

1 Jesus Eduardo Arias, Esq. LL.M. [SBN 293983]
2 1150 S. Olive St. Sixth Floor
3 Los Angeles CA 90015
4 E| jearias@jesuseduardoarias.com
5 Tel| 323) 815 9450 Fax| 323) 375 1196
6 *Attorney for Plaintiffs*

7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA**

9 EUSEBIO AYALA ROMAN, Individually
10 and as Successor in Interest (Decedent's
11 father) *and* LUCIA URIBE MARTINEZ,
12 Individually and as Successor in Interest
13 (Decedent's Mother),)

14 Plaintiffs,)

15 vs.)

16 THE GEO GROUP, INC, WELLPATH,
17 LLC and DOES 1-100, Inclusive,)

18 Defendants,)
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21)
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Case No.

COMPLAINT FOR DAMAGES

1. 5th Amendment (Due Process. Deliberate Indifference to Serious Medical Needs.)
2. 5th Amendment. (Unconstitutional Conditions of Confinement)
3. Negligence in hiring, training, and Supervising of employees-independent contractors, and failure to Implement Adequate Policies,
4. Negligence by Wrongful Death
5. Intentional Infliction of Emotional Distress
6. Violation of California Government Code §7320
7. Violation of CA Civil Code § 52.1 (*The Tom Bane Civil Rights Act*)

[DEMAND FOR JURY TRIAL]

- 1 4. This US District Court has supplemental jurisdiction over the Plaintiff’s State
2 claims pursuant to 28 U.S.C. § 1367 (a). Those claims are intrinsically related
3 to the federal claims, and therefore they are considered to be arising out of the
4 same case and controversy under Article III of the US Constitution.
- 5 5. Venue in this District Court is proper under 28 U.S.C. § 1391(b), because the
6 DEFENDANTS reside in this Judicial District. And because all the incidents
7 giving rise to this matter occurred within the geographical area covered by
8 this District. The incident core to this action occurred at Adelanto California.
9 Which is located within the geographical area of this District.
- 10 6. The amounts in controversy exceed the minimum jurisdictional limits.

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14 **I. THE PARTIES**

- 15 7. At all times relevant to this action, the Decedent **ISMAEL AYALA URIBE**
16 (hereinafter referred to as “ISMAEL” “MR. AYALA URIBE” or
17 “DECEDENT”) was a resident of Huntington Beach California. He was 39
18 years old at the time of his Death. He died on September 22, 2025.
- 19 8. Plaintiff **EUSEBIO AYALA ROMAN** (hereinafter referred as “MR.
20 AYALA or PLAINTIFF”) is the father of the Decedent. Thus, Plaintiff brings
21 this action pursuant California Code of Civil Procedure §377.60. A
22 Declaration under CCP § 377.32 is attached here as **EXHIBIT No. 1** Plaintiff
23 “Mr. Ayala” brings this action both in her individual capacity for Wrongful
24 Death Damages and the loss of his son, and in his representative capacity as
25 Decedent’s successor in interest. CCP § 377.34 (b)
- 26 9. Plaintiff **LUCIA URIBE MARTINEZ**, hereinafter referred to as “MS.
27 URIBE” OR “PLAINTIFF”) is the mother f the Decedent. Pursuant California
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1 Civil Procedure Code §377.60, PLAINTIFF – MS. URIBE sues both in her
2 individual capacity for Wrongful Death Damages as result of the Death of her
3 son, and in her representative capacity as Decedent’s successor in interest. A
4 Declaration under CCP 377.32 is also here attached as **EXHIBIT No. 2** CCP
5 § 377.34 (b)

6 10. The Plaintiffs act in their own individual capacity and as *successors in interest*
7 to Decedent’s Civil Rights per 42 U.S.C. § 1983. Further, the Plaintiffs seek
8 wrongful death damages, and survival damages as to Mr. Ayala Uribe’s pain
9 and suffering prior to his death. And for any and all other applicable damages
10 including those provided by Ca. Civ. Proc. § 377.34 (b). (*This Action is being*
11 *filed after January 1st 2022*)

12 11. Defendant The Geo Group, Inc. (“**GEO GROUP**”) is a private company in
13 the business of operating the ADELANTO PROCESSING CENTER in
14 California. The Plaintiffs are informed and believe that Defendant The Geo
15 Group, Inc. was, and is, a for-profit corporation in full control of the
16 operations of a Detention center that serves to keep detainees arrested by ICE
17 – DHS (Department of Homeland Security).

