



MARTIN A. POLOWY
ACTING COUNTY ATTORNEY

COUNTY OF ERIE
THOMAS F. KIRKPATRICK
ACTING FIRST ASSISTANT COUNTY ATTORNEY

CHRIS COLLINS
COUNTY EXECUTIVE

DEPARTMENT OF LAW

December 21, 2010

GA

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:	<i>Carroll, Kim v. County of Erie, Erie County Sheriff's Department and Erie County Holding Center</i>
Document Received:	Notice of Claim
Name of Claimant:	Kim Carroll
Claimant's attorney:	Robert J. Maranto, Jr. Andrews, Bernstein & Maranto, LLP 69 Delaware Avenue, Suite 1200 Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,

MARTIN A. POLOWY
Acting Erie County Attorney

By: _____

Thomas F. Kirkpatrick, Jr.
Acting First Assistant County Attorney

TFK/dkw
Enclosure

cc: Martin A. Polowy, Acting Erie County Attorney

1D-2

STATE OF NEW YORK
SUPREME COURT :: COUNTY OF ERIE

KIM CARROLL
31 School Street
Buffalo, New York 14213

Claimant,

NOTICE OF CLAIM

-vs.-

COUNTY OF ERIE
69 Delaware Avenue
Buffalo, New York 14202

ERIE COUNTY SHERIFF'S DEPARTMENT
10 Delaware Avenue
Buffalo, New York 14202,

ERIE COUNTY HOLDING CENTER
40 Delaware Ave
Buffalo, New York 14202,

Respondents.

PLEASE TAKE NOTICE, that the claimant, KIM CARROLL, has and hereby intends to file a claim against the COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and the ERIE COUNTY HOLDING CENTER and in support of said claim states the following:

1. The Post Office address of the claimant, KIM CARROLL, is 18 School Street, Buffalo, New York 14214.
2. The attorneys for the claimant are Andrews, Bernstein & Maranto, LLP, 69 Delaware Avenue, Suite 1200, Buffalo, New York 14202, Telephone (716) 842-2200.
3. The claim arose as follows: Upon information and belief, on or about September 12, 2010, and for a period of time thereafter, Claimant, KIM CARROLL was in the custody of the Respondents, COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and ERIE COUNTY HOLDING CENTER.

RECEIVED
ERIE COUNTY
SHERIFF'S OFFICE
2010 DEC -8 PM 1:01

4. Upon information and belief the Respondents, COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and ERIE COUNTY HOLDING CENTER were negligent in not providing Claimant, KIM CARROLL with her necessary medications while in custody.

5. The Respondents, COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and ERIE COUNTY HOLDING CENTER failed to properly train, educate and maintain their employees.

6. The Respondents, COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and ERIE COUNTY HOLDING CENTER failed to provide proper medical treatment to Claimant, KIM CARROLL.

7. The Respondents, COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and ERIE COUNTY HOLDING CENTER failed to properly administer pharmaceutical medications to Claimant, KIM CARROLL.

8. The Respondents, COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and ERIE COUNTY HOLDING CENTER failed to properly observe and care for Claimant, KIM CARROLL.

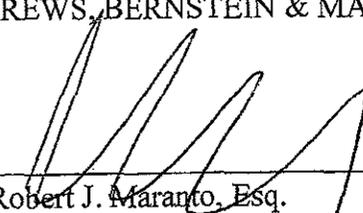
9. The claim of KIM CARROLL is for personal injuries, pain, and suffering, including, without limitation, being rendered sick, sore, lame and disabled.

10. Upon information and belief, the incident herein-described and the resultant injuries and damages sustained were caused as a result of the negligence, carelessness, and recklessness on the part of the agents, servants and/or employees of Respondents COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and ERIE COUNTY HOLDING CENTER.

WHEREFORE, claimant requests that Respondents COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and ERIE COUNTY HOLDING CENTER compensate Claimant, KIM CARROLL for her injuries and damages.

DATED: Buffalo, New York
December 2, 2010

ANDREWS, BERNSTEIN & MARANTO, LLP

By: 

Robert J. Maranto, Esq.

