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

April 29, 2013

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:	*Hale, Terrell v. County of Erie, Erie County Holding Center and Deputy Murphy*
Document Received:	Notice of Claim
Name of Claimant:	Terrell Hale ICN #61565 Erie County Holding Center 40 Delaware Avenue Buffalo, New York 14202
Claimant's attorney:	Claimant is proceeding *pro se*.

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
Enclosure

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE
==========X

Claimant,

TERRELL HALE #61565

NOTICE OF CLAIM

- vs -

THE COUNTY OF ERIE, ERIE COUNTY holding CENTER, DEPUTY MURPHY

Defendant.
==========X

TO: COUNTY OF ERIE
DEPARTMENT OF LAW
95 Franklin Street / Room 1634
BUFFALO, NEW YORK 14202

PLEASE TAKE NOTICE that TERRELL HALE, hereby claims and demands, pursuant to §50-e of the General Municipal Law, damages against the COUNTY OF ERIE for damages sustained by Claimant by reason of the wrongful, unlawful, negligent and careless acts and omissions of the COUNTY OF ERIE, its agents, servants or employees; and in support thereof, the Claimant states:

1. The name and post office address of the claimant is:
TERRELL HALE #61565
E.C.H.C
40 DELAWARE AVE
BUFFALO, NY 14202

2. This claim is for damages sustained by the Claimant while he was an inmate at the Erie County Holding Center, 40 Delaware Avenue, Buffalo, New York 14202-3999.

RECEIVED
APR 26 2013
ERIE COUNTY
DEPARTMENT OF LAW

3. The wrongful, unlawful, negligent and careless acts and omissions of the COUNTY OF ERIE, its agents, servants or employees, occurred as follows: I, TERRELL HALE, BEING INCARCERATED AT THE POST OFFICE ADDRESS ABOVE, WHILE HOUSED ON CHARLIE IONS 21 CELL, ON THE DAY OF APRIL 15, 2013 AT APPROX 9 AM, I WAS TAKING A SHOWER ON CHARLIE IONS, AT THIS TIME THE SHOWER WATER WAS CUT OFF ON ME WHILE I HAD MAGIC CREAM SHAVE APPLIED TO MY FACE. THE SHOWER WAS CUT OF FOR APPROX 20 MINUTES; THE SHOWER WAS CUT OFF by DEPUTY MORPHY. MORE THEN 2 HOURS LATER I RECIEVED MEDICAL TREATMENT FOR SKIN BURNS DUE TO THE MAGIC SHAVE CREAM BEING APPLIED TO MY FACE ~~AND~~ FOR MORE THAN 3 TIMES THE ESTIMATE TIME IT SHOULD HAVE BEEN ON MY FACE. THE DEPUTY NEGLIGENCE AND UNETHICAL DUTY CONDUCT CAUSE ME TO SUFFER FOR SEVERAL DAYS OF PAIN, AND SKIN IRRATION TO MY FACE.

4. Take further notice that claimant demands payment of his claim, and unless the claim is paid within a reasonable amount of time, and unless the claim is paid within a reasonable amount of time, it is the intention of the claimant to commence a lawsuit against the COUNTY OF ERIE to recover sums claimed as to the damages and injuries sustained by them.

TERRELL HALE Terrell Hale
CLAIMANT

VERIFICATION

STATE OF NEW YORK)
COUNTY OF ERIE) ss.;
CITY OF BUFFALO)

TERRELL HALE, being duly sworn, deposes and says that he is the claimant in the within proceeding and has read the foregoing Notice of Claim and knows the contents of same to be true to his own knowledge, save those matters therein alleged upon information and belief, and as to those matters, the same he believes to be true.

Terrell Hale

Sworn to before me this 19 day of April 2013.

Sylvia M. O'Neal
Notary Public

SYLVIA M. O'NEAL
COMMISSIONER OF DEEDS
In and For the City of Buffalo, Erie County, NY
My Commission Expires Dec. 31, 2014