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**United States Government
Memorandum**

Date: November 3, 1992

Reply to Sherree L. Sturgis, Regional Counsel
Attn. of: Southeast Region, Bureau of Prisons

Subject: October, 1992 SER Litigation

To: SER CEOs, Regional Administrators
Institution Paralegals and Attorneys
Wallace H. Cheney, General Counsel

**1. COMMODITY FUTURES TRADING COMMISSION
AND THE STATE OF FLORIDA v. DANIEL WEISS***Court:* SOUTHERN DISTRICT OF FLORIDA*Docket No.:* 85-3565-CIV-ATKINS*Institution:* FCI, Tallahassee*Type of Case:* Habeas Corpus*Subject:* RELIGION

Facts Alleged: Civil contempt detainee at FDC TAL (from FFLS) alleges he was denied his right to religious worship. On 10-2-1992 court order requesting that the inmate be transferred from FDC TAL to FCI TAL to allow observance of Yom Kippur.

Damages Req: 0; *Special Monitoring:* ID12, Case management may be a problem, Less than 48 hours response time.

Rec'd in Legal: October 8, 1992; *Due:* NA

Assigned to: Marilyn Lindsey; Assistant U.S. Attorney, Miami, FL; Van Vandivier, Deputy Regional Counsel, SERO

2. WILLIE BEARD v. VICTOR GEORGE STRINGER, et al*Court:* NORTHERN DISTRICT OF ALABAMA*Docket No.:* CV 92-H-1397-E*Institution:* FCI, Talladega*Type of Case:* Personal Liability Action (Bivens)*Subject:* ACCESS TO COURTS

Facts Alleged: Inmate at TDG alleges that he was transferred under the guise of a medical need when in reality the purpose was to remove him from the court's jurisdiction involving another current case, FALN, 90-1317.

Damages Req: \$60,000; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 8, 1992; *Due:* 12-04-1992

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Gerelene Gooden, Paralegal Specialist, FCI, Talladega

3. MARVIN YIZAR v. WARDEN R. HONSTED, et al*Court:* SOUTHERN DISTRICT OF GEORGIA*Docket No.:* CV 292-166*Institution:* FCI, Jesup*Type of Case:* Personal Liability Action (Bivens)*Subject:* MEDICAL TREATMENT

Facts Alleged: Inmate formerly at JES complains about housing conditions in ATL in 1990. He also complains about the medical treatment at ASH in 1990 for injury from a fall. Medical condition was not properly treated at JES. He claims a staff member at JES stole money from him and his good time credit was cancelled at JES. He also complains that JES staff has interfered with his mail. Lastly he alleges that the U. S. Marshalls stole some of property during transport to ATL in 1990.

Damages Req: \$4,000,212.25; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 8, 1992; *Due:* 11-27-1992

Assigned to: Paul G. Justice; Assistant U.S. Attorney, Savannah, GA; Wilson Moorner, Paralegal Specialist, FCI, Jesup

4. MARTIN LOVIG v. U.S. BUREAU OF PRISONS, et al*Court:* NORTHERN DISTRICT OF ALABAMA*Docket No.:* 92-000*Institution:* FCI, Talladega*Type of Case:* Personal Liability Action (Bivens)*Subject:* MEDICAL TREATMENT

Facts Alleged: ATL inmate alleges he suffered a knee injury as a result of an assault in TDG in 1990. Medical assistance after the initial surgery was deliberately withheld resulting in undue physical and emotional pain. He further alleges that he is entitled to workman's compensation as a result of working for UNICOR.

Damages Req: \$1,300,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 8, 1992; *Due:* NONE, NO SUMMONS ISSUED.

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Gerelene Gooden, Paralegal Specialist, FCI, Talladega



MARTIN LOVIG v. U.S. BUREAU OF PRISONS, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: 92-000

Institution: FCI, Talladega

Type of Case: Personal Liability Action (Bivens)

Subject: MEDICAL TREATMENT

Facts Alleged: ATL inmate alleges he suffered a knee injury as a result of an assault in TDG in 1990. Medical assistance after the initial surgery was deliberately withheld resulting in undue physical and emotional pain. He further alleges that he is entitled to workman's compensation as a result of working for UNICOR.

Damages Req: \$1,300,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 8, 1992; *Due:* NONE, NO SUMMONS ISSUED.

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Gerelene Gooden, Paralegal Specialist, FCI, Talladega

5. JIMMY DILLON BROWN v. UNITED STATES OF AMERICA

Court: MIDDLE DISTRICT OF ALABAMA

Docket No.: 92-H-1166-N

Institution: FPC, Maxwell Air Force Base

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: Inmate at MON alleges that he should be given credit toward his sentence for time spent in official detention.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 8, 1992; *Due:* 10-13-1992

Assigned to: David L. Allred; Assistant U.S. Attorney, Montgomery, AL; Darrin C. Scott, Attorney Advisor, SERO

6. THOMAS, JR. CIAMBRONE v. RICHARD THORNBURGH, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:90-CV-1519-RCF

Institution: USP, Atlanta

Type of Case: Mandamus

Subject: CONDITIONS OF CONFINEMENT

Facts Alleged: Conditions in SHU in ATL in 1990: Wants unlimited phone calls, daily clothing changes, private showers, additional exercise, reading materials, religious services.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 8, 1992; *Due:* 12-22-1990

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney, Chief, Civil Division, Atlanta, GA; Van Vandivier, Deputy Regional Counsel, SERO

7. WILLIAM J. SHEFFIELD v. UNITED STATES PAROLE COMMISSION, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-242

Institution: FCI, Jesup

Type of Case: Habeas Corpus

Subject: COMMUNITY TREATMENT CENTERS

Facts Alleged: Inmate at JES alleges that his CCC placement was denied as a result of Hurricane Andrew rather than because of something that he has done. He also complains that his parole date was set aside for no apparent reason. Note same inmate is litigating issues related to CCC placement in FFLS, 91-2844-CIV-NESBITT.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 8, 1992; *Due:* 10-23-1992

Assigned to: Paul G. Justice; Assistant U.S. Attorney, Savannah, GA; Wilson Moorer, Paralegal Specialist, FCI, Jesup



UNITED STATES v. JAMES PETER MCALLISTER

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 2:92-CR-008-O3-JTC

Institution: USP, Atlanta

Type of Case: Habeas Corpus

Subject: MEDICAL TREATMENT

Facts Alleged: Inmate at ATL alleges that he did not receive proper medical treatment in 1992. Subpoenaed medical staff as part of criminal case to testify on 10-15.

Damages Req: 0; *Special Monitoring:* ID12, Case management may be a problem, Less than 48 hours response time.

Rec'd in Legal: October 22, 1992; *Due:* -1992

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney, Chief, Civil Division, Atlanta, GA; Wanda Hunt, Staff Counsel, USP, Atlanta

9. UNITED STATES OF AMERICA v. MARIA OFELIA HERRERA

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 92-2332-CIV-DAVIS

Institution: FCI, Pleasanton, California

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: Inmate at PLE sentenced from FFLS complains that time spent on electric monitoring surveillance should be credited toward her sentence.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 22, 1992; *Due:* -1992

Assigned to: Karen E. Rochlin; Assistant U.S. Attorney, Miami, FL; Mary Swint, Legal Assistant, SERO

10. FRANK C. MONTELEONE v. UNITED STATES PAROLE COMMISSION, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-40305-MMP

Institution: FCI, Tallahassee

Type of Case: Habeas Corpus

Subject: INMATE DISCIPLINE

Facts Alleged: MIA inmate claims insufficient evidence to support 01-92 DHO finding of possession of contraband, where item was found inside a mattress. Assaulted by an inmate at MIA and blinded, sight restored with an operation. Claims further disciplinary action were taken after his transfer to TAL.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 23, 1992; *Due:* 11-30-1992

Assigned to: Audry Dee Ann Butler; Assistant U.S. Attorney, Tallahassee, FL; Dan Rouse, Paralegal Specialist, FCI, Tallahassee

11. KIMBERLY V. LOVETT v. FRED J. STOCK, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1853-RCF

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: FURLOUGHS

Facts Alleged: Inmate at ATL alleges that his furlough request to attend his father's funeral was arbitrarily denied.

Damages Req: \$3,000,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 23, 1992; *Due:* -1992

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney, Chief, Civil Division, Atlanta, GA; Wanda Hunt, Staff Counsel, USP, Atlanta



DONALD WILSON v. FRED STOCK

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-999-MHS

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: ACCESS TO COURTS

Facts Alleged: Inmate at ATL alleges that his rights were violated as a result of a NTSB hearing in which he chose not to appear but was made to appear. He also asserts that he was denied legal counsel and was denied the right to present witnesses at the hearing.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 23, 1992; *Due:* 11-30-1992

Assigned to: Russell G. Vineyard; Assistant U.S. Attorney, Atlanta, GA; Wanda Hunt, Staff Counsel, USP, Atlanta

13. DAVID SCOTT KINARD v. UNITED STATES, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: 92-AR-2286

Institution: AL State Institution

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: Inmate who is currently in state custody complains of a detainer that has been placed on him. He was under the understanding that his state sentence would run concurrent with his federal sentence.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 23, 1992; *Due:* 10-29-1992

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Darrin C. Scott, Attorney Advisor, SERO

14. WILLIAM R. BURNETTE v. UNITED STATES

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: 92-AR-2243-E

Institution: FCI, Talladega

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: Inmate at TDG alleges that he should receive credit towards his sentence for time served on a bond.

Note: Same issue: FALM, 92-A-916-N

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 23, 1992; *Due:* 10-29-1992

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Gerelene Gooden, Paralegal Specialist, FCI, Talladega

15. JOSE LUIS JIMENEZ v. UNITED STATES

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 92-1334

Institution: FCI, Ashland

Type of Case: Habeas Corpus

Subject: DETAINERS

Facts Alleged: Inmate at ASH alleges that a detainer should be removed as the charges were dismissed by the United State's Attorney's office.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 23, 1992; *Due:* -1992

Assigned to: Vivian Rosado; Assistant U.S. Attorney, Miami, FL; Gene Dixon, Paralegal Specialist, SERO

16. SHERMAN HUDSON v. W. J. THOMPSON, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: 3-90-75-01

Institution: FPC, Maxwell Air Force Base

Type of Case: Habeas Corpus

Subject: COMMUNITY TREATMENT CENTERS

Facts Alleged: TYN inmate claims he should be placed in a community treatment center. He alleges that he was told initially that he was eligible for 120 days, but this was later reduced to 60 days.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 26, 1992; *Due:* -1992

Assigned to: D. Broward Segrest; Assistant U.S. Attorney, First Assistant, Montgomery, AL; Earl L. Cotton, Assistant Regional Counsel, SERO

17. GARY S. WILLIAMS v. J. MICHEAL QUINLAN, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1387-RLV

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: PROTECTIVE CUSTODY

Facts Alleged: Inmate at ATL alleges that he was classified to special housing unit as a result of overcrowding. He also received administrative detention as a result of this classification.

Damages Req: 75,001.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 26, 1992; *Due:* NA

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney, Chief, Civil Division, Atlanta, GA; Wanda Hunt, Staff Counsel, USP, Atlanta



JESSE W. GREEN v. DEPARTMENT OF JUSTICE,

et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV 92-H-1728-E

Institution: FCI, Talladega

Type of Case: Personal Liability Action (Bivens)

Subject: CONDITIONS OF CONFINEMENT

Facts Alleged: TDG inmate claims violation of Eighth Amendment because of housing with Cuban detainees. Taken hostage in 08-1991 disturbance.

Damages Req: \$125,589.00; *Special Monitoring:* IC1, Publicity / Impact on staff morale, All arising from institution disturbances.

Rec'd in Legal: October 27, 1992; *Due:* 01-15-1993

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Gerelene Gooden, Paralegal Specialist, FCI, Talladega

19. AGUSTIN H. EXPOSITO v. DONNA STRATMEN

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-000

Institution: FPC, Tyndall Air Force Base

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: Inmate at TYN complains that time spent on bond in 1991 should be credited towards his sentence.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 29, 1992; *Due:* -1992

Assigned to: Samuel A. Alter, Jr.; Supervising Assistant U.S. Attorney, Pensacola FL; Sharon Ragland, Paralegal Specialist, Southeast Regional Office

20. SECUNDINO GONZALES v. JOHN E. HAHN

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-30352

Institution: FPC, Eglin

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: Inmate at EGL alleges that his sentence has not been computed properly. He alleges that time spent in a half way house should be credited towards his sentence. He also complains that the administrative remedy process does not afford him the relief that he needs.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 29, 1992; *Due:* 12-18-1992

Assigned to: Samuel A. Alter, Jr.; Supervising Assistant U.S. Attorney, Pensacola FL; Gene Dixon, Paralegal Specialist, SERO

21. GWYNNE E. JUDGE v. ROBERT HONSTED, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-254

Institution: FCI, Jesup

Type of Case: Personal Liability Action (Bivens)

Subject: MEDICAL TREATMENT

Facts Alleged: JES Inmate claims he has not received proper medical treatment for a mental condition. He was denied access to courts and race discrimination because of a failure to provide appropriate hair products. A hearing for a TRO has been set for 11-2-92.