Attorney for Claimant, Kim Carroll

69 Delaware Avenue, Suite 1200

Buffalo, New York 14202

(716) 842-2200

VERIFICATION

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

KIM CARROLL, being duly sworn, says: I am the claimant above named; I have read the foregoing notice of intention to file a claim and know its contents; the same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters I believe it to be true.

Kim Carroll
KIM CARROLL

Sworn to before me this

6th day of December, 2010.

Pamela A. Burkhard
Notary Public

PAMELA A. BURKHARD
Notary Public, State of New York
Qualified in Erie County
My Commission Expires September 25, 2013



MARTIN A. POLOWY
ACTING COUNTY ATTORNEY

COUNTY OF ERIE
THOMAS F. KIRKPATRICK
ACTING FIRST ASSISTANT COUNTY ATTORNEY

CHRIS COLLINS
COUNTY EXECUTIVE

DEPARTMENT OF LAW

December 21, 2010

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

Dear Mr. Graber:

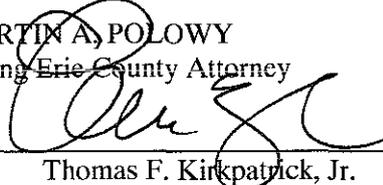
In compliance with the Resolution passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Wales, Michael v. State of New York</i>
Document Received:	Notice of Claim
Name of Claimant:	Michael Wales
Claimant's attorney:	<i>Pro Se</i>

Should you have any questions, please call.

Very truly yours,

MARTIN A. POLOWY
Acting Erie County Attorney

By: 
Thomas F. Kirkpatrick, Jr.
Acting First Assistant County Attorney

TFK/dkw
Enclosure

cc: Martin A. Polowy, Acting Erie County Attorney

STATE OF NEW YORK
COURT OF CLAIMS

Michael Wales DSA1723, Claimant

DISTRICT ATTORNEY
25 DELAWARE AVE.

2010 DEC - 7 AM 10:38

NOTICE OF MOTION
AMENDED CLAIM
CPLR SECTION 3100-3111
E.B.T. 119035

State of New York,
Defendant(s)

Claim #

To: Clerk of Court of Claims, Att General, County Clerk and County Attorney

PLEASE TAKE NOTICE: that upon the Annexed Affidavit of, Michael
Wales DSA1723 duly sworn to the day of _____ 2010, The claimant
Seeks to Amend His Claim Pursuant to CPLR 3100-3111 E.B.T.'s in
Claim # 119035 A Motion will be Made in this Court of Claims,
State of N.Y. This Claimant Seeks to Amend his Claim, to Show
damages for Injury.

AS a result of My ^{wrong} ~~unlawful~~ confinement I was removed from the art.
Program which, Had I completed I would be released from DOC's on
July 30th 2011. I was Sexually Assaulted and Raped by Officer Christoph
Czarnecki on Sept. 15, 2010 while in confinement as a result of the M.B.R.
I was further injured by being removed from Population and Placed in SHU.
Where I could not Partecipate in Ramadan the muslim holy month. I am being
prosecuted in Erie county on criminal charges.

Finally as a result of this ^{wrong} ~~unlawful~~ confinement My Goodtime was taken
Now I have to Max out March 24, 2013. And as a result of the rape
I have to be seen by Mental health once a week. I am and
was IRREPARABLY Damaged Mentally as well as Physically.

Sworn to before me this 3rd day
of December 2010

Michael Wales
Signature

Deyman Lubom
Notary Public

Notary
Cherry

JUDICIAL BRANCH
COURT OF CLAIMS

10 PAGES

Michael Wales OSA1723,
claimant(s)

Motion
CPLR Section 3100-3111

V.
State of New York,
Defendant(s)

E.B.T.
Claim # 119035

STATE OF NEW YORK county of ERie, Michael Wales OSA1723
Claimant, Being first duly sworn Deposes And Says that,

1. I am the Claimant herein, And I am currently incarcerated at
Southport correctional facility 236 Bob MaSia Drive P.O. Box 2000
Pine city, N.Y. 14871-2000.

2. I MAKE this Affidavit in support of my Motion Pursuant to CPLR 3100-3111
E.B.T.'s For the Above Matters Herein enclosed.

