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6 *Attorney for Plaintiff*

7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **OAKLAND DIVISION**

10 MARCIANO PLATA, ET AL,
11 Plaintiffs,
12 vs.
13 GAVIN NEWSOM, ET AL.,
14 Defendants

Case No.: 01-1351 JST

**DECLARATION OF CHANDELLA
MACKIE IN SUPPORT OF PLAINTIFF'S
EMERGENCY MOTION REGARDING
PREVENTION AND MANAGEMENT OF
COVID-19.**

15 I, Chandella Mackie, declare under the penalty of perjury in the State of
16 California, the following is true and of my own personal knowledge:

- 17 1. I am and have been the wife of Andrew Mackie, aka Andrew Mackey
18 (V59362) for the past five years.
- 19 2. Andrew was seemingly healthy until August 2019, only occasionally
20 complaining of a headache.
- 21 3. Andrew was housed at Salinas State Prison on August 18, 2019, where we had
22 a family visit that day that we had both been so excited about.
- 23 4. The first 4 hours of the visit, we talked and talked and everything was fine.
24 Then, out of nowhere, Andrew developed a fever, chills, sweats, and he
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1 couldn't eat at all. We just thought it was from the shock of being in a
2 "homelike" setting and had no clue what was happening.

3 5. We didn't report it, because we waited so long for this moment, and didn't
4 want them to take away our family visit. However, for 4 days, Andrew
5 couldn't eat, all he did was sleep, sweat, and complain of body aches.

6 6. There was nothing I could do and it really was painful to watch. It took a toll
7 on our marriage, because for 5 years, all we talked about was that moment,
8 and when it finally came, for him to become ill. I thought it was some sort of
9 rejection.
10 rejection.

11 7. I didn't understand what was happening, I felt we had nothing if we had no
12 "chemistry" (because he was ill when we finally had a chance to consummate
13 our marriage). I even filed for divorce.

14 8. In September, my son and I visited Andrew and he said "Della, I have had a
15 fever and been sweating to where it's been soaking my sheets."
16 fever and been sweating to where it's been soaking my sheets."

17 9. Later in September, Andrew went to medical and they told him they are
18 stopping his medication to check his thyroid.
19 stopping his medication to check his thyroid.

20 10. The weekend of 9/21/19, I visited Andrew and he is walking very slowly and
21 dragging his feet.
22 dragging his feet.

23 11. By October 2019, Andrew goes back to Medical because he is still sweating
24 his sheets, starts spitting up blood and has lost a lot of weight. They
25 diagnosed him with Valley Fever, a hole in his lung and pneumonia.
26 diagnosed him with Valley Fever, a hole in his lung and pneumonia.

1 12. In November 2019, I visited Andrew, who had lost a considerable amount of
2 weight and could barely walk into the visiting room. He was in so much pain
3 that I ended the visit early.

4
5 13. At this visit, the CO told me “Mackey is “fucked up” but I work his building
6 and do extra rounds to check on him.”

7
8 14. December 2019, my two daughters, Dominique and Delashawn, flew over to
9 see Andrew because they were so worried about him from my crying to them
10 about his health. They both broke down crying in the car after the visit and
11 told me that Andrew looked like he was going to die.

12 15. In January 2020, we had another family visit and to our surprise Andrew was
13 impotent. His doctors told him it was due to his health issues.

14 16. He had dropped points, so was sent back to Solano in Vacaville in January
15 2020.

16
17 17. January-March 2020, I watched Andrew become nothing more than a thin
18 man, in a lot of pain, who couldn’t eat or sleep.

19 18. March of 2020, the doctors at Solano State Prison sent Andrew to an outside
20 hospital to drain the boils on his neck. When he arrived, they informed him
21 that the doctor for infectious disease wasn’t there. He was sent back to prison
22 with no resolution.

23
24 19. I was horrified ever day, not knowing if Andrew was ok or not. I called and
25 called, over 8 times and no one ever called me back.

1 20. Mid March 2020, the nurse at Solano and Andrew burst the boil and squeezed
2 out the insides of it themselves. He now goes to the would office daily to get
3 his dressing changed.
4

5 21. April 11, 2020, I spoke to Andrew and he said he hasn't showered in a week
6 because the shower causes boil like lumps on his neck and arms.

7 22. Andrew asked the doctor if he can move to a higher level of care because he is
8 afraid of contracting Covid-19.

9 23. His doctor told him "Mr. Mackey, with what all is going on with your health,
10 if you contracted Covid-19, you would die."
11

12 24. The doctor ordered Andrew new bandages and medication mid-March.
13 Andrew still has not received the medication or the bandages.

14 25. April 14, 2020, I spoke to a representative from Solano, who finally returned
15 my call after I left several messages for nearly a month. She told me that
16 Andrew has a new infectious disease appointment in May.
17

18 26. I told her if they wait to do something until May, my concern is that they will
19 be picking my husband up in a body bag, because he was told by his doctor
20 that he would die if he contracted Covid-19.

21 27. I cry daily because Andrew isn't getting the care he needs and nothing is
22 being done to prevent him from contracting Covid-19.
23

24 28. Andrew has been sick since August 2019, and nothing has been done to treat
25 him.

26 29. I question whether the prison and the State of California see him as a person,
27 or just a number.
28

1 30. I pray that God keeps my beloved husband Andrew alive and a miracle
2 happens to release him so that I can care for him at home.

3 Dated this 15th day of April, 2020
4

5 /Chandella Zoil Mackie/
6 Chandella Zoil Mackie
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