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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

DEC 08 2020

5 Attorneys for Plaintiff GWENDOLYN ADAMS, individually,
and as successor in interest to D'SON WOODS, deceased,
6 and GLEN TYLER BOLDEN

BY 
GLORIA MARIN, DEPUTY

7
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN BERNARDINO**
10 **UNLIMITED JURISDICTION**
11

12 GWENDOLYN ADAMS, individually, and)
as successor in interest to D'SON WOODS,)
13 deceased; and GLENN TYLER BOLDEN,)
an individual,)

14)
15 Plaintiffs,)

16 v.)

17 CALIFORNIA DEPARTMENT OF)
CORRECTIONS AND REHABILITATION,)
18 a public entity, MICHAEL WILLIAM)
BECKER, an individual, and DOES 1)
19 through 50, inclusive,)

20 Defendants.)

CASE NO.: CIVDS 1831184

FIRST AMENDED COMPLAINT FOR DAMAGES FOR:

1. NEGLIGENCE;
2. NEGLIGENCE – WRONGFUL DEATH;
3. NEGLIGENCE – SURVIVAL ACTION;
4. 42 U.S.C. § 1983 – WRONGFUL DEATH
5. 42 U.S.C. § 1983 – DEPRIVATION OF
THE RIGHTS OF PLAINTIFF TO
FAMILIAL RELATIONSHIPS
WITH THE DECEDENT;
6. BANE ACT – CIVIL CODE § 52.1; and
7. ASSAULT & BATTERY

21 **[PLAINTIFFS REQUESTS TRIAL BY JURY]**

22
23 **COMES NOW** Plaintiffs, GWENDOLYN ADAMS, individually, and as successor in interest
24 to D'SON WOODS, deceased, and GLENN TYLER BOLDEN, individually, (collectively
25 "PLAINTIFFS") in this First-Amended Complaint for Causes of Action against DEFENDANT
26 CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION and MICHAEL
27 WILLIAM BECKER, and DOES 1– 50, Inclusive, and each of them (collectively hereinafter referred
28 to as "DEFENDANTS"), and complain and allege as follows:

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DEC 08 2020

SUPERIOR COURT OF CALIFORNIA
SAN BERNARDINO COUNTY

PARTIES

1
2 1. At all times relevant and mentioned herein, Plaintiff, GWENDOLYN ADAMS
3 (hereinafter "ADAMS"), was and is a resident of San Bernardino County, State of California.

4 2. At all times relevant and mentioned herein, Plaintiff, GLENN TYLER BOLDEN
5 (hereinafter "BOLDEN"), was and is a resident of San Bernardino County, State of California.

6 3. Plaintiffs are informed, believe, and thereon allege, that Defendant MICHAEL WILLIAM
7 BECKER (hereinafter "BECKER") was, and is, a resident of the City of Yucaipa, County of San
8 Bernardino, California.

9 4. Defendant, CALIFORNIA DEPARTMENT OF CORRECTIONS AND
10 REHABILITATION (hereinafter "CDCR"), is a public agency subject to suit. Defendant BECKER
11 was, at all time relevant hereto, a DEPARTMENT OF CORRECTIONS AND REHABILITATION
12 Corrections Officer acting within the course and scope of his employment, and under color of state law.

13 5. Plaintiffs are informed, believe, and thereon allege that at all times relevant and
14 mentioned herein, Defendants and/or DOES 1-50, and each of them, were the agents, servants,
15 employees, and/or successors in interest, and/or joint venturers of their co-Defendants, and each of them
16 was acting within the course, scope, and authority of said agency, employment, and/or venture, and that
17 each and every Defendant, as aforesaid, when acting as a principal, was negligent in the selection and
18 hiring, retention, training and supervision of each and every other Defendant as an agent, employee
19 and/or joint venturer. Further, that each said Defendant, while acting as a principal, expressly directed,
20 consented to, approved, affirmed, and ratified each and every action taken by their co-defendants, as
21 alleged. Plaintiffs are informed, believe, and thereon allege that said fictitiously named Defendants
22 and/or DOES 1- 50, and each of them, engaged in the same or similar conduct as Defendants and/or
23 DOES 1-50, thereby proximately causing DECEDENT and BOLDEN'S injuries and damages as set
24 forth herein, either through the said fictitious Defendants' own negligent conduct or through the conduct
25 of its agents, servants, or employees, or due to their ownership, rental, use, or maintenance of the
26 property operated by Defendant, BECKER.