Damages Req: 1250.00; *Special Monitoring:* ID12, Case management may be a problem, Less than 48 hours response time.

Rec'd in Legal: October 29, 1992; *Due:* 12-26-1992

Assigned to: Paul G. Justice; Assistant U.S. Attorney, Savannah, GA; Wilson Moorer, Paralegal Specialist, FCI, Jesup



22. WILLIAM VASQUEZ v. BUREAU OF PRISONS, et al

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 92-2201-CIV-MARCUS

Institution: MCC, Miami

Type of Case: Federal Tort Claims Act

Subject: PROPERTY

Facts Alleged: Inmate presently at SPG claims MIA staff members failed to secure his property when placing him in administrative detention.

Damages Req: \$192.40; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 29, 1992; *Due:* -1992

Assigned to: Karin D. Wherry; Assistant U.S. Attorney, Miami, FL; Earl L. Cotton, Assistant Regional Counsel, SERO

23. WILLIAM B. EDMONDSON v. UNITED STATES OF AMERICA

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV 92-AR-2396-E

Institution: FCI, Talladega

Type of Case: Mandamus

Subject: COMMUNITY TREATMENT CENTERS

Facts Alleged: Inmate at TDG alleges that his approval for community corrections center was withdrawn as a result of information received from a AUSA. The AUSA felt further criminal proceedings were pending against the inmate.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 29, 1992; *Due:* 10-23-1992

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Gerelene Gooden, Paralegal Specialist, FCI, Talladega

24. TIMOTHY CLARK v. ROGER F. SCOTT, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV 92-B-1414

Institution: FCI, Talladega

Type of Case: Personal Liability Action (Bivens)

Subject: MEDICAL TREATMENT

Facts Alleged: TDG inmate claims he fell on greasy floor while working in food service on 03-13-1992 and was not given appropriate medical care.

Damages Req: \$200,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 29, 1992; *Due:* 11-29-1992

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Sharon Ragland, Paralegal Specialist, Southeast Regional Office

Significant Activity on Existing Cases

COMMODITY FUTURES TRADING COMMISSION AND THE STATE OF FLORIDA v. DANIEL WEISS

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 85-3565-CIV-ATKINS; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: RELIGION *Institution:* FCI, Tallahassee

Facts Alleged: Civil contempt detainee at FDC TAL (from FFLS) alleges he was denied his right to religious worship. On 10-2-1992 court order requesting that the inmate be transferred from FDC TAL to FCI TAL to allow observance of Yom Kippur.

Special Monitoring: ID12, Case management may be a problem, Less than 48 hours response time.

Date Case Filed: 09-30-1992

Significant Activity: 10-05-1992 We decided not to attempt to make further objections to the order because BOP policy gives judges some authority to designate where civil contemnors will be housed. We will treat this as an order specifying the place of confinement. Also because of the short time frame, we did not feel we could obtain further judicial review of the issue before the time for compliance. We count this as a loss because we were not successful in changing the court's order.

MELVIN ANDERSON v. FRED J. STOCK

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-952-RLV; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: AD DETENTION *Institution:* USP, Atlanta

Facts Alleged: Illegally given mental health treatment and placed in special housing at SPG, BUT and ATL in 1992.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 04-22-1992

Significant Activity: 08-25-1992 Magistrate's report recommends dismissal for mootness because the inmate has been transferred out of the district.



PAUL BARNHILL v. SCOTT NARDER, et al

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 91-0927-CIV-MORENO; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* unspecified

Subject: ASSAULTS *Institution:* MCC, Miami

Facts Alleged: Staff member identified inmate as a snitch, thus placing him in danger at MIA in 1991.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 05-16-1991

Significant Activity: 09-29-1992 Government's motion for summary judgement granted. Case dismissed.

MICHAEL BAY v. FRED STOCK

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-361-JOF; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: INMATE DISCIPLINE *Institution:* USP, Atlanta

Facts Alleged: Inmate not advised of his right to remain silent before interviewed relating disciplinary action at EGL in 1991. Presently at ATL.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 02-14-1992

Significant Activity: 09-11-1992 Order dismisses case.

HENRY BLACKMON v. ROGER SCOTT, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV-91-PT-0856-E; *Type of Case:* Mandamus; *Damages Req:* 0

Subject: CONDITIONS OF CONFINEMENT *Institution:* FCI, Talladega

Facts Alleged: Conditions in Alpha Unit at TDG in 1991. Complains about officer control of plumbing and power, not given the same clothing as general population. Not given 5 hours of exercise. Employees use abusive language. Law library is not adequate. Retaliation for complaints about conditions.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 07-10-1991

Significant Activity: 09-04-1992 Dismissed for failure to exhaust administrative remedies.

ROBERT LACEY CAMPBELL v. ROBERT L. MATTHEWS, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:91-CV-1538; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$900,000

Subject: CLASSIFICATION *Institution:* USP, Atlanta

Facts Alleged: Improper computation of security and custody levels at ATL in 1991.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 07-05-1991

Significant Activity: 09-24-1992 Judgement dismisses case.

FIDEL DIAZ v. R.E. HONSTED, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-94; *Type of Case:* Mandamus; *Damages Req:* 0

Subject: FOI-PRIVACY *Institution:* FCI, Jesup

Facts Alleged: Denied social furlough, filed administrative remedy. Demanded a copy of the administrative remedy index and was denied.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 03-15-1992

Significant Activity: 08-27-1992 Magistrate's report recommends dismissal as moot because the Bureau gave him a copy of the administrative remedy index he was seeking. 09-18-1992 Order Dismisses case.

THOMAS, JR. CIAMBRONE v. RICHARD THORNBURGH, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:90-CV-1519-RCF; *Type of Case:* Mandamus; *Damages Req:* 0

Subject: CONDITIONS OF CONFINEMENT *Institution:* USP, Atlanta

Facts Alleged: Conditions in SHU in ATL in 1990: Wants unlimited phone calls, daily clothing changes, private showers, additional exercise, reading materials, religious services.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 07-12-1990

Significant Activity: 10-25-1991 Order dismisses case because inmate failed to follow court order relating to service.



RONALD EASTWOOD v. ROGER SCOTT, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV-92-AR-0831-E; *Type of Case:* Habeas Corpus; *Damages Req:* \$140,320.00

Subject: PROTECTIVE CUSTODY *Institution:* FCI, Talladega

Facts Alleged: TAL inmate objects to placement in administrative detention in 1991. Claims should be transferred to safe institution. Claims conditions in detention subject him to cruel and unusual punishment causing physical and mental deterioration. Lost opportunities to earn extra good time.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 04-08-1992

Significant Activity: 09-17-1992 Dismissed for failure to respond to court's inquiry concerning his finances.

MARVIN NICHOLAS ENGLE v. WARDEN J.D. LAMER, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: TCA 91-40324/MMP; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: DETAINERS *Institution:* FCI, Tallahassee

Facts Alleged: Seeks removal of detainer under IAD because FL has not prosecuted in a timely manner.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 09-05-1991

Significant Activity: 05-15-1992 Order dismissed case.

JORGE LUIS GARCIA v. R.E. HONSTED, et al

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 91-1920-CIV-KEHOE; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: SENTENCING *Institution:* MCC, Miami

Facts Alleged: Paroled from CCC in 12-90 and administratively returned to institution in 01-91 because sentence had been improperly computed, not eligible for parole. Now at MIA in 1991.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 08-30-1991

Significant Activity: 03-27-1992 Disposition stayed pending disposition of closely related matter by the Eleventh Circuit.

JAMES GRANT v. U.S.P.C., et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: TCA 89-40281-WS; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: INMATE DISCIPLINE *Institution:* FCI, Tallahassee

Facts Alleged: DHO assured that sanctions imposed would not effect parole date. On that basis inmate waived witnesses and staff representative. Now has parole retardation.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 12-07-1989

Significant Activity: 10-31-1991 Dismissed for failure to prosecute.

LOUIS RONALD HOFFER v. DON J. SOUTHERLAND, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV89-A-2137E; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: INMATE DISCIPLINE *Institution:* FPC, Maxwell Air Force Base

Facts Alleged: Parole recision because disciplinary action at MON in 1989 invalid.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 12-15-1989

Significant Activity: 01-19-1990 Order adopts magistrate's report, dismisses case.

FRANK EDMUND HOFFMAN v. J. CLASS

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: MCA 91-500048/WEA; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: SENTENCING *Institution:* FCI, Marianna

Facts Alleged: Denied extra good time for pretrial incarceration at MNA in 1991.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 04-02-1991

Significant Activity: 06-06-1991 Order dismisses case with prejudice based on 05-21-1991 magistrate's report.



WIS B. JOHNSON v. ROBERT L. MATTHEWS, et al
Court: NORTHERN DISTRICT OF GEORGIA
Docket No.: 90-000; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$100,000
Subject: FURLOUGHS *Institution:* USP, Atlanta
Facts Alleged: Denied furlough and CTC placement from ATL camp in 1990.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 06-26-1990
Significant Activity: 10-31-1990 Magistrate's report recommends dismissal. An inmate has no protected interest in transfer to a CTC or having a furlough. The inmate's allegation of discrimination because others with sentences for more serious crimes were permitted these privileges also failed because the inmate did not allege that he was denied these privileges because of membership in a protected class. 01-29-1991 Order dismisses case.

WILLIAM MARTELL-ROSADO v. U.S.A.
Court: NORTHERN DISTRICT OF ALABAMA
Docket No.: 91-A-1781-E; *Type of Case:* Habeas Corpus; *Damages Req:* 0
Subject: SENTENCING *Institution:* FCI, Talladega
Facts Alleged: Seeks jail credit for presentence time on home confinement in PR. At TDG in 1991.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 08-01-1991
Significant Activity: 09-21-1992 Order dismisses case based on magistrate's report dated 08-28-1992. Objections to the report were overruled.

JOHN CHARLES McGROARTY v. JOSEPH P. CLASS
Court: NORTHERN DISTRICT OF FLORIDA
Docket No.: 90-50243; *Type of Case:* Habeas Corpus; *Damages Req:* 0
Subject: SENTENCING *Institution:* FCI, Marianna
Facts Alleged: Illegal aggregation of sentence at MNA in 1990
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 01-24-1991
Significant Activity: 08-21-1992 Dismissed with prejudice based on Magistrate's report dated 07-20-1992. Inmate failed to continue to prosecute the cause.

CALVIN WAYNE MOORE v. W.H. SEIFERT
Court: MIDDLE DISTRICT OF ALABAMA
Docket No.: 89-D-1055-N; *Type of Case:* Habeas Corpus; *Damages Req:* 0
Subject: MEDICAL TREATMENT *Institution:* FPC, Maxwell Air Force Base
Facts Alleged: Denied medical care after amputation of leg at MON in 1989. Refused to allow fitting for new artificial leg.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 09-25-1989
Significant Activity: 01-23-1990 Order dismisses case upon inmate's request to discontinue action. Government may bill for costs.

ROBERT M. MORRISON v. SHEREE L. STURGIS
Court: NORTHERN DISTRICT OF GEORGIA
Docket No.: 1:90-CV-2759-JTC; *Type of Case:* Federal Tort Claims Act; *Damages Req:* \$129.95
Subject: PROPERTY *Institution:* FCI, Marianna
Facts Alleged: Watch lost at MNA while inmate in segregation in 1989.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 12-12-1990
Significant Activity: 08-13-1992 Dismissed under 28 U.S.C. 2680(c), property loss while in the custody of law enforcement officials. Federal Tort Claims Act does not apply.

WILLIE S. POTTER v. BUREAU OF PRISONS
Court: NORTHERN DISTRICT OF GEORGIA
Docket No.: 1:92-CV-806-JTC; *Type of Case:* Habeas Corpus; *Damages Req:* 0
Subject: SENTENCING *Institution:* USP, Atlanta
Facts Alleged: Claims to be entitled to meritorious good time and parole superior achievement award that would make him eligible for immediate release from ATL in 1992.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 04-03-1992
Significant Activity: 08-12-1992 Dismissed for lack of jurisdiction.



