UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

ASHLEY DIAMOND,

Plaintiff,

v.

TIMOTHY WARD, *et al.*,

Defendants.

No. 5:20-cv-00453-MTT

REPLY IN SUPPORT OF
PLAINTIFF'S MOTION FOR SPOLIATION SANCTIONS
AGAINST DEFENDANTS BROOKS BENTON, AHMED HOLT,
AND ROBERT TOOLE

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INTRODUCTION

Defendants spoliated critical video evidence that goes to the heart of Ms. Diamond's failure-to-protect claims against them. The spoliated evidence—high-definition video footage of Ms. Diamond's dormitory and cell on nights that she reported sexual assaults—would have corroborated Ms. Diamond's sexual abuse claims, identified her assailants, or at a minimum validated her reports that male inmates were entering her cell without authorization.

It is beyond dispute that Defendants knew of at least seven sexual assaults reported by Ms. Diamond or by her counsel, in *ante litem* notices sent at her direction, with enough detail and time to review and preserve relevant video recordings. But Defendants knowingly, unjustifiably, and in bad faith allowed the recordings to be overwritten in violation of their duty to preserve evidence for litigation. As Defendants see it, their obligations to preserve video evidence changed not one iota when they were put on notice of anticipated litigation against Ms. Diamond: they could overwrite the recordings based solely on the self-serving claim that there was nothing to see and that the recordings would have been too burdensome to preserve, despite GDC policy's requiring preservation and despite Defendants' preservation of cherry-picked video recordings to use against Ms. Diamond. That is not how litigation works, and Defendants know it.

Defendants' spoliation warrant measures necessary to cure the prejudice to Ms. Diamond and an adverse inference that the spoliated recordings were unfavorable to Defendants and would have corroborated Ms. Diamond's sexual abuse claims. Alternatively, if the Court finds that fact issues prevent the Court from reaching a determination, Ms. Diamond requests that the issue of Defendants' spoliation be put to the jury for determination at trial.

ARGUMENT

I. Rule 37(e), not the Court's inherent powers, governs Ms. Diamond's motion.

Defendants attempt to undermine Ms. Diamond's entitlement to spoliation sanctions "[*t*]*o*

the extent that it is the Court's inherent authority that is invoked," ECF 182 at 2 (emphasis added), because they accuse her of having unclean hands, *id.* at 1–2, and of being "partly responsible for the state of the PREA investigative record" "by her refusals to participate in the [PREA investigative] process," *id.* at 3. These are red herrings.

As a preliminary manner, Defendants' unclean hands argument is not a defense to spoliation under the Federal Rules of Civil Procedure as amended because "Federal Rule of Civil Procedure 37(e) governs the procedures and sanctions available when a party spoliates ESI," and "forecloses reliance on inherent authority or state law to determine when certain measures should be used," *Ala. Aircraft Indus., Inc. v. Boeing Co.*, No. 20-11141, 2022 WL 433457, at *13 (11th Cir. Feb. 14, 2022) (quoting Fed. R. Civ. P. 37(e) advisory committee's note to 2015 amendment ("2015 Note")); *accord O'Berry v. Turner*, No. 7:15-cv-64, 2016 WL 1700403, at *2 (M.D. Ga. Apr. 27, 2016). Rule 37(e) therefore forecloses Defendants' unclean hands and "relative culpability of the parties" arguments in their entirety because they improperly rely on cases that rely on inherent authority and state law. *See* ECF 182 at 2–3.[1]

The accusation that Ms. Diamond engaged in her own spoliation is contrary to the evidence. As counsel informed the Court and Defendants, they took immediate additional preservation efforts following the March 23 hearing and discovered that a third party deleted some data without the knowledge of Ms. Diamond and contrary to an express preservation instruction.[2]

[1] *Bursztein v. Best Buy Stores, L.P.*, No. 20-cv-76, 2021 WL 1961645, at *5 (S.D.N.Y. May 17, 2021), rejected an unclean hands defense to a Rule 37(e) motion without analyzing whether the argument should be considered at all.

[2] Because Defendants were notified of the ESI destruction issue several months before the close of discovery and the parties' deadline for dispositive motions, their spoliation argument is untimely because it should have been raised by the deadline for dispositive motions. *See, e.g.*, *Larios v. Lunardi*, 442 F. Supp. 3d 1299, 1306 (E.D. Cal. 2020) (holding spoliation sanctions motion untimely because inexplicably filed after discovery closed and dispositive motion deadline passed).

