

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

ASHLEY DIAMOND,

Plaintiff,

v.

TIMOTHY WARD, et al.,

Defendants.

CASE NO. 5:20-CV-00453-MTT

PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiff Ashley Diamond moves this Court for the issuance of a preliminary injunction (1) ordering Defendants Timothy Ward, Sharon Lewis, Javel Jackson, Robert Toole, Grace Atchison, Ahmed Holt, and Brooks Benton (collectively the “Housing Defendants”) to transfer Ms. Diamond to a female facility for safety purposes for the remainder of her time in custody in order for her to be protected from sexual victimization by male inmates; (2) directing Housing Defendants to allow Ms. Diamond to shower privately; (3) enjoining Housing Defendants from using male correctional officers to conduct strip searches of Ms. Diamond, absent exigent circumstances; (4) directing Defendants Sharon Lewis, Javel Jackson, and Jack Sauls (collectively the “Healthcare Defendants”) to provide Ms. Diamond with medically necessary treatment for gender dysphoria, including but not limited to consistent and therapeutic doses of hormone therapy, access to permanent body hair removal, and gender-affirming care including access to female canteen items, accommodations for a female hairstyle and grooming standards, or, alternatively, a transfer to a female facility; and (5) enjoining

Defendants from enforcing the De Facto Placement Ban and any other policies, customs, or practices that have served as a moving force behind their actions denying Ms. Diamond protection from sexual assault or adequate gender dysphoria treatment.

The grounds for this Motion are set forth in the accompanying Memorandum of Law. Plaintiff also respectfully refers the Court to the Declaration of Ashley Diamond, the Declaration of Dr. Randi C. Ettner, the Declaration of James Aiken, the Declaration of Jammi Blake Duckworth, the Declaration of John Doe, and the Declaration of A. Chinyere Ezie, with attached exhibits, filed herewith. To the extent the Court seeks additional evidence before issuance of this Order, Plaintiff requests limited expedited discovery.

Plaintiff respectfully requests an evidentiary hearing on this Motion.

Dated: April 9, 2021

Respectfully submitted,

/s/ Elizabeth Littrell

Elizabeth Littrell, Ga. Bar No. 454949
Southern Poverty Law Center
P.O. Box 1287
Decatur, GA 30031
Phone: (404) 221-5876
Fax: (404) 221-5857
Email: beth.littrell@splcenter.org

Tyler Rose Clemons*
Southern Poverty Law Center
201 St. Charles Avenue, Suite 2000
New Orleans, LA 70170
Phone: (504) 526-1530
Fax: (504) 486-8947
Email: tyler.clemons@splcenter.org

Maya G. Rajaratnam*
Southern Poverty Law Center
400 Washington Avenue
Montgomery, AL 36104
Phone: (334) 956-8307
Fax: (334) 956-8481
Email: maya.rajaratnam@splcenter.org

A. Chinyere Ezie*
Center for Constitutional Rights
666 Broadway, 7th Floor
New York, NY 10012
Phone/Fax: (212) 614-6467
Email: cezie@ccrjustice.org

Counsel for Plaintiff Ashley Diamond
** Admitted Pro Hac Vice*

CERTIFICATE OF SERVICE

I hereby certify that on April 9, 2021, I electronically filed Plaintiff's Motion for Preliminary Injunction, supporting Memorandum of Law, and all accompanying Declarations and Exhibits thereto with the Clerk of the Court and all counsel of record using the CM/ECF system.

/s/ Maya G. Rajaratnam

Maya G. Rajaratnam*

Southern Poverty Law Center

400 Washington Avenue

Montgomery, AL 36104

Phone: (334) 956-8307

Fax: (334) 956-8481

Email: maya.rajaratnam@splcenter.org

Counsel for Plaintiff Ashley Diamond

** Admitted Pro Hac Vice*