

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

JAN 19 1988

CORRINE GARNER, on behalf)
of herself, the six minor)

MURRAY E. HARRIS, CLERK
BY DEPUTY DORIS STANLEY

Jr., and the estate of Loyal)
Garner, Jr.; and)

LEE GARNER, the parents of)
Loyal Garner, Jr.,)

plaintiffs)

THOMAS LADNER, Chief of)
Police of the City of)
Hemphill, Texas.)

COMPLAINT

JURISDICTION

2. This Court has jurisdiction of this action pursuant to 28 U.S.C. §§ 1331, 1332, and 1343. The amount in controversy exceeds the sum of ten thousand dollars (\$10,000), exclusive of interest and costs.

PARTIES

3. Plaintiff Corrine Garner is the widow of Loyal Garner, Jr. She sues on behalf of herself, the six minor children of Loyal Garner, Jr., and the estate of Loyal Garner, Jr. She is a resident of Florien, Louisiana, and a citizen of the United States.

4. Plaintiffs Loyal Garner, Sr., and Sarah Lee Garner are the parents of Loyal Garner, Jr. They are residents of Florien,

STATEMENT OF FACTS

During the evening of Christmas Day, December 25, 1987

taken into custody on minor criminal charges by local law enforcement officials in Sabine County, Texas.

10. While in custody at the Sabine County Jail in Hemphill, Texas, Garner was dragged from his cell and savagely beaten by defendants Ladner, Hyden, and Horton.

11. After he was beaten and severely injured, Garner was dragged back to his cell and left to suffer throughout the night

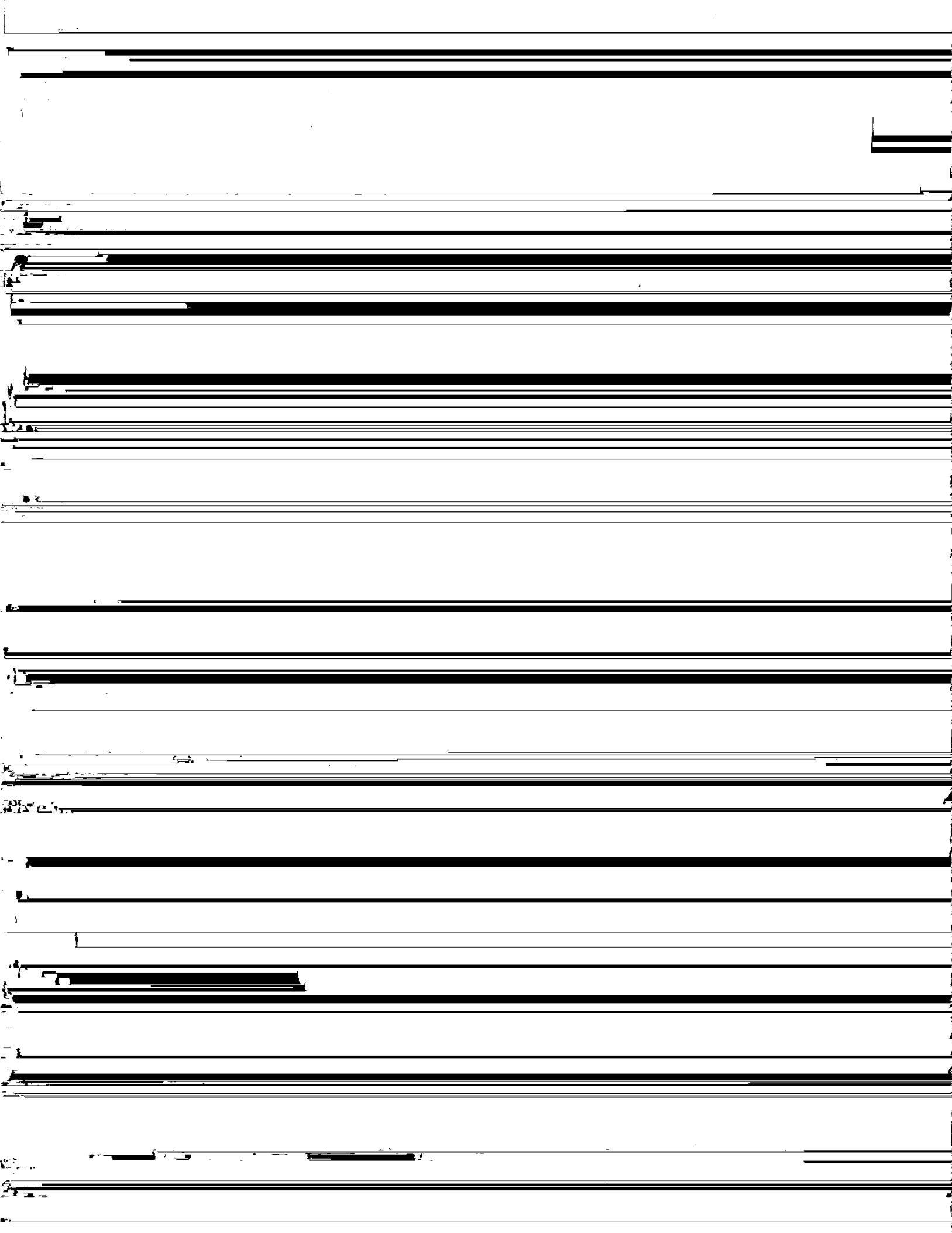
17. The actions of defendants Ladner, Hyden, and Horton in beating Garner and in failing to provide him with medical care were wilful.

18. The actions of defendants Ladner, Hyden, and Horton in beating Garner and in failing to provide him with medical care were undertaken pursuant to a conspiracy among the defendants to deprive Garner of the equal protection of the laws.

19. The actions of defendants Ladner, Hyden, and Horton in

beating Garner and in failing to provide him with medical care

20. The actions of defendant Ladner were within the scope



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