Extract of Civil Court Minutes

Twenty First Judicial District Court

May 29, 2007

Court convened at the usual hour of nine thirty A.M. before the Honorable Elizabeth P. Wolfe, District Judge, Division "F". Thomas L. Sullivan, Jr., Clerk of Court, Willie Graves, Sheriff; Scott Perrilloux, District Attorney; Christina Carter, Court Reporter, and Tonya Steele, Minute Clerk.

Case #: 000000113598 RYAN STINSON, ET AL

VERSUS

DISTRICT ATTORNEY 21ST JDC

This matter appearing on the docket this date for the purpose of Motion for Appointment of Counsel. Personally present in Open Court was counsel, Le'Anne Malnar, standing in for Greg Murphy, on behalf of the defendant. Court ordered this matter be continued to July 9, 2007.

Court adjourned until next regular session.

A true extract from the minutes of court of Division F, Twenty First Judicial District Court, Parish of Livingston, State of Louisiana, dated 5/29/07 and recorded in minute book _____ page _____

Deputy Clerk of Court

RSCase113598-00001

Extract of Civil Court Minutes

Twenty First Judicial District Court

July 9, 2007

Court convened at the usual hour of nine thirty A.M. before the Honorable Elizabeth P. Wolfe, District Judge, Division "F". Thomas L. Sullivan, Jr., Clerk of Court, Willie Graves, Sheriff; Scott Perrilloux, District Attorney; Christina Carter, Court Reporter, and Tonya Steele, Minute Clerk.

Case #: 000000113598

RYAN STINSON, ET AL

VERSUS

DISTRICT ATTORNEY 21ST JDC

This matter appearing on the Civil Rules docket this date for the purpose of Motion for Appointment of Counsel. Personally present in open court were the plaintiff, in proper person and Greg Murphy, on behalf of the District Attorneys Office.. Stipulations were entered into and read into the record. Parties were duly sworn and testified. Further, Mr. Stinson withdrew his motion for appointment of counsel.

Court adjourned until next regular session.

A true extract from the minutes of court of Division F, Twenty First Judicial District Court, Parish of Livingston, State of Louisiana, dated 7/9/07 and recorded in minute book _____ page _____

Deputy Clerk of Court

RSCase113598-00002

Extract of Civil Court Minutes

Twenty First Judicial District Court

August 27, 2007

Court convened at the usual hour of nine thirty A.M. before the Honorable ELIZABETH P. WOLFE, District Judge, Division "F". Thomas L. Sullivan, Jr., Clerk of Court, Willie Graves, Sheriff; Scott Perrilloux, District Attorney; Christina Carter, Court Reporter, and Tonya Steele, Minute Clerk.

Case #: 000000113598 RYAN STINSON, ET AL

VERSUS

DISTRICT ATTORNEY 21ST JDC

This matter appearing on the Civil Rules docket this date for the purpose of preliminary injunction. Greg Murphy made an appearance in Open Court. The Court ordered this matter be removed from the docket.

Court adjourned until next regular session.

A true extract from the minutes of court of Division F, Twenty First Judicial District Court, Parish of Livingston, State of Louisiana, dated 8/27/07 and recorded in minute book _____ page _____

Deputy Clerk of Court

RSCase113598-00003

Extract of Civil Court Minutes

Twenty First Judicial District Court

December 12, 2007

Court convened at the usual hour of nine thirty A.M. before the Honorable Elizabeth P. Wolfe, District Judge, Division "F". Thomas L. Sullivan, Jr., Clerk of Court, Willie Graves, Sheriff; Scott Perrilloux, District Attorney; Amanda Wildey, Court Reporter, and Tonya Steele, Minute Clerk.

Case #: 000000113598

RYAN STINSON, ET AL

VERSUS

DISTRICT ATTORNEY 21ST JDC

This matter appearing on the Civil Rules docket this date for the purpose of motion to enforce settlement agreement and opposition. Ryan Stinson made an appearance in Open Court. Greg Murphy made an appearance in Open Court on behalf of the defendant. Mr. Murphy gave argument. Mr. Stinson gave argument. The Court denied Mr. Stinson's request to call a witness. The Court granted the motion to enforce settlement.

Court adjourned until next regular session.

A true extract from the minutes of court of Division F, Twenty First Judicial District Court, Parish of Livingston, State of Louisiana, dated 12/12/07 and recorded in minute book _____ page _____

Deputy Clerk of Court

RSCase113598-00004

RYAN STINSON	21st JUDICIAL DISTRICT COURT
VS. NO. 113598	STATE OF LOUISIANA
DISTRICT ATTORNEY 21ST JDC	PARISH OF LIVINGSTON

CLERK'S CERTIFICATE

I Ashleigh Grantham, Deputy Clerk of Court in and for the Parish of Livingston, Twenty-first Judicial District Court, do hereby certify that the foregoing 393 pages contain a true and correct copy of all pleadings and documents filed in reference to the above captioned matter.

Witness my hand and seal of Office this 15th day of August, 2022.

Deputy Clerk of Court
Parish of Livingston
State of Louisiana
21st Judicial District Court

21 judicial district Parish of Livingston
State of Louisiana

Docket No: 113598
Division: E
Filed:
Deputy Clerk:

Ryan Stinson #433686
(Plaintiff)

-Versus-

District Attorneies office and
Scott M. Perrilloux + Charlet Hubert in their official capacities
(Defendants)

FILED
06 OCT 1 PM 3:45
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

* *

Original Complaint Civil Action Tort + Breach of Contract, LA. C.C.P. ART. 2315, Ad. 2316, Civ. code Ann. Art 1927 + 3071

* *

Plaintiff: Ryan Stinson #433686
David Wade Corr. Cent.
670 Bell Hill Rd. Homer La 71040

Defendant: Scott M. Perrilloux, District Attorney
P.O. Box 249 Livingston La 70754

Defendant: Charlet Hubert, Assistant District Attorney
P.O. Box 249 Livingston, La 70754

"Please serve all Defendants and provide plaintiff with a Copy"

* *

Statement of Claim:

* *

On May 12, 2005 I was brought to Livingston Parish Court house to testify in behalf of the state against one James "Pop" Skinner. We (myself, Scott M. Perrilloux + Charlet Hubert) came to a mutual agreement that for my testimony, I would

1.

be transfered to Division Correctional Institute (D.C.I) and this would take place shortly after my testimony.

After my testimony on May 13, 2005 and after one James "Pop" Skinner was convicted of his Charge and given a life sentence, he was placed at Elayn Hunts Correctional Center and placed in Beaver 2-A, tier on the date of June 20, 2005 I was also placed on the same tier as one James "Pop" Skinner and during this time he placed verbal threats against me as well as a hit on me through several inmates at this time I informed Scott N. Perrillaux & Charlet Hubert of my safty issue, I was informed that if I needed to and my Concerns for my safty were grate then I could ask the administration to place me on protective Custody. until I am transfered to D.C.I which will be, no latter than December of 2005. So I at that time asked the Administration at Elayn Hunts Corr. Cent. to place me on protective Custody because I was concerned for my safty and until I get transfered to D.C.I.

* *

Breach of Contract

* *

On December 19, 2005 I was transfered, to David Wade Correctional Center, this was done against our oral Contract that for my testimony they (Scott N. Perrillaux & Charlet Hubert) would, transfer me to D.C.I.

I made it perfectly Clear that I, would only testify if they agreed to have me transfered to D.C.I. Because it is closer to my family and there I would be safe from any retaliation from one James "Pop" Skinner.

After my arrivale at David Wade Corr. Cent. on December 19, 2005 I wrote Scott Perrillaux and Charlet

2.

Hubert numerous letters, stressing my concerns for my safety and there refusal to hold up to there end of the oral contract to have me transfered to D.C.I.

But all letters were never answered, my safety was not protected in any kind of way by Scott M. Perrillouw & Charlet Hubert of the District attornies office of Livingston, La, nor was our oral contract we agreed upon met in return for my testimony.

Instead they received my testimony and I received nothing that was agreed upon

* * * * * * * * * * * * * * * * *

Relief:

* * * * * * * * * * * * * * * * *

1) That Scott M. Perrillouw & Charlet Hubert be ordered to have me transfered to D.C.I as agreed upon.
2) That I be awarded $00.00 for each and every day I remain at David Wade Corr. Cent. Untill the day I am transfered.
3) That Scott M. Perrillouw & Charlet Hubert be ordered to pay all Cost of Court and reinburse cost of filling fee
4) That Scott M. Perrillouw & Charlet Hubert be disciplined acording to law.

Signed This _____ day of _____ 20,06 Livingston, La

Ryan R. J. Stinson
Plaintiff

I Ryan R. J. Stinson Swear under penalty of perjury, that the forgoing is true and correct to the best of my knowledge.

Ryan R. J. Stinson
Plaintiff

3.

21 Judicial district parish
of Livingston State of Louisiana

Ryan Stinson #433686
(Plaintiff)

Docket NO: _____
Division: _____
Filed: _____

versus -
District Attornies office and
Scott M. Perrillour + Scharlet
Hubert in there official composities
(Defendants)

Deputy Clerk: _____

* * * * * * * * * * * * * * * * * *

Motion For Leave To Proceed in Forma Pauperis

* * * * * * * * * * * * * * * * * *

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
05 OCT 11 PM 3:05
DEPUTY CLERK

To the Honorable Judge:

May it please the Court:

Pursuant to article 5181, et. seq., Louisiana Code of Civil procedure, motion is hereby made by plaintiff Ryan Stinson, to be allowed to proceed in forma pauperis with his petition or motion.

Petitioner Ryan Stinson affidavit in accordance with LA. C.C.P. articles 5181, et seq., is attached hereto, and by reference thereto made an active part of this motion.

Respectfully Submitted,

Ryan Stinson 433686
Pro Se
D.W.C.C.
670 Bell Hill Rd.
Hamer, La. 71040

4

Affidavit in Support of Request to Proceed in Forma Pauperis

I, Ryan Stinson, declare that I am the plaintiff in the above entitled case; that in support of my motion to proceed without being required to prepay fees, cost or give thereof I state that because of my poverty that I am unable to pay the costs of said proceeding or to give security therefore; that I believe I am entitled to redress.

I further declare that the responses which I have made to questions and instructions below are true.

1. Are you presently employed Yes ( ) NO (✓)
2. Have you received within the past twelve months any money from any of the following sources?
   - (A) Business, profession, or form of self employment (hobby craft sales included)? Yes ( ) NO (✓)
   - (B) Rent payments, interest or dividends? Yes ( ) NO (✓)
   - (C) Pensions, annuities or life insurance payments? Yes ( ) NO (✓)
   - (D) Gifts of inheritances? Yes ( ) NO (✓)
   - (E) Any other sources? Yes ( ) NO (✓)
3. Do you own any cash, or do you have money and/or bonds in a checking or savings account? (include any funds in prison accounts) Yes (✓) NO (✓) if the answers is Yes, state the total value of items owned.

Prison Drawing account: $ 15.63
Prison Savings Account: Ø
Prison Bonds: Ø

09 OCT 11 PM 3:05
CLERK OF COURT
PARISH OF LINCOLN
DEPUTY CLERK

5

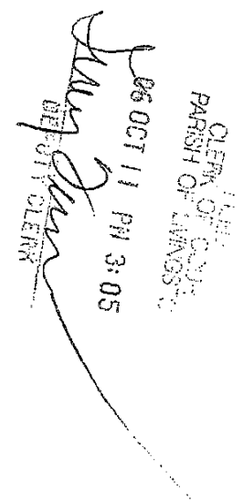
DEPARTMENT OF CORRECTIONS — DATE : 10/03/06
INMATE MASTER RECORD INFORMATION — TIME : 13:59:39

DOC NUMBER...:	433686	STATUS.....:	ACTIVE
LAST NAME :	STINSON	FIRST NAME :	RYAN M.I.:
SENT LENGTH :	010 YRS. 00 MONS. 00 DAYS		
RACE :	WHITE	DOC SYSTEM ENTRY DATE :	05/06/02
SEX :	MALE	DISCHARGE DATE :	09/03/06
LAST UPDATE :	09/22/06	SAVINGS BONDS :	n

LIVING QTRS : N3B — LIVING QTRS # : 7632
CELLBLOCK SOUTH
WORK ASSIGNMENT : AWAITING WORK ASSIGNMENT — WORK ASSIGNMENT # : 7000
PAY RATE : .999
INC.PAY XFER FLAG: — INC.PAY XFER DATE.:

DRAWING BALANCE :	$ 11.01	->LAST 6 MONTH AVERAGE....:	$ 110.62
SAVINGS BALANCE :	$ 0.00	->LAST 6 MONTH AVERAGE....:	$ 0.00
TOTAL DEBT OWED :	$ 0.00	LAST 6 MTH AVG EARNINGS.:	$ 27.83
ACCRUED SALES :	$ 4.62	INSTITUTION LIMIT :	$ 05.00
PERSONAL PROP. ACCRUED:	$ 0.00	PERSONAL PROPERRTY LIMIT:	$ 250.00

PRESS XMIT TO REQUEST ANOTHER INQUIRY : (ENTER X TO CANCEL FUNCTION)



21 Judicial District Court
Parish of Livingston State of Louisiana

Ryan Stinson, 433686 (Plaintiff)

Docket No: _____
Division: _____
Filed: _____

-Versus-
District attorneys office, and
Scott M. Perrillow + Scharlet Hubert in there official Compacities (Defendants)

Deputy Clerk: _____

* * * * * * * * * * * * * * * * * * *

Order For Costs

* * * * * * * * * * * * * * * * * * *

The Court considering that this suit has been filed by plaintiff without the attachment of a motion and order to proceed in forma pauperis; that the law requires that costs be paid in their entirety or the party be allowed to proceed in forma pauperis; the law being in favor thereof;

It is ordered, that plaintiff deposit the full advanced costs of said proceedings or apply on the appropriate form to proceed in forma pauperis within thirty (30) days of the date of this order or have his suit dismissed.

Read and signed, this 11 day of OCT, 2006 at Livingston Louisiana.

District Judge

I hereby Certify, that a copy of the above and foregoing order has been mailed, this date, to plaintiff along with a motion and order to proceed in forma pauperis.

Livingston, Louisiana, this _____ day of _____, 2006.

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
06 OCT 11 PM 3:06
DEPUTY CLERK

9.

Deputy Clerk of Court

21 Judicial District Court
Parish of Livingston, State
of Louisiana

Ryan Stinson 433686 Docket No.:
(Plaintiff) Division:
Filed:
Versus-
District attorneys office, and
Scott M. Perrilloux + Scarlet Deputy Clerk:
Hubert in their official capacities
(Defendants)

* * * * * * * * * * * * * * * * * *

Order

* * * * * * * * * * * * * * * * * *

Considering the foregoing Pleading and Affidavit:

Let Ryan Stinson, prosecute this Litigation in accordance with Louisiana Code of Civil Procedure, Article 5181, et seq., without paying the Cost in advance or as they accrue or furnishing security therefor.

Thus, Read and signed, this 19th day of October, 2006, in Livingston Louisiana

Wolfe
District Judge

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2006 OCT 11 PM 3:06
DEPUTY CLERK

I Hereby certify, that a copy of the above order and foregoing has been mailed, to plaintiff.
Signed this _____ day of _____ 2006.

8.

Deputy Clerk of Court

To Be Completed by the Institution of Incarceration or Detention

I Certify Ryan Stinson 433686 (Insert name of prisoner/detainee and number) has the current sum of $ 11.01 on account to his credit at DAVID WADE CORRECTIONAL CENTER (name of institution). I further certify that during the past six months the applicants average balance was $ 110.62 and that the applicants monthly deposits were $ 27.83. I have attached a certified copy of the applicants prison trust fund account statement showing at least the past six months transactions.

I further certify that the applicant does/ does not (circle one) have a secondary savings account(s), such as a certificate of deposit or savings bond. The secondary account(s) balance, if any is $ Ø

Dated: 10/3/06

Jesse C Jimerson
Signature of Authorized officer

Jesse C Jimerson
Printed name of Authorized officer

Inmate Banking

(N:\forms\prosef\currentifp.wpd; proseforms/currentifp)

7

Rkeep

To: Clerk of Court - Livingston Parish
P.O. Box 1150 Livingston, La 70754

From: Ryan Stinson # 433686
D.W.C.C. 670 Bell Hill Rd. Homer La, 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2006 NOV -3 AM 10:02
DEPUTY CLERK

Date: October 29, 2006

Re: Docket NO: 113598

Dear Sir / Madam,

I am writing you to ask, on October 19, 2006 I was granted Forma Pauperis in my Civil Fort Action and given Docket NO: 113598 I am writing to ask if all defendants have been serv yet are what is the status of my Civil Fort Action.

Thank you so very much I am in hopes to hear from you as soon as possible and God bless you for your kindness and considera

With the kindess of regardes, I am

Yours Truly
Ryan Stinson
Ryan Stinson #433686

C/C: Betty J. Goines (Godmother)
Ryan J.E. Stinson (SELF)

CITATION

ORIGINAL COMPLAINT CIVIL ACTION TORT & BREACH OF CONTRACT, LA. C.C.P. ART. 2315, SRT. 2316, CIV CODE ANN.ART 1927 & 3071; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: SCOTT M. PERRILLOUX, DISTRICT ATTORNEY
P. O. BOX 299

LIVINGSTON, LA 70754 *of Livingston Parish*

YOU ARE HEREBY SUMMONED to comply with the demand contained in the petition of which a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, the 21st Judicial District Court in and for the Parish of Livingston, State of Louisiana, within FIFTEEN (15) days after the service hereof, under penalty of default.

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 14, 2006.

Clerk of Court
21st Judicial District
Parish of Livingston

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, I.P.P.; #433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

CITATION

ORIGINAL COMPLAINT CIVIL ACTION TORT & BREACH OF CONTRACT, LA. C.C.P. ART. 2315, ART. 2316, CIV CODE ANN.ART 1927 & 3071; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: CHARLOTTE HEBERT, ASSISTANT DISTRICT ATTORNY
P. O. BOX 299

LIVINGSTON, LA 70754 *of Livingston Parish*

YOU ARE HEREBY SUMMONED *to comply with the demand contained in the petition of which a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, the 21st Judicial District Court in and for the Parish of Livingston, State of Louisiana, within FIFTEEN (15) days after the service hereof, under penalty of default.*

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 14, 2006.

Clerk of Court
21st Judicial District
Parish of Livingston

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, I.P.P.; #433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

CITATION 20.00

ORIGINAL COMPLAINT CIVIL ACTION TORT & BREACH OF CONTRACT, LA. C.C.P. ART. 2315, ART. 2316, CIV CODE ANN.ART 1927 & 3071; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

RECEIVED
NOV 14 2006
Livingston Parish Sheriff Office

To: CHARLOTTE HEBERT, ASSISTANT DISTRICT ATTORNY
P. O. BOX 299

LIVINGSTON, LA 70754 *of Livingston Parish*

YOU ARE HEREBY SUMMONED *to comply with the demand contained in the petition of which a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, the 21st Judicial District Court in and for the Parish of Livingston, State of Louisiana, within FIFTEEN (15) days after the service hereof, under penalty of default.*

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 14, 2006.

Clerk of Court
21st Judicial District
Parish of Livingston

B Gallagher
Deputy Clerk of Court

Attorney
RYAN STINSON, I.P.P.; #433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the 14 *day of* Nov, *20* 06 *and on the* 15 *day of* Nov. *20*06 *served the above named party as follows:*

Personal Service *on the party herein named* PS

~~***Domiciliary Service***~~ *on the party herein named by leaving the same at his/her domicile in the parish in the hands of* _____, *a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of Livingston *this* 15 *day of* Nov, *20*06.

Service $_____

Mileage $_____

Total $_____

By: J Langley 604
Deputy Sheriff

FILED
2006 NOV 21 AM 8:51
CLERK OF COURT
PARISH OF LIVINGSTON

[ORIGINAL]

CITATION 20.00

ORIGINAL COMPLAINT CIVIL ACTION TORT & BREACH OF CONTRACT, LA. C.C.P. ART. 2315,ART. 2316, CIV CODE ANN.ART 1927 & 3071; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598 15
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

RECEIVED
NOV 14 2006
Livingston Parish Sheriff Office

To: SCOTT M. PERRILLOUX, DISTRICT ATTORNEY
P. O. BOX 299

LIVINGSTON, LA 70754 *of Livingston Parish*

YOU ARE HEREBY SUMMONED *to comply with the demand contained in the petition of which a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, the 21st Judicial District Court in and for the Parish of Livingston, State of Louisiana, within FIFTEEN (15) days after the service hereof, under penalty of default.*

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 14, 2006.

Clerk of Court
21st Judicial District
Parish of Livingston

B. Sherman-Jones
Deputy Clerk of Court

Attorney
RYAN STINSON, I.P.P.; #433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the 14 *day of* Nov, *20* 06 *and on the* 15 *day of* Nov, *20* 06 *served the above named party as follows:*

Personal Service *on the party herein named* Shelly Hammer (Sec)

Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of* _____, *a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of Livingston *this* 15 *day of* Nov, *20* 06.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

2006 NOV 21 AM 8:5

[ORIGINAL]

113,598

Krl mc 7

January 3, 2007

To: Deputy Clerk of Court
Courthouse, 20180 Iowa St.
Livingston, LA 70754

From; Ryan Stinson # 433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA. 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JAN 10 PM 1:31
DEPUTY CLERK

Re: Case No# 000000 113598

Dear Sir / Madam

I am Writing you This Letter Concerning The above and inclosed matter, in hopes To receive your assistance and guidance.

On November 15, 2006 The Defendants in Case No# 113598 Division: F Were Served and given (15) day's To Comply with The demands Contained in The petition That accompanied The citation, or make an appearance, either by Filing a pleading or otherwise.

It is Now January 4, 2006 approximatly 44 day's excluding Holiday's Since Service of Citation and I still have not heard nothing Could you please notify me of The status of my Suite So I Can assert my right For default Judgment.

If There has been a motion presented To The Court For an extention of This Time Limit plaea

provide me with a copy Thereof, as well as a copy of any pleadings or otherwise that the Defendant's might present To The court.

Thank you so very much and God Bless you I am in hopes To hear From you soon

with the kindest of Regards, I am

Truly Thankful

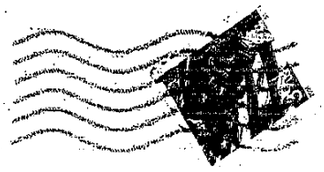
Ryan Stinson #433686

CC: C.C.M.M. (Attorney)
R.S. (SELF)
B.B. (Godmother)
J.J. (Friend)

inson # 433686
C.
L Hill Rd.
A, 71040

NC

SHREVEPORT LA 711
05 JAN 2007 PM 4 L

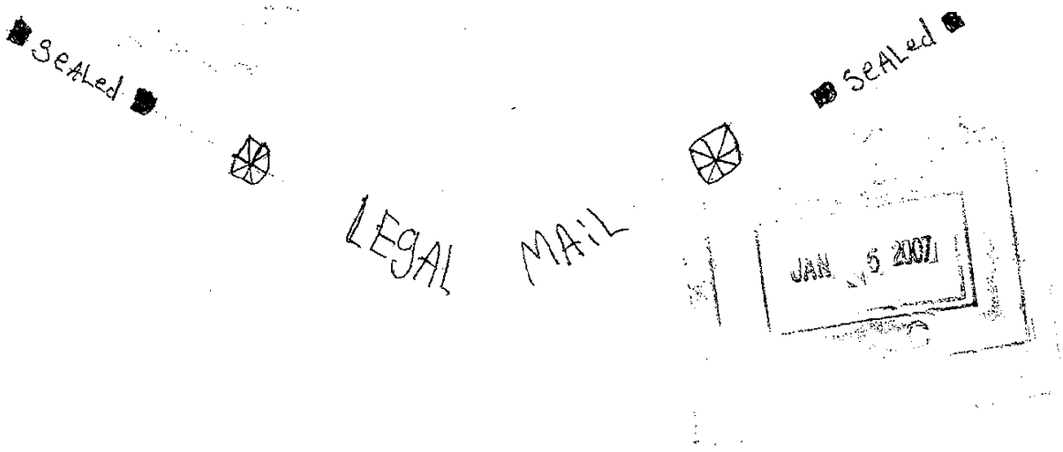


Attention
Legal Mail!!!

Clerk of Court
Courthouse
20180 Iowa St.
P.O. Box 1150
Livingston LA 70754

70754+1150 B010

1 January 5, 2006


SEALED
LEGAL MAIL
SEALED
JAN 5 2007

DC File

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
07 JAN 26 AM 11:45
DEPUTY CLERK

ANSWER TO ORIGINAL COMPLAINT CIVIL ACTION TORT AND BREACH OF CONTRACT

NOW INTO COURT, through undersigned counsel, comes defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's Original Complaint Civil Action Tort and Breach of Contract as follows:

1.

The allegations in Paragraph 1 of plaintiff's Statement of Claim are denied for lack of sufficient information to justify a belief therein.

2.

The allegations in Paragraph 2 of plaintiff's Breach of Contract paragraph are denied for lack of sufficient information to justify a belief therein.

FURTHER ANSWERING, defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, states as follows:

Defendant asserts that she has qualified/absolute immunity in her capacity as Assistant District Attorney for the 21st Judicial District Court.

Defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, hereby requests a trial by jury.

WHEREFORE, defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, prays that there be judgment in her favor, dismissing plaintiff's claims with prejudice, and assigning all costs against plaintiff.

Respectfully Submitted

Greg Murphy

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 25th day of January, 2007.

GREG MURPHY

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
07 JAN 26 AM 11:45
DEPUTY CLERK

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

FILED
07 JAN 26 AM 11:40
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

ANSWER TO ORIGINAL COMPLAINT CIVIL ACTION TORT AND BREACH OF CONTRACT

NOW INTO COURT, through undersigned counsel, comes defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's Original Complaint Civil Action Tort and Breach of Contract as follows:

1.

The allegations in Paragraph 1 of plaintiff's Statement of Claim are denied for lack of sufficient information to justify a belief therein.

2.

The allegations in Paragraph 2 of plaintiff's Breach of Contract paragraph are denied for lack of sufficient information to justify a belief therein.

FURTHER ANSWERING, defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, states as follows:

Defendant asserts that he has qualified/absolute immunity in his capacity as District Attorney for the 21st Judicial District Court.

Defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, hereby requests a trial by jury.

WHEREFORE, defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, prays that there be judgment in his favor, dismissing plaintiff's claims with prejudice, and assigning all costs against plaintiff.

Respectfully Submitted

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 25th day of January, 2007.

Greg Murphy

GREG MURPHY

DC File

21st Judicial District Court
Parish of Livingston
State of Louisiana

Ryan Stinson

Case No.: 000000113598
Division: F

Vs.

21st Judicial District Court
Parish of Livingston
State of Louisiana

Ryan Stinson — Case No.: 000000113598
Division: F

vs.

Scott M. Perrilloux (District Attorney)
Charlotte Hebert (Assistant District Attorney)

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PARISH OF LIVINGSTON
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Filed: _____ Clerk of Court.

* *

Affidavit For Entry of Default Judgment

* *

State of: Louisiana
Parish of: Livingston

Plaintiff Ryan Stinson, declare under the penalty of perjury:

1.) I am the pro se plaintiff in the above entitled matter.

2.) The defendants Scott M. Perrilloux and Charlotte Hebert was served with a copy of the summons and complaint as appears from the proof of service on file.

3.) The defendants Scott M. Perrilloux and Charlotte Hebert has not filed or served an answer or taken other action as may be permitted by law although more than (55) fifty five days have passed since the date of service.

Plaintiff Ryan Stinson, further declare, that under the penalty of perjury of law the above and foregoing affidavit is true and correct, pursuant to 28 U.S.C. Subsection 17:46.

I understand that a false statement in this affidavit will subject one to the penalties of perjury of law.

Thus, read and signed, this 22 day of January, 2007 in Claiborne, Louisiana

Ryan Stinson

Ryan Stinson #433686
David Wade Corr. Cent.
670 Bell Hill Rd.
Homer La, 71040

DC
MC
Robyn

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 FEB -9 PM 12:08
DEPUTY CLERK

To: Ms. Robyn Lockwood, Deputy Clerk of Court
P.O. Box 1150 Livingston, Louisiana 70754

From: Ryan Stinson, I.P.P.# 433686
D.W.C.C. 670 Bell Hill Rd Homer, Louisiana 71040

Date: February 5, 2007 RE: Case No# 000000 113598

Dear Ms. Lockwood,

I am writing this brief missive to request a copy of the inclosed "Plaintiff's First Admissions, interrogatories, and Request for production of Documents to Defendant(s)".

I am asking once you have signed and placed the filling date on the enclosed can you please provide me with a copy of the same.

Thank you so very much and God bless you for your ongoink kindness and consideration with this matter. Please also notify me when Defendants have been served with a copy By mail.

With the kindess of regardes, I am

Truly Thankfull

Ryan Stinson

cc: Ryan Stinson
Enclosed

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040

1 OF 8

Ryan Stinson — Case No#: 000000113598

-versus- — Division: F

Scott M. Perrilloux, District Attorney — 21st Judicial District Court, Parish of

Charlotte Hebert, Ass. District Attorney — Livingston, State of Louisiana

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PARISH OF LIVINGSTON
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DEPUTY CLERK

Filed: _____ Clerk of Court

Plaintiffs' First Admissions, Interrogatories And Request For Production of Documents To Defendant

To; Defendants- Scott M. Perrilloux and Charlotte Hebert

Now comes Plaintiff(s), Through undersigned counsel, and propounds to defendant(s), The following interrogatories to be answered fully, individually, in writing, and under oath, under the provisions of The Louisiana Code of Civil Procedure, Within 30 days after service; and in default of their full, Complete, and timely answer, plaintiff(s) demand that you pay all reasonable attorney's Fees, costs, and expenses of Compelling answer to the Same

Instructions

A. Respond to each discovery request fully, providing all information actually and constructively available to you or to anyone acting on your behalf, including, but not Limited to, employees, agents, representatives, attorneys, accountants, and any other person or firm known by any of them to possess or have access to the requested information.

B. If you fail to respond to any discovery request in accordance With A above, specifically state the reason or reasons For yor failure.

C. If you object to any discovery request, state fully the grounds For the objection and the Legal authority upon which you will rely in response to a motion to compel.

D. Restate each interrogatory in full prior to your response.

E. Identify the person answering each interrogatory For you or any person assisting in answering each interrogatory.

F. "Describe in detail" as used in this interrogatory means to:

8 of 8

1. Describe fully by reference to underlying facts rather than ultimate facts or conclusions of fact or law; and

2. Particularize as to:

A. Time;

b. Place;

c. Manner;

d. "Identity" of the persons "or business entities" involved.

G. you may satisfy your duty hereunder to respond to any interrogatory requiring you to "identify" a document by attaching to your answers to these interrogatories a legible copy of any document bearing the notation of the interrogatory to which the attached document is responsive. The respondants must contact the attorney prior to the production or reproduction of voluminous or excessively costly items or documents in lieu or in furtherance of an answer so the parties can ascertain and allocate among themselves any extraordinary expenses incurred.

H. With respect to any oral communication which is referred to or relied on in answering these interrogatories or which is a source of or forms any basis for the answer, "identify" oral communication means:

1. Describe the same in detail;

2. Describe how the communication occurred (e.g., in person, by telephone, etc.);

3. Furnish the substance of what each party to the communication said; and

4. Whether any document exists which sets forth, summarizes or otherwise refers to the substance of the communication and, if so, provide the information concerning any document called for in instruction E above.

I. "Supplementation" The respondents must amend, supplement, complete or otherwise correct any and all answers as required by Rule 1428 of the Louisiana Code of Civil procedure.

J. "Nondisclosure" With respect to any infacmation which the respondents withold, do not disclose or assert a claim of privilege or non-disclosure, a statement will be respondent's counsel which:

3 of 8

1. Identifies any and all persons who possess the information withheld;

2. Generally describes the information withheld;

3. Gives the last known physical location of the information withheld; and

4. Sets forth the statute, rule, decision or other basis which is claimed to give rise to the privilege or other justification for the nondisclosure of the requested information.

K. "Plural/Gender." Any use of the singular includes the plural and the plural the singular. Any word connoting the masculine gender shall include the feminine and nongender (it), the use of the feminine includes both the masculine and the [redacted] the non-gender and the use of the non-gender shall include both the masculine and the feminine.

These interrogatories cover all information available to the answering parties and to each and every agent, employee, and Attorney of the party, whether by personal knowledge, hearsay, books, records, reports, and all other sources, and these interrogatories are continuing and the answers must be supplemented or amended if further information becomes known to the answering party prior to the trial of this case.

L. The words "You" and "your" refer to the above named defendant, to whom this discovery is propounded, any officer agent or employee thereof, and any predecessor corporation or entity.

Definitions

1. "Documents" means, without limitation as to date, any of the following items, whether printed or recorded or reproduced by any physical or mechanical process: data stored on computers, tapes, disks, punch cards, or printouts; papers of any type; books, newspapers, professional journals, magazines and periodicals, and articles appearing therein; daily logs, lists, correspondence, memoranda, summaries or records of telephone conversations, summaries or records of personal conversations or interviews, agendas, minutes, diaries, calendars, abstracts, tangible things, correspondence, telegrams, cables, telex messages, facsimiles, charts, graphs, maps, reports, notebooks, summaries or reports of consultants, photographs,

4 OF 8 Videotapes, audio tapes, Films, demonstrative aids, photographic negatives, photographic slides, patents, patent applications, movies, microfilm, microfiche, brochures, pamphlets, advertisements, circulars, Fliers, press releases, drafts, Letters, medical records and charts, prescriptions, labels, packaging inserts, medical devise labeling, invoices and receipts. any document differing in any manner from another document (for example, a draft, a copy with nonconforming marginal notations, or a copy with different attachments or entries) is treated as a separate document; each such seperate document must be noted in these answers. Any document which are records now, or have been at anytime in the past, in the possession of defendant(s).

2. The Terms "regarding" and "relating to" shall be interpreted broadly, including both explicit and implicit reference, and meaning without limitation referring to, concerning, constituting, defining, discussing, containing, disclosing, evidencing, revealing, embodying, reflecting, stating, dealing with, mentioning, alluding to or prepared as a result of.

Request for Admissions

1. Please admit on are about [redacted] May, 12, 2005, Scott M. Perrilloux, Was an employee namely a District Attorney employed by the State of Louisiana For the 21st Judicial District court, of Livingston Parish.

2. Please admit on are about May, 12, 2005, Charlotte Hebert, Was an employee namely a Assistant District Attorney employed by the State of Louisiana for the 21st Judicial District court, of Livingston Parish.

3. Please admit on are about May 12, 2005, Charlotte Hebert and Scott M. Perrilloux did agree to have Mr. Ryan Stinson Transfered to Dixion correctional institute in return For his testimony against James "Pop" Skinner

4. Please admit on are about May 12, 2005, Mr. Ryan Stinson Did Testify against Mr. James "Pop" Skinner.

5. Please admit That after Mr. Ryan Stinson Testified He was

5 OF 8

not Transfered To Dixion correctional institute as Scott M. Perrilloux and Charlotte Hebert Had agreed upon.

6. Please admit Charlotte Hebert and Scott M. Perrilloux told Him That on December 19, 2005 He would be Transfered To Dixion correctional institute.

7. Please admit on or about The day of December 19, 2005 Mr. Ryan Stinson Was not Transfered To Dixion correctional institute as agreed on; by Scott M. Perrilloux and Charlotte Hebert.

8. Please admit on or about the day of December 19, 2005 Mr. Ryan Stinson was Transfered To David wade correctional institute.

9. Please admit Charlotte Hebert and Scott M. Perrilloux, Lied To Mr. Ryan Stinson about The Transfer To Dixion correctional institute To gain his testimony.

10. Please admit That Mr. Ryan Stinson Wrote numerous Letters of grivenance To Scott M. Perrilloux and charlotte Hebert That were ingnored.

11. Please admit That Mr. Ryan Stinson made numerous phone calls in [redacted] a good faith atempt To have Scott M. Perrilloux and charlotte Hebert Hold up To There agreement with Mr. Ryan Stinson.

12. Please admit That at no time did Scott M. Perrilloux and Charlotte Hebert Hold up To There agreement With Mr. Ryan Stinson altho He Made many good faith atempts.

Interrogatories

Interrogatory Number 1.

Please provide The Full name, address, age, date of bicth, place of residence at the time of This accident, and state drivers License number of Scott M. Perrilloux and Charlotte Hebert.

Interrogatory Number 2.

Please produce Copies of all correspondence, documents, notes, and any other information used to investigat / substantiate The claims of Mr. Ryan Stinson.

6 OF 8

Interrogatory Number 3.:

Please provide any and all recorded statements of any person regarding The Complaints and Letters of Grievance of Mr. Ryan Stinson.

Interrogatory Number 4.:

Please identify and describe in detail any person who may have or claims to have knowledge of The incident of [redacted] Breach of Contract or any of The events leading to The Breach of Contract or related events of Transfer occurring Thereafter. As to each such person, please describe fully.

Interrogatory Number 5.:

Please list any and all documentary evidence which you may introduce at Trial; fully describe each such document and List The name and address of The person having possession of The original or any copies.

Interrogatory Number 6.:

Please identify each expert Witness retained or consulted by you, or who is anticipated to Testify at The time of Trial regarding This action / Civil action tort and Breach of Contract or in any response to any of These interrogatories, including The name, address, Telephone number and occupation of each expert; The expert's area of expertise; The subject matter on which each expert is expected to Testify; The substance of The facts to which each expert is expected to testify The substance of The opinions to which each expert is expected to testify; a summary of The grounds for each opinion; and identify all documents and photographs which refer or relate to Those Facts.

Interrogatory Number 7.:

Identify each person you expect to call as a fact witness at Trial, whether or not identified in answer to a previous interrogatory, and briefly state The substance of There Testimony.

7 OF 8

Request For Production of Documents

Request For Production Number 1.:

Please produce certified or verified copies of originals each Letter Mr. Ryan Stinson has filed in request For a Transfer to Dixion correctional institute as agreed upon.

Request For Production Number 2.:

Please produce copies of all correspondence, documents, notes, and any other information used to investigate / substantiate the claims of Mr. Ryan Stinson.

Request For Production Number 3.:

Please produce any exhibits which you may offer at the trial of this matter.

Request For Production Number 4.:

Produce copies of all documents produced, relied upon, or referred to by any expert you have consulted with or retained with respect to your claims in this matter.

Request For Production Number 5.:

Produce legible copies of all notes, logs, memoranda, or diary(s) maintained in connection with any of your activities that are in any way related to the claims asserted in the Civil Action Tort + Breach of contract filed by the plaintiffs in this matter.

Request For Production Number 6.:

Copies of reports of all expert witnesses retained or retained by you or whom you expect to call at trial, including all photographs, notes, memoranda, field notes, sketches, drawings, Learned articles, tabulations, or other documents used, a copy of Mr. Ryan Stinson Testimony, produced or relied upon by such expert in Formulating his opinions and rendering a report in this matter.

Request For Production Number 7.:

Please Produce the entire personnel File For Charlotte Hebert + Scott M. Perrilloux.

Request For Production Number 8.:

8 OF 8 Please produce any and all documents supporting any affirmative defense plead in this matter.

Respectfully submitted by:

Febuary 5, 2007
Date:

Attorney Ryan Stinson 433686
David Wade Corr. Cent.
670 Bell Hill Rd.
Homer LA 71040

Clerk Please Serve [redacted] "By Mail":

Charlotte Hebert, Assistant District Attorney
P.O. Box 299
Livingston, LA 70754

Scott. M. Perrilloux, District Attorney
P.O. Box 299
Livingston, LA 70754

'Greg Murphy
Attorney At Law
6555 Perkins Road, suite 200
Baton Rouge, Louisiana 70808

Honorable Charles C. Foti, Jr.
Attorney General,
State of Louisiana
State Capitol, 22nd Floor
Baton Rouge, Louisiana 70808

Certificate Of Service

This is to Certify that a copy of the above and foregoing has been mailed TO Greg Murphy, Attorney at Law, 6555 Perkins Road, Suite 200 Baton Rouge, Louisiana 70808, Postage prepaid, This 5th day of Febuary 2007

Ryan Stinson

Ryan Stinson I.P.P. 433686

DC File

Ryan Stinson * Suit No: 113598-Div. "F"
-Versus- * 21st Judicial District Court
Charlotte Hebert, Ass. District Attorney * Parish of Livingston
Scott M. Perrilloux, District Attorney * State of Louisiana
*
*

Filed: * Clerk of Court

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PARISH OF LIVINGSTON
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DEPUTY CLERK

* * * * * * * * * * * * * * * * * *

Supplement To Original Complaint Of, Civil Action Tort And Breach Of Contract

* * * * * * * * * * * * * * * * * *

Statement Of Claim

Plaintiff sepplements to all defendants in Original Complaint;

Due To The Breach of Contract The plaintiff was Transfered To David Wade Correctional Center, Were on September 30, 2006, The Plaintiff Was Sexually assaulted by one of The prison Guards namily Sgt. Joe Livingston, at The Time, a Sergeant, employed at David Wade correctional Center, Were The Plaintiff Suffered mentaly and Physicaly, From The Sexual assault, and Were The Plaintiff now Suffers Continues Harrasment and retaliation, By other Prisoners and Prison guards That are Friends and family of Sgt. Joe Livingston.

If The Defendants had held up To There agreement in return For The Plaintiffs Testimony against one James "Pop" Skinner, And Transfered The plaintiff To Dixion Correctional institute as agreed upon. Then The Plaintiff Would Have never Been Sexualy assaulted By a prison Guard, at David Wade Correctional Center.

* * * * * * * * * * * * * * * * * *

ReLief

* * * * * * * * * * * * * * * * * *

1.) That Scott M. Perrilloux & Charlotte Hebert be ordered to have me Transfered to Dixion Correctional institute as agreed upon.

2.) That I be awarded 200.00 for each and everyday I remain at David Wade Corr. Cent. Untill the day I am Transfered.

3.) That Scott M. Perrilloux & Charlotte Hebert be ordered to pay all cost of Court and reimburse Cost of Filling fee.

4.) That Scott M. Perrilloux & Charlotte Hebert be disciplyned according to Law.

5.) Preliminary injunction Transfer From David Wade Correctional Center

Signed This 18 day of February 2007, in Claiborne Pacish, State of Louisiana

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd
Homer LA. 71040

Certificate Proof Of Service

Ryan Stinson declares under penalty of perjury pursuant to 28 U.S.C. Section 1746 That he mailed a copy of the enclosed, Supplemeant to Original Complaint OF Civil Action Tort And Breach OF Contract, TO defendant's Counsel, Greg Murphy, Assistant District Attorney 6555 Perkins Road, Suite 200, Baton Rouge, Louisiana 70808. By placing Them in an envelope and placing the envelope in the Mailbox at David Wade Correctional Center, 670 Bell Hill Rd. Homer LA. 71040, on February 19, 2007

February 19, 2007
Date:

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 FEB 23 PM 2:16
DEPUTY CLERK

RESPONSE TO REQUEST FOR ADMISSIONS

NOW INTO COURT, through undersigned counsel, comes defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's request for admissions as follows:

1.

Admitted.

2.

Admitted

3.

Denied

4.

Admitted

5.

Denied

6.

Denied

7.

Object, lack of sufficient information.

8.

Object, lack of sufficient information.

9.

Denied

10.

Denied

11.

Denied

12.

Denied

Respectfully Submitted

Greg Murphy

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 23rd day of July, 2007.

Greg Murphy

GREG MURPHY

DC file

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 FEB 23 PM 2:16
DEPUTY CLERK

RESPONSE TO REQUEST FOR ADMISSIONS

NOW INTO COURT, through undersigned counsel, comes defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's request for admissions as follows:

1.

Admitted

2.

Admitted

3.

Denied

4.

Admitted

5.

Denied

6.

Denied

7.

Object, lack of sufficient information.

8.

Object, lack of sufficient information.

9.

Denied

10.

Denied

11.

Denied

12.

Denied

Respectfully Submitted

Greg Murphy

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 13th day of Feb, 2007.

Greg Murphy
GREG MURPHY

DC
MC
Robyn (Courtesy)

Ryan Stinson	*	Suit No. 113598 - Div. "F"
versus -	*	21st Judicial District Court
Charlotte Hebert, ~~Asst. District Attorney~~	*	Parish of Livingston
Scott M. Perrilloux, District Attorney	*	State of Louisiana
	*	
	*	
Filed:	*	Clerk of Court:

* * * * * * * * * * * * * * * * * * *

Motion For The Appointment of Counsel

* * * * * * * * * * * * * * * * * * *

Now comes into This Honorable Court:

Plaintiff Ryan Stinson, Pursuant To LA.C.C.P. Articale 5181, request This court To appoint counsel To represent him in This case For The Following reasons:

1.) The Plaintiff is unable To Afford Counsel.

2.) The issues involved in This case are complex.

3.) The plaintiff, as a Segregation inmate, has extremely limited access To The Law Library.

4.) The Plaintiff has a limited knowledge of The Law.

5.) Due To The Breach of contract, The Plaintiff Was Trans To David Wade Corr. Cent., Were he Was sexualy Assualted by or of The prison Guards. Because of This he suffers mental anguish and emotional destress and is unable To consentrate and can no represent Himself in This case (See) (Exaibit 1 attached).

For The Foregoing reasons, set Forth in The attached Affidavit, The memorandum of Law and This motion The cour should grant The Plaintiff's Motion and Appoint Counsel in This case.

2007 MAR 13 PM 12:32
DEPUTY CLERK
CLERK OF COURT
PARISH OF LIVINGSTON

Febuary 11, 2007

Date:

Ryan Stinson

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA. 71040

4 of 10

Ryan Stinson * Suit No. 113598 — Div. "F"

Versus - * 21st Judicial District Court

Charlotte Hebert, AG.U. * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

Filed: * Clerk of Court:

* * * * * * * * * * * * * * * * * *

Memorandum of Law in Support of The Plaintiff's Motion for the Appointment of Counsel

* * * * * * * * * * * * * * * * * *

Statemet of The Case:

This is a Civil Action tort Case Filed under LA. C.C.P. ART. 2315. + ART. 2316 by a State prisoner and asserting claims For The Breach of Contract. The plaintiff seeks damages To his claims and an injunction to ensure a transfer To Dixion Correctional institute.

Statement of Facts:

The Complaint alleges That The plaintiff testified For The State against one James "Pop" skinner, before testifing The Defendants agreed to give him a transfer to Dixion correctional institute. When The Plaintiff gave his testimony he was highly Concerned about his safety and refused to answer The questions are give his testimony, at which time he asked could he speak with The District Attorney and The Assistant District Attorney who took him out of The court Room and insured him That after his testimony he would be Transfered to Dixion correctional institute, But After The plaintiff Testified in behalf of The State he was not transfered to Dixion Correctional institute, but Latter was Transfered To David Wade Correctional Center, The plaintiff made repeated atempts through Letters and telephone conversation To have The Defendants hold up To There end of The agreement, But They refused To do So. He made one final atempt To The Defendants but again was refused. and his safety still remained a Concern

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ARGument

The Court Should Appoint Counsel For The Plaintiff:

In deciding whether to appoint counsel For an indigent Litigant, the court Should Consider "The Factual Complexity of The case, The ability of The indigent to investigate The Facts, The existence of Conflicting Testimony, The ability of The indigent to present his claim and the Complexity of The Legal issues." Abdullah V. Gunter, 949 F.2d 1032, 1035 (8th cir. 1991) (citation omitted), Cert. denied, 112 S.Ct 1995 (1992). In Addition, Courts have suggested that the most important Factor is whether the case appears to have merit. Cooper V. A. Sargati Co., Inc., 877 F.2d 170, 173 (2d Cir. 1989) Each of Those Factors weighs in Favor of appointing Counsel in this case.

1.) Factual Complexity: The Plaintiff alleges That The Defendants Breached There Contract, While Disregarding The Plaintiff's saftey concerns, Denieing him a transFer to Dixion Correctional institute after the Defendants had agreed That For his testimony against James "Pop" skinner he would be Transferred To Dixion Correctional institute.

In addition, The plaintiff's Claims involves a Breach of Contract, It will probably be nessary to present a expert witness or to cross-examine witnesses called by The defendants, or both. The Presence of issues requiring expert testimony supports The appointment of Counsel Moore V. Mabus, 976 F.2d 268, 272 (5th cir 1992); Jackson V. County of McLean, 953 F.2d 1070, 1073 (7th Cir 1992); Tucker V. Randall, 948 F.2d 388, 392 (7th Cir. 1991)

2.) The Plaintiff's ability to investigate: The plaintiff is Locked up in punitive segregation and has no ability to Investigate The Facts. For example, he is unable to identify Locate and intervieue witnesses who were Present when the agreement was made, and some are all who were present during his testimony at trial. He is in the same situation as an inmate who has been Transferred To a different institution, a Factor That Several courts have cited in appointing counsel. Tucker V. Randall, 948 F.2d 388, 391-92 (7th Cir 1991)

6 OF 10

Gatson V. Coughlin, 679 F.Supp. 270, 273 (W.D.N.Y. 1988); Armstrong V. Snyder, 103 F.R.D. 96, 105 (E.D. Wis. 1984).

In Addition, This Case will require considerable discovery concerning The identity of witnesses, The Defendant's Statement about The claims, The history of the Defendant's with prior records of Breach of contract, and The Plaintiff's Testimony at The Trial of James "Pop" Skinner. See Tucker V. Dickey, 613 F.Supp 1124, 1133-34 (W.D. Wis. 1985) (need for discovery supported appointment of Counsel).

3.) Conflicting testimony: The Plaintiff's account of The agreement of The [redacted] breach of Contract by The defendants is squarely in conflict with The Statements of The defendants. This aspect of The case will be a credibility contest between the defendants and the plaintiff (and Such [redacted] witnesses as can be located) The existence of These credibility issues supports the appointment of Counsel. Gaston V. Coughlin, 679 F.Supp. 270, 273 (W.D.N.Y. 1988).

4.) The ability of the indigent to present his claims The Plaintiff is an indigent prisoner with no legal training a factor that supports the appointment of Counsel. Whisenant V. Yuam, 739 F.2d 160, 163 (4th Cir 1984) in Addition, he is confined to Segregation with very limited access to legal materials. Rayes V. Johnson, 969 F.2d 700, 703-04 (8th Cir 1992) (citing Lack of ready access to a law library as a factor supporting appointment of Counsel).

5.) Legal Complexity: The [redacted] defendants, whom are The District Attorney and The Assistant District Attorney, presents complex legal issues of determining which defendants were sufficiently personally involved in the Breach of Contract To be held liable.

In Addition, The Plaintiff has asked for a Jury Trial, which requires much greater legal skill than The Plaintiff has or can develop. See Abdullah V. Gunter, 949 F.2d 1032, 1036 (8th Cir. 1991) (citing Jury demand as a factor supporting appointment of Counsel), Cert. denied, 112 S.Ct. 1995 (1992).

7 OF 10

6.) Merit of the Case: The plaintiff's allegations, if proved, clearly would establis a civil tort violation. The Breach of Contract Alleged in the complaint clearly states a civil tort violation. See cooper v. United states, 594 F.2d 12 (4th cir 1979), Pat o'Brien's v. Francois Coktal Prod. inc. 615 So.2d 429 (LA App 4cir) writ denied, 617 So.2d 909 (LA 1993), Ortego v. State Dot D, 96-1322 (LA. 2-25-97); 689 So.2d 1358, Williams v. Burbank, App. 1923 orleans No. 9154. on it's Face, Then, This is a meritorious case.

Conclusion

For the foregoing reasons, the court should grant the plaintiff's motion and appoint counsel in this case.

February 11, 2002
Date:

Ryan Stinson 433686
D.W.C.C. 670 Bell Hill rd
Homer LA 71040

Please serve ~~[redacted]~~ The Following with a copy:

Greg Murphy, Attorney
6555 Perkins Road, suite 200
Baton Rouge, Louisiana 70808

8 of 10

Ryan Stinson * Suit No. 113598-Division "F"

-Versus- * 21st Judicial District Court

Charlotte Hebert, Ass. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

Filed: Clerk of Court:

* * * * * * * * * * * * * * * * * * *

AFFidaVit of PLaintiFF

* * * * * * * * * * * * * * * * * * *

Ryan Stinson, declares under penalty of perjury pursuant to 28 U.S.C. Section 1746:

1.) That I am The plaintiff in the above entitled case.

2.) That my Motion For The Appointment of Counsel, AFFidavit in support of The plaintiff's motion For The appointment of Counsel and The Memorandum of Law in support of The plaintiff's Motion For Appointment of Counsel, were prepared by another inmate.

3.) That He The plaintiff Copied what The inmate Had Wrote and prepared For him.

4.) That if otherwise he The Plaintiff would not have known how To do it on his own.

I [redacted] Ryan Stinson, Further declare, Under The Penalty of perjury of Law, pursuant To 28 U.S.C. Section 1746 That The Foregoing is True and correct.

I Ryan stinson, understand That a False Statement in This AFFidavit will subject me To The penalties of perjury of Law.

Thus, read and signed This 11 day of Febuary, 2007, in Claiborne Parish, state of Louisiana

Ryan stinson #433686 D.W.C.C.

670 Bell Hill Rd. Homer LA 71040

2007 MAR 13 P 12:31 DEPUTY CLERK

9 of 10

Ryan Stinson * Suit No. 113598 - Div. "F"

-versus- * 21st Judicial District Court

Charlotte Hebert, Ass. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

*

Filed * Clerk of Court

* * * * * * * * * * * * * * * * * * * *

ORDER

* * * * * * * * * * * * * * * * * * * *

FILED
2007 MAR 13 PM 12:31
DEPUTY CLERK

UPon the Supporting Affidavit of the plaintiff and The accompanying memorandum of Law, For the motion For Appointment of Counsel, it is

Ordered that A hearing Be set in The above motion in Division _____ of The Livingston Parish Court house, 20180 Iowa St. Livingston LA. 70754 on The _____ day of _____, 2007, at _____ o'clock, To show Cause why The Plaintiffs motion For Appointment of Counsel should be granted.

It is Further ordered, That a Copy of This order be provided To Warden, Veneta Michael at David Wade Correction Center 670 Bell Hill Rd. Homer LA. 71040

It is Further ordered, That Warden, Veneta Michael make arrangements To have The person of one Ryan Stinson #433686 present in open Court on The above date and time, and in The above Court Room.

It is Further ordered, That This order, and all other papers Attached To This order, shall be served on defendant's Scott M. Perrilloux & Charlotte Hebert at there place of Work, To be present in open Court on The above date and time, and in The above court. To Show Cause why The Plaintiffs motion For Appointment

10 of 10 Counsel should not be Granted.

Signed, on This 23rd day of Feb., 2007, in Livingston Parish, State of Louisiana.

District Judge.

Please Serve:

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

Warden, Vencha Michael
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

Attorney, Greg Murphy
6555 Perkins Road Suite 200
Baton Rouge, Louisiana 70808

Scott M. Perrilloux, District Attorney
P.O. Box 299
Livingston LA 70754

Charlotte Hebert, Assistant District Attorney
P.O. Box 299
Livingston LA 70754

EMBER 24, 2006 The Inquisitor Newspaper www.TheInquisitor.co

FBI investigates claim inmate forced into oral sex

2007 13 PM 12

FBI takes over oral sex claim at DWCC

A prisoner being held at the David Wade Correctional Center in Homer, Louisiana is claiming that he was forced to perform oral sex on a guard, and that he sent the evidence to his attorney and family members to prove it.

In a letter submitted to *The Inquisitor* by inmate Ryan Stinson, he claims that he was forced to perform oral sex on a sergeant working at the facility.

"I was forced by Sgt. Joe Levingston to perform oral sex on his erect penis," wrote Stinson. "He ejaculated in my mouth. I then saved the sperm and sent same to my attorney, and a family member, and turned one over to the authorities, who turned it over to Claiborne Parish Chief Detective Chuck Talley."

The Inquisitor routinely receives letters and accusations from inmates on almost a daily basis, but this one caught our attention, not only because of Stinson's claims, but because he also included a copy of a letter written to him by Claiborne Parish District Judge Jennifer Ward Clason.

The letter states, "I received your letter about Sgt. Joe Levingston today in a file submitted to me by the Claiborne Parish Clerk of Court. Because of the nature of your complaint against Sgt. Levingston, that he forced you to perform oral sex on him, I inquired into the matter.

"In connection with my inquiry, I have been informed that Sgt. Levingston refused to answer questions posed to him about the matter by the DWCC administrators and decided to retire," Judge Clason wrote.

The letter also indicated that Claiborne Parish Sheriff's Detective Chuck Talley is conducting a criminal investigation into the incident.

"As you retained samples of the biological matter Sgt. Levingston deposited in your mouth, I am sure the DWCC officers who investigated your complaint, Warden Goodwin, Warden Hanson, Col. Neil, Capt. Banks, Sgt. Kennedy and Sgt. Allen, will deliver that sample received by them from you to Detective Talley," said Judge Clason.

Talley, told *The Inquisitor* on Wednesday that the results from the DNA test have not yet been made available to him. He said he anticipated the testing to take around 120 days. Talley could not comment on the particulars of the case, and said the Federal Bureau of Investigations has taken over the lead in the investigation.

Attempts to reach FBI agent William Klarer for a comment were unsuccessful as of press deadline on Wednesday night.

In the letter written by Stinson to *The Inquisitor*, Stinson claims that he has been retaliated against by officials at the prison.

"I have been retaliated on since the exposure of my situation," said Stinson. "David Wade officials are trying to keep it out of the public eyes and cover it up (as) best as they can. I want people to know what has happened to me by Sgt. Joe Levingston and how after I was victimized, and that David Wade officials are trying to cover it up by making it look like (it was) my fault."

We attempted to reach David Wade Correctional Center Warden Vanetia Michael for a comment on Wednesday, however her secretary said she would not be in the office until Monday.

We will keep your updated on this developing story, and will hopefully be able to bring you the results of the DNA results when they are made public.

- Exhibit -

NOTICE OF RULE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON
D.W.C.C. 670 BELL HILL RD.

HOMER, LA 71040

This is your notice that a rule for APPOINTMENT OF ATTORNEY TO REPRESENT PLAINTIFF has been set in the above captioned matter on May 29, 2007 at 9:00 AM before the Honorable ELIZABETH P WOLFE.

Done on March 20, 2007.

Deputy Clerk of Court

GREG MURPHY
POST OFFICE BOX 299
LIVINGSTON, LA 70754

RULE TO SHOW CAUSE
MOTION FOR THE APPOINTMENT OF COUNSEL; AFFIDAVITS; MEMORANDUM IN SUPPORT; ORDER; ATTACHMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

*To:*RYAN STINSON #433686
D.W.C.C. 670 BELL HILL RD.

HOMER, LA 71040

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

on May 29, 2007, at the hour of 9:00 AM at the Courthouse in Livingston, Louisiana, if you have or can, why:

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. Witness the Honorable Judges of our said Court on March 20, 2007.

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.
D.W.C.C. 670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE
MOTION FOR THE APPOINTMENT OF COUNSEL; AFFIDAVITS; MEMORANDUM IN SUPPORT; ORDER; ATTACHMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: WARDEN, VENETA MICHAEL
D.W.C.C. 670 BELL HILL RD.

HOMER, LA 71040

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

on May 29, 2007, at the hour of 9:00 AM at the Courthouse in Livingston, Louisiana, if you have or can, why:

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. Witness the Honorable Judges of our said Court on March 20, 2007.

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.
D.W.C.C. 670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE

MOTION FOR THE APPOINTMENT OF COUNSEL; AFFIDAVITS; MEMORANDUM IN SUPPORT; ORDER; ATTACHMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: ATTORNEY, GREG MURPHY
6555 PERKINS ROAD
SUITE 200
BATON ROUGE, LA 70808

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **May 29, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. Witness the Honorable Judges of our said Court on March 20, 2007.

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.
D.W.C.C. 670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE

MOTION FOR THE APPOINTMENT OF COUNSEL; AFFIDAVITS; MEMORANDUM IN SUPPORT; ORDER; ATTACHMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: SCOTT PERRILLOUX, DISTRICT ATTORNEY
P. O. BOX 299

LIVINGSTON, LA 70754

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

on May 29, 2007, at the hour of 9:00 AM at the Courthouse in Livingston, Louisiana, if you have or can, why:

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on March 20, 2007.*

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.
D.W.C.C. 670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE

MOTION FOR THE APPOINTMENT OF COUNSEL; AFFIDAVITS; MEMORANDUM IN SUPPORT; ORDER; ATTACHMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: CHARLOTTE HEBERT, ASSISTANT DISTRICT ATTORNY
P. O. BOX 299

LIVINGSTON, LA 70754

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

on May 29, 2007, at the hour of 9:00 AM at the Courthouse in Livingston, Louisiana, if you have or can, why:

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. Witness the Honorable Judges of our said Court on March 20, 2007.

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.
D.W.C.C. 670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

AC file

113598

Ryan Stinson * Suit No: 113598 - Div "F"

Versus - * "21" Judicial District court

Charlotte Hebert, Ass. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

*

Filed * * *

Request For Production Number 4:

Please Produce copies of Defendants Fax Number Bill [redacted] and Fay's For Fax Number 1-225-686-1651 To and From Elayn Hunt's correctional Center From The date of January 1, 2004 Through December 1, 2006 Concerning The PlaintiFF.

Request For Production Number 5:

Please Produce copies of all corrospondence To and From Elayn Hunt's correctional Center By Defendants concerning The PlaintiFF.

Request For Production Number 6:

Please Produce copies of all documents created by any staff member of The District Attorneys office From May 1, 2000 To date concerning The plaintiFF's Testimony and Contract and not included in items 1, 4 and 5.

March 21, 2007
Date

Ryan Stinson I.D.P. 433686
D.C.C. 670 Bell Hill Rd.
Homer LA, 71040

Ryan Stinson * Suit No: 113598 - Div "E"
Versus- * 21 Judicial District court
Charlotte Hebert, Ass. District Attorney * Parish of Livingston
Scott M. Perrilloux, District Attorney * State of Louisiana
*
*
*

FILED COURT
CLERK OF LIVINGSTON
PARISH OF LIVINGSTON
2008 MAR 29 AM 11:58
DEPUTY CLERK

Filed * * * * * * * * Clerk of Court * * * * *

Second Request For Admissions

* * * * * * * * * * * * * * * *

TO: Defendants - Scott M. Perrilloux and Charlotte Hebert

The Plaintiff Request that Defendants Scott M. Perrilloux and Charlotte Hebert admit the Following under the provisions of the Louisiana code of Civil Procedure:

1.) Please admit That the Defendants accepted Several collect call's From Mr. Stinson.

2.) Please admit That the Defendants had The Plaintiff (Mr. Stinson) Brought to Livingston Parish Court House From Elayn Hunt's correctional Center on More Than one ocassion.

3.) Please admit that Defendant Charlotte Hebert Went to Elayn Hunt's correctional center to See Mr. Stinson.

4.) Please admit That the Defendants new The concerns That Mr. Stinson Had For His Saftey and need For a Transfer Befor and after His Testimony.

5.) Please admit that once James Pop Skinner was convicted and sentenced to life in Prison That He was transfered to Elayn Hunts correctional Center, Were He was placed on The same Tier as Mr. Stinson (Beaver 2-A) Were He made Threats againts Mr. Stinsons Life.

6.) Please admit That The Defendants were made Aware OF These Threats TO The Plaintiffs Life.

7.) Please admit That The Defendants took no action in Concerns OF Mr. Stinson Safety.

March 21, 2007
Date

Ryan Stinson

Ryan Stinson I.P.P. 433686
D.W.C.C. 670 Bull Hill Rd.
Homer LA, 71040

Certificate of Service

Ryan Stinson declares under penalty of perjury pursuant to 28 U.S.C. Section 1746 that he mailed a copy of the enclosed, Second Request For Production of Documents & Second Request For Admissions. To Defendant's counsel, Greg Murphy, Assistant District Attorney 6555 Perkins Road, Suite 200, Baton Rouge, Louisiana 70808. By Placing them in an envelope and placing the envelope in the mailbox at David Wade correctional center, 670 Bell Hill Rd. Homer LA, 71040, on March 22, 2007

March 22, 2007
Date

Ryan Stinson

DC TBS (F)

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

Ryan Stinson — Suit No: 113598 - Div. "F"

Versus - 21st Judicial District Court

Charlotte Hebert, Ass. District Attorney — Parish of Livingston

Scott M. Perrilloux, District Attorney — State of Louisiana

*

*

Filed: * Clerk of Court:

* * * * * * * * * * * * * * * * * * *

Motion To Inforce Settlement Agreement

* * * * * * * * * * * * * * * * * * *

Now Comes into This Honorable Court:

Plaintiff Ryan Stinson, Who Request This court to inforce settlement agreement, (To Transfer The Plaintiff To Dixon Correctional institute), in This case For The Following Reasons:

* * * * * * * I * * * * * * * * *

The Plaintiff Ryan Stinson Proposed a Settlement offer, in a Letter To The Defendants counsel on Febuary 5, 2007: See Attached (Exibit 1).

The Defendants counsel responded to the plaintiff's offer, in a Letter Dated March 1, 2007, and agreed to The Plaintiff's Settlement offer; and told The Plaintiff To notify Him if He the Plaintiff Wish To be Transferred: See Attached (Exibit 2).

The Plaintiff responded To The Defendant's letter of agreement on March 6, 2007, Stating He did wish To Be Transferred, and Confirmed The agreement To Settle This Case For a Transfer To Dixon Correctional institute: See Attached (Exibit 3).

The Defendants Counsel Never responded To The plaintiff letter Confirming The Settlement agreement Dated March 6, 2007.

The plaintiff Then wrote The Defendant's counsel another Letter on March 21, 2007, about The Settlement They Had agreed upon. But The Defendant's counsel never

Responded: See Attached (Exhibit 4)

* * * * * * II * * * * * * * * *

The Defendant's agreement to the Plaintiff settlement offer on March 1, 2007, through these correspondance. Became a Binding contract to the terms set forth in the offer of the Plaintiff Letter Dated Febuary 5, 2007. The Law of contracts Holds that once the offer is made By one Party and agreed by the other Party, it then Becomes a Binding contract: See Anderson v. Preston 7 F.2d 70 (C.C.A. 9th Cir 1925); Azevedo v. Davidson, 49 Cal. App. 443, 193 P. 594 (1st Dist 1920); Universal Products Co. v. Emerson, 36 Del. 553. 179 A. 387, 100 A.L.R. 956 (1935) (at some Point in the correspondence there was a definite proposal By one Party which was accepted By the other when this appeals the Contract Becomes Binding).

* * * * * III * * * * * * *

In Freeman v. Mayer, 95 F.3d 569 (7th Cir 1996) in Freeman, supra, the court Held that a contract can arise by correspondence.

* * * * * IV * * * * * * *

In youngstown steel Erecting Co. v. MacDonald Engineering Co., 154 F.Supp. 337 (N.D. Ohio 1957); McCleskey + Whitman Va. Howell Cotton Co., 147 Ala. 573, 42 So. 67 (1906); Tuso v. Green 184 Cal 574, 229 P. 327 (1924), The Courts Held that as soon as an offer is thus made and accepted, there is a binding contract.

* * * * * * V * * * * * * * * *

In Real Estate Value Co. v. US Air, Inc., 979 F.Supp 731 (N.D. Ill 1997); Miami Jockey Club v. Lillias piper Inc., 115 FLA 612. 155 So. 806 (1934) The courts Held that offer and acceptance resulting in a binding contract may be through the medium of Letters.

* * * * * VI * * * * * * * *

In Farmers Equity Co-op Creamery Ass'n v. US.

132 F.2d 738 (C.C.A 10th Cir. 1943); Stiles V. Van Briggle, 196 Ark. 1179, 118 S.W.2d 588 (1938); Pierce V. Marland Oil Co. of Colorado, 86 Colo. 59, 278 P. 804 (1929). The Courts Held That, offer and acceptance resulting in a binding contract may be through both letters and telegrams.

* * * * * * * * * * * * * *

Wherefore, the Plaintiff Prays that based on these Facts, and evidence, that this motion to inForce Settlement agreement, To Transfer the Plaintiff to Dixon correctional institute, Be granted.

Respectfully submitted:

March 28, 2007
Date:

Ryan Stinson #433686
David Wade Corr. Cent.
670 Bell Hill Rd.
Homer LA 71040

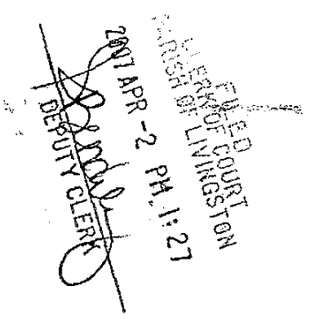
Please Serve:
Ryan Stinson 433686
David Wade Corr. Cent.
670 Bell Hill Rd.
Homer LA, 71040

Defendant's Attorney, Greg Murphy
6555 Perkins Road Suite 200
Baton Rouge, LA, 70808

Febuary 5, 2007

To: Mr. Greg Murphy, Attorney At Law
6555 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808

From: Ryan Stinson, I.P.P.# 433686
O.W.C.C. 670 Bell Hill Rd.
Homer, Louisiana 71040



RE: Case No# 000000113598

Dear Mr. Murphy,

I am Writing This missive, To make a SettLement offer.

I Would Like To make an offer if your client would be willing TO give me a TransFer I will drop my suit.

Plea... ge back To me on This matter at hand as soon as possible.

Thank you and God Bless you For your Time and consideration With this matter.

With the kindess of regardes, I am

Truly Yours
Ryan Stinson
Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA. 71040

(Exibit 1)

TWENTY-FIRST JUDICIAL DISTRICT

Scott M. Perrilloux
District Attorney
21st Judicial District

Livingston, St. Helena and Tangipahoa Parishes

P. O. Drawer 299
Livingston, LA 70754
(225) 686-3070
Fax: (225) 686-1651

March 1, 2007

Mr. Ryan Stinson
I.P.P.
#433686
David Wade Correctional Center
670 Bell Hill Road
Homer, Louisiana 71040

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Stinson:

Enclosed find copies of responses to your discovery request in this matter. In accordance with Louisiana Code of Evidence Article 408(A) I have communicated your settlement offer to the defendants and they would agree to having you transferred to Dixon Correctional Institute.

Please notify me as to whether or not you wish to be transferred as per your offer.

With kindest regards, I remain

Sincerely,

Greg Murphy
Assistant District Attorney

GM/sjl
Enclosures

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

(Exibit 2)

March 6, 2007

TO: Mr. Greg Murphy, Attorney
6555 Perkins Road, Suite 200
Baton Rouge, LA 70808

From: Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

Re: Ryan Stinson -vs- Scott M. Perrilloux + Charlotte Hebert
Suit No.# 113,598 - Div."F" - 21st J.D.C. - Parish of Livingston

Dear Mr. Murphy,

I am in receipt of your March 1, 2007, correspondence, which I received on the date of March 6, 2007. which at this time I would like to give an answer to.

you stated in accordance to [redacted] Louisiana Code of Evidence Article 408(A) you have communicated my Settlement offer to the Defendants and they would agree to having me transferred to Dixon correctional institute.

You also stated that if I wish to be transferred as per my offer notify you.

"I do wish to be Transferred to Dixon correctional institute imediatliy."

I agree to settle for a Transfer to Dixon correctional institute.

Thank you for your time and concern and God bless you For your kindness and consideration with this matter. I will be looking Foword to bringing some closer to this matter as soon as posiable.

With the kindess of Regardes, I am

Truly Thankful
Ryan Stinson
Ryan Stinson #433686

(Exibit 3)

March 21, 2007

TO: Mr. Greg Murphy
6555 Perkins Rd. Suite 200
Baton Rouge LA 70808

FROM: Ryan Stinson # 433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 12:27
DEPUTY CLERK

RE: Ryan Stinson -V- Scott M. Perrilloux & Charlotte H. Hebert
Suit No# 113598 Div "F" 21st JDC - Parish of Livingston

Dear Mr. Murphy

I am writing this letter concerning my last letter Dated to you March 6, 2007 concerning my Settlement offer.

I would like to know if your client's The Defendant's are still agreeing to settle and if so are you going to send the appropriate forms for me to sign in accordance with Louisiana code of Evidence Article 408(A) to finilize the Settlement with a copy for my Records and a Joint motion to dismiss, are did you have some other plain in lights to settle this matter.

I am hoping and praying we can bring some closer to this matter soon.

Thank you so very much for your time and concern and God bless you for your kindness, I am in hopes to hear from you soon pertaining this matter.

With the kindess of Regardes, I am

Truly Thankful
Ryan Stinson

CC: RS.

- Enclosures -

(Exibit 4)

Ryan Stinson * Suit No: 113598 - Div. "F"
Versus - * 21st Judical District court
Charlotte Hebert, Asst District Attorney * Parish of Livingston
Scott M. Perrilloux, District Attorney * State of Louisiana
*
*

Filed: Clerk of court:

ORDER

After The Courts Consideration of The Plaintiff Motion To Enforce Settlement Agreement, It is Hereby

Ordered That a hearing be held on This Motion in Division "F" of Livingston Parish court house, 20180 Iowa St. Livingston LA. 70754, on The 9th day of July, 2007, at 9:00am o'clock, To show cause Why The Plaintiffs motion To Enforce Settlement Agreement Should be granted.

It is Further, ordered That Warden Venetia Micheal of David Wade correctional center 670 Bell Hill Rd. Homer LA. 71040, have The person of one Ryan Stinson #433686 present in open Court on The above date and Time, in court Room Number _____.

Signed, on This 18th day of April, 2007 in Livingston Parish, State of Louisiana

District Judge

Please Serve:
Plaintiff, Ryan Stinson #433686
Defendants Attorney, Greg Murphy
Warden Venetia Micheal
David Wade corr. Cent.
670 Bell Hill Rd.
Homer LA. 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to Defendant's Counsel, Greg Murphy, 6555 Perkins Road suite 200 Baton Rouge LA, 70808, postage prepaid, this 28 day of March, 2007.

Ryan Stinson

RULE TO SHOW CAUSE

MOTION FOR THE APPOINTMENT OF COUNSEL; AFFIDAVITS; MEMORANDUM IN SUPPORT; ORDER; ATTACHMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

PAUPER SUIT

To: RYAN STINSON #433686
D.W.C.C. 670 BELL HILL RD.

HOMER, LA 71040

RETURN

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **May 29, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on March 20, 2007.*

Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.
D.W.C.C. 670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

ON THE 23rd DAY OF MAR, 07 I SERVED A COPY WITHIN ORDER PURSUANT TO "ccp Art 1235.1 Act 46" ON Betty Harris SERVICE IS FOR Ryan Stinson AS INCARCERATED PERSON AT Wade Corr
Jimmy Brown
Deputy Sheriff
CLAIBORNE PARISH

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -3 PM 1:36
DEPUTY CLERK

[ORIGINAL]

RULE TO SHOW CAUSE
MOTION FOR THE APPOINTMENT OF COUNSEL; AFFIDAVITS; MEMORANDUM IN SUPPORT; ORDER; ATTACHMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

RETURN

To: WARDEN, VENETA MICHAEL
D.W.C.C. 670 BELL HILL RD.

HOMER, LA 71040

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **May 29, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on March 20, 2007.*

B Sullivan Jr
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.
D.W.C.C. 670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

CLAIBORNE PARISH
(PERSONAL) DOMICILIARY
TO Betty HARRIS
DATE 3-23-07
BY Jimmy Brown
DEPUTY SHERIFF
[ORIGINAL]

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -3 PM 1:36
DEPUTY CLERK

RULE TO SHOW CAUSE 27 MEC

MOTION FOR THE APPOINTMENT OF COUNSEL; AFFIDAVITS; MEMORANDUM IN SUPPORT; ORDER; ATTACHMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

JB

To: SCOTT PERRILLOUX, DISTRICT ATTORNEY
P. O. BOX 299

LIVINGSTON, LA 70754

PAUPER SUIT

MAR 2 1 2007

Livingston Parish
Sheriff Office

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **May 29, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on March 20, 2007.*

B Mcthyrmezzo
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.
D.W.C.C. 670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the 21 *day of* March, *20*07 *and on the* 22 *day of* March, *20*07 *served the above named party as follows:*

Personal Service on the party herein named Terri Walls (Sec).
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of Livingston *this* 22 *day of* March, *20*07.

Service $_____

Mileage $_____

Total $_____

By: [signature] 604
Deputy Sheriff

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -3 PM 2:04
DEPUTY CLERK

[ORIGINAL]

RULE TO SHOW CAUSE 24.60

MOTION FOR THE APPOINTMENT OF COUNSEL; AFFIDAVITS; MEMORANDUM IN SUPPORT; ORDER; ATTACHMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

PAUPER SUIT

To: CHARLOTTE HEBERT, ASSISTANT DISTRICT ATTORNY
P. O. BOX 299

LIVINGSTON, LA 70754

RECEIVED
MAR 2 1 2007
Livingston Parish
Sheriff's Office

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **May 29, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on March 20, 2007.*

Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.
D.W.C.C. 670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the 21 *day of* March, *20* 07 *and on the* 22 *day of* March, *20* 07 *served the above named party as follows:*

Personal Service *on the party herein named* Terri Walls (Sec)

~~***Domiciliary Service***~~ *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of Livingston *this* 22 *day of* March, *20* 07.

Service $_____

Mileage $_____

Total $_____

By: _____ 604
Deputy Sheriff

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -3 PM 1:30
DEPUTY CLERK

[ORIGINAL]

154

RULE TO SHOW CAUSE

MOTION FOR THE APPOINTMENT OF COUNSEL; AFFIDAVITS; MEMORANDUM IN SUPPORT; ORDER; ATTACHMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

380

To: ATTORNEY, GREG MURPHY
6555 PERKINS ROAD
SUITE 200
BATON ROUGE, LA 70808

PAUPER SUIT

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **May 29, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on March 20, 2007.*

Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.
D.W.C.C. 670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the 29 *day of* MAR, *20* 07 *and on the* 29 *day of* MAR, *20* 07 *served the above named party as follows:*

***Personal Service** on the party herein named* Greg Murphy.
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ *this* _____ *day of* _____, *20*__.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -5 PM 3:13
DEPUTY CLERK

RECEIVED
MAR 28 2007
E.B.R. SHERIFF'S OFFICE

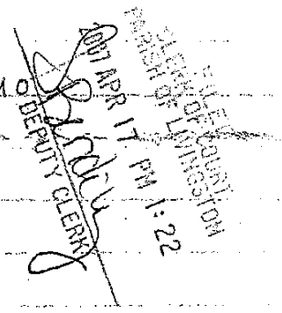
[ORIGINAL]

- DC MRC F

April 10, 2007

To: Ms. Robyn Lockwood, Deputy Clerk of Court
Po. Box 1150. Livingston Louisiana 70754

From: Ryan Stinson # 433686
D.W.C.C. 670 Bell Hill Rd. Homer LA, 71040



RE: Case No # 113598

Dear Ms. LockWood,

I am Writing you this Letter concerning the above and enclosed subject matter at hand.

on Febuary 19, 2007 I Filed a Supplement To original Complaint OF, Civil Action Tort And Breach OF Contract. I am a indagent Litigant and was granted Forma Pauperis in This Case. So I am writing To ask That you Serve The Defendant's by mail with a Copy OF my Supplement To original complaint OF, Civil Action Tort and Breach OF Contract and I request That you also send me a Filed copy.

on the date OF March 28, 2007 I Filed a Motion To EnForce Settlement Agreement, due To my in forma pauperis status I ask That you please serve The defendant's With a Filed copy and all Attached exibits and Send me a Filed copy with all Attached exibits.

I also am enclosing a Supplement To original Motion To EnForce Settlement Agreement. I ask That you please File this in a Timly manner and Serve Defendants with a copy and me with a Filed copy.

I Thank you For your Time and consideration and ongoing patience with me and God bless you For your Time and ansers in This

matter. I will be looking Foward to hearing From you concerning this matter as soon as possable.

With The kindess OF Regards, I am

Truly thankful

Ryan Stinson #433686
D.W.C.C. 620 Bell Hill Rd.
Homer LA, 71040

Ryan Stinson * Suit No. 113598 - Div "E"
Versus- * 21st Judical District court
Charlotte Hebert, Asst. District Attorney * Parish of Livingston
Scott M. Perrilloux, District Attorney * State of Louisiana
*
*

Filed: _____ Clerk of Court: _____

* * * * * * * * * * * * * * * * * *

Supplement To Original Motion to Enforce Settlement Agreement

* * * * * * * * * * * * * * * * * *

Now Comes into this Honorable Court, Plaintiff, Ryan Stinson, Who Supplements To all defendants in original Motion To Enforce Settlement Agreement.

2007 APR 13 PM 1:23 CLERK OF COURT LIVINGSTON PARISH LOUISIANA DEPUTY CLERK

I

The Plaintiff Ryan Stinson and the Defendants exchanged Letters, Which the plaintiff proposed to Settle the partied differences by certain reciprocal actions and the defendants accepted the proposal.

II

The Plaintiff contends the Letters, When read Togather, Constitutes a compromise agreement in Writing as Required by LSA-C.C. Art 3071 To perfect a Settlement.

III

In First National Bank of Jefferson Parish v. Manor Heights co. Inc., 376 So.2d 61 (LA. App 5th Cir 1991) Writ denied 377 So.2d 35., The court5 Held, The execution of other documents represented fulfillment of the parties obligations under the compromise, but the compromise itself was completed and enforceable after the agreement reached by the Letters exchanged between the parties. See Wood v. Kohnke, 428 So. 2d. 848 (LA. App. 5th cir. 1983), Writ denied, 435, 1a2d. 440; Villanueva v. CNA INS. companies, 868 F.2d 684

(5th Cir. 1989).

IV

In Anderson-Dunham Inc. v. Hamilton, 564 So.2d 823 (1st Cir. LA. App. 1990) Writ denied 569 So.2d 963; The Courts Held, However, The requirement that the agreement be in writing and signed by both parties does not necessarily mean that the agreement must be contained in one document. It would suffice that there be a written offer signed by the offeror and a written acceptance signed by the acceptor, even if the offer and the acceptance are contained in separate writings. In other words, where two instruments when read together, outline the obligations each party has to the other and evidence each party's acquiescence in the agreement, a written compromise agreement, as contemplated by LSA.C.C. Art 3071, has been perfected. See Felder v. Georgia Pac. Corp, 405 So.2d 521 (LA. 1981).

* * * * * * * * * * * * * * *

WhereFore, the PlaintiFF Prays that based on these Facts, and upon this supplement to His original Motion To Enforce Settlement Agreement, that His Motion To Enforce Settlement Agreement, to transfer the PlaintiFF, to Dixion corr. Ins., Be Granted

Respectfully Submited

April 10, 2007
Date:

Ryan Stinson 433686

Please Serve:
Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd. Homer LA. 71040

Defendant's Attorney, Greg Murphy
6555 Perkins Road suite 200 Baton Rouge LA, 70808

Certificate OF Service

This is To Certify That a copy OF The above and Foregoing has been Mailed To Defendant's Counsel, Greg Murphy, 6555 Perkins Road Suite 200 Baton Rouge LA. 70808, Postage Prepaid, This 11 day of April, 2007.

Ryan Stinson #433686

RULE TO SHOW CAUSE
MOTION TO INFORCE SETTLEMENT AGREEMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON, 433686
DAVID WAD CORR. CENT.
620 BELL HILL RD.
HOMER , LA 71040

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **July 9, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. Witness the Honorable Judges of our said Court on April 20, 2007.

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, 433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE
MOTION TO INFORCE SETTLEMENT AGREEMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: DEFENDANT'S ATTORNEY
GREG MURPHY
6555 PERKINS ROAD, SUITE 200
BATON ROUGE, LA 70808

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

on ***July 9, 2007****, at the hour of* ***9:00 AM*** *at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. Witness the Honorable Judges of our said Court on April 20, 2007.

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, 433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

NOTICE OF RULE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

This is your notice that a rule for MOTION TO INFORCE SETTLEMENT AGREEMENT has been set in the above captioned matter on July 9, 2007 at 9:00 AM before the Honorable ELIZABETH P WOLFE.

Done on April 20, 2007.

Deputy Clerk of Court

GREG MURPHY
DISTRICT ATTORNEYS OFFICE 21ST JDC
P.O. BOX 299
LIVINGSTON, LA 70754

RYAN STINSON, #433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

RULE TO SHOW CAUSE
MOTION TO INFORCE SETTLEMENT AGREEMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON, 433686
DAVID WAD CORR. CENT.
620 BELL HILL RD.
HOMER , LA 71040

PAUPER SUIT

RETURN

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **July 9, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

***HEREIN FAIL NOT, UNDER PENALTY OF THE LAW.** Witness the Honorable Judges of our said Court on April 20, 2007.*

C Anthony
Deputy Clerk of Court

Attorney
RYAN STINSON, 433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

FILED
CLERK OF COURT
2007 MAY -2 PM 3:24
DEPUTY CLERK

Returned:
Parish of _____ this _____ day of _____, 20____

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

ON THE 24th DAY OF April, 2007
I SERVED A COPY WITHIN
Order PURSUANT TO
Ccp Art 1235.1 Act 46
ON Betty Hassie
SERVICE IS FOR Ryan Stinson
INCARCERATED PERSON AT
Wade Corr
Tammy Parker
DEPUTY SHERIFF
CLAIBORNE PARISH

[ORIGINAL]

DCTBSP (F)

Ryan Stinson

versus

Charlotte Hebert, Ass. District Attorney

Scott M. Perrillaux, District Attorney

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 MAY 10 AM 10:26
D. Craig
DEPUTY CLERK

Suit No: 113598 - Div "F"

21st Judical District Court

Parish of Livingston

State of Louisiana

Filed

Clerk of Court

* *

Motion For a Temporary Restraining Order and a Preliminary Injunction

* *

Now Comes into This Honorable Court, Plaintiff Ryan Stinson, Pursuant To LA.C.C.P. Article 3601, request This Court To grant a temporary restraining order, To remand The plaintiff To The Parish Jail in Livingston parish and a Preliminary injunction ordering The Defendant's To have The plaintiff Transfered in This case For The Following reasons:

1.) If The plaintiff is To remain at David Wade Corr. Cent. untill The determination of This case, His Life would remain in grave danger.

2.) The Plaintiff Has been Sexually assaulted by a prison Guard at David Wade Corr. Cent. Due To The Defendants Breach of Contract

3.) After The Sexual assault and due To, The Plaintiff is suffering Continued Harrasment and retaliation.

4.) The plaintiff as a Segregation inmate, has extremely limited acess To The Law Library, Telephone Usage and Mail Service, and due To The distance The plaintiff is unable To Contact His witnesses, Take There dispositions and Comunicate and Locate Them in This Case.

5.) The plaintiff is suffering irreparable harm in The Form of Continued retaliation, Mental Angvish, emotional distress and an increasing risk That his Life and physical Well being is at grave risk.

For The Foregoing Reasons, Set Forth in the Attached Affidavit, The memorandum of Law and This

extremly limited access to the Law Library, telephon and mail Services.

6.) I am also unable to Locate and contact my witnesses, to take there disposition and to comonicate with them, due to the Hardship as a Segregation inmate and the distance.

7.) Togather these defendant's have the responsibility for providing the plaintiff with protection and a Safe enviroment as a witness where his life is not in harms way and as well the ability to arrange it.

8.) For the reasons Setforth in this Affidavit and memorandum of Law Filed with this Motion, I the plaintiff am entitled to a Temporary restraining order, Ordering the plaintiff Be turned over to the Custody of the sheriffs office, Following the determination of the order for a preliminary injunction requiring the defendants Scott M Perrilloux, District Attorney & Charlotte Hebert to have the Plaintiff Turned over to the custody of the Sheriff's office in Livingston parish Till the determination of this Case.

For the Foregoing Reasons, the court should grant the plaintiff's Motion in all respects.

Pursuant to 28 U.S.C. 1746, I declare under the penalty of perjury that the Foregoing is true and correct.

May 6, 2007
Date

Ryan Stinson
Ryan Stinson

* * * * * * * * * * * * * *

Memorandum of Law in support of Motion For Temporary restraining order and preliminary injunction

* * * * * * * * * * * * * *

4 OF 8

Statement of The Case:

This is a civil action Tort Case Filed under LA.C.C. Art. 2315 & Art 2316 by a State Prisoner and asserting Claims For The Breach of Contract. Were The Plaintiff seek's a temporary restraining order and a preliminary injunction To ensure his Transfer to the custody of the Sheriff's office

Statement of Facts:

As Stated in The declaration submitted with This motion, The Plaintiff [redacted] is a victim of a breach of Contract. Were he was Transfered To David Wade Corr. Cent., Were he was Sexualy assaulted by a prison Guard employed at David wade corr. Cente, were now he The Plaintiff is suffering Continued irreparable Harm in the form of continued Harrasment, retaliation, mental anguish, emotional distress and an increasing risk of his Life and well being. The Plaintiff also as a Segregation inmate, has extremly limited access To The Law Library, Telephone and Mail Services and is also unable To Locate and contact his witnesses due To The Hardship as a Segregation inmate and the distance.

The defendants against whom relief is sought are respectively, Scott M. Perrilloux, District Attorney and Charlotte Hebert, Assistant District Attorney, who is responsible For The Contract described in This Case.

Argument

The Plaintiff is entitled To a Temporary restraining order and a preliminary injunction:

In determining Whether a party is entitled To a Temporary restraining order or a preliminary injunction, Courts generally Consider Several Factors: Whether The party will suffer irreparable injury, The "balance of hardship" between The parties, The Likelihood of success on the merits, and the public interest. Each of These Factors favors The grant of This motion.

A.) The Plaintiff [redacted] is threatened with irreparable harm:

The Plaintiff alleges that he is the victim of a Breach of Contract By the Defendants, when he was Transfered To David wade Correctional and was Sexual assaulted by a prison guard and is now suffering irreparable Harm, Such conduct is a Clear Civil Action Tort Violation. See cases Cited in section C.

As a matter of Law, The continuing deprivation of constitutional rights constitutes irreparable harm. Elrod v. Burns, 427 U.S. 347, 373, 96 S.Ct. 2673 (1976). This principle has been applied in prison Litigation generally, See Newsom v. Norris, 888 F.2d 371, 378 (6th Cir. 1989); Mitchell v. Cuomo 748 F.2d 804, 806 (2d Cir. 1984); Albro v. County of Onondaga, N.Y., 627 F. Supp. 1286, 1287 (N.D.N.Y. 1986); Williams v. Lane, 646 F. Supp. 1379, 1409 (N.D. Ill. 1986), AFF'd 851 F.2d 867 (7th Cir. 1988), cert. denied, 109 S.Ct. 879 (1989). Gaston v. Coughlin, 629 F. Supp. 270, 273 (W.D.N.Y. 1988); Rayes v. Johnson, 969 F.2d 700, 703-04 (8th Cir. 1992).

In Addition, The Plaintiff is threatened with irreparable harm because the Defendants Breached his Contract.

B.) The balance of hardships Favors The plaintiff.

In deciding whether to grant Temporary Restraining Orders and Preliminary injunctions, Courts ask whether The suffering of the moving party if the motion is denied will outweigh The suffering of the Non-moving party if the motion is granted. See Eg. Mitchell v. Cuomo, 748 F.2d 804, 808 (2d Cir. 1984) holding That dangers posed by prison crowding outweighed state's Financial and Administrative Concerns); Duran v. Anaya, 642 F. Supp. 510, 527 (D.N.M. 1986) (holding That prisoners interest in Safety and medical care outweighed states interest in saving money).

In This case, The present suffering of The Plaintiff and his potential suffering are enormous. The "suffering"

The defendants will experience if the court grants the order, is something that the defendants do, and are obligated to do, on a daily basis. The defendant's hardship amounts to no more than business as usual.

C.) The Plaintiff is Likely to Succeed on the merits: The plaintiff's Allegations, clearly establish a civil tort violation, by the Breach of Contract Alleged in this case see Cooper v. United States, 594 F.2d 12 (4th cir. 1979), Pat O'Brien's v. Franco's Coktal Prod. inc. 615 So.2d 429 (LA App. 4 cir) writ denied, 617 So.2d 909 (LA 1993), Ortego v. State Dot. D, 96-1322 (LA. 2-25-97); 689 So.2d 1358, Williams v. Burbank, App. 1923 Orleans No. 9154. [illegible], First National Bank of Jefferson Parish v. Manor Heights Co. INC., 326 So.2d 61 (LA. App 5th cir 1991) writ denied 527 So.2d 35; Wood v. Kohnke, 428 So.2d. 848 (LA. App. 5th cir 1983), writ denied, 435, So.2d. 440; Villanueva v. CNA INS. Companies, 868 F.2d 684 (5th cir. 1989); Felder v. Georgia Pac. Corp, 405 So.2d 521 (LA. 1981) on it's Face, The plaintiff has a great Likelihood of Success on the merits.

D.) The relief sought will serve the public interest: In this case, the grant of relief will serve the public interest because it is always in the public interest for public officials to obey the Law. Duran v. Anaya, 642 F.Supp. 510, 527 (D.N.M. 1986) (Respect for Law, particularly by officials responsible for the administration of the state, is in itself a matter of the highest public interest.") see also Llewelyn v. Oakland County Prosecutor's Office, 402 F.supp. 1379, 1393 (E.D. Mich 1975) ("The constitution is the ultimate expression of the public interest").

Conclusion

For the Foregoing reasons, the Court should grant This Motion in it's entirety.

May 6, 2007
Date

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.

Certificate of Service

This is to Certify that a copy of the above and Foregoing has been mailed to the Defendants Attorney Greg Murphy, 6555 Perkins Rd. Suite 200, Baton Rouge 70808, Postage Prepaid, This 6 day of May, 2007.

Ryan Stinson

2 OF 8

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2009 MAY 10 AM 10:27

motion the court should grant this [illegible]'s entirety.

D. Craig
DEPUTY CLERK

May 6, 2007
Date

Ryan Stinson #433686

Affidavit

* * * * * * * * * * * * * *

Affidavit, In support of Motion For Temporary restraining order and preliminary injunction.

* * * * * * * * * * * * * *

Ryan Stinson, declares under penalty of perjury pursuant to 28 U.S.C. Section 1746:

1.) That I am the plaintiff in this case. I make this Affidavit in support of my Motion For a Temporary restraining order and a preliminary injunction to ensure that my safty, and constitutional rights are protected and to meet the irriparible harm requirment.

2.) As set forth in my Civil Action Tort case and asserting claims for the Breach of Contract. My Contract was breached on December 19, 2005, when the defendants disregarded my saftey, by breaching my contract.

3.) After I was not transferred to Dixon Correctional as was agreed upon by the defendants for my testimony. I was instead transfered to David Wade Corr. Cent. Were I was sexualy assaulted by a prison guard at David Wade Corr. Cent. and because of this I am suffering continued Harrassment and retaliation.

4.) I am suffering irreparable harm in the form of continued physical, mental pain and suffering, mental Anguish, emotional distress and an increasing risk of my Life.

5.) I am a segregation inmate, and have

8 OF 8

Ryan Stinson * Suit No: 113598 - Div "E"

Versus - * 21st Judicial District Court

Charlotte Hebert, Ass. District Attorney * Parish OF Livingston

Scott M. Perrilloux, District Attorney * State OF Louisiana

*

Filed * Clerk OF Court

* * * * * * * * * * * * * * * * * * * *

ORDER

* * * * * * * * * * * * * * * * * * * *

Upon the supporting Affidavit of Plaintiff, and the Memorandom OF Law submitted herewith, it is;

Ordered, Due To The Fact a hearing has already been Set on another matter in This Case For The 29th OF May, 2007 in Division E OF Livingston parish court house, 20180 Iowa St. Livingston LA. 70754 [redacted] at 9:00 am.

It is Futher, ordered, that This motion be heard also on the 29th OF May, 2007, in Division E OF Livingston parish Court House, 20180 Iowa St. Livingston LA. 70754. At 9:00 am.

Signed, on This _____ day OF _____, 2007 in _____ Parish, State OF Louisiana.

_____

District Judge

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 MAY 10 AM 10:27
DEPUTY CLERK

RULE TO SHOW CAUSE
MOTION TO INFORCE SETTLEMENT AGREEMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

144

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: DEFENDANT'S ATTORNEY
GREG MURPHY
6555 PERKINS ROAD, SUITE 200
BATON ROUGE, LA 70808

PAUPER SUIT

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **July 9, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

***HEREIN FAIL NOT, UNDER PENALTY OF THE LAW.** Witness the Honorable Judges of our said Court on April 20, 2007.*

C. Anthony
Deputy Clerk of Court

Attorney
RYAN STINSON, 433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the 24 *day of* APR, 2007 *and on the* 24 *day of* APR, 2007 *served the above named party as follows:*

***Personal Service** on the party herein named* Greg Murphy 6555 Perkins
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ *this* _____ *day of* _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

FILED IN COURT
CLERK OF COURT
PARISH OF LIVINGSTON
2007 MAY -8 AM 10:02
DEPUTY CLERK

[ORIGINAL]

DC
TBS (F)

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

C/C

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 MAY 17 PM 2:55
DEPUTY CLERK

MOTION TO CONTINUE PLAINTIFF'S MOTION FOR THE APPOINTMENT OF COUNSEL

NOW INTO COURT, through undersigned counsel, comes defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who requests the following:

1.

Undersigned counsel represents Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana in this matter.

2.

Plaintiff, Ryan Stinson, has filed a Motion for the Appointment of Counsel, in this matter and is requesting, pursuant to La. C.C. Art. 5181, that this Honorable Court appoint counsel to represent him in this matter.

3.

Counsel for defendants has been notified by this Honorable Court that this matter is set for hearing on May 29, 2007, at 9:00 a.m.

4.

Counsel for defendants had previously scheduled a vacation out of the country and had already purchased airline tickets for this vacation.

5.

Counsel for defendants is requesting that this Honorable Court continue plaintiff's Motion for the Appointment of Counsel to the Court's next available Rule Date.

Respectfully Submitted

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 17th day of May, 2007.

GREG MURPHY

RYAN STINSON	*	*SUIT NO. 113,598 - DIV. "F"*
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Motion for the Appointment of Counsel set for hearing on May 29, 2007, is hereby continued until the 9 day of July, 2007.

THUS DONE AND SIGNED THIS 22nd day of May, 2007.

JUDGE, 21st JUDICIAL DISTRICT COURT

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 MAY 17 PM 2:55
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NOTICE OF RULE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

GREG MURPHY
DISTRICT ATTORNEYS OFFICE 21ST JDC
P.O. BOX 299
LIVINGSTON, LA 70754

RYAN STINSON #433686
DAVID WADE CORR. CENT.
670 BELL HILL RD
HOMER LA 71040

This is your notice that a rule for MOTION FOR APPOINTMENT OF COUNSEL CONTD FROM 05-29-07 has been set in the above captioned matter on July 9, 2007 at 9:00 AM before the Honorable ELIZABETH P WOLFE.

Done on May 22, 2007.

Deputy Clerk of Court

NOTICE OF RULE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To:

,

This is your notice that a rule for has been set in the above captioned matter on at before the Honorable ELIZABETH P WOLFE.

Done on May 30, 2007.

Deputy Clerk of Court

DC TBS (F) 113,598

May 30, 2007

To: Clerk of Court For Livingston parish court House
P.O. Box 1150, Livingston, LA. 70754

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUN -5 AM 11:35
DEPUTY CLERK

From: Ryan Stinson # 438666
E.H.C.C. P.O. Box 174, St. Gabriel, LA. 70776

RE: Ryan Stinson -V- Scott M. Perrillou, District Attorney and Charlotte Hebert, Ass. District Attorney. Div "F" Suit No 113598 21st J.D.C.

Dear Sir/Madam,

I write this letter concerning the above and enclosed subject.

I had a court Hearing to show cause for a motion for appointment of counsel on May 29, 2007 at 9:00 AM but I was moved by the [illegible] that the defendant's filed a motion for continuance in this matter. Can you please provide me with a copy of this motion for continuance that the defendant's filed and the order and notify me of the new date set for the Hearing to show cause in this case on my motion for appointment of counsel.

I also have enclosed in this letter 3 petitions for a writ of [illegible] Corpus Ad testificandum and orders for me and my two witnesses to be present in open court on July 9, 2007 at 9:00 AM for my Hearing on my Motion to Inforce Settlement Agreement. Will you please file this for me.

I also Have enclosed a Motion for a temporary restraining order And a preliminary injunction, with a proposed order. Can you please file this for me in the court.

Also please provide me with a filed and signed copy of all the enclosed motions and orders.

Thank you in Advance for your time and concern.

Yours truly Thankful

Ryan Stinson

1 of 10

Ryan Stinson * Div. "F" Suit No: 113598
-V- * 21st Judicial District Court
Scott M. Perrilloux, District Court * Parish of Livingston
Charllote Hebert, Ass. District Court * State of Louisiana

FILED CLERK OF COURT PARISH OF LIVINGSTON 2007 JUN -5 AM 11:35 DEPUTY CLERK

Filed Clerk of Court

* *

Motion For a Temporary restraining order and A Preliminary injunction

* *

Now into This Honorable Court:

Plaintiff Ryan Stinson, Pursuant To LA.C.C.P. Art 5181, request This Court To grant a Temporary restraining order, To turn The plaintiff over To The custody of The Livingston parish sheriff's office, and a preliminary injunction ordering The defendant's To have The plaintiff turned over To The custody of The sheriff's office Till The determination of This case, For The Following reasons:

1.) if The plaintiff is To remain at David wade corr. cent. untill The determination of This case, His Life would remain in grave danger

2.) The plaintiff Has been sexually assaulted by a prison Guard at David wade corr. cent. Due To The defendant's breach of Contract

3.) After The sexual assault and due To, The plaintiff is suffering continued Harrasment and retaliation.

4) The Plaintiff as a segregation inmate, has extremely limited acess To The Law Library, Telephone usage and mail service, and due To The distance The plaintiff is unable To contact His witnesses, Take There dispositions, comunicate and Locate them in This case.

5) The Plaintiff is suffering irreparable harm in The Form of continued retaliation, Harassment, mental anguish, emotional distress and an increasing risk That his Life and physical Well being is at grave risk.

For the foregoing reasons, set forth in the attached affidavit, the memorandum of law and this motion; the court should grant this motion in it's entirety.

May 29, 2007
Date

Ryan Stinson #933686

* * * * * * * * * * * * * * *

Affidavit in Support of Motion For Temporary Restraining Order and Preliminary injunction

* * * * * * * * * * * * * * *

Ryan Stinson, declares under penalty of perjury pursuant to 28 U.S.C. Section 1746:

1.) That I am the plaintiff in this case. I make this affidavit in support of my motion for a temporary restraining order and a preliminary injunction to ensure that my safty, and constitutional rights are protected and meet the irreparible harm requirments.

2.) As set forth in my civil action tort case and asserting claims for the breach of contract my contract was breached on December 19, 2005, when the defendant's disregarded my saftey, by breaching my contract.

3.) After I was not transferred to Dixon correctional institute as was agreed upon by the defendants for my testimony. I was instead transfered to David Wade corr. cent. were I was sexualy assaulted by a prison guard at David Wade corr. cent. and because of this I am suffering continued harrasment and retaliation.

4.) I am suffering irreparable harm in the form of continued physical, mental pain and suffering, mental anguish, emotional distress and an increasing risk of my life.

5.) I am a segregation inmate, and have extremly limited access to the law library, telephone and mail services.

6.) I am also unable to locate and contact my witnesses to take there disposition and to communicate with them, due to the hardship as a segregation inmate

3 of 10

and the distance.

7.) Togather these defendant's have the responsibility for providing the plaintiff with protection and a safe enviroment as a witness were his life is not in harms way and as well the ability to arrange it.

8.) For the reasons setforth in this affidavit and memorandum of law filed with this motion, I the plaintiff am entitled to a temporary restraining order, ordering the plaintiff be turned over to the custody of the sheriff's office following the determination of the order for a preliminary injunction requiring the defendant's Scott M. Perrillou, District Attorney and Charlotte Hebert, to have the plaintiff turned over to the custody of the sheriff's office in Livingston parish till the determination of this case.

For the foregoing reasons, the court should grant the plaintiff's motion in all respects.

Pursuant to 28 U.S.C. section 1746, I declare under the penalty of perjury that the foregoing is true and correct.

FILED
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PARISH OF LIVINGSTON
2007 JUN -5 AM 11:40
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May 29, 2007
Date

Ryan Stinson #433686

* * * * * * * * * * * * * * * *

Memorandum of Law in Support of Motion For a Temporary restraining order and a Preliminary Injunction

* * * * * * * * * * * * * * * *

Statement of Case:

This is a civil action tort case under La.C.C. Art 2315 and Art 2316 by a state prisoner and asserting claims for the Breach of contract. Were the plaintiff seek's a temporary restraining order and a preliminary injunction to ensure his saftey by having the plaintiff turned over to the custody of the sheriff's office.

Statement of Facts:

As stated in the declaration submited with this motion the plaintiff is a victim of a Breach of contract, were

he was transfered to David wade corr. Cent, where he was sexualy assaulted by a prison Guard employed at David wade Corr. Cent. Were upon he the plaintiff is suffering continued irreparable Harm in the Form of continued Harrasment, retliation, mental Anguish, emotional distress and an increasing risk of his life and well being, the plaintiff also as a segregation inmate, has extreemly limited access to the law library, telephone and mail services and is also unable to locate and contact his witnesses due to the hardship as a segregation inmate and the distance.

The defendants against whom relief is sought are respectively, Scott M. Attillaux, District Attorney and Danielle Stine, Assistant District Attorney, who is responsible for the conduct described in this case.

Argument

The plaintiff is entitled to a temporary restraining order and a preliminary injunction.

In determining whether a party is entitled to a temporary restraining order or a preliminary injunction, Courts generally consider several Factors: whether the party will suffer irreparable Hardship The "balance of hardship" between the parties, the likelihood of success on the merits, and the public interest, each of these Factors favors the grant of this motion.

A.) the plaintiff is threatened with irreparable Harm:

The plaintiff alleges that he is the victim of a Breach of Contract by the defendant's, where he was transfered to David Wade corr. Cent and was sexualy assaulted by a prison guard and is now suffering irreparable Harm. Such Conduct is a Clear Civil Action Tort Violation. See Cases cited in section(C)

As a matter of law, the continuing deprivation of Constitutional rights constitutes irreparable harm. Elrod V. Burns, 427 US. 347, 373, 96 S.Ct. 2673 (1976). This Principle has been applied in prison litigation generally, see Newsom V. Norris 888 F.2d 371, 378 (6th Cir 1989); Mitchell v. Coons 748 F.2d

804, 806 (2d cir 1984); Albro v. County of onondaga, N.Y., 627 F. Supp. 1280, 1287 (N.D. N.Y. 1986); William v. Lane, 646 F. Supp. 1379, 1409 (N.D. Ill 1986) Aff'd 851 F2d 867 (7th cir 1988), Cert denied, 109 S.Ct. 879 (1989); Gaston v. Coughlin, 679 F.Supp. 270, 273 (W.D. N.Y. 1988); Rayes v. Johnson, 969 F.2d 700, 703-04 (8th cir 1992);

In Addition, The plaintiff is Threatned with irreparable harm because the defendants Breached His Contract.

B.) The balance of Hardship Favors the Plaintiff:

In deciding whether to grant a Temporary restraining order and a preliminary injunction, courts ask whether the suffering of the Moving party if the motion is denied will outweigh the suffering of the Non-moving party if the motion is granted. See E.G. Mitchell v. Cuoma, 748 F2d 804, 808 (2d cir 1984) (Holding that dangers posed by prison crowding outweighed state's financial and administrative concerns); Duran v. Anaya, 642 F.Supp 510, 527 (D.N.M. 1986) (Holding that prisoners interest in safety and medical care outweighed states interest in saving money.)

In This case, The present suffering of the plaintiff and his potential suffering are enormous. The "suffering" the defendants will experience if the court grants the order, is something that the defendants are obligated to do, on a daily basis. The defendant's hardship amounts to no more than business as usual

C.) The plaintiff is likely to succeed on the merits:

The plaintiff Allegations, clearly establish a civil tort violation, by the Breach of contract Alleged in This case. See Cooper v. United States, 594 F.2d 12 (4th cir 1979); Pat O'Brian's v. Franco's Coktal prod. inc. 615 So 2d 429 (LA. App. 4 cir) writ denied, 617 So.2d 909 (LA. 1993), Ortego v. State Dot D, 96-1322 (LA. 2-25-97); 689 So,2d 1358; Williams v. Burbank, App. 1922 Orleans No. 9154; First National Bank of Jefferson Parish v. Manor Heights Co. Ins., 376 So.2d 61 (LA. App. 5th cir 1991) writ denied 577 So.2d 35; Wood v. Kohnke, 428 So.2d 848 (LA. App. 5th cir 1983), Writ denied, 435, So.2d 440; Villanueva v. CNA ins. Companies,

868 F.2d 684 (5th Cir. 1989); Felder v. Georgia Pac. Corp, 405 So.2d 521 (LA. 1981) on it's Face, The plaintiff has a great likelihood of success on the merits.

D.) The relief sought will serve the public interest:

In this case, the grant of relief will serve the public interest because it is always in the public interest For public officials to obey the Laws. Ovaa v. Anaya, 642 F.Supp. 510, 527 (D.N.M. 1986) (Respect For Law, Particularly by officials responsible for the administration of the state, is in itself a matter of the highest public interest). See also Llewelyn v. Oakland County prosecutor's office, 402 F. Supp. 1379, 1393 (E.D. Mich. 1975) "The constitution is the ultimate expression of OF the public interest".

Conclusion

For the Foregoing reasons, the court should grant this motion in it's entirety.

May 29, 2007
Date

Ryan Stinson #433686

1 of 10

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to the defendants Attorney, Greg Murphy, 6585 Perkins Rd. Suite 200, Baton Rouge LA, 70808, Postage Prepaid, This 30 day of May, 2007

Ryan Stinson

8.OE.10 Ryan Stinson * Div. F Suit No. 113598

-v- * 21st Judicial District Court

Scott M. Perrilloux, District Attorney * Parish of Livingston

Charllote Hebert, Ass. District Attorney * State of Louisiana

FILED CLERK OF COURT PARISH OF LIVINGSTON 2007 JUN -5 AM 11:41 DEPUTY CLERK

* * * *

It is Further ordered, That the body of one Ryan Stinson #433686, shall remain in the custody of the Livingston parish SHERIFF'S OFFICE until the _____ day of _____, 2007.

It is Further ordered, That a copy of this order be served on Warden Vanetta Michael at, David Wade Correctional Center, 670 Bell Hill Rd. Homer, LA 71040

It is Further ordered, That a copy of this order be served on Warden Carmel Hubert at, Elayn Hunt Correctional Center, P.O. Box 174, St. Gabriel LA, 70776, Phone No # 225-642-3306.

It is Further ordered, That a copy of this order be served on the Livingston parish SHERIFF'S OFFICE.

It is Further ordered, That a copy of this order and all Attached papers be served on the plaintiff Ryan Stinson #433686 at Both addresses David Wade Corr. Cent 670 Bell Hill Rd. Homer, LA. 71040, and at Elayn Hunt Corr. Cent. P.O. Box 174 St. Gabriel LA, 70776.

It is Further ordered, That this order, and all other attached papers to this order, shall be served on defendants Scott M. Perilloux & Charlette Hebert at their place OF Work, to be present in open court on the above date and time, and in the above court, to show Cause why the plaintiffs motion should not be granted.

It is Further ordered, That a copy of this order shall be served on whoever retains the custody of the Plaintiff Ryan Stinson #433686 to have the body of the plaintiff present in open court on the above date and time and

10 of 10

in the above court to show cause why his motion should be granted.

Signed on this 18th day of June 2007, in Tangipahoa parish, State of Louisiana.

District Judge

Please Serve The Following:

Warden Colonel Hubert
Elayn Hunt Corr. Cent P.O. Box 174 St. Gabriel LA, 70776

Warden Venetia Micheal
David wade corr. cent. 670 Bell Hill Rd. Homer LA, 71040

The Defendants Attorney Burg Murphy
6555 Perkins Rd. - Suite 200, Baton Rouge LA, 70808

Ryan Stinson At Both Addresses
E.H.C.C. P.O. Box 174 St. Gabriel LA, 70776
and at D.W.C.C. 670 Bell Hill Rd. Homer LA, 71040

The Livingston parish Sheriffs office.

