

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

FILED  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF LA  
2005 DEC 14 PM 2:16  
LORETTA G. WHYTE  
CLERK  
*[Signature]*

MILTON ARMSTEAD & FAMILY  
*Moyda R. Armstead*  
VERSUS

\* CIVIL ACTION

C. RAY NAGIN, Mayor,  
individual and official capacity

\* CASE NO. 05-6438

ORLEANS LEVEE BOARD,  
KATHLEEN BLANCO, Governor,  
individual and official capacity

\* DIVISION: RETT. NMAG. 1

~~LOUISIANA DEPARTMENT OF LABOR~~

\* SECTION: \_\_\_\_\_

GEORGE W. BUSH, President,  
individual and official capacity

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

JURISDICTION

Pursuant to the provisions of 42 U.S.C. 1983 and 28 U.S.C. 1346 and Title VI of the Civil Rights Act, this Honorable Court exercise authority over the subject matter and persons involved in this action.

CLAIM

1.

C. Ray Nagin, Mayor, City of New Orleans, first, gave sufficient notice to certain citizens of the city to evaluate from the deadly devastation of hurricane Katrina, he, second, discriminately failed to provide timely notice to the poor, mostly black city

Fee *Lauger*  
Process \_\_\_\_\_  
 Dktd \_\_\_\_\_  
 CtRmDep \_\_\_\_\_  
Doc. No. \_\_\_\_\_

residents situated as plaintiff who were unable to escape, and, third, in the aftermath, by acts and/or omissions, negligently failed to render prompt and necessary aid to assist plaintiff's disastrous plight resulting in hurt and pain, the loss and deprivation of liberty and property to which this defendant was duty bound.

**Kathleen Blanco, Governor, State of Louisiana**, first, knew, and or should have known, that certain of Louisiana State citizens, those who are poor and mostly black, were given insufficient, untimely notice to evaluate the City of New Orleans where deadly devastation of hurricane Katrina is aimed, and, second, failed to exercise constitutional authority to remedy said discrepancy, and, third, in the aftermath, by acts and/or omissions, negligently failed to render prompt and necessary aid to assist plaintiff's disastrous plight resulting in hurt and pain, the loss and deprivation of liberty and property to which this defendant was duty bound.

3.

**George W. Bush, President, United States of America**, first, knew, and or should have known that certain of United State citizens, those who are poor and mostly black, were given insufficient, untimely notice to evaluate the City of New Orleans where deadly devastation of hurricane Katrina is aimed, and, second, failed to exercise constitutional authority to remedy said discrepancy, and, third, in the aftermath, by acts and/or omissions, negligently failed to render prompt and necessary aid to assist plaintiff's disastrous plight resulting in hurt and pain, the loss and deprivation of liberty and property to which this defendant was duty bound.

4.

**The Levee Board of the City of New Orleans** was aware that the levees designed to protect the city from hurricanes were inferior to any hurricane above category 3, and, negligently failing, to have remedy defects, caused 80% of the city to flood, which resulted in the loss and deprivation of liberty and property.

5.

**The Louisiana Department of Labor**, through its Interstate Claims Unit, illegally discontinued plaintiff's disaster unemployment benefit because "~~possible issue about separation from employment or availability,~~" exposing plaintiff & family to post-disaster depression and loss of liberty and property.

6.

**Federal Emergency Management Agency (FEMA)** renders discriminatory treatment among the Hurricane Katrina victim by awarding some victims more financial support than others, by posing systematic elimination of registration upon complaint, and exposing plaintiff to post-disaster depression and loss of liberty and property.

**RELIEF**

**Declare** that the acts and/or omissions of defendants, individual and official capacity, deprived plaintiff the Due Process and Equal Protection Rights of the Fifth and Fourteenth Amendments of the United States Constitution.

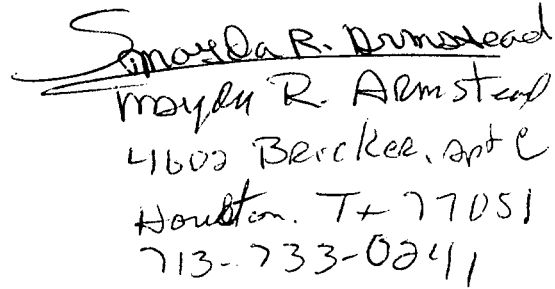
**Declare** that the acts and/or omissions of defendants, individual and official capacity, discriminated against ~~defendant~~ <sup>HP</sup> in violation of Title VI of the Civil Rights Act of 1964, through their negligent treatment before, during and after the disaster of hurricane Katrina.

**Declare** that plaintiff is entitled to reparation consistent with past, present and future injuries, and/or equitable relief to be determined by the court.

Respectfully submitted,



Milton Armstead, Pro Se  
4602 Bricker Street, Apt C  
Houston, Texas 77051  
713-733-0241



~~Mayor~~ Milton R. Armstead  
4602 Bricker, Apt C  
Houston, TX 77051  
713-733-0241

**Please serve**

C. Ray Nagin, Mayor  
City of New Orleans-City Hall  
1300 Perdido Street  
New Orleans, Louisiana 70112

Kathleen Blanco, Governor  
State of Louisiana  
Baton Rouge, 70804-9004

Orleans Levee Board  
6001 Stars and Stripes, Ste 201  
New Orleans, Louisiana 70126-8064

George W. Bush, President  
The White House  
1600 Pennsylvania Avenue  
Washington D.C.

