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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ROY TAYLOR

2017 CV 7360  
(Include case number if one has been assigned)

Write the full name of each plaintiff.

-against-

WARDEN MDC DURANTE; ET AL

AMENDED

COMPLAINT

Do you want a jury trial?

Yes  No

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

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NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

If the defendant is an individual:

The defendant, WARDEN DURANTEZ OR DESIGNEE, is a citizen of the State of  
(Defendant's name)

NEW YORK AT MDC AT 125 WHITE STREET BELIEVED

or, if not lawfully admitted for permanent residence in the United States, a citizen or  
subject of the foreign state of

N/A

If the defendant is a corporation:

The defendant, ESU OFFICER ZACK &  
OBCC CAPTAIN ISSIAC, is incorporated under the laws of

the State of NEW YORK AT OBCC RIKERS ISLAND EMPLOYED

and has its principal place of business in the State of OBCC RIKERS 1600 HAZEN STREET  
EAST ELMHURST, N.Y. 11370  
or is incorporated under the laws of (foreign state) N/A

and has its principal place of business in AT OBCC ABOVE

If more than one defendant is named in the complaint, attach additional pages providing  
information for each additional defendant.

## II. PARTIES

### A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional  
pages if needed.

ROY TAYLOR

First Name	Middle Initial	Last Name
AMKC RIKERS 18-18 HAZEN STREET		
Street Address		
EAST ELMHURST, NEW YORK 11370		
County, City	State	Zip Code
Telephone Number		Email Address (if available)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK X

ROY TAYLOR,  
-AGAINST- PLAINTIFF

AMENDED COMPLAINT  
2017-CV-7360 (AJN)(KNF)

OBCC C.O. NIEVES BD#17921 K-9 UNIT  
OBCC CAPTAINS SLACK BD#1849  
OBCC CAPTAIN ISAAC BD#1787  
NYPD OFFICER JEAN FRANCISCO TAX#950438  
NYPD SGT ELVIS BADIA OF 26 PCT,  
CITY OF NEW YORK,  
DEFENDANTS X

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PLAINTIFF ROY TAYLOR AS ORDERED BY THE COURT HEREBY BY AMENDS THIS  
COMPLAINT TO INCLUDE THE FOLLOWING:

11. PARTIES:

A. PLAINTIFF, ROY TAYLOR IS A US CITIZEN CURRENTLY RESIDING AT AMKC  
RIKERS AT 18-18 HAZEN STREET EAST ELMHURST, NEW YORK 11370. HE SUES  
THE DEFENDANTS IN THEIR INDIVIDUAL & OFFICIAL CAPACITY AND REQUEST A  
TRIAL BY JURY.

DEFENDANTS, OBCC CO NIEVES BDG#17921 OF THE K-9 UNIT, OBCC CAPTAINS  
SLACK BDG#1849 AND CAPTAIN ISAAC BDG#1787 ALL PLACE OF EMPLOYMENT IS  
LOCATED AT OBCC 18-18 HAZEN STREET EAST ELMHURST, NY 11370 AND NYPD  
26TH PCT OFFICER JEAN FRANCISCO TAX#950438 AND NYPD SGT ELVIS BADIA OF  
26TH PCT TAX#948635 ARE EMPLOYED AT 26TH LOCATED AT: 520 WEST 126TH STREET  
NYC 10027. AND THE CITY OF NEW YORK RESIDES AT: 100 CHURCH STREET NYC 10007.

FACTUAL ALLEGATIONS:

1. PLAINTIFF AVERS THAT HE JUST RECIEVED THE INFORMATION WHICH I.D.'D ALL  
DEFENDANTS ON 10-31-2018 FROM AMKC MAIL ROOM WHICH WAS DELIVERED THAT DAY  
FROM THE DEFENDANTS ASST CORP COUNSEL SHAH SO PLEASE EXCUSE SAID DELAY.

2. ON APRIL 10TH, 2017 PLAINTIFF WAS WITHOUT PROVOCATION RECKLESSLY SPRAYED  
WITH CHEMICAL AGENT BY DEFENDANT OBCC CAPTAINS ISAAC AND NIEVES AFTER EXITING  
MY CELL IN 3 NORTH 42 CELL UPPER TEIR WHILE ROCEEDING TO THE SHOWERS.

3. THE DAY BEFORE DEPUTY WARDEN DUNBAR ANNOUNCED THAT ALL INMATES WOULD  
BE AFFORDED SHOWERS AND PHONE CALLS.

HOWEVER, THE ASSIGNED OFFICER BURNT ME, PLAINTIFF FOR NO REASON AND THE NEXT DAY UPON COMPLAINING TO CAPTAIN ISAAC SHE IGNORED THIS SO UPON MY CELL OPENING I CAME OUT WITH SHOWER EQUIPMENT AND PROCEEDED TO THE SHOWER DIRECTION AND WAS ARBITRARILY MACED BY BOTH DEFENDANTS: CAPT ISAAC AND NIEVES AND ALTHOUGH HAVING A BROKEN WRIST & DR'S NOTE FOBIDDEN BEING LEFT HANDCUFFED THIS WAS IGNORED BY THESE DEFENDANTS WHICH OFFICER SLACK TOOK IT UPON HIMSELF TO STILL HANDCUFF ME, PLAINTIFF FURTHER INJURING MY WRIST REAGGRAVATING LEFT ARM.