Defendants' accusation that Ms. Diamond participated in the deletion of any data is based solely on their characterization of an unauthenticated text message that Ms. Diamond allegedly sent nearly *eight months* before a nonparty destroyed data. Defendants present no evidence that Ms. Diamond instructed that nonparty to destroy the account when he did, that she knew he would do so when he did, or that she did so to destroy evidence relevant to the issues in this case, let alone any of the required prerequisites for a spoliation sanction. *See, e.g.*, *Watson v. Edelen*, 76 F. Supp. 3d 1332, 1343 (N.D. Fla. 2015) ("For a spoliation sanction to apply, it is essential that the evidence in question be within the party's control, that is, the party *actually destroyed* or *was privy* to the destruction of the evidence." (emphasis added)). Further, even if Defendants' spoliation accusations were not the subject of a material factual dispute, spoliation on the part of one party does not absolve other parties of their discovery obligations; instead, the proper procedure under Rule 37(e) is for the discovery conduct of each party to be separately assessed. *See* ECF 186.

Defendants' accusation that Ms. Diamond did not participate in the PREA investigative process is likewise false and irrelevant. First, Ms. Diamond directly reported, or provided sufficient details to her counsel to report for her through GDC's third-party PREA reporting process, all seven of the sexual abuse incidents. ECF 168 at 4–7. Second, Ms. Diamond's participation in interviews has no effect on Defendants' preservation duty because they had sufficient information about the incidents to have preserved the recordings and captured her assailants without resort to her snitching. *See, e.g.*, ECF 168 at 15 (citing Exhibit 15, ECF 168-3); ECF 168-6 at 161:24–25 ("[The July 20, 2020 letter] does give us a date as a starting point."); *id.* at 120:1–15 ("[I]f a PREA occurred and the person may know about it, but they won't say anything about it because they may consider it snitching[.] … [Y]ou could receive some type of retaliation.").

II. Ms. Diamond is entitled to spoliation sanctions under Rule 37(e).

Defendants may be sanctioned under Rule 37(e) for failing to preserve the recordings

because Ms. Diamond has shown that the recordings existed and that Defendants had a duty to preserve them, and because Defendants do not deny (nor could they) that they had control over the recordings, that they took no steps to preserve them (as opposed to reviewing them, *see* ECF 182 at 5), or that the recordings cannot be restored or replaced. Because Ms. Diamond has been prejudiced, the Court should "order measures no greater than necessary to cure the prejudice," Fed. R. Civ. P. 37(e)(1), and because Defendants acted in bad faith, the Court should also "instruct the jury that it may or must presume the information was unfavorable to [Defendants]," Fed. R. Civ. P. 37(e)(2)(B); *see also Ala. Aircraft Indus., Inc.*, 2022 WL 433457, at *15.

A. Defendants had a duty to preserve the recordings.

Defendants do not deny that they had a general duty to preserve evidence related to these incidents; instead, they deny the scope of that duty required them to preserve these specific recordings because their duty to preserve evidence under Rule 37(e) is no broader than their duties under GDC's PREA investigative process, which they assert does not require them to preserve recordings that do not capture an incident, *see, e.g.*, ECF 182 at 3–6, and because Ms. Diamond is required to prove that they knew that recordings depicting alleged incidents existed, *id.* at 5–7.

Defendants are wrong. First, Defendants had a duty to preserve the recordings regardless of GDC policy and the recordings' content. As the Court explained, if "somebody is looking at video to see if there is an incident and they don't see an incident and so they don't preserve the video that is called spoliation." ECF 145 at 42. "[Y]ou have somebody who says it didn't show, but we can't show the jury it doesn't show." *Id.* at 43. "When reasonably anticipating litigation, a party must 'preserve what it knows, or reasonably should know, is relevant in the action, or is reasonably likely to be requested during discovery ….'" *Storey v. Effingham Cnty.*, No. CV415-149, 2017 WL 2623775, at *4 (S.D. Ga. June 16, 2017) (quoting *Zubulake v. UBS Warburg LLC*, 220 F.R.D. 212, 217 (S.D.N.Y. 2003)) (cleaned up). Relevant evidence includes evidence that "has