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PARISH OF LIVINGSTON
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DC TBS (F)

Ryan Stinson	*	Div. F Suit No: 113598
-v-	*	21st Judicial District court
Scott M. Perrilloux, District Attorney	*	Parish of Livingston
Charllote Hebert, Ass. District Attorney	*	State of Louisiana
	*	
Filed	*	Clerk of court

* * * * * * * * * * * * * * * * *

Petition For a Writ of Habea's Corpus Ad Testificandum

* * * * * * * * * * * * * * * * *

Now into This Honorable court:

Pursuant to section 28 U.S.C. Section 2241 (c) (5) The plaintiff Ryan Stinson, requests That This court issue a writ of habeas corpus ad testificandum requiring Wraden Venetia Michael and Warden Cornel Hubert to bring The plaintiff to court For a Hearing to show cause scheddled to Commence on July 9, 2007 at 9:00 AM, and States in Support:

1.) The plaintiff's case depends in large part on his own testimony. Since The credibility of witnesses will be an issue in This matter, the court should be allowed to hear The plaintiff Testify Personally and observe his demeanor.

2.) The plaintiff is proceeding pro se in this matter and should therefore be produced to manage The presentation of his case, to cross-examine The defendants who testify and their witnesses, and to hear The defendants case and present appropriate rebuttal evidence.

Plaintiff requests That The defendants bear The costs of The implementation of the terms of this writ.

May 30, 2007
Date

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CLERK OF COURT
PARISH OF LIVINGSTON

Ryan Stinson
Ryan Stinson #[illegible]

2 OF 4

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to the defendants Attorney, Greg Murphy, 6353 perkins Rd. - Suite 200, Baton Rouge LA. 70808, Postage Prepaid, this 30 day of May, 2007

Ryan Stinson

Ryan Stinson

3 of 4

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUN -5 AM 11:42
DEPUTY CLERK

Ryan Stinson * Div. F Suit No. 113598
-v- * 21st Judicial District Court
Charlotte Hebert, Ass. District Attorney * Parish of Livingston
Scott M. Perrilloux, District Attorney * State of Louisiana

Filed Clerk of Court

* * * \

4 of 5

It is Further ordered that a copy of this order be served on the Defendants Attorney Greg Murphy, at 6555 Perkins Rd. Suit-200, Baton Rouge LA. 70808.

Signed, on this 19th day of June, 2023, in Amite Parish, State of Louisiana.

The defendant is not entitled to the action of transporting jail inmates at defendant's cost.

District Judge

Please Serve:

Ryan Stinson #433686, Plaintiff, at
E.H.C.C. P.O. Box 174, St. Gabriel LA. 70776
and at, D.W.C.C. 670 Bell Hill Rd. Homer LA. 71040

Warden Cornel Hubert, at
E.H.C.C. P.O. Box 174, St. Gabriel LA, 70776

Warden Venetia Michael, at
D.W.C.C. 670 Bell Hill Rd. Homer LA. 71040

Mr. Greg Murphy, Defendants Attorney, at
6555 Perkins Rd. Suite 200, Baton Rouge LA 70808

DC TBC (F)

1 of 4

Ryan Stinson * Div. "F" Suit No. 113598

-V- * 21st Judicial District Court

Scott M. Perilloux, District Attorney * Parish of Livingston

Charllote Hebert, Ass. District Attorney * State of Louisiana

*

Filed Clerk of Court

* *

Petition For Writ of Habeas Corpus Ad Testificandum

* *

Now into This Honorable Court:

Plaintiff Ryan Stinson, Pursuant to Section 28 U.S.C. Section 2241 (c)(3), LA.C.C.P. Art 1351, 1355, 1355.1, 1356 and LA.C.C.P. Art 1463. Request that this Court issue a Writ of habeas Corpus Ad Testificandum requiring Warden Colbet Hubert to bring the body of one Vidal Tasby # 330389 Before the Court For a Hearing to show Cause Scheduled to Commence on July 9, 2007, and States in Support:

1.) The plaintiff's case depends in large part of his Witnesses Testimony. Since The Credibility of Witnesses will be an issue in This matter, The Court should be allowed to Hear the plaintiff's Witnesses testify personally and observe there demeanor.

2.) The plaintiff is proceeding pro se in this matter and should therefore be allowed to produce his witnesses to testify in His Case, and so the defendant's may Cross-examine The witnesses, and hear his case, and so that the plaintiff Can present appropriate rebuttal evidence through his witnesses.

Plaintiff request That The defendants bear the costs of The implementation of The Terms of this writ.

DEPUTY CLERK
2007 JUN -5 AM 11:
CLERK OF COURT
PARISH OF LIVINGSTON
FILED

May 29, 2007

Date

Ryan Stinson #330386

2 of 2

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to the Defendants Attorney, Greg Murphy, 6555 Perkins Rd. Suite 200, Baton Rouge 70808, postage prepaid this 30 day of May, 2007

Ryan Stinson

2 of 4

Ryan Stinson * Div. "F" Suit No. 113598

-Versus- * 21st Judicial District Court

Charlotte Hebert, Ass. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUN -5 AM 8:42
DEPUTY CLERK

Filed * Clerk of Court

* * * *

4 of 4

Signed, on This 18th day of June, 200
in Lafayette parish, State of Louisiana

The plaintiff is not entitled to this action.

District Judge

Please serve:
Kyan Stinson #433686, Plaintiff, At
E.H.C.C. P.O. Box 174 St. Gabriel LA, 70776
and At D.W.C.C. 670 Bell Hill Rd. Homer LA, 71040

Vidal Tusby #330389, At
E.H.C.C. P.O. Box 174
St. Gabriel LA. 70776

Warden Cornel Hubert, At
E.H.C.C. P.O. Box 174
St. Gabriel LA, 70776

Mr. Greg Murphy, Defendants Attorney, At
6555 Perkins Road Suite 200
Baton Rouge, LA 70808

DC TBS (F)

1 of 4 Ryan Stinson

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUN -5 AM 11:42

Div. "E" Suit No. 113598

-v-

Scott M. Perrilloux, District Attorney * 21st Judicial District Court

Charllote Hebert, Ass. District Attorney * Parish of Livingston

DEPUTY CLERK

* State of Louisiana

*

Filed _____ Clerk of Court

* * * * * * * * * * * * * * * * * * * *

Petition For Writ of Habeas Corpus Ad Testificandum

* * * * * * * * * * * * * * * * * * * *

Now into this Honorable Court:

Plaintiff Ryan Stinson, pursuant to Section 28 U.S.C. Section 2241 (c) (5), LA.C.C.P. Art 1354, 1355, 1355.1, 1356 and LA.C.C.P. Art 1463. Request that this Court issue a writ of habeas corpus Ad Testificandum requiring Warden Leblanc of Dixon Correctional institute, to bring the body of one Jacobi Johnson #130062 Before the Court For a Hearing to show cause scheduled to Commence on July 9, 2007; and States in Support:

1.) The plaintiff's case depends in large part of His Witnesses Testimony. Since the credibility of Witnessed will be an issue in this matter, The Court should be allowed to Hear the plaintiff's Witnesses Testify personaly and observe There demeanor.

2.) The plaintiff's is proceeding pro se in this matter and Should Therefore be allowed to produce his Witnesses To testify in His case, and so the defendant's may Cross-examine the Witnesses, and hear his case, and so that the plaintiff can present Appropriate rebuttal evidence Through his Witnesses.

Plaintiff request That the defendants bear the costs of the implementation of the Terms of this writ.

May 29, 2007
Date

Ryan Stinson #433686

2 of 4

Certificate of Service

This is to Certify that a copy of the above and foregoing has been mailed to the defendants Attorney, Greg Murphy, 4555 perkins Rd. Suite 220, Baton Rouge LA. 70808, Postage Prepaid, This 30 day of May, 2007

Ryan Stinson

3 of 4. Ryan Stinson * Div. "F" Suit No. 113598
Versus - * 21st Judicial District Court
Charlotte Hebert, Ass. District Attorney * Parish of Livingston
Scott M. Perrilloux, ~~District Attorney~~ * State of Louisiana

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUN -5 AM 11:42
DEPUTY CLERK

Filed Clerk of Court

ORDER

It is here by ordered That The Warden of Dixion correctiona institute Have The body of Jacobi Johnson #130062 Detained in Dixion Correctional institute, P.O. Box 788, Jackson LA. 70748, under your custody as it is said, under safe and secure conduct before The Judge of This Court, For The 21st Judicial District Court of Livingston parish at 20180 Iowa St., Livingston LA. 70754, on The 9th day of July, 2007 at 9:00 AM in Division "F", To Testify To The Truth according To his knowledge in a certain Cause no pending in said court, There To be heard, entitled Ryan Stinson v. Scott M. Perrilloux, District Attorney and Charlotte Hebert, Ass. District Attorney, Suit NO. 113598, Before The said Court, and immediately after The said "Johnson" has compleated givening his Testimony in The above-entitled matter, and The Court declares The Hearing Thereof completed, That you return Him back To Dixion Correctional institute.

It is Further ordered That a copy of This order be provided To Warden Leblanc of Dixion correctional institute, at D.C.I. P.O. Box 788 Jackson LA. 70748.

It is Further ordered That a copy of This order and all papers attached be provided To Jacobi Johnson #130062, at Dixion Correctional institute P.O. Box 788, Jackson LA. 70748.

It is Further ordered That a copy of This order be provided To The plaintiff and Defendant's with a copy of all papers Attached.

4 of 4.

Signed, on This 18th day of June, 2007 in Tangipahoa parish, State of Louisiana.

The defendant is not entitled to this action or transporting jail inmates at defendant's costs

T. Wolfe

District Judge

Please Serve:

Ryan Stinson #433686, Plaintiff pt

E. H. C. C. P.O. Box 174, St. Gabriel LA, 70776

and at, David Wade Corr. ctr. 670 Bell Hill Rd., Homer LA 71040

JAcobi Johnson #130062, At

D.C.I P.O. Box 788

Jackson LA. 70748

Warden Leblanc of Dixion correctional institute, At

D.C.I. P.O. Box 788

Jackson LA. 70748

Mr. Greg Murphy, Defendants Attorney, At

6555 Perkins Road Suite 200

Baton Rouge, LA 70808

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

ANSWER TO SUPPLEMENT TO ORIGINAL COMPLAINT OF CIVIL ACTION TORT AND BREACH OF CONTRACT

NOW INTO COURT, through undersigned counsel, comes defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract as follows:

1.

The allegations in defendant's Supplement to Original Complaint of Civil Action Tort and Breach of Contract are denied. Defendant has not set forth any allegations in Paragraph 1 but only alleges in Paragraph 1 that his original petition should be supplemented. Therefore, the entire paragraph regarding defendant's statement of claim in the supplemental complaint is hereby denied.

2.

With regard to defendant's relief sought in the Supplement to Original Complaint of Civil action Tort and Breach of Contract, defendant, Scott M. Perrilloux, in his capacity as the District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, denies Paragraph 1, Paragraph 2, Paragraph 3, Paragraph 4 and Paragraph 5 in the Relief section sought by defendant.

WHEREFORE, defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, prays that there be judgment in his favor, dismissing plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract, with prejudice, and assigning all costs against plaintiff.

07 JUN 5 PM 9:14
FILED
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

Respectfully Submitted

Greg Murphy

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this _____ day of _____, 2007.

Greg Murphy

GREG MURPHY

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

ANSWER TO SUPPLEMENT TO ORIGINAL COMPLAINT OF CIVIL ACTION TORT AND BREACH OF CONTRACT

NOW INTO COURT, through undersigned counsel, comes defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract as follows:

1.

The allegations in defendant's Supplement to Original Complaint of Civil Action Tort and Breach of Contract are denied. Defendant has not set forth any allegations in Paragraph 1 but only alleges in Paragraph 1 that his original petition should be supplemented. Therefore, the entire paragraph regarding defendant's statement of claim in the supplemental complaint is hereby denied.

2.

With regard to defendant's relief sought in the Supplement to Original Complaint of Civil action Tort and Breach of Contract, defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, denies Paragraph 1, Paragraph 2, Paragraph 3, Paragraph 4 and Paragraph 5 in the Relief section sought by defendant.

WHEREFORE, defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, prays that there be judgment in her favor, dismissing plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract, with prejudice, and assigning all costs against plaintiff.

Respectfully Submitted

Greg Murphy

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

FILED
07 JUN -5 AM 9:15
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this _____ day of _____, 2007.

Greg Murphy

GREG MURPHY

cc Sharon

June 4, 2007

TO: Clerk of Court, For Livingston Parish, Court House
P.O Box 1150, Livingston LA. 70754

113598

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUN -8 AM 10:12
DEPUTY CLERK

From: Ryan Stinson #433686
E.H.C.C. P.O. Box 174, St. Gabriel LA. 70776

RE: Ryan Stinson -v- Scott M. Perrilloux, District Attorney & Charlotte Hebert, Asst. District Attorney, Suit No# 113598, Div. "F", 21st J.D.C., Livingston Parish

Dear Sir/Madam,

This is a notice to the court of my address change I am now Residing in St. Gabriel Louisiana my new address is: E.H.C.C. P.O. Box 174 St. Gabriel LA, 70776.

Can you please make the appropriate changes so as to the records of the court of my new address so my mail From the Courts will Be mailed to my new address.

Thank you so very much For your time and concern in this matter.

Also Can you please provide warden Colonel Hubert at Elayn Hunt Correctional center with a copy of my order For my Court Hearing Yet in This Court For July 9, 2007 at 9:00 AM So as to notify him to have me present in court on this Date His Address is: E.H.C.C. P.O. Box 174 St. Gabriel LA, 70776.

Thank you once again for your time and consideration and God Bless you For your ongoing kindness in this matter I am in hopes and prayer to hear From you Soon.

With the kindess of Regardes, I am

Truly Thankful

Ryan Stinson

cc: R.S.

Rdavis

113,598

June 12, 2007

To: Clerk of Court, Livingston Parish, Court House
P.O. Box 1150, Livingston LA. 70754

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUN 21 PM 4:17
DEPUTY CLERK

From: Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd. Homer LA. 71040

RE: Ryan Stinson -V- Scott M. Perrilloux, District Attorney & Cheryl Lee Hebert, Asst. District Attorney Suit No# 113598, 21st J.D.C., Livingston Parish

Dear Sir/Madam

I wrote you on June 4, 2007 to notify you of my change of address But my address has changed again my address now is D.W.C.C. 670 Bell Hill Rd. Homer, LA. 71040 Can you please make the appropriate changes once again so as the court will be able to send me my mail.

Also I Had asked you to please Serve the Warden Here at David Wade corr. cent. With a copy of my order to show cause that is to be Heared on July 9, 2007. Can you Please have a copy of my order to show cause that is to be Heard on July 9, 2007 on my motion to Enforce Settlement Agreement provided to Warden Venetia Michael at David Wade corr. cent. 670 Bell Hill Rd., Homer LA. 71040.

Also can I please be provided with a copy of the defendants motion for a continuance that was Signed and Done on May 22, 2007 by the Honorable Elizabeth P. Wolfe. and all papers attached that was Filed on my Motion for appointment of counsel that was to Comence on 5-29-07 But was Continued until July 9, 2007.

I'm sorry to bother you and beg for your Forgiveness For doing so. Thank you For your time and concern and god bless you For your kindness. I look to hear From you soon

With the kindiss of Regardes, I am Truly Thankful

Ryan Stinson

CC: B.G
R.S.
C.C,
G.M.

Ryan Stinson #433686

RULE TO SHOW CAUSE

MOTION FOR A TEMPORARY RESTRAINING ORDER AND A PRELIMINARY INJUNCTION; AFFIDAVIT IN SUPPORT; MEMORANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: WARDEN CORNEL HUBERT
ELAYN HUNT CORR. CENT
P.O. BOX 174
ST. GABRIEL, LA 70776

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. Witness the Honorable Judges of our said Court on June 26, 2007.

_____
Deputy Clerk of Court

Attorney
RYAN STINSON
PLAINTIFF, I.P.P.

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE

MOTION FOR A TEMPORARY RESTRAINING ORDER AND A PRELIMINARY INJUNCTION; AFFIDAVIT IN SUPPORT; MEMORANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: WARDEN VENETIA MICHAEL
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

***HEREIN FAIL NOT, UNDER PENALTY OF THE LAW.** Witness the Honorable Judges of our said Court on June 26, 2007.*

_____
Deputy Clerk of Court

Attorney
RYAN STINSON
PLAINTIFF, I.P.P.

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE

MOTION FOR A TEMPORARY RESTRAINING ORDER AND A PRELIMINARY INJUNCTION; AFFIDAVIT IN SUPPORT; MEMORANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: THE DEFENDANTS ATTORNEY, GREG MURPHY
6555 PERKINS RD.
SUITE 200
BATON ROUGE, LA 70808

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. Witness the Honorable Judges of our said Court on June 26, 2007.

_____
Deputy Clerk of Court

Attorney
RYAN STINSON
PLAINTIFF, I.P.P.

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE

MOTION FOR A TEMPORARY RESTRAINING ORDER AND A PRELIMINARY INJUNCTION; AFFIDAVIT IN SUPPORT; MEMORANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

*To:*RYAN STINSON
E.H.C.C.
P.O.BOX 174
ST. GABRIEL, LA 70776

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. Witness the Honorable Judges of our said Court on June 26, 2007.

_____
Deputy Clerk of Court

Attorney
RYAN STINSON
PLAINTIFF, I.P.P.

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE
MOTION FOR A TEMPORARY RESTRAINING ORDER AND A PRELIMINARY INJUNCTION; AFFIDAVIT IN SUPPORT; MEMORANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON
D.W.C.
670 BELL HILL RD.
HOMER, LA 71040

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. Witness the Honorable Judges of our said Court on June 26, 2007.

_____
Deputy Clerk of Court

Attorney
RYAN STINSON
PLAINTIFF, I.P.P.

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE
MOTION FOR A TEMPORARY RESTRAINING ORDER AND A PRELIMINARY INJUNCTION; AFFIDAVIT IN SUPPORT; MEMORANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: THE LIVINGSTON PARISH SHERIFF'S OFFICE

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

on ***August 27, 2007****, at the hour of* ***9:00 AM*** *at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. Witness the Honorable Judges of our said Court on June 26, 2007.

_____
Deputy Clerk of Court

Attorney
RYAN STINSON
PLAINTIFF, I.P.P.

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

NOTICE OF RULE

STINSON, RYAN #433686

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON #433686
E.H.C.C.
POST OFFICE BOX 174
ST. GABRIEL, LA 70776

This is your notice that a rule for PRELIMINARY INJUNCTION has been set in the above captioned matter on August 27, 2007 at 9:00 AM before the Honorable ELIZABETH P WOLFE.

Done on June 26, 2007.

Deputy Clerk of Court

GREG MURPHY
DISTRICT ATTORNEY'S OFFICE
POST OFFICE BOX 299
LIVINGSTON, LA 70754

RULE TO SHOW CAUSE 2000

MOTION FOR A TEMPORARY RESTRAINING ORDER AND A PRELIMINARY INJUNCTION; AFFIDAVIT IN SUPPORT; MEMORANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

JB

To: THE LIVINGSTON PARISH SHERIFF'S OFFICE

RECEIVED
JUL 27 2007
Livingston Parish Sheriff Office

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on June 26, 2007.*

B Shuttlesworth Jr
Deputy Clerk of Court

Attorney
RYAN STINSON
PLAINTIFF, I.P.P.

Service Information

Received on the 27 *day of* June, *20* 07 *and on the* 27 *day of* June, *20*07 *served the above named party as follows:*

Personal Service *on the party herein named* Sherri Palmer (Sec)

~~***Domiciliary Service***~~ *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of Livingston *this* 27 *day of* June, *20* 07.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

FILED
CLERK OF COURT
2007 JUL -5 PM 3:15
DEPUTY CLERK

[ORIGINAL]

RULE TO SHOW CAUSE
MOTION FOR A TEMPORARY RESTRAINING ORDER AND A PRELIMINARY INJUNCTION; AFFIDAVIT IN SUPPORT; MEMORANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

JB

To: WARDEN VENETIA MICHAEL
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

RETURN

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

***HEREIN FAIL NOT, UNDER PENALTY OF THE LAW.** Witness the Honorable Judges of our said Court on June 26, 2007.*

Deputy Clerk of Court

Attorney
RYAN STINSON
PLAINTIFF, I.P.P.

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

CLAIBORNE PARISH
~~PERSONAL~~ DOMICILIARY
TO Angie Williams
DATE 6-29-07
BY Jimmy Braun
DEPUTY SHERIFF

[ORIGINAL]

FILED
CLERK DIST. COURT
PARISH OF LIVINGSTON
2007 JUL -5 PM 3:43
DEPUTY CLERK

RULE TO SHOW CAUSE

MOTION FOR A TEMPORARY RESTRAINING ORDER AND A PRELIMINARY INJUNCTION; AFFIDAVIT IN SUPPORT; MEMORANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON
D.W.C.
670 BELL HILL RD.
HOMER, LA 71040

RETURN

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on June 26, 2007.*

B. Sherefornegg
Deputy Clerk of Court

Attorney
RYAN STINSON
PLAINTIFF, I.P.P.

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

FILED
2007 JUN -5 PM 3:43
DEPUTY CLERK

ON THE 29th DAY OF June, 2007
I SERVED A COPY WITHIN
ORDER PURSUANT TO
"ccp Art 1235.1 Act 46"
ON Angie Williams
SERVICE IS FOR Ryan Stinson
INCARCERATED PERSON AT
Wade Corr Center
Jimmy Brown
DEPUTY SHERIFF
CLAIBORNE PARISH

[ORIGINAL]

144

RULE TO SHOW CAUSE

MOTION FOR A TEMPORARY RESTRAINING ORDER AND A PRELIMINARY INJUNCTION; AFFIDAVIT IN SUPPORT; MEMORANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: THE DEFENDANTS ATTORNEY, GREG MURPHY
6555 PERKINS RD.
SUITE 200
BATON ROUGE, LA 70808

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on June 26, 2007.*

B Salta Armagno
Deputy Clerk of Court

Attorney
RYAN STINSON
PLAINTIFF, I.P.P.

Service Information

Received on the 29 *day of* June, 2007 *and on the* 29 *day of* June, 2007 *served the above named party as follows:*

***Personal Service** on the party herein named* Greg Murphy 6555 Perkins.
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ *this* _____ *day of* _____, *20*____.

Service $_____

Mileage $_____

Total $_____

By: Joan Nipaola
Deputy Sheriff

RECEIVED
JUN 27 2007
E.B.R. SHERIFF'S OFFICE

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUL 10 PM 2:03
DEPUTY CLERK

[ORIGINAL]

K Jill

RULE TO SHOW CAUSE

MOTION FOR A TEMPORARY RESTRAINING ORDER AND A PRELIMINARY INJUNCTION; AFFIDAVIT IN SUPPORT; MEMORANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: WARDEN CORNEL HUBERT
ELAYN HUNT CORR. CENT
P.O. BOX 174
ST. GABRIEL, LA 70776

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on June 26, 2007.*

B Sheila Formaggio
Deputy Clerk of Court

Attorney
RYAN STINSON
PLAINTIFF, I.P.P.

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

RECEIVED
JUN 28 2007
IBERVILLE SHERIFF

Suit: 113598 Cost: 0.00000
HUBERT,WARDEN CORNEL,
ELAYN HUNT CORR
ST. GABRIEL, LA
Person Served: AT WINN CORR. CENTER
Received: 06/28/2007Served: **/**/****
Deputy: KELLEY Type:

RIGINAL]

LDC
TBS
F

July 24, 2007

To: Deputy Clerk of Court
20180 Iowa St. Livingston, LA. 70754

From: Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd. Homer LA. 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUL 27 PM 12:2[illegible]
DEPUTY CLERK

RE: Ryan Stinson -v- Scott M. Perilloux, District Attorney & Charlotte Hebert, Asst. District Attorney, Suit No. 113598 Div. F 21st J.D.C. Livingston Parish

Dear Sir/madam,

Will you please File the enclosed motion For me.

I am also writing Concerning my court Hearing Set For August 27, 2007 At 9:00am For Preliminary Injunction. For some reason The people Here Think that I do not have a court Hearing on That day so can you please provide Warden, Venetta Michael at D.W.C.C. 670 Bell Hill Rd. Homer LA. 71040 with a copy of order and a copy of The notice as The Judge ordered in That motion and Set For August 27, 2007. See Attached Letter.

Thank you so very much and God Bless you, I will Be Looking Foward To hearing From you imediatly.

with The kindess of regardes, I am

Truly Thankful
Ryan Stinson

CC: R.S.
G.M.
Enclosure -

07 JUL 27 PM 1:14
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

B-9

FROM THE DESK OF SALLY GRYDER
DWCC RECORDS OFFICE



DATE: JULY 25, 2007

TO: RYAN STINSON #433686 N4B

RE: COURT HEARING

I called Livingston Parish prior to your transfer for the hearing on July 9th to ask if you were needed in court again on August 27th. I was told that both matters would be addressed at the July 9th hearing.

If you received additional information from the court stating that you still need to be present August 27th, please send a copy to our office.

Unless I receive another order to transport you in August, you will not be going back to court on that date.

SG

1 of 5

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUL 27 PM 12:20
DEPUTY CLERK

Ryan Stinson

-versus-

Scott M. Perrilloux, District Attorney
Charlotte Hebert, Asst. District Attorney

Div. F Suite No. 113598
21st Judicial District Court
Parish of Livingston
State of Louisiana

Filed _____ Clerk of Court

* *

Motion To ReSet Hearing To Show Cause For PlaintiFF Motion To InForce SettLement Agreement

* *

Now comes into This Honorable Court:
PLaintiFF Ryan Stinson Who Request This court To reSet Hearing To show Cause For pLaintiFF Motion To InForce SettLement Agreement, in This Case For The FoLLowing reasons:

* * * * * * * I * * * * * * * *

The pLaintiFF Ryan Stinson Had a Hearing To Show Cause For His Motion To InForce SettLement agreement That Commenced on July 9, 2007 at 9:00am See Attached (exhibit-1-).

The DeFendant's CounseL asked That The Hearing To show cause For The pLaintiFF's Motion To InForce SettLement agreement Be Continued For 30 Due To The possibiLity That a SettLement Would be reached By Then.

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
07 JUL 27 PM 1:14
DEPUTY CLERK

The PLaintiFF agreed To alow The DeFendant's a Continuence For 30 day's in The Motion To inForce settLement agreement.

The Judge Ms. ELizabeth P. WoLFE granted The DeFendant's a Continuence For 30 day's

But no Hearing date Was Set in The pLaintiFF's Motion To inForce settLement agreement

* *

WhereFore, The pLaintiFF prays That based on These Facts, That This Motion To reSet a Hear

2 OF 5

To show cause for plaintiff's motion to inforce settlement Agreement, Be granted

Respectfuly Submitted

July 24, 2007
Date:

Ryan Stinson # 433686
David wade corr. cent.
670 Bell Hill Rd.
Homer LA. 71040

Please serve:
Ryan stinson 433686
David wade corr. cent.
670 Bell Hill Rd.
Homer LA. 70808

Defendant's Attorney, Greg Murphy
6555 perkins Road Suite 200
Baton Rouge, LA. 70808

23 of 5

NOTICE OF RULE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

This is your notice that a rule for MOTION TO INFORCE SETTLEMENT AGREEMENT has been set in the above captioned matter on July 9, 2007 at 9:00 AM before the Honorable ELIZABETH P WOLFE.

Done on April 20, 2007.

Deputy Clerk of Court

GREG MURPHY
DISTRICT ATTORNEYS OFFICE 21ST JDC
P.O. BOX 299
LIVINGSTON, LA 70754

RYAN STINSON, #433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
07 JUL 27 PM 1:14
DEPUTY CLERK

(Exhibit - 1)

4 of 5

Ryan Stinson
-Versus-
Scott M. Perrilloux, District Attorney
Charllote Hebert, Asst. District Attorney

Suite No. 113598 Div. E
21st Judicial District Court
Parish of Livingston
State of Louisiana

Filed _____ Clerk of Court _____

ORDER

After the courts consideration of the Plaintiff Motion to reset Hearing to show cause for the Plaintiff's motion to inforce settlement Agreement, it is Hereby

Ordered that a Hearing to show cause for the plaintiff's motion to inforce settlement agreement Be set in Division _____ of the Livingston Parish Court house, 20180 Iowa st. Livingston LA. 70754, on the _____ day of _____, 2007 at _____ o'clock, to show cause why the plaintiffs motion to Inforce settlement Agreement should be granted.

It is Further ordered, that a copy of this Order be Provided to Warden, Veneta Micheal at David Wade correctional Center 670 Bell Hill Rd. Homer LA. 71040

It is Further ordered, that Warden, Veneta Michael make arrangements to have the person of one Ryan Stinson #433686 present in open Court on the above date and Time, and in the above court room.

It is Further ordered, that a copy of this order, and all other papers attached to this order, shall be served on Ryan Stinson 433686 at David Wade Corr. Cent. 670 Bell Hill Rd. Homer LA. 71040.

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
07 JUL 27 PM 1:44
DEPUTY CLERK

5 OF 5

It is Further ordered, That This order, and all other papers Attached to this order, shall be served on the defendant's counsel, Mr. Greg Murphy at 6555 Perkins Rd. - Suite - 200, Baton Rouge LA. 70808, To be present in open court on the above date and time, and in the above court room to show cause why the Plaintiff's motion to Inforce settlement agreement, should not be Granted.

Signed, on this 6th day of August 2007, in Amite, LA parish, State of Louisiana

District Judge

Please Serve:
Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

Warden, Venetta Michael
D.W.C.C. 670 Bell Hill Rd.
Homer LA. 71040

Defendants Counsel, Greg Murphy
6555 Perkins Rd. Suite 200
Baton Rouge LA. 70808

Certificate OF Service

This is to Certify that a copy of the above and Foregoing has been Mailed to Defendant's counsel, Greg Murphy, 6555 Perkins Road Suite 200 Baton Rouge LA. 70808 postage prepaid, This 25 day of JULY, 2007.

Ryan Stinson 433686

NOTICE OF RULE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON #433686
D.W.C.C.
670 BELL HILL RD.
HOMER, LA 71040

This is your notice that a rule for ENFORCE SETTLEMENT AGREEMENT has been set in the above captioned matter on August 27, 2007 at 9:00 AM before the Honorable ELIZABETH P WOLFE.

Done on August 7, 2007.

Deputy Clerk of Court

GREG MURPHY
6555 PERKINS RD.
SUITE 200
BATON ROUGE, LA 70808

RULE TO SHOW CAUSE

MOTION TO RESET HEARING OT SHOW CAUSE FOR PLAINTIFF MOTION TO INFORCE SETTLEMENT AGREEMENT; EXHIBIT; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

*To:*RYAN STINSON - #433686
D.W.C.C.
670 BELL HILL RD.
HOMER, LA 71040

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

***HEREIN FAIL NOT, UNDER PENALTY OF THE LAW.** Witness the Honorable Judges of our said Court on August 7, 2007.*

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE

MOTION TO RESET HEARING OT SHOW CAUSE FOR PLAINTIFF MOTION TO INFORCE SETTLEMENT AGREEMENT; EXHIBIT; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: WARDEN VENETIA MICHAEL
D.W.C.C.
670 BELL HILL RD.
HOMER, LA 71040

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

***HEREIN FAIL NOT, UNDER PENALTY OF THE LAW.** Witness the Honorable Judges of our said Court on August 7, 2007.*

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE
MOTION TO RESET HEARING OT SHOW CAUSE FOR PLAINTIFF MOTION TO INFORCE SETTLEMENT AGREEMENT; EXHIBIT; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY, DEFENDANTS COUNSEL
6555 PERKINS RD.
SUITE 200
BATON ROUGE, LA 70808

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

on ***August 27, 2007****, at the hour of* ***9:00 AM*** *at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on August 7, 2007.*

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE

MOTION TO RESET HEARING OT SHOW CAUSE FOR PLAINTIFF MOTION TO INFORCE SETTLEMENT AGREEMENT; EXHIBIT; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON - #433686
D.W.C.C.
670 BELL HILL RD.
HOMER, LA 71040

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on August 7, 2007.*

B Saetz Jerman
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 AUG 15 PM 3:04
DEPUTY CLERK

ON THE 10th DAY OF Aug, 2007
I SERVED A COPY WITHIN
Rule PURSUANT TO
"ccp Art 1235.1 Act 46"
ON Betty Harris
SERVICE IS FOR Ryan Stinson
INCARCERATED PERSON AT
Wade Corr Center
Jimmy Brown
DEPUTY SHERIFF
CLAIBORNE PARISH

[ORIGINAL]

RULE TO SHOW CAUSE

MOTION TO RESET HEARING OT SHOW CAUSE FOR PLAINTIFF MOTION TO INFORCE SETTLEMENT AGREEMENT; EXHIBIT; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: WARDEN VENETIA MICHAEL
D.W.C.C.
670 BELL HILL RD.
HOMER, LA 71040

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on August 7, 2007.*

B. Sutton Fornes Jr.
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 AUG 15 PM 3:03
DEPUTY CLERK

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

CLAIBORNE PARISH
PERSONAL DOMICILIARY
TO Betty HARRIS
DATE 8-10-07
BY Jimmy Brown
DEPUTY SHERIFF

[ORIGINAL]

DC 7BS (F)

1 of 6

Ryan Stinson
-Versus-
Scott M. Perrilloux, District Attorney
Charlotte Hebert, Asst. District Attorney

FILED
PARISH OF LIVINGSTON
2007 AUG 16 PM 1:53
CLERK OF COURT
DEPUTY CLERK

* Div "F" suit # 113598
* 21st Judicial District
* Parish of Livingston
* State of Louisiana
*

Filed _____ * Clerk of Court

* * * * * * * * * * * * * * * * *

Motion to Intervene As Therd Person

* * * * * * * * * * * * * * * * *

Now into This Honorable Court:

Comes Jacobi Johnson #130062, Pursuant To L.A. cc. P. Art 1091, Request This court To Allow Him as a Therd person To intervene Joining The plaintiFF Ryan Stinson in The pending action For The Following reasons:

* * * * * Facts * * * * * * *

1.) I Jacobi Johnson Have a strong personal intrest in The pending Action

2.) I Jacobi Johnson Was given a contract With The Said deFendants' in The pending action. Were the defendants Promised me That upon The plaintiFF (Ryan stinson) Testimony against James Pop Skinner That The plaintiFF Ryan Stinson and myselF Would Be TransFered To Dixion Correctional institute (D.C.I.) For our saFtey.

3.) I Jacobi Johnson Have a very close and personal relationship With The PlaintiFF Ryan Stinson.

4.) And Due To our close and personal relationship my Life and Well Being is Threatened By James Pop Skinner.

5.) I Jacobi Johnson along With The PlaintiFF Ryan Stinson made repeated attempts To receive Protection From James Pop Skinner Through The deFendant's by repeated phone call's and Letters.

6.) I Jacobi Johnson along with the Plaintiff Ryan Stinson, was told By the defendant (Scott M. Perrilloux and Charllote Hebert) That They Would indeed Transfer me and the plaintiff Ryan Stinson To Dixion Correctional institute no latter Then December of 2005, were we would be safe and out of harms way From James Pop Skinner.

7.) on December 19, 2005 I was Transfered To Dixion Correctional institute and the Plaintiff Ryan Stinson Was Transfered To David Wade corr. Cent. Were The Plaintiff life remained in danger.

8.) The plaintiff Then Filed suit against The defendant's For Breach of contract Because The defendant's did not Transfer The Plaintiff Ryan Stinson To Dixion Correctional institute as agreed upon For His Testimony.

9.) After a Long dicussed settlement was agreed upon The plaintiff Ryan Stinson was Transfered To Dixion Correctional institute on August 6, 2007.

10.) on August 6, 2007 I Jacobi Johnson Was Transfered From Dixion Correctional institute Too David Wade Correctional Center. The same institution Were the Plaintiff Ryan Stinson Life remained in danger Because of His Testimony. In doing This The defendant's Breached my Contract.

11.) The defendants knew of the saftey Concerns that Were Facing the Plaintiff Ryan Stinson at David Wade Correctional Center as well as They knew That The same Concerns For my saftey at David Wade correctional Center Were at risk as well.

* * * * * * Arguments * * * * * *

1.) IF The Pending Litigation is Settled

are if The pending Litigation is dismissed I will suffer a continued Threat To my Saftey and physical and mental well Being.

a.) IF I am To remain at David wade Corr. Cent. My Life will remain at a great risk From retaliation From James "Pop" skinner For The relationship I have with The Plaintiff Ryan Stinson.

3.) The defendants have Breached my contract By me being transfered To David wade correctional center when it was agreed That I would Be Transfered To Dixion correctional institute For The remainder of my sentence so as my Life, Physical and mental well being would not be at such a grave risk From retaliation By James Pop skinner.

* * * * * <u>Conclusion</u> * * * * * * * *

Wherefor, For The Foregoing reasons set Forth in This motion, The Facts and arguments The court should Grant Jacobi Johnson motion and allow Him To intervene as a Third Person.

Respectfuly Submited,

August 13, 2007
Date

Jacobi Johnson
Jacobi Johnson #130062
D.W.C.C. 670 Bell Hill Rd
Homer LA, 71040

4 of 6 Ryan Stinson * Div "F" Suit # 113598
- Versus * 21st Judicial District
Scott M. Perrault, District Attorney * Parish of Livingston
Charllate Hebert, Asst. District Attorney * State of Louisiana

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 AUG 16 PM
DEPUTY CLERK

Filed _____ Clerk of Court

ORDER

After the courts consideration of Jacobi Johnson Motion to intervene as Third Person it is Hereby:

Ordered that a Hearing to show cause for Jacobi Johnson Motion to intervene as Third Person, Be set in Division _____ of the Livingston Parish Court House, 20180 Iowa St. Livingston LA. 70754, on the _____ day of _____, 2007, at _____ o'clock to show cause why Jacobi Johnson motion to intervene as Third person should Be granted.

It is Further ordered, That a copy of This order be provided to Warden, Veneta Micheal at David Wade corr. cent. 670 Bell Hill Rd. Homer LA. 71040.

It is Further ordered, That a copy of This order be provided to Warden, [redacted] James M. Leblanc at Dixon Correctional institute P.O. Box 788 Jackson LA. 70748.

It is Further ordered, That Warden, Veneta Micheal make arrangements to have the person of one Jacobi Johnson #130062 present in open court on the above date and Time, and in the above court room.

It is Further ordered, That Warden, James M. Leblanc make arrangements to have the

5 of 6

person of one Ryan Stinson #433686 present in open court on the above date and time, and in the above court room.

It is further ordered, that a copy of this order, and all papers attached to this order shall be served on Ryan Stinson #433686 at Dixion Correctional institute P.O. Box 788 Jackson LA. 70248, To show cause why Jacobi Johnson motion to intervene as third person should B. granted.

It is further ordered, that a copy of this order, and all other papers attached to this order, shall be served on defendant's counsel, Greg Murphy at 6555 Perkins Rd. Suite 200, Baton Rouge LA. 70808. To be present in open court on the above date and time and in the above court room to show cause why Jacobi Johnson Motion to intervene as third person should not be granted.

Signed on this 23rd day of August, 2007, in Livingston parish, State of Louisiana.

The matter between Mr. Stinson and the D.A's office has been settled and compromised.

District Judge.

6 of 6

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to Defendants counsel, Greg Murphy at 6555 Perkins Rd suite 200 Baton Rouge LA, 70808, Postage Prepaid, This 13 day of August, 2007.

Jacob Johnson

Jacob Johnson #130062

* * * * * * * * * * *

Certificate of Service

This is to certify, that a copy of the above and foregoing has been mailed to the Plaintiff, Ryan Stinson #433686, at Dixion Correctional institute, Unit 2 c/o/b 04, P.O. Box 788 Jackson LA. 70748. Postage Prepaid this 13 day of August, 2007.

Jacob Johnson

Jacob Johnson #130062

Stinson #433686
C/B/B D#4
n Correctional Institute
Box 788
n La 70748

BATON ROUGE
LA 708 2 L
15 AUG 2007 PM

Attention
Legal Mail!!

Livingston Parish Court House
20180 Iowa St. 850?
Livingston La, 70754

70754+0850

August 14, 2007

147

RULE TO SHOW CAUSE

MOTION TO RESET HEARING OT SHOW CAUSE FOR PLAINTIFF MOTION TO INFORCE SETTLEMENT AGREEMENT; EXHIBIT; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY, DEFENDANTS COUNSEL
6555 PERKINS RD.
SUITE 200
BATON ROUGE, LA 70808

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

***HEREIN FAIL NOT, UNDER PENALTY OF THE LAW.** Witness the Honorable Judges of our said Court on August 7, 2007.*

Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.

Service Information

Received on the 17 *day of* aug, 2007 *and on the* 20 *day of* aug, 2007 *served the above named party as follows:*

***Personal Service** on the party herein named* Greg Murphy 6555 Perkins

***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish, in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

2007 AUG 29 SHERIFF'S OFFICE LIVINGSTON PARISH

Returned:
Parish of _____ *this* _____ *day of* _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: Joan Arpaia
Deputy Sheriff

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 AUG 23 PM 1:38
DEPUTY CLERK

[ORIGINAL]

DC File

RYAN STINSON — 21ST JUDICIAL DISTRICT COURT

VERSUS — PARISH OF LIVINGSTON

Scott M. Perrilloux, District Atty. Eta — STATE OF LOUISIANA

DOCKET # 113598 — DY. CLERK: _____

DOC # 433686

W/M DOB: _____ FILED: _____

MOTION AND ORDER

ON MOTION OF SCOTT M. PERRILLOUX, DISTRICT ATTORNEY, 21st Judicial District Court, Parish of Livingston, and on suggesting to the Court that a hearing has been set in this matter for the 11th day of September, 2007 and that Ryan Stinson is presently incarcerated at Dixon Correctional Inst., and it is necessary that he be transported to the Livingston Parish Courthouse for said hearing to be held on the 11th day of Sept, 2007.

IT IS ORDERED that the Department of Corrections pick up Ryan Stinson on or about the 11th day of September 2007, and have him present at the Livingston Parish Courthouse for hearing on the 11th day of September, 2007 at 9:00 AM and after said hearing to be returned to Dixon Correctional Inst. unless otherwise ordered by the Court.

FURTHER, IT IS ORDERED that the defendant be released to the Department of Corrections.

Livingston, Louisiana this 10 day of Sept 2007.

JUDGE, 21ST JUDICIAL DISTRICT COURT

FILED
07 SEP 10 AM 9:40
CLERK OF COURT
PARISH OF LIVINGSTON
BY DEPUTY CLERK

Assistant District Attorney
21st Judicial District Court
Livingston, Louisiana

Please serve:

Livingston Parish Jail

Johnny Creed
Assistant Secretary for Adult Services
Department of Corrections
Baton Rouge, Louisiana

RTBS (F)

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

I S C/C

MOTION TO ENFORCE SETTLEMENT AGREEMENT

NOW INTO COURT, through undersigned counsel, come defendants, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who, pursuant to a Settlement Agreement in the above-captioned matter, respectfully requests that this Honorable Court dismiss these proceedings, with prejudice, and/or enforce their Settlement Agreement with plaintiff, for the following reasons:

1.

This matter involves plaintiff's claim against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, relating to an alleged breach of contract between plaintiff and defendants.

2.

Plaintiff filed suit entitled, "Original Complaint and Civil Action Tort and Breach of Contract," on or about October 6, 2006.

3.

Plaintiff subsequently amended and supplemented his Original Complaint and Civil Action Tort and Breach of Contract against plaintiffs.

4.

During the pendency of the litigation, counsel for defendants corresponded with plaintiff regarding discovery matters as well as potential settlement of his claim.

5.

On or about February 5, 2007, plaintiff wrote a letter to counsel for defendants with the following settlement offer:

> "I would like to make an offer. If your client would be willing to give me a transfer I will drop my suit. Please get back to me on this matter at hand as soon as possible." (Exhibit "A").

FILED
PARISH OF LIVINGSTON
CLERK OF COURT
2007 SEP 25 AM 10:26
DEPUTY CLERK

6.

Counsel for defendants sent correspondence to plaintiff on March 1, 2007, indicating that he had communicated plaintiff's settlement offer to defendants and they agreed to having the plaintiff transferred to Dixon Correctional Institute as per his request, thus settling this matter. Counsel also included the following language in the correspondence:

> "Please notify as to whether or not you wish to be transferred as per your offer of February 5, 2007. (Exhibit "B").

7.

On or about March 6, 2007, plaintiff corresponded with counsel for defendants wherein he accepted the transfer to Dixon Correctional Institute immediately and would agree to settle for a transfer to Dixon Correctional Institute. (Exhibit "C").

8.

On March 21, 2007, plaintiff corresponded with counsel for defendants regarding the status of the settlement between the parties. In the correspondence plaintiff requested counsel for defendants to send the appropriate forms for him to sign in order to finalize the settlement along with a Joint Motion to Dismiss. (Exhibit "D").

9.

On or about April 2, 2007, plaintiff filed a Motion to Enforce Settlement Agreement. In his motion, plaintiff refers to a letter dated February 5, 2007, in which he made his initial offer to defendants agreeing to drop his suit if he was transferred. Plaintiff also referenced his correspondence to counsel dated March 21, 2007, where defendants agreed to plaintiff's settlement offer. Furthermore, in plaintiff's Motion to Enforce Settlement he referenced his March 6, 2007, letter stating that he wished to be transferred and confirmed the agreement to settle his case for a transfer to Dixon Correctional Institute. (Exhibit "E").

10.

Plaintiff's Motion to Enforce Settlement Agreement was set for hearing before this Honorable Court on or about July 9, 2007. At the hearing, counsel for defendants held a conference with plaintiff in which they agreed to have plaintiff transferred to Dixon Correctional Institute as per his request. Based on the conference, plaintiff agreed to settle this matter and dismiss his lawsuit once he was transferred to Dixon Correctional Institute. After the conference was held, plaintiff and counsel for defendants recited the terms of the settlement on the record before the Court.

11.

Subsequent to the July 9, 2007, hearing, plaintiff filed a second Motion to Enforce Settlement Agreement. At this hearing, plaintiff was being housed at Hunt Correctional Center which is an intake center for all Louisiana Department of Correction inmates. Plaintiff was in the process of being transferred from David Wade Correctional Center to Dixon Correctional Institute as per the Settlement Agreement.

12.

Plaintiff has been subsequently transferred to Dixon Correction Correctional Institute as per the agreement between the parties.

13.

On or about August 29, 2007, counsel for defendants sent correspondence to plaintiff requesting that he execute the Settlement Agreement and Complete Release in order that this matter may be dismissed. (Exhibit "F").

14.

After receipt of the August 29, 2007, correspondence, plaintiff sent correspondence to counsel for defendants requesting that a meeting be held in order to discuss the Settlement Agreement.

15.

On September 11, 2007, a meeting was held at the Livingston Parish Courthouse between plaintiff and counsel for defendants. At this meeting, plaintiff refused to sign the Settlement Agreement. The meeting was adjourned and counsel for defendants informed plaintiff that he would file a Motion to Enforce Settlement Agreement since plaintiff had been transferred to Dixon Correctional Institute as per his request and as per the Settlement Agreement.

WHEREFORE, defendants respectfully request that this Honorable Court dismiss these proceedings with prejudice and enforce the Settlement Agreement with plaintiff.

Respectfully Submitted

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

ORDER

IT IS HEREBY ORDERED that the above entitled and numbered cause be and the same is hereby **DISMISSED** against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, with prejudice, with each party to bear its own costs.

THUS DONE AND SIGNED this 2nd day of October, 2007, in Livingston, Louisiana.

JUDGE, 21st JUDICIAL DISTRICT COURT

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 SEP 25 AM 10: 27
DEPUTY CLERK

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 SEP 25 AM 10: 27
DEPUTY CLERK

MEMORANDUM IN SUPPORT OF MOTION TO ENFORCE SETTLEMENT AGREEMENT

I. INTRODUCTION:

This matter involves plaintiff's claims against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, relating to an alleged oral agreement to have plaintiff transferred to Dixon Correctional Institute.

Plaintiff filed suit entitled, "Original Complaint and Civil Action Tort and Breach of Contract," on or about October 6, 2006. Plaintiff subsequently amended and supplemented his Original Complaint and Civil Action Tort and Breach of Contract against plaintiffs.

During the pendency of the litigation, counsel for defendants corresponded with plaintiff regarding discovery matters as well as the potential settlement of this claim. On or about February 5, 2007, plaintiff wrote a letter to counsel for defendants with a settlement offer.

Counsel for defendants sent correspondence to plaintiff on March 1, 2007, indicating that he had communicated plaintiff's settlement offer to the defendants and they agreed to having the plaintiff transferred to Dixon Correctional Institute as per his request, thus settling this matter.

On or about March 6, 2007, plaintiff corresponded with counsel for defendants wherein he accepted the transfer to Dixon Correctional Institute immediately and would agree to settle for a transfer to Dixon Correctional Institute.

On March 21, 2007, plaintiff corresponded with counsel for defendants regarding the status of the settlement between the parties. In the correspondence plaintiff requested counsel for defendants to send the appropriate forms for him to sign in order to finalize the settlement along with a Joint Motion to Dismiss.

On or about April 2, 2007, plaintiff filed a Motion to Enforce Settlement Agreement. In his Motion, plaintiff refers to a letter dated February 5, 2007, which he made his initial offer to defendants agreeing to drop his suit if he was transferred. Plaintiff also referenced his correspondence to counsel for defendants dated March 21, 2007, where defendants agreed to

plaintiff's settlement offer. Furthermore, in plaintiff's Motion to Enforce Settlement he referenced his March 6, 2007, letter stating that he wished to be transferred and confirmed the agreement to settle this case for a transfer to Dixon Correctional Institute.

Plaintiff's Motion to Enforce Settlement Agreement was set for hearing before this Honorable Court on or about July 9, 2007. At the hearing, counsel for defendants held a conference with plaintiff in which they agreed to have plaintiff transferred to Dixon Correctional Institute as per his request. Based on the conference, plaintiff agreed to settle this matter and dismiss his lawsuit once he was transferred to Dixon Correctional Institute. After the conference was held, plaintiff and counsel for defendants met with Your Honor and placed the Settlement Agreement on the record before the Court.

Subsequent to the July 9, 2007, hearing, plaintiff filed a second Motion to Enforce Settlement Agreement. At this hearing, plaintiff was being housed at Hunt Correctional Center which is an intake center for all Louisiana Department of Correction inmates. Plaintiff was in the process of being transferred from David Wade Correctional Center to Dixon Correctional Institute as per the Settlement Agreement. Plaintiff has been subsequently transferred to Dixon Correction Correctional Institute as per the agreement between the parties.

On or about August 29, 2007, counsel for defendants sent correspondence to plaintiff requesting that he execute the Settlement Agreement and Complete Release in order that this matter may be dismissed. Plaintiff then sent correspondence to counsel for defendants requesting that a meeting be held in order to discuss the Settlement Agreement.

On September 11, 2007, a meeting was held at the Livingston Parish Courthouse between plaintiff and counsel for defendants. At this meeting, plaintiff refused to sign the Settlement Agreement. The meeting was adjourned and counsel for defendants informed plaintiff that he would file a Motion to Enforce Settlement Agreement since plaintiff had been transferred to Dixon Correctional Institute as per his request and as per the Settlement Agreement.

II. LAW AND ARGUMENT:

A compromise is an agreement to adjust the differences of two or more persons by mutual consent for the purpose of preventing or ending a lawsuit. *Smith v. Leger*, 439 So.2d 1203, 105 (La. App. 1st Cir. 1983). LSA-C.C.P. Art. 3071, defines a compromise and sets forth the requirements regarding compromises as follows:

> A transaction or compromise is an agreement between two or more persons, who, for preventing or putting an end to a lawsuit, adjusts their differences by mutual consent, in the matter in which they agree on, and which every one of them prefers to the hope of gaining, balanced by the danger of losing.

This contract must either be reduced to writing or recited in open court and capable of being transcribed into the record of the proceedings. The agreement recited in open court confers upon each of them the write of judicially enforcing its performance, although its substance may thereafter be written in a more convenient form.

In this case, the agreement between the parties was recited in open court and was transcribed into the record of these proceedings. The agreement was recited in court and conferred upon each party the right of judicially enforcing his performance. Although a written receipt and release was not presented to the court at the July 9, 2007, hearing, both parties did agree to adjust their differences by mutual consent and dismiss the lawsuit.

Subsequent to the July 9, 2007, hearing, the terms of the agreement were met by defendants wherein plaintiff was transferred to Dixon Correctional Institute. Based upon plaintiff being transferred to Dixon Correctional Institute, counsel for defendants reduced the Settlement Agreement to writing and forwarded these documents to plaintiff for signature. However, at a meeting held at the Livingston Parish Courthouse on September 11, 2007, plaintiff refused to sign this document.

Based upon the agreement between the parties which was placed on the record before Your Honor on July 9, 2007, this matter was settled and a compromise was reached as per LSA-C.C.P. Art. 3071.

Respectfully Submitted

Greg Murphy

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, DOC #: #433686, Dixon Correctional Institute, P. O. Box 788, Jackson, Louisiana 70748, postage prepaid, this 25th day of September, 2007.

Greg Murphy

GREG MURPHY

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

RULE TO SHOW CAUSE

IT IS HEREBY ORDERED that defendants' Motion to Enforce Settlement be set for hearing on the 12 day of December @ 1:00pm., 2007, in Livingston, Louisiana.

Thus done and signed this 18th day of Oct., 2007, Livingston, Louisiana.

JUDGE, 21st JUDICIAL DISTRICT COURT

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 SEP 25 AM 10:27
DEPUTY CLERK

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

MOTION AND ORDER TO DISMISS

NOW INTO COURT, through undersigned counsel, comes plaintiff, Ryan Stinson, who shows that his claim in the above-captioned matter against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, has been fully settled and compromised and that petitioner wishes to dismiss his suit against defendants, with prejudice, with each party to bear its own costs.

Respectfully Submitted

RYAN STINSON, PETITIONER
D.O.C. #: #433686
Dixon Correctional Institute
P. O. Box 788
Jackson, Louisiana 70748

AND

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

ORDER

IT IS HEREBY ORDERED that the above entitled and numbered cause be and the same is hereby **DISMISSED** against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, with prejudice, with each party to bear its own costs.

THUS DONE AND SIGNED this _____ day of _____, 2007, in Livingston, Louisiana.

JUDGE, 21st JUDICIAL DISTRICT COURT

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

SETTLEMENT AGREEMENT AND COMPLETE RELEASE

BEFORE ME, the undersigned Notary Public, personally came and appeared:

RYAN STINSON, #433686
D.W.C.C. 670 BELL HILL ROAD
HOMER, LOUISIANA 71040

who, after being duly sworn, did declare and acknowledge that he did, on this date, receive a transfer from D.W.C.C. to Dixon Correctional Institute as referenced in his February 5, 2007, letter to defendants and in so accepting the transfer does so in full settlement, satisfaction and compromise of any and all claims and alleged causes of actions of every nature whatsoever, which he has, or may have against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's Office arising out of or connected to his claim for civil action tort and breach of contract as fully stated in his original petition as well as any claims in his supplemental to original complaint of, civil action tort and breach of contract in the suit entitled: "*Ryan Stinson vs. District Attorney, 21st JDC, Suit No. 113,598 - Div. "F", 21st Judicial District Court, Parish of Livingston, State of Louisiana*", and any supplemental complaints, which plaintiff agrees to dismiss immediately, with prejudice.

RELEASE

Plaintiff declares that for consideration of the transfer to Dixon Correctional Center he does hereby release, acquit and forever discharge Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's Office, and any insurers, employees, agents, representatives, directors, officers, heirs, successors, predecessors, assigns, affiliated and/or subsidiary and/or apparent companies, of any and from any and all past, present, and future claims, demands, causes of action and rights of action whatsoever, known and unknown, anticipated and

unanticipated, which Plaintiff may or might have against the Released Parties as a result of the alleged breach of contract and alleged damages suffered by petitioner referenced in his supplemental petition of February 19, 2007. More specifically, Plaintiff releases, without limitation whatsoever, any and all claims, rights of action and causes of action against the Released Parties for past, present and future bodily and personal injury, physical and mental pain and suffering, disability, disfigurement, lost wages, penalties, attorneys' fees, medical expenses and any and all damages of whatsoever kind or character which may have been sustained and might be sustained by Plaintiff in any way resulting from or arising out of the alleged breach of contract and/or alleged bodily injury suffered by Plaintiff referenced in the supplemental petition of February 19, 2007, this Release being full, final and complete.

COVENANT NOT TO SUE

Plaintiff agrees that he shall not commence any civil action against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's Office in the future based on acts, transactions, occurrences known or unknown to him on the date of execution of this Release, which arises out of or is in any way related to the alleged breach of contract referenced in Plaintiff's original petition and bodily injury damages in his supplemental petition filed on February 19, 2007.

NO ADMISSION OF LIABILITY

Plaintiff further declares that this Release is in settlement and comprise of a disputed claim, and that this Release is not to be construed as an admission of liability on the part of the Released Parties and it is specifically understood that all liability is denied, that this settlement is being entered into solely for the purpose of resolving any and all claims that Plaintiff has or may have against the Released Parties and precluding any future litigation against the Released Parties for claims arising out of this lawsuit.

FURTHER ASSURANCES

Plaintiff declares that he is the sole possessor of the claims or causes of action being released herein, and that he has not assigned or otherwise transferred said claims or causes of actions to any other person or entity. Plaintiff also agrees that he will not, nor any time hereafter, commence, maintain or prosecute any action, at law or otherwise, or assert any claims against the Released

Parties herein for damages, losses, benefits or for other equitable relief related to this litigation.

CAREFUL REVIEW OF RELEASE AND UNDERSTANDING THEREOF

Plaintiff represents that he has carefully read this Release and understands its terms and conditions without reservation. Plaintiff acknowledges that he has had ample opportunity to consult with legal counsel regarding the meaning and affects of this Release. Plaintiff further understands that this is a Full, Complete and Final Release and that he is forever relinquishing and releasing any and all claims he has or may have against the Released Parties which arise out of the alleged breach of contract or injuries suffered as referenced in his supplemental and amending petition. Plaintiff also acknowledges that he understands the terms and provisions of this Release and that this Release contains the entire agreement between the parties and supercedes any and all prior agreements, arrangements, or understandings between the parties related to the subject matter. Plaintiff further represents and acknowledges that he has taken into account not only the known and anticipated claims and defenses, but also unknown and unanticipated claims and defenses which he hereby recognizes and agrees are covered by this Release. Plaintiff further declares that this Release and Discharge is given voluntarily and after mature consideration, and without any threat, duress, intimidation or other unlawful means exercised toward him or any other person or persons whomsoever.

Thus done and signed before the undersigned competent witnesses and me, Notary Public, after a due and complete reading of the whole in _____, Louisiana, on this _____ day of _____, 2007.

WITNESSES:

_____

_____

RYAN STINSON, #433686
D.W.C.C.

_____

NOTARY PUBLIC

LA Code of Evid. Part #408 (A)

Febuary 5, 2007

To: Mr. Greg Murphy, Attorney At Law
6555 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808

From: Ryan Stinson, I.D.P. #433686
D.W.C.C. 670 Bell Hill Rd.
Homer, Louisiana 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 SEP 25 AM 10:27
DEPUTY CLERK

RE: Case No# 000000113598

Dear Mr. Murphy,

I am Writing This missive, To make a settlement offer.

I Would Like To make an offer if your client Would be willing To give me a Transfer I will drop my suit.

Please get back To me on This matter at hand as soon as posiable.

Thank you and God Bless you For your Time and consideration With This matter.

With The kindess of Regardes, I am

EXHIBIT "A"

Truly Yours
Ryan Stinson
Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA. 71040

TWENTY-FIRST JUDICIAL DISTRICT

Scott M. Perrilloux
District Attorney
21st Judicial District

Livingston, St. Helena and Tangipahoa Parishes

P. O. Drawer 299
Livingston, LA 70754
(225) 686-3070
Fax: (225) 686-1651

March 1, 2007

Mr. Ryan Stinson
I.P.P.
#433686
David Wade Correctional Center
670 Bell Hill Road
Homer, Louisiana 71040

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Stinson:

Enclosed find copies of responses to your discovery request in this matter. In accordance with Louisiana Code of Evidence Article 408(A) I have communicated your settlement offer to the defendants and they would agree to having you transferred to Dixon Correctional Institute.

Please notify me as to whether or not you wish to be transferred as per your offer.

With kindest regards, I remain

Sincerely,

Greg Murphy
Assistant District Attorney

GM/sjl
Enclosures

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 SEP 25 AM 10: 27
DEPUTY CLERK

EXHIBIT
tabbies
"B"

March 6, 2007

To: Mr. Greg Murphy - Attorney
6555 Perkins Road, Suite 200
Baton Rouge, LA 70808

From: Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040

FILED COURT OF LIVINGSTON
2007 SEP 25 AM 10:12
CLERK OF COURT
DEPUTY CLERK

Re: Ryan Stinson -vs- Scott M. Perrilloux + Charlotte Hebert
Suit No.# 113,598 - Div. "F" - 21st J.D.C. - Parish of Livingston

Dear Mr. Murphy,

I am in receipt of your March 1, 2007, correspondence, which I received on the date of March 6, 2007. Which at this time I would like to give an answer to.

You stated in accordance to [redacted] Louisiana Code of Evidence Article 408(A) you have communicated my Settlement offer to the Defendants and they would agree to having me Transferred to Dixon correctional institute.

You also stated That if I wish to be transferred as per my offer notify you.

"I do wish to be Transferred to Dixon correctional institute imediatley."

I agree to Settle for a Transfer to Dixon correctional institute.

Thank you for your time and concern and God bless you For your kindness and consideration with this matter. I will be looking Foward to bringing some closer to this matter as soon as posiable.

With The kindess of Regards, I am

Truly Thankful

Ryan Stinson #433686

EXHIBIT
tabbies
"C"

March 21, 2007

To: Mr. Greg Murphy
6555 Perkins Rd Suite 200
Baton Rouge LA 70808

From: Ryan Stinson # 433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 SEP 25 AM 10:27
DEPUTY CLERK

RE: Ryan Stinson -V- Scott M. Perrilloux + Charlotte Hebert
Suite No# 113598 Div "F" 21st JDC - Parish of Livingston

Dear Mr. Murphy

I am writing this letter concerning my last letter dated to you March 6, 2007 concerning my settlement offer.

I would like to know if your client's the Defendant's are still agreeing to settle and if so are you going to send the appropriate forms for me to sign in accordance with Louisiana code of Evidence Article 408(A) to finilize the settlement with a copy for my records and a joint motion to dismiss, are did you have some other plain in lights to settle this matter.

I am hoping and praying we can bring some closer to this matter soon.

Thank you so very much for your time and concern and God bless you for your kindness, I am in hopes to hear from you soon pertaining this matter.

With the kindess of Regardes, I am

Truly Thankful

Ryan Stinson

EXHIBIT "D"

cc: RS.
- Enclosures -

RULE TO SHOW CAUSE
MOTION TO INFORCE SETTLEMENT AGREEMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: DEFENDANT'S ATTORNEY
GREG MURPHY
6555 PERKINS ROAD, SUITE 200
BATON ROUGE, LA 70808

PAUPER SUIT

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **July 9, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on April 20, 2007.*

C Ardoin
Deputy Clerk of Court

Attorney
RYAN STINSON, 433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

EXHIBIT
"E"

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 SEP 25 AM 10:27
DEPUTY CLERK

[SERVICE]

DC TBS (F)

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

Ryan Stinson — Suit No: 113598 - Div. "F"

Versus — 21st Judical District Court

Charlotte Hebert, Ass. District Attorney — Parish of Livingston

Scott M. Perrilloux, District Attorney — State of Louisiana

Filed: _____ Clerk of Court:

* * * * * * * * * * * * * * * * * * * *

Motion To Inforce Settlement Agreement

* * * * * * * * * * * * * * * * * * * *

Now Comes into This Honorable Court:

Plaintiff Ryan Stinson, who Request This Court to inforce Settlement agreement, (To Transfer The Plaintiff To Dixon correctional institute), in This case For The Following reasons:

* * * * * * * I * * * * * * * * *

The Plaintiff Ryan Stinson Proposed a Settlement offer, in a Letter To The Defendants counsel on February 5, 2007: See Attached (Exibit 1).

The Defendants counsel responded to the plaintiff's offer, in a Letter Dated March 1, 2007, and agreed to The Plaintiff's Settlement offer, and told The Plaintiff To notify Him if He the Plaintiff wish to be Transferred: See Attached (Exibit 2).

The Plaintiff responded to the Defendant's letter of agreement on March 6, 2007, Stating He did wish to Be Transferred, and Confirmed The agreement to settle This case For a Transfer to Dixon Correctional institute: See Attached (Exibit 3).

The Defendants counsel Never responded to the plaintiff letter Confirming The Settlement agreement Dated March 6, 2007.

The plaintiff Then wrote The Defendant's counsel another Letter on March 21, 2007, about The Settlement They Had agreed upon. But The Defendant's counsel never

Responded: See Attached (Exhibit 4)

* * * * * * II * * * * * * * * *

The Defendant's agreement to the Plaintiff settlement offer on March 1, 2007, Through these Correspondance Became a Binding Contract to the Terms set forth in the offer of the Plaintiff Letter Dated February 5, 2007. The Law of contracts Holds That once the offer is made By one Party and agreed by the other Party, it then Becomes a Binding contract: See Anderson v. Preston 7 F.2d 70 (C.C.A. 9th Cir. 1925); Azevedo v. Davidson, 49 Cal. App. 443, 193 P. 594 (1st Dist. 1920); Universal Products Co. v. Emerson, 36 Del. 593, 179 A. 387, 100 A.L.R. 956 (1935) (at Some Point in the Correspondence there was a definite proposal By one Party which was accepted By the other When this appeals the Contract Becomes Binding).

* * * * * III * * * * * * * *

In Freeman v. Mayer, 95 F.3d 569 (7th Cir. 1996) in Freeman, supra, the court Held That a contract can arise by correspondence.

* * * * * IV * * * * * * * *

In youngstown steel Erecting Co. v. MacDonald Engineering Co., 154 F.Supp. 337 (N.D. Ohio 1957); Mccleskey & Whitman Vs. Howell Cotton Co., 147 Ala. 573, 42 So. 67 (1906); Tuso v. Green 184 Cal. 574, 229 P. 327 (1924), The Courts Held That as Soon as an offer is Thus made and accepted, there is a binding contract.

* * * * * * V * * * * * * * * *

In Real Estate Value Co. v. US Bit, Inc., 979 F.Supp 731 (N.D. Ill. 1997); Miami Jockey Club v. Lillias piper Inc., 115 FLA. 612, 155 So. 806 (1934). The courts Held that offer and acceptance resulting in a binding contract may be Through the medium of Letters.

* * * * * VI * * * * * * * * *

In Farmers Equity Co-op Creamery Ass'n v. US.

132 F.2d 738 (C.C.A. 10th Cir. 1943); Stiles V. Van Briggle, 196 Ark. 1179, 118 S.W.2d 588 (1938); Pierce V. Marland oil CO. OF Colorado, 86 Colo. 59, 278 P. 804 (1929). The Courts Held That, offer and acceptance resulting in a binding contract may be through both Letters and Telegrams.

* * * * * * * * * * * * * *

Wherefore, the Plaintiff Prays that based on these Facts, and evidence, that this motion to inForce Settlement agreement, To Transfer the Plaintiff to Dixon correctional institute, Be granted.

Respectfully Submitted:

March 28, 2007

Date:

Ryan Stinson #433686
David Wade corr. Ctr.
670 Bell Hill Rd.
Homer LA 71040

Please Serve:
Ryan Stinson 433686
David Wade Corr. Ctr.
670 Bell Hill Rd.
Homer LA, 71040

Defendant's Attorney, Greg Murphy
6555 Perkins Road Suite 200
Baton Rouge, LA. 70808

Febuary 5, 2007

To: Mr. Greg Murphy, Attorney At Law
6555 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808

From: Ryan Stinson, I.D.P.# 433686
D.W.C.C. 670 Bell Hill Rd.
Homer, Louisiana 71040

FILED
CLERK OF COURT
LIVINGSTON
PARISH
2007 APR -2 PM 1:27
DEPUTY CLERK

RE: Case No# 000000113598.

Dear Mr. Murphy,

I am Writing This missive, To make a SettLement offer.

I Would Like To make an offer if your client would be willing TO give me a Transfer I will drop my suit.

Plea... get back To me on This matter at hand as soon as possible.

Thank you and God Bless you For your Time and consideration With this matter.

With the kindess of Regardes, I am

Truly Yours
Ryan Stinson
Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA. 71040

(Exibit 1)

TWENTY-FIRST JUDICIAL DISTRICT

Scott M. Perrilloux
District Attorney
21st Judicial District

Livingston, St. Helena and Tangipahoa Parishes

P. O. Drawer 299
Livingston, LA 70754
(225) 686-3070
Fax: (225) 686-1651

March 1, 2007

Mr. Ryan Stinson
I.P.P.
#433686
David Wade Correctional Center
670 Bell Hill Road
Homer, Louisiana 71040

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Stinson:

Enclosed find copies of responses to your discovery request in this matter. In accordance with *Louisiana Code of Evidence* Article 408(A) I have communicated your settlement offer to the defendants and they would agree to having you transferred to Dixon Correctional Institute.

Please notify me as to whether or not you wish to be transferred as per your offer.

With kindest regards, I remain

Sincerely,

Greg Murphy
Assistant District Attorney

GM/sjl
Enclosures

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

(Exhibit 2)

March 6, 2007

To: Mr. Greg Murphy, Attorney
6555 Perkins Road, Suite 200
Baton Rouge, LA 70808

From: Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

Re: Ryan Stinson -vs- Scott M. Perrilloux + Charlotte Hebert
Suit No.# 113,548 - Div."F" - 21st J.D.C. - Parish of Livingston

Dear Mr. Murphy,

I am in receipt of your March 1, 2007, correspondence, which I received on the date of March 6, 2007. which at this time I would like to give an answer to.

you stated in accordance to [redacted] Louisiana code of Evidence Article 408(A) you have communicated my Settlement offer to the Defendants and they would agree to having me transferred to Dixon correctional institute.

You also stated that if I wish to be transferred as per my offer notify you.

"I do wish to be Transferred to Dixon correctional institute imediatliy."

I agree to Settle for a Transfer to Dixon correctional institute.

Thank you for your time and concern and God bless you. For your kindness and consideration with this matter. I will be looking Foward to bringing some closer to this matter as soon as posiable.

With the kindess of Regardes, I am

Truly Thankful
Ryan Stinson

Ryan Stinson #433686

(Exibit 3)

March 21, 2007

To: Mr. Greg Murphy
6555 Perkins Rd. Suite 200
Baton Rouge LA 70808

From: Ryan Stinson # 433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 3:27
DEPUTY CLERK

RE: Ryan Stinson -V- Scott M. Perrilloux + Charlotte Hebert
Suite No# 113598 Div "F" 21st JDC - Parish of Livingston

Dear Mr. Murphy

I am writing this letter concerning my last letter Dated to you March 6, 2007 concerning my Settlement offer.

I would like to know if your client's the Defendant's are still agreeing to settle and if so are you going to send the appropriate forms for me to sign in accordance with Louisiana code of Evidence Article 408(A) to finilize the Settlement with a copy for my Records and a Joint motion to dismiss, ale did you have some other plain in lights to settle this matter.

I am hoping and praying we can bring some closer to this matter soon.

Thank you so very much for your time and concern and God bless you for your kindness, I am in hopes to hear from you soon pertaining this matter.

With the kindess of Regardes, I am

Truly Thankful

Ryan Stinson

cc: Rs.

- Enclosures -

(Exibit 4)

Ryan Stinson * Suit No: 113598 - Div. "F"

Versus * 21st Judical District court

Charlotte Hebert, Asst. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

*

Filed: ********** Clerk of court

ORDER

****

After the courts consideration of the Plaintiff Motion to Enforce Settlement Agreement, It is Hereby Ordered that a hearing be held on this Motion in Division "F" of Livingston Parish court house, 20180 Iowa St. Livingston LA. 70754, on the 9th day of July, 2007, at 9:00 AM o'clock, to show cause why the plaintiffs motion to Enforce Settlement Agreement should be granted.

It is Further, ordered that Warden Venetia Micheal of David Wade Correctional center 670 Bell Hill Rd. Homer LA. 71040, have the person of one Ryan Stinson #433686 present in open court on the above date and time, in court Room Number ____.

Signed, on This 18th day of April, 2007 in Livingston Parish, State of Louisiana

District Judge

Please Serve:

Plaintiff, Ryan Stinson #433686

Defendants Attorney, Greg Murphy

Warden Venetia Micheal

David Wade corr. Cent.

670 Bell Hill Rd.

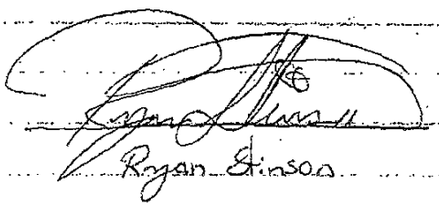
Homer LA. 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 12:27
DEPUTY CLERK

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 4-20-2007
Deputy Clerk Of Court

Certificate of Service

This is To Certify That a Copy of The above and Foregoing has been Mailed to Defendant's Counsel, Greg Murphy, 6555 Perkins Road Suite 200 Baton Rouge LA, 70808, Postage prepaid, This 28 day of March, 2007.



Ryan Stinson

TWENTY-FIRST
JUDICIAL DISTRICT

Scott M. Perrilloux
District Attorney
21st Judicial District

Livingston, St. Helena and Tangipahoa Parishes

P. O. Drawer 299
Livingston, LA 70754
(225) 686-3070
Fax: (225) 686-1651

August 29, 2007

Mr. Ryan Stinson
D.O.C. #: #433686
Dixon Correctional Institute
P. O. Box 788
Jackson, Louisiana 70748

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Stinson:

Enclosed find a Settlement Agreement and Complete Release in the above-referenced matter. If you will recall, we were in court on July 9, 2007, and agreed to settle this matter. Based upon our agreement I enclose for your execution a copy of the Settlement Agreement and Complete Release that must be signed and returned to me.

Also, enclosed is a Motion and Order to Dismiss this matter as per our agreement. I would ask that you sign the Motion and return it to me with the executed Release and I will file this into the record.

With kindest regards, I remain

Sincerely,

Greg Murphy
Assistant District Attorney

GM/sjl
Enclosures

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 SEP 25 AM 10:30
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EXHIBIT
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1 of 16 Ryan Stinson * Div: "F" Suit No.# 113598
- Versus - * 21st Judicial District Court
Scott M. Perrilloux, District Attorney * Parish of Livingston
Charlotte Hebert, Asst. District Attorney * State of Louisiana
*
Filed * Clerk of Court

* * * * * * * * * * * * * * * * * * * *

Motion IN OPPOSITION TO Defendant's Motion TO ENforce Settlement Agreement

* * * * * * * * * * * * * * * * * * * *

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -5 AM 9:40
DEPUTY CLERK

Now into This Honorable Court Comes:

The Plaintiff Ryan Stinson, Who respectfuly Present's His Motion IN OPPOSITION TO Defendant's Motion To Enforce Settlement Agreement, in Accordanance With LA. C.C.P. Art. 2972 + Art. 963, And Request That This Honorable Court denie The Defendants, Motion To Enforce Settlement Agreement, And That a Hearing Be Set To Show Cause To The Scope of The parties intended Settlement agreement in This Case, For The Following reasons:

1.) The Plaintiff and Counsel For Defendant's, intended Settlement agreement Was For The dismissal of The Plaintiff original "Civil Acton Tort + Breach of Contract" Complaint That The Defendants' Would Have The Plaintiff Trransfered To Dixion Correctional institute

2.) The Plaintiff contends, That The Settlement agreement and complete release Form, That Counsel For The Defendants' Drafted, and Wanted The plaintiff To Sign, Was Far and Beyond The Matters The Parties intended To Settle.

3.) The Plaintiff Never agreed To Settle his Supplement To original, "Civil Acton Tort + Breach of contract" Complaint against Defendants'. See (Exhibit 11-10)

4.) The plaintiff and Counsel For defendants' Had an understanding That Counsel For defendants' Would Have The Court Waive all Cost of Court against all Parties.

5.) The Plaintiff Never exected any Letters are agreements, are gave any indocation To The Defendants' Counsel That He intended To Settle His Supplemental Complaint.

6.) The Plaintiff Contend's That if Counsel for defendants' would Draft a new Settlement agreement and release Form That Did not release The defendants From His supplemental complaint and add That all cost OF court will Be waived against all parties. He Will sign The Forms, But not Till Then.

7.) The plaintiFF also contends That The Defendants Seek To enforce The release and Settlement OF matters That The PlaintiFF Never intended To Settle; And The Defendants regarded it's SettLEment as To What was Found in The release, Not The Letters. See (Exhibit -9-10-11)

8.) The PlaintiFF Never executed The release, So There Was Never a Contract For SettLement, are a Meeting OF The minds. See (Exhibit 10)

9.) The Plaintiff Contends That There was No Binding SettLement Where it required Him To Sign The Defendants release Form, Because a Disput Has arised as To The Scope OF The Settlement agreement and Compleate release Form.

10.) The PlaintiFF and defendants SettLement agreement is only valid and enforceable To exactly What The Parties intended When The SettLement perposal and agreement Was Made.

11.) The Plaintif also contends That The Scope OF The Transaction Cannot Be extended by implication, But Through extrinsic evidence To determain exactly What differences They actualy intended To SettLe.

Werefor, For The Foregoing Reasons, set Forth in

The attached affidavit, The Memorandum of Law and This Motion in opposition TO Defendants' Motion To Enforce Settlement agreement, That the Defendants' Motion TO Enforce Settlement agreement Be denied, and a Hearing Be Set TO Show cause TO The Scope OF The Parties intended Settlement agreement in This case.

Respectfully Submitted

Ryan Stinson

September 28, 2007
Date

Ryan Stinson #433686
Unit-2 C/B/A Cell #2
Dixion Correctional Institute
P.O. Box 788 Jackson LA, 70748

4 of 16

Ryan Stinson * Div: "F" Suite No# 113598

-Versus- * 21st Judicial District court

Scott M. Perrilloux, District Attorney * Parish of Livingston

Charlotte Hebert, Asst. District Attorney * State of Louisiana

*

Filed * Clerk of Court

FILED CLERK OF COURT PARISH OF LIVINGSTON 2007 OCT -5 AM 9:40 DEPUTY CLERK

* *

Affidavit In Support of The Plaintiff's Motion IN Opposition To Defendants Motion To Enforce Settlement Agreement

* *

Ryan Stinson, declares under penalty of perjury pursuant to 28 U.S.C. Section 1746, That The Forgoing is True and Correct, and States as Follows:

1.) That He is The Plaintiff in The above entitled case, He Makes this Affidavit IN support of His Motion in opposition To Defendants' Motion To Enforce Settlement agreement.

2.) On Febuary 5, 2007 The plaintiff Wrote The defendants' counsel a Letter with The Following Settlement offer:

"I Would Like To Make an offer, if your Client Would Be Willing To give me a Transferr, I will drop my Suit, please get Back To me on This Matter at Hand as Soon as posiable." See (Exhibit - 1)

3.) The plaintiff Then on Febuary 19, 2007 Filed a Supplement To His original complaint To Civil Action Tort and Breach of Contract against defendants'. See (Exhibit - 2)

4.) On March 1, 2007, The Defendants Counsel Contacted The Plaintiff By Mail and Stated:

"I Have comunicated your settlement offer To The defendants and They would agree To Having you Transferred To Dixion Correctional Institute.

Please Notify me as to whether or not you wish to be transferred as per your offer." See (Exhibit-3)

5.) On March 6, 2007 The plaintiFF corresponded with counsel For defendants' wherein he accepted The transFer to Dixion Correctional institute. See (Exhibit-4)

6.) on March 21, 2007 The plaintiFF wrote counsel For The DeFendants, as in reFrence to The Settlement agreement, They had agreed upon. and asked The DeFendants Counsel iF He was plaining on sending The approprate Forms To Finilize The Settlement with a Joint Motion to dismiss, See (Exhibit-5-)

7.) On March 28, 2007 The plaintiFF Filed a Motion to enforce Settlement agreement as was agreed upon in DeFendants March 1, 2007 letter To The plaintiFFs' offer in his Febuary 5, 2007 letter. See (Exhibit-6).

8.) on April 10, 2007 The plaintiFF Corresponded With Counsel For DeFendants Via Mail and asked That The defendants' send an answer To His supplement To original civil action Tort + Breach oF Contract Complaint. As Well as The PlaintiFF mentioned The settlement agreement on His original complaint, and attached a copy oF His supplement To original Motion To Enforce Settlement agreement. See (Exhibit-7-)

9.) on May 30, 2007 The Defendants' counsel Filed an answer To The PlaintiFF Supplement To original complaint oF civil action Tort + Breach OF Contract. See (Exhibit-8-)

10.) The Defendants Counsel and The PlaintiFF Discussed The Settlement agreement extensivly via Phone For Several Months, and came to Terms That For a transFer To Dixion correctional institute The PlaintiFF would dismiss His original civil acton Tort + Breach oF contract suit. The Defendants

Counsel Told The plaintiFF That it was entirly up To Him iF. He wanted To dismiss His supplimenT To original complaint of, civil Action Tort & Breach oF contract But was not required. They also discussed The cost oF court and Who would Be paying it. And counsel For The DeFendants ensured The PlaintiFF That He would Have The cost oF Court waived For all parties.

11.) On July 9,2007 a Hearing was Set For The plaintiFFs' Motion To EnForce SettlimenT agreemenT. At The hearing The DeFendants counsel and The plaintiFF held a conferencey in which They agreed To Settle The plaintiFFs' original civil Action Tort & Breach of contract suit in and For a TransFer of The plaintiFF To Dixion correctional institute as per His request. AFter The Conference was Held, plaintiFF and Counsel For defindants, asked This Honorable court To continue The Hearing For Thirty days as So They would Be able To settle The plaintiFFs' original civil Action Tort & Breach oF contract suit and The DeFendant's counsel told The court That The plaintiFF would Be TransFerred To Dixion Correctional institute, within That Time period.

12.) On August 6,2007 The plaintiFF Was TransFerred To Dixion Correctional institute as per The agreement Between The parties in SiTTlemenT oF The plaintiFFs original complaint.

13.) on August 28,2007, Counsel For The defendants Sent correspondence To The plaintiFF and a draFted SettlemenT agreement and complet release and a Motion To dismiss The plaintiFFs, original and supplimental complaint. See (Exhibit -9-)

14.) On August 30,2007 The plaintiFF Sent a Letter To deFendants Counsel, stating He was not SatasFied With The release Form For The SettlemenT

agreement, That after reading it and the motion to dismiss That the plaintiFF needed to discuss the particulars of it and come to a better agreement on How they should read, and that He refussed to Sign them untill then, and that He would Be looking Foward to Hearing From the defendants counsel imediatly. See (Exhibit -10-)

15.) On September 11, 2002, a meeting was held at the Livingston parish court-house, Between the plaintiFF and counsel For defendants, Were at the meeting the plaintiFF explained to the defendants' counsel That He Never agreed to Settle His Supplement to original complaint of Civil action Tort + Breach of Contract and that it Should not Be included in the release Fome. And That they Had agreed That the defendant's counsel Would Have the [redacted] Cost of Court Waived For all parties. But He Failed To include it in the release Form. The plaintiFF Then Told the defendant's counsel That if He wold draFt a new releas Form that Stipulated the Waiver of cost For all parties and Contact D.C.I. To Have Him placed on the compound unit-2 Dorm 5 of 6, He would alow the Defendants' counsel to includ release of his supplemental complaint in the release Form. But if not Then He would not release His supplemental complaint. And the plaintiFF refussed to Sign the release Form untill the appropriate changes were made. Defendant's counsel got very upset and Stated to the plaintiFF that the plaintiFF was going to sign the release Form and if He the plaintiFF did not He the defendant's counsel was going to get the Judge of this Honorable court to Force the plaintiFF to Sign the release Form.

16.) On September 26, 2007 The PlaintiFF once again wrote The DeFendants' Counsel and Stressed His concerns about The release Form and His suppliment to original complaint of civil action Tort and Breach of contract, and [redacted] The Cost of court, in hopes That They could reach some Type of understanding. As well The plaintiFF DraFted a New release Form most similer to The one Counsel For The defendants draFted, in Hopes to Have a meeting of The minds in This case as to Settlement.

The Plaintiff Ryan Stinson, Furter declares, under The penalty of perjury of Law, Pursuant to 28 U.S.C. section 1746 That The Foregoing is True and correct.

He understands That a False statment in This affidavit will subject Him to The penalties of perjury of Law.

Wherefore, The plaintiff's motion in opposition To DeFendants motion To Enforce Settlement agreement should Be granted and a Hearing to Show cause Be Set To show cause To The Scope of The parties intended Settlement agreement in This case.

Thus, Read and Signed This 28 day of September, 2007, in Jackson, State of Louisiana

September 28, 2007
Date

Respectfully Submitted

Ryan Stinson

Ryan Stinson 433686
Unit-2 c/B/A Cell #2
Dixion correctional institute
P.O. Box 788, Jackson, LA, 70748

9 of 16

Ryan Stinson * Div. "E" Suit No. # 113598

versus - * ____ Judicial District Court

Scott M. Perrilloux, District Attorney * Parish of Livingston

Charlotte Hebert, Asst. District Attorney * State of Louisiana

*

Filed * Clerk of Court

* * * * * * * * * * * * * * * * * * * *

Memorandum Of Law IN Support of Plaintiff Motion in Opposition To Defendants Motion To Enforce Settlement AGreement

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -8 AM 9:45
DEPUTY CLERK

* * * * * * * * * * * * * * * * * * * *

Statement OF Case:

This Matter involves Plaintiff's claims against Scott M. Perrilloux, District Attorney + Charlotte Hebert, Assistant District Attorney, relating To an oral agreement To have the plaintiff transfered TO Dixion Correctional institute.

Statement OF Facts:

The Plaintiff and Counsel For the defendants, during The pendency OF The litigation, Corresponded For an extensive period OF Time regarding discovery Matters as Well as potential Settlement OF The PlaintiFFs Claim.

The plaintiFF and counsel For The defendants, reached a Final Compromis agreement in This case on July 9, 2007, Wcic The plaintiFF and DeFendants Counsel held a conFerence, in which They reached a Compromis To Settle The plaintiFF original Civil Action Tort + Breach OF Contract complaint in and For a TransFer OF The PlaintiFF To Dixion Correctional institute; And That Counsel For defendants Would Have This Honorable Court Waive all cost of court For all parties.

Sub Sequently The Plaintiff on August 6, 2007 was TransFerred To Dixion correctional institute.

10 OF 16

On August 29, 2007, Counsel For The defendants Sent correspondence TO The plaintiFF and a drafted Settlement agreement and complet release and a Motion TO dismiss. AFter The Plaintiffs reading OF These Forms For releas., He was not satasFied With The Scope oF The Release and dismissal Bicause in The Settliment agreement and compleat release Form, DeFendants regarded its Compromis as TO what was drafted in The release, not as TO exactly What They intended TO settle when The compromis was reached. So Subsequently The PlaintiFF did not execute The release, And corrosponded With The deFendants Counsel on August 30, 2007 via. Mail, Telling Him That He The plaintiFF was not satasFied with The release Form For The settlement agreemnt, and That They needed TO discuss The perticulars oF it and come TO a better agreement on How They should read.

On Siptember 11, 2007 Counsel For deFendants and The PlaintiFF Held a conFFrence at Livingston parish court House, were The plaintiFF informed DeFendants Counsel That He Never agreed TO settle His supplemint TO original complaint oF civil action TorT and Breach oF contract. And That it should not Be DraFted in The release Form and That no were in The release Form did He include The waver oF all cost against all parties. And That The PlaintiFF Never agreed TO dismiss His suit With Prejudice. The PlaintiFF Tried TO gain a Meeting OF The Minds With DeFendant's Counsel But could not reach one. So DeFendant's Counsel ajoined The conFFrence With The plaintiFF imediatly without a Signing OF The release Form by The plaintiF Subsequently The PlaintiFF Wrote The DeFendants

Counsel a Letter on Septemb.r 26, 2007 with a New Drafted release and again stressing his Concerns about The compromis Form. in hopes To reach an understanding and a meeting of The Minds in This case as To Compromise.

Arguments + Law:

The court should denie Defendants Motion To EnForce Settlement agreement, And Set a Hearing To show Cause as To The scope of The parties intended Settlement agreement in This case.

IN desiding weather To grant or Denie a Motion To EnForce Settlement agreement, The court Has To Look at The Scope OF The Transaction, as To exactly what The parties intended when The Compromise was reached. Because a Compromise Extends only To Those Matters The parties intended To settle. Ortego V. State Dot. D, 96-1328 (LA. 2/25/97); 689 So.2d; Travis Anthony V. Liberty Mutual ins. co. 759 So. 2d 910 99-1730 (LA. App. 3rd cir 4/5/00); Moak V. American Automobile insurance Company, 242, LA. 160, 134 So 2d 911 (1961); Munna V. Mongano 404 So.2d 1008 (LA. App. 4th cir 1981).

LA. C.C. Ann. Art. 3073: Contains a supplementry rule of Construction governing The interpretation of The operative language, and The determination of The scope, of a Compromise agreement, Article 3073 Provides That a Compromise agreement extends only To Those Matters That The parties expressly intended To settle and That The scope of The Transaction cannot be extended by implication More precisely, Art. 3073 Set Forth The Following Four Factors To Consider in determining The scope of a Compromise instrument:

1.) Transactions regulate only The differences which appear clearly To be comprehended in

Them By The intention OF The parties.

2.) Whether it be explained in a general or particular manner.

3.) unless it be The Necessary Consequences OF What is expressed.

4.) They do not extend TO differences with The parties Never intended TO include in Them.

IN Addition The Plaintiff and Defendants counsel agreed TO settle The plaintiff's originil civil action Tort + Breach OF Contract in and For a TransFer OF The plaintiff TO Dixion Correctional institute, And That Defendants counsel would Have The court TO waive all cost OF court For all parties. in Accordonance with LA.C.C. Ann. Art. 3071. Which provides That a compromise is a written Contract. It Follows That The Compromise instrument is The Law Between The parties and must be interpreted according TO The parties True intent.

In addition, The Plaintiff Contends, That Defendants Counsel Drafted a Settlement agreement and complet release and a motion TO dismiss Things That The plaintiff Never intended TO settle and wanted The plaintiff TO execute The release.

The plaintiff Contends more specifically, That He Never intended nor entered into a compromise with The defendants For His supplement TO original Complaint OF civil Action Tort + Breach of contract, are agreed TO Dismiss His original suit with prejudice

The Plaintif Further contends That counsel For defendants agreed TO Have This Honorable court waive all cost OF court For all parties.

13 of 16

The Plaintiff also contends that the defendants seek to enforce the release and compromise of matters the plaintiff never intended to settle, and the defendants regarded it's settlement as to what was found in the release, not the letters, so there was no binding compromis where it required the plaintiff to execute the defendants release, because a disput arised as to the scope of the settlement agreement and complete release form, the plaintif and defendants compromis is only valid and enforceable to exactly what the parties intended when the compromise was reached.

Because a compromise extends only to those matters the parties intended to settle, the scope of the transaction can not be extended by implication. LA. C.C. Ann. Art. 3073; Brown v. Drillers inc. 93-1019 (LA 1/14/94) 630 so.2d 741.

When a dispute arises to the scope of a compromise agreement, extrinsic evidence can be considered to determine exactly what differences the parties intended to settle. [redacted], Super; ortego, 689 so.2d 1358. A compromis is valid if there is a meeting of the minds between the parties as to exactly what they intended when the compromise was reached; Pat o'Briens v. Francos Cocktail Prod inc., 615 so. 2d 429 (LA. App 4th cir) writ denied, 617 so.2d 909 (LA. 1993)

There can be no binding compromise where the terms of the release from liability are unknown; Townsend v. Square, 94-0258 (LA.App 4th Cir 2/24/94); 643 so.2d 787.

Moreover, LA. C.C. Art 1942 states when, in absense of a legal requirment the parties have contemplated a certain form, it is persumed that they do not intend to be bound until the release

is executed in that form; Carter V. Huber & Heard, Inc. 95-142 (LA. App. 3rd cir 5/31/95); 657 So.2d 409, Writ denied 95-1662 (LA. 10/6/95) 661 So. 2d 471.

Conclusion:

Wherefore the Plaintiff refused to execute the release, Because the Defendant's seek the release of His supplemental complaint, and dismiss of his original and supplemental with prejudice, and did not include the Waver of cost of Coult in the release.

Since the defendants sought the release of claims, the Plaintiff did not [redacted] intend to Compromise, when the compromise was reached. The plaintiff did not execute the release, so there was No contract For settlement. And there can be No Binding compromise where the terms of the release for Liability are unknown; Travis Anthony V. Liberty Mutual ins. co. 99-1730 (LA. App. 3rd cir 04/05/00) 739 So.2d 910.

Wherefore, the Plaintiffs motion in opposition to Defendants motion to enforce settlement agreement should Be granted and a Hearing to show cause Be set to show cause to the scope of the parties intended settlement agreement in this case.

Respectfully Submitted

September 28, 2007
Date

Ryan Stinson 433686
Unit-2 - C/3/4 Cell #2
Dixon Correctional institute
P.O. Box 788, Jackson, LA. 70748

15 of 16

Ryan Stinson * Div: "F" Suite No# 113598

-Versus- * 21st Judicial District Court

Scott M. Perrilloux, District Attorney * Parish of Livingston

Charlotte Hebert, Asst. District Attorney * State of Louisiana

*

Filed _____ * Clerk of _____

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -5 AM 9:41
DEPUTY CLERK

ORDER

Upon the supporting Affidavit of the Plaintiff, and the accompanying Memorandum of Law, for the Plaintiffs' Motion in Opposition to Defendant's Motion to Enforce settlement agreement, it is Hereby

Ordered that a Hearing Be set in the above Motion in Divison _____ of the Livingston Parish Court House, 20180 Iowa st. Livingston LA. 70754 on the _____ day of _____, 2007, at _____ O'clock, To show cause why the plaintiff Motion should be granted, And To show cause To the scope of the parties intended settlement agreement in this case.

It is further ordered, That a copy of this order be provided To Warden, James LeBlanc at Dixion Correctional institute P.O. Box 788, Jackson LA, 70748.

It is Further ordered, That Warden, James LeBlanc Make arrangements To have the Body of one Ryan Stinson # 433686 present in open court on the above date and Time, and in the above Court room.

It is Further ordered, That this order, and all other papers attached To this order, shall be Served on defendants Counsel Mr. Greg Murphy at 6555 Perkins Road Suite 200 Baton Rouge LA, 70808, To Be present in open court on the above date and Time, and in the above Court Room.

To Show Cause Why The Plaintiff's Motion in opposition To Defendant's Motion To enforce Settlement agreement Should not Be granted, and To Show Cause To The Scope of The Parties intended Settlement agreement in This case.

It is further ordered, That This order, and all others papers Attached To This order, Shall be Served on The Plaintiff Ryan Stinson #433686 at unit-2 C/O/A cell #2 Dixion correctional institute P.O. Box 788, Jackson, LA, 70748, To Show Cause Why The Plaintiff's Motion in opposition To Defendant's Motion To enForce Settlement agreement Should Be granted, and To Show Cause To The Scope OF The Parties intended Settlement agreement in This case.

Signed, on This 10th day of October, 2007, in ~~Amite, Tangipahoa~~ Parish, State of Louisiana

District Judge

Please Serve:

Warden James LeBlanc

Dixion Correctional institute P.O. Box 788, Jackson LA, 70748

Greg Murphy, Attorney

6555 Perkins Rd Suite 200 Baton Rouge, LA, 70808

Ryan Stinson #433686 Unit-2 C/O/A cell #2

Dixion Correctional institute P.O. Box 788, Jackson LA, 70748

Certificate OF Service

I Ryan Stinson declare under penalty OF Perjury Pursuant To 28 U.S.C. Section 1746 That I Mailed a copy OF The enclosed, Motion in opposition To defendants Motion To enForce settlement agreement, To Defendants counsel, Greg Murphy, 6555 Perkins Road Suite, 200, Baton Rouge, LA, 70808. By placing it in an envelope and placing The envelope in The Mail Box at Dixion correctional institute on September 28, 2007. Postage Pre Paid.

September 28, 2007

Ryan Stinson 433686

February 5, 2007

To: Mr. Greg Murphy, Attorney At Law
6555 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808

From: Ryan Stinson, I.D.P.# 433686
O.W.C.C. 670 Bell Hill Rd.
Homer, Louisiana 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

RE: Case No# 000000113598

Dear Mr. Murphy,

I am writing this missive, to make a settlement offer.

I would like to make an offer if your client would be willing to give me a transfer I will drop my suit.

Please get back to me on this matter at hand as soon as possible.

Thank you and God Bless you for your time and consideration with this matter.

With the kindest of regards, I am

Truly Yours
Ryan Stinson
Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA. 71040

[redacted]

FILED
CLERK OF COURT
PARISH OF
2007 OCT -5
DEPUTY CLERK

[illegible]	*	Suit No: 113598 - Div. "F"
-Versus-	*	21st Judicial District Court
Charlotte Hebert, Ass. District Attorney	*	Parish of Livingston
[illegible] M. [illegible], District Attorney	*	State of Louisiana
	*	
	*	
Filed.	*	Clerk of Court:

* * * * * * * * * * * * * * * * * *

Supplement To Original Complaint Of, Civil Action Tort And Breach Of Contract

* * * * * * * * * * * * * * * * * *

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -5 AM 9:41
DEPUTY CLERK

Statement Of Claim

Plaintiff supplements to all defendants Complaint,

Due To The Breach of Contract The plaintiff was Transferred To David Wade Correctional Center, Were on September 30, 2006, The Plaintiff Was Sexually assaulted by one of The prison Guards Namely Sgt. Joe Livingston, at The Time, a sergeant, employed at David Wade Correctional Center. Were The Plaintiff [illegible] mentally and Physically, From The [illegible], and Were The Plaintiff now suffers Continues Harrisonment and retaliation, By other Prisoners and Prison guards That are Friends and Family of Sgt. Joe Livingston.

If The Defendant had had up To There agreement in Return For The Plaintiffs Testimony against one James "Pop" Skinner, And Transferred The plaintiff To Dixon Correctional Institute as agreed upon. Then The Plaintiff Would Have never Been Sexually assaulted By a prison Guard, at David Wade Correctional Center.

* * * * * * * * * * * * * * * * * *

ReLief

* * * * * * * * * * * * * * * * * *

Exhibit D

1.) That Scott M. Perilloux & Charlotte Hebert be ordered to have me Transferred to Dixon Correctional Institute as agreed upon.
2.) That I be awarded 500.00 for each and everyday I remain at David Wade Corr. Cent. until the day I am Transferred.
3.) That Scott M. Perilloux & Charlotte Hebert be ordered to pay all cost of Court and reimburse Cost of Filing Fee.
4.) That Scott M. Perilloux & Charlotte Hebert be disciplined according to law.
5.) Preliminary Injunction Transfer From David Wade Correctional Center

Signed This 18 day of February 2007, in Calcasieu Parish, State of Louisiana

[redacted]

[redacted]
D.W.C.C. 670 Bell Hill Rd
Homer LA, 71040

Certificate Proof Of Service

Ryan Stinson declares under penalty of perjury Pursuant To 28 U.S.C. Section 1746 That he mailed a copy of The enclosed, Supplement to Original Complaint OF Civil Action Tort And Breach of Contract, To defendant's Counsel, Greg Murphy, Assistant District Attorney, 6558 Perkins Road, Suite 300, Baton Rouge, Louisiana 70808. By placing Them in an envelope and placing The envelope in The Mailbox at David Wade Correctional Center, 670 Bell Hill Rd. Homer LA 71040, on Febuary 19, 2007

Febuary 19, 2007
Date

Ryan Stinson #113611
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040

TWENTY-FIRST JUDICIAL DISTRICT

Scott M. Perrilloux
District Attorney
21st Judicial District

Livingston, St. Helena and Tangipahoa Parishes

P. O. Drawer 299
Livingston, LA 70754
(225) 686-3070
Fax: (225) 686-1651

March 1, 2007

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -5 AM 9:41
DEPUTY CLERK

Mr. Ryan Stinson
I.P.P.
#433686
David Wade Correctional Center
670 Bell Hill Road
Homer, Louisiana 71040

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Stinson:

Enclosed find copies of responses to your discovery request in this matter. In accordance with Louisiana Code of Evidence Article 408(A) I have communicated your settlement offer to the defendants and they would agree to having you transferred to Dixon Correctional Institute.

Please notify me as to whether or not you wish to be transferred as per your offer.

With kindest regards, I remain

Sincerely,

Greg Murphy
Assistant District Attorney

GM/sjl
Enclosures

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

March 6, 2007

To: Mr. Greg Murphy, Attorney
6553 Perkins Road, Suite 200
Baton Rouge, LA 70808

From: Ryan Stinson # 433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040

FILED
CLERK OF COURT OR EX-OFFICIO
CLERK OF LIVINGSTON PARISH
2007 APR -2 PM 12:27
DEPUTY CLERK

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -5 AM 9:41
DEPUTY CLERK

Re: Ryan Stinson -vs- Scott M. Perrilloux + Charlotte Hebert
Suit No.# 113,598 - Div."F" - 21st J.D.C. - Parish of Livingston

Dear Mr. Murphy,

I am in receipt of your March 1, 2007, correspondence, which I received on the date of March 6, 2007. Which at this time I would like to give an answer to.

you stated in accordance to [redacted] Louisiana Code of Evidence Article 408(A) you have communicated my Settlement offer to the Defendants and they would agree to having me Transfferred to Dixon correctional institute.

You also stated that if I wish to be transferred as per my offer notify you.

"I do wish to be Transferred to Dixon correctional institute imediatliy."

I agree to Settle for a Transfer to Dixon correctional institute.

Thank you for your time and concern and God bless you. For your kindness and consideration with this matter. I will be looking Foward to bringing some closer to this matter as soon as posiable.

With the kindess of Regardes, I am

Truly Thankful

Ryan Stinson

Ryan Stinson #433686

Exhibit 6

March 21, 2007

To: Mr. Greg Murphy
6555 Perkins Rd. Suite 200
Baton Rouge LA 70808

From: Ryan Stinson # 433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 12:27
DEPUTY CLERK

RE: Ryan Stinson -V- Scott M. Perrilloux + Charlotte Hebert
Suite No# 113398 Div "F" 21st JDC - Parish of Livingston

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -5 AM 9:41
DEPUTY CLERK

Dear Mr. Murphy

I am writing this letter concerning my last letter Dated to you March 6, 2007 concerning my Settlement offer.

I would like to know if your client's The Defendant's are still agreeing to Settle and if so are you going to Send the appropriate Forms for me to sign in accordance with Louisiana Code of Evidence Article 408(A) to Finilize the Settlement with a copy for my Records and a Joint motion to dismiss, are did you have some other plain in Lights to Settle this matter.

I am hoping and praying we can bring some Closer to this matter soon.

Thank you so very much for your time and concern and God bless you for your kindess, I am in hopes to hear from you soon pertaining this matter.

With The Kindess of Regards, I am

Truly Thankful

Ryan Stinson

CC: R.S.

- Enclosures -

[redacted]

RULE TO SHOW CAUSE
MOTION TO INFORCE SETTLEMENT AGREEMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON, 433686
DAVID WAD CORR. CENT.
620 BELL HILL RD.
HOMER , LA 71040

PAUPER SUIT

SERVE

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
OCT -5 AM 9:41
DEPUTY CLERK

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **July 9, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on April 20, 2007.*

C Anthony
Deputy Clerk of Court

Attorney
RYAN STINSON, 433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

Exhibit 6

[SERVICE]

DC TBS (F)

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

Ryan Stinson — Suit No: 113598 - Div. "F"

Versus - — 21st Judical District Court

Charlotte Hebert, Ass. District Attorney — Parish of Livingston

Scott M. Perrilloux, District Attorney — State of Louisiana

*

*

Filed: * Clerk of Court:

* * * * * * * * * * * * * * * * * *

Motion To Inforce Settlement Agreement

* * * * * * * * * * * * * * * * *

Now comes into This Honorable Court:

Plaintiff Ryan Stinson, who Request This court To inforce settlement agreement, (To Transfer The Plaintiff To Dixon correctional institute), in This case For The Following reasons:

* * * * * * * I * * * * * * * * *

The Plaintiff Ryan Stinson Proposed a settlement offer, in a Letter To The Defendants counsel on Febuary 5, 2007: See Attached (Exibit 1).

The Defendants counsel responded To The plaintiff's offer, in a Letter Dated March 1, 2007, and agreed To The Plaintiff's Settlement offer; and Told The Plaintiff To notify Him if He The Plaintiff wish To be Transferred: See Attached (Exibit 2).

The Plaintiff responded To The Defendant's letter of agreement on March 6, 2007, Stating He did wish To Be Transferred, and confirmed The agreement To settle This case For a Transfer To Dixon correctional institute: See Attached (Exibit 3).

The Defendants counsel never responded To The plaintiff letter confirming The settlement agreement Dated March 6, 2007.

The plaintiff Then wrote The Defendant's counsel another letter on March 21, 2007, about The settlement They Had agreed upon. But The Defendant's counsel never

Responded: See Attached (Exhibit 4)

* * * * * * II * * * * * * * * *

The Defendant's agreement to the Plaintiff settlement offer on March 1, 2007, Through there Correspondance Became a Binding contract to the Terms set forth in the offer of the Plaintiff Letter Dated Febuary 5, 2007. The Law of Contracts Holds That once the offer is made By one Party and agreed by the other Party, it Then Becomes a Binding contract: See Anderson V. Preston 7 F.2d 70 (C.C.A. 9th Cir. 1925); Azevedo V. Davidson, 49 Cal. App. 443, 193 P. 594. (1st Dist. 1920); Universal Products Co. V. Emerson, 36 Del. 553. 179 A. 387, 100 A.L.R. 956 (1935) (at some Point in the correspondence there was a definite proposal By one Party which was accepted By the other When this appeals the Contract Becomes Binding).

* * * * * III * * * * * * * *

In Freeman V. Mayer, 95 F.3d 569 (7th Cir. 1996) in Freeman, supra, the court Held That a Contract can arise by correspondence.

* * * * * IV * * * * * * * *

In youngstown Stell Erecting Co. V. MacDonald Engineering Co., 154 F.Supp 337 (N.D. Ohio 1957); McCleskey & Whitman V. Howell Cotton Co., 147 Ala. 573, 42 So. 67 (1906); Tuso V. Green 194 Cal. 574, 229 P. 327 (1924), The Courts Held That as Soon as an offer is thus made and accepted, there is a binding contract.

* * * * * * V * * * * * * * * *

In Real Estate Value Co. V. US Air, Inc., 979 F.Supp 731 (N.D. Ill. 1997); Miami Jockey Club V. Lillias piper Inc., 115 FLA 612. 155 So. 806 (1934). The courts Held that offer and acceptance resulting in a binding contract may be Through the medium of Letters.

* * * * * VI * * * * * * * *

In Farmers Equity Co-op Creamery Ass'n V. US.

132 F.2d 738 (C.C.A. 10th Cir. 1943); Stiles V. Van Briggle, 196 Ark. 1179, 118 S.W.2d 588 (1938); Pierce V. Maryland oil Co. of Colorado, 86 Colo. 59, 278 P. 804 (1929). The Courts Held That, offer and acceptance resulting in a binding contract may be through both letters and telegrams.

* * * * * * * * * * * * * *

Wherefore, the Plaintiff Prays that based on these Facts, and evidence, that this motion to inforce Settlement agreement, To Transfer the Plaintiff to Dixon correctional institute, Be granted.

Respectfully submitted:

March 28, 2007

Date:

Ryan Stinson #433686
David Wade Corr. Cen.
670 Bell Hill Rd.
Homer LA 71040

Please Serve:
Ryan Stinson 433686
David Wade Corr. Cent.
670 Bell Hill Rd.
Homer LA, 71040

Defendant's Attorney, Greg Murphy
6555 Perkins Road Suite 200
Baton Rouge, LA. 70808

Febuary 5, 2007

To: Mr. Greg Murphy, Attorney At Law
6555 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808

From: Ryan Stinson, I.P.P.# 433686
O.W.C.C. 670 Bell Hill Rd.
Homer, Louisiana 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

RE: Case No# 000000113598

Dear Mr. Murphy,

I am Writing This missive, To make a Settlement offer.

I Would Like To make an offer IF your Client Would be Willing TO give me a Transfer I. will drop my suit.

Plea... get back To me on This matter at hand as Soon as possible.

Thank you and God Bless you For your Time and consideration With this matter.

With The kindess of Regards, I am

Truly Yours
Ryan Stinson
Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

(Exibit 1)

TWENTY-FIRST JUDICIAL DISTRICT

Scott M. Perrilloux
District Attorney
21st Judicial District

Livingston, St. Helena and Tangipahoa Parishes

P. O. Drawer 299
Livingston, LA 70754
(225) 686-3070
Fax: (225) 686-1651

March 1, 2007

Mr. Ryan Stinson
I.P.P.
#433686
David Wade Correctional Center
670 Bell Hill Road
Homer, Louisiana 71040

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Stinson:

Enclosed find copies of responses to your discovery request in this matter. In accordance with Louisiana Code of Evidence Article 408(A) I have communicated your settlement offer to the defendants and they would agree to having you transferred to Dixon Correctional Institute.

Please notify me as to whether or not you wish to be transferred as per your offer.

With kindest regards, I remain

Sincerely,

Greg Murphy
Assistant District Attorney

GM/sjl
Enclosures

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

(Exibit 2)

March 6, 2007

To: Mr. Greg Murphy, Attorney
6555 Perkins Road, Suite 200
Baton Rouge, LA 70808

From: Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

Re: Ryan Stinson -vs.- Scott M. Perrilloux + Charlotte Hebert
Suit No.# 113,598 - Div."F" - 21st J.D.C. - Parish of Livingston

Dear Mr. Murphy,

I am in receipt of your March 1, 2007, correspondence, which I received on the date of March 6, 2007. which at this time I would like to give an answer to.

you stated in accordance to [redacted] Louisiana code of Evidence Article 408(A) you have communicated my Settlement offer to the Defendants and they would agree to having me transferred to Dixon correctional institute.

You also stated that if I wish to be transferred as per my offer Notify you.

"I do wish to be Transferred to Dixon correctional institute imediatliy."

I agree to Settle for a Transfer to Dixon correctional institute.

Thank you for your time and cooperation and God bless you for your kindness and consideration with this matter. I will be looking Foward to bringing some closer to this matter as soon as posiable.

With the kindess of Regardes, I am

Truly Thankful
Ryan Stinson
Ryan Stinson #433686

(Exibit 3)

March 21, 2007

To: Mr. Greg Murphy
6553 Perkins Rd. Suite 200
Baton Rouge LA 70808

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 4:27
DEPUTY CLERK

From: Ryan Stinson # 433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

RE: Ryan Stinson -V- Scott M. Perrilloux + Charlotte Hebert
Suit No# 113598 Div "F" 21st JDC - Parish of Livingston

Dear Mr. Murphy

I am writing this letter concerning my last letter Dated to you March 6, 2007 concerning my Settlement offer.

I would like to know if your client's the Defendant's are still agreeing to Settle and if so are you going to Send the appropriate Forms for me to sign in accordance with Louisiana code of Evidence Article 408(A) to Finilize the Settlement with a copy for my Records and a Joint motion to dismiss, alle did you have some other plain in Lights to Settle this matter.

I am hoping and praying we can bring some Closer to this matter soon.

Thank you so very much for your time and Concern and God bless you For your kindness I am in hopes to hear from you soon pertaining this matter.

With The kindess of Regardes, I am

Truly Thankful
Ryan Stinson

Cc: R.S.

- Enclosures -

(Exibit 4)

Ryan Stinson * Suit No: 113598 - Div. "F"

Verses - * 21st Judical District Court

Charlotte Hebert, Asst. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

*

Filed: * * *

Certificate of Service

This is To Certify That a Copy of The above and foregoing has been Mailed to Defendant's Counsel, Greg Murphy, 6555 Perkins Road suite 200 Baton Rouge LA, 70808, Postage prepaid, This 28 day of March, 2007.