3. I am Amending My Claim for injuries I would like to make the court aware of
4. Further reasons for Amending this claim is because I wish to Notify the
Court of Further injuries theretofore.

5. I was unlawfully confined as a result of said confinement, b. I
was removed from Population And the A.R.T Program because of,
7. removal from A.R.T. I Lost My Earliest Release Date July 30th 2011.

8. Furthermore I was sexually assaulted and raped while unlawfully
confined at wende corr. Fac. Special Housing Unit.

9. I was further injured by being removed from Population and Placed in SHU
Where I could not participate in Ramadan Muslim Festivities.

10. I am being Prosecuted in Erie County Criminal Court town of Alden.

11. Finally as a result of my unlawful confinement My Goodtime was
taken And I have to MAX out March 24, 2013 And I have to see mental
health once a week for the rape I sustained due to this

^{unorg}ful confinement in SHU. Where Officer Christopher
Czarnecki works. This incident could have been prevented
if the Misbehavior report was thrown out in the hearing

like it was reversed and expunged from my record by The
Commissioner BRIAN Fischer And ALBERT PRACK Acting
Director of Social Housing.

Wherefore I hope and Pray this honorable Court grant me the relief that I seek within this Motion in the Spirit and letter of the LAW and any other form of Relief that the Court Deems Just and Proper. Damages Sought \$100. A day

NSHU from 6/30/10 to 9/15/10 \$2,500 For loss of Goodtime \$2,500 for 30 days NO Practicing religion and \$10,000 For rape and \$4,000 For loss of E. R. D. Michael Avales

Signature

Sworn to before me this 3rd day
of December 2010

Herman Lulson
Notary Public

Notary Public
Commission Expires 12/31/14

C.C. File: Att gen Andrew CUOMO
NYS. COURT OF CLAIMS clerk
ERIE county CLERK
ERIE County Attorney

Affidavit of Service

**STATE OF NEW YORK)
COUNTY OF CHEMUNG) ss:**

I, Michael Wales 05A1723, being duly sworn, deposes and says, that I am the Petitioner herein, and that on the date of notarization indicated below, I have place in a sealed, post-paid, wrapper a true and exact copy of the enclosed papers, Identified as: Amended Claim ~~And~~ motion And Motion

_____, and Affidavit of Service, by placing same in U.S. Mailbox in Southport Correctional Facility for delivery to the United States Postal Service, and that such parcels were addressed to the parties indicated below:

Hon. Andrew M. Cuomo
N.Y.S. Office of Attorney General
Department of Law The Capital
Albany N.Y. 12224

Robert T. Decataldo Chief Clerk
N.Y.S. Court of Claims
P.O. Box 7344, Capital Station
Albany N.Y. 12224

ERIE County Court
ERIE County Attorney
25 Delaware Ave
Buffalo, NY 14202

ERIE County Court
ERIE County Clerk
25 Delaware Ave
Buffalo, NY 14202

Respectfully Submitted,

Michael Wales
(Sign Name in Front of Notary)
Michael Wales, pro se
(Print Name)
Southport Correctional Facility
P.O. Box 2000
Pine City, N.Y. 14871

Sworn and subscribed to before me on this 3rd day of December, 2010.

Herman Lubson
Notary Public

Notary Public
Chemung County
No. 187
2014



MARTIN A. POLOWY
ACTING COUNTY ATTORNEY

COUNTY OF ERIE THOMAS F. KIRKPATRICK
ACTING FIRST ASSISTANT COUNTY ATTORNEY

CHRIS COLLINS
COUNTY EXECUTIVE

DEPARTMENT OF LAW

December 21, 2010

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:

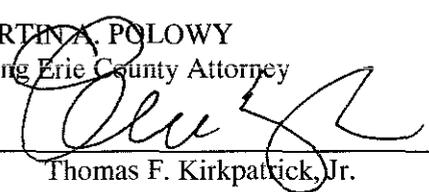
File Name:	<i>Caminero, Jason v. County of Erie</i>
Document Received:	Notice of Claim
Name of Claimant:	Jason Caminero
Claimant's attorney:	<i>Pro Se</i>

Should you have any questions, please call.

