

EXHIBIT L

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WILLIAM F. DAVIS, III,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 05-67-SLR
)	
WARDEN RAPHAEL WILLIAMS,)	Jury Trial Requested
C/O DAVIES, CAPTAIN EMMIT)	
C/O REGINALD MAYES, and)	
DEBRA MUSCARELLA,)	
)	
Defendants.)	

AFFIDAVIT OF CORRECTIONAL OFFICER KERRY DAVIES

I, Kerry Davies, having been duly sworn by law, do hereby depose and state as follows:

1. I am employed by the State of Delaware Department of Correction ("DOC") as a Correctional Officer at the Howard R. Young Correctional Institution ("HRYCI"), Wilmington, Delaware. I have been employed by the DOC for approximately seven (7) years.

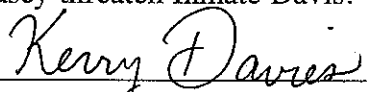
2. I have read the allegations in Plaintiff's Original Complaint.

3. In May 2004 I recall taking Inmate William Davis out to the yard for recreation with approximately 20 to 30 other inmates. During the recreation period Inmate Davis was playing basketball along with the other inmates in the yard, including Inmate Brian Casey.

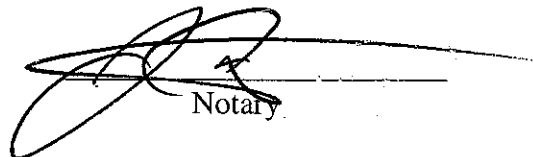
4. During basketball games in the yard inmates become very competitive. The yard is not very large. As a result of the nature of the game and the

size of the yard, inmates often come into physical contact with one another. My job is to supervise the inmates and insure that the level of basketball playing is safe and controlled.

5. In the May 2004 basketball game mentioned in Davis's Complaint, Inmate Davis never approached me before, during or after the game to say that he was concerned for his safety. Further, I never saw Inmates Davis and Casey engaged in a physical altercation and I never saw Inmate Casey threaten Inmate Davis.


Kerry Davies

SWORN AND SUBSCRIBED before me this 16 day of Oct, 2007.


Notary