Ryan Stinson

April 10, 2007

To: Mr. Greg Murphy, Attorney
6555 Perkins Rd. Suite 200, Baton Rouge LA, 70808

From: Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd, Homer LA, 71040

RE: Ryan Stinson V. Scott M. Perilloux & Charlotte Schubert
Suit No# 113598 Div "F" 21st J.D.C. - Parish of Livingston

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -5 AM 9:51
DEPUTY CLERK

Dear Mr. Murphy.

I am writing you this Letter [illegible] the above and enclosed matter.

Sir on Febuary 19, 2007 I Filed a Supplement to original Compliant of, Civil Action Tort and Breach of Contract. Today is April 10, 2007 and I still Have not received the defendant's responce to the Supplement please Sir That I receive an answer to this. As I will be Forced To File a motion For default and as you know what is not answered is automaticly considered as True. I will be Looking For your answer To This imediatly.

Sir Also on The date of March 21, 2007 I Filed a Second Request for production of Documents and a Second Request For Admissions. I Look To be receiving an answer To this as well as The Requested documents. in a Timly manner which is within 30 day's of date I Filed Them or I will be Forced To Compel When your 30 day's has Lapsed.

Sir Also on The date of March 27, 2007 I wrote you a Letter in hopes To resolve the Discovery [redacted] dispute we Seem To be having But you Seem To be [redacted] Ignoring all

EXHIBIT 7

my atempts to resolve this matter in an ethical and perfectional manner as is favored by the court's before one moves to compel so I write in a final atempt to resolve this matter before I am left with no choise but to compel.

I am hoping we may resolve these matters as soon as posiable.

As you know we have a hearing for May 29, 2007 I am hoping that after this hearing you can have the judge remand me to the custody of the sheriff's office so me and you ~~[illegible]~~ and the defendants may have a confrense. Please get back with me on this matter imediatly. Of course this is if we have not brought closer to this matter as set forth is our settlement agreement, before the hearing I will be waiting on your responce.

I am also enclosing a copy of my supplement. To my motion to enforce settlement agreement.

I thank you once again for your time, concern + patience. And God bless you for your ongoing kindness and consideration. I am looking foward to hearing from you as soon as posiable.

With the kindess of regardes, I am

Truly thankful

[signature]

Ann Stinson #[illegible]

cc: G.M
A.S.
B.G.

Ryan Stinson	*	Suit No: 113598 - Div "F"
-Versus-	*	21st Judical District court
Charlotte Hebert, Asst. District Attorney	*	Parish of Livingston
Scott M. Perrilloux, District Attorney	*	State of Louisiana
	*	
Filed:	*	Clerk of court:

* *

Supplement To Original Motion To Enforce Settlement Agreement

* *

Now Comes into this Honorable Court:

Plaintiff, Ryan Stinson, Who Supplement's To all defendants in original Motion To Enforce Settlement Agreement.

I

The Plaintiff Ryan Stinson and the Defendants exchanged Letters, Which the plaintiff proposed to Settle the partied differences by certain reciprocal actions and the defendants accepted the proposal.

II

The Plaintiff Contends the Letters, When read Togather, Constitutes a Compromise agreement in Writing as Required by LSA-C.C. Art. 3071 To perfect a Settlement.

III

In First National Bank of Jefferson Parish V. Manor Heights co. Inc., 376 So.2d 61 (LA.App 5th Cir 1981) Writ denied 377 So.2d 35., the Courts Held, The execution of other documents represented fulfillment of the parties obligations under the Compromise, but the Compromise itself was completed and enforceable after the agreement reached by the Letters exchanged between the parties. See Wood V. Kohnke, 428 So. 2d. 848 (LA. App. 3rd Cir 1983), Writ denied, 435, 2aad. 440, Villanueva Vs. CNA Ins companies, 868 F.2d 684

(5th Cir. 1989).

IV

In Anderson-Dunham Inc. v. Hamilton. 564 So.2d. 823 (1st Cir LA. App. 1990) Writ denied 569 So 2d 963; The Courts Held, However, The requirement That The agreement be in writing and signed by both parties does not necessarily mean That The agreement must be contained in one document. It would suffice that there be a written offer signed by The offeror and a written acceptance signed by The acceptor, even if The offer and the acceptance are contained in separate writings. In other words, where Two instruments When read Together, outline The obligations each party has To The other and evidence each party's acquiescence in The agreement, a written compromise agreement, as contemplated by LSA.C.C. Art 3071, has been perfected. See Felder v Georgia Pac. Corp, 403 So.2d 521 (LA. 1981).

* * * * * * * * * * * * * * * *

Wherefore, The Plaintiff Prays That based on these facts, and upon This supplement To His original Motion To Enforce Settlement Agreement, That His motion To Enforce Settlement Agreement, To Transfer The Plaintiff, To Dixion Corr. Ins., Be Granted

April 10, 2007
Date:

Respectfully Submitted
Ryan Stinson 433686

Please Serve:
Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd. Homer LA. 71040

Defendant's Attorney, Greg Murphy
6555 Perkins Road suite 200 Baton Rouge LA, 70808

Certificate of Service

This is to Certify That a Copy of The above and Foregoing has been Mailed To Defendant's Counsel, Greg Murphy, 6555 Perkins Road Suite 200 Baton Rouge LA. 70808, Postage PrePaid, This 11 day of April, 2007.

Ryan Stinson #433686

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -5 AM 9:44
DEPUTY CLERK

ANSWER TO SUPPLEMENT TO ORIGINAL COMPLAINT OF CIVIL ACTION TORT AND BREACH OF CONTRACT

NOW INTO COURT, through undersigned counsel, comes defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract as follows:

1.

The allegations in defendant's Supplement to Original Complaint of Civil Action Tort and Breach of Contract are denied. Defendant has not set forth any allegations in Paragraph 1 but only alleges in Paragraph 1 that his original petition should be supplemented. Therefore, the entire paragraph regarding defendant's statement of claim in the supplemental complaint is hereby denied.

2.

With regard to defendant's relief sought in the Supplement to Original Complaint of Civil action Tort and Breach of Contract, defendant, Scott M. Perrilloux, in his capacity as the District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, denies Paragraph 1, Paragraph 2, Paragraph 3, Paragraph 4 and Paragraph 5 in the Relief section sought by defendant.

WHEREFORE, defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, prays that there be judgment in his favor, dismissing plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract, with prejudice, and assigning all costs against plaintiff.

Respectfully Submitted

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 30th day of May, 2007.

Greg Murphy

GREG MURPHY

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
VERSUS	*	21st JUDICIAL DISTRICT COURT
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

ANSWER TO SUPPLEMENT TO ORIGINAL COMPLAINT OF CIVIL ACTION TORT AND BREACH OF CONTRACT

NOW INTO COURT, through undersigned counsel, comes defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract as follows:

1.

The allegations in defendant's Supplement to Original Complaint of Civil Action Tort and Breach of Contract are denied. Defendant has not set forth any allegations in Paragraph 1 but only alleges in Paragraph 1 that his original petition should be supplemented. Therefore, the entire paragraph regarding defendant's statement of claim in the supplemental complaint is hereby denied.

2.

With regard to defendant's relief sought in the Supplement to Original Complaint of Civil action Tort and Breach of Contract, defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, denies Paragraph 1, Paragraph 2, Paragraph 3, Paragraph 4 and Paragraph 5 in the Relief section sought by defendant.

WHEREFORE, defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, prays that there be judgment in her favor, dismissing plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract, with prejudice, and assigning all costs against plaintiff.

Respectfully Submitted

Greg Murphy

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 30th day of May, 2007.

GREG MURPHY

TWENTY-FIRST JUDICIAL DISTRICT

Scott M. Perrilloux
District Attorney
21st Judicial District

Livingston, St. Helena and Tangipahoa Parishes

P. O. Drawer 299
Livingston, LA 70754
(225) 686-3070
Fax: (225) 686-1651

August 29, 2007

Mr. Ryan Stinson
D.O.C. #: #433686
Dixon Correctional Institute
P. O. Box 788
Jackson, Louisiana 70748

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -5 AM 9:41
DEPUTY CLERK

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Stinson:

Enclosed find a Settlement Agreement and Complete Release in the above-referenced matter. If you will recall, we were in court on July 9, 2007, and agreed to settle this matter. Based upon our agreement I enclose for your execution a copy of the Settlement Agreement and Complete Release that must be signed and returned to me.

Also, enclosed is a Motion and Order to Dismiss this matter as per our agreement. I would ask that you sign the Motion and return it to me with the executed Release and I will file this into the record.

With kindest regards, I remain

Sincerely,

Greg Murphy
Assistant District Attorney

GM/sjl
Enclosures

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

MOTION AND ORDER TO DISMISS

NOW INTO COURT, through undersigned counsel, comes plaintiff, Ryan Stinson, who shows that his claim in the above-captioned matter against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, has been fully settled and compromised and that petitioner wishes to dismiss his suit against defendants, with prejudice, with each party to bear its own costs.

Respectfully Submitted

RYAN STINSON, PETITIONER
#433686, D.W.C.C. 670, Bell Hill Road
HOMER, LOUISIANA 71040

AND

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

ORDER

IT IS HEREBY ORDERED that the above entitled and numbered cause be and the same is hereby **DISMISSED** against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, with prejudice, with each party to bear its own costs.

THUS DONE AND SIGNED this _____ day of _____, 2007, in Livingston, Louisiana.

JUDGE, 21st JUDICIAL DISTRICT COURT

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

SETTLEMENT AGREEMENT AND COMPLETE RELEASE

BEFORE ME, the undersigned Notary Public, personally came and appeared:

RYAN STINSON, #433686
D.W.C.C. 670 BELL HILL ROAD
HOMER, LOUISIANA 71040

who, after being duly sworn, did declare and acknowledge that he did, on this date, receive a transfer from D.W.C.C. to Dixon Correctional Institute as referenced in his February 5, 2007, letter to defendants and in so accepting the transfer does so in full settlement, satisfaction and compromise of any and all claims and alleged causes of actions of every nature whatsoever, which he has, or may have against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's Office arising out of or connected to his claim for civil action tort and breach of contract as fully stated in his original petition as well as any claims in his supplemental to original complaint of, civil action tort and breach of contract in the suit entitled: "*Ryan Stinson vs. District Attorney, 21st JDC, Suit No. 113,598 - Div. "F", 21st Judicial District Court, Parish of Livingston, State of Louisiana*", and any supplemental complaints, which plaintiff agrees to dismiss immediately, with prejudice.

RELEASE

Plaintiff declares that for consideration of the transfer to Dixon Correctional Center he does hereby release, acquit and forever discharge Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's Office, and any insurers, employees, agents, representatives, directors, officers, heirs, successors, predecessors, assigns, affiliated and/or subsidiary and/or apparent companies, of any and from any and all past, present, and future claims, demands, causes of action and rights of action whatsoever, known and unknown, anticipated and

unanticipated, which Plaintiff may or might have against the Released Parties as a result of the alleged breach of contract and alleged damages suffered by petitioner referenced in his supplemental petition of February 19, 2007. More specifically, Plaintiff releases, without limitation whatsoever, any and all claims, rights of action and causes of action against the Released Parties for past, present and future bodily and personal injury, physical and mental pain and suffering, disability, disfigurement, lost wages, penalties, attorneys' fees, medical expenses and any and all damages of whatsoever kind or character which may have been sustained and might be sustained by Plaintiff in any way resulting from or arising out of the alleged breach of contract and/or alleged bodily injury suffered by Plaintiff referenced in the supplemental petition of February 19, 2007, this Release being full, final and complete.

COVENANT NOT TO SUE

Plaintiff agrees that he shall not commence any civil action against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's Office in the future based on acts, transactions, occurrences known or unknown to him on the date of execution of this Release, which arises out of or is in any way related to the alleged breach of contract referenced in Plaintiff's original petition and bodily injury damages in his supplemental petition filed on February 19, 2007.

NO ADMISSION OF LIABILITY

Plaintiff further declares that this Release is in settlement and comprise of a disputed claim, and that this Release is not to be construed as an admission of liability on the part of the Released Parties and it is specifically understood that all liability is denied, that this settlement is being entered into solely for the purpose of resolving any and all claims that Plaintiff has or may have against the Released Parties and precluding any future litigation against the Released Parties for claims arising out of this lawsuit.

FURTHER ASSURANCES

Plaintiff declares that he is the sole possessor of the claims or causes of action being released herein, and that he has not assigned or otherwise transferred said claims or causes of actions to any other person or entity. Plaintiff also agrees that he will not, nor any time hereafter, commence, maintain or prosecute any action, at law or otherwise, or assert any claims against the Released

Parties herein for damages, losses, benefits or for other equitable relief related to this litigation.

CAREFUL REVIEW OF RELEASE AND UNDERSTANDING THEREOF

Plaintiff represents that he has carefully read this Release and understands its terms and conditions without reservation. Plaintiff acknowledges that he has had ample opportunity to consult with legal counsel regarding the meaning and affects of this Release. Plaintiff further understands that this is a Full, Complete and Final Release and that he is forever relinquishing and releasing any and all claims he has or may have against the Released Parties which arise out of the alleged breach of contract or injuries suffered as referenced in his supplemental and amending petition. Plaintiff also acknowledges that he understands the terms and provisions of this Release and that this Release contains the entire agreement between the parties and supercedes any and all prior agreements, arrangements, or understandings between the parties related to the subject matter. Plaintiff further represents and acknowledges that he has taken into account not only the known and anticipated claims and defenses, but also unknown and unanticipated claims and defenses which he hereby recognizes and agrees are covered by this Release. Plaintiff further declares that this Release and Discharge is given voluntarily and after mature consideration, and without any threat, duress, intimidation or other unlawful means exercised toward him or any other person or persons whomsoever.

Thus done and signed before the undersigned competent witnesses and me, Notary Public, after a due and complete reading of the whole in _____, Louisiana, on this _____ day of _____, 2007.

WITNESSES:

_____

_____

_____
RYAN STINSON, #433686
D.W.C.C.

_____
NOTARY PUBLIC

August 30, 2007

To: Mr. Greg Murphy
6555 Perkins Rd. Suite 200
Baton Rouge, LA 70808

FILED IN COURT
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -5 AM 9:41
DEPUTY CLERK

From: Ryan Stinson # 433686
unit-A C/B/8 D°8 Dixion Correctional Institute
P.O Box 788, Jackson Louisiana 70748

RE: Ryan Stinson V. Scott M. Perrilloux District Attorney & Charlotte Hebert Asst. District Attorney suit# 113598-D.W.F"-21st J.D.C. Parish of Livingston

Dear Mr. Murphy,

Sir I received your letter of August 29, 2007 and I am responding to the same.

Sir I think we need to talk, Because I am not satisfied with the Release Form for the Settlement agreement. We Had an understanding that you would be up here once I arrived to Sign the Settlement agreement But after reading it along with the motion to dismiss we need to discuss the particulars of This. so at this Time I Refuse to put my signature on Them until we discuss the particulars of Those Forms. and come to a better agreement on how They should read.

So I will Be looking to hear From you in This matter imediatly. As so we can Bring the Final closer To This matter.

Thank you For your Time and Concern and God Bless you For your ongoing kindness, Consideration and patience with me. I hope and Pray To hear From you Soon.

With The Kindness of Regards, I am

Truly Thankful

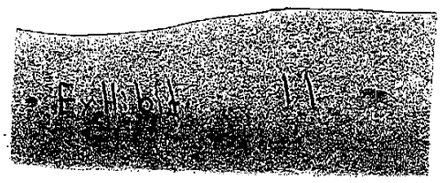
Ryan Stinson 433686

CC: G.M.
R.S.
B.G.

1 of 3

September 26, 07

To: Mr Greg Murphy
6554 Perkins Rd Suite 200
Baton Rouge LA, 70808



From: Ryan Stinson #433686
unit 3 C18/A Cell #2 Dixion Correctional institute
P.C. Box 298, Jackson, Louisiana, 70748

RE: Ryan Stinson V. Scott M. Perrilloux District Attorney & Charlotte Hebert Asst District Attorney. Suit #113598 - Div "F" - 21st J.D.C. - Parish Livingston

FILED
2007 OCT -5 AM 9:41
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

Dear Mr Murphy,

So I write this letter in response to our Sept 11, 07, Meeting we had that did not go well, Because you refused To Hear me out on my concerns with the Settlement Agreement you drafted, and Wanted me To blindly Sign. Which I refused to Sign. So Sense we could not Seem To get an understanding in person maybe Through this Letter you will be able to get an understanding of my concerns.

We had an agreement to Settle this matter which We agreed on on July 9, 2007, But only one time did we ever discuss Settling my Supplimental complaint, Which you informed me was entirly up to me. But we did discuss at length of Settling my original civil action suit and breach of contract as ~~[illegible]~~ was offered in my February 5, 2007 Letter to you. at no time from my offer untill now did I ever put in any of my Letters That I would Be Settling my Supplimental complaint. As you know my offer was made To your clients Bifor The Supplimental complaint of mine was ever filed which was filed on February 19, 2007. in so being I am not obligated By Law To Settle my Supplimental complaint. as I will show

if we half to go to court and have the Judge make a final decision in the matter that I have no obligation to your clients to settle my Supplimental Complaint as in accordance with L.A. Civ. Code Acts. 3071 and 3073.

Also we discussed about the payment of cost of court. And you told me that you would have the court wave cost for each party. But unfortunatly you failed to stipulate this in our settlement agreement.

I do not question the enforceability of the settlement agreement we reached on the original Civil action Tort and breach of contract But I am not in confirmatory with the settlement you drafted, Because the settlement was only designed to settle these case, not any other case that I might have a right to file are my supplimental complaint as I will show if we half to go to court.

So in confirmatory with these fact's I have drafted a settlement agreement actualy it is most like yours with a few changes madey one of the specific changes are on the supplimental complaint which I will also dismiss if the defendant's will have D.C.L. Place me on the compound here in unit-2 Dorm 5 or 6 which is a fairly reasonable offer considering all that has taken place in the course of my Breach of Contract if the defendant's will Be willing to have this done I feel I have Been more than coroperative with you and the defendant's in order to settle this matter and I find it no more than right that we discuss this in a professional manner and come to same type of understanding.

also if your client's do agree and we settle this matter as setforth in the settlement

agreement I drafted I would Like us To meet and Sign The Settlement and have The same notarized.

So I hope and pray we can come To Some Type of agreement in This matter at Hand and Finally Bring Some much needed Closer To it as well.

I once again Want To Thank you For your Time and Concern and God Bless you For your continued patience and ongoing kindness in This matter. I hope and pray To hear From you Soon and if you are in agreement with The Settlement agreement I drafted I hope you will have it Typed up and I will Be More Than Happy To sign it.

Held the kindness of Regards, I am

Truly Thankful
[signature]
Ryan Stroson #933680

C/c R.S., G.M.

— Enclosure —

Ryan Stinson * Suit No. 113598 - Div "F"
Versus * 21st Judicial District court
District Attorney, 21st J.D.C. * Parish of Livingston
* State of Louisiana
Filed * Clerk of Court

* * * * * * * * * * * * * * * * * *

Settlement Agreement & Complete Release

* * * * * * * * * * * * * * * * * *

Before Me, The Undersigned Notary Public, personally Came and Appeared:

Ryan Stinson, # 433686
Unit-2 C/B/A Cell # 2
Dixion Correctional Institute
P.O. Box 788 Jackson, LA, 70748

who, after being duly sworn, did declare and acknowledge that he did, on this date, receive a Transfer From D.W.C.C. To Dixion Correctional Institute as referenced in his February 5, 2007, letter To defendants, and That He was placed on The compound in unit-2 Dorm 5 or 6, and in so accepting The Transfer and Placement on The compound does so in Full settlement, satisfaction and compromise of any and all claims and alleged causes of actions of every nature whatsoever which he has, or may have against Scott M. Perrilloux in his capacity as District Attorney, 21st Judicial District court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney 21st Judicial District court, parish of Livingston, State of Louisiana, and The 21st Judicial District Attorney's office arising out of or connected To his claim For civil action Tort and Breach of contract as Fully stated in his original petition as well as any claims in his supplemental To original complaint of, civil action Tort and Breach of contract in The suit entitled: "Ryan Stinson vs. District Attorney, 21st J.D.C., Suit No. 113598 Div. "F", 21st Judicial District court, Parish of Livingston,

State of Louisiana", and any supplemental complaints, which Plaintiff agrees to dismiss immediately with prejudice.

RELEASE

Plaintiff declares that for consideration of the transfer to Dixon Correctional Center and placement on the compound unit 3 Dorm 5 or 6 he does hereby Release, acquit and Forever discharge Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's office, and any insurers, employers, agents, representatives, directors, officers, heirs, successors, predecessors, assigns, affiliated and/or subsidiary and/or appeal companies of any and from any and all past, present and future claims, demands, causes of action and rights of action whatsoever, known and unknown, anticipated and unanticipated, which Plaintiff may or might have against the released parties as a result of the alleged Breach of contract and alleged damages suffered by petitioner referenced in his supplemental petition of February 19, 2002, Non specifically, Plaintiff releases, without limitation whatsoever, any and all claims, rights of action and causes of action against the released parties for past, present and future Bodily and personal injury, physical and mental pain and suffering, disability, disfigurement, lost wages, penalties, Attorneys' fees, medical expenses and any and all damages of whatsoever kind of character which may have been sustained and might be sustained by plaintiff in any way resulting from or arising out of the alleged Breach of contract and/or alleged bodily injury suffered By Plaintiff referenced in the supplemental petition of February 19, 2002, this release being Full, Final and complete.

Covenant Not To Sue

Plaintiff agrees that he shall not commence any civil action against, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District court, Parish of Livingston, State of Louisiana, and The 21st Judicial District Attorney's office in the future based on acts, transactions, occurrences known or unknown to him on the date of execution of this release, which arises out of or is in any way related to the alleged Breach of contract referenced in Plaintiff's original petition and bodily injury damages in his supplimental petition filed on Febuary 19, 2020.

No Admission of Liability

Plaintiff further declares that this release is in settlement and comprise of a disputed claim, and that this release is not to be construed as an admission of liability on the part of the released parties and it is specifically understood that all liability is denied, that the settlement is being entered into solely for purpose of resolving any and all claims that Plaintiff has or may have against the released parties and precluding any further litigation against Released Parties for claims arising out of this Lawsuit.

Further Assurance

Plaintiff declares that he is the sole possessor of the claims or causes of action being released herein, and that he has not assigned or otherwise Transferred said claims or causes of actions to any other person or entity. Plaintiff also agrees that he will not, nor at any time hereafter, commence, maintain or

Prosecute any action at law or otherwise, or assert any claim against the released parties herein for damages, losses, Backpay or for other equitable relief related to this litigation.

Waiver of Cost of Court

Plaintiff declares that he understands that the released Parties will request the court to waive all cost of court, stemming from or related to this litigation, against all parties, the Plaintiff also understands that the released parties herein are only requesting the waiver of cost of court, as a good faith effort to resolving any and all claims the plaintiff has or may have against the released parties and precluding and further litigation against released parties for claims arising out of this lawsuit,

Carefully Reviewed Release and Understanding Thereof

Plaintiff Represents that he has carefully read this release and understands it's terms and conditions for release. Plaintiff acknowledges that he has had ample opportunity to consult with legal counsel regarding the meaning and effects of this Release, Plaintiff further understands that this is a full, complete and final release and that he is forever relinquishing and releasing any and all claims he has or may have against the released Parties which arise out of the alleged Breach of Contract or injuries suffered as referenced in his supplimental and amending petition. Plaintiff also acknowledges that he understands the terms and provisions of this release and that this release contains the entire agreement between the parties and supercedes any and all prior agreements, arrangements, or understandings between the parties related to the subject matter. Plaintiff further

represents and acknowledges that he has taken into account not only the known and anticipated claims and defenses, but also unknown and unanticipated claims and defenses which he hereby recognizes and agrees or covered by this Release. Plaintiff further declares that this release and Discharge is given voluntarily and after mature consideration, and without any threat, duress, intimidation or other unlawful means exercised toward him or any other person or persons whomsoever.

Thus done and signed before the undersigned competent witnesses and me, Notary Public after a due and complete reading of the whole in _____ Louisiana, on this _____ day of _____, 2007

Witnesses:

_____

_____

_____

Ryan [illegible], MB3686

_____

Notary Public

NOTICE OF RULE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON - - #433686
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

This is your notice that a rule for SCOPE OF SETTLEMENT AGREEMENT & OTHER MATTERS has been set in the above captioned matter on December 12, 2007 at 1:00 PM before the Honorable ELIZABETH P WOLFE.

Done on October 15, 2007.

Deputy Clerk of Court

GREG MURPHY
ASST. DISTRICT ATTORNEY
POST OFFICE BOX 299
LIVINGSTON, LA 70754

RULE TO SHOW CAUSE

MOTION IN OPPOSITION TO DEFENDANT'S MOTION TO ENFORCE SETTLEMENT AGREEMENT; AFFIDAVIT IN SUPPORT; MEMORANDUM OF LAW IN SUPPORT; ORDER; EXHIBITS

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: WARDEN JAMES LEBLANC
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

on **December 12, 2007**, *at the hour of* **1:00 PM** *at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on October 15, 2007.*

_____
Deputy Clerk of Court

Attorney
RYAN STINSON #433686, I.P.P.
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON, LA 70748

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE

MOTION IN OPPOSITION TO DEFENDANT'S MOTION TO ENFORCE SETTLEMENT AGREEMENT; AFFIDAVIT IN SUPPORT; MEMORANDUM OF LAW IN SUPPORT; ORDER; EXHIBITS

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY
6555 PERKINS ROAD
SUITE 200
BATON ROUGE, LA 70808

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

on ***December 12, 2007****, at the hour of* ***1:00 PM*** *at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on October 15, 2007.*

_____
Deputy Clerk of Court

Attorney
RYAN STINSON #433686, I.P.P.
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON, LA 70748

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE

MOTION IN OPPOSITION TO DEFENDANT'S MOTION TO ENFORCE SETTLEMENT AGREEMENT; AFFIDAVIT IN SUPPORT; MEMORANDUM OF LAW IN SUPPORT; ORDER; EXHIBITS

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON - #433686
UNIT 2 C/B/A CELL #2
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **December 12, 2007**, at the hour of **1:00 PM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

***HEREIN FAIL NOT, UNDER PENALTY OF THE LAW.** Witness the Honorable Judges of our said Court on October 15, 2007.*

_____
Deputy Clerk of Court

Attorney
RYAN STINSON #433686, I.P.P.
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON, LA 70748

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RTB (4)

1 of 4

Ryan Stinson	*	Div.___ Suit No: 113598
-v-	*	21st Judical District Court
Scott M. Perrilloux, District Attorney	*	Parish of Livingston
Charllote Hebert, Asst. Diskict Attorney	*	State of Louisiana
	*	
	*	

Filed _____ Clerk of Court

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT 19 PM 2:30
DEPUTY CLERK

* * * \

2 of 4

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to the defendants Attorney, Greg Murphy, 6555 Perkins Rd. Suite 200, Baton Rouge LA, 70808, Postage Prepaid, This 12 day of October, 2007

Ryan Stinson

3 of 4

Ryan Stinson * Div. E Suit No# 113598
-v- * 21st Judicial District Court
Scott M. Perrillaux, District Attorney * Parish of Livingston
Charlotte Hebert, Asst. District Attorney * State of Louisiana
*
Filed * Clerk of Court

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT 19 PM 2:39
DEPUTY CLERK

ORDER

It is here by ordered That The Warden of Dixion Correctional institute, Have The Body of Ryan Stinson #433686, under your Custody as it is said, under safe and secure Conduct before The Judge of This Court, For The, 21st Judicial District Court of Livingston Parish, at, 20180 Iowa St., Livingston, LA. 70754, on The 12th day of December, 2007 at 1:00pm in Division "F", To present his arguments and show Cause, in a Certain Cause Now pending in Said Court, There To be heard, entitled Ryan Stinson -v- Scott M. Perrilloux, District Attorney and Charlotte Hebert, Asst. District Attorney, Suit No. 113598, Before The Said Court, and immediately after The said "Stinson" has compleated his arguments and show's cause in The above and entitled matter, and The Court declares The Hearing Thereof Completed, That you return him back To Said Custody.

It is Further ordered, That a copy of This order Be Served on, Warden James Leblance of Dixion Correctional institute, at Dixion correctional institute P.O. Box 788, Jackson, LA, 70748.

It is Further ordered That a copy of This order and all attached papers be served on Ryan Stinson #433686 at Dixion correctional institute P.O. Box 788, Jackson, LA 70748.

It is Further ordered That a copy of This order and all attached papers be Served on Defendants Counsel, Greg Murphy, at 6555

4 of 4

Perkins Rd. Suite-200, Baton Rouge LA. 70808.

Signed, on This 2nd day of November, 2007, in Livingston Parish, state of Louisiana

District Judge

Please Serve:

Ryan Stinson, Plaintiff, at
Dixion Correctional institute
P.O. Box 788, Jackson, LA, 70748

James LeBlance, Warden, at
Dixion Correctional institute
P.O. Box 788, Jackson, LA, 70748

Mr. Greg Murphy, Counsel For Defendants, At,
6555 Perkins Rd. Suite-200, Baton Rouge, LA, 70808

NOTICE OF RULE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY
DISTRICT ATTORNEYS OFFICE 21ST JDC
P.O. BOX 299

LIVINGSTON, LA 70754

This is your notice that a rule for ENFORCEMENT OF SETTLEMENT has been set in the above captioned matter on December 12, 2007 at 1:00 PM before the Honorable ELIZABETH P WOLFE.

Done on October 22, 2007.

Deputy Clerk of Court

RYAN STINSON -- #433686
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

Nancy S.

1 of 2

113,598

October 22, 07

To: Ms. Robyn Lockwood, Deputy Clerk of Court
P.O. Box 1150, Livingston, Louisiana, 70754

From: Ryan Stinson J.P.P. #433686
unit-2 c/o/a cell #16, Dixion Correctional institute
P.O. Box 788, Jackson, Louisiana, 70748

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT 24 PM 1:17
BY DEPUTY CLERK

RE: Case No.# 000000113598

Dear Ms. Lockwood,

I am Writing you this missive in reFrence To the above and entitLed matter at hand, in hopes To receive your assistance in this matter.

I am asking iF you can please provide me With a copy oF The order in and Were The Judge granted me "Leave To Proceed in Forma Pauperis" I need it as To attache To my appeaL That I Will Be FiLLing in The Appeals court.

I am also asking iF you Will please provide me with a copy oF The (Motion in opposition To DeFendant's Motion To EnForce SettLement Agreement) and all Attached Exhibits That is dated September 28, 2007, in reFrence To Case No# 113598 That I FiLed in court.

Also Last But not Least Will you please provide Warden James LeBlanc of Dixion Correctional institute at P.O. Box 788, Jackson, LA, 70748 With a copy oF an order To Transpor. me To court on December 12, 2007 For my Hearing in Div. E at 1:00 PM.

I would so very much apreciate your Time and assistance in this matter.

I am in hopes and prayer To hear

2 OF 2

From you soon in concerns OF my most humble and needed Request.

Thank you so very much and god bless you once again For your Time and concern, Consideration and patience with me and this matter and your ongoing kindness.

With The kindess OF Regrades, I am

Truly Thankfull,

Ryan Stinson

Ryan Stinson #433686
unit-2 C/B/A Cell #16
Dixion correctional institute
P.O. Box 788, Jackson, LA, 70748

CC; Ryan Stinson
Ms. Roby Lockwood

DC
TBS
F

113,598

Oct. 22, 07

To: Clerk of Court, Livingston parish courthouse
P.O. Box 1150, Livingston, LA, 70754

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
07 OCT 25 AM 8:36
DEPUTY CLERK

From: Jacobi Johnson #130062
D.W.C.C. 670 Bell Hill Rd, Homer LA, 71040

RE: Case No. 113598 Div E

Dear Sir/madam

I am writing you this letter to ask you to please file the enclosed motion to intervene as third person and my motion to proceed in forma pauperis.

I did receive the motion you sent me to proceed in forma pauperis but I could not get it notorized. so I went on the computer and drafted one similar to one the court previously granted.

I hope they satisfy the court and you will file them for me

Thank you for your time and concern I look foward to hearing from you.

Respectfully submitted
Jacobi Johnson

Jacobi Johnson #130062
D.W.C.C. 670 Bell Hill Rd
Homer LA, 71040

cc: J.J.

Enclosure.

DC
TBS
(F)

113,598

Oct. 22, 07

To: Clerk of Court, Livingston parish courthouse
P.O. Box 1150, Livingston, LA, 70754

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
07 OCT 25 AM 8:36
DEPUTY CLERK

From: Jacobi Johnson #130062
D.W.C.C. 670 Bell Hill Rd, Homer LA, 71040

RE: Case No. 113598 Div E

Dear Sir/madam

I am writing you this letter to ask you to please file the enclosed motion to intervene as third person and my motion to proceed in forma pauperis.

I did receive the motion you sent me to proceed in forma pauperis but I could not get it notorized. so I went on the computer and drafted one simaler to one the court previously granted.

I hope they satisfy the court and you will file them for me

Thank you for your time and concern I look foward to hearing from you.

Respectfully submitted
Jacobi Johnson

Jacobi Johnson #130062
D.W.C.C. 670 Bell Hill Rd
Homer LA, 71040

cc: J.J.

Enclosure:

1 of 13 Ryan Stinson * Div. F Suit No. 113598
-V- * 21st Judicial District court
Scott M. Perkins, District Attorney * Parish of Livingston
Charlotte Hebert, Asst. District Attorney * State of Louisiana
*
Filed * Clerk of Court

* * * \

6.) I Jacobi Johnson Along with The Plaintiff Ryan Stinson Was Told By The defendants. (Scott M. Perrilloux and Charlotte Hebert) that they would indeed Transfer me and The Plaintiff Ryan Stinson To Dixon Correctional institute by December OF 2005 Were we would be safe and out OF Harms way From James P. Skinner

7.) on December 19, 2005 I Jacobi Johnson Was Transferred To Dixion Correctional institute and The Plaintiff Ryan Stinson Was Transferred To David wade Correctional Center Were The Plaintiff Life remained in great danger.

8.) The Plaintiff Ryan Stinson Then Filed suit against The defendants For Civil action Tort and Breach OF Contract Because The defendants did not Transfer The Plaintiff Ryan Stinson To Dixion correctional institute as agreed upon For His Testimony.

9.) After a Long discussed Settlement was agreed upon the plaintiff Ryan Stinson Was Transferred To Dixion Correctional institute on August 6, 2007.

10.) on August 6, 2007, I Jacobi Johnson Was Transferred From Dixion Correctional institute To David Wade Correctional Center. The same institution were The Plaintiff Ryan Stinson Life remained in danger. Because OF His Testimony, in doing This The defendant's Breached my contract.

11.) Subquently I Jacobi Johnson Filed a Motion in This Honorable court on August 9, 2007 To intervene as Third Person.

12.) Subquently This Honorable court denied my motion on August 23, 2007 and stated in support and reason for denying my motion

" The Matter between Mr. Stinson and The D.A's office has been settled and compromised "

13.) subquently on September 25, 2007 The

Defendants filed a motion to Enforce Settlement agreement. Because the Plaintiff Ryan Stinson refused to sign the Release Form.

14.) The Plaintiff Ryan Stinson on September 21, 2007, in objection to the Defendants motion, filed a Motion in opposition to Defendants Motion to Enforce Settlement agreement.

15.) Mr. Jacobi Johnson contends that until the settlement is executed By the Plaintiff Ryan Stinson and these motions are properly Heard that this action is still pending giving Mr. Jacobi Johnson the right to intervene.

* * * * * * * * * * * * * *

Law And Argument

* * * * * * * * * * * * * * *

The Court should grant Mr. Jacobi Johnson Motion to intervene as Third Person.

In determining wether a person Has the right to intervene as a third person, the court has to look at the standards in LA. Code. Civ. Proc. Ann. Art 1091:

1.) If the new person has an interest in the original claim pursuant to LA. Code Civ. Proc. Ann. Art. 1091.

2.) If the new person states a cause of action arising out of the same conduct, Transaction, or occurrence complained of in the original claim.

3.) If the four Criteria set forth in Girod v. South Louisiana Medical Center, Div. OF Hospitals, 475 So.2d 1040 (1985) have been satisfied

In Re: Matranga, LA. App 2006-0604, 948 So.2d 261, 2006 LA. App Lexis 3026 (LA. App. 4th Cir Dec 20, 2006); Dieffenthal v. Longue Vue Found, LA. App.

2003-1470, 815 So 2d 863, 2004 LA. APP Lexis 23 (LA. APP. 4th Jan 7, 2004) writ denied by LA. 2004-0366 869 So. 2d 883, 2004 LA. Lexis 1036 (LA APP. 2, 2004) Palace Props., LLC. v. City of Hammond; LA. APP 2002-1036, 859 So. 2d 15, 2003 LA APP. Lexis 1410 (LA APP 1 Cir June 22 2003) Bellow v. New York Fire + Marine underwriters, Inc. 215 So. 2d 350, 1968 LA APP. Lexis 4658 (LA. APP 3rd 1968).

In addition Mr. Jacobi Johnson states that he meet's these requirements as set forth in this motion.

Mr. Jacobi Johnson also contends that he is afforded a right by law to intervene as third person under LA. Code Civ. Proc. Ann. Art 1091:

A third person who has a justiciable right related to or connected with the object of the personal suit may "always" enforce that right through intervention to protect himself from prejudice or to avoid circuity or multiplicity, of action: Antchitoches v. State 221, So 2d 534 1969 LA. APP. Lexis 5070 (LA. APP 3 Cir 1969)

Under LA. Code Civ. Proc. Ann. Art 1091, it is proper to allow a party to intervene were the intervention arose out of the same occurrence set forth in the original pleading the defendant should have known of the existance of the intervenors, the intervenors were related to the original plaintiff, and the defendant would not be prejudiced by the intervention of the intervenors. Harrill v. Arnold LA APP. 34409, 777 So. 2d 1271, 2001 LA. APP. Lexis 31, 29 Media L. Rep (B.N.A.) 1763 (LA APP. 2 Cir Jan. 24, 2001)

LA. Code Civ. Proc. Ann. Art. 1091 also provides that a third person having an interest

therein may intervene in a pending action to enforce a right related to the objection of the pending action: Petrus v. Bain, LA. App. 3223), 742 So.2d 739, 1999 LA App Lexis 2475 (LA. App 2 cir Sept. 22, 1999), Acadian Bank v. Foret, 602 So. 2d 1097, 1992 LA. App Lexis 2310 (LA App 1 cir 1992) A third person having an interest may have intervened in a pending action to enforce a right related to or connected with the object of the pending action against one or more of the parties. Pitts v. Gulf South Divers, inc 387 So 2d 65, 1980 LA. App Lexis 4236 (LA. App 4 cir 1980)

Thus Mr. Jacobi Johnson has a strong interest therein and should be allowed to intervene as a third person joining the plaintiff. Because he is related to or connected with the object of the personal suit of the plaintiff.

Mr Jacobi Johnson further contends that this action is still pending and has yet to be settled as was shown by the Defendants motion to enforce settlement agreement and the plaintiff filling a motion in opposition to Defendants motion to enforce settlement agreement.

Article of 1870 code of practice are so general and indefinite that they afford no adequate rule as to when a third person may intervene in a pending action Art. 390 of the 1870 code of practice attempts to supply the needed rule but fails to do so through the generality of the language in order to be entitled to intervene, it is enough to have an interest in the success of either of the parties to the suit, or an interest opposed to both. Quite obviously "interest" as used in this article includes but goes beyond the real and

actual interest" required under Art. 15 Cod of Practice of 1870 to enable a party to institute the action.

There can be no binding compromise where the terms of the release for liability are unknown: Townsend v. Square, 94-0758 (LA. App 4th Cir 2/29/94) 643 So 2d 787; Travis Anthony v. Liberty Mutual Inc. Co. 99-1730 (LA. App. 3rd Cir 4/5/00) 739 So. 2d 910.

Wherefore there has been no [illegible] settlement of this action and Mr Jacobi Johnson should be allowed to intervene as third person.

If the plaintiff settles the pending litigation are the pending litigation is dismissed I Jacobi Johnson will suffer continued threat to my safety physical and mental well being.

If I Jacobi Johnson is to remain at David Wade Corr. Cent. my life will remain in grave danger from retaliation from James Pop Skinner for the relationship I have with the plaintiff.

The defendants have breached Mr. Jacobi Johnson contract by Mr. Johnson being transferred to David Wade Corr. Cent, when it was agreed that Mr. Jacobi Johnson would be transferred to Dixon Correctional Institute for the remainder of his sentence so his life would not be threatened by James Pop Skinner

* * * * * * * * * * * * * * *

Conclusion

* * * * * * * * * * * * * * *

Wherefore for the foregoing reasons set forth in this motion, the facts, arguments and law the court should grant Jacobi Johnson motion and allow Mr. Johnson to intervene as a third person.

Respectfully Submitted,

October 22, 2002
Date.

Jacobi Johnson

Jacobi Johnson 130062
D.W.C.C. 670 Bell Hill Rd. Homer LA, 71040

7 OF 13

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to Defendants counsel, Greg Murphy, 8555 Pollack Rd. Suite 200 Baton Rouge LA. 70809, Postage Pre Paid. This 22 day of October 2007.

Jacobi Johnson (Bar #)

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to the Plaintiff, Ryan Stinson 472486, Dixon Corr. Inst. P.O. Box 788 Jackson LA. 70748 Postage Pre Paid. This 22 day of October, 2007.

Jacobi Johnson (Bar #)

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
07 OCT 25 AM 8:36
BY DEPUTY CLERK

8 of 13 Ryan Stinson * Div. F Suit No 113598

v. * 21st Judicial District Court

Scott M. Rabillaux, District Attorney * Parish of Livingston

Charlotte H. Berl, Asst. District Attorney * State of Louisiana

*

Filed * Clerk

FILED
07 OCT 25 AM 8:36
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

ORDER

After the Courts consideration of Jacobi Johnson Motion to intervene as third person it is Hereby:

Ordered that a Hearing to show cause for Jacobi Johnson Motion to intervene as third person, Be set in Division _____ of the Livingston Parish court House, 20180 Iowa St. Livingston LA. 70754, on the _____ day of _____, 2007, at _____ o'clock to show cause why Jacobi Johnson Motion to intervene as third person should Be granted.

It is Further ordered, that a copy of this order be provided to Warden, Venita Michael at David Wade corr. cent 670 Bell Hill Rd. Homer, LA. 71040.

It is Further ordered, that a copy of this order be provided to Warden, James Leblanc at Dixion correctional institute P.O. Box 788 Jackson LA, 70748.

It is Further ordered, that Warden Venita Michael make arrangements to have the Body of one Jacobi Johnson #130067 Present in open Court on the above date and time and in the above Court room.

It is Further ordered, that Warden, James Leblanc make arrangements to have the body of one Ryan Stinson #433686 present in open court on the above date and time and in the above. Court room.

4 of 13

Denied

It is further ordered, that a copy of this [illegible] and all papers attached to this order shall be served on Ryan Stinson #433686 at Dixon Correctional Institute, P.O. Box 788, Jackson LA, 70748, to show cause why Jacobi Johnson motion to intervene as third person should or should not be granted.

It is further ordered, that a copy of this order and all papers attached to this order shall be served on Counsel for defendants, [illegible] Murphy [illegible] 1555 Perkins Rd. Suite 200 Baton Rouge LA 70808, to be present in open court on the above date and time and in the above court [illegible] to show cause why Jacobi Johnson motion to intervene as third person should or should not be granted.

Signed, on this 13th day of November, 2007, in Livingston Parish, State of Louisiana.

[signature]

District Judge

This person is not a party to the suit and as such is not permitted to intervene in the case.

Please serve:

Ryan Stinson #433686

[illegible] Murphy

Warden, James Leblanc

[illegible], [illegible] Michael

Jacobi Johnson #130062

10 of 13 Ryan Stinson * Div. E Suit. NO 113598
-v- * 21st Judicial District Court
Scott M. Perrilloux, District Attorney * Livingston Parish
Charlotte Hebert, Asst. District Attorney * State of Louisiana
*
Filed * Clerk of Court

* *

Motion For Leave To Proceed in Forma Pauperis

* *

TO The Honorable Judge Elizabeth P. Wolfe:
May it please The Court:

Pursuant to article 5181, et. seq., Louisiana Code of Civil Procedure, Motion is hereby made by Mr. Jacobi Johnson, To be allowed to proceed in Forma Pauperis With his Motion To Intervene As third Person, in This Suit.

Petitioner Jacobi Johnson, Affidavit in accordance With LA.C.C.P. Article 5181, et. seq. is Attached hereto, and by reference Thereto made an actual Part of This Motion.

FILED
07 OCT 25 AM 8:36
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

Respectfully
Submitted,

October 22, 2007
Date

Jacobi Johnson
David Wade Corr. Cent.
670 Bell Hill Rd.
Homer, La 71040

11 of 13

Affidavit in Support of Request to Proceed in Forma Pauperis

I Jacobi Johnson, declare that I am the petitioner in the Attached motion, that in support of my motion to proceed Without being required to prepay Fees, Cost or give Therefore, I state that because of said proceeding or to give security therefore; that I Beleaive I am entitled to redress.

I Further declare pursuant to 28 U.S.C. Section 1746 that the responses which I have made to the questions and instructions below are true and correct.

1.) Are you Presently employed? Yes ___ No ✓

2.) Have you received Within the past twelve months any Money From any of the Following Sorces?

(A.) Business profession, or Form of self Employment (hobby craft sales included) Yes ___ No ✓

(B) Rent payments, interest or dividends? Yes ___ No ✓

(C.) Pensions, Annuities or Life insurance payments? Yes ___ No ✓

(D) Gifts or inheritances? Yes ___ No ✓

3.) Do you own any Cash, or do you have any Money and/or bonds in a checking are savings account (included any Funds in Prison accounts)? Yes ✓ No ___, if the answer is Yes state The Total Value of Items owned.

Prison Drawing Account: $29.97

Prison Savings Account: Ø

Prison Bonds: Ø

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
07 OCT 25 AM 8:36
DEPUTY CLERK

I Jacobi Johnson #130062 Further declare Pursuant To 28 U.S.C. Section 1746 That I have the Current sum of $29.97 on my account to my Credit at David Wade Correctional Center

I Further declare That during the past six

13 of 13 Ryan Stinson * Div: F Suit# 113598

-v- * 21st Judicial District Court

Scott M. Perrilloux, District Attorney * Livingston Parish

Charlotte Hebert, Asst. District Attorney * State of Louisiana

Filed * Clerk of Court

ORDER

Considering the Foregoing pauperis Motion and Affidavit Jacobi Johnson #130062 has shown cause and need for being granted privilege to proceed in Forma pauperis in Accordance with Louisiana code of Civil procedure Articles 5181, et.seq. in the above captioned and styled matter with his motion to intervene as Third person.

It is ordered, That Jacobi Johnson be allowed to proceed in Forma pauperis without having to pay Cost thereof

Thus, Signed This 24 day of October, 2007, in Livingston parish, of Louisiana

Judge

FILED
07 OCT 25 AM 8:39
CLERK OF COURT
21ST DIST. OF LIVINGSTON
DEPUTY CLERK

Please Serve:

Ryan Stinson #433686, Unit-a cloh cell#16 Dixion corr inst. P.O. Box 788, Jackson Louisiana, 70748

~~Greg Murphy~~, 6555 Perkins Rd. Suite 200 Baton Rouge LA, 70808

Warden, James Leblanc, Dixion Corr. Cent. P.O. Box 788, Jackson, LA, 70748

Warden, Veneta Michael, D.W.C.C. 670 Bell Hill Rd. Homer LA, 71040

Jacobi Johnson #130062 D.W.C.C. 670 Bell Hill Rd, Homer LA, 71040

months my average balance was $102.13 and that my monthly deposits were $15.67. I Further declare that I do not have a Secondary Savings account(s) such as a Certificate of deposit or savings bond, The Secondary Account(s) balance, if any is $\emptyset$.

Signed this 22 day of Oct, 2007
Claiborne, Louisiana

Jacobi Johnson

Jacobi Johnson #130062

I Jacobi Johnson, Declare Pursuant to 28 U.S.C. Section 1746 under penalty of perjury, That The Foregoing is true and correct to the best of my knowledge.

I understand that a False statement in this AFFidavit could Subject me to the penalty of perjury of Law.

Signed, This 22 day of Oct.
Claiborne, Louisiana

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
07 OCT 25 AM 8:36
DEPUTY CLERK

Jacobi Johnson

Jacobi Johnson #130062

[redacted]

RULE TO SHOW CAUSE

MOTION IN OPPOSITION TO DEFENDANT'S MOTION TO ENFORCE SETTLEMENT AGREEMENT; AFFIDAVIT IN SUPPORT; MEMORANDUM OF LAW IN SUPPORT; ORDER; EXHIBITS

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON - #433686
UNIT 2 C/B/A CELL #2
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **December 12, 2007**, at the hour of **1:00 PM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

***HEREIN FAIL NOT, UNDER PENALTY OF THE LAW.** Witness the Honorable Judges of our said Court on October 15, 2007.*

Deputy Clerk of Court

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT 25 PM 3:46
DEPUTY CLERK

Attorney
RYAN STINSON #433686, I.P.P.
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON, LA 70748

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

Received on 10-18-07 and on 10-19-07
By: _____ Deputy Sheriff
Served a true copy within Rule To Show Cause
at a distance of about 14 miles from the Courthouse
in the parish of East Feliciana, State of Louisiana
Personally _____ Domiciliary _____

[ORIGINAL]

Cost of Service $ 20.00
Mileage Cost 11.20
Total Due $ 31.20

RULE TO SHOW CAUSE

MOTION IN OPPOSITION TO DEFENDANT'S MOTION TO ENFORCE SETTLEMENT AGREEMENT; AFFIDAVIT IN SUPPORT; MEMORANDUM OF LAW IN SUPPORT; ORDER; EXHIBITS

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: WARDEN JAMES LEBLANC
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **December 12, 2007**, at the hour of **1:00 PM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on October 15, 2007.*

Deputy Clerk of Court

Attorney
RYAN STINSON #433686, I.P.P.
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON, LA 70748

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT 25 PM 3:46
DEPUTY CLERK

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

Received on 10-18-07 and on 10-19-07
[illegible] a true copy within Rule to Show
[illegible] Warden James LeBlanc
[illegible] of about 14 miles from the Courthouse
[illegible] East Feliciana, State of Louisiana
[illegible] Domicillary _____
[illegible]
Cost of Service $ 20.00
[illegible] Cost _____
Total Due $ 20.00

[ORIGINAL]

RULE TO SHOW CAUSE
PETITION FOR A WRIT OF HABEA'S CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON, PLAINTIFF, AT
DIXON CORRECTIONAL INSTITUTE - #433686
POST OFFICE BOX 788
JACKSON, LA 70748

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

on ***December 12, 2007****, at the hour of* ***1:00 PM*** *at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on November 5, 2007.*

_____
Deputy Clerk of Court

Attorney
RYAN STINSON - I.P.P.
DIXON CORRECTIONAL INSTITUTE #433686, PO BOX 788
JACKSON LA 70748

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE
PETITION FOR A WRIT OF HABEA'S CORPUS AD TESTIFICANDUM

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: JAMES LEBLANCE, WARDEN AT
DIXON CORRECTIONAL INSTITUTE
PO BOX 788
JACKSON, LA 70748

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on ***December 12, 2007****, at the hour of* ***1:00 PM*** *at the Courthouse in Livingston, Louisiana, if you have or can, why:*

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Deputy Clerk of Court

Attorney
RYAN STINSON, #433686 AT DIXON CORRECTIONAL INSTITUTE
PO BOX 788
JACKSON LA 70748

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Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE
PETITION FOR A WRIT OF HABEA'S CORPUS AD TESTIFICANDUM

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY - COUNSEL FOR DEFENDANTS AT
6555 PERKINS RD
STE 200
BATON ROUGE, LA 70808

GREETING:

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on ***December 12, 2007****, at the hour of* ***1:00 PM*** *at the Courthouse in Livingston, Louisiana, if you have or can, why:*

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Deputy Clerk of Court

Attorney
RYAN STINSON, #433686 AT DIXON CORRECTIONAL INSTITUTE
PO BOX 788
JACKSON LA 70748

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Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

CITATION

PETITION FOR A WRIT OF HABEA'S CORPUS AD TESTIFICANDUM

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON, PLAINTIFF AT
DIXON CORRECTIONAL INSTITUTE - #433686
POST OFFICE BOX 788
JACKSON, LA 70748 *of EAST FELICIANA Parish*

YOU ARE HEREBY SUMMONED *to comply with the demand contained in the petition of which a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, the 21st Judicial District Court in and for the Parish of Livingston, State of Louisiana, within FIFTEEN (15) days after the service hereof, under penalty of default.*

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 5, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686
DIXON CORRECTIONAL INSTITUTE, PO BOX 788
JACKSON LA 70748

Service Information

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Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

CITATION

PETITION FOR A WRIT OF HABEA'S CORPUS AD TESTIFICANDUM

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: JAMES LEBLANCE, WARDEN AT
DIXON CORRECTIONAL INSTITUTE
PO BOX 788
JACKSON, LA 70748 *of EAST FELICIANA Parish*

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WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 5, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686
DIXON CORRECTIONAL INSTITUTE, PO BOX 788
JACKSON LA 70748

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Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

CITATION

PETITION FOR A WRIT OF HABEA'S CORPUS AD TESTIFICANDUM

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY - COUNSEL FOR DEFENDANTS AT
6555 PERKINS RD
STE 200
BATON ROUGE, LA 70808 *of EAST BATON ROUGE Parish*

YOU ARE HEREBY SUMMONED to comply with the demand contained in the petition of which a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, the 21st Judicial District Court in and for the Parish of Livingston, State of Louisiana, within FIFTEEN (15) days after the service hereof, under penalty of default.

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 5, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686
DIXON CORRECTIONAL INSTITUTE, PO BOX 788
JACKSON LA 70748

Service Information

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Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

NOTICE OF RULE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

GREG MURPHY
DISTRICT ATTORNEYS OFFICE 21ST JDC
P.O. BOX 299
LIVINGSTON, LA 70754

RYAN STINSON #433686
DIXON CORRECTIONAL INSTITUTE
PO BOX 788
JACKSON LA 70748

This is your notice that a rule for HEARING has been set in the above captioned matter on December 12, 2007 at 1:00 PM before the Honorable ELIZABETH P WOLFE.

Done on November 5, 2007.

Deputy Clerk of Court

CITATION

PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: JAMES LEBLANCE, WARDEN AT
DIXON CORRECTIONAL INSTITUTE
PO BOX 788
JACKSON, LA 70748 *of EAST FELICIANA Parish*

IT IS ORDERED THAT THE WARDEN OF DIXON CORRECTIONAL INSTITUTE, MOVE THE BODY OF RYAN STINSON #433686, UNDER YOUR CUSTODY AS IT IS SAID, UNDER SAFE AND SECURE CONDUCT BEFORE THE JUDGE OF THIS COURT, FOR THE 21ST JUDICIAL DISTRICT COURT OF LIVINGSTON PARISH, AT 20180 IOWA ST, LIVINGSTON, LA 70754 ON THE 12TH DAY OF DECEMBER, 2007 AT 1:00PM IN DIVISION "F".

PLEASE SEE ATTACHED CERTIFIED COPY OF PETITION AND ORDER.

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 5, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686
DIXON CORRECTIONAL INSTITUTE, PO BOX 788
JACKSON, LA 70748

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
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Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

DC TBS F

FILED CLERK OF COURT PARISH OF LIVINGSTON 2007 NOV -7 AM 9:54 DEPUTY CLERK

1 of 4

Ryan Stinson
-V-
Scott M. Perrilloux, District Attorney
Charlotte Hebert, Asst. District Attorney

Div. F Suit No. # 113598
21st Judicial District Court
Parish of Livingston
State of Louisiana

Filed

Clerk of Court

* * * * * * * * * * * * * * * * * *

Petition For Writ of Habeas Corpus Ad Testificandum

* * * * * * * * * * * * * * * * * *

Now into This Court:

Comes The Plaintiff Ryan Stinson, Pursuant To 28.U.S.C. Section 2241(c)(5), LA.C.C.P. Art. 1235.1, 1354, 1355, 1355.1, 1356, 1463, and Art. 3821, Request That This cout issue a Writ of habeas Corpus Ad Testificandum requiring The Warden of David Wade Correctional center, To bring The body of one Jacobi Johnson # 130062, Before This Court, For a Hearing to show cause Scheduled To commence on December 12, 2007 at 1:00pm, and States in Support:

1.) The Plaintiff's Case depends in Large part of His witnesses Testimony. Since The Credibility of Witnesses Will be an issue in This matter, The court should be Allowed To Hear The Plaintiff's witnesses testify Personaly and observe There demeanor.

2.) The Plaintiff is Proceeding Pro see in This Matter and Should Therefore be allowed To Produce his witnesses To testify in His case, and so The defendant's may cross-examine The witnesses, and hear his case, and so That The plaintiff can present Appropriate rebuttal evidence Through his witnesses.

3.) The Plaintiff witnesses, should Be produced To testify in This case where his physical presence will contribute Significantly To a Fair and impartial Judgement in The witnesses Testimony and credability: See; Holt V. Pitts, 619 F.2d 558 (5th Cir 1980).

4.) This court has The Power To order a prisoner To Be Brought Before it To Testify in This Civil matter

and to be cross examined; See; Stone v. Morris, 546 F.2d 730 (7th cir. 1976); Holt v. Pitts, 619 F.2d 558 (5th cir 1980); Michaud v. Michaud, 932 F.2d 77, 81 (1st cir 1991); (Held that District Courts have the Power to order Prisoners brought before it to present oral arguments are testify).

Wherefore, For the foregoing reasons this writ of Habeas Corpus Ad Testificandum should be granted.

Respectfully Submitted,

11, 4, 2007
Date

Ryan Stinson #433686

3 of 4

Ryan Stinson * Div. ____ Suit No* _____

-vs- * ____ Judicial District Court

Scott M. Perrilloux, District Attorney * Parish of Livingston

Charlotte Hebert, Asst. District Attorney * State of Louisiana

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 NOV -7 AM 9:54
DEPUTY CLERK

Filed * Clerk of Court

ORDER

It is hereby ORDered that the Warden of David Wade Correctional Center Have the body of one Jacobi Johnson #130062 Detained in David Wade Corr. Cent. 670 Bell Hill Rd. Homer, LA. 71040 Under your custody as it is said, under safe and secure conduct before The Honorable Judge Elizabeth P. Wolfe of this court, For the 21st Judicial District court of Livingston Parish at 20180 Iowa St. Livingston LA. 70754, on the 12th day of December, 2007 at 1:00 pm, in Division "F", To Testify To the Truth according to his knowledge in a certain cause No pending in said Court, then to be heard, entitled Ryan Stinson V. Scott M. Perrilloux, District Attorney and Charlotte Hebert, Asst. District Attorney Suit No.# 113598, Before the said court and immediately after the said "Jacobi Johnson #130062" has compleated givening his Testimony in the above-entitled matter, and the court declares the Hearing thereof completed, that you return Him Back to David Wade Corr. Cent.

It is Further ordered that a copy of this Order be Provided to Warden Venetia Micheal of David Wade correctional Center at D.W.C.C. 670 Bell Hill Rd. Homer LA. 71040.

It is Further ordered That a copy of this order and all papers Attached be provided to Jacobi Johnson #130062, at David Wade Corr. Cent. 670 Bell Hill Rd. Homer LA, 71040.

It is Further ordered that a copy of this order be provided to the Plaintiff and counsel for the

4 of 4

Defendants with a copy of all papers Attached.

Signed, on This 12th day of November 2007 in Livingston parish, State of Louisiana

District Judge

Clerk Please Serve:

Ryan Stinson # 433686, unit a c/o/a cell #16
Dixion correctional institute, P.O. Box 788 Jackson, LA, 70748

Greg Murphy, Defendants Counsel
6555 Perkins Rd. Suite 200, Baton Rouge LA, 70808

JACobi Johnson # 130062
David Wade corr. cent. 670 Bell Hill Rd. Homer LA, 71040

Warden, Venetia Micheal
David wade corr. cent. 670 Bell Hill Rd. Homer LA. 71040

Certificate of Service.

This is to certify that a copy of the above and foregoing has been mailed to the defendants counsel, Greg Murphy, at 6555 Perkins Rd. Suite 200, Baton Rouge LA. 70808, Postage Prepaid, This 4 day of November, 2007

Ryan Stinson

144

RULE TO SHOW CAUSE

MOTION IN OPPOSITION TO DEFENDANT'S MOTION TO ENFORCE SETTLEMENT AGREEMENT; AFFIDAVIT IN SUPPORT; MEMORANDUM OF LAW IN SUPPORT; ORDER; EXHIBITS

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY
6555 PERKINS ROAD
SUITE 200
BATON ROUGE, LA 70808

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **December 12, 2007**, at the hour of **1:00 PM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

***HEREIN FAIL NOT, UNDER PENALTY OF THE LAW.** Witness the Honorable Judges of our said Court on October 15, 2007.*

B Montgomery
Deputy Clerk of Court

Attorney
RYAN STINSON #433686, I.P.P.
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON, LA 70748

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 NOV -5 PM 1:07
DEPUTY CLERK

Service Information

Received on the 25 *day of* Oct, 2007 *and on the* 25 *day of* Oct, 2007 *served the above named party as follows:*

***Personal Service** on the party herein named* Greg Murphy 6555 Perkins

***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ *this* _____ *day of* _____, 20____.

Service $_____

Mileage $_____

Total $_____

RECEIVED
E.B.R. SHERIFF'S OFFICE
OCT 29 2007

By: _____
Deputy Sheriff

[ORIGINAL]

NOTICE OF RULE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To:

,

This is your notice that a rule for has been set in the above captioned matter on at before the Honorable ELIZABETH P WOLFE.

Done on November 15, 2007.

Deputy Clerk of Court

RULE TO SHOW CAUSE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To:

,

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_____
Deputy Clerk of Court

Attorney

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Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

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Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To:

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Deputy Clerk of Court

Attorney

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Total $_____

By: _____
Deputy Sheriff

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RULE TO SHOW CAUSE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To:

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Deputy Clerk of Court

Attorney

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By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To:

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Deputy Clerk of Court

Attorney

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Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE
PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON - #433686
UNIT 2 C/B/A CELL #66
DIXON CORRECTIONAL
POST OFFICE BOX 788
JACKSON, LA 70748

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

on ***December 12, 2007****, at the hour of* ***1:00 PM*** *at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on November 15, 2007.*

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, I.P.P.
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

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By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE
PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY
6555 PERKINS RD.
SUITE 200
BATON ROUGE, LA 70808

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_____
Deputy Clerk of Court

Attorney
RYAN STINSON, I.P.P.
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

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Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE
PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: JACOBI JOHNSON #130062
DAVID WADE CORR. CENT.
670 BULL HILL RD.
HOMER, LA 71040

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

on ***December 12, 2007****, at the hour of* ***1:00 PM*** *at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on November 15, 2007.*

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, I.P.P.
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE
PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: WARDEN VENETIA MICHAEL
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

on ***December 12, 2007****, at the hour of* ***1:00 PM*** *at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on November 15, 2007.*

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, I.P.P.
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

CITATION

PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON - #433686
UNIT 2 C/B/A CELL #66
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748 *of EAST FELICIANA Parish*

PLEASE SEE ATTACHED CERTIFIED COPY OF ABOVE LISTED PLEADINGS.

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 15, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

_____
Deputy Clerk of Court

Attorney
RYAN STINSON #433686
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON, LA 70748

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

CITATION

PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY
6555 PERKINS RD.
SUITE 200
BATON ROUGE, LA 70808 *of EAST BATON ROUGE Parish*

PLEASE SEE ATTACHED CERTIFIED COPY OF ABOVE LISTED PLEADINGS.

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 15, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

_____
Deputy Clerk of Court

Attorney
RYAN STINSON #433686
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON, LA 70748

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

CITATION

PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: JACOBI JOHNSON #130062
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040 *of CLAIBORNE Parish*

PLEASE SEE ATTACHED CERTIFIED COPY OF ABOVE LISTED PLEADINGS.

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 15, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

_____
Deputy Clerk of Court

Attorney
RYAN STINSON #433686
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON, LA 70748

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

CITATION

PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: WARDEN VENETIA MICHAEL
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040 *of CLAIBORNE Parish*

PLEASE SEE ATTACHED CERTIFIED COPY OF ABOVE LISTED PLEADINGS.

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 15, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

_____
Deputy Clerk of Court

Attorney
RYAN STINSON #433686
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON, LA 70748

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[FILED COPY]

RULE TO SHOW CAUSE
PETITION FOR A WRIT OF HABEA'S CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON, PLAINTIFF, AT
DIXON CORRECTIONAL INSTITUTE - #433686
POST OFFICE BOX 788
JACKSON, LA 70748

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **December 12, 2007**, at the hour of **1:00 PM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on November 5, 2007.*

Deputy Clerk of Court

Attorney
RYAN STINSON - I.P.P.
DIXON CORRECTIONAL INSTITUTE #433686, PO BOX 788
JACKSON LA 70748

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 NOV 19 PM 2:12
DEPUTY CLERK

Service Information

Received on the 8 *day of* Nov, *2007 and on the* 8 *day of* Nov, *2007 served the above named party as follows:*

***Personal Service** on the party herein named* _____.
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of* _____, *a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of East Feliciana *this* 14 *day of* Nov, *2007.*

Service $ 20.00
Mileage $ —
Total $ 20.00

By: _____
Deputy Sheriff

on _____ and on _____
true copy within _____
_____
of about ___ miles from the Courthouse
of East Feliciana, State of Louisiana
_____ Domiciliary _____
Service $ _____
[ORIGINAL] Mileage Cost _____
Total Due $ _____

CITATION
PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: JAMES LEBLANCE, WARDEN AT
DIXON CORRECTIONAL INSTITUTE
PO BOX 788
JACKSON, LA 70748 *of EAST FELICIANA Parish*

IT IS ORDERED THAT THE WARDEN OF DIXON CORRECTIONAL INSTITUTE, MOVE THE BODY OF RYAN STINSON #433686, UNDER YOUR CUSTODY AS IT IS SAID, UNDER SAFE AND SECURE CONDUCT BEFORE THE JUDGE OF THIS COURT, FOR THE 21ST JUDICIAL DISTRICT COURT OF LIVINGSTON PARISH, AT 20180 IOWA ST, LIVINGSTON, LA 70754 ON THE 12TH DAY OF DECEMBER, 2007 AT 1:00PM IN DIVISION "F".
PLEASE SEE ATTACHED CERTIFIED COPY OF PETITION AND ORDER.

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 5, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

Deputy Clerk of Court

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 NOV 19 PM 2:12
DEPUTY CLERK

Attorney
RYAN STINSON, #433686
DIXON CORRECTIONAL INSTITUTE, PO BOX 788
JACKSON, LA 70748

Service Information

Received on the 8th *day of* Nov., 2007 *and on the* 8 *day of* Nov., 2007 *served the above named party as follows:*

Personal Service *on the party herein named* _____

Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of* Lt. Felder, *a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of East Fel. *this* 14th *day of* Nov., 2007

Service $ 20.00

Mileage $ —

Total $ 20.00

Received on _____ and on _____
and a true copy within _____
By: _____
Deputy Sheriff
Distance of about ____ miles from the Courthouse
Parish of East Feliciana, State of Louisiana
Personal _____ Domiciliary _____
Deputy _____
Cost of Service $ _____
Mileage Cost _____
Total Due $ _____

[ORIGINAL]

RULE TO SHOW CAUSE

PETITION FOR A WRIT OF HABEA'S CORPUS AD TESTIFICANDUM

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: JAMES LEBLANCE, WARDEN AT
DIXON CORRECTIONAL INSTITUTE
PO BOX 788
JACKSON, LA 70748

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **December 12, 2007**, at the hour of **1:00 PM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on November 5, 2007.*

Deputy Clerk of Court

Attorney
RYAN STINSON, #433686 AT DIXON CORRECTIONAL INSTITUTE
PO BOX 788
JACKSON LA 70748

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 NOV 19 PM 2:12
DEPUTY CLERK

Service Information

Received on the 8 *day of* Nov, *20*07 *and on the* 8 *day of* Nov, *20*07 *served the above named party as follows:*

***Personal Service** on the party herein named* _____.
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of* Lt. Felicia, *a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of East Fel. *this* 14 *day of* Nov, *20*07.

Service $20.00

Mileage $ —

Total $20.00

By: Received on Robert Kay and on
Deputy Sheriff copy within _____
of about ___ miles from the Courthouse
of East Feliciana, State of Louisiana
_____ Domiciliary _____
of Service $ _____
Mileage Cost _____
[ORIGINAL] $ _____

CITATION
PETITION FOR A WRIT OF HABEA'S CORPUS AD TESTIFICANDUM

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON, PLAINTIFF AT
DIXON CORRECTIONAL INSTITUTE - #433686
POST OFFICE BOX 788
JACKSON, LA 70748 *of EAST FELICIANA Parish*

YOU ARE HEREBY SUMMONED *to comply with the demand contained in the petition of which a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, the 21st Judicial District Court in and for the Parish of Livingston, State of Louisiana, within FIFTEEN (15) days after the service hereof, under penalty of default.*

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 5, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

Deputy Clerk of Court

Attorney
RYAN STINSON, #433686
DIXON CORRECTIONAL INSTITUTE, PO BOX 788
JACKSON LA 70748

FILED
2007 NOV 19 PM 2:20
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

Service Information

Received on the 8 *day of* Nov. *,* 20 07 *and on the* 8 *day of* Nov. *,* 20 ___ *served the above named party as follows:*

Personal Service *on the party herein named* _____

Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of* Lt. Fulton *, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of East Feliciana *this* 13 *day of* Nov. *,* 20 07.

Service $ 20.00
Mileage $ 11.20
Total $ 31.20

By: _____
Deputy Sheriff

Received and served a true copy within
on the ___ day of ___, 20___
at ___ o'clock ___M.
and returned the same ___ days after date.
Served ___ miles distant, parish of ___
Mileage ___ miles from the Courthouse
of East Feliciana, State of Louisiana
Service ___ Domiciliary ___
Service $ ___
Mileage Cost ___
Total Cost $ ___

[ORIGINAL]

CITATION
PETITION FOR A WRIT OF HABEA'S CORPUS AD TESTIFICANDUM

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: JAMES LEBLANCE, WARDEN AT
DIXON CORRECTIONAL INSTITUTE
PO BOX 788
JACKSON, LA 70748

PAUPER SUIT

of EAST FELICIANA Parish

YOU ARE HEREBY SUMMONED *to comply with the demand contained in the petition of which a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, the 21st Judicial District Court in and for the Parish of Livingston, State of Louisiana, within FIFTEEN (15) days after the service hereof, under penalty of default.*

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 5, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

Deputy Clerk of Court

Attorney
RYAN STINSON, #433686
DIXON CORRECTIONAL INSTITUTE, PO BOX 788
JACKSON LA 70748

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 NOV 13 PM 2:12
DEPUTY CLERK

Service Information

Received on the 8 *day of* Nov, *20*07 *and on the* [illegible] *day of* Nov, *20*07 *served the above named party as follows:*

Personal Service on the party herein named _____

Domiciliary Service on the party herein named by leaving the same at his/her domicile in the parish in the hands of L. Felps, *a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of East. Fel. *this* 14 *day of* Nov. *20*07.

Service $ 20.00
Mileage $ 11.20
Total $ 31.20

Received on _____ and on
By: _____ true copy within
Deputy Sheriff

_____ miles from the Courthouse
Parish of East Feliciana, State of Louisiana
_____ Domiciliary
_____
Cost of Service $ _____
Mileage Cost _____
Total Due $ _____

[ORIGINAL]

144

RULE TO SHOW CAUSE
PETITION FOR A WRIT OF HABEA'S CORPUS AD TESTIFICANDUM

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY - COUNSEL FOR DEFENDANTS AT
6555 PERKINS RD
STE 200
BATON ROUGE, LA 70808

PAUPER SUIT

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **December 12, 2007**, at the hour of **1:00 PM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on November 5, 2007.*

Deputy Clerk of Court

Attorney
RYAN STINSON, #433686 AT DIXON CORRECTIONAL INSTITUTE
PO BOX 788
JACKSON LA 70748

Service Information

Received on the 9 *day of* NOV, *20* 07 *and on the* 12 *day of* NOV, *20* 07 *served the above named party as follows:*

***Personal Service** on the party herein named* Greg Murphy 6555 Perkins.
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ *this* _____ *day of* _____, *20*____.

Service $_____

Mileage $_____

Total $_____

By: Joan Delgado
Deputy Sheriff

E.B.R. SHERIFF'S OFFICE
RECEIVED
NOV 08 2007
DEPUTY CLERK

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 NOV 19 AM 7:40

[ORIGINAL]

11/8/07

CITATION
MOTION AND ORDER

96 59

STATE OF LA., DEPT OF SOCIAL SERVICES

Vs.

WEATHERFORD, ALLEN JR

Case: 000000114951
Division: D
21st Judicial District Court
Parish of Livingston
State of Louisiana

RETURN

To: TRANSPORTATION DEPARTMENT @
RICHLAND CORRECTIONAL CENTER
474 HWY 15
RAYVILLE, LA 71269 *of RICHLAND Parish*

IT IS ORDERED THAT THE RICHLAND CORRECTIONAL CENTER'S TRANSPORTATION DEPARTMENT TO PICK UP KELLY BARNARD FROM RICHLAND CORRECTIONAL CENTER AND HAVE HIM/HER PRESENT AT THE LIVINGSTON COURTHOUSE FOR A PETITION TO ESTABLISH PATERNITY AND SUPPORT ON THE 3RD DAY OF DECEMBER, 2007 AT 9:30 A.M AND AFTER SAID PETITION TO ESTABLISH PATERNITY AND SUPPORT THAT KELLY BARNARD BE RETURNED TO RICHLAND CORRECTIONAL CENTER UNLESS OTHERWISE ORDERED BY THIS COURT.

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 6, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

Deputy Clerk of Court

Attorney
STATE

Service Information

FILED
2007 NOV 19 PM 2:
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____*

Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[ORIGINAL]

RICHLAND PARISH SHERIFF OFFICE
DATE 11-13-07 TIME SERVED _____
NAME _____
DOM _____ NAME _____
PER _____
UNABLE TO LOCATE _____
MILES 34
ODOMETER READING FOR SEIZURES _____
DEPUTY _____

CITATION
PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

RECEIVED
NOV 16 2007
EAST FELICIANA
SHERIFF'S OFFICE

To: RYAN STINSON - #433686
UNIT 2 C/B/A CELL #66
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

of EAST FELICIANA Parish

PLEASE SEE ATTACHED CERTIFIED COPY OF ABOVE LISTED PLEADINGS.

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 15, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

B Montgomery
Deputy Clerk of Court

Attorney
RYAN STINSON #433686
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON LA 70748

Received on 11-16-07 and on 11-20-07
a true copy within Cit. & Pet.
Ryan Stinson
at a distance of about 14 miles from the Courthouse,
in the parish of East Feliciana, State of Louisiana
Domiciliary
Joe Stahl
Cost of Service $ 20.00
Mileage Cost 11.20
Total Due $ 31.20

RULE TO SHOW CAUSE
PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

*To:*RYAN STINSON - #433686
UNIT 2 C/B/A CELL #66
DIXON CORRECTIONAL
POST OFFICE BOX 788
JACKSON, LA 70748

RECEIVED
NOV 16 2007
EAST FELICIANA
SHERIFF'S OFFICE

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **December 12, 2007**, at the hour of **1:00 PM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

***HEREIN FAIL NOT, UNDER PENALTY OF THE LAW.** Witness the Honorable Judges of our said Court on November 15, 2007.*

Deputy Clerk of Court

Attorney
RYAN STINSON, I.P.P.
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

Received on 11-16-07 and on 11-19-07
served a true copy within
at a distance of about ___ miles from the Courthouse
in the parish of East Feliciana, State of Louisiana
by delivering unto
Service $
Mileage Cost

CITATION
PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: JACOBI JOHNSON #130062
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

of CLAIBORNE Parish RETURN

PLEASE SEE ATTACHED CERTIFIED COPY OF ABOVE LISTED PLEADINGS.

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 15, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

B Shemwell
Deputy Clerk of Court

Attorney
RYAN STINSON #433686
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON, LA 70748

Service Information

Received on the 20th *day of* NOV. *, 2007 and on the* 21st *day of* NOV. *, 2007 served the above named party as follows:*

Personal Service *on the party herein named* _____

Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of* Kayla Faulk *, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of Claiborne *this* 21st *day of* NOV. *, 2007.*

Service $ 20.00
Mileage $ 8.80
Total $ 28.80

By: John L. Drew
Deputy Sheriff

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 NOV 26 PM 2:30
DEPUTY CLERK

[ORIGINAL]

CITATION
PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: WARDEN VENETIA MICHAEL
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

RETURN

of CLAIBORNE Parish

PLEASE SEE ATTACHED CERTIFIED COPY OF ABOVE LISTED PLEADINGS.

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 15, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

Deputy Clerk of Court

Attorney
RYAN STINSON #433686
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON, LA 70748

Service Information

Received on the 20th *day of* Nov. *, 20*0*__ and on the* 21st *day of* Nov. *, 20*07 *served the above named party as follows:*

Personal Service *on the party herein named* _____

Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of* Kayla Faulk *, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of Claiborne *this* 21st *day of* Nov. *, 20*07.

Service $ 20.00

Mileage $ 8.80

Total $ 28.80

By: John L. Drew
Deputy Sheriff

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 NOV 26 PM 2:30
DEPUTY CLERK

[ORIGINAL]

8

RULE TO SHOW CAUSE
PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: JACOBI JOHNSON #130062
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

RETURN

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

on ***December 12, 2007****, at the hour of* ***1:00 PM*** *at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on November 15, 2007.*

Deputy Clerk of Court

Attorney
RYAN STINSON, I.P.P.
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

Service Information

Received on the 20th *day of* NOV. *, 20*07 *and on the* 21st *day of* NOV. *, 20*07 *served the above named party as follows:*

Personal Service *on the party herein named* _____

Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of* Kayla Faulk *, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of E. Baton Rouge *this* 21st *day of* Nov. *, 20*07.

Service $ 20.00

Mileage $ 8.80

Total $ 28.80

By: John L. Drew
Deputy Sheriff

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 NOV 26 PM 2:30
DEPUTY CLERK

[ORIGINAL]

RULE TO SHOW CAUSE

PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

97

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: WARDEN VENETIA MICHAEL
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

RETURN

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **December 12, 2007**, at the hour of **1:00 PM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on November 15, 2007.*

B Stutzfornger
Deputy Clerk of Court

Attorney
RYAN STINSON, I.P.P.
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

Service Information

Received on the 20th *day of* Nov. *, 20*07 *and on the* 21st *day of* Nov. *, 20*07 *served the above named party as follows:*

Personal Service *on the party herein named* _____.
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of* Kayla Faulk *, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of Claiborne *this* 21st *day of* Nov. *, 20*07.

Service $20.00

Mileage $8.80

Total $28.80

By: John L. Grew
Deputy Sheriff

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 NOV 26 PM 2:30
DEPUTY CLERK

[ORIGINAL]

KnJ
TBS (F)

1 OF 5

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 NOV 29 PM 4:22
DEPUTY CLERK

Ryan Stinson

-versus-

Scott M. Perrilloux, District Attorney
Charlotte Hebert, Asst. District Attorney

Div. F Suit No. 113598

Judicial District Court

Parish of Livingston

State of Louisiana

Filed _____ Clerk of Court _____

Petition For A Writ OF Habeas Corpus Ad Testificandum

Now into this Honorable Court:

Comes the Plaintiff Ryan Stinson, Pursuant to 28 U.S.C. Section 2241 (c)(5), LA. C.C.P. Art. 1293.1, 1354, 1355, 1355.1, 1356, 1463 and Art. 3821. Request That This Court issue a Writ of habeas corpus Ad testificandum Subpoenaing Ken Foster To be present in open Court, To testify To the Truth in the above intitled cause before This court, For a hearing To show Cause scheduled To commence on December 12, 2007 at 1:00 PM, And states in Support:

1.) The Plaintiff's case depends in Large part of his witnesses Testimony, since the credibility of his witnesses Testimony will be an issue in this matter, the court should be Allowed To hear the Plaintiff's witnesses testify Personaly and observe there demeanors.

2.) The Plaintiff is Proceeding Pro se, With in Forma Pauperis Status in This matter and should Therefore be Allowed To Produce his witnesses To testify in His case, and so The defendants may cross-examine the witnesses and hear his case, and so That The Plaintiff can Present Appropriate rebuttal evidence Through his witnesses.

3.) The Plaintiff's witnesses, should be subpoenaed To testify in This case where his physical presense will contribute sugnifi-cantly To a Fair and impartial Judgement in The witnesses Testimony & credability. See; Holt V. Pitts, 619 F.2d 558 (5th Cir. 1980)

4.) The court has The power To subpoena witnesses and compel There Attendance upon The plaintiff's request To subpoena witnesses. See; McGill V. Duckworth, 944 F.2d 344, 353 (7th Cir. 1991) Cert. denied 112 S.Ct. 1265 (1992); Act. 28 U.S.C. Section 1651 (A).

5.) The Court's have Held That Plaintiff's Proceeding

in Forma Pauperis were not entitled to Pay witness Fees untill Final Judgment of His case if Judgment is Found against Plaintiff. See; Hodge v. Prince, 730 F. Supp, 747, 749-58 (N.D. Tex 1990) AFF'd 923 F.2d 853 (5th cir. 1991); Coleman v. St. Vincent de Paul Society, 144 F.Rd. 92, 95-96 (Ed. wis. 1992); Demarest v. Manspeaker, 498 U.S. 184, 111 S.Ct. 599 (1991).

Wherefore, For the Foregoing reasons this writ of Habeas Corpus Ad. Testificandum Should Be granted And a Subpoena issued.

Respectfully submitted

November 27/07
Date

Ryan Stinson 433686

3 of 5

Ryan Stinson

- Versus -

Scott M. Perrilloux, District Attorney
Charlotte Hebert, Asst. District Attorney

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 NOV 29 PM 4:22
DEPUTY CLERK

Div. ___ Suit No#. _____

_____ Judicial District Court

Parish of Livingston

State of Louisiana

Clerk of Court

Filed

Hearing held today. Denied as moot. ORDER 12/12/07

It is Here by ORDERED that Ken Foster of Dixion Correctional Institute, P.O. Box 788, Jackson LA. 70748 Be present in open Court, before The Honorable Judge Elizabeth P. Wolfe of this Court For The 21st Judicial District Court of Livingston Parish at 20180 Iowa St. Livingston LA. 70754 on The 12 day of December, 2007 at 1:00 pm. O'clock, in Division "F", To testify To The Truth According To his knowledge in A Cause No Pending in said Court, there to be heard, entitled Ryan Stinson -V- Scott M. Perrilloux, District Attorney and Charlotte Hebert, Asst. District Attorney Suit NO# 113598, Before The said court and after The said Ken Foster has given his testimony in The Above - entitled matter and the court declares the Hearing thereof Complete, May He then be released of said order.

It is Further ORDERED that a copy of this order and All papers Attached Be provided to Mr. Ken Foster at Dixion Correctional Institute, P.O. Box 788, Jackson, LA. 70748.

It is Further ORDERED that a copy of this order and all papers Attached Be provided to Ryan Stinson the Plaintiff at Dixion correctional Institute P.O. Box 788, Jackson, LA. 70748.

It is Further ORDERED that a copy of this order and All papers Attached be provided to Greg Murphy, counsil For Defendants at 6555 Perkins Rd. Suite-200, Baton Rouge LA. 70808.

u.o.k.s

Signed, on this 13th day of December, 2007, in Livingston Parish, State of Louisiana

District Judge

Please Serve:
Ryan Stinson 433686, Plaintiff
Dixion corr. Inst. P.O. Box 788
Jackson, LA 70748

Mr. Ken Foster, Witness
Dixion corr. Inst. P.O. Box 788
Jackson LA, 70748

Greg Murphy, Defendants counsel
6555 Perkins Rd. Suite-200
Baton Rouge LA. 70808

5 of 5

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to Mr. Kin Foster By institutional mail, at Dixion Correctional Institut. P. O. Box 788, Jackson LA, 70748, This 27 day of November, 2007

Ryan Stinson

Certificate OF Service

this is to certify that a copy of the above and foregoing has been mailed to the defendants counsel, Greg Murphy, At 6555 Perkins Rd. Suite 200 Baton Rouge, LA. 70808. Postage Prepaid, This 27 day of November, 2007

Ryan Stinson

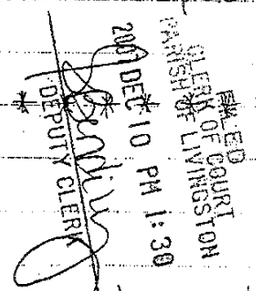
Jacobi Johnson DOC TBS (F)
-v.-
Scott M. Perilloux, D.A.
Charolette Hebert, A.D.A.

* Div. F. Suit No. 113598
* 21st Judicial District Court
* Parish of Livingston
* State of Louisiana

MOTION TO INTERVENE AS A THIRD PARTY

Now comes into this Honorable Court, JACOBI JOHNSON, #130062, Pursant to La. Code of Civil Procedure Ann. Art. 1091. Who request this Court to allow him intervene as a Third party, joining plaintiff Ryan Stinson in the pending action for the following reasons:

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 DEC 10 PM 1:30
DEPUTY CLERK



* *

Facts

1). I, Jacobi Johnson, having a strong personal interest in the pending action.

2). I, Jacobi Johnson, was maded party to the Contract given to said defendant's in the pending action, and the defendants also promise that upon Plaintiff, Ryan Stinson, testimony against James "Pop" Skinnes, that plaintiff and myself would be transferred to Dixon Correctional Institue, (herein after will be referred to as D.C.I.), together for our safety.

3). I, Jacobi Johnson, have been in a very close personal relationship with Plaintiff, Ryan Stinson, resulted in my life also being threatened by Jame "Pop" Skinner, with attempts being maded by friends + relative of Mr. Skinner while at Eylan Hunt Correctional Center.

4). I, Jacobi Johnson, along with the plaintiff, Ryan Stinson, maded repeated attempts to receive Protection from Mr. Skinner, through the defendants by repeated calls and lettes.

5). I, Jacobi Johnson, along with Plaintiff Stinson, were told by the defendants, that they would transfer both the plaintiff and myself to D.C.I. by December, 2005, where we would be safer and out of harms way of Mr. Skinner carrying out his threats, and anymore attempts could not be maded by him or his associates.

6). On December 19, 2005, I, Jacobi Johnson, was tranferred to D.C.I. and the Plaintiff Stinson was transferred to David Wade Correction Center, where plaintiff life was still threaten, and life remained in grave danger.

7). The Plaintiff, then filed suit against the defendant's for civil action tort and Breach of Contract, because the defendant's did not transfer plaintiff to D.C.I. as agreed upon for his testimony.

8). After a long discussion on settlement terms, it was agreed upon that plaintiff Stinson, would be transferred to D.C.I. from David Wade Correctional Center, on the 6th of August 2007.

9.) On the 6th of August 2007, I, Jacobi Johnson, was transferred from D.C.I. to David Wade Correction Center, on this self same date, the plaintiff Stinson was transfered to D.C.I. which still didn't solve the problem, because the same problem plaintiff had at D.W.C.C., became my problem, so my life became threaten once again, was this a Breech of Contract.

10.) Subsequently, this Honorable Court denied my motion on the 23th of August and stated in support of the denial:

"The matter between Mr. Stinson
and the District Attorney Office
had been settled + compromised."

11). On the 25th of September 2007, the defendant ~~refuse~~ filed a motion to Enforce Settlement Agreement, because the Plaintiff Stinson refused to sign the release form.

12.) Plaintiff Stinson on the 26th of September 2007, filed an objection to the defendant's motion, a motion in opposition to defendant's motion to enforce settlement agreement.

13). Mr. Johnson contends that until the settlement is

executed by the plaintiff and these motions are properly heard that this action is still pending giving Mr. Johnson the right to intervene.

FILED
CLERK OF COURT
LIVINGSTON
2007 DEC 10 PM 1:31
DEPUTY CLERK

LAW AND ARGUMENT

This Honorable Court should grant Mr. Johnson motion to intervene as a Third Person. In determining wether a person has the right to intervene as a Third party. The Court has to look at the standard stated in LA. Code of Civil Procedure Ann. Art. 1091:

1). If the party wishing to intervene as a third person has an interest in the original claim pursuant to LA. Code Civ. Proc. Ann. Art. 1091.

2). If the person stated a cause of action arising out of the same conduct, transaction, or occurrence complaint of in the original claim.

3). If the four criteria set forth in Giroir v. South Louisiana Medical Center, Div. of Hosiptals, 475 So.2d 1040 (1985) have been satisfied.

In Re: Matranga, La. App. 2006-0604, 94820, 2006); Diefenthal v. Longue Vue Found, LA. App. 2003-1410, 865 So. 2d 863, 2004 LA. App. 23 (LA. App. 4 cir Jan. 7. 2004), writ denied by LA. 2004-0366 869 So. 2d. 883, 2004 LA. Lexis 1086 (LA. App. Apr. 2, 2004) Palace Props., LLC. v. City of Hammond, LA. App 2002-1236, 859 So.2d 15; 2003. LA App. Lexis 1910 (LA. App. 1 cir June 27, 2003) Bellow v. New York Fire + Marine Underwriters, Inc., 215 So.2d 350, 1968. LA. App. Lexis 4658 (LA. App. 3 cir 1968).

Mr. Johnson contends that by having meet these requirments, he should be afforded the right by law to intervene as a third person under LA. Code Civ. Pro. Ann. Art. 1091:

"A third person who has a justicable right related to or connected with the object of the personal suit may "always" enforce that right through intervention to protect himself from prejudice or to avoid circuity or multiplicity of action. Natchitoches v. State, 221 So.2d 534; 1969 La. App. Lexis 5010 (La App. Cir. 1969)

Under La. Code Civ. Pro. Ann. Art. 1091, it's proper to allow a party to allow a party to intervene where the intervention arose out of the same occurrence set forth in the original pleading the defendant should have known of the existance of the intervenors, relation to the orignal plaintiff, and the defendant would not be prejudiced by the intervention of the intervenors. Harvill v. Arnold, La. App. 34409, 797 So.2d 1271, 2001; La. App. Lexis 81.29 Media L. Rep (B.N.A.) 1763 (La. App. 2cir Jan. 24, 2001).

Therein, may intervener in a pending action to enforce a right related to the objection of the pending action; Petrus v. Bain, La. Ppp. 32831, 742 So.2d 739, 1999 La. App. Lexis 2475 (La. App 2 cir Sept. 22, 1999); Acadian Bank v. Foret, 602 So.2d 1092, 1992 LA. App. Lexis 2310 (La. App 1 cir 1992) A third person having an interest may have intervened in a pending action to enforce a right related to or connected with the object of the pending action as an on going one or more of the parties. Pitts v. Gulf South Divers, Inc. 387 So.2d 65, 1980; LA App Lexis 4236 (LA App 4. cir 1980)

Mr. Johnson, contends that this action is still pending and has yet to be settle as was shown by the defendants motion to enforce settlement agreement and the plaintiff filing a motion in opposition to defendants motion.

Article of 1870 Code of Practice are so general and indefinite that they afford no adequate rule as two when a third person may intervene in a pending action Art. 340 of the 1870 Code of Practice attempts to supply the needed rule but fails to do so through the generality of the language in order to be entitled to intervene, it is enough to have an interest in the success of either of the party's to the suit, or an interest opposed to both. Quite obviously "interest" as used in this Article includes but

goes beyond the "real and actual interest" required under Art. 15 Code of Practice of 1870 to enable a party to institute the action.

There can be no binding compromise where the terms of the release for libicty are known: Townsend v. Square, 94-0758 (La. App. 4th Cir. 2/24/94) 643 So.2d 182; Travis Anthony v. Liberty Mutual Ins. Co. 99-1730 (La. App. 3rd Cir. 4/5/00) 739 So.2d 910.

There has been no final settlement of this action and Mr. Johnson should be allowed to intervene as a third person. If the plaintiff settles the pending litigation is dismissed, I. Jacobi Johnson will suffer from continue threats—and physical + mental well being, if I am to remain at David Wade Corr. Ctr, my life will remain in grave danger from retaliation from James Pop Skinner for the relationship with the plaintiff.

The defendants have ~~been~~ breached Mr. Johnson contract by having the Department of Correction of Public Safety + Correction transfer him from D.C.I. to David Wade Corr. Ctn, when it was agreed that Mr. Johnson would be transfer to D.C.I. in retaliation to the plaintiff for filing suit in this cause. ~~Where~~ The contract is binding as long as the plaintiff herein, remains in D.O.C. and should be enforce for the Remainer of Mr. Johnson sentence.

Conclusion

Wherefore for the foregoing reasons set forth in this motion, this Honorable Court should grant Mr. Johnson motion and allow Mr. Johnson to intervene as a third person.

Respectfully Submitted,

I. Jacobi Johnson

Jacobi Johnson #130062
David Wade Correctional Ctn.
670 Bell Hill Rd
~~Stacy~~ Homer, La 71040

Date: 3 December 07

RSCase113598-00330

Certificate of Service

This is to certify that a copy of the Above and Forgoing has been mailed to the defendants counsel, Greg Murphy, 6555 Perkins Rd. Suite 200; Baton Rouge, LA. 70808. Postage Paid.

This 3rd day of December, 2007

Jacobi Johnson

Jacobi Johnson #130069

Certificate of Service

This is to certify that a copy of the Above and foregoing has been mailed to the plaintiff, Ryan Stinson #433686; Dixon Correctional Institue; P.O. Box 788; Jackson La., 70748.

This 3rd day of December, 2007

Jacobi Johnson

Jacobi Johnson #130069

Ryan Stinson * Division "F" Suit No. 113598
v *
* 21st Judicial District Court
Scott Perrilloux, District Attorney * Parish of Livingston
Charlotte Hebert, Asst. District Attorney * State of Louisiana

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 DEC 10 PM 1:31
DEPUTY CLERK

Denied LW

ORDER

It is hereby ORDER, that a hearing is held to show cause for Jacobi Johnson, motion to intervene as a third person, be set in Div_____ of the Livingston Parish Court House, 20180 Iowa St.; Livingston, LA. 70754, on the ____ day of _____, 2007, at ____ o'clock to show cause why Jacobi Johnson motion to intervene as a Third Person should be granted.

It is Further ordered, that a copy of this order be provided to Warden Venita Micheal at David Wade Corr. Cen.; 670 Bell Hill Rd.; Homer, LA. 71040.

It is Further ordered that a copy of this order be provided to Warden James Leblanc, at Dixon Correctional Institute, P.O. Box 788; Jackson, LA. 70748

It is Further ordered, that Warden Venita Micheal make arrangements to have the body of one Jacobi Johnson #130062 present in open court on the above date and time in said court room.

It is Further ordered that Warden James LeBlanc make arrangements to have the body of one Ryan Stinson #433686 present in open court on the above date and time in the above court room.

It is Further ordered that a copy of this order and all papers attached to this order shall be served on Ryan Stinson #433686 at Dixon Corr. Inst.; P.O. Box 788; Jackson, La 70748, to show cause why Jacobi Johnson motion to intervene as a third person should or shouldn't be granted.

It is further ordered that a copy of this order and all papers attached to this order shall be served on counsel for the defendant's, Greg Murphy at 6555 Perkins Rd. Suite 200, Baton

Mailed copy to Johnson 1-7-08 7 of 8

Rouge, LA 70808. To be present in open court on the Above date And time And in the Above court room to show cause why Jacobi Johnson motion to intervene As A Third person should or shouldn't be granted.

Signed, on this 28th day of December, 2007 in Livingston Parish, State of Louisiana.

Final judgment
Was rendered and
signed in this
matter December 13, 2007 in
open court and notice of judgment
Please Serve: has been mailed. mover is not entitled to intervene. Also, this motion has already been denied before by this Court for reasons assigned.

District Judge

Ryan Stinson #433686
Greg Murphy, Attorney
Warden James LeBlanc
Warden Venita Micheal
Jacobi Johnson #130062

[redacted]

144

RULE TO SHOW CAUSE

PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

PAUPER SUIT

To: GREG MURPHY
6555 PERKINS RD.
SUITE 200
BATON ROUGE, LA 70808

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **December 12, 2007**, at the hour of **1:00 PM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on November 15, 2007.*

B Sultagomy Jr
Deputy Clerk of Court

Attorney
RYAN STINSON, I.P.P.
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

Service Information

Received on the 3 *day of* Dec, 2007 *and on the* 3 *day of* Dec, 2007 *served the above named party as follows:*

Personal Service *on the party herein named* Greg Murphy 6555 Perkins.
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of* _____, *a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ *this* _____ *day of* _____, *20*____.

Service $_____

Mileage $_____

Total $_____

By: Joan Nicholas
Deputy Sheriff

RECEIVED
NOV 27 2007
E.B.R. SHERIFF'S OFFICE

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 DEC 10 PM 1:37
DEPUTY CLERK

[ORIGINAL]

DC
TBS (F)

1 OF 2

Ryan Stinson * Div F Suit No: 113598
* Versus * * 21st Judicial District Court
Scott M. Perrilloux, District Attorney * Parish of Livingston
Charlotte Hebert, Asst District Attorney * State of Louisiana
*
Filed * Clerk of Court

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
DEC 18 PM 2:13
DEPUTY CLERK

Motion To Request Transcripts of hearings And order For in Forma Pauperis status, To File Appeal

Now into This Honorable Court:

Comes Ryan Stinson who request this honorable Court To provide him with a Copy OF all Hearing Transcripts in The above-entitled case and a Copy OF The Signed oreder granting him in Forma Pauperis Status. As So The Plaintiff Can File an Appropriate + Timely Appeal. The Plaintiff's request are as Follows:

1.) The Plaintiff Request a Copy OF The July 9, 2007 Hearing Transcript OF all Proceedings in This Case.
2.) The Plaintiff Request a Copy OF The December 12, 2007 Hearing Transcript OF all proceedings in This Case
3.) The plaintiff Request a Copy OF The Signed Judgment Dismissing his suit in This Case
4.) The Plaintiff Request a copy OF The Signed order granting him in Forma pauperis Status in This case

The Plaintiff Request all The above and entitled To Fille his appeal OF The Judgment against him in This case.

For The Foregoing reasons The Plaintiff's motion To Request Transcripts OF hearings and order For in Forma pauperis status, To File Appeal should be granted

Respectfully submitted

December 15, 07
Date

Ryan Stinson 437680
Plaintiff

2 OF 2

Ryan Stinson	*	Div. E Suite No: 113598
- Versus -	*	21st Judicial District Court
Scott M. Perrilloux, District Attorney	*	Parish of Livingston
Charlotte Hebert, Asst. District Attorney	*	State of Louisiana
	*	
Filed	*	Clerk of Court

* *

ORDER

* *

It is hereby ordered that the clerk of court Produce and supply Ryan Stinson the Plaintiff with a Copy of the July 9, 2007 Hearing transcript, in this civil case No.# 113598.

It is further ordered that the clerk of court Produce and supply Ryan stinson the plaintiff with a copy of the December 12, 2007 Hearing transcript, in this civil case No# 113598.

It is further ordered that the clerk of court Produce and supply Ryan stinson the plaintiff with a copy of the signed judgment Dismissing his suite, in this civil case No# 113598

It is further ordered that the clerk of court Produce and supply Ryan Stinson the plaintiff with a copy of the signed order granting him in Forma Pauperis status in this suite, in this civil case No# 113598.

Thus Signed on this 28th day of December 2007 in Livingston Parish state of Louisiana

07 DEC 18 PM 2:13
FILED
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

District Judge

DC

113598 Dec. 12,07

To: Clerk of Court For Livingston Parish
Div. E, P.O. Box 1150, Livingston, LA. 70754

From: Ryan Stinson #433686 unit-2 Ext-2 A*11
Dixion correctional Institute, P.O. Box 788,
Jackson, Louisiana, 70748

RE: Ryan Stinson -v- Scott M. Perrilloux, District Attorney & Charlotte Hebert, Asst. District Attorney, Div E, Suit #113598, 21st J.D.C., Livingston Parish, State of Louisiana

Dear Madam / Sir,

I am writing this missive to Request as you instructed me to a copy of the transcript For the hearing that was heald on Dec, 12, 07. As well could you provide me with a copy of my order to proceid in Forma Pouples in the Above & entitled case.

Also I am enclosing my Notice of Appeal,

Please get Back with me as soon As possable in this matter and my lequest as so I may File a timely Appeal.

Thank you very much. I'll look to be hearing From you imidiatly

With the kindess of Rgaides, I am

Truly Thankful

Ryan Stinson

cc: R.S.
G.M.

- Enclosure -

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 DEC 17 PM 12:04
DEPUTY CLERK

Ryan Stinson	*	Div: F Suit No.* 113598
- Versus -	*	21st Judicial District Court
Scott M. Perrilloux, District Attorney	*	Parish of Livingston
Charlotte Hebert, Asst. District Attorney	*	State of Louisiana
	*	
Filed	*	Clerk of Court

* * * \

CW
MC-F
Tonya

January 2, 2008

To: MS. Robyn Lockwood, Deputy Clerk of Court
P.O. Box 1150, Livingston, Louisiana, 70754

From: Ryan Stinson I.P.P. # 433686
Unit-2 Ext-1 Cell #9, Dixon Corr. Inst.
P.O. Box 788, Jackson, LA. 70748

FILED
08 JAN 14 AM 10:45
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

RE: Case No# 000000113598

Dear MS. Lockwood,

I am writing you once again on Dec. 12, 2007 I wrote you requesting a copy of my hearing Transcript's For the July 9, 2007 court Hearing and Dec. 12, 2007 court hearing Held in Div. E under Judge Elizabeth P. Wolfe and For a copy of my motion and order granting me in Forma pauperis Status and a copy of the Final Judgment in this case entered on December 12, 2007. I also sent you my Notice of Appeal Dated December 12, 2007 as so I can File a Timely Appeal.

The Honorable Judge Elizabeth P. Wolfe Told me in opin court that since I was in Forma pauperis Status all I had to do was request a copy From the Clerk of court and it would be provided with me.

So I am writing you once again to request the materials set out in (Paragraph-1-) as so I can File a Timely Appeal.

I pray you will help me to receive this request as soon as possible.

I would very much appreciate your assistance in this matter.

I am in hopes and prayer to hear From you soon in regards of my humble Request.

I Thank you once again For your time, concern and consideration with this matter. God bless you For your ongoing kindness.

With The Kindess OF Regardes, I am

Truly Thankful

Ryan Stinson #433686

unit-2 Ext-1 cell #9

Dixon corr. inst.

P.O. Box 788

Jackson LA, 70748

cc: R.S.
G.M.
J.E.P.W.

(- Enclosure -)

Ryan Stinson * Div. E Suit No. # 113598

- Versus - * 21st Judicial District court

Scott M. Perrilloux, District Attorney * Parish of Livingston

Charlotte Hebert, Asst. District Attorney * State of Louisiana

*

Filed * Clerk of court

* * * *

CW
TB S
F

January 2, 2008

To: Clerk of Court, Livingston Parish Courthouse
P.O. Box 1150, Livingston, LA. 70754

From: Ryan Stinson # 433686 unit-2 Ext-1 cell# 9
Dixion Corr. Inst. P.O. Box 788, Jackson, LA. 70748

RE: Case No.# 000000113598

Dear Sir/Madam,

Please Find enclosed my "motion For Extencion of Time to File Appellant Brief and/or Notice of Appeal."

Please File the enclosed motion For me.

Thank you and God Bless you For your Time, Concern Cinsideration and ongoing kindness.

I am in hopes and prayer to hear From you soon.

With The kindess of Regards, I am

Truly Thankful
Ryan Stinson
Ryan Stinson

cc: R.S.
G.M.
F.C.C. of A.

(- Enclosure -)

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
08 JAN -4 AM 10:46
DEPUTY CLERK

1 OF 3

Ryan Stinson * Div: F ; Suit No. 113598

V. * 21st Judicial District Court

Scott M. Perkins, District Attorney * Parish OF Livingston

Charlotte Welsh, Asst District Attorney * State OF Louisiana

Filed

Clerk OF Court

08 JAN -4 AM 10:46

CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

Motion For Extension OF Time TO File Appellant Brief and/or Notice Appeal

Now Into This Honorable court,

Comes The PLAINTIFF Ryan Stinson Pursuant To L.A.C.C.P Art 2125, 2126 1 & Art 2121 and 1 A. Ct. OF App. Rule 2-12.8 Request This Honorable Court To grant him an extention OF time To File His Appellant Brief and/or Notice of Appeal, And states in support as Follows;

1.) The PLAINTIFF Filed a Notice OF Appeal on The Date of 12-12-07 after The Honorable Judge Elizabeth P Wolfe entered a Judgment against him in The above entitled Suit.

2.) The PLAINTIFF Sent a request To The Clerk OF Court To provide Him With a Copy OF The Court Hearing Transcripts For His July-9-2007 Hearing To Show Cause and his December 2007 Hearing To Show cause also He requested a Copy OF His Motion and order To Proceed in Forma Pauperis and a Copy OF The Signed Judgment in This Case, as so To Inable The PLAINTIFF To File a Timely Appellant Brief.

3.) as OF Todays Date 12-30-2007 The Clerk OF Court has not provided The PLAINTIFF With The requested material in This Case, so unless The PLAINTIFF receives The Requested materials set forth in Paragraph-2, he is unable To File his Appellant Brief in a Timely Manner.

4.) So Therefore The PLAINTIFF Seek's an extention OF Time To File his Appellant Brief and/or his Notice OF Appeal.

2 OF 3

LA Ct. of App. Rule 2-12.3 Provides that an extension of time which to File a brief may be granted by the Court For good cause shown on written motion Filed with the clerk of the court on or before the date the brief was due. If an extension of time is granted to an Appellant to FILE the original brief, Time For Filing the Appellee's brief is extended for a period of twenty day's From the date of the extended time granted the appellant, without the necessi. of a motion or request by the Appellee.

Wherefor For the Foregoing reasons the plaintiff's motion for extention of time to File an Appellant brief and/or Notice of Appeal should be granted and the plaintiff should be given an extention of time of (20) Twenty day's From the day of January 24, 2008 (the day his Notice of appeal is time lapsed) to File his Appellant brief, exclud: all weekends & legal holiday's.

Date Filed:
January 2, 2008

Respectfully submitted
Kyron Stinson

Kyron Stinson # 433686
unit-2 Ext-1 cell # 9
Dixon Correctional
P.O. Box 788
Jackson LA, 70748

3 of 3

Ryan Stinson * Div. E ; Suit No. 113598

-V- * 21st Judicial District Court

Scott M. Perilloux, District Attorney * Parish of Livingston

Charlotte Hebert, Asst. District Attorney * State of Louisiana

Filed _____ * _____ Clerk of Court

* * * \

Certificate of Service

This is to Certify That a copy of the above and Foregoing has Been Sent to Defendant's counsel, Mr. Greg Murphy at. 6554 Perkins Rd. [redacted] Suite 200, Baton Rouge LA 70808, Postage Prepaid via us mail. Mailed on this 2 day of January 2008.

Ryan Stinson

Ryan Stinson

cw mc-F Tonya

January 2, 2008

TO: The Honorable Judge Elizabeth P. Wolfe
Div. E 21st J.D.C., Livingston, Louisiana
20180 Iowa St., P.O. Box 1150
Livingston, Louisiana 70754

From: Ryan Stinson #433686
Unit-2 Ext.-1 Cell# 9 Dixion Corr. Inst.
P.O. Box 788, Jackson, Louisiana, 70754

FILED
08 JAN 14 AM 10:45
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

RE: Case No# 000000113598

Dear Judge Wolfe,

I am writing this Letter in a hope Appeal To your sense OF understanding and To recieve your assistance and/or guidence in the above and enclosed matter.

Mam, On December 12, 2007 a hearing was heald in your honorable court, Wherein after the hearing was heald I asked you about recieving a copy OF The hearing Transcript's, and you Told me To write a Letter To The clerk OF Court requesting a copy OF The requested Meterials, and she wold send me a Copy.

On December 12, 2007 I wrote a Letter OF request TO The Clerk OF Court requesting a copy OF The Hearing Transcripts For The July 9, 2007 Hearing To show Cause and The December 12, 2007 Hearing To Show Cause, I also requested a copy OF The Judgment entered on December 12, 2007 Dismissing my Suit and a copy OF [redacted] my Motion and order granting me inForma [redacted] Paupris Status in This Suit, in so I Could FILe my Appeal in a Timely Manner, I also mailed my Notice OF Appeal Dated December 12, 2007.

Today is January 2, 2008 and I Still have

not recieve The requested meteriahs in this case, From The Clerk OF Court. The Clock is running and my due date to File my Appeal is getting near. Without These requested meterials I am unable to File my Appeal in a Timely manner.

So I am writing you To request you To please have The Clerk Transcribe The Transcripts and make Copies There OF and Send me a copy OF my inForma paperis status and The Final Judgment in This Case so I Can File a Timely Appeal.

I Thank you very much For your Time and Concern in This matter and God bless you For your ongoing kindness and consideration and patience with me and This matter, I Hope and pray To hear From you imediatly..

With The kindess OF Regardes, I am

Truly Thankful

Ryan Stinson

Ryan Stinson

C/C: (G/m.); (R/S); (J.E.P.W.)

- Enclosure's-

- Copy -

Dec. 12, 07

To: Clerk of Court For Livingston Parish
Div. E, P.O. Box 1150, Livingston, LA. 70754

From: Ryan Stinson # 433686, Unit-2 Ext-2 A# 11
Dixion correctional institute, P.O. Box 788,
Jackson, Louisiana, 70748

RE: Ryan Stinson -V- Scott M. Perrilleux, District Attorney & Charlotte Hebert, Asst. District Attorney, Div. E, suit # 113598, 21st J.D.C., Livingston Parish, state of Louisiana

Dear Madam/Sir,

I am writing this missive to Request (as you instructed me to) a copy of the transcript for the hearing that was held on Dec. 12, 07. As well could you provide me with a copy of my order to proceed in forma pauperis in the above-entitled case.

Also I am enclosing my notice of Appeal.

Please get Back with me as soon as possable in this matter and my request as so I may file a timely Appeal.

Thank you very much. I'll look to be hearing from you imediatly.

With the kindess of Regards, I am

C/C: R.S.
G.M.

Truly Thankful
Ryan Stinson

- Enclosure -

- Copy -

Ryan Stinson * Div. E Suit No. 113598

- versus - * 21st Judicial District Court

Scott M. Perrilloux, District Attorney * Parish of Livingston

Charlotte Hebert, Asst. District Attorney * State of Louisiana

*

Filed * Clerk of Court

* *

Notice of Appeal

* *

Notice is hereby given that Ryan Stinson, Plaintiff in the above-entitled matter, appeals to the united states court of Appeals for the First Circuite From the Final Judgment entered in this Action on the 12th day of December, 2007.

Date Filed

December 12, 2007

Respectfully Submitted,

Ryan Stinson

- Copy -

1 of 2

January 2, 2008

To: Ms. Robyn Lockwood, Deputy Clerk of Court
P.O. Box 1150, Livingston, Louisiana, 70754

From: Ryan Stinson I.P.P.# 433686
Unit-2 Ext-1 cell#9, Dixon corr. Inst.
P.O. Box 788, Jackson, LA. 70748

RE: Case No# 000000113598

Dear Ms. Lockwood,

I am writing you once again on Dec. 12, 2007 I wrote you requesting a copy of my hearing transcripts For the July 9, 2007 court Hearing and Dec. 12, 2007 court hearing Held in Div. E under Judg Elizabeth P. Wolfe and For a copy of my motion and order granting me in Forma pauperis Status and a copy of the Final Judgment in this case entered on December 12, 2007. I also sent you my Notice of Appeal Dated December 12, 2007 as so I can File a Timely Appeal.

The Honorable Judge Elizabeth P. Wolfe told me in open court that since I was in Forma pauperis Status all I had to do was request a copy From the clerk of court and it would be provided with me.

So I am writing you once again to request the documents set out in (Paragraph 1.) as so I can File a Timely Appeal.

I pray you will help me to receive this request as soon as possible.

I would very much appreciate your assistance in this matter.