27 6 Plaintiffs are informed and believe, and thereon allege, that at all times herein relevant,
28 Defendant, BECKER, was employed by DOES 1 - 50 and was at all times herein relevant acting within

1 the course and scope of his duties for DOES 1 – 50.

2 **GENERAL ALLEGATIONS**

3 7. The claims set forth herein arise from a an incident that occurred on August 1, 2018, in
4 San Bernardino County within the judicial district of the San Bernardino Superior Court, State of
5 California, which resulted in catastrophic injuries to D'SON WOODS (hereinafter "DECEDENT") and
6 BOLDEN, which ultimately caused the death of DECEDENT (hereinafter referred to as the "SUBJECT
7 INCIDENT").

8 8. DECEDENT and BOLDEN's catastrophic injuries occurred on the I-10 Freeway near the
9 I-215 Freeway interchange in San Bernardino County within the judicial district of the San Bernardino
10 Superior Court. Therefore this is the proper Court in which to bring this action pursuant to *Code of Civil*
11 *Procedure* §§ 395 and 396. PLAINTIFF ADAMS attaches herewith as "Exhibit A", her declaration
12 under penalty of perjury as required by *Code of Civil Procedure* § 377.32

13 9. Plaintiff, ADAMS, timely filed her administrative claims with the State of California on
14 June 25, 2020 pursuant to California *Government Code* § 910. The claims were denied by operation of
15 law and this action timely filed.

16 10. Plaintiff, ADAMS, is the proper party with standing to pursue wrongful death claims and
17 a survival action pursuant to California *Code of Civil Procedure* § 377.60.

18 11. Plaintiffs are informed and believe, and thereon allege, that pursuant to California
19 *Government Code* §§ 815.2, 815.4, and 820(a), Defendants and/or DOES 1 – 50, and each of them, are
20 vicariously liable for the action and omissions of their employees, agents, and/or independent
21 contractors.

22 12. On August 1, 2018, the date of the SUBJECT INCIDENT, Defendant, BECKER, was
23 operating a 2017 Nissan Altima (hereinafter "SUBJECT VEHICLE"). Plaintiffs are informed and
24 believe, and thereon allege, at all times relevant and mentioned herein, the SUBJECT VEHICLE was
25 owned, operated, managed, maintained, inspected, and/or otherwise controlled by Defendants and/or
26 DOES 1 – 50, and each of them.

27 13. On August 1, 2018, DECEDENT and his passenger, Plaintiff, BOLDEN, were the
28 restrained occupants of a 2006 Lexus ES (hereinafter "DECEDENT'S VEHICLE"). DECEDENT and

1 BOLDEN were traveling westbound on the I-10 Freeway, transitioning onto the southbound I-215
2 Freeway. At the same time, Defendant BECKER, a corrections officer employed by Defendants and/or
3 DOES 1 – 50, and each of them, who was in uniform and armed at the time, was following closely
4 behind DECEDENT’S VEHICLE while acting in his official capacity as a Correction Officer under
5 color of law and within the course and scope of his employment. Suddenly and without warning,
6 Defendant, BECKER, in an effort to detain DECEDENT and BOLDEN without probable cause, pointed
7 his firearm in an aggressive and threatening manner towards DECEDENT and BOLDEN and then
8 violently rear-ended DECEDENT’S VEHICLE, causing DECEDENT’S VEHICLE to veer out of
9 control, overturn, roll down an embankment, and burst into flames.

10 14. At said time and place, Defendants and/or DOES 1 – 50, and each of them, had a duty
11 to exercise reasonable care in the ownership, supervision, operation, control, and maintenance of the
12 SUBJECT VEHICLE, so as not to create an unreasonable risk of harm to others using the public
13 roadway. Despite these duties, Defendants, and/or DOES 1 – 50, and each of them, negligently,
14 recklessly, and carelessly managed, maintained, drove, operated, controlled, entrusted, and supervised
15 the operation of the SUBJECT VEHICLE, so as to directly and proximately cause it to collide with
16 DECEDENT’S VEHICLE while DECEDENT was traveling as previously stated, thereby causing
17 DECEDENT and Plaintiff, BOLDEN, to suffer catastrophic injuries including severe burns over a
18 majority of DECEDENT’S body. After more than year of enduring such catastrophic injuries and severe
19 burns, DECEDENT ultimately succumbed to his injuries and died on March 12, 2020 resulting in
20 DECEDENT’S and Plaintiffs’ damages as herein alleged.

