

RECEIVED

FILED

MAY 18 2007

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MAY 22 2007

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
BENTON OFFICE

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
BENTON OFFICE

George H. Williams

300 S. Marion St. Apt 202

Carbondale, Ill 62901

618-457-7756 Plaintiff/Petitioner(s),

Kevin A. Hostetter et al

608 Farris St

Carterville, Ill 62918

(618) 985-4574

Defendant/Respondent(s).

Docket No. 07-375-GPM/CSP
(To be supplied by the Clerk)

CIVIL RIGHTS COMPLAINT
pursuant to 42 U.S.C. §1983
(State Prisoner)

CIVIL RIGHTS COMPLAINT
pursuant to 28 U.S.C. §1331
(Federal Prisoner)

CIVIL COMPLAINT
pursuant to the Federal Tort Claims
Act, 28 U.S.C. §1346, 2671-2680

I. JURISDICTION

A. Plaintiff's mailing address and/or register number and present place of confinement.

N/A (I'm not a prisoner or in prison)

B. Defendant Kevin A. Hostetter is employed as

Food Service Assistant Manager

with Southern Illinois University - University Housing -

Mail code 6734 - Carbondale, Ill (62901)

At the time the claim(s) alleged in this complaint arose, was the defendant employed by the state, local or federal government?

Yes (X) No ()

If your answer is "yes", briefly explain:

Southern Illinois University at Carbondale
is a State University

c. Defendant Margeurite P. Corley is employed as
 Associate Director of Residence Hall Dining
(Name of Second Defendant)
(Position/Title)
 with Southern Illinois University - University Housing -
(Employer's Name and Address)
Mailco de 6734 - Carbondale, Illinois

At the time the claim(s) alleged in this complaint arose, was the defendant employed by the state, local or federal government?

Yes () No ()

If your answer is "yes" briefly explain:

Southern Illinois University at Carbondale
is a State University

D. Using the outline of the form provided, include the above information for any additional defendant(s).

(Defendant #3)

Brent D. Patton -
~~Director - Labor and Employee Relations~~
Director - Labor and Employee Relations
Southern Illinois University - Labor and Employee Relations
Mail code 4319 - Carbondale, Ill 62901

Yes the defendant was employed by the state of Illinois
Southern Illinois University at Carbondale
is a State University

II. PREVIOUS LAWSUITS

A. Have you begun any other lawsuits in state or federal court relating to your imprisonment?

Yes ()

No

N/A I'm not in prison
Also I have no history of state or federal lawsuits filed.

B. If your answer to "A" is "yes", describe the lawsuit(s) in the space below. (If there is more than one (1) lawsuit, you must describe the additional lawsuits on another sheet of paper, using the same outline.) Failure to comply with this provision may result in summary denial of your complaint.

1. Parties to previous lawsuits:
 Plaintiff(s) _____

 Defendant(s) _____

2. Court (if Federal Court, name the District; if State Court, name the County)

3. Docket number _____
4. Name of Judge to whom case was assigned _____
5. Type of case (for example: Was it a Habeas Corpus or Civil Rights action?)

6. Disposition of case (for example: Was the case dismissed? Was it appealed? Is it still pending?)

7. Approximate date of filing lawsuit _____
8. Approximate date of disposition _____

III. GRIEVANCE PROCEDURE

- A. Is there a prisoner grievance procedure in the institution? _____
- B. Did you present the facts relating to your complaint in the prisoner grievance procedure?
 Yes () No ()
- C. If your answer is "yes",
 1. What steps did you take? _____

 2. What was the result? _____

- D. If your answer is "no", explain why not. _____

E. If there is no prisoner grievance procedure in the institution, did you complaint to prison authorities? Yes () No ()

F. If your answer is "yes",

1. What steps did you take? _____

2. What was the result? _____

G. If your answer is "no", explain why not. _____

H. Attach copies of your request for an administrative remedy and the response(s) you received. If you cannot do so, explain why not: _____

IV. STATEMENT OF CLAIM

State here, as briefly as possible, the FACTS of your case. State who, what, when, where and how you feel your constitutional rights were violated. Do not cite cases or statutes. If you choose to submit legal arguments or citations, you must do so in a separate memorandum of law. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. If your claims relate to prison disciplinary proceedings, attach copies of the disciplinary charges and any disciplinary hearing summary as exhibits.

Only two (2) extra pages (8 1/2 x 11") are permitted, if necessary, to complete your statement of claim. Additionally, attach any relevant, supporting documentation.