18 12. At all relevant times, The Defendant GEO GROUP INC (“**GEO GROUP**”)
19 was and is a state actor within the jurisprudence under federal civil rights law.

20 13. The Defendant Wellpath LLC, operating or formerly known as Correct Care
21 Solutions, (CCS) sub-contracted with GEO GROUP INC to provide full
22 service medical, mental health, and other care (collectively “healthcare”) to
23 the inmates housed at ADELANTO ICE PROCESSING CENTER. Plaintiffs
24 is informed and believe that Defendant Wellpath, LLC was, and is, a for-profit
25 corporation.

26 14. At all relevant times, **GEO GROUP** was responsible for assuring that the
27 actions, omissions, policies, procedures, practices, training, supervision,
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1 monitoring, and customs of their employees, was in compliance with the laws
2 of the United States and with laws of California.

3 15. Plaintiffs reasonably believe and therefore here allege that at all relevant
4 times; DOES 1-100 were individuals and or persons residents of California,
5 employees specifically authorized by DEFENDANTS GEO GROUP and
6 Wellpath LLC to perform duties and responsibilities as personnel of
7 ADELANTO ICE PROCESSING CENTER. All of their acts were performed
8 within the course and scope of their employment. DOE DEFENDANTS 1-
9 100 were acting with the complete authority and ratification of their principal,
10 GEO GROUP and or Wellpath LLC. The true names and capacities of those
11 Defendants DOES 1-100, are unknown at this time to the PLAINTIFFS.
12 Therefore, they are referred to in this complaint as DOE DEFENDANTS 1-
13 100 Inclusive. PLAINTIFFS will seek leave to amend their complaint to show
14 the true names and capacity of those DEFENDANTS when they are
15 ascertained. Each of the fictitiously named DEFENDANTS is responsible in
16 some manner for the wrongful acts alleged herein that resulted in the Death
17 of Mr. Ayala Uribe.

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19 **II. FACTS COMMON TO ALL CLAIMS FOR RELIEF**

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21 16. The Plaintiffs incorporate by reference here paragraphs 1 to 13 of this
22 complaint, with the same legal effect as if they were fully alleged herein.

23 17. This claim arises from the unlawful and negligent conduct of a private
24 contractor GEO Group, Inc., and its related personnel, and sub contractor[s]
25 who failed to provide reasonable and adequate necessary care to Mr. Ismael
26 Ayala Uribe, while he was in custody at the Adelanto ICE Processing Center.
27 Such series of multiple individuals' conduct constitute serious violations to
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1 the US Constitution. Including to the Eighth Amendment to the United States
2 Constitution, which prohibits deliberate indifference to serious medical needs,
3 and contravenes the obligations of the United States under Articles 6, 7, 9, 10,
4 and 14 of the International Covenant on Civil and Political Rights (ICCPR),
5 as well as Articles 10 through 16 of the Convention against Torture (CAT).
6 These US International commitments reaffirm and collectively prohibit in the
7 United States torture and other cruel, inhuman, or degrading treatment or
8 punishment to any person detained, arrested, processed & otherwise restricted
9 of freedom.

10 18. These obligations are further clarified by authoritative international standards,
11 including the United Nations Standard Minimum Rules for the Treatment of
12 Prisoners (the Mandela Rules) and the UNHCR Detention Guidelines (2012),
13 which emphasize that immigration detention is administrative in nature and
14 must never replicate punitive or carceral conditions. Under these standards,
15 all facilities -including those ran by private jail contractors- must ensure the
16 adequacy of medical areas, equipment, and staffing; proper isolation and
17 treatment of persons with infectious or vulnerable health conditions; and
18 timely access to emergency medical transport and care. (see ICCPR, art. 6;
19 Mandela Rules, Rules 24–35).