21 15. Plaintiffs are informed and believe, and thereon allege, that at all times herein relevant,
22 Defendant BECKER was driving the SUBJECT VEHICLE, which was owned, leased, controlled,
23 maintained, managed, operated, and used by Defendants and/or DOES 1 – 50, and which was entrusted
24 to Defendant, BECKER, so that he could perform the duties of his employment. Plaintiffs are informed
25 and believe, and thereon allege, that at all times herein relevant, Defendants and/or DOES 1 – 50, and
26 each of them, authorized Defendant, BECKER, to use the SUBJECT VEHICLE for purposes that
27 Defendant, BECKER, saw fit during the course and scope of his duties as a Peace Officer and/or
28 Defendant, BECKER, had occasion to use the vehicle for the convenience of his employer, the CDCR.

1 the same to collide with Plaintiffs' VEHICLE, causing bodily injuries to Plaintiff, BOLDEN.

2 23. More specifically, Plaintiff, BOLDEN, is informed, believes, and thereon alleges that,
3 at all times relevant and mentioned herein, that Defendant BECKER carelessly and negligently operated,
4 drove, and/or controlled the SUBJECT VEHICLE, owned and operated by Defendants, and each of
5 them, in violation of California *Vehicle Code* § 22350 by driving at a speed greater than is reasonable
6 or prudent due regarding for the circumstances, thereby violently colliding with DECEDENT'S
7 VEHICLE.

8 24. Plaintiff, BOLDEN, is informed, believes, and thereon alleges that, at all times relevant
9 and mentioned herein, said careless and negligent conduct of Defendants, and each of them, in regard
10 to the ownership, leasing, management, maintenance, entrustment, operation, driving, and/or control of
11 the SUBJECT VEHICLE was the direct, legal and proximate cause of the injuries and damages to
12 Plaintiff, BOLDEN, as herein alleged.

13 25. As a legal, direct, and proximate result of the aforementioned conduct of the Defendants,
14 and each of them, Plaintiff, BOLDEN, was injured and hurt in his health, strength and/or activity,
15 sustaining serious injuries to his body, and/or shock and injury to his nervous system and person, all of
16 which said injuries have caused and continue to cause Plaintiff, BOLDEN, great physical and/or mental
17 pain and suffering. Plaintiff, BOLDEN, is further informed, believes, and thereon alleges that said
18 injuries will result in some permanent disability to him, all to his general damage in an amount which
19 will be stated according to proof at the time of trial.

20 26. As a legal, direct, and proximate result of the aforementioned conduct of DEFENDANTS,
21 and each of them, Plaintiff, BOLDEN, sustained damage to his property in an amount which will be
22 stated according to proof at the time of trial.

23 27. As a legal, direct and proximate result of the aforementioned conduct of Defendants, and
24 each of them, Plaintiff, BOLDEN, was prevented from attending his usual occupation and/or Plaintiff,
25 BOLDEN, is informed and believes, and thereon alleges, that he will be prevented from attending to his
26 occupation in the future, and thereby will also sustain a loss of earning capacity and loss of opportunity,
27 in addition to lost earnings, past, present, and future according to proof at the time of trial.

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1 maintain, entrust, and/or control the SUBJECT VEHICLE in a reasonable manner, so as to legally and
2 proximately cause the same to collide with DECEDENT'S VEHICLE, thereby causing DECEDENT's
3 death and damages to Plaintiff, ADAMS.

4 35. More specifically, Plaintiff, ADAMS, is informed, believes, and thereon alleges that, at
5 all times relevant and mentioned herein, Defendant, BECKER, carelessly and negligently operated,
6 drove, and/or controlled the SUBJECT VEHICLE, owned by Defendants and/or DOES 1 – 50, thereby
7 colliding with DECEDENT'S VEHICLE during the SUBJECT INCIDENT.

8 36. Plaintiff, ADAMS, is informed, believes, and thereon alleges, that Defendants and/or
9 DOES 1 – 50, and each of them, were the agents, servants, employees, successors in interest, and/or
10 joint venturers of their co-Defendants, and were, as such, acting within the course, scope, and authority
11 of said agency, employment and/or venture, and that each and every Defendant, as aforesaid, while
12 acting as a principal, was negligent in the selection of each and every other Defendant as an agent,
13 servant, employee, successor in interest, and/or joint venturer.

14 37. As a legal, direct, and proximate result of the aforementioned conduct of the Defendants
15 and/or DOES 1 – 50, and each of them, DECEDENT suffered severe, traumatic, irreparable injuries to
16 his body, nervous system and person, all of which said injuries ultimately caused DECEDENT's death
17 on March 12, 2020.

