

Amber J. Williams
 P.O. BOX 6871
 Helena, Mt 59604
 (406)235-0502
lsnqueen987@gmail.com

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF MONTANA
 HELENA DIVISION**

AMBER J. WILLIAMS,
PLAINTIFF,

CV 20-00023-H-DLC-JTJ

VS.

**MOTION TO PRODUCE A MORE
 DEFINITE STATEMENT**

CANDICE OSTERMAN, et al.,

**IN RESPONSE TO
 ACADIA MONTANA**

AND JENNIFER HEDKE'S

DEFENDANTS,

**MOTION FOR A MORE DEFINITE
 STATEMENT**

Plaintiff, Amber J. Williams, biological and natural mother of N.M. a former resident and client of Acadia Montana and Jennifer Hedke's care, respectfully submits this brief in support its Fed. R. Civ. P. 12(e)

Motion for A More Definite Statement to Produce A More Definite Statement in response to Acadia Montana and Jennifer Hedke's brief/ memorandum.

BACKGROUND

N.M. was placed into Acadia Montana in Butte, Montana by Child Protection Specialist, Candice Osterman during the dates of July 2017 to January 2018 and again April 2018 to August 2018. Upon N.M.'s residency at Acadia Montana under Jennifer Hedke's supervisions and therapeutic well-being, I, Amber Williams, natural mother of N.M. was fully informed of N.M.'s placement, therapeutic needs, physical needs, emotional needs, mental needs, wants, or well-being. N.M. was removed from my care based on another case of which I was the non-offending parent. I, Amber Williams, was not denied access to my child, N.M. during this time. N.M. was forced against my wishes as her natural mother to undergo the flu vaccine that I protested against due to medical reasons. During July 2017 to January 2018, I, Amber Williams, was only allowed 15 minute phone calls with N.M. and no physical visitations to N.M... N.M. reports to have received forced injections by chemical restraint, known as "butt darts" of Thorazine, that was authorized by Candice Osterman, Child Protection Specialist and followed out by Acadia Montana staff members. Upon N.M.'s second extended stay at Acadia Montana, April 2018 to August 2018 many abrupt and uncanny abuses took place to N.M. while under Jennifer Hedke's care and supervision. As Jennifer Hedke proclaimed to me on several occasions, she did not want N.M. inside the facility because she did not need treatment nor care from them. Child Protection Specialist Candice Osterman forced N.M. to be held like a prisoner and used it as a holding facility. Jennifer Hedke did not advise the chain of command at Acadia Montana nor Candice Osterman's supervisor of this situation. On multiple occasions, I, Amber Williams, proclaimed several reports to Jennifer Hedke about seeing the bruises on N.M.'s wrists and arms of fingerprints during our visits. Jennifer Hedke failed to report my concerns to the chain of command in this matter. Jennifer Hedke would then blame N.M. for fight back against staff members while they were placing her in restraint holds for not following staff wishes and commands. N.M. liked to climb the fences as children do when they play outside and due to this N.M. would have her leave of absences

taken away from her when I would come to visit. On July 1, 2018 N.M.'s life would change drastically under the care of Acadia Montana and Jennifer Hedke's supervision. N.M. was involved in a severe life changing accident involving a staff member named Heather C... N.M. was playing outside with the other children and climbing the fence, when Heather C. took it upon herself to physically pull N.M. by her tiny feet off of the fence and drop her on her face on the concrete approximately 3 to 5 feet above the ground. Thus, resulting in an emergency visit to St. James hospital in Butte, Montana. CASA, Suzy Combs, arrived at the scene as N.M. was being wheeled out of Acadia Montana to the hospital, as N.M. was gushing blood from her chin. Once at St. James Hospital N.M. received 7 stitches in her chin to stop the bleeding. Suzy Combs, CASA, was denied all access to N.M. even though she had fully legal grounds by court order to be fully involved with N.M. to find out what had happened to her. The doctor at St. James Hospital performed an XRAY but did not see the break due to the severity of swelling in N.M.'s jaw but stated N.M.'s jaw was sprained. The swelling was so horrific that N.M. was unrecognizable. Jennifer Hedke failed to report this situation to me, Amber Williams, as the biological mother to N.M. with parent rights and grounds to know. Jennifer Hedke refused to allow N.M. and myself to proceed to our leave of absence together so we had to visit inside the facility. Jennifer Hedke did not report this incident to the Acadia Montana chain of command. Jennifer Hedke again blamed N.M. for this incident occurring. N.M.'s face was so swollen she could not eat or drink but from a straw and she could barely open her mouth to talk. I proceeded to have nurse Tiffany come into the visit to ask her what the plan was for treatment to N.M.'s jaw. Tiffany stated there was nothing to be done because there were no orders from the emergency room physician. I then demanded an ice pack for swelling and Tylenol for the pain. After my visit with N.M. that day I sent out mass emails to everyone involved in the case demanding a second Xray be performed on N.M. because of the swelling. I was denied access to this medical need because I was not a medical professional. Acadia Montana failed to report this incident to the central intake office and to the board of visitors. Acadia Montana did not intervene at any given time during N.M.'s forced placement in their facility to prevent these situations from occurring.