20 19. Mr. Ismael Ayala Uribe was detained by agents of the United States
21 Immigration and Customs Enforcement (“ICE”) on or about August 17, 2025,
22 and at some point he was subsequently transferred to the Adelanto ICE
23 Processing Center, located in Adelanto, California. From August 17 to
24 September 21, 2025, Mr. Ayala remained under the full custody, control, care,
25 and supervision of personnel employed and contracted by The GEO Group,
26 Inc., operating the facility pursuant to a contractual agreement with
27 Department Homeland Security
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1 20.The Adelanto ICE Processing Center has been widely reported as one of the
2 deadliest immigration detention facilities in the United States, with repeated
3 findings of inadequate medical care, delayed emergency response, and
4 systemic neglect documented by the Department of Homeland Security’s
5 Office of Inspector General (OIG) and by multiple human rights
6 organizations.

7 21.Before being in custody of GEO GROUP Ismael Ayala, was in good standing
8 of health. He was never in any sort of medical condition nor distress that
9 required him to seek any medical attention. He had not committed any crime
10 to be arrested wrongfully by ICE agents executing federal government policy
11 orders violation of human rights, including 4th amendments. (Racial
12 profiling- arrests without warrants. He was arrested with no warrant by
13 immigration officers on August 17, 2025, in the city of Fountain Valley,
14 California. He was taken into the **Adelanto ICE Processing Center**
15 (Hereinafter referred also as the “Adelanto facility”), which is located in
16 Adelanto, California.

17 22.There, he remained under the custody, care, and supervision of the personnel
18 employed and contracted by **GEO GROUP**.

19 23.**GEO GROUP** undertakes full responsibility for all detainees that receives
20 from ICE arrests, acting under color of law in exercise of functions that
21 exclusively and traditionally within the power and duty of government
22 entities. i.e ICE-DHS.

23 24.**GEO GROUP** Operates on a daily basis the facility pursuant their contractual
24 agreements with ICE and DHS (Department of Homeland Security).

25 25.The Plaintiffs allege that, when DECEDENT was processed and taken into
26 the Adelanto facility, the Defendants failed to properly have and maintain the
27 facility in good standard conditions as required by law and procedures, and
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1 despite prior requests from DHS, including and not limited to the following;
2 provide proper screening of new detainees, proper monitoring of health status,
3 proper rendering of medical care, proper diagnose of medical condition, (s)
4 proper medical examinations, and proper care in general to detainee's medical
5 complaints. Their failure to provide proper medical prompt attention to treat
6 DECEDENT's condition(s) directly and proximately caused Decedent's
7 demise.

8 26. In addition, Defendants denied DECEDENT prompt and adequate access to
9 the any medical care necessary for him at the time of his arrest. The
10 Defendants further kept Decedent subject to their wrongful custom and
11 practices of keeping deplorable conditions in this private detention center, as
12 stated above. This including not limited to; lack of proper clean water, lack
13 of proper healthy meals, lack of proper jail housing conditions, (extremely
14 cold, dirty unsanitary) lack of proper supervision. Including the deliberate
15 indifference that Adelanto's personnel have routinely showed to all detainees
16 under their custody and care.

17 27. Over the course of the time that Defendant was deprived of his freedom as
18 jailed by GEO GROUP INC, he multiple times requested care for his serious
19 pain, and suffering. He kept over and over asking for help, being deliberately
20 ignored by The Defendants.

21 28. After other prior multiple request, on September 18, 2025, Ismael Ayala
22 continued to ask for help and submitted written request for medical assistance
23 due to severe pain and high fever. He was evaluated by an on-call medical
24 providers employed by The GEO Group. Following this cursory assessment,
25 he was returned to his cell with only over counter pain pills and without a
26 reasonable assessment - diagnostic evaluation or referral to evaluate the roots
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1 and real health illness or condition origin of the symptoms. His symptoms had
2 been worsening and he remained sick for weeks with deliberate indifference.

3 29. On September 21, 2025, Mr. Ayala's condition deteriorated rapidly, and on
4 emergency levels by being non responsive. Then he was finally removed by
5 Defendants from incarceration to a hospital. Upon arrival, he presented with
6 hypertensive symptoms and tachycardia with high-risk, life-threatening
7 medical signs. Despite medical intervention, Mr. Ayala was pronounced dead
8 at approximately 2:32 a.m. on September 22, 2025. The cause of death at the
9 time of this filing, appears to be related to a serious infection resulting in
10 sepsis without proper treatment or care provided at any time during his
11 detention.

12 30. The Negligent handling of this situation was the proximate legal cause of Mr.
13 Ismael Ayala Uribe's Death. As result Mr. Ayala Uribe and Plaintiffs have
14 suffered damages. (Wrongful Death damages and Survival Claim Damages).

