MICHAEL A. SIRAGUSA
ERIE COUNTY ATTORNEY

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

DEPARTMENT OF LAW

MICHELLE M. PARKER
FIRST ASSISTANT COUNTY ATTORNEY

JEREMY C. TOTH
SECOND ASSISTANT COUNTY ATTORNEY

October 15, 2012

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*Glenn, David by Gillison, William, as Power of Attorney v. County of Erie and Erie County Sheriff's Department*
Document Received:	Notice of Claim
Name of Claimant:	David Glenn 701 East Delavan Street Buffalo, New York 14215
Claimant's attorney:	Roland M. Cercone Law Office of Roland M. Cercone, PLLC 484 Delaware Avenue Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,

MICHAEL A. SIRAGUSA
Erie County Attorney

By: Michelle Parker
Michelle M. Parker
First Assistant County Attorney

MMP:dld
Attachment

STATE OF NEW YORK
COUNTY OF ERIE : SUPREME COURT

This paper received at the Erie County Attorney's Office from [illegible] on the 5th day of October, 2012 at 3:01 a.m./p.m. [illegible] Assistant County Attorney

IN THE MATTER OF THE CLAIM OF
WILLIAM GILLISON as P/A for
DAVID GLENN,

Claimants,

-against-

COUNTY OF ERIE, NEW YORK, and/or d/b/a the
ERIE COUNTY SHERIFF'S DEPARTMENT,

Respondents.

NOTICE OF CLAIM

PLEASE TAKE NOTICE, that WILLIAM GILLISON as P/A for DAVID GLENN, pursuant to statutes and such cases made and provided, do hereby make claim against the COUNTY OF ERIE, NEW YORK, dba ERIE COUNTY SHERIFF'S DEPARTMENT, and in support of such claim does hereby state the following:

1. The Claimant's post office address is 701 East Delavan Street, Buffalo, New York 14215.

2. The Claimant's attorney is the Law Office of Roland M. Cercone, PLLC, 484 Delaware Avenue, Buffalo, New York 14202.

3. The nature of this claim is for negligence and not properly caring for the claimant who was an inmate held in the Erie County Holding Center; not giving the claimant proper medicine, medical and mental health treatment and attention; not keeping the claimant under proper watch; not properly resolving the situation in cutting the claimant down.

4. That on or about June of 2012 the claimant, David Glenn, became an inmate at the Erie County Holding Center in the County of Erie, State of New York.

That upon information and belief, the Erie County Sheriff's Department is in charge of monitoring, staffing and maintaining such holding center.

5. That upon information and belief, the County of Erie, State of New York, employees, agents and/or representations are the Erie County Sheriff's Department and their employees. That during the course of the claimant's stay at the Erie County Holding Center, he made numerous requests for medicine, medical and mental health treatment from the agents, employees and/or representatives of the respondents. That the respondents failed to provide adequate and proper medicine, medical and/or mental health counseling. That based upon the claimant's actions, statements and requests the respondents should have known or have reason to know that the claimant had physical and/or mental issues that could have resulted in causing harm to himself. That on or about July 8, 2012, the claimant attempted suicide at the Erie County Holding Center.

6. That upon information and belief, the plaintiff was cut to the floor by the respondents, their agents, employees and/or representatives in the course of the suicide and falling to the floor, the claimant sustained extremely serious injuries.

7. That by reason of the premises, the claimant, DAVID GLENN, suffered certain severe permanent and painful injuries, and medical expenses, all to her damage pursuant to General Municipal Law §50 (e) and CPLR §3017 (c).

10. That the amount of damages sought by the Claimant exceeds the jurisdictional limits of all lower courts, and this action is properly brought before the Supreme Court of Erie County, New York pursuant to CPLR §3017 (c).

WHEREFORE, the Claimant requests this claim be allowed and paid by the Respondents, COUNTY OF ERIE, NEW YORK d/b/a ERIE COUNTY SHERIFF'S DEPARTMENT.

DATED: October 4, 2012

WILLIAM GILLISON as P/A of
DAVID GLENN

Sworn and Subscribed to Before Me
This 5th day of October, 2012.

Notary Public

Roland M. Cercone
Qualified in the State of New York
County of Erie
My Commission Expires 3/23/15

VERIFICATION

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

WILLIAM GILLISON, being duly sworn, deposes and says: I am the Claimant in the above-referenced action; I have read the foregoing Notice of Intention to Make Claim and know the contents thereof; the same is true to my own knowledge as to the matters stated therein to be alleged upon information and belief, and as to those matters I believe it to be true.

WILLIAM GILLISON

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

On the 5th day of October, 2012, before me the subscriber personally appeared, WILLIAM GILLISON as Power of Attorney, known to me to be the individual described in and who executed the foregoing instrument, and who duly acknowledged to me that she executed the same.

Notary Public

Roland M. Cercone
Qualified in the State of New York
County of Erie
My Commission Expires 3/23/15