18 38. As a legal, direct, and proximate result of the aforementioned conduct of the Defendants
19 and/or DOES 1 – 50, and each of them, Plaintiff, ADAMS, lost the life of her son and sustained damages
20 in an amount that will be stated according to proof at the time of trial, pursuant to *California Code of*
21 *Civil Procedure* § 425.10.

22 39. As a legal, direct, and proximate result of the aforementioned conduct of the Defendants
23 and/or DOES 1 – 50, and each of them, Plaintiff, ADAMS, has sustained and is entitled to recover
24 damages pursuant to *California Code of Civil Procedure* § 377.60 *et seq.*, and based upon all other
25 applicable statutes and case law, including but not limited to pecuniary losses, losses of support,
26 services, parental and filial training, education, love, assistance, protection, care, comfort, society,
27 solace, moral support, guidance, prospective inheritance, emotional distress, grief, and sorrow.

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1 40. Plaintiff, ADAMS, has been deprived of, among many other things: (1) the value of lost
2 financial and other support that DECEDENT would have contributed to his family and estate during his
3 lifetime; (2) the value of the gifts and benefits that he would have bestowed upon her and that she
4 reasonably expected to receive from him; (3) the cost of funeral and burial expenses incurred; and (4)
5 the reasonable value of household services that DECEDENT would have provided.

6 **THIRD CAUSE OF ACTION**

7 **NEGLIGENCE - SURVIVAL ACTION**

8 **[By Plaintiff, Gwendolyn Adams, Against All Defendants]**

9 41. Plaintiff repeats and realleges the allegations contained in Paragraphs 1 through 40,
10 hereinabove, and incorporates the same as though fully set forth herein.

11 42. As a legal, direct, and proximate result of the aforementioned conduct of the Defendants
12 and/or DOES 1 – 50, and each of them, DECEDENT was required to and did employ physicians and
13 surgeons for medical examinations, treatment, and care of his injuries and did incur medical and
14 incidental expenses in an amount according to proof at the time of trial.

15 43. As a legal, direct, and proximate result of the aforementioned conduct of the Defendants
16 and/or DOES 1 – 50, and each of them, DECEDENT was unable to attend to his usual occupation and
17 has been damaged in a sum according to proof at the time of trial.

18 44. As a result of the foregoing, Plaintiff, ADAMS, as the heir of DECEDENT and as his
19 successor in interest, hereby asserts survivors' claims on behalf of him, the deceased, pursuant to
20 *California Code of Civil Procedure* §§ 377.10, 377.20, 377.30, *et seq.*, and based upon all other
21 applicable statutes and case law and succeeds to causes of action that might have been brought by
22 DECEDENT. Plaintiff, ADAMS, will file a declaration under penalty of perjury as required by *Code*
23 *of Civil Procedure* § 377.32 concurrently herewith this Complaint.

24 45. As such, Plaintiff, ADAMS, is entitled to compensation for DECEDENT's medical
25 expenses, loss of earnings and earning capacity.

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1 FOURTH CAUSE OF ACTION

2 **42 U.S.C. § 1983 – WRONGFUL DEATH**

3 **[By Plaintiff, Gwendolyn Adams, Against Defendant MICHAEL BECKER and Does 1 - 50]**

4 46. Plaintiff repeats and re-alleges the allegations contained in Paragraphs 1 through 45,
5 hereinabove, and incorporates the same as though fully set forth herein.

6 47. Defendant, Corrections Officer BECKER, and/or DOES 1 – 50, and each of them, acting
7 under color of state law, deprived the Decedent of rights, privileges, and immunities secured by the
8 Constitution and laws of the United States, including those secured by the Fourth Amendment to the
9 Constitution, incorporated and made applicable to the states by the Fourteenth Amendment, by, among
10 other things, subjecting Decedent to excessive force including, but not limited to, attempting to detain
11 Decedent and Bolden without probable cause by pointing his firearm in an aggressive and threatening
12 manner towards Decedent and Bolden and then violently rear-ending DECEDENT’S VEHICLE, causing
13 DECEDENT’s VEHICLE to veer out of control, overturn, roll down an embankment, and burst into
14 flames.

15 48. The resulting collision between Defendant BECKER’s vehicle and DECEDENT’S
16 VEHICLE caused DECEDENT to suffer catastrophic injuries including severe burns over a majority of
17 his body. After more than year of enduring such catastrophic injuries and severe burns, Decedent
18 ultimately succumbed to his injuries and died on March 12, 2020 resulting in Decedent’s and Plaintiff’s
19 damages as herein alleged.

20 49. Plaintiff is the proper party with standing to pursue this wrongful death claim under 42
21 U.S.C. § 1983, pursuant to California *Code of Civil Procedure* § 377.60.

