

FILED

2018 FEB 23 PM 1:09  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OHIO

# 14660102499

James Lindon

Plaintiff

vs.

Honorable Shirley Strickland Saffold in her  
official and individual capacities; Ohio  
Lawyers Assistance Program, Inc.; ORCA  
House; Paul Caimi; Cuyahoga County  
Common Pleas Court Probation Department;  
Maria Nemeč in her official and individual  
capacities; Alcohol, Drug Addiction and  
Mental Health Services Board of Cuyahoga  
County

Defendants

CASE NO.:

Judge:

Civil Complaint

1 : 18 CV 4424

JUDGE NUGENT

MAG. JUDGE GREENBERG

Now comes Plaintiff and for cause(s) of action against Defendant(s) and/or their agents and/or their employees, avers that Plaintiff is, has been and will be directed and required to participate in religious activities under state coercion, threat and penalty of law in dereliction of his rights of conscience and to be free from religious compulsion. Thorough discovery will demonstrate that the following took place within the geographic territory of this judicial district.

Nature of the Claims

1. This is an action for declaratory relief as well as damages brought by Plaintiff pursuant to 42 U.S.C. § 1988, 42 U.S.C. § 1983, the Establishment Clause and Free Exercise Clause of the First Amendment to the United States Constitution, and the Fifth and Fourteenth Amendment of the United States Constitution denying him equal protection of the law, guaranteed under the Fifth and Fourteenth Amendments to the United States Constitution. This action is brought pursuant to said law to secure protection of and to redress deprivation of rights secured by said law.
2. This Court has jurisdiction and venue of this cause of action pursuant to 28 U.S.C. § 1331, 28 U.S.C. § 1343, 28 U.S.C. § 1391, 28 U.S.C. § 2201, 28 U.S.C. § 2202, and the Establishment Clause and Free Exercise Clause of the First Amendment to the United States Constitution and the Fifth and Fourteenth Amendments of the United States Constitution.

3. Pendent jurisdiction of the Federal District Court is invoked with respect to Plaintiff's claims under the Constitution and laws of the State of Ohio, pursuant to 42 U.S.C. § 1343 and 28 U.S. Code § 1367, because the entire action before the Court comprises one constitutional case, and the claims arise out of the same operative facts and are such that Plaintiff would ordinarily be expected to try them in one judicial proceeding.

4. This action is also brought pursuant to Ohio State law to secure protection of and to redress deprivation of rights secured by said law. Ohio Constitution Article One, §7 provides that no person shall be compelled to attend, erect, or support any place of worship, or maintain any form of worship, against his consent; and no preference shall be given, by law, to any religious society; nor shall any interference with the rights of conscience be permitted.

5. Plaintiff is acting pro se, representing no client, and not engaged in the practice of law, though he is subject to an interim suspension of his Ohio law license as of the time of filing of this action.

#### Parties

6. Plaintiff James Lindon is an atheist and Humanist, a citizen of the United States of America and a resident of Lorain County, Ohio.

7. Defendant Judge Shirley Strickland Saffold was admitted to the Ohio Bar in 1977 and has been a Common Pleas Court Judge since 1995 per Cuyahoga County Common Pleas Court website <http://cp.cuyahogacounty.us/internet/ID-101-JudgeName-ShirleyStricklandSaffold-judgedetails.aspx>.

8. Defendant Ohio Lawyers Assistance Program, Inc. (hereinafter OLAP) is an Ohio corporate entity, Number 797382. OLAP provides counselling services. OLAP works in conjunction with the Ohio Supreme Court.

9. Defendant ORCA House is an Ohio corporation for non-profit Entity Number 217833. ORCA House provides in-patient substance abuse treatment. ORCA House receives clients directly from jail and in handcuffs.

10. Defendant Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County (hereinafter ADAMHS Board) is a part of Cuyahoga County government. The ADAMHS Board contracts with providers to deliver substance abuse services. ADAMHS Board promotes a faith-based initiative. <http://adamhsec.org/en-US/Faith-basedInitiative.aspx>. See exhibit.