PRICE & SONS GRADING COMPANY v. ADMIRAL INSURANCE COMPANY

Court: NORTHERN DISTRICT OF GEORGIA
Docket No.: 1:90-CV-515-MHS; *Type of Case:* Other, Contract Matter; *Damages Req:* 0
Subject: BUDGETS *Institution:* USP, Atlanta
Facts Alleged: Faulty demolition work at ATL.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 06-05-1990
Significant Activity: 04-04-1991 Voluntary dismissal by plaintiff with prejudice.

JUAN CARLOS RESTREPO v. WILLIAM FLORES, et al

Court: NORTHERN DISTRICT OF FLORIDA
Docket No.: TCA 89-40279-MMP; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* 0
Subject: INMATE DISCIPLINE *Institution:* FPC, Homestead, Florida
Facts Alleged: Set up by HOM staff for attempted escape charge in 06-89.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 12-08-1989
Significant Activity: 03-27-1991 Order dismisses case based on 12-27-1990 magistrate's report.

JAMES R. RICE v. THOMAS O'MALLEY, et al

Court: SOUTHERN DISTRICT OF FLORIDA
Docket No.: 91-1463-CIV-GRAHAM; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* 0
Subject: AD DETENTION *Institution:* MCC, Miami
Facts Alleged: Conspiracy to inflict harsher treatment on MIA inmate in 1991 by placing in Ad Detention and delay in delivery of mail.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 12-31-1991
Significant Activity: 06-09-1992 Magistrate's report recommends dismissal for failure to plead conspiracy theory with sufficient specificity. 06-22-1992 Order dismisses case.

RAMON SANCHEZ v. U.S. B.O.P., et al

Court: SOUTHERN DISTRICT OF FLORIDA
Docket No.: 90-2749-CIV-HOEVELER; *Type of Case:* Habeas Corpus; *Damages Req:* 0
Subject: MEDICAL TREATMENT *Institution:* MCC, Miami
Facts Alleged: Cannot be given proper medical care for leg injury in prison at MIA in 1990.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 12-11-1990
Significant Activity: 05-24-1991 Order dismisses case based on magistrate's report. Dismissed without prejudice for failure to exhaust administrative remedies.

WILLIAM SMITH v. U.S. DEPARTMENT OF JUSTICE, et al

Court: NORTHERN DISTRICT OF GEORGIA
Docket No.: 1:89-CV-1310; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$13,500,000
Subject: INMATE DISCIPLINE *Institution:* MON
Facts Alleged: Charged with stealing at MON in 1988 based on use of credit card to make phone calls.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 09-08-1989
Significant Activity: 02-26-1990 Dismissed for improper venue.

ISSAC W. THOMAS v. UNITED STATES, et al

Court: NORTHERN DISTRICT OF ALABAMA
Docket No.: 92-H-0869-E; *Type of Case:* Habeas Corpus; *Damages Req:* 0
Subject: MEDICAL TREATMENT *Institution:* FCI, Talladega
Facts Alleged: Interference with mail, legal papers seized, urine sample demanded without probable cause, denied eye glasses and dentures, a victim of involuntary servitude at TDG in 1992. Initial request for damages dismissed by court sua sponte.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 04-13-1992
Significant Activity: 05-11-1992 Order dismisses Bivens portion of case. Appeal to CA11, 92-6475. 08-12-1992 Appeal dismissed as premature.



NEHMAN, JR. TUCKER v. UNITED STATES, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 91-30119/WEA; *Type of Case:* Federal Tort Claims Act; *Damages Req:* \$1,000,000

Subject: MEDICAL TREATMENT *Institution:* FPC, Eglin Air Force Base

Facts Alleged: Committed to EGL in 10-1987 with extra contact lenses and cleaning solution that was confiscated and sent home. Adequate replacements not provided at EGL or TDG and during transport to RCH. As a result of inability to adequately clean lenses, eyesight worsen to the point of blindness.

Special Monitoring: IB2, May be financial liability, All cases involving injury which caused loss of limb or body function.

Date Case Filed: @04-17-1991

Significant Activity: 09-01-1992 Negligence claim dismissed because it was filed more than six months after disposition of administrative tort claim. Bivens claim dismissed for failure to prove deliberate indifference.

THOMAS VINAGERA-CESAR v. UNITED STATES, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:89-CV-715; *Type of Case:* Personal Liability (Bivens) and Tort Action; *Damages Req:*

Subject: ASSAULTS *Institution:* USP, Atlanta

Facts Alleged: Assaulted by inmate with knife on 08-01-1986. Failure to protect.

Special Monitoring: IB2, May be financial liability, All cases involving injury which caused loss of limb or body function.

Date Case Filed: 04-10-1989

Significant Activity: 11-29-1989 Order dismissed case for failure to meet statute of limitations. Orders plaintiff to pay costs.

PAUL VREONES v. BOP, et al

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 92-8372-CIV; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: SENTENCING *Institution:* Southeast Region

Facts Alleged: Inmate at Salvation Army Half-Way House in West Palm Beach, FL complains that due to improper sentence computation, he is being imprisoned beyond his release date. Claims he should have been eligible for parole on a new law sentence that was imposed during the time FFLS had declared sentencing guidelines unconstitutional.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 06-22-1992

Significant Activity: 09-11-1992 Order dismisses case. The inmate was not affected by the sentencing guidelines issues. He was not eligible for parole.

BOBBY J. WILSON v. D.J. SOUTHERLAND, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CIV-91-PT-788-E; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$256,000

Subject: SENTENCING *Institution:* FCI, Talladega

Facts Alleged: Denied good time for period of civil contempt at TDG in 1988-89.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 07-19-1991

Significant Activity: 06-25-1992 Dismissed based on 04-14-1992 Magistrate's Report. Just because an inmate's regular sentence is interrupted by a civil contempt term, does not mean that he has a right to be treated as a pre-trial detainee. He is not entitled to good time credits for the civil contempt time.

IN THE MATTER OF THE EMERGENCY APPLICATION OF THE FEDERAL PUBLIC DEFENDER FOR AN ORDER TO ENSURE COMPLIANCE WITH THE RIGHTS OF DEFENDANT-CLIENTS TO THE EFFECTIVE ASSISTANCE OF COUNSEL AS GUARANTEED BY U.S. CONST. AMEND. VI AND TITLE 18 U.S.C. 3006A AND 3142(i)(3) v.

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 92-4818-SNOW; *Type of Case:* Mandamus; *Damages Req:* 0

Subject: MISCELLANEOUS *Institution:* MCC, Miami

Facts Alleged: Federal public defender in FFLS filed this action on behalf of all clients transferred from MIA as a result on August, 1992 Hurricane Andrew. Telephone contact with clients has been inadequate. Unable to schedule visits because of rapid relocation on clients to other jails.

Special Monitoring: IC8, Publicity / Impact on staff morale, Resulting from 08-92 Hurricane Andrew

Date Case Filed: 09-17-1992

Significant Activity: 10-01-1992 Memorandum from Magistrate L. Snow to Judge Roettger describing the meeting of federal law enforcement officials regarding pretrial detainees. 10-06-1992 Administrative Order 92-52 requires 1) new arrestees to be kept in the district for 14 days, 2) USM to transport prisoners to facilities within the district 14 days prior to trial and 7 days before sentencing, 3) Thirty days notice in advance of trial or sentencing date required for production, 4) problems with this process are to be resolved by weekly meetings between USM, BOP and the magistrates.



FRANCIS L. & SHIRLEY L. SILVA v. UNITED STATES, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:91-CV-2305; *Type of Case:* Habeas Corpus;
Damages Req: 0

Subject: TRANSFERS *Institution:* USP, Atlanta

Facts Alleged: Inmate at ATL is seeking to be transferred to California so that he will be close to his family.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 08-24-1991

Significant Activity: 04-23-1992 Magistrate's report recommends dismissal on the merits. The Attorney General has the authority to designate inmates.

GARY S. WILLIAMS v. J. MICHAEL QUINLAN, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1387-RLV; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* 75,001.00

Subject: PROTECTIVE CUSTODY *Institution:* USP, Atlanta

Facts Alleged: Inmate at ATL alleges that he was classified to special housing unit as a result of overcrowding. He also received administrative detention as a result of this classification.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 06-09-1992

Significant Activity: 10-19-1992 Dismissed because allegations had become moot as a result of transfer and because issues regarding transfer are left to the discretion of prison officials.

ARNOLD NORMAN FANT v. D. J. SOUTHERLAND, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV-90-H-1460-E; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:*

Subject: MEDICAL TREATMENT *Institution:* FCI, Talladega

Facts Alleged: Inmate at TDG alleges that staff at TDG conspired to deprive him of medical treatment for his infected testicle.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 09-17-1990

Significant Activity: 09-14-1990 Dismissed on the merits.

JOHN L. BIKA, et al v. JOSEPH P. CLASS, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 91-50212/WEA; *Type of Case:* Habeas Corpus;
Damages Req: 0

Subject: MEDICAL TREATMENT *Institution:* FCI, Marianna

Facts Alleged: Wants state detainee removed because of delay and concerns about medical care at MNA in 1991.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 10-31-1992

Significant Activity: 10-26-1992 Dismissed on the merits without prejudice.

JIMMY DILLON BROWN v. UNITED STATES OF AMERICA

Court: MIDDLE DISTRICT OF ALABAMA

Docket No.: 92-H-1166-N; *Type of Case:* Habeas Corpus;
Damages Req: 0

Subject: SENTENCING *Institution:* FPC, Maxwell Air Force Base

Facts Alleged: Inmate at MON alleges that he should be given credit toward his sentence for time spent in official detention.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 09-15-1992

Significant Activity: 10-13-1992 Magistrate's report recommends dismissal for mootness because he had been granted the relief he sought. 10-23-1992 Order dismisses case as moot.

AUGUSTO GUILLERMO FALCON, et al v. U.S. BUREAU OF PRISONS, et al

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 92-0133-CIV-GRAHAM; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* unspecified

Subject: AD DETENTION *Institution:* MCC, Miami

Facts Alleged: Additional plaintiffs Orlando Benigno Lorenzo, Salvadore Magluta. Claim violation of due process rights when transferred to administrative detention because of investigation for possession of contraband, a cellular phone at MIA in 1991. Administrative detention order insufficient because not give detailed facts about alleged misbehavior.

Special Monitoring: ID12, Case management may be a problem, Less than 48 hours response time.

Date Case Filed: 01-17-1992

Significant Activity: 04-04-1992 Voluntary stipulation for dismissal. The case was later reopened when the three inmates were returned to administrative detention after there was information they may have been involved in an escape plot.



CHRISTOPHER HUNT v. DON CHADWICK, et al

Court: MIDDLE DISTRICT OF GEORGIA

Docket No.: 90-78-3-MAC (WDO); *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$55,000

Subject: WITNESS PROTECTION *Institution:* Central Inmate Monitoring

Facts Alleged: Transfer among different institutions violated terms of witness protection agreement and endangered personal security

Special Monitoring: ID11, Case management may be a problem, Witness Protection Plaintiff

Date Case Filed: 03-12-1990

Significant Activity: 04-12-1990 Order dismisses case without prejudice.

RAFAEL MAISONAVE-VALENTIN v. FRED STOCK, et al

Court: DISTRICT OF PUERTO RICO

Docket No.: 92-2041(CCC); *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: PAROLE *Institution:* USP, Atlanta

Facts Alleged: PR boarder inmate at ATL complains that he is eligible for parole release or a parole hearing.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 08-24-1992

Significant Activity: 10-06-1992 Magistrate Judge's Report and Recommendation recommends dismissal of case for mootness because the inmate has been released on parole.

UNITED STATES OF AMERICA v. MANUEL ENRIQUEZ SAENZ

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 92-451-CR; *Type of Case:* OTHER, Criminal Prosecution; *Damages Req:* 0

Subject: ACCESS TO COURTS *Institution:* MCC, Miami

Facts Alleged: MIA inmate transferred to Lake County, FL after Hurricane Andrew alleges he was been unduly hindered to consult with his counsel. Also denied regular telephone privileges.

Special Monitoring: IC8, Publicity / Impact on staff morale, Resulting from 08-92 Hurricane Andrew

Date Case Filed: 09-16-1992

Significant Activity: 10-01-1992 Motions for reconsideration of bond and names and addresses of witnesses denied.

PAUL J. STOUT v. RICHARD THORNBURG, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-30041-RV; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$10,000

Subject: COMMUNITY TREATMENT CENTERS

Institution: FPC, Eglin Air Force Base

Facts Alleged: Denied placement in CTC from EGL in 1991. Forced into involuntary servitude for the personal financial gain of personnel.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 01-26-1992

Significant Activity: 10-02-1992 Dismissed for failure to prosecute.

