

\ UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

ISAAC LUKES,

Plaintiff,

v.

No. 3:21-cv-601

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

Defendants.

Complaint for Damages

Introduction

1. Isaac Lukes was placed in a restrictive housing cell at Miami Correctional Facility from February 9, 2021, through February 23, 2021, even though the only window in the cell was completely obstructed by a sheet of metal and even though there was not a working light fixture in the cell, thus making the cell extremely dark. Mr. Lukes suffered physical injuries as the result of his confinement in the dark. Defendants were aware of the conditions under which Mr. Lyons suffered, yet allowed him to remain in the cell. This represented cruel and unusual punishment and caused Mr. Lukes 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. Isaac Lukes 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.
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. From February 9, 2021, through February 23, 2021, Mr. Lukes was placed in a cell in the restrictive housing unit that did not have a window. Instead, it had a piece of sheet metal over the window opening. It did not let in light.
17. The overhead light in the cell was non-operational, although the wires that went to the broken light fixture were still live and hung from the ceiling. This was the only source of light in the cell.
18. Mr. Lukes had no role in the breaking of the window or light.
19. Although there was a small window in the otherwise solid door to Mr. Lukes's cell, there was very little light that came through into his cell. It was covered with metal with a number of small cuts in the metal.

20. Mr. Lukes did not have a television and his tablet was not charged and did not work. He had no light source in the cell that was dark all the time.

21. On three occasions as he attempted to navigate the dark cell, Mr. Lukes ran into the exposed wires that descended from the ceiling where the light fixture had been. He received painful shocks and a painful burn.

22. Additionally, on numerous occasions he ran into his toilet in the darkness, which caused bruises and other physical injuries. On one occasion he fell over his toilet in the darkness and suffered a back injury that remains painful today and for which he has sought medical attention.

23. He was removed from the cell every two to three days for a shower for about 15 minutes each time. He did not receive recreation.

24. Mr. Lukes timely filed two grievances concerning being placed in the cell. The first was returned indicating that this was a classification/housing issue that could not be grieved. He filed a second grievance that was denied. He timely appealed the denial, but has never received a response.

25. Mr. Lukes has fully exhausted all grievance remedies available to him

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

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

28. Defendants denied Mr. Lukes the minimal civilized measures of life's necessities by placing him into a cell where he was shocked by exposed electrical wires.

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

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

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

Claim for relief

32. Defendants' actions and inactions in allowing plaintiff to be held in darkness in a cell with exposed electrical wires 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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