I am in hopes and prayer to hear From you Soon in regards of my humble Request.

-Copy-

1 of 2

I Thank you once again For your Time, concern and consideration with this matter God bless you For your ongoing kindness.

With The Kindess of Regardes, I am

Truly Thankful

Ryan Stinson #433686
unit-2 Est-1 Cell #9
Dixion Corr. Inst.
P.O. Box 788
Jackson LA, 70748

cc: R.S.
G.M.
J.E.P.W.

(- Enclosure -)

CIVIL TRANSCRIPT REQUEST

STINSON, RYAN - ET AL

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: UNASSIGNED
UNASSIGNED
UNASSIGNED
UNASSIGNED, LA 000000000
Via Fax: 985-310-9749

January 7, 2008

A transcript of the above-referenced trial has been requested by:

Ryan Stinson #433686
Unit- 2 Ext - 2 A #11
Dixon Correctional Institute
Post Office Box 788
Jackson, LA 70748

Judge: ELIZABETH P WOLFE

Court Reporter: CHRISTINA CARTER

Hearing Date: JULY 9, 2007

Thomas L. Sullivan, Jr.
Clerk of Court

Deputy Clerk of Court

[FILED COPY]

CIVIL TRANSCRIPT REQUEST

STINSON, RYAN - ET AL

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: UNASSIGNED
UNASSIGNED
UNASSIGNED
UNASSIGNED, LA 000000000
Via Fax: 985-310-9749

January 7, 2008

A transcript of the above-referenced trial has been requested by:

RYAN STINSON #433686
UNIT - 2 EXT - 2 A #11
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

Judge: ELIZABETH P WOLFE

Court Reporter: AMANDA WILDEY

Hearing Date: DECEMBER 12, 2007

Thomas L. Sullivan, Jr.
Clerk of Court

Deputy Clerk of Court

[FILED COPY]

Livingston Parish Clerk of Court

THOMAS L. SULLIVAN, JR.
Clerk of Court

P.O. Box 1150
Livingston, Louisiana 70754
(225) 686-2216/2217

1 copy

January 7, 2008

Ryan Stinson #433686
Unit - 2 Ext - 2 A #11
Dixon Correctional Institute
Post Office Box 788
Jackson, LA 70748

RE: RYAN STINSON
VS. #113598
DISTRICT ATTORNEY 21ST JDC

Dear Mr. Stinson:

Enclosed please find a certified copy of the Order to proceed in forma pauperis signed by this Honorable Court on October 19, 2006. In addition, I have enclosed a certified copy of the Order dismissing your suit against the District Attorney signed by this Honorable Court on October 2, 2007.

Be advised that I have this date submitted transcript requests to the Office of the Judicial Administrator for the hearings heard on July 9, 2007 and December 12, 2007.

If I can be of any further assistance, please do not hesitate to give me a call.

With kindest personal regards, I remain

Sincerely,

Tonya Steele
Deputy Clerk of Court

/tts

enclosure

DC
TBS
F

MORAIN & MURPHY, L.L.C.

ATTORNEYS AT LAW

6555 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808
Telephone: (225) 767-7151
Fax: (225) 767-8995

TROY D. MORAIN

GREG MURPHY

January 3, 2008

1 S C/C

Honorable Elizabeth P. Wolfe
Judge, Div. F, 21st JDC
20180 Iowa Street
Livingston, Louisiana 70754

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Judge Wolfe:

Enclosed find a Judgment regarding the hearing that was held in this matter on December 12, 2007.

Should you have any questions, please do not hesitate to contact me.

With kindest regards, I remain

Sincerely,

Greg Murphy

GM/sjl
Enclosure
cc: Mr. Ryan Stinson (w/enclosure)

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2008 JAN 10 AM 11:57
DEPUTY CLERK

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

JUDGMENT

This matter came before the Court on the 12th day of December 2007, pursuant to regular assignment.

Present in Court for defendants, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana was Greg Murphy.

Present in Court for plaintiff was Ryan Stinson representing himself in this matter.

After due proceedings had, the Court granted movers, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, Motion to Enforce Settlement and thereby dismissing plaintiff's suit entitled, "Ryan Stinson vs. District Attorney, 21st JDC, Suit No. 113,598 - Div. F."

JUDGMENT signed in Chambers this 25th day of Jan., 2008 in Livingston, Louisiana.

HON. ELIZABETH P. WOLFE

PLEASE SEND A CERTIFIED COPY TO:

Mr. Ryan Stinson
D.O.C. #: 433686
Dixon Correctional Institute
P. O. Box 788
Jackson, Louisiana 70748

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2008 JAN 10 AM 11:57
DEPUTY CLERK

113598

1-9-08

To: Ms. Tonya Steele, Deputy Clerk of Court
P.O. Box 1150, Livingston, LA. 70754

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2008 JAN 14 AM 9:10
DEPUTY CLERK

From: Ryan Stinson #433686, Unit-2 Ext-1 Cell #9
Dixion Correctional Institute
P.O. Box 788, Jackson, LA. 70748

RE: Ryan Stinson -v- District Attorney 21st JDC. Suit # 113598 Div. F

Dear Ms. Steele,

I am writing you this missive in hopes to once again receive your assistance, in the above and entitled matter.

I received your missive on January 8, 07 with the enclosed order and the informa pauperis order.

I need a copy of the July 9, 2007 and December 12, 2007 hearings Transcripts and a copy of the Judgment in this case as soon as posible so I can File my timely appealant Brief.

Also I need a copy of my Notice of appeal and the date it was Filed as so I can Timely File my appeal Because without these documents I am not able to File my proper appeal.

I want to thank you once again for your time and Concern with me and God bless you For your ongoing kindness, Consideration and patience with me. I do hope, pray and anticipate on hearing From you at your earliest convience.

IF you May have any questions at request, Concerning this request, please Feel Free and do not hesitate to contact me

With the kindest personal Regards, I remain

Sincerely yours
Ryan Stinson
Ryan Stinson #433681

P.S. Have you received
my motion For extention
of Time to File my Appelant Brief yet.

cc: R.S.

NOTICE OF JUDGMENT

STINSON, RYAN - ET AL

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

GREG MURPHY
DISTRICT ATTORNEYS OFFICE 21ST JDC
P.O. BOX 299
LIVINGSTON, LA 70754

RYAN STINSON
D.O.C. #433686
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON, LA 70748

Please find attached a certified copy of the Judgment signed by the Honorable ELIZABETH P WOLFE on January 25, 2008.

I do hereby certify that on January 31, 2008 a copy of the foregoing notice was mailed by me to the counsel of record for all parties and to such of the litigants, if any, who are not represented by counsel, and the notices were addressed to them respectively at their last known address with postage prepaid.

Clerk of Court
21st Judicial District
Parish of Livingston

_____
Deputy Clerk of Court

[FILED COPY]

CHRISTINA CARTER
10183 SUMMERFIELD DR.
DENHAM SPRINGS, LA 70726

COURT REPORTER, DIV. "F"

(225) 667-9112

April 4 , 2008

Livingston Parish Council
Criminal Court Fund
Livingston, LA

RE: Ryan Stinson
Versus # 113598
District Attorney 21st JDC
Parish of Livingston

STATEMENT

Transcript fee for the motions held in the above referenced matter on July 9, 2007

6 pages at $5.00 per page
Original and One copy

Motion filed by defendant

TOTAL DUE $30.00

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2008 APR -7 PM 3:25
DEPUTY CLERK

CIVIL TRANSCRIPT REQUEST

STINSON, RYAN - ET AL

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: Office of Judicial Adm.

Via Fax:

January 7, 2008

A transcript of the above-referenced trial has been requested by:

Ryan Stinson #433686
Unit- 2 Ext - 2 A #11
Dixon Correctional Institute
Post Office Box 788
Jackson, LA 70748

Judge: ELIZABETH P WOLFE

Court Reporter: CHRISTINA CARTER

Hearing Date: JULY 9, 2007

Thomas L. Sullivan, Jr.
Clerk of Court

Deputy Clerk of Court

[ORIGINAL]

TWENTY-FIRST JUDICIAL DISTRICT COURT

PARISH OF LIVINGSTON

STATE OF LOUISIANA

****

RYAN STINSON

NUMBER: 113598

VERSUS

CRIMINAL CASE

DISTRICT ATTORNEY 21ST JDC

****

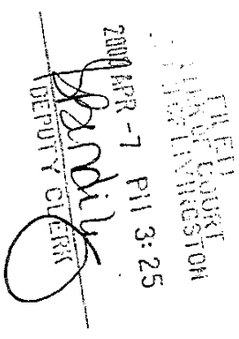
TRANSCRIPT OF MOTION HEARD IN THE ABOVE CAPTIONED MATTER, BEFORE THE HONORABLE ELIZABETH P. WOLFE, PRESIDING JUDGE, DIVISION "F", ON JULY 9, 2007.

APPEARANCES

GREG MURPHY
OFFICE OF THE DISTRICT ATTORNEY
P.O. BOX 299
LIVINGSTON, LA 70754

* REPRESENTING
THE STATE OF LOUISIANA

CHRISTINA CARTER, CCR



RYAN STINSON, ET AL
VERSUS
DISTRICT ATTORNEY 21ST J.D.C.

JULY 9, 2007

THE COURT:

Mr. Murphy do you have something on your case?

BY MR. MURPHY:

Yes, your honor. I represent the D.A.'s Office actually.

THE COURT:

Is Mr. Stinson present?

BY MR. MURPHY:

He's in the grand jury room. I'd like for him to come in.

THE COURT:

We need him in the courtroom.

THE COURT:

Good morning Mr. Stinson.

BY MR. STINSON:

Good morning.

THE COURT:

We're going to have you sworn in. Mr. Murphy has indicated there's an agreement for the record. And I just want to make sure you are aware of it and you agree. So I'm going to have you sworn in first. All right.

RYAN STINSON: BEING FIRST DULY SWORN TO TELL THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH, SO HELP HIM GOD, TESTIFIED AS FOLLOWS:

THE COURT:

Q This is number nine on the docket, Ryan

Stinson vs. D.A., 113,598. Mr. Stinson would you please give your name and address for the record.

A Ryan Joseph Stinson. You said my DOC number too?

Q Where do you live when you're not in jail?

A I live in Amite, Louisiana.

THE COURT:

All right. Mr. Murphy do you have a stipulation?

BY MR.MURPHY:

Yes, your honor. Greg Murphy on behalf of the D.A.'s Office, Mr. Scott M. Perrilloux and Assistant D.A. Charlotte M. Herbert. Mr. Stinson had filed a motion to enforce a settlement this morning. We've reached an agreement. We are, we had an agreement in place, but we needed some assistance from D.O.C. I spoke with Trey Boudreaux, one of the secretaries at Department of Corrections this morning. They've agreed to our wishes. They are going to move Mr. Stinson as per his request to Dixon Correctional Institute. When they move him I will provide Mr. Stinson with a release, and then he will dismiss this claim. What I

suggested to Mr. Stinson is that we just pass his motion for thirty days and that way that will give D.O.C. time to move him and give me time to prepare a receipt and release as per his request. And that will end the litigation regarding Mr. Stinson.

THE COURT:

Okay. So he's going to release it, you're not going to have a judgment from today?

BY MR. MURPHY:

No, judge.

BY MR. STINSON:

I'd like to also, on the motion, also there was a Motion for Appointment of Counsel that was continued to today. I'd like to withdraw that motion from the court.

THE COURT:

All right. We'll let it be withdrawn.

THE COURT:

Q And you've heard the agreement read into the record by Mr. Murphy?

A I'm in agreement with it.

Q You're in agreement with that.

A I'm in agreement with it.

Q Do you have any questions about it?

A No, ma'am.

Q Okay.

BY MR. MURPHY:

Thank you judge.

THE COURT:

All right. You can take him.

**********CASE CONCLUDED**********

RYAN STINSON, ET AL
VERSUS
DISTRICT ATTORNEY 21ST J.D.C.

JULY 9, 2007

Transcript of the notes of evidence taken in this matter in open court at the courthouse in Livingston, Louisiana, on the 9 day of July, 2007, before the Honorable Elizabeth P. Wolfe, Judge presiding.

C E R T I F I C A T E

I Christina Carter, hereby certify that the foregoing is a true and correct transcript of the notes of evidence taken and transcribed by me in this matter to the best of my ability and understanding.

OFFICIAL SEAL
CHRISTINA CARTER
Certified Court Reporter
In and for the State of Louisiana
Certificate Number 91357
Certificate expires 12-31-08

Christina Carter, CCR
Division "F"
10183 Summerfield Dr.
Denham Springs, LA 70726

Livingston Parish Clerk of Court

THOMAS L. SULLIVAN, JR.
Clerk of Court

P.O. Box 1150
Livingston, Louisiana 70754
(225) 686-2216/2217

April 8, 2008

Mr. Ryan Stinson #433686
Unit- 2 Ext - 2 A#11
Dixon Correctional Institute
Post Office Box 788
Jackson, LA 70748

RE: Ryan Stinson
v. 113598
District Attorney - 21st JDC

Dear Mr. Stinson:

Enclosed please find a copy of the transcript from the hearing held on July 9, 2007, in the above-captioned matter.

With kindest personal regards, I remain

Sincerely,

S/ Steele

Tonya T. Steele
Deputy Clerk of Court

/tts

enclosure

DC File

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

RYAN STINSON NO. 2008 CW 0173

VERSUS

SCOTT M. PERRILLOUX,
DISTRICT ATTORNEY, ET AL. MAY 12, 2008

In Re: Ryan Stinson, applying for supervisory writs, 21st Judicial District Court, Parish of Livingston, No. 113598.

BEFORE: CARTER, C.J, PETTIGREW AND WELCH, JJ.

WRIT DENIED WITH ORDER. Relator made several written inquiries with the 21st Judicial District Court concerning timely filing his appeal within the time delays and sent a "Notice of Appeal" to the district court dated December 12, 2007. The date of receipt is not stamped on the "Notice of Appeal." The district court's January 25, 2008 judgment, which is the only judgment clearly granting defendants' Motion to Enforce Settlement and dismissing relator's suit, is a final, appealable judgment. Notice of the judgment was sent to all parties on January 31, 2008. An appeal can be taken by filing a motion for appeal, along with an order for the judge's signature showing the return date of the appeal, with the district court within the time delays set out in LSA-C.C.P. art. 2087. Petitioner filed a writ application with this Court on January 25, 2008, indicating his attempts to file an appeal. The matter is remanded to the district court to determine if relator timely sought to appeal. In the event the trial court finds that relator has timely sought an appeal, this Court notes that there is no proper order for appeal. Therefore, relator shall submit a proper order for appeal specifying the judgment to be appealed, providing space for a return date, and a signature and date line for the district judge's signature to the district court within fourteen days of this Court's order.

JTP
JEW
BJC

COURT OF APPEAL, FIRST CIRCUIT

Elizabeth D. Manta
DEPUTY CLERK OF COURT
FOR THE COURT

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2008 MAY 13 AM 10:52
DEPUTY CLERK

RYAN STINSON * SUIT NO. 113,598 DIV. "F"

* 21ST JUDICIAL DISTRICT COURT

VERSUS * PARISH OF LIVINGSTON

DISTRICT ATTORNEY, 21ST JDC *
SCOTT M. PERRILLOUX STATE OF LOUISIANA

FILE;_____ *

CLERK OF COURT

MOTION FOR APPEAL AND DESIGNATION OF RECORD

NOW INTO COURT, comes defendant, in proper person, and on suggesting to this Honorable Court that the record herein shows reversible error to his prejudice whereby the Court granted movers Motion To Enforce Settlement and dismissed erroneous defendant's suit entitled Ryan Stinson vs. District Attorney, 21st JDC, Suit No. 113,598-Div. "F," and that he is desirous to appeal to the Court of Appeals, First Circuit, State of Louisiana.

Further, pursuant to Civil Code of Procedure Arts. 2045-2057, Chapter 13 "Interpretation of Contracts," the defendant respectfully designates the following portions of the record for transcribing:

Transcript of the hearing held on January 25, 2008, regarding the District Attorney only fulfilling part of His verbal contract in which an adverse ruling was issued against defendant.

WHEREFORE, defendant prays that he be granted an appeal to the Court of Appeal, First Circuit, State of Louisiana, in accordance with the applicable law.

Respectfully Submitted:

Ryan Stinson #433686

Ryan Stinson #433686
Dixon Correctional Institute
CBB
P.O. Box 788
Jackson, LA 70748-788

FILED
2008 MAY 29 PM 12:11
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been served upon the Assistant District Attorney, Courthouse, 20140 Iowa Street, Livingston, LA 70754, by placing the same in the U.S. mail, 1st class postage pre-paid, on this 23 day of May 2008.

ORDER

IT IS HEREBY ORDERED that an appeal be granted on behalf of the defendant to the Court of Appeal, First Circuit, State of Louisiana. The return date being 08/01/08, and the due date for defendant's brief being ____/____/____.

Livingston, Louisiana, on this 18th day of June 2008.

HONORABLE JUDGE

08 MAY 29 PM 12:11
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

Please Serve:

District Attorney
Scott M. Perrilloux
20140 Iowa Street
Livingston, LA 70754

Ryan Stinson #433686
Dixon Correctional Institute
CBB
P.O. Box 788
Jackson, LA 70748-788

Notice of Appeal

Ryan Stinson — Number: 113598 Division "F"

Versus — 21st Judicial District Court

Parish of Livingston

District Attorney, 21st JDC
Scott Perrilloux — State of Louisiana

****

COUNCEL OF RECORD:

Ryan Stinson
Dixon Correctional Institute
P.O. Box 788
Jackson, LA 70748

Honorable Elizabeth P. Wolfe
Division "F"

Court Reporter: Christina Carter

Greg Murphy
Attorney at Law
P.O. Box 299
Livingston, LA 70754

Honorable Christine L. Crow
Clerk of the First Circuit
P.O.Box 4408
Baton Rouge, LA 70802

CMIS Division
Office of Judicial Amin.
400 Royal St. Suite 1190
New Orleans, LA 70130-8101

****

NOTICE IS HEREBY GIVEN THAT ON May 29th , 2008 UPON MOTION OF plaintiff AN ORDER OF APPEAL WAS ENTERED ON May 29th ,2008, GRANTING AN APPEAL FROM THE JUDGMENT SIGNED ON January 25th ,2008.

RETURNABLE TO THE FIRST CIRCUIT-COURT OF APPEALS in accordance with the law.

THIS IS A DEVOLUTIVE APPEAL.

2008 JUN 26 PM 3:00
DEPUTY CLERK

I CERTIFY THAT THE FOREGOING NOTICE WAS THIS DAY MAILED BY ME IN ACCORDANCE WITH ARTICLE 2121, LA C.C.P.

LIVINSGTON, LOUISIANA THIS THE 26th DAY OF June, 2008.

Katelyn C. Pope
DEPUTY CLERK OF COURT

ATTENTION: UNDER ARTICLE 2126 LA C.C.P. ALL ESTIMATED COST OF THE APPEAL MUST BE PAID WITHIN 20 DAYS FROM RECEIPT OF INVOICE.

Livingston Parish Clerk of Court

THOMAS L. SULLIVAN, JR.
Clerk of Court

P.O. Box 1150
Livingston, Louisiana 70754
(225) 686-2216/2217

NOTICE OF ESTIMATES NEEDED

JUNE 27TH , 2008

Christina Carter
10183 Summerfield Dr.
Denham Springs, LA 70726

FILED
2008 JUN 27 AM 7:58
DEPUTY CLERK

RE: Ryan Stinson
VS.#113598
District Attorney, 21st JDC Scott Perrilloux

Dear Christina,

Please provide this office with the estimates for transcripts of the proceedings held on December 12th , 2007.

Sincerely yours,
Katelyn Pope
Deputy Clerk of Court

Livingston Parish Clerk of Court

THOMAS L. SULLIVAN, JR.
Clerk of Court

P.O. Box 1150
Livingston, Louisiana 70754
(225) 686-2216/2217

July 10, 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Amanda Wildey
79117 Davidson Road
Folsom, LA 70446

RE: RYAN STINSON
VS. 113598
DISTRICT ATTORNEY, 21ST JDC
SCOTT M. PERRILLOUX

Dear Amanda:

This is your official notification this office has received a Motion for Appeal and Designation of Record in the above-captioned matter. I request that you please prepare the transcript from the hearing heard on December 12, 2007. Be advised the appeal is returnable to the First Circuit Court on August 11, 2008. Therefore, please provide the transcript to me ***10 days*** prior to August 11, 2008.

Enclosed please find copies of the Motion for Appeal and Designation of Record and the Motion for Leave to Proceed in Forma Pauperis.

Should you have any questions, please do not hesitate to give me a call at (225) 686-2216 ext. 1105.

With kindest personal regards, I remain

Sincerely,

Tonya T. Steele

Tonya T. Steele
Deputy Clerk of Court

/tts

enclosure

Kyle mc F

AMENDED NOTICE OF APPEAL

RYAN STINSON

CASE NO. 113598

VERSUS

DISTRICT ATTORNEY, 21ST JDC
SCOTT M. PERRILLOUX

21ST JUDICIAL DISTRICT COURT

ELIZABETH P. WOLFE
JUDGE, DIVISION "F"

PARISH OF LIVINGSTON

AMANDA WILDEY
COURT REPORTER

STATE OF LOUISIANA

COUNSEL OF RECORD:

Ryan Stinson #433686
Dixon Correctional Institute
CBB
Post Office Box 788
Jackson, LA 70748

Honorable Christine L. Crow
Clerk, 1st Circuit Court of Appeal
Post Office Box 4408
Baton Rouge, LA 70821

Greg Murphy
Assistant District Attorney
Post Office Box 299
Livingston, LA 70754

Louisiana State Supreme Court
Office of Judicial Administrator
Attn: Peter Gilberti
400 Royal Street, Suite 1190
New Orleans, LA 70130-8101

NOTICE IS HEREBY GIVEN THAT ON **MAY 29, 2008** UPON MOTION OF THE PLAINTIFF AN ORDER FOR APPEAL WAS ENTERED ON **JUNE 18, 2008** GRANTING AN APPEAL FROM THE JUDGMENT OF **JANUARY 25, 2008**, RETURNABLE TO THE FIRST CIRCUIT COURT OF APPEAL **IN ACCORDANCE WITH LAW**.

( ) SUSPENSIVE IN THE AMOUNT ( ) IN FORM PAUPERIS

( ) ACT LA R.S. 13:4521 & 13:4581 (X) DEVOLUTIVE

I CERTIFY THAT THE FOREGOING NOTICE WAS THIS DATE MAILED BY ME IN ACCORDANCE WITH ARTICLE 2121, LA. C.C.P. LIVINGSTON, LOUISIANA, THIS 10TH DAY OF JULY, 2008.

DY. CLERK OF COURT

ATTENTION: **UNDER ARTICLE 2126 LA C.C.P. ALL ESTIMATED COSTS OF THE APPEAL MUST BE PAID WITHIN 20 DAYS.**

2008 JUL 10 P 3:10

CW Tonya

AMANDA B. WILDEY
CERTIFIED COURT REPORTER
79117 Davidson Road
Folsom, Louisiana 70437
(985) 320-9080

********** *INVOICE* **********

TO: *21ST JDC*
AMITE, LOUISIANA

RYAN STINSON
VERSUS
DISTRICT ATTORNEY, 21ST J.D.C.

JUDGE/DIVISION: *WOLFE "F"*
PARISH: *LIVINGSTON*
DOCKET NUMBER: *113598*
DATE OF HEARING: *DECEMBER 12TH, 2007*
NUMBER OF PAGES: *16*

REQUESTED BY: *DEFENDANT*

TOTAL AMOUNT DUE: *$80.00*

****

FILED
CLERK OF COURT
2008 AUG 20 11:12:48

Livingston Parish Clerk of Cou.

THOMAS L. SULLIVAN, JR.
Clerk of Court

P.O. Box 1150
Livingston, Louisiana 70754
(225) 686-2216/2217

Ready to Print - Stinson et al

July 10, 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Amanda Wildey
79117 Davidson Road
Folsom, LA 70446

RE: RYAN STINSON
VS. 113598
DISTRICT ATTORNEY, 21ST JDC
SCOTT M. PERRILLOUX

Dear Amanda:

This is your official notification this office has received a Motion for Appeal and Designation of Record in the above-captioned matter. I request that you please prepare the transcript from the hearing heard on December 12, 2007. Be advised the appeal is returnable to the First Circuit Court on August 11, 2008. Therefore, please provide the transcript to me ***10 days*** prior to August 11, 2008.

Enclosed please find copies of the Motion for Appeal and Designation of Record and the Motion for Leave to Proceed in Forma Pauperis.

Should you have any questions, please do not hesitate to give me a call at (225) 686-2216 ext. 1105.

With kindest personal regards, I remain

Sincerely,

Tonya T. Steele

Tonya T. Steele
Deputy Clerk of Court

/tts

enclosure

FILED
CLERK OF COURT
LIVINGSTON
2008 JUL 10 AM 8:11
DEPUTY CLERK

RTBF

RYAN STINSON	*	SUIT NO. 113,598 DIV. "F"
	*	21ST JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21ST JDC SCOTT M. PERRILLOUX	*	STATE OF LOUISIANA
FILE;_____	*	_____ CLERK OF COURT

MOTION FOR APPEAL AND DESIGNATION OF RECORD

NOW INTO COURT, comes defendant, in proper person, and on suggesting to this Honorable Court that the record herein shows reversible error to his prejudice whereby the Court granted movers Motion To Enforce Settlement and dismissed erroneous defendant's suit entitled Ryan Stinson vs. District Attorney, 21st JDC, Suit No. 113,598-Div. "F," and that he is desirous to appeal to the Court of Appeals, First Circuit, State of Louisiana.

Further, pursuant to Civil Code of Procedure Arts. 2045-2057, Chapter 13 "Interpretation of Contracts," the defendant respectfully designates the following portions of the record for transcribing:

Transcript of the hearing held on January 25, 2008, regarding the District Attorney only fulfilling part of His verbal contract in which an adverse ruling was issued against defendant.

WHEREFORE, defendant prays that he be granted an appeal to the Court of Appeal, First Circuit, State of Louisiana, in accordance with the applicable law.

Respectfully Submitted:

Ryan Stinson #433686

Ryan Stinson #433686
Dixon Correctional Institute
CBB
P.O. Box 788
Jackson, LA 70748-7

FILED
MAY 29 PM 12:11
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been served upon the Assistant District Attorney, Courthouse, 20140 Iowa Street, Livingston, LA 70754, by placing the same in the U.S. mail, 1st class postage pre-paid, on this 23 day of May 2008.

ORDER

IT IS HEREBY ORDERED that an appeal be granted on behalf of the defendant to the Court of Appeal, First Circuit, State of Louisiana. The return date being 08/01/08, and the due date for defendant's brief being ____/____/____.

Livingston, Louisiana, on this 18th day of June 2008.

HONORABLE JUDGE

08 MAY 29 PM 12:11
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

Please Serve:

District Attorney
Scott M. Perrilloux
20140 Iowa Street
Livingston, LA 70754

Ryan Stinson #433686
Dixon Correctional Institute
CBB
P.O. Box 788
Jackson, LA 70748-788

TWENTY-FIRST JUDICIAL DISTRICT COURT

PARISH OF LIVINGSTON

STATE OF LOUISIANA

. . . . . .
RYAN STINSON :
VERSUS : NUMBER: 113598
DISTRICT ATTORNEY, 21ST JDC :
. . . . . .

DECEMBER 12TH, 2007

THE HONORABLE ELIZABETH P. WOLFE, JUDGE PRESIDING

APPEARANCES:

FOR THE STATE OF LOUISIANA:
GREG MURPHY, ESQUIRE

FILED: Amanda B. Wildey 8/18/08
AMANDA B. WILDEY
COURT REPORTER

REPORTED AND TRANSCRIBED BY: AMANDA B. WILDEY, C.C.R. #99076

AMANDA B. WILDEY
CERTIFIED COURT REPORTER
79117 Davidson Road
Folsom, Louisiana 70437
(985) 320-9080

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THE COURT:

RYAN STINSON VERSUS DISTRICT ATTORNEY. MR. MURPHY, I BELIEVE MR. STINSON IS WAITING OUT THERE. WE NEED TO BRING HIM IN. WHAT'S GOING ON WITH THAT CASE?

MR. MURPHY:

JUDGE, I HAD FILED A MOTION.

THE COURT:

YOU FILED THAT?

MR. MURPHY:

I DID, YOUR HONOR.

THE COURT:

BECAUSE HE'S BEEN SENDING ME STUFF AND HAVING PEOPLE SUBPOENAED AND WANTING PEOPLE TRANSPORTED. LET'S GET HIM IN HERE. I THOUGHT HE HAD FILED IT.

GOOD AFTERNOON, MR. STINSON. HOW ARE YOU DOING?

MR. STINSON:

HOW ARE YOU DOING?

THE COURT:

I'M FINE. GO AHEAD AND HAVE A SEAT THERE. OKAY, MR. MURPHY FILED A MOTION TO ENFORCE THE SETTLEMENT AGREEMENT AND YOU FILED AN OPPOSITION TO IT?

MR. STINSON:

YES, MA'AM.

THE COURT:

OKAY. MR. MURPHY, YOU'RE FIRST.

MR. MURPHY:

YES, YOUR HONOR. GREG MURPHY ON BEHALF OF SCOTT M. PERRILLOUX IN HIS CAPACITY AS THE DISTRICT ATTORNEY FOR THE 21ST J.D.C. AND CHARLOTTE HERBERT IN HER CAPACITY AS AN ASSISTANT D.A. WITH THE 21ST J.D.C.

JUST AS A MATTER OF RECORD KEEPING, YOUR HONOR, RYAN STINSON REPRESENTS HIMSELF, YOUR HONOR. ON OR ABOUT OCTOBER 6TH, 2006, HE FILED THE ORIGINAL COMPLAINT AGAINST THE TWO PEOPLE THAT MENTIONED AND THEN HE SUPPLEMENTED THAT ORIGINAL COMPLAINT ON FEBRUARY 18TH, 2007.

AND THEN I FILED MY MOTION TO ENFORCE THE SETTLEMENT, AND ATTACHED TO MY MOTION I FILED SOME EXHIBITS, STARTING WITH "EXHIBIT 'A'," WHICH WAS AN OFFER FROM RYAN STINSON THAT DAY TO SCOTT PERRILLOUX AND CHARLOTTE HERBERT, AND THE OFFER WAS DATED FEBRUARY 5TH, 2007, WHEREIN HE SAYS, "FOR A TRANSFER I WILL DROP MY SUIT." THAT WAS ON FEBRUARY 5TH, 2007. THAT'S THE "EXHIBIT 'A'," YOUR HONOR THAT WE HAVE ATTACHED.

AND THEN I RESPONDED - THEN HE WROTE ME BACK, YOUR HONOR, ON MARCH 1ST, 2007, REFERENCING THE FEBRUARY 5TH, 2007 LETTER. I THEN RESPONDED ON MARCH 6TH, 2007, AND SENT A LETTER SAYING THAT WE WILL ACCEPT HIS OFFER AND HAVE HIM TRANSFERRED TO DIXON CORRECTIONAL CENTER AS PER HIS

REQUEST.

THEN ON MARCH 21ST HE WROTE ME AGAIN CONCERNING THE SETTLEMENT AND THE STATUS OF THE SETTLEMENT AGREEMENT, STIPULATION. AND THEN, YOUR HONOR, ON APRIL 2ND, 2007, RYAN STINSON FILED A MOTION TO ENFORCE THE AGREEMENT WHICH WE HAD AGREED TO.

YOUR HONOR, IF YOU LOOK AT THE DATE THE ORIGINAL COMPLAINT WAS FILED, WHICH IS OCTOBER 6TH, AND THEN YOU LOOK AT THE SUPPLEMENTED AMENDED COMPLAINT, THAT'S FEBRUARY 18TH, 2007. THE NEGOTIATIONS AND AGREEMENT OCCURRED AFTER THE SUPPLEMENTAL AND AMENDING COMPLAINT WAS FILED.

HE THEN FILES THAT MOTION TO ENFORCE THE SETTLEMENT AND THE COURT THEN SETS IT FOR A HEARING ON JULY 9TH, 2007, WHICH I APPEARED AT AND MR. STINSON APPEARED AT.

AT THAT HEARING, YOUR HONOR, MR. STINSON AND MYSELF, IF THE COURT WILL RECALL, CAME INTO COURT AND TOLD THE COURT THAT WE HAD AN AGREEMENT TO SETTLE THIS CASE. AND KEEP IN MIND THAT THAT SUPPLEMENTAL AMENDED PETITION HAD ALREADY BEEN FILED AT THAT PARTICULAR TIME.

WHEN WE COME IN COURT ON JULY 9TH, 2007, AN AGREEMENT WAS REACHED IN ACCORDANCE WITH LOUISIANA CODE OF CIVIL PROCEDURE, ARTICLE NUMBER 30:71, IT TALKS ABOUT A COMPROMISE AND AGREEMENT, AND ONE OF THE THINGS THAT HAS TO BE DONE AND IT

HAS TO BE REDUCED INTO WRITING, OR MADE IN OPEN COURT ON THE RECORD TO BE TRANSCRIBED, AND THEN ONCE THAT'S DONE THE PARTIES THEN CAN WORK ON THE RECEIPT AND RELEASE FORMS.

WE CAME TO COURT ON JULY 9TH, 2007. HE AGREED TO THE SETTLEMENT. WE AGREED THAT WE WOULD TRANSFER HIM TO DIXON CORRECTIONAL INSTITUTE. HE WAS THEN TRANSFERRED TO DIXON CORRECTIONAL INSTITUTED. SUBSEQUENT TO THAT I SENT HIM THE RECEIPT AND RELEASE, ASKING HIM TO SIGN IT. HE THEN SAYS THAT HE'S NOT AGREEING WITH THE RECEIPT AND RELEASE BECAUSE IT SAID THAT HE WOULD BE RESPONSIBLE FOR COSTS, WHICH I TRIED TO EXPLAIN TO MR. STINSON THAT THERE'S NO COSTS FILED BECAUSE HE'S A PAUPER, AND THAT'S NOT A PROBLEM. HE WILL NOT BE RESPONSIBLE FOR COSTS.

THEN HE COMES BACK AND TELLS ME, "NO, I DO NOT DISMISS MY SUPPLEMENTAL AMENDING COMPLAINT." THE REASON I THINK HE DID THAT IS THAT ONCE HE GOT TO DIXON CORRECTIONAL CENTER HE DIDN'T LIKE WHERE THEY HOUSED HIM AT. THEY PUT HIM IN CONFINEMENT, SOLITARY CONFINEMENT. I HAVE NO CONTROL OVER D.O.C. HE ASKED TO BE TRANSFERRED TO DIXON CORRECTIONAL DEPARTMENT HIMSELF. WE DID THAT FOR HIM. WE SENT HIM THERE, AND THEN WHEN HE GETS

THERE HE GETS IN CONFINEMENT AND SAYS, "WHOA, WAIT. THIS ISN'T THE AGREEMENT I MADE."

THE AGREEMENT WAS SENDING HIM TO DIXON AND WE SENT HIM. A SUPPLEMENTAL AMENDING COMPLAINT WAS FILED AFTER HE WAS IN OPEN COURT AND RECITED THE SETTLEMENT ON THE RECORD. AND IN ACCORDANCE WITH LOUISIANA CODE OF CIVIL PROCEDURE ARTICLE 30:71, AND IN THE *LEGER* CASE, WHICH I'VE CITED, YOUR HONOR, WE HAVE AN AGREEMENT, WE'VE COMPROMISED THIS MATTER. IT WAS DONE IN OPEN COURT AS REQUIRED BY THE STATUTE, THEREFORE WE'RE ASKING THAT THE COURT ENFORCE THE SETTLEMENT THAT WE HAVE WITH RYAN STINSON.

THE COURT:

ALL RIGHT. MR. STINSON, YOU MAY PROCEED. JUST SPEAK INTO THAT MICROPHONE RIGHT THERE.

MR. STINSON:

ME AND THE DEFENSE ATTORNEY HAD TALKED ON - I HAD WROTE THE DEFENSE ATTORNEY FIRST OF ALL - LET ME REPHRASE THIS. ON OCTOBER 6TH I FIRST FILED MY COMPLAINT.

THE COURT:

RIGHT.

MR. STINSON:

THE ORIGINAL ACTION TO A BREACH OF CONTRACT.

THE COURT:

YES.

MR. STINSON:

AND THEN I WROTE THE DEFENDANT ON FEBRUARY THE 5TH, STATING THAT I WISH TO DROP MY SUIT FOR A TRANSFER TO DIXON CORRECTIONAL INSTITUTE.

THE COURT:

RIGHT.

MR. STINSON:

ON FEBRUARY 19TH, DUE TO CIRCUMSTANCES THAT ARISE PERTAINING TO THE SUIT, THAT CAME FROM PERTAINING TO THE SUIT, I FILED A SUPPLEMENTAL TO THE ORIGINAL COMPLAINT ON FEBRUARY THE 18TH.

THE DEFENDANTS ANSWERED MY LETTER OF FEBRUARY THE 5TH ON MARCH THE 1ST, 2007, STATING THEY WISH TO SETTLE UNDER ARTICLE 408 FOR A TRANSFER TO DIXON CORRECTIONAL INSTITUTE.

I WROTE HIM BACK AND SAID, "PLEASE NOTIFY ME. I WISH TO BE TRANSFERRED." SO I WROTE HIM BACK AND I SAID, "YEAH, I WISH TO BE TRANSFERRED."

HE WROTE ME BACK SEVERAL TIMES TELLING ME THAT HE CONTACTED DIXON CORRECTIONAL INSTITUTE AND THEY WERE TELLING HIM THEY COULDN'T TRANSFER ME TO DIXON CORRECTIONAL INSTITUTE AT THE TIME BECAUSE THE SAME INCIDENT THAT HAPPENED DURING THE SUPPLEMENTAL COMPLAINT. AT

DIXON CORRECTIONAL INSTITUTE THEY HAD AN ONGOING INVESTIGATION. AS SOON AS THE ONGOING INVESTIGATION WAS COMPLETE - SO I WROTE HIM BACK AND TOLD HIM FROM MY KNOWLEDGE, TALKING WITH THE F.B.I. AND DIXON CORRECTIONAL INSTITUTE THERE WAS NOT ONGOING INVESTIGATION; THAT THE INVESTIGATION WAS AGAINST THE OFFICER AND NOT AGAINST ME.

HE WROTE ME BACK AND SAID, "WELL, AS SOON AS I FIND OUT SOMETHING I'LL LET YOU KNOW." SO I FILED A MOTION TO ENFORCE SETTLEMENT AGREEMENT. IT WAS SET FOR JULY THE 9TH.

THE COURT:

ALL RIGHT.

MR. STINSON:

WE BEGAN TO TALK ON THE PHONE. WE TALKED ABOUT FIVE TIMES. WE TALKED ON THE PHONE. THE FIRST THING WHEN WE TALKED ON THE PHONE, I ASKED HIM, I SAID, "WELL, MR. GREG MURPHY," HE SAID, "WELL, I'M WILLING TO GIVE YOU THE TRANSFER TO DIXON CORRECTIONAL INSTITUTE." I SAID, "LET ME ASK YOU, WHAT ABOUT THE SUPPLEMENTAL COMPLAINT?" HE SAID, "WELL, MR. STINSON, IT DOESN'T MATTER IF YOU DROP IT OR NOT." HE SAID, "MY MAIN CONCERN IS THE ORIGINAL COMPLAINT THAT WAS FILED ON OCTOBER THE 6TH." HE SAID, "BUT IF YOU WANT TO DROP IT, THAT'S ON YOU." AND I SAID, "WELL,

I'LL THINK ABOUT IT."

FROM THAT POINT ON WE NEVER DISCUSSED THE SUPPLEMENT TO THE ORIGINAL COMPLAINT AGAIN. MY HEARING WAS ON JULY THE 9TH, WHICH YOU REMEMBER. WE BOTH COME BEFORE THE COURT -

THE COURT:

I DO REMEMBER.

MR. STINSON:

AND WE ASKED FOR A 30 DAY CONTINUANCE TO HAVE - HE ASKED THAT IT BE CONTINUED FOR 30 DAYS BECAUSE HE WAS GOING TO HAVE ME TRANSFERRED TO DIXON CORRECTION WITHIN THAT TIME. HE SAID THAT WE WOULD BE SETTLING THE MATTER.

30 DAYS PASS BY AND I GOT TRANSFERRED TO DIXON CORRECTIONAL INSTITUTE, AND HE SENDS ME A LETTER AS WELL AS A MOTION TO DISMISS AND A SETTLEMENT AGREEMENT AND RELEASE FORM.

AFTER READING THE SETTLEMENT AND RECEIPT AND RELEASE FORM I WROTE HIM BACK AND INFORMED HIM I WASN'T COMPLETELY HAPPY WITH THE READING OF THE FORM, COULD WE PLEASE DISCUSS IT, BECAUSE IT WAS MY UNDERSTANDING HE WAS GOING TO COME TO DIXON CORRECTIONAL INSTITUTE AND WE WERE GOING TO DISCUSS IT AND BOTH PUT OUR SIGNATURES ON IT TO MAKE IT ALL RIGHT.

SO AFTER THIS HERE HE CALLS ME TO COME UP HERE TO THE COURTROOM, AND

WHENEVER I COME INTO THE COURTROOM -

THE COURT:

YOU WERE IN COURTROOM 3 AND HE TOOK YOU BACK IN THAT ROOM WITH THE OFFICERS BACK IN THE JURY ROOM THERE SO YOU COULD TALK FOR A WHILE.

MR. STINSON:

RIGHT, AND WE TALKED. AND I EXPLAINED TO HIM, I SAID, "WELL, MR. MURPHY, AT NO TIME DID AGREE THAT I WAS GOING TO SETTLE MY SUPPLEMENT, SO AT THIS TIME IF YOU'RE GOING TO TAKE MY SUPPLEMENT OUT - YOU ALSO AGREED THAT ALL COSTS WERE SUPPOSED TO BE PAID." I SAID THAT ALL COSTS OF COURT WERE TO BE WAIVED, THAT WE WOULD HAVE THE COURT TO WAIVE ALL COSTS OF COURT. "WELL, I'M GOING TO GET THE COURT REPORTER TO COME IN HERE AND TELL YOU THAT ALL COSTS OF COURT WILL BE WAIVED." AND SO I SAID, "WELL, I DIDN'T AGREE TO WAIVE MY SUPPLEMENTAL COMPLAINT."

AT NO TIME DID I BELIEVE THAT ANY TIME WHENEVER I GOT TO DIXON CORRECTIONAL INSTITUTE I WAS GOING TO GO TO DIXON CORRECTIONAL INSTITUTE EXTENDED LOCK DOWN. AT NO TIME DID I BELIEVE THIS HERE. I DIDN'T KNOW THAT WHEN I LEFT ONE INSTITUTION I WAS GOING TO GO FROM EXTENDED LOCK DOWN IN DAVID PRISON TO LOCK DOWN TO D.C.I.

I WOULD LIKE TO ASK THE COURT IF I

COULD CALL A WITNESS AT THIS TIME, MR. JACOBY JOHNSON, PERTAINING TO MY SUIT TO TESTIFY AS TO HIS KNOWLEDGE OF THE SUIT AND THE SETTLEMENT AGREEMENT.

THE COURT:

I KNOW HE WASN'T HERE IN COURT ON THE 9TH OF JULY, RIGHT? AND HE DIDN'T HEAR WHAT YOU SAID OR WHAT MR. MURPHY SAID IN COURT.

MR. STINSON:

RIGHT. HE WASN'T THERE ON JULY 9TH.

THE COURT:

AND HE WASN'T THERE OVERHEARING YOUR CONVERSATIONS WITH MR. MURPHY, RIGHT?

MR. STINSON:

NO, MA'AM.

THE COURT:

I DON'T MIND HAVING PEOPLE TESTIFY, BUT IF HE DOESN'T HAVE ANYTHING TO DO WITH WHETHER OR NOT THIS SHOULD BE ENFORCED AS YOU READ IT INTO THE RECORD BACK ON JULY 9TH, THEN I DON'T NEED TO HEAR IT. IT'S IRRELEVANT.

MR. STINSON:

AT THIS TIME I WOULD LIKE TO - IT'S MY UNDERSTANDING MR. JOHNSON HAD, ON THE 5TH, FILED A MOTION WITH THE COURT.

THE COURT:

TO JOIN IN?

MR. STINSON:

RIGHT, A MOTION TO INTERVENE.

THE COURT:

RIGHT. I DENIED IT.

MR. STINSON:

AND -

THE COURT:

HE'S NOT A PARTY. I DENIED THAT. WERE YOU AWARE OF THAT?

MR. STINSON:

NO, I WAS NOT AWARE OF IT.

THE COURT:

I'M PRETTY SURE I DENIED IT BECAUSE HE WASN'T A PARTY IN THE ORIGINAL, HE DIDN'T HAVE A CAUSE OF ACTION AND WASN'T A PARTY. MY MINUTE CLERK'S GOING TO DOUBLE CHECK ON THAT, BUT I'M PRETTY SURE I DENIED THAT.

MR. MURPHY:

YES, MA'AM, YOU DENIED IT.

THE COURT:

I DID. OKAY, MR. MURPHY IS SAYING THAT I DID. I DENIED THAT. ANYTHING ELSE, MR. STINSON, ON WHETHER OR NOT THIS SHOULD BE ENFORCED AS YOU AGREED ON THE 9TH ON JULY OF '07, HERE IN OPEN COURT UNDER OATH?

MR. STINSON:

THE DEFENDANTS ARE ASKING TO SETTLE THINGS I HAVEN'T AGREED TO SETTLE. I MEAN, I AGREED TO SETTLE MY ORIGINAL SUIT, BUT I NEVER AGREED TO SETTLE THE DAMAGES OF MY SUIT. I AGREED TO SETTLE THE PART

OF MY SUIT WHERE I WOULD BE TRANSFERRED AND I WAS NOT TRANSFERRED TO DIXON CORRECTIONAL INSTITUTE AS PART OF AN AGREEMENT.

THE COURT:

OKAY. WHAT I RECALL FROM YOU BEING SWORN IN, AND I'VE GOT THE COURT MINUTES HERE WHERE YOU ALL STIPULATED THAT ALL MATTERS WOULD BE SETTLED, YOU BE TRANSFERRED, AND ALL MATTERS IN THIS CASE MEANS THE PETITION AND THE AMENDED PETITION, SO WHETHER OR NOT YOU REALIZED THAT - YOU'RE SAYING YOU DIDN'T REALIZE THAT AND MR. MURPHY IS SAYING YOU DID DISCUSS IT. I DON'T NECESSARILY HAVE TO BELIEVE ONE OF YOU ALL, BECAUSE YOU HAVE IT HERE ON THE RECORD. I SWORE YOU IN, AND YOU WERE STAINING IN FRONT OF ME UNDER OATH AND WITH A TRANSCRIPT SAYING YOU AGREED TO DISMISS ALL YOUR MATTERS AGAINST THE OTHER PARTIES, THE D.A., AND MS. HERBERT, OR WHOEVER, IN EXCHANGE FOR THE SETTLEMENT THAT YOU WOULD BE MOVED WITHIN 30 DAYS. THAT'S WHAT I RECALL.

SO DO YOU HAVE ANYTHING ELSE, MR. MURPHY?

MR. MURPHY:

NO, YOUR HONOR.

THE COURT:

SO I'M GOING TO GRANT THE MOTION TO ENFORCE THE SETTLEMENT AGREEMENT, AND I'LL

SIGN WHATEVER JUDGEMENT YOU HAVE.

MR. STINSON:

I WOULD LIKE TO PUT THE COURT ON NOTICE THAT I WILL BE FILING A NOTICE OF APPEAL.

THE COURT:

CERTAINLY.

(WHEREUPON THIS MATTER WAS CONCLUDED)

C E R T I F I C A T E

I, AMANDA B. WILDEY, C.C.R., OFFICIAL COURT REPORTER FOR THE TWENTY-FIRST JUDICIAL DISTRICT COURT, PARISH OF LIVINGSTON, STATE OF LOUISIANA, DO HEREBY CERTIFY THAT THE FOREGOING 16 PAGES CONSTITUTE A TRUE AND ACCURATE TRANSCRIPT OF THE AFORESAID MATTER AS TAKEN BY ME IN THE VOICE WRITING METHOD, TO THE BEST OF MY KNOWLEDGE AND ABILITY. WITNESS MY HAND THIS 18TH DAY OF AUGUST, 2008.

AMANDA B. WILDEY, C.C.R.
OFFICIAL COURT REPORTER
21ST JUDICIAL DISTRICT COURT
CERTIFICATE NUMBER: 99076

DC Katelyn

Office Of The Clerk
Court of Appeal, First Circuit
State of Louisiana
www.la-fcca.org

Christine L. Crow
Clerk of Court

Post Office Box 4408
Baton Rouge, LA
70821-4408
(225) 382-3000

Notice of Judgment

January 07, 2009

Docket Number: 2008 - CA - 2192

Ryan Stinson
versus
District Attorney Scott Perrilloux and Assistant District Attorney Charlotte Herbert

113598

TO: Hon. Elizabeth Wolfe
P.O. Box 788
Amite, LA 70422

Greg Murphy
Assistant District Attorney
P.O. Box 299
Livingston, LA 70754

Ryan Stinson
Dixon Correctional Institute
P.O. Box 788, Unit 2, Ext. 1, Cell #9
Jackson, LA 70748

You are hereby served with a copy of the opinion in the above-entitled case. Your attention is invited to Rule 2-18. Rehearing of the Uniform Rules of Courts of Appeal.

I hereby certify that this opinion and notice of judgment were mailed this date to the trial judge, all counsel of record, and all parties not represented by counsel as listed above.

CHRISTINE L. CROW
CLERK OF COURT

FILED
2009 MAY -1 AM 8:42
DEPUTY CLERK

STATE OF LOUISIANA

COURT OF APPEAL, FIRST CIRCUIT

Order of Dismissal - Rule 2-8.6 - Case Dismissed

1/7/2009

Docket Number: 2008-CA-2192

Ryan Stinson
Versus
District Attorney Scott Perrilloux and Assistant District
Attorney Charlotte Herbert

Appeal from the 21st Judicial District Court, Parish of Livingston, the Honorable Elizabeth Wolfe, Judge, presiding.

Per Curiam

Appellant having failed to timely file a brief within the period of time provided by Rule 2-12.7 of the Uniform Rules of the Courts of Appeal, and having been duly notified in accordance with Rule 2-8.6, and thirty(30) days having passed since the mailing of the notice and no brief having been filed, this appeal is hereby dismissed.

APPEAL DISMISSED.

CLERK OF COURT
COURT OF APPEAL, FIRST CIRCUIT

FILED
2009 MAY -1 AM 8:42
DEPUTY CLERK

A TRUE COPY
CLERK OR DEPUTY CLERK
COURT OF APPEAL FIRST CIRCUIT
STATE OF LOUISIANA
DATE January 23, 2009

STATE OF LOUISIANA

COURT OF APPEAL, FIRST CIRCUIT

Order of Dismissal - Rule 2-8.6 - Case Dismissed

1/7/2009

Docket Number: 2008-CA-2192

Ryan Stinson
Versus
District Attorney Scott Perrilloux and Assistant District
Attorney Charlotte Herbert

Appeal from the 21st Judicial District Court, Parish of Livingston, the Honorable Elizabeth Wolfe, Judge, presiding.

Per Curiam

Appellant having failed to timely file a brief within the period of time provided by Rule 2-12.7 of the Uniform Rules of the Courts of Appeal, and having been duly notified in accordance with Rule 2-8.6, and thirty(30) days having passed since the mailing of the notice and no brief having been filed, this appeal is hereby dismissed.

APPEAL DISMISSED.

CLERK OF COURT
COURT OF APPEAL, FIRST CIRCUIT

A TRUE COPY
CLERK OR DEPUTY CLERK
COURT OF APPEAL, FIRST CIRCUIT
STATE OF LOUISIANA
DATE

Ryan Stinson * Suit No: 113598-Div. "F"
-versus- * 21st Judicial District Court
Charlotte Hebert, Ass. District Attorney * Parish of Livingston
Scott M. Perrilloux, District Attorney * State of Louisiana
*
* _____
Filed: * Clerk of Court:

* * * * * * * * * * * * * * * * * * * *

Supplement To Original Complaint Of, Civil Action Tort And Breach Of Contract

* * * * * * * * * * * * * * * * * * * *

Statement Of Claim

Plaintiff supplements to all defendants in Original Complaint;

Due To The Breach of Contract The plaintiff Was Transfered To David Wade Correctional Center, Were on September 30, 2006, The Plaintiff Was Sexually assaulted by one of The prison Guards namily Sgt. Joe Livingston, at The Time, a Sergeant, employed at David Wade Correctional Center. Were The Plaintiff Suffered mentaly and Physicaly, From The Sexual assault, and Were The Plaintiff now Suffers Continues Harrasment and retaliation, By other Prisoners and Prison guards That are Friends and family of Sgt. Joe Livingston.

IF the Defendants had held up To There agreement in return For The Plaintiffs Testimony against one James "PoP" Skinner, And Transfered The plaintiff To Dixion Correctional institute as agreed upon. Then The Plaintiff Would Have never Been Sexualy assaulted By a prison Guard, at David Wade Correctional Center.

* * * * * * * * * * * * * * * * * * * *

ReLief

* * * * * * * * * * * * * * * * * * * *

1.) That Scott M. Perrilloux + Charlotte Hebert be ordered to have me transfered to Dixion Correctional institute as agreed upon.

2.) That I be awarded 500.ºº for each and everyday I remain at David Wade Corr. Cent. untill the day I am transfered.

3.) That Scott M. Perrilloux + Charlotte Hebert be ordered to pay all cost of Court and reimburse Cost of Filling Fee.

4.) That Scott M. Perrilloux + Charlotte Hebert be disciplyned acording to Law.

5.) Preliminary injunction Transfer From David Wade Correctional Center

Signed This 18 day of February 2007, in Claiborne Parish, State of Louisiana

Ryan Stinson #433686
D.W.C.C. 670 Bill Hill Rd
Homer LA. 71040

Certificate Proof Of Service

Ryan Stinson declares under penalty of perjury pursuant to 28 U.S.C. Section 1746 That he mailed a copy of The enclosed, Supplement to Original Complain OF Civil Action Tort And Breach OF Contract, To defendant's counsel, Greg Murphy, Assistant District Attorne 6555 Perkins Road, Suite 200, Baton Rouge, Louisiana 70808 By placing Them in an envelope and placing The envelop in The Mailbox at David Wade Correctional Center, 670 Bell Hill Rd. Homer LA. 71040, on Febuary 19, 2007

Febuary 19, 2007
Date:

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd
Homer LA 71040

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

ANSWER TO INTERROGATORIES

NOW INTO COURT, through undersigned counsel, comes defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's Interrogatories as follows:

INTERROGATORY NO. 1:

Please provide the full name, address, age, date of birth, place of residence at the time of this accident, and state driver's license number of Scott M. Perrilloux and Charlotte Hebert.

ANSWER TO INTERROGATORY NO. 1:

Defendants object to Interrogatory No. 1 on the grounds that this request is not relevant to the subject matter involved in the pending action and it does not relate to the claim of Ryan Stinson. Furthermore, the interrogatory discusses an accident and there was no accident which forms the basis of this litigation. The plaintiff has made a breach of contract claim and therefore anything related to an accident is not the subject of this litigation.

INTERROGATORY NO. 2:

Please produce copies of all correspondence, documents, notes, and any other information used to investigate/substantiate the claims of Mr. Ryan Stinson.

ANSWER TO INTERROGATORY NO. 2:

Defendants object to Interrogatory No. 2 on the grounds it seeks to discover attorney work product and/or information prepared in anticipation of litigation. Without waiving the foregoing objection, there are no documents relevant to this request.

INTERROGATORY NO. 3:

Please provide any and all recorded statements of any person regarding the complaints and letters of grievance of Mr. Ryan Stinson.

ANSWER TO INTERROGATORY NO. 3:

Defendants object to Interrogatory No. 3 on the ground that it seeks to discovery attorney

work product and/or information prepared in anticipation of litigation. Without waiving the foregoing objection, defendants state that no persons have made any statement or given any reports to defendants or on defendants' behalf in connection with this litigation. Defendants reserve the right to supplement this response if and when information responsive to this interrogatory become available.

INTERROGATORY NO. 4:

Please identify and describe in detail any person who may have or claims to have knowledge of the incident of breach of contract or any of the events leading to the breach of contract or related events of transfer occurring thereafter. As to each such person, please describe fully.

ANSWER TO INTERROGATORY NO. 4:

None.

INTERROGATORY NO. 5:

Please list any and all documentary evidence which you may introduce at trial; fully describe each such document and list the name and address of the person having possession of the original or any copies.

ANSWER TO INTERROGATORY NO. 5:

Due to the early stages of this litigation, no decision has been made regarding the identity of the exhibits which will be introduced at the trial of this matter. Defendants reserve the right to supplement and amend this response as discovery progresses.

INTERROGATORY NO. 6:

Please identify each expert witness retained or consulted by you, or who is anticipated to testify at the time of trial regarding this action/civil action tort and breach of contract or in any response to any of these interrogatories, including the name, address, telephone number and occupation of each expert; the expert's area of expertise; the subject matter on which each expert is expected to testify; the substance of the facts to which each expert is expected to testify; the substance of the opinions to which each expert is expected to testify; a summary of the grounds for each opinion; and identify all documents and photographs which refer or relate to those facts.

ANSWER TO INTERROGATORY NO. 6:

As of this date, no experts have been retained; however, defendants reserve the right to identify experts for trial as discovery progresses in this matter.

INTERROGATORY NO. 7:

Identify each person you expect to call as a fact witness at trial, whether or not identified in answer to a previous interrogatory, and briefly state the substance of their testimony.

ANSWER TO INTERROGATORY NO. 7:

A final decision regarding witnesses who may be called to testify at this matter has not been made. Defendants reserve their right to supplement this response when additional information becomes available.

Respectfully Submitted

Greg Murphy

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 1st day of March, 2007.

Greg Murphy

GREG MURPHY

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

RESPONSE TO REQUEST FOR PRODUCTION

NOW INTO COURT, through undersigned counsel, comes defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who responds to plaintiff's Request for Production of Documents as follows:

REQUEST NO. 1:

Please produce certified or verified copies or originals of each letter Mr. Ryan Stinson has filed in request for a transfer to Dixon Correctional Institute as agreed upon.

RESPONSE TO REQUEST NO. 1:

This information has been requested from defendants and if it is still in their possession it will be forwarded upon receipt of same.

REQUEST NO. 2:

Please produce copies of all correspondence, documents, notes, and any other information used to investigate/substantiate the claims of Mr. Ryan Stinson.

RESPONSE TO REQUEST NO. 2:

Defendant objects to Request No. 2 on the grounds that it seeks to discover attorney work product and/or information prepared in anticipation of litigation.

REQUEST NO. 3:

Please produce any exhibits which you may offer at the trial of this matter.

RESPONSE TO REQUEST NO. 3:

Due to the early stage of this litigation, no decision has been made regarding the identity of exhibits which will be introduced at the trial of this matter. Defendants reserve the right to supplement and amend this response as discovery progresses.

REQUEST NO. 4:

Produce copies of all documents produced, relied upon, or referred to by any expert you have

consulted with or retained with respect to your claims in this matter.

RESPONSE TO REQUEST NO. 4:

None. Defendants have not retained an expert as of this date. However, defendants reserve their right to retain an expert.

REQUEST NO. 5:

Produce legible copies of all notes, logs, memoranda, or diary(s) maintained in connection with any of your activities that are in any way related to the claims asserted in the civil action tort and breach of contract filed by the plaintiffs in this matter.

RESPONSE TO REQUEST NO. 5:

Defendants object to this request on the grounds it seeks to discovery attorney work product and/or information prepared in anticipation of litigation.

REQUEST NO. 6:

Copies of reports of all expert witnesses contacted or retained by you or whom you expect to call at trial, including all photographs, notes, memoranda, field notes, sketches, drawings, learned articles, tabulations, or other documents used, a copy of Mr. Ryan Stinson's testimony, produced or relied upon by such expert in formulating his opinions and rendering a report in this matter.

RESPONSE TO REQUEST NO. 6:

See Response to Request No. 4.

REQUEST NO. 7:

Please produce the entire personnel file for Charlotte Hebert and Scott M. Perrilloux.

RESPONSE TO REQUEST NO. 7:

Defendants object to Request No. 7 on the grounds this request is not relevant to the subject matter involved in the pending action and does not relate to the claim of Ryan Stinson.

REQUEST NO. 8:

Please produce any and all documents supporting any affirmative defense plead in this matter.

RESPONSE TO REQUEST NO. 8:

Defendants object to Request No. 8 on the grounds it seeks to discovery attorney work product and/or information prepared in anticipation of litigation.

Respectfully Submitted

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 1st day of March, 2007.

GREG MURPHY



002112

30 Jan. 2006

To: Scott M. Perrilloux
District Attorney Office
P.O. Box 399
Livingston, LA. 70754

From: Jacobi Johnson
Dixon Correctional Institute
P.O. Box 788
Jackson, LA. 70748

RE: State of Louisiana versus James "Pop" Skinner / Testimony of Ryan Stinson, in behalf of the State of Louisiana

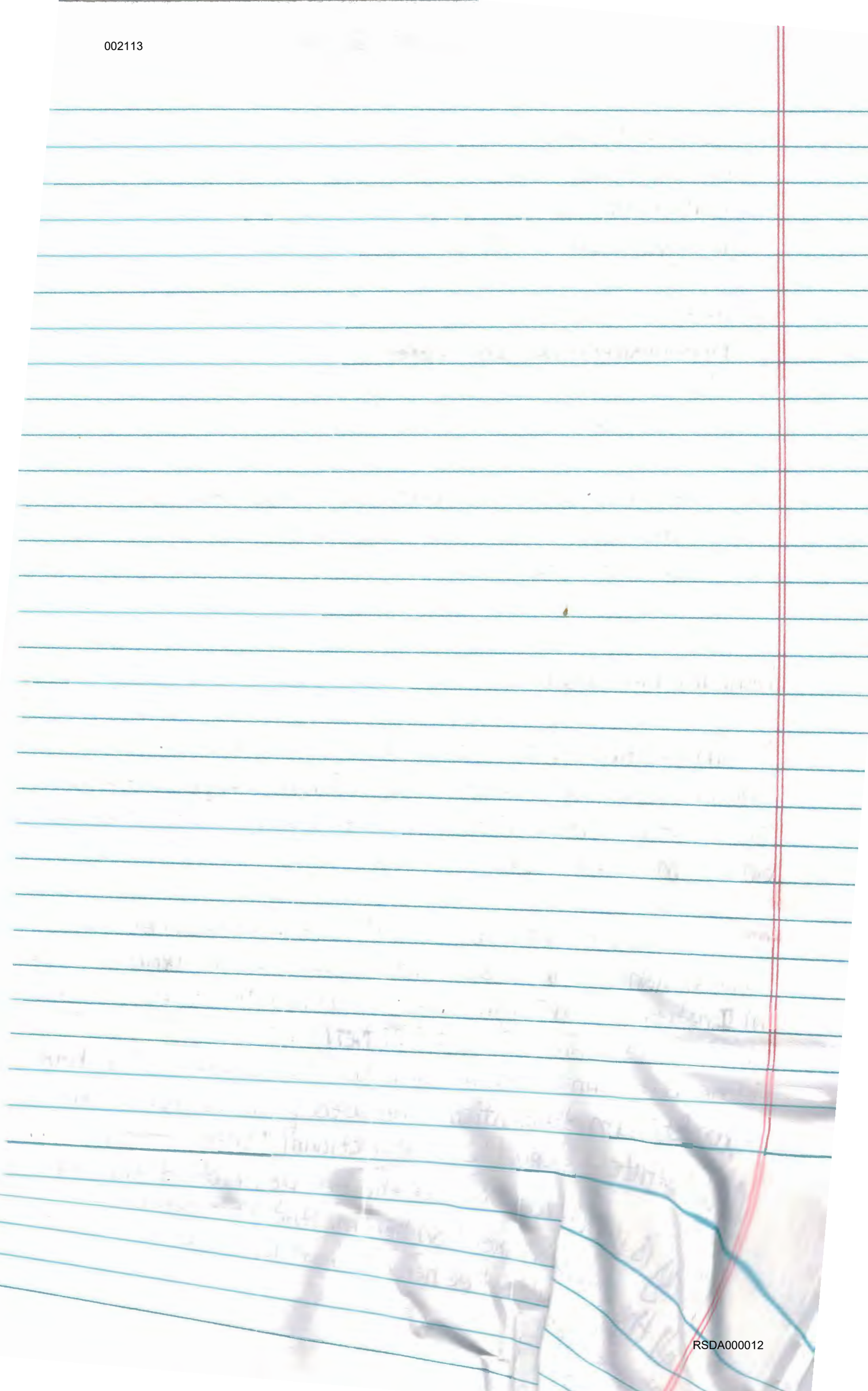
Dear Mr. Perrilloux,

I am writting this missive in behalf of Ryan Stinson in the above caption matter, in an attempt to appeal to your sense of understanding, and in hopes of putting some closure on this matter once and for all.

Mr. Perrilloux, on December 19th, 2005, Ryan Stinson and myself (Jacobi Johnson), were schedule for transfer to Dixon Correctional Institute from Elayn Hunt Correctional Center, but at the last minute Warden Raymond McNeil, whom you spoke with alone with Ryan Stinson at Elayn Hunt Correctional Center; had Ryan Stinson destination changed from Dixon Correction Al Institute, to David Wade Correctional Center —— reason being is unbeknown, however this can be verified through all the institution mention herein. Had this not been changed, you would not be hereing from Ryan Stinson or myself at present.

RSDA000011

002113



RSDA000012

Since Ryan Stinson has been at David Wade Correctional Center, he has received a couple of threats from associates or friends of James "Pop" Skinner, two of which has maded themselves known, Jeremy Strickland and Jeffery Wize, which has been brought to security attention there, and is on file. David Wade Security has placed Ryan Stinson on Protective Custody because of this. Not before these individuals spread the word that Ryan Stinson had ratted on James "Pop" Skinner. And since being housed at David Wade Correctional Center, Ryan has had to deal with inmates throwing urine and feces on him and pressure from inmates trying to force him to perform oral sex on them because of this and his homosexuality life style.

Mr. Perrilloux, you may ask, "what concern of this is mines?", well I'm sure you're aware that Ryan + myself are very, very close friend, and all his previous correspondence were of my concerns as well as his own concerning James "Pop" Skinner. Well recently, my mother whom very fond of Ryan, had me withdraw $10,000.00 for legal representation from some attorney out of Alexandria by the name of Small, whom I'm not fimiliar with. Anyway, my mother whom I'm sure you have received correspondence from as well, on advisement of this Attorney, to give your office an opportunity to meet your obligation to Ryan's safety concerns.

Mr. Perrilloux, Ryan is scared and at his wits end, and he's very desperate at this point. All he's asking your office to do is grant his request to be transfer to Dixon Correctional Institute, and a letter of recommendation from your office to be placed in his record, stating that he + J are to be transfer/housed in the same institutional throughout our incarceration, which I am not even sure your office have the authority to do, however I'm sure it will be honored in Department of Correction

unless circumstances warrant differently. If this request is granted, I can personally guarantee (for what it's worth to you) that this will put closure on this matter once and for all, you will never here from Ryan Again concerning your obligation for his safety. As a matter of fact your office can forward a letter to him personally releasing your office of all obligation to his safety concerns, upon granting of this request and it will be gladly signed by him.

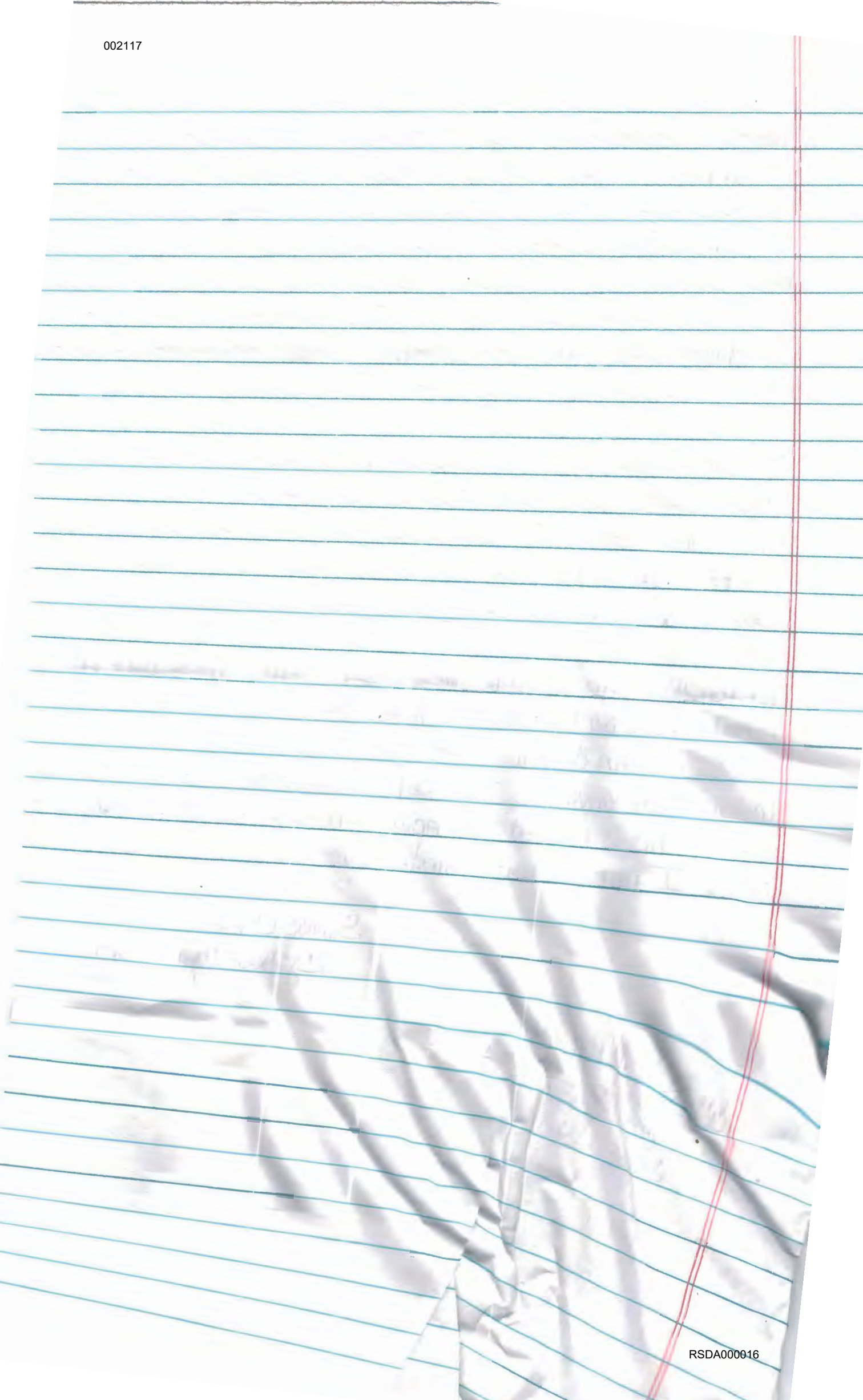
The only other major concern would be getting Ryan out of David Wade Correctional Center, without the inmate population knowing where his destination will be and I realize this is out of your control, however such a request from your office would more than likely be honored + acknowledge seriously.

Mr. Perrilloux, this small request will most definitely put a final closure on this matter Altogether. And whatever else arises, we can deal with together without your office inuluement anymore. This is Ryans only concern, I assure you, if this is honored once Again, this matter will be completely over. I remain, with kindness regards,

Sincerely
Gjodi Johnson

cc: Scott M. Perrilloux
Ryan Stinson
Jadbi Johnson

002117



RSDA000016

30 Jan. 2006

To: Scott M. Perrilloux
District Attorney Office
P.O. Box 399
Livingston, LA. 70754

From: Jacobi Johnson
Dixon Correctional Institute
P.O. Box 788
Jackson, LA. 70748

RE: State of Louisiana versus James "Pop" Skinner / Testimony of Ryan Stinson, in behalf of the State of Louisiana

Dear Mr. Perrilloux,

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Since Ryan Stinson has been at David Wade Correctional Center, he has received a couple of threats from associates or friends of James "Pop" Skinner, two of which has maded themselves known, Jeremy Strickland and Jeffery Wize, which has been brought to security attention there, and is on file. David Wade Security has placed Ryan Stinson on Protective Custody because of this. Not before these individuals spread the word that Ryan Stinson had ratted on James "Pop" Skinner. And since being housed at David Wade Correctional Center, Ryan has had to deal with inmates throwing urine and feces on him and pressure from inmates trying to force him to perform oral sex on them because of this and his homosexuality life style.

Mr. Perrilloux, you may ask, "what concern of this is mines?", well I'm sure you're aware that Ryan + myself are very, very close friend, and all his previous correspondence were of my concerns as well as his own concerning James "Pop" Skinner. Well recently, my mother whom very fond of Ryan, had me withdraw $10,000.00 for legal representation from some attorney out of Alexandria by the name of Small, whom I'm not fimiliar with. Anyway, my mother whom I'm sure you have received correspondence from as well, on advisement of this Attorney, to give your office an opportunity to meet your obligation to Ryan's safety concerns.

Mr. Perrilloux, Ryan is scared and at his wits end, and he's very desperate at this point. All he's asking your office to do is grant his request to be transfer to Dixon Correctional Institute, and a letter of recommendation from your office to be placed in his record, stating that he + J are to be transfer/housed in the same institutional throughout our incarceration, which I am not even sure your office have the authority to do, however I'm sure it will be honored in Department of Correction

unless circumstances warrant differently. If this request is granted, I can personally guarantee (for what it's worth to you) that this will put closure on this matter once and for all, you will never here from Ryan Again concerning your obligation for his safety. As a matter of fact your office can forward a letter to him personally releasing your office of all obligation to his safety concerns, upon granting of this request and it will be gladly signed by him.

The only other major concern, would be getting Ryan out of David Wade Correctional Center, without the inmate population knowing where his destination will be And I realize this is out of your control, however such a request from your office would more than likely be honored + Acknowledge seriously.

Mr. Perrilloux, this small request will most definitely put a final closure on this matter Altogether, And whatever else Arises, we can deal with together without your office inuluement Anymore. This is Ryans only concern, I Assure you, if this is honored once Again, this matter will be completely over. I remain, with kindness regards,

Sincerely
Cjacobi Johnson

cc: Scott M. Perrilloux
Ryan Stinson
Jacobi Johnson

Ryan Stinson	*	Suit No: 113898 - Div-"F"
-Versus-	*	"21" Judicial District court
Charlotte Hebert, Ass. District Attorney	*	Parish of Livingston
Scott M. Perrilloux, District Attorney	*	State of Louisiana
	*	

Filed * * * * * * * * * * * * Clerk of court * * * * * *

Second Request For Production of Documents

* *

The Plaintiff Request that the defendant's produce the documents herein within 30 day's, either by providing the plaintiff with copies or by making them available to the plaintiff for inspection and copying'.

Request For Production Number 1':

Please Produce copies of the Transcript of Mr. Stinson Testimony against James Pod Skinner For the Defendant's during James Pod Skinner Trial.

Request For Production Number 2':

Please Produce copies of the Defendant's Phone Bill For Telephone Number 1-225-686-3325 From the Date of January 1, 2004 through December 1-2006 of all collect call's accepted by the Defendants From the Plaintiff and incoming and outgoing call's Too and From the Plaintiff. at Elayn Hunts Correctional Center + David wade corl. Cent.

Request For Production Number 3':

Please Produce copies of the Defendant's Phone Bill For Telephone Number 1-225-686-3020 From the Date of January 1, 2004 Through December 1, 2006 of all collect call's accepted by the Defendant's From the Plaintiff and incoming call's From the Plaintiff and outgoing call's To the Plaintiff. at Elayn Hunts correctional Center + David wade corl. Cent.

Request For Production Number 4:

Please Produce copies of Defendants Fax Number Bill [redacted] and Fay's For Fax Number 1-225-686-1651 To and From Elayn Hunt's correctional Center From The date of January 1,2004 Through December 1,2006 Concerning The PlaintiFF.

Request For Production Number 5:

Please Produce copies of all corrospondence To and From Elayn Hunt's correctional Center By Defendants concerning The PlaintiFF.

Request For Production Number 6:

Please Produce copies of all documents created by any staff member of The District Attorneys office From May 1,2000 To date concerning The plaintiFF's Testimony and Contract and not included in items 1,4 and 5.

March 21,2007
Date

Ryan Stinson I.P.P. 433686
D.C.C. 670 Bell Hill Rd.
Homer LA, 71040

Ryan Stinson	*	Suit No: 113598 - Div "F"
- versus -	*	21 Judicial District court
Charlotte Hebert, Ass. District Attorney	*	Parish OF Livingston
Scott M. Perrilloux, District Attorney	*	State OF Louisiana

Filed * * * * * * * Clerk OF court * * * * * *

Second Request For Admissions

* * * * * * * * * * * * * * * *

TO: Defendants - Scott M. Perrilloux and Charlotte Hebert

The PLaintiFF Request that DeFendants Scott M. Perrilloux and charlott. Hebrt admit the Following under The provisions OF The Louisiana code OF civil Procedure:

1.) PLease admit That The DeFendants accepted Several collect call's From Mr. Stinson.

2.) PLease admit That The DeFendants had The PLaintiFF (Mr. Stinson) Brought TO Livingston Parish Court House From Elayn Hunt's correctional Center on more than one ocassion.

3.) PLease admit That DeFendant CharlOtte Hebert Went TO Elayn Hunt's correctional Center TO See Mr. Stinson.

4.) PLease admit That The DeFendants new The concerns That Mr. Stinson Had For His SaFty and need For a TransFer BeFor and aFter His Testimony.

5.) PLease admit That once James PoP Stinner was convicted and Sentenced TO LiFe in PriSon That He was TransFered TO Elayn Hunts correctional Center. Were He was placed On The Same Tier as Mr. Stinson (Beaver 2-A) Were He made Threats againts Mr. Stinsons LiFe,

6.) Please admit That The Defendants were made aware of These Threats To The Plaintiffs Life.

7.) Please admit That The Defendants Took no action in Concerns of Mr. Stinson Saftey.

March 21, 2007
Date

Ryan Stinson I.P.P. 433686
D.W.C.C. 670 Bill Hill Rd.
Homer LA, 71040

Certificate of Service

Ryan Stinson declares under penalty of perjury pursuant to 28 U.S.C. Section 1746 that he mailed a copy of the enclosed, Second Request For Production of Documents + Second Request For Admissions. To Defendant's counsel, Greg Murphy, Assistant District Attorney 6555 Perkins Road, suite 200, Baton Rouge, Louisiana 70808. By Placing Them in an envelope and placing the envelope in the mailbox at David Wade correctional center, 670 Bell Hill Rd. Homer LA, 71040, on March 22, 2007

March 22, 2007
Date

Ryan Stinson

002126

RULE TO SHOW CAUSE
MOTION FOR THE APPOINTMENT OF COUNSEL; AFFIDAVITS; MEMORANDUM IN SUPPORT; ORDER; ATTACHMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

PAUPER SUIT

To: ATTORNEY, GREG MURPHY
6555 PERKINS ROAD
SUITE 200
BATON ROUGE, LA 70808

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **May 29, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on March 20, 2007.*

B Sue Hammond
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.
D.W.C.C. 670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20_____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20_____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[SERVICE]

002127

DC mc Robyn (Courtdate)

1 OF 10

Ryan Stinson * suit No. 113598 - Div. "F"

-versus- * 21st Judicial District Court

Charlotte Hebert, ~~Asst. District Attorney~~ * Parish of Livingston

Scott M. Perilloux, District Attorney * State of Louisiana

SCANNED

Filed: * Clerk of Court:

* *

Motion For The Appointment of Counsel

* *

Now comes into This Honorable Court:

Plaintiff Ryan Stinson, Pursuant to LA.C.C.P. Articale 5181, request this court to appoint counsel to represent him in this case For The Following reasons:

1.) The Plaintiff is unable to Afford counsel.

2.) The issues involved in this case are complex.

3.) The plaintiff, as a segregation inmate, has extremely limited access to The Law Library.

4.) The Plaintiff has a limited knowledge of The Law.

5.) Due to The Breach of contract, The Plaintiff Was Transfered to David Wade Corr. Cent., Were he Was Sexualy Assualted by one of The prison Guards. Because of This he suffers mentah anguish and emotional destress and is unable to Consentrate and can not represent Himself in This case (See) (Exaibit 1 attached).

For The Foregoing reasons, Set Forth in The attached Affidavit, The memorandum of Law and This motion The court should grant The Plaintiff's Motion and Appoint Counsel in This case.

CLERK OF COURT
PARISH OF LIVINGSTON
2007 MAR 13 P 12:32
DEPUTY CLERK

Febuary 11, 2007

Date:

Ryan Stinson

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA. 71040

002128

2 OF 10

Ryan Stinson * suit No. 113598 — Div. "F"

versus- * 21st Judicial District Court

Charlotte Hebert, Ass. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

* _____

Filed: _____ * Clerk of Court:

* *

Affidavit in Support of The Plaintiff's Motion For the Appointment of Counsel

* *

Ryan Stinson, declares under penalty of perjury, pursuant to 28 U.S.C. Section 1746:

1.) That he is The Plaintiff in the above entitled Case. He makes This Affidavit in support of His motion For The appointment of Counsel.

2007 MAR 3 PM 3:2
FILED
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

2.) The Complaint in this case alleges that the plaintiff Was Subjected To The breach of Contract, by The District Attorney and The Assistant District Attorney, Whom actively agreed To give him a transfer For his testimony in a murder trial inbehalf of The State against one James "Pop" Skinner. It alleges that after his testimony he Was never transfered To Dixion correctional institute But Was Transfered To David Wade Correctional Center The officials were aware of This and are Liable For Failing To Take action to Hold up To our agreement For a transfer To Dixion Correctional institute. The plaintiff was subsequently denied a transfer [redacted] to Dixion Correctional Center after he made repeated attempts Through Letters and phone conversations With The Defendant's.

3.) This is a Complex Case because it Contains Several different Legal issues dealing With his allegations, With each Legal issue involving a different defendant.

4.) The Case involves Complex issues That may require expert testimony.

5.) The plaintiff has demanded a Jury Trial.

6.) The case will require discovery of documents and depositions of a number of witnesses.

7.) The testimony will be in sharp conflict, since the plaintiff alleges that the defendants Breached his contract to Transfer him To Dixion correctional center, While The defendants denie all his alligations.

8.) The plaintiff has only a Sixth grade education and has no Legal education.

9.) The plaintiff is serving a sentence in punitive Segregation. For this reason he has very Limited access to Legal materials and has no ability to investigate the facts of the case, For example, by Locating The Witnesses To his contract of agreement and interviewing them.

10.) As set Forth in the memorandum of Law Submitted With this motion, these Facts, along With The Legal merit of the plaintiff's Claims, Support the Appointment of Counsel to represent the plaintiff.

The Plaintiff Ryan Stinson, Further declares, under The penalty of perjury of Law, Pursuant to 28 U.S.C. Section 1746 That The Foregoing is true and correct.

He understand that a False statement in this affidavit Will Subject me to the penalties of perjury of Law.

WhereFore, The Plaintiff's motion For the Appointment of Counsel should be granted.

Thus, read and signed This 11 day of Febuary, 2007 in Claiborne Parish, state of Louisiana.

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040

4 OF 10

Ryan Skinson * Suit No. 113598 - Div. "F"

Versus - * 21st Judicial District Court

Charlotte Hebert, A&O.U. * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

Filed: * Clerk of Court:

* * * * * * * * * * * * * * * * * * * *

Memorandum of Law in Support of The Plaintiff's Motion for the Appointment of Counsel

* * * * * * * * * * * * * * * * * * * *

Statemet of The Case:

This is a Civil Action tort case Filed under LA.C.C.P. ART. 2315 + ART. 2316 by a State prisoner and asserting claims For The Breach of Contract. The plaintiFF seeks damages To his claims and an injunction to ensure a transfer To Dixion Correctional institute.

FILED
2021 MAR 13 PM 12:33
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

Statement of Facts:

The Complaint alleges That The plaintiFF Testified For The State against one James "Pop" skinner, before testifing The Defendants agreed To give him a transFer to Dixion correctional institute. When The PlaintiFF gave his Testimony he was highly Concerned about his safety and refused To answer The questions are give his Testimony, at which time he asked could he speak with The District Attorny and The Assistant District Attorney who Took him out of The Court Room and insured him That after his Testimony he would be TransFerd To Dixion correctional institute, But After The plaintiFF TestiFied in behalF of The State he was not transFerred To Dixion correctional institute, but latter was Transferred To David Wade correctional Center, The plaintiFF made repeated attempts Through Letters and telephone Conversation To have The Defendants hold up To There end oF The agreement. But They refused To do so. He made one Final attempt To The Defendants but again was refused. and his Safety still remained a Concern

ARGUMENT

The Court Should Appoint Counsel For The Plaintiff:

In deciding whether to appoint counsel For an indigent Litigant, the court should consider "The Factual complexity OF The case, The ability OF The indigent TO investigate The Facts, The existence OF Conflicting Testimony, The ability OF The indigent to present his claim and the complexity OF The legal issues." Abdullah V. Gunter, 949 F.2d 1032, 1035 (8th cir 1991) (citation omitted), Cert. denied, 112 S.Ct 1995 (1992). In Addition, Courts have suggested that the most important Factor is whether the case appears to have merit. Cooper v. A. Sargenti Co., Inc., 877 F.2d 170, 173 (2d Cir 1989) Each OF Those Factors weighs in Favor OF appointing Counsel in this case.

1.) Factual Complexity: The Plaintiff alleges That The Defendants Breached There Contract, While Disregarding The Plaintiff's saftey concerns, Denieing him a transFer TO Dixion correctional institute after the Defendant's had agreed That For his testimony against James "Pop" Skinner he would be transFerred TO Dixion Correctional institute.

In addition, The plaintiff's Claims involves a Breach OF Contract, It will probably be nessary TO present a expert Witness or TO cross-examine Witnesses called by The defendants, or both. The Presence OF issues requiring expert testimony supports The appointment of Counsel Moore V. Mabus, 976 F.2d 268, 272 (5th cir 1992); Jackson V. County of McLean, 953 F.2d 1070, 1073 (7th cir 1992) Tucker V. Randall, 948 F.2d 388, 392 (7th cir. 1991)

2.) The Plaintiff's ability to investigate: The plaintiff is Locked up in punitive segregation and has no ability TO Investigate The Facts. For example, he is unable to identify Locate and interview witnesses who were present when the agreement was made, and some are all who were present during his testimony at trial. He is in The same situation as an inmate who has been transferred TO a different institution, a Factor That Several courts have cited in appointing Counsel. Tucker V. Randall, 948 F.2d 388, 391-92 (7th cir

Gatson v. Coughlin, 679 F. Supp. 270, 273 (W.D.N.Y. 1988); Armstrong v. Snyder, 103 F.R.D. 96, 105 (E.D. Wis. 1984).

In Addition, This Case will require considerable discovery concerning The identity of witnesses, The Defendants Statement about The claims, The history of The Defendant's with prior records of Breach of contract, and The Plaintiff's Testimony at The Trial of James "Pop" Skinner. See Tucker v. Dickey, 613 F. Supp 1124, 1133-34 (W.D. Wis. 1985) (need For discovery supported appointment of Counsel).

3.) Conflicting testimony: The Plaintiff's account of The agreement of The [redacted] breach of Contract by The defendants is squarely in conflict with The Statements of The defendants. This aspect of The case will be a credibility contest between the defendants and the plaintiff (and Such [redacted] witnesses as can be Located) The existence of These credibility issues supports the appointment of Counsel. Gaston v. Coughlin, 679 F. Supp. 270, 273 (W.D.N.Y. 1988).

4.) The ability of the indigent to present his claims. The Plaintiff is an indigent prisoner with no Legal training a Factor that supports the appointment of Counsel. Whisenant v. Yuam, 739 F.2d 160, 163 (4th Cir 1984) in Addition, he is Confined to Segregation with very limited access to Legal materials. Rayes v. Johnson, 969 F.2d 700, 703-04 (8th Cir 1992) (citing Lack of ready access to a Law Library as a Factor supporting appointment of Counsel).

5.) Legal Complexity: The [redacted] defendants, whom are The District Attorney and The Assistant District Attorney, presents complex legal issues of determining which defendants were sufficiently personally involved in the Breach of Contract To be held Liable.

In Addition, The Plaintiff has asked For a Jury Trial, which requires much greater Legal skill than The Plaintiff has or can develop. See Abdullah v. Gunter, 949 F.2d 1032, 1036 (8th Cir. 1991) (citing Jury demand as a Factor supporting appointment of Counsel), Cert. denied, 112 S.Ct 1995 (1992)

8 OF 10

Ryan Stinson * Suit No. 113598-Divison "C"

-Versus- * 21st Judicial District Court

Charlotte Hebert, Ass. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

Filed: _____ * Clerk of Court: _____

*

* * * * * * * * * * * * * * * * * * *

AFFidaVit of PlaintiFF

* * * * * * * * * * * * * * * * * * *

Ryan Stinson, declares under penalty of perJury pursuant to 28 U.S.C. Section 1746:

1.) That I am The plaintiFF in the above entitled case.

2.) That my Motion For The Appointment of Counsel, AFFidavit in support of The plaintiFF's motion For The appointment of Counsel and The Memorandum of Law in support of The PlaintiFF's Motion For Appointment of Counsel, were prepared by another inmate.

3.) That He The plaintiFF copied what The inmate Had Wrote and prepaired For him.

4.) That if otherwise he The PlaintiFF would not have known how To do it on his own.

FILED
2007 MAR 13 PM 12:31
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

I [redacted] Ryan Stinson, Further declare, under The penalty of perJury of Law, pursuant To 28 U.S.C. Section 1746 That The Foregoing is True and correct.

I Ryan stinson, understand That a False statement in This AFFidavit will subject me To The penalties of perJury of Law.

Thus, read and signed This 11 day of Febuary, 2007, in Claiborne Parish, State of Louisiana

Ryan Stinson

Ryan stinson #433686 D.W.C.C.

670 Bell Hill Rd. Homer LA 71040

8 OF 10

Ryan Stinson * Suit No. 113598 - Div. "F"

-versus- * 21st Judicial District Court

Charlotte Hebert, Ass. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

*

Filed * Clerk of Court:

* * * * * * * * * * * * * * * * * * * *

ORDER

* * * * * * * * * * * * * * * * * * * *

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 MAR 13 PM 12:30
DEPUTY CLERK

Upon the Supporting Affidavit of the plaintiff and the accompanying memorandum of law, For the motion For Appointment of Counsel, it is

Ordered that A hearing Be set in the above motion in Division F of the Livingston Parish Court house, 20180 Iowa St. Livingston LA. 70754 on the 29th day of May, 2007, at 9:00 am o'clock, To Show Cause why the plaintiffs motion for Appointment of Counsel should be granted.

It is Further ordered, That a Copy of this order be provided to Warden, Veneta Michael at David Wade Correction Center 670 Bell Hill Rd. Homer LA. 71040.

It is Further ordered, That Warden, Veneta Michael make arrangements to have the person of one Ryan Stinson #433686 present in open court on the above date and time, and in the above court Room.

It is Further ordered, That this order, and all other papers Attached to this order, shall be served on defendant's Scott M. Perrilloux + Charlotte Hebert at there place of Work, To be present in open court on the above date and time, and in the above court. To Show Cause why the plaintiffs motion For Appointment

10 of 10 Counsel should not be Granted.

Signed, on This 23rd day of Feb., 2007, in Livingston Parish, State of Louisiana.

[signature]
District Judge.

Please Serve:

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

Warden, Veneta Michael
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

Attorney, Greg Murphy
6555 Perkins Road Suite 200
Baton Rouge, Louisiana 70808

Scott M. Perrilloux, District Attorney
P.O. Box 299
Livingston LA 70754

Charlotte Hebert, Assistant District Attorney
P.O. Box 299
Livingston LA 70754

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 3-20- 20 07
[signature]
Deputy Clerk of Court

002136

FBI investigates claim inmate forced into oral sex

2009 MAR 13 PM 12
FILED
CLERK OF COURT
PARISH OF LIVINGS
CLERK

FBI takes over oral sex claim at DWCC

A prisoner being held at the David Wade Correctional Center in Homer, Louisiana is claiming that he was forced to perform oral sex on a guard, and that he sent the evidence to his attorney and family members to prove it.

In a letter submitted to *The Inquisitor* by inmate Ryan Stinson, he claims that he was forced to perform oral sex on a sergeant working at the facility.

"I was forced by Sgt. Joe Levingston to perform oral sex on his erect penis," wrote Stinson. "He ejaculated in my mouth, I then saved the sperm and sent same to my attorney, and a family member, and turned one over to the authorities, who turned it over to Claiborne Parish Chief Detective Chuck Talley."

The Inquisitor routinely receives letters and accusations from inmates on almost a daily basis, but this one caught our attention, not only because of Stinson's claims, but because he also included a copy of a letter written to him by Claiborne Parish District Judge Jennifer Ward Clason.

The letter states, "I received your letter about Sgt. Joe Levingston today in a file submitted to me by the Claiborne Parish Clerk of Court. Because of the nature of your complaint against Sgt. Levingston, that he forced you to perform oral sex on him, I inquired into the matter.

"In connection with my inquiry, I have been informed that Sgt. Levingston refused to answer questions posed to him about the matter by the DWCC administrators and decided to retire," Judge Clason wrote.

The letter also indicated that Claiborne Parish Sheriff's Detective Chuck Talley is conducting a criminal investigation into the incident.

"As you retained samples of the biological matter Sgt. Levingston deposited in your mouth, I am sure the DWCC officers who investigated your complaint, Warden Goodwin, Warden Hanson, Col. Neil, Capt. Banks, Sgt. Kennedy and Sgt. Allen, will deliver that sample received by them from you to Detective Talley," said Judge Clason.

Talley told *The Inquisitor* on Wednesday that the results from the DNA test have not yet been made available to him. He said he anticipated the testing to take around 120 days. Talley could not comment on the particulars of the case, and said the Federal Bureau of Investigations has taken over the lead in the investigation.

Attempts to reach FBI agent William Klarer for a comment were unsuccessful as of press deadline on Wednesday night.

In the letter written by Stinson to *The Inquisitor*, Stinson claims that he has been retaliated against by officials at the prison.

"I have been retaliated on since the exposure of my situation," said Stinson. "David Wade officials are trying to keep it out of the public eyes and cover it up (as) best as they can. I want people to know what has happened to me by Sgt. Joe Levingston and how after I was victimized, and that David Wade officials are trying to cover it up by making it look like (it was) my fault."

We attempted to reach David Wade Correctional Center Warden Vanetia Michael for a comment on Wednesday, however her secretary said she would not be in the office until Monday.

We will keep your updated on this developing story, and will hopefully be able to bring you the results of the DNA results when they are made public.

- Exhibit -

4 of 6 Ryan Stinson
- Versus
Scott M. Perrottone, District Attorney
Charllate Hebert, A.S.A. District Attorney

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 AUG 16 PM 1:33
DEPUTY CLERK

* Div "F" suit # 113598
* 21st Judicial District
* Parish of Livingston
* State of Louisiana

Filed _____ Clerk of Court _____

ORDER

After the courts consideration of Jacobi Johnson Motion to intervene as Third Person it is Hereby:

Ordered that a Hearing to show cause for Jacobi Johnson Motion to intervene as Third Person, Be set in Division _____ of the Livingston Parish Court House, 20180 Iowa St. Livingston LA. 70754, on the _____ day of _____, 2007, at _____ o'clock to show cause why Jacobi Johnson motion to intervene as Third person should Be granted.

It is Further ordered, that a copy of this order be provided to Warden, Veneta Micheal at David Wade corr. cent. 670 Bell Hill Rd. Homer LA. 71040.

It is Further ordered, that a copy of this order be provided to Warden, [redacted] James M. Leblance at Dixion Correctional institute P.O. Box 788 Jackson LA. 70748.

It is Further ordered, that Warden, Veneta Micheal make arrangements to have the person of one Jacobi Johnson #130062 present in open court on the above date and time, and in the above court room.

It is Further ordered, that Warden, James M. Leblance make arrangements to have the

5 of 6

person of one Ryan Stinson #433686 present in open court on the above date and time, and in the above court room.

It is Further ordered, that a copy of this order, and all papers attached to this order shall be served on Ryan Stinson #433686 at Dixion Correctional institute P.O. Box 788 Jackson LA. 70748, To show cause why Jacobi Johnson motion to intervene as third person should B. granted.

It is Further ordered, That a copy of this order, and all other papers attached to this order, shall be served on defendant's counsel, Greg Murphy at 6555 Perkins Rd. Suite 200, Baton Rouge LA. 70808. To be present in open court on the above date and time and in the above court room to show cause why Jacobi Johnson Motion to intervene as third person should not be granted.

Signed ZW

Signed, on this 23rd day of August, 2007, in Livingston parish, State of Louisiana.

The matter between Mr. Stinson and the D.A's office has been settled and compromised.

ZW

District Judge.

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 8-29 20 07
Deputy Clerk of Court

6 of 6

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to Defendants counsel, Greg Murphy at 6555 Perkins Rd suite 200 Baton Rouge LA, 70808, Postage Prepaid, This 13 day of August, 2007.

Jacobe Johnson

Jacobe Johnson #130062

* * * * * * * * * * *

Certificate of Service

This is to certify, that a copy of the above and foregoing has been mailed to the Plaintiff, Ryan Stinson #433686, at Dixion Correctional institute, Unit 2 c/o/o 04, P.O. Box 788 Jackson LA. 70748. Postage Prepaid This 13 day of August, 2007.

Jacobe Johnson

Jacobe Johnson #130062

002140

RULE TO SHOW CAUSE
MOTION FOR A TEMPORARY RESTRAINING ORDER AND A PRELIMINARY INJUNCTION; AFFIDAVIT IN SUPPORT; MEMORANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: THE DEFENDANTS ATTORNEY, GREG MURPHY
6555 PERKINS RD.
SUITE 200
BATON ROUGE, LA 70808

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on June 26, 2007.*

B Saltaformeyer
Deputy Clerk of Court

Attorney
RYAN STINSON
PLAINTIFF, I.P.P.

Service Information

Received on the _____ day of _____, 20_____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20_____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[SERVICE]

002141

DC TBG (F) 113,598

May 30, 2007

To: Clerk of Court For Livingston parish court House
P.O. Box 1150, Livingston, LA. 70754

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUN -5 AM 11: 35
DEPUTY CLERK

From: Ryan Stinson # 433686
E.H.C.C. P.O. Box 174, St. Gabriel, LA. 70776

RE: Ryan Stinson -V- Scott M. Perrillou*, District Attorney and Charlotte Hebert, Ass. District Attorney. Div "F" suit No 113598 21st J.D.

SCANNED

Dear Sir/Madam,

I write this letter concerning the above and enclosed subject.

I had a court Hearing to show cause For a motion For appointment of Counsel on May 29, 2007 at 9:00 am But I was informed by the warden That the defendant's Filed a motion For continuance in this matter. Can you please provide me with a copy of this motion For continuance that the defendant's filed and the order and notify me of the new Date set For the Hearing to show cause in this case on my motion For appointment of Counsel.

I also have enclosed in this letter 3 petitions For a writ of Habia's Corpus Ad Testificandum and orders For me and my two witnesses to be present in open court on July 9, 2007 at 9:00 am For my Hearing on my Motion to Inforce settlement Agreement. Will you please File this For me.

I also Have enclosed a Motion For a temporary restraining order And a preliminary injunction, with a perposed order. Can you please File this For me in the court.

Also please provide me with a Filed and signed Copy of all the enclosed motions and orders.

Thank you in Advance For your time and concern

I am truly thankful

Ryan Stinson

Ryan Stinson

RSDA000040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUN -5 AM 11:35
DEPUTY CLERK

1 of 10 Ryan Stinson * Div. "F" suit NO: 113598

-V- * 21st Judicial District Court

Scott M. Perrilloux, District Court * Parish of Livingston

Charllote Hebert, Ass. District Court * State of Louisiana

*

Filed _____ * Clerk of court

* * * \

For the Foregoing reasons, set Forth in the Attached AFFidavit, the memorandum of law and this motion; the court should grant this motion in it's entirety

May 29, 2007
Date

Ryan Stinson #433686

* * * \

and the distance.

7.) Together these defendant's have the responsibility for providing the plaintiFF with protection and a safe enviroment as a witness were his life is not in harms way and as well the ability to arrange it.

8.) For the reasons setForth in this AFFidavit and memorandum of law Filed with this motion, I the plaintiFF am entitled to a temporary restraining order, ordering the plaintiFF be turned over to the custody of the sheriFF's office following the determination of the order for a preliminary injunction requiring the defendant's scott M. Perrilloux, District Attorney and Charlotte Hebert, to have the plaintiFF turned over to the custody of the sheriFF's office in Livingston parish till the determination of this case.

For the foregoing reasons, the court should grant the plaintiFF's motion in all respects.

Pursuant to 28 U.S.C. section 1746, I declare under the penalty of perjury that the foregoing is true and correct.

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUN -5 AM 11:40
DEPUTY CLERK

May 29, 2007
Date

Ryan Stinson # 433686

* * * * * * * * * * * * * * * *

Memorandum of Law in Support of Motion For a Temporary restraining order and a Preliminary Injunction

* * * * * * * * * * * * * * * *

Statement of Case:

This is a civil action tort case under La.C.C. Art 2315 and Art 2316 by a State prisoner and asserting claims For the Breach of contract. were the plaintiFF Seek's a Temporary restraining order and a preliminary injunction to ensure His safety by Having the plaintiFF Turned over to the custody of the sheriFF's office.

Statement of Facts:

As stated in the declaration submited with this motion the plaintiFF is a victim of a Breach of Contract, were

he was transfered to David wade corr. cent., were he was sexualy assaulted by a prison Guard employed at David wade corr. cent. were now he the plaintiFF is suffering continued irreparable Harm in the Form of continued Harrasment, retaliation, mental Anguish, emotional distress and an increasing risk of his life and well being, the plaintiFF also as a segregation inmate, has extremly limited access to the law library, telephone and mail services and is also unable to locate and contact his witnesses due to the hardship as a segregation inmate and the distance

The defendants against whom relief is sought are respectively, Scott M. Perrilloux, District Attorney and Charlotte Hebert, Assistant District Attorney, who is responsible for the contract described in this case

Argument

The plaintiFF is entitled to a temporary restraining order and a preliminary injunction.

In determining whether a party is entitled to a temporary restraining order or a preliminary injunction, courts generally consider several Factors: whether the party will suffer irreparable Hardship the "balance of hardship" between the parties, the likelihood of success on the merits, and the public interest, each of these Factors Favors the grant of this motion.

A.) the plaintiFF is threatened with irreparable Harm:

The plaintiFF alleges that he is the victim of a Breach of contract by the defendant's, were he was transfered to David wade corr. cent. and was sexualy assaulted by a prison guard and is now suffering irreparable Harm. such conduct is a clear civil Action Tort violation. See cases cited in section(C)

As a matter of law, the continuing deprivation of constitutional rights constitutes irreparable harm. Elrod v. Burns, 427 us. 347, 373, 96 S.Ct. 2673 (1976). This Principle has been applied in prison litigation generally, see Newsom v. Norris 888 F.2d 371, 378 (6th cir 1989); Mitchell v. Cuomo 748 Fa

804, 806 (2d Cir 1984); Albio V. County of onondaga, N.Y., 627 F. Supp. 1280, 1287 (N.D.N.Y. 1986); William v. Lane, 646 F. Supp. 1379, 1409 (N.D. Ill 1986) AFF'd 851 Fed 867 (7th Cir 1988), Cert denied, 109 S.Ct. 879 (1989); Gaston v. Coughlin, 679 F.Supp. 270, 273 (W.D. N.Y. 1988); Rayes v. Johnson, 969 F.2d 700, 703-04 (8th Cir 1992);

In Addition, The plaintiff is Threatned with irreparable harm because the defendants Breached His Contract.

B.) The balance of Hardship Favors the Plaintiff:

In deciding whether to grant a Temporary restraining order and a preliminary injunction, Courts ask whether the Suffering of the Moving party if the motion is denied will outweigh the suffering of the Non-moving party if the motion is granted. See E.G. Mitchell v. Cuoma, 748 F.2d 804,808 (2d Cir 1984) (Holding that dangers posed by prison crowding outweighed state's Financial and administrative concerns); Duran v. Anaya, 642 F.Supp 510,527 (D.N.M. 1986) (Holding that prisoners interest is safety and medical care outweighed states interest in saving money.)

in this case, the present suffering of the plaintiff and his potential suffering are enormous. The "suffering" the defendants will experience if the Court grants the order, is something that the defendants are obligated to do, on a daily basis. The defendant's hardship amounts to no more than business as usual

C.) The plaintiff is likely to succeed on the merits:

The plaintiff Allegations, clearly establish a Civil Tort violation, by the Breach of Contract Alleged in this case. See Cooper v. united states, 594 F.2d 12 (4th Cir 1979); Pat O'Brian's V. Franco's Coktal prod. inc. 615 so 2d 929 (LA. App. 4Cir) writ denied, 617 so.2d 909 (LA. 1993), Ortego V. State Dot 0,96-1322 (LA. 2-25-97); 689 so,2d 1358; Williams V. Burbank, App. 1922 Orleans No. 9154; First National Bank of Jefferson Parish v. Manor Heights Co. Ins., 376 so. 2d 61 (LA. App. 5th Cir 1991) writ denied 577 so.2d 35; Wood v. kohnke, 428 so.2d 848 (LA. App. 5th Cir 1983), Writ denied, 435, so. 2d 440; Villanueva V. CNA ins. Companies,

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to the defendants Attorney, Greg Murphy, 6555 Perkins Rd. Suite 200, Baton Rouge LA, 70808, Postage Prepaid, This 30 day of May, 2007

Ryan Stinson

002148

CC mailed to plaintiff
[illegible] 6-21-07

8 of 10

Ryan Stinson
-v-
Scott M. Perrilloux, District Attorney
Charllote Hebert, Ass. District Attorney

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUN -5 AM 11:41
DEPUTY CLERK

Div. F Suit No: 113398
21st Judicial District court
Parish of Livingston
State of Louisiana

Filed _____ Clerk of Court _____

ORDER

Upon the supporting Affidavit of the Plaintiff and the Accompanying memorandum of law, it is:

Ordered, That Defendant's Scott M. Perrilloux and Charllote Hebert show cause in Division F of the Livingston parish court House, 20180 Iowa st, Livingston, LA. 70734, on the 27 day of August, 2007 at 9:00 o'clock why a preliminary injunction should not issue pursuant to LA.C.C.P. Art 3601 and Art 3603, enjoining the said defendants, there successors in office, agents and employees and all other persons acting in concern and participation with them, to have the plaintiff turned over to the custody of the Livingston parish sheriff's office, so that the plaintiff may contact all of his witnesses and so his life and physical and mental well being will not be in such grave danger.

SCANNED

SCANNED

It is further ordered, that effective immediatly and pending the hearing and determination of this order to show cause, that the plaintiff be turned over to the custody of the Livingston parish sheriff's office, and that Warden Venetia Michael and Warden Cornel Hubert make arrangments to have the body of one Ryan Stinson #433686 transported to the Livingston parish sheriff's office immediatly upon receipt of this order.

Denied

SCANNED

It is Further ordered, That the body of one Ryan Stinson #433686, shall remain in the custody of the Livingston parish sheriff's office untill the _____ day of _____, 2007.

It is Further ordered, That a copy of this order be served on Warden Veneta Michael at, David Wade Correctional center, 670 Bell Hill Rd. Homer, LA. 71040

It is Further ordered, that a copy of this order be served on Warden Cornel Hubert at, Elayn Hunt Correctional Center, P.O. Box 174, st. Gabriel LA, 70776, Phone No # 225-642-3306.

It is Further ordered, That a copy of this order be served on the Livingston parish sheriff's office.

It is Further ordered, That a copy of this order and all Attached papers be served on the plaintiff Ryan Stinson #433686 at Both addresses. David. Wade corr. Cent 670 Bell Hill Rd Homer LA. 71040, and at Elayn Hunt Corr. Cent. P.O. Box 174 st. Gabriel LA, 70776.

It is Further ordered, That this order, and all other attached papers To this order, shall be served on defendant's Scott M. Perrilloux & Charlotte Hebert at their place of work, To be present in open court on the above date and time, and in the above court, To show Cause why the plaintiffs motion should not be granted.

It is Further ordered, That a copy of this order shall be served on whoever retains the custody of the Plaintiff Ryan Stinson #433686 To Have the body of the plaintiff present in open court on the above date and time and

002150

6 OF 10

in the above court TO show cause why his motion should be granted.

Signed, on This 18th day of June, 2007. in Tangipahoa parish, State OF Louisiana.

District Judge

Please Serve The Following:

SCANNED

Warden Colnel Hubert
Elayn Hunt Corr. Cent P.O. Box 174 St. Gabriel LA, 70776

Wardin Venetia Micheal
David wade corr. cent. 670 Bell Hill Rd. Homer LA, 71040

The DeFendants Attorney Greg Murphy
6555 Perkins Rd. - Suite 200, Baton Rouge LA, 70808

Ryan Stinson At Both Addresses
E.H.C.C. P.O. Box 174 St. Gabriel LA, 70776
and at D.W.C.C. 670 Bell Hill Rd. Homer LA, 71040

The Livingston parish sheriffs office.

FILED
PARISH OF LIVINGSTON
CLERK OF COURT
2007 JUN -5 AM 11:41
DEPUTY CLERK

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 6-26- 2007
Deputy Clerk of Court

RSDA000049

Ryan Stinson	*	Suit No: 113598-Div. "F"
-versus-	*	21st Judicial District Court
Charlotte Hebert, Ass. District Attorney	*	Parish of Livingston
Scott M. Perrilloux, District Attorney	*	State of Louisiana
	*	
_____	*	_____
Filed:	*	Clerk of Court:

* * * \

1.) That Scott M. Perrilloux + Charlotte Hebert be ordered to have me transfered to Dixion Correctional institute as agreed upon.

2.) That I be awarded 500.ee for each and everyday I remain at David Wade Corr. Cent. untill the day I am transfered.

3.) That Scott M. Perrilloux + Charlotte Hebert be ordered to pay all cost of Court and reimburse Cost of Filling Fee.

4.) That Scott M. Perrilloux + Charlotte Hebert be disciplyned acording to Law.

5.) Preliminary injunction Transfer From David Wade Correctional Center

Signed This 18 day of February 2007, in Claiborne Parish, State of Louisiana

Ryan Stinson #433686
D.W.C.C. 670 Bill Hill Rd
Homer LA. 71040

Certificate Proof Of Service

Ryan Stinson declares under penalty of perjury pursuant to 28 U.S.C. Section 1746 That he mailed a copy of The enclosed, Supplement to Original Complain OF Civil Action Tort And Breach OF Contract, To defendant's counsel, Greg Murphy, Assistant District Attorne 6555 Perkins Road, Suite 200, Baton Rouge, Louisiana 70808 By placing Them in an envelope and placing The envelop in The Mailbox at David Wade Correctional Center, 670 Bell Hill Rd. Homer LA. 71040, on Febuary 19, 2007

Febuary 19, 2007
Date:

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd
Homer LA 71040

002154

********** -COMM. JOURNAL- ********** DATE SEP-10-2007 ***** TIME 10:07 *********

MODE = MEMORY TRANSMISSION START=SEP-10 10:06 END=SEP-10 10:07

FILE NO.-683

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-LIVINGSTON D.A. 21ST J.D.-

********** -LIV D.A. 21ST JD- ***** - 225 686 1651- **********

RYAN STINSON — 21ST JUDICIAL DISTRICT COURT

VERSUS — PARISH OF LIVINGSTON

Scott M. Perrilloux, District Atty. Eta — STATE OF LOUISIANA

DOCKET # 113598 — DY. CLERK: _____

DOC # 433686

W/M DOB: _____ FILED: _____

MOTION AND ORDER

ON MOTION OF SCOTT M. PERRILLOUX, DISTRICT ATTORNEY, 21st Judicial District Court, Parish of Livingston, and on suggesting to the Court that a hearing has been set in this matter for the 11th day of September, 2007 and that Ryan Stinson is presently incarcerated at Dixon Correctional Inst., and it is necessary that he be transported to the Livingston Parish Courthouse for said hearing to be held on the 11th day of Sept, 2007.