MY CASE: I (Mr. George H. Williams) had chosen to pursue

my life, liberty and happiness in Carbondale. In 1997 I obtained my B.S. in University Studies. In that same year I began to seek employment at SIU-C where I'd just gotten my B.S. Degree. From 1997 to the present I have tried to get hired permanently at SIU-Carbondale in many capacities (e.g. Admissions Records, Kitchen Help, etc.). I only managed to get on as extra help in the Food Service Area. In March, 2006 I was finally hired what I thought was permanently. Despite my 3.46 Grade Point Average, I only seemed to be good enough to merit a job as Kitchen Help. I had many opportunities for employment in other capacities at SIU-C; especially in Admissions and Records. Over the 10 year period that I have sought employment at SIU-C I have interviewed for a number of positions. I have only kept a part of the (rejection letters or rather) "interview results" letters (a better). I've counted about 17 "interview results letters". In each of these instances, I was in the top 3 being considered for hire. In fact, in 1 instance, I gather from the wording that I was in top 2. But each time despite the laws -4- of probability, either someone else was hired, the position was cancelled or no one was hired. I am entering the letters as evidence. In May, 2006, 2 months into my Kitchen Help position, I was alerted to information of (Defendant #2) Mrs. Margeurite P. Corley's premeditated intention to dismiss me from my Kitchen Help position. (Over)

it would happen. There are at least 3 persons that I know of who I believe were in Complicit and Premeditated Agreement to violate my God-given and Constitutional Rights. Mr. Brent D. Patton signed the Dismissal Notice that was executed by Mr. Kevin A. Hustetler. These 3 Definitions describe the actions of the 3 named defendants (and unnamed & perhaps yet to be known defendants): Definition #1 (Conspiracy): when people work together to commit an illegal act. Definition #2 (Premeditation): planning, or plotting or deliberating before doing something. Definition #3 (Complicity): the state of being an accomplice. I submit that my God-given and Constitutional Rights were violated by the 3 named (& unnamed) defendants, over a course of time (which started somewhere in the range of 1997 - to - the present) who have by various means denied, prevented, obstructed my Pursuit of life, liberty and happiness; which I sought in 1 way via employment at SIK - Carbondale. Defendants & Patton, Corley, & Hustetler are just 3 known accomplices in ~~what~~ ^{what} appears to be a long-standing policy ~~and~~ and conspiracy to keep me (the plaintiff - George H. Williams) from regular/permanent employment at SIK - Carbondale. I was denied my 5th Amendment rights of "Due Process" via the way I was Dismissed. Here's what I mean: using the Hiring Process as an example of good "Due Process": when I was hired, 3 persons conducted the interview: L. Dale Brown, Ellen Lemmon & Kevin A. Hustetler. Apparently, 3 persons were a committee that decided on my being hired. ~~What~~ The Dismissal Process - was carried out by 1 person, Kevin A. Hustetler (with Brent D. Patton's signature on the notice in agreement).

I submit that this Dismissal Process conducted by Defendant #1 Kevin A. Hostetler was in violation of not only SJU-Carbundalo's Guidelines, but it was in violation of my God-given and Constitutional rights, one of which I am citing here: Due Process, my 5th Amendment right. My Dismissal should have been done similar to my Hiring, with 3 persons in agreement.

My Due Process rights were violated when Mr. Kevin A. Hostetler served me a written copy of a "Dismissal Notice" and conducted a verbal 6 month evaluation. My Due Process rights were violated via Defendant Hostetler's Patton's Dismissal Notice without conducting an actual write up & required 6 month evaluation. Using the instructions for doing the evaluations as an example of correct And Due Process, and also using the 3 month and 6 month evaluations, here are some violations of Due Process that the said named and unnamed defendants had a part in.

[Page 1] Section 2 of my 3 month evaluation & my 6 month evaluation have the same instructions. There are 9 instructions listed for conducting 3 or 6 month evaluations they are the exact same instructions for 3 or 6 month evaluations. I am going to cite some violations by specific instructions violations.

[Instruction #2] - The Supervisor should provide SPECIFIC comments and examples for each rating. Ratings are done by area of focus. There are up to 6 areas of focus: JOB KNOWLEDGE, QUANTITY OF WORK, COMMUNICATION & TEAMWORK, VALUE OF SERVICE, OUR SHARED GOALS. Two areas of focus are optional that is, they can be added into the evaluation by the supervisor doing the evaluation. I have made a record of all 6 areas I was evaluated by L. Dale Bruns for my 3 month evaluation and the 5 areas that Kevin A. Hostetler's name is signed to (representing my 6 month evaluation). Here are the comparisons actually done by two (2) persons: (Cris Jackson (ONE) of my Supervisor conducted a verbal & written evaluation: JOB KNOWLEDGE on Page (One) of SJU-C's Employee Performance Evaluation.