11. Defendant Paul Caimi is an attorney and Associate Director of OLAP. Defendant Paul Caimi terminated Plaintiff's contract with OLAP based on Plaintiff's views concerning religion.

12. Defendant Cuyahoga County Common Pleas Court Probation Department is responsible for supervision of persons receiving sentences of community control.

13. Defendant Chief Probation Officer Maria Nemec is Chief Probation Officer for the Cuyahoga County Common Pleas Court Probation Department and thus responsible for the policies and practices of the Cuyahoga County Common Pleas Court Probation Department.

**Operative Facts**

14. On or about June 16, 2016 in Ohio, Plaintiff was convicted in Cuyahoga County Common Pleas case 16-CR-604473 in a matter of five (5) missing tablets containing hydrocodone from a pharmacy.

15. Because of said conviction, Plaintiff was placed on probation for two years in Cuyahoga County, Ohio by Defendant Judge Shirley Strickland Saffold, required to complete an in-patient substance abuse program, and subjected to conditions of probation.

16. Both completion of an in-patient substance abuse program and completion of probation included a de facto requirement to participate in an Alcoholics Anonymous (AA) 12-Step program, or the like, including in particular the religious elements of AA as more fully described herein.

**ORCA House**

17. Plaintiff was taken in handcuffs to ORCA House, located in Cuyahoga County, Cleveland, Ohio on or about August 12, 2016.

18. ORCA House provides in-patient treatment for substance use disorder and did provide such services to Plaintiff during his court-ordered stay at ORCA House.

19. The AA 12-Step program used by ORCA House and OLAP is religious and is known to be religious by each Defendant reference in this Complaint;

20. Plaintiff was advised that if he did not attend and participate in the AA 12-Step program while at ORCA House and while on probation, he would be subject to some detriment or punishment.

21. Plaintiff was advised that if he did not attend and participate in the AA 12-Step program while at ORCA House and while on probation, he would lose substantial and valuable benefit(s).

22. There was no secular alternative to the AA 12-Step program available and offered to Plaintiff while at ORCA House.

23. There was no secular alternative to the AA 12-Step program available and offered to Plaintiff while on probation with the Common Pleas Court Probation Department.

24. Plaintiff was compelled to remain at ORCA House for thirty (30) days under threat of incarceration upon early and unauthorized departure from ORCA House.

25. ORCA House has substantial financial and logistic relationships with governmental agencies such that ORCA House is rendered a government actor for purposes of 42 USC 1983.

26. ORCA House has substantial financial and logistic relationships with ADAMHS Board such that ORCA House is itself rendered a government actor.

27. ORCA House is a party to a contract or is in privity therewith which resulted in substance abuse treatment to Plaintiff.

28. Plaintiff was an intended beneficiary of a contract between ORCA House and ADAMHS Board or a party in privity with ADAMHS Board.

29. ORCA House had a pre-existing duty to provide treatment to Plaintiff by virtue of an agreement between ORCA House and ADAMHS Board or a party in privity with ADAMHS Board.

30. ORCA House is funded and implements its programs by means of substantial, if not complete, government funding.

31. While at ORCA House, Plaintiff was required to participate in group prayer at least daily under threat of incarceration for failure to participate.

32. While at ORCA House, Plaintiff was subjected to mandatory group lectures to the effect that Plaintiff had a "spiritual malady" that could only be helped by a "god" or a "higher power."

33. Neither Plaintiff nor any other person has a "spiritual malady" that can only be helped by a "god" or a "higher power."

34. Plaintiff notified staff at ORCA House he did not have a belief in a god and objected to the religious elements of the AA 12-Step program.

35. Staff at ORCA House stated the program would not be changed or substituted and directed Plaintiff to the AA Big Book Chapter 4 "We Agnostics."