22 50. Plaintiff has been damaged, including pecuniary loss and other compensable injuries
23 resulting from loss of love, society, comfort, attention, services, and support of the Decedent, in an
24 amount in accordance with proof at the time of trial.

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1 **FIFTH CAUSE OF ACTION**

2 **42 U.S.C. § 1983 – DEPRIVATION OF THE RIGHTS OF**
3 **PLAINTIFF TO FAMILIAL RELATIONSHIPS WITH THE DECEDENT**

4 **[By Plaintiff, Gwendolyn Adams, Against Defendant, Michael Becker, and Does 1 - 50]**

5 51. Plaintiff repeats and re-alleges the allegations contained in Paragraphs 1 through 50,
6 hereinabove, and incorporates the same as though fully set forth herein.

7 52. Defendant, Corrections Officer BECKER, and/or DOES 1– 50, and each of them, acting
8 under color of state law, deprived Plaintiff of her right to a familial relationship with the Decedent
9 without due process of law in violation of the Fourteenth Amendment by their conscience shocking use
10 of unreasonable, unjustified force and violence, which violated Decedent’s Fourth-Amendment rights,
11 causing catastrophic injuries, which resulted in the Decedent’s death, all without provocation
12 justification or probable cause.

13 53. As a proximate result of the foregoing wrongful acts of Defendants, BECKER, and/or
14 DOES 1 – 50, and each of them, Plaintiff sustained general damages, including grief, emotional distress
15 and pain and suffering and loss of comfort and society, and special damages, including loss of support,
16 in an amount in accordance with proof.

17 54. In doing the foregoing wrongful acts, Defendants BECKER, and/or DOES 1-50, and each
18 of them, acted in reckless and callous disregard for the constitutional rights of the Decedent. The
19 wrongful acts, and each of them, were willful, oppressive, fraudulent, and malicious, thus warranting
20 the award of punitive and exemplary damages against each individual defendant (but not the entity
21 defendants, which are immune from such damages) in an amount adequate to punish the wrongdoers and
22 deter future misconduct.

23 **SIXTH CAUSE OF ACTION**

24 **BANE ACT – CIVIL CODE § 52.1**

25 **[By Plaintiff, Gwendolyn Adams, Against ALL DEFENDANTS and/or DOES 1-50]**

26 55. Plaintiff repeats and re-alleges the allegations contained in Paragraphs 1 through 54,
27 hereinabove, and incorporates the same as though fully set forth herein.

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1 56. The United States Constitution, Amendment IV, and the California Constitution, Art. I,
2 § 13, guarantee the right of persons to be free from unreasonable seizures and excessive force.
3 Defendants, and/or DOES 1 – 50, and each of them, by engaging in the wrongful conduct alleged herein,
4 denied this right to the Decedent and Plaintiff, thus giving rise to claims for damages pursuant to
5 California *Civil Code* § 52.1.

6 57. Plaintiff is the proper party with standing, as Decedent’s successor in interest, to pursue
7 a claim for violations of the Bane Act (*Civil Code* § 52.1) pursuant to California *Code of Civil*
8 *Procedure* § 377.60.

9 58. As a direct and proximate cause of the aforementioned acts of Defendants, and/or DOES
10 1 – 50, and each of them, Decedent and Plaintiff ADAMS were injured as set forth above, and are
11 entitled to statutory damages under California *Civil Code* § 52, as well as compensatory damages, and
12 punitive damages against the individual defendants only (the entity defendants are immune) according
13 to proof.

14 SEVENTH CAUSE OF ACTION

15 **ASSAULT & BATTERY**

16 **[By Plaintiff, Gwendolyn Adams, Against ALL DEFENDANTS and/or DOES 1-50]**

17 59. Plaintiff repeats and re-alleges the allegations contained in Paragraphs 1 – 58,
18 hereinabove, and incorporates the same as though fully set forth herein.

19 60. Defendant, BECKER and/or DOES 1 – 50, and each of them assaulted and battered the
20 Decedent, causing his death.

21 61. In doing the foregoing wrongful acts, Defendant, BECKER and/or DOES 1 – 50, and
22 each of them, acted in reckless and callous disregard for the constitutional rights of Plaintiff ADAMS
23 and the Decedent. The wrongful acts, and each of them, were willful, oppressive, fraudulent, and
24 malicious, thus warranting an award of punitive damages against each individual Defendant (but not the
25 entity Defendant, which is immune) in an amount adequate to punish the wrongdoers and deter future
26 misconduct.