15 31. The Plaintiffs act in their own individual capacity and as *successors in interest*
16 to Decedent's Civil Rights per 42 U.S.C. § 1983. Therefore, the Plaintiffs seek
17 wrongful death damages, including survival damages as to Mr. Ayala Uribe's
18 pain and suffering prior to his death. And for any and all other applicable
19 damages including those provided by Ca. Civ. Proc. § 377.34 (b). (*This Action*
20 *is being filed after January 1st 2022*)

21 32. For at least several weeks prior to his death, Mr. Ismael Ayala experienced
22 intense and progressive physical pain, including abdominal pain, severe
23 buttock pain, persistent fever, chills, extreme weakness, and continuous
24 intestinal internal pain related to internal bleeding. His multiple requests for
25 help to Defendants were ignored and therefore futile causing deterioration of
26 his health.

1 33. During all the time Ismael Ayala remained entirely dependent on Defendants
2 for access to medical care, adequate pain medication, diagnostic evaluation,
3 and timely treatment. Despite their notice and opportunity to act in furtherance
4 of Ismael Ayala's health, the Defendants deliberate failed to act reasonably
5 and prudently to avoid serious risk of harm and death.

6 34. The pain and suffering experienced by Mr. Ayala were conscious, very severe
7 and foreseeable, and were directly attributable to Defendants' deliberate
8 indifference with their unconstitutional conditions of confinement, and
9 callous disregard for the fundamental rights and the right to live of Decedent
10 Ayala.

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12 **FIRST CLAIM FOR RELIEF**

13 **(5th Amendment – Due Process – Deliberate Indifference to medical needs)**

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15 **Against All Defendants (GEO Group, Inc., Wellpath, LLC, and DOES 1–100)**

16 35. Plaintiff realleges and incorporates by reference all preceding paragraphs as
17 though fully set forth herein.

18 36. At all relevant times, Mr. Ismael Ayala Uribe was an immigration detainee,
19 not a convicted criminal prisoner, and was therefore entitled to protections
20 under the Due Process Clause of the Fifth Amendment to the United States
21 Constitution.

22 37. Defendants GEO Group, Inc. and Wellpath, LLC, although private
23 corporations, acted under color of federal law by operating and staffing the
24 Adelanto ICE Processing Center, pursuant to contracts with the federal
25 government and performing functions that are traditionally and exclusively
26 the prerogative of the government, including detention, custody, medical care,
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1 and emergency response for any and all the immigration detainees being held
2 at Adelanto.

3 38. Defendants owed Mr. Ayala a constitutional duty to provide adequate medical
4 care, to respond reasonably and promptly to serious medical need, and to
5 refrain from conduct that amounted to cruel punishment, deliberate
6 indifference, with objective unreasonableness and callous disregard for risk
7 of serious harm-death.

8 39. Isamel Ayala (39) presented objectively serious and life-threatening medical
9 conditions, including a prolonged fever, chills, rectal bleedings, severe gluteal
10 pain, infection (s), electrolyte imbalance, renal dysfunction, and signs of
11 systemic inflammatory response of his body. These symptoms, taken
12 individually and collectively, constituted clear medical emergencies that
13 should have been obvious to any reasonable person in Defendant's position,
14 and required immediate attention. Including not limited to proper diagnostic
15 evaluation, hospitalization for any required surgical interventions.

16 40. Despite the repeated complaints over a period of weeks, Defendants
17 deliberately failed to conduct basic diagnostic testing, failed to monitor vital
18 signs, failed to escalate care, and instead provided palliative medication,
19 thereby knowingly disregarding the excessive risk of serious harm to Isamel
20 Ayala's health & life.

21 41. Despite their established actual knowledge of Decedent's situation
22 Defendants:

- 23 a. Conducted only a cursory and inadequate medical evaluation, with
24 improper unconstitutional customs and practices to minimize and
25 disregard the seriousness and the legitimate need of attention of
26 detainees.

1 b. Failed to order diagnostic testing or timely refer Ismael Ayala to
2 emergency – hospital as early as possible to avoid worsening of
3 condition.

4 c. Returned Mr. Ayala to his cell with only minimal and inadequate pain
5 medication to treat his serious ailments, sending him slowly to death
6 path.