ISAAC W. THOMAS v. UNITED STATES, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: 291-277; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$1,000,000

Subject: WORK *Institution:* FCI, Jesup

Facts Alleged: Forcing him to work in Food Service at JES for \$.11 per hour in 1991 was involuntary servitude because the United States has no jurisdiction over him.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 07-05-1991

Significant Activity: 10-09-1992 Order dismisses case on the merits.



**United States Government
Memorandum**

Date: November 3, 1992

Reply to Attn. of: Sherree L. Sturgis, Regional Counsel
Southeast Region, Bureau of Prisons

Subject: October, 1992 SER Litigation

To: SER CEOs, Regional Administrators
Institution Paralegals and Attorneys
Wallace H. Cheney, General Counsel

**1. COMMODITY FUTURES TRADING COMMISSION
AND THE STATE OF FLORIDA v. DANIEL WEISS**

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 85-3565-CIV-ATKINS

Institution: FCI, Tallahassee

Type of Case: Habeas Corpus

Subject: RELIGION

Facts Alleged: Civil contempt detainee at FDC TAL (from FLS) alleges he was denied his right to religious worship. On 10-2-1992 court order requesting that the inmate be transferred from FDC TAL to FCI TAL to allow observance of Yom Kippur.

Damages Req: 0; *Special Monitoring:* ID12, Case management may be a problem, Less than 48 hours response time.

Rec'd in Legal: October 8, 1992; *Due:* NA

Assigned to: Marilyn Lindsey; Assistant U.S. Attorney, Miami, FL; Van Vandivler, Deputy Regional Counsel, SERO

2. WILLIE BEARD v. VICTOR GEORGE STRINGER, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV 92-H-1397-E

Institution: FCI, Talladega

Type of Case: Personal Liability Action (Bivens)

Subject: ACCESS TO COURTS

Facts Alleged: Inmate at TDG alleges that he was transferred under the guise of a medical need when in reality the purpose was to remove him from the court's jurisdiction involving another current case, FALN, 90-1317.

Damages Req: \$60,000; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 8, 1992; *Due:* 12-04-1992

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Gerelene Gooden, Paralegal Specialist, FCI, Talladega

3. MARVIN YIZAR v. WARDEN R. HONSTED, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-166

Institution: FCI, Jesup

Type of Case: Personal Liability Action (Bivens)

Subject: MEDICAL TREATMENT

Facts Alleged: Inmate formerly at JES complains about housing conditions in ATL in 1990. He also complains about the medical treatment at ASH in 1990 for injury from a fall. Medical condition was not properly treated at JES. He claims a staff member at JES stole money from him and his good time credit was cancelled at JES. He also complains that JES staff has interfered with his mail. Lastly he alleges that the U. S. Marshalls stole some of property during transport to ATL in 1990.

Damages Req: \$4,000,212.25; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 8, 1992; *Due:* 11-27-1992

Assigned to: Paul G. Justice; Assistant U.S. Attorney, Savannah, GA; Wilson Moorer, Paralegal Specialist, FCI, Jesup

4. MARTIN LOVIG v. U.S. BUREAU OF PRISONS, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: 92-000

Institution: FCI, Talladega

Type of Case: Personal Liability Action (Bivens)

Subject: MEDICAL TREATMENT

Facts Alleged: ATL inmate alleges he suffered a knee injury as a result of an assault in TDG in 1990. Medical assistance after the initial surgery was deliberately withheld resulting in undue physical and emotional pain. He further alleges that he is entitled to workman's compensation as a result of working for UNICOR.

Damages Req: \$1,300,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 8, 1992; *Due:* NONE, NO SUMMONS ISSUED.

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Gerelene Gooden, Paralegal Specialist, FCI, Talladega



4. MARTIN LOVIG v. U.S. BUREAU OF PRISONS, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: 92-000

Institution: FCI, Talladega

Type of Case: Personal Liability Action (Bivens)

Subject: MEDICAL TREATMENT

Facts Alleged: ATL inmate alleges he suffered a knee injury as a result of an assault in TDG in 1990. Medical assistance after the initial surgery was deliberately withheld resulting in undue physical and emotional pain. He further alleges that he is entitled to workman's compensation as a result of working for UNICOR.

Damages Req: \$1,300,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 8, 1992; *Due:* NONE, NO SUMMONS ISSUED.

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Gerelene Gooden, Paralegal Specialist, FCI, Talladega

5. JIMMY DILLON BROWN v. UNITED STATES OF AMERICA

Court: MIDDLE DISTRICT OF ALABAMA

Docket No.: 92-H-1166-N

Institution: FPC, Maxwell Air Force Base

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: Inmate at MON alleges that he should be given credit toward his sentence for time spent in official detention.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 8, 1992; *Due:* 10-13-1992

Assigned to: David L. Allred; Assistant U.S. Attorney, Montgomery, AL; Darrin C. Scott, Attorney Advisor, SERO

6. THOMAS, JR. CIAMBRONE v. RICHARD THORNBURGH, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:90-CV-1519-RCF

Institution: USP, Atlanta

Type of Case: Mandamus

Subject: CONDITIONS OF CONFINEMENT

Facts Alleged: Conditions in SHU in ATL in 1990: Wants unlimited phone calls, daily clothing changes, private showers, additional exercise, reading materials, religious services.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 8, 1992; *Due:* 12-22-1990

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney, Chief, Civil Division, Atlanta, GA; Van Vandivier, Deputy Regional Counsel, SERO

7. WILLIAM J. SHEFFIELD v. UNITED STATES PAROLE COMMISSION, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-242

Institution: FCI, Jesup

Type of Case: Habeas Corpus

Subject: COMMUNITY TREATMENT CENTERS

Facts Alleged: Inmate at JES alleges that his CCC placement was denied as a result of Hurricane Andrew rather than because of something that he has done. He also complains that his parole date was set aside for no apparent reason. Note same inmate is litigating issues related to CCC placement in FFLS, 91-2844-CIV-NESBITT.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 8, 1992; *Due:* 10-23-1992

Assigned to: Paul G. Justice; Assistant U.S. Attorney, Savannah, GA; Wilson Moorer, Paralegal Specialist, FCI, Jesup



8. UNITED STATES v. JAMES PETER MCALLISTER

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 2:92-CR-008-03-JTC

Institution: USP, Atlanta

Type of Case: Habeas Corpus

Subject: MEDICAL TREATMENT

Facts Alleged: Inmate at ATL alleges that he did not receive proper medical treatment in 1992. Subpoenaed medical staff as part of criminal case to testify on 10-15.

Damages Req: 0; *Special Monitoring:* ID12, Case management may be a problem, Less than 48 hours response time.

Rec'd in Legal: October 22, 1992; *Due:* -1992

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney, Chief, Civil Division, Atlanta, GA; Wanda Hunt, Staff Counsel, USP, Atlanta

9. UNITED STATES OF AMERICA v. MARIA OFELIA HERRERA

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 92-2332-CIV-DAVIS

Institution: FCI, Pleasanton, California

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: Inmate at PLE sentenced from FFLS complains that time spent on electric monitoring surveillance should be credited toward her sentence.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 22, 1992; *Due:* -1992

Assigned to: Karen E. Rochlin; Assistant U.S. Attorney, Miami, FL; Mary Swint, Legal Assistant, SERO

10. FRANK C. MONTELEONE v. UNITED STATES PAROLE COMMISSION, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-40305-MMP

Institution: FCI, Tallahassee

Type of Case: Habeas Corpus

Subject: INMATE DISCIPLINE

Facts Alleged: MIA Inmate claims insufficient evidence to support 01-92 DHO finding of possession of contraband, where item was found inside a mattress. Assaulted by an inmate at MIA and blinded, sight restored with an operation. Claims further disciplinary action were taken after his transfer to TAL

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 23, 1992; *Due:* 11-30-1992

Assigned to: Audry Dee Ann Butler; Assistant U.S. Attorney, Tallahassee, FL; Dan Rouse, Paralegal Specialist, FCI, Tallahassee

11. KIMBERLY V. LOVETT v. FRED J. STOCK, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1853-RCF

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: FURLOUGHS

Facts Alleged: Inmate at ATL alleges that his furlough request to attend his father's funeral was arbitrarily denied.

Damages Req: \$3,000,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 23, 1992; *Due:* -1992

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney, Chief, Civil Division, Atlanta, GA; Wanda Hunt, Staff Counsel, USP, Atlanta



12. DONALD WILSON v. FRED STOCK

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-999-MHS

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: ACCESS TO COURTS

Facts Alleged: Inmate at ATL alleges that his rights were violated as a result of a NTSB hearing in which he chose not to appear but was made to appear. He also asserts that he was denied legal counsel and was denied the right to present witnesses at the hearing.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 23, 1992; *Due:* 11-30-1992

Assigned to: Russell G. Vineyard; Assistant U.S. Attorney, Atlanta, GA; Wanda Hunt, Staff Counsel, USP, Atlanta

13. DAVID SCOTT KINARD v. UNITED STATES, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: 92-AR-2286

Institution: AL State Institution

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: Inmate who is currently in state custody complains of a detainer that has been placed on him. He was under the understanding that his state sentence would run concurrent with his federal sentence.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 23, 1992; *Due:* 10-29-1992

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Darrin C. Scott, Attorney Advisor, SERO

14. WILLIAM R. BURNETTE v. UNITED STATES

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: 92-AR-2243-E

Institution: FCI, Talladega

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: Inmate at TDG alleges that he should receive credit towards his sentence for time served on a bond.

Note: Same issue: FALM, 92-A-916-N

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 23, 1992; *Due:* 10-29-1992

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Gerelene Gooden, Paralegal Specialist, FCI, Talladega

15. JOSE LUIS JIMENEZ v. UNITED STATES

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 92-1334

Institution: FCI, Ashland

Type of Case: Habeas Corpus

Subject: DETAINERS

Facts Alleged: Inmate at ASH alleges that a detainer should be removed as the charges were dismissed by the United State's Attorney's office.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 23, 1992; *Due:* -1992

Assigned to: Vivian Rosado; Assistant U.S. Attorney, Miami, FL; Gene Dixon, Paralegal Specialist, SERO

16. SHERMAN HUDSON v. W. J. THOMPSON, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: 3-90-75-01

Institution: FPC, Maxwell Air Force Base

Type of Case: Habeas Corpus

Subject: COMMUNITY TREATMENT CENTERS

Facts Alleged: TYN inmate claims he should be placed in a community treatment center. He alleges that he was told initially that he was eligible for 120 days, but this was later reduced to 60 days.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 26, 1992; *Due:* -1992

Assigned to: D. Broward Segrest; Assistant U.S. Attorney, First Assistant, Montgomery, AL; Earl L. Cotton, Assistant Regional Counsel, SERO

17. GARY S. WILLIAMS v. J. MICHEAL QUINLAN, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1387-RLV

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: PROTECTIVE CUSTODY

Facts Alleged: Inmate at ATL alleges that he was classified to special housing unit as a result of overcrowding. He also received administrative detention as a result of this classification.

Damages Req: 75,001.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 26, 1992; *Due:* NA

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney, Chief, Civil Division, Atlanta, GA; Wanda Hunt, Staff Counsel, USP, Atlanta



18. JESSE W. GREEN v. DEPARTMENT OF JUSTICE, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV 92-H-1728-E

Institution: FCI, Talladega

Type of Case: Personal Liability Action (Bivens)

Subject: CONDITIONS OF CONFINEMENT

Facts Alleged: TDG Inmate claims violation of Eighth Amendment because of housing with Cuban detainees. Taken hostage in 08-1991 disturbance.

Damages Req: \$125,589.00; *Special Monitoring:* IC1, Publicity / Impact on staff morale, All arising from Institution disturbances.

Rec'd in Legal: October 27, 1992; *Due:* 01-15-1993

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Gerelene Gooden, Paralegal Specialist, FCI, Talladega

19. AGUSTIN H. EXPOSITO v. DONNA STRATMEN

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-000

Institution: FPC, Tyndall Air Force Base

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: Inmate at TYN complains that time spent on bond in 1991 should be credited towards his sentence.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 29, 1992; *Due:* -1992

Assigned to: Samuel A. Alter, Jr.; Supervising Assistant U.S. Attorney, Pensacola FL; Sharon Ragland, Paralegal Specialist, Southeast Regional Office

20. SECUNDINO GONZALES v. JOHN E. HAHN

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-30352

Institution: FPC, Eglin

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: Inmate at EGL alleges that his sentence has not been computed properly. He alleges that time spent in a half way house should be credited towards his sentence. He also complains that the administrative remedy process does not afford him the relief that he needs.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 29, 1992; *Due:* 12-18-1992

Assigned to: Samuel A. Alter, Jr.; Supervising Assistant U.S. Attorney, Pensacola FL; Gene Dixon, Paralegal Specialist, SERO

21. GWYNNE E. JUDGE v. ROBERT HONSTED, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-254

Institution: FCI, Jesup

Type of Case: Personal Liability Action (Bivens)

Subject: MEDICAL TREATMENT

Facts Alleged: JES Inmate claims he has not received proper medical treatment for a mental condition. He was denied access to courts and race discrimination because of a failure to provide appropriate hair products. A hearing for a TRO has been set for 11-2-92.