27 62. As a direct and proximate cause of the aforementioned acts of Defendants, and/or DOES
28 1 – 50, and each of them, as hereinabove described, Decedent and Plaintiff ADAMS were injured as set

1 forth above, and are entitled to compensatory and exemplary and punitive damages according to proof.

2 **PRAYER FOR DAMAGES**

3 **WHEREFORE**, Plaintiffs, GWENDOLYN ADAMS, individually, and as successor in interest
4 to D'SON WOODS, deceased, and GLENN BOLDEN hereby pray for judgment against Defendants and
5 DOES 1– 50, and each of them, as follows:

6 **ON THE FIRST CAUSE OF ACTION:**

7 1. For general damages (also known as non-economic damages), including but not limited
8 to, past and future physical, mental, and emotional pain and suffering in an amount in excess of the
9 jurisdictional minimum, according to proof;

10 2. For special damages (also known as economic damages), including but not limited to,
11 past and future hospital, medical, professional, and incidental expenses as well as past and future loss
12 of earnings, loss of opportunity, and loss of earning capacity, in excess of the jurisdictional minimum,
13 according to proof;

14 3. For prejudgment interest, according to proof;

15 4. For damages for Plaintiffs' other losses, according to proof;

16 **ON THE SECOND CAUSE OF ACTION:**

17 5. For the loss to Plaintiff, ADAMS, of the love, aid, comfort and society due to the death
18 of DECEDENT, according to proof at the time of trial;

19 6. For Plaintiff's loss of economic support from DECEDENT in an amount according to
20 proof at the time of trial;

21 7. For funeral and burial expenses incurred by Plaintiff in a sum according to proof;

22 **ON THE THIRD CAUSE OF ACTION:**

23 8. For DECEDENT's medical bills incurred attempting to save his life from the date of the
24 SUBJECT INCIDENT on August 1, 2018 through the date of DECEDENT's death on March 12, 2020;

25 **ON THE FOURTH CAUSE OF ACTION:**

26 9. For the loss of the value of Decedent's life to himself, and for Decedent's pre-death pain
27 and suffering recoverable by Plaintiff (*Chaudry v. City of Los Angeles* (2014) 751 F. 3d 1096);

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- 1 10. For reasonable attorney's fees and expenses of litigation pursuant to 42 U.S.C. § 1988;
2 11. For exemplary and punitive damages against Defendants MICHAEL BECKER and
3 DOES 1 – 50, and each of them (except the immune public entity defendant) in an amount sufficient to
4 make an example of those Defendants and to deter future misconduct, in an amount according to proof
5 at the time of trial;

6 **ON THE FIFTH CAUSE OF ACTION:**

- 7 12. For exemplary and punitive damages against the Defendants MICHAEL BECKER and
8 DOES 1 – 50, and each of them (except the immune public entity defendant) in an amount sufficient to
9 make an example of those Defendants and to deter future misconduct, in an amount according to proof
10 at the time of trial allowable pursuant to *Civil Code* § 52(b)(1);

11 **ON THE SIXTH CAUSE OF ACTION:**

- 12 13. For statutory damages allowable pursuant to *Civil Code* § 52(b)(2);
13 14. For reasonable attorney's fees and expenses of litigation allowable pursuant to *Civil Code*
14 §§ 52(b)(3) and 52.1(i);

- 15 15. For exemplary and punitive damages against the Defendants MICHAEL BECKER and
16 DOES 1 – 50, and each of them (except the immune public entity defendant) in an amount sufficient to
17 make an example of those Defendants and to deter future misconduct, in an amount according to proof
18 at the time of trial;

19 **ON THE SEVENTH CAUSE OF ACTION:**

- 20 16. For exemplary and punitive damages against the Defendants MICHAEL BECKER and
21 DOES 1 – 50, and each of them (except the immune public entity defendant) in an amount sufficient to
22 make an example of those Defendants and to deter future misconduct, in an amount according to proof
23 at the time of trial;

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1 **ON ALL CAUSES OF ACTION:**

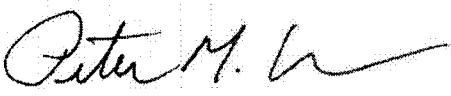
2 17. For pre-judgment and post-judgment interest; and

3 18. For such other and further relief as the Court may deem just and proper.

