

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

Kenneth Abraham
(herein "M" for Movant)

v,
Carl Dauberg, Commissioner
Del. Correctional Center

(herein "CD")

and, Warden Perry Phelps
(herein "WP")

and Del Dept. of "Corrections"
(herein "DOC")

and Michael Bryan
and Patrick Smith

Motion to Amend
Complaint (mailed to Ct. on 5/21/08)
Case against Smith and Bryan
Claim for failure to train and/or supervise

~~and to similarly amend the complaint in
the case of Kenneth Abraham v. "CD",
"WP", "DOC" and Brian Engren, also mailed
to this Court on 5/21/08. The §1983 and
intentional infliction of emotional distress action
crossed at 5/29/08 VDA~~

Comes now, this 23rd day of May, 2008, Kenneth Abraham,
prose and indigent, who moves this Honorable Court to Amend each of
the Complaints in the above-captioned cases, mailed to this Court
on 5/21/08, as follows:

- ① To include a claim or claims against defendants "CD", "WP", and "DOC" to include an action for "failure to train and supervise", herein called "F.T.S."
- ② It notes that Rule 15 of this Court's Rules provides that "a party may amend his pleading once as a matter of course at any time before a responsive pleading is served." Rule 15(c).
- ③ Defendants "CD", "WP" and "DOC" did, F.T.S. other named defendants (and others), not to maliciously, deliberately, concoct, fabricate, or manufacture false accusations against

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inmates, resulting in the writing or publication of false "Biographical Reports."

④ Defendants CA, WP, and DOC did, FTS Bryan and Smith so they would not engage in all of the outrageous, unlawful actions described in the Complaint mailed 5/21/08 to this court.

crossed out
5/29/08
KRA
⑤ Defendants CA, WP and DOC did also fail to train and supervise named defendant Bryan Engren of SHU law library not to terminate or deny access to the law library to an inmate engaged in pending litigation, including Mr. Said named defendants did FTS Bryan Engren to to act or behave as described in Mr's Petition For Habeas Corpus and Mr's civil suit against CA, WP, DOC and Bryan Engren which was filed to this Court on 5/21/08.

⑥ Defendants CA, WP, and DOC did FTS the other named defendants even to realize or know (and act accordingly) the broad concept that "the laws apply inside these walls."

⑦ Wherefore, I ask this Court to include a claim for "failure to train or supervise" (which is distinct from liability predicated on respondent superior) against CA, WP, and DOC in the above-mentioned cases - Case against Smith and Bryan

⑧ The malicious lying and ~~exact~~ concocting of false charges against inmates (including Mr) is so widespread, frequent and prevalent that defendants must have been aware of the practice well before, and above and beyond any training considerations, dictated by common sense and orderly prison management practices.

⑨ Notes that O'Connor v. Keller et al 510 F Supp 1359, (D. Md. 1981) discusses a claim for "Failure to Train and Supervise." Thus requested this case from SHU law library on 5/23/08, but SHU law library is denying Mr access.

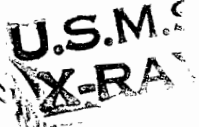
Certificate of Service
I, Kenneth Abraham, do certify that on this 29 day of May, 2008, I did mail a copy of this Petition to: Attorney General, DOJ, Criminal State
ofc. Bldg. 820 N. French Street
Wilmington, DE 19801
KRA

Respectfully Submitted,
K. J. A.

IM Van Aberdeen

SBI# 1730X0 UNIT SHU17028

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Dr. DeLeo



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