

- (127) I further submitted Grievance Log# 1210-405-048 on 10-11-2012 again they continued to act maliciously and sadistically for the very purpose of causing harm, which here was a shock to an otherwise just society where, Ms. Finisse totally disregarded Dr. Heller's excessive risk to my health, safety and life. As CDC was never even contacted. He again did nothing. Exhibit "J" Log #1210-405-048, 12-6-34640).
- (128) But here, Dr. Heller was again deliberately indifferent causing unnecessary and wanton infliction of pain where, on 10-8-2012, after being previously thrown out of the infirmary, I clasped almost hitting the medal railing of my bed, was assisted into bed but couldn't get out. Had to be taken back to the infirmary and this time admitted Office Jenkins, and Sgt. Lewis, allowed me to stay seated and timely declared medical emergency, unlike Office McIntire.
- (129) Dr. Heller, again never conducted any examinations, tests, or, ordered that any blood be taken. As a matter of fact I never even sought Dr. Heller, or received any treatment from him until 10-17-2012, do to his maliciously and sadistically display of unethical behavior which has caused harm, and excruciating, chronic and severe pain.
- (130) The only way Dr. Heller came and seen me was because I received a letter from Dr. Lins on 10-16-2012, but dated 10-5-2012, the guise of that letter as it related to me was, "I am writing in response to the recent national outbreak of fungal meningitis after lumbar spine injections . . . as a safety precaution, if you develop headaches, worsen spine pain or any unusual symptoms, it is safe to report to the nearest emergency room for evaluation."
- (131) These are the three symptoms that I am still experiencing out of the eight listed, and have never been tested. I explained this to Ms. Finisse, and she reviewed letter and contacted Dr. Heller to see me. He never came on his own and he admitted me upon this declared emergency, after throwing me out of medical 4 days earlier to which I suffered every day.
- (132) Ms. Finisse, and Dr. Heller acted maliciously and sadistically for the very purpose of causing harm, where neither official as a safety precaution contacted the emergency room, CDC, or the Palm Beach Health Department when they themselves had taken no tests. Yet, the symptom persists, and the pain is unbearable.
- (133) On 10-16-2012, I responded back to Dr. Lins, specialist who gave me the shots and informed him I was exhibiting symptoms Ms. Finisse, and Dr. Heller would not test me I was in excruciating pain I needed to be tested and helped.
- (134) Ms. Finisse and Dr. Heller acted maliciously and sadistically for the very purpose of causing harm where they made me take all three epidural injections during contaminated period, and did not assure me that I wasn't infected, as my lower body seems paralyzed.

- (135) These concerns were strongly expressed in Grievance Log# 1210-405-066 on 10-16-2012 directly to the Warden, titled, "Emergency Medical Exhibit "K" (Log # 1210-405-066, 12-6-35831-non-Responsive within 30 days requirement).
- (136) Ms. Finisse and Dr. Heller, also in response acted maliciously and sadistically for the very purpose causing harm, permanent disability or death where they determined without any laboratory work, blood testing, current x-rays or MRI that my condition was not an emergency. There was absolutely no substantial basis for this naferious and egregious determination other than retaliation, as a result of oral complaint on 10-4-2012, written grievance on 10-7-2012, 10-11-2012, and 10-16-2012.
- (137) Ms. Finisse and Dr. Heller retaliated against me for the filing of Grievance Log# 1210-405-031, on 10-7-2012 against them where they denied me any laboratory work, blood testing for deadly infection of fungal meningitis. Additional, x-rays or MRI to reaffirm excruciating and paralyzing pain for purpose of surgery, which they denied. They then determined unsubstantially it was not an emergency.
- (138) On May 2, 2013, Dr. L. King was deliberate indifferent to my serious medical needs where she denied any further treatment and surgery while I remained in excruciating pain and confined to a wheel chair.
- (139) Dr. L. King acted maliciously and sadistically for the very purpose of causing harm where adequate treatment, and surgery for excruciating pain, and my condition was intentionally delayed, prolonged and denied even after she caused my disability.
- (140) However, contrary to this determination, Ms. Finisse and Dr. Heller had me admitted on 10-8-2012, into the medical infirmary as a result of a declared medical emergency for pain and where I was been house for approximately a month. They further retaliated against me for filing Griev. #1210-405-048 prolonging of treatment.
- (141) Ms. Finisse and Dr. Heller retaliated against me for the filing of Grievance Log# 1210-405-066, on 10-16-2012, against him where they further after the third consecutive grievance never responded to excruciating pain. Essentially where I point out that they, "cancelled and denied . . . spinal procedures to be conducted in an attempt to keep me in the same painful condition I'm in . . ." which was also malicious and sadistic.
- (142) Ms. Finisse and Dr. Heller, retaliated against me further where "[They] denied surgery and physical therapy which was critical to being relieved of chronic severe pain. Essentially where, no medication he has prescribed out of numerous has relieved any pain over the period of his tenure as my physician.
- (143) Ms. Finisse and Dr. Heller was deliberately indifferent to my serious medical need for physical therapy, "which is unusually an important part of treatment, given in conjunction with shot." Says Dr. Timothy Deer, member of the American Academy of pain . . .