Damages Req: 1250.00; *Special Monitoring:* ID12, Case management may be a problem, Less than 48 hours response time.

Rec'd in Legal: October 29, 1992; *Due:* 12-26-1992

Assigned to: Paul G. Justice; Assistant U.S. Attorney, Savannah, GA; Wilson Moorer, Paralegal Specialist, FCI, Jesup



22. WILLIAM VASQUEZ v. BUREAU OF PRISONS, et al

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 92-2201-CIV-MARCUS

Institution: MCC, Miami

Type of Case: Federal Tort Claims Act

Subject: PROPERTY

Facts Alleged: Inmate presently at SPG claims MIA staff members failed to secure his property when placing him in administrative detention.

Damages Req: \$192.40; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 29, 1992; *Due:* -1992

Assigned to: Karin D. Wherry; Assistant U.S. Attorney, Miami, FL ; Earl L. Cotton, Assistant Regional Counsel, SERO

23. WILLIAM B. EDMONDSON v. UNITED STATES OF AMERICA

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV 92-AR-2396-E

Institution: FCI, Talladega

Type of Case: Mandamus

Subject: COMMUNITY TREATMENT CENTERS

Facts Alleged: Inmate at TDG alleges that his approval for community corrections center was withdrawn as a result of information received from a AUSA. The AUSA felt further criminal proceedings were pending against the inmate.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 29, 1992; *Due:* 10-23-1992

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Gerelene Gooden, Paralegal Specialist, FCI, Talladega

24. TIMOTHY CLARK v. ROGER F. SCOTT, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV 92-B-1414

Institution: FCI, Talladega

Type of Case: Personal Liability Action (Bivens)

Subject: MEDICAL TREATMENT

Facts Alleged: TDG inmate claims he fell on greasy floor while working in food service on 03-13-1992 and was not given appropriate medical care.

Damages Req: \$200,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: October 29, 1992; *Due:* 11-29-1992

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Sharon Ragland, Paralegal Specialist, Southeast Regional Office

Significant Activity on Existing Cases

COMMODITY FUTURES TRADING COMMISSION AND THE STATE OF FLORIDA v. DANIEL WEISS

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 85-3565-CIV-ATKINS; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: RELIGION *Institution:* FCI, Tallahassee

Facts Alleged: Civil contempt detainee at FDC TAL (from FFLS) alleges he was denied his right to religious worship. On 10-2-1992 court order requesting that the inmate be transferred from FDC TAL to FCI TAL to allow observance of Yom Kippur.

Special Monitoring: ID12, Case management may be a problem, Less than 48 hours response time.

Date Case Filed: 09-30-1992

Significant Activity: 10-05-1992 We decided not to attempt to make further objections to the order because BOP policy gives judges some authority to designate where civil contemnors will be housed. We will treat this as an order specifying the place of confinement. Also because of the short time frame, we did not feel we could obtain further judicial review of the issue before the time for compliance. We count this as a loss because we were not successful in changing the court's order. ✓

MELVIN ANDERSON v. FRED J. STOCK

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-952-RLV; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: AD DETENTION *Institution:* USP, Atlanta

Facts Alleged: Illegally given mental health treatment and placed in special housing at SPG, BUT and ATL in 1992.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 04-22-1992

Significant Activity: 08-25-1992 Magistrate's report recommends dismissal for mootness because the inmate has been transferred out of the district. ✓



PAUL BARNHILL v. SCOTT NARDER, et al

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 91-0927-CIV-MORENO; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* unspecified

Subject: ASSAULTS *Institution:* MCC, Miami

Facts Alleged: Staff member identified inmate as a snitch, thus placing him in danger at MIA in 1991.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 05-16-1991

Significant Activity: 09-29-1992 Government's motion for summary judgement granted. Case dismissed.

MICHAEL BAY v. FRED STOCK

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-361-JOF; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: INMATE DISCIPLINE *Institution:* USP, Atlanta

Facts Alleged: Inmate not advised of his right to remain silent before interviewed relating disciplinary action at EGL in 1991. Presently at ATL.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 02-14-1992

Significant Activity: 09-11-1992 Order dismisses case.

HENRY BLACKMON v. ROGER SCOTT, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV-91-PT-0856-E; *Type of Case:* Mandamus; *Damages Req:* 0

Subject: CONDITIONS OF CONFINEMENT *Institution:* FCI, Talladega

Facts Alleged: Conditions in Alpha Unit at TDG in 1991. Complains about officer control of plumbing and power, not given the same clothing as general population. Not given 5 hours of exercise. Employees use abusive language. Law library is not adequate. Retaliation for complaints about conditions.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 07-10-1991

Significant Activity: 09-04-1992 Dismissed for failure to exhaust administrative remedies.

ROBERT LACEY CAMPBELL v. ROBERT L. MATTHEWS, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:91-CV-1538; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$900,000

Subject: CLASSIFICATION *Institution:* USP, Atlanta

Facts Alleged: Improper computation of security and custody levels at ATL in 1991.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 07-05-1991

Significant Activity: 09-24-1992 Judgement dismisses case.

FIDEL DIAZ v. R.E. HONSTED, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-94; *Type of Case:* Mandamus; *Damages Req:* 0

Subject: FOI-PRIVACY *Institution:* FCI, Jesup

Facts Alleged: Denied social furlough, filed administrative remedy. Demanded a copy of the administrative remedy index and was denied.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 03-15-1992

Significant Activity: 08-27-1992 Magistrate's report recommends dismissal as moot because the Bureau gave him a copy of the administrative remedy index he was seeking. 09-18-1992 Order Dismisses case.

THOMAS, JR. CIAMBRONE v. RICHARD THORNBURGH, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:90-CV-1519-RCF; *Type of Case:* Mandamus; *Damages Req:* 0

Subject: CONDITIONS OF CONFINEMENT *Institution:* USP, Atlanta

Facts Alleged: Conditions in SHU in ATL in 1990: Wants unlimited phone calls, daily clothing changes, private showers, additional exercise, reading materials, religious services.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 07-12-1990

Significant Activity: 10-25-1991 Order dismisses case because inmate failed to follow court order relating to service.



DONALD EASTWOOD v. ROGER SCOTT, et al
Court: NORTHERN DISTRICT OF ALABAMA
Docket No.: CV-92-AR-0831-E; *Type of Case:* Habeas Corpus; *Damages Req:* \$140,320.00
Subject: PROTECTIVE CUSTODY *Institution:* FCI, Talladega

Facts Alleged: TAL Inmate objects to placement in administrative detention in 1991. Claims should be transferred to safe institution. Claims conditions in detention subject him to cruel and unusual punishment causing physical and mental deterioration. Lost opportunities to earn extra good time.

Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 04-08-1992

Significant Activity: 09-17-1992 Dismissed for failure to respond to court's inquiry concerning his finances.

MARVIN NICHOLAS ENGLE v. WARDEN J.D. LAMER, et al

Court: NORTHERN DISTRICT OF FLORIDA
Docket No.: TCA 91-40324/MMP; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: DETAINERS *Institution:* FCI, Tallahassee
Facts Alleged: Seeks removal of detainer under IAD because FL has not prosecuted in a timely manner.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 09-05-1991

Significant Activity: 05-15-1992 Order dismissed case.

JORGE LUIS GARCIA v. R.E. HONSTED, et al

Court: SOUTHERN DISTRICT OF FLORIDA
Docket No.: 91-1920-CIV-KEHOE; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: SENTENCING *Institution:* MCC, Miami
Facts Alleged: Paroled from CCC in 12-90 and administratively returned to Institution in 01-91 because sentence had been improperly computed, not eligible for parole. Now at MIA in 1991.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 08-30-1991
Significant Activity: 03-27-1992 Disposition stayed pending disposition of closely related matter by the Eleventh Circuit.

JAMES GRANT v. U.S.P.C., et al
Court: NORTHERN DISTRICT OF FLORIDA
Docket No.: TCA 89-40281-WS; *Type of Case:* Habeas Corpus; *Damages Req:* 0
Subject: INMATE DISCIPLINE *Institution:* FCI, Tallahassee
Facts Alleged: DHO assured that sanctions imposed would not effect parole date. On that basis Inmate waived witnesses and staff representative. Now has parole retardation.

Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 12-07-1989

Significant Activity: 10-31-1991 Dismissed for failure to prosecute.

LOUIS RONALD HOFFER v. DON J. SOUTHERLAND, et al

Court: NORTHERN DISTRICT OF ALABAMA
Docket No.: CV89-A-2137E; *Type of Case:* Habeas Corpus; *Damages Req:* 0
Subject: INMATE DISCIPLINE *Institution:* FPC, Maxwell Air Force Base

Facts Alleged: Parole recision because disciplinary action at MON in 1989 invalid.

Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 12-15-1989

Significant Activity: 01-19-1990 Order adopts magistrate's report, dismisses case.

FRANK EDMUND HOFFMAN v. J. CLASS

Court: NORTHERN DISTRICT OF FLORIDA
Docket No.: MCA 91-500048/WEA; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: SENTENCING *Institution:* FCI, Marianna
Facts Alleged: Denied extra good time for pretrial incarceration at MNA in 1991.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 04-02-1991
Significant Activity: 06-06-1991 Order dismisses case with prejudice based on 05-21-1991 magistrate's report.

CEO Litigation Report

October, 1992 Litigation- Page 9



LEWIS B. JOHNSON v. ROBERT L. MATTHEWS, et al
Court: NORTHERN DISTRICT OF GEORGIA
Docket No.: 90-000; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$100,000
Subject: FURLOUGHS *Institution:* USP, Atlanta
Facts Alleged: Denied furlough and CTC placement from ATL camp in 1990.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 06-26-1990
Significant Activity: 10-31-1990 Magistrate's report recommends dismissal. An inmate has no protected interest in transfer to a CTC or having a furlough. The inmate's allegation of discrimination because others with sentences for more serious crimes were permitted these privileges also failed because the inmate did not allege that he was denied these privileges because of membership in a protected class. 01-29-1991 Order dismisses case.

WILLIAM MARTELL-ROSADO v. U.S.A.
Court: NORTHERN DISTRICT OF ALABAMA
Docket No.: 91-A-1781-E; *Type of Case:* Habeas Corpus; *Damages Req:* 0
Subject: SENTENCING *Institution:* FCI, Talladega
Facts Alleged: Seeks jail credit for presentence time on home confinement in PR. At TDG in 1991.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 08-01-1991
Significant Activity: 09-21-1992 Order dismisses case based on magistrate's report dated 08-28-1992. Objections to the report were overruled.

JOHN CHARLES MCGROARTY v. JOSEPH P. CLASS
Court: NORTHERN DISTRICT OF FLORIDA
Docket No.: 90-50243; *Type of Case:* Habeas Corpus; *Damages Req:* 0
Subject: SENTENCING *Institution:* FCI, Marianna
Facts Alleged: Illegal aggregation of sentence at MNA in 1990
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 01-24-1991
Significant Activity: 08-21-1992 Dismissed with prejudice based on Magistrate's report dated 07-20-1992. Inmate failed to continue to prosecute the cause.

CALVIN WAYNE MOORE v. W.H. SEIFERT
Court: MIDDLE DISTRICT OF ALABAMA
Docket No.: 89-D-1055-N; *Type of Case:* Habeas Corpus; *Damages Req:* 0
Subject: MEDICAL TREATMENT *Institution:* FPC, Maxwell Air Force Base
Facts Alleged: Denied medical care after amputation of leg at MON in 1989. Refused to allow fitting for new artificial leg.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 09-25-1989
Significant Activity: 01-23-1990 Order dismisses case upon inmate's request to discontinue action. Government may bill for costs.

ROBERT M. MORRISON v. SHEREE L. STURGIS
Court: NORTHERN DISTRICT OF GEORGIA
Docket No.: 1:90-CV-2759-JTC; *Type of Case:* Federal Tort Claims Act; *Damages Req:* \$129.95
Subject: PROPERTY *Institution:* FCI, Marianna
Facts Alleged: Watch lost at MNA while inmate in segregation in 1989.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 12-12-1990
Significant Activity: 08-13-1992 Dismissed under 28 U.S.C. 2680(c), property loss while in the custody of law enforcement officials. Federal Tort Claims Act does not apply.

