

UNITED STATES DISTRICT COURT  
for the

Jamie Cross

Plaintiff(s)

v.

Bryan P. Stirling

Probation Parole and Pardon

Lavern Cohen

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Bryan P. Stirling - P.O. Box 21787 Columbia S.C. 29210

Jerry Adger - 2221 Devine Street, Suit 600  
Columbia S.C. 29250

Lavern Cohen - 5 Correctional Rd Ridgeland  
SC 29936

A lawsuit has been filed against you.

Melanie Davis - P.O. Box 21787 Columbia S.C. 29210

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Clerk or Deputy Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA or Fourth Cir

Jamie Goss, )  
 )  
Plaintiff, ) Civil Action No. \_\_\_\_\_  
 )  
Vs. ) Complaint  
 )  
South Carolina Department of Corrections, ) ( Jury Trial Demanded)  
Lavern Cohen, ) Sued Individually and  
South Carolina Department of Probation ) official capacities  
Parole, and Pardon Services, )  
State of South Carolina, )  
\_\_\_\_\_ Defendants.)

The plaintiff, complaining of the Defendant would respectfully show the court the following:

I. JURISDICTION AND VENUE

- 1.) This is an action for relief brought pursuant to the tort claims of South Carolina S.C. Code Ann. § 15-78-10 et seq. (herein after "Tort Act"), also pursuant to §42 U.S.C. Section 1983, and the Eighth and Fourteenth Amendments of the United States Constitution. Additionally, the court has supplemental jurisdiction over plaintiff state law claims under §28 U.S.C. section 1367, additionally, Plaintiff seeks temporary and permanent injunctive relief pursuant to S.C. Code Ann. § 15-43-30, and pursuant to rule 65(b) of the South Carolina Rules of Civil Procedure, and U.S.C. Section 1983 to require the Defendants to provide the plaintiff a safe and secure housing arrangement with the appropriate policies and procedures and supervision. This new invention give me the right to have my case in fourth circuit,

- 2.) The ~~Charleston Division~~ <sup>Fourth Circuit</sup> is the appropriate venue under 28 U.S.C. section 1391(b) (2) because it is where the events giving rise out to the claim occurred.

## II. PARTIES.

- 3.) Plaintiff, Jamie Goss, is currently a resident of the South Carolina Department of Corrections, housed at Ridgeland Correctional Institution, who is at all times mentioned herein.
- 4.) Defendant South Carolina Department of Corrections, (herein after SCDC) is a “governmental entity” organized and existing under the laws of the State of South Carolina and within the meaning of the tort act at S.C. Code Ann§ 15-78-30(d).
- 5.) Defendant South Carolina Department of Probation, Parole, and Pardon Services, (herein after SCDPPPS) is a “governmental entity” organized and existing under the laws of the state of South Carolina and within the meaning of the tort act at S.C. Code Ann §15-78-30(d)
- 6.) Defendant Lavern Cohen, is the Warden of Ridgeland Correctional Institution, who is legally responsible for the Plaintiff safety, and who is at all times mentioned herein.
- 7.) The Defendants SCDC, SCDPPPS, and Lavern Cohen are sued in their official capacity, at all times mentioned herein this complaint each Defendant acted under color of state law.

## III. GENERAL FACTS.

- 8.) Plaintiff Goss filed this civil action lawsuit because he has experienced Covid-19 centered upon the Defendants reoccurring system-wide failures in protecting his safety, and security by not allowing compassionate release under extraordinary circumstance.