36. Plaintiff was directed to read "We Agnostics" which provides such pearls as:

- a. alcoholism is an illness which only a "spiritual experience" will conquer
- b. recovery from alcoholism requires belief in a god
- c. recovery from alcoholism requires belief in a "Power greater than ourselves" and "that Power, which is God"
- d. knowing or believing that the universe needs no god to explain it is no more than a "windy argument"
- e. knowing or believing that the universe needs no god to explain it will lead to the conclusion that "life originated out of nothing, means nothing, and proceeds nowhere"
- f. being confident in human reasoning is itself no more than a sort of "faith"

37. Being required to read such religious, false, and religiously biased material as is present in "We Agnostics" and other AA materials prevented Plaintiff from being able to openly discuss, practice, rely on and develop his own beliefs concerning religion, Christianity, Humanism and atheism for purposes of treatment.

**Judge Shirley Strickland Saffold**

38. Having been a Cuyahoga County Common Pleas Court Judge, Judge Saffold had knowledge of in-patient drug-treatment programs approved by the Cuyahoga County Common Pleas Court and the AA 12-step program.

39. At all times relevant, Judge Saffold knew of the religious nature of in-patient drug-treatment programs and AA 12-step program.

40. A reasonable judge would have knowledge and does have knowledge and fair warning that compelling people to attend AA 12-step program meetings violates the Establishment Clause of the First Amendment of the United States Constitution.

41. A reasonable judge would have and does have knowledge and fair warning that state compulsion of people to participate in religious services violates the Establishment

Clause of the First Amendment of the United States Constitution and/or the Free Exercise Clause of the First Amendment of the United States Constitution.

42. At all times relevant Judge Saffold had and still does have knowledge and fair warning that compelling Plaintiff to attend AA 12-step program meetings violates the Establishment Clause of the First Amendment of the United States Constitution, and the State of Ohio Constitution, compels religion, and otherwise interferes with the free exercise of religion, by at least the text of, and the following legal authorities interpreting, the United States Constitution:

- g. Lee v. Weisman, 505 U.S. 577, 112 S.Ct. 2649, 120 L.Ed.2d 467 (1992) ("at a minimum, the Constitution guarantees that government may not coerce anyone to support or participate in religion or its exercise" || recognizing that unconstitutional coercion may be exercised both directly, such as by mandatory attendance at a religious exercise, and indirectly).
- h. Munson v. Norris, 435 F.3d 877, 880-81 (8th Cir. 2006) (coercion unlawful in the prison context of requiring or conditioning benefits on attendance at potentially religious treatment programs.)
- i. Warner v. Orange Cnty. Dep't of Prob., 115 F.3d 1068 (2d Cir.1996); (county governmental agency violated the Establishment Clause by requiring probationer convicted of driving under the influence to participate in AA 12-step program.)
- j. Kerr v. Farrey, 95 F.3d 472 (7th Cir.1996); (State correctional institution may not require an inmate, upon pain of being rated a higher security risk and suffering adverse effects for parole eligibility, to attend a substance abuse counseling program with explicit religious content, consistent with the Establishment Clause of the First Amendment to the U.S. Constitution.)
- k. Griffin v. Coughlin, 88 N.Y.2d 674, 649 N.Y.S.2d 903, 673 N.E.2d 98 (1996), cert. denied, 519 U.S. 1054, 117 S.Ct. 681, 136 L.Ed.2d 607 (1997)); (The Establishment Clause does not permit the state to deprive an atheist or agnostic inmate of eligibility for an expanded family visitation program because of a refusal to participate in AA 12-step program at a state correctional facility.)
- l. Lemon v. Kurtzman, 403 U.S. 602, 91 S.Ct. 2105, 29 L.Ed.2d 745 (1971); (The First Amendment's Establishment Clause is designed to protect against sponsorship, financial support, and active involvement of the sovereign in religious activity.)
- m. Agostini v. Felton, 521 U.S. 203 (1997); (an Establishment Clause violation can exist even where there is no coercion.)

43. Despite this fair warning and knowledge of clear law, without intervention, Judge Saffold did and will continue to violate the Establishment Clause and Free Exercise Clause of the First Amendment of the United States Constitution by compelling defendants to attend AA 12-step program meetings.

