages.

WHEREFORE, plaintiff demands compensatory and punitive damages against defendants, jointly and severally, plus costs, interest and attorneys' fees

COMPLAINT WITH N.J.S.A. 59:8-8

On or about August 6, 2013, plaintiff, by counsel, timely served defendants with a Tort Claims Act Notice pursuant to N.J.S.A. 59:8-8 (see **Exhibit "A"**).

JURY TRIAL DEMAND

Plaintiff demands trial by jury on all Counts.

DESIGNATION OF TRIAL COUNSEL

Pursuant to Rule 4:25, Bruce G. Cassidy, Esquire is hereby designated as trial counsel for plaintiffs.

DEMAND FOR CERTIFIED ANSWERS TO FORM C

PLEASE TAKE NOTICE that pursuant to Rule 4:17-1, plaintiffs hereby demand Certified Answers to Uniform Interrogatories, **Form C**, in accordance with the time limits prescribed by Rule 4:17-4.

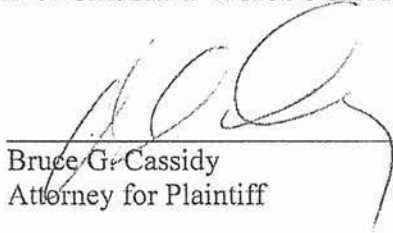
CERTIFICATION PURSUANT TO R. 4:5-1

Pursuant to R.4:5-2, it is hereby stated that the matter in controversy is not the subject of any other action pending in any other Court, or of any other action or arbitration proceeding to the best of my knowledge. Further, other than the parties set forth in this pleading, I know of no other parties that should be joined in the above action. In addition, I recognize the continuing obligation of each party to file and serve on all parties and the Court an amended certification if there is a change on the facts stated in this original certification.

BRUCE G. CASSIDY & ASSOCIATES, P.A.

Dated: March 26, 2014

By:



Bruce G. Cassidy
Attorney for Plaintiff