- (144) The period for physical therapy to be effective has passed do to the maliciously and sadistically actions of Ms. Finisse and Dr. Heller, for the very purpose of causing harm, who ordered no physical therapy in conjunction with shots
- (145) Ms. Finisse and Dr. Heller, retaliated against me where initially the long delays and prolonging of treatment contributed extremely to my deterioration condition. But when I started initiating complaints they discontinued the previously established treatment plan, of which he does not respond, to in his respond to grievance.
- (146) In denial of grievance, Dr. Heller, acted maliciously and sadistically for the very purpose of causing harm where he did not specify the medication that led to infection, which has recently been discovered to have allegedly been (NECC) methylpredac (PF) 800mg/mc. A discovery that was not conclusive, although 17,700 single dose vials were recalled.
- (147) Ms. Finisse and Dr. Heller acted maliciously and sadistically for the very purpose of causing harm where, the only medications recalled were from (NECC) Framingham facility, there were three recalled lots of steroids, says J. Todd Weber a doctor with the CDC's division of healthcare quality promotion.
- (148) Dr. Weber, warned that patient and doctor's will need to be vigilant for at least several months following the injections. He added that the first person who received an injection . . . began to develop meningitis in the ankle. Which I've complained of repetitively.
- (149) On October 5, 2012 when Dr. Lins forwarded letter there were 45 case of infection, and 5 deaths. On October 11, 2012, there were 137 illnesses reported, and 10 deaths. One day later, 10-12-2012, 170 illnesses and 14 deaths. Apparently, Dr. Weber's warning was correct, need to be vigilant. And on 11-14-2012, there were 451 illnesses and 32 deaths reported. . . . As of March 11, 2013, there are 670 illnesses and 50 deaths.
- (150) Ms. Finisse and Dr. Heller acted maliciously and sadistically for the very purpose of causing harm which is shocking to the conscious of otherwise a just society where, he conclusively determined based upon insufficient facts that there is no emergency and denied me any treatment for deadly infection or excruciating and extensive pain , in retaliation for filing grievances.
- (151) On 11-29-2012, Dr. Heller, denied my grievance based on the retaliation. Moreover, Dr. Heller further ignored my complaint of excruciating pain and failed to repair my injury, again. Exhibit "L" (Log #1211-405-407).
- (152) The CEO Barry Caden of New England compounding Center (NECC). Whereas here, this corporations is being sued regarding, "the nationwide outbreak of the deadly fungal meningitis disease," from contaminated medication used to conduct the epidural

steroid injections procedures for serious back pains. During the period between July, through September 2012.

- (153) This corporation with its principle place of business in Framingham, Massachusetts, and unincorporated in the State of Florida, circumvented inspectors of The Food and Drug Administrative (FDA). They distributed their tainted and contaminated medication all over the United States. The results of which was a nationwide disease.
- (154) Reports from the U.S.A. Today and World News stated there were approximately 670 illness and 50 deaths. Plaintiff received epidural injections approximately on April 11, 2012, August 1, 2012, and the last and must fatal on August 22, 2012.
- (155) These dates are evident from Plaintiff's inmate medical files during the exact period of contaminated months of July thur September 2012. These contaminated injections left Plaintiff in excruciating pain 3× worse, disable and confine to a wheel chair. This issue, however, is a product liability and/or negligent State tort claim coupled with severity of injury, the interference, delay, prolonging and denial of adequate treatment.
- (156) Plaintiff has filed claim against NECC, Corporation in the United States District Court of Florida, because the opposing party principle place of business is diversely in Massachusetts.
- (157) Further, the matter of controversy exceeds the sum or value of 75,000.00 exclusive of interest and cost. More specifically, the Plaintiff in the instant case has requested damages in the amount of \$250,000.00 compensatory damages alone, and \$750,000.00 punitive, totaling \$1,000,000.00 in damages.
- (158) This most Honorable Court could retain diversity jurisdiction over all possible state law claims and liberally accept Plaintiff allegations in complaint
- (159) New England Compounding Center was negligent where, it distributed epidural steroids contaminated with fungal meningitis. Which I was injected with approximately on April 11, 2012, August 1, 2012 and August 22, 2012 between the effected months of contamination. Distributing 17,700 vials to 23 States.
- (160) New England Compounding Center was negligent, which caused unnecessary and wanton infliction of pain. They caused me to suffer the various symptoms, headaches, extremely worsen by the spinal pains, excruciating leg and ankle pains, which caused me to feel severe burning in my body from my ankle to my knee.
- (161) New England Compounding Center was negligent, which caused unnecessary and wanton infliction of pain where the epidural steroid injection in my spine has lead to meningitis.

