

**UNITED STATE DISTRICT COURT**  
**WESTERN DISTRICT OF LOUISIANA – MONROE**

**ALYSON NALE**

**CIVIL ACTION#** \_\_\_\_\_

**VERSUS**

**NURSE FINLEY, INDIVIDUALLY  
AND THE UNION PARISH DETENTION  
CENTER, AND TRAVELERS INSURANCE**

**JUDGE:** \_\_\_\_\_

**MAG:** \_\_\_\_\_

**A COMPLAINT UNDER THE CIVIL RIGHTS ACT 42 U.S.C. § 1983**

**PRELIMINARY STATEMENT**

1.

This is a civil rights case arising from the **UNION PARISH DETENTION CENTER** in Union Parish, Louisiana. Plaintiff, **ALYSON NALE**, brings this suit under the Fourth, Eighth and Fourteenth Amendments to the United States Constitution, the Civil Rights Act of 1871, 42 U.S.C. sections 1983 and 1988, as well as state law claims under La. C.C. art. 2315. Compensatory and punitive damages are sought against the Defendants for violation of the Plaintiff's civil rights.

**JURISDICTION**

2.

This is a civil action authorized by 42 U.S.C. Section 1983 to seek redress for the deprivation of rights secured by the Constitution of the United States. The Court has jurisdiction under 28 U.S.C. § 1331, and 28 U.S.C. § 1343. This action arises under the Fourth, Eighth and Fourteenth Amendments of the United States Constitution, the Civil Rights Act of 1871, 42 U.S.C. sections 1983 and 1988, and Louisiana state law. Supplemental jurisdiction attaches to all state law claims under 28 U.S.C. 1367.

## VENUE

3.

Venue is proper under 28 U.S.C. section 1391 because a substantial part of the events which give rise to this action occurred in the Western District of Louisiana.

## PLAINTIFF

4.

Plaintiff **Alyson Nale** was a pretrial inmate in the custody of the Union Parish Detention Center between May and June 2018 in Union Parish, Louisiana.

## DEFENDANTS/RESPONDENTS

5.

Defendant, **NURSE FINLEY**, is a nurse practitioner, working at the Union Parish Detention Center, assigned as the head medical provider for inmates at the detention center. He is sued in his individual capacity.

Defendant, **UNION PARISH DETENTION CENTER**, is a business performing a public function as the Parish Jail in Union Parish, Louisiana. As such, it is sued under 42 USC 1983.

Defendant **TRAVELERS INSURANCE** is the insurer of the detention center and Finley. It is sued under the State Direct Action Statute.

## BRIEF STATEMENT OF FACTS

6.

Plaintiff arrived at the Union Parish Detention center on May 20, 2018 as a pretrial detainee. She had been suffering from Reynaud's disease and immediately began asking to see a doctor for her left fingers, which were visibly damaged. Plaintiff

pleaded with the guards to see a doctor or nurse no less than thirty times. She was consistently ignored.

7.

Finally, Plaintiff was able to see Nurse Finley for her fingers. At all times relevant, Finley was a state actor acting under color of state law. Finley said he talked with her primary care physician, who told Finley to put Plaintiff on blood pressure pills only.

8.

The second time Plaintiff saw Finley was in the hallway of the prison. When she showed her darkly discolored fingers to Finley, he said “those were blood clots and the meds the doctor gave you will start to work soon.”

9.

Plaintiff received no medication for her fingers other than blood pressure medicine while at the jail.

10.

When Plaintiff would show her fingers to the guards, they would turn away, telling her the fingers were “nasty”. The guards never took Plaintiff to the infirmary for care.

11.

Plaintiff bonded out of the detention center on June 26, 2018. Unable to stand the pain in her fingers, she went to seek care on or about July 3, 2018. Her doctor met her at an Urgent Care. Ezinne Nwude, of El Dorado, Arkansas, said her fingers were gangrenous and would have to be amputated.

12.

Plaintiff was operated on July 12, 2018 in El Dorado, Arkansas to remove the gangrenous fingers.

13.

Plaintiff never saw a doctor while as an inmate at Union Parish Detention Center and only saw nurse Finley twice, who did not run blood tests or any other testing to determine the nature and severity of Plaintiff's injuries. Instead, Finley dismissed her complaints as "blood clots".

14.

Blackened fingers are indicators of infection and possible gangrene, a serious medical condition.

15.

On information and belief, Finley is not a member of the Patient Compensation Fund.

16.

On information and belief, Union Parish Detention Center is not a member of the Patient Compensation Fund.

17.

### **PLAINTIFF FIRST CAUSE OF ACTION**

Defendant Union Parish Detention Center and Nurse Finley have violated Plaintiff's Fourth, Eighth and Fourteenth Amendment Rights for failing to provide adequate treatment to her serious medical needs while a prisoner at the Union Parish Detention Center. The Defendants have shown willful indifference to Plaintiff's serious medical needs and as a result, Plaintiff has had to have those fingers amputated.

18.

### PLAINTIFF'S SECOND CAUSE OF ACTION

Defendant Union Parish Detention Center and its employee, Nurse Finley, have demonstrated medical negligence in failing to care for Plaintiff's serious needs. The care provided was woefully below the standard of care and the cause in fact of Plaintiff's amputation. But for this negligent care, Plaintiff would likely have saved her fingers from amputation.

19.

Defendant **TRAVELERS** is the insurer of Finley and Union Parish Detention Center and is indebted to Plaintiff for damages as proved.

20.

As a result of Defendants fault, Plaintiff has suffered the following past, present and future damages:

- Pain and Suffering
- Permanent loss of fingers and disfigurement
- Mental anguish
- Loss of enjoyment of life
- Lost wages and economic opportunity to earn wages in the future
- Medical bills
- Future surgeries and amputations
- Other damages as proved at trial

21.

Plaintiff seeks punitive damages from Defendants Finley and Union Parish Detention Center for their willful indifference to Plaintiff's federally protected rights to adequate medical care while in custody.

22.

Plaintiff seeks reasonable attorney's fees under 42 USC 1988 et seq.

23.

Plaintiff demands trial by jury.

24.

Defendant Union Parish Detention Center, as employer of Finley, is vicariously liable for all state law delicts of Finley in the course and scope of his employment as nurse for the detention center.

#### **PRAY FOR RELIEF**

Plaintiff requests that this Honorable Court assume jurisdiction over this cause, grant him compensatory and punitive damages, costs and attorney fees, judicial interest running from the date of judicial demand and award all other proper relief.

Respectfully Submitted,

/S/ Joseph J. Long  
Joseph J. Long  
La. Bar Roll #25968  
251 Florida Street, Suite 308  
Baton Rouge, LA 70801  
225-343-7288  
[josephjlong@juno.com](mailto:josephjlong@juno.com)

*Attorney for Plaintiff*