FEMA  
500 C Street  
SW Washington, D.C. 20472

Louisiana Department of Labor  
c/o State of Louisiana  
Baton Rouge, 70804-9004

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

MILTON ARMSTEAD & FAMILY \* CIVIL ACTION  
VERSUS \* CASE NO. \_\_\_\_\_  
C. RAY NAGIN, Mayor, \* DIVISION: \_\_\_\_\_  
individual and official capacity \* SECTION: \_\_\_\_\_  
ORLEANS LEVEE BOARD,  
KATHLEEN BLANCO, Governor,  
individual and official capacity  
LOUISIANA DEPARTMENT OF LABOR  
GEORGE W. BUSH, President,  
individual and official capacity  
FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

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residents situated as plaintiff who were unable to escape, and, third, in the aftermath, by acts and/or omissions, negligently failed to render prompt and necessary aid to assist plaintiff's disastrous plight resulting in hurt and pain, the loss and deprivation of liberty and property to which this defendant was duty bound.

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**RELIEF**

**Declare** that the acts and/or omissions of defendants, individual and official capacity, deprived plaintiff the Due Process and Equal Protection Rights of the Fifth and Fourteenth Amendments of the United States Constitution.

**Declare** that the acts and/or omissions of defendants, individual and official capacity, discriminated against <sup>Plaintiff</sup> ~~defendant~~ in violation of Title VI of the Civil Rights Act of 1964, through their negligent treatment before, during and after the disaster of hurricane Katrina.

**Declare** that plaintiff is entitled to reparation consistent with past, present and future injuries, and/or equitable relief to be determined by the court.

Respectfully submitted,



Milton Armstead, Pro Se  
4602 Bricker Street, Apt C  
Houston, Texas 77051  
713-733-0241

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City of New Orleans-City Hall  
1300 Perdido Street  
New Orleans, Louisiana 70112

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1600 Pennsylvania Avenue  
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500 C Street  
SW Washington, D.C. 20472

Louisiana Department of Labor  
c/o State of Louisiana  
Baton Rouge, 70804-9004

AO 240 (Rev. 10/03)

UNITED STATES DISTRICT COURT

Eastern

District of

Louisiana

Milton Armstead
Plaintiff

APPLICATION TO PROCEED WITHOUT PREPAYMENT OF FEES AND AFFIDAVIT

v.

C. Roy Nagin, Et al
Defendant

CASE NUMBER:

05-6438

SECT. N. MAG. 1

I, Milton Armstead declare that I am the (check appropriate box)
G petitioner/plaintiff/movant G other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? G Yes G No (If "No," go to Part 2)

If "Yes," state the place of your incarceration

Are you employed at the institution? Do you receive any payment from the institution?

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? G Yes G No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

August 27, 2005

3. In the past 12 twelve months have you received any money from any of the following sources?

- a. Business, profession or other self-employment G Yes G No
b. Rent payments, interest or dividends G Yes G No
c. Pensions, annuities or life insurance payments G Yes G No
d. Disability or workers compensation payments G Yes G No
e. Gifts or inheritances G Yes G No
f. Any other sources G Yes G No

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

Fee
Process
X Dktd
CtRmDep
Doc. No.

4. Do you have any cash or checking or savings accounts?

G Yes

G No

If "Yes," state the total amount. < \$20

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value?  G Yes  G No

If "Yes," describe the property and state its value.

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

Mayda R. Armstead  
Wife  
50%

I declare under penalty of perjury that the above information is true and correct.

\_\_\_\_\_  
Date Milton Armstead Signature of Applicant

**NOTICE TO PRISONER:** A Prisoner seeking to proceed without prepayment of fees shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

Milton Armstead  
4602 Bricker, Apt C  
Houston, Texas 77051  
713-733-0241

November 22, 2005

Ms. Judy Harthe  
Pro Se Desk  
United States District Court  
Eastern District of Louisiana  
500 Poydras Street, Room C-151  
New Orleans, Louisiana 70113

RE: Armstead V. Nagin, et al

Dear Ms. Judy Harthe:

Please find enclosed the completed documentation as requested.

My wife, Mayda R. Armstead, is a named plaintiff.

Our 17 year old granddaughter, Arielle Robinson, as well as 2 year old great grandson, Angelo Parnell were with us throughout the times mentioned in the complaint, but because they are no longer with us, we cannot comply to include them. Furthermore, I wish not to hold up this complaint any longer.

In addition, I have redlined the Louisiana Department of Labor as a defendant, and all references thereto, inasmuch as there is no longer a cause of action.

Thanking you in advance, I remain

  
Milton Armstead

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, PULL AT BOTTOM EDGE.  
**CERTIFIED MAIL**



7005 1160 0004 9106 6226



9261



70113

U.S. POSTAGE  
PAID  
HOUSTON, TX  
77051  
001  
OCT 31 2005  
AMOUNT

**\$6.26**  
CERT557

Milton Armstead  
4602 Bricker, Apt C  
Houston, Texas 77051

RECEIVED  
NOV 14 2005

Loretta G. Whyte  
Clerk of Court Office  
United States District Court  
Eastern District of Louisiana  
500 Poydras Street, Room C-151  
New Orleans, Louisiana 70113