4. ALL DEFENDANTS SLACK, ISAAC AND NIEVES THEN TRANSPORTED ME TO OBCC PSYC HOLDING SHOWER AREA WHERE I WAS FORCED TO DECONTAMINATE WITH "HOT" WATER WHICH FURTHER AGGRAVATED THE "BURNING" WHERE IT FELT LIKE A "GAS CHAMBER" WHERE I SUFFERED PAIN AND DISCOMFORT FOR my eyes & SKIN AREAS. WHEN I COMPLAINED TO DEFENDANT SLACK WHILE IN THIS LOCKED SHOWER STALL HE STATED "HANDLE IT AND SMFFER!" WHICH I SUFFERED THERE.

5. SECOND --- INCIDENT

ON 7-8TH-2016 PLAINTIFF WAS ARRESTED ON BOGUS ASSAULT CHARGES IN THE 3RD DEGREE, A MISDEMEANOR WHICH RAISED MY BAIL TO \$10,000 FOR THIS CASE. THE CASE DRAGGED ON FOR MORE THAN A YEAR AND WAS ULTIMATELY DISMISSED FOR LACK OF EVIDENCE. SOME GUY WAS SQUATTING IN MY BROTHERS APT AND FOUND CHANGING THE LOCK AND HAD GOT MY BROTHER LOCKED UP ON BOGUS CHARGES AND UPON REACHING FOR MY BROTHER KEYS DUDE BECAME AGGRESSIVE IN WHICH HE GOT RESTRAINED. THE CITY MARSHALS ESCORTED DUDE OUT OF THE APT ALONG WITH HIS GIRLFRIEND AND SHORTLYAFTER THE CASE GOT DISMISSED.

THIRD INCIDENT

6. ON 8/2017 WHILE AT MDC OPERATIONS THEIR FAILED TO PRODUCE ME TO COURT TWICE ALSO ON 8-10-2017. ALSO ON 8-11-17 WARDEN DURRANT REFUSED ME A COUNSEL VISIT WITH MY ATTORNEY.

CAUSE OF ACTION

7. THE DEFENDANTS VIOLATED PLAINTIFF CONSTITUTIONAL RIGHTS BY ALL THE WAYS DESCRIBED HEREIN BY MALICIOUSLY SPRAYING ME WITH CHEMICAL AGENT FOR TRYING TO GET A SHOWER WHAT ALL OTHER INMATES WERE PROMISED BY DEPUTY WARDEN DUNBAR THE DAY BEFORE AND WAS ARBITRARILY AND RECKLESSLY MACHED WITH CHEMICAL AGENT BY TWO OFFICERS AND FURTHER REINJURING MY LEFT ARM BY CUFFING ME AFTER BEING WARNED PRIOR TO CUFFING ME!"

8. THIS WAS DONE WITH MALICE AND THE FACT THAT I WAS PLACED IN A LOCK SHOWER STALL WITH ONLY "HOT" WATER WHICH FURTHER AGGRAVATED INTENSED BURNING THIS FURTHER SHOWED MALICE TO MAKE ME SUFFER AS INDICATED BY SLACK'S UTTERANCE "TO HANDLE IT & SUFFER!" FURTHER DISPLAYED MALICE HERE!"

9. DEFENDANT DURRANT AND THEIR DESIGNEE IN G.O.DEPT FURTHER FAILED TO AFFORD ME COURT APPEARANCES AND ATTORNEY VISIT WHICH DENIED ACCESS TO COURT AND DEFENDANTS COMMITTED FALSE ARREST, FALSE IMPRISONMENT CHARGES AS A RESULT OF THE BOGUS ASSAULT CHARGES LODGED AGAINST ME WHICH RAISED MY BAIL WHICH ALL VIOLATED MY 8TH, 14TH, 6TH AMENDMENT CONSTITUTIONAL RIGHTS UNDER THE STATE & FEDERAL CONSTITUTION WHICH WAS ALSO MALICIOUS PROSECUTION AT THE PRETRIAL LEVEL, WHEREBY VIOLATING MY RIGHTS.

RELIEF:

BASED ON THE FOREGOING PLAINTIFF REQUEST THE FOLLOWING RELIEF:

1. DECLARATORY JUDGMENT DEFENDANTS ARE LIABLE,
2. COMPENSATE PLAINTIFF IN THE AMOUNT OF \$300,000 IN COMPENSATORY AND PUNITIVE IN THE AMOUNT OF \$100,000 AND NOMINAL DAMAGES IN THE AMOUNT OF \$10,000 AND FOR SUCH FURTHER RELIEF AS THE COURT DEEMS JUST AND PROPER.

RESPECTFULLY SUBMITTED,

Roy Taylor

CERTIFICATE OF SERVICE

PLAINTIFF BY US 1ST CLASS HAVE MAILED THE FOREGOING AMENDED COMPLAINT TO USDC SOTHERN DISTRICT OF NEW YORK AT 500 PERL STREET AND TO ASST CORP COUNSEL NAKUL Y. SHAH AT 100 CHURCH STREET, NYC 10007 ON 11-1-2018 DO TO AMKC MAIL ROOM LATE BRING ME THIS INFORMATION TO AMEND COMPLAINT WITH SPECIFIC NAMES AS DEFENDANTS.

Roy Taylor

PLAINTIFF ROY TAYLOR B/C3491804923 15QDUP4  
AMKC 18-18 HAZEN STREET  
EAST ELMHURST, N.Y. 11370

ROY TAYLOR B 3491804923  
AMKC 1818 HAZEN STREET  
EASE ELMHURST, NY 11370

PROSE OFFICE  
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