any tendency to make a fact more *or less* probable than it would be without the evidence." Fed. R. Evid. 401(a) (emphasis added). That includes video recordings. *See* ECF 168 at 13–14 (citing cases). Contrary to Defendants' self-serving assertions, GDC policy requires preservation of all recordings relevant to a sexual abuse incident, regardless of content. *See id.* at 8–10. In any event, Defendants' litigation duty requires them to intervene in any routine destruction processes when litigation is reasonably foreseeable, *see* Fed. R. Civ. P. 37(e) 2015 Note; *see also Blazer v. Gall*, No. 1:16-cv-1046, 2019 WL 3494785 (D.S.D. Aug. 1, 2019) (imposing adverse inference sanction for taking no steps to preserve jail's video recordings before being overwritten after preservation request). Therefore, they were required "to take reasonable steps to intervene in that routine operation to preserve video recordings related to Ms. Diamond's timely allegations of sexual [abuse] in the same manner called for by GDC's PREA policies." ECF 168 at 16.

Second, Defendants had a duty to preserve these recordings because they knew they had a litigation duty to preserve relevant evidence, *see, e.g.*, ECF 168 at 2, 4, 9, they knew GDC had a video surveillance system that they themselves controlled, *see, e.g.*, *id.* at 8–10—specifically in Ms. Diamond's dorm, which is partly why they placed her there, *see id.* at 3—they knew enough about the alleged incidents with enough time to intervene in GDC's routine process of overwriting recordings, *see id.* at 14–15, and they knew how to intervene in that process to preserve recordings, *see id.* at 9–10. In any event, Benton admitted to reviewing at least one recording, potentially two, that he did not preserve, and Defendants cannot show that the surveillance system was malfunctioning when the alleged incidents occurred. *See, e.g.*, *id.* at 10.

B. Ms. Diamond is entitled to measures necessary to cure the prejudice.

Defendants argue that Ms. Diamond has not been prejudiced by their spoliation because she can present testimony about the assaults and because she does not allege that the recordings would have captured the assaults themselves, ECF 182 at 7, but they ignore Ms. Diamond's

arguments on this point. First, Defendants clearly intend to attack Ms. Diamond's credibility, so it is no answer that she can rely on her own testimony. "Video recordings of the incidents would have been the best and most compelling evidence of what happened to Ms. Diamond and would have offered the only unbiased and dispassionate depiction of events. In turn, they also could have shown that Defendants knew that the incidents occurred but chose not to act when faced with that evidence." ECF 168 at 17 (internal citations and quotation marks omitted) (cleaned up).

Second, "[e]ven if the recordings did not capture the alleged assaults themselves, at a minimum they would have corroborated Ms. Diamond's claims by showing incarcerated men enter her cell on July 3, September 19, September 20, October 5–8, and October 30, 2020, respectively, and showing Ms. Diamond being led to a cell by her assailant on September 18, 2020." *Id.* at 15 (internal citations omitted). Defendants know that video evidence of activity outside a closed cell is relevant to an incident that allegedly took place inside the cell; after all, they preserved 24-hours' worth of recordings of the outside of Ms. Diamond's cell to support their allegations *against* her.

Thus, Ms. Diamond is prejudiced, and she is entitled to all measures necessary to cure that prejudice, "including by: (1) telling the jury that the video surveillance recordings were not preserved; (2) allowing the parties to present evidence and argument at trial regarding the Defendants' destruction of, or willful failure to preserve, video surveillance recording evidence and instructing the jury that it may consider that evidence along with all the other evidence in the case, in making its decision; and (3) precluding any evidence or argument that the contents of the video corroborated Defendants' version of events." ECF 165 at 1; *see also* ECF 168 at 18 (citing *Storey*, 2017 WL 2623775, at *5). Defendants appear to agree that the jury should hear evidence about their spoliation, *see* ECF 182 at 10, and they make no specific objection to any other remedial measure that Ms. Diamond proposes under Rule 37(e)(1), *see* ECF 168 at 18. Defendants also

should be precluded from presenting video evidence that they self-servingly preserved. *See, e.g.*, Fed. R. Civ. P. 37(e)(1) 2015 Note (permitting court to "forbid[] the party that failed to preserve information from putting on certain evidence").

