

IN THE CIRCUIT COURT OF THE FIFTEENTH
JUDICIAL CIRCUIT IN AND FOR
PALM BEACH COUNTY, FLORIDA

CASE NO.:

KEITH WENTZ,

Plaintiff,

v.

THE GEO GROUP, INC.,

Defendant.

COMPLAINT

The Plaintiff, KEITH WENTZ, by and through his undersigned counsel, hereby files suit against The GEO Group, Inc. and states as follows:

JURISDICTION AND VENUE

1. This is an action for damages exceeding FIFTY THOUSAND DOLLARS (\$50,000.00) exclusive of interest, costs and attorneys' fees.
2. Venue is appropriate in Palm Beach County, Florida as the Defendant maintains its principal office in Palm Beach County.
3. Prior to filing this Complaint, the Plaintiff exhausted all administrative remedies and conditions precedent before bringing this action.

THE PARTIES

4. At all times material hereto, the Plaintiff, KEITH WENTZ, was an inmate at the Moore Haven Correctional Institution and is otherwise sui juris.
5. At all times material hereto, the Defendant was and is a Florida corporation, that

operates private prisons within the State of Florida, including Palm Beach County, Florida, and is operating the Moore Haven Correctional Institution at all times material hereto. GEO Group has its principal office in Palm Beach County, Florida, for the normal transaction of business activity within Palm Beach County, Florida; maintains agents and employees in Palm Beach County, Florida; and transacts substantial business within Palm Beach County, Florida.

FACTUAL ALLEGATIONS

6. At all times material hereto, Plaintiff was incarcerated at the Moore Haven Correctional Institution under the care, custody and control of the Defendant.

7. On or about November 2024 Plaintiff was incarcerated at Moore Haven C.I. and had developed lower back pain. Plaintiff was sent to Dr. Christopher Busch, D.O., for evaluation of his back pain. On November 19, 2024, Dr. Busch examined Plaintiff and diagnosed him with lumbar degenerative disc disease and focal low back pain. On that same date, Dr. Busch recommended that Plaintiff be referred to pain management for treatment of his degenerative disc disease and focal low back pain. This medical recommendation was communicated to the Defendant's medical staff at that time, but as of the date of this filing, Defendant has not authorized, scheduled or coordinated Plaintiff's pain management despite being on notice of this medical need since November 2024.

COUNT I: NEGLIGENCE

8. Plaintiff adopts, re-alleges and affirms the allegations in Paragraphs 1 through 7 as if fully set forth herein.

9. At all times material hereto, Defendant was running the private prison at Moore Haven C.I.

10. Although the Florida Department of Corrections proscribes various policies and guidelines generally for the Defendant to follow, Defendant exercises exclusive control over Moore Haven C.I. as well as the day-to-day management, operation and supervision of this facility.

11. As the operator of a private prison, the Defendant owes a contractual, statutory and common law duty of care to administratively follow up on all medical recommendations made by its in-house medical personnel as well as any outside medical specialists that it engages to evaluate and treat its inmates, so that the medical decision making and recommendations can be carried out on an administrative level.

12. The Defendant does not have a pain management specialist that works on site at Moore Haven C.I. nor does it offer pain management services at this facility.

13. As such, when the Defendant sends an inmate with back pain out for evaluation with a back surgeon, and that surgeon recommends pain management for the inmate, these pain management services are beyond the scope of care the Defendant can provide directly on site at Moore Haven C.I. through its agents or employees.

14. Therefore, when an inmate with back pain is recommended for pain management services by an outside surgeon, the Defendant is required to administratively take steps to authorize, coordinate and schedule these pain management services with an outside specialist in a timely fashion so that the surgeon's medical decision making and recommendations can be carried out.

15. Once the Plaintiff received the outside medical consultation in November 2024 with Dr. Busch as described above, Defendant, through its agents or employees, was aware of the medical decision making and recommendations of this medical provider, and it

owed a duty to Plaintiff to timely follow up on this recommendation on an administrative level to authorize the pain management services that were recommended and to take steps administratively to coordinate and timely schedule these pain management services, as Plaintiff is not permitted to authorize, coordinate or schedule this care and treatment himself as an inmate.

16. The Defendant was negligent and breached its duty of care to the Plaintiff by failing to administratively authorize, coordinate and schedule the recommended pain management services in a timely fashion as required under common law, as well as statutory, administrative and contractual mandates that are binding on the Defendant.

17. As a direct and proximate result of the Defendant's aforementioned negligence, Plaintiff was injured in and about his body, suffered aggravation of previous condition, pain and suffering, disability, disfigurement and loss of enjoyment of life. These injuries are permanent or continuing in nature and Plaintiff will incur these damages in the future.

WHEREFORE, Plaintiff demands judgment for damages against The Geo Group, Inc., and further demands trial by jury.

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DESIGNATION OF EMAIL ADDRESSES FOR SERVICE

(Pursuant to Rule 2.516 Fla. R. Jud. Admin)

The undersigned attorneys of the Law Offices of Thompson & Thomas hereby designate the following Email Addresses for service in the above styled manner. Service shall be complete upon emailing to the following email addresses in this Designation, provided that the provisions of Rule 2.516 are followed:

Service@tntlegal.com
Laywers@tntlegal.com

SERVICE IS TO BE MADE TO EACH AND EVERY EMAIL ADDRESS LISTED IN THIS DESIGNATION AND TO NO OTHERS.

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