(10)

COUNTY OF ERIE

MICHAEL A. SIRAGUSA
ERIE COUNTY ATTORNEY

MARK C. POLONCARZ
COUNTY EXECUTIVE
DEPARTMENT OF LAW

MICHELLE M. PARKER
FIRST ASSISTANT COUNTY ATTORNEY

JEREMY C. TOTH
SECOND ASSISTANT COUNTY ATTORNEY

November 26, 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:	*Little, Cody v. County of Erie, Erie County Sheriff's Office, Sheriff Howard, Sgt. Bayls, Deputy Wagner*
Document Received:	Notice of Claim
Name of Claimant:	Cody Little DIN #13B2837 Attica Correctional Facility Attica, NY 14011-0149
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 Park
Michelle M. Parker
First Assistant County Attorney

MMP:dld
Enc.

COUNTY COURT OF THE STATE OF NEW YOR
COUNTY OF ERIE

Cody P. Little
Plaintiff

V.

NOTICE OF INTENTION TO FILE CLAIM

Erie County;
Erie County Sheriff's Dept;
Sheriff Timothy Howard;
Sgt Bayls; Deputy Wagner
Defendants

To: Erie County Attorney;
Erie County Chief Court Clerk
Sir or Madam:

Please take Notice that the undersigned, Cody P Little DIN # 13B2837, intends to file a claim against the County and stated defendants.

The post office address of the claimant is:

Cody Little DIN# 13B2837
ATTICA Correctional Facility
ATTICA, NY, 14011-0149

The Claimant is submitting this

Notice of Intention to file a Claim PRO-SE.

The time when, the place where and the manner in which the Claim arose are as follows:

1.) On or about July 29th - Aug 1st 2013, Plaintiff did have a trial in Erie County Court, in which Deputy Wagner did over see while Plaintiff was in Custody. Deputy Wagner did start to spread rumors and gossip with other inmates and deputies regaurding specific facts and circumstances about Plaintiff's case.

2.) Sgt Bayls did continue to spread such facts + gossip with other inmates and deputies through the County Jail; especially on Plaintiff's housing unit where Sgt Bayls was the regular floor Sgt.

3.) Plaintiff was repeatedly harrassed and sexually harrassed from both fellow inmates and deputies from the gossip that was spread by Deputy Wagner and Sgt Bayls.

4.) On 8-21-13 Appx 9:50 AM, Plaintiff did report to unit deputy and reported he was was in immediate danger due to the gossip that was spread through the jail. Sgt Bayls arrived, Plaintiff stressed his immediate safety concerns and requested to be removed immediately. Sgt Bayls ignored Plaintiff's pleas for help and safety; and left stating he would not be moving the plaintiff anywhere.

5.) On 8-21-13 Appx 10:25pm Plaintiff was gang assaulted by 4 inmates, cut twice across his face and severely beaten causing injuries.

Relief Sought

6.) Plaintiff has sustained extreme emotional + mental injuries, as well as physical injuries. Plaintiff will demand a judgement and damages in the form of monetary damages with cost and interest when formal claim is filed.

7.) Plaintiff requests leave to prepare formal claim and prepare necessary paperwork and file within 1 year.

Respectfully submitted,

11-18-13

Cody Little DIW#
PRO-SE 13B2837

AFFIDAVIT OF SERVICE

County Court of New York
County of Erie

Cody Little
Plaintiff
V.
Erie County; Erie County Sheriff's Dept; Sheriff Timothy Howard; Sgt Bayls; Deputy Wagner

I, Cody Little, Pro-SE, being duly sworn, deposes and says: I am over the age of 18 and reside at ATTICA Correctional Facility, Box 149, Attica, NY 14011-0149

On, Nov. 18th 2013, I served a Notice of Intention upon the Erie County Attorney and Chief Clerk by certified mail, with return reciept via United States Postal Service within New York State.

Cody Little
11-18-13
PRO-SE

DDS

VERIFICATION

COUNTY COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

I, Cody Little, PRO-SE, being duly sworn, deposes and says: that I am the Claimant in the within action, that I have read the foregoing Notice of Intention and know the contents thereof; that the same is true to deponent's own knowledge, except as to matters stated to be alleged on information and belief, and as to those matters, deponent believed to be true.

Cody Little 11-18-13

PRO-SE