44. At all times relevant, Judge Saffold knew that persons sentenced by her to complete an in-patient drug-treatment program approved by Cuyahoga County Common Pleas Court would be required to attend AA 12-step program meetings.

45. At all times relevant, Judge Saffold knew that persons sentenced by her to probation after completion of an in-patient drug-treatment programs would be required to attend AA 12-step program meetings.

46. Judge Saffold inquired of Plaintiff on December 4, 2017 as to whether he was attending required AA 12-step program meetings, even after she was informed of the imminent filing of the instant lawsuit, showing Judge Saffold did and does full knowledge of Plaintiff's exposure to the AA 12-step program programs and materials.

#### Alcoholics Anonymous

47. Alcoholics Anonymous [also known as AA 12-step program] describes itself on its website as "an international fellowship of men and women who have had a drinking problem. It is nonprofessional, self-supporting, multiracial, apolitical, and available almost everywhere." See [http://www.aa.org/pages/en\\_US/what-is-aa](http://www.aa.org/pages/en_US/what-is-aa).

48. AA 12-step program offers its methods and materials through various in-person meetings and written materials.

49. AA 12-step program meetings and materials are replete with references to "God" and "higher power" and like terms.

50. AA 12-step program meetings include prayers, such as recitations of "OUR FATHER" from the Christian Bible and the "SERENITY PRAYER" shown below;

Matthew 6:9-13 King James Version (KJV)

9 After this manner therefore pray: **Our Father** which art in heaven, Hallowed be thy name.

10 Thy kingdom come, Thy will be done in earth, as it is in heaven.

11 Give us this day our daily bread.

12 And forgive us our debts, as we forgive our debtors.

13 And lead us not into temptation, but deliver us from evil: For thine is the kingdom, and the power, and the glory, forever. Amen.

#### **Serenity Prayer**

God grant me the serenity to accept the things I cannot change;  
courage to change the things I can; and wisdom to know the difference.

51. To achieve its purposes, AA 12-step program provides written materials including a central publication known as the "Big Book."

52. The Big Book contains 142 instances of the word, "God." See Exhibit.

53. The Big Book is a religious text.

54. The twelve (12) steps of the AA 12-step program are reproduced below:

1. We admitted we were powerless over alcohol - that our lives had become unmanageable.
2. Came to believe that a Power greater than ourselves could restore us to sanity.
3. Made a decision to turn our will and our lives over to the care of God as we understood Him.
4. Made a searching and fearless moral inventory of ourselves.
5. Admitted to God, to ourselves, and to another human being the exact nature of our wrongs.
6. Were entirely ready to have God remove all these defects of character.
7. Humbly asked Him to remove our shortcomings.
8. Made a list of all persons we had harmed, and became willing to make amends to them all.
9. Made direct amends to such people wherever possible, except when to do so would injure them or others.
10. Continued to take personal inventory and when we were wrong promptly admitted it.
11. Sought through prayer and meditation to improve our conscious contact with God as we understood Him, praying only for knowledge of His will for us and the power to carry that out.
12. Having had a spiritual awakening as the result of these steps, we tried to carry this message to alcoholics, and to practice these principles in all our affairs.

55. A straightforward reading of the twelve steps clearly shows that the steps are based on the monotheistic idea of a single God or Supreme Being.

56. One condition of probation for Lindon is and was to attend AA 12-step program meetings as communicated to Plaintiff on various occasions by Cuyahoga County probation officer Jose Casiano.

#### **Ohio Lawyers Assistance Program**

57. Defendant Ohio Lawyers Assistance Program, Inc. [hereinafter OLAP] is an Ohio corporate entity, Number 797382.

58. On or about June 30, 2016 Paul Caimi, an agent of OLAP, paid a visit to Plaintiff in Cuyahoga County Jail while Plaintiff was awaiting sentencing in case 16-CR-604473.

