

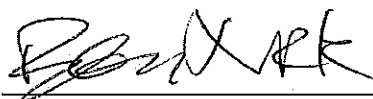
**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Sean Swain,	)	Case No. 4:14-cv-2074
)	
	)	Hon. Benita Y. Pearson
Plaintiff,)	
	)	<u>DECLARATION OF BEN TURK</u>
)	
v.	)	Richard M. Kerger (0015864)
	)	KERGER & HARTMAN, LLC
	)	33 S. Michigan St., Suite 100
Gary C. Mohr, et al.,	)	Toledo, OH 43604
	)	Telephone: (419) 255-5990
	)	FAX: (419) 255-5997
Defendants.	)	rkерger@kergerlaw.com
)	
	)	<i>Counsel for Plaintiff</i>
)	
)	

I, Ben Turk, state under penalty of perjury the following::

1. I am a friend of Sean Swain.
2. I became aware there was the opportunity through JPay for video visits to be made with inmates, a procedure apparently similar to the Skype system.
3. I scheduled visits for Sean and I on the weekend of January 31st-February 1st.
4. However I received an email from Jpay on Friday January 30th, informing me that the visits were cancelled by an officer. I have subsequently learned that the cancelling was done by an investigator for the Ohio Department of Rehabilitation and Correction, Paul Schumacher.

5. For the past two weeks I have contacted numerous officials at Ohio State Penitentiary and Central Office of the ORDC without getting any explanation. I spoke with Warden Forshey who told me I should talk with Paul Schumacher since he was the investigator. I called Mr. Schumacher then waited a week for him to call me back and refused to answer any of my questions, directing me instead to Thomas Miller, a member of the Ohio Attorney General's Office who is representing the defendants in the case Mr. Swain brought in Federal Court. I called Mr. Miller and he declined to provide any explanation but did offer to help me get my money back for the cancelled JPay visits.
6. I have attempted to reschedule those video visits with Sean but the Jpay website says he does not have video visitation permission. He does have access to the phone and apparently can receive in-person visits.



Date: 2/16/2015

BEN TURK