- (162) New England Compounding Center was negligent, which caused unnecessary and wanton infliction of pain where steroid injections did not decrease inflammation around the irritated nerve roots. But instead extremely increase pain to that of paralyzing, and crippling results.
- (163) New England Compounding Center was negligent, which caused unnecessary and wanton infliction of pain where the entire left side of my spine became inflamed. Most extreme where shots were injected in L5. S1, which also generated around both sides of my lower body, legs and ankles.
- (164) New England Compounding Center was negligent, which caused unnecessary and wanton infliction of pain where the contaminated steroid injections has virtually paralyzed me. I can't walk, stand, or move about without the assistance of a temporary aide.
- (165) New England Compounding Center was negligent, which caused unnecessary and wanton infliction of pain where contaminated injections will inadvertently do to excruciating pain and rate of deterioration will cause me to be currently temporary disabled.
- (166) New England Compounding Center was negligent, which caused unnecessary and wanton infliction of pain where do to contaminated injections which had me in so much pain immediately after the last shot and follow up on August 31, 2012. I reported excruciating pain to medical director on September 5, 2012.
- (167) New England Compounding Center was negligent, which caused unnecessary and wanton infliction of pain where contaminated injections pains became more intense and so extreme I again reported chronic aid severe pains to the clinician on September 28, 2012.
- (168) New England Compounding Center was negligent for the very purpose of causing harm where it violated state and federal rules by manufacturing bulk quantities of drugs without underlying prescriptions which allegedly caused contamination and my actual clasped on 10-4-2012 from a sudden lower body shut down.
- (169) New England Compounding Center was negligent for the very purpose of causing harm. It violated state and federal rules by manufacturing bulk quantities of drugs without underlying prescriptions, which allegedly caused contamination and my I total clasped on 10-8-2012 from a complete lower body shut down, with virtually crippling and paralyzing effects, which put me in a wheelchair.
- (170) New England Compounding Center, was negligent for the very purpose of causing harm where after I received deadly infection of which I'm currently disabled, NECC, recalled three lots of steroid to include Methylpred AC (PF) 80mg/ml., lots were contaminated. Whatever the determination may be the medication I received during the contaminated period of July-September 2012 were contaminated.

(171) New England Compounding Center was negligent for the very purpose of causing harm where, NECC has crossed the manufacturing threshold and its operations failed to meet the tough standards set by the food and drug administration (FDA) for commercial manufactures. This has placed me at a substantial risk of death or being permanently disabled.

(172) New England Compounding Center acted maliciously and sadistically for the very purpose of causing harm where. NECC is operating under state regulated pharmacy boards, while doing commercial drugs manufacturing and avoiding FDA, tough standards. A standard that should have applied federally when that drugs left Mass., where no one was reportedly effected. However, do to the profit associated with it I'm substantially effected mentally and physically in Florida.

VI. STATEMENT OF CLAIM:

State as briefly as possible what rights under the constitution, laws, or treaties of the United States you claim have been violated. Be specific. Number each separate claim, and relate each claim to the facts in the complaint. If the claims are not related to the same basic incident or issue, they must be addressed in a separate civil rights complaint.

Under The Color of State Law:

- (1) First constitutional amendment violation for retaliation for the filing of grievance and lawsuit.
- (2) Eighth constitutional amendment violation for deliberate indifference, cruel and unusual punishment for deliberate delay and prolonging of surgery, and excruciating pain and suffering for a long period of time, which could only be deemed as human torture.

State Tort Law Claim:

- (1) Against New England Compounding Center for product liability, and negligent.
- (2) Damages in the amount of \$1,000,000.00

VII. RELIEF REQUESTED:

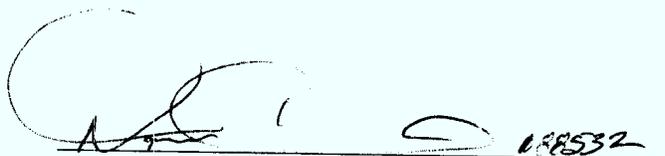
State briefly what relief you seek from this court. Do not make any legal arguments or cite any cases. You may, if you wish, cite statutes which authorize the relief requested, but need not do so.

Against GEO Incorporated Correctional Officials:

1. Compensatory damages of \$250,000 per Defendant.
2. Punitive damages of \$1,000,000.00 per Defendant.
3. Preliminary injunction issued for imminent surgery, which had already been previously established, but is now being denied when my condition is at such a critical stage, and when I am constantly in excruciating pain.
4. Cost of incarceration, litigation of this complaint and all other expenses.

VIII. I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING STATEMENTS OF FACT, INCLUDING ALL CONTINUATION PAGES, ARE TRUE AND CORRECT.

Signed this 10th, day of July, 2013.



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