IT IS ORDERED that the Department of Corrections pick up Ryan Stinson on or about the 11th day of September, 2007, and have him present at the Livingston Parish Courthouse for hearing on the 11th day of September, 2007 at 9:00 AM and after said hearing to be returned to Dixon Correctional Inst. unless otherwise ordered by the Court.

FURTHER, IT IS ORDERED that the defendant be released to the Department of Corrections.

Livingston, Louisiana this 10 day of Sept, 2007.

JUDGE, 21ST JUDICIAL DISTRICT COURT

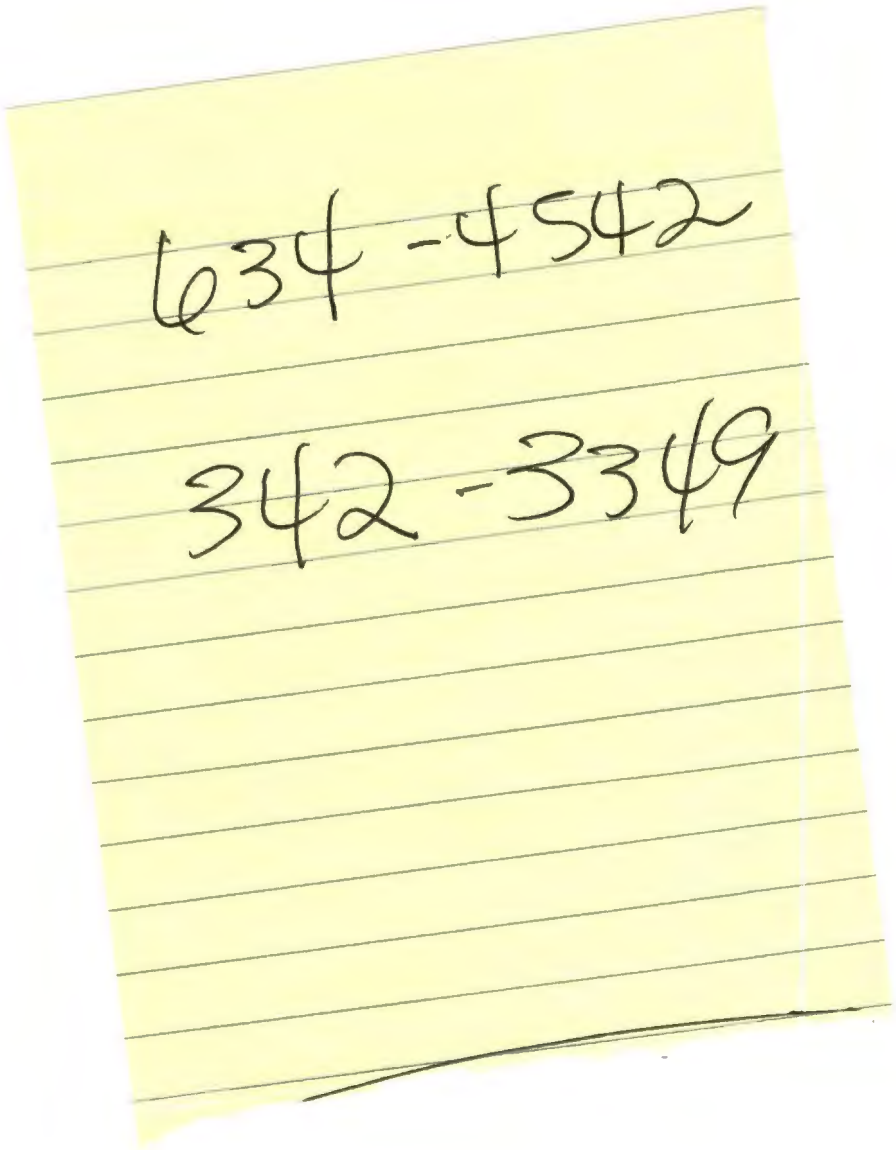
07 SEP 10 AM 9:48
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

Assistant District Attorney
21st Judicial District Court
Livingston, Louisiana

Please serve:

Livingston Parish Jail

RSDA000053


634-4542
342-3349

********** -COMM. JOURNAL- ********** DATE SEP-10-2007 ***** TIME 10:03 *********

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FILE NO.=681

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-LIVINGSTON D.A. 21ST J.D.-

********** -LIV D.A. 21ST JD- ***** - 225 686 1651- **********

RYAN STINSON — 21ST JUDICIAL DISTRICT COURT

VERSUS — PARISH OF LIVINGSTON

Scott M. Perrilloux, District Atty. Eta — STATE OF LOUISIANA

DOCKET # 113598 — DY. CLERK: _____

DOC # 433686

W/M DOB: _____ — FILED: _____

MOTION AND ORDER

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FURTHER, IT IS ORDERED that the defendant be released to the Department of Corrections.

Livingston, Louisiana this 10 day of September, 2007.

JUDGE, 21ST JUDICIAL DISTRICT COURT

07 SEP 10 AM 9:48
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

Assistant District Attorney
21st Judicial District Court
Livingston, Louisiana

Please serve:

Livingston Parish Jail

MODE = MEMORY TRANSMISSION START=SEP-10 10:01 END=SEP-10 10:02

FILE NO.=680

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
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-LIVINGSTON D.A. 21ST J.D.-

********** -LIV D.A. 21ST JD- ***** - 225 686 1651- **********

RYAN STINSON — 21ST JUDICIAL DISTRICT COURT

VERSUS — PARISH OF LIVINGSTON

Scott M. Perrilloux, District Atty. et al — STATE OF LOUISIANA

DOCKET # 113598 — DY. CLERK: _____

DOC # 433686

W/M DOB: _____ FILED: _____

MOTION AND ORDER

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FURTHER, IT IS ORDERED that the defendant be released to the Department of Corrections.

Livingston, Louisiana this 10 day of Sept, 2007.

JUDGE, 21ST JUDICIAL DISTRICT COURT

07 SEP 10 AM 9:40

CLERK OF COURT PARISH OF LIVINGSTON

Assistant District Attorney
21st Judicial District Court
Livingston, Louisiana

Please serve:

Livingston Parish Jail

RYAN STINSON — 21ST JUDICIAL DISTRICT COURT

VERSUS — PARISH OF LIVINGSTON

Scott M. Perrilloux, District Atty. Etal — STATE OF LOUISIANA

DOCKET # 113598 — DY. CLERK: _____

DOC # 433686

W/M DOB: _____ — FILED: _____

MOTION AND ORDER

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FURTHER, IT IS ORDERED that the defendant be released to the Department of Corrections.

Livingston, Louisiana this 10 day of Sept, 2007.

JUDGE, 21ST JUDICIAL DISTRICT COURT

07 SEP 10 AM 9:40

CLERK OF COURT PARISH OF LIVINGSTON

DEPUTY CLERK

_____
Assistant District Attorney
21st Judicial District Court
Livingston, Louisiana

Please serve:

Livingston Parish Jail

Johnny Creed
Assistant Secretary for Adult Services
Department of Corrections
Baton Rouge, Louisiana

1 of 3

Ryan Stinson * suit No. 113598 - Div "F"
Versus * 21st Judicial District court
District Attorney, 21st J.D.C. * Parish of Livingston
* State of Louisiana
*
Filed * Clerk of court

* * * \

State of Louisiana", and any supplemental complaints, which plaintiff agrees to dismiss immediately with prejudice.

RELEASE

Plaintiff declares that for consideration of the transfer to Dixion Correctional Center and placement on the compound unit 2 Dorm 5 or 6 he does hereby Release, acquit and Forever discharge Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, Stat of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's office, and any insurers, employees, agents, representatives, directors, officers, heirs, successors, predecessors, assigns, affiliated and/or subsidiary and/or apparent companies of any and from any and all past, present, and future claims demands, causes of action and rights of action whatsoever, known and unknown, anticipated and unanticipated, which Plaintiff may or might have against the released parties as a result of the alleged Breach of contract and alleged damages suffered by petitioner referenced in his supplemental petition of February 19, 2007, More specifically, Plaintiff releases, without limitation whatsoever, any and all claims, rights of action and causes of action against the released parties for past, prisent and future Bodily and personal injury, physical and mental pain and suffering, disability, disfigurment, lost wages, penalties, Attorneys' Fees, medical expenses and any and all damages of whatsoever kind of character which may have been sustained and might be sustained by plaintiff in any way resulting from or arising out of the alleged Breach of contract and for alleged bodily injury suffered By Plaintiff referenced in the supplemental petition of February 19, 2007, This release being Full, Final and complete.

Covenant Not To Sue

Plaintiff agrees that he shall not commence any civil action against, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District court, parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's office in the future based on acts, transactions, occurrences known or unknown to him on the date of execution of this release, which arises out of or is in any way related to the alleged Breach of contract referenced in Plaintiff's original petition and bodily injury damages in his supplemental petition filed on February 14, 2007.

No Admission of Liability

Plaintiff further declares that this release is in settlement and comprise of a disputed claim, and that this release is not to be construed as an admission of liability on the part of the released Parties and it is specifically understood that all liability is denied, that the settlement is being entered into solely for purpose of resolving any and all claims that Plaintiff has or may have against the released parties and precluding any further litigation against Released Parties for claims arising out of this lawsuit.

Further Assurance

Plaintiff declares that he is the sole possessor of the claims or causes of action being released herein, and that he has not assigned or otherwise transferred said claims or causes of actions to any other person or entity. Plaintiff also agrees that he will not, nor at any time hereafter, commence, maintain or

Prosecute any action, at law or otherwise, or assert any claims, against the released parties herein for damages, losses, benefits or for other equitable relief related to this Litigations.

Waiver of Cost of Court

Plaintiff declares that he understandes that the released Parties will request the court to wave all cost of court, steming from or related to this Litigation, [redacted] against all parties, the Plaintiff also understands that the released parties herein are only requesting the waiver of cost of court, as a good faith effort to resolving any and all claims the plaintiff has or may have against the released parties and precluding and further litigation against released parties for claims arising out of this Lawsuit.

Carefu L Review of Release And Understanding Thereof

Plaintiff Represents that he has carefully read this release and understands it's Terms and Conditions reservation. Plaintiff acknowledges that he has had ample opportunity to consult with legal counsel regarding the meaning and effects of this Release, Plaintiff further understands that this is a full, complete and final release and that he is forever relinquishing and releasing any and all claims he has or may have against the released Parties which arise out of the alleged Breach of Contract or injuries suffered as referenced in his supplemental and amending petition. Plaintiff also acknowledges that he understands the terms and provisions of this release and that this release contains the entire agreement between the parties and supercedes any and all prior agreements, arrangements, or understandings between the parties related to the subject matter. Plaintiff further

SOFS

represents and acknowledges that he has taken into account not only the known and anticipated claims and defenses, but also unknown and unanticipated claims and defenses which he hereby recognizes and agrees are covered by this Release. Plaintiff further declares that this release and Discharge is given voluntarily and after mature consideration, and without any threat, duress, intimidation or other unlawful means exercised toward him or any other person or persons whomsoever.

Thus done and signed before the undersigned competent witnesses and me, Notary Public after a due and complete reading of the whole in _____, Louisiana, on this _____ day of _____, 2007

Witnesses:

_____

_____

_____
Ryan Stinson, #336806

_____
Notary Public

September 26, 07

To: Mr. Greg Murphy
6555 Perkins Rd. Suite 200
Baton Rouge LA, 70808

From: Ryan Stinson #433686
Unit-2 C16/A Cell #2 Dixion Correctional institute
P.O. Box 788, Jackson, Louisiana, 70748

RE: Ryan Stinson V. Scott M. Perrilloux District Attorney & Charlotte Hebert Asst. District Attorney. Suite #13598-Div."F"-21st J.D.C.-Parish of Livingston

Dear Mr. Murphy,

Sir I write this letter in responce to our Sept. 11 07, Meeting we Had That did not go so well, Because you refussed To Here me out on my concerns with The Settlement Agreement you drafted, and Wanted me To blindly Sign. Which I refused To Sign. So Sense we could not Seem To get an understanding in person maybe Through This Letter you will be able To get an understanding of my concerns.

We had an agreement To Settle This matter Which We agreed on on July 9, 2007, But only one Time did we ever discuss Settling my supplemental complaint, Which you informed me was entirly up To me. But we did discuss in Length of Settling My original civil action Tort and breach of contract as ~~would~~ ~~my~~ was offered in my Febraly 5, 2007 Letter To you. at no Time From my offer untill now did I ever put in any of my Letters That I would Be Settling my supplemental complaint. As you know my offer was made To your clients BeFor The supplimental complaint of mine was ever Filed which was Filed on Febuary 19, 2007. in So being I am not obligated By Law To Settle my Supplimental complaint. as I have show

if we half to go to court and have the Judge make a Final decision in the matter. that I have no obligation to your clients to settle my Supplimental Complaint as in accordnance with L.A. Civ. code Arts. 3071 and 3073.

Also We discussed about the payment of cost of court. And you told me that you would have the court Waive Cost For each party. But unFortunatly you Failed to stipulate This in our Settlement agreement.

I do not question the enForceability oF the settlement agreement We reached on the original Civil action Tort and breach of contract But I am not in confirmatory with the Settlement you drafted, Because the Settlement was only designed to settle this case, not any other case that I might have a right to File are my Supplimental complaint. as I will show if we half to go to court.

So in confirmatory with these Fact's I have drafted a Settlement agreement actualy it is most like yours with a Few changes made, one of the specific changes are on the Supplimental Complaint Which I will also dismiss if the defendant's will Have D.C.I. Place me on the compound Here in unit-2 Dorm 5 of 6 which is a Fairly Resonable offer considering all that has taken place in the corse of my Breach of Contract if the defendant's will Be willing to have this done. I Feel I have Been more than comprative with you and the defendant's in order to settle This matter and I Find it no more than right that We discuss This in a professional manner and come to some Type of understanding.

Also if your client's do agree and we Settle This matter as setForth in Settlement

agreement I drafted I would like us to meet and sign the settlement and have the same notorized.

So I hope and pray we can come to some type of agreement in this matter at hand and finaly bring some much needed closer to it as well.

I once again want to thank you for your time and concern and God Bless you for your continued patience and ongoing kindness in this matter. I hope and pray to hear from you soon and if you are in agreement with the settlement agreement I drafted I hope you will have it typed up and I will be more than happy to sign it.

With the kindess of Regards, I am

Truly Thankful

Ryan Stinson #933680

C/C: R.S., G.M.

— Enclosure —

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

ANSWER TO INTERROGATORIES

NOW INTO COURT, through undersigned counsel, comes defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's Interrogatories as follows:

INTERROGATORY NO. 1:

Please provide the full name, address, age, date of birth, place of residence at the time of this accident, and state driver's license number of Scott M. Perrilloux and Charlotte Hebert.

ANSWER TO INTERROGATORY NO. 1:

Defendants object to Interrogatory No. 1 on the grounds that this request is not relevant to the subject matter involved in the pending action and it does not relate to the claim of Ryan Stinson. Furthermore, the interrogatory discusses an accident and there was no accident which forms the basis of this litigation. The plaintiff has made a breach of contract claim and therefore anything related to an accident is not the subject of this litigation.

INTERROGATORY NO. 2:

Please produce copies of all correspondence, documents, notes, and any other information used to investigate/substantiate the claims of Mr. Ryan Stinson.

ANSWER TO INTERROGATORY NO. 2:

Defendants object to Interrogatory No. 2 on the grounds it seeks to discover attorney work product and/or information prepared in anticipation of litigation. Without waiving the foregoing objection, there are no documents relevant to this request.

INTERROGATORY NO. 3:

Please provide any and all recorded statements of any person regarding the complaints and letters of grievance of Mr. Ryan Stinson.

ANSWER TO INTERROGATORY NO. 3:

Defendants object to Interrogatory No. 3 on the ground that it seeks to discovery attorney

work product and/or information prepared in anticipation of litigation. Without waiving the foregoing objection, defendants state that no persons have made any statement or given any reports to defendants or on defendants' behalf in connection with this litigation. Defendants reserve the right to supplement this response if and when information responsive to this interrogatory become available.

INTERROGATORY NO. 4:

Please identify and describe in detail any person who may have or claims to have knowledge of the incident of breach of contract or any of the events leading to the breach of contract or related events of transfer occurring thereafter. As to each such person, please describe fully.

ANSWER TO INTERROGATORY NO. 4:

None.

INTERROGATORY NO. 5:

Please list any and all documentary evidence which you may introduce at trial; fully describe each such document and list the name and address of the person having possession of the original or any copies.

ANSWER TO INTERROGATORY NO. 5:

Due to the early stages of this litigation, no decision has been made regarding the identity of the exhibits which will be introduced at the trial of this matter. Defendants reserve the right to supplement and amend this response as discovery progresses.

INTERROGATORY NO. 6:

Please identify each expert witness retained or consulted by you, or who is anticipated to testify at the time of trial regarding this action/civil action tort and breach of contract or in any response to any of these interrogatories, including the name, address, telephone number and occupation of each expert; the expert's area of expertise; the subject matter on which each expert is expected to testify; the substance of the facts to which each expert is expected to testify; the substance of the opinions to which each expert is expected to testify; a summary of the grounds for each opinion; and identify all documents and photographs which refer or relate to those facts.

ANSWER TO INTERROGATORY NO. 6:

As of this date, no experts have been retained; however, defendants reserve the right to identify experts for trial as discovery progresses in this matter.

INTERROGATORY NO. 7:

Identify each person you expect to call as a fact witness at trial, whether or not identified in answer to a previous interrogatory, and briefly state the substance of their testimony.

ANSWER TO INTERROGATORY NO. 7:

A final decision regarding witnesses who may be called to testify at this matter has not been made. Defendants reserve their right to supplement this response when additional information becomes available.

Respectfully Submitted

Greg Murphy

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 1st day of March, 2007.

Greg Murphy

GREG MURPHY

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

RESPONSE TO REQUEST FOR PRODUCTION

NOW INTO COURT, through undersigned counsel, comes defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who responds to plaintiff's Request for Production of Documents as follows:

REQUEST NO. 1:

Please produce certified or verified copies or originals of each letter Mr. Ryan Stinson has filed in request for a transfer to Dixon Correctional Institute as agreed upon.

RESPONSE TO REQUEST NO. 1:

This information has been requested from defendants and if it is still in their possession it will be forwarded upon receipt of same.

REQUEST NO. 2:

Please produce copies of all correspondence, documents, notes, and any other information used to investigate/substantiate the claims of Mr. Ryan Stinson.

RESPONSE TO REQUEST NO. 2:

Defendant objects to Request No. 2 on the grounds that it seeks to discover attorney work product and/or information prepared in anticipation of litigation.

REQUEST NO. 3:

Please produce any exhibits which you may offer at the trial of this matter.

RESPONSE TO REQUEST NO. 3:

Due to the early stage of this litigation, no decision has been made regarding the identity of exhibits which will be introduced at the trial of this matter. Defendants reserve the right to supplement and amend this response as discovery progresses.

REQUEST NO. 4:

Produce copies of all documents produced, relied upon, or referred to by any expert you have

consulted with or retained with respect to your claims in this matter.

RESPONSE TO REQUEST NO. 4:

None. Defendants have not retained an expert as of this date. However, defendants reserve their right to retain an expert.

REQUEST NO. 5:

Produce legible copies of all notes, logs, memoranda, or diary(s) maintained in connection with any of your activities that are in any way related to the claims asserted in the civil action tort and breach of contract filed by the plaintiffs in this matter.

RESPONSE TO REQUEST NO. 5:

Defendants object to this request on the grounds it seeks to discovery attorney work product and/or information prepared in anticipation of litigation.

REQUEST NO. 6:

Copies of reports of all expert witnesses contacted or retained by you or whom you expect to call at trial, including all photographs, notes, memoranda, field notes, sketches, drawings, learned articles, tabulations, or other documents used, a copy of Mr. Ryan Stinson's testimony, produced or relied upon by such expert in formulating his opinions and rendering a report in this matter.

RESPONSE TO REQUEST NO. 6:

See Response to Request No. 4.

REQUEST NO. 7:

Please produce the entire personnel file for Charlotte Hebert and Scott M. Perrilloux.

RESPONSE TO REQUEST NO. 7:

Defendants object to Request No. 7 on the grounds this request is not relevant to the subject matter involved in the pending action and does not relate to the claim of Ryan Stinson.

REQUEST NO. 8:

Please produce any and all documents supporting any affirmative defense plead in this matter.

RESPONSE TO REQUEST NO. 8:

Defendants object to Request No. 8 on the grounds it seeks to discovery attorney work product and/or information prepared in anticipation of litigation.

Respectfully Submitted

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 1st day of March, 2007.

GREG MURPHY



002174

RULE TO SHOW CAUSE

MOTION TO RESET HEARING OT SHOW CAUSE FOR PLAINTIFF MOTION TO INFORCE SETTLEMENT AGREEMENT; EXHIBIT; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY, DEFENDANTS COUNSEL
6555 PERKINS RD.
SUITE 200
BATON ROUGE, LA 70808

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on August 7, 2007.*

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.

Service Information

Received on the _____ day of _____, 20_____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[SERVICE]

1 of 5

Ryan Stinson

-versus-

Scott M. Perrilloux, D.A.

Charlotte Hebert, Asst. District Attorney

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUL 27 PM 12:28
DEPUTY CLERK

O.N. F Suite No. 113598

21st Judicial District Court

Parish of Livingston

State of Louisiana

Filed _____ Clerk of Court

* *

Motion To ReSet Hearing To Show Cause For PlaintiFF Motion To InForce SettLement Agreement

* *

Now Comes into This Honorable Court:
PLaintiFF Ryan Stinson Who Request This Court To reset Hearing To show Cause For pLaintiFF Motion To InForce SettLement Agreement, in This Case For The Following reasons:

* * * * * * * * I * * * * * * * * *

The pLaintiFF Ryan Stinson Had a Hearing To Show Cause For His Motion To InForce SettLement agreement That Commenced on July 9, 2007 at 9:00 am See Attached (exhibit-1-).

The DeFendant's CounseL asked That The Hearing To show cause For The pLaintiFF's Motion To InForce SettLement agreement Be continued For 30 Due To The possibiLity That a Settlement would be reached By Then.

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUL 27 PM 1:14
DEPUTY CLERK

The PLaintiFF agreed To alow The deFendant's a continuence For 30 day's in The motion To inForce settlement agreement.

The Judge Ms. Elizabeth P. WOLFE granted The DeFendant's a Continuence For 30 day's

But no Hearing date was set in The pLaintiFF's Motion To inForce settLement agreement

* *

WhereFore, The plaintiFF prays That based on These Facts, That this Motion To reset a Hear

To show cause For plaintiff's motion To inForce settlement Agreement, Be granted

RespectFully Submited

Ryan Stinson

Ryan Stinson # 433686
David wade corr. cent.
670 Bell Hill Rd.
Homer LA. 71040

JULY 24, 2007
Date:

Please serve:
Ryan stinson 433686
David wade corr. cent.
670 Bell Hill Rd.
Homer LA. 70808

DeFendant's Attorney, Greg Murphy
6555 perkins Road Suite 200
Baton Rouge, LA. 70808

3 OF 5

002177

NOTICE OF RULE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

This is your notice that a rule for MOTION TO INFORCE SETTLEMENT AGREEMENT has been set in the above captioned matter on July 9, 2007 at 9:00 AM before the Honorable ELIZABETH P WOLFE.

Done on April 20, 2007.

Deputy Clerk of Court

GREG MURPHY
DISTRICT ATTORNEYS OFFICE 21ST JDC
P.O. BOX 299
LIVINGSTON, LA 70754

RYAN STINSON, #433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
07 JUL 27 PM 1:14
DEPUTY CLERK

(Exhibit -1)

4 of 5

Ryan Stinson * Suite No. 113598 Div. E
-versus- * 21st Judicial District Court
Scott M. Perrilloux, District Attorney * Parish of Livingston
Charlotte Hebert, Asst. District Attorney * State of Louisiana
*
*

Filed _____ Clerk of Court

* * * * * * * * * * * * * * * * * *

ORDER

* * * * * * * * * * * * * * * * * *

After the courts consideration of the plaintiff Motion to reset Hearing to show cause for the plaintiff's motion to inforce settlement Agreement, it is Hereby

Ordered that a Hearing to show cause for the plaintiff's motion to inforce settlement agreement Be set in Division _____ of the Livingston Parish court house, 20180 Iowa st. Livingston LA. 70754, on the 27th day of August, 2007 at 9:00 a.m. o'clock, to show cause why the plaintiffs motion to Inforce settlement Agreement should be granted.

It is further ordered, that a copy of this Order be provided to Warden, Veneta Micheal at David Wade correctional Center 670 Bell Hill Rd. Homer LA. 71040

It is further ordered, that Warden, Veneta Michael make arrangements to have the person of one Ryan Stinson #433686 present in open court on the above date and time, and in the above court room.

It is further orderd, that a copy of this order, and all other papers attached to this order, shall be served on Ryan Stinson 433686 at David Wade corr. cent. 670 Bell Hill Rd. Homer LA. 71040.

07 JUL 27 PM 1:44
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

It is further ordered, that this order, and all other papers Attached to this order, shall be served on the defendant's counsel, Mr. Greg Murphy at 6555 Perkins Rd. - Suite - 200, Baton Rouge LA. 70808, To be present in open court on the above date and time, and in the above court room to show cause why the Plaintiff's motion to Inforce settlement agreement, should not be Granted.

Signed, on This 6th day of August, 2007, in Amite, LA parish, State of Louisiana

SCANNED

District Judge

Please Serve:
Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

Warden, Veneta Michael
D.W.C.C. 670 Bell Hill Rd.
Homer LA. 71040

Defendants Counsel, Greg Murphy
6555 Perkins Rd. Suite 200
Baton Rouge LA. 70808

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 8-7- 20 07
Deputy Clerk of Court

Certificate OF Service

This is TO Certify That a copy OF The above and Foregoing has been Mailed TO DeFendant's counsel, Greg Murphy, 6555 Perkins Road Suite 200 Baton Rouge LA. 70808 postage prepaid, This 25 day OF JULY, 2007.

Ryan Stinson 433686

002181

CITATION

ORIGINAL COMPLAINT CIVIL ACTION TORT & BREACH OF CONTRACT, LA. C.C.P. ART. 2315, ART. 2316, CIV CODE ANN.ART 1927 & 3071; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: CHARLOTTE HEBERT, ASSISTANT DISTRICT ATTORNY
P. O. BOX 299

LIVINGSTON, LA 70754 *of Livingston Parish*

YOU ARE HEREBY SUMMONED *to comply with the demand contained in the petition of which a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, the 21st Judicial District Court in and for the Parish of Livingston, State of Louisiana, within FIFTEEN (15) days after the service hereof, under penalty of default.*

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 14, 2006.

Clerk of Court
21st Judicial District
Parish of Livingston

B Sherry Jones Jr
Deputy Clerk of Court

Attorney
RYAN STINSON, I.P.P.; #433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[SERVICE]

002182

21 Judicial District Parish of Livingston
State of Louisiana

Docket No: 113598
Division: F
Filed: 06 OCT 11 PM 3:05
Deputy Clerk:

CLERK OF COURT
PARISH OF LIVINGSTON
FILED

Ryan Stinson #433686
(Plaintiff)

Versus

District Attorneys office and
Scott M. Perrilloux & Charlet Hubert in their official capacities
(Defendants)

* *

Original Complaint Civil Action Tort & Breach of Contract, LA. C.C.P. ART. 2315, Art. 2316, La Code Anno. Art 1927 & 3071

* *

Plaintiff: Ryan Stinson #433686
David Wade Corr. Cent.
670 Bell Hill Rd. Homer La 71040

Defendant: Scott M. Perrilloux, District Attorney
P.O. Box 249 Livingston La 70754

Defendant: Charlet Hubert, Assistant District Attorney
P.O. Box 249 Livingston, La 70754

"Please serve all Defendants and provide plaintiff with a Copy"

* *

Statement of Claim:

* *

On May 12, 2005 I was brought to Livingston Parish Court house to testify on behalf of the state against one James "Pap" Skinner. I've (myself, Scott M. Perrilloux & Charlet Hubert) came to a mutual agreement that for my testimony, I would

1.

be transfered to Dixion Correctional institute, (D.C.I) and this would take place shortly after my testimony.

After my testimony on May 13, 2005 and after one James "Pop" Skinner was convicted of his charge and given a life sentence, he was placed at Elayn Hunts Correctional Center, and Placed in Beaver 2-A tier on the date of June 20, 2005 I was also placed on the same tier as one James "Pop" Skinner and during this time he placed verbal threats against me as well as a hit on me through several inmates at this time I informed Scott M. Perrilloux & Charlet Hubert of my safty issue, I was informed that if I needed to and my Concerns for my safty were grate then I could ask the administration to place me on protective Custody. until I am transfered to D.C.I. which will be no latter than December of 2005. So I at that time asked the Administration at Elayn Hunts Corr. Cent. to place me on protective Custody because I was concerned for my safty and until I get transfered to D.C.I.

* *

Breach of Contract

* *

On December 19, 2005 I was transfered, to David Wade Correctional Center, this was done against our oral contract that for my testimony they (Scott M. Perrilloux & Charlet Hubert) would transfer me to D.C.I.

I made it perfectly Clear that I would only testify if they agreed to have me transfered to D.C.I. Because it is closer to my family and were I would be safe from any retaliation from one James "Pop" Skinner.

After my arrivale at David Wade Corr. Cent. on December 19, 2005 I wrote Scott Perrilloux and Charlet

Hubert numerous letters, stressing my concerns for my safety and there refusal to hold up to there end of the oral Contract to have me transfered to D.C.I.

But all letters were never answered, my safety was not protected in any kind of way by Scott M. Perrilloux & Charlet Hubert of the District attornies office of Livingston, La, nor was our oral Contract we agreed upon met in return for my testimony. Instead, they received my testimony and I received nothing that was agreed upon

* * * * * * * * * * * * * * * * * * * *

Relief:

* * * * * * * * * * * * * * * * * * * *

1) That Scott M. Perrilloux & Charlet Hubert be ordered to have me transfered to D.C.I as agreed upon.
2) That I be awarded $100.00 for each and every day I remain at David Wade Corr. Cent. Until the day I am transfered.
3) That Scott M. Perrilloux & Charlet Hubert be ordered to pay all Cost of Court and reimburse Cost of filling fee
4) That Scott M. Perrilloux & Charlet Hubert be disciplined acording to law.

Signed this _____ day of _____ 20~~06~~ Livingston, La

Ryan P. Stinson
Plaintiff

I Ryan P. Stinson Swear under penalty of perjury, that the forgoing is true and Correct to the best of my knowledge

Ryan P. Stinson
Plaintiff

3.

21 Judicial district parish
of Livingston State of Louisiana

Ryan Stinson #433686
(Plaintiff)

Docket NO: _____
Division: _____
Filed: _____

Versus -
District Attornies office and
Scott M. Perrillour + Scharlet
Hubert in there official composities
(Defendants)

Deputy Clerk: _____

* * * * * * * * * * * * * * * * * *

Motion For Leave To Proceed in Forma Pauperis

* * * * * * * * * * * * * * * * * *

05 OCT 11 PM 3:05
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

To the Honorable Judge:

May it please the Court:

Pursuant to article 5181, et. seq., Louisiana Code of Civil procedure, motion is hereby made by plaintiff Ryan Stinson, to be allowed to proceed in forma pauperis with his petition or motion.

Petitioner Ryan Stinson affidavit in accordance with LA. C.C.P. articles 5181, et seq., is attached hereto, and by reference thereto made an active part of this motion.

Respectfully Submitted,

Ryan Stinson 433686
Pro Se
D.W.C.C.
670 Bell Hill Rd.
Homer, La. 71040

4

002186

Affidavit in Support of Request to Proceed in Forma Pauperis

I, Ryan Stinson, declare that I am the plaintiff in the above entitled case; that in support of my motion to proceed without being required to prepay fees, cost or give security thereof, I state that because of my poverty that I am unable to pay the costs of said proceeding or to give security therefore; that I believe I am entitled to redress.

I further declare that the responses which I have made to questions and instructions below are true.

1. Are you presently employed Yes ( ) No (✓)
2. Have you received within the past twelve months any money from any of the following sources?
   (A) Business, profession, or form of self employment (hobby craft sales included)? Yes ( ) NO (✓)
   (B) Rent payments, interest or dividends? Yes ( ) No (✓)
   (C) Pensions, annuities or life insurance payments? Yes ( ) NO (✓)
   (D) Gifts or inheritances? Yes ( ) NO (✓)
   (E) Any other sources? Yes ( ) NO (✓)

3. Do you own any cash, or do you have money and/or bonds in a checking or savings account? (include any funds in prison accounts) Yes (✓) NO ( ) if the answers is Yes, state the total value of items owned.
   Prison Drawing account: $ 15.63
   Prison Savings Account: Ø
   Prison Bonds: Ø

OCT 11 PM 3:05

5

002187

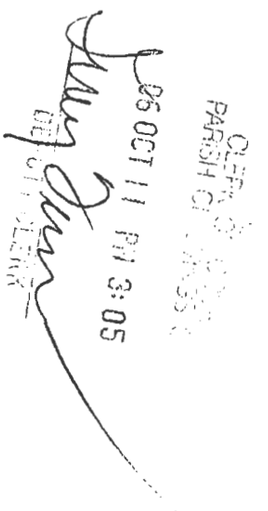
DEPARTMENT OF CORRECTIONS — DATE : 10/03/06
INMATE MASTER RECORD INFORMATION — TIME : 13:59:39

DOC NUMBER...:	433686	STATUS.....:	ACTIVE
LAST NAME :	STINSON	FIRST NAME : RYAN	M.I.:
SENT LENGTH :	010 YRS. 00 MONS. 00 DAYS		
RACE :	WHITE	DOC SYSTEM ENTRY DATE :	05/06/02
SEX :	MALE	DISCHARGE DATE :	09/03/06
LAST UPDATE :	09/22/06	SAVINGS BONDS :	n

LIVING QTRS : N3B CELLBLOCK SOUTH — LIVING QTRS # : 7632
WORK ASSIGNMENT : AWAITING WORK ASSIGNMENT — WORK ASSIGNMENT # : 7000
PAY RATE : .999
INC.PAY XFER FLAG: — INC.PAY XFER DATE.:

DRAWING BALANCE :	$ 11.01	->LAST 6 MONTH AVERAGE....:	$ 110.62
SAVINGS BALANCE :	$ 0.00	->LAST 6 MONTH AVERAGE....:	$ 0.00
TOTAL DEBT OWED :	$ 0.00	LAST 6 MTH AVG EARNINGS.:	$ 27.83
ACCRUED SALES :	$ 4.62	INSTITUTION LIMIT :	$ 05.00
PERSONAL PROP. ACCRUED:	$ 0.00	PERSONAL PROPERRTY LIMIT:	$ 250.00

PRESS XMIT TO REQUEST ANOTHER INQUIRY : (ENTER X TO CANCEL FUNCTION)



002188

21 Judicial District Court
Parish of Livingston, State
of Louisiana

Ryan Stinson 433686 (Plaintiff)

Versus

District attorneys office, and
Scott M. Perrilloux + Scarlet Hubert in there official capacities (Defendants)

Docket No.:
Division:
Filed:
Deputy Clerk:

* * * * * * * * * * * * * * * * * * * *

Order

* * * * * * * * * * * * * * * * * * * *

Considering the foregoing Pleading and Affidavit:

Let Ryan Stinson, prosecute this Litigation in accordance with Louisiana Code of Civil Procedure, Article 5181, et seq., without paying the Cost in advance or as they accrue or furnishing security therefor.

Thus, Read and signed, this 19th day of October, 2006, in Livingston Louisiana

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2006 OCT 11 PM 3:06
DEPUTY CLERK

T. Wolfe
District Judge

I Hereby certify, that a copy of the above order, and foregoing has been mailed, to plaintiff.

Signed this _____ day of _____ 2006

Deputy Clerk of Court

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 11-14 2006
RSDA000087
Deputy Clerk of Court

002189

21 Judicial District Court
Parish of Livingston State of Louisiana

Ryan Stinson 433686
(Plaintiff)

Docket No: _____
Division: _____
Filed: _____

- Versus -

District attorneys office, and
Scott M. Perrilloux + Schorlet
Hubert in their official Capacities
(Defendants)

Deputy Clerk: _____

* *

Order for Costs

* *

The Court Considering that this suit has been filed by plaintiff without the attachment of a motion and order to proceed in forma pauperis; that the law requires that Costs be paid in their entirety or the party be allowed to proceed in forma pauperis; the law being in favor thereof;

It is ordered, that plaintiff deposit the full advanced Costs of said proceedings or apply on the appropriate form to proceed in forma pauperis within thirty (30) days of the date of this order or have his suit dismissed.

Read and signed, this 18th day of Oct, 2006, at Livingston Louisiana.

District Judge

I hereby Certify, that a copy of the above and foregoing order has been mailed, this date, to plaintiff, along with a motion and order to proceed in forma pauperis.

Livingston, Louisiana, this _____ day of _____, 2006.

Deputy Clerk of Court

06 OCT 11 PM 3:06
CLERK OF CITY COURT
PARISH OF LIVINGSTON
BY: _____ DEPUTY CLERK

9.

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 11-14 20 06
Deputy Clerk of Court

RSDA000088

002190

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

FILED
07 JAN 26 AM 11:45
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

ANSWER TO ORIGINAL COMPLAINT CIVIL ACTION TORT AND BREACH OF CONTRACT

NOW INTO COURT, through undersigned counsel, comes defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's Original Complaint Civil Action Tort and Breach of Contract as follows:

1.

The allegations in Paragraph 1 of plaintiff's Statement of Claim are denied for lack of sufficient information to justify a belief therein.

2.

The allegations in Paragraph 2 of plaintiff's Breach of Contract paragraph are denied for lack of sufficient information to justify a belief therein.

FURTHER ANSWERING, defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, states as follows:

Defendant asserts that she has qualified/absolute immunity in her capacity as Assistant District Attorney for the 21st Judicial District Court.

Defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, hereby requests a trial by jury.

WHEREFORE, defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, prays that there be judgment in her favor, dismissing plaintiff's claims with prejudice, and assigning all costs against plaintiff.

Respectfully Submitted

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 25th day of January, 2007.

GREG MURPHY

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

ANSWER TO SUPPLEMENT TO ORIGINAL COMPLAINT OF CIVIL ACTION TORT AND BREACH OF CONTRACT

NOW INTO COURT, through undersigned counsel, comes defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract as follows:

1.

The allegations in defendant's Supplement to Original Complaint of Civil Action Tort and Breach of Contract are denied. Defendant has not set forth any allegations in Paragraph 1 but only alleges in Paragraph 1 that his original petition should be supplemented. Therefore, the entire paragraph regarding defendant's statement of claim in the supplemental complaint is hereby denied.

2.

With regard to defendant's relief sought in the Supplement to Original Complaint of Civil action Tort and Breach of Contract, defendant, Scott M. Perrilloux, in his capacity as the District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, denies Paragraph 1, Paragraph 2, Paragraph 3, Paragraph 4 and Paragraph 5 in the Relief section sought by defendant.

WHEREFORE, defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, prays that there be judgment in his favor, dismissing plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract, with prejudice, and assigning all costs against plaintiff.

Respectfully Submitted

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 30th day of May, 2007.

Greg Murphy

GREG MURPHY

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

ANSWER TO SUPPLEMENT TO ORIGINAL COMPLAINT OF CIVIL ACTION TORT AND BREACH OF CONTRACT

NOW INTO COURT, through undersigned counsel, comes defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract as follows:

1.

The allegations in defendant's Supplement to Original Complaint of Civil Action Tort and Breach of Contract are denied. Defendant has not set forth any allegations in Paragraph 1 but only alleges in Paragraph 1 that his original petition should be supplemented. Therefore, the entire paragraph regarding defendant's statement of claim in the supplemental complaint is hereby denied.

2.

With regard to defendant's relief sought in the Supplement to Original Complaint of Civil action Tort and Breach of Contract, defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, denies Paragraph 1, Paragraph 2, Paragraph 3, Paragraph 4 and Paragraph 5 in the Relief section sought by defendant.

WHEREFORE, defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, prays that there be judgment in her favor, dismissing plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract, with prejudice, and assigning all costs against plaintiff.

Respectfully Submitted

Greg Murphy

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 30th day of May, 2007.

Greg Murphy

GREG MURPHY

002196 * * * Communication Result Report (May. 30. 2007 1:05PM) * * *

1) morain&murphy
2) morain&murphy

Date/Time: May. 30. 2007 1:04PM

File No.	Mode	Destination	Pg(s)	Result	Page Not Sent
5160	Memory TX	6861651	P. 5	OK	

Reason for error
E. 1) Hang up or line fail
E. 2) Busy
E. 3) No answer
E. 4) No facsimile connection
E. 5) Exceeded max. E-mail size

MORAIN & MURPHY, L.L.C.
ATTORNEYS AT LAW
6555 Perkins Road
Suite 200
Baton Rouge, Louisiana 70808
Telephone: (225) 767-7151
Fax: (225) 767-8995

TELECOPIER TRANSMITTAL SHEET

DATE: May 30, 2007

TO: Karen

FAX NUMBER: 686-1651

FROM: Stephanie

NUMBER OF PAGES (INCLUDING COVER SHEET): 5

MESSAGE: Re: Ryan Stinson

CONFIDENTIALITY NOTICE

This facsimile transmission (and/or the documents accompanying it) contain(s) confidential information belonging to the sender which may also be privileged and which is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure or use of the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

MORAIN & MURPHY, L.L.C.

ATTORNEYS AT LAW

6555 Perkins Road
Suite 200
Baton Rouge, Louisiana 70808
Telephone: (225) 767-7151
Fax: (225) 767-8995

TELECOPIER TRANSMITTAL SHEET

DATE: **May 30, 2007**

TO: **Karen**

FAX NUMBER: **686-1651**

FROM: **Stephanie**

NUMBER OF PAGES (INCLUDING COVER SHEET): **5**

MESSAGE: Re: Ryan Stinson

CONFIDENTIALITY NOTICE

This facsimile transmission (and/or the documents accompanying it) contain(s) confidential information belonging to the sender which may also be privileged and which is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure or use of the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

ANSWER TO ORIGINAL COMPLAINT CIVIL ACTION TORT AND BREACH OF CONTRACT

FILED
07 JAN 16 AM 11:45
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

NOW INTO COURT, through undersigned counsel, comes defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's Original Complaint Civil Action Tort and Breach of Contract as follows:

1.

The allegations in Paragraph 1 of plaintiff's Statement of Claim are denied for lack of sufficient information to justify a belief therein.

2.

The allegations in Paragraph 2 of plaintiff's Breach of Contract paragraph are denied for lack of sufficient information to justify a belief therein.

FURTHER ANSWERING, defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, states as follows:

Defendant asserts that he has qualified/absolute immunity in his capacity as District Attorney for the 21st Judicial District Court.

Defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, hereby requests a trial by jury.

WHEREFORE, defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, prays that there be judgment in his favor, dismissing plaintiff's claims with prejudice, and assigning all costs against plaintiff.

Respectfully Submitted

Greg Murphy

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 25th day of January, 2007.

Greg Murphy

GREG MURPHY

002200

CITATION

ORIGINAL COMPLAINT CIVIL ACTION TORT & BREACH OF CONTRACT, LA. C.C.P. ART. 2315, ART. 2316, CIV CODE ANN.ART 1927 & 3071; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: SCOTT M. PERRILLOUX, DISTRICT ATTORNEY
P. O. BOX 299

LIVINGSTON, LA 70754 *of Livingston Parish*

YOU ARE HEREBY SUMMONED *to comply with the demand contained in the petition of which a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, the 21st Judicial District Court in and for the Parish of Livingston, State of Louisiana, within FIFTEEN (15) days after the service hereof, under penalty of default.*

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 14, 2006.

Clerk of Court
21st Judicial District
Parish of Livingston

B Smith Formerly Jr
Deputy Clerk of Court

Attorney
RYAN STINSON, I.P.P.; #433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20_____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20_____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[SERVICE]

002201

21 Judicial District Parish of Livingston
State of Louisiana

Ryan Stinson #433686
(Plaintiff)

Docket No: 113598
Division: F
Filed:
Deputy Clerk:

Versus -
District Attornies office and
Scott M. Perrilloux & Charlet
Hubert in their official capacities
(Defendants)

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
06 OCT 1 PM 3:05
DEPUTY CLERK

* *

Original Complaint Civil Action Tort & Breach of Contract, LA. C.C.P. Art. 2315, Art. 2316, Civ code Ann. Art 1927 & 3071

* *

Plaintiff: Ryan Stinson #433686
David Wade Corr. Cent.
670 Bell Hill Rd. Homer La 71040

Defendant: Scott M. Perrilloux, District Attorney
P.O. Box 299 Livingston La 70754

Defendant: Charlet Hubert, Assistant District Attorney
P.O. Box 299 Livingston, La 70754

"Please serve all Defendants and provide plaintiff with a Copy"

* *

Statement of Claim:

* *

On May 12, 2005 I was brought to Livingston Parish Court house to testify in behalf of the state against one James "Pop" Skinner.

We (myself, Scott M. Perrilloux & Charlet Hubert) came to a mutual agreement that for my testimony, I would

1.

be transfered to Dixion Correctional institute, (D.C.I) and this would take place shortly after my testimony.

After my testimony on May 13, 2005 and after one James "Pop" Skinner was convicted of his charge and given a life sentence, he was placed at Elayn Hunts Correctional Center, and placed in Beaver 2-A tier on the date of June 20, 2005 I was also placed on the same tier as one James "Pop" Skinner and during this time he placed verbal threats against me as well as a hit on me through several inmates at this time I informed Scott M. Perrilloux & Charlet Hubert of my safty issue, I was informed that if I needed to and my Concerns for my safty were grate then I could ask the administration to place me on protective Custody, until I am transfered to D.C.I. which would be no latter than December of 2005. So I at that time asked the Administration at Elayn Hunts Corr. Cent. to place me on protective Custody because I was concerned for my safty and until I get transfered to D.C.I.

* *

Breach of Contract

* *

On December 19, 2005 I was transfered, to David Wade Correctional Center, this was done against our oral Contract that for my testimony they (Scott M. Perrilloux & Charlet Hubert) would transfer me to D.C.I.

I made it perfectly Clear that I would only [redacted] testify if they agreed to have me transfered to D.C.I. Because it is closer to my family and were I would be safe from any retaliation from one James "Pop" Skinner.

After my arrivale at David Wade Corr. Cent. on December 19, 2005 I wrote Scott Perrilloux and Charlet

Hubert numerous letters, stressing my Concerns for my safety and there refusal to hold up to there end of the oral Contract to have me transfered to D.C.I.

But all letters were never answered, my safty was not protected in any kind of way by Scott M. Perrilloux & Charlet Hubert of the District attornies office of Livingston, La, nor was our oral Contract we agreed upon met in return for my testimony. Instead, they received my testimony and I received nothing that was agreed upon.

* * * * * * * * * * * * * * * * * *

Relief:

* * * * * * * * * * * * * * * * * *

1) That Scott M. Perrilloux & Charlet Hubert be ordered to have me transfered to D.C.I as agreed upon.
2) That I be awarded $100.00 for each and every day I remain at David Wade Corr. Cent. Untill the day I am transfered.
3) That Scott M. Perrilloux & Charlet Hubert be ordered to pay all Cost of Court and reimburse Cost of filling fee.
4) That Scott M. Perrilloux & Charlet Hubert be disciplined acording to law.

Signed This _____ day of _____ 20,06 Livingston, La

Plaintiff

I Ryan L. Stinson Swear under penalty of perjury, that the forgoing is true and correct to the best of my knowledge.

Plaintiff

3.

21 Judicial district parish
of Livingston State of Louisiana

Ryan Stinson #433686
(Plaintiff)

Docket NO: _____
Division: _____
Filed: _____

versus -
District Attornies office and
Scott M. Perrillour + Scharlet
Hubert in there official composities
(Defendaints)

Deputy Clerk: _____

* * * * * * * * * * * * * * * * * *

Motion For Leave To Proceed in Forma Pauperis

* * * * * * * * * * * * * * * * * *

06 OCT 11 PM 3:05
DEPUTY CLERK
CLERK OF COURT
PARISH OF LIVINGSTON

To the Honorable Judge:

May it please the Court:

Pursuant to article 5181, et. seq., Louisiana Code of Civil procedure, motion is hereby made by plaintiff Ryan Stinson, to be allowed to proceed in forma pauperis with his petition or motion.

Petitioner Ryan Stinson affidavit in accordance with LA. C.C.P. articles 5181, et seq., is attached hereto, and by reference thereto made an active part of this motion.

Respectfully Submitted,

Ryan Stinson 433686
Pro Se

D.W.C.C.
670 Bell Hill Rd.
Homer, La. 71040

4

Affidavit in Support of Request to Proceed in Forma Pauperis

I, Ryan Stinson, declare that I am the plaintiff in the above entitled case; that in support of my motion to proceed without being required to prepay fees, cost or give, therefore I state that because of my poverty that I am unable to pay the costs of said proceeding or to give security therefore; that I [redacted] believe I am entitled to redress.

I further declare that the responses which I have made to questions and instructions below are true.

1. Are you presently employed Yes ( ) NO (✓)
2. Have you received within the past twelve months any money from any of the following sources?
   - (A). Business, profession, or form of self employment (hobby craft sales included)? Yes ( ) NO (✓)
   - (B). Rent payments, interest or dividends? Yes ( ) NO (✓)
   - (C). Pensions, annuities or life insurance payments? Yes ( ) NO (✓)
   - (D). Gifts of inheritances? Yes ( ) NO (✓)
   - (E). Any other sources? Yes ( ) NO (✓)

3. Do you own any cash, or do you have money and/or bonds in a checking or savings account? (include any funds in prison accounts) Yes (✓) NO (✗) if the answere is Yes, state the total value of items owned.

Prison Drawing account: $ 15.63
Prison Savings Account: Ø
Prison Bonds: Ø

05 OCT 11 PM 3:05

5

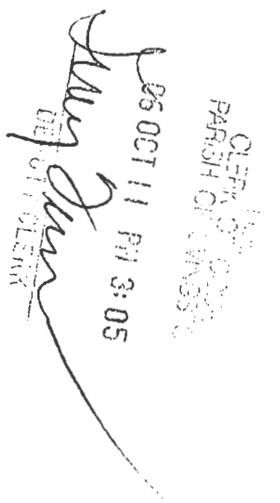
DEPARTMENT OF CORRECTIONS — DATE : 10/03/06
INMATE MASTER RECORD INFORMATION — TIME : 13:59:39

DOC NUMBER...:	433686	STATUS.....:	ACTIVE
LAST NAME :	STINSON	FIRST NAME :	RYAN M.I.:
SENT LENGTH :	010 YRS. 00 MONS. 00 DAYS		
RACE :	WHITE	DOC SYSTEM ENTRY DATE :	05/06/02
SEX :	MALE	DISCHARGE DATE :	09/03/06
LAST UPDATE :	09/22/06	SAVINGS BONDS :	n

LIVING QTRS :	N3B CELLBLOCK SOUTH	LIVING QTRS # :	7632
WORK ASSIGNMENT :	AWAITING WORK ASSIGNMENT	WORK ASSIGNMENT # :	7000
		PAY RATE :	.999
INC.PAY XFER FLAG:		INC.PAY XFER DATE.:	

DRAWING BALANCE :	$ 11.01	->LAST 6 MONTH AVERAGE....:	$ 110.62
SAVINGS BALANCE :	$ 0.00	->LAST 6 MONTH AVERAGE....:	$ 0.00
TOTAL DEBT OWED :	$ 0.00	LAST 6 MTH AVG EARNINGS.:	$ 27.83
ACCRUED SALES :	$ 4.62	INSTITUTION LIMIT :	$ 05.00
PERSONAL PROP. ACCRUED:	$ 0.00	PERSONAL PROPERRTY LIMIT:	$ 250.00

PRESS XMIT TO REQUEST ANOTHER INQUIRY : (ENTER X TO CANCEL FUNCTION)



002207

To Be Completed by the institution of Incarceration or Detention

I Certify Ryan Stinson 433686 (Insert name of prisoner/detainee and number) has the current sum of $ 11.01 on account to his credit at DAVID WADE CORRECTIONAL CENTER (name of institution). I further certify that during the past six months the applicants average balance was $ 110.62 and that the applicants monthly deposits were $ 27.83 I have attached a certified copy of the applicants prison trust fund account statement showing at least the past six months transactions.

I further certify that the applicant does/ does not (circle one) have a secondary savings account(s) such as a certificate of deposit or savings bond. The secondary account(s) balance, if any is $ Ø

Dated: 10/3/06

Signature of Authorized officer

Jesse C. Anderson

Printed name of Authorized officer

Inmate Banking

(N:\forms\prosef\currentifp.x; proseforms/currentifp)

7

To Be Completed by the Institution of Incarceration or Detention

I Certify Ryan Stinson 433686 (Insert name of prisoner/detainee and number) has the current sum of $ 1.01 on account to his credit at DAVID WADE CORRECTIONAL CENTER (name of institution). I further certify that during the past six months the applicants average balance was $ 110.62 and that the applicants monthly deposits were $ 27.83. I have attached a certified copy of the applicants prison trust fund account statement showing at least the past six months transactions.

I further certify that the applicant does/ does not (Circle one) have a secondary savings account(s), such as a certificate of deposit or savings bond. The secondary account(s) balance, if any is $ Ø

Dated: 10/3/06

Signature of Authorized officer

Jesse C. Anderson

Printed name of Authorized officer

Inmate Banking

(N:\forms\prosef\currentifp.x; proseforms/currentifp)

7

002209

21 Judicial District Court
Parish of Livingston, State
of Louisiana

Ryan Stinson 433686 (Plaintiff)

Versus

District attorneys office, and
Scott M. Perrillouux + Scarlet Hubert in there official Composities (Defendants)

Docket No:
Division:
Filed:
Deputy Clerk:

* * * \

002210

21 Judicial District Court
Parish of Livingston State of Louisiana

Docket No: _____
Division: _____
Filed: _____

Ryan Stinson 433686
(Plaintiff)

-Versus-

District attornies office, and
Scott M. Perrilloux & Scharlet
Hubert in their official Capacities
(Defendants)

Deputy Clerk: _____

* *

Order for Costs

* *

The Court Considering that this suit has been filed by plaintiff without the attachment of a motion and order to proceed in forma pauperis; that the law requires that Costs be paid in their entirety or the party be allowed to proceed in forma pauperis; the law being in favor thereof;

It is ordered, that plaintiff deposit the full advanced Costs of said proceedings or apply on the appropriate form to proceed in forma pauperis within thirty (30) days of the date of this order or have his suit dismissed.

Read and signed, this 18th day of OCT, 2006 at Livingston Louisiana.

District Judge

I hereby Certify, that a copy of the above and foregoing order has been mailed, this date, to plaintiff along with a motion and order to proceed in forma pauperis.

Livingston, Louisiana, this _____ day of _____, 2006

2006 OCT 11 PM 3:06
CLERK OF COURT
PARISH OF LIVINGSTON
BY DEPUTY CLERK

Deputy Clerk of Court

9.

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 11-14- 20 06
Deputy Clerk of Court

August 30, 2007

To: Mr. Greg Murphy
6555 Perkins Rd. Suite 200
Baton Rouge, LA 70808

From: Ryan Stinson # 433686
unit-a c/b/8 D*8 Dixion Correctional Institute
P.O. Box 788, Jackson Louisiana 70748

RE: Ryan Stinson V. Scott M. Perrilloux District Attorney & Charlotte Hebert Asst. District Attorney suit# 113598-Div"F"-21st J.D.C. Parish of Livingston

Dear Mr. Murphy,

Sir I received your letter of August 29, 2007 and I am responding to the same.

Sir I think we need to talk, Because I am not satisfied with the release form for the settlement agreement. We had an understanding that you would be up here once I arrived to sign the settlement agreement But after reading it along with the motion to dismiss We need to discuss the particulars of this. so at this time I refusse to put my signiture on them until We discuss the particulars of these forms. and come to a better agreement on how they should read.

So I will Be looking to hear from you in this matter imediatly. As so we can Bring the final closer to this matter.

Thank you for your time and concern and God Bless you for your ongoing kindness, consideration and patience with me, I hope and pray to hear from you soon.

With the kindness of Regardes, I am

Truly Thankful

Ryan Stinson 433686

cc: G.M.
R.S.
B.G.

Ryan Stinson * Suit No: 113598 - Div "F"
-V.S.- * 21st Judicial District Court
Charles Marcotte, Asst. District Attorney * Parish of Livingston
Scott M. Perrilloux, District Attorney * State of Louisiana

Filed: _____ Clerk

* *

Supplement To Original Motion To Enforce Settlement Agreement

* *

Now Comes into this Honorable Court:

Plaintiff, Ryan Stinson, who supplements to all defendants in original Motion To Enforce Settlement Agreement.

I

The Plaintiff Ryan Stinson and the Defendants exchanged Letters, which the plaintiff proposed to Settle the partied differences by certain reciprocal actions and the defendents accepted the proposal.

II

The Plaintiff contends the Letters, when read Together, Constitutes a compromise agreement in Writing as Required by LSA-C.C. Art. 3071 To perfect a Settlement.

III

In First National Bank of Jefferson Parish V. Manor Heights Co. Inc., 376 So.2d 61 (LA App 5th Cir 1991) Writ denied 377 So.2d 35., The Courts Held, The execution of other documents represented fulfillment of the parties obligations under the Compromise, but the Compromise itself was completed and Enforceable after the agreement reached by the letters exchanged between the parties. See Wood V. Kohnke, 428 So. 2d 848 (LA. App. 5th Cir 1983), Writ denied, 435, 5aad. 440; Villanvera V. CNA Ins companies, 868 F.2d 684

(5th Cir. 1989).

IV

In Andrisan-Dunham Inc. v. Hamilton. 564 So.2d. 823 (1st Cir LA. App. 1990) Writ denied 569 So 2d 963; The Courts Held, However, The requirement that the agreement be in writing and signed by both parties does not necessarily mean that the agreement must be contained in one document. It Would SUFFice That there be a written offer signed by the offeror and a written acceptance signed by the acceptor, even if The offer and the acceptance are contained in seperate writings. In other words, where two instruments which read Together, outline the obligations each party has To The other and evidence each party's acquiescence in the agreement, a written compromise agreement, as contemplated by LSA.C.C. Art 3071 has been perfected. See Felder v Travelers Prop Cas, 405 So.2d 521 (LA. 1981).

* * * * * * * * * * * * * * * * * * * *

Wherefore, The Plaintiff Prays That based on these Facts, and upon This supplement To His original Motion To Enforce Settlement Agreement, That His Motion To Enforce Settlement Agreement, To Transfer The Plaintiff, To Dixon Corr. Ins., Be Granted

Respectfully Submitted

April 10, 2007
Date

Ryan Stinson 433686

Please Serve:
Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd. Homer LA. 71040

Defendant's Attorney, Jerry Murphy
6555 Perkins Road suite 200 Baton Rouge LA, 70808

Certificate Of Service

This is To Certify That a Copy OF The above and Foregoing has been Mailed To Defendant's Counsel, Greg Murphy, 6555 Perkins Road Suite 200 Baton Rouge LA. 70808, Postage PrePaid, This 11 day of April, 2007.

Ivan Johnson #423686

002215

RULE TO SHOW CAUSE

MOTION FOR A TEMPORARY RESTRAINING ORDER AND A PRELIMINARY INJUNCTION; AFFIDAVIT IN SUPPORT; MEMORANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: THE DEFENDANTS ATTORNEY, GREG MURPHY
6555 PERKINS RD.
SUITE 200
BATON ROUGE, LA 70808

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **August 27, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on June 26, 2007.*

B Saltaformeyer
Deputy Clerk of Court

Attorney
RYAN STINSON
PLAINTIFF, I.P.P.

Service Information

Received on the _____ day of _____, 20_____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20_____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[SERVICE]

002216

DC TBG (F) 113598

May 30, 2007

To: Clerk of Court For Livingston parish court House
P.O. Box 1150, Livingston, LA. 70754

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUN -5 AM 11: 35
DEPUTY CLERK

From: Ryan Stinson # 433686
E.H.C.C. P.O. Box 174, St. Gabriel, LA. 70776

RE: Ryan Stinson -V- Scott M. Perrilloux, District Attorney and Charlotte Hebert, Ass. District Attorney. Div "F" Suit No 113598 21st J.D.

SCANNED

Dear Sir/Madam,

I write this letter concerning the above and enclosed Subject.

I had a court Hearing to show cause For a Motion For appointment of Counsel on May 29, 2007 at 9:00 am But I was informed by the warden That the defendant's Filed a motion For continuance in this matter. Can you please provide me with a copy of this motion For continuance that the defendant's Filed and the order and notify me of the new Date set For the Hearing to show cause in this case on my motion For appointment of Counsel.

I also have enclosed in this letter 3 petitions For a writ of Habia's Corpus Ad Testificandum and orders For me and my two witnesses to be present in open court on July 9, 2007 at 9:00 am For my Hearing on my Motion to Inforce settlement Agreement. Will you please File this For me.

I also Have enclosed a Motion For a temporary restraining order And a preliminary injunction, with a perposed order. Can you please File this For me in the Court.

Also please provide me with a Filed and signed Copy of all the enclosed motions and orders.

Thank you in Advance For your time and concern

I am truly thankful

Ryan Stinson

Ryan Stinson

1 of 10

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUN -5 AM 11:35
DEPUTY CLERK

Ryan Stinson * Div. "F" suit NO: 113598
-V- * 21st Judicial District Court
Scott M. Perrilloux, District Court * Parish of Livingston
Charllote Hebert, Ass. District Court * State of Louisiana
*
*

Filed _____ Clerk of court

* * * \

For the Foregoing reasons, set Forth in the Attached AFFidavit, the memorandum of law and this motion; the court should grant this motion in it's entirety

May 29, 2007
Date

Ryan Stinson #433686

* * * \

and the distance.

7.) Together these defendant's have the responsibility for providing the plaintiff with protection and a safe enviroment as a witness were his life is not in harms way and as well the ability to arrange it.

8.) For the reasons setforth in this affidavit and memorandum of law filed with this motion, I the plaintiff am entitled to a temporary restraining order, ordering the plaintiff be turned over to the custody of the sheriff's office following the determination of the order for a preliminary injunction requiring the defendant's scott M. Perrillouxe, District Attorney and Charlotte Hebert, to have the plaintiff turned over to the custody of the sheriff's office in Livingston parish till the determination of this case.

For the foregoing reasons, the court should grant the plaintiff's motion in all respects.

Pursuant to 28 U.S.C. section 1746, I declare under the penalty of perjury that the foregoing is true and correct.

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUN -5 AM 11:40
DEPUTY CLERK

May 29, 2007
Date

Ryan Stinson # 433686

* * * \

he was transfered to David wade corr. cent., were he was sexualy assaulted by a prison Guard employed at David wade corr. cent. were now he the plaintiFF is suffering continued irreparable Harm in the Form of continued Harrasment, retaliation, mental Anguish, emotional distress and an increasing risk of his life and well being, the plaintiFF also as a segregation inmate, has extremly limited access to the law library, telephone and mail services and is also unable to locate and contact his witnesses due to the hardship as a segregation inmate and the distance

The defendants against whom relief is sought are respectively, Scott M. Perrilloux, District Attorney and Charlotte Hebert, Assistant District Attorney, who is responsible for the contract described in this case

Argument

The plaintiFF is entitled to a temporary restraining order and a preliminary injunction.

In determining whether a party is entitled to a temporary restraining order or a preliminary injunction, courts generally consider several Factors: whether the party will suffer irreparable Hardship the "balance of hardship" between the parties, the likelihood of success on the merits, and the public interest, each of these Factors Favors the grant of this motion.

A.) the plaintiFF is threatened with irreparable Harm:

The plaintiFF alleges that he is the victim of a Breach of contract by the defendant's, were he was transfered to David Wade corr. cent. and was sexualy assaulted by a prison guard and is now suffering irreparable Harm. such conduct is a clear civil Action Tort Violation. See cases cited in section (C

As a matter of law, the continuing deprivation of constitutional rights constitutes irreparable harm. Elrod v. Burns, 427 us. 347, 373, 96 S.Ct. 2673 (1976). This Principle has been applied in prison litigation generally, see Newsom v. Norris 888 F.2d 371, 378 (6th cir 1989); Mitchell v. Cuomo 748 Fe

804, 806 (2d Cir 1984); Albio V. County of Onondaga, N.Y., 627 F. Supp. 1280, 1287 (N.D.N.Y. 1986); William v. Lane, 646 F. Supp. 1379, 1409 (N.D. Ill 1986) AFF'd 851 Fed 867 (7th Cir 1988), Cert denied, 109 S.Ct. 879 (1989); Gaston v. Coughlin, 679 F.Supp. 270, 273 (W.D. N.Y. 1988); Rayes v. Johnson, 969 F.2d 700, 703-04 (8th Cir 1992);

In Addition, The plaintiff is threatned with irreparable harm because the defendants Breached His Contract.

B.) The balance of Hardship Favors the Plaintiff:

In deciding whether to grant a Temporary restraining order and a preliminary injunction, Courts ask whether the suffering of the Moving party if the motion is denied will outweigh the suffering of the Non-moving party if the motion is granted. See E.G. Mitchell v. Cuoma, 748 F.2d 804,808 (2d Cir 1984) (Holding that dangers posed by prison crowding outweighed state's financial and administrative concerns); Duran v. Anaya, 642 F.Supp 510,527 (D.N.M. 1986) (Holding that prisoners interest is safety and medical care outweighed ~~states~~ interest in saving money.)

in this case, the present suffering of the plaintiff and his potential suffering are enormous. The "suffering" the defendants will experience if the Court grants the order, is something that the defendants are obligated to do, on a daily basis. The defendant's hardship amounts to no more than business as usual

C.) The plaintiff is likely to succeed on the merits:

The plaintiff Allegations, clearly establish a civil tort violation, by the Breach of Contract Alleged in this case See Cooper v. united states, 594 F.2d 12 (4th Cir 1979); Pat O'Brian's v. Franco's Coktal prod. inc. 615 So 2d 429 (LA. App. 4 Cir) writ denied, 617 So.2d 909 (LA. 1993), Allegro v. State Dot 0,96-1322 (LA. 2-25-97); 689 So,2d 1358; Williams V. Burbank, App. 1922 Orleans No. 9154; First National Bank of Jefferson Parish v. Manor Heights Co. Ins., 376 So. 2d 61 (LA. App. 5th Cir 1991) writ denied 577 So.2d 35; Wood v. kohnke, 428 So.2d 848 (LA. App. 5th Cir 1983), Writ denied, 435, So.2d 440; Villanueva V. CNA ins. Companies,

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to the defendants Attorney, Greg Murphy, 6553 Perkins Rd. Suite 200, Baton Rouge LA, 70808, Postage Prepaied, This 30 day of May, 2007

Ryan Stinson

002223

CC mailed to plaintiff
[illegible] 6-26-07

8 of 10

Ryan Stinson
-v-
Scott M. Perrilloux, District Attorney
Charllote Hebert, Ass. District Attorney

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUN -5 AM 11:41
DEPUTY CLERK

Div. F Suit No: 113398
21st Judicial District court
Parish of Livingston
State of Louisiana

Filed _____ Clerk of Court _____

ORDER

Upon the supporting Affidavit of the Plaintiff and the Accompanying memorandum of law, it is:

Ordered, That Defendant's Scott M. Perrilloux and Charllote Hebert show cause in Division F of the Livingston parish court House, 20180 Iowa st, Livingston, LA. 70734, on the 27 day of August, 2007 at 9:00 o'clock SCANNED preliminary injunction should not issue pursuant to LA.C.C.P. Art 3601 and Art 3603, enjoining the said defendants, there successors in office, agents and employees and all other persons acting in concern and participation with them, to have the plaintiff turned over to the custody of the Livingston parish sheriff's office, so that the plaintiff may contact all of his witnesses and so his life and physical and mental well being will not be in such grave danger.

SCANNED

Denied

It is further ordered, that effective immediatly and pending the hearing and determination of this order to show cause, that the plaintiff be turned over to the custody of the Livingston parish sheriff's office, and that Warden Venetia Michael and Warden Cornel Hubert make arrangments to have the body of one Ryan Stinson #433681 transported to the Livingston parish sheriff's office immediatly upon receipt of this order.

SCANNED

It is Further ordered, That the body of one Ryan Stinson #433686, shall remain in the custody of the Livingston parish sheriff's office untill the _____ day of _____, 2007.

It is Further ordered, That a copy of this order be served on Warden Veneta Michael at, David Wade Correctional center, 670 Bell Hill Rd. Homer, LA. 71040

It is Further ordered, that a copy of this order be served on Warden Carnel Hubert at, Elayn Hunt Correctional Center, P.O. Box 174, st. Gabriel LA, 70776, Phone No # 225-642-3306.

It is Further ordered, That a copy of this order be served on the Livingston parish sheriff's office.

It is Further ordered, That a copy of this order and all Attached papers be served on the plaintiff Ryan Stinson #433686 at Both addresses. David. Wade corr. Cent 670 Bell Hill Rd Homer LA. 71040, and at Elayn Hunt Corr. Cent. P.O. Box 174 st. Gabriel LA, 70776.

It is Further ordered, That this order, and all other attached papers To this order, shall be served on defendant's Scott M. Perrilloux & Charlotte Hebert at their place of work, To be present in open court on the above date and time, and in the above court, To show Cause why the plaintiffs motion should not be granted.

It is Further ordered, That a copy of this order shall be served on whoever retains the custody of the Plaintiff Ryan Stinson #433686 To Have the body of the plaintiff present in open court on the above date and time and

in the above court TO show cause why his motion should be granted.

Signed, on This 18th day of June, 2007. in Tangipahoa parish, state of Louisiana.

District Judge

Please Serve The Following:

SCANNED

Warden Colnel Hubert
Elayn Hunt Corr. Cent P.O. Box 174 St. Gabriel LA, 70776

Wardin Venetia Micheal
David wade corr. cent. 670 Bell Hill Rd. Homer LA, 71040

The Defendants Attorney Greg Murphy
6555 Perkins Rd. - Suite 200, Baton Rouge LA, 70808

Ryan Stinson At Both Addresses
E.H.C.C. P.O. Box 174 St. Gabriel LA, 70776
and at D.W.C.C. 670 Bell Hill Rd. Homer LA, 71040

The Livingston parish sheriffs office.

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 JUN -5 AM 11:41
DEPUTY CLERK

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 6-26- 2007.
Deputy Clerk of Court

June 4, 2007

To: Mr. Greg Murphy, Attorney
6555 Perkins Road - Suite 200
Baton Rouge, LA. 70808

From: Ryan Stinson #433686
E.H.C.C. P.O. Box 174
St. Gabriel, LA. 70776

RE: Ryan Stinson - v- Scott M. Perrilloux, District Attorney + Charlotte Hebert, Asst. District Attorney, Suit No #113398 Div. "E" 21st J.D.C. Livingston parish

Dear Mr. Murphy,

I write this missive in hopes To Appeal To your sense OF understanding. And in hopes you will grant me This request.

As you know For The moment I am at Elayn Hunt Corr. Cent. Awaiting our court date Set in This Case For July 9, 2007. So I'll be here a Little over a month.

Now as you Also know I have wrote you numerous Letters concerning This Case and a posiable Settlement, as well as I wrote you about The discovery dispute we seem To be having in This case in hopes To come To some Type OF understanding were as we would not HalF To result To The Court's upon a motion To compel But all my Letters To you have never been answered Why I have no knowledge altho I have my own opinion on The matter.

We have only come To one agreement in This Case That Was not held up To.

So I write you Because I am in St. Gabriel Louisiana Which is a hop skip and a Jump From your oFFice in Baton Rouge. I would Like To have a conFerence with you Because I have a proposal That I would Like To

Discuss with you and your clients in hopes we can come to an agreement and bring closer to this case this will be my last and final attempt to write you in hopes to settle this case. Then I'll take my chances at trial.

I would also like to take the Defendants and there witnesses and my witnesses and my on disposition I would like to discuss this with you also and come to some type of agreement that we both can be satisfied with in this matter.

I also am looking to hear from you on the discovery.

I'm in hopes to hear from you soon in this matter. If you write me or try to contact me my new mailing address for the moment is: E.H.C.C. P.O. Box 174 St. Gabriel, LA. 70776

Thanks once again for your time and concern in this matter. I'll be looking to hear from you soon.

With the kindness of regardes, I am

Truly Thankful

Ryan Stinson #433686

CC: G.M., R.S.

COURT OF APPEAL
FIRST CIRCUIT
STATE OF LOUISIANA

NO. _____

SUE D. SALLES and HAROLD SALLES
Plaintiffs/ Respondents

VERSUS

EDWIN E. BONILLA, ELIAS J. FAKOURI, E. JACOB CONSTRUCTION, INC. and STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY and/or AN AFFILIATE THEREOF
Defendants/Applicants

APPLICATION FOR SUPERVISORY WRITS
FILED ON BEHALF OF ELIAS J. FAKOURI AND E. JACOB CONSTRUCTION, INC.
FROM THE JUDGMENT OF APRIL 16, 2007
BY THE HONORABLE A. J. KLING, ad hoc
FOR THE 19TH JUDICIAL DISTRICT COURT, STATE OF LOUISIANA,
SUIT NO. 545,344, SECTION 27

RESPECTFULLY SUBMITTED BY:

Brent P. Frederick
M. Sean Reid
DODSON, HOOKS & FREDERICK, APLC
17405 Perkins Road
Baton Rouge, Louisiana 70810
Phone (225) 756-0222
Facsimile (225) 756-0025
Attorneys for Defendants/Applicants, Elias J. Fakouri and E. Jacob Construction, Inc.

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Attachments:

1. Offer of Judgment ..... Exhibit "A"
2. Letter confirming Settlement Agreement ..... Exhibit "B"
3. Motion to Dismiss and/or to Enforce Settlement Agreement ..... Exhibit "C"
4. Memorandum in Opposition ..... Exhibit "D"
5. Reply Memorandum in Support ..... Exhibit "E"
6. Judgment rendered on April 17, 2007 ..... Exhibit "F"
7. Transcript of Hearing on Motion to Dismiss and/or to Enforce Settlement Agreement ..... Exhibit "G"
8. Court Minutes ..... Exhibit "H"
9. Notice of Intent and Return Date ..... Exhibit "I"

TABLE OF AUTHORITIES

STATE CASES

Cartinez v. Reliable Amusement Co., Inc., 1999-333 (La. App. 3 Cir. 11/3/99) 746 So.2d 246, 253, *writ denied*, 1999-3404 (La. 2/4/00) 754 So.2d 235 5

Crawford v. United Service Auto. Ass'n, 2003-2117 (La. App. 1 Cir. 3/24/05) 899 So.2d 668 2

Edwards v. Daugherty, 98-635, p. 10 (La.App. 3rd Cir.6/9/99), 736 So.2d 345, 351, *writ denied*, 99-2034 (La.9/17/99), 747 So.2d 568 2

Elder v. Elder & Elder Enterprises, Ltd., 2006-0703 (La. App. 4 Cir. 1/11/07) 948 So.2d 348 5

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Herlitz Construction Co. V. Hotel Investors of New Iberia, Inc., 396 So.2d 878 (La. 1981) 1

Landry v. Leonard J. Chabert Medical Center, 2002-1559, p.13-14 (La.App. 1 Cir. 5/14/03) 858 So.2d 454 2

ODECO Oil & Gas Co. v. Nunez, 532 So.2d 453, 464 (La. App. 1 Cir.1988), *writ denied*, 535 So.2d 745 (La.1989) 5

Sullivan v. Sullivan, 95-2122 (La. 4/8/96), 671 So.2d 315 5

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Article I, § 10(a) of the Louisiana Constitution of 1974 iii

STATUTES

La. Code Civ. P. art. 970 (1997) ..... vii, viii, 1, 2

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STATEMENT OF JURISDICTION

Elias J. Fakouri and E. Jacob Construction, Inc. seek supervisory review of the trial court's denial of their Motion to Dismiss and/or to Enforce Settlement Agreement. Jurisdiction is proper under Article V, § 10(a) of the Louisiana Constitution of 1974 and the Louisiana Code of Civil Procedure Article 2201.

This case highlights the very purpose for having access to this Court *via* Supervisory Jurisdiction. The trial court refused to enforce a timely accepted and expressly confirmed Offer of Judgment and Settlement Agreement simply because the Plaintiffs "changed their minds" and the Defendants would supposedly not suffer any "prejudice" with the case going forward. The denial of Defendants' Motion to Dismiss and/or Enforce Settlement Agreement is subject to this Court's supervision because the trial court's decision did not constitute a final judgment of the case.

Hearing on Defendants' Motion to Dismiss and/or Enforce Settlement Agreement occurred on April 16, 2007. A Judgment denying Defendants' Motion was signed on April 17, 2007. Defendants filed a Notice of Intention to File Application for Supervisory Writs and Motion to Fix Time Within Which to File for Supervisory Writs on April 20, 2007, and the trial court set a return date of May 15, 2007.

STATEMENT OF THE CASE

This case is currently pending in the 19th Judicial District Court and is not yet set for trial.

Plaintiffs filed suit in the 19th Judicial District Court following a July 20, 2005 automobile accident. Despite being the middle vehicle in a three car collision and having been pushed from a complete stop into the Plaintiffs, Defendants filed an Offer of Judgment on September 22, 2006 in the amount of $10,000.00 to put an end to their potential exposure and save on all future litigation expenses. (See attached as Exhibit "A"). On September 29, 2006, Plaintiffs, through their attorney, advised that they would accept the Offer of Judgment. On October 2, 2006, Plaintiffs' counsel confirmed that acceptance by signing a letter agreement with the **express permission and understanding** of his clients. (See correspondence attached as Exhibit "B"). Specifically, Plaintiffs' counsel had the following authority:

> **I acknowledge herein that the agreed terms of the above mentioned settlement agreement were entered into with the express permission and understanding of my client.**

As Plaintiffs had voluntarily compromised their claims, Defendants forwarded a Receipt and Release Agreement and Motion and Order of Partial Dismissal to Plaintiffs' counsel along with a settlement check in the amount of Ten Thousand and No/100 Dollars ($10,000.00). Despite numerous representations by the Plaintiffs that they would execute the Release and dismiss their claims, they never did so.

In response, Defendants filed a Motion to Dismiss and/or Enforce Settlement Agreement (Attached as Exhibit "C") and a hearing was held on April 16, 2007. In pre-hearing memorandums, Plaintiffs' counsel conceded that his clients "changed their minds" and refused to honor their agreement. Defendants highlighted to the trial court that the Settlement agreement signed by Plaintiffs' counsel **with the express**

authority of his clients constituted a settlement, and the Court was duty-bound to acknowledge and enforce Plaintiffs' acceptance of the Offer of Judgment. Despite that evidence, Judge A. J. Kling, sitting *ad hoc* for the Honorable Judge Donald R. Johnson, denied Defendants' Motion.

Despite Plaintiffs timely accepting an Offer of Judgment and providing their attorney the **express authority** to confirm that acceptance in writing (which he did), the trial court refused to enforce the agreement determining that Plaintiffs had the right to "change their minds" and the Defendants would somehow suffer no "prejudice" as a result:

> THE COURT: Unless somebody can show me where one side has been prejudiced, thereby letting the other gain some sort of advantage, you know, which was the question of fairness, which, you know, I assume underlines all of our laws, whether or not whatever happens unjustly positions one over the other, similar to criminal matters, as you know, when somebody is prejudiced by what happens or doesn't happen, you know, I don't see any harm since, if you have to retake a deposition, do it but I, you know, if somebody just honestly changes their mind and have not signed on the dotted line, I think I'll deny it. Okay.[1]

There is **no law** that allows a bound settlement to be **"undone"** because there is no evidence of prejudice. Clearly, a miscarriage of justice has occurred which this Court must correct. It is hard to imagine the trial court issuing such a ruling if it were the Defendants who simply decided to "change their minds" and refuse to honor an agreement. Agreements such as this are documented primarily so they can be proven and enforced. If the agreement in this case is unenforceable, then it is unlikely that any party can ever maintain confidence in the Offer of Judgment or Settlement process.

---

[1]See Exhibit G, Transcript of Hearing on April 16, 2007, p. 12.

WRITTEN REASONS FOR JUDGMENT

In accordance with Rule 2-12.4, the undersigned counsel has examined the record in this case and there are no written reasons for judgment on record.

ASSIGNMENT OF ERROR

1) The District Court erred in disregarding the requirements of La. Code Civ. Pro. art 970(A) which sets forth that judgment should be granted on an Offer of Judgment when the offer was accepted within ten days.

2) The District Court erred in denying Defendants' Motion to Dismiss and/or Enforce Settlement.

ISSUES PRESENTED

1) La. Code Civ. Pro. art. 970(A) requires that a motion for judgment based upon an Offer of Judgment having been properly accepted within ten (10) days of service be granted by the Court. By denying Defendants' Motion to Dismiss and/or Enforce the Settlement Agreement, the District Court caused Defendants to incur further costs in preparation for and attendance at trial. In addition, the court has exposed Defendants to a potential verdict in excess of the agreed upon settlement amount. Did the District Court err in disregarding the requirements of La. Code Civ. P. art. 970(A) by failing to grant Defendants' Motion to Dismiss and/or Enforce the Offer of Judgment and Settlement Agreement?

2) Plaintiffs' counsel obtained his clients' **express consent** before accepting Defendants' Offer of Judgment and executing a settlement agreement on his clients' behalf. When two instruments together set forth the obligations each party has to the other and evidence each party's acquiescence in the agreement, is a binding settlement agreement formed as contemplated by La. Civ. Code art. 3071?

ARGUMENT

A. SUPERVISORY REVIEW IS PROPER.

All the *Herlitz* factors are met here for supervisory writs regarding the trial court's denial of the Defendants' Motion to Dismiss and/or Enforce Settlement Agreement: the trial court's decisions are wrong as a matter of law; there are only legal issues (and not factual ones) to be addressed; and "a reversal will terminate the litigation." *Herlitz Construction Co. V. Hotel Investors of New Iberia, Inc.*, 396 So.2d 878 (La. 1981). In this case, as in *Herlitz*, "judicial efficiency and fundamental fairness to the litigants dictates that the merits of the application for supervisory writs should be decided in an attempt to avoid the waste of time and expense of a possibly useless future trial on the merits." *Id.*

B. THE DISTRICT COURT ERRED IN DISREGARDING THE REQUIREMENTS OF LA. CODE CIV. PRO. ART. 970(A) BY DENYING DEFENDANTS' MOTION TO DISMISS AND/OR ENFORCE SETTLEMENT AGREEMENT.

Defendants filed an Offer of Judgment on September 22, 2006 in accordance with La. Code Civ. Pro. art. 970(A), which provides, in pertinent part:

> At any time more than thirty days before the time specified for the trial of the matter, without any admission of liability, any party may serve upon **an adverse party an offer of judgment for the purpose of settling all of the claims between them.**
>
> .....
>
> **If the adverse party, within ten days after service, serves written notice that the offer is accepted, either party may move for judgment on the offer. The court shall grant such judgment on the motion of either party.**
> (Emphasis added)

On September 29, 2006, the undersigned received a phone call from Plaintiffs' counsel advising of Plaintiffs' acceptance of Defendants' Offer of Judgment. On October 2, 2006, Plaintiffs' counsel executed a letter agreement, with his clients'

express authority, setting forth the terms of the agreement.

Both the phone call and the executed letter evidence that the Offer of Judgment was accepted within the time allowed under art. 970. "To the extent that an offer of judgment is utilized for the purposes set forth in La. Code Civ. P. art. 3071, an acceptance of such an offer constitutes a compromise." *Crawford v. United Service Auto. Ass'n*, 2003-2117 (La. App. 1 Cir. 3/24/05) 899 So.2d 668. Therefore, because written notice of acceptance of the Offer of Judgment was received within ten (10) days of the Offer, the trial court was **required** to grant Defendants' Motion to Dismiss and/or Enforce Settlement Agreement.

The failure to grant Defendants' motion disturbs the settled jurisprudence of this State, which has time and again found that "the function of Article 970 is to compensate the rejected offeror who was forced to incur greater trial litigation costs than he would have if the offeree had accepted his settlement offer." *Crawford v. United Service Auto. Ass'n*, 2003-2117, p. 5 (La. App. 1 Cir. 3/24/05) 899 So.2d 668. See also, *Landry v. Leonard J. Chabert Medical Center*, 2002-1559, p. 13-14 (La. App. 1 Cir. 5/14/03) 858 So.2d 454; *Edwards v. Daughtery*, 98-645, p. 10 (La. App. 3 Cir. 6/9/99), 736 So.2d 345, 351, *writ denied*, 99-2034 (La. 9/17/99), 747 So.2d 568. Despite the District Court's finding that neither party would be "prejudiced" by the Plaintiffs' refusal to honor their acceptance of the Offer of Judgment, nothing could be farther from the truth. Defendants have already been prejudiced by Plaintiffs' refusal to honor their agreement. The denial of Defendants' motion hinders the recognized function of La. Code Civ. P. art. 970, i.e. preventing unnecessary court costs, discovery expenses, expert fees, attorneys fees, and the risk of a verdict in excess of the agreed upon settlement amount plus judicial interest and costs of appeal.

The Louisiana Code of Civil Procedure allows either party to **rely upon** and

move for judgment following the acceptance of an Offer of Judgments. Trial courts are **duty bound** to grant such motions. Defendants herein properly filed an Offer of Judgment and that offer was timely accepted both verbally and in writing. The denial of Defendants' Motion to Dismiss and/or Enforce Settlement Agreement conflicts with the Code and this Court's many prior rulings; therefore it should be reversed and Plaintiffs should be ordered to pay all costs and attorneys' fees associated with Defendants' prosecution of this matter since October 2, 2006.

C. THE DISTRICT COURT ERRED IN DENYING DEFENDANTS' MOTION TO DISMISS AND/OR ENFORCE SETTLEMENT AGREEMENT.

1. A Binding Compromise Agreement Has Been Perfected.

Plaintiffs claim that there is no binding or enforceable compromise. To the contrary, the parties not only agreed to a compromise, but Plaintiffs acknowledged that terms of the agreement in writing. La. Civ. Code art. 3071 defines a compromise and sets forth the requirements regarding compromises as follows:

> A transaction or compromise is an agreement between two or more persons, who, for preventing or putting an end to a lawsuit, adjusts their differences by mutual consent, in the manner in which they agree on, and which every one of them prefers to the hope of gaining, balanced by the danger of losing.

A binding compromise must be either reduced into writing or recited in open court and capable of being transcribed into the record of the proceedings. Although Plaintiffs claim the lack of an enforceable settlement agreement, the letter dated October 2, 2007 confirmed the parties' agreement, it was signed by the parties' attorneys and it contained a brief recital of the terms. What Plaintiffs failed to address was the fact that the letter was also a timely acceptance of an Offer of Judgment filed ten days prior. **Plaintiffs not only agreed to settle but allowed**

judgment to be taken against the Defendants as well.

In *Felder v. Georgia Pacific Corp.*, 405 So.2d 521, 523-524 (La. 1981), the Louisiana Supreme Court expressed that the requirements of La. Civ. Code art. 3071 are met where two instruments, when read together, outline the obligations each party has to the other and evidence each party's acquiescence in the agreement. Defendants' offer, submitted in the form of an Offer of Judgment, fully set forth the obligations of each party, specifically that Defendants agreed to allow judgment to be taken against them in the amount of $10,000.00, which would settle all claims amongst the parties. Following the filing of this pleading, signed by defense counsel, Plaintiffs accepted the offer and their counsel confirmed the agreement by signing a settlement letter indicating that his clients **expressly consented** to settle in accordance with the terms and conditions summarized in that letter and recited more fully in the Offer of Judgment. The cumulation of these two documents fulfils the requirements set forth in *Felder* and La. Civ. Code art. 3071.

Again, Plaintiffs' counsel not only accepted Defendants' offer and agreed to the terms of a settlement agreement reduced to writing, he did so with the **express permission and clear understanding** of his clients. The agreement, executed by Plaintiffs' counsel and with his clients' **express authority**, satisfies the writing requirement pursuant to La. Civil Code art. 3071 and represents a perfected compromise.

2. Plaintiffs Expressly Consented to Settle the Suit

Express authority is required to settle a lawsuit under La. Civ. Code art. 2997 and exists if the principal has delegated authority to the agent by words which expressly authorize the agent to do a certain act. "Ratification in the law of agency is the adoption by one person of an act done on his behalf by another without

authority. In order for ratification to occur, the person to be bound must, with full knowledge of all material facts, express an interest to adopt the unauthorized acts." *Cartinex v. Reliable Amusement Co., Inc.*, 1999-333 (La. App. 3 Cir. 11/3/99) 746 So.2d 246, 253, *writ denied*, 1999-3404 (La. 2/4/00) 754 So.2d 235; *see also, ODECO Oil & Gas Co. V. Nunez*, 532 So.2d 453, 464 (La. App. 1 Cir. 1988), *writ denied*, 535 So.2d 745 (La. 1989). In other words, the principal can expressly confer authority **by telling his agent what to do** or by knowingly acquiescing to the agent's actions. Plaintiffs told their attorney to accept the terms of the offer extended by the Defendants with the knowledge that their acceptance bound them to a settlement agreement.

In *Sullivan v. Sullivan*, 95-2122 (La. 4/8/96), 671 So.2d 315, 318, the Supreme Court held that an oral acquiescence to the terms of a settlement was not an enforceable settlement agreement "until those terms were reduced to a writing signed voluntarily by all parties **or their authorized agents**." Plaintiffs' counsel acted as his clients' authorized agent in voluntarily signing the settlement agreement after the terms of that agreement were expressly consented to by his clients.

Further, the recent case of *Elder v. Elder & Elder Enterprises, Ltd.*, 2006-0703 (La. App. 4 Cir. 1/11/07) 948 So.2d 348, held that a settlement, even one including the sale of land, was enforceable without the written express consent of the Plaintiff. In *Elder*, a widowed Plaintiff filed suit alleging that her brothers-in-law committed corporate misdeeds, specifically mismanagement of assets of the company set up to manage the property inherited by her late-husband and his brothers. The settlement involved both movable and immovable property. Following a series of letters, a settlement was agreed upon, but the Plaintiff later **changed her mind** and refused to sign the settlement documents. The court first determined that there existed an offer

and an acceptance of that offer because, during settlement negotiations, Defendants sent a counter-offer contained in a letter and Plaintiff's counsel replied that the counter-offer was accepted by Plaintiff. The district court refused to allow the plaintiff to simply change her mind and instead issued judgment enforcing the settlement after a determination that "the requisites of a compromise were met as the correspondence exchanged between the parties showed that all parties acquiesced to the agreement." *Id.* at 2.

On appeal, Plaintiff claimed that the settlement agreement was not enforceable because counsel for Plaintiff did not obtain written authorization from his client to accept a settlement. The Court reviewed the evidence of both an offer and acceptance and determined that a compromise was valid because the parties had reached a meeting of the minds as to exactly what each party intended when the compromise was reached. *Id.* at 3. This compromise was reached before the Plaintiff changed her mind, but because a compromise is favored in the law and because the requirements of La. Civ. Code art. 3071 had been met, a **binding** contract was formed. The Court expressed:

> Requiring attorneys to secure the express and written consent of their clients as buyers and/or settlers in all settlements that include the transfer of immovable property is **too onerous of a requirement in cases where the nature of the dispute itself does not involve immovable property. Such a requirement would only serve to impede settlements and thereby weaken our jurisprudential practice of encouraging judicial settlement of on-going litigation.**

In this case, Defendants' offer was extended through an Offer of Judgment and the acceptance of that offer was **expressly authorized** and evidenced in a letter from Plaintiffs' counsel confirming the settlement agreement. Thus, the terms of an agreement were reduced to writing and a binding contract was formed while the

Plaintiffs' counsel was acting with his clients' **clear and express consent**. Surely, Plaintiffs cannot simply "change their minds" after providing their attorney with express permission to accept specifically spelled out settlement terms in the form of both an Offer of Judgment and a separate letter agreement. If so, then all accepted Offers of Judgment and settlement agreements are meaningless and unenforceable because the ***binding contract*** could be reduced to meaningless words with the simple act of "changing ones mind".

CONCLUSION

Plaintiffs timely accepted an Offer of Judgment yet the trial court refused to enforce it. Instead, Defendants find themselves incurring the unnecessary expense of filing an appeal and facing the possibility of litigating this case though trial and on appeal (again) when the matter was mutually compromised shortly after suit was filed. The law provides no support for the trial court's decision, nor does it comport with any sense of equity or fairness.

Plaintiffs' counsel obtained his clients' **express authorization** to accept the Offer of Judgment before executing and returning a letter agreement setting forth the parties' intentions. Plaintiffs are represented by that same attorney today and as an officer of the Court he has attested that his clients provided him with the **express authority** to settle for the terms outlined in the Offer of Judgment and Settlement Agreement. There should be no question but that the Plaintiffs resolved their claims against these Defendants.

This Court should reverse the trial court, enforce the parties' agreement and award Defendants all costs and attorneys' fees expended since October 2, 2006.

Respectfully Submitted:

By: _____

Brent P. Frederick (#25053)
M. Sean Reid (#27622)
DODSON, HOOKS & FREDERICK, APLC
17405 Perkins Road
Baton Rouge, Louisiana 70810
Telephone: (225) 756-0222
Facsimile: (225) 756-0025
brent@dodsonhooks.com
Attorneys for Defendants/Applicants, Elias J. Fakouri and E. Jacob Construction, Inc.

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

VERIFICATION

BRENT P. FREDERICK, being duly sworn, did depose and say that he is an attorney of record for applicant in this proceeding; that the allegations of both law and fact are true and correct to the best of his information and belief; that a copy of this Application for Supervisory Writs has been sent via facsimile and mailed, postage prepaid, via United States mail to: Honorable Donald R. Johnson, Judge, 19th Judicial District Court, P.O. Box 1991, Rm 757, Baton Rouge, LA 70821; Honorable A. J. Kling, Judge ad hoc judge for the Honorable Donald R. Johnson, P.O. Box 1991, Rm 757, Baton Rouge, LA 70821; Mr. Greg Murphy, Morain & Murphy, LLC, 6555 Perkins Road, Suite 200, Baton Rouge, Louisiana 70808; Mr. Matt Pryor, 12320 LA Hwy. 44, Building 4, Suite C, Gonzales, Louisiana 70737; Mr. Michael V. Clegg, 8714 Jefferson Highway, Suite B, Baton Rouge, LA 70809.

Brent P. Frederick

SWORN TO AND SUBSCRIBED before me this 15th day of May, 2007.

Angela R. Carlisle, Notary Public
Bar Roll No. 30230

RSDA000144

CERTIFICATE

I HEREBY CERTIFY that a copy of the above and foregoing has this day been served upon:

Honorable A. J. Kling
Judge, ad hoc, for the Honorable
Donald R. Johnson, 19th JDC
P.O. Box 1991, Rm 757
Baton Rouge, LA 70821
Phone: (225) 389-4717
Fax: (225) 389-8941

Honorable Donald R. Johnson
Judge, 19th JDC
P.O. Box 1991, Rm 757
Baton Rouge, LA 70821
Phone: (225) 389-4717
Fax: (225) 389-8941

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Attorney for State Farm and Edwin E. Bonilla

Mr. Michael V. Clegg
ATTORNEY AT LAW
8714 Jefferson Highway, Suite B
Baton Rouge, LA 70809
Phone: 923-1055
Fax: 923-0955
Attorney for Edwin E. Bonilla

by facsimile and by depositing same in the U.S. Mail, postage prepaid and properly addressed.

Baton Rouge, Louisiana, this 15th day of May, 2007.

Brent P. Frederick

EXHIBIT A

SUE D. SALLES and HAROLD SALLES

VS.

EDWIN E. BONILLA, ELIAS J. FAKOURI, E. JACOB CONSTRUCTION, INC. and STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY and/or AN AFFILIATE THEREOF

SUIT NO. 545,344, SEC. 27

19TH JUDICIAL DISTRICT COURT

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

OFFER OF JUDGMENT

TO: Sue D. Salles and Harold Salles
through their attorney of record
Greg Murphy
Morain & Murphy, L.L.C.
6555 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808

Pursuant to La.C.C.P. art. 970, defendants, ELIAS FAKOURI AND E. JACOB CONSTRUCTION COMPANY, INC. hereby offer to allow judgment to be taken against them in this action, in the total amount of TEN THOUSAND AND NO/100 ($10,000.00) DOLLARS, inclusive of costs, interest, attorney's fees, and any other amount which may be allowed pursuant to statute or rule. This offer is made for the purpose specified in La. C.C.P. art. 970, and is intended to settle all litigation between SUE D. SALLES AND HAROLD SALLES against ELIAS FAKOURI AND E. JACOB CONSTRUCTION COMPANY, INC. and any insurer of ELIAS FAKOURI AND E. JACOB CONSTRUCTION COMPANY, INC. with full releases to be executed in favor of all defendants, if accepted. This Offer of Judgment is made for the purposes specified in La. C.C.P. art. 970, and is not to be construed as either an admission that defendants, ELIAS FAKOURI AND E. JACOB CONSTRUCTION COMPANY INC., or anyone for whom they are responsible, are liable in this action, or that plaintiffs have suffered any compensable damages.

Baton Rouge, Louisiana, this 18th day of September, 2006.

By Attorneys:

Brent P. Frederick, Bar No. 25053
DODSON & HOOKS, APLC
One Maritime Centre
17405 Perkins Road
Baton Rouge, Louisiana 70810
Telephone: (225)756-0222
Facsimile: (225) 756-0025

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing pleading has been forwarded to opposing counsel by placing same in the United States mail, properly addressed, with first class postage affixed thereto, this 18th day of September, 2006.

BRENT P. FREDERICK

EXHIBIT B

EXHIBIT C

DODSON & HOOKS
A Professional Law Corporation
One Maritime Centre
17405 Perkins Road
Baton Rouge, Louisiana 70810

RICHARD J. DODSON
KENNETH R. HOOKS, III
BRENT P. FREDERICK
ANGELA R. CARLISLE

Telephone: (225) 756-0222
Facsimile: (225) 756-0025
E-Mail: brent@dodsonhooks.com

October 2, 2006

Mr. Greg Murphy
MORAIN & MURPHY, L.L.C.
6555 Perkins Road, Suite 200
Baton Rouge, LA 70808

Re: Sue D. Salles and Harold Salles
vs. Edwin E. Bonilla, Elias J. Fakouri, E. Jacob Construction, Inc. et al
Suit No. 545,344, Sec. 27, 19th JDC, East Baton Rouge, LA

Dear Greg:

This will confirm that we have agreed to settle for a total of $10,000.00 . Your clients also agree to dismiss their claims with prejudice following receipt of the aforementioned amount.

Please indicate your agreement by signing and dating below. If you disagree with any of the terms set forth herein, please call immediately, and advise in writing as well.

Very truly yours,

Brent P. Frederick

Greg Murphy, Bar No. 19260

Date: 10/2/06

I acknowledge herein that the agreed terms of the above mentioned settlement agreement were entered into with the express permission and understanding of my client.

Murphy.confirm.scal.rc.wpd

MORAIN & MURPHY, L.L.C.

ATTORNEYS AT LAW

6555 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808
Telephone: (225) 767-7151
Fax: (225) 767-8995

TROY D. MORAIN

GREG MURPHY

May 15, 2007

Mr. and Mrs. Harold Salles
732 Woodleigh Drive
Baton Rouge, Louisiana 70810

Re: Sue D. Salles, et al vs. Edwin E. Bonilla, et al
Suit No. 545,344 - Sec. 27 - 19th JDC

Dear Harold and Sue:

Enclosed find a copy of Elias J. Fakouri and E. Jacob Construction, Inc.'s Application for Supervisory Writs.

Should you have any questions please do not hesitate to contact me.

With kindest regards, I remain

Sincerely,

Greg Murphy

GM/sjl
Enclosure

30 Jan. 2006

To: Scott M. Perrilloux
District Attorney Office
P.O. Box 299
Livingston, LA. 70754

From: Jacobi Johnson
Dixon Correctional Institute
P.O. Box 788
Jackson, LA. 70748

RE: State of Louisiana versus James "Pop" Skinner / Testimony of Ryan Stinson, in behalf of the State of Louisiana

Dear Mr. Perrilloux,

I am writting this missive in behalf of Ryan Stinson in the above caption matter, in an attempt to appeal to your sense of understanding, and in hopes of putting some closure on this matter once and for all.

Mr. Perrilloux, on December 19th, 2005, Ryan Stinson and myself (Jacobi Johnson), were schedule for transfer to Dixon Correctional Institute from Elayn Hunt Correctional Center, but at the last minute Warden Raymond McNeil, whom you spoke with alone with Ryan Stinson at Elayn Hunt Correctional Center; had 8:30pm Stinson destination changed from Dixon Correctional Institute, to David Wade Correctional Center —— reason being is unbeknown, however this can be verified through all the institution mention herein. Had this not been changed, you would not be hereing from Ryan Stinson or myself at this moment.

Since Ryan Stinson has been at David Wade Correctional Center, he has received a couple of threats from associates or friends of James "Pop" Skinner, two of which has maded themselves known, Jeremy Strickland and Jeffery Wize, which has been brought to security attention there, and is on file. David Wade Security has placed Ryan Stinson on Protective Custody because of this. Not before these individuals spread the word that Ryan Stinson had ratted on James "Pop" Skinner. And since being housed at David Wade Correctional Center, Ryan has had to deal with inmates throwing urine and feces on him and pressure from inmates trying to force him to perform oral sex on them because of this and his homosexuality life style.

Mr. Perrilloux, you may ask, "what concern of this is mines?"; well I'm sure you're aware that Ryan + myself are very, very close friend, and all his previous correspondence were of my concerns as well as his own concerning James "Pop" Skinner. Well recently, my mother whom very fond of Ryan, had me withdraw $10,000.00 for legal representation from some attorney out of Alexandria by the name of Small, whom I'm not fimiliar with. Anyway, my mother whom I'm sure you have received corespondence from as well, on aduisement of this Attorney, to give your office an opportunity to meet your obligation to Ryan's safety concerns.

Mr. Perrilloux, Ryan is scared and at his wits end, and he's very desperate at this point. All he's asking your office to do is grant his request to be transfer to Dixon Correctional Institute, and a letter of recommendation from your office to be placed in his record, stating that he + J are to be transfer/housed in the same institutional throughout our incarceration, which I am not even sure your office have the authority to do, however I'm sure it will be honored in Department of Correction

unless circumstances warrant differently. If this request is granted, I can personally guarantee (for what it's worth to you) that this will put closure on this matter once and for all, you will never here from Ryan Again concerning your obligation for his safety. As a matter of fact your office can forward a letter to him personally releasing your office of all obligation to his safety concerns, upon granting of this request and it will be gladly signed by him.

The only other major concern, would be getting Ryan out of David Wade Correctional Center, without the inmate population knowing where his destination will be and I realize this is out of your control, however such a request from your office would more than likely be honored + acknowledge seriously.

Mr. Perilloux, this small request will most definitely put a final closure on this matter Altogether, and whatever else Arises, we can deal with together without your office involvement anymore. This is Ryans only concern, I assure you, if this is honored once Again, this matter will be completely over. I remain, with kindness regards,

Sincerely
Cyndi Johnson

cc: Scott M. Perilloux
Ryan Stinson
Jacobi Johnson

JAN 20 2006

To: Mr. Scott M. Perrilloux
P.O. Box 299
Livingston LA 70754

From: Ryan Stinson # 433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

RE: My Testimony against James "Pop" Skinner

Dear Sir,

I the above inmate am writing this letter concerning The above Subject. I have been instructed by mrs. Kathleen Taylor of The ACLU, Mr. Paul Gates of The news media, The office of Disciplinary council of The LA State bar & The Law office of Marcia G. Shein To make one more Final attempt through your office To hold up To our verbal contract before we bring it To The Public's attention and Take Legal action according To State and Federal law That upholds The rights [redacted] For 'incarcerated witnesses' and There Safety.

As I have Stressed in my Previous letters To your office That before I Testified against James "Pop" Skinner I stressed my concerns For my safety and my lovers safety JACobi Johnson and That We would Feel Safe at Dixion correctional center (now hear out as D.C.I.) as long as we could be Sent Together at first I was Told no but after I refused To Testific your office Then Tried To Force me To Testific Then

I was exited out of The Court room and Told by your office That if I went on and Testified That They would indeed get me and JAcobi Johnson Transfered To D.C.I. For our Safety.

But after my Testimony your office has done noting of The sorts but dodge all my inquires about This matter. Like I did something wrong. your office has negleted my safty and JAcobi Johnsons Safety only after repeted atempts To Convence Elayn Hunt's Correctional Center of The amediat Threat To mine and JAcobi Johnsons Safety if we remained at Elayn Hunt's Correctional Center was action Taken on There Part and I was sent To David wad correctional Center and JAcobi Johnson was Sent To Dixion Correctional institute he is now Perticularly Safe from inmate James "Pop" skinner and any retaliation That might come behind my Testimony.

But I am not Perticulary Safe From any retaliation From James "Pop" skinner are his Friend That he has aquired while being incarsorated.

Our anitol agreement was That After my Testimony That I would be Transfered along with JAcobi Johnson To D.C.I. your office Lied To me To aquire my Testimony against James "Pop" Skinner which is against The Law.

And I am willing To do whatever it i

That is in my Power to insure my safety. I also told your office That I did not want to be Placed on Protective Custody (P.C. Hecia Attic) because it would denie me of Certain privlages enjoyed by others. and This was also agreed on That This would not Take Place.

Now your office is punishing me For doing The right Thing while Mr. Skinner enjoyes all of The Privlages I am being denied.

So in Light of all This I will not write and beg your office anymore to hold up To your virble agreement That we had made.

Next Time you hear From me it will be acompanied by my attorney and The media because I Feel Like you have had ample Time To met up To your Side of The agreement as I did mine so I Feel it and my attorney Feels it's only right To give you Till February 19, 2006 To do Something To asses This problem and Contact me. if This has not been done Then you will not hear From me again. untill I make it Public and here in a court room.

on The other hand if you hold up To your end of This agreement we had Then That will be [redacted] The end of it and we can brake This all Together and you will not habf To be bothered with me any more.

So I'll Close This Letter in hopes That We Can Settle This amongst ourselves I hope To hear From you Soon.

Sincerely

Mr. Ryan Stinson #433686

N-3-C #12

D.W.C.C.

670 Bell Hill Rd.

Homer LA, 71040

CC: Mrs. Paul Gates
Mrs. Kathleen Taylor
Disciplinary Council of the LA State bare
Mr. Marcia G. Shein
Mr. Richard Stalder
Mr. Ryan Stinson
Mr. Jacobi Johnson
Mrs. Betty Gaines

002260

March 29, 2007

To: Mr. Greg Murphy
6555 Perkins Rd. Suite-200
Baton Rouge LA, 70808

From: Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA. 71040

RE: Sexual Harrasment

Dear Mr Murphy.

I am in receipt of your March 26, 2007 Corrospondence. And am answering it as Follows:

I Want To inForm you That you have been Some how miss inFormed about The investigation. Because I have bun inFormed the part of The investigation I Was needed For as The Victim was Complete.

I am The Victim of Sexual Assault by one of The prison Guards Here at David Wade Corr. Cent. I am not and never was under investigation I am The Victim The OFFicer That Victimized me is The one presently under investigation.

I do not See Why We Can not go on and Sign a Settlement and have me TransFerd To Dixion Correctional Institute imediatly, as We agreed upon.

Please notify me as To your response To this letter imediatly.

Thank you once again For your Time Concern and patience With me in This's matter.

With The kindess of Regardes, I am Truly Thankful

RSDA000159

CC: R.S - G.M.

Ryan Stinson	*	Suit No: 113398 - Div-"F"
-Versus-	*	"21" Judicial District court
Charlotte Hebert, Ass. District Attorney	*	Parish of Livingston
Scott M. Perrilloux, District Attorney	*	State of Louisiana
	*	
_____	*	_____

Filed * * * * * * * * * * * * Clerk of court * * * * * * * * * *

Second Request For Production of Documents

* *

The Plaintiff Request That the defendant's produce the documents herein within 30 day's, either by providing the plaintiff with copies or by making them available to the plaintiff for inspection and copying'.

Request For Production Number 1:

Please produce copies of the Transcript of Mr. Stinson Testimony against James Pop Skinner For the Defendant's during James Pop Skinner Trial.

Request For Production Number 2:

Please produce copies of the Defendant's Phone Bill For Telephone Number 1-225-686-3325 From The Date of January 1, 2004 Through December 1-2006 of all collect call's accepted by The Defendants From The Plaintiff and incoming and outgoing call's Too and From The Plaintiff. at Elayn Hunts Correctional center + David wade coll, cent,

Request For Production Number 3:

Please produce copies of the Defendant's Phone Bill For Telephone Number 1-225-686-3070 From The Date of January 1, 2004 Through December 1, 2006 of all collect call's accepted by The Defendant's From The Plaintiff and incoming call's From The Plaintiff and outgoing call's To The Plaintiff. at Elayn Hunts correctional Center + David wade coll, Cent.

Request For Production Number 4:

Please Produce copies of Defendants Fax Number Bill [redacted] and Fax's For Fax Number 1-225-686-1651 To and From Elayn Hunt's correctional Center From The date of January 1,2004 Through December 1,2006 Concerning The PlaintiFF.

Request For Production Number 5:

Please Produce copies of all corrospondenc To and From Elayn Hunt's correctional Center By Defendants concerning The PlaintiFF.

Request For Production Number 6:

Please Produce copies of all documents created by any staff member of The District Attorneys office From May 1,2000 To date concerning The plaintiFF's Testimony and Contract and not included in items 1,4 and 5.

March 21,2007
Date

Ryan Stinson I.D.P. 433686
D.C.C. 670 Bell Hill Rd.
Homer LA, 71040

Ryan Stinson	*	Suit No: 113598 - Div "F"
- versus -	*	21 Judicial District court
Charlotte Hebert, Ass. District Attorney	*	Parish OF Livingston
Scott M. Perrilloux, District Attorney	*	State OF Louisiana
	*	
	*	
	*	

Filed * * * * * * * Clerk OF court * * * * * * *

Second Request For Admissions

* * * * * * * * * * * * * * * *

TO: Defendants - Scott M. Perrilloux and Charlotte Hebert

The PLaintiFF Request that Defendants scott M. Perrilloux and charlotte Hebert admit the Following under the provisions of the Louisiana code of civil Procedure:

1.) PLease admit That the Defendants accepted Several collect call's From Mr. Stinson.

2.) PLease admit That the Defendants had the PLaintiFF (Mr. Stinson) Brought to Livingston Parish Court House From Elayn Hunt's correctional Center on more than one ocassion.

3.) PLease admit that Defendant CharLOtte Hebert Went to Elayn Hunt's correctional Center to See Mr. Stinson.

4.) PLease admit That the Defendants new The concerns That Mr. Stinson Had For His SaFtey and need For a transFer BeFor and aFter His testimony.

5.) PLease admit That once James PoP Skinner was convicted and sentenced to Life in Prison That He was transFered TO Elayn Hunts correctional Center. Were He was placed on The same Tier as Mr. Stinson (Beaver 2-A) Were He made Threats againts Mr. Stinsons LiFe,

6.) Please admit That The Defendants were made Aware OF These Threats TO The PLaintiFFs LiFe.

7.) Please admit that the Defendants took no action in Concerns OF Mr. Stinson Safety.

March 21, 2007
Date

Ryan Stinson

Ryan Stinson I.P.P. 433686
D.W.C.C. 670 Bill Hill Rd.
Homer LA, 71040

Certificate of Service

Ryan Stinson declares under penalty of perjury pursuant to 28 U.S.C. Section 1746 that he mailed a copy of the enclosed, Second Request For Production of Documents + Second Request For Admissions. To Defendant's counsel, Greg Murphy, Assistant District Attorney 6555 Perkins Road, Suite 200, Baton Rouge, Louisiana 70808. By Placing Them in an envelope and placing the envelope in the mailbox at David Wade correctional center, 670 Bell Hill Rd. Homer LA, 71040, on March 22, 2007

March 22, 2007
Date

Ryan Stinson

March 27, 2007

To: Mr. Greg Murphy
6555 Perkins Rd. Suite 200
Baton Rouge LA, 70808

From: Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

RE: Ryan Stinson -V- Scott M. Perrilloux + Charlotte Hebert
Suite No# 113598 Div "F" 21st J.D.C. - Parish of Livingston

Dear Mr. Murphy,

I am writing this missive concerning the above and enclosed subject matter's, in hopes to appeal to your sense of understanding, and in hopes to receive your assistance with the inclosed matter.