C. Ms. Diamond is entitled to an adverse inference.

Ms. Diamond is also entitled to an adverse inference that the destroyed video evidence would have corroborated her sexual abuse claims because Defendants acted in bad faith. Defendants argue that good faith, rather than bad faith, must be inferred from their actions. Not so. First, Defendants argue that there is no evidence that they were motivated by litigation tactics, a desire to hide adverse evidence, or a belief that they had a weak case. ECF 182 at 8. But their bad faith can be inferred from a litany of facts, including their receipt of Ms. Diamond's timely and detailed *ante litem* notices, their failure to follow GDC's actual policy requiring the preservation of video recordings even if the recordings do not capture an incident, the ease with which they could have preserved the recordings in the same way they preserve other video recordings, and their preservation of a video recording to support a false allegation against Ms. Diamond in anticipation of litigation. *See* ECF 168 at 19–20; *see also Blazer*, 2019 WL 3494785, at *5 (inferring bad faith from county's and sheriff's taking no steps to preserve jail's video surveillance recordings before being overwritten after preservation request).

Second, Defendants complain that bad faith cannot be inferred from their preservation of a video recording to support their false allegations against Ms. Diamond because that recording "is not the only video that has been produced in this case." ECF 182 at 8. But it *is* the only video recording Defendants produced from the time period covered by Ms. Diamond's *ante litem* notices, so it still shows at least pre-litigation bad faith. Apparently, Defendants produced video relating to only one of Ms. Diamond's PREA reports, about an incident that occurred a year after she filed this lawsuit and after Defendant Benton was no longer able to direct or intervene in spoliation; the

other videos relate either to discipline reports against Ms. Diamond or to no incident at all.

Third, Defendants complain that bad faith cannot be inferred from their spoliation because "[r]etention of all of the surveillance video would have been helpful to Defendants" to supposedly show that Ms. Diamond actually "was comfortable moving about the N building throughout her time at [Coastal]" and "that she did not fear for her safety." ECF 182 at 9. Far from absolving them of any wrongdoing, Defendants' argument implicates them in *additional* spoliation because they failed to preserve evidence relevant to their defense despite knowing that Ms. Diamond threatened litigation over Defendants' failure to protect her. This admission is further evidence that Defendants sought to create a she-said-they-said situation at trial, hoping that a jury would believe the word of correctional officials over the word of an incarcerated person.

Finally, Defendants point to their supposed "repeated efforts to collect information pertaining to Ms. Diamond's complaints" as evidence of good faith. ECF 182 at 3. They cite "the pertinent PREA documentation" generally but no specific document, *id.*, because the documents in fact show that Defendants' "repeated efforts" amounted to no more than asking Ms. Diamond for a statement and giving up entirely when she asked to have counsel present, *see, e.g.*, Ex. 21; Ex. 22. Defendants did not respond to any of Ms. Diamond's *ante litem* notices, sent by her counsel at her direction through GDC's third-party PREA reporting process, despite counsel's repeated requests and invitations to speak further. *See, e.g.*, ECF 57-6 at *9; ECF 57-7 at *7; ECF 57-8 at *4; ECF 57-9 at *6; ECF 57-10 at *6; ECF 57-11 at *3, 6; ECF 57-12 at *3–4. Most relevant here, they did not preserve "the best evidence, both neutral and objective, of just what happened to" Ms. Diamond—the video recordings. *Storey*, 2017 WL 2623775, at *4.

The Court has more than enough evidence to infer bad faith and impose an adverse inference sanction. If the Court is inclined to disagree, then it should submit the question to the

jury to decide. *See* Fed. R. Civ. P. 37(e)(2) 2015 Note.

III. Ms. Diamond's motion is supported by admissible evidence.

Defendants object that Ms. Diamond has improperly authenticated the exhibits attached to her motion. ECF 182 at 10 (citing Fed. R. Evid. 901). First, "the general rule in this Circuit is that parties' exhibits may be considered for purposes of pretrial rulings so long as they can be reduced to admissible form at trial." *Batson v. Salvation Army*, No. 3:14-cv-31, 2016 WL 4728112, at *1 n.2 (N.D. Ga. Jan. 8, 2016) (quoting *Longcrier v. HL-A Co.*, 595 F. Supp. 2d 1218, 1223 (S.D. Ala. 2008)) (cleaned up). Defendants "ha[ve] proffered no legal or equitable argument why the general rule governing consideration of exhibits should not attach here." *Id.* (quoting *Longcrier*, 595 F. Supp. 2d at 1223) (cleaned up). Second, Defendants make no specific objection to any one of the 20 exhibits or to any class of them, they cite to no case law supporting their objection, and they do not even allege that any exhibit is inauthentic. "Even if a party fails to authenticate a document properly or to lay a proper foundation, the opposing party is not acting in good faith in raising such an objection if the party nevertheless knows that the document is authentic." *Chaney v. City of Orlando*, No. 6:04-cv-515, 2005 WL 8159900, at *7 (M.D. Fla. Dec. 2, 2005) (quoting *Fenje v. Feld*, 301 F. Supp. 2d 781, 789 (N.D. Ill. 2003)); *accord Six v. Generations Fed. Credit Union*, 891 F.3d 508 (4th Cir. 2018) (affirming sanction on attorneys who challenged authenticity of document they knew was authentic). That is enough to overrule Defendants' objection.