WILLIE S. POTTER v. BUREAU OF PRISONS
Court: NORTHERN DISTRICT OF GEORGIA
Docket No.: 1:92-CV-806-JTC; *Type of Case:* Habeas Corpus; *Damages Req:* 0
Subject: SENTENCING *Institution:* USP, Atlanta
Facts Alleged: Claims to be entitled to meritorious good time and parole superior achievement award that would make him eligible for immediate release from ATL in 1992.
Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 04-03-1992
Significant Activity: 08-12-1992 Dismissed for lack of jurisdiction.



PRICE & SONS GRADING COMPANY v. ADMIRAL INSURANCE COMPANY

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:90-CV-515-MHS; *Type of Case:* Other, Contract Matter; *Damages Req:* 0

Subject: BUDGETS *Institution:* USP, Atlanta

Facts Alleged: Faulty demolition work at ATL

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 06-05-1990

Significant Activity: 04-04-1991 Voluntary dismissal by plaintiff with prejudice.

JUAN CARLOS RESTREPO v. WILLIAM FLORES, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: TCA 89-40279-MMP; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* 0

Subject: INMATE DISCIPLINE *Institution:* FPC, Homestead, Florida

Facts Alleged: Set up by HOM staff for attempted escape charge in 06-89.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 12-08-1989

Significant Activity: 03-27-1991 Order dismisses case based on 12-27-1990 magistrate's report.

JAMES R. RICE v. THOMAS O'MALLEY, et al

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 91-1463-CIV-GRAHAM; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* 0

Subject: AD DETENTION *Institution:* MCC, Miami

Facts Alleged: Conspiracy to inflict harsher treatment on MIA inmate in 1991 by placing in Ad Detention and delay in delivery of mail.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 12-31-1991

Significant Activity: 06-09-1992 Magistrate's report recommends dismissal for failure to plead conspiracy theory with sufficient specificity. 06-22-1992 Order dismisses case.

RAMON SANCHEZ v. U.S. B.O.P., et al

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 90-2749-CIV-HOEVELER; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: MEDICAL TREATMENT *Institution:* MCC, Miami

Facts Alleged: Cannot be given proper medical care for leg injury in prison at MIA in 1990.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 12-11-1990

Significant Activity: 05-24-1991 Order dismisses case based on magistrate's report. Dismissed without prejudice for failure to exhaust administrative remedies.

WILLIAM SMITH v. U.S. DEPARTMENT OF JUSTICE, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:89-CV-1310; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$13,500,000

Subject: INMATE DISCIPLINE *Institution:* MON

Facts Alleged: Charged with stealing at MON in 1988 based on use of credit card to make phone calls.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 09-08-1989

Significant Activity: 02-26-1990 Dismissed for improper venue.

ISSAC W. THOMAS v. UNITED STATES, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: 92-H-0869-E; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: MEDICAL TREATMENT *Institution:* FCI, Talladega

Facts Alleged: Interference with mail, legal papers seized, urine sample demanded without probable cause, denied eye glasses and dentures, a victim of involuntary servitude at TDG in 1992. Initial request for damages dismissed by court sua sponte.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 04-13-1992

Significant Activity: 05-11-1992 Order dismisses Bivens portion of case. Appeal to CA11, 92-6475. 08-12-1992 Appeal dismissed as premature.



LEHMAN, JR. TUCKER v. UNITED STATES, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 91-30119/WEA; **Type of Case:** Federal Tort Claims Act; **Damages Req:** \$1,000,000

Subject: MEDICAL TREATMENT **Institution:** FPC, Eglin Air Force Base

Facts Alleged: Committed to EGL in 10-1987 with extra contact lenses and cleaning solution that was confiscated and sent home. Adequate replacements not provided at EGL or TDG and during transport to RCH. As a result of inability to adequately clean lenses, eyesight worsen to the point of blindness.

Special Monitoring: IB2; May be financial liability. All cases involving injury which caused loss of limb or body function.

Date Case Filed: @04-17-1991

Significant Activity: 09-01-1992 Negligence claim dismissed because it was filed more than six months after disposition of administrative tort claim. Bivens claim dismissed for failure to prove deliberate indifference.

THOMAS VINAGERA-CESAR v. UNITED STATES, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:89-CV-715; **Type of Case:** Personal Liability (Bivens) and Tort Action; **Damages Req:**

Subject: ASSAULTS **Institution:** USP, Atlanta

Facts Alleged: Assaulted by Inmate with knife on 08-01-1986. Failure to protect.

Special Monitoring: IB2, May be financial liability, All cases involving injury which caused loss of limb or body function.

Date Case Filed: 04-10-1989

Significant Activity: 11-29-1989 Order dismissed case for failure to meet statute of limitations. Orders plaintiff to pay costs.

PAUL VREONES v. BOP, et al

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 92-8372-CIV; **Type of Case:** Habeas Corpus; **Damages Req:** 0

Subject: SENTENCING **Institution:** Southeast Region

Facts Alleged: Inmate at Salvation Army Half-Way House in West Palm Beach, FL complains that due to improper sentence computation, he is being imprisoned beyond his release date. Claims he should have been eligible for parole on a new law sentence that was imposed during the time FFLS had declared sentencing guidelines unconstitutional.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 06-22-1992

Significant Activity: 09-11-1992 Order dismisses case. The inmate was not affected by the sentencing guidelines issues. He was not eligible for parole.

BOBBY J. WILSON v. D.J. SOUTHERLAND, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CIV-91-PT-788-E; **Type of Case:** Personal Liability Action (Bivens); **Damages Req:** \$256,000

Subject: SENTENCING **Institution:** FCI, Talladega

Facts Alleged: Denied good time for period of civil contempt at TDG in 1988-89.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 07-19-1991

Significant Activity: 06-25-1992 Dismissed based on 04-14-1992 Magistrate's Report. Just because an inmate's regular sentence is interrupted by a civil contempt term, does not mean that he has a right to be treated as a pre-trial detainee. He is not entitled to good time credits for the civil contempt time.

IN THE MATTER OF THE EMERGENCY APPLICATION OF THE FEDERAL PUBLIC DEFENDER FOR AN ORDER TO ENSURE COMPLIANCE WITH THE RIGHTS OF DEFENDANT-CLIENTS TO THE EFFECTIVE ASSISTANCE OF COUNSEL AS GUARANTEED BY U.S. CONST. AMEND. VI AND TITLE 18 U.S.C. 3006A AND 3142(i)(3), v.

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 92-4818-SNOW; **Type of Case:** Mandamus; **Damages Req:** 0

Subject: MISCELLANEOUS **Institution:** MCC, Miami

Facts Alleged: Federal public defender in FFLS filed this action on behalf of all clients transferred from MIA as a result on August, 1992 Hurricane Andrew. Telephone contact with clients has been inadequate. Unable to schedule visits because of rapid relocation on clients to other jails.

Special Monitoring: IC8, Publicity / Impact on staff morale, Resulting from 08-92 Hurricane Andrew

Date Case Filed: 09-17-1992

Significant Activity: 10-01-1992 Memorandum from Magistrate Snow to Judge Roetger regarding the meeting of federal law enforcement officials regarding pretrial detainees. 10-06-1992 Administrative Order 92-52 requires 1) new arrestees to be kept in the district for 14 days; 2) USM to transport prisoners to facilities within the district 14 days prior to trial and 7 days before sentencing; 3) Thirty days notice in advance of trial or sentencing date required for production; 4) problems with this process are to resolved by weekly meetings between USM, BOP and the magistrates.



FRANCIS L. & SHIRLEY L. SILVA v. UNITED STATES, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:91-CV-2305; *Type of Case:* Habeas Corpus;

Damages Req: 0

Subject: TRANSFERS *Institution:* USP, Atlanta

Facts Alleged: Inmate at ATL is seeking to be transferred to California so that he will be close to his family.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 08-24-1991

Significant Activity: 04-23-1992 Magistrate's report recommends dismissal on the merits. The Attorney General has the authority to designate inmates.

GARY S. WILLIAMS v. J. MICHAEL QUINLAN, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1387-RLV; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* 75,001.00

Subject: PROTECTIVE CUSTODY *Institution:* USP, Atlanta

Facts Alleged: Inmate at ATL alleges that he was classified to special housing unit as a result of overcrowding. He also received administrative detention as a result of this classification.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 06-09-1992

Significant Activity: 10-19-1992 Dismissed because allegations had become moot as a result of transfer and because issues regarding transfer are left to the discretion of prison officials.

ARNOLD NORMAN FANT v. D. J. SOUTHERLAND, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV-90-H-1460-E; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:*

Subject: MEDICAL TREATMENT *Institution:* FCI, Talladega

Facts Alleged: Inmate at TDG alleges that staff at TDG conspired to deprive him of medical treatment for his infected testicle.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 09-17-1990

Significant Activity: 09-14-1990 Dismissed on the merits.

JOHN L. BIKA, et al v. JOSEPH P. CLASS, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 91-50212/WEA; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: MEDICAL TREATMENT *Institution:* FCI, Marianna

Facts Alleged: Wants state detainer removed because of delay and concerns about medical care at MNA in 1991.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 10-31-1992

Significant Activity: 10-26-1992 Dismissed on the merits without prejudice.

JIMMY DILLON BROWN v. UNITED STATES OF AMERICA

Court: MIDDLE DISTRICT OF ALABAMA

Docket No.: 92-H-1166-N; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: SENTENCING *Institution:* FPC, Maxwell Air Force Base

Facts Alleged: Inmate at MON alleges that he should be given credit toward his sentence for time spent in official detention.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 09-15-1992

Significant Activity: 10-13-1992 Magistrate's report recommends dismissal for mootness because he had been granted the relief he sought. 10-23-1992 Order dismisses case as moot.

AUGUSTO GUILLERMO FALCON, et al v. U.S. BUREAU OF PRISONS, et al

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 92-0133-CIV-GRAHAM; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* unspecified

Subject: AD DETENTION *Institution:* MCC, Miami

Facts Alleged: Additional plaintiffs Orlando Benigno Lorenzo, Salvatore Magluta. Claim violation of due process rights when transferred to administrative detention because of investigation for possession of contraband, a cellular phone at MIA in 1991. Administrative detention order insufficient because not give detailed facts about alleged misbehavior.

Special Monitoring: ID12, Case management may be a problem, Less than 48 hours response time.

Date Case Filed: 01-17-1992

Significant Activity: 04-04-1992 Voluntary stipulation for dismissal. The case was later reopened when the three inmates were returned to administrative detention after there was information they may have been involved in an escape plot.



CHRISTOPHER HUNT v. DON CHADWICK, et al

Court: MIDDLE DISTRICT OF GEORGIA

Docket No.: 90-78-3-MAC (WDO); *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$55,000

Subject: WITNESS PROTECTION *Institution:* Central Inmate Monitoring

Facts Alleged: Transfer among different institutions violated terms of witness protection agreement and endangered personal security

Special Monitoring: ID11, Case management may be a problem, Witness Protection Plaintiff

Date Case Filed: 03-12-1990

Significant Activity: 04-12-1990 Order dismisses case without prejudice.

RAFAEL MAISONAVE-VALENTIN v. FRED STOCK, et al

Court: DISTRICT OF PUERTO RICO

Docket No.: 92-2041(CCC); *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: PAROLE *Institution:* USP, Atlanta

Facts Alleged: PR boarder inmate at ATL complains that he is eligible for parole release or a parole hearing.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 08-24-1992

Significant Activity: 10-06-1992 Magistrate Judge's Report and Recommendation recommends dismissal of case for mootness because the inmate has been released on parole.

UNITED STATES OF AMERICA v. MANUEL ENRIQUEZ SAENZ

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 92-451-CR; *Type of Case:* OTHER, Criminal Prosecution; *Damages Req:* 0

Subject: ACCESS TO COURTS *Institution:* MCC, Miami

Facts Alleged: MIA inmate transferred to Lake County, FL after Hurricane Andrew alleges he was been unduly hindered to consult with his counsel. Also denied regular telephone privileges.

Special Monitoring: IC8, Publicity / Impact on staff morale, Resulting from 08-92 Hurricane Andrew

Date Case Filed: 09-16-1992

Significant Activity: 10-01-1992 Motions for reconsideration of bond and names and addresses of witnesses denied.

PAUL J. STOUT v. RICHARD THORNBURG, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-30041-RV; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$10,000

Subject: COMMUNITY TREATMENT CENTERS

Institution: FPC, Eglin Air Force Base

Facts Alleged: Denied placement in CTC from EGL in 1991. Forced into involuntary servitude for the personal financial gain of personnel.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 01-26-1992

Significant Activity: 10-02-1992 Dismissed for failure to prosecute.