59. On June 30, 2016 Paul Caimi presented a form contract to Plaintiff, while incarcerated, for signature.

60. The OLAP contract contains several provisions including one requiring Plaintiff to attend AA meetings.

61. The OLAP contract requires Plaintiff to progress satisfactorily through the AA 12-step program Big Book.

62. The OLAP contract requires Plaintiff to participate in the AA 12-step program.

63. Plaintiff was terminated from the OLAP program by Paul Caimi, in whole or substantial part, because of Plaintiff's request for a secular alternative to the AA 12-step program.

64. The Supreme Court of Ohio is established by Article IV, Section 1 of the Ohio Constitution. Article IV, Section 2 of the Ohio Constitution sets the size of the Court and outlines its jurisdiction. Article IV, Section 5 of the Ohio Constitution grants rule making and other authority to the Court.

65. The Ohio Constitution grants the Supreme Court exclusive authority to regulate the discipline of attorneys admitted to practice, and all other matters relating to the practice of law.

66. The Supreme Court of Ohio uses and relies on OLAP resources to monitor Ohio attorneys for substance abuse concerns.

67. OLAP receives funding and/or other support from The Supreme Court of Ohio.

68. OLAP receives funding and/or other support from other government sources.

69. OLAP cooperates and reports to The Supreme Court of Ohio concerning the treatment status of Ohio attorneys for drug abuse concerns.

#### **ADAMHS Board**

70. ADAMHS Board funded and contracted with organizations to participate in a faith-based outreach initiatives program to educate the faith community about mental illness and substance use disorders and incorporate spirituality as a component of treatment and provide the faith community with opportunities to incorporate spirituality as a component of treatment. Described at

71. ADAMHS Board is a part of Cuyahoga County government. ADAMHS Board contracts with provider agencies to deliver drug abuse services.

72. ADAMHS Board knowingly provides government funding to provide, promote or permit use of AA in treatment facilities, including ORCA House.

73. ADAMHS Board is a creation of Ohio Revised Code Chapter 340: Alcohol, Drug Addiction, And Mental Health Services.

#### **Religious Liberty**

74. Compelling any person to attend de facto religious services as a part of mandatory substance abuse treatment program is a predictable and systemic violation of constitutional law.

75. The possibility of a monetary tort suit against Defendants Saffold, and/or OLAP, and/or ORCA House and/or ADAMHS Board, and/or Paul Caimi, and/or Cuyahoga County Common Pleas Court Probation Department and/or Maria Nemeec will not provide an adequate remedy that could substitute for an injunction.

76. Plaintiff did have and does have a liberty interest in the right to worship or not worship one or more gods according to the dictates of his own conscious and to enjoy that interest, long recognized as essential to the orderly pursuit of happiness by free men.

77. Neither Plaintiff's liberty nor justice for Plaintiff will be respected if Plaintiff's religious liberty interests are sacrificed by the policies, customs, and actions of Defendants Saffold, and/or OLAP, and/or ORCA House and/or ADAMHS Board, and/or Paul Caimi, and/or Cuyahoga County Common Pleas Court Probation Department and/or Maria Nemeec.



78. Plaintiff's religious liberty interests are deeply rooted in the history and tradition of the United States of America.

79. Disparate treatment of theistic and non-theistic religious views by Defendants Saffold, and/or OLAP, and/or ORCA House and/or ADAMHS Board, and/or Paul Caimi, and/or Cuyahoga County Common Pleas Court Probation Department and/or Maria Nemec is as offensive to Plaintiff's rights under the Establishment Clause as would be disparate treatment of theistic religions.

80. At all times relevant Defendants Saffold, and/or OLAP, and/or ORCA House and/or ADAMHS Board, and/or Paul Caimi, and/or Cuyahoga County Common Pleas Court Probation Department and/or Maria Nemec had and still does have knowledge and fair warning that compelling Plaintiff's participation in the AA 12-step program violates the Establishment Clause of the First Amendment of the United States Constitution and the State of Ohio Constitution.