7 d. Delayed emergency intervention until his condition had become critical
8 irreversible, life threatening and nearly a death in the progress was
9 cruel.

10 42. When Mr. Ismael Ayala was finally transferred to an outside hospital, the
11 imaging revealed diffuse intramuscular and retroperitoneal gas, peritonitis,
12 possible abscess with infected hematoma, pneumoperitoneum, which are
13 medical conditions that necessarily developed and worsened over the
14 extended period of untreated infections and internal injury that were ignored
15 by Defendant

16 43. Defendants' conduct was not a matter of medical judgment but rather a
17 systemic failure to respond to obvious signs of serious illness, constituting
18 deliberate indifference in violation of the Fifth Amendment. This is not the
19 only case of death in custody at the hands of Defendant's wrongful conduct at
20 Adelanto. Multiple other individuals have been suffering from the reckless
21 disregard by these Defendants to the constitutional rights of the people
22 detained by Immigration authorities in the United States.

23 44. As a direct result of Defendants' actions and omissions, Ismael Ayala endured
24 significant conscious pain and suffering prior to his death, including untreated
25 infections, escalating and excruciating pain, systemic inflammatory physical
26 body responses, and physical deterioration in general, which would have been
27 substantially alleviated and avoided with timely and constitutionally adequate
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1 medical care if provided or at least procured in time by the involved
2 Defendants.

3 45.The mechanisms and process of this cruel death was aggravated due to the
4 evident knowledge and fear that Decedent perceived that he was dying, that
5 he was being left to die slowly and cruelly by these corporate Defendants
6 “The Geo Group Inc. and Wellpath LLC. Knowing that they had done surely
7 the same to others letting them to die with deliberate indifference as a
8 customary wrongful practice in this immigration facility. For no other reason
9 other than profit interest due to the billions of dollars they collect from US
10 Government for detaining civil immigrants, ultimately in essence profiting US
11 Citizens tax money by killing innocent civilians jailed in inhuman cruel
12 conditions at Adelanto CA.

13 46.Each of the above actions and/or inactions affirmatively contributed to, was a
14 substantial factor in, and proximately caused the Plaintiffs’ harm. Including,
15 the loss of love, loss of society, loss of comfort, attention, affection, solace,
16 companionship, services, support of their son, in an unlimited set of general
17 damages amount to be determined at trial.

18 47.Each of the above conduct by negligent actions and/or negligent omissions
19 affirmatively contributed to, was a substantial factor in, and has proximately
20 caused damages to the Decedent, by way of all the pre-Death pain and
21 suffering that he experienced in an agonizing sadly and slowly manner.

22 48.Thus the plaintiffs sue for their own loss of familiar relationship, love and
23 affection of their son, and also for Survival Claim Damages as the proper
24 legal representatives acting on behalf of their son for all pre death damages
25 that he would be entitled under the law to recover had he survived from
26 Defendant’s conduct.

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SECOND CLAIM FOR RELIEF

(Unconstitutional Conditions of Confinement – Fifth Amendment)

Against All Defendants

49. Plaintiffs reallege and incorporate by reference all preceding paragraphs.

50. The Fifth Amendment prohibits civil immigration detainees from being subjected to conditions of confinement that amount to punishment or that pose an unreasonable risk to health and safety.

51. At all relevant times, Defendants maintained and enforced policies, practices, and customs at the Adelanto ICE Processing Center that resulted in:

- a. Inadequate access to timely medical care;
- b. Delayed emergency responses;
- c. Insufficient staffing and supervision of medical personnel;
- d. A pattern of neglect toward detainees experiencing acute medical distress.

52. The dangerous conditions at the Adelanto ICE Processing Center were well known, including through public reports, federal oversight findings, and prior deaths at the facility.

53. Defendants maintained conditions of confinement in which detainees reporting prolonged fever, bleeding, and acute pain were routinely provided only over-the-counter medication, without meaningful medical evaluations, reflecting a custom or practice of delaying or denying emergency care without regard for the consequences.

54. Such conditions predictably resulted in advanced status of serious and risk full infections, organ failures, and ultimately death of Ismael Ayala at 39 years old.