Very truly yours,

MARTIN A. POLOWY
Acting Erie County Attorney

By: _____


Thomas F. Kirkpatrick, Jr.
Acting First Assistant County Attorney

TFK/dkw
Enclosure

cc: Martin A. Polowy, Acting Erie County Attorney

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

TK

=====X

Claimant,

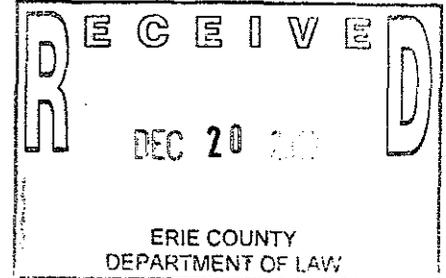
NOTICE OF CLAIM

- vs -

THE COUNTY OF ERIE,

Defendant.

=====X



TO: ERIE COUNTY DEPARTMENT
95 FRANKLIN ST. Rm 1634
BUFFALO NY 14202 -3921

PLEASE TAKE NOTICE that Jason Caminero, 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:

JASON E. CAMINERO I. C. N. 61125
E.C. H. C. 40 DELAWARE BUFFALO , NY14202 3999

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.

3. The wrongful, unlawful, negligent and careless acts and omissions of the COUNTY OF ERIE, its agents, servants or employees,

occurred as follows: This notice of claim is against the E.C.H.C for not giving me the proper medical attention regarding my health. That has been occurring during the months being held at the E.C.H.C . Large bumps have been on my face causing pain and swelling making it hard to breath and eat over the months to the point that is very uncomfortable for me. Medical staff kept telling me that its only acne. I then was giving numerous acne medicine inwhich made my skin condition worsen. Ive been requesting to be tested for MRSA since I was told by medical staff that it might be a staff infection. A series of medicine and antibiotics were giving but nothing has helped or stopped the infection on my face. The infection has left scars and blemishes on my skin. I have saved all medical slips and documents that has been sent to the medical department over the months. I have been getting these infections since February of 2010. I was also told that a culture was being taken on my face to be tested inwhich hasn't been done yet. I havn't seen any doctors that specializes with skin care and its almost a year. I been through pain and suffering over the contiuece months behind this infection on my face. The Department Of Justice has been notified during an interview I had with them at the E.C.H.C. My family has contacted a Lawyer that relates to this matter. The living conditions at the E.C.H.C has caused infections with me and other inmates that has the same medical problems throughout their bodies. I haven't got the correct medical treatment for almost a year. I have never experienced any infection of any kind on my face in my entire life. If needed check my medical history to verify.

Thank you...

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.


CLAIMANT

Dec 13, 2010

VERIFICATION

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

JASON CAMINERO, 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.

Jason Caminero

Sworn to before me this 13
day of December 2010

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, 2012



MARTIN A. POLOWY
ACTING COUNTY ATTORNEY

COUNTY OF ERIE THOMAS F. KIRKPATRICK
ACTING FIRST ASSISTANT COUNTY ATTORNEY

CHRIS COLLINS
COUNTY EXECUTIVE

DEPARTMENT OF LAW

December 21, 2010

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

Dear Mr. Graber:

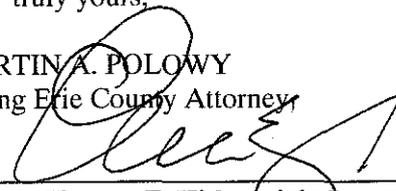
In compliance with the Resolution passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Hill, Mark v. County of Erie, Erie County Sheriff's Department and Erie County Holding Center</i>
Document Received:	Notice of Claim
Name of Claimant:	Mark Hill
Claimant's attorney:	Robert J. Maranto, Jr. Andrews, Bernstein & Maranto, LLP 69 Delaware Avenue, Suite 1200 Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,