Even if the Court were to entertain Defendants' objection, the exhibits are either self-authenticating, properly authenticated, or easily reducible to admissible form at trial. The documents Defendants produced are self-authenticating because "[d]iscovery responses are generally considered self-authenticating in their own right." *Chadwick v. Bank of Am., N.A.*, No. 1:12-cv-3532, 2014 WL 4449833, at *4 & n.55 (N.D. Ga. Sept. 9, 2014) (citing 11 James Wm. Moore et al., *Moore's Federal Practice* § 56.92 (3d ed. 2014)), *aff'd*, 616 F. App'x 944 (11th Cir.

2015). Defendants also filed and relied on Exhibits 5, 7, 10, and 11 to support their opposition to Ms. Diamond's motion for preliminary injunction. *See* ECF 78; ECF 78-5.

The deposition transcripts are either self-authenticating or easily authenticated because they include the court reporters' certifications that the transcripts are true and correct. *See Ball v. A.O. Smith Corp.*, 451 F.3d 66, 71 (2d Cir. 2006) (finding deposition transcript authentic under Fed. R. Evid. 902(4)); *United States v. Sears*, No. 1:12-cr-141, 2012 WL 4820504, at *3 (S.D. Ala. Oct. 10, 2012) ("Certified transcripts of prior deposition or court testimony appear to fit comfortably within the categories of self-authenticating records identified in Rule 902 …."); *Burger King Corp. v. Lumbermens Mut. Cas. Co.*, 410 F. Supp. 2d 1249, 1255 (S.D. Fla. 2005) (same under Fed. R. Evid. 902(8) and 901(a)). In any event, Ms. Diamond's counsel and Defendants' counsel attended each deposition transcribed, and Defendants do not object that any of these transcripts is fabricated or inaccurate. *See Com. Data Servers, Inc. v. Int'l Bus. Mach. Corp.*, 262 F. Supp. 2d 50, 59 (S.D.N.Y. 2003) (finding transcripts authentic based on attorney's declaration because attorney, attorney's co-counsel, and opponent's counsel attended depositions and no allegation that transcripts were fabricated or inaccurate).

Finally, Ms. Diamond's counsel have personal knowledge sufficient to authenticate her discovery requests under Rule 901(b)(1) because they signed and served them.

CONCLUSION

Ms. Diamond respectfully requests that the Court grant her motion and impose all sanctions necessary to cure the prejudice to Ms. Diamond caused by the deletion of video evidence related to her sexual assaults. In the alternative, Ms. Diamond requests that the issue of Defendants' spoliation be put to the jury for determination of appropriate sanctions at trial. Ms. Diamond respectfully reserves the right to submit additional briefing concerning whether the Court or jury should decide whether any spoliation occurred. *See* ECF 186.

Respectfully submitted.

December 16, 2022

/s/ Elizabeth Littrell

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Counsel for Plaintiff Ashley Diamond

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

ASHLEY DIAMOND,

Plaintiff,

v.

TIMOTHY WARD, *et al.*,

Defendants.

No. 5:20-cv-00453-MTT

DECLARATION OF ELIZABETH LITTRELL IN SUPPORT OF REPLY IN SUPPORT OF PLAINTIFF'S MOTION FOR SPOLIATION SANCTIONS AGAINST DEFENDANTS BROOKS BENTON, AHMED HOLT, AND ROBERT TOOLE

I, Elizabeth Littrell, declare under penalty of perjury that the following is true and correct:

1. I am a Senior Supervising Attorney at the Southern Poverty Law Center and one of Plaintiff Ashley Diamond's attorneys in this case.

2. Attached are Exhibits 21 and 22 in support of Ms. Diamond's reply in support of her motion for spoliation sanctions against Defendants Brooks Benton, Ahmed Holt, and Robert Toole, ECF 165. Both exhibits are true and correct copies of documents produced by Defendants in this case and Bates-stamped by Defendants with the prefix "DEF"; Exhibit 21 is Bates-stamped DEF_940; Exhibit 22 is Bates-stamped DEF_960. Defendants' counsel produced these documents to me and my co-counsel. Defendants also filed these documents as "PREA Documentation" and relied on them to support their opposition to Ms. Diamond's motion for preliminary injunction. *See* ECF 78-5.

