

## FEDERAL LAW THEORIES OF RECOVERY

26. The plaintiff exhausted her remedies by filing the appropriate grievances with the Ohio Department of Corrections.
27. The acts and conduct alleged above constitute excessive force and cruel and unusual punishment under the Fourth, Eighth and Fourteenth amendment of the United States Constitution.
28. The denial of publications, books and educational materials if a violation of First Amendment to the United States Constitution.
29. These are actionable under 42 U.S.C. 1983 et seq.

## PRAYER

Plaintiff demands the following relief:

- A. Compensatory damages in excess of \$25,000
- B. Punitive damages in excess of \$25,000.
- C. An injunction ordering that the Ohio Department of Corrections shall not be allowed to limit publications, periodicals, books, and educational materials based on political disagreements that do not specifically advocate for violence or prohibited conduct.
- D. An award of Plaintiff's costs of suit.
- E. All other relief that is appropriate under the circumstances.

Respectfully submitted,

**SLATER & ZURZ, LLP**

*/s/ Sean C. Buchanan*

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16. The Defendant knew of the violent propensities, previous threats, and the risks

posed by the guards that they allowed to supervise Ms. Garko.

17. As a result of the abuse Ms. Garko lost her vision in one eye. That loss of vision

is permanent.

18. The State of Ohio failed to craft adequate policies to prevent this abuse.

19. The abuse to which Ms. Garko was subjected to was consistent with an

institutionalized practice of the Ohio Reformatory for Women and the Ohio Department

of Rehabilitation and Corrections, which was known to and ratified by the State of Ohio.

20. Throughout her incarceration Ms. Garko has been denied mail and various

publications including books, magazines, and education materials in violation of her

constitutional rights.

21. This was done specifically based on the political content of the publications and

included topics specifically relevant to policing and the prison system. This specifically

included the abolitionist and other works.

22. The publications censored were not advocating riot, violence, or other prohibited

activities.

23. The publications did not include contraband.

### STATE LAW THEORIES OF RECOVERY

24. The acts and conduct alleged above constitute actionable torts under the laws of

the State of Ohio, including the tort of, assault, negligence, gross negligence, and

recklessness, respondent superior.

25. The denial of publications and books violated Article 1 Section 11 of the

Constitution of the State of Ohio and the First Amendment to the Constitution of the

United States of America.

Attachment  
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IN THE COURT OF CLAIMS  
STATE OF OHIO

TERRI GARKO  
Dayton Correctional Institution  
4104 Germantown Street  
Dayton, OH 45417

Plaintiff

-vs-

STATE OF OHIO DEPARTMENT OF  
REHABILITATION AND CORRECTIONS)  
770 West Broad Street  
Columbus, OH 43222

Defendants

CASE NO.:

COMPLAINT FOR DAMAGES

AND INJUNCTIVE RELIEF

INTRODUCTORY STATEMENT

1. This is an action for damages and injunction sustained by the estate of a citizen of the United States against The State of Ohio operating through The Department of Rehabilitation and Corrections.
2. The Plaintiff is Terri Garko, who is an inmate at Dayton Correctional institution.

JURISDICTION

3. This court has jurisdiction pursuant to Ohio Revised Code 2743.03.

PARTIES

4. First Plaintiff is Terri Garko.
5. The Defendant, Department of Rehabilitation and Corrections is a Department of the State of Ohio and, at all relevant times, it was responsible for the correctional facility at which Ms. Garko was an inmate.

### FACTUAL ALLEGATIONS

6. On or about February 14, 2017, Terri Garko was an inmate within the Ohio Reformatory for Women, a State Prison run by the Ohio Department of Corrections.
7. Beginning February 14, 2017, Ms. Garko was physically abused by the correctional officers and other guards employed by the Ohio Department of Corrections.
8. During the same period of time Ms. Garko was sexually abused by the guards employed by the Ohio Department of Corrections. This included both physical sexual abuse and continued verbal sexual abuse.
9. Ms. Garko has previously used the prisoner grievance process to make complaints about this alleged behavior.
10. Ms. Garko was routinely placed under various security restrictions in retaliation for her use of the grievance procedure about the abuse she received from the employees of the Defendants.
11. That abuse continued through September of 2018.
12. On June 11, 2019, Ms. Garko was evaluated for eye injuries and had no recent traumatic injuries.
13. On June 19, 2019, Ms. Garko was diagnosed with a traumatic eye injury.
14. During the entire time between June 11, and June 19, 2019 Ms. Garko was in the custody of the Ohio Department of Rehabilitation and Correction.
15. The Defendant allowed the guards to continue this abuse over her entire incarceration at the Ohio Reformatory for Women.

Filed Date: 6/12/2020 10:36 AM  
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(1)

attorney Sean Buchanan got  
paid \$200,000  
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at the ODRC TO  
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I paid him TO represent  
me on. he got paid  
TO Commit Legal Malpractice  
and he and his  
para legal MEL Hunter,  
"Emeldor Hunter"  
and his entire law firm  
Slater and Zurz in Akron  
Ohio helped him DO IT  
and Took a piece  
of the payoff.

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"Complaint" of The  
lawsuit.

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legal professionals  
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Some one OUT ~~there~~ there  
TO look AT this and help me.  
See

Attachment

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complaint for  
Damage

any Personal injury  
attorney can see by  
this Complaint  
that it fails to state a  
claim.

No Names or ever  
mentioned of staff  
or medical providers.

ITS in the wrong court  
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on purpose by  
Sean Buchanan.  
he was paid by  
The Defendants of The  
ODPC and The State  
to subvert the entire  
case and get every thing  
dismissed with  
prejudice, and No Names  
where ever mentioned.  
he and his paralegal  
protected the people  
who did this to  
me and still do.

This is beyond legal  
Malpractice This is  
actual Fraud, Conspiracy  
and totally illegal

(2)

I never said I was sexually  
abused by any employees.  
he added that to make  
me look like a liar.  
he never mentioned the  
excessive force on  
Dec 19 2019  
or any names

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dismissed

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my \$ 5,000  
retainer.

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tried to  
over charge,  
until I wrote him  
up to the  
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court

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