MARTIN A. POLOWY
Acting Erie County Attorney

By: 
Thomas F. Kirkpatrick, Jr.
Acting First Assistant County Attorney

TFK/dkw
Enclosure

cc: Martin A. Polowy, Acting Erie County Attorney

STATE OF NEW YORK
SUPREME COURT :: COUNTY OF ERIE

MARK HILL
31 School Street
Buffalo, New York 14213

Claimant,

NOTICE OF CLAIM

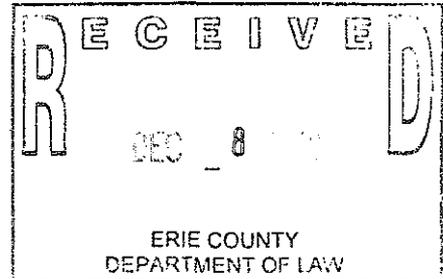
-vs.-

COUNTY OF ERIE
69 Delaware Avenue
Buffalo, New York 14202

ERIE COUNTY SHERIFF'S DEPARTMENT
10 Delaware Avenue
Buffalo, New York 14202,

ERIE COUNTY HOLDING CENTER
40 Delaware Ave
Buffalo, New York 14202,

Respondents.



PLEASE TAKE NOTICE, that the claimant, MARK HILL, has and hereby intends to file a claim against the COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and the ERIE COUNTY HOLDING CENTER and in support of said claim states the following:

1. The Post Office address of the claimant, MARK HILL, is 18 School Street, Buffalo, New York 14214.
2. The attorneys for the claimant are Andrews, Bernstein & Maranto, LLP, 69 Delaware Avenue, Suite 1200, Buffalo, New York 14202, Telephone (716) 842-2200.
3. The claim arose as follows: Upon information and belief, on or about September 12, 2010, and for a period of time thereafter, Claimant, MARK HILL was in the custody of the

Respondents, COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and ERIE COUNTY HOLDING CENTER.

4. Upon information and belief the Respondents, COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and ERIE COUNTY HOLDING CENTER were negligent in not providing Claimant, MARK HILL with necessary medications while in custody.

5. The Respondents, COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and ERIE COUNTY HOLDING CENTER failed to properly train, educate and maintain their employees.

6. The Respondents, COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and ERIE COUNTY HOLDING CENTER failed to provide proper medical treatment to Claimant, MARK HILL.

7. The Respondents, COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and ERIE COUNTY HOLDING CENTER failed to properly administer pharmaceutical medications to Claimant, MARK HILL.

8. The Respondents, COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and ERIE COUNTY HOLDING CENTER failed to properly observe and care for Claimant, MARK HILL.

9. The claim of MARK HILL is for personal injuries, pain, and suffering, including, without limitation, being rendered sick, sore, lame and disabled.

10. Upon information and belief, the incident herein-described and the resultant injuries and damages sustained were caused as a result of the negligence, carelessness, and recklessness on the part of the agents, servants and/or employees of Respondents COUNTY OF

ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and ERIE COUNTY HOLDING CENTER.

WHEREFORE, claimant requests that Respondents COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT and ERIE COUNTY HOLDING CENTER compensate Claimant, MARK HILL for his injuries and damages.

DATED: Buffalo, New York
December 2, 2010

ANDREWS, BERNSTEIN & MARANTO, LLP

By: _____

Robert J. Maranto, Esq.

Attorney for Claimant, Mark Hill

69 Delaware Avenue, Suite 1200

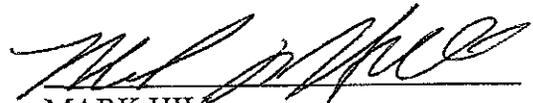
Buffalo, New York 14202

(716) 842-2200

VERIFICATION

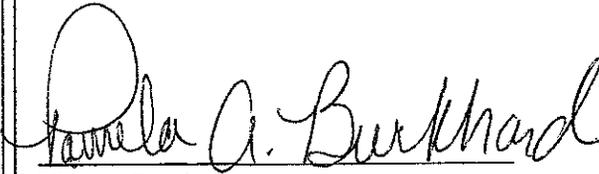
STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

MARK HILL, being duly sworn, says: I am the claimant above named; I have read the foregoing notice of intention to file a claim and know its contents; the same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters I believe it to be true.


MARK HILL

Sworn to before me this

16th day of December, 2010.



Notary Public

PAMELA A. BURKHARD
Notary Public, State of New York
Qualified in Erie County
My Commission Expires September 25, 2013