4 DATED: October 22, 2020

Respectfully submitted,

ADAMSON AHDOOT LLP



8 By: _____

PETER M. WILLIAMSON, Esq.
FEDERICO C. SAYRE, Esq.
Attorneys for Plaintiffs
GWENDOLYN ADAMS, individually, and
as successor in interest to D'SON WOODS,
deceased, and GLEN TYLER BOLDEN

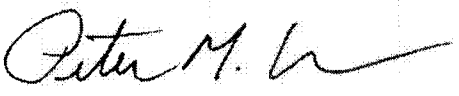
15 **DEMAND FOR TRIAL BY JURY**

16 Plaintiff GWENDOLYN ADAMS, individually, and as DECEDENT, D'SON WOOD'S
17 successor in interest, and GLEN BOLDEN, hereby demand a trial by jury as to all causes of action.

19 DATED: October 22, 2020

Respectfully submitted,

ADAMSON AHDOOT LLP



23 By: _____

PETER M. WILLIAMSON, Esq.
FEDERICO C. SAYRE, Esq.
Attorneys for Plaintiffs
GWENDOLYN ADAMS, individually, and
as successor in interest to D'SON WOODS,
deceased, and GLEN TYLER BOLDEN

EXHIBIT

“A”

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8 Attorneys for Plaintiffs
9 GWENDOLYN ADAMS and GLENN BOLDEN

10
11 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 FOR THE COUNTY OF SAN BERNARDINO
13 UNLIMITED JURISDICTION

14 GWENDOYLN ADAMS as successor in interests
of D'SON WOODS, deceased; and GLENN
15 TYLER BOLDEN,

16 Plaintiffs,

17 v.

18 CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION, a
19 public entity, MICHAEL WILLIAM BECKER, an
individual, and DOES 1 through 50, inclusive,

20 Defendant.

Case No.: CIVDS1831184

PLAINTIFFS GWENDOYLN ADAMS
AFFIDAVIT PURSUANT TO
CALIFORNIA CODE OF CIVIL
PROCEDURE SECTION 377.32
[filed concurrently herewith the
First-Amended Complaint]

21
22 **AFFIDAVIT**

23 **PURSUANT TO CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 377.32**

24 (filed concurrently herewith the Complaint)

25 I, GWENDOYLN ADAMS, hereby declare the following:

26 1. The decedent in the subject litigation is my son, D'SON WOODS, who died on
27 March 12, 2020, in the City of Ontario, County of San Bernardino, California.
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2. This is no proceeding is now pending in California for administration of decedent's estate.

3. I am the decedent's successor in interest (as defined in Code of Civil Procedure § 377.1) and succeed to the decedent's interest in the action or proceeding.

4. There is no other person that has a superior right to commence the action or proceeding or to be substituted for the decedent in the pending action or proceeding.

5. Decedent D'SON WOODS' Certificate of Death is attached hereto as "Exhibit 1."
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: October 19, 2020