ISAAC W. THOMAS v. UNITED STATES, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: 291-277; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$1,000,000

Subject: WORK *Institution:* FCI, Jesup

Facts Alleged: Forcing him to work in Food Service at JES for \$.11 per hour in 1991 was involuntary servitude because the United States has no jurisdiction over him.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 07-05-1991

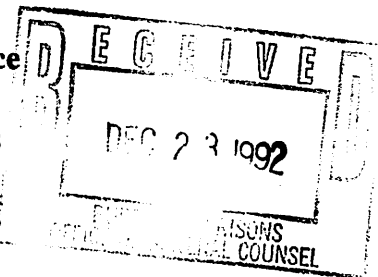
Significant Activity: 10-09-1992 Order dismisses case on the merits.



U.S. Department of Justice

Federal Bureau of Prisons

Southeast Regional Office



523 McDonough Boulevard S.E.
Atlanta, Georgia 30315

November Report

December 17, 1992

Joyce Zoldak, Associate General Counsel, Litigation Branch
Federal Bureau of Prisons
Office of the General Counsel
320 First Street N.W. 20534

RE: Quarterly Report

Dear Ms. Zoldak:

Please find enclosed a copy of the "CEO" report used by this region to disseminate information relating to litigation activities within this region.

In summary, this report shows that there were a total of 15 new cases received by this office in the month of November. A breakdown of these cases by category shows that there were 7 "Bivens", 0 FTCA, 3 "other", 1 FOI/PA, and 4 habeas petitions.

The report also shows any significant activity on cases pending within this region.

If this information is needed in other form please contact this office at 404-624-8127.

Sincerely,

A. Eugene Dixon
Paralegal

Enclosure



United States Government Memorandum

Date: December 10, 1992

**Reply to
Attn. of:** Sherree L. Sturgis, Regional Counsel
Southeast Region, Bureau of Prisons

Subject: November, 1992 SER Litigation

To: SER CEOs, Regional Administrators
Institution Paralegals and Attorneys
Wallace H. Cheney, General Counsel

New Cases

**1. UNITED STATES v. ROUTE 5, BOX 8005,
CHICKAMAUGA, WALKER, COUNTY, GA, DIANE
GALLOWAY, CLAIMANT**

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 4:92-CV-0078-HLM

Institution: USP, Atlanta

Type of Case: Other, Subpoena for records

Subject: MISCELLANEOUS

Facts Alleged: A subpoena requesting BOP records concerning inmate Robert Aaron Wiley in an unrelated civil matter.

Damages Req: 0; *Special Monitoring:* ID12, Case management may be a problem, Less than 48 hours response time.

Rec'd in Legal: November 2, 1992; *Due:* NA

Assigned to: Dahill Goss; Assistant U.S. Attorney, Atlanta, GA ; Wanda Hunt, Staff Counsel, USP, Atlanta

**2. UNITED STATES v. FRANCISCO KORTWRIGHT
PEREZ**

Court: DISTRICT OF PUERTO RICO

Docket No.: CR 90-230 (JP)

Institution: FCI, Jesup

Type of Case: Habeas Corpus

Subject: CONDITIONS OF CONFINEMENT

Facts Alleged: Inmate at JES had complained about the conditions of confinement that he was subjected to while incarcerated in a county jail in Pensacola. Judge in PR filed notes of phone calls and memorandum under criminal action number but did not request any response.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 2, 1992; *Due:* -1992

Assigned to: Daniel F. Lopez-Romo; United States Attorney, Hato Rey, PR ; Angle Grider, Legal Intern, SERO

3. EDWARD COLLINS v. MR. BAXTER, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: TCA 92-40061 WS

Institution: FCI, Tallahassee

Type of Case: Personal Liability Action (Blvens)

Subject: URINE SURVEILLANCE

Facts Alleged: Inmate at TAL alleges that as a result of a bladder problem, he was unable to provide a urine sample and was sanctioned. He also alleges that his medical condition has not received the proper treatment.

Damages Req: \$1,500,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 12, 1992; *Due:* @12-01-1992

Assigned to: David W. Moye; Assistant U.S. Attorney, Tallahassee, FL; Dan Rouse, Paralegal Specialist, FCI, Tallahassee

4. WILLIAM J. SHEFFIELD v. DR. SHIRLEY CORSBIE

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-263

Institution: FCI, Jesup

Type of Case: Mandamus

Subject: FOI-PRIVACY

Facts Alleged: Inmate at JES claims that an FOIA request for psychological tests has not been acted upon.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 12, 1992; *Due:* 11-25-1992

Assigned to: Paul G. Justice; Assistant U.S. Attorney, Savannah, GA; Earl L. Cotton, Assistant Regional Counsel, SERO

**5. ROBERT E. DUNLEAVY v. U.S. BUREAU OF
PRISONS, et al**

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CIV-292-262

Institution: FCI, Jesup

Type of Case: FOI-Privacy

Subject: CLASSIFICATION

Facts Alleged: JES inmate claims as a result of false information contained in his PSI report, a public safety factor was placed on him by the BOP and the USPC placing him in a different category.

Damages Req: \$25,000; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 12, 1992; *Due:* None, No Service On US Attorney

Assigned to: Paul G. Justice; Assistant U.S. Attorney, Savannah, GA; Wilson Moorer, Paralegal Specialist, FCI, Jesup



6. DAVID BASADRE v. W. J. THOMPSON, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: 92-T-1399-N

Institution: FPC, Maxwell Air Force Base

Type of Case: Habeas Corpus

Subject: COMMUNITY TREATMENT CENTERS

Facts Alleged: Inmate at MON in 1992 alleges he should be placed in a CTC for 180 days instead of 2 months.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 12, 1992; *Due:* NONE, NO SHOW CAUSE

Assigned to: D. Broward Segrest; Assistant U.S. Attorney First Assistant, Montgomery, AL ; Sharon Ragland, Paralegal Specialist, Southeast Regional Office

7. DAVID AARON COBB v. ALFONZO GRAHAM, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1002-RLV

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: ASSAULTS

Facts Alleged: Inmate at ATL alleges that he was assaulted by staff. He alleges that medical treatment for his injuries was denied. He also alleges that he was placed in segregation in unsanitary conditions. He alleges that he was not allowed to use the phone.

Damages Req: \$650,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 18, 1992; *Due:* NONE, NO SUMMONS ISSUED.

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney Chief, Civil Division, Atlanta, GA ; Wanda Hunt, Staff Counsel, USP, Atlanta

8. CITY OF ATLANTA v. HERMAN NELSON

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 0023603

Institution: USP, Atlanta

Type of Case: Other, On-duty Traffic Citation

Subject: MISCELLANEOUS

Facts Alleged: Employee received a citation while driving a Bureau of Prison's vehicle.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 18, 1992; *Due:* 11-19-1992

Assigned to: James R. Schultz; Assistant U.S. Attorney, Atlanta, GA ; Wanda Hunt, Staff Counsel, USP, Atlanta

9. THOMAS L. BALDWIN v. JOSEPH CLASS, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-50208 WEA

Institution: FCI, Marianna

Type of Case: Personal Liability Action (Bivens)

Subject: CLASSIFICATION

Facts Alleged: Inmate at MNA alleges that there is false information on his security designation score and wishes to have it expunged.

Damages Req: \$5,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 18, 1992; *Due:* 01-08-1993

Assigned to: Michael Finney; Assistant U.S. Attorney, Pensacola, FL ; Sterling Dawson, Paralegal Specialist, FCI, Marianna

10. JOHN WILLIAMS v. ROBERT E. HONSTED, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-271

Institution: FCI, Jesup

Type of Case: Personal Liability Action (Bivens)

Subject: MEDICAL TREATMENT

Facts Alleged: Inmate at JES alleges that he is receiving a generic drug instead of the proper medication for his cluster headaches for cost savings reasons.

Damages Req: \$4500.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 18, 1992; *Due:* 01-09-1993

Assigned to: Paul G. Justice; Assistant U.S. Attorney, Savannah, GA; Wilson Moorer, Paralegal Specialist, FCI, Jesup

11. LE ROY REA, JR. v. BUREAU OF PRISONS, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1292-RLV

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: WORK

Facts Alleged: Inmate at ATL alleges that he was fired from his job at UNICOR because of false allegations made by the UNICOR foreman.

Damages Req: \$750,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 18, 1992; *Due:* 11-20-1992

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney Chief, Civil Division, Atlanta, GA ; Wanda Hunt, Staff Counsel, USP, Atlanta



12. WILLIAM GEORGE WALTON v. JOSEPH P. CLASS

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-50266RV

Institution: FCI, Marianna

Type of Case: Habeas Corpus

Subject: COMMUNITY TREATMENT CENTERS

Facts Alleged: MNA Inmate in 1992 claims he was arbitrarily denied placement in a CTC.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 20, 1992; *Due:* 01-08-1993

Assigned to: Samuel A. Alter, Jr.; Supervising Assistant U.S. Attorney, Pensacola FL ; Sterling Dawson, Paralegal Specialist, FCI, Marianna

13. ROBERT ROMO v. JOSEPH CLASS

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-50219 RV

Institution: FCI, Marianna

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: MNA Inmate in 1992 claims responsibility for his state sentence was transferred to the federal government under the Witness Protection Program so that he should receive additional credit towards his state sentence and be eligible for parole.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 20, 1992; *Due:* -1992

Assigned to: Samuel A. Alter, Jr.; Supervising Assistant U.S. Attorney, Pensacola FL ; Sterling Dawson, Paralegal Specialist, FCI, Marianna

14. PHILLIP N. NORMAN v. ANDRE IVORY, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1833-RLV

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: INMATE DISCIPLINE

Facts Alleged: ATL Inmate claims false information was put in his Progress Report resulting in USPC not issuing a parole date. He also alleges discrimination based on race and inmate assault at the request of staff in retaliation for filing administrative remedies.

Damages Req: \$4,000,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 23, 1992; *Due:* 0104-1993

Assigned to: Jane W. Swift; Assistant U.S. Attorney, Atlanta, GA ; Wanda Hunt, Staff Counsel, USP, Atlanta

15. MIGUEL ANGEL SENSEBE v. J. MICHAEL QUINLAN, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-50209RV

Institution: FCI, Marianna

Type of Case: Personal Liability Action (Bivens)

Subject: CORRESPONDENCE

Facts Alleged: MNA Inmate in 1992 claims improper rejection of the magazine, "Tattoo" (May and June, 1992 editions) for reasons unrelated to penological interests.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 27, 1992; *Due:* 01-27-1993

Assigned to: Samuel A. Alter, Jr.; Supervising Assistant U.S. Attorney, Pensacola FL ; Sterling Dawson, Paralegal Specialist, FCI, Marianna

Significant Activity on Existing Cases

VICTOR STUBBS v. U.S.

Court: EASTERN DISTRICT OF PENNSYLVANIA

Docket No.: 92-2384; *Type of Case:* Federal Tort Claims Act; *Damages Req:* \$100,000

Subject: TORT *Institution:* Southeast Region

Facts Alleged: On 12-09-1989 Inmate was a passenger on a bus traveling from PET to TDG when the bus negligently collided with stopped cars near Burlington, NC. He suffered fractured vertebrae, head and leg injuries causing pain and medical expenses. Presently at DAN Camp.

Special Monitoring: IB2, May be financial liability, All cases involving injury which caused loss of limb or body function.

Date Case Filed: 04-23-1992

Significant Activity: 11-02-1992 Settlement of case for \$35,000 approved.

CHARLES G. ACKERMAN v. R.E. HONSTED

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 291-096; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: SENTENCING *Institution:* FCI, Jesup

Facts Alleged: Denied jail credit for time on bond at JES In 1991.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 03-27-1991

Significant Activity: 06-03-1991 Order dismisses case, inmate is not entitled to credit for this period.



KUNTA MUWAKIL ALLAH v. U.S.A., et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV-292-136; **Type of Case:** Habeas Corpus;

Damages Req: 0

Subject: ASSAULTS **Institution:** FCI, Jesup

Facts Alleged: Staff at JES failed to protect him from assault by another inmate. He was transferred to TDG as a result of incident. Damage request was dismissed by court sua sponte.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 03-09-1992

Significant Activity: 11-03-1992 Order dismisses case on summary judgement. The inmate failed to plead his claims of constitutional violations with sufficient specificity. The defendants had not been callously indifferent to his security needs.

MOSHE ELKAYAM v. DONALD J. SOUTHERLAND, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: 89-C-1534-S; **Type of Case:** Personal Liability Action (Bivens); **Damages Req:** \$100,001

Subject: CORRESPONDENCE **Institution:** FCI, Talladega

Facts Alleged: Mishandling of legal mail at TDG in 1988.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 12-14-1989

Significant Activity: 09-08-1992 Magistrate's report recommends dismissal. 10-15-1992 Order grants government's motion for summary judgement, dismisses case.