In your Response to my request for productions of Document No:1 you stated: The information that has been requested from the Defendant's and if it is still in their possession it will be Fowarded upon receipt of same.

I would like to know what has happened to this information that I Requsted in Discovery No:1 and if it is being Fowarded to me.

In your Response to my request for Productions of Document's No: 2 and No:5 Yours answer was: (Defendants object to Request No. 2 on the grounds that it seeks to discover attorney work product and/or information) (Defendants object to Request No 5. on the grounds that it seeks to discover attorney work Product and/or information)

First, I do not seek personnel records in any general way I seek documents pertaining particula

kinds of complaints and alligations about the defendants and the vadlity of my contract, [redacted] whether or not they are part of "Personal Records". I do not seek other matters that may be in their "Personal Records", such as Attorney work, Product and or information on any other case, But the one in question.

Second, the material I seek in Request No 2 and Request No 5 is Public information sought For non-commercial purposes, The Documents sought do not meet exemption criteria as defined in your objection to Request No 2 and Request No 5. I seek the Trial Transcript of my testimony against James Rob Skinner and any statements that were made about me and a List of all present During my testimony The Defendant's can not use the objection Based on it Seek's to receive Attorney Work and Product and /or information Prepared in anticipation of Litigation. Because what I Seek From the defendants are Public Records.

I am Writing in hopes to resolve this dispute informally as required by local court rules. I ask that the defendants provide me with a copy of What I have Requested in Request For Productions No 1, No 2 & No 5.

In your response to my request For Productions of Documents No 2 your answer was: (you object on the grounds this request is not relevant to the subject matter involved in the pending action and does not relate to the claims of Ryan stinson.)

This information is Highly relevant to my claims.

I have information that repeated complaints have been made about the Two Defendants from other [redacted] witnesses, concerning Breach of Contracts and broken Pleas which

are a valid contract and deals with other witnesses and that nothing has been done about them. Evidence to that EFFect would be Highly relevant to the claims SetForth in my Civil Action Tort and Breach oF Contract.

I have Requested These Documents in Request No 7 Because they are Highly relevant as SEtForth in C.E. Art 608 (B)(1)(2)) Attacking credibility extrinsicAlly, except as otherwise provided by legislation's

(1.) Extrinsic evidence to show a witness' bias, interest Corruption, or deFect oF capacity is admissible to attack the credibility oF the witness.

(2) other extrinsic evidence, including prior inconsistk statements and evidence contradicting the witness testimony, is admissible when oFFered solely to attack the credibility oE a witness unless the court determines that the Probative value oF the evidence on the issue oF credibility is substantially outweighed by the risk oF undue consumption oF time, confusion oF the issues, or unFair Prejudice.

This Art 608 B. (1.) (2.) support my Request that the Documents in Request No. 7 are relevant to my case. In light oF This I Request that the deFendant provide me with There personal File as was Requested in Request No 7 oF any past complaints made against the deFendant's by other witnesses.

I ask writing in hopes to resolve this dispute informally as required by Local court rules. I ask that the DeFendants provide me with a copy oF what I Requested in Request For Production No. 7.

IF I am not able to resolve this dispute informally I will be Left with no choice but to be moved to File a motion to Compel your objections.

The other reason I write you this missive is pertaining to your March 1, 2007 correspondance to me were the defendants accepted my settlement offer to have me Transfered to Dixon Correctional center you told me to notify you as to whether or not I wish to be Transfered as per my offer.

I answered your missive back on March 6, 2007 stating I do wish to be Transfered to Dixon Correctional center imediatly, But received no answer, so on March 21, 2007 I wrote you another missive to find out what is the delay on the settlement. But still have not received a Responce.

I am going through continued mental anguish and emotional distress, because I was sexualy assaulted by one of the Prison Guards Here at David Wade Corr. cent., were I am presently incarcorated. Due to this and my Testimony against James Pol Skinner I live with continued concerns For my Saftey.

I would like to be informed on the Progress and status of the settlement that we descussed thro correspondence in accordanance with L.A.C. Article 408(

I had thought by now we would have been done brought some closer to this matter.

Thank you once again For your Time and concern and God bless you For your on going kindness and consideration and patience with me.

I'll be Looking Fowurd To your imediate responce To This Humble missive.

With the kindess of Regards, I am

Truly Thankful

Ryan Stinson #433686

cc: R.S.

002270

Livingston Parish Clerk of Court

THOMAS L. SULLIVAN, JR.
Clerk of Court

P.O. Box 1150
Livingston, Louisiana 70754
(225) 686-2216/2217

NOTICE OF REALLOTTMENT

February 1, 2007

Stanely L. Baron, III
R.P.D.C. Unit II
H-dorm
456 Hwy. 15
Rayville, LA 71269

Eric L. Pittman
1930 Florida Ave., SW
Denham Springs, LA 70726-4911

Willie Graves, Sheriff
through Ronnie Morse
P.O. Box 850
Livingston, LA 70754

Scott Perrilloux
P.O. Box 299
Livingston, LA 70754

RE: STANLEY LOUIS BARON
VS NO 114155
DISTRICT ATTORNEY, SCOTT PERRILLOUX AND
SHERIFF, WILLIE GRAVES

Dear Counsel and Defendant,

Please find enclosed a copy of the RECUSATION ORDER in the above captioned matter. The Honorable Brenda Bedsole Ricks, Division "E" has reallotted this case due to conflict. This case has been reallotted to the Honorable **Wayne Ray Chutz** Division "**A** ", all further matters will be heard before this division.
If you have any questions please call me.

Sincerely,

Ginger Whitehead

Ginger Whitehead
Deputy Clerk of Court

STANLEY L. BARON

VERSUS #114155 "E"

DISTRICT ATTORNEY'S OFFICE
21ST JUDICIAL DISTRICT COURT AND
LIVINGSTON PARISH SHERIFF'S OFFICE

21st JUDICIAL DISTRICT COURT

PARISH OF LIVINGSTON

STATE OF LOUISIANA

Filed: _____ **Dy. Clerk:** _____

RECUSATION ORDER

This matter has previously been allotted to Division "E". Due to the fact that the Judge Brenda Bedsole Ricks was the presiding Judge in the criminal trial of the plaintiff, it is hereby ordered as follows:

IT IS HEREBY ORDERED that this matter be re-allotted in accordance C.Cr.P. Article 671A(5).

Livingston, Louisiana this 31st day of January, 2007.

Brenda Bedsole Ricks

JUDGE BRENDA BEDSOLE RICKS
DIVISION "E"

In compliance with the above order, this case is hereby reallotted to Division "A" of this court, on this 1st day of February, 2007.

H. Whitehead

Deputy Clerk of Court

Please send copies and notice to all counsel of record.

2007 FEB -1 PM 1:27

DEPUTY CLERK

002272

DATE: NOVEMBER 9, 2006

21ST JUDICIAL DISTRICT COURT

PARISH OF LIVINGSTON

STATE OF LOUISIANA

STANLEY LOUIS BARON III

VERSUS

LIVINGSTON PARISH,
SCOTT PERRILLOUX ~ DISTRICT ATTORNEY,
WILLIE GRAVES ~ SHERIFF

SUIT NUMBER: 114155
DIVISION: E
FILE: _____
CLERK: _____

PETITION OF SUIT FOR DAMAGES

THE PETITION OF STANLEY LOUIS BARON III, A MAJOR RESIDENT OF THE STATE OF LOUISIANA, BEING OF THE FULL AGE OF MAJORITY RESPECTFULLY PRESENTS:

06 DEC -4 PM 1:42

1.

MADE DEFENDANTS HEREIN ARE:

(A) SCOTT PERRILLOUX, LIVINGSTON PARISH DISTRICT ATTORNEY, A BRANCH OF GOVERNMENT FOR PROSECUTION.

(B) WILLIE GRAVES, SHERIFF, OF AND FOR, LIVINGSTON PARISH.

2.

ON OR ABOUT MARCH 9, 2002, PETITIONER, STANLEY LOUIS BARON III WERE ARRESTED FOR MISDEMEANOR CHARGES ON THE AFOREMENTIONED DATE, I MADE BOND THE MORNING OF THE 10TH DAY OF MARCH 2002 AND WAS GIVEN A COURT-DATE.

3.

ON JUNE 10, 2002, PETITIONER, STANLEY LOUIS BARON III WERE ARRESTED FOR VIOLATION OF IN-HOME INCARCERATION WITH NO BOND, AT THIS TIME, I STANLEY LOUIS BARON III, WERE PROCEEDING TO COURT, ON ALL THE AFOREMENTIONED ISSUES/CHARGES, BEING TRANSPORTED, BY VIA LIVINGSTON PARISH SHERIFFS OFFICE.

4.

ON DECEMBER 17, 2002, PETITIONER, STANLEY LOUIS BARON III WERE SENTENCED TO THE MISDEMEANOR DOCKET NUMBER #02-MISD-079477 TO SERVE SIX(6) MONTHS IN THE PARISH JAIL COMPLEX.

5.

PETITIONER SHOWS CAUSE OF THE NEGLIGENCE OF THE PARISH OF LIVINGSTON, STATE OF LOUISIANA, DISTRICT ATTORNEYS OFFICE, & L.P.S.O

(A) FAILED TO ENTER INTO THE RECORD, AND OR FILE THE CORRECT INFORMATION.

(B) GROUNDS OF SUCH ACTION, RESULTED AND COMPELLED IN A WARRANT FOR ARREST.

6.

PETITIONER, STANLEY LOUIS BARON III, ASSERTS THAT ON DECEMBER 17, 2002, THAT HE WAS GIVEN CREDIT FOR TIME SERVED ON THE AFORMENTIONED MISDEMEANOR CHARGES, DOCKET NUMBER #02-MISD-079477 IN THE HONORABLE COURT OF BRENDA BEDSOLE RICKS, DIVISION E LOCATED IN LIVINGSTON PARISH, STATE OF LOUISIANA, (PLEASE SEE EXHIBIT A)

7.

PETITIONER, STANLEY LOUIS BARON III, ASSERTS THAT ON OR ABOUT THE 9th DAY OF JULY 2004, HE WAS AGAIN, ARRESTED, FOR THE SAME, MISDEMEANOR CHARGES DOCKET NUMBER #02-MISD-079477, AFTER RECEIVING CREDIT FOR TIME SERVED ON DECEMBER 17, 2002

(PLEASE SEE EXHIBIT B)

8.

PETITIONER, STANLEY LOUIS BARON III, ALLEGES HIS DAMAGE AS FOLLOWS 1.) FALSE ARREST DAMAGES OF PETITIONER IN EXCESS OF ONE-THOUSAND AND NO/100 ($1,000.00) DOLLARS; "PER-DAY"; 2.) MENTAL STRESS, EMOTIONAL PAIN AND SUFFERING IN EXCESS OF TWENTY-FIVE THOUSAND AND NO/100 ($25,000.00) DOLLARS;

* CONTINUED ON NEXT PAGE *

002274

3.) PAST LOST WAGES, AND PAST LOST EMPLOYMENT, IN EXCESS OF FIFTEEN THOUSAND AND NO/100 ($15,000.00) DOLLARS; 4.) PUBLIC HUMILIATION AND EMBARRASSMENT, IN EXCESS OF FIFTEEN THOUSAND AND NO/100 ($ 15,000.00) DOLLARS; 5.) NEGLECT, TO WIFE, AND TWO (2) MINOR CHILDREN, IN EXCESS OF TWENTY-FIVE THOUSAND AND NO/100 ($25,000.00) DOLLARS, EIGHT THOUSAND DOLLARS, FOR EACH, MINOR CHILD NINE THOUSAND DOLLARS FOR WIFE; 6.) TOGETHER WITH ALL DAMAGES SEEN AS A RESULT OF THE NEGLIGENCE ON OR ABOUT JULY 9, 2004.

WHEREFORE, PETITIONER, STANLEY LOUIS BARON III, PRAYS THAT THE DEFENDANTS HEREIN, SCOTT PERRILLOUX WITH THE LIVINGSTON PARISH DISTRICT ATTORNEY'S OFFICE, AND SHERIFF, WILLIE GRAVES, WITH THE LIVINGSTON PARISH SHERIFF'S OFFICE, BE SERVED WITH A CERTIFIED COPY OF THIS PETITION AND CITED TO APPEAR AND ANSWER THE SAME, AND AFTER ALL LEGAL DAYS, AND PROCEEDINGS, THERE BE JUDGEMENT HEREIN FAVOR OF PETITIONER, STANLEY LOUIS BARON III, AGAINST LIVINGSTON PARISH DISTRICT ATTORNEYS OFFICE, AND THE LIVINGSTON PARISH SHERIFFS OFFICE, FOR THE PARISH OF LIVINGSTON, STATE OF LOUISIANA, JOINTLY, SEVERALLY, INDIVIDUALLY, AND/OR INSOLIDO FOR ANY AND ALL DAMAGES THAT ARE REASONABLE IN THE PREMISES, TOGETHER WITH LEGAL INTEREST THEREON FROM THE DATE OF JUDICIAL DEMAND, ALL COST OF COURT, TOGETHER WITH AND ALL EQUITABLE AS ALLOWED BY LAW.

PLEASE SERVE:
SCOTT PERRILLOUX WITH THE LIVINGSTON PARISH DISTRICT ATTORNEYS OFFICE, AND WILLIE GRAVES, SHERIFF FOR LIVINGSTON PARISH.

RESPECTFULLY SUBMITTED BY
PETITIONER,
Stanley Louis Baron III

STANLEY LOUIS BARON III

VERSUS

SCOTT PERRILLOUX - DISTRICT ATTY.,

WILLIE GRAVES - SHERIFF

TWENTY-FIRST JUDICIAL DISTRICT COURT

PARISH OF LIVINGSTON

STATE OF LOUISIANA

FILED: 11/4/55 E

DEPUTY CLERK:

FILED
06 DEC -4 PM 1:42
CLERK OF COURT
PARISH OF LIVINGSTON
BY DEPUTY CLERK

ORDER

CONSIDERING THE FOREGOING PETITION AND INFORMATION FILED IN PROPER PERSON BY STANLEY LOUIS BARON III, IT IS HEREBY ORDERED THAT A RULE TO SHOW CAUSE BE SET FOR THE 24th DAY OF January 2007 at 10:30 a.m., WHY THE REQUESTED PETITION AND INFORMATION FILED BY STANLEY LOUIS BARON III SHOULD NOT BE GRANTED.

IT IS HEREBY ORDERED THAT STANLEY LOUIS BARON, III BE TRANSPORTED FROM RICHLAND PARISH DENTENTION CENTER LOCATED IN RICHLAND PARISH, LOUISIANA OR FROM WHATEVER FACILITY HE MAY BE HOUSED IN ON THE 24th DAY OF January 2007 TO THE LIVINGSTON PARISH COURT-HOUSE AT 10:30 (AM)/PM

LIVINGSTON, LOUISIANA THIS 7th DAY OF December 2007

JUDGE

PLEASE SERVE ALL PARTIES:

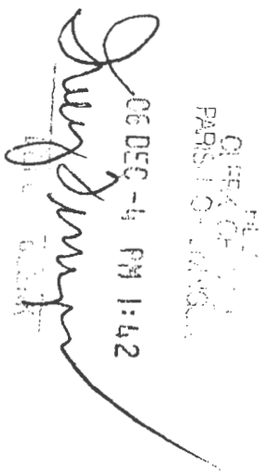
21ST JUDICIAL DISTRICT COURT

002276

EXHIBIT A

EXTRACT OF CRIMINAL COURT MINUTES

TWENTY FIRST JUDICIAL DISTRICT COURT



DECEMBER 17, 2002,

COURT CONVENED AT THE USUAL HOUR OF NINE O'CLOCK AM. BEFORE THE HONORABLE BRENDA BEDSOLE RICKS, DISTRICT JUDGE, DIVISION " E ". THOMAS L. SULLIVAN, JR. CLERK OF COURT; WILLIE GRAVES, SHERIFF; SCOTT PERRILLOUX, DISTRICT ATTORNEY; TERRI NORTON, COURT REPORTER; AND GINGER WHITEHEAD, MINUTE CLERK.

STATE OF LOUISIANA
VS.
STANLEY L BARON III
Case #: 02-FELN-016570 Charge: OPERATING A VEHICLE WHILE INTOXICATED 4
02-MISD-079477 SIMPLE BATTERY
AGGRAVATED ASSAULT
FLIGHT FROM AN OFFICER
SIMPLE CRIMINAL DAMAGE TO PROPERTY

charged on Nov 12, 01

Charged on 3-9-02

HAVE NEVER IN MY LIFE BEEN CHARGED WITH THIS

This matter appearing on the felony/misdemeanor docket this date for the purpose of pretrial conference. The defendant being personally present in open court and accompanied by Public Defender, Lance Engloia. The State of Louisiana being represented by Assistant District Attorney, Jake Lemmon. On Docket # 79477 the State nolle prossed the charges of Simple Battery, Aggravated Assault 2 cts. and simple criminal damage to property under $500.00. The defendant withdrew his previously entered plea of not guilty and entered a plea of GUILTY on Docket # 16570 to D.W.I 4th and on Docket # 79477 the charge of aggravated assault and resisting an officer. Deputy Clerk administered the oath to the defendant. The defendant stated that his date of birth was June 20, 1969. Mr. Engloia waived to the formal reading of the bill of information. Mr. Lemmon read the statutes that pertained to all the charges and the articles and the possible penalties. The court advised the defendant of the possible penalties if he pleads guilty or is found guilty at trial. The court further advised the defendant of the use of this conviction to provide an enhanced penalty on any subsequent conviction of this nature. The court advised the defendant of his right to plead not guilty and the burden of proof rest upon the State of Louisiana to prove each and every element of the offense beyond a reasonable doubt; his right to trial by jury on the felony and trial by judge on the misdemeanor; his right to confront your accusers and to cross examine them; his right to remain silent and are not required to testify or to incriminate against yourself in any way; his right to call witnesses; his right to appeal. The court advised the defendant that by entering a plea of guilty that he was giving up or waiving the above said rights. The defendant stated that he understood the above said rights and waives said rights. The defendant admitted to both charges. Mr. Engloia advised the court that he had advised the defendant of all his legal and consitutional rights and feels that he understood them. The court ask the defendant if he had any questions of the court, the State or counsel. The defendant stated he had no questions. The defendant stated that he was satisfied with representation of counsel. The court stated that he was satisfied that the plea of GUILTY was voluntarily, knowingly and intelligently entered into and is therefore accepted by this court. The court advised the defendant of his right to delay sentencing. The defendant stated that he understood the above said right and waives any and all delays. The court ask if any victims were present. The State advised that there were none. The court sentenced the defendant to serve on Docket # 16570 to ten (10) years at hard labor with the Department of Corrections, suspend all but sixty (60) days without the benefit of probation or parole and placed on five (5) years active probation with the in-home incarnation program and is to run current and coterminous with each other and all other charges now serving with the following special conditions: pay a fine in the amount of $ 5,000.00

002277

EXHIBIT-A

plus court cost; pay a Public Defender fee in the amount of $ 250.00; pay a monthly probation fee in the amount of $ 50.00; enroll in drug evaluation program not less that 4 weeks and not more that 6 weeks; the vehicle is to be seized and sold; install an interlock device on all vehicles the defendant drives. The court ordered that any warrants or probation holds be recalled. The court ordered that the defendant comply and complete all requirements of the statute of Article 14:98 and with Department of Public Safety. The court sentenced the defendant on Docket # 79477 to serve six (6) months parish jail on each count to run current and coterminous with each other and with any other charges now serving. Credit for time served on both charges. The court further ordered that the defendant to take notice for monitoring on July 23, 2003 and for probation intake in Amite, LA at 8:30 a.m. on December 23, 2002. The court advised the defendant that he had 5 days in which to appeal sentence; 10 days to charge plea; 30 days for reconsideration of sentence and 2 years in which to file for post conviction relief.

COURT ADJOURNED UNTIL NEXT REGULAR SESSION.

A TRUE EXTRACT FROM THE MINUTES OF COURT OF DIVISION ____, TWENTY FIRST JUDICIAL DISTRICT COURT, PARISH OF LIVINGSTON, STATE OF LOUISIANA, dated _____

AND RECORDED IN MINUTE BOOK _____ PAGE _____

_____
DEPUTY CLERK OF COURT

002278

Willie Graves
Sheriff & Tax Collector

Parish of Livingston
20180 Iowa Street
P. O. Box 850
Livingston, Louisiana 70754-0850

Phone: (225) 686-2241
1-800-443-7681

EXHIBIT-B

LETTER OF INCARCERATION

NAME: STANLEY BARON DATE: 11/15/04

DOB: 06/20/69
SS#: 216-88-5465
R/S: W/M

To Whom It May Concern:

The above named subject was incarcerated in the Livingston Parish Prison on the following dates.

Date of Arrest: 07/09/04

Released: 07/20/04

Charges: SIMPLE BATTERY, AGGRAVATED ASSAULT, RESISTING AN OFFICER,SIMPLE CRIMINAL DAMAGE TO PROPERTY.

Sincerely
Berta Smith
BERTA SMITH
Livingston Parish Prison

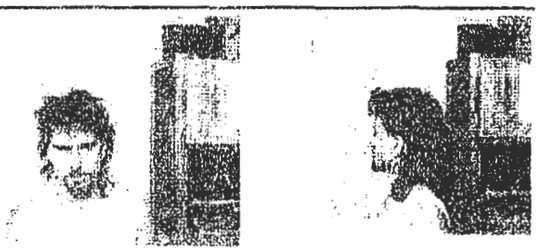
Facsimiles: Main 686-7615 ✡ Detectives 686-7027 ✡ Prison 686-2475 ✡ Operations 686-7063 ✡ Warran Training Center 664-0901

002279

EXHIBIT-B

LIVINGSTON PARISH JAIL

Release Sheet: ------ Page: 1



ID#: 2001110100
Name: BARRON, STANLEY L III
Address: 8688 COOK RD
DENHAM SPRINGS, LA 70726
Phone(Home/Business): (225) 000-0000
DOB: 6/20/1969 Age: 35 YRS Height: 5- 7
Race: W Sex: M Weight: 140
Eyes: HAZ Ethnicity: N Appearance: INTOX
Hair: BRO Resident: R Build: MEDIUM
Scars/Marks/Tattoos: UNKN Complexion: MED Birth Place: BATON ROUGE LA
Employer: AMERICAN INDSTRIAL FBI ID: IdentA:
SSN: [illegible] DL No.: 5223204 LA State ID:

Booking Date: 07/09/04 Time: 23:21
Release Date: 07/20/04 Time: 19:02
Officer: 2000030002 FOWLER, AMY
Arrest Date: 07/09/04 Time: 22:30
Arresting Agency: 3200
Officer: 0001270 GRIMES, HUNTER
Location: 8688 COOK RD
DENHAM SPRINGS LA
Searched By: H. GRIMES Phone Call:
CLOTH: Y NCIC: Y
METAL: Y WARRANT: Y
PAT: Y PRINTS: Y
STRIP: Y PHOTO: Y
CAVITY:

Transfer(Y/N)? Facility: 3200
Reason for Release: 01
Length of Stay: 12
Booking Officer: 2000100001 BURNTHORNE, BRIAN
Cell Assignment: BH
Status: BOOK Class: PRSN
Hold Reason: BENWAR
Holding For: LPSO
Sentence Date: / /
Scheduled Release: 08/01/04 0:00
Court Date:
Attorney:
Bondsman:
Drug Screen:

Cash: $23.00
Property Location: 154/SAFE
Vehicle Location:
GREY TANK TOP SHIRT, LEVIS BLUE JEANS, WHITE SOCKS, WHITE UNDERWARE

//IN SAFE : ZIPLOCK BAG OF LOOSE CHANGE , CROSS MEDALLION WITH # 12 MEDALLION ATTACHED TO IT .
ALL PROPERTY VERIFIED BY B.BURNTHORNE AND SUP. PATTERSON . SUPERVISOR PATTERSON DROPPED IN SAFE @ 0015 HRS. ON 07/10/04

OFFENSES

Seq.No.:	Code:	Description:	RSA	Warrant Number	Court	Bond Amt:	Bond Type:
	Incident Number				Fel/Misd		
1	BA	SIMPLE BATTERY DISMISSED			LPR	5,000.00	
	20040731952		14:35	2003-072538	M		
2	AA	AGGRAVATED ASSAULT CREDIT FOR TIME			LPR	0.00	NO BOND
	20040731952		14:37	2003-072538	M		
3	RAO	RESISTING AN OFFICER CREDIT FOR TIME			LPR	0.00	NO BOND
	20040731952		14:108	2003-072538	M		
4	SCDP	SIMPLE CRIMINAL DAMAGE TO PROPERTY DISSMISSED			LPR	0.00	NO BOND
	20040731952		14:56	2003-072538	M		

[redacted]

STANLEY LOUIS BARON, III	*	SUIT NO. 114,155 - DIV. "E"
	*	
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	
	*	
LIVINGSTON PARISH, SCOTT M. PERRILLOUX, DISTRICT ATTORNEY, WILLIE GRAVES, SHERIFF	*	PARISH OF LIVINGSTON
	*	
	*	STATE OF LOUISIANA

FILED
07 JAN 26 AM 11:45
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

EXCEPTION OF NO CAUSE OF ACTION

NOW INTO COURT, through undersigned counsel, come defendants, **SCOTT M. PERRILLOUX, IN HIS CAPACITY AS DISTRICT ATTORNEY OF THE 21st JUDICIAL DISTRICT, and the OFFICE OF DISTRICT ATTORNEY FOR THE TWENTY-FIRST JUDICIAL DISTRICT**, who files this Exception of No Cause of Action for the following reasons to wit:

1.

On or about December 8, 2006, Scott M. Perrilloux, in his capacity as District Attorney of the 21st Judicial District, was served with a Petition of Suit For Damages entitled, "Stanley Louis Baron vs. Livingston Parish , Scott Perrilloux, District Attorney, Willie Graves, Sheriff."

2.

Paragraph 2 of petitioner's Petition alleges that, "On or about March 9, 2002, petitioner, Stanley Louis Baron, III, were arrested for misdemeanor charges on the aforementioned date, I made bond the morning of the 10th day of March 2002, and was given a court date."

3.

Paragraph 3 of petitioner's Petition alleges that, "On June 10, 2002, petitioner, Stanley Louis Baron, III, were arrested for violation of in-home incarceration with no bond, at this time, I Stanley Louis Baron, III, were proceeding to court, on all the aforementioned issues/charges, being transported by via Livingston Parish Sheriff's Office."

4.

Paragraph 5 of petitioner's Petition alleges that, "Petitioner shows cause of the negligence of the Parish of Livingston, State of Louisiana, District Attorney's Office, and L.P.S.O. (A) failed to enter into the record, and/or file the correct information; (B) grounds of such action resulted and compelled in a warrant for arrest."

Petitioner's complaint does not state a cause of action because it does not allege that Scott M. Perrilloux's actions or the 21st Judicial District Attorney's Office were not, intimately associated with the function of a prosecutor, in a criminal matter which affords him prosecutorial immunity for his failure to act or not act.

WHEREFORE, Scott M. Perrilloux in his capacity as District Attorney of the 21st Judicial District, requests that this Honorable Court dismiss Stanley Louis Baron, III's Petition of Suit For Damages because it fails to state a cause of action against Scott M. Perrilloux in his capacity as District Attorney of the 21st Judicial District and the 21st Judicial District Attorney's Office.

Respectfully Submitted

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Stanley Louis Baron, III, I.P.P., Richland Parish Detention Center, 456 Hwy. 15, H-Dorm, Rayville, Louisiana 71269, postage prepaid, this 25th day of January, 2007, Livingston, Louisiana.

GREG MURPHY

STANLEY LOUIS BARON, III	*	SUIT NO. 114,155 - DIV. "E"
	*	
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	
	*	
LIVINGSTON PARISH, SCOTT M. PERRILLOUX, DISTRICT ATTORNEY, WILLIE GRAVES, SHERIFF	*	PARISH OF LIVINGSTON
	*	
	*	STATE OF LOUISIANA

MEMORANDUM IN SUPPORT OF EXCEPTION OF NO CAUSE OF ACTION

MAY IT PLEASE THE COURT:

La. Code of Civ. Procedure Art. 931 prohibits the introduction of evidence in consideration of an Exception of No Cause of Action, "the court reviews the petition and accepts well pleaded allegations of fact as true, and the issue at the trial of the exception is whether, on the face of the petition, plaintiff is legally entitled to the relief therein." Everything on Wheels v. Subaru South, 616 So.2d 1234, 1235 (La. 1993).

In Keller v. McElveen, 744 So.2d 643 (La. App. 3rd Cir. 1999), plaintiff filed suit against the sheriff and district attorney of Calcasieu Parish due to her detention on a warrant not withdrawn from a national database after the district attorney's office rejected criminal charges against her.

District Attorney, Rick Bryant, argued that since the decision to accept or reject charges is clearly within the prosecutorial function, the reporting of that decision to an outside authority is necessarily a prosecutorial function since, absent this communication, rejection has not been completed as it is known only to those within the district attorney's office. The Court, in reaching its decision, reviewed and explained the concept of "prosecutorial immunity."

There is no basis to differentiate between the various functions of the district attorney's office. The district attorney's administrative functions are intricately related and interwoven with prosecution efforts. There can be no prosecution without the attendant paperwork Id. at 647; citing Johnson v. Foti, 537 So.2d 232 (La. App. 4 Cir. 1988).

The court held that the failure of the district attorney's office to communicate the rejection of the charges to the sheriff's office was intimately associated with the functions of the prosecutor in a criminal matter. As a prosecutor is the only official who can make this communication, the district attorney was clearly acting as a prosecutor and was performing this function rather than as an administrator. In sum, the court concluded that the prosecutor is afforded the same protection in terminating prosecution as they are in initiating one. Id. at 648.

Therefore, under the rationale in Keller, Stanley Louis Baron, III's Petition does not state a cause of action against Scott M. Perrilloux in his capacity as District Attorney for the 21st Judicial District nor against the 21st Judicial District Attorney's Office. There is nothing in the Petition that alleges Scott M. Perrilloux's actions or the 21st Judicial District Attorney's Office's actions were not that of a district attorney or his office in accepting or rejecting charges.

Respectfully Submitted

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Stanley Louis Baron, III, I.P.P., Richland Parish Detention Center, 456 Hwy. 15, H-Dorm, Rayville, Louisiana 71269, postage prepaid, this 25th day of January, 2007, Livingston, Louisiana.

GREG MURPHY

002284

RULE TO SHOW CAUSE
PETITION OF SUIT FOR DAMAGES; ORDER; EXHIBITS

BARON, STANLEY LOUIS

Vs.

DISTRICT ATTORNEY 21JDC

Case: 000000114155
Division: E
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: SCOTT PERRILLOUX WITH THE
LIVINGSTON PARISH DISTRICT ATTORNEYS OFFICE

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **January 24, 2007**, at the hour of **10:30 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on December 8, 2006.*

_____ _____
Deputy Clerk of Court

Attorney
STANLEY LOUIS BARON, III, I.P.P.
RICHLAND PARISH DETENTION CENTER
456 HWY. 15; H-DORM
RAYVILLE, LA 71269

Service Information

Received on the _____ day of _____, 20_____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20_____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[SERVICE]

002285

CITATION
PETITION OF SUIT FOR DAMAGES; ORDER; EXHIBITS

BARON, STANLEY LOUIS

Vs.

DISTRICT ATTORNEY 21JDC

Case: 000000114155
Division: E
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: SCOTT PERRILLOUX WITH THE
LIVINGSTON PARISH DISTRICT ATTORNEYS OFFICE

, *of Livingston Parish*

YOU ARE HEREBY SUMMONED *to comply with the demand contained in the petition of which a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, the 21st Judicial District Court in and for the Parish of Livingston, State of Louisiana, within FIFTEEN (15) days after the service hereof, under penalty of default.*

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON DECEMBER 8, 2006.

Clerk of Court
21st Judicial District
Parish of Livingston

Deputy Clerk of Court

Attorney
STANLEY LOUIS BARON, III, I.P.P.
RICHLAND PARISH DETENTION CENTER
456 HWY. 15; H-DORM
RAYVILLE, LA 71269

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of

_____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[SERVICE]

002286

DATE: NOVEMBER 9, 2006

21ST JUDICIAL DISTRICT COURT

PARISH OF LIVINGSTON

STATE OF LOUISIANA

STANLEY LOUIS BARON III

VERSUS

LIVINGSTON PARISH,
SCOTT PERRILLOUX ~ DISTRICT ATTORNEY,
WILLIE GRAVES ~ SHERIFF

SUIT NUMBER: 114155

DIVISION: E

FILE:

CLERK:

SCANNED

PETITION OF SUIT FOR DAMAGES

THE PETITION OF STANLEY LOUIS BARON III, A MAJOR RESIDENT OF THE STATE OF LOUISIANA, BEING OF THE FULL AGE OF MAJORITY RESPECTFULLY PRESENTS:

FILED
06 DEC -4 PM 1:42
CLERK OF COURT
PARISH OF LIVINGSTON

1.

MADE DEFENDANTS HEREIN ARE:

(A) SCOTT PERRILLOUX, LIVINGSTON PARISH DISTRICT ATTORNEY, A BRANCH OF GOVERNMENT FOR PROSECUTION.

(B) WILLIE GRAVES, SHERIFF, OF AND FOR, LIVINGSTON PARISH.

2.

ON OR ABOUT MARCH 9, 2002, PETITIONER, STANLEY LOUIS BARON III WERE ARRESTED FOR MISDEMEANOR CHARGES ON THE AFOREMENTIONED DATE, I MADE BOND THE MORNING OF THE 10TH DAY OF MARCH 2002 AND WAS GIVEN A COURT-DATE.

3.

ON JUNE 10, 2002, PETITIONER, STANLEY LOUIS BARON III WERE ARRESTED FOR VIOLATION OF IN-HOME INCARCERATION WITH NO BOND, AT THIS TIME, I STANLEY LOUIS BARON III, WERE PROCEEDING TO COURT, ON ALL THE AFOREMENTIONED ISSUES/CHARGES, BEING TRANSPORTED, BY VIA LIVINGSTON PARISH SHERIFFS OFFICE.

4.

ON DECEMBER 17, 2002, PETITIONER, STANLEY LOUIS BARON III WERE SENTENCED TO THE MISDEMEANOR DOCKET NUMBER #02-MISD-079477 TO SERVE SIX (6) MONTHS IN THE PARISH JAIL COMPLEX.

5.

PETITIONER SHOWS CAUSE OF THE NEGLIGENCE OF THE PARISH OF LIVINGSTON, STATE OF LOUISIANA, DISTRICT ATTORNEYS OFFICE, & L.P.S.O

(A) FAILED TO ENTER INTO THE RECORD, AND OR FILE THE CORRECT INFORMATION.

(B) GROUNDS OF SUCH ACTION, RESULTED AND COMPELLED IN A WARRANT FOR ARREST.

6.

PETITIONER, STANLEY LOUIS BARON III, ASSERTS THAT ON DECEMBER 17, 2002, THAT HE WAS GIVEN CREDIT FOR TIME SERVED ON THE AFORMENTIONED MISDEMEANOR CHARGES, DOCKET NUMBER: #02-MISD-079477 IN THE HONORABLE COURT OF BRENDA BEDSOLE RICKS, DIVISION E LOCATED IN LIVINGSTON PARISH, STATE OF LOUISIANA, (PLEASE SEE EXHIBIT A)

7.

PETITIONER, STANLEY LOUIS BARON III, ASSERTS THAT ON OR ABOUT THE 9th DAY OF JULY 2004, HE WAS AGAIN, ARRESTED, FOR THE SAME, MISDEMEANOR CHARGES DOCKET NUMBER #02-MISD-079477, AFTER RECEIVING CREDIT FOR TIME SERVED ON DECEMBER 17, 2002

(PLEASE SEE EXHIBIT B)

8.

PETITIONER, STANLEY LOUIS BARON III, ALLEGES HIS DAMAGE AS FOLLOWS:

1.) FALSE ARREST DAMAGES OF PETITIONER IN EXCESS OF ONE-THOUSAND AND NO/100 ($1,000.00) DOLLARS; "PER-DAY"; 2.) MENTAL STRESS, EMOTIONAL PAIN AND SUFFERING IN EXCESS OF TWENTY-FIVE THOUSAND AND NO/100 ($25,000.00) DOLLARS;

* CONTINUED ON NEXT PAGE *

3.) PAST LOST WAGES, AND PAST LOST EMPLOYMENT, IN EXCESS OF FIFTEEN THOUSAND AND NO/100 ($15,000.00) DOLLARS; 4.) PUBLIC HUMILIATION AND EMBARRASSMENT, IN EXCESS OF FIFTEEN THOUSAND AND NO/100 ($ 15,000.00) DOLLARS; 5.) NEGLECT, TO WIFE, AND TWO (2) MINOR CHILDREN, IN EXCESS OF TWENTY-FIVE THOUSAND AND NO/100 ($25,000.00) DOLLARS, EIGHT THOUSAND DOLLARS, FOR EACH, MINOR CHILD NINE THOUSAND DOLLARS FOR WIFE; 6.) TOGETHER WITH ALL DAMAGES SEEN AS A RESULT OF THE NEGLIGENCE ON OR ABOUT JULY 9, 2004.

WHEREFORE, PETITIONER, STANLEY LOUIS BARON III, PRAYS THAT THE DEFENDANTS HEREIN, SCOTT PERRILLOUX WITH THE LIVINGSTON PARISH DISTRICT ATTORNEY'S OFFICE, AND SHERIFF, WILLIE GRAVES, WITH THE LIVINGSTON PARISH SHERIFF'S OFFICE, BE SERVED WITH A CERTIFIED COPY OF THIS PETITION AND CITED TO APPEAR AND ANSWER THE SAME, AND AFTER ALL LEGAL DAYS, AND PROCEEDINGS, THERE BE JUDGEMENT HEREIN FAVOR OF PETITIONER, STANLEY LOUIS BARON III, AGAINST LIVINGSTON PARISH DISTRICT ATTORNEYS OFFICE, AND THE LIVINGSTON PARISH SHERIFFS OFFICE, FOR THE PARISH OF LIVINGSTON, STATE OF LOUISIANA, JOINTLY, SEVERALLY, INDIVIDUALLY, AND/OR INSOLIDO FOR ANY AND ALL DAMAGES THAT ARE REASONABLE IN THE PREMISES, TOGETHER WITH LEGAL INTEREST THEREON FROM THE DATE OF JUDICIAL DEMAND, ALL COST OF COURT, TOGETHER WITH AND ALL EQUITABLE AS ALLOWED BY LAW.

PLEASE SERVE:
SCOTT PERRILLOUX WITH THE LIVINGSTON PARISH DISTRICT ATTORNEY'S OFFICE, AND WILLIE GRAVES, SHERIFF FOR LIVINGSTON PARISH.

RESPECTFULLY SUBMITTED BY
PETITIONER,
Stanley Louis Baron III

STANLEY LOUIS BARON III

VERSUS

SCOTT PERRILLOUX - DISTRICT ATTY.,

WILLIE GRAVES - SHERIFF

TWENTY-FIRST JUDICIAL DISTRICT COURT

PARISH OF LIVINGSTON

STATE OF LOUISIANA

FILED: 114155 E

DEPUTY CLERK:

FILED
06 DEC -4 PM 1:42
CLERK OF COURT
PARISH OF LIVINGST

ORDER

CONSIDERING THE FOREGOING PETITION AND INFORMATION FILED IN PROPER PERSON BY STANLEY LOUIS BARON III, IT IS HEREBY ORDERED THAT A RULE TO SHOW CAUSE BE SET FOR THE 24th DAY OF January 2007 at 10:30 a.m., WHY THE REQUESTED PETITION AND INFORMATION FILED BY STANLEY LOUIS BARON III SHOULD NOT BE GRANTED.

IT IS HEREBY ORDERED THAT STANLEY LOUIS BARON, III BE TRANSPORTED FROM RICHLAND PARISH DENTENTION CENTER LOCATED IN RICHLAND PARISH, LOUISIANA OR FROM WHATEVER FACILITY HE MAY BE HOUSED IN ON THE 24th DAY OF January 2007 TO THE LIVINGSTON PARISH COURT-HOUSE AT 10:30 (AM)/PM

LIVINGSTON, LOUISIANA THIS 7th DAY OF December 2007

JUDGE

PLEASE SERVE ALL PARTIES:

SCANNED

21ST JUDICIAL DISTRICT COURT

EXHIBIT A

EXTRACT OF CRIMINAL COURT MINUTES

TWENTY FIRST JUDICIAL DISTRICT COURT

06 DEC-4 PM 1:42
CLERK OF COURT
PARISH OF LIVINGSTON

DECEMBER 17, 2002,

COURT CONVENED AT THE USUAL HOUR OF NINE O'CLOCK AM. BEFORE THE HONORABLE BRENDA BEDSOLE RICKS, DISTRICT JUDGE, DIVISION " E ". THOMAS L. SULLIVAN, JR. CLERK OF COURT; WILLIE GRAVES, SHERIFF; SCOTT PERRILLOUX, DISTRICT ATTORNEY; TERRI NORTON, COURT REPORTER; AND GINGER WHITEHEAD, MINUTE CLERK.

STATE OF LOUISIANA
VS.
STANLEY L BARON III
Case #: 02-FELN-016570 Charged on Nov 12, 01
02-MISD-079477 Charged on 3-9-02

Charge: OPERATING A VEHICLE WHILE INTOXICATED 4
SIMPLE BATTERY
AGGRAVATED ASSAULT
FLIGHT FROM AN OFFICER → HAVE NEVER IN MY LIFE BEEN CHARGED WITH THIS
SIMPLE CRIMINAL DAMAGE TO PROPERTY

This matter appearing on the felony/misdemeanor docket this date for the purpose of pretrial conference. The defendant being personally present in open court and accompanied by Public Defender, Lance Engloia. The State of Louisiana being represented by Assistant District Attorney, Jake Lemmon. On Docket # 79477 the State nolle prossed the charges of Simple Battery, Aggravated Assault 2 cts. and simple criminal damage to property under $500.00. The defendant withdrew his previously entered plea of not guilty and entered a plea of GUILTY on Docket # 16570 to D.W.I 4th and on Docket # 79477 the charge of aggravated assault and resisting an officer. Deputy Clerk administered the oath to the defendant. The defendant stated that his date of birth was June 20, 1969. Mr. Engloia waived to the formal reading of the bill of information. Mr. Lemmon read the statutes that pertained to all the charges and the articles and the possible penalties. The court advised the defendant of the possible penalties if he pleads guilty or is found guilty at trial. The court further advised the defendant of the use of this conviction to provide an enhanced penalty on any subsequent conviction of this nature. The court advised the defendant of his right to plead not guilty and the burden of proof rest upon the State of Louisiana to prove each and every element of the offense beyond a reasonable doubt; his right to trial by jury on the felony and trial by judge on the misdemeanor; his right to confront your accusers and to cross examine them; his right to remain silent and are not required to testify or to incriminate against yourself in any way; his right to call witnesses; his right to appeal. The court advised the defendant that by entering a plea of guilty that he was giving up or waiving the above said rights. The defendant stated the he understood the above said rights and waives said rights. The defendant admitted to both charges. Mr. Engloia advised the court that he had advised the defendant of all his legal and consitutional rights and feels that he understood them. The court ask the defendant if he had any questions of the court, the State or counsel. The defendant stated he had no questions. The defendant stated that he was satisfied with representation of counsel. The court stated that he was satisfied that the plea of GUILTY was voluntarily, knowingly and intelligently entered into and is therefore accepted by this court. The court advised the defendant of his right to delay sentencing. The defendant stated that he understood the above said right and waives any and all delays. The court ask if any victims were present. The State advised that there were none. The court sentenced the defendant to serve on Docket # 16570 to ten (10) years at hard labor with the Department of Corrections, suspend all but sixty (60) days without the benefit of probation or parole and placed on five (5) years active probation with the in-home incarnation program and is to run current and coterminous with each other and all other charges now serving with the following special conditions: pay a fine in the amount of $ 5,000.00

EXHIBIT-A

plus court cost; pay a Public Defender fee in the amount of $ 250.00; pay a monthly probation fee in the amount of $ 50.00; enroll in drug evaluation program not less that 4 weeks and not more that 6 weeks; the vehicle is to be seized and sold; install an interlock device on all vehicles the defendant drives. The court ordered that any warrants or probation holds be recalled. The court ordered that the defendant comply and complete all requirements of the statute of Article 14:98 and with Department of Public Safety. The court sentenced the defendant on Docket # 79477 to serve six (6) months parish jail on each count to run current and coterminous with each other and with any other charges now serving. Credit for time served on both charges. The court further ordered that the defendant to take notice for monitoring on July 23, 2003 and for probation intake in Amite, LA at 8:30 a.m. on December 23, 2002. The court advised the defendant that he had 5 days in which to appeal sentence; 10 days to charge plea; 30 days for reconsideration of sentence and 2 years in which to file for post conviction relief.

COURT ADJOURNED UNTIL NEXT REGULAR SESSION.

A TRUE EXTRACT FROM THE MINUTES OF COURT OF DIVISION ____, TWENTY FIRST JUDICIAL DISTRICT COURT, PARISH OF LIVINGSTON, STATE OF LOUISIANA, dated _____

AND RECORDED IN MINUTE BOOK _____ PAGE _____

_____
DEPUTY CLERK OF COURT

002292

Willie Graves
Sheriff & Tax Collector
Parish of Livingston
20180 Iowa Street
P. O. Box 850
Livingston, Louisiana 70754-0850

Phone: (225) 686-2241
1-800-443-7681

EXHIBIT-B

LETTER OF INCARCERATION

NAME: STANLEY BARON DATE: 11/15/04

DOB: 06/20/69
SS#: 216-88-5465
R/S: W/M

To Whom It May Concern:

The above named subject was incarcerated in the Livingston Parish Prison on the following dates.

Date of Arrest: 07/09/04

Released: 07/20/04

Charges: SIMPLE BATTERY, AGGRAVATED ASSAULT, RESISTING AN OFFICER,SIMPLE CRIMINAL DAMAGE TO PROPERTY.

Sincerely
Dep. Berta Smith
BERTA SMITH
Livingston Parish Prison

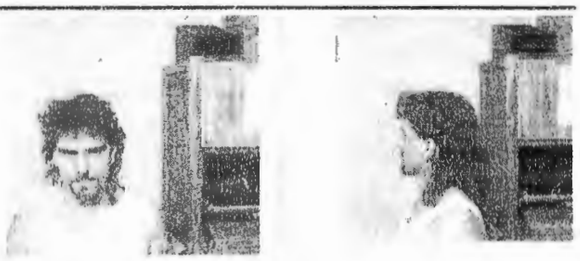
05 DEC -1 PM 1:42
CLERK OF COURT
PARISH OF LIVINGSTON

EXHIBIT-B

002298

LIVINGSTON PARISH JAIL

Release Sheet: ------ Page: 1



ID #: 2001110100
Name: BARRON, STANLEY L III
Address: 8688 COOK RD
DENHAM SPRINGS, LA 70726
Phone(Home/Business) (2 (225) 000-0000
DOB: 6/20/1969 Age: 35 YRS Height: 5- 7
Race: W Sex: M Weight: 140
Eyes: HAZ Ethnicity: N Appearance: INTOX
Hair: BRO Resident: R Build: MEDIUM
Scars/Marks/Tattoos: UNKN Complexion: MED Birth Place: BATON ROUGE LA
Employer: AMERICAN INDSTRIAL FBI ID: IdentA:
SSN: 216 88-5465 DL No.: 5223204 LA State ID:

Booking Date: 07/09/04 Time: 23:21
Release Date: 07/20/04 Time: 19:02
Officer: 2000030002 FOWLER, AMY
Arrest Date: 07/09/04 Time: 22:30
Arresting Agency: 3200
Officer: 0001270 GRIMES, HUNTER
Location: 8688 COOK RD
DENHAM SPRINGS LA
Searched By: H. GRIMES Phone Call:
CLOTH: Y NCIC: Y
METAL: Y WARRANT: Y
PAT: Y PRINTS: Y
STRIP: Y PHOTO: Y
CAVITY:

Transfer(Y/N)? Facility: 3200
Reason for Release: 01
Length of Stay: 12
Booking Officer: 2000100001 BURNTHORNE, BRIAN
Cell Assignment: BH
Status: BOOK Class: PRSN
Hold Reason: BENWAR
Holding For: LPSO
Sentence Date: / /
Scheduled Release: 08/01/04 0:00
Court Date:
Attorney:
Bondsman:
Drug Screen:

Cash: $23.00 Property Location: 154/SAFE
Vehicle Location:
GREY TANK TOP SHIRT, LEVIS BLUE JEANS, WHITE SOCKS, WHITE UNDERWARE

//IN SAFE : ZIPLOCK BAG OF LOOSE CHANGE , CROSS MEDALLION WITH # 12 MEDALLION ATTACHED TO IT .
ALL PROPERTY VERIFIED BY B.BURNTHORNE AND SUP. PATTERSON . SUPERVISOR PATTERSON DROPPED IN SAFE @ 0015 HRS. ON 07/10/04

OFFENSES

Seq.No.:	Code: / Incident Number	Description:	RSA	Warrant Number	Court	Fel/Misd	Bond Amt:	Bond Type:
1	BA / 20040731952	SIMPLE BATTERY DISMISSED	14:35	2003-072538	LPR	M	5,000.00	
2	AA / 20040731952	AGGRAVATED ASSAULT CREDIT FOR TIME	14:37	2003-072538	LPR	M	0.00	NO BOND
3	RAO / 20040731952	RESISTING AN OFFICER CREDIT FOR TIME	14:108	2003-072538	LPR	M	0.00	NO BOND
4	SCDP / 20040731952	SIMPLE CRIMINAL DAMAGE TO PROPERTY DISSMISSED	14:56	2003-072538	LPR	M	0.00	NO BOND

[redacted]

23714

21ST JUDICIAL DISTRICT COURT

PARISH OF LIVINGSTON

STATE OF LOUISIANA

STANLEY LOUIS BARON III

NO. ____

VERSUS

LIVINGSTON PARISH, XXXXXX XXXXXXXXXXXXXX XXXX STATE OF LOUISIANA. / SCOTT PERRILOUX - DISTRICT ATTY. / WILLIE GRAVES - SHERIFF

****

MOTION AND AFFIDAVIT IN SUPPORT
TO PROCEED IN FORMA PAUPERIS

****

I, STANLEY LOUIS BARON III, Being first duly sworn, depose and say that I am the Petitioner in the above entitled case. That I move to proceed in forma paupers and support of my motion to proceed without being required to prepay cost of fees or give security thereof. I state that because of my lack of poverty and lack of means ,I am unable to pay the cost of the said proceedings in advance or as they accrue, or to furnish security thereof; That I believe I am entitled to redress.

I further swear that the responses which I have made to questions and instructions below are true.

1.) Have you received within the past twelve months any money from any of the following sources?

A.) Business Profession or from self-employment? NO

B.) Rent payments, interest or dividends? NO

C.) Pensions, annuities or life insurance payments? NO

D.) Gifts or inheritances? NO

E.) Any other sources? YES My Mother Sends Me $25.00 for B/D & $25.00 for Christmas

2.) Do you own any cash, or do you have any money in a checking or saving account? NO
(Including any funds in prison accounts)

3.) Do you own any real estate , stocks , bonds, notes, automobiles, or other valuable property? (excluding ordinary household furnishing and clothes) NO

I understand that a false statement or answer to any questions in this affidavit will subject me to penalties for perjury. I hereby authorize the appropriate officials of the Department of Corrections to withdraw from my prison account and forward to the Clerk of Court for ___ Judicial District Court any sum of money which may hereafter be ordered by the Court for cost that accrue.

I further state and swear this information in the presence of a Public Notary Official, who is witness to my signature and in the presence thereof.

Stanley Louis Baron III
PLAINTIFF SIGNATURE

401302
INMATE'S D.O.C. NUMBER

06 DEC -4 PM 1:42
CLERK, PARISH OF LIVINGSTON

STATE OF LOUISIANA
PARISH OF RICHLAND

I, STANLEY LOUIS BARON, being first duly sworn under oath that he has read, signed, and subscribed to the above and states that the information therein is true and correct.

Patricia Mills

Stanley Louis Baron
PLAINTIFF'S SIGNATURE

INMATES D.O.C. NUMBER

Subscribed and sworn to before me this 21st day of NOVEMBER ,2006.

JOE E. SEYMOUR
NOTARY PUBLIC, ID# 16452
PARISH OF RICHLAND

NOTARY PUBLIC

STATE OF LOUISIANA
PARISH OF RICHLAND

I, Melvin Johnson, first being duly sworn under name of person not a party to this suit ,did depose and say that he a third party witness, such as a fellow inmate. I am not an attorney for this plaintiff. That he knows the plaintiff; and knows his financial condition ,and believes that he is unable to pay cost of Court in advance, or as they accrue ,or to furnish security thereof.

Patricia Mills

Melvin Johnson
SIGNATURE OF AFFIANT

Sworn to and subscribed before me this 21st day of NOVEMBER ,2006

JOE E. SEYMOUR
NOTARY PUBLIC, ID# 16452
PARISH OF RICHLAND

NOTARY PUBLIC

2006 DEC -4 PM 1:43
CLERK OF COURT
PARISH OF RICHLAND

CERTIFICATE OF FUNDS

I HEREBY CERTIFY THAT THE PLAINTIFF HEREIN HAS THE SUM OF $12.44 ON ACCOUNT TO HIS CREDIT AT THE RICHLAND PARISH DETENTION CENTER WHERE HE IS CONFINED. I FURHTER CERTIFY THAT THE PLAINTIFF LIKEWISE HAS THE FOLLOWING SECURITIES TO HIS CREDIT ACCORDING TO OUR RECORDS:

DATE OF CERTIFICATION: 11/22/06

By Patricia Mills
AUTHORIZED OFFICER OF INSTITUTION

ORDER

IT IS HEREBY ORDERED THAT _____ SHALL/ SHALL NOT BE PERMITTED TO PROCEED IN FORMA PAUPERIS.

IT IS FURTHER ORDERED THAT _____ SHALL HAVE THIRTY DAYS FROM THIS DATE OF THIS ORDER TO DEPOSIT WITH THE CLERK OF COURT THE REQUIRED COURT COST, AND ALL ACTION INCLUDING SERVICES OF PROCESS, IS HEREBY STAYED PENDING COSTS OF COURT.

FAILURE TO DEPOSIT THE ABOVE ORDERED COURT COST WITHIN THE THIRTY DAY PERIOD SHALL RESULT IN THE DISMISSAL OF THIS SUIT.

IT IS FURTHER ORDERED THAT AFTER COSTS OF COURT HAVE BEEN PAID THE CLERK OF COURT SHALL PROCESS THE SUIT AND ISSUE CITATION TO THE DEFENDANT (S) IN ACCORDANCE WITH LAW.

READ ,RENDERED, AND SIGNED THIS 4 DAY OF December 2006.

AT Lafayette ,LOUISIANA.

_____
JUDGE

SCANNED

NOTE TO PETITIONER: A COPY OF THIS ORDER HAS BEEN FORWARDED TO THE INMATE BANKING DEPARTMENT OF THE LOUISIANA DEPARTMENT OF CORRECTIONS FOR THE ISSUANCE OF A CHECK DRAWN AGAINST YOUR INMATE ACCOUNT IN PAYMENT OF ASSESSED COURT COSTS.
NO ACTION IS REQUIRE BY YOU!

Court Costs to be assessed as per Code of Civil procedure for persons incarcerated with Dept. of Corrections

06 DEC -4 PM 1:43

CLERK OF COURT
PARISH OF LINCOLN

4 of 6 Ryan Stinson
- Versus -
Scott M. Perrottoux, District Attorney
Charllate Hebert, Asst District Attorney

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 AUG 16 PM 1:33
DEPUTY CLERK

* Div "F" suit # 113598
* 21st Judicial District
* Parish of Livingston
* State of Louisiana

Filed _____ Clerk of court _____

ORDER

After the courts consideration of Jacobi Johnson Motion to intervene as Third Person it is Hereby:

Ordered that a Hearing to show cause for Jacobi Johnson Motion to intervene as Third Person, Be set in Division _____ of the Livingston Parish Court House, 20180 Iowa St. Livingston LA. 70754, on the _____ day of _____, 2007, at _____ o'clock to show cause why Jacobi Johnson motion to intervene as Third person should Be granted.

It is Further ordered, that a copy of this order be provided to Warden, Veneta Micheal at David Wade corr. cent. 670 Bell Hill Rd. Homer LA. 71040.

It is Further ordered, that a copy of this order be provided to Warden, [redacted] James M. Leblance at Dixion Correctional institute P.O. Box 788 Jackson LA. 70748.

It is Further ordered, that Warden, Veneta Micheal make arrangements to have the person of one Jacobi Johnson #130062 Present in open court on the above date and time, and in the above court room.

It is Further ordered, that Warden, James M. Leblance make arrangements to have the

002298

5 of 6

person of one Ryan Stinson #433686 present in open court on the above date and time, and in the above court room.

It is further ordered, that a copy of this order, and all papers attached to this order shall be served on Ryan Stinson #433686 at Dixion Correctional institute P.O. Box 788 Jackson LA. 70748, To show cause why Jacobi Johnson motion to intervene as third person should B. granted.

It is further ordered, that a copy of this order, and all other papers attached to this order, shall be served on defendant's counsel, Greg Murphy at 6555 Perkins Rd. suite 200, Baton Rouge LA. 70808. To be present in open court on the above date and time and in the above court room to show cause why Jacobi Johnson Motion to intervene as third person should not be granted.

Signed, on this 23rd day of August, 2007, in Livingston parish, State of Louisiana.

The matter between Mr. Stinson and the D.A.'s office has been settled and compromised.

District Judge.

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 8-29-07
Deputy Clerk of Court

*002299

6 of 6

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to Defendants counsel, Greg Murphy at 6555 Perkins Rd suite 200 Baton Rouge LA, 70808, Postage Prepaid, This 13 day of August, 2007.

Jacobe Johnson
Jacobe Johnson #130062

* * * * * * * * * * *

Certificate of Service

This is to certify, that a copy of the above and foregoing has been mailed to the Plaintiff, Ryan Stinson #433686, at Dixion Correctional institute, Unit 2 c/o/o 04, P.O. Box 788 Jackson LA. 70748. Postage Prepaid This 13 day of August, 2007.

Jacobe Johnson
Jacobe Johnson #130062

Nov. 18, 2003
Plea

April 22, 2007

To: Mr. Greg Murphy, Attorney
6555 Perkins Rd. - Suite 200
Baton Rouge LA, 70808

From: Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

RE: Ryan Stinson V. Scott M. Perrilloux + Charlotte Hebert
Suit No# 113598 Div "F" 21st J.D.C. - Parish of Livingston
Additional Settlement offer

Dear Mr. Murphy,

I Write This Letter Concerning The above and enclosed Subject in an appeal To your Sense of understanding, in hopes To receive your assistance.

The Law states That A Defendant or District Attorney or Court Can moves To correct an Illegal Sentence at any Time. See LA. Cr. C.P. Art. 882,.

I made a plea bargain in This Case For Credit For Time served. The Judge Sentenced me To 5 years on each Count To run concurrently With each Count, With Credit For time Served From date of arrest. At The Time of The Sentence I Was Serving a 5 year Sentence From The Same Court on A unrelated Sentence.

The Louisiana Department of Corrections and David Wade records office, Refused To give me The credit For Time Served From The day of arrest in Case Number - 102012 Judge Wayne Ray Chutz, because The Court Minutes is Silent Where The Judge Chutz Failed To State The Sentence is To run Concurrently With any other Sentence. He only Stated That The Two

5 year Sentences is To run concurrently with each other with credit For Time served From day oF arrest.

The only way I can receive That credit, The Court minutes has To be amended To Read: "Credit For Time served From day oF arrest To run concurrently With any other Sentence or unrelated Sentence That DeFendant was already Serving at The Time oF This Sentence in Case Number -102012. The District Attorney in The Case is Scott M. PerrilLoux, I Forgot The Assistance Name. You Need To get a copy oF These Court minutes in State oF Louisiana V. Ryan Stinson NO. 102012 21st Judicial District Court.

IF you get The court minutes amended and have a copy served upon Louisiana Department oF correction and David wade records oFFice and Me. And As soon As They compute my credit. I will be out oF Prison. And The Case will be moot. Please help me correct This. The Whole case will be dismissed when I receive my credit. There will be no need For A TransFFer.

My Prison rap sheet shows I was Arrested on 2-27-2002 and Sentenced on 11-18-03 (See Attachment)

And I can not get This credit The Judge gave me, because he Failed To state That it is To run concurrently with any other Sentence I was presently serving at The Time oF Sentencing in Case NO. 102012.

WhereFore, I Pray That you will agree To This oFFer and Have my court minutes

Amended.

I hope and pray that you will discuss this offic with the defendants imediatly. I will be looking to hear from you concerning this Amediatly.

Thank you so very much for your time and concern + God bless you for your ongoing kindness and consideration. I am in hopes and prayer to recive a responce Amediatly.

With the kindess of Regardes, I am

Truly Thankful

Ryan Stinson

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd
Homer LA, 71040

CC: R.S.
G.M.
B.G.

- ENCLOSED -

NAME: STINSON, RYAN DOC #: 00433686

SENTENCING INFORMATION

PARISH & DKT: TAN [95471] OFFENSE SEQ#: 014
GT ACT: 0138 OFFENDER CLASS: 02 PAROLE ELIG.: Y CS PTR:
OFFENSE: 14:62 001 SENTENCE LENGTH: 0050000
DATE COMMITTED: 06112000

ARREST AND RELEASE INFORMATION:

ARRESTED	03312000
BONDED	03312000
ARRESTED	04102000
BONDED	05012000
REMANDED	06162000
SENT DATE	11152000
SENT START	11152000
PROB/BOND/ESC	P 11222000
ARRESTED	01192001
BONDED	05242001
REMANDED	02272002
REVOKED	04162002

SENTENCING INFORMATION

PARISH & DKT: TAN [95620] OFFENSE SEQ#: 015
GT ACT: 0138 OFFENDER CLASS: 02 PAROLE ELIG.: Y CS PTR:
OFFENSE: 14:62.2 001 SENTENCE LENGTH: 0010000
DATE COMMITTED: 06122000

ARREST AND RELEASE INFORMATION:

ARRESTED	03312000
BONDED	03312000
ARRESTED	04102000
BONDED	05012000
REMANDED	06162000
SENT DATE	11152000
SENT START	11152000
PROB/BOND/ESC	P 11222000
ARRESTED	01192001
BONDED	05242001
REMANDED	02272002
REVOKED	04162002

SENTENCING INFORMATION

PARISH & DKT: TAN 102012 OFFENSE SEQ#: 016
GT ACT: 0138 OFFENDER CLASS: 03 PAROLE ELIG.: N CS PTR:X
OFFENSE: 14:62 002 SENTENCE LENGTH: 0050000
DATE COMMITTED: 02262002

ARREST AND RELEASE INFORMATION:

ARRESTED	02272002
SENT DATE	11182003
SENT START	11182003

FORFEITURE OF GT FOR AUG 06 (30 DAYS)

002304

Ryon Stinson

~~STATE OF LOUISIANA~~

VERSUS

District Attorney, 21

DOCKET #_____

DOC #

_____ DOB: _____

21ST JUDICIAL DISTRICT COURT

PARISH OF LIVINGSTON

STATE OF LOUISIANA

DY. CLERK:_____

FILED:_____

MOTION AND ORDER

ON MOTION OF SCOTT M. PERRILLOUX, DISTRICT ATTORNEY, 21st Judicial District Court, Parish of Livingston, and on suggesting to the Court that a hearing has been set in this matter for the _____ day of _____, 2007 and that _____ is presently incarcerated at _____, and it is necessary that he be transported to the Livingston Parish Courthouse for said hearing to be held on the _____ day of _____, 2007.

IT IS ORDERED that the Department of Corrections pick up _____ on or about the _____ day of _____, 2007, and have him present at the Livingston Parish Courthouse for hearing on the _____ day of _____, 2007 at _____ and after said hearing to be returned to _____ unless otherwise ordered by the Court.

FURTHER, IT IS ORDERED that the defendant be released to the Department of Corrections.

Livingston, Louisiana this _____ day of _____, 2007.

_____
JUDGE, 21ST JUDICIAL DISTRICT COURT

_____
Assistant District Attorney
21st Judicial District Court
Livingston, Louisiana

Please serve:

Livingston Parish Jail

Johnny Creed
Assistant Secretary for Adult Services
Department of Corrections
Baton Rouge, Louisiana

002305

Copy Service as Requested 5/22/07 Trish Robins

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

FILED 2007 MAY 17 PM 2:55 CLERK OF COURT PARISH OF LIVINGSTON DEPUTY CLERK

MOTION TO CONTINUE PLAINTIFF'S MOTION FOR THE APPOINTMENT OF COUNSEL

NOW INTO COURT, through undersigned counsel, comes defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who requests the following:

SCANNED

1.

Undersigned counsel represents Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana in this matter.

2.

Plaintiff, Ryan Stinson, has filed a Motion for the Appointment of Counsel, in this matter and is requesting, pursuant to La. C.C. Art. 5181, that this Honorable Court appoint counsel to represent him in this matter.

3.

Counsel for defendants has been notified by this Honorable Court that this matter is set for hearing on May 29, 2007, at 9:00 a.m.

4.

Counsel for defendants had previously scheduled a vacation out of the country and had already purchased airline tickets for this vacation.

5.

Counsel for defendants is requesting that this Honorable Court continue plaintiff's Motion for the Appointment of Counsel to the Court's next available Rule Date.

Respectfully Submitted

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 17th day of May, 2007.

GREG MURPHY

002307

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Motion for the Appointment of Counsel set for hearing on May 29, 2007, is hereby continued until the 9 day of July, 2007.

THUS DONE AND SIGNED THIS 22nd day of May, 2007.

SCANNED

JUDGE, 21st JUDICIAL DISTRICT COURT

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 MAY 17 PM 2:55
DEPUTY CLERK

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

ANSWER TO SUPPLEMENT TO ORIGINAL COMPLAINT OF CIVIL ACTION TORT AND BREACH OF CONTRACT

NOW INTO COURT, through undersigned counsel, comes defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract as follows:

1.

The allegations in defendant's Supplement to Original Complaint of Civil Action Tort and Breach of Contract are denied. Defendant has not set forth any allegations in Paragraph 1 but only alleges in Paragraph 1 that his original petition should be supplemented. Therefore, the entire paragraph regarding defendant's statement of claim in the supplemental complaint is hereby denied.

2.

With regard to defendant's relief sought in the Supplement to Original Complaint of Civil action Tort and Breach of Contract, defendant, Scott M. Perrilloux, in his capacity as the District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, denies Paragraph 1, Paragraph 2, Paragraph 3, Paragraph 4 and Paragraph 5 in the Relief section sought by defendant.

WHEREFORE, defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, prays that there be judgment in his favor, dismissing plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract, with prejudice, and assigning all costs against plaintiff.

Respectfully Submitted

Greg Murphy

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

FILED
07 JUN -5 AM 9:
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this _____ day of _____, 2007.

Greg Murphy

GREG MURPHY

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

ANSWER TO SUPPLEMENT TO ORIGINAL COMPLAINT OF CIVIL ACTION TORT AND BREACH OF CONTRACT

NOW INTO COURT, through undersigned counsel, comes defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract as follows:

1.

The allegations in defendant's Supplement to Original Complaint of Civil Action Tort and Breach of Contract are denied. Defendant has not set forth any allegations in Paragraph 1 but only alleges in Paragraph 1 that his original petition should be supplemented. Therefore, the entire paragraph regarding defendant's statement of claim in the supplemental complaint is hereby denied.

2.

With regard to defendant's relief sought in the Supplement to Original Complaint of Civil action Tort and Breach of Contract, defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, denies Paragraph 1, Paragraph 2, Paragraph 3, Paragraph 4 and Paragraph 5 in the Relief section sought by defendant.

WHEREFORE, defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, prays that there be judgment in her favor, dismissing plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract, with prejudice, and assigning all costs against plaintiff.

Respectfully Submitted

Greg Murphy

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

FILED
07 JUN -5 AM 9:15
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this _____ day of _____, 2007.

Greg Murphy

GREG MURPHY

002312

NOTICE OF RULE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

This is your notice that a rule for MOTION TO INFORCE SETTLEMENT AGREEMENT has been set in the above captioned matter on July 9, 2007 at 9:00 AM before the Honorable ELIZABETH P WOLFE.

Done on April 20, 2007.

C Anthony
Deputy Clerk of Court

GREG MURPHY
DISTRICT ATTORNEYS OFFICE 21ST JDC
P.O. BOX 299
LIVINGSTON, LA 70754

RYAN STINSON, #433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

April 10, 2007

To: Mr. Greg Murphy, Attorney
6555 Perkins Rd. Suite 200, Baton Rouge LA, 70808

From: Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd., Homer LA, 71040

RE: Ryan Stinson v. Scott M. Perrilloux + Charlotte Hebert
Suit No# 113598 Div "F" 21st J.D.C. - Parish of Livingston

Dear Mr. Murphy.

I am writing you this letter concerning the above and enclosed matter.

Sir on February 19, 2007 I Filed a Supplement to original complaint of, Civil Action Tort and Breach of Contract. Today is April 10, 2007 and I still Have not received the defendant's response to the Supplement please See That I receive an answer to this. Or I will be Forced To File a motion For default and as you know what is not answered is automatidly considered as True. I Will be Looking For your answer To This imediatly.

Sir Also on The date of March 21, 2007 I Filed a second Request For production of Documents and a second Request For Admissions. I Look To be receiving an answer To This as well as the Requested documents, in a Timly manner Which is within 30 day's of date I Filed Them are I will be Forced TO Compel When your 30 day's has Lapsed.

Sir Also on The date of March 27, 2007 I wrote you a Letter in hopis To resolve the Discovery [redacted] disput we Seem To be having But you Seem TO be [redacted] Ignoring all

my atempts to resolve this matter in an ethical and prifeshional manner as is Favored by the court's before one moves to compel so I write in a Final Atempt to resolve this matter befor I am Left with no choise but to compel.

I am hoping we may resolve these matters as soon as posiable.

As you know we Have a Hearing For May 29, 2007 I am hoping that after this hearing you can have the Judge remand me to the custody of the sheriF's office so me and you [redacted] and the defendants may have a conFrense. Pluase get back with me on this matter imediatly. OF course this is iF we have not brought closer to this matter as set Forth is our settlment agreement, before the Hearing I will be waiting on your responce.

I am also enclosing a copy OF my supplmat. To my motion to enforce settlement agreemat.

I thank you once again For your time, concern + patience. And God bless you For your ongoing kindness and consideration. I am looking Foward to hearing From you as soon as posiable.

With the kindess of Regardes, I am

Truly thankful

Ryan Stinson #433686

cc: G.M.
R.S.
B.G.

April 24, 2007

TO: Mr. Greg Murphy
6555 Perkins Rd. - Suite 200

From: Ryan Stinson #433686
D.W.C.C. 620 Bell Hill Rd.
Homer LA, 71040

RE: Ryan Stinson v. Scott M. Perrilloux + Charlotte Hebert
Suit NO # 113548 Div "F" 21st J.D.C. - Parish of Livingston

Dear Mr. Murphy,

I am writing this letter concerning the above and enclosed subject. This letter is in Addition to my April 22, 2007 letter concerning the Additional settlement offer.

Enclosed - is a letter to me from Ms. Sally Gryder, David Wade records office. Please read the letter. She tells me I cannot get my Jail credit until the Judge amend the sentence, ordering to run concurrently with my other sentences.

Therefore the court minutes must be amended to reflect Criminal Docket Number # 102012 is to run concurrent with each other and with any other sentence or unrelated sentence that Defendant was already serving at the time of this Sentence in Case Number - 102012.

I am also writing you this letter to request that you answer my April 10, 2007 letter and my April 22, 2007 letter and this letter imediatly as to bring closer to this matter as quickly as posiable.

I once [redacted] again want to Thank you For your time, consideration and patience

with me in this matter. And may God bless you For your ongoing kindness and concern. I hope and pray you will get back with me on this imediatly.

With the kindess of regardes, I am

Truly Thankful

Ryan Stinson #433686

D.W.C.C. 670 Bell Hill Rd.

Homer LA, 71040

cc: R.S.

G.M.

B.G.

- Enclosur -

FROM THE DESK OF SALLY GRYDER
DWCC RECORDS OFFICE



DATE: APRIL 24, 2007

TO: RYAN STINSON #433686 N4B

RE: JAIL CREDIT

Since the judge was silent as to how Dkt. 102012 was to run with your other sentences, it is being run consecutively. You are not entitled to dual jail credit on consecutive sentences.

The only way we can apply that credit is if the judge were to amend the sentence ordering it to run concurrently with your Tangipahoa dkts.

SG

002318

RULE TO SHOW CAUSE
MOTION FOR THE APPOINTMENT OF COUNSEL; AFFIDAVITS; MEMORANDUM IN SUPPORT; ORDER; ATTACHMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: ATTORNEY, GREG MURPHY
6555 PERKINS ROAD
SUITE 200
BATON ROUGE, LA 70808

PAUPER SUIT

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **May 29, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on March 20, 2007.*

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.
D.W.C.C. 670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[SERVICE]

002319

DC MC Robyn (Courtdate)

1 OF 10

Ryan Stinson * Suit No. 113598 - Div. "F"

Versus - * 21st Judicial District Court

Charlotte Hebert, ~~Asst. District Attorney~~ * Parish of Livingston

Scott M. Perilloux, District Attorney * State of Louisiana

*

SCANNED

Filed: * Clerk of Court:

* *

Motion For The Appointment of Counsel

* *

Now comes into This Honorable Court:

Plaintiff Ryan Stinson, Pursuant to LA.C.C.P. Articale 5181, request this court to appoint counsel to represent him in this case For The Following reasons:

1.) The Plaintiff is unable to Afford counsel.

2.) The issues involved in this case are complex.

3.) The plaintiff, as a Segregation inmate, has extremely limited access To The Law Library.

4.) The Plaintiff has a limited knowledge of The Law.

5.) Due To The Breach of contract, The Plaintiff Was Transfer To David Wade Corr. Cent., Were he Was sexualy Assualted by one of The prison Guards. Because of This he suffers mentah anguish and emotional destress and is unable To Concentrate and can not represent Himself in This case (see) (Exaibit 1 attached).

For The Foregoing reasons, Set Forth in The attached Affidavit, The memorandum of Law and This motion The court Should grant The Plaintiff's Motion and Appoint Counsel in This case.

2007 MAR 13 P 12:32
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

Febuary 11, 2007

Date:

Ryan Stinson

Ryan Stinson #433686

D.W.C.C. 670 Bell Hill Rd.

Homer LA. 71040

2 OF 10

Ryan Stinsen * suit No. 113598 — Div. "F"

versus- * 21st Judicial District Court

Charlotte Hebert, Ass. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

Filed: * Clerk of Court:

* *

Affidavit in Support of The Plaintiff's Motion For the Appointment of Counsel

* *

Ryan Stinson, declares under penalty of perjury, pursuant to 28 U.S.C. Section 1746:

1.) That he is The Plaintiff in the above entitled Case. He makes This Affidavit in support of His motion For The appointment of Counsel.

FILED
2001 MAR 3 PM 3:
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

2.) The Complaint in this case alleges that the plaintiff Was Subjected To The breach of Contract, by The District Attorney and The Assistant District Attorney, Whom actively agreed To give him a transfer For his testimony in a murder trial inbehalf of The State against one James "Pop" Skinner. It alleges that after his testimony he Was never transfered To Dixion Correctional institute But Was Transfered To David Wade Correctional Center The officials were aware of This and are Liable For Failing To Take action to Hold up To our agreement For a transfer To Dixion Correctional institute. The plaintiff was subsequently denied a transfer [redacted] to Dixion Correctional Center after he made repeated attempts Through Letters and phone conversations With The Defendant's.

3.) This is a Complex Case because it Contains Several different Legal issues dealing With his allegations, With each Legal issue involving a different defendant.

4.) The Case involves Complex issues That may require expert testimony.

5.) The plaintiff has demanded a Jury Trial.

6.) The case will require discovery of documents and depositions of a number of witnesses.

7.) The testimony will be in sharp conflict, since the plaintiff alleges that the defendants breached his contract to transfer him to Dixion correctional center, while the defendants denie all his alligations.

8.) The plaintiff has only a sixth grade education and has no legal education.

9.) The plaintiff is serving a sentence in punitive segregation. For this reason he has very limited access to legal materials and has no ability to investigate the facts of the case, for example, by locating the witnesses to his contract of agreement and interviewing them.

10.) As set forth in the memorandum of Law submitted with this motion, these facts, along with the legal merit of the plaintiff's claims, support the Appointment of Counsel to represent the plaintiff.

The Plaintiff Ryan Stinson, further declares, under the penalty of perjury of Law, pursuant to 28 U.S.C. Section 1746 that the foregoing is true and correct.

He understand that a false statement in this affidavit will subject me to the penalties of perjury of Law.

Wherefore, The Plaintiff's motion for the Appointment of counsel should be granted.

Thus, read and signed this 11 day of Febuary, 2007 in Claiborne Parish, state of Louisiana.

Ryan Stinson

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040

4 OF 10

Ryan Stinson * Suit No. 113598 – Div. "F"
Versus – * 21st Judicial District Court
Charlotte Hebert, Asst. * Parish of Livingston
Scott M. Perrilloux, District Attorney * State of Louisiana
*

Filed: * Clerk of Court:

* * * * * * * * * * * * * * * * * *

Memorandum of Law in Support of The Plaintiff's Motion for the Appointment of Counsel

* * * * * * * * * * * * * * * * * *

Statemet of The Case:

This is a Civil Action tort case Filed under LA.C.C.P. ART. 2315 + ART. 2316 by a State prisoner and asserting claims For The Breach of Contract. The plaintiff seeks damages To his claims and an injunction to ensure a transfer To Dixion Correctional institute.

Statement of Facts:

The Complaint alleges That The plaintiff Testified For The state against one James "Pop" skinner, before Testifing The Defendants agreed To give him a transfer to Dixion correctional institute. When The Plaintiff gave his testimony he was highly Concerned about his saftey and refused To answer The questions are give his Testimony, at which time he asked could he speak with The District Attorny and The Assistant District Attorney who Took him out of The Court Room and insured him That after his Testimony he would be Transferd to Dixion correctional institute, But After The plaintiff Testified in behalf of The State he was not transfered To Dixion correctional institute, but Latter was Transfered To David Wade correctional Center, The plaintiff made repeated atempts Through Letters and telephone conversation To have The Defendants hold up To There end of The agreement. But They refused To do so. He made one Final atempt To The Defendants but again was refused. and his Safety still remained a concern

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 MAR 13 PM 12:33
DEPUTY CLERK

ARGument

The Court Should Appoint Counsel For The PlaintiFF:

In deciding whether to appoint counsel For an indigent Litigant, the court should consider "The Factual complexity OF The case, The ability OF The indigent to investigate The Facts, The existence OF conFlicting Testimony, The ability OF The indigent to present his claim and the complexity OF The legal issues." Abdullah V. Gunter, 949 F.2d 1032, 1035 (8th cir 1991) (citation omitted), Cert. denied, 112 S.Ct 1995 (1992). In Addition, Courts have suggested that the most important Factor is whether the case appears to have merit. Cooper V. A. Sargenti Co., Inc., 877 F.2d 170, 173 (2d Cir 1989) Each OF Those Factors weighs in Favor OF appointing counsel in this case.

1.) Factual Complexity: The PlaintiFF alleges That The DeFendants Breached There Contract, While Disregarding The PlaintiFF's saFtey concerns, Denicing him a transFer To Dixion Correctional institute aFter the DeFendant's had agreed That For his testimony against James "POP" Skinner he would be transFerred To Dixion Correctional institute.

In addition, The plaintiFF's claims involves a Breach OF Contract, It will probably be nessary To present a expert Witness or To cross-examine Witnesses called by The deFendants, or both. The presence OF issues requiring expert testimony supports The appointment of Counsel Moore V. Mabus, 976 F.2d 268, 272 (5th cir 1992); Jackson V. County OF McLean, 953 F.2d 1070, 1073 (7th cir 1992) Tucker V. Randall, 948 F.2d 388, 392 (7th cir. 1991)

2.) The PlaintiFF's ability to investigate: The plaintiFF is Locked up in punitive segregation and has no ability To Investigate The Facts. For example, he is unable to identify Locate and interview Witnesses who were present when the agreement was made, and some are all who were present during his Testimony at trial. He is in The same situation as an inmate who has been transFerred To a different institution, a Factor That Several courts have cited in appointing Counsel. Tucker V. Randall, 948 F.2d 388, 391-92 (7th cir 19

Gatson V. Coughlin, 679 F.Supp. 270, 273 (W.D.N.Y. 1988); Armstrong V. Snyder, 103 F.R.D. 96, 105 (E.D. Wis. 1984).

In Addition, This Case will require considerable discovery concerning The identity of witnesses, The Defendants Statement about The claims, The history of the Defendant's with prior records of Breach of contract, and The Plaintiff's Testimony at The Trial of James "Pop" Skinner. See Tucker V. Dickey, 613 F. Supp 1124, 1133-34 (W.D. Wis. 1985) (need For discovery supported appointment of Counsel).

3.) Conflicting testimony: The Plaintiff's account of The agreement of The [redacted] breach of Contract by The defendants is squarely in conflict with The Statements of The defendants. This aspect of The case will be a credibility contest between the defendants and the plaintiff (and Such [redacted] witnesses as can be Located) The existence of These credibility issues supports the appointment of Counsel. Gaston V. Coughlin, 679 F.Supp. 270, 273 (W.D.N.Y. 1988).

4.) The ability of the indigent to present his claim. The Plaintiff is an indigent prisoner with no legal training a Factor that supports the appointment of Counsel. Whisenant V. Yuam, 739 F.2d 160, 163 (4th Cir 1984) in Addition, he is Confined to Segregation with very limited access to Legal materials. Rayes V. Johnson, 969 F.2d 700, 703-04 (8th Cir 1992) (citing Lack of ready access to a Law Library as a Factor supporting appointment of Counsel).

5.) Legal Complexity: The [redacted] defendants, whom are The District Attorney and The Assistant District Attorney, presents Complex legal issues of determining which defendants were sufficiently personally involved in the Breach of Contract To be held Liable.

In Addition, The Plaintiff has asked For a Jury Trial, which requires much greater legal skill than The Plaintiff has or can develop. See Abdullah V. Gunter, 949 F.2d 1032, 1036 (8th Cir. 1991) (citing Jury demand as a Factor supporting appointment of Counsel), Cert. denied, 112 S.Ct 1995 (1992)

8 OF 10

Ryan Stinson * Suit No. 113598-Divison "F"

-Versus- * 21st Judicial District Court

Charlotte Hebert, Ass. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

Filed: _____ * Clerk of Court: _____

*

* * * * * * * * * * * * * * * * * * *

AFFidaVit of PlaintiFF

* * * * * * * * * * * * * * * * * * *

Ryan Stinson, declares under penalty of perJury pursuant to 28 U.S.C. Section 1746:

1.) That I am The plaintiFF in the above entitled case.

2.) That my Motion For The Appointment of Counsel, AFFidavit in support of The plaintiFF's motion For The appointment of Counsel and The Memorandum of Law in support of The PlaintiFF's Motion For Appointment of Counsel, were prepared by another inmate.

3.) That He The plaintiFF Copied What The inmate Had Wrote and prepaired For him.

4.) That iF otherwise he The PlaintiFF would not have known how To do it on his own.

FILED
2007 MAR 13 PM 12:31
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

I [redacted] Ryan Stinson, Further declare, under The penalty of perJury of Law, pursuant To 28 U.S.C. Section 1746 That The Foregoing is True and correct.

I Ryan stinson, understand That a False statement in This AFFidavit will subject me To The penalties of perJury of Law.

Thus, read and Signed This 11 day of Febuary, 2007, in Claiborne Parish, State of Louisiana

Ryan Stinson #433686 D.W.C.C.

670 Bell Hill Rd. Homer LA 71040

8 OF 10

Ryan Stinson * Suit No. 113598 - Div. "F"

-versus- * 21st Judicial District Court

Charlotte Hebert, Ass. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

*

Filed _____ * Clerk of Court:

* *

ORDER

* *

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 MAR 13 PM 12:31
DEPUTY CLERK

Upon the Supporting Affidavit of the plaintiff and the accompanying memorandum of Law, For the Motion For Appointment of Counsel, it is

Ordered that A hearing Be set in the above motion in Division F of the Livingston Parish Court house, 20180 Iowa St. Livingston LA. 70754 on the 29th day of May, 2007, at 9:00 am o'clock, To Show Cause why the plaintiffs motion for Appointment of Counsel should be granted.

It is Further ordered, That a Copy of this order be provided to Warden, Veneta Michael at David Wade Correction Center 670 Bell Hill Rd. Homer LA. 71040.

It is Further ordered, That Warden, Veneta Michael make arrangements to have the person of one Ryan Stinson #433686 present in open court on the above date and time, and in the above court Room.

It is Further ordered, That this order, and all other papers Attached to this order, shall be served on defendant's Scott M. Perrilloux + Charlotte Hebert at there place of Work, To be present in open court on the above date and time, and in the above court. To Show Cause Why the Plantiffs motion For Appointment

10 of 10

counsel should not be Granted.

Signed, on This 23rd day of Feb., 2007 in Livingston Parish, State of Louisiana.

GWOff
District Judge.

Please Serve:

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

Warden, Vencka Michael
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

Attorney, Gregg Murphy
6555 Perkins Road Suite 200
Baton Rouge, Louisiana 70808

Scott M. Perrilloux, District Attorney
P.O. Box 299
Livingston LA 70754

Charlotte Hebert, Assistant District Attorney
P.O. Box 299
Livingston LA 70754

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 3-20- 20 07
Deputy Clerk of Court

002328

FBI investigates claim inmate forced into oral sex

2007 MAR 13 PM 12:
FILED
CLERK OF COURT
PARISH OF LIVINGS
CLERK

FBI takes over oral sex claim at DWCC

A prisoner being held at the David Wade Correctional Center in Homer, Louisiana is claiming that he was forced to perform oral sex on a guard, and that he sent the evidence to his attorney and family members to prove it.

In a letter submitted to *The Inquisitor* by inmate Ryan Stinson, he claims that he was forced to perform oral sex on a sergeant working at the facility.

"I was forced by Sgt. Joe Levingston to perform oral sex on his erect penis," wrote Stinson. "He ejaculated in my mouth. I then saved the sperm and sent same to my attorney, and a family member, and turned one over to the authorities, who turned it over to Claiborne Parish Chief Detective Chuck Talley."

The Inquisitor routinely receives letters and accusations from inmates on almost a daily basis, but this one caught our attention, not only because of Stinson's claims, but because he also included a copy of a letter written to him by Claiborne Parish District Judge Jennifer Ward Clason.

The letter states, "I received your letter about Sgt. Joe Levingston today in a file submitted to me by the Claiborne Parish Clerk of Court. Because of the nature of your complaint against Sgt. Levingston, that he forced you to perform oral sex on him, I inquired into the matter.

"In connection with my inquiry, I have been informed that Sgt. Levingston refused to answer questions posed to him about the matter by the DWCC administrators and decided to retire," Judge Clason wrote.

The letter also indicated that Claiborne Parish Sheriff's Detective Chuck Talley is conducting a criminal investigation into the incident.

"As you retained samples of the biological matter Sgt. Levingston deposited in your mouth, I am sure the DWCC officers who investigated your complaint, Warden Goodwin, Warden Hanson, Col. Neil, Capt. Banks, Sgt. Kennedy and Sgt. Allen, will deliver that sample received by them from you to Detective Talley," said Judge Clason.

Talley told *The Inquisitor* on Wednesday that the results from the DNA test have not yet been made available to him. He said he anticipated the testing to take around 120 days. Talley could not comment on the particulars of the case, and said the Federal Bureau of Investigations has taken over the lead in the investigation.

Attempts to reach FBI agent William Klarer for a comment were unsuccessful as of press deadline on Wednesday night.

In the letter written by Stinson to *The Inquisitor*, Stineon claims that he has been retaliated against by officials at the prison.

"I have been retaliated on since the exposure of my situation," said Stinson. "David Wade officials are trying to keep it out of the public eyes and cover it up (as) best as they can. I want people to know what has happened to me by Sgt. Joe Levingston and how after I was victimized, and that David Wade officials are trying to cover it up by making it look like (it was) my fault."

We attempted to reach David Wade Correctional Center Warden Vanetia Michael for a comment on Wednesday, however her secretary said she would not be in the office until Monday.

We will keep your updated on this developing story, and will hopefully be able to bring you the results of the DNA results when they are made public.

- Exhibit -

RECEIVED
MAR 28 2007
E.B.R. SHERIFF'S OFFICE

002330

RULE TO SHOW CAUSE
MOTION FOR THE APPOINTMENT OF COUNSEL; AFFIDAVITS; MEMORANDUM IN SUPPORT; ORDER; ATTACHMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: CHARLOTTE HEBERT, ASSISTANT DISTRICT ATTORNY
P. O. BOX 299

LIVINGSTON, LA 70754

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **May 29, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on March 20, 2007.*

B Smith Formeggia
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.
D.W.C.C. 670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20_____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20_____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[SERVICE]

002331

DC
MC
Robyn (Courtdate)

1 OF 10

Ryan Stinson * Suit No. 113598 - Div. "F"

Versus - * 21st Judicial District Court

Charlotte Hebert, ~~Asst. District Attorney~~ * Parish of Livingston

Scott M. Perilloux, District Attorney * State of Louisiana

SCANNED

Filed: * Clerk of Court:

* *

Motion For The Appointment of Counsel

* *

Now comes into This Honorable Court:

Plaintiff Ryan Stinson, Pursuant to LA.C.C.P. Articale 5181, request this court to appoint counsel to represent him in this case For The Following reasons:

1.) The Plaintiff is unable to Afford counsel.

2.) The issues involved in this case are complex.

3.) The plaintiff, as a segregation inmate, has extremely limited access to The Law Library.

4.) The Plaintiff has a limited knowledge of The Law.

5.) Due to The Breach of contract, The Plaintiff Was Transfe to David Wade corr. cent., Were he Was sexualy Assualted by one of The prison Guards. Because of This he suffers mentah anguish and emotional destress and is unable to Consentrate and can not represent Himself in This case (See) (Exaibit 1 attached).

For The Foregoing reasons, set Forth in The attached AFFidavit, The memorandum of Law and This motion The court should grant The Plaintiff's Motion and Appoint Counsel in This case.

2007 MAR 13 P 12:32
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

Febuary 11, 2007

Date:

Ryan Stinson

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA. 71040

2 OF 10

Ryan Stinson * suit No. 113598 — Div. "F"

-Versus- * 21st Judicial District Court

Charlotte Hebert, Ass. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

Filed: * Clerk of Court:

* *

Affidavit in Support of The Plaintiff's Motion For the Appointment of Counsel

* *

Ryan Stinson, declares under penalty of perjury, pursuant to 28 U.S.C. Section 1746:

1.) That he is The Plaintiff in the above entitled Case, He makes This Affidavit in support of His motion For the appointment of Counsel.

FILED
2007 MAR 13 PM 3:
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

2.) The Complaint in this case alleges that the plaintiff Was Subjected To The breach of Contract, by The District Attorney and The Assistant District Attorney, Whom actively agreed To give him a transfer For his testimony in a murder trial inbehalf of The State against one James "Pop" Skinner. It alleges that after his testimony he Was never transfered To Dixion Correctional institute But Was Transfered To David Wade Correctional Center The officials were aware of This and are Liable For Failing To Take action to Hold up To our agreement For a transfer To Dixion correctional institute. The plaintiff was subsequently denied a transfer [redacted] to Dixion Correctional Center after he made repeated attempts Through Letters and phone Conversations With The Defendant's.

3.) This is a Complex Case because it Contains Several different Legal issues dealing With his allegations, With each Legal issue involving a different defendant.

4.) The Case involves Complex issues That may require expert testimony.

5.) The plaintiff has demanded a Jury Trial.

6.) The case will require discovery of documents and depositions of a number of witnesses.

7.) The testimony will be in sharp conflict, since the plaintiff alleges that the defendants Breached his contract to Transfer him to Dixion correctional center, while the defendants denie all his alligations.

8.) The plaintiff has only a Sixth grade education and has no Legal education.

9.) The plaintiff is serving a sentence in punitive Segregation. For this reason he has very limited access to Legal materials and has no ability to investigate the facts of the case, For example, by Locating the Witnesses to his contract of agreement and interviewing them.

10.) As set Forth in the memorandum of Law Submitted with this motion, these Facts, along with the Legal merit of the plaintiff's Claims, Support the Appointment of Counsel to represent the plaintiff.

The Plaintiff Ryan Stinson, Further declares, under the penalty of perjury of Law, Pursuant to 28 U.S.C. Section 1746 that the Foregoing is true and correct.

He understand that a False statement in this affidavit will Subject me to the penalties of perjury of Law.

WhereFore, The Plaintiff's motion For the Appointment of Counsel should be granted.

Thus, read and signed This 11 day of Febuary, 2007 in Claiborne Parish, state of Louisiana.

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040

Ryan Stinson * Suit No. 113598 – Div. "F"
Versus – * 21st Judicial District Court
Charlotte Hebert, AG.U. * Parish of Livingston
Scott M. Perrilloux, District Attorney * State of Louisiana
*

Filed: * Clerk of Court:

* * * * * * * * * * * * * * * * * *

Memorandum of Law in Support of The Plaintiff's Motion for the Appointment of Counsel

* * * * * * * * * * * * * * * * * *

Statemet of The Case:

This is a Civil Action tort case Filed under LA.C.C.P. ART. 2315 + ART. 2316 by a State prisoner and asserting claims For The Breach of Contract. The plaintiff seeks damages To his claims and an injunction to ensure a transfer To Dixion Correctional institute.

Statement of Facts:

The Complaint alleges That The plaintiff Testified For The state against one James "Pop" skinner, before Testifing The Defendants agreed To give him a transfer to Dixion correctional institute. When The Plaintiff gave his testimony he was highly Concerned about his saftey and refused To answer The questions are give his Testimony, at which time he asked could he speak with The District Attorny and The Assistant District Attorney who Took him out of The Court Room and insured him That after his Testimony he would be Transferd To Dixion correctional institute, But After The plaintiff Testified in behalf of The State he was not transfered To Dixion correctional institute, but Latter was Transfered To David Wade correctional Center, The plaintiff made repeated atempts Through Letters and telephone conversation To have The Defendants hold up To There end of The agreement. But They refused To do so. He made one Final atempt To The Defendants but again was refused. and his Safety still remained a Concern

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 MAR 13 PM 12:33
DEPUTY CLERK

ARGument

The Court Should Appoint Counsel For The Plaintiff:

In deciding whether to appoint counsel For an indigent Litigant, the court should consider "The Factual complexity of The case, The ability of The indigent to investigate The Facts, The existence of Conflicting Testimony, The ability of The indigent to present his claim and the complexity of The Legal issues." Abdullah V. Gunter, 949 F.2d 1032, 1035 (8th cir 1991) (citation omitted), Cert. denied, 112 S.Ct 1995 (1992). In Addition, Courts have suggested that the most important Factor is whether the case appears to have merit. Cooper v. A. Sargenti Co., Inc., 877 F.2d 170, 173 (2d Cir 1989) Each of Those Factors weighs in Favor of appointing counsel in this case.

1.) Factual Complexity: The Plaintiff alleges That The Defendants Breached There Contract, While Disregarding The Plaintiff's saftey concerns, Denieing him a transfer To Dixion Correctional institute after the Defendant's had agreed That For his testimony against James "Pop" Skinner he would be Transfered To Dixion Correctional institute.

In addition, The plaintiff's Claims involves a Breach of Contract; It will probably be nessary To present a expert Witness or To cross-examine Witnesses called by The defendants, or both. The presence of issues requiring expert testimony supports The appointment of Counsel Moore v. Mabus, 976 F.2d 268, 272 (5th cir 1992); Jackson v. County of McLean, 953 F.2d 1070, 1073 (7th cir 1992 Tucker v. Randall, 948 F.2d 388, 392 (7th cir. 1991)

2.) The Plaintiff's ability to investigate: The plaintiff is Locked up in punitive segregation and has no ability To Investigate The Facts. For example, he is unable to identify Locate and interview witnesses who were present when the agreement was made, and some are all who were present during his Testimony at The Trial. He is in The same situation as an inmate who has been Transferred To a different institution, a Factor That Several courts have cited in appointing counsel. Tucker v. Randall, 948 F.2d 388, 391-92 (7th cir 19

Gatson v. Coughlin, 679 F.Supp. 270, 273 (W.D.N.Y. 1988); Armstrong v. Snyder, 103 F.R.D. 96, 105 (E.D. Wis. 1984).

In Addition, This Case will require considerable discovery concerning The identity of witnesses, The Defendant's Statement about The Claims, The history of The Defendant's with prior records of Breach of Contract, and The Plaintiff's Testimony at The Trial of James "Pop" Skinner. See Tucker v. Dickey, 613 F. Supp 1124, 1133-34 (W.D. Wis. 1985) (need For discovery supported appointment of Counsel).

3.) Conflicting testimony: The Plaintiff's account of The agreement of The [redacted] breach of Contract by The defendants is squarely in Conflict with The Statements of The defendants. This aspect of The Case will be a credibility Contest between the defendants and the plaintiff (and Such [redacted] witnesses as can be Located) The existence of These credibility issues supports the appointment of Counsel. Gaston v. Coughlin, 679 F.Supp. 270, 273 (W.D.N.Y. 1988).

4.) The ability of the indigent to present his Claims. The Plaintiff is an indigent prisoner with no Legal training a Factor that supports the appointment of Counsel. Whisenant v. Yuam, 739 F.2d 160, 163 (4th Cir 1984) in Addition, he is Confined to segregation with very limited access to Legal materials. Rayes v. Johnson, 969 F.2d 700, 703-04 (8th Cir 1992) (citing Lack of ready access to a Law Library as a Factor supporting appointment of Counsel).

5.) Legal Complexity: The [redacted] defendants, whom are The District Attorney and The Assistant District Attorney, presents Complex Legal issues of determining which defendants were sufficiently personally involved in the Breach of Contract To be held Liable.

In Addition, The Plaintiff has asked For a Jury Trial, which requires much greater Legal skill than The Plaintiff has or can develop. See Abdullah v. Gunter, 949 F.2d 1032, 1036 (8th Cir. 1991) (citing Jury demand as a Factor supporting appointment of Counsel), Cert. denied, 117 S.Ct 1995 (1992)

8 of 10

Ryan Stinson * Suit No. 113598-Divison "F"

-Versus- * 21st Judicial District Court

Charlotte Hebert, Ass. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

Filed: * Clerk of Court:

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AFFidaVit of PLaintiFF

* * * * * * * * * * * * * * * * * * * *

Ryan Stinson, declares under penalty of perJury pursuant to 28 U.S.C. Section 1746:

1.) That I am The plaintiFF in the above entitled case.

2.) That my Motion For The Appointment of Counsel, AFFidavit in support of The plaintiFF's motion For The appointment of Counsel and the Memorandum of Law in support of The PlaintiFF's Motion For Appointment of Counsel, were prepared by another inmate.

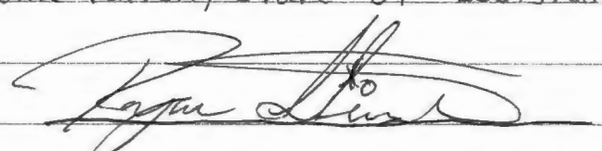
3.) That He The plaintiFF Copied what The inmate Had Wrote and prepaired For him.

4.) That if otherwise he The PlaintiFF would not have known how To do it on his own.

I [redacted] Ryan Stinson, Further declare, under The Penalty of perJury of Law, pursuant To 28 U.S.C. Section 1746 That The Foregoing is True and correct.

I Ryan Stinson, understand That a False Statement in This AFFidavit will subject me To The penalties of perJury of Law.

Thus, read and Signed This 11 day of Febuary, 2007, in Claiborne Parish, State of Louisiana



Ryan Stinson #433686 D.W.C.C.

670 Bell Hill Rd. Homer LA 71040

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FILED
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PARISH OF LIVINGSTON
DEPUTY CLERK

8 OF 10

Ryan Stinson * Suit No. 113598 - Div. "F"
-versus- * 21st Judicial District Court
Charlotte Hebert, Ass. District Attorney * Parish of Livingston
Scott M. Perrilloux, District Attorney * State of Louisiana
*
*
Filled * Clerk of Court:

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ORDER

* * * * * * * * * * * * * * * * * * * *

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CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

UPon the Supporting AFFidavit of the plaintiff and The accompanying memorandum of Law, For The Motion For Appointment of Counsel, it is

Ordered that A hearing Be set in The above motion in Division F of The Livingston Parish Court house, 20180 Iowa St. Livingston LA. 70754 on The 29th day of May, 2007, at 9:00 am o'clock, To Show Cause why The Plaintiffs motion for Appointment of Counsel should be granted.

It is Further ordered, That a Copy of This order be provided To Warden, Veneta Michael at David Wade Correction Center 670 Bell Hill Rd. Homer LA. 71040.

It is Further ordered, That Warden, Veneta Michael make arrangements To have The person of one Ryan Stinson #433686 present in open court on The above date and Time, and in The above court Room.

It is Further ordered, That This order, and all other papers Attached To This order, shall be served on defendant's Scott M. Perrilloux + Charlotte Hebert at There place of Work, To be present in open Court on The above date and Time, and in The above court. To Show Cause Why The Plaintiffs motion For Appointment

10 of 10 Counsel should not be Granted.

Signed, on This 23rd day of Feb., 2007 in Livingston Parish, State of Louisiana.

District Judge.

Please Serve:

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

Warden, Veneta Michael
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

Attorney, Greg Murphy
6555 Perkins Road Suite 200
Baton Rouge, Louisiana 70808

Scott M. Perrilloux, District Attorney
P.O. Box 299
Livingston LA 70754

Charlotte Hebert, Assistant District Attorney
P.O. Box 299
Livingston LA 70754

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 3-20- 20 07
Deputy Clerk of Court

002340

FBI investigates claim inmate forced into oral sex

2007 MAR 13 PM 12:
FILED
CLERK OF COURT
PARISH OF LIVINGS
CLERK

FBI takes over oral sex claim at DWCC

A prisoner being held at the David Wade Correctional Center in Homer, Louisiana is claiming that he was forced to perform oral sex on a guard, and that he sent the evidence to his attorney and family members to prove it.

In a letter submitted to *The Inquisitor* by inmate Ryan Stinson, he claims that he was forced to perform oral sex on a sergeant working at the facility.

"I was forced by Sgt. Joe Levingston to perform oral sex on his erect penis," wrote Stinson. "He ejaculated in my mouth. I then saved the sperm and sent same to my attorney, and a family member, and turned one over to the authorities, who turned it over to Claiborne Parish Chief Detective Chuck Talley."

The Inquisitor routinely receives letters and accusations from inmates on almost a daily basis, but this one caught our attention, not only because of Stinson's claims, but because he also included a copy of a letter written to him by Claiborne Parish District Judge Jennifer Ward Clason.

The letter states, "I received your letter about Sgt. Joe Levingston today in a file submitted to me by the Claiborne Parish Clerk of Court. Because of the nature of your complaint against Sgt. Levingston, that he forced you to perform oral sex on him, I inquired into the matter.

"In connection with my inquiry, I have been informed that Sgt. Levingston refused to answer questions posed to him about the matter by the DWCC administrators and decided to retire," Judge Clason wrote.

The letter also indicated that Claiborne Parish Sheriff's Detective Chuck Talley is conducting a criminal investigation into the incident.

"As you retained samples of the biological matter Sgt. Levingston deposited in your mouth, I am sure the DWCC officers who investigated your complaint, Warden Goodwin, Warden Hanson, Col. Neil, Capt. Banks, Sgt. Kennedy and Sgt. Allen, will deliver that sample received by them from you to Detective Talley," said Judge Clason.

Talley told *The Inquisitor* on Wednesday that the results from the DNA test have not yet been made available to him. He said he anticipated the testing to take around 120 days. Talley could not comment on the particulars of the case, and said the Federal Bureau of Investigations has taken over the lead in the investigation.

Attempts to reach FBI agent William Klarer for a comment were unsuccessful as of press deadline on Wednesday night.

In the letter written by Stinson to *The Inquisitor*, Stinson claims that he has been retaliated against by officials at the prison.

"I have been retaliated on since the exposure of my situation," said Stinson. "David Wade officials are trying to keep it out of the public eyes and cover it up (as) best as they can. I want people to know what has happened to me by Sgt. Joe Levingston and how after I was victimized, and that David Wade officials are trying to cover it up by making it look like (it was) my fault."

We attempted to reach David Wade Correctional Center Warden Vanetia Michael for a comment on Wednesday, however her secretary said she would not be in the office until Monday.

We will keep your updated on this developing story, and will hopefully be able to bring you the results of the DNA results when they are made public.

- Exhibit -

002341

RULE TO SHOW CAUSE
MOTION FOR THE APPOINTMENT OF COUNSEL; AFFIDAVITS; MEMORANDUM IN SUPPORT; ORDER; ATTACHMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: SCOTT PERRILLOUX, DISTRICT ATTORNEY
P. O. BOX 299

LIVINGSTON, LA 70754

PAUPER SUIT

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **May 29, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on March 20, 2007.*

B Saltzformeyer
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686, I.P.P.
D.W.C.C. 670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20_____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20_____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[SERVICE]

DC MC Robyn (Courtdate)

1 OF 10

Ryan Stinson * Suit No. 413998 - Div. "F"

Versus - * 21st Judicial District Court

Charlotte Hebert, ~~Asst. District Attorney~~ * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

SCANNED

Filed: * Clerk of Court:

* *

Motion For The Appointment of Counsel

* *

Now comes into This Honorable Court:

Plaintiff Ryan Stinson, Pursuant to LA.C.C.P. Articale 5181, request this court to appoint counsel to represent him in this case For The Following reasons:

2007 MAR 13 P 12:32
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

1.) The Plaintiff is unable to Afford counsel.

2.) The issues involved in this case are complex.

3.) The plaintiff, as a segregation inmate, has extremely limited access To The Law Library.

4.) The Plaintiff has a limited knowledge of The Law.

5.) Due to The Breach of contract, The Plaintiff Was Transfer to David Wade Corr. Cent., Were he Was sexualy Assualted by one of The prison Guards. Because of This he suffers mental anguish and emotional destress and is unable to Concentrate and can not represent Himself in This case (See) (Exaibit 1 attached).

For The Foregoing reasons, Set Forth in The attached Affidavit, The memorandum of Law and This motion The court should grant The Plaintiff's Motion and Appoint Counsel in This case.

Febuary 11, 2007

Date:

Ryan Stinson

Ryan Stinson #433686

D.W.C.C. 670 Bell Hill Rd.

Homer LA. 71040

2 OF 10

Ryan Stinson * suit No. 113598 — Div. "F"

-versus- * 21st Judicial District Court

Charlotte Hebert, Ass. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

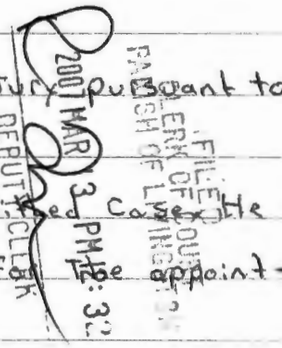
*

Filed: * Clerk of Court:

* *

Affidavit in Support of The Plaintiff's Motion For the Appointment of Counsel

* *



Ryan Stinson, declares under penalty of perjury pursuant to 28 U.S.C. Section 1746:

1.) That he is The Plaintiff in the above entitled Case. He makes This Affidavit in support of His motion For The appointment of Counsel.

2.) The Complaint in this case alleges that the plaintiff Was Subjected to The breach of Contract, by The District Attorney and The Assistant District Attorney, Whom actively agreed to give him a transfer For his testimony in a murder trial inbehalf of the State against one James "Pop" Skinner. It alleges that after his testimony he Was never transfered To Dixion correctional institute But Was Transfered To David Wade Correctional Center The officials were aware of This and are Liable For Failing To Take action to Hold up To our agreement For a transfer To Dixion correctional institute. The plaintiff was subsequently denied a transfer [redacted] to Dixion Correctional Center after he made repeated attempts Through Letters and phone Conversations With The Defendant's.

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The Plaintiff Ryan Stinson, further declares, under the penalty of perjury of Law, pursuant to 28 U.S.C. Section 1746 that the foregoing is true and correct.

He understand that a false statement in this affidavit will subject me to the penalties of perjury of Law.

Wherefore, the Plaintiff's motion for the Appointment of Counsel should be granted.

Thus, read and signed this 11 day of Febuary, 2007 in Claiborne Parish, state of Louisiana.

Ryan Stinson

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040

4 OF 10

Ryan Stinson * Suit No. 113598 - Div. "F"

Versus * 21st Judicial District Court

Charlotte Hebert, A.W. * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

*

Filed: * Clerk of Court:

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Memorandum of Law in Support of The PlaintiFF's Motion for the APPointment of Counsel

* * * * * * * * * * * * * * * * * * * *

Statement OF The Case:

This is a Civil Action tort case Filed under LA.C.C.P. ART. 2315 + ART. 2316 by a State prisoner and asserting claims For The Breach of Contract. The plaintiFF seeks damages To his claims and an injunction to ensure a transfer To Dixion Correctional institute.

FILED
2021 MAR 13 PM 12:33
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

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8 of 10

Ryan Stinson * Suit No. 113598-Divison "F"

-Versus- * 21st Judicial District Court

Charlotte Hebert, Ass. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

Filed: * Clerk of Court:

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AFFidaVit of PlaintiFF

* * * * * * * * * * * * * * * * * * * *

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Ryan Stinson #433686 D.W.C.C.

670 Bell Hill Rd. Homer LA 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 MAR 12 PM 12:31
DEPUTY CLERK

9 OF 10

Ryan Stinson * Suit NO. 113598 - Div. "F"

-versus- * 21st Judicial District Court

Charlotte Hebert, Ass. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

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Filed * Clerk of Court's

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ORDER

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FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 MAR 13 PM 12:31
DEPUTY CLERK

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Ordered that A hearing Be set in The above motion in Division F OF The Livingston Parish Court house, 20180 Iowa St. Livingston LA. 70754 on The 29th day of May, 2007, at 9:00 am o'clock, To Show Cause why The plaintiffs motion For Appointment of Counsel should be granted.

It is Further ordered, That a Copy of This order be provided TO Warden, Veneta Michael at David Wade Correction Center 670 Bell Hill Rd. Homer LA. 71040.

It is Further ordered, That Warden, Veneta Michael make arrangements TO have The person of one Ryan Stinson #433686 present in open court on The above date and Time, and in The above court Room.

It is Further ordered, That This order, and all other papers Attached TO This order, shall be served on defendant's Scott M. Perrilloux + Charlotte Hebert at There place of Work, To be present in open Court on The above date and Time, and in The above court. To Show Cause Why The plaintiffs motion For Appointment

10 of 10 Counsel should not be Granted.

Signed, on This 23rd day of Feb., 2007 in Livingston Parish, State of Louisiana.

TWOff
District Judge.

Please Serve:

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

Warden, Vencta Michael
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

Attorney, Gregg Murphy
6555 Perkins Road Suite 200
Baton Rouge, Louisiana 70808

Scott M. Perrilloux, District Attorney
P.O. Box 299
Livingston LA 70754

Charlotte Hebert, Assistant District Attorney
P.O. Box 299
Livingston LA 70754

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 2/20/ 2007
Deputy Clerk of Court

002351

FBI investigates claim inmate forced into oral sex

FILED
2007 MAR 13 PM 12:
CLERK OF COURT
PARISH OF LIVING
CLERK

FBI takes over oral sex claim at DWCC

A prisoner being held at the David Wade Correctional Center in Homer, Louisiana is claiming that he was forced to perform oral sex on a guard, and that he sent the evidence to his attorney and family members to prove it.