1 55. Ismael Ayala's death was a foreseeable and preventable consequence of these
2 unconstitutional conditions of confinement, which have been routinely
3 maintained by the Defendants at Adelanto facility for the last few years. These
4 Unlawful custom & Practices proximately caused the death of Ismael Ayala
5 and harm -damages to plaintiffs.
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8 **THIRD CLAIM FOR RELIEF**

9 **(Negligence in the hiring, training and supervising of employees and**
10 **independent contractors). (California Law)**

11 **Against GEO Group, Inc. and Wellpath, LLC and Does 1-100**

12 56. Plaintiffs reallege and incorporate by reference all preceding paragraphs.

13 57. GEO Group, Inc. and Wellpath, LLC were responsible for establishing hiring
14 policies, procedures, training, supervision, and oversight to ensure
15 constitutionally adequate operation of Adelanto detention center.

16 58. Defendants failed to develop, maintain and update proper and reasonable
17 hiring policies in order to ensure suitability of the employees, guards,
18 independent providers, agents etc, to perform their services safely and
19 ensuring the well being of all detainees while being incarcerated at Adelanto
20 detention center.

21 59. Defendants failed to properly train and supervise employees regarding:

- 22 a. Recognition of medical emergencies;
23 b. Response to symptoms such as hypertensive and cardiac symptoms;
24 c. Escalation protocols for deterioration of detainee's health;
25 d. Timely referral protocols to outside emergency hospitals.
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1 60. Defendants further maintained unlawful policies or customs that prioritized
2 cost containment, understaffing, and financial gain over detainee's health and
3 safety.

4 61. Defendants failed to train staff to recognize that persistent fever, rectal
5 bleeding, electrolyte abnormalities, and escalating pain represented red-flag
6 symptoms requiring immediate escalation of care, and instead fostered a
7 systemic culture in which such symptoms were minimized and blatantly
8 ignored without regard for any consequences to the persons suffering from
9 such symptoms or conditions

10 62. This conduct and obvious failures to act within standards of care, was a
11 moving force behind the harm caused, (death) including and not limited
12 evidenced by the delayed diagnosis of pneumoperitoneum and peritonitis,
13 conditions that are highly survivable when treated promptly and properly.

14 63. These failures reflect deliberate indifference to the constitutional rights of
15 detainees at Adelanto and were the moving force behind the violations
16 suffered by Ismael Ayala and others currently being held at such essentially
17 death row disgraced detention place being used for Immigrants non criminals
18 detainees.

19 64. As a direct and proximate result of these failures, Ismael Ayala was denied
20 adequate medical care and died while in Defendants' custody.

21 65. Thus the plaintiffs sue for their own individual damages and loss of love and
22 affection of their son, and also for Survival Claim Damages as the proper
23 legal representatives acting on behalf of their son for all pre death damages
24 that he would be entitled under the law to recover had he survived from
25 Defendant's conduct.
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FOURTH CLAIM FOR RELIEF

NEGLIGENCE - Wrongful Death under CA Law

Against All Defendants

66.Plaintiff realleges and incorporates by reference all preceding paragraphs.

67.Ismael Ayala’s death was wrongful, foreseeable, and preventable, and occurred while he was entirely dependent on Defendants for his safety and medical care.

68.Plaintiffs and Ismael Ayala’s statutory beneficiaries suffered damages including loss of life, loss of companionship, emotional distress, and other compensable harms.

69.At all relevant times, the Defendants GEO, WELLPATH and DOES 1-100, as detention facility involved parties, owed a duty of care to the DECEDENT, to have and maintain reasonable conditions at their ADELANTO Facility in order to protect the well being of all persons being detained subject to immigration proceedings. Including the decedent. And including a duty to provide reasonable medical assessments, medical screenings, medical checks, medical care and attention to any and all conditions by any and all detainees while such persons were -are under their custody by orders of ICE – DHS.

70.The defendants breached their duties to Decedent.

71.At all relevant times, between August 17, 2025, and through September 22, 2025, Defendants willfully and/or negligently failed to provide DECEDENT with reasonable and proper care and medical attention which he urgently needed while he was under their custody and supervision.

