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

January 28, 2015

Ms. Karen McCarthy, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. McCarthy:

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:	*Hoskins, Jovan v. County of Erie, Erie County Sheriff and Erie County Correctional Facility*
Document Received:	Notice of Claim
Name of Claimant:	Jovan Hoskins 13657 Route #78 South Wales, New York 14139
Claimant's attorney:	Andrew J. Connelly, Esq. Andrews, Bernstein & Maranto, LLP 420 Franklin Street Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,

MICHAEL A. SIRAGUSA
Erie County Attorney

By: Michelle Parker
Michelle Parker
First Assistant County Attorney

MMP:dld
Enc.

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

JOVAN HOSKINS
13657 Route 78
South Wales, NY 14139

Claimant,

vs.

ERIE COUNTY
95 Franklin Street, Rm 1634
Buffalo, NY 14202

ERIE COUNTY SHERIFF
10 Delaware Ave
Buffalo, NY 14202

ERIE COUNTY CORRECTIONAL FACILITY
11581 Walden Avenue
Alden, NY 14004

Respondents.

NOTICE OF CLAIM

This paper received at the
Erie County Attorney's Office
from MAILA HAZEN on
the 22nd day of JANUARY, 2015
at 2:15 a.m./p.m.
Assistant County Attorney
Michael S. Liszewski

PLEASE TAKE NOTICE, that the Claimant, JOVAN HOSKINS, has and hereby intends to file a claim against ERIE COUNTY, ERIE COUNTY SHERIFF, and ERIE COUNTY CORRECTIONAL FACILITY, and in support of said claim states the following:

1. The Post Office address of the Claimant is 13657 Route 78, South Wales, NY 14139.

2. The attorneys for Claimant are Andrews, Bernstein, Maranto & Nictora, PLLC, and their post office address is 420 Franklin Street, Buffalo, New York 14202, Telephone (716) 842-2200.

3. This claim arose as follows: While an inmate at the ERIE COUNTY CORRECTIONAL FACILITY on October 30, 2014, JOVAN HOSKINS was playing

basketball in the yard at approximately 11:00 a.m. where he fell on a dip and ridge in the pavement. The fall caused Claimant, JOVAN HOSKINS, to rupture his left Achilles tendon.

4. That Claimant's injury was caused solely due to the negligence, carelessness and recklessness on the part of Respondents, ERIE COUNTY, ERIE COUNTY SHERIFF, and/or, ERIE COUNTY CORRECTIONAL FACILITY, through their agents, servants and/or employees, as follows:

a. The respondents and/or their agents, servants or employees were negligent in creating a dangerous and hazardous condition;

b. The respondents and/or their agents, servants, or employees were negligent in failing to maintain a reasonable and safe condition for the claimant;

c. The respondents and/or their agents, servants, or employees were negligent in failing to remedy the aforesaid condition;

d. The respondents and/or their agents, servants, or employees were negligent in failing to warn the claimant of the dangerous and hazardous condition;

e. The respondents and/or their agents, servants, or employees were negligent in failing to take proper measures to correct the dangerous condition;

f. The respondents and/or their agents, servants, or employees were negligent in failing to observe the dangerous condition;

g. The respondents and/or their agents, servants, or employees were negligent in failing to create a safe environment for inmates;

h. The Respondents were otherwise negligent.

5 This Claim is for personal injuries, conscious physical and emotional pain and suffering of JOVAN HOSKINS;

6. By virtue of the negligence and carelessness of ERIE COUNTY, ERIE COUNTY SHERIFF, and, ERIE COUNTY CORRECTIONAL FACILITY, Claimant

JOVAN HOSKINS was caused to suffer serious, significant and permanent injuries to his left Achilles tendon. Claimant JOVAN HOSKINS also suffered other injuries and complications as yet undetermined as a result of this incident and, by reason of the same, Claimant sustained damages in an amount which cannot be reasonably calculated at this time.

WHEREFORE, claimant requests that ERIE COUNTY, ERIE COUNTY SHERIFF, and ERIE COUNTY CORRECTIONAL FACILITY compensate him for his injuries and expenses; and for such other and further relief as to this Court may seem just and proper.

Dated: January 22, 2015
Buffalo, New York

By: _____

Andrew J. Connelly, Esq.
ANDREWS, BERNSTEIN, MARANTO & NICOTRA, PLLC
Attorneys for Claimant
420 Franklin Street
Buffalo, New York 14202
(716) 842-2200

VERIFICATION

STATE OF NEW YORK :
COUNTY OF ERIE : ss.
CITY OF BUFFALO :

JOVAN HOSKINS, being duly sworn, deposes and says that he is the Claimant in this action; that he has read the foregoing Notice of Claim in this action and knows the contents thereof; that the same is true to the knowledge of deponent, except as to the matters therein stated to be alleged on information and belief, and that as to those matters, he believes them to be true.

Jovan Hoskins
JOVAN HOSKINS

Sworn to before me this 22
day of January, 2015

Stacie Leigh Duderwick
Notary Public

STACIE LEIGH DUDERWICK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires December 30, 2017