LEGAL STANDARD

Plaintiff asserts a host of claims against a number of Defendants. Based on the legal terms of said claims against all of the Defendants involved in this matter, it is presumed to be valid to hold them all accountable for their individual involvements in aiding Child Protection Specialist, Candice Osterman, of the following allegations against them. These claims are including but not limited to the injuries as well that were and have been acquired to said child, N.M. in this matter. In the matter of N.M. it is presumed that the natural and biological mother, the Plaintiff, Amber Williams had the right to parent in the best interest and well-being of said child without interference and severance of a mother child relationship by the defendants in question because all of her parental rights were and still remain to be intact thru court rulings. The Plaintiff, Amber Williams, parenting rights in the state of Montana were not and have not been relinquished. The courts did not find any evidence that the child, N.M. was abused or neglected by the plaintiff, Amber Williams, nor has she been criminally charged in such manners against said child, N.M. The plaintiff, Amber Williams, was given full custodial responsibilities of N.M. by the courts that supersede any and all court cases in the matter. Therefore, court rulings were asserted to prove, Amber Williams, is and was fit to parent her child, N.M. Even though, Child Protection Specialist, Candice Osterman had temporary guardianship of N.M. based on the removal due to another case in which Amber Williams was the non-offending parent, the plaintiff, Amber Williams, parental rights were still intact throughout the entirety of the temporary placement into Acadia Montana and Jennifer Hedke's supervision. N.M. and her mother, Amber Williams was forced to endure the following during their time of forced separation. Leaving a wide variety of injustices that took place while N.M. was forced into the states care. Thus, creating grounds for the following to take place while N.M. was placed inside Acadia Montana and Jennifer Hedke's supervision against the will of the plaintiff, Amber Williams. The Plaintiff, Amber Williams, asserts that Acadia Montana and Jennifer Hedke, are both responsible for the following allegations against them.

Robbery by a Government Entity, is the action of taking property unlawfully from a person or place by force or threat of force. Deprivation of her Civil Rights by Tortious Intervention of a Mother Child Relationship, is the act of when an infant or child is unable to form a warm, intimate, and continuous relationship with its mother or maternal figure, then the child is at risk of developing behavioral and

emotional disorders. Enslavement by a government entity, the action of making someone a slave against their will and or well-being. Terrorism by a government entity, the unlawful use of force or violence against a person(s) or property to intimidate or coerce. Interference of Civil Rights, if two or more persons in any state or territory conspire to prevent, by force, intimidation, or threaten any person from accepting or holding any office, trust, or place of confidence under the United States. Interference of Constitutional Rights, the person injures, oppresses, threatens, or intimidates another person with the intent to deprive that person of a right, privilege, or immunity in fact granted by the constitution or laws of the state. Violation of Parental Rights, Mont. Code Ann. 40-4-227, it is policy if the state of Montana to recognize the constitutionally protected rights of parents and the integrity of the family unit. Parental Alienation is the process and the result of psychological manipulation of a child into showing unwarranted fear, disrespect, or hostility towards a parent or other family members. Furthermore, the asserted claims that may be listed under the "Injuries" section of the complaint are listed as injuries because they are a direct result of said claim. Therefore, making them injuries that were acquired due to the lack of a timely and lawfully interference of an appropriate manner which therefore lead to the abuse of state officials in this matter. Under Mont. Code Ann. 40-4-212 Best Interest of Child. (A) The wishes of the child's parent or parents. (B) the wishes of the child. (C) the interaction and the interrelationship of the child with the child's parent or parents and siblings and with any other person who significantly affects the child's best interests. (D) the child's adjustments to home, school, and community. (E) the mental and physical health of all individuals involved. (H) continuity and stability of care. (I) developmental needs of the child. (L) whether the child has frequent and continuing contact with both parents, which is considered to be in the child's best interests unless the court determines, after a hearing, that contact with a parent would be detrimental to the child's best interests. In making that determination, the court shall consider evidence of physical abuse or threat of physical abuse by one parent against the other parent or child. Mont. Code Ann. 41-3-102 Definitions. 2 "A person responsible for a child's welfare". 2 (b) a person providing care in a day- care facility. 2(d) any other person responsible for the child's welfare in a residential facility. 7(i) actual physical or psychological harm to a child. 7(ii) substantial risk of physical or psychological harm to a child. 7(A) actual physical or psychological harm to a child