In a letter submitted to *The Inquisitor* by inmate Ryan Stinson, he claims that he was forced to perform oral sex on a sergeant working at the facility.

"I was forced by Sgt. Joe Levingston to perform oral sex on his erect penis," wrote Stinson. "He ejaculated in my mouth. I then saved the sperm and sent same to my attorney, and a family member, and turned one over to the authorities, who turned it over to Claiborne Parish Chief Detective Chuck Talley."

The Inquisitor routinely receives letters and accusations from inmates on almost a daily basis, but this one caught our attention, not only because of Stinson's claims, but because he also included a copy of a letter written to him by Claiborne Parish District Judge Jennifer Ward Clason.

The letter states, "I received your letter about Sgt. Joe Levingston today in a file submitted to me by the Claiborne Parish Clerk of Court. Because of the nature of your complaint against Sgt. Levingston, that he forced you to perform oral sex on him, I inquired into the matter.

"In connection with my inquiry, I have been informed that Sgt. Levingston refused to answer questions posed to him about the matter by the DWCC administrators and decided to retire," Judge Clason wrote.

The letter also indicated that Claiborne Parish Sheriff's Detective Chuck Talley is conducting a criminal investigation into the incident.

"As you retained samples of the biological matter Sgt. Levingston deposited in your mouth, I am sure the DWCC officers who investigated your complaint, Warden Goodwin, Warden Hanson, Col. Neil, Capt. Banks, Sgt. Kennedy and Sgt. Allen, will deliver that sample received by them from you to Detective Talley," said Judge Clason.

Talley told *The Inquisitor* on Wednesday that the results from the DNA test have not yet been made available to him. He said he anticipated the testing to take around 120 days. Talley could not comment on the particulars of the case, and said the Federal Bureau of Investigations has taken over the lead in the investigation.

Attempts to reach FBI agent William Klarer for a comment were unsuccessful as of press deadline on Wednesday night.

In the letter written by Stinson to *The Inquisitor*, Stinson claims that he has been retaliated against by officials at the prison.

"I have been retaliated on since the exposure of my situation," said Stinson. "David Wade officials are trying to keep it out of the public eyes and cover it up (as) best as they can. I want people to know what has happened to me by Sgt. Joe Levingston and how after I was victimized, and that David Wade officials are trying to cover it up by making it look like (it was) my fault."

We attempted to reach David Wade Correctional Center Warden Vanetia Michael for a comment on Wednesday, however her secretary said she would not be in the office until Monday.

We will keep your updated on this developing story, and will hopefully be able to bring you the results of the DNA results when they are made public.

- Exhibit -

002352

NOTICE OF RULE

STINSON, RYAN #433686

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON #433686
E.H.C.C.
POST OFFICE BOX 174
ST. GABRIEL, LA 70776

This is your notice that a rule for PRELIMINARY INJUNCTION has been set in the above captioned matter on August 27, 2007 at 9:00 AM before the Honorable ELIZABETH P WOLFE.

Done on June 26, 2007.

B Sweetapromey
Deputy Clerk of Court

GREG MURPHY
DISTRICT ATTORNEY'S OFFICE
POST OFFICE BOX 299
LIVINGSTON, LA 70754

002353

TANGIPAHOA PARISH CLERK OF COURT

1 CRIMINAL MINUTES DATE: 6/26/07 ANNIEY PAGE:

STATE OF LOUISIANA 21ST JUDICIAL DISTRICT

PARISH OF TANGIPAHOA
DOCKET: 102012

2007 JUN 26 AM 9:36
ATTORNEY'S OFC

STATE OF LOUISIANA VS STINSON, RYAN

CNT: 1 BILLED: Firearm Poss. by Felon DISP:
CNT: 2 BILLED: Burglary, Dwelling DISP: Burglary, Simple

DATE:11/18/03 DIV: A JUDGE: WAYNE RAY CHUTZ

Accused present in open court with counsel S MACK. State represented by D WALL.
Motion of State Court ordered Bill Info amend so as to charge accused with Burglary, Simple in lieu of Burglary, Dwelling. Accused withdrew his former plea of not guilty to Burglary, Dwelling. Motion of State Court ordered Bill Info amend so as to charge accused with Burglary, Simple in lieu of Burglary, Dwelling. Accused withdrew his former plea of not guilty to Burglary, Dwelling.Accused entered plea of guilty to lesser offenses on both counts, to Burglary, Simple. Upon motion of the State Nolle Prosse was entered to Firearm Poss. by Felon Accused entered plea of guilty to lesser offense to Burglary, Simple. Accused gave Date of birth as May 18th 1979. The accused was sworn. Court explained to the accused his constitutional rights, including, among others, the right to a trial by judge or jury, the right against self-incrimination and the right to confront and cross-examine witnesses against him, that post conviction applications must be filed within two (2) years of the date the sentence becomes final. Accused stated he heard, understood and waived. This explanation and waiver was recorded and preserved. Court accepted the accused plea. All delays for sentencing waived. Court sentenced accused on two counts of Burglary, Simple.
Court sentenced accused to be committed to the Louisiana Department of Corrections. Accused to serve 005 Year(s) on each count.Credit for time served. Sentence is to be served at Hard Labor. Each count is to run concurrent with each other and credit for time served from the date you were first arrested up and through today's date for each and every day that you have actually served.

Approved: _____ Attest: Annie Young

June 25, 2007

Betty 318-927-0400

South Compound Security

June 12, 2007

To: Mr. Greg Murphy, Attorney
6555 Perkins Road - Suite - 200
Baton Rouge, LA. 70808

From: Ryan Stinson # 433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA. 71040

RE: Ryan Stinson - Versus - Scott M. Perrilloux, District Attorney & Charlotte Hebert, Ass. District Attorne Suit No# 113598 21st J.D.C. Livingston Parish

Dear Mr. Murphy,

I am writing you this letter to inform you that I am now at David Wade Corr. Cent. I got transfered back Here on June 11, 2007. So you can send my mail to me here.

I had my family try and reach you to set up a confrence with me to discuss a new settlement perposal I had that I felt we both would be comfortable with in means to settle the suite. But my family said that they were unable to contact you. So maybe we can set up a Telephone Confrence to discuss this.

Also I wrote you concerning the discovery dispute and the second request for discovery and second step for Admisions. But have not heard from you on this to informly settle this dispute without the court's intervention, in this matter so this is to notify you that I am proceeding with my motion to Compel Discovery.

Also you filed a motion for a continuance that was done on May 22, 2007 and signed by the Judge but you never sent me a copy of this motion, so I am asking you to provide me with a copy of the motion you filed.

Again I have wrote you numerous of letters in the past months but have not received a responce as if

you are dodging me. so I hope and pray That you will answer This letter back are we can Talk person to person if you would rather not put nothing on paper.

Thank you so very much and god bless you For your continued kindness and patience with me, I am in hopes To hear From you imediatly.

With the kindness of Regards, I am

Truly Thankful

Ryan Stinson

Ryan Stinson #933686

cc: R.S.
B.G.
G.M.

May 29, 2007

To: Mr. Greg Murphy
6555 Perkins Road - Suite 200
Baton Rouge, LA 70808

From: Ryan Stinson # 433686
E.H.C.C. P.O. Box 174
St. Gabriel LA 70776

Re: Ryan Stinson - Vs. - Scott M. Perrilloux, District Attorney and Charlotte Hebert, Ass. District Attorney. Div. E Case No 113898 21st J.D.C.

Dear Mr. Murphy,

Sir I have tried to contact you on numerous occasions But you refuse to respond back to any of my Letters.

Sir I have also tried to settle our discovery dispute Without having to resort to compeling discovery. But all my effort's have been ignored. Which Leaves me with no other choice But to File a motion to compel discovery. So this is a notice to you that if in 15 day's we have not settled this discovery dispute I will be Forced to File a motion to compel discovery, and Let the courts settle it For us.

Also you Filed a continuence on the Motion I Filed For Appointment of counsel But you Failed To Send me a copy of the continuence and a copy of the order to allow me to contest your motion provided in LA. C.C.P. Art. 1603, 1605 and Article 863. Can you please provide me with a copy of this.

Also I am now in Elayn Hunt's Cell. Cent Till next week I would Like to have a Conference with you so That we may come

To Some Type of agreement in This Suit.

I would also like To know if you Can Contact Elayn Hunts corr. cent. and request That They Hold me here untill our court date on July 9, 2007. So That The Legal problem I am having can be Settled Well I am not being Jugled From one institution To The next and my Legal mail get Sought up in The Transfers. and So we can also have a Conference With one another.

I'll be looking To hear From you as Soon as posiable. I Tried Calling your office but your Secetary did not accept my Call So I will have a Family member contact you and discuss all of This with you and Hopefully Come To Some Type of Understanding.

Thank you once again For your Time and Concern in This matter. and god Bless you For your continued kindness.

With The kindess of regardes, I am

Truly Thankful

Ryan Stinson

Ryan Stinson #433586

cc; R.S.
G.M
B.G

- Enclosure -

P.S. Please Find endosed Copy of Motion

Ryan Stinson * Div: E suit No: 113598
-V- * 21st Judicial District court
Scott M. Perrilloux, District Attorney * Parish of Livingston
Charlette Hebert, Ass. District Attorney * State of Louisiana
*
*

Filed * * *

For The Foregoing reasons, Set Forth in The attached AFFidavit, The memorandum OF Law and This motion, The court should grant This motion in it's entirety.

May 29, 2007
Date

Ryan Stinson # 433686

* * * * * * * * * * * * * * * * * * * *

AFFidavit in Support OF Motion For Temporary restraining Order and preliminary injunction

* * * * * * * * * * * * * * * * * * * *

Ryan Stinson, declares under penalty OF perjury pursuant To 28 U.S.C. Section 1746:

1.) That I am The plaintiFF in This Case. I make This AFFidavit in support OF my motion For a Temporary restraining order and a preliminary injunction To ensure That my safty, and constitutional rights are protected and To meet The irreparible harm requirments.

2.) As Set Forth in my Civil Action Tort Case and asserting claims For The Breach OF Contract. my Contract was breached on December 19, 2005, when The deFendant's disregarded my saFtey, by breaching my Contract.

3.) AFter I was not transFerred To Dixon Correctional institute as was agreed upon by The deFendants For my Testimony, I was instead transFerred To David wade corr. Cent. Were I was Sexualy assaulted by a prison guard at David wade corr. Cent. and because OF This I am suFFering continued Harrasment and retaliation.

4.) I am suFFering irreparable harm in The Form OF Continued physical, mental pain and suFFering, mental anguish, emotional distress and an increasing risk OF my Life.

5.) I am a segregation inmate, and have extremly limited acces To The Law Library, Telephone and mail Services.

6.) I am also unable To Locate and contact my witnesses, To Take Their disposition and To Communicate with

them, due to the Hardship as a segregation inmate and the distance.

7.) Togather these defendant's have the responsibility for providing the plaintiFF with protection and a safe enviroment as a witness were his Life is not in harms way and as well the ability to arrange it.

8.) For the reasons setforth in this AFFidavit and memorandum of Law Filed with this motion, I the plaintiFF am entitled to a temporary restraining order, ordering the plaintiFF be turned over to the custody of the sheriFF's oFFice following the determination of the order for a preliminary injunction requiring the defendant's Scott M. Perrilloux, District Attorney and charlotte Hebert to have the plaintiFF turned over to the custody of the sheriFF's oFFice in Livingston parish till the determination of this case.

For the Foregoing reasons, the court should grant the plaintiFF's motion in all respects.

Pursuant to 28 U.S.C. 1746, I declare under the penalty of perjury that the Foregoing is true and correct.

May 29, 2007
Date

Ryan Stinson #433686

* *

Memorandum of Law in support of Motion For a temporary restraining order and a preliminary injunction

* *

Statement of the case:

This is a civil Action tort case under LA.C.C. Art 2315 and Art 2316 by a state prisoner and asserting claims for the Breach of contract. Were the plaintiFF seek's a temporary restraining order and a preliminary injunction to ensure his safety by having the plaintiFF turned over to the custody of the sheriFF's oFFice.

Statement of Facts:

As stated in the declaration submited with this motion, the plaintiFF is a victim of a Breach of Contract, were he

was transfered to David wade corr. cent., were he was sexualy Assaulted by a prison Guard employed at David wade corr. cent. were now he the plaintiff is suffering continued irreparable Harm in the Form of continued Harrasment, retaliation, Mental anguish, emotional distress and an increasing risk of his life and well being, the plaintiff also as a segregation inmate, has extremly limited acess to the Law Library, Telephone and mail services and is also unable to Locate and contact his witnesses due to the hardship as a segregation inmate and the distance.

The defendants against whom relief is sought are respectively, scott M. Perrilloux, District Attorney and Charlotte Hebert, Assistant District Attorney, who is responsible For the contract described in this case.

Argument

The Plaintiff is entitled to a temporary restraining order and a preliminary injunction.

In determining whether a party is entitled to a Temporary restraining order or a preliminary Injunction, Courts generally consider several Factors: Whether the party will suffer irreparable Hardship the "balance of hardship" between the parties, the likelihood of success on the merits, and the public interest, each of these Factors favors the grant of this motion.

A.) the plaintiff is threatened with irreparable Harm:

The plaintiff alleges that he is the victim of a Breach of contract by the defendant's, were he was transfered to David wade corr. cent. and was sexualy assaulted by a prison guard and is now suffering irreparable Harm. such conduct is a clear civil Action tort violation. see cases cited in section (C).

As a matter of Law, the continuing deprivation of constitutional rights constitutes irreparable harm. Elrod v. Burns, 427 U.S. 347, 373, 96 S.Ct. 2673 (1976). This principle has been applied in prison litigation generally, see Newsom v. Norris, 888 F.2d 371, 378 (6th cir 1989); Mitchell v. Cuomo 748 F.2d

804, 806 (2d cir 1984); Albro v. County of onondaga, N.Y., 627 F.Supp 1280, 1287 (N.D.N.Y. 1986); William v. Lane, 646 F.Supp 1379, 1409 (N.D. Ill 1986) AFF'd 851 F2d 867 (7th cir 1988), Cert denied, 109 S.Ct. 879 (1989); Gaston v. Coughlin, 679 F.Supp. 270, 273 (W.D. N.Y. 1988); Rayes v. Johnson, 969 F.2d 700, 703-04 (8th cir 1992);

In Addition, The plaintiff is threatned with irreparable harm because the defendants Breached His contract.

B.) The balance of Hardship Favors The Plaintiff:

In deciding whether to grant a Temporary restraining order and a preliminary injunction, Courts ask whether the suffering of the moving party if the motion is denied will outweigh the suffering of the Non-Moving party if the motion is granted. See E.G. Mitchell v. Cuoma 748, F.2d, 804, 808 (2d cir. 1984) (Holding that dangers posed by prison crowding outweighed State's Financial and Administrative concerns); Duran v. Anaya, 642 F.Supp. 510, 520 (D.N.M. 1986) (Holding That prisoners interest in safety and medical care outweighed states interest in saving money.

In this case, the Present suffering of the plaintiff and his potential suffering are enormous. The "suffering" the defendants will experience if the court grant's the order, is something that the defendants are obligated to do, on a daily basis. The defendant's hardship amounts to no more than business as usual.

C.) The plaintiff is likely to succeed on the merits

The plaintiff's Allegations, clearly establish a civil rect violation, by the Breach of Contract Alleged in this case. see Cooper v. United states, 594 F2d 12 (4th Cir 1979); Pat O'Brian's v. Franco's Coastal prod. Inc. 615 So 2d 428 (LA. App 4 cir) writ denied, 617 So. 2d 908 (LA 1993); ortego v. State Dot D, 96-1322 (LA 2-25-97); 689 So 2d 1358; Williams v. Burbank, App 1923 orleans A 9154; First national Bank of Jefferson Parish v.

Manor Heights Co. inc., 376 So.2d 61 (LA. App 5th cir 1991) writ denied 377 So.2d 25°; Wood v. Kohnke, 428 So. 2d 848 (LA. App. 5th cir 1983), writ denied, 435, So.2d 440; Villanueva v. CNA. ins. Companies, 868 F.2d 684 (5th Cir. 1989); Felder v. Georgia Pac. corp., 405 So.2d 821 (LA. 1981) on it's Face, The plaintiff has a great Likelihood of success on the merits.

D.) The relief sought will serve the public interest

In this case, the grant of relief will serve the public interest because it is Always in the public interest For public officials To obey The laws Duran v. Anaya, 642 F.Supp 510, 582 (D.N.M. 1986) (respect For laws, particularly by officials responsible For the administration of the state, is in itself a matter of the highest public interest)' See also Llewelyn v. Oakland county prosecutor office, 402 F.Supp. 1379, 1393 (E.D. Mich 1975) (The constitution is the ultimate expression of the public interest)

Conclusion

For the foregoing reasons, the court should grant this motion in it's entirety.

May 24, 2007
Date

Ryan Stinson #433686

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to the defendants Attorney, Greg Murphy, 6555 Perkins Rd. Suite 200, Baton Rouge LA, 70808, Postage Prepaid, This 30 day of May, 2007.

Ryan Stinson

8 of 9

Ryan Stinson * Div. F Suit NO: 113598
-v- * 21st Judicial District Court
Scott M. Perrilloux, District Attorney * Parish of Livingston
Charllote Hebert, Ass. District Attorney * State of Louisiana
*
Filed _____ * _____
Clerk of court

ORDER

Upon the supporting Affidavit of the Plaintiff and the Accompanying memorandum of law, it is:

Ordered, That Defendant's Scott M. Perrilloux and charllote Hebert show cause in Division _____ of the Livingston Parish Court House, 20180 Iowa St., Livingston, LA. 70754, on the _____ day of _____, 2007 at _____ o'clock, Why a Preliminary injunction should not issue pursuant to LA. C.C.P. Art 3601 and Art 3603, enjoining the said defendants there successors in office, agents and employees and all other persons acting in concern and participation with them, to have the plaintiff turned over to the custody of the Livingston parish sheriff's office..., so that the plaintiff may contact all of his witnesses and so his life and physical and mental well being will not be at such a grave risk.

It is Further ordered, That Effective immediatly and pending the hearing and determination of this order to show cause, that the plaintiff be turned over to the custody of the Livingston parish sheriff's office, and that warden Venetia Michael and warden cornel Hubert make arrangments to have the Body of one Ryan Stinson #433686 transported to the Livingston parish sheriffs office immediatly upon receipt of this order.

It is Further ordered, That the body of one Ryan Stinson #433686, shall remain in the custody of the Livingston parish sheriff's office untill the _____ day of _____, 2007.

It is Further ordered, That a copy of This order be served on warden Cornel Hubert at, Elayn Hunt correctional center, P.O. Box 174, St. Gabriel LA, 70776, Phone No# 225-642-3306.

It is Further ordered, That a copy of This order be served on warden Veneted Michael at, David Wade correctional Center 670 Bell Hill Rd. Homer LA 71040

It is Further ordered, That a copy of This order be served on The Livingston parish sheriff's office.

It is Further ordered, That a copy of This order and all Attached papers be Served on The plaintiff Ryan Stinson #433686 at Both addresses David Wade corr. Cent. 670 Bell Hill Rd. Homer LA, 71040 and at Elayn Hunts Corr. cent. P.O. Box 174 St. Gabriel LA. 70776.

It is Further ordered, That This order, and all other attached papers to This order, shall be served on defendant's Scott M. Perrilloux & Charlotte Hebert at There place of work, To be present in open court on The above date and Time, and in The above court. To show Cause why The plaintiffs motion should not be granted.

It is Further ordered, That a copy of This order shall be served on Whoever retains The Custody of The plaintiff Ryan Stinson #433686 To Have The body of The plaintiff present in open court on The above date and Time and in The above court to show cause why his motion should be granted.

Signed, on This _____ day of _____ 2007. in _____ parish, State of Louisiana

_____

District Judge.

Please Serve:
All Joined Parties
Defendant's and plaintiff

002368

NOTICE OF RULE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

GREG MURPHY
DISTRICT ATTORNEYS OFFICE 21ST JDC
P.O. BOX 299
LIVINGSTON, LA 70754

RYAN STINSON #433686
DAVID WADE CORR. CENT.
670 BELL HILL RD
HOMER LA 71040

This is your notice that a rule for MOTION FOR APPOINTMENT OF COUNSEL CONTD FROM 05-29-07 has been set in the above captioned matter on July 9, 2007 at 9:00 AM before the Honorable ELIZABETH P WOLFE.

Done on May 22, 2007.

Deputy Clerk of Court

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 MAY 17 PM 2:55
DEPUTY CLERK

MOTION TO CONTINUE PLAINTIFF'S MOTION FOR THE APPOINTMENT OF COUNSEL

NOW INTO COURT, through undersigned counsel, comes defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who requests the following:

1.

Undersigned counsel represents Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana in this matter.

2.

Plaintiff, Ryan Stinson, has filed a Motion for the Appointment of Counsel, in this matter and is requesting, pursuant to La. C.C. Art. 5181, that this Honorable Court appoint counsel to represent him in this matter.

3.

Counsel for defendants has been notified by this Honorable Court that this matter is set for hearing on May 29, 2007, at 9:00 a.m.

4.

Counsel for defendants had previously scheduled a vacation out of the country and had already purchased airline tickets for this vacation.

5.

Counsel for defendants is requesting that this Honorable Court continue plaintiff's Motion for the Appointment of Counsel to the Court's next available Rule Date.

Respectfully Submitted

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 17th day of May, 2007.

GREG MURPHY

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Motion for the Appointment of Counsel set for hearing on May 29, 2007, is hereby continued until the 9th day of July, 2007.

THUS DONE AND SIGNED THIS 22 day of May, 2007.

S/ELIZABETH P. WOLFE
JUDGE, 21st JUDICIAL DISTRICT COURT

FILED 5-17-07 AT 2:55 P.M.
S/ DEPUTY CLERK

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

SETTLEMENT AGREEMENT AND COMPLETE RELEASE

BEFORE ME, the undersigned Notary Public, personally came and appeared:

RYAN STINSON, #433686
D.W.C.C. 670 BELL HILL ROAD
HOMER, LOUISIANA 71040

who, after being duly sworn, did declare and acknowledge that he did, on this date, receive a transfer from D.W.C.C. to Dixon Correctional Institute as referenced in his February 5, 2007, letter to defendants and in so accepting the transfer does so in full settlement, satisfaction and compromise of any and all claims and alleged causes of actions of every nature whatsoever, which he has, or may have against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's Office arising out of or connected to his claim for civil action tort and breach of contract as fully stated in his original petition as well as any claims in his supplemental to original complaint of, civil action tort and breach of contract in the suit entitled: "*Ryan Stinson vs. District Attorney, 21st JDC, Suit No. 113,598 - Div. "F", 21st Judicial District Court, Parish of Livingston, State of Louisiana*", and any supplemental complaints, which plaintiff agrees to dismiss immediately, with prejudice.

RELEASE

Plaintiff declares that for consideration of the transfer to Dixon Correctional Center he does hereby release, acquit and forever discharge Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's Office, and any insurers, employees, agents, representatives, directors, officers, heirs, successors, predecessors, assigns, affiliated and/or subsidiary and/or apparent companies, of any and from any and all past, present, and future claims, demands, causes of action and rights of action whatsoever, known and unknown, anticipated and

unanticipated, which Plaintiff may or might have against the Released Parties as a result of the alleged breach of contract and alleged damages suffered by petitioner referenced in his supplemental petition of February 19, 2007. More specifically, Plaintiff releases, without limitation whatsoever, any and all claims, rights of action and causes of action against the Released Parties for past, present and future bodily and personal injury, physical and mental pain and suffering, disability, disfigurement, lost wages, penalties, attorneys' fees, medical expenses and any and all damages of whatsoever kind or character which may have been sustained and might be sustained by Plaintiff in any way resulting from or arising out of the alleged breach of contract and/or alleged bodily injury suffered by Plaintiff referenced in the supplemental petition of February 19, 2007, this Release being full, final and complete.

COVENANT NOT TO SUE

Plaintiff agrees that he shall not commence any civil action against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's Office in the future based on acts, transactions, occurrences known or unknown to him on the date of execution of this Release, which arises out of or is in any way related to the alleged breach of contract referenced in Plaintiff's original petition and bodily injury damages in his supplemental petition filed on February 19, 2007.

NO ADMISSION OF LIABILITY

Plaintiff further declares that this Release is in settlement and comprise of a disputed claim, and that this Release is not to be construed as an admission of liability on the part of the Released Parties and it is specifically understood that all liability is denied, that this settlement is being entered into solely for the purpose of resolving any and all claims that Plaintiff has or may have against the Released Parties and precluding any future litigation against the Released Parties for claims arising out of this lawsuit.

FURTHER ASSURANCES

Plaintiff declares that he is the sole possessor of the claims or causes of action being released herein, and that he has not assigned or otherwise transferred said claims or causes of actions to any other person or entity. Plaintiff also agrees that he will not, nor any time hereafter, commence, maintain or prosecute any action, at law or otherwise, or assert any claims against the Released

Parties herein for damages, losses, benefits or for other equitable relief related to this litigation.

CAREFUL REVIEW OF RELEASE AND UNDERSTANDING THEREOF

Plaintiff represents that he has carefully read this Release and understands its terms and conditions without reservation. Plaintiff acknowledges that he has had ample opportunity to consult with legal counsel regarding the meaning and affects of this Release. Plaintiff further understands that this is a Full, Complete and Final Release and that he is forever relinquishing and releasing any and all claims he has or may have against the Released Parties which arise out of the alleged breach of contract or injuries suffered as referenced in his supplemental and amending petition. Plaintiff also acknowledges that he understands the terms and provisions of this Release and that this Release contains the entire agreement between the parties and supercedes any and all prior agreements, arrangements, or understandings between the parties related to the subject matter. Plaintiff further represents and acknowledges that he has taken into account not only the known and anticipated claims and defenses, but also unknown and unanticipated claims and defenses which he hereby recognizes and agrees are covered by this Release. Plaintiff further declares that this Release and Discharge is given voluntarily and after mature consideration, and without any threat, duress, intimidation or other unlawful means exercised toward him or any other person or persons whomsoever.

Thus done and signed before the undersigned competent witnesses and me, Notary Public, after a due and complete reading of the whole in _____, Louisiana, on this _____ day of _____, 2007.

WITNESSES:

_____

_____

_____
RYAN STINSON, #433686
D.W.C.C.

_____
NOTARY PUBLIC

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

MOTION AND ORDER TO DISMISS

NOW INTO COURT, through undersigned counsel, comes plaintiff, Ryan Stinson, who shows that his claim in the above-captioned matter against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, has been fully settled and compromised and that petitioner wishes to dismiss his suit against defendants, with prejudice, with each party to bear its own costs.

Respectfully Submitted

_____
RYAN STINSON, PETITIONER
#433686, D.W.C.C. 670, Bell Hill Road
HOMER, LOUISIANA 71040

AND

_____
GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

O R D E R

IT IS HEREBY ORDERED that the above entitled and numbered cause be and the same is hereby **DISMISSED** against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, with prejudice, with each party to bear its own costs.

THUS DONE AND SIGNED this _____ day of _____, 2007, in Livingston, Louisiana.

_____
JUDGE, 21st JUDICIAL DISTRICT COURT

MORAIN & MURPHY, L.L.C.

ATTORNEYS AT LAW

6555 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808
Telephone: (225) 767-7151
Fax: (225) 767-8995

TROY D. MORAIN

GREG MURPHY

May 17, 2007

Mr. Thomas L. Sullivan, Jr.
Clerk of Court - 21st JDC
Post Office Box 1150
Livingston, LA 70754

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Sullivan:

Enclosed find an original and one copy of a Motion to Continue Plaintiff's Motion for the Appointment of Counsel with regard to the above-referenced matter. I would ask that you please file the original, present it to the Judge for review and return the additional copy to my office stamped with the date of filing.

With kindest regards, I remain

Sincerely,

Greg Murphy

GM/sjl
Enclosures

Greg
266-7172

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 MAY 17 PM 2:55
DEPUTY CLERK

MOTION TO CONTINUE PLAINTIFF'S MOTION FOR THE APPOINTMENT OF COUNSEL

NOW INTO COURT, through undersigned counsel, comes defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who requests the following:

1.

Undersigned counsel represents Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana in this matter.

2.

Plaintiff, Ryan Stinson, has filed a Motion for the Appointment of Counsel, in this matter and is requesting, pursuant to La. C.C. Art. 5181, that this Honorable Court appoint counsel to represent him in this matter.

3.

Counsel for defendants has been notified by this Honorable Court that this matter is set for hearing on May 29, 2007, at 9:00 a.m.

4.

Counsel for defendants had previously scheduled a vacation out of the country and had already purchased airline tickets for this vacation.

5.

Counsel for defendants is requesting that this Honorable Court continue plaintiff's Motion for the Appointment of Counsel to the Court's next available Rule Date.

Respectfully Submitted

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 17th day of May, 2007.

GREG MURPHY

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Motion for the Appointment of Counsel set for hearing on May 29, 2007, is hereby continued until the _____ day of _____, 2007.

THUS DONE AND SIGNED THIS _____ day of _____, 2007.

_____

JUDGE, 21st JUDICIAL DISTRICT COURT

MORAIN & MURPHY, L.L.C.

ATTORNEYS AT LAW

6555 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808
Telephone: (225) 767-7151
Fax: (225) 767-8995

TROY D. MORAIN

GREG MURPHY

May 17, 2007

Mr. Thomas L. Sullivan, Jr.
Clerk of Court - 21st JDC
Post Office Box 1150
Livingston, LA 70754

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Sullivan:

Enclosed find an original and one copy of a Motion to Continue Plaintiff's Motion for the Appointment of Counsel with regard to the above-referenced matter. I would ask that you please file the original, present it to the Judge for review and return the additional copy to my office stamped with the date of filing.

With kindest regards, I remain

Sincerely,

Greg Murphy

GM/sjl
Enclosures

Ryan Stinson
-versus-
Scott M. Perrilloux, District Attorney
Charlotte Hebert, Ass. District Attorney

Case No#: 000000113598
Division: F
21st Judicial District Court, Parish of Livingston, State of Louisiana

Filled: _____ _____ Clerk of Court

Plaintiffs' First Admissions, Interrogatories And Request For Production of Documents To Defendant

To: Defendants- Scott M. Perrilloux and Charlotte Hebert

Now comes Plaintiff(s), Through undersigned Counsel, and propounds to defendant(s), The following interrogatories To be answered fully, individually, in Writing, and under oath, under The provisions of The Louisiana Code of Civil Procedure, Within 30 days after Service; and in default of their full, Complete, and timely answer, plaintiff(s) demand that you pay all reasonable attorney's Fees, costs, and expenses of Compelling answer To The Same.

Instructions

A. Respond To each discovery request fully, providing all information actually and constructively available To you or To anyone acting on your behalf, including, but not Limited To, employees, agents, representatives, attorneys, accountants, and any other person or firm known by any of Them To possess or have access To The requested information.

B. If you ~~fail to respond~~ to any discovery request in accordance With A above, specifically state The reason or reasons For your Failure.

C. If you object To any discovery request, [redacted] state Fully The grounds For The objection and The Legal authority upon which you Will rely in response To a motion To Compel.

D. Re-State each interrogatory in Full prior To your response.

E. Identify The person answering each interrogatory For you or any person assisting in answering each interrogatory.

F. "Describe in detail" as used in This interrogatory means To:

1. Describe fully by reference to underlying facts rather than ultimate facts or conclusions of fact or law; and

2. Particularize as to:

A. Time;

b. Place;

c. Manner;

d. "Identity" of the persons "or business entities" involved.

G. you may satisfy your duty hereunder to respond to any interrogatory requiring you to "Identify" a document by attaching to your answers to these interrogatories a legible copy of any document bearing the notation of the interrogatory to which the attached document is responsive. The respondants must contact the attorney prior to the production or reproduction of voluminous or excessively costly items or documents in lieu or in furtherance of an answer so the parties can ascertain and allocate among themselves any extraordinary expenses incurred.

H. With respect to any oral communication which is referred to or relied on in answering these interrogatories or which is a source of or forms any basis for the answer, "Identify" oral communication means:

1. Describe the same in detail;

2. Describe how the communication occurred (e.g., in person, by telephone, etc.);

3. Furnish the substance of what each party to the communication said; and

4. Whether any document exists which sets forth, summarizes or otherwise refers to the substance of the communication and, if so, provide the information concerning any document called for in instruction E above.

I. "Supplementation." The respondents must amend, supplement, complete or otherwise correct any and all answers as required by Rule 1428 of the Louisiana Code of Civil procedure.

J. "Nondisclosure." With respect to any information which the respondents withold, do not disclose or assert a claim of privilege or non-disclosure, a statement will be respondent's counsel which:

1. Identifies any and all persons who possess the information withheld;

2. Generally describes the information withheld;

3. Gives the last known physical location of the information withheld; and

4. Sets forth the statute, rule, decision or other basis which is claimed to give rise to the privilege or other justification for the nondisclosure of the requested information.

K. "Plural/Gender." Any use of the singular includes the plural and the plural the singular. Any word connoting the masculine gender shall include the feminine and nongender (it), the use of the feminine includes both the masculine and the [redacted] the non-gender and the use of the non-gender shall include both the masculine and the feminine.

These interrogatories cover all information available to the answering parties and to each and every agent, employee, and Attorney of the party, whether by personal knowledge, hearsay, books, records, reports, and all other sources, and these interrogatories are continuing and the answers must be supplemented or amended if further information becomes known to the answering party prior to the trial of this case.

L. The words "you" and "your" refer to the above named defendant, to whom this discovery is propounded, any officer agent or employee thereof, and any predecessor corporation or entity.

Definitions

1. "Documents" means, without limitation as to date, any of the following items, whether printed or recorded or reproduced by any physical or mechanical process: data stored on computers, tapes, disks, punch cards, or printouts; ~~papers of any type;~~ books, ~~newspapers,~~ professional journals, magazines and periodicals, and articles appearing therein; ~~daily logs~~, lists, correspondence, memoranda, ~~summaries or records of telephone conversations~~, summaries or records of personal conversations or interviews, agendas, minutes, diaries, calendars, objects, tangible things, correspondence, telegrams, cables, telex messages, facimiles, charts, graphs, maps, reports, notebooks, summaries or reports of consultants, ~~photographs,~~

Videotapes, audio tapes, Films, demonstrative aids, photographic negatives, photographic Slides, patents, patent applications, movies, microFilm, microFiche, brochures, pamphlets, advertisements, circulars, FLiers, press releases, drafts, Letters, medical records and charts, prescriptions, Labels, packaging inserts, medical device Labeling, invoices and receipts any document differing in any manner from another document (for example, a draft, a copy with nonconforming marginal notations, or a copy With different attachments or entries) is Treated as a separate document; each such seporate document must be noted in These answers. Any document Which are records now, or have been at anytime in The past, in The possession of defendant(s).

2. The Terms "regarding" and "relating to" shall be interpreted broadly, including both explicit and implicit reference, and meaning without Limitation referring to, concerning, constituting, defining, discussing, containing, disclosing, evidencing, revealing, embodying, reflecting, Stating, dealing With, mentioning, alluding to or prepared as a result of.

Request For Admissions

1. Please admit on are about May, 12, 2005, Scott M. Perrilloux, Was an employee namely a District Attorney employed by The State of Louisiana For The 21st Judicial District court of Livingston Parish.

2. Please admit on are about May, 12, 2005, Charlotte Hebert, Was an employee namely a Assistant District Attorney employed by The State of Louisiana For The 21st Judicial District court of LivingstonParish.

3. Please admit on are about May 12, 2005, Charlotte Hebert and scott M. Perrilloux did agree to have mr. Ryan Stinson Transfered to Dixion correctional institute in return For his Testimony against James "Pop" Skinner

4. Please admit on are about May 12, 2005, Mr. Ryan Stinson Did Testify against Mr. James "Pop" Skinner.

5. Please admit That after Mr. Ryan Stinson Testified He was

not Transferred To Dixion correctional institute as Scott M. Perrilloux and Charlotte Hebert Had agreed upon.

6. Please admit Charlotte Hebert and Scott M. Perrilloux told him That on December 19, 2005 he would be Transferd To Dixion correctional institute.

7. Please admit on are about The day of December 19, 2005 Mr. Ryan stinson Was not Transferred TO Dixion correctional institute as agreed on; by scott M. Perrilloux and Charlotte Hebert.

8. Please admit on are about The day of December 19, 2005 Mr. Ryan Stinson was Transferred To David wade correctional institute.

9. Please admit Charlotte Hebert and Scott M. Perrilloux, Lied To Mr. Ryan stinson about The Transfer TO Dixion correctional institute TO gain his testimony.

10. Please admit That Mr. Ryan Stinson Wrote numerous Letters of grivenance TO Scott M. Perrilloux and charlotte Hebert That Were ingnored.

11. Please admit That Mr. Ryan Stinson made numerous phone calls in [redacted] a good Faith atempt To have Scott M. Perrilloux and charlotte Hebert Hold up To There agreement with Mr. Ryan Stinson.

12. Please admit That at no Time did Scott M. Perrilloux and Charlotte Hebert Hold up To There agreement with Mr. Ryan Stinson altho He Made many good Faith atEmpts.

Interrogatories

Interrogatory Number 1:

Please provide The Full name, address, age, date of birth, place of residence at the Time of This accident, and state drivers License number of Scott M. Perrilloux and Charlotte Hebert.

Interrogatory Number 2:

Please produce Copies of all correspondence, documents, notes, and any other information used to investigat / substantiate The claims of Mr. Ryan Stinson.

Interrogatory Number 3.:

Please provide any and all recorded statements of any person regarding the Complaints and Letters of Grievance of Mr. Ryan Stinson.

Interrogatory Number 4.:

Please identify and describe in detail any person who may have or claims to have knowledge of the incident of [redacted] Breach of Contract or any of the events Leading to the Breach of Contract or related events of Transfer occurring thereafter. As to each such person, please describe fully.

Interrogatory Number 5.:

Please List any and all documentary evidence which you may introduce at Trial; Fully describe each such document and list the name and address of the person having possession of the original or any copies.

Interrogatory Number 6.:

Please identify each expert witness retained or consulted by you, or who is anticipated to Testify at the time of Trial regarding this action / Civil action tort and Breach of Contract or in any response to any of these interrogatories, including the name, address, Telephone number and occupation of each expert; the expert's area of expertise; the subject matter on which each expert is expected to Testify; the substance of the facts to which each expert is expected to testify the substance of the opinions to which each expert is expected to Testify; a summary of the grounds for each opinion; and identify all documents and photographs which refer or relate to those Facts.

Interrogatory Number 7.:

Identify each person you expect to call as a fact witness at Trial, whether or not identified in answer to a previous interrogatory, and briefly state the substance of there testimony.

Request For Production of Documents

Request For Production Number 1.:

Please produce certified or verified copies or originals each Letter Mr. Ryan Stinson has Filed in request For a Transfer to Dixion correctional institute as agreed upon.

Request For Production Number 2.:

Please produce copies of all correspondence, documents, notes, and any other information used to investigate / substantiate the claims of Mr. Ryan Stinson.

Request For Production Number 3.:

Please produce any exhibits which you may offer at the Trial of this matter.

Request For Production Number 4.:

Produce copies of all documents produced, relied upon, or referred to by any expert you have consulted with or retained with respect to your claims in this matter.

Request For Production Number 5.:

Produce Legible copies of all notes, Logs, memoranda, or diary(s) maintained in connection with any of your activities that are in any way related to the claims asserted in the Civil Action Tort + Breach of contract Filed by the plaintiffs in this matter.

Request For Production Number 6.:

Copies of reports of all expert witnesses cotacted or retained by you or whom you expect to call at Trial, including all photographs, notes, memoranda, Field notes, sketches, drawings, Learned articles, Tabulations, or other documents used, a copy of Mr. Ryan Stinson Testimony, produced or relied upon by such expert in Formulating his opinions and rendering a report in this matter.

Request For Production Number 7.:

Please produce the entire personnel File For Charlotte Hebert + Scott M. Perrilloux.

Request For Production Number 8.:

Please produce any and all documents supporting any affirmative defense plead in this matter.

Respectfully submitted by:

Ryan Stinson 433686

Febvary 5, 2007

Date:

Attorney Ryan Stinson 433686
David Wade Corr. Cent.
670 Bell Hill Rd.
Homer LA 71040

Clerk Please serve [redacted]

Charlotte Hebert, Assistant District Attorney
P.O. Box 299
Livingston, LA 70754

Scott. M. Perrilloux, District Attorney
P.O. Box 299
Livingston, LA 70754

Greg Murphy
Attorney At Law
6555 Perkins Road, suite 200
Baton Rouge, Louisiana 70808

Honorable Charles C. Foti, Jr.
Attorney General,
State of Louisiana
State Capitol, 22nd Floor
Baton Rouge, Louisiana 70808

Certificate OF Service

This is to Certify that a copy of the above and foregoing has been mailed TO Greg Murphy, Attorney at Law, 6555 Perkins Road, Suite 200 Baton Rouge, Louisiana 70808, Postage prepaid, This 5TH day of Febuary 2007

Ryan Stinson

Ryan Stinson I.D.P. 433686

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 FEB 23 PM 2:16
DEPUTY CLERK

RESPONSE TO REQUEST FOR ADMISSIONS

NOW INTO COURT, through undersigned counsel, comes defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's request for admissions as follows:

1.

Admitted.

2.

Admitted

3.

Denied

4.

Admitted

5.

Denied

6.

Denied

7.

Object, lack of sufficient information.

8.

Object, lack of sufficient information.

9.

Denied

10.

Denied

11.

Denied

12.

Denied

Respectfully Submitted

Greg Murphy

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 23rd day of Feb, 2007.

Greg Murphy

GREG MURPHY

1-16-08

To: Mr. Greg Murphy
6555 Perkins Road suite-200
Baton Rouge, LA. 70808

From: Ryan Stinson # 433686 unit-2 Ext-1 cell# 9
Dixion Correctional Institute
P.O. Box 788, Jackson, LA, 20748

RE: Suit NO# 113598

Dear Sir,

Please Find enclosed a copy of my Appeal.

Thank you if you should have any Questions please Feel Free To Contact me.

With The Kindess OF Regardes, I am

Truly Thankful
Ryan Stinson
Ryan Stinson # 433686

CC: R.S.
G.M.

- Enclosure -

In The First Circuit
Court of Appeals

Ryan Stinson
Plaintiff - Appellant

- versus -

Scott M. Perrilloux, District Attorney
Charlotte Hebert, Assl District Attorney
Defendants - Appellee's

Civil Appeal From The
Twenty First Judicial District Court
Civil Action No 113598 - D.v "F"

Date Filed:
January 16, 2008

Appellant:
Ryan Stinson
D.C.I P.O Box 788
Jackson, LA 70748

I

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1 OF

Brief OF Appellant

Statement OF Subject Matter, Events, And Appellant Jurisdiction

The District court had Jurisdiction over the subject Matter Pursuant to LA C.C.P Art 2972 + Art 963, where in, The District Court's granting of the defendants Motion to Enforce Settlement agreement and dismissing plaintiff's suit is a Final Judgment. Judgment entered on December 12, 2007 on Court records, and the plaintiff's notice of appeal was Filed on December 12, 2007; See (Exhibit -22-23)

The District Court denied the Plaintiff's Motion in opposition to the defendant's motion to Enforce Settlement agreement, and ordered That this case be dismissed, And so, this appeal is from the Judgment entered on 12-12-07, Granting the defendant's Motion to Enforce Settlement and thereby dismissed plaintiff's suit. on the grounds that we agreed to settle this case on July 9, 2007 in open court. When the plaintiff alleges that He never intended to settle his Supplement to Original civil Action Tort + Breach of Contract complaint.

Statement OF Issues Presented

1.) Does A Compromise in a "Civil Right Action Tort and Breach of Contract" Require Execution By the Plaintiff, When the Defendant's regarded it's compromise as to what was drafted in the release Form, not as to what the parties intended to settle within the compromise was reached

2.) Did the release require the Plaintiff's signature when it Sought to Enforce the release and compromise of matters the Plaintiff Never intended to settle.

3.) Whether the district court in granting the Defendant's motion to enforce Settlement agreement and dismissing the Plaintiff's suit improperly decide disputed Factual issues

4.) Whether the district court improperly dismissed the Plaintiff's Supplemental Complaint.

5.) Whether the district court errored in denying the plaintiff's Motion in opposition to the Defendants motion to Enforce Settlement Agreement.

2 OF

Statement OF The Case:

Ryan Stinson inmate who, At The Time OF The Filing OF This suit, was incorrciated within David Wade correctional center (D.W.C.C) in Homer Louisiana, on October 6TH, 2006 The PLAINTIFF Filed a complaint pursuant to state tort law, in the 21st Judicial District court, parish OF Livingston, state OF Louisiana entitled Ryan Stinson V. Scott M. Perricoux, District Attorney + Charlotte Hebert Asst. District Attorney Suit No: 113598 Div. "F".

The PLAINTIFF sought a civil action tort and Breach OF Contract and a Supplimental complaint For compensatory and monatory, And Punative damages and a injunction.

A) Nature OF The case, Course OF Proceedings:

Disposition in The District Court:

on Febuary 5, 2007 PLAINTIFF PerPosid a SettLiment To The DeFindants via. mail See; (Exhibit - 1)

on Febuary 19, 2007 The PLAINTIFF Subquently Filed a Supplimint to his original complaint; See (Exhibit - 2)

On March 1st 2007 DeFindant's counsil rispondid To The PLAINTIFF's offer, where in he accepted The plaintiFF's offer; See (Exhibit - 3)

Subquently, PLAINTIFF and counsil For The deFendants during The pendincy OF The Litigation, Corresponded For an extensive period OF time regarding discovery matters and on answer To his supplimental complaint as well as potential SettLiment OF The plaintiFF's claim See (Exhibit - 4-5-7-8-14-15-16-17-18-19-20-)

On march 28, 2007 The PLAINTIFF Filed a motion To EnForce SettLiment agreement as was agreed upon in DeFindants March 1, 2007 Letter, To The PLAINTIFF's offer in his Febuary 5, 2007. The District court Set The motion For a hearing To Comence on July 9, 2007. See. (Exhibit-6)

On April 10, 2007 The PLAINTIFF Corrosponded with DeFindants Counsil via. mail and askid For The diFindant's To answer His Supplimintal complaint and discusid The SettLiment agreement

to his original civil action tort and breach of contract, Complaint, on May 30, 2007 counsel for defendant's filed an answer to the Plaintiff's supplemental complaint; See. (Exhibit-7-8)

On July 9, 2007 a Hearing was Held on the Plaintiff's motion to enforce a settlement agreement, were the Plaintiff and counsel for the defendants held a conference, in which they reached a compromis to settle the plaintiffs original civil Action Tort + Breach of contract, in and for a transfer of the Plaintiff to Dixon Correctional institute, and that Defendants Counsel would have the court waive all cost of court for all parties. After said conference the plaintiff and defendant's counsel asked the court to continue the hearing for 30 days as so they would be able to settle the Plaintiff's Complaint;

Subsequently on August 6, 2007 the plaintiff was transfered to Dixon correctional institute. See (Exhibit-21-)

On August 29th 2007, counsel for defendants sent correspondence to the Plaintiff and a Drafted Settlement Agreement and Complete release and a motion to Dismiss. After the Plaintiff's reading of forms for release, He was not satisfied with the scope of the release and Dismissal, Because in the settlement agreement, and complete release form, the Defendants regarded their compromis as to what was Drafted in the release, not as to exactly what they intended to settle when the compromis was reached. So the Plaintiff did not execute the release, and corresponded with the defendants counsel on August 30th, 2007 via Mail, telling him that He "the plaintiff" was not satisfied with the release form for the settlement, and that they needed to Discuss the particulars of it and come to a better agreement on How they should read, See (Exhibit-9-10-[illegible])

On September 11th 2007 counsel for defendants and the Plaintiff, Held a conference at Livingston Parish courthouse where the Plaintiff informed defendants counsel, that he never agreed to settle His supplement to original civil action tort and Breach of contract, and that it should not be drafted in the release form, and that nowhere in the release form did he include the waver of all cost against

all parties, and that the plaintiff never agreed to dismiss his suit with Prejudice, The Plaintiff Tried To gain a meeting of the minds with defendants counsel, defendants counsel adjourned the conFFerence with The Plaintiff without a signing of the release Form By the plaintiff, subquently the Plaintiff wrote the defendant's counsel a Letter on September 26,2007 with a new drafted release, and again stressing his concerns about the Compromis Form in Hopes To reach an understanding and a meeting of the minds in this case as To compromise. A meeting of the minds were never met so The Plaintiff never executed the release, See (Exhibit-11-9-)

Defendant's Then Filed a motion To Enforce a Settliment agreement; See (Exhibit-12-)

Subquently The plaintiff Filed a motion in opposition To defendants motion To Enforce Settliment agreement, With an AFFidavit in support under penalty of perjury; The District Court Set a hearing For December 12,2007 To show Cause See (Exhibit-13-)

The district court heard the defendants and the Plaintiff's motions and oral arguments on The 12TH day of December, 2007 where in The Court improperly granted the defendant's motion To enforce Settliment agreement and Dismissed plaintiff's suit; See (Exhibit-22-23)

The district court held That the defendants were entitled To enforcement of Settelment agreement and The dismissal of The Plaintiff's suit, because of plaintiff's "unsupported Allegations Were insuFFicient To establish a genuine issue of material Facts in Light of The July 9,2007 Hearing were The Plaintiff and Counsel For The defendant's agreed To Settle The Plaintiff's original Complaint, See (Exhibit-22-23)

The Plaintiff's opposition, AFFidavit, Memorandum of Law and extrinsic evidence, Squarely Contradicted The Factual Allegations of The defendant, and The Facts They alleged would have supported a Judgment For The plaintiFF under Contract Law Enforcement of The Settlemint agreement and dismissial of The plaintiff's original and supplemental

Complaint was Therefore improper on The record before The district Court. (Exhibit-22-23)

ARGument + Law

The District court should not have granted enforcement of settlement [redacted] and dismised [redacted] The plaintiffs original and supplemental Complaint, When The defendant's drafted release regarded There Compromise as to what was in The drafted release Form, not as to what The parties intended to Settle when The Compromise was reached.

In desiding whether to Grant or deny a motion to enforce settlement agreement, The Court Has to Look at the scope of the agreement, [Transaction] as to exactly what The parties intended when The compromise was reached. Because a compromise extends only to those matters The parties intended to settle; Ortego v. State Dot. D, 96-1322 (LA. 2/25/97); 689 So. 2d; Travis Anthony v. Liberty mutual ins. co. 759 So. 2d 910 99-1730 (LA. App. 3rd cir 4/5/00); Moak v. American Automobile insurance company 242, LA 160, 134 So. 2d 911 (1961); Munna v. Mongana, 404 So. 2d 1008 (LA. App. 4th cir 1981).

LA. C.C. Ann. Art. 3073: Contains A supplementry rule of Construction governing The interpretation of The operative Language, and The determination of The scope, of a compromise Agreement, Article 3073 Provides That a compromise Agreement extends only to those matters That The parties Expressly intended to settle and That The scope of The transaction cannot Be extended by implication more precisely, Art. 3073 Set Fourth The Following Four Factors to consider in Determining The scope of A Compromise instrument:

1.) Transactions regulate only The Differences which appear clearly to be comprehended in Them By The intention of The Parties.

2.) whether it be explained in a General of Particular manner.

3.) Unless it be The necessary Consequences OF What is expressed.

4.) They do not Extend To DiFFerences Which The Parties never intended To include in Them.

In Addition, The plaintiFF and deFendant's Counsel Agreed To settle The plaintiFF's original civil Action Tort and breach OF Contract in and For a transFer OF The PlaintiFF To Dixion Correctional institute and That deFendants Counsel Would have The Court To waive all Cost OF Court For all parties in Accordance with LA.C.C. ANN. Art. 3071: Which provides That a compromise insturment is The Law Between The Parties and must be interpeted Accoiding To The Parties True intent.

In Addition, The plaintiFF Contends, That deFendants Counsel drafted a Settlement agreement and complet release and a motion To dismiss things That The plaintiFF Never intended To Settle and wanted The plaintiFF To execute The release.

The plaintiFF contends more specifically, That he never intended nor entered into a compromise with The deFendants For his supplement To original complaint OF civil action Tort and breach OF contract, Or agree To dismiss his original suit with prejudice.

The plaintiFF also contends That counsel For deFendants Agreed To have The Court waive all court cost For all Parties.

The PlaintiFF further contends That, There was no binding compromise where it Required The plaintiFF To Execute The deFendants release, Because a dispute arised as To The scope OF The settlement agreement [redacted] and complete release Form, The plaintiFF and deFendants compromise is only valid and enforceable To exactly What The parties intended when The compromis was leached.

Because a compromis Extends only To Those matters The parties intended To settle, The scope OF The Transaction Can not Be extended By implication LA.C.C ANN. Art. 3073: Brown V. Drillers Inc. 93-1019 (LA 1/14/94) 634 So. 2d 741.

When a dispute arises to the scope of a compromise agreement extrinsic Evidence can be considered to determine exactly what differences the parties intended to settle Super; ortego 689 So.2d 1358. A compromise is valid if there is a meeting of the minds Between the parties as to exactly what they intended when the compromise was reached; Pat O'Briens v. Francos Cocktail Prod Inc; 615 So.2d 429 (LA. APP. 4th Cir.) writ denied, 617 So 2d 909 (LA. 1993).

There can be no binding compromise where the terms of the release From Liability are unknown; Townsand v. Square, 94-0758 (LA. APP. 4th Cir 2/29/94); 643 So.2d 787.

Moreover, LA.C.C. Art. 1947 states When, in Absense of a legal requirement, the parties have contemplated a certain Form, it is persumed that they do not intend to be bound untill the release is executed in that Form; Carter v. Huber & Heard, ins. 95-142 (LA APP. 3rd Cir 5/31/95) So. 2d 409, writ denied 95-1663 (LA. 10/6/95) 661 So.2d 471.

WhereFore the plaintiFF refused to execute the release Because the dFendants Sought the release of this supplemintal Complaint with prejudice, and did not include the waver of cost of court in the release.

Since the DeFindants sought the release of claims, the Plaintiff did not intend to compromise when the compromise was reached, the PlaintiFF did not execute the release, so there can be no binding compromise where the Terms of the release For Liability are unknow Travis Anothony v. Libirty Mutual ins. co. 99-1730 (LA APP 3rd Cir. 4/5/00) 739 So.2d 910.

Relief Requested

WhereFore, Fore the foregoing Reasons, the grant of Enforcement of Settlement Agreement and the dismissal of the plaintiFF's original, and supplimental complaint should be reversed and the case should be remanded to the district court For Further

8 of

Proceedings.

Date Filed:

January 16, 2008

Respectfully Submitted,

Ryan Stinson 433686
Unit-2 C.B.A Cell #9
Dixion Corr Inst.
P.O. Box 788
Jackson, LA. 70748

Certificate of Service

This is to Certify That the proper Copies of the Attached Appeal Has been Sent to This court and Defence counsel, postage Prepaid U.S Via Mailed on This 16th day of January 2008.

Ryan Stinson

002405

NOTICE OF JUDGMENT

STINSON, RYAN - ET AL

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

GREG MURPHY
DISTRICT ATTORNEYS OFFICE 21ST JDC
P.O. BOX 299
LIVINGSTON, LA 70754

RYAN STINSON
D.O.C. #433686
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON, LA 70748

Please find attached a certified copy of the Judgment signed by the Honorable ELIZABETH P WOLFE on January 25, 2008.

I do hereby certify that on January 31, 2008 a copy of the foregoing notice was mailed by me to the counsel of record for all parties and to such of the litigants, if any, who are not represented by counsel, and the notices were addressed to them respectively at their last known address with postage prepaid.

Clerk of Court
21st Judicial District
Parish of Livingston

Deputy Clerk of Court

[ATTORNEY COPY]

002406

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

JUDGMENT

This matter came before the Court on the 12th day of December 2007, pursuant to regular assignment.

Present in Court for defendants, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana was Greg Murphy.

Present in Court for plaintiff was Ryan Stinson representing himself in this matter.

After due proceedings had, the Court granted movers, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, Motion to Enforce Settlement and thereby dismissing plaintiff's suit entitled, "Ryan Stinson vs. District Attorney, 21st JDC, Suit No. 113,598 - Div. F."

JUDGMENT signed in Chambers this 25th day of Jan., 2008 in Livingston, Louisiana.

HON. ELIZABETH P. WOLFE

PLEASE SEND A CERTIFIED COPY TO:

Mr. Ryan Stinson
D.O.C. #: 433686
Dixon Correctional Institute
P. O. Box 788
Jackson, Louisiana 70748

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 31 day of 1-2008
Deputy Clerk of Court

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2008 JAN 10 AM 11:57
DEPUTY CLERK

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDIC
VERSUS	*	PARISH O
DISTRICT ATTORNEY, 21st JDC	*	STATE OF

Stamp & Return

JUDGMENT

This matter came before the Court on the 12th day of December 2007, pursuant to regular assignment.

Present in Court for defendants, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana was Greg Murphy.

Present in Court for plaintiff was Ryan Stinson representing himself in this matter.

After due proceedings had, the Court granted movers, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, Motion to Enforce Settlement and thereby dismissing plaintiff's suit entitled, "Ryan Stinson vs. District Attorney, 21st JDC, Suit No. 113,598 - Div. F."

JUDGMENT signed in Chambers this _____ day of _____, 2007, in Livingston, Louisiana.

HON. ELIZABETH P. WOLFE

PLEASE SEND A CERTIFIED COPY TO:

Mr. Ryan Stinson
D.O.C. #: 433686
Dixon Correctional Institute
P. O. Box 788
Jackson, Louisiana 70748

FILED
2008 JAN 10 AM 11:57
CLERK OF COURT
ISH OF LIVINGSTON
DEPUTY CLERK

MORAIN & MURPHY, L.L.C.
ATTORNEYS AT LAW

6555 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808
Telephone: (225) 767-7151
Fax: (225) 767-8995

TROY D. MORAIN

MURPHY

Copy for file

December 13, 2007

Honorable Elizabeth P. Wolfe
Judge, Div. F, 21st JDC
20180 Iowa Street
Livingston, Louisiana 70754

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Judge Wolfe:

Enclosed find a Judgment regarding the hearing that was held in this matter on December 12, 2007.

Should you have any questions, please do not hesitate to contact me.

With kindest regards, I remain

Sincerely,

Greg Murphy

GM/sjl
Enclosure
cc: Mr. Ryan Stinson (w/enclosure)

MORAIN & MURPHY, L.L.C.

ATTORNEYS AT LAW

6555 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808
Telephone: (225) 767-7151
Fax: (225) 767-8995

TROY D. MORAIN

GREG MURPHY

April 5, 2007

Mr. Ryan Stinson
I.P.P.
#433686
David Wade Correctional Center
670 Bell Hill Road
Homer, Louisiana 71040

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Stinson:

I am in receipt of your letter dated March 29, 2007 regarding the Sexual Harassment investigation at the facility you are incarcerated in. Based on your letter, I will contact a representative from the Department of Corrections immediately to find out whether or not the investigation is complete.

I was never informed by anyone from the Department of Corrections that you were under any investigation. It was my understanding that the Department of Corrections was conducting an investigation into the incident. As stated in your letter we would like to resolve this matter as quickly as possible.

I will be in contact with you in the very near future concerning resolution of this matter.

With kindest regards, I remain

Sincerely,

Greg Murphy
Assistant District Attorney

GM/sjl

MORAIN & MURPHY, L.L.C.

ATTORNEYS AT LAW

6555 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808
Telephone: (225) 767-7151
Fax: (225) 767-8995

TROY D. MORAIN

GREG MURPHY

March 26, 2007

Mr. Ryan Stinson
I.P.P.
#433686
David Wade Correctional Center
670 Bell Hill Road
Homer, Louisiana 71040

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Stinson:

We have spoken to a representative with the Department of Corrections about the possibility of a transfer to Dixon Correctional Institute. It is my understanding that DOC is conducting an investigation into an incident you were involved in at the place you are currently incarcerated. It is my understanding at the completion of the investigation they will consider our request to have you moved to Dixon Correctional Institute.

I believe that this matter should be concluded within the next six weeks. After I hear back from the Department of Corrections regarding our request I will communicate this offer to you so that we may resolve this matter and complete the paper work.

With kindest regards, I remain

Sincerely,

Greg Murphy
Assistant District Attorney

GM/sjl

TWENTY-FIRST
JUDICIAL DISTRICT

Scott M. Perrilloux

District Attorney
21st Judicial District

Livingston, St. Helena and Tangipahoa Parishes

P. O. Drawer 299
Livingston, LA 70754
(225) 686-3070
Fax: (225) 686-1651

March 6, 2007

Mr. Ryan Stinson
I.P.P.
#433686
David Wade Correctional Center
670 Bell Hill Road
Homer, Louisiana 71040

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Stinson:

I am in receipt of your letter, dated February 28, 2007 regarding responses to Request For Admissions on behalf of Charlotte Herbert. Enclosed for your review is a copy of Mrs. Herbert's responses. I previously sent you these responses but they must have been misplaced in the mail.

If you should have any questions or comments please don't hesitate to contact me.

With kindest regards, I remain

Sincerely,

Greg Murphy
Assistant District Attorney

GM/sjl
Enclosures

Febuary 28, 2007

To: Mr. Greg Murphy, Attorney
6555 Perkins Road, suite 200
Baton Rouge, LA. 70808

RE: Case No# 113598

From: Ryan Stinson I.P.P. #433686
D.W.C.C. 670 Bell Hill Rd.
Homer, LA. 71040

Dear Mr. Murphy,

I am in receipt of Defendant, Scott M. Perrilloux, Responce To Request For Admissions, received by me on The date of Febuary 28, 2007. But he has Failed To answer The interrogatories and Production of Documents, That were asked For in Plaintiff's First Admissions, interrogatories and request For production of Documents To Defendants. Please Comply With my Request, For interrogatories and Production of Documents.

Altho I received Defendant, Scott M. Perrilloux, responce To request For Admissions, There was no responce To request For Admissions From Charlotte Hebert, There were two copies of Defendants, Scott M. Perrilloux, Responce To request For Admissions. Please have Mrs Charlotte Hebert Comply with my Request.

IF you Fail To provide me with my Request, For, Admissions, interrogatories and Production of Documents, I Will Be Forced To File a Motion To Compel, When The 30 day Period is up.

Thank you For your Time and concern I hope and pray To hear From you Soon.

With The Kindess of Regardes, I am

Truly Thankful

Ryan Stinson #433686

CC: Ryan Stinson

-Copy-

1 OF 2

January [illegible], 2008

To: The Honorable Judge [illegible]

[illegible]

[illegible] Iowa [illegible], P.O. Box [illegible]150

[illegible], Louisiana 70754

From: Ryan [illegible] #[illegible]

[illegible] Cell [illegible]

P.O. Box 7[illegible], [illegible], Louisiana #70754

RE: Cas No# 000000113[illegible]

Dear Judge Walker,

I am writing this letter in a hope to appeal to you [illegible] understanding and to receive your assistance and/or guidance in the above and enclosed matter.

Mam, on December 12, 2007 a hearing was held in your honorable [illegible] after the hearing was held I asked you about receiving a copy of the hearing transcripts, and you told me to write a letter to the clerk of court requesting a copy of the requested materials, and she would send me a copy.

On December 12, 2007 I wrote a letter of request to the clerk of court requesting a copy of the hearing transcripts for the July 9, 2007 hearing to show cause and the December 12, 2007 hearing to show cause, I also requested a copy of the judgment entered on December 12, 2007 dismissing my suit and a copy of my motion and order granting me informa[illegible] pauperis status in this suit, in so I could file my appeal in a timely manner. I also mailed my notice of appeal dated December 12, 2007.

Today is January 2, 2007 and I [illegible] have

- Copy -

2 OF 2

not receive the requested materials in this case, from the Clerk of Court. The Clerk is running and my due date to file my Appeal is getting near. Without these requested materials I am unable to file my Appeal in a timely manner.

So I am writing you to request you to please have the [illegible] transcribe [illegible] and make copies there [illegible] and send me a copy of my [illegible] The Final Judgment in this case so I can file a timely Appeal.

I thank you very much for your time and concern in this matter and God bless you for your ongoing kindness and consideration and patience with me and this matter. I [illegible] and pray to hear from you immediately.

With the kindness of Regards I am

Truly Thankful

[signature]

[illegible]

C/C (G/M), (R/S), (J E P W)

- Enclosure's -

- COPY -

Dec. 12, 07

To: Clerk of Court For Livingston Parish
O.V. E, P.O. Box 1150, Livingston, LA. 70754

From: Ryan Stinson #433686, Unit-2 Ext-2 A#11
Dixion correctional institute, P.O. Box 788,
Jackson, Louisiana, 70748

RE: Ryan Stinson -V- Scott M. Perkins, District Attorney + Charlotte Hebert, Asst. District Attorney, Div. E, suit#: 3598, 21st J.D.C., Livingston Parish, State of Louisiana

Dear Madam/sir,

I am writing this missive To Request (as you instructed me To) a copy of the Transcript for the hearing That was held on Dec. 12, 07, As will could you provide me with a copy of my order To proceed in Forma pauperis in the above-entitled case

Also I am enclosing my notice of Appeal.

Please get Back with me as soon as possiable in this matter and my request as so I may File a Timely Appeal.

Thank you very much. I'll Look To be hearing From you immediatly.

With The kindess of Regards, I am

c/c: R.S.
G.M.

Truly Thankful
Ryan Stinson

-Enclosure-

002416

- COPY -

Ryan Stinson * D.V.E Suit No. 113598

- Versus - * 21st Judicial District Court

Scott Perkins, District Attorney * Parish of Livingston

Clayton Hamilton, Assistant District Attorney * State of Louisiana

*

Filed _____ Deputy Clerk of Court

* * * *

(A) ORIGINAL complaint Filed on Oct. 6, 2006

(B) Supplemental Complaint Filed on February 18, 2007

Suit - October 6, 2006
Supplemental - February 18, 2006

Exhibit "A"

(C) 1st offer by Π - Feb. 5, 2007
"Transfer, I will drop my suit"

Exhibit "B"

(D) March 1, 2007 - Wrote Π about offer

(E) March 6, 2007 - Π sent letter + accepted the transfer, which was the offer which we accepted.

Exhibit "C"

↳ Read exhibit "C" in regular

(F) March 21, 2007 Π wrote concerning status sent the Forms "D"

Exhibit "D"

(G) April 2, 2007 - Π Filed motion to ENforce the settlement

(G) Motion to Enforce Settlement hearing was on July 9, 2007

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

MEMORANDUM IN SUPPORT OF MOTION TO ENFORCE SETTLEMENT AGREEMENT

I. INTRODUCTION:

This matter involves plaintiff's claims against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, relating to an alleged oral agreement to have plaintiff transferred to Dixon Correctional Institute.

Plaintiff filed suit entitled, "Original Complaint and Civil Action Tort and Breach of Contract," on or about October 6, 2006. Plaintiff subsequently amended and supplemented his Original Complaint and Civil Action Tort and Breach of Contract against plaintiffs.

During the pendency of the litigation, counsel for defendants corresponded with plaintiff regarding discovery matters as well as the potential settlement of this claim. On or about February 5, 2007, plaintiff wrote a letter to counsel for defendants with a settlement offer.

Counsel for defendants sent correspondence to plaintiff on March 1, 2007, indicating that he had communicated plaintiff's settlement offer to the defendants and they agreed to having the plaintiff transferred to Dixon Correctional Institute as per his request, thus settling this matter.

On or about March 6, 2007, plaintiff corresponded with counsel for defendants wherein he accepted the transfer to Dixon Correctional Institute immediately and would agree to settle for a transfer to Dixon Correctional Institute.

On March 21, 2007, plaintiff corresponded with counsel for defendants regarding the status of the settlement between the parties. In the correspondence plaintiff requested counsel for defendants to send the appropriate forms for him to sign in order to finalize the settlement along with a Joint Motion to Dismiss.

On or about April 2, 2007, plaintiff filed a Motion to Enforce Settlement Agreement. In his Motion, plaintiff refers to a letter dated February 5, 2007, which he made his initial offer to defendants agreeing to drop his suit if he was transferred. Plaintiff also referenced his correspondence to counsel for defendants dated March 21, 2007, where defendants agreed to

plaintiff's settlement offer. Furthermore, in plaintiff's Motion to Enforce Settlement he referenced his March 6, 2007, letter stating that he wished to be transferred and confirmed the agreement to settle this case for a transfer to Dixon Correctional Institute.

Plaintiff's Motion to Enforce Settlement Agreement was set for hearing before this Honorable Court on or about July 9, 2007. At the hearing, counsel for defendants held a conference with plaintiff in which they agreed to have plaintiff transferred to Dixon Correctional Institute as per his request. Based on the conference, plaintiff agreed to settle this matter and dismiss his lawsuit once he was transferred to Dixon Correctional Institute. After the conference was held, plaintiff and counsel for defendants met with Your Honor and placed the Settlement Agreement on the record before the Court.

Subsequent to the July 9, 2007, hearing, plaintiff filed a second Motion to Enforce Settlement Agreement. At this hearing, plaintiff was being housed at Hunt Correctional Center which is an intake center for all Louisiana Department of Correction inmates. Plaintiff was in the process of being transferred from David Wade Correctional Center to Dixon Correctional Institute as per the Settlement Agreement. Plaintiff has been subsequently transferred to Dixon Correction Correctional Institute as per the agreement between the parties.

On or about August 29, 2007, counsel for defendants sent correspondence to plaintiff requesting that he execute the Settlement Agreement and Complete Release in order that this matter may be dismissed. Plaintiff then sent correspondence to counsel for defendants requesting that a meeting be held in order to discuss the Settlement Agreement.

On September 11, 2007, a meeting was held at the Livingston Parish Courthouse between plaintiff and counsel for defendants. At this meeting, plaintiff refused to sign the Settlement Agreement. The meeting was adjourned and counsel for defendants informed plaintiff that he would file a Motion to Enforce Settlement Agreement since plaintiff had been transferred to Dixon Correctional Institute as per his request and as per the Settlement Agreement.

II. LAW AND ARGUMENT:

A compromise is an agreement to adjust the differences of two or more persons by mutual consent for the purpose of preventing or ending a lawsuit. *Smith v. Leger*, 439 So.2d 1203, 105 (La. App. 1st Cir. 1983). LSA-C.C.P. Art. 3071, defines a compromise and sets forth the requirements regarding compromises as follows:

> A transaction or compromise is an agreement between two or more persons, who, for preventing or putting an end to a lawsuit, adjusts their differences by mutual consent, in the matter in which they agree on, and which every one of them prefers to the hope of gaining, balanced by the danger of losing.

This contract must either be reduced to writing or recited in open court and capable of being transcribed into the record of the proceedings. The agreement recited in open court confers upon each of them the write of judicially enforcing its performance, although its substance may thereafter be written in a more convenient form.

In this case, the agreement between the parties was recited in open court and was transcribed into the record of these proceedings. The agreement was recited in court and conferred upon each party the right of judicially enforcing his performance. Although a written receipt and release was not presented to the court at the July 9, 2007, hearing, both parties did agree to adjust their differences by mutual consent and dismiss the lawsuit.

Subsequent to the July 9, 2007, hearing, the terms of the agreement were met by defendants wherein plaintiff was transferred to Dixon Correctional Institute. Based upon plaintiff being transferred to Dixon Correctional Institute, counsel for defendants reduced the Settlement Agreement to writing and forwarded these documents to plaintiff for signature. However, at a meeting held at the Livingston Parish Courthouse on September 11, 2007, plaintiff refused to sign this document.

Based upon the agreement between the parties which was placed on the record before Your Honor on July 9, 2007, this matter was settled and a compromise was reached as per LSA-C.C.P. Art. 3071.

Respectfully Submitted

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, DOC #: #433686, Dixon Correctional Institute, P. O. Box 788, Jackson, Louisiana 70748, postage prepaid, this 25th day of September, 2007.

GREG MURPHY

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

RULE TO SHOW CAUSE

IT IS HEREBY ORDERED that defendants' Motion to Enforce Settlement be set for hearing on the _____ day of _____, 2007, in Livingston, Louisiana.

Thus done and signed this _____ day of _____, 2007, Livingston, Louisiana.

_____
JUDGE, 21st JUDICIAL DISTRICT COURT

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

MOTION TO ENFORCE SETTLEMENT AGREEMENT

NOW INTO COURT, through undersigned counsel, come defendants, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who, pursuant to a Settlement Agreement in the above-captioned matter, respectfully requests that this Honorable Court dismiss these proceedings, with prejudice, and/or enforce their Settlement Agreement with plaintiff, for the following reasons:

1.

This matter involves plaintiff's claim against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, relating to an alleged breach of contract between plaintiff and defendants.

2.

Plaintiff filed suit entitled, "Original Complaint and Civil Action Tort and Breach of Contract," on or about October 6, 2006.

3.

Plaintiff subsequently amended and supplemented his Original Complaint and Civil Action Tort and Breach of Contract against plaintiffs.

4.

During the pendency of the litigation, counsel for defendants corresponded with plaintiff regarding discovery matters as well as potential settlement of his claim.

5.

On or about February 5, 2007, plaintiff wrote a letter to counsel for defendants with the following settlement offer:

> "I would like to make an offer. If your client would be willing to give me a transfer I will drop my suit. Please get back to me on this matter at hand as soon as possible." (Exhibit "A").

2007 SEP 25 AM 10:26 DEPUTY CLERK

6.

Counsel for defendants sent correspondence to plaintiff on March 1, 2007, indicating that he had communicated plaintiff's settlement offer to defendants and they agreed to having the plaintiff transferred to Dixon Correctional Institute as per his request, thus settling this matter. Counsel also included the following language in the correspondence:

> "Please notify as to whether or not you wish to be transferred as per your offer of February 5, 2007. (Exhibit "B").

7.

On or about March 6, 2007, plaintiff corresponded with counsel for defendants wherein he accepted the transfer to Dixon Correctional Institute immediately and would agree to settle for a transfer to Dixon Correctional Institute. (Exhibit "C").

8.

On March 21, 2007, plaintiff corresponded with counsel for defendants regarding the status of the settlement between the parties. In the correspondence plaintiff requested counsel for defendants to send the appropriate forms for him to sign in order to finalize the settlement along with a Joint Motion to Dismiss. (Exhibit "D").

9.

On or about April 2, 2007, plaintiff filed a Motion to Enforce Settlement Agreement. In his motion, plaintiff refers to a letter dated February 5, 2007, in which he made his initial offer to defendants agreeing to drop his suit if he was transferred. Plaintiff also referenced his correspondence to counsel dated March 21, 2007, where defendants agreed to plaintiff's settlement offer. Furthermore, in plaintiff's Motion to Enforce Settlement he referenced his March 6, 2007, letter stating that he wished to be transferred and confirmed the agreement to settle his case for a transfer to Dixon Correctional Institute. (Exhibit "E").

10.

Plaintiff's Motion to Enforce Settlement Agreement was set for hearing before this Honorable Court on or about July 9, 2007. At the hearing, counsel for defendants held a conference with plaintiff in which they agreed to have plaintiff transferred to Dixon Correctional Institute as per his request. Based on the conference, plaintiff agreed to settle this matter and dismiss his lawsuit once he was transferred to Dixon Correctional Institute. After the conference was held, plaintiff and counsel for defendants recited the terms of the settlement on the record before the Court.

11.

Subsequent to the July 9, 2007, hearing, plaintiff filed a second Motion to Enforce Settlement Agreement. At this hearing, plaintiff was being housed at Hunt Correctional Center which is an intake center for all Louisiana Department of Correction inmates. Plaintiff was in the process of being transferred from David Wade Correctional Center to Dixon Correctional Institute as per the Settlement Agreement.

12.

Plaintiff has been subsequently transferred to Dixon Correction Correctional Institute as per the agreement between the parties.

13.

On or about August 29, 2007, counsel for defendants sent correspondence to plaintiff requesting that he execute the Settlement Agreement and Complete Release in order that this matter may be dismissed. (Exhibit "F").

14.

After receipt of the August 29, 2007, correspondence, plaintiff sent correspondence to counsel for defendants requesting that a meeting be held in order to discuss the Settlement Agreement.

15.

On September 11, 2007, a meeting was held at the Livingston Parish Courthouse between plaintiff and counsel for defendants. At this meeting, plaintiff refused to sign the Settlement Agreement. The meeting was adjourned and counsel for defendants informed plaintiff that he would file a Motion to Enforce Settlement Agreement since plaintiff had been transferred to Dixon Correctional Institute as per his request and as per the Settlement Agreement.

WHEREFORE, defendants respectfully request that this Honorable Court dismiss these proceedings with prejudice and enforce the Settlement Agreement with plaintiff.

Respectfully Submitted

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

ORDER

IT IS HEREBY ORDERED that the above entitled and numbered cause be and the same is hereby **DISMISSED** against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, with prejudice, with each party to bear its own costs.

THUS DONE AND SIGNED this _____ day of _____, 2007, in Livingston, Louisiana.

_____
JUDGE, 21st JUDICIAL DISTRICT COURT

La. Code of Evid. art 408 (A)

February 5, 2007

To: Mr. Greg Murphy, Attorney At Law
6555 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808

From: Ryan Stinson, #433686
D.W.C.C. 670 Bell Hill Rd.
Homer, Louisiana 71040

RE: Case No# 000000113598

Dear Mr. Murphy,

I am Writing This missive, To make a Settlement offer.

I Would Like To make an offer if your client Would be willing TO give me a Transfer I will drop my suit.

Please get back To me on This matter at hand as soon as posiable.

Thank you and God Bless you For your Time and consideration With This matter.

With The kindess of Regardes, I am

Truly Yours
Ryan Stinson

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA. 71040

EXHIBIT "A"

TWENTY-FIRST
JUDICIAL DISTRICT

Scott M. Perrilloux
District Attorney
21st Judicial District

Livingston, St. Helena and Tangipahoa Parishes

P. O. Drawer 299
Livingston, LA 70754
(225) 686-3070
Fax: (225) 686-1651

March 1, 2007

Mr. Ryan Stinson
I.P.P.
#433686
David Wade Correctional Center
670 Bell Hill Road
Homer, Louisiana 71040

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Stinson:

Enclosed find copies of responses to your discovery request in this matter. In accordance with Louisiana Code of Evidence Article 408(A) I have communicated your settlement offer to the defendants and they would agree to having you transferred to Dixon Correctional Institute.

Please notify me as to whether or not you wish to be transferred as per your offer.

With kindest regards, I remain

Sincerely,

Greg Murphy
Assistant District Attorney

GM/sjl
Enclosures



March 6, 2007

TO: Mr. Greg Murphy, Attorney
6555 Perkins Road, Suite 200
Baton Rouge, LA 70808

From: Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040

Re: Ryan Stinson -vs- Scott M. Perrilloux + Charlotte Hebert
Suit No.# 113,588 - Div."F" - 21st J.D.C. - Parish of Livingston

Dear Mr. Murphy,

I am in receipt of your March 1, 2007, correspondence, which I received on the date of March 6, 2007. Which at this time I would like to give an answer to.

you stated in accordance to [redacted] Louisiana code of Evidence Article 408(A) you have communicated my Settlement offer to the Defendants and they would agree to having me transferred to Dixon correctional institute.

You also stated that if I wish to be transferred as per my offer notify you.

"I do wish to be Transferred to Dixon correctional institute imediatley."

I agree to settle for a transfer to Dixon correctional institute.

Thank you for your time and concern and God bless you for your kindness and consideration with this matter. I will be looking foward to bringing some closer to this matter as soon as posiable.

With the kindess of Regardes, I am

Truly Thankful

Ryan Stinson

Ryan Stinson #433686

EXHIBIT
tabbies
"C"

March 21, 2007

To: Mr. Greg Murphy
6555 Perkins Rd. Suite 200
Baton Rouge LA 70808

From: Ryan Stinson # 433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

RE: Ryan Stinson -V- Scott M. Perrilloux + Charlotte Hebert
Suite No# 113598 Div "F" 21st JDC - Parish of Livingston

Dear Mr. Murphy

I am writing this letter concerning my last letter Dated to you March 6, 2007 concerning my Settlement offer.

I would like to know if your client's the Defendant's are still agreeing to settle and if so are you going to send the appropriate forms for me to sign in accordance with Louisiana Code of Evidence Article 408(A) to finilize the settlement with a copy for my Records and a Joint motion to dismiss, are did you have some other plain in lights to settle this matter.

I am hoping and praying we can bring some closer to this matter soon.

Thank you so very much for your time and concern and God bless you for your kindness, I am in hopes to hear from you soon pertaining this matter.

With the kindess of Regardes, I am

Truly Thankful

Ryan Stinson

EXHIBIT "D"

cc: Rs.

- Enclosures -

002431

RULE TO SHOW CAUSE
MOTION TO INFORCE SETTLEMENT AGREEMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: DEFENDANT'S ATTORNEY
GREG MURPHY
6555 PERKINS ROAD, SUITE 200
BATON ROUGE, LA 70808

PAUPER SUIT

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **July 9, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on April 20, 2007.*

C Antley
Deputy Clerk of Court

Attorney
RYAN STINSON, 433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

EXHIBIT
"E"

[SERVICE]

RSDA000330

002432

DC TBS (F)

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

Ryan Stinson — Suit No. 113598 - Div. "F"

Versus -

Charlotte Hebert, Ass. District Attorney — 21st Judicial District Court

Scott M. Perrilloux, District Attorney — Parish of Livingston

State of Louisiana

Filed: _____ Clerk of Court:

* * * * * * * * * * * * * * * * * * *

Motion To Inforce Settlement Agreement

* * * * * * * * * * * * * * * * * * *

Now Comes into This Honorable Court:

Plaintiff Ryan Stinson, Who Request This court to inforce settlement agreement, (To transfer the Plaintiff to Dixon correctional institute), in this case for the Following reasons:

* * * * * * * I * * * * * * * * *

The Plaintiff Ryan Stinson Proposed a settlement offer, in a Letter to the Defendants counsel on Febuary 5, 2007: See Attached (Exibit 1).

The Defendants counsel responded to the plaintiff's offer, in a Letter Dated March 1, 2007, and agreed to the Plaintiff's settlement offer; and told the Plaintiff to notify him if he the Plaintiff wish to be Transferred: See Attached (Exibit 2).

The Plaintiff responded to the Defendant's letter of agreement on March 6, 2007, Stating He did wish to Be Transferred, and Confirmed the agreement to settle this case for a transfer to Dixon correctional institute: See Attached (Exibit 3).

The Defendants counsel Never responded to the plaintiff letter Confirming the settlement agreement Dated March 6, 2007.

The plaintiff Then wrote the Defendant's counsel another Letter on March 21, 2007, about the settlement They Had agreed upon. But the Defendant's counsel never

002433

Responded: See Attached (Exhibit 4)

* * * * * * II * * * * * * * * *

The Defendant's agreement to the Plaintiff settlement offer on March 1, 2007, Through there Corrospondance. Became a Binding contract to the terms set forth in the offer of the Plaintiff Letter Dated Febuary 5, 2007. The Law of Contracts Holds that once the offer is made By one party and agreed by the other Party, it Then Becomes a Binding contract: See Anderson V. Preston 7 F.2d 70 (C.C.A. 9th cir 1925); Azevedo V. Davidson, 49 Cal. App. 443, 193 P. 594 (1st Dist 1920); Universal Products Co. Vs. Emerson, 36 Del. 553 179 A. 387, 100 A.L.R. 956 (1935) (at some Point in the correspondence there was a definite proposal By one Party which was accepted By the other When this appeals the Contract Becomes Binding).

* * * * * III * * * * * * *

In Freeman V. Mayer, 95 F.3d 569 (7th cir 1996) in Freeman, supra, the court Held that a contract can arise by correspondence.

* * * * * IV * * * * * * *

In youngstown Stell Erecting Co. V. MacDonald Engineering Co., 154 F.Supp. 337 (N.D. ohio 1957); McCleskey & Whitman Vs. Howell Cotton Co., 147 Ala. 573, 42 So. 67 (1906); Tuso V. Green 144 Cal. 574, 229 P. 327 (1924), The Courts Held That as Soon as an offer is Thus made and accepted, there is a binding contract.

* * * * * * V * * * * * * * * *

In Real Estate Value Co. V. US Air, Inc., 979 F.Supp 731 (N.D. Ill 1997); Miami Jockey Club V. Lillias piper inc., 115 FLA 612 155 So. 806 (1934) The courts Held that offer and acceptance resulting in a binding contract may be Through the medium of Letters.

* * * * * VI * * * * * * * *

In Farmers Equity Co-op. Creamery Ass'n V. US.

132 F.2d 738 (C.C.A 10th Cir. 1943); Stiles V. Van Briggle, 196 Ark. 1179, 118 S.W.2d 588 (1938); Pierce V. Marland Oil Co. of Colorado, 86 Colo. 59, 278 P. 804 (1929). The Courts Held That, offer and acceptance resulting in a binding contract may be through both Letters and Telegrams.

* * * * * * * * * * * * * * *

Wherefore, the Plaintiff Prays that based on these Facts, and evidence, that this motion to inForce Settlement agreement, To Transfer the Plaintiff to Dixon correctional institute, Be granted.

Respectfully submitted:

March 28, 2007

Date:

Ryan Stinson #433686
David Wade Corr. Cent.
670 Bell Hill Rd.
Homer LA 71040

Please Serve:
Ryan Stinson 433686
David Wade Corr. Cent.
670 Bell Hill Rd.
Homer LA, 71040

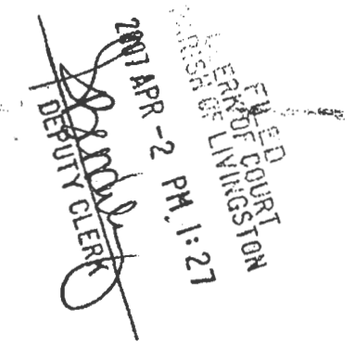
Defendant's Attorney, Greg Murphy
6555 Perkins Road suite 200
Baton Rouge, LA. 70808

002435

Febuary 5, 2007

To: Mr. Greg Murphy, Attorney At Law
6555 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808

From: Ryan Stinson, I.D.P.# 433686
O.W.C.C. 670 Bell Hill Rd.
Homer, Louisiana 71040



RE: Case No# 000000113598

Dear Mr. Murphy,

I am Writing This missive, To make a Settlement offer.

I Would Like To make an offer if your client would be willing TO give me a Transfer I will drop my suit

Ple[illegible] back To me on This matter at hand as Soon as possible.

Thank you and God Bless you For your Time and consideration With This matter.

With the kindess of Regards, I am

Truly Yours
Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA. 71040

(Exibit 1)

002436

TWENTY-FIRST JUDICIAL DISTRICT

Scott M. Perrilloux
District Attorney
21st Judicial District

Livingston, St. Helena and Tangipahoa Parishes

P. O. Drawer 299
Livingston, LA 70754
(225) 686-3070
Fax: (225) 686-1651

March 1, 2007

Mr. Ryan Stinson
I.P.P.
#433686
David Wade Correctional Center
670 Bell Hill Road
Homer, Louisiana 71040

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Stinson:

Enclosed find copies of responses to your discovery request in this matter. In accordance with Louisiana Code of Evidence Article 408(A) I have communicated your settlement offer to the defendants and they would agree to having you transferred to Dixon Correctional Institute.

Please notify me as to whether or not you wish to be transferred as per your offer.

With kindest regards, I remain

Sincerely,

Greg Murphy
Assistant District Attorney

GM/sjl
Enclosures

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

(Exibit 2)

March 6, 2007

To: Mr. Greg Murphy, Attorney
6555 Perkins Road, Suite 200
Baton Rouge, LA 70808

From: Ryan Stinson # 433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

Re: Ryan Stinson -vs.- Scott M. Perrilloux + Charlotte Hebert
Suit No.# 113,598 - Div."F" - 21st J.D.C. - Parish of Livingston

Dear Mr. Murphy,

I am in receipt of your March 1, 2007, correspondence, which I received on the date of March 6, 2007. Which at this Time I would like to give an answer to.

you stated in accordance to [redacted] Louisiana Code of Evidence Article 408(A) you have communicated my Settlement offer to the Defendants and they would agree to having me Transfferred to Dixon correctional institute.

You also stated that if I wish to be transferred as per my offer notify you.

"I do wish to be Transferred to Dixon correctional institute imediatley."

I agree to Settle for a Transfer to Dixon Correctional institute.

Thank you for your Time and concern and God bless you For your kindness and consideration with this matter. I will be looking Foward to bringing some closer to this mattir as soon as posiable.

With the kindess of Regards, I am

Truly Thankful

Ryan Stinson

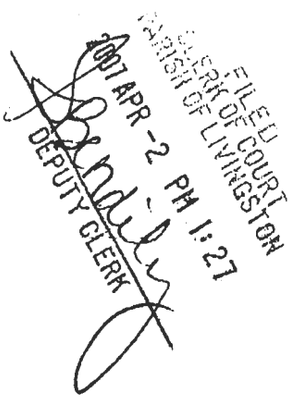
Ryan Stinson #433686

(Exibit 3)

March 21, 2007

To: Mr. Greg Murphy
6553 Perkins Rd. Suite 200
Baton Rouge LA 70808

From: Ryan Stinson # 433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040



RE: Ryan Stinson -V- Scott M, Perrilloux + Charlotte Hebert
Suit No# 113598 Div "F" 21st J.D.C. - Parish of Livingston

Dear Mr. Murphy

I am writing this letter concerning my last letter Dated to you March 6, 2007 concerning my Settlement offer.

I would like to know if your client's the Defendant's are still agreeing to settle and if so are you going to send the appropriate Forms for me to sign in accordance with Louisiana code of Evidence Article 408(A) to Finilize the Settlement with a copy for my Records and a Joint motion to dismiss, are did you have some other plain in Lights to Settle this matter.

I am hoping and praying we can bring some Closer to this matter soon.

Thank you so very much for your time and concern and God bless you for your kindness, I am in hopes to hear from you soon Pertaining this matter.

With The kindess of Regardes, I am

Truly Thankful

Ryan Stinson

CC: R.S.

- Enclosures -

(Exibit 4)

002439

Ryan Stinson * Suit No. 113598 - Div. "F"

Versus * 21st Judical District Court

Charlotte Hebert, Asst. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

Filed: _____ Clerk of court: _____

ORDER

After the courts consideration of the Plaintiff Motion to Enforce Settlement Agreement, It is Hereby Ordered that a hearing be held on this Motion in Division "F" of Livingston Parish court house, 20180 Iowa St. Livingston LA. 70754, on the 9th day of July, 2007, at 9:00am o'clock, to show cause why the Plaintiffs motion to Enforce Settlement Agreement should be granted.

It is Further, ordered that Warden Venetia Micheal of David Wade correctional center 670 Bell Hill Rd. Homer LA. 71040, have the person of one Ryan Stinson #433686 present in open court on the above date and time, in court Room Number _____.

Signed, on This 18th day of April, 2007 in Livingston Parish, State of Louisiana

District Judge

Please Serve:

Plaintiff, Ryan Stinson #433686

Defendants Attorney, Greg Murphy

Warden Venetia Micheal

David Wade corr. Cent.

670 Bell Hill Rd.

Homer LA. 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 4 30 2007
Deputy Clerk Of Court

002440

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to Defendant's Counsel, Greg Murphy, 6555 Perkins Road suite 200 Baton Rouge LA., 70808, Postage prepaid, This 28 day of Maich, 2007.

Ryan Stinson

002441

TWENTY-FIRST
JUDICIAL DISTRICT

Scott M. Perrilloux
District Attorney
21st Judicial District

Livingston, St. Helena and Tangipahoa Parishes

P. O. Drawer 299
Livingston, LA 70754
(225) 686-3070
Fax: (225) 686-1651

August 29, 2007

Mr. Ryan Stinson
D.O.C. #: #433686
Dixon Correctional Institute
P. O. Box 788
Jackson, Louisiana 70748

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Stinson:

Enclosed find a Settlement Agreement and Complete Release in the above-referenced matter. If you will recall, we were in court on July 9, 2007, and agreed to settle this matter. Based upon our agreement I enclose for your execution a copy of the Settlement Agreement and Complete Release that must be signed and returned to me.

Also, enclosed is a Motion and Order to Dismiss this matter as per our agreement. I would ask that you sign the Motion and return it to me with the executed Release and I will file this into the record.

With kindest regards, I remain

Sincerely,

Greg Murphy
Assistant District Attorney

GM/sjl
Enclosures

EXHIBIT
tabbies
"F"

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

MOTION AND ORDER TO DISMISS

NOW INTO COURT, through undersigned counsel, comes plaintiff, Ryan Stinson, who shows that his claim in the above-captioned matter against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, has been fully settled and compromised and that petitioner wishes to dismiss his suit against defendants, with prejudice, with each party to bear its own costs.

Respectfully Submitted

_____

RYAN STINSON, PETITIONER
D.O.C. #: #433686
Dixon Correctional Institute
P. O. Box 788
Jackson, Louisiana 70748

AND

_____

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

O R D E R

IT IS HEREBY ORDERED that the above entitled and numbered cause be and the same is hereby **DISMISSED** against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, with prejudice, with each party to bear its own costs.

THUS DONE AND SIGNED this _____ day of _____, 2007, in Livingston, Louisiana.

_____

JUDGE, 21st JUDICIAL DISTRICT COURT

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

SETTLEMENT AGREEMENT AND COMPLETE RELEASE

BEFORE ME, the undersigned Notary Public, personally came and appeared:

RYAN STINSON, #433686
D.W.C.C. 670 BELL HILL ROAD
HOMER, LOUISIANA 71040

who, after being duly sworn, did declare and acknowledge that he did, on this date, receive a transfer from D.W.C.C. to Dixon Correctional Institute as referenced in his February 5, 2007, letter to defendants and in so accepting the transfer does so in full settlement, satisfaction and compromise of any and all claims and alleged causes of actions of every nature whatsoever, which he has, or may have against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's Office arising out of or connected to his claim for civil action tort and breach of contract as fully stated in his original petition as well as any claims in his supplemental to original complaint of, civil action tort and breach of contract in the suit entitled: "*Ryan Stinson vs. District Attorney, 21st JDC, Suit No. 113,598 - Div. "F", 21st Judicial District Court, Parish of Livingston, State of Louisiana*", and any supplemental complaints, which plaintiff agrees to dismiss immediately, with prejudice.

RELEASE

Plaintiff declares that for consideration of the transfer to Dixon Correctional Center he does hereby release, acquit and forever discharge Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's Office, and any insurers, employees, agents, representatives, directors, officers, heirs, successors, predecessors, assigns, affiliated and/or subsidiary and/or apparent companies, of any and from any and all past, present, and future claims, demands, causes of action and rights of action whatsoever, known and unknown, anticipated and

unanticipated, which Plaintiff may or might have against the Released Parties as a result of the alleged breach of contract and alleged damages suffered by petitioner referenced in his supplemental petition of February 19, 2007. More specifically, Plaintiff releases, without limitation whatsoever, any and all claims, rights of action and causes of action against the Released Parties for past, present and future bodily and personal injury, physical and mental pain and suffering, disability, disfigurement, lost wages, penalties, attorneys' fees, medical expenses and any and all damages of whatsoever kind or character which may have been sustained and might be sustained by Plaintiff in any way resulting from or arising out of the alleged breach of contract and/or alleged bodily injury suffered by Plaintiff referenced in the supplemental petition of February 19, 2007, this Release being full, final and complete.

COVENANT NOT TO SUE

Plaintiff agrees that he shall not commence any civil action against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's Office in the future based on acts, transactions, occurrences known or unknown to him on the date of execution of this Release, which arises out of or is in any way related to the alleged breach of contract referenced in Plaintiff's original petition and bodily injury damages in his supplemental petition filed on February 19, 2007.

NO ADMISSION OF LIABILITY

Plaintiff further declares that this Release is in settlement and comprise of a disputed claim, and that this Release is not to be construed as an admission of liability on the part of the Released Parties and it is specifically understood that all liability is denied, that this settlement is being entered into solely for the purpose of resolving any and all claims that Plaintiff has or may have against the Released Parties and precluding any future litigation against the Released Parties for claims arising out of this lawsuit.

FURTHER ASSURANCES

Plaintiff declares that he is the sole possessor of the claims or causes of action being released herein, and that he has not assigned or otherwise transferred said claims or causes of actions to any other person or entity. Plaintiff also agrees that he will not, nor any time hereafter, commence, maintain or prosecute any action, at law or otherwise, or assert any claims against the Released

Parties herein for damages, losses, benefits or for other equitable relief related to this litigation.

CAREFUL REVIEW OF RELEASE AND UNDERSTANDING THEREOF

Plaintiff represents that he has carefully read this Release and understands its terms and conditions without reservation. Plaintiff acknowledges that he has had ample opportunity to consult with legal counsel regarding the meaning and affects of this Release. Plaintiff further understands that this is a Full, Complete and Final Release and that he is forever relinquishing and releasing any and all claims he has or may have against the Released Parties which arise out of the alleged breach of contract or injuries suffered as referenced in his supplemental and amending petition. Plaintiff also acknowledges that he understands the terms and provisions of this Release and that this Release contains the entire agreement between the parties and supercedes any and all prior agreements, arrangements, or understandings between the parties related to the subject matter. Plaintiff further represents and acknowledges that he has taken into account not only the known and anticipated claims and defenses, but also unknown and unanticipated claims and defenses which he hereby recognizes and agrees are covered by this Release. Plaintiff further declares that this Release and Discharge is given voluntarily and after mature consideration, and without any threat, duress, intimidation or other unlawful means exercised toward him or any other person or persons whomsoever.

Thus done and signed before the undersigned competent witnesses and me, Notary Public, after a due and complete reading of the whole in _____, Louisiana, on this _____ day of _____, 2007.

WITNESSES:

_____

_____

_____
RYAN STINSON, #433686
D.W.C.C.

_____
NOTARY PUBLIC

002446

RULE TO SHOW CAUSE
PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY
6555 PERKINS RD.
SUITE 200
BATON ROUGE, LA 70808

PAUPER SUIT

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

on ***December 12, 2007****, at the hour of* ***1:00 PM*** *at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on November 15, 2007.*

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, I.P.P.
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

Service Information

Received on the _____ day of _____, 20_____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____ _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[SERVICE]

002447

CITATION

PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY
6555 PERKINS RD.
SUITE 200
BATON ROUGE, LA 70808 *of EAST BATON ROUGE Parish*

PLEASE SEE ATTACHED CERTIFIED COPY OF ABOVE LISTED PLEADINGS.

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 15, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

B Sullivan Young

Deputy Clerk of Court

Attorney
RYAN STINSON #433686
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON, LA 70748

Service Information

Received on the _____ day of _____, 20_____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20_____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[ORIGINAL]

002448

CITATION

PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY
6555 PERKINS RD.
SUITE 200
BATON ROUGE, LA 70808

PAUPER SUIT

of EAST BATON ROUGE Parish

PLEASE SEE ATTACHED CERTIFIED COPY OF ABOVE LISTED PLEADINGS.

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 15, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

B Sutton Fonseca
Deputy Clerk of Court

Attorney
RYAN STINSON #433686
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON, LA 70748

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

***Personal Service** on the party herein named _____.*
***Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20_____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[SERVICE]

DW TBSF

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 NOV -7 AM 9:54
DEPUTY CLERK

1 of 4

Ryan Stinson * Div. F Suit No. * 113598

-V- * 21st Judicial District Court

Scott M. Perrilloux, District Attorney * Parish of Livingston

Charlotte Hebert, Asst. District Attorney * State of Louisiana

*

Filed _____ * Clerk of court _____

* *

Petition For Writ of Habeas Corpus Ad Testificandum

* *

Now into This Court:

Comes The Plaintiff Ryan Stinson, Pursuant to 28.U.S.C Section 2241(c)(5), LA.C.C.P. Art. 1235.1, 1354, 1355, 1355.1, 1356, 1463, and Art. 3821. Request That This Court issue a Writ of habeas Corpus Ad Testificandum requiring The Warden of David Wade Correctional Center, To bring The body of one Jacobi Johnson #130062, Before This Court, For a Hearing to show cause scheduled to commence on December 12, 2007 at 1:00PM, and States in support:

1.) The Plaintiff's Case depends in Large part of His witnesses Testimony. Since the credibility of Witnesses will be an issue in this matter, The court should be Allowed To Hear the Plaintiff's witnesses testify Personaly and observe Their demeanor.

2.) The Plaintiff is Proceeding Pro see in This Matter and Should Therefore be allowed To Produce his witnesses To testify in His case, and so the defendant's may Cross-examine The witnesses, and hear his case, and so that the plaintiff can present Appropriate rebuttal evidence Through his witnesses.

3.) The Plaintiff witnesses, should Be produced To testify in this case where his physical presence will contribute Significantly To a Fair and impartial Judgment in the witnesses Testimony and Credability: See; Holt V. Pitts, 619 F.2d 558 (5th Cir 1980).

SCANNED

4.) This Court has The Power To order a prisoner To Be Brought Before it To Testify in This Civil matter

and to be cross examined : See; Stone v. Morris, 546 F.2d 730 (7th Cir. 1976); Holt v. Pitts, 619 F.2d 558 (5th Cir 1980); Michaud v. Michaud, 932 F.2d 77, 81 (1st Cir 1991); (Held that District Courts have the Power to order Prisoners brought before it to present oral arguments and testify).

Wherefore, For the Foregoing reasons this writ of Habeas Corpus Ad Testificandum should Be granted.

Respectfully Submited,

11, 4, 2007
Date

Ryan Stinson #433686

3 of 4

Ryan Stinson

-v-

Scott M. Perrilloux, District Attorney

Charlotte Hebert, Asst. District Attorney

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 NOV -7 AM 9:54
DEPUTY CLERK

* Div. ____ Suit No* _____

* _____ Judicial District Court

* Parish of Livingston

* State of Louisiana

*

* _____

Filed Clerk of Court

* * * \

Defendants with a copy of all papers Attached.

Signed, on This 12th day of November 2007 in ~~Livingston~~ parish, State of Louisiana

SCANNED

District Judge

Clerk Please serve:

Ryan Stinson # 433686, unit 2 c/o/A cell #11

Dixon correctional institute, P.O. Box 788 Jackson, LA, 70748

Greg Murphy, Defendants counsel

6555 Perkins Rd. Suite 200, Baton Rouge LA, 70808

JACobi Johnson # 130062

David Wade corr. cent. 670 Bell Hill Rd. Homer LA. 71040

Waiden, Venetia Michael

David wade corr. cent. 670 Bell Hill Rd. Homer LA. 71040

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 11-15- 2007
Deputy Clerk of Court

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to the defendants counsel, Greg Murphy, at 6555 Perkins Rd. suite 200, Baton Rouge LA. 70808, Postage Prepaid, This 4 day of November, 2007

Ryan Stinson


RECEIVED
NOV 27 2007
E.B.R. SHERIFF'S OFFICE

002455

NOTICE OF RULE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

GREG MURPHY
DISTRICT ATTORNEYS OFFICE 21ST JDC
P.O. BOX 299
LIVINGSTON, LA 70754

RYAN STINSON #433686
DIXON CORRECTIONAL INSTITUTE
PO BOX 788
JACKSON LA 70748

This is your notice that a rule for HEARING has been set in the above captioned matter on December 12, 2007 at 1:00 PM before the Honorable ELIZABETH P WOLFE.

Done on November 5, 2007.

Deputy Clerk of Court

002456

RULE TO SHOW CAUSE
PETITION FOR A WRIT OF HABEA'S CORPUS AD TESTIFICANDUM

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY - COUNSEL FOR DEFENDANTS AT
6555 PERKINS RD
STE 200
BATON ROUGE, LA 70808

PAUPER SUIT

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **December 12, 2007**, at the hour of **1:00 PM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on November 5, 2007.*

Deputy Clerk of Court

Attorney
RYAN STINSON, #433686 AT DIXON CORRECTIONAL INSTITUTE
PO BOX 788
JACKSON LA 70748

Service Information

Received on the _____ day of _____, 20_____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[SERVICE]

002457

CITATION

PETITION FOR A WRIT OF HABEA'S CORPUS AD TESTIFICANDUM

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY - COUNSEL FOR DEFENDANTS AT
6555 PERKINS RD
STE 200
BATON ROUGE, LA 70808 *of EAST BATON ROUGE Parish*

YOU ARE HEREBY SUMMONED *to comply with the demand contained in the petition of which a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, the 21st Judicial District Court in and for the Parish of Livingston, State of Louisiana, within FIFTEEN (15) days after the service hereof, under penalty of default.*

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 5, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686
DIXON CORRECTIONAL INSTITUTE, PO BOX 788
JACKSON LA 70748

Service Information

Received on the _____ day of _____, 20_____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[ORIGINAL]

002458

CITATION

PETITION FOR A WRIT OF HABEA'S CORPUS AD TESTIFICANDUM

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY - COUNSEL FOR DEFENDANTS AT
6555 PERKINS RD
STE 200
BATON ROUGE, LA 70808 *of EAST BATON ROUGE Parish*

YOU ARE HEREBY SUMMONED *to comply with the demand contained in the petition of which a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, the 21st Judicial District Court in and for the Parish of Livingston, State of Louisiana, within FIFTEEN (15) days after the service hereof, under penalty of default.*

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 5, 2007.

Clerk of Court
21st Judicial District
Parish of Livingston

_____
Deputy Clerk of Court

Attorney
RYAN STINSON, #433686
DIXON CORRECTIONAL INSTITUTE, PO BOX 788
JACKSON LA 70748

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[SERVICE]

002459

1 of 4

Ryan Stinson * Div.___ Suit No. 113598

-v- * 21st Judical District Court

Scott M. Perrilloux, District Attorney * Parish of Livingston

Charllote Hebert, Asst. District Attorney * State of Louisiana

*

Filed * Clerk of Court

FILED IN COURT
PARISH OF LIVINGSTON
2007 OCT 19 PM 2:30
CLERK OF COURT
DEPUTY CLERK

* * * \

002460

2 of 4

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to the defendants Attorney, Greg Murphy, 6555 Perkins Rd. Suite 200, Baton Rouge LA, 70808, Postage Prepaid, This 12 day of October, 2007

Ryan Stinson

002461

3 of 4

Ryan Stinson * Div. E Suit# No# 113598

-v- * 21st Judicial District Court

Scott M. Perrilloux, District Attorney * Parish of Livingston

Charlotte Hebert, Asst. District Attorney * State of Louisiana

*

Filed * Clerk of Court

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT 19 PM 2:39
DEPUTY CLERK

ORDER

It is here by ordered That The Warden of Dixion Correctional institute, Have The Body of Ryan Stinson #433686, under your Custody as it is said, Under safe and secure conduct before The Judge of This court, For The, 21st Judicial District Court of Livingston parish, at, 20180 Iowa St., Livingston, LA. 70754, on The 12th day of December, 2007 at 1:00pm in Division "F", To present his arguments and show Cause, in a Certain Cause Now pending in said Court, There To be heard, entitled Ryan Stinson -v- Scott M. Perrilloux, District Attorney and Charlotte Hebert, Asst. District Attorney, Suit NO. 113598, Before The said Court, and immediately after The said "Stinson" has compleated his arguments and show's cause in The above and entitled matter, and The Court declares The Hearing Thereof Completed, That you return him back To said Custody.

It is Further ordered, That a Copy of This order Be Served on, Warden James Leblance of Dixion Correctional institute, at Dixion correctional institute P.o. Box 788, Jackson, LA, 70748.

It is Further ordered That a Copy of This order and all attached papers be served on Ryan Stinson #433686 at Dixion Correctional institute P.O. Box 788, Jackson, LA 70748.

It is Further ordered That a Copy of This order and all attached papers be Served on Defendants Counsel, Greg Murphy, at 6555

002462

4 of 4

Perkins Rd. Suite-300, Baton Rouge LA. 70808.

Signed, on This 2nd day of November, 2007, in Livingston Parish, state of Louisiana

District Judge

Please Serve:

Ryan Stinson, Plaintiff, at
Dixion Correctional institute
P.O. Box 788, Jackson, LA, 70748

James LeBlance, Warden, at
Dixion Correctional institute
P.O. Box 788, Jackson, LA, 70748

Mr. Greg Murphy, Counsel For Defendants, At,
6555 Perkins Rd. Suite-200, Baton Rouge, LA, 70808

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 11-5 20 07
Deputy Clerk of Court

RECEIVED
NOV 0 8 2007
E.B.R. SHERIFF'S OFFICE

October 17, 2007

To: Mr. Greg Murphy
6585 Perkins Rd. Suite-200
Baton Rouge, LA. 70808

From: Ryan Stinson #433686
Unit-2 C/B/A Cell #16 Dixion Correctional
Institute, P.O. Box 788, Jackson LA, 70748

RE: Ryan Stinson -V- Scott M. Perrilloux, District Attorney + Charlotte Hebert, Asst. District Attorney, Div "F" suit No 113598, 21st Judicial District court Parish of Livingston, State of Louisiana

Dear Mr. Murphy,

I am writing this missive in Concerns of my September 26, 2007 Letter and my September 30, 2007 Letter to you. I am in hopes that you have reviewed these letters and would very much like to Bring some Final Closer To These matters and This suit without The courts intervention of Such none Trivial matters That can be Settled amongst ourselves. I have Been very Coroporative with you in Settling This matter, But you Seem To not have been. I hope you will Find The Time To contact me so as To Try and Find a meeting of The minds. I Feel as Tho What I have requested in return For my Settlement of my Supplemental Complaint is Tedious and well in your means To provide me with and Then I will execute your release Form with The Few changes that need making.

I am enclosing For your review my Petition For a Writ of Habea's Corpus Ad TestiFicandum, To Have me present in court on December 12, 2007 at 1:00 pm.

I hope and pray To hear From you before

This Hearing.

Thank you For your Time and concern and Mr. Murphy God Bless you For your ongoing kindness and considerating and patience with me in This matter. I hope and pray to hear From you imediatly.

with The kindess of Regardes, I am

Truly Thankful

Ryan Stinson #433680

CC: R.S.
G.M.

Enclosure

1 of 4

Ryan Stinson * Div ___ Suit No. 113598

-v- * 21st Judicial District Court

Scott M. Perkins, District Attorney * Parish of Livingston

Charlotte Hebert, Asst. District Attorney * State of Louisiana

*

Filed _____ * Clerk of Court _____

* * * \

Certificate of Service

This is to certify that a copy of the above and foregoing has been mailed to the defendants Attorney, Greg Murphy, 6555 Perkins Rd Suite 200, Baton Rouge LA. 70808 Postage Prepaid, This 12 day of October 2007

Ryan Stinson

3 of 4

Ryan Stinson * Div. E Suite No" 113598
-v- * 21st Judicial District Court
Scott M Perrilloux, District Attorney * Parish of Livingston
Charlotte Hebert, Asst. District Attorney * State of Louisiana
*
Filed _____ * Clerk of Court _____

ORDER

It is here by ordered that The Warden of Dixion Correctional institute, Have The Body of Ryan Stinson #433686, under your Custody as it is said, under safe and secure conduct before The Judge of this court, For The, 21st Judicial District Court of Livingston parish, at, 20180 Iowa St, Livingston, LA. 70754, on The 12th day of December, 2007 at 1:00pm in Ovision "E", To present his arguments and show Cause, in a Certain Cause Now pending in said Court, There To be heard, entitled Ryan Stinson -v- Scott M. Perrilloux, District Attorney and Charlotte Hebert, Asst. District Attorney, Suit NO. 113598, Before The said Court, and immediately after The said "Stinson" has compleated his arguments and show's cause in The above and entitled matter, and The Court declares The Hearing thereof Completed, that you return him back To said Custody.

It is Further ordered, That a Copy of This order Be Served on, Warden James Leblance of Dixion Correctional institute, at Dixion correctional institute P.o. Box 788, Jackson, LA, 70748.

It is Further ordered That a Copy of This order and all attached papers be Served on Ryan Stinson #433686 at Dixion Correctional institute P.O. Box 788, Jackson, LA 70748.

It is Further ordered That a Copy of This order and all attached papers be Served on Defendants Counsel, Greg Murphy, LA

Perkins Rd. Suite-200, Baton Rouge LA. 70808.

