

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

SEAN SWAIN, : Case No. 4:14-cv-2074  
Plaintiff, : Judge Benita Y. Pearson  
v. :  
GARY C. MOHR, *et al.*, :  
Defendants. :

AFFIDAVIT OF WARDEN TERRY TIBBALS

STATE OF OHIO )  
 ) ss  
COUNTY OF MADISON )

Now comes Warden Terry Tibbals, having been first duly cautioned, and states and affirms as follows:

1. My name is Terry Tibbals.
2. I have personal knowledge of the facts in this affidavit.
3. I am competent to testify about these facts.
4. I am employed by the Ohio Department of Rehabilitation and Correction ("ODRC") as the Warden at the London Correctional Institution.
5. I am familiar with Inmate Sean Swain (#A243205) because he was incarcerated at the Mansfield Correctional Institution ("ManCI") while I was the warden there from September 2010 to August 2013. Inmate Swain was incarcerated at ManCI from December 2009 to July 2013, until he was transferred to the Ohio State Penitentiary ("OSP"). I spoke with Inmate Swain while he was in the Segregation Unit of ManCI.

6. I have never discussed my car or my license plate with any inmate in my twenty-nine years working for ODRC. I did not speak with Inmate Swain about my car or my license plate.
7. Further, I did not attend an art show at the Marion Correctional Institution.
8. Moreover, Department records show that Inmate Swain has never been housed at Marion Correctional Institution.

FURTHER AFFIANT SAYETH NAUGHT.

  
WARDEN TERRY TIBBALS

Sworn to me and signed in my presence this 27<sup>th</sup> day of February 2015.

  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_



VICKEY M. JUSTUS  
NOTARY PUBLIC  
STATE OF OHIO  
My Comm. Expires Aug. 31, 2015