or substantial risk of physical or psychological harm to a child by the acts or omissions of a person responsible for the child's welfare. 8 "Concurrent Planning" means to work toward reunification of the child with eh family while at the same time developing treatment plans or making placement decisions or both. 21(i) inflicts or allows to be inflicted upon the child physical abuse, physical neglect, psychological abuse or neglect. 21(ii) commits or allows sexual abuse or exploitation of the child. 21(v) exposes or allows the child to be exposed to an unreasonable risk to the child's health or welfare by failing to intervene or eliminating the risks. 23(b) the term may not be construed to hold a victim responsible for failing to prevent the crime against the victim. Mont. Code Ann. 45-5-634 Parental Interference (A) before the entry of a court order determining parenting rights, takes, entices, or withholds a child from the other parent when the action manifests a purpose to substantially deprive that parent of parenting rights. (B) is one of two persons who has parenting authority of a child under a court order and takes, entices, or withholds the child from the other when the action manifests a purpose to substantially deprive the other parent of parenting rights. Mont. Code Ann. 45-5-622 Endangering welfare of children. 1 A parent, guardian, or other person supervising the welfare of a child less than 18 years old commits the offense of endangering the welfare of children if the parent, or guardian, or other person knowingly endangers the child's welfare by violating a duty of care, protection, or support. Mont. Code Ann. 45-8-212 Criminal Defamation, 1 Defamatory matter is anything that exposes a person or a group, class, or association to hatred, contempt, ridicule, degradation, or disgrace in society or injury to the person's or its business or occupation. Upon further review of the legal basis to the claim, the plaintiff, Amber Williams, would like the courts to review the legal grounds for failure to protect as being defined as when an adult fails to do something generally considered to be a safeguard or rescue a child from abuse or neglect. The negligence in this matter is to be defined as failure to take proper care or actions in doing something. Abuse of Power, official misconduct is the commission of an unlawful act, done in an official performance of official duties. Lack of Supervision, failed to provide the child with the supervision required to keep the child (1) from hurting self or others, (2) away from dangerous objects or situations. Chemical restraint, is a form of medical restraint in which a drug is given to restrict the freedoms or movement of a

patient or in some cases to sedate a patient if they are in the realms of harming themselves or others.

ARGUMENT

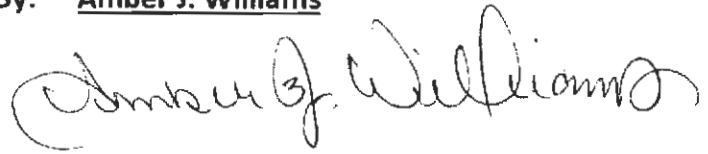
In this Motion to Produce a More Definite Statement, Acadia Montana and Jennifer Hedke, should be fully able to ascertain the nature of the claims and determine which claims are asserted against it. As a result, Acadia Montana and Jennifer Hedke, can indeed formulate its response to the Plaintiffs Complaint in question. The Legal Standard in this case shows that multiple laws were violated and infringed upon by Acadia Montana and Jennifer Hedke as defined in said section of this motion. Therefore, leaving ground for Acadia Montana and Jennifer Hedke, to provide a proper response to the claim against them .Whether or not this defendant, Acadia Montana, is privately owned or state owned, it should be held fully accountable for its involvement in this claim and not protected under color of law, as well as defendant, Jennifer Hedke. Due to the fact that it's responsibilities are to provide care, treatment, housing, and basic necessities of living to children that enter the facility as residence, even when said resident is forced against their will, it should be held to the same exact standards as any other facility in the state of Montana. The Plaintiffs conclusory allegation that "all defendants aided" Osterman does cure this defect because it does clarify how this alleged conduct results in constitutional liability for Acadia Montana and Jennifer Hedke.

CONCLUSION

The Plaintiff has hereby produced a more definite statement in response to Acadia Montana and Jennifer Hedke's, motion for a more definite statement. The Defendant, Acadia Montana and Jennifer Hedke, should be able to formulate a correct and true statement to the claims against it. The Defendant can ascertain the nature of the claims and provide a correct response therefore and herein.

Dated this 20th day of October, 2020.

By: Amber J. Williams

A handwritten signature in black ink that reads "Amber J. Williams". The signature is written in a cursive style with a large initial "A" and a distinct "J" and "W".

Plaintiff

P.O. Box 6871

Helena, Mt 59604