Signed, on this _____ day of _____, 2007, in _____ Parish, State of Louisiana

_____

District Judge

Please Serve:

Ryan Stinson, Plaintiff, at
Dixion Correctional institute
P.O. Box 788, Jackson, LA, 70748

James LeBlanc, Warden, at
Dixion Correctional institute
P.O. Box 788, Jackson, LA, 70748

Mr. Greg Murphy, Counsel For Defendants, At
6555 Perkins Rd. Suite-200, Baton Rouge, LA, 70808

002470

RULE TO SHOW CAUSE

MOTION IN OPPOSITION TO DEFENDANT'S MOTION TO ENFORCE SETTLEMENT AGREEMENT; AFFIDAVIT IN SUPPORT; MEMORANDUM OF LAW IN SUPPORT; ORDER; EXHIBITS

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

PAUPER SUIT

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY
6555 PERKINS ROAD
SUITE 200
BATON ROUGE, LA 70808

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **December 12, 2007**, at the hour of **1:00 PM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on October 15, 2007.*

_____
Deputy Clerk of Court

Attorney
RYAN STINSON #433686, I.P.P.
DIXON CORRECTIONAL INSTITUTE
P. O. BOX 788
JACKSON, LA 70748

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[SERVICE]

September 26, 07

To: Mr Greg Murphy
6555 Perkins Rd. Suite 200
Baton Rouge LA, 70808

- Exhibit - 11 -

From: Ryan Stinson #733686
unit-2 C10A cell #2 Dixion Correctional institute
P.C. Box 788, Jackson, Louisiana, 70748

RE: Ryan Stinson V. Scott M Perrilloux District Attorney & Charlotte Hebert Asst. District Attorney. Suite #13598 - Div. "F" - 21st J.D.C. - Parish of Livingston

FILED
2007 OCT -5 AM 9:41
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

Dear Mr. Murphy,

Sir I write this letter in response to Sept 11 07, Meeting we Had that did not go so well, Because you refussed To Help me out on my concerns with the Settlement Agreement you drafted, and Wanted me To blindly Sign. Which I refused to sign. So sense we could not Seem To get an understanding in person maybe Though This letter you will be able to get an understanding of my concerns.

We had an agreement to Settle This matter which we agreed on on July 9, 2007, But only one Time did we ever discuss Settling my supplemental complaint, which you informed me was entirly up To me. But we did discuss in length of Settling My original civil action Tort and breach of contract as ~~would~~ ~~my~~ was offered in my February 5, 2007 letter To you. at no time From my offer untill now did I ever put in any of my letters That I would Be Settling my Supplimental Complaint. As you know my offer was made To your clients Befor The Supplimental Complaint of mine was ever Filed which was Filed on February 19, 2007 in So being I am not obligated By law To Settle my Supplimental Complaint. as I will show

if we halt to go to court and have the Judge make a final decision in the matter that I have no obligation to your clients to settle my Supplimental Complaint as in accordance with LA Civ. Code Arts. 3071 and 3073.

Also we discussed about the payment of cost of court. And you told me that you wanted that the court ware cost for each party. But unfortunatly you failed to stipulate this in our Settlement agreement.

I do not question the enforceability of the settlement agreement we reached on the original Civil action. Tort and Breach of Contract But I am not in conformatory with the Settlement you drafted, Because the Settlement was only designed to settle this case, not any other case that I might have a right to file on my Supplimental complaint as I will show if we halt to go to court.

So in conformatory with these Fact's I have drafted a Settlement agreement actualy it is most like yours with a few changes made one of the specific changes are on the Supplimental Complaint which I will also dismiss if the defendant's will have D.C.I. Place me on the Compound Here in unit-2 Dorm 5 of 6 which is a Fairly reasonable offer considering all that has taken place in the case of my Breach of Contract if the defendant's will Be willing to have this done I feel I have Been more than Coloperative with you and the defendant's in order to settle this matter and I feel it no more than right that we discuss this in a professional manner and come to some type of understanding.

also if your client's do agree and we Settle this matter as set forth in the Settlement

agreement I drafted I would like us to meet and sign the settlement and have the same notarized.

So I hope and pray we can come to some type of agreement in this matter at Hand and Finally Bring some much needed closer to it as well.

I once again want to thank you for your time and concern and God Bless you for your continued patience and ongoing kindness in this matter. I hope and pray to hear from you soon and if you are in agreement with the settlement agreement I drafted I hope you will have it typed up and I will be more than happy to sign it.

With the kindness of Regards, I am

Truly Thankful

[illegible]

[illegible] Stroser #033680

C/c R.S., G.M.

— Enclosure —

Ryan Stinson	*	Suit No 113594 - Div "F"
versus	*	21st Judicial District court
District Attorney, 21st J.D.C.	*	Parish of Livingston
	*	State of Louisiana
Filed	*	Clerk of Court

* * * \

State of Louisiana", and any supplemental complaints, which Plaintiff agrees to dismiss immediately with prejudice.

RELEASE

Plaintiff declares that for consideration of the transfer to Dixion Correctional Center and placement on the compound unit 3 Dorm 5 or 6 he does hereby Release, acquit and Forever discharge Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's office, and any insurers, employers, agents, representatives, directors, officers, heirs, successors, predecessors, assigns, affiliated and/or subsidiary and/or appeal companies of any and from any and all past, present and future claims, demands, causes of action and rights of action whatsoever, known and unknown, anticipated and unanticipated, which Plaintiff may or might have against the released parties as a result of the alleged Breach of contract and alleged damages suffered by petitioner referenced in his supplemental petition of February 19, 2002. More specifically, Plaintiff releases, without limitation whatsoever, any and all claims, rights of action and causes of action against the released parties for past, present and future Bodily and personal injury, physical and mental pain and suffering, disability, disfigurement, lost wages, penalties, Attorneys' Fees, medical expenses and any and all damages of whatsoever kind of character which may have been sustained and might be sustained by plaintiff in any way resulting from or arising out of the alleged Breach of contract and for alleged bodily injury suffered By Plaintiff referenced in the supplemental petition of February 19, 2002, this release being Full, Final and complete.

Covenant Not To Sue

Plaintiff agrees That he shall not commence any civil action against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District court, parish of Livingston, State of Louisiana, and The 21st Judicial District Attorney's office in The Future based on acts, transactions, occurrences known or unknown to him on the date of execution of this release, which arises out of or is in any way related to the alleged Breach of contract referenced in Plaintiff's original petition and bodily injury damages in his supplimental petition filed on February 19, 2007.

No Admission of Liability

Plaintiff Further declares That This release is in Settlement and comprise of a disputed claim, and That this release is not to be construed as an admission of liability on The part of the Released Parties and it is specifically understood That all liability is denied, That the settlement is being entered into solely For purpose of resolving any and all claims That Plaintiff has or may have against The released parties and precluding any Further litigation against Released Parties For claims arising out of This Lawsuit.

Further Assurance

Plaintiff declares That he is the sole possessor of The claims or causes of action being released herein, and That he has not assigned or otherwise Transferred said claims or causes of actions To any other person or entity Plaintiff also agrees That he will not, nor at any Time hereafter, commence, maintain or

Prosecute any action, at law or otherwise, or assert any claims, against the released parties herein for damages, losses, benefits or for other equitable relief related to this litigation.

Waver of Cost of Court

Plaintiff declares that he understands that the released parties will request the court to wave all cost of court, stemming from or related to this litigation, [redacted] against all parties, the Plaintiff also understands that the released parties herein are only requesting the waver of cost of court, as a good faith efort to resolving any and all claims the plaintiff has are may have against the released parties and precluding and further litigation against released parties for claims arising out of this lawsuit.

Careful Review of Release And Understanding Thereof

Plaintiff Represents that he has carefully read this release and understands it's terms and conditions reservation. Plaintiff acknowledges that he has had ample opportunity to consult with legal counsel regarding the meaning and affects of this Release, Plaintiff further understands that this is a full, complete and final release and that he is forever relinquishing and releasing any and all claims he has are may have against the released parties which arise out of the alleged Breac of contract or injuries suffered as referenced in his supplemental and amending petition. Plaintiff also acknowledges that he understands the terms and provisions of this release and that this release contains the entire agreement between the parties and supercedes any and all prior agreements, arrangements, or understandings between the parties related to the subject matter. Plaintiff further

represents and acknowledges that he has taken into account not only the known and anticipated claims and defenses, but also unknown and unanticipated claims and defenses which he hereby recognizes and agrees is covered by this Release. Plaintiff further declares that this release and Discharge is given voluntarily and after mature consideration, and without any threat, duress, intimidation or other unlawful means exercised toward him or any other Person or Persons whomsoever.

Thus done and signed Before the undersigned competent witnesses and me, Notary Public after a due and complete reading of the whole in _____, Louisiana, on this _____ day of _____, 2007

Witnesses:

_____ Ryan Simms, #33686

_____

_____

_____

Notary Public

RECEIVED
OCT 2 4 2007
E.B.R. SHERIFF'S OFFICE

March 21, 2007

To: Mr. Greg Murphy
6553 Perkins Rd. Suite 200
Baton Rouge LA 70808

From: Ryan Stinson # 433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

RE: Ryan Stinson -V- Scott M. Perrilloux + Charlotte Hebert
Suite No# 113598 Div "F" 21st J.D.C. - Parish of Livingston

Dear Mr. Murphy

I am writing this letter concerning my last letter Dated to you March 6, 2007 concerning my Settlement offer.

I would like to know if your client's The Defendant's are still agreeing to settle and if so are you going to send the appropriate forms for me to sign in accordance with Louisiana code of Evidence Article 408(A) to finilize the settlement with a copy for my Records and a Joint motion to dismiss, are did you have some other plain in lights to settle this matter.

I am hoping and praying we can bring some closer to this matter soon.

Thank you so very much for your time and concern and God bless you for your kindness, I am in hopes to hear from you soon pertaining this matter.

With the kindess of Regardes, I am

Truly Thankful
Ryan Stinson

cc: Rs.
- Enclosures -

(Exibit 4)

002481

Ryan Stinson * Suit No. 113598 - Div. "F"

versus - * 21st Judical District court

Charlotte Hebert, Asst. District Attorney * Parish of Livingston

Scott M. Perrilloux, District Attorney * State of Louisiana

*

Filed: * Clerk of court

ORDER

After the courts consideration of the Plaintiff Motion to Enforce Settlement Agreement, It is Hereby Ordered that a hearing be held on this Motion in Division "F" of Livingston Parish court house, 20180 Iowa St. Livingston LA. 70754, on the 9th day of July, 2007, at 9:00am o'clock, to show cause why the Plaintiffs motion to Enforce Settlement Agreement should be granted.

It is Further, ordered that Warden Venetia Micheal of David Wade correctional center 670 Bell Hill Rd. Homer LA. 71040, have the person of one Ryan Stinson #433686 present in open court on the above date and time, in court Room Number _____.

Signed, on This 18th day of April, 2007 in Livingston Parish, State of Louisiana

District Judge

Please Serve:

Plaintiff, Ryan Stinson #433686

Defendants Attorney, Greg Murphy

Warden Venetia Micheal

David Wade corr. Cent.

670 Bell Hill Rd.

Homer LA. 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 12:27
DEPUTY CLERK

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 4-20-2007
Deputy Clerk Of Court

002482

Certificate of Service

This is to certify that a copy of the above and foregoing has been Mailed to Defendant's Counsel, Greg Murphy, 6555 Perkins Road suite 200 Baton Rouge LA, 70808, Postage prepaid, This 28 day of March, 2007.

Ryan Stinson

April 10, 2007

To: Mr. Greg Murphy, Attorney
6555 Perkins Rd. Suite 200, Baton Rouge LA, 70808

From: Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd, Homer LA, 71040

RE: Ryan Stinson V. Scott M. Perrilloux + Charlotte Pelcrit
Suit No# 113598 Div "F" 21st J.D.C. - Parish of Livingston

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -5 AM 9:41
DEPUTY CLERK

Dear Mr. Murphy.

I am writing you this Letter Concerning the above and enclosed matter.

Sir on February 19, 2007 I Filed a Supplement To original Complaint OF, Civil Action Tort and Breach OF Contract. Today is April 10, 2007 and I still Have not received The defendant's Response To The Supplement please See That I receive an answer To This. All I will be Forced To File a motion For default and as you know what is not answered is automatickly considered as True. I will be Looking For your answer To This immediatly.

Sir ALSo on The date OF March 21, 2007 I Filed a Second Request For production OF Documents and a Second Request For Admissions. I Look To be receiving an answer To This as will as The ~~Requested documents~~ in a ~~Timly~~ manner which is within 30 day's OF date I Filed Then are I will be Forced To Compel When your 30 day's has Lapsed.

Sir ALSo on The date OF March 27, 2007 I wrote you a Letter in hopes To resolve The Discovery ~~dispute~~ dispot we Seem To be having But you Seem To ~~be~~ Ignoring all

- EXHibit 7 -

my atempts to resolve this matter in an ethical and professional manner as is favored by the court's before one moves to compel so I write in a final atempt to resolve this matter before I am left with no choise but to compel.

I am hoping we may resolve these matters as soon as posiable.

As you know we have a hearing for May 29, 2007 I am hoping that after this hearing you can have the judge remand me to the custody of the sheriff's office so me and you ~~[illegible]~~ and the defendants may have a conference. Please get back with me on this matter imediatly. Of course this is if we have not brought closer to this matter as set forth is our settlement agreement, before the hearing I will be waiting on your responce.

I am also enclosing a copy of my supplement to my motion to enforce settlement agreement.

I thank you once again for your time, concern + patience. And God bless you for your ongoing kindness and consideration. I am looking foward to hearing from you as soon as posiable.

With the kindess of regards, I am

Truly thankful

[signature]

Ron Stinson #[illegible]

cc: G.M.
R.S.
B.G.

Ryan Stinson	*	Suit No: 113598 - Div "F"
-Versus-	*	21st Judical District court
Charlotte Hebert, Asst. District Attorney	*	Parish of Livingston
Scott M. Perrilloux, District Attorney	*	State of Louisiana
	*	
	*	

FILED: _____ CLERK OF COURT: _____

* * * \

(5th Cir. 1989).

IV

In Anderson-Dunham Inc. v. Hamilton, 564 So.2d. 823 (1st Cir LA. App. 1990) Writ denied 569 So 2d 963; The Courts Held, However, The requirement That The agreement be in writing and signed by both parties does not necessarily mean That The agreement must be contained in one document. It would suffice That there be a written offer signed by The offeror and a written acceptance signed by The acceptor, even if The offer and the acceptance are contained in separate writings. In other words, where two instruments When read Together, outline The obligations each party has To The other and evidence each party's acquiescence in The agreement, a written compromise agreement, as contemplated by LSA.C.C. Art 3071, has been perfected. See Felder v Georgia Pac. Corp, 405 So.2d 521 (LA. 1981).

* * * \

Certificate of Service

This is to Certify That a copy of the above and Foregoing has been Mailed to Defendant's Counsel, Greg Murphy, 6555 Perkins Road Suite 200 Baton Rouge LA. 70808, Postage Pre-Paid, This 11 day of April, 2007.

Ryan Stinson #433686

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -5 AM 9:44
DEPUTY CLERK

ANSWER TO SUPPLEMENT TO ORIGINAL COMPLAINT OF CIVIL ACTION TORT AND BREACH OF CONTRACT

NOW INTO COURT, through undersigned counsel, comes defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract as follows:

1.

The allegations in defendant's Supplement to Original Complaint of Civil Action Tort and Breach of Contract are denied. Defendant has not set forth any allegations in Paragraph 1 but only alleges in Paragraph 1 that his original petition should be supplemented. Therefore, the entire paragraph regarding defendant's statement of claim in the supplemental complaint is hereby denied.

2.

With regard to defendant's relief sought in the Supplement to Original Complaint of Civil action Tort and Breach of Contract, defendant, Scott M. Perrilloux, in his capacity as the District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, denies Paragraph 1, Paragraph 2, Paragraph 3, Paragraph 4 and Paragraph 5 in the Relief section sought by defendant.

WHEREFORE, defendant, Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, prays that there be judgment in his favor, dismissing plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract, with prejudice, and assigning all costs against plaintiff.

Respectfully Submitted

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

[redacted]

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 30th day of May, 2007.

Greg Murphy

GREG MURPHY

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

ANSWER TO SUPPLEMENT TO ORIGINAL COMPLAINT OF CIVIL ACTION TORT AND BREACH OF CONTRACT

NOW INTO COURT, through undersigned counsel, comes defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract as follows:

1.

The allegations in defendant's Supplement to Original Complaint of Civil Action Tort and Breach of Contract are denied. Defendant has not set forth any allegations in Paragraph 1 but only alleges in Paragraph 1 that his original petition should be supplemented. Therefore, the entire paragraph regarding defendant's statement of claim in the supplemental complaint is hereby denied.

2.

With regard to defendant's relief sought in the Supplement to Original Complaint of Civil action Tort and Breach of Contract, defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, denies Paragraph 1, Paragraph 2, Paragraph 3, Paragraph 4 and Paragraph 5 in the Relief section sought by defendant.

WHEREFORE, defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, prays that there be judgment in her favor, dismissing plaintiff's Supplement to Original Complaint of Civil Action Tort and Breach of Contract, with prejudice, and assigning all costs against plaintiff.

Respectfully Submitted

Greg Murphy

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 30th day of May, 2007.

GREG MURPHY

002492

TWENTY-FIRST
JUDICIAL DISTRICT

Scott M. Perrilloux

District Attorney
21st Judicial District

Livingston, St. Helena and Tangipahoa Parishes

P. O. Drawer 299
Livingston, LA 70754
(225) 686-3070
Fax: (225) 686-1651

August 29, 2007

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -5 AM 9:41
DEPUTY CLERK

Mr. Ryan Stinson
D.O.C. #: #433686
Dixon Correctional Institute
P. O. Box 788
Jackson, Louisiana 70748

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Stinson:

Enclosed find a Settlement Agreement and Complete Release in the above-referenced matter. If you will recall, we were in court on July 9, 2007, and agreed to settle this matter. Based upon our agreement I enclose for your execution a copy of the Settlement Agreement and Complete Release that must be signed and returned to me.

Also, enclosed is a Motion and Order to Dismiss this matter as per our agreement. I would ask that you sign the Motion and return it to me with the executed Release and I will file this into the record.

With kindest regards, I remain

Sincerely,

Greg Murphy
Assistant District Attorney

GM/sjl
Enclosures

[redacted]

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

MOTION AND ORDER TO DISMISS

NOW INTO COURT, through undersigned counsel, comes plaintiff, Ryan Stinson, who shows that his claim in the above-captioned matter against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, has been fully settled and compromised and that petitioner wishes to dismiss his suit against defendants, with prejudice, with each party to bear its own costs.

Respectfully Submitted

RYAN STINSON, PETITIONER
#433686, D.W.C.C. 670, Bell Hill Road
HOMER, LOUISIANA 71040

AND

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

O R D E R

IT IS HEREBY ORDERED that the above entitled and numbered cause be and the same is hereby **DISMISSED** against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, with prejudice, with each party to bear its own costs.

THUS DONE AND SIGNED this _____ day of _____, 2007, in Livingston, Louisiana.

JUDGE, 21st JUDICIAL DISTRICT COURT

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS		
	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

SETTLEMENT AGREEMENT AND COMPLETE RELEASE

BEFORE ME, the undersigned Notary Public, personally came and appeared:

RYAN STINSON, #433686
D.W.C.C. 670 BELL HILL ROAD
HOMER, LOUISIANA 71040

who, after being duly sworn, did declare and acknowledge that he did, on this date, receive a transfer from D.W.C.C. to Dixon Correctional Institute as referenced in his February 5, 2007, letter to defendants and in so accepting the transfer does so in full settlement, satisfaction and compromise of any and all claims and alleged causes of actions of every nature whatsoever, which he has, or may have against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's Office arising out of or connected to his claim for civil action tort and breach of contract as fully stated in his original petition as well as any claims in his supplemental to original complaint of, civil action tort and breach of contract in the suit entitled: "*Ryan Stinson vs. District Attorney, 21st JDC, Suit No. 113,598 - Div. "F", 21st Judicial District Court, Parish of Livingston, State of Louisiana*", and any supplemental complaints, which plaintiff agrees to dismiss immediately, with prejudice.

RELEASE

Plaintiff declares that for consideration of the transfer to Dixon Correctional Center he does hereby release, acquit and forever discharge Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's Office, and any insurers, employees, agents, representatives, directors, officers, heirs, successors, predecessors, assigns, affiliated and/or subsidiary and/or apparent companies, of any and from any and all past, present, and future claims, demands, causes of action and rights of action whatsoever, known and unknown, anticipated and

unanticipated, which Plaintiff may or might have against the Released Parties as a result of the alleged breach of contract and alleged damages suffered by petitioner referenced in his supplemental petition of February 19, 2007. More specifically, Plaintiff releases, without limitation whatsoever, any and all claims, rights of action and causes of action against the Released Parties for past, present and future bodily and personal injury, physical and mental pain and suffering, disability, disfigurement, lost wages, penalties, attorneys' fees, medical expenses and any and all damages of whatsoever kind or character which may have been sustained and might be sustained by Plaintiff in any way resulting from or arising out of the alleged breach of contract and/or alleged bodily injury suffered by Plaintiff referenced in the supplemental petition of February 19, 2007, this Release being full, final and complete.

COVENANT NOT TO SUE

Plaintiff agrees that he shall not commence any civil action against Scott M. Perrilloux, in his capacity as District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, and the 21st Judicial District Attorney's Office in the future based on acts, transactions, occurrences known or unknown to him on the date of execution of this Release, which arises out of or is in any way related to the alleged breach of contract referenced in Plaintiff's original petition and bodily injury damages in his supplemental petition filed on February 19, 2007.

NO ADMISSION OF LIABILITY

Plaintiff further declares that this Release is in settlement and comprise of a disputed claim, and that this Release is not to be construed as an admission of liability on the part of the Released Parties and it is specifically understood that all liability is denied, that this settlement is being entered into solely for the purpose of resolving any and all claims that Plaintiff has or may have against the Released Parties and precluding any future litigation against the Released Parties for claims arising out of this lawsuit.

FURTHER ASSURANCES

Plaintiff declares that he is the sole possessor of the claims or causes of action being released herein, and that he has not assigned or otherwise transferred said claims or causes of actions to any other person or entity. Plaintiff also agrees that he will not, nor any time hereafter, commence, maintain or prosecute any action, at law or otherwise, or assert any claims against the Released

Parties herein for damages, losses, benefits or for other equitable relief related to this litigation.

CAREFUL REVIEW OF RELEASE AND UNDERSTANDING THEREOF

Plaintiff represents that he has carefully read this Release and understands its terms and conditions without reservation. Plaintiff acknowledges that he has had ample opportunity to consult with legal counsel regarding the meaning and affects of this Release. Plaintiff further understands that this is a Full, Complete and Final Release and that he is forever relinquishing and releasing any and all claims he has or may have against the Released Parties which arise out of the alleged breach of contract or injuries suffered as referenced in his supplemental and amending petition. Plaintiff also acknowledges that he understands the terms and provisions of this Release and that this Release contains the entire agreement between the parties and supercedes any and all prior agreements, arrangements, or understandings between the parties related to the subject matter. Plaintiff further represents and acknowledges that he has taken into account not only the known and anticipated claims and defenses, but also unknown and unanticipated claims and defenses which he hereby recognizes and agrees are covered by this Release. Plaintiff further declares that this Release and Discharge is given voluntarily and after mature consideration, and without any threat, duress, intimidation or other unlawful means exercised toward him or any other person or persons whomsoever.

Thus done and signed before the undersigned competent witnesses and me, Notary Public, after a due and complete reading of the whole in _____, Louisiana, on this _____ day of _____, 2007.

WITNESSES:

_____

_____

_____
RYAN STINSON, #433686
D.W.C.C.

_____
NOTARY PUBLIC

RSDA0008396

August 30, 2007

To: Mr. Greg Murphy
6555 Perkins Rd. Suite 200
Baton Rouge, LA 70808

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -5 AM 9:41
DEPUTY CLERK

From: Ryan Stinson # 433686
unit-a c/8/8 D"8 Dixion Correctional Institute
P.O Box 788, Jackson Louisiana 70748

RE: Ryan Stinson V. Scott M. Perrilloux District Attorney & Charlotte Hebert Asst. District Attorney Suit" 113598-Div"F"-21st J.D.C. Parish of Livingston

Dear Mr. Murphy,

Sir I Received your letter of August 29, 2007 and I am responding To The ~~letter~~.

Sir I Think we need To Talk, Because I am not Satisfied with The Release Form For The Settlement agreement. We Had an understanding That you would be up here once I arrived To Sign The Settlement agreement But after reading it along with The motion To dismiss We need To discuss The particulars OF This. So at This Time I refusse To put my signature on Them until We discuss The particulars of These Forms and come To a better agreement on how They should read.

So I will Be looking To hear From you in This matter immediatly. As so we can Bring The Final closer To This matter.

Thank you For your Time and concern and God Bless you For your ongoing kindness, Consideration and patience with me. I hope and pray To hear From you Soon.

With The kindness of Regardes, I am

Truly Thankful
Ryan Stinson 433686

- EXHIBIT 10 -

CC: G.M.
R.S.
B.B.

002497

The Plaintiff also contends that the defendants seek to enforce the release and compromise of matters the plaintiff never intended to settle, and the defendants regarded it's settlement as to what was found in the release, not the letters, so there was no binding compromis where it required the plaintiff to execute the defendants release, because a Disput arised as to the scope of the settlement agreement and complete release form, the plaintiff and defendants compromis is only valid and enforceable to exactly what the parties intended when the compromise was reached.

Because a compromise extends only to those matters the parties intended to settle, the scope of the transaction can not be extended by implication. LA. C.C. Ann. Art. 3073; Brown v. Drillers inc. 93-1019 (LA 1/14/94) 630 so. 2d 741.

When a dispute arises to the scope of a compromise agreement, extrinsic evidence can be considered to determine exactly what differences the parties intended to settle. [redacted], Super; ortego, 689 so. 2d 1358. A compromis is valid if there is a meeting of the minds between the parties as to exactly what they intended when the compromise was reached; Pat o'Briens v. Francos Cocktail Prod inc., 615 so. 2d 429 (LA. APP 4th cir) writ denied, 617 so. 2d 909 (LA. 1993)

There can be no binding compromise where the terms of the release from liability are unknown; Townsend v. Square, 94-0258 (LA. APP 4th cir 2/24/94); 643 so. 2d 787.

Moreover, LA. C.C. Art 1947 states when, in absense of a legal requirment the parties have contemplated a certain form, it is persumed that they do not intend to be bound until the release

is executed in that form; Carter V. Huber + Heard, inc. 95-142 (LA. App. 3rd cir 5/31/95); 657 So.2d 409, Writ denied 95-1662 (LA. 10/6/95) 661 So. 2d 471.

Conclusion:

Wherefore the Plaintiff refused to execute the release, Because the Defendant's seek the release of his supplemental complaint, and dismiss of his original and supplimental with prejudice, and did not include the waver of cost of coult in the release.

Since the defendants sought the release of claims, the Plaintiff did not [redacted] intend to Compromise, when the compromise was reached. The plaintiff did not execute the release, so there was No contract for settlement. And there can be No Binding compromise where the terms of the release for Liability are unknown; Travis Anthony V. Liberty Mutual ins. co. 99-1730 (LA. App. 3rd cir 04/05/00) 739 So.2d 910.

Wherefore, the Plaintiffs motion in opposition to Defendants motion to enforce settlement agreement should Be granted and a Hearing to show cause Be set to show cause to the scope of the parties intended settlement agreement in this case.

Respectfuly Submited

Ryan Stinson

September 28, 2007
Date

Ryan Stinson 433686
Unit-2 - C/3/A Cell #2
Dixion correctional institute
P.O. Box 788, Jackson, LA. 70748

15 OF 16

Ryan Stinson * Div. "F" Suite No* 113598

-Versus- * 21st Judicial District Court

Scott M. Perrilloux, District Attorney * Parish OF Livingston

Charlotte Hebert, Asst. District Attorney * State OF Louisiana

*

*

Filed _____ Clerk OF _____

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -5 AM 9:41
DEPUTY CLERK

ORDER

UPon The supporting AFFidavit OF The PlaintiFF, and The accompanying Memorandum OF Law, For The PlaintiFFs' Motion in OPPosition TO DeFendant's Motion TO ENFOrce Settlement agreement, it is Hereby Ordered That a Hearing Be set in The above Motion in Division F OF The Livingston Parish Court House, 20180 Iowa st. Livingston LA. 70754 on The 12th day of December, 2007, at 1:00 pm O'clock, TO show Cause why The plaintiff Motion should be granted, And TO show cause TO The scope OF The parties intended Settlement agreement in This case.

It is Further ordered, That a copy OF This order be provided TO Warden, James LeBlanc at Dixion Correctional institute P.O. Box 788, Jackson LA, 70748.

It is Further ordered, That Warden, James LeBlanc Make arrangements TO have The Body OF one Ryan Stinson # 433686 present in open court on The above date and Time, and in The above Court room.

It is Further ordered, That This order, and all other papers attached To This order, shall be Served on defendants Counsel Mr. Greg Murphy at 6555 Perkins Road Suite 200 Baton Rouge LA, 70808, To Be present in open court on The above date and Time, and in The above Court Room.

To Show Cause Why The Plaintiff's Motion [redacted] in opposition To Defendant's Motion To enForce Settlement agreement Should not Be granted, and To Show Cause To The Scope of The Parties intended Settlement agreement in This case.

It is Further ordered, That This order, and all others papers Attached To This order, Shall be Served on The Plaintiff Ryan Stinson #433686 at unit-2 C/B/A cell #2 Dixion correctional institute P.O. Box 788, Jackson, LA, 70748; To Show Cause Why The Plaintiff's Motion in opposition To Defendant's Motion To enForce Settlement agreement Should Be granted, and To Show Cause To The Scope OF The Parties intended Settlement agreement in This case.

Signed, on This 10th day of October, 2007, in ~~Amite, Tangipahoa~~ Parish, State of Louisiana

SCANNED

District Judge

Please Serve:

Warden James LeBlance

Dixion Correctional institute P.O. Box 788, Jackson LA, 70748

Greg Murphy, Attorney

6555 Perkins Rd Suite 200 Baton Rouge, LA, 70808

Ryan Stinson #433686 Unit-2 C/B/A cell #2

Dixion Correctionac institute P.O. Box 788, Jackson LA. 70748

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 10-15- 20 07
Deputy Clerk of Court
RSDA000400

Certificate OF Service

I Ryan Stinson declare under penalty OF Perjury Pursuant To 28 U.S.C. Section 1746 That I Mailed a copy OF The enclosed, Motion in opposition To defendants Motion To enForce Settlement agreement, To OeFendants counsel, Greg Murphy, 6555 Perkins Road Suite, 200, Baton Rouge, LA, 70808. By placing it in an envelope and placing The envelope in The Mail Box at Dixion correctional institute on September 28, 2007. Postage Pre Paid.

September 28, 2007

Ryan Stinson 433686

002503

Febuary 5, 2007

To: Mr. Greg Murphy, Attorney At Law
6555 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808

From: Ryan Stinson, I.P.P.# 433686
D.W.C.C. 670 Bell Hill Rd.
Homer, Louisiana 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

RE: Case No# 000000113598

Dear Mr. Murphy,

I am Writing This missive, To make a SettLement offer.

I Would Like To make an offer IF your client would be willing To give me a TransFer I will drop my suit

Please get back To me on This matter at hand as soon as possible.

Thank you and God Bless you For your Time and consideration With this matter.

With the kindess of regardes, I am

Truly Yours
Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA. 71040

[redacted]

CLERK OF
PARISH OF
2007 OCT -5
DEPUTY CL

Ryan Ethridge	*	Suit No: 113591 - D.V. "F"
-Versus-	*	21st Judicial District Court
Charlotte Hebert, Ass. District Attorney	*	Parish of Livingston
Scott M. Perkins, District Attorney	*	State of Louisiana
	*	
Filed:	*	Clerk of Court:

* * * \

1.) That Scott M. Perrilloux + Charlotte Hebert be ordered to have me Transfered To Dixion Correctional Institute as agreed upon.

2.) That I be awarded 500.00 for each and everyday I remain at David Wade Corr. Cent. Untill the day I am Transfered.

3.) That Scott M. Perrilloux + Charlotte Hebert be ordered to pay all cost of Court and reimburse Cost of Filling Fee.

4.) That Scott M. Perrilloux + Charlotte Hebert be disciplyned according To Law.

5.) Preliminary injunction Transfer From David Wade Correctional Center

Signed This 18 day of February 2007, in Claiborne Parish, State of Louisiana

Ryan Stinson #433686
D.W.C.C. 670 Bill Hill Rd
Homer LA. 71040

Certificate Proof Of Service

Ryan Stinson declares under penalty of perjury Pursuant To 28 U.S.C. Section 1746 That he mailed a copy of The enclosed, Supplement to Original Complaint OF Civil Action Tort And Breach OF contract, To defendant's counsel, Greg Murphy, Assistant District Attorney, 6555 Perkins Road, Suite 200, Baton Rouge, Louisiana 70808. By placing Them in an envelope and placing The envelope in The Mailbox at David Wade Correctional Center, 670 Bell Hill Rd. Homer LA 71040, on Febuary 19, 2007

Febuary 19, 2007
Date:

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040

002507

TWENTY-FIRST
JUDICIAL DISTRICT

Scott M. Perrilloux
District Attorney
21st Judicial District

Livingston, St. Helena and Tangipahoa Parishes

P. O. Drawer 299
Livingston, LA 70754
(225) 686-3070
Fax: (225) 686-1651

March 1, 2007

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -5 AM 9:41
DEPUTY CLERK

Mr. Ryan Stinson
I.P.P.
#433686
David Wade Correctional Center
670 Bell Hill Road
Homer, Louisiana 71040

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Stinson:

Enclosed find copies of responses to your discovery request in this matter. In accordance with Louisiana Code of Evidence Article 408(A) I have communicated your settlement offer to the defendants and they would agree to having you transferred to Dixon Correctional Institute.

Please notify me as to whether or not you wish to be transferred as per your offer.

With kindest regards, I remain

Sincerely,

Greg Murphy
Assistant District Attorney

GM/sjl
Enclosures

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

[redacted]

002508

March 6, 2007

To: Mr. Greg Murphy, Attorney
6555 Perkins Road, Suite 200
Baton Rouge, LA 70808

From: Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040

FILED
CLERK OF COURT
CLERK OF LIVINGSTON
PARISH OF LIVINGSTON
2007 APR -2 P 12:27
FILED
CLERK OF COURT
CLERK OF LIVINGSTON
PARISH OF LIVINGSTON
2007 OCT -5 AM 9:41
DEPUTY CLERK

Re: Ryan Stinson -vs.- Scott M. Perrilloux + Charlotte Hebert
Suit No.# 113,598 - Div."F" - 21st J.D.C. - Parish of Livingston

Dear Mr. Murphy,

I am in receipt of your March 1, 2007, correspondence, which I received on the date of March 6, 2007. which at this time I would like to give an answer to.

you stated in accordance to [redacted] Louisiana Code of Evidence Article 408(A) you have communicated my Settlement offer to the Defendants and they would agree to having me transferred to Dixon correctional institute.

You also stated that if I wish to be transferred as per my offer Notify you.

"I do wish to be Transferred to Dixon correctional institute imediatly."

I agree to Settle for a Transfer to Dixon correctional institute.

Thank you for your time and concern and God bless you for your kindness and consideration with this matter. I will be looking Foward to bringing some closer to this matter as soon as posiable.

With the kindess of Regaides, I am

Truly Thankful

Ryan Stinson

Ryan Stinson #433686

[redacted]

March 21, 2007

To: Mr. Greg Murphy
6553 Perkins Rd. Suite 200
Baton Rouge LA 70808

From: Ryan Stinson # 433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA, 71040

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

RE: Ryan Stinson -V- Scott M. Perrilloux + Charlotte Hebert
Suit No# 113598 Div "F" 21st JDC - Parish of Livingston

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -5 AM 9:41
DEPUTY CLERK

Dear Mr. Murphy

I am writing this letter concerning my last letter Dated to you March 6, 2007 concerning my Settlement offer.

I would like to know if your client's The Defendant's are still agreeing to Settle and if so are you going to Send the appropriate Forms For me to Sign in accordance with Louisiana Code of Evidence Article 408(A) to Finilize the Settlement with a copy For my Records and a Joint motion to dismiss, are did you have some other plain in Lights to Settle this matter.

I am hoping and praying we can bring some Closer to this matter soon.

Thank you so very much For your time and Concern and God bless you For your kindness, I am in hopes to hear from you soon Pertaining this matter.

With The kindess of Regards, I am

Truly Thankful
Ryan Stinson

cc: Rs.

- Enclosures -

[redacted]

002510

RULE TO SHOW CAUSE
MOTION TO INFORCE SETTLEMENT AGREEMENT

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON, 433686
DAVID WAD CORR. CENT.
620 BELL HILL RD.
HOMER , LA 71040

PAUPER SUIT

SERVE

FILED
OCT -5 AM 9:41
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

GREETING:

YOU ARE HEREBY ORDERED TO SHOW CAUSE

*on **July 9, 2007**, at the hour of **9:00 AM** at the Courthouse in Livingston, Louisiana, if you have or can, why:*

CERTIFIED COPY OF ORDER ATTACHED HERETO

HEREIN FAIL NOT, UNDER PENALTY OF THE LAW. *Witness the Honorable Judges of our said Court on April 20, 2007.*

C. Anthony
Deputy Clerk of Court

Attorney
RYAN STINSON, 433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[redacted]

[SERVICE]

002511

DC TBS (F)

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

Ryan Stinson — Suit No: 113598 - Div. "F"

Versus - 21st Judicial District Court

Charlotte Hebert, Ass. District Attorney — Parish of Livingston

Scott M. Perrilloux, District Attorney — State of Louisiana

Filed: * Clerk of Court:

* * * * * * * * * * * * * * * * * * *

Motion To Inforce Settlement Agreement

* * * * * * * * * * * * * * * * * * *

Now Comes into This Honorable Court:

Plaintiff Ryan Stinson, who Request This court to inforce settlement agreement, (To Transfer The Plaintiff to Dixon correctional institute), in this case for the Following reasons:

* * * * * * * I * * * * * * * * * *

The Plaintiff Ryan Stinson Proposed a settlement offer, in a Letter to the Defendants counsel on Febuary 5, 2007: See Attached (Exibit 1).

The Defendants Counsel responded to the plaintiff's offer, in a Letter Dated March 1, 2007, and agreed to The Plaintiff's Settlement offer; and told the Plaintiff to notify Him if He the Plaintiff wish to be Transferred: See Attached (Exibit 2).

The Plaintiff responded to the Defendant's letter of agreement on March 6, 2007, Stating He did wish to Be Transferred, and Confirmed the agreement to settle This case For a Transfer to Dixon correctional institute: See Attached (Exibit 3).

The Defendants Counsel Never responded to the plaintiff letter Confirming The settlement agreement Dated March 6, 2007.

The plaintiff Then wrote the Defendant's counsel another Letter on March 21, 2007, about The settlement They Had agreed upon. But the Defendant's Counsel never

002512

Responded: See Attached (Exibit 4)

* * * * * * II * * * * * * * * *

The Defendant's agreement to the Plaintiff settlement offer on March 1, 2007, Through these Corrospondance. Became a Binding contract to the terms set forth in the offer of the Plaintiff Letter Dated Febuary 5, 2002. The Law of contracts Holds That once the offer is made By one party and agreed by the other Party, it Then Becomes a Binding contract: See Anderson v. Preston 7 F.2d 70 (C.C.A. 9th cir 1925); Azevedo v. Davidson, 49 Cal. App. 443, 193 P. 594 (1st Dist. 1920); Universal Products Co. v. Emerson, 36 Del. 583 179 A. 387, 100 A.L.R. 956 (1935) (at some Point in the correspondence there was a definite proposal By one Party which was accepted By the other When this appears the Contract Becomes Binding).

* * * * * III * * * * * * *

In Freeman v. Mayer, 95 F.3d 569 (7th cir 1996) in Freeman, supra, the court Held That a contract can arise by correspondence.

* * * * * IV * * * * * * *

In youngstown Stell Erecting Co. v. MacDonald Engineering Co., 154 F.Supp. 337 (N.D. ohio 1957); Mccleskey & Whitman v. Howell cotton Co., 147 Ala. 573, 42 So. 67 (1906); Tuso v. Green 144 Cal 574, 229 P. 327 (1924), The courts Held That as soon as an offer is thus made and accepted, there is a binding contract.

* * * * * * V * * * * * * * * *

In Real Estate Value Co. v. US Air, inc., 979 F.Supp 731 (N.D. Ill 1997); Miami Jockey Club v. Lillias piper inc., 115 FLA 612 155 So. 806 (1934) The courts Held That offer and acceptance resulting in a binding contract may be Through the medium of Letters.

* * * * * VI * * * * * * * *

In Farmers Equity Co-op Creamery Ass'n v. US.

132 F.2d 738 (C.C.A 10th Cir. 1943); Stiles V. Van Briggle, 196 Ark. 1179, 118 S.W.2d 588 (1938); Pierce V. Marland Oil Co. of Colorado, 86 Colo. 59, 278 P. 804 (1929). The Courts Held That, offer and acceptance resulting in a binding contract may be through both Letters and telegrams.

* * * * * * * * * * * * * *

Wherefore, the Plaintiff Prays that based on these Facts, and evidence, that this motion to inForce Settlement agreement, To Transfer the Plaintiff to Dixon correctional institute, Be granted.

Respectfully submitted:

March 28, 2007

Date:

Ryan Stinson #433686
David Wade Corr. Cent.
670 Bell Hill Rd.
Homer LA 71040

Please Serve:
Ryan Stinson 433686
David Wade Corr. Cent.
670 Bell Hill Rd.
Homer LA, 71040

Defendant's Attorney, Greg Murphy
6555 Perkins Road Suite 200
Baton Rouge, LA. 70808

002514

Febuary 5, 2007

To: Mr. Greg Murphy, Attorney At Law
6555 Perkins Road, Suite 200
Baton Rouge, Louisiana 70808

From: Ryan Stinson, I.P.P.# 433686
O.W.C.C. 670 Bell Hill Rd.
Homer, Louisiana 71040

FILED
CLERK OF COURT
CLERK OF LIVINGSTON
PARISH
2007 APR -2 PM 1:27
DEPUTY CLERK

RE: Case No# 000000113598

Dear Mr. Murphy,

I am Writing this missive, To make a settlement offer.

I Would Like To make an offer IF your client would be willing To give me a transfer I will drop my suit.

Please get back To me on this matter at hand as soon as possible.

Thank you and God Bless you For your Time and consideration With this matter.

With the kindest of regards, I am

Truly Yours
Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA. 71040

(Exibit 1)

002515

TWENTY-FIRST
JUDICIAL DISTRICT

Scott M. Perrilloux
District Attorney
21st Judicial District

Livingston, St. Helena and Tangipahoa Parishes

P. O. Drawer 299
Livingston, LA 70754
(225) 686-3070
Fax: (225) 686-1651

March 1, 2007

Mr. Ryan Stinson
I.P.P.
#433686
David Wade Correctional Center
670 Bell Hill Road
Homer, Louisiana 71040

Re: Ryan Stinson vs. District Attorney, 21st JDC
Suit No. 113,598 - Div. "F" - 21st JDC - Parish of Livingston

Dear Mr. Stinson:

Enclosed find copies of responses to your discovery request in this matter. In accordance with Louisiana Code of Evidence Article 408(A) I have communicated your settlement offer to the defendants and they would agree to having you transferred to Dixon Correctional Institute.

Please notify me as to whether or not you wish to be transferred as per your offer.

With kindest regards, I remain

Sincerely,

Greg Murphy
Assistant District Attorney

GM/sjl
Enclosures

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 APR -2 PM 1:27
DEPUTY CLERK

(Exhibit 2)



002517

March 6, 2007

To: Mr. Greg Murphy, Attorney
6555 Perkins Road, Suite 200
Baton Rouge, LA 70808

From: Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040

FILED
CLERK OF COURT
CLERK OF LIVINGSTON
PARISH
2007 APR -2 PM 1:27
DEPUTY CLERK

Re: Ryan Stinson -vs- Scott M. Perrilloux + Charlotte Hebert
Suit No.# 113,598 - Div."F" - 21st J.D.C. - Parish of Livingston

Dear Mr. Murphy,

I am in receipt of your March 1, 2007, correspondence, which I received on the date of March 6, 2007. Which at this time I would like to give an answer to.

you stated in accordance to [redacted] Louisiana Code of Evidence Article 408(A) you have communicated my Settlement offer to the Defendants and they would agree to having me transferred to Dixon correctional institute.

You also stated that if I wish to be transferred as per my offer notify you.

"I do wish to be Transferred to Dixon correctional institute immediatly."

I agree to settle for a Transfer to Dixon correctional institute.

Thank you for your time and concern and God bless you For your kindness and consideration with this matter. I will be looking Foward to bringing some closer to this matter as soon as posiable.

With the kindess of Regaides, I am

Truly Thankful
Ryan Stinson
Ryan Stinson #433686

(Exibit 3)

RYAN (F)

Ryan Stinson * Div: "F" Suit No.# 113598

- Versus - * 21st Judicial District Court

Scott M. Perrilloux, District Attorney * Parish of Livingston

Charlotte Hebert, Asst. District Attorney * State of Louisiana

*

*

Filed _____ Clerk of Court

* * * \

5.) The Plaintiff Never exected any Letters are agreements, are gave any indocation To The DeFendants' Counsel That He intended To Settle His Supplemental Complaint.

6.) The Plaintiff Contend's That if Counsel for defendants' would Draft a new Settlement agreement and release Form That Did not release The defendants From His supplemental complaint and add That all cost OF court will Be waived against all parties. He Will sign The Forms, But not Till Then.

7.) The plaintiFF also contends That The DeFendants Seek To enforce The release and Settlement OF matter That The Plaintiff Never intended To Settle, And The DeFendants regarded it's Settlement as To What was Found in The release, Not The Letters. See (Exhibit -9-10-11)

8.) The Plaintiff Never executed The release, So There Was Never a Contract For Settelment, are a Meeting OF The minds. See (Exhibit 10)

9.) The Plaintiff Contends That There Was NO Binding Settlement Where it required Him To Sign The DeFendants release Form, Because a Disput Has arised as To The scope OF The Settlement agreement and Compleate release Form.

10.) The PlaintiFF and defendants Settlement agreement is only valid and enforceable To exactly What The Parties intended When The settlement perposal and agreement Was Made.

11.) The Plaintif also contends That The Scope OF The Transaction Cannot Be extended by implication, But Through extrinsic evidence To determain exactly What differences They actualy intended To Settle.

WereFor, For The Foregoing reasons, set Forth in

The attached affidavit, The Memorandum of Law and This Motion in opposition to Defendants' Motion to Enforce Settlement agreement, That the Defendants' Motion to Enforce Settlement agreement Be denied, and a Hearing Be set to Show cause to the Scope of The Parties intended Settlement agreement in This case.

Respectfully submited

Ryan Stinson

September 28, 2007
Date

Ryan Stinson #433686
Unit-2 C/B/A Cell #2
Dixion correctional institute
P.O. Box 788 Jackson LA, 70748

Ryan Stinson * Div: "F" Suite No# 113598

-versus- * 21st Judicial District court

Scott M. Perrilloux, District Attorney * Parish of Livingston

Charlotte Hebert, Asst. District Attorney * State of Louisiana

*

*

Filed _____ * Clerk of Court _____

FILED IN OPEN COURT CLERK OF COURT PARISH OF LIVINGSTON 2007 OCT -5 AM 8:54 DEPUTY CLERK

* *

AFFidavit In Support of The PLaintiFF's Motion IN Opposition To DeFendants Motion To ENForce SettLement Agreement

* *

Ryan Stinson, decLares under penaLty of perJury pursuant To 28 U.S.C. Section 1746, That The Forgoing is True and Correct, and States as Follows:

1.) That He is The PLaintiFF in The above entitled case, He Makes This AFFidavit IN support of His Motion in opposition To Defendants' Motion To EnForce SettLement Agreement.

2.) On Febuary 5,2007 The pLaintiFF Wrote The defendants' counseL a LetteR with The FoLLowing SettLement OFFer:

> "I Would LiKe To MaKe an OFFer, iF your CLient WouLd Be willing To give me a Transfer, I WiLL drop my Suit, PLease get Back To me on This Matter at Hand as Soon as PosiabLe." See (Exhibit - 1)

3.) The plaintiFF Then on Febuary 19,2007 FiLed a SuppLement To His original Complaint To CiviL Action Tort and Breach of Contract against defendants See (Exhibit - 2)

4.) On March 1,2007, The DeFendants CounseL contacted The PLaintiFF By MaiL and Stated:

> "I Have Comunicated your SettLement OFFer To The defendants and They would agree To Having you Transferred To Dixion CorrectionaL InstitutE.

Please Notify me as to whether or not you wish to be transferred as per your offer." See (Exhibit-3)

5.) On March 6,2007 The plaintiFF corresponded with counsel For deFendants' wherein he accepted the transFer to Dixion correctional institute. See (Exhibit-4)

6.) on March 21, 2007 The plaintiFF wrote counsel For The DeFendants, as in reFrence to The Settlement agreement, They had agreed upon. and asked The DeFendants Counsel iF He was plaining on sending The approprate Forms to Finilize The Settlemint with a Joint Motion to dismiss. see (Exhibit-5-)

7.) On March 28,2007 The plaintiFF Filed a Motion to enforce Settlemint agreement as was agreed upon in DeFendants March 1,2007 letter to The plaintiFFs' offer in his Febuary 5,2007 letter. See (Exhibit-6).

8.) on April 10,2007 The plaintiFF corresponded with Counsel For DeFendants via Mail and asked that The deFendants' send an answer to His supplement to original civil action Tort + Breach of Contract Complaint. As well as The Plaintiff Mentioned The settlement agreement on His original complaint. and attached a copy of His supplement to original Motion to Enforce Settlement agreement. See (Exhibit-7-)

9.) on May 30, 2007 The DeFendants' Counsel Filed an answer to The PlaintiFF Supplement to original complaint of civil action Tort + Breach of Contract. See (Exhibit-8-)

10.) The DeFendants Counsel and The PlaintiFF Discussed The Settlement agreement extensivly via. Phone For Several Months, and came to Terms That For a transFer to Dixion correctional institute The PlaintiFF would dismiss His original civil acton Tort + Breach of contract suit. The DeFendants

Counsel Told The plaintiff That it was entirly up To Him if He wanted To dismiss His suppliment To original complaint of, Civil Action Tort & Breach OF contract But was not required. They also discussed The cost of court and who would Be Paying it. And Counsel For The Defendants ensured The Plaintiff That He would Have The Cost of Court waived For all parties.

11.) On July 9, 2007 a Hearing was Set For The plaintiffs' Motion To Enforce settliment agreemint At The hearing The Defendants counsel and The plaintiff held a conferencey in which They agreed To Settle The plaintiffs' original Civil Action Tort & Breach of contract suit in and For a Transfer of The plaintiff To Dixion correctional institute as per His request. After The conference was Held, Plaintiff and Counsel For defendants, asked This Honorable court To continue The Hearing For Thirty days as so They would Be able To settle The Plaintiffs' original Civil Action Tort & Breach OF contract suit and The Defendant's Counsel Told The court That The plaintiff would Be Transferred To Dixion Correctional institute, within That Time period.

12.) On August 6, 2007 The plaintiff was Transferred To Dixion correctional institute as per The agreement Between The parties in Sittlement of The plaintiffs original complaint.

13.) On August 29, 2007, Counsel For The defendants sent correspondence To The plaintiff and a drafted Settlement agreement and complet release and a Motion To dismiss The plaintiffs, original and supplimental complaint. See (Exhibit -9-)

14.) On August 30, 2007 The plaintiff sent a Letter To defendants Counsel, stating He was not Satasfied With The release Form For The Settlement

agreement, That after reading it and the motion to dismiss That the plaintiff needed to discuss The perticulars of it and come to a Better agreement on How They Should read, and That He refussed To Sign Them untill Then, and That He would Be looking Foward to Hearing From The defendants counsel imediatly. See (Exhibit -10-)

15.) On September 11, 2007, a meeting was held at The Livingston parish court-house, Between The Plaintiff and Counsel For defendants, Were at The meeting The plaintiff explained to The defendants' counsel That He Never agreed to settle His Supplement To original complaint of Civil action Tort + Breach of Contract and That it Should not Be included in The release Fome. And That They Had agreed That The defendant's counsel would Have The [redacted] Cost of Court Waived For all parties. But He Failed To includ it in The release Form. The plaintiff Then Told The defendant's Counsel That if He wold draft a new releas Form That Stipulated The Waiver of cost For all parties and Contact D.C.I. To Have Him placed on The compound unit-2 Dorm 5 or 6, He would alow The Defendants' Counsel To inclued release of his supplemental complaint in The release Form. But if not Then He would not release His supplimatal complaint. And The Plaintiff refussed To Sign The release Form untill The appropriate Changes were made. Defendant's counsel got very upset and Stated To The plaintiff That The plaintiff was going To sign The release Form and if He The plaintiff did not He The defendant's counsel was going To get The Judge of This Honorable court To Force The plaintiff To Sign The release Form.

16.) on September 26, 2007 The PlaintiFF once again wrote The DeFendants' counsel and stressed His concerns about The release Form and His suppliment to original complaint of civil action Tort and Breach of contract, and [redacted] The Cost of court, in hopes That They could reach some Type of understanding. As will The plaintiFF DraFted a New release Form most similer to The one Counsel For The deFendants draFted, in Hopes to Have a meeting of The minds in this case as to Sittlemnt.

The Plaintiff Ryan Stinson, Fusher declares, under The penalty of perjury of law, pursuant to 28 U.S.C. section 1746 That the Foregoing is True and correct.

He understands That a False statment in This affidavit will subject Him to The penalties of perjury of law.

WhereFore, The plaintiFF's motion in opposition to DeFendants motion to Enforce settlement agreement should Be granted and a Hearing to show cause Be Set to show cause to the scope of The parties intended Sittliment agreement in This case.

Thus, Read and Signd This 28 day of September, 2007, in Jackson, State of Louisiana

September 28, 2007
Date

Respectfuly Submited

Ryan Stinson

Ryan Stinson 433686
Unit-2 C/B/A Cell #2
Dixion correctional institute
P.O. Box 788, Jackson, LA, 70748

Ryan Stinson * Div. "E" Suit No. # 113598

-versus- * ____ Judicial District Court

Scott M. Perrilloux, District Attorney * Parish of Livingston

Charlotte Hebert, Asst. District Attorney * State of Louisiana

*

Filed * Clerk of court

* *

Memorandum Of Law IN Support of Plaintiff Motion in Opposition To Defendants Motion To Enforce Settlement Agreement

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 OCT -8 AM 9:5
DEPUTY CLERK

* *

Statement OF Case:

This Matter involves Plaintiff's claims against Scott M. Perrilloux, District Attorney + Charlotte Hebert, Assistant District Attorney, relating To an oral agreement To have The plaintiff transfered TO Dixion Correctional institute.

Statement OF Facts:

The Plaintiff and Counsel For The defendants, during The pendency OF The litigation, Corresponded For an extensive period OF Time regarding discovery Matters as well as potential settlement OF The PlaintiFFs Claim.

The plaintiFF and counsel For The defendants, reached a Final Compromis agreement in This case on July 9, 2007, Wcic The plaintiFF and DeFendants Counsel held a conFerence, in which They reached a Compromis To Settle The plaintiFF original Civil Action Tort + Breach OF Contract complaint in and For a Transfer OF The PlaintiFF To Dixion Correctional institute, And That Counsel For defendants Would Have This Honorable court Waive all cost OF court For all parties.

Sub sequently The plaintiFF on August 6, 2007 was Transferred To Dixion correctional institute.

On August 29, 2007, Counsel For The defendants Sent correspondence TO The plaintiFF and a drafted Settlement agreement and complet release and a Motion TO dismiss. AFter The PLaintiFFS reading OF These Forms For releas., He was not satasFied With The Scope oF The Release and dismissal Bicause in The Settliment agreemint and compleat release Form, DeFendants regarded its Compromis as TO What was drafted in The release, not as TO exactly What They intended TO Settle when The compromis was reached. So Subsequently The PlaintiFF did not execute The release, And corrosponded With The DeFendants Counsel on August 30, 2007 Via. Mail, Telling Him That He The plaintiFF was not satasFied with The release Form For The settlement agreemnt, and That They needed TO discuss The particulars oF it and come TO a better agreement on How They should read.

On September 11, 2007 Counsel For deFendants and The PlaintiFF Held a conFFrence at Livingston parish court House, were The plaintiFF informed DeFendants Counsel That He Never agreed TO settle His Supplemint TO original complaint oF civil action Tort and Breach oF contract. And That it Should not Be Drafted in The release Form and That no were in The release Form did He include The waver oF all cost against all parties. And That The PlaintiFF Never agreed TO dismiss His Suit With PreJudice. The PlaintiFF Tried TO gain a Meeting OF The Minds With DeFendant's counsel But could not reach one. So DeFendant's counsel aJuined The conFFrence With The plaintiFF imediatly without a Signing OF The release Form by The plaintiff Subsequently The PlaintiFF wrote The DeFendants

Counsel a Letter on September 26, 2007 with a New Drafted release and again stressing his Concerns about The compromis Form, in hopes To reach an understanding and a meeting of The Minds in This case as To Compromise.

Arguments + Law:

The court should denie Defendants Motion to Enforce Settlement agreement, And Set a Hearing To show Cause as To The scope of The parties intended Settlement agreement in This case.

IN desiding weather To grant or Denie a Motion To Enforce Settlement agreement, The court Has To Look at The Scope OF The Transaction, as To exactly what The parties intended when The Compromise was reached. Because a Compromise Extends only To Those Matters The parties intended To settle. Ortego V. State Dot. D, 96-1328 (LA. 2/25/97); 689 So.2d; Travis Anthony V. Liberty Mutual Ins. Co. 759 So. 2d 910 99-1730 (LA. APP. 3rd cir 4/5/00); Moak V. American Automobile insurance company, 242, LA. 160, 134 So 2d 911 (1961); Munna V. Mongano 404 So.2d 1008 (LA. APP. 4th cir 1981).

LA. C.C. Ann. Art. 3073: Contains a supplementry rule of Construction governing The interpretation of The operative language, and The determination of The scope, of a Compromise agreement, Article 3073 Provides That a Compromise agreement extends only To Those Matters That The parties expressly intended To Settle and That The scope of The Transaction cannot be extended by implication More precisely, Art. 3073 Set Forth The Folbowing Four Factors To Consider in determining The scope of a Compromise instrument:

1.) Transactions regulate only The differences which appear Clearly To be comprehended in

Them By The intention OF The Parties.

2.) Whether it be explained in a general or particular Manner.

3.) unless it be The Necessary Consequences OF What is expressed.

4.) They do not extend TO differences with The parties Never intended TO include in Them.

IN Addition The Plaintiff and defendants counsel agreed TO settle The plaintiff's original civil action Tort + Breach OF Contract in and For a Transfer OF The plaintiff TO Dixon Correctional institute, And That DeFendants Counsel would Have The court TO waive all cost OF court For all parties. in Accordanance with LA.C.C. Ann. Art. 3021. Which provides That a compromise is a written Contract. It Follows That The Compromise instrument is The Law Between The parties and must be interpreted according TO The parties True intent.

In addition, The PlaintiFF Contends, That DeFendants Counsel Drafted a settlement agreement and complet release and a motion TO dismiss Things That The plaintiFF Never intended TO settle and wanted The pLaintiFF TO exicute The release.

The plaintiFF Contends more specifically, That He Never intended nor entered into a compromise with The defendants For His supplimat TO original Complaint OF civil Action Tort + Breach OF contract, are agreed TO Dismiss His original suit with prejudice

The Plaintif Further contends That counsel For defendants agreed TO Have This Honorable court waive all cost OF court For all parties.

002531

NOTICE OF RULE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: GREG MURPHY
DISTRICT ATTORNEYS OFFICE 21ST JDC
P.O. BOX 299

LIVINGSTON, LA 70754

This is your notice that a rule for ENFORCEMENT OF SETTLEMENT has been set in the above captioned matter on December 12, 2007 at 1:00 PM before the Honorable ELIZABETH P WOLFE.

Done on October 22, 2007.

Deputy Clerk of Court

RYAN STINSON -- #433686
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

002532

NOTICE OF RULE

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: RYAN STINSON - - #433686
DIXON CORRECTIONAL INSTITUTE
POST OFFICE BOX 788
JACKSON, LA 70748

This is your notice that a rule for SCOPE OF SETTLEMENT AGREEMENT & OTHER MATTERS has been set in the above captioned matter on December 12, 2007 at 1:00 PM before the Honorable ELIZABETH P WOLFE.

Done on October 15, 2007.

Deputy Clerk of Court

GREG MURPHY
ASST. DISTRICT ATTORNEY
POST OFFICE BOX 299
LIVINGSTON, LA 70754

Ryan Stinson * Div. "E" Suit No. 113598
- Versus - * 21st Judicial District Court
Scott M. Perrilloux, District Attorney * Parish of Livingston
Charlotte Hebert, Asst. District Attorney * State of Louisiana
*
*

Filed Clerk of Court

* * * * * * * * * * * * * * * * * * *

Motion In Opposition To Defendant's Motion To Enforce Settlement Agreement

* * * * * * * * * * * * * * * * * * *

Now into This Honorable Court Comes:

The Plaintiff Ryan Stinson, Who respectfuly Present's His Motion In Opposition To Defendant's Motion To Enforce Settlement Agreement, in Accordanance With LA. C.C.P. Art. 2972 + Art. 963, And Request That This Honorable Court denie The Defendants, Motion To Enforce Settlement Agreement, And That a Hearing Be Set To Show Cause To The Scope of The parties intended Settlement agreement in This Case, For The Following reasons:

1.) The Plaintiff and Counsel For Defendant's, intended Settlement agreement Was For The dismissal of The Plaintiff Original "Civil Acton Tort + Breach of Contract" Complaint That The Defendants' Would Have The Plaintiff Transfered To Dixion Correctional institute

2.) The Plaintiff contends, That The Settlement agreement and complete release Form, That Counsel For The Defendants' Drafted, and Wanted The plaintiff To Sign, Was For and Beyond The Matters The Parties intended To Settle.

3.) The Plaintiff Never agreed To Settle his Supplement To Original, "Civil Acton Tort + Breach of Contract" Complaint against Defendants'. See (Exhibit 11-10)

4.) The plaintiff and Counsel For defendants' Had an understanding That Counsel For defendants' would Have The Court Waive all Cost of Court against all Parties.

5.) The Plaintiff Never executed any Letters are agreements, are gave any indocation To The Defendants' Counsel That He intended To Settle His Supplemental Complaint.

6.) The Plaintiff contend's That if Counsel for defendants' would Draft a new Settlement agreement and release Form That Did not release The defendants From His supplemental complaint and add That all cost of court will Be waived against all parties. He will sign The Forms, But not Till Then.

7.) The plaintiff also conteads That The Defendants Seek To enforce The release and Settlement of matter That The Plaintiff Never intended To Settle, And The Defendants Exceeded it's SettlEment as To What was Found in The release, Not The Letters. See (Exhibit -9-10-11)

8.) The Plaintiff Never executed The release, So There was Never a Contract For Settlment, are a Meeting of The minds. See (Exhibit 10)

9.) The Plaintiff Contends That There was No Binding Settlement where it required Him To Sign The Defendants release Form, Because a Disput Has arised as To The scope of The Settlment agreemat and Complete release Form.

10.) The Plaintiff and defendants Settlement agreemat is only valid and enforceable To exactly What The parties intended when The settlment proposal and agreemat was Made.

11.) The Plaintiff also contends That The scope of The Transaction Cannot Be extended by implication, But Through extrinsic evidence To determain exactly what differences They actualy intended To Settle.

RSDA000433

Wherefor, For The Foregoing Reasons, Set Fuith in

The attached affidavit, The Memorandum of Law and This Motion in opposition TO Defendants' Motion To Enforce Settlement agreement, That the Defendants' Motion TO Enforce Settlement agreement Be denied, and a Hearing Be Set TO Show cause To the Scope OF The Parties intended Settlement agreement in This case.

Respectfully submited

Ryan Stinson

September 28, 2007
Date

Ryan Stinson #433186
Unit-2 C/B/A Cell #2
Dixion Correctional Institu
P.O. Box 788 Jackson KY. 4174

Ryan Stinson * Div: "F" Suit no. 113598

-versus- * 21st Judicial District court

Scott M. Perrilloux, District Attorney * Parish of Livingston

Charlotte Hebert, Asst. District Attorney * State of Louisiana

*

Filed _____ Clerk of Court _____

* *

AFFidavit In Support of The PlaintiFF's Motion IN OPposition TO DeFendants Motion To ENForce Settlement Agreement

* *

Ryan Stinson, declares under penalty of perjury pursuant to 28 U.S.C. Section 1746, That The Forgoing is True and Correct, and states as Follows:

1.) That He is The PlaintiFF in The above entitled case, He Makes this AFFidavit IN Support of His Motion in opposition to Defendants' Motion To Enforce Settlement Agreement.

2.) On Febuary 5, 2007 The plaintiFF Wrote The defendants' counsel a Letter with the Following Settlement OFFer:

"I Would Like To Make an OFFer, iF your Client Would Be willing To give me a Transfer, I will drop my Suit, please get Back To me on This Matter at Hand as Soon as posiable." See (Exhibit - 1)

3.) The plaintiFF Then on Febuary 19, 2007 Filed a Supplement To His original Complaint To Civil Action Tort and Breach OF Contract against defendants See (Exhibit - 2)

4.) On March 1, 2007, The DeFendants Counsel Contacted The PlaintiFF By Mail and Stated:

"I Have Comunicated your Settlement OFFer To The difendants and they would agree TO Having you Transferred To Dixion Correctional Institute.

Please Notify me as To whether or not you wish To be Transferred as per your offer." See (Exhibit-3)

5.) On March 6,2007 The plaintiff Corresponded with counsel For defendants' Wherein he accepted The Transfer To Dixion Correctional institute. See (Exhibit-4)

6.) on March 21, 2007 The plaintiff wrote counsel For The Defendants, as in reference To The Settlement Agreement, They had agreed upon, and asked The Defendants Counsel if He was planing on sending The appropriate Forms To Finilize The Settlement with a Joint Motion to dismiss. See (Exhibit-5-)

7.) On March 28,2007 The plaintiff Filed a Motion To Enforce Settlement agreement as was agreed upon in Defendants March 6,2007 letter To The plaintiffs' offer in his February 5,2007 letter. See (Exhibit-6).

8.) on April 10,2007 The plaintiff Corresponded with Counsel For Defendants via Mail and asked That The defendants' Send an answer To His Supplement To original Civil action Tort + Breach of Contract Complaint. As well as The Plaintiff Mentioned The Settlement agreement on His original complaint, and attached a copy of His supplement To original Motion To Enforce Settlement agreement. See (Exhibit-7-)

9.) on May 30, 2007 The Defendants' Counsel Filed an answer To The Plaintiff Supplement To original Complaint of Civil action Tort + Breach of Contract. See (Exhibit-8-)

10.) The Defendants Counsel and The plaintiff Discussed The Settlement agreement extensively via Phone For Several Months, and came To Terms That For a Transfer To Dixion Correctional institute The Plaintiff would dismiss His original Civil action Tort + Breach of contract Suit. The Defendants

Counsel Told The plaintiff That it was entirly up To Him if He wanted To dismiss His Supplimental To original complaint of, Civil Action Tort & Breach OF contract But was not required. They also discussed The cost of Court and who would Be paying it. And Counsel For The Defendants assured The Plaintiff That He would Have The cost of Court waived For all parties.

11.) On July 9, 2007 a Hearing was Set For The plaintiffs' Motion To Enforce Settlement agreement At The hearing The Defendants Counsel and The plaintiff held a conference, in which They agreed To Settle The plaintiffs Original Civil Action Tort & Breach of Contract Suit in and For a Transfer of The plaintiff To Dixion Correctional institute as per His request. After The Conference was Held, Plaintiff and Counsel For defendants, asked This Honorable Court To continue The Hearing For thirty days as So They would Be able To Settle The Plaintiffs Original Civil Action Tort & Breach OF Contract Suit and The Defendant's Counsel Told The Court That The plaintiff would Be Transferred To Dixion Correctional institute, within That time period.

12.) On August 6, 2007 The plaintiff Was Transferred To Dixion Correctional institute as per The agreement Between The parties in Settlement of The plaintiffs original complaint.

13.) On August 29, 2007, Counsel For The defendants Sent correspondence To The plaintiff and a drafted Settlement agreement and complet release and a Motion To dismiss The plaintiffs, original and supplemental complaint See (Exhibit -9-)

14.) On August 30, 2007 The plaintiff Sent a Letter To defendants Counsel, stating He was not Satisfied With The release Form For The Settlement

agreement, That after reading it and the motion to dismiss That the plaintiff needed to discuss the particulars of it and come to a better agreement on How they should read, and that He refussed to Sign them untill Then, and That He would Be looking Foward to Hearing From the defendants counsel imediatly See (Exhibit -10-)

15.) On September 11, 2007, a meeting was held at the Livingston parish court-house, Between the plaintiff and counsel For defendants, were at the meeting the plaintiff explained to the defendants' counsel That He Never agreed to settle His Supplement to original complaint of Civil action Tort & Breach of Contract and that it Should not Be included in the release Forms. And That They Had agreed That the defendant's counsel would Have the [redacted] cost of Court Waived For all parties. But He Failed To include it in the release Forms the plaintiff Then Told the defendant's Counsel That if He wold draft a new release Form That Stipulated the Waiver of cost For all parties and Contact D.C.I. To Have Him placed on the compound unit-2 Dorm 5 or 6, He would allow the Defendants' Counsel To include release of his supplemental complaint in the release Form. But if not Then He would not release His Supplemental complaint. And the Plaintiff refussed To Sign the release Form untill the appropriat Changs were made. Defendant's counsel got very upset and Stated To the plaintiff That the plaintiff was going To sign the release Form and if He the Plaintiff did not He the defendant's counsel was going To get the Judge of This Honorable court To Force the plaintiff To Sign the release Form.

16.) on September 26, 2007 The Plaintiff once again wrote The Defendants' Counsel and stressed His concerns about The release Form and His Supplement to original complaint of Civil action Tort and Breach of contract, and [illegible] The Cost of Court, in hopes That They Could reach some Type of understanding. As well The plaintiff Drafted a New release Form most similar To The one Counsel for The defendants drafted, in Hopes To Have a meeting of The minds in This case as to Settlement

The Plaintiff Ryan Stinson, further declares, under The penalty of perjury of law, Pursuant to 28 U.S.C. section 1746 That the Foregoing is True and correct.

He understands That a False statement in This affidavit will subject Him to The penalties of perjury of law.

Wherefore, The plaintiff's motion in opposition To Defendants motion To Enforce Settlement agreement should Be granted and a Hearing to show cause Be set to show cause to the scope of The parties attended settlement agreement in This case

Thus, Read and signed This 28 day of September, 2007, in Jackson, State of Louisiana

September 28, 2007
Date

Respectfully Submitted

Ryan Stinson

Ryan Stinson 733086
Unit 2 C/B/A Cell #2
Dixon Correctional Institute
P.O. Box 70, Jackson, LA, 70748

9 of 16 Ryan Stinson * Div: "E" Suit No.# 113598
-versus- * ____ Judicial District Court
Scott M. Perrilloux, District Attorney * Parish of Livingston
Charlotte Hebert, Asst District Attorney * State of Louisiana
*
Filed * Clerk of court

* * * * * * * * * * * * * * * * * *

Memorandum Of Law IN Support Of Plaintiff Motion in Opposition To Defendants Motion To Enforce Settlement Agreement

* * * * * * * * * * * * * * * * *

Statement Of Case:

This Matter involves Plaintiff's claims against Scott M. Perrilloux, District Attorney + Charlotte Hebert, Assistant District Attorney, relating To an oral agreement To have The plaintiff Transfered To Dixion Correctional institute.

Statement Of Facts:

The Plaintiff and Counsel For The defendants during The pendency Of The Litigation, Corresponded For an extensive period Of Time regarding discovery Matters as well as potential Settlement Of The Plaintiffs Claim.

The plaintiff and counsel For The defendants, reached a Final compromis agreement in This Case on July 9, 2007, were The plaintiff and Defendant Counsel held a Conference, in which They reached a Compromis To Settle The plaintiff original Civil Action Tort + Breach Of Contract complaint in and For a Transfer Of The Plaintiff To Dixion Correctional institute, And That Counsel For defendants Would Have This Honorable Court Waive all cost of court For all parties.

Subsequently The Plaintiff on August 6, 2007 was Transferred To Dixion correctional institute.

On August 29, 2007, Counsel For the defendants Sent correspondence To the plaintiff and a drafted Settlement agreement and complet release and a Motion To dismiss. After The Plaintiffs reading of These Forms For relief, He was not Satisfied with The Scope of The Release and dismissal Clause in The Settlement agreement and complet release Form, Defendants regarded its Compromis as To what was drafted in The release, not as To exactly What they intended To settle when The compromis was reached. So Subsequently The Plaintiff did not execute The release, And Corresponded With The defendant Counsel on August 30, 2007 via Mail, telling Him That He The plaintiff was not satisfied with The release Form For The settlement agreement and That they needed To discuss The particulars of it and come To a b.the agreement on How they should read.

On September 11, 2007 Counsel For defendants and The Plaintiff Held a conference at Livingston parish court House, with The plaintiff informed Defendants Counsel That He never agreed To settle His Supplement To original complaint of civil action Tort and Breach of contract. And That it should not Be Drafted in The release Form and That no where in The release Form did He include The waiver of all cost against all parties. And That The Plaintiff never agreed To dismiss His Suit with Prejudice. The Plaintiff Tried To gain a Meeting Of The Minds With Defendant's counsel But could not reach one. So Defendant's Counsel adjourned The conference with The plaintiff amicably Without a Signing of The release Form by The plaintiff Subsequently The Plaintiff wrote The Defendants

Counsel a letter on September 24, 2002 with a New Drafted release and again stressing his Concerns about The Compromise Terms in hopes To reach an understanding and a meeting of The Minds in This case as To Compromise.

Aguments + Law:

The court should deny Defendants Motion To Enforce Settlement agreement, And Set a Hearing To show Cause as To The scope of The parties intended Settlement agreement in This case.

In desiding wether To grant or Deny a Motion To Enforce Settlement Agreement, The Court Has To Look at The Scope OF The Transaction, as To exactly what The parties intended when The Compromise was reached. Because a Compromise Extends only To Those Matters The parties intended To settle. Ortego V. State Dot. O, 96-1322 (LA. 2/25/97); 689 So.2d; Travis Anthony V. Liberty Mutual ins. Co. 759 So. 2d 910 99-1730 (LA. App. 3rd cir 4/5/00); Moak V. American Automobile insurance Company, 242, LA. 169, 134 So 2d 911 (1961); Munna V. Morgano 404 So.2d 1008 (LA. App. 4th cir 1981).

LA. C.C. Ann. Art. 3073: Contains a supplementary rule of Construction governing The interpretation of The operative language, and The determination of The scope, of a Compromise agreement, Article 3073 Provides That a Compromise agreement extends only To Those Matters That The parties expressly intended To Settle and That The scope of The Transaction cannot be extended by implication. More precisely, Art. 3073 Set Forth The Following Four Factors To Consider in determining The scope of a Compromise instrument:

1.) Transactions regulate only The differences which appear Clearly To be Comprehended in

Them By the intention OF the parties.

2.) whether it be explained in a general or particular manner.

3.) unless it be the Necessary consequences OF what is expressed.

4.) They do not extend TO differences with the parties Never intended TO include in them.

IN Addition the Plaintiff and defendants counsel agreed TO settle the plaintiff's original civil action Tort & Breach OF Contract in and for a transfer OF the plaintiff TO Dixion Correctional institute. And that Defendants counsel would Have the court TO waive all cost OF court FOR all parties. in Accordeonance with LA.C.C. Ann. Art. 3071. Which provides That a compromise is a written Contract. It Follows That the compromise instrument is the law Between the parties and must be interpeted according TO the parties true intent.

In addition, the Plaintiff Contends, That Defendants counsel Drafted a Settlement agreement and complet release and a motion TO dismiss Things That the plaintiff Never intended TO Settle and wanted the plaintiff TO execute the release.

The plaintiff Contends more specifically, That He Never intended NOR entered into a compromise with the defendants FOR His supplimal TO original Complaint OF civil Action Tort & Breach OF Contract, are agreed TO Dismiss His original Suit, With prejudice

The Plaintiff Further contends That counsel FOR defendants agreed TO Have This Honorable court Waive all cost OF court FOR all parties.

The Plaintiff also contends that the defendants seek to enforce the release and compromise of matters the plaintiff never intended to settle, and the defendants regarded it's settlement as to what was found in the release, not the letter, so there was no binding compromise where it required the plaintiff to execute the defendants release, because a Dispet arised as to the scope of the settlement agreement and complete release form, the plaintiff and defendants compromise is only valid and enforceable to exactly what the parties intended when the compromise was reached.

Because a compromise extends only to those matters the parties intended to settle, the scope of the transaction can not be extended by implication. LA. C.C. Ann. Art. 3073; Brown v. Drillers inc. 93-1019 (LA 1/14/94) 630 so. 2d 741.

When a dispute arises to the scope of a compromise agreement, extrinsic evidence can be considered to determine exactly what differences the parties intended to settle. [redacted], Supra; Ortego, 629 so. 2d 1358. A compromise is valid if there is a meeting of the minds between the parties as to exactly what they intended when the compromise was reached; Pat O'Briens v. Frances Cocktail Prod inc., 615 so. 2d 429 (LA. App 4th Cir) writ denied, 617 so. 2d 909 (LA. 1993)

There can be no binding compromise where the terms of the release from liability are unknown; Townsend v. Square, 94-0758 (LA App 4th Cir 2/09/94); 643 so. 2d 787.

Moreover, LA. C.C. Art 1947 states when, in absence of a legal requirement the parties have contemplated a certain form, it is presumed that they do not intend to be bound until the releas-

is executed in that form; Carter v. Huber & Heard, inc. 95-142 (LA. App. 3rd cir 5/31/95); 657 So.2d 409, Writ denied 95-1662 (LA. 10/6/95) 661 So. 2d 471.

Conclusion:

Wherefore the Plantiff refused to execute the release, Because the Defendant's seek the release of his supplemental complaint, and dismiss of his original and supplemental with prejudice, and did not include the waver of cost of court in the release.

Since the defendants sought the release of claims, the Plantiff did not intend to compromise, when the compromise was reached. The plantiff did not execute the release, so there was No contract for settlement. And there can be No Binding compromise where the terms of the release for liability are unknown; Travis Anthony v. Liberty Mutual ins. co. 99-1730 (LA. App. 3rd cir 04/05/00) 739 So.2d 910.

Wherefore, the Plantiffs motion in opposition to Defendants motion to enforce settlement agreement should Be granted and a Hearing to show cause Be set to show cause to the scope of the parties intended settlement agreement in this case.

Respectfully Submited

September 28, 2007
Date

Ryan Stenson

Ryan Stenson 433686
Unit 2 - C/B/A Cell #2
Dixon Correctional Institute
P.O. Box 788, Jackson, LA. 70748

15 of 16

Ryan Stinson * Div: "F" Suite No" 113598

-Versus- * 21st Judicial District Court

Scott M. Perkins, District Attorney * Parish of Livingston

Charlotte Hebert, Asst. District Attorney * State of Louisiana

*

Filed _____ * _____ Clerk of Court

* *

ORDER

* *

Upon the supporting Affidavit of the Plaintiff, and the accompanying Memorandum of Law, For the Plaintiffs' Motion in Opposition To Defendant's Motion To Enforce settlement agreement, it is Hereby

Ordered That a Hearing Be set in the above Motion in Division _____ of the Livingston Parish Court House, 20180 Iowa St. Livingston LA. 70754 on The _____ day of _____, 2007, at _____ o'clock, To show cause why the plaintiff Motion should be granted, And To show Cause To the scope of the parties intended settlement agreement in this case.

It is further ordered, That a copy of this order be provided To Warden, James LeBlanc at Dixion Correctional Institute P.O Box 788, Jackson LA, 70748.

It is Further ordered, That Warden, James LeBlanc Make arrangements To have The Body of one Ryan Stinson # 433686 present in open Court on The above date and Time, and in The above Court room.

It is Further ordered, That this order, and all other papers attached To this order, shall be Served on defendants Counsel Mr. Greg Murphy at 6555 Perkins Road Suite 200 Baton Rouge LA, 70808, To Be present in open court on The above date and Time, and in The above Court Room.

To Show Cause Why The Plaintiff's Motion in opposition To Defendant's Motion To enforce Settlement agreement Should not Be granted, and To Show Cause To The Scope of The Parties intended settlement agreement in This case.

It is Further ordered, That This order, and all others papers Attached To This order, shall be Served on The Plaintiff Ryan Stinson #433686 at unit-2 C/B/A cell #2 Dixion correctional institute P.O. Box 788, Jackson, LA, 70748, To Show Cause Why The Plaintiff's Motion in opposition To Defendant's Motion To enforce Settlement agreement Should Be granted, and To Show Cause To The Scope of The parties intended Settlement agreement in This case.

Signed, on This _____ day of _____, 2007 in _____ Parish, State of Louisiana

_____

District Judge

Please Serve:

Warden James Leblanc

Dixion Correctional institute P.O. Box 788, Jackson LA, 70748

Greg Murphy, Attorney

6555 Perkins Rd Suite 200 Baton Rouge, LA, 70808

Ryan Stinson #433686 Unit-2 C/B/A cell #2

Dixion Correctional institute P.O. Box 788, Jackson LA, 70748

Certificate OF Service

I Ryan Stinson declare under Penalty OF Perjury Pursuant To 28 U.S.C. Section 1746 That I Mailed a copy of The enclosed, Motion in opposition To defendants Motion To enforce Settlement agreement, To Defendants counsel, Greg Murphy, 6555 Perkins Road Suite, 200, Baton Rouge, LA, 70808. By placing it in an envelope and placing The envelope in The Mail Box at Dixion correctional institute on September 28, 2007. Postage Pre Paid.

September 28, 2007

Ryan Stinson 433686

September 30, 2007

TO: Mr. Greg Murphy
6555 Perkins Road Suite-200
Baton Rouge LA, 70808

From: Ryan Stinson #433686
Unit-2 c/B/A Cell #2 Dixion Correctional Institute
P.O. Box 788, Jackson, LA, 70748

RE: Ryan Stinson V. Scott M. Perrilloux, District Attorney & Charlotte Hebert, Asst. District Attorney, Div. "F" Suit #113598 21st J.D.C. Parish of Livingston, State of Louisiana.

Dear Mr. Murphy,

I am writing this missive in reFrense to my September 26, 2007 missive to you pertaining Settlement of this case.

I was wondering if you reviewed the letter as well as the "settlement agreement & Complete release" Form I drafted? and what is your coment on them?

I Look Foward to heating From you on this matter as soon as posiable.

Thank you once again For your time and coscern and God Bless you For your ongoing kindness.

With the kindess of Regardes, I am

Truly Thankful

Ryan Stinson 433686

CC: R.S., G.M.

002551

September 28, 2007

To: Mr. Greg Murphy
6555 Perkins Road Suite 200
Baton Rouge LA. 70808

From: Ryan Stinson #433686
Unit-2 C/B/4 cell #2 Dixion correctional institute
P. O. Box 788, Jackson, LA, 70748

RE: Ryan Stinson v. Scott M. Perrilloux, District Attorney & Charlotte Hebert Asst. District Attorney, Div. "F" Docket #113598, 21st J.D.C. Livingston Par

Dear Mr. Murphy,

Please find enclosed a copy of the Plaintiff's "Motion in opposition to Defendant's Motion to Enforce Settlement Agreement" for your revical.

Thank you for your time and concern with this matter.

With the kindess of Regardes, I am

Truly Thankful

Ryan Stinson

Ryan Stinson 433686

CC: R.S., G.M.

RSDA000450

002552

CITATION

ORIGINAL COMPLAINT CIVIL ACTION TORT & BREACH OF CONTRACT, LA. C.C.P. ART. 2315, ART. 2316, CIV CODE ANN.ART 1927 & 3071; ORDER

STINSON, RYAN

Vs.

DISTRICT ATTORNEY 21ST JDC

Case: 000000113598
Division: F
21st Judicial District Court
Parish of Livingston
State of Louisiana

To: CHARLOTTE HEBERT, ASSISTANT DISTRICT ATTORNY
P. O. BOX 299

LIVINGSTON, LA 70754 *of Livingston Parish*

YOU ARE HEREBY SUMMONED *to comply with the demand contained in the petition of which a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, the 21st Judicial District Court in and for the Parish of Livingston, State of Louisiana, within FIFTEEN (15) days after the service hereof, under penalty of default.*

WITNESS MY HAND AND SEAL OF OFFICE AT LIVINGSTON, LOUISIANA, ON NOVEMBER 14, 2006.

Clerk of Court
21st Judicial District
Parish of Livingston

B Sherry Jones
Deputy Clerk of Court

Attorney
RYAN STINSON, I.P.P.; #433686
DAVID WADE CORR. CENT.
670 BELL HILL RD.
HOMER, LA 71040

Service Information

Received on the _____ day of _____, 20_____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service *on the party herein named _____.*
Domiciliary Service *on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.*

Returned:
Parish of _____ this _____ day of _____, 20_____.

Service $_____

Mileage $_____

Total $_____

By: _____
Deputy Sheriff

[SERVICE]

002553

21 Judicial District Parish of Livingston
State of Louisiana

Docket No: 113598
Division: F
Filed:

Ryan Stinson #433686
(Plaintiff)

-Versus-

District Attorneys office and
Scott M. Perrilloux + Charlet
Hubert in their official capacities
(Defendants)

Deputy Clerk:

CLERK OF COURT
PARISH OF LIVINGSTON
06 OCT 11 PM 3:05
BY DEPUTY CLERK

* *

Original Complaint Civil Action Tort + Breach of Contract, LA. C.C.P. ART. 2315, Ad. 2316, Civ code Ann. Art 1927 + 3071

* *

Plaintiff: Ryan Stinson #433686
David Wade Corr. Cent.
670 Bell Hill Rd. Homer La 71040

Defendant: Scott M. Perrilloux, District Attorney
P.O. Box 249 Livingston La 70754

Defendant: Charlet Hubert, Assistant District Attorney
P.O. Box 249 Livingston, La 70754

"Please serve all Defendants and provide plaintiff with a Copy"

* *

Statement of Claim:

* *

On May 12, 2005 I was brought to Livingston Parish Court house to testify on behalf of the state against one James "Pap" Skinner. We (myself, Scott M. Perrilloux + Charlet Hubert) came to a mutual agreement that for my testimony, I would

1.

be transfered to Dixion Correctional institute, (D.C.I) and this would take place shortly after my testimony.

After my testimony on May 13, 2005 and after one James "Pop" Skinner was convicted of his charge and given a life sentence, he was placed at Elayn Hunts Correctional Center and placed in Beaver 2-A tier on the date of June 20, 2005 I was also placed on the same tier as one James "Pop" Skinner and during this time he placed verbal threats against me as well as a hit on me through several inmates at this time I informed Scott M. Perrilloux & Charlet Hubert of my safty issue, I was informed that if I needed to and my Concerns for my safty were grate then I could ask the administration to place me on protective Custody. until I am transfered to D.C.I which will be no latter than December of 2005. So I at that time asked the Administration at Elayn Hunts Corr. Cent. to place me on protective Custody because I was concerned for my safty and until I get transfed to D.C.I.

* *

Breach of Contract

* *

On December 19, 2005 I was transfered, to David Wade Correctional Center, this was done against our oral Contract that for my testimony they (Scott M. Perrilloux & Charlet Hubert) would transfer me to D.C.I.

I made it perfectly Clear that I would only [redacted] testify if they agreed to have me transfered to D.C.I. Because it is closer to my family and there I would be safe from any retaliation from one James "Pop" Skinner.

After my arrivale at David Wade Corr. Cent. on December 19, 2005 I wrote Scott Perrilloux and Charlet

Hubert numerous letters, stressing my concerns for my saftey and there refusal to hold up to there end of the oral contract to have me transfered to D.C.I.

But all letters were never answered, my safty was not protected in any kind of way by Scott M. Perrilloux & Charlet Hubert of the District attornies office of Livingston, La, nor was our oral contract we agreed upon met in return for my testimony.

Instead they received my testimony and I received nothing that was agreed upon

* * * * * * * * * * * * * * * *

Relief:

* * * * * * * * * * * * * * * *

1) That Scott M. Perrilloux & Charlet Hubert be ordered to have me transfered to D.C.I as agreed upon.
2) That I be awarded $00.00 for each and every day I remain at David Wade Corr. Cent. Untill the day I am transfered.
3) That Scott M. Perrilloux & Charlet Hubert be ordered to pay all Cost of Court and reimburse Cost of filling fee
4) That Scott M. Perrilloux & Charlet Hubert be disciplined acording to law.

Signed This _____ day of _____ 20,06 Livingston, La

Ryan R. J. Stinson
Plaintiff

I Ryan R. J. Stinson Swear under penalty of perjury, that the forgoing is true and correct to the best of my knowledge.

Ryan R. J. Stinson
Plaintiff

3.

002556

21 judicial district parish
of Livingston State of Louisiana

Docket NO: _____
Division: _____
Filed: _____
Deputy Clerk: _____

Ryan Stinson #433686
(Plaintiff)

Versus -

District Attorneys office and
Scott M. Perrilloux & Schedel
Hubert in their official capacities
(Defendants)

* * * * * * * * * * * * * * * * * *

Motion for Leave To Proceed in Forma Pauperis

* * * * * * * * * * * * * * * * * *

05 OCT 11 PM 3:05
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

To the Honorable Judge:

May it please the Court:

Pursuant to article 5181, et. seq., Louisiana Code of Civil Procedure, motion is hereby made by plaintiff Ryan Stinson, to be allowed to proceed in forma pauperis with his petition or motion.

Petitioner Ryan Stinson affidavit in accordance with LA. C.C.P. articles 5181, et seq., is attached hereto, and by reference thereto made an active part of this motion.

Respectfully Submitted,

Ryan Stinson #433686
Pro Se
D.W.C.C.
670 Bell Hell Rd.
Hamer, La. 71040

4

Affidavit in Support of Request to Proceed in Forma Pauperis

I, Ryan Stinson, declare that I am the plaintiff in the above entitled case; that in support of my motion to proceed without being required to prepay fees, cost or give therefore I state that because of my poverty that I am unable to pay the costs of said proceeding or to give security therefore; that I [redacted] believe I am entitled to redress.

I further declare that the responses which I have made to questions and instructions below are true.

1. Are you presently employed Yes ( ) NO (✓)
2. Have you received within the past ~~___~~ twelve months any money from any of the following sources?
   - (A). Business, profession, or form of self employment (hobby craft sales included)? Yes ( ) NO (✓)
   - (B). Rent payments, interest or dividends? Yes ( ) NO (✓)
   - (C). Pensions, annuities or life insurance payments? Yes ( ) NO (✓)
   - (D). Gifts of inheritances? Yes ( ) NO (✓)
   - (E). Any other sources? Yes ( ) NO (✓)
3. Do you own any cash, or do you have money and/or bonds in a checking or savings account? (include any funds in prison accounts) Yes (✓) NO (✗) if the answere is Yes, state the total value of items owned.

Prison Drawing account: $ 15.63
Prison Savings Account: Ø
Prison Bonds: Ø

05 OCT 11 PM 3:05
CLERK OF PARISH COUNTY
DEPUTY CLERK

5

002558

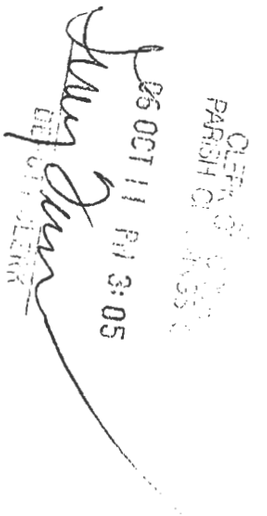
DEPARTMENT OF CORRECTIONS — DATE : 10/03/06
INMATE MASTER RECORD INFORMATION — TIME : 13:59:39

DOC NUMBER...:	433686	STATUS.....:	ACTIVE
LAST NAME :	STINSON	FIRST NAME :	RYAN M.I.:
SENT LENGTH :	010 YRS. 00 MONS. 00 DAYS		
RACE :	WHITE	DOC SYSTEM ENTRY DATE :	05/06/02
SEX :	MALE	DISCHARGE DATE :	09/03/06
LAST UPDATE :	09/22/06	SAVINGS BONDS :	n

LIVING QTRS :	N3B CELLBLOCK SOUTH	LIVING QTRS # :	7632
WORK ASSIGNMENT :	AWAITING WORK ASSIGNMENT	WORK ASSIGNMENT # :	7000
		PAY RATE :	.999
INC.PAY XFER FLAG:		INC.PAY XFER DATE.:	

DRAWING BALANCE :	$ 11.01	->LAST 6 MONTH AVERAGE....:	$ 110.62
SAVINGS BALANCE :	$ 0.00	->LAST 6 MONTH AVERAGE....:	$ 0.00
TOTAL DEBT OWED :	$ 0.00	LAST 6 MTH AVG EARNINGS.:	$ 27.83
ACCRUED SALES :	$ 4.62	INSTITUTION LIMIT :	$ 05.00
PERSONAL PROP. ACCRUED:	$ 0.00	PERSONAL PROPERRTY LIMIT:	$ 250.00

PRESS XMIT TO REQUEST ANOTHER INQUIRY : (ENTER X TO CANCEL FUNCTION)



002559

21 Judicial District Court
Parish of Livingston, State
of Louisiana

Ryan Stinson 433686 (Plaintiff)

Versus

District attorneys office, and
Scott M. Perrilloux + Scarlet Hubert in there official capacities (Defendants)

Docket No:
Division:
Filed:
Deputy Clerk:

* * * * * * * * * * * * * * * * * * * *

Order

* * * * * * * * * * * * * * * * * * * *

Considering the foregoing Pleading and Affidavit:

Let Ryan Stinson, prosecute this Litigation in accordance with Louisiana Code of Civil Procedure, Article 5181, et seq., without paying the Cost in advance or as they accrue or furnishing security therefor.

Thus, Read and signed, this 19th day of October, 2006, in Livingston Louisiana

T. Wolfe
District Judge

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2006 OCT 11 PM 3:06
DEPUTY CLERK

I Hereby certify, that a copy of the above order and foregoing has been mailed, to plaintiff.

Signed this ____ day of ____ 2006

Deputy Clerk of Court

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 11-14 2006
Deputy Clerk of Court

RSDA000458

002560

21 Judicial District Court
Parish of Livingston State of Louisiana

Ryan Stinson 433686
(Plaintiff)

Docket No: _____
Division: _____
Filed: _____

- Versus -

District attorneys office, and
Scott M. Perrilloux + Scharlet Hubert in their official Capacities
(Defendants)

Deputy Clerk: _____

* *

Order for Costs

* *

The Court Considering that this suit has been filed by plaintiff without the attachment of a motion and order to proceed in forma pauperis; that the law requires that Costs be paid in their entirety or the party be allowed to proceed in forma pauperis; the law being in favor thereof;

It is ordered, that plaintiff deposit the full advanced Costs of said proceedings or apply on the appropriate form to proceed in forma pauperis within thirty (30) days of the date of this order or have his suit dismissed.

Read and signed, this 18th day of OCT, 2006 at Livingston Louisiana.

District Judge

I hereby Certify, that a copy of the above and foregoing order has been mailed, this date, to plaintiff, along with a motion and order to proceed in forma pauperis.

Livingston, Louisiana, this ____ day of _____, 2006.

Deputy Clerk of Court

06 OCT 11 PM 3:06
CLERK OF COURT
PARISH OF LIVINGSTON
BY: _____ DEPUTY

9.

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 11-14 20 06
Deputy Clerk of Court

RSDA000459

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

FILED
07 JAN 26 AM 11:45
CLERK OF COURT
PARISH OF LIVINGSTON
DEPUTY CLERK

ANSWER TO ORIGINAL COMPLAINT CIVIL ACTION TORT AND BREACH OF CONTRACT

NOW INTO COURT, through undersigned counsel, comes defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's Original Complaint Civil Action Tort and Breach of Contract as follows:

1.

The allegations in Paragraph 1 of plaintiff's Statement of Claim are denied for lack of sufficient information to justify a belief therein.

2.

The allegations in Paragraph 2 of plaintiff's Breach of Contract paragraph are denied for lack of sufficient information to justify a belief therein.

FURTHER ANSWERING, defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, states as follows:

Defendant asserts that she has qualified/absolute immunity in her capacity as Assistant District Attorney for the 21st Judicial District Court.

Defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, hereby requests a trial by jury.

WHEREFORE, defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, prays that there be judgment in her favor, dismissing plaintiff's claims with prejudice, and assigning all costs against plaintiff.

Respectfully Submitted

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 25th day of January, 2007.

GREG MURPHY

Ryan Stinson
-versus-
Scott M. Perrilloux, District Attorney
Charlotte Hebert, Ass. District Attorney

Case No#: 000000113598
Division: F
21st Judicial District Court, Parish of Livingston, State of Louisiana

Filled: _____

_____
Clerk of Court

Plaintiffs' First Admissions, Interrogatories And Request For Production of Documents To Defendant

To: Defendants- Scott M. Perrilloux and Charlotte Hebert

Now comes Plaintiff(s), Through undersigned Counsel, and propounds to defendant(s), The following interrogatories To be answered fully, individually, in writing, and under oath, under The provisions of The Louisiana Code of Civil Procedure, Within 30 days after Service; and in default of their full, Complete, and timely answer, plaintiff(s) demand that you pay all reasonable attorney's Fees, costs, and expenses of Compelling answer To The same.

Instructions

A. Respond To each discovery request fully, providing all information actually and constructively available To you or To anyone acting on your behalf, including, but not Limited To, employees, agents, representatives, attorneys, accountants, and any other person or firm known by any of Them To possess or have access To The requested information.

B. If you fail to respond to any discovery request in accordance With A above, specifically state The reason or reasons For yor Failure.

C. If you object To any discovery request, state Fully The grounds For The objection and The Legal authority upon Which you Will rely in response To a motion To compel.

D. Restate each interrogatory in Full prior To your response.

E. Identify The person answering each interrogatory For you or any person assisting in answering each interrogatory.

F. "Describe in detail" as used in This interrogatory means To:

1. Describe fully by reference to underlying facts rather than ultimate facts or conclusions of fact or law; and

2. Particularize as to:

A. Time;

b. Place;

c. Manner;

d. "Identity" of the persons "or business entities" involved.

G. you may satisfy your duty hereunder to respond to any interrogatory requiring you to "Identify" a document by attaching to your answers to these interrogatories a legible copy of any document bearing the notation of the interrogatory to which the attached document is responsive. The respondants must contact the attorney prior to the production or reproduction of voluminous or excessively costly items or documents in lieu or in furtherance of an answer so the parties can ascertain and allocate among themselves any extraordinary expenses incurred.

H. With respect to any oral communication which is referred to or relied on in answering these interrogatories or which is a source of or forms any basis for the answer, "Identify" oral communication means:

1. Describe the same in detail;

2. Describe how the communication occurred (e.g., in person, by telephone, etc.);

3. Furnish the substance of what each party to the communication said; and

4. Whether any document exists which sets forth, summarizes or otherwise refers to the substance of the communication and, if so, provide the information concerning any document called for in instruction E above.

I. "Supplementation." The respondents must amend, supplement, complete or otherwise correct any and all answers as required by Rule 1428 of the Louisiana Code of Civil procedure.

J. "Nondisclosure." With respect to any information which the respondents withold, do not disclose or assert a claim of privilege or non-disclosure, a statement will be respondent's counsel which:

1. Identifies any and all persons who possess the information withheld;

2. Generally describes the information withheld;

3. Gives the last known physical location of the information withheld; and

4. Sets forth the statute, rule, decision or other basis which is claimed to give rise to the privilege or other justification for the nondisclosure of the requested information.

K. "Plural/Gender." Any use of the singular includes the plural and the plural the singular. Any word connoting the masculine gender shall include the feminine and nongender (it), the use of the feminine includes both the masculine and the [redacted] the non-gender and the use of the non-gender shall include both the masculine and the feminine.

These interrogatories cover all information available to the answering parties and to each and every agent, employee, and Attorney of the party, whether by personal knowledge, hearsay, books, records, reports, and all other sources, and these interrogatories are continuing and the answers must be supplemented or amended if further information becomes known to the answering party prior to the trial of this case.

L. The words "you" and "your" refer to the above named defendant, to whom this discovery is propounded, any officer agent or employee thereof, and any predecessor corporation or entity.

Definitions

1. "Documents" means, without limitation as to date, any of the following items, whether printed or recorded or reproduced by any physical or mechanical process: data stored on computers, tapes, disks, punch cards, or printouts; ~~papers of any type;~~ books, ~~newspapers,~~ professional journals, magazines and periodicals, and articles appearing therein; ~~daily logs~~, lists, correspondence, memoranda, ~~summaries or records of telephone conversations,~~ summaries or records of personal conversations or interviews, agendas, minutes, diaries, calendars, objects, tangible things, correspondence, telegrams, cables, telex messages, facimiles, charts, graphs, maps, reports, notebooks, summaries or reports of consultants, ~~photographs,~~

Videotapes, audio tapes, Films, demonstrative aids, photographic negatives, photographic slides, patents, patent applications, movies, microfilm, microfiche, brochures, pamphlets, advertisements, circulars, Fliers, press releases, drafts, Letters, medical records and charts, prescriptions, Labels, packaging inserts, medical device Labeling, invoices and receipts, any document differing in any manner from another document (for example, a draft, a copy with nonconforming marginal notations, or a copy with different attachments or entries) is Treated as a separate document; each such separate document must be noted in these answers. Any document which are records now, or have been at anytime in the past, in the possession of defendant(s).

2. The Terms "regarding" and "relating to" shall be interpreted broadly, including both explicit and implicit reference, and meaning without Limitation referring to, concerning, constituting, defining, discussing, containing, disclosing, evidencing, revealing, embodying, reflecting, stating, dealing with, mentioning, alluding to or prepared as a result of.

Request for Admissions

1. Please admit on are about May, 12, 2005, Scott M. Perrilloux, was an employee namely a District Attorney employed by The State of Louisiana For the 21st Judicial District court of Livingston Parish.

2. Please admit on are about May, 12, 2005, Charlotte Hebert, Was an employee namely a Assistant District Attorney employed by The State of Louisiana For the 21st Judicial District court of LivingstonParish.

3. Please admit on are about May 12, 2005, Charlotte Hebert and scott M. Perrilloux did agree to have mr. Ryan Stinson Transfered to Dixion correctional institute in return For his testimony against James "Pop" Skinner

4. Please admit on are about May 12, 2005, Mr. Ryan Stinson Did Testify against Mr. James "Pop" Skinner.

5. Please admit That after Mr. Ryan Stinson Testified He was

not Transferred To Dixion correctional institute as Scott M. Perrilloux and Charlotte Hebert Had agreed upon.

6. Please admit Charlotte Hebert and Scott M. Perrilloux Told Him That on December 19, 2005 He would be Transferd To Dixion correctional institute.

7. Please admit on are about The day of December 19, 2005 Mr. Ryan Stinson Was not Transferred To Dixion correctional institute as agreed on, by Scott M. Perrilloux and Charlotte Hebert

8. Please admit on are about The day of December 19, 2005 Mr. Ryan Stinson was Transferred To David wade correctional institute.

9. Please admit Charlotte Hebert and Scott M. Perrilloux, Lied To Mr. Ryan stinson about The Transfer To Dixion correctional institute To gain his Testimony.

10. Please admit That Mr. Ryan Stinson Wrote numerous Letters of grivenance To Scott M. Perrilloux and charlotte Hebert That Were ingnored.

11. Please admit That Mr. Ryan Stinson made numerous phone calls in [redacted] a good Faith atempt To have Scott M. Perrilloux and charlotte Hebert Hold up To There agreement with Mr. Ryan Stinson.

12. Please admit That at no Time did Scott M. Perrilloux and Charlotte Hebert Hold up To There agreement with mr. Ryan Stinson altho He Made many good faith atempts.

Interrogatories

Interrogatory Number 1:

Please provide The FULL name, address, age, date of birth, place of residence at the Time of This accident, and state drivers License number of Scott M. Perrilloux and Charlotte Hebert.

Interrogatory Number 2:

Please produce Copies of all correspondence, documents, notes, and any other information used to investigat / substantiate The claims of Mr. Ryan Stinson.

Interrogatory Number 3.:

Please provide any and all recorded statements of any person regarding The Complaints and Letters of Grievance of Mr. Ryan Stinson.

Interrogatory Number 4.:

Please identify and describe in detail any person who may have or claims to have knowledge of the incident of [redacted] Breach of Contract or any of The events Leading to The Breach of Contract or related events of Transfer occurring Thereafter. As to each such person, please describe Fully.

Interrogatory Number 5.:

Please List any and all documentary evidence which you may introduce at Trial; Fully describe each such document and List The name and address of The person having possession of The original or any copies.

Interrogatory Number 6.:

Please identify each expert witness retained or consulted by you, or who is anticipated to Testify at The time of Trial regarding This action / Civil action tort and Breach of Contract or in any response to any of These interrogatories, including The name, address, Telephone number and occupation of each expert; The expert's area of expertise; The subject matter on which each expert is expected to Testify; The substance of The Facts to which each expert is expected to Testify The substance of The opinions to which each expert is expected to Testify; a summary of The grounds for each opinion; and identify all documents and photographs which refer or relate to Those Facts.

Interrogatory Number 7.:

Identify each person you expect to call as a Fact Witness at Trial, whether or not identified in answer To a previous interrogatory, and briefly State The Substance of There Testimony.

Request For Production of Documents

Request For Production Number 1.:

Please produce certified or verified copies or originals each Letter Mr. Ryan Stinson has Filed in request For a Transfer to Dixion correctional institute as agreed upon.

Request For Production Number 2.:

Please produce copies of all correspondence, documents, notes, and any other information used to investigate / substantiate the claims of Mr. Ryan Stinson.

Request For Production Number 3.:

Please produce any exhibits which you may offer at the Trial of this matter.

Request For Production Number 4.:

Produce copies of all documents produced, relied upon, or referred to by any expert you have consulted with or retained with respect to your claims in this matter.

Request For Production Number 5.:

Produce Legible copies of all notes, Logs, memoranda, or diary(s) maintained in connection with ony of your activities that are in any way related to the claims asserted in the Civil Action Tort + Breach of contract Filed by the plaintiffs in this matter.

Request For Production Number 6.:

Copies of reports of all expert witnesses cotacted or retained by you or whom you expect to call at Trial, including all photographs, notes, memoranda, Field notes, sketches, drawings, Leained articles, tabulations, or other documents used, a copy of Mr. Ryan Stinson Testimony, produced or relied upon by such expert in Formulating his opinions and rendering a report in this matter.

Request For Production Number 7.:

Please produce the entire personnel File For Charlotte Hebert + Scott M. Perrilloux.

Request For Production Number 8.:

Please produce any and all documents supporting any affirmative defense plead in this matter.

Respectfully submitted by:

Ryan Stinson 433686

Febuary 5, 2007
Date:

Attorney Ryan Stinson 433686
David Wade Corr. Cent.
670 Bell Hill Rd.
Homer LA 71040

Clerk Please Serve [redacted]

Charlotte Hebert, Assistant District Attorney
P.O. Box 299
Livingston, LA 70754

Scott. M. Perrilloux, District Attorney
P.O. Box 299
Livingston, LA 70754

Greg Murphy
Attorney At Law
6555 Perkins Road, suite 200
Baton Rouge, Louisiana 70808

Honorable Charles C. Foti, Jr.
Attorney General,
State of Louisiana
State Capitol, 22nd Floor
Baton Rouge, Louisiana 70808

Certificate Of Service

This is to Certify that a Copy of The above and Foregoing has been mailed TO Greg Murphy, Attorney at Law, 6555 Perkins Road, Suite 200 Baton Rouge, Louisiana 70808, Postage prepaid, This 5TH day of Febuary 2007

Ryan Stinson

Ryan Stinson I.P.P. 433686

RYAN STINSON	*	SUIT NO. 113,598 - DIV. "F"
	*	21st JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF LIVINGSTON
DISTRICT ATTORNEY, 21st JDC	*	STATE OF LOUISIANA

FILED
CLERK OF COURT
PARISH OF LIVINGSTON
2007 FEB 23 PM 2:16
DEPUTY CLERK

RESPONSE TO REQUEST FOR ADMISSIONS

NOW INTO COURT, through undersigned counsel, comes defendant, Charlotte Hebert, in her capacity as Assistant District Attorney, 21st Judicial District Court, Parish of Livingston, State of Louisiana, who answers plaintiff's request for admissions as follows:

1.

Admitted.

2.

Admitted

3.

Denied

4.

Admitted

5.

Denied

6.

Denied

7.

Object, lack of sufficient information.

8.

Object, lack of sufficient information.

9.

Denied

10.

Denied

11.

Denied

12.

Denied

Respectfully Submitted

Greg Murphy

GREG MURPHY
ASSISTANT DISTRICT ATTORNEY
PARISH OF LIVINGSTON

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been mailed to Ryan Stinson, I.P.P., #433686, David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana 71040, postage prepaid, this 23rd day of Feb, 2007.

Greg Murphy

GREG MURPHY

Ryan Stinson * Suit No: 113598-Div. "F"
-versus- * 21st Judicial District Court
Charlotte Hebert, Ass. District Attornex * Parish of Livingston
Scott M. Perrilloux, District Attorney * State of Louisiana
*
*
Filed: * Clerk of Court:

* * * * * * * * * * * * * * * * * *

Supplement To Original Complaint Of, Civil Action Tort And Breach Of Contract

* * * * * * * * * * * * * * * * * *

Statement Of Claim

Plaintiff supplements to all defendants in Original Complaint:

Due To The Breach of Contract The plaintiff was transfered to David Wade Correctional Center, Were on September 30, 2006, The Plaintiff Was Sexually assaulted by one of The prison Guards namily Sgt. Joe Livingston, at The Time, a Sergeant, employed at David Wade Correctional Center. Were The Plaintiff Suffered mentaly and Physicaly, From The Sexual assault, and Were The Plaintiff now Suffers Continves Harrasment and retaliation, By other Prisoners and Prison guards That are Friends and family of Sgt. Joe Livingston.

IF the Defendants had held up To There agreement in return For the Plaintiffs Testimony against one James "Pop" Skinner, And Transfered The plaintiff To Dixion Correctional institute as agreed upon. Then The Plaintiff Would Have never Been Sexualy assaulted By a prison Guard, at David Wade Correctional Center.

* * * * * * * * * * * * * * * * * *

ReLieF

* * * * * * * * * * * * * * * * * *

1.) That Scott M. Perrilloux + Charlotte Hebert be ordered to have me transfered to Dixion Correctional institute as agreed upon.

2.) That I be awarded 500.ee for each and everyday I remain at David Wade Corr. Cent. Untill the day I am transfered.

3.) That Scott M. Perrilloux + Charlotte Hebert be ordered to pay all cost of Court and reimburse Cost of Filling Fee.

4.) That Scott M. Perrilloux + Charlotte Hebert be disciplyned acording to Law.

5.) Preliminary injunction Transfer From David Wade Correctional Center

Signed This 18 day of February 2007, in Claiborne Parish, State of Louisiana

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd
Homer LA. 71040

Certificate Proof Of Service

Ryan Stinson declares under penalty of perjury pursuant to 28 U.S.C. Section 1746 That he mailed a copy of The enclosed, Supplement to Original Complain OF Civil Action Tort And Breach OF Contract, To defendant's Counsel, Greg Murphy, Assistant District Attorney 6555 Perkins Road, Suite 200, Baton Rouge, Louisiana 70808, By placing Them in an envelope and placing The envelope in The Mailbox at David Wade Correctional Center, 670 Bell Hill Rd. Homer LA. 71040, on Febuary 19, 2007

Febuary 19, 2007
Date:

Ryan Stinson #433686
D.W.C.C. 670 Bell Hill Rd.
Homer LA 71040