81. At all times relevant Defendants Saffold, and/or OLAP, and/or ORCA House and/or ADAMHS Board, and/or Paul Caimi, and/or Cuyahoga County Common Pleas Court Probation Department and/or Maria Nemec had and still does have knowledge and fair warning that participation in the AA 12-step program includes teaching about a god.

**Count One 42 U.S.C. § 1983**

82. Plaintiff incorporates by reference and restates as if fully rewritten all the allegations and averments set forth in the other Paragraphs of this Complaint.

83. Plaintiff is, has been, and will be the subject of religious coercion by having "treatment" for substance use disorder conditioned upon his adoption of the religious teachings promulgated by the AA 12-step program.

84. Defendants' policies, customs, and actions amount to state-endorsed and impermissible interference with Plaintiff's free exercise of religion, or impermissible establishment of religion or endorsement of religion, entanglement with religion, promotion of one religion over another religion, or promotion of religion over non-religion.

85. By overseeing and/or administering the substance abuse program provided to Plaintiff, Defendants Saffold, and/or OLAP, and/or ORCA House and/or ADAMHS Board, and/or Paul Caimi, and/or Cuyahoga County Common Pleas Court Probation Department and/or Maria Nemec and their agents or employees advance state-endorsed and impermissible interference with Plaintiff's free exercise of religion, or impermissible establishment of religion or endorsement of religion, entanglement with religion, promotion of one religion over another religion, or promotion of religion over non-religion.

86. By failing to provide a secular alternative to the substance abuse program provided to Plaintiff Defendants Saffold, and/or OLAP, and/or ORCA House and/or ADAMHS Board, and/or Paul Caimi, and/or Cuyahoga County Common Pleas Court Probation Department and/or Maria Nemec and their agents or employees advance state-endorsed and impermissible interference with Plaintiff's free exercise of religion, or impermissible establishment of religion or endorsement of religion, entanglement with

religion, promotion of one religion over another religion, or promotion of religion over non-religion.

87. Defendants' policies, customs, and actions have no legitimate secular purpose, and instead have the purpose to advance Christianity.

88. Defendants' policies, customs, and actions have the effect of advancing and endorsing Christianity over all other religions and religion in general over nonreligion.

89. Forcing Plaintiff to choose between participation in the AA 12-step program or facing the risk of incarceration or other negative treatment by not completing the ORCA House program and required AA 12-step program meetings violated the rights of conscience of Plaintiff and his First Amendment rights.

90. Defendants' policies, customs, and actions violate longstanding United States Supreme Court precedent.

91. Defendants' policies, customs, and actions are performed under color of law within the meaning of 42 U.S.C. § 1983.

92. Defendants' policies, customs, and actions have irreparably harm Plaintiff and if allowed to continue will irreparably harm Plaintiff.

93. Defendants' policies, customs, and actions burden Plaintiff's freedom of conscience as much as any policies, customs, and actions intended to interfere with Plaintiff's religious freedom.

94. Substance abuse counselling can be successfully provided without resort to religious superstition, appeals to the supernatural, and interference in Plaintiff's sincerely held beliefs concerning religion, Christianity, Humanism and atheism.

95. Defendants' policies, customs, and actions demonstrate an attempt to advance religion over non-religion by the lack of the availability of a secular alternative to the AA 12-step program or lack of accommodation of a secular alternative to the AA 12-step program.

#### **Count Two**

96. Plaintiff incorporates by reference and restates as if fully rewritten all the allegations and averments set forth in the other Paragraphs of this Complaint.

97. Plaintiff is, has been, and will be the subject of religious coercion by having OLAP advocacy to the Ohio Supreme Court conditioned upon his adoption of the religious teachings promulgated by AA 12-step program.

98. Such activity by one or more Defendants Saffold, and/or OLAP, and/or ORCA House and/or ADAMHS Board, and/or Paul Caimi, and/or Cuyahoga County Common Pleas Court Probation Department and/or Maria Nemeč amounts to impermissible interference with Plaintiff's free exercise of religion, or impermissible establishment or endorsement of religion, or entanglement with religion.

