

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

NALAKEIO L. BENNETT,

Plaintiff,

v.

No. 3:21-cv-550

WARDEN WILLIAM HYATTE, in his  
individual capacity;  
DEPUTY WARDEN GEORGE PAYNE, JR.,  
in his individual capacity,

Defendants.

**Complaint for Damages**

**Introduction**

1. Nalakeio L. Bennett was placed in a restrictive housing cell at Miami Correctional Facility from February 4, 2021, through March 24, 2021, even though the only window in the cell was completely obstructed by a sheet of metal and even though the one light in the cell was broken. This left Mr. Bennett in darkness in his cell aside from the little light given off by a television and tablet that he was allowed to have beginning on February 7. Exposed wires hung from the ceiling. He had been stabbed shortly before he was moved into restrictive housing and he frequently hit parts of his cell in the dark, causing injury and reopening his wound. He was caused extreme mental distress as well. Defendants

were aware of the conditions under which Mr. Bennett suffered, yet allowed him to remain in total, painful, and dangerous darkness. This represented cruel and unusual punishment and caused Mr. Bennett damages for which defendants are liable. Defendants are also liable for punitive damages.

**Jurisdiction, venue, cause of action**

2. This Court has jurisdiction of this matter pursuant to 28 U.S.C. § 1331.
3. Venue is proper in this district pursuant to 28 U.S.C. § 1391.
4. This action is brought pursuant to 42 U.S.C. § 1983 to redress the deprivation, under color of state law, of rights secured by the Constitution of the United States.

**Parties**

5. Nalakeio L. Bennett is an adult who is confined to the Miami Correctional Facility in Miami County, Indiana, following conviction of criminal offenses.
6. William Hyatte is the duly appointed Warden of the Miami Correctional Facility and is sued in his individual capacity.
7. George Payne, Jr., is the duly appointed Deputy Warden of the Miami Correctional Facility and is sued in his individual capacity.

**Facts**

8. The Miami Correctional Facility contains a restrictive housing unit where prisoners are placed as the result of disciplinary sanctions or for administrative purposes.
9. The cells in restrictive housing are generally for one prisoner only.

10. Prisoners in restrictive housing spend all their time in their cells, except when they are released for shower or solitary recreation that occurs at most for five one-hour periods each week but, in reality, frequently occurs less often. Other than that, they are isolated, alone, in their cells.

11. The restrictive housing cells contain a single window to the outside and a solitary light fixture that supplies the only light in the cell.

12. The door to the cell is solid with a very small window at about eye level.

13. Prisoners at Miami Correctional Facility have, in the past, broken both the outside window and the light fixture in many of the restrictive housing cells.

14. At all relevant times defendants were aware that many of the restrictive housing cells had broken windows and no operable light source. Yet, these obvious problems were not remedied.

15. Defendants' solution to the broken windows was not to replace the windows, but to cover the windows with sheet metal so that no light came through the windows.

16. Many of the cells in the restrictive housing unit did not have operational lights and had windows covered with sheet metal.

17. Defendants were aware that prisoners were being placed into cells without lights and with windows covered by metal plates.

18. On February 4, 2021, Nalakeio L. Bennett was placed into a restrictive housing cell at Miami Correctional Facility that had a broken window and a broken, non-operational,

overhead light although the wires that went to the broken light fixture were still live and hung from the ceiling.

19. Mr. Bennett had no role in the breaking of the window or light.

20. The broken window had been covered with a piece of sheet metal so that no light came through it.

21. Although there was a small window in the otherwise solid door to Mr. Bennett's cell, there was very little light that came through into his cell.

22. When he was first moved into the cell, Mr. Bennett had no light source in his cell and the cell was extremely dark. He could not see anything in the cell.

23. Prison staff returned Mr. Bennett's tablet and small television to him on February 7. The light from these devices was faint and did not light up the cell in any way. It remained dark.

24. His cell had a bunk bed and it was difficult to move around the cell without hitting the bed and other objects in the cell.

25. Immediately prior to being moved into the cell, Mr. Bennett had been stabbed in his upper back.

26. Because his cell was so dark, Mr. Bennett repeatedly bumped into his bed in the dark.

27. This caused him injuries as it repeatedly opened up the wound in his back so that it kept bleeding. He was given bandages by the medical staff.

28. He also repeatedly collided with his toilet as he could not see in the dark. This caused pain and injury.
29. Mr. Bennett has a pre-existing mental health issues.
30. The darkness aggravated his mental health issues such that he had to have his mental health medications changed because of his increased anxiety.
31. Mr. Bennett was removed from the cell on March 24, 2021.
32. For two weeks in March, prior to being moved out of the cell, prison staff placed another prisoner in the cell.
33. This was extremely problematic as the cell was so dark that he and the other prisoner kept bumping into each other.
34. Mr. Bennett was taken out of his cell for a shower each day for at most 15 minutes. He received no recreation.
35. Mr. Bennett filed two grievances while he was in the dark cell complaining of the lack of a window and light.
36. He never received any response to the grievances.
37. In order to appeal the denial of a grievance, a prisoner must receive a response to his initial complaint.
38. Inasmuch as Mr. Bennett never received a response, he could not appeal the lack of responses.
39. Mr. Bennett has therefore fully exhausted all grievance remedies available to him.

40. Placing a person in prolonged, isolated darkness for an extended period is a form of torture.

41. Defendants denied Mr. Bennett the minimal civilized measures of life's necessities by subjecting him to darkness in a cell.

42. Plaintiff has been damaged by defendants' actions and inactions.

43. Defendants acted maliciously or with reckless disregard of plaintiff's rights and are liable for punitive damages.

44. At all times defendants acted and failed to act under color of state law.

#### **Claim for relief**

45. Defendants' actions and inactions in allowing plaintiff to be held in darkness in a restrictive housing cell and the conditions imposed on plaintiff in the cell violated plaintiff's Eighth Amendment rights.

#### **Request for relief**

Plaintiff therefore requests that this Court:

1. accept jurisdiction of this case and set it for hearing at the earliest opportunity.
2. award plaintiff his damages.
3. award punitive damages against defendants.
4. award plaintiff his costs and reasonable attorney's fees pursuant to 42 U.S.C. § 1988.
5. award all other proper relief.

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