December 16, 2022

/s/ Elizabeth Littrell

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EXHIBIT 21

GEORGIA DEPARTMENT OF CORRECTIONS
COASTAL STATE PRISON
PO BOX 7150
GARDEN CITY, GEORGIA 31418-7150
PHONE 912-965-6330
FAX 912-966-6799

Brian P. Kemp
Governor

Timothy C. Ward
Commissioner

TO: *Brooks L. Benton – Warden*

FROM: *Carl Betterson – Deputy Warden of Care and Treatment*

DATE: *9.30.2020*

RE: *Prison Rape Elimination Act – DIAMOND, ASHLEY ALTON – GDC#1000290565*
Aggressor *– Unknown*

On 9.30.2020 at 1408 Coastal State Prison received notification that offender Ashley Diamond was involved in three separate PREA incidents that occurred on September 18th, 19th, and 20th. Offender Diamond stated that the incident occurred with an offender and not a GDC staff member. When asked to provide more information surrounding the incident offender Diamond stated that he did not want to talk about the incident.

On 9.30.2020 an attempt was made to interview offender Ashley Diamond, offender Diamond refused to participate in the interview.

On 9.30.2020 SART met and determined that due to the lack of participation by offender Diamond the alleged incident is unfounded.

SEE, BELIEVE, LEAD

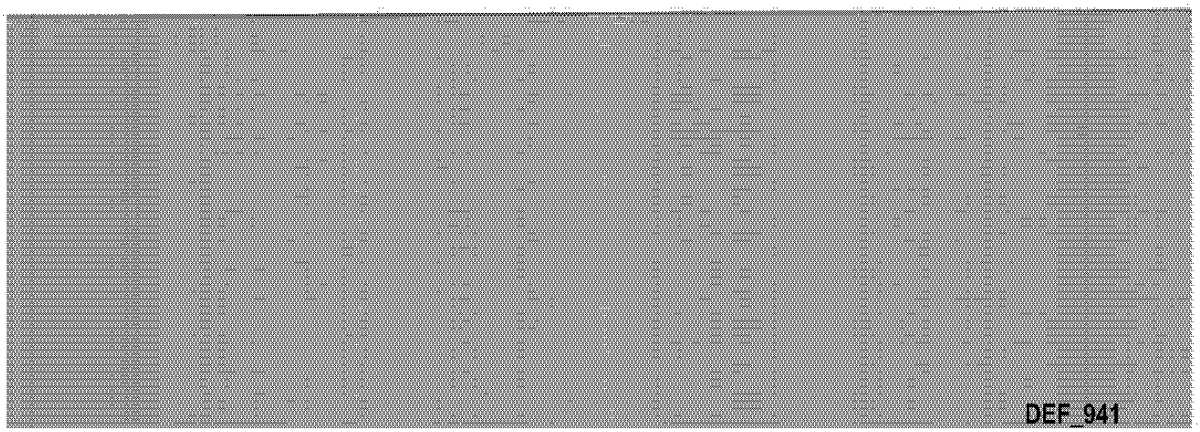
DEF_941

EXHIBIT 22

WITNESS STATEMENT

FACILITY	DATE	TIME	FILE NUMBER
Coastal	10-5-20	12:30	
LAST NAME, FIRST NAME, MIDDLE NAME	EMPLOYEE ID NUMBER		STATE ID NO.
Diamond, Ashley	10002905 65		
INSTITUTION OR ADDRESS			

SWORN STATEMENT

I, Ashley Diamond, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I would like to pursue my PREA investigation but cant get a response to the request for Counsel to be present. Because of the sensitive nature of the allegations and fear of retaliation, along with privacy concerns make it very difficult to navigate this process. I also fear retaliation from those involved because of gang affiliations. ! AD

AD AD AD AD AD

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF ___ PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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STATEMENT (Continued)

AFFIDAVIT

I _____ HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE ___. I FULLY UNDERSTAND THE CONDITIONS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

_____
(Signature of Person Making Statement)

WITNESS

_____

_____

_____

INSTITUTION OR ADDRESS

_____

_____

_____

INSTITUTION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this ____ day of _____, 20__ at _____

_____
(Signature of Person Administering Oath)

_____
(Typed Name of Person Administering Oath)

_____
(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

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