#### **Count Three Equal Protection**

99. Plaintiff incorporates by reference and restates as if fully rewritten all the allegations and averments set forth in the other Paragraphs of this Complaint.

100. By OLAP denying Plaintiff access to a suitable alternative to the AA 12-step program while remaining in the OLAP program, Plaintiff was denied equal protection of the law because of Plaintiff's sincerely held beliefs concerning religion, Christianity, Humanism and atheism.

101. By denying Plaintiff access to the substantial and valuable benefits of OLAP's advocacy in pursuit of his license to practice law in Ohio, Plaintiff was denied equal protection of the law because of Plaintiff's sincerely held beliefs concerning religion, Christianity, Humanism and atheism.

#### **Count Four Equal Protection**

102. Plaintiff incorporates by reference and restates as if fully rewritten all the allegations and averments set forth in the other Paragraphs of this Complaint.

103. By the Common Pleas Court Probation Department denying Plaintiff access to a secular alternative to the AA 12-step program while on probation, Plaintiff was denied equal protection of the law because of Plaintiff's sincerely held beliefs concerning religion, Christianity, Humanism and atheism.

104. By the ORCA House denying Plaintiff access to a secular alternative to the AA 12-step program while in treatment, Plaintiff was denied equal protection of the law because of Plaintiff's sincerely held beliefs concerning religion, Christianity, Humanism and atheism.

#### **Count Five Religious Freedom Restoration Act (RFRA)**

105. Plaintiff incorporates by reference and restates as if fully rewritten all the allegations and averments set forth in the other Paragraphs of this Complaint.

106. Plaintiff has sincerely held beliefs concerning religion, Christianity, Humanism and atheism which were, and are, and will be substantially burdened by one or more Defendants' policies, customs, and actions.

107. Defendants individually and collectively as state actors have no compelling governmental interest in promulgation of Defendants' policies, customs, and actions concerning substance abuse treatment programs.

108. Defendants individually and collectively as state actors did not and do not use the least restrictive means in promulgation of Defendants' policies, customs, and actions concerning substance abuse treatment programs.

#### **Count Six Free Exercise**

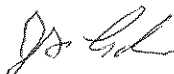
109. Plaintiff incorporates by reference and restates as if fully rewritten all the allegations and averments set forth in the other Paragraphs of this Complaint.

110. Defendants' policies, customs, and actions impermissible burden or interfere with the free exercise of his sincerely held beliefs concerning religion, Christianity, Humanism and atheism as prohibited by the Free Exercise Clause of the First Amendment to the United States Constitution.

Wherefore Plaintiff respectfully demands Bench Trial and judgment against Defendants in an amount of compensatory damages as shall be supported by the evidence together with monetary damages, attorney fees, costs, interest, and whatever other relief the Court deems appropriate as well as:

- an ORDER declaring use of AA 12-step program by one or more of Defendants Saffold, and/or OLAP, and/or ORCA House and/or ADAMHS Board, and/or Paul Caimi, and/or Cuyahoga County Common Pleas Court Probation Department and/or Maria Nemec contrary to the United States Constitution and the Ohio Constitution,
- an ORDER enjoining use of AA 12-step program by one or more of Defendants Saffold, and/or OLAP, and/or ORCA House and/or ADAMHS Board, and/or Paul Caimi, and/or Cuyahoga County Common Pleas Court Probation Department and/or Maria Nemec,
- an ORDER enjoining funding of any entity employing the AA 12-step program by one or more of Defendants Saffold, and/or OLAP, and/or ORCA House and/or ADAMHS Board, and/or Paul Caimi, and/or Cuyahoga County Common Pleas Court Probation Department and/or Maria Nemec.

Respectfully signed and submitted,



February 18, 2018

James Lindon, Registration # 0068842 (interim suspension)  
35104 Saddle Creek  
Avon, Ohio 44011-4907  
Phone: 440-333-0011  
godlessgovernment@gmail.com