GWENDOYLN ADAMS

STATE OF CALIFORNIA
CERTIFICATION OF VITAL RECORD

COUNTY of SAN BERNARDINO

DEPARTMENT OF PUBLIC HEALTH
 351 N. MT. VIEW AVENUE, SAN BERNARDINO, CALIFORNIA 92415-0010

CERTIFICATE OF DEATH

3202036003775

STATE FILE NUMBER		DATE OF DEATH		LOCAL JURISDICTION NUMBER	
1. NAME OF DECEDENT - FIRST (Print)		2. MIDDLE		3. LAST (Print)	
D'SON		BLACKCLOUD		WOODS	
4. DATE OF BIRTH (mm/dd/yyyy)		5. AGE (In Years)	6. SEX (M/F)	7. RACE (Print)	
03/14/1994		25	M	AFRICAN AMERICAN	
8. BIRTH STATE/PROVINCE/COUNTRY		9. SOCIAL SECURITY NUMBER	10. EVER IN U.S. ARMED FORCES?	11. MARRIAGE STATUS (at Time of Death)	12. DATE OF MARRIAGE (mm/dd/yyyy)
CA		811-72-0090	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NEVER MARRIED	03/12/2020
13. EDUCATION - Highest Level Completed (Print)		14. OCCUPATION'S PRICE - (To be filled out only for Federal use - prohibited for State)		15. YEARS IN OCCUPATION	
SOME COLLEGE		AFRICAN AMERICAN		1	
16. USUAL OCCUPATION - Type of work or kind of job (DO NOT USE FERRING)		17. KIND OF BUSINESS (OR INDUSTRY) (e.g., grocery store, retail construction, manufacturing agency, etc.)		18. YEARS IN OCCUPATION	
SECURITY GUARD		SECURITY		1	
19. DECEDENT'S RESIDENCE (Street and number or PO address)					
35544 MT VIEW ST					
20. CITY		21. COUNTY	22. ZIP CODE	23. YEARS IN COUNTY	24. STATE/PROVINCE/COUNTRY
YUCAIPA		SAN BERNARDINO	92399	20	CA
25. INFORMANT'S NAME, RELATIONSHIP (Print name and address of informant or informant's parent, state and zip)					
GWENDOLYN ADAMS, MOTHER 35544 MT VIEW ST, YUCAIPA, CA 92399					
26. NAME OF SURVIVING SPOUSE/PARTNER		27. MIDDLE	28. LAST SURVIVOR NAME		
JAMES		D'ONDREA	WOODS		
29. NAME OF MOTHER-IN-LAW		30. MIDDLE	31. LAST SURVIVOR NAME		
GWENDOLYN			JOHNSON		
32. DATE OF DEATH (mm/dd/yyyy)		33. PLACE OF DEATH (Print name of hospital, nursing home, etc.)		34. LICENSE NUMBER	35. LICENSE EXPIRES (mm/dd/yyyy)
04/08/2020		MONTECITO MEMORIAL PARK 3520 E WASHINGTON ST, COLTON, CA 92324		EMS8275	04/07/2020
36. TYPE OF DEATH (Print)		37. NAME OF FUNERAL HOME (Print)		38. LICENSE NUMBER	39. DATE (mm/dd/yyyy)
BU		FERNANDO CENTENO		FD1731	04/07/2020
40. PLACE OF DEATH (Print name of hospital, nursing home, etc.)		41. CITY		42. STATE/PROVINCE/COUNTRY	
KINDRED HOSPITAL ONTARIO		ONTARIO		CA	
43. CAUSE OF DEATH (Print name of disease, injury, or condition - see instructions on back of form)		44. MANNER OF DEATH (Print name of disease, injury, or condition - see instructions on back of form)		45. ICD-10 CODE (Print)	
IN COMPLICATIONS OF MULTIPLE BLUNT FORCE WITH THERMAL CUTANEOUS INJURIES				M78.0	
46. UNDERLYING CAUSE OF DEATH (Print name of disease, injury, or condition - see instructions on back of form)		47. MANNER OF DEATH (Print name of disease, injury, or condition - see instructions on back of form)		48. ICD-10 CODE (Print)	
NONE					
49. THIS CERTIFICATE IS VALID FOR ANY CORRECTION IN YEAR 117 OR 118 (If not, list type of correction and date)					
NO					
50. I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSE STATED		51. SIGNATURE AND TITLE OF CERTIFIER		52. LICENSE NUMBER	53. DATE (mm/dd/yyyy)
		REBECCA M LONDON, DEP COR			04/07/2020
54. I CERTIFY THAT IN MY OPINION DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSE STATED		55. MANNER OF DEATH (Print name of disease, injury, or condition - see instructions on back of form)		56. ICD-10 CODE (Print)	
		ROADWAY		M78.0	
57. PLACE OF INJURY (e.g., home, construction site, wooded area, etc.)		58. TYPE OF VEHICLE (e.g., car, truck, motorcycle, etc.)		59. TYPE OF COLLISION (e.g., struck, struck and run over, etc.)	
ROADWAY		DRIVER COLLIDED WITH ANOTHER VEHICLE AND STRUCK TREE AND LIGHT POLE. SEAT BELTED, NOT EJECTED.			
60. LOCATION OF COLLISION (e.g., street name, mile marker, etc.)		61. COUNTY		62. CITY	
10 W 101 S 715 S 8 200 FT SOUTH OF COOLEY DR. COLTON, CA 92324		SAN BERNARDINO		YUCAIPA	
63. SIGNATURE OF COLLISION REPORTER (Print name and address)		64. DATE (mm/dd/yyyy)	65. TYPE OF COLLISION (e.g., struck, struck and run over, etc.)		
REBECCA M LONDON		04/07/2020	REBECCA M LONDON, DEP COR		

CERTIFIED COPY OF VITAL RECORD

STATE OF CALIFORNIA
 COUNTY OF SAN BERNARDINO } ss

DATE ISSUED:

Erin Gustafson, MD

This is a true and exact reproduction of the document officially registered and placed on file in the VITAL RECORDS SECTION, SAN BERNARDINO DEPARTMENT OF PUBLIC HEALTH.

Rebecca M London
 MAXWELL ORRIGUARE, M.D.
 COUNTY HEALTH OFFICER
 REGISTRAR OF VITAL STATISTICS

APR 13 2020



This copy not valid unless prepared on engraved border displaying the date, seal and signature of Registrar.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