72.The Plaintiffs are informed, believe and therefore allege that, at all relevant times, Defendants GEO, WELLPATH and DOES 1-100 breached their duties of care by:

- 1 a) Failing to properly screen Decedent's medical condition at time of
- 2 arrival.
- 3 b) Failing to properly assess and diagnose Decedent's medical conditions.
- 4 c) Failing to perform proper medical examinations in response to
- 5 Decedent's complaints.
- 6 d) Failing to provide any proper medical attention to Decedent.
- 7 e) Failing to properly examine Decedent's medical condition.
- 8 f) Failing to properly medicate the Decedent.
- 9 g) Failing to provide safe and adequate nutrition and safe and adequate
- 10 hydration to the Decedent.
- 11 h) Failing to provide reasonable supervision and management of
- 12 Decedent's health care needs while he remained in custody at Adelanto
- 13 facility.
- 14 i) Failing to obtain Decedent's medical records and health history in order
- 15 to determine any adequate health care plan for the Decedent.
- 16 j) Denying Decedent prompt and adequate access to medical care.
- 17 k) Failing to exercise that degree of care that a reasonable provider would
- 18 exercise under similar circumstances, as a private jail prison contractor
- 19 for ICE DHS.

20 73. Such of the above wrongful actions and omissions, among others, were made
21 with deliberate indifference to serious risks of death to Ismael Ayala Uribe.

22 74. Hence, with their negligent actions and omissions, the Defendants breached
23 their duties to act as reasonable persons and entities would do under similar
24 circumstances. The irreversible result of their failure to exercise reasonable
25 due care was the proximate legal cause of the Decedent's death and Plaintiffs'
26 damages. The damages caused by the Defendants' negligence include but are
27 not limited to Wrongful Death Damages, but also include Survival Pre-Death
28 pain and suffering Damages. California Code of Civil Procedure § 377.34. (b)

1 75. Thus, the Defendants are liable to the Plaintiffs for the wrongful death of their
2 son and for the survival damages caused to him during all the time[s] prior to
3 his death.

4 76. The plaintiffs allege that at all relevant times, GEO GROUP & WELLPATH
5 were the employers of Defendants DOES 1-100. Therefore, at all relevant
6 times, they were acting within the scope of their employment. Thus, according
7 to the generally known judicial doctrine of *Respondent Superior Liability*,
8 GEO GROUP and Well Path LLC are vicariously liable for the wrongful
9 conduct of its employees because they have been committed within the course
10 and scope of their employment.

11 77. Each of the above actions and/or inactions affirmatively contributed to, was a
12 substantial factor in, and proximately caused the Plaintiffs' harm. Including,
13 the loss of love, loss of society, loss of comfort, attention, affection, solace,
14 companionship, services, support of their son, in an unlimited set of general
15 damages amount to be determined at trial.

16 78. Each of the above conduct by negligent actions and/or negligent omissions
17 affirmatively contributed to, was a substantial factor in, and has proximately
18 caused damages to the Plaintiffs (wrongful death) and to the Decedent, by way
19 of all the pre-Death pain and suffering that he experienced in an agonizing
20 sadly manner. Thus, the Plaintiffs bring a Survival Claim for Damages as the
21 proper legal representatives acting on behalf of DECEDENT, for all pre death
22 damages that he would be entitled under the law to recover had he survived
23 from Defendant's Negligence Conduct.
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1 **FIFTH CLAIM FOR RELIEF**
2 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
3 **UNDER CALIFORNIA LAW**
4 **(Against Defendant GEO, WELLPATH and DOES 1-100)**
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6 79.Plaintiffs allege and incorporate by reference all preceding paragraphs as
7 though fully set forth herein.

8 80.Plaintiffs allege that Defendants' DOES 1-100 conduct was outrageous when
9 they denied Decedent prompt and adequate medical attention despite evident
10 need for it while he was under their custody, supervision, and care. Their
11 failure to provide adequate care and supervision to him when his condition
12 was progressively deteriorating was done intentionally and/or with reckless
13 disregard of the probability that Decedent would suffer emotional distress,
14 which he did suffer as result of the Defendants' conduct. He knew and felt his
15 condition was worsening, the Defendants deliberately ignored his pleas for
16 help and proper medical attention. Therefore intentionally inflicted emotional
17 distress to Ismael Ayala.

18 81.The emotional distress he felt must have been unmeasurable. After all, the
19 Defendants actions and omissions not only caused him emotional distress but
20 eventually led to his agonizing and slow, deeply... felt sad death.