Mr. Bruns hand-written comments say "Mr. Williams has worked as Extra help in the dishroom area. He will need time to learn and develop the skills for this job. His progress is good. (Needs improvement is checked)

Mr. Hostetler's TYPED comments say "Mr. Williams is NOT grasping the concepts needed for this position." (Needs improvement is checked) MY comments made 5/13/07 - I was good enough to continue as extra help 4 different years (203-206). Also where are Mr. Hostetler's specific examples, what concepts specifically, am I alleged to not be grasping. [QUANTITY OF WORK] on page 1 too: Mr. Bruns Hand-written comments say "Mr. Williams accomplishes all assigned tasks to our satisfaction. He works well with the time and resources available. (Meets Expectations is checked)

Mr. Hostetler's TYPED comments say "Mr. Williams is NOT accomplishing all the tasks needed for the position. He continually needs instructions on how to perform the work ~~needed~~ needed. He has NOT shown the skill of multi-tasking, which is needed for this position. On occasion, several tasks must be performed

simultaneously and he has not demonstrated this ability. (Needs improvement is checked) MY COMMENTS: what work needed did I need instructions on? What multi-tasking skills have I not shown? Where are the specific comments & specific examples? [am including a more legible copy of my case with the 3 36 month evaluations. (over)]

During my 6 month evaluation it took only 5 minutes, with NO discussion.

Instruction #5 Says - Prior to signing the form, the employee MAY make written comments in the place provided on page 4.

During my 6 month evaluation; there was no written evaluation for me to make written comments on.

The 6 month evaluation appears to have been typed by someone and was signed by Mr. Huskeller. Also it was dated 9/8/07, five (5) days before the force of an evaluation actually took place. Since I was hired 3/27/06 my 6 month period on the evaluation was scheduled to end 9/24/07 as you can see on the evaluation. They prematurely dismissed me. Also Mr. Huskeller was rarely around when I worked. I worked 4:45 pm - 12:45 am. Mr. Huskeller worked the morning shift. He also was in charge of 2 Buildings. My immediate supervisors: Crystal Mitchell & Bob Baker should have been the persons conducting my 6 month evaluation. They had direct knowledge of me. I was denied my 8th Amendment rights against cruel & unusual punishment. I was caused distress. This was one factor in my stroke that I had in Dec, 2006. I am still in distress concerning the \$15,000 Hospital Bills.

This was cruel & unusual punishment - dismissing me knowing that I was not doing those things that were attributed to my dismissal. Unnamed defendants also participated in this violation of my 8th Amendment right by cancelling positions repeatedly. I was denied employment.

I was denied my 9th Amendment rights: which are rights not specifically mentioned in the Constitution and they should not be assumed to not exist. I submit that whatever rights violated that I may discover in the future; but am currently unaware of. I do protest such violations as they are discovered. For example: Since I, the plaintiff, Mr. George H. Williams, am claiming that a conspiracy has been in effect to deny said plaintiff of ~~per~~ permanent/regular employment at SILV-Carbondale. A trial may reveal other circumstances that are currently unknown. I believe that evidence (documented and witnessed) will shine the light on those dark deeds of conspiracy.

I am submitting copies of: My History of JOB seeking at SILV-C Festus results, Interview letters, evaluations, and other miscellaneous documents in support of my claims.

- May God Bless You As You Bless Others -

George H. Williams George H. Williams
300 S. Marion St. #202
Carbondale, IL 62901
(618) 457-7756

V. REQUEST FOR RELIEF

State exactly what you want the Court to do for you. If you are a state or federal prisoner, and seek relief which affects the fact or duration of your imprisonment (for example: illegal detention, restoration of good time, expungement of records or parole release), you must file your claim on a Habeas Corpus form, pursuant to 28 U.S.C. §2254, 28 U.S.C. §2255, or 28 U.S.C. §2241.

I would like the Court to award me an amount of funds commensurate with damages incurred by the actions taken against me. I would like my job back. I would like my health bills paid. I would like to be reinstated with no loss of seniority. It's also possible that a loan I was eligible to get was turned down in 1997 via SIB-C's Small Business Incubator. In short, I want what has been damaged (by the named and unnamed conspirators) to be repaired by those same named and unnamed conspirators. I want things to be like it never happened to me. I want to be allowed to continue my pursuit of life, liberty and happiness without hindrance. (May God Bless You, As You Bless Others)

VI. JURY DEMAND (check one box below)

The plaintiff does does not request a trial by jury. (See Fed.R.Civ.P. 38.)

DECLARATION UNDER FEDERAL RULE OF CIVIL PROCEDURE 11

I, the undersigned, certify to the best of my knowledge, information, and belief, that this complaint is in full compliance with Rule 11(a) and 11(b) of the Federal Rules of Civil Procedure. The undersigned also recognizes that failure to comply with Rule 11(a) and (b) may result in sanctions, monetary or non-monetary, pursuant to Federal Rule of Civil Procedure 11(c).

The plaintiff hereby requests the Court issue all appropriate service and/or notices to the defendant(s).

Signed this 15th day of MAY, 2007

George H. Wilkin
Signature of Plaintiff

Signature of attorney, if any