21 82.At all relevant times, GEO GROUP was the employer of Defendant DOES
22 100. Therefore, at all relevant times, they were acting within the scope of their
23 employment. Thus, according to the generally known judicial doctrine of
24 *Respondent Superior Liability*, GEO GROUP is vicariously liable for the
25 wrongful conduct of its employees because they have been committed within
26 the course and scope of their employment.

27 83.At all relevant times, WELLPATH was the employer of Defendant DOES 1
28 to 100. Therefore, at all relevant times, they were acting within the scope of

1 their employment. Thus, according to the generally known judicial doctrine of
2 *Respondent Superior Liability*, WELLPATH LLC is vicariously liable for the
3 wrongful conduct of its employees because they have been committed within
4 the course and scope of their employment.

5 84. Therefore, because the outrageous conduct of the Defendants was a substantial
6 factor in causing the Decedent severe emotional distress, the Plaintiffs bring
7 claims for individual damages and for Survival Claim for Damages as the
8 proper legal representatives acting on behalf of DECEDENT, for all pre-death
9 damages that he would be entitled under the law to recover had he survived.

10
11 **SIXTH CLAIM FOR RELIEF**

12 **VIOLATION OF CALIFORNIA GOVERNMENT CODE §7320**

13 **(Against Defendant “GEO and WELLPATH”)**

14 85. Plaintiffs allege and incorporate by reference all preceding paragraphs as
15 though fully set forth herein.

16 86. At all relevant times, Defendant GEO GROUP was a private detention facility
17 operator of the Adelanto detention facility and WELLPATH LLC was an
18 agent or independent contractor of GEO GROUP.

19 87. As such, Defendants GEO GROUP and WELLPATH, as well as their agents,
20 persons acting on behalf of them, and their employees had to comply with, and
21 adhere to, the detention standards of care and confinement agreed upon in the
22 facility's contract for operations, including ICE Performance Based National
23 Detention Standards (PBNDS), and with California Law. Ca. Gov. §7320

24 88. Plaintiffs allege that, at all relevant times, The Defendants GEO GROUP,
25 WELLPATH and their DOE employees 1-100 violated the PBNDS among
26 multiple other laws and regulations, and manuals, requirements,
27 memorandums, and Ca. Gov Code 7320 et al., by failing to provide appropriate
28 care and supervision to the detainees at Adelanto, specifically to Decedent.

1 89. With their negligent actions and omissions, Defendants breached the duty of
2 care they owed to the Decedent as a person under their full custody and
3 supervision.

4 90. Hence, because of Defendant's violation of the detention standards of care and
5 confinement, the Decedent was wrongfully killed, and wrongful damages as
6 well as survival claim damages are warranted by the law thus are hereby
7 requested by the Plaintiffs.

8
9 **SEVENTH CLAIM FOR RELIEF**
10 **VIOLATION OF TOM BANE CIVIL RIGHTS ACT**
11 **(Against All Defendants)**

12 91. The Plaintiffs repeat and re-allege all previous paragraphs as if fully set forth
13 herein.

14 92. California Civil Code §52.1 *et al* (the Bane Act), prohibits any person from
15 using violent acts or threatening to commit violent acts in retaliation against
16 another person for exercising that person's constitutional rights.

17 93. California Civil Code §52.1 authorizes a private right of action for damages to
18 any person whose constitutional rights are violated. Here, the Plaintiffs allege
19 that Defendants blatantly denied providing medical attention to Ismael Ayala
20 in deliberate interference for the exercise or enjoyment of his constitutional
21 rights secured under the US Constitution, under the laws of the United States,
22 Civil liberty rights, rights under the laws of the State of California, as well as
23 fundamental rights and freedoms as conceived by our judicial system.

24 94. Plaintiffs allege that Ismael Ayala Uribe reasonably believed and understood
25 that the inhumane acts committed by DEFENDANTS were intended
26 specifically to preclude him by force from exercising his civil rights, to
27
28

1 F. For Punitive Damages as applicable under the law and supported with
2 the discovery and evidence.

3 G. For such other relief as the Court may deem just and proper.
4

5 **DEMAND FOR JURY TRIAL**
6

7 Plaintiffs hereby expressly demand a trial by Jury.
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11 Respectfully Submitted by:
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14 Date: December 31, 2025

/S/ Jesus Eduardo Arias Esq., LL.M.
15 Attorney for Plaintiffs
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