RAUL GARCIA v. R. E. HONSTED, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-205; **Type of Case:** Habeas Corpus;

Damages Req: 0

Subject: SENTENCING **Institution:** FCI, Jesup

Facts Alleged: Inmate at JES complains that he should be considered for parole, but as a result of the BOP's computation for his sentencing, he has been denied.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 08-08-1992

Significant Activity: 11-06-1992 Dismissed for failure to exhaust administrative remedies.

JOSE CARLOS SANCHEZ-RIOS v. R.E. HONSTED, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-96; **Type of Case:** Habeas Corpus;

Damages Req: 0

Subject: SENTENCING **Institution:** FCI, Jesup

Facts Alleged: Sentenced to two concurrent federal sentences on different dates. Seeks credit against second sentence for time awaiting trial and sentencing. Cannot be granted because would be double credit. At JES in 1992.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 04-14-1992

Significant Activity: 11-06-1992 Order dismisses case based on magistrate's report.

VISHU SHARMA v. R.E. HONSTED, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-103; **Type of Case:** Habeas Corpus;

Damages Req: 0

Subject: COMMUNITY TREATMENT CENTERS

Institution: FCI, Jesup

Facts Alleged: Denied camp and CCC placement because not a citizen and INS detainer.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 04-27-1992

Significant Activity: 11-06-1992 Order dismisses case based on magistrate's report.

GERALD E. SMITH v. U.S.P.C., et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-155; **Type of Case:** Habeas Corpus;

Damages Req: 0

Subject: SENTENCING **Institution:** FCI, Jesup

Facts Alleged: Parole improperly revoked and sentences improperly unaggregated at JES in 1992.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 05-29-1992

Significant Activity: 11-03-1992 Order dismisses case as moot, based on magistrate's report.



GARY P. YATES v. R.E. HONSTED, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: 292-126; **Type of Case:** Mandamus; **Damages Req:** 0

Subject: AD REMEDIES **Institution:** FCI, Jesup

Facts Alleged: Denied copies of the administrative remedy index at JES in 1992. Seeks this to support appeal of his denial of a social furlough.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 05-09-1992

Significant Activity: 11-03-1992 Order dismisses case without prejudice as moot based on magistrate's report.

JOEL LEVINE v. HAROLD B. WILBERT

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 91-7113-CIV-ROETTGER; **Type of Case:** Habeas Corpus; **Damages Req:** 0

Subject: INMATE DISCIPLINE **Institution:** Southeast Region

Facts Alleged: BOP improperly disciplined inmate for escape at DAN in 1991 because hearing was not held within 60 days of his return to custody.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 12-26-1991

Significant Activity: 11-10-1992 Order adopts Magistrate's report, dismisses case.



**United States Government
Memorandum**

Date: December 10, 1992

**Reply to
Attn. of:** Sherree L. Sturgis, Regional Counsel
Southeast Region, Bureau of Prisons

Subject: November, 1992 SER Litigation

To: SER CEOs, Regional Administrators
Institution Paralegals and Attorneys
Wallace H. Cheney, General Counsel

New Cases

**1. UNITED STATES v. ROUTE 5, BOX 8005,
CHICKAMAUGA, WALKER, COUNTY, GA, DIANE
GALLOWAY, CLAIMANT**

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 4:92-CV-0078-HLM

Institution: USP, Atlanta

Type of Case: Other, Subpoena for records

Subject: MISCELLANEOUS

Facts Alleged: A subpoena requesting BOP records concerning inmate Robert Aaron Wiley in an unrelated civil matter.

Damages Req: 0; *Special Monitoring:* ID12, Case management may be a problem, Less than 48 hours response time.

Rec'd in Legal: November 2, 1992; *Due:* NA

Assigned to: Dahill Goss; Assistant U.S. Attorney, Atlanta, GA ; Wanda Hunt, Staff Counsel, USP, Atlanta

**2. UNITED STATES v. FRANCISCO KORTWRIGHT
PEREZ**

Court: DISTRICT OF PUERTO RICO

Docket No.: CR 90-230 (JP)

Institution: FCI, Jesup

Type of Case: Habeas Corpus

Subject: CONDITIONS OF CONFINEMENT

Facts Alleged: Inmate at JES had complained about the conditions of confinement that he was subjected to while incarcerated in a county jail in Pensacola. Judge in PR filed notes of phone calls and memorandum under criminal action number but did not request any response.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 2, 1992; *Due:* -1992

Assigned to: Daniel F. Lopez-Romo; United States Attorney, Hato Rey, PR ; Angie Grider, Legal Intern, SERO

3. EDWARD COLLINS v. MR. BAXTER, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: TCA 92-40061 WS

Institution: FCI, Tallahassee

Type of Case: Personal Liability Action (Bivens)

Subject: URINE SURVEILLANCE

Facts Alleged: Inmate at TAL alleges that as a result of a bladder problem, he was unable to provide a urine sample and was sanctioned. He also alleges that his medical condition has not received the proper treatment.

Damages Req: \$1,500,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 12, 1992; *Due:* @12-01-1992

Assigned to: David W. Moye; Assistant U.S. Attorney, Tallahassee, FL; Dan Rouse, Paralegal Specialist, FCI, Tallahassee

4. WILLIAM J. SHEFFIELD v. DR. SHIRLEY CORSBIE

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-263

Institution: FCI, Jesup

Type of Case: Mandamus

Subject: FOI-PRIVACY

Facts Alleged: Inmate at JES claims that an FOIA request for psychological tests has not been acted upon.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 12, 1992; *Due:* 11-25-1992

Assigned to: Paul G. Justice; Assistant U.S. Attorney, Savannah, GA; Earl L. Cotton, Assistant Regional Counsel, SERO

**5. ROBERT E. DUNLEAVY v. U.S. BUREAU OF
PRISONS, et al**

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CIV-292-262

Institution: FCI, Jesup

Type of Case: FOI-Privacy

Subject: CLASSIFICATION

Facts Alleged: JES Inmate claims as a result of false information contained in his PSI report, a public safety factor was placed on him by the BOP and the USPC placing him in a different category.

Damages Req: \$25,000; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 12, 1992; *Due:* None; No Service On U.S. Attorney

Assigned to: Paul G. Justice; Assistant U.S. Attorney, Savannah, GA; Wilson Moorer, Paralegal Specialist, FCI, Jesup



6. DAVID BASADRE v. W. J. THOMPSON, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: 92-T-1399-N

Institution: FPC, Maxwell Air Force Base

Type of Case: Habeas Corpus

Subject: COMMUNITY TREATMENT CENTERS

Facts Alleged: Inmate at MON in 1992 alleges he should be placed in a CTC for 180 days instead of 2 months.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 12, 1992; *Due:* NONE, NO SHOW CAUSE

Assigned to: D. Broward Segrest; Assistant U.S. Attorney First Assistant, Montgomery, AL ; Sharon Ragland, Paralegal Specialist, Southeast Regional Office

7. DAVID AARON COBB v. ALFONZO GRAHAM, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1002-RLV

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: ASSAULTS

Facts Alleged: Inmate at ATL alleges that he was assaulted by staff. He alleges that medical treatment for his injuries was denied. He also alleges that he was placed in segregation in unsanitary conditions. He alleges that he was not allowed to use the phone.

Damages Req: \$650,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 18, 1992; *Due:* NONE, NO SUMMONS ISSUED.

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney Chief, Civil Division, Atlanta, GA ; Wanda Hunt, Staff Counsel, USP, Atlanta

8. CITY OF ATLANTA v. HERMAN NELSON

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 0023603

Institution: USP, Atlanta

Type of Case: Other, On-duty Traffic Citation

Subject: MISCELLANEOUS

Facts Alleged: Employee received a citation while driving a Bureau of Prison's vehicle.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 18, 1992; *Due:* 11-19-1992

Assigned to: James R. Schultz; Assistant U.S. Attorney, Atlanta, GA ; Wanda Hunt, Staff Counsel, USP, Atlanta

9. THOMAS L. BALDWIN v. JOSEPH CLASS, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-50208 WEA

Institution: FCI, Marianna

Type of Case: Personal Liability Action (Bivens)

Subject: CLASSIFICATION

Facts Alleged: Inmate at MNA alleges that there is false information on his security designation score and wishes to have it expunged.

Damages Req: \$5,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 18, 1992; *Due:* 01-08-1993

Assigned to: Michael Finney; Assistant U.S. Attorney, Pensacola, FL ; Sterling Dawson, Paralegal Specialist, FCI, Marianna

10. JOHN WILLIAMS v. ROBERT E. HONSTED, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-271

Institution: FCI, Jesup

Type of Case: Personal Liability Action (Bivens)

Subject: MEDICAL TREATMENT

Facts Alleged: Inmate at JES alleges that he is receiving a generic drug instead of the proper medication for his cluster headaches for cost savings reasons.

Damages Req: \$4500.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 18, 1992; *Due:* 01-09-1993

Assigned to: Paul G. Justice; Assistant U.S. Attorney, Savannah, GA; Wilson Moorer, Paralegal Specialist, FCI, Jesup

11. LE ROY REA, JR. v. BUREAU OF PRISONS, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1292-RLV

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: WORK

Facts Alleged: Inmate at ATL alleges that he was fired from his job at UNICOR because of false allegations made by the UNICOR foreman.

Damages Req: \$750,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: November 18, 1992; *Due:* 11-20-1992

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney Chief, Civil Division, Atlanta, GA ; Wanda Hunt, Staff Counsel, USP, Atlanta



12. WILLIAM GEORGE WALTON v. JOSEPH P. CLASS

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-50266RV

Institution: FCI, Marianna

Type of Case: Habeas Corpus

Subject: COMMUNITY TREATMENT CENTERS

Facts Alleged: MNA Inmate in 1992 claims he was arbitrarily denied placement in a CTC.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd In Legal: November 20, 1992; *Due:* 01-08-1993

Assigned to: Samuel A. Alter, Jr.; Supervising Assistant U.S. Attorney, Pensacola FL; Sterling Dawson, Paralegal Specialist, FCI, Marianna

13. ROBERT ROMO v. JOSEPH CLASS

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-50219 RV

Institution: FCI, Marianna

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: MNA Inmate in 1992 claims responsibility for his state sentence was transferred to the federal government under the Witness Protection Program so that he should receive additional credit towards his state sentence and be eligible for parole.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd In Legal: November 20, 1992; *Due:* -1992

Assigned to: Samuel A. Alter, Jr.; Supervising Assistant U.S. Attorney, Pensacola FL; Sterling Dawson, Paralegal Specialist, FCI, Marianna

14. PHILLIP N. NORMAN v. ANDRE IVORY, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1833-RLV

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: INMATE DISCIPLINE

Facts Alleged: ATL Inmate claims false information was put in his Progress Report resulting in USPC not issuing a parole date. He also alleges discrimination based on race and inmate assault at the request of staff in retaliation for filing administrative remedies.

Damages Req: \$4,000,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd In Legal: November 23, 1992; *Due:* 0104-1993

Assigned to: Jane W. Swift; Assistant U.S. Attorney, Atlanta, GA; Wanda Hunt, Staff Counsel, USP, Atlanta

15. MIGUEL ANGEL SENSEBE v. J. MICHAEL QUINLAN, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-50209RV

Institution: FCI, Marianna

Type of Case: Personal Liability Action (Bivens)

Subject: CORRESPONDENCE

Facts Alleged: MNA Inmate in 1992 claims improper rejection of the magazine, "Tattoo" (May and June, 1992 editions) for reasons unrelated to penological interests.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd In Legal: November 27, 1992; *Due:* 01-27-1993

Assigned to: Samuel A. Alter, Jr.; Supervising Assistant U.S. Attorney, Pensacola FL; Sterling Dawson, Paralegal Specialist, FCI, Marianna

Significant Activity on Existing Cases

VICTOR STUBBS v. U.S.

Court: EASTERN DISTRICT OF PENNSYLVANIA

Docket No.: 92-2384; *Type of Case:* Federal Tort Claims Act

Damages Req: \$100,000

Subject: TORT *Institution:* Southeast Region

Facts Alleged: On 12-09-1989 Inmate was a passenger on a bus traveling from PET to TDG when the bus negligently collided with stopped cars near Burlington, NC. He suffered fractured vertebrae, head and leg injuries causing pain and medical expenses. Presently at DAN Camp.

Special Monitoring: IB2, May be financial liability, All cases involving injury which caused loss of limb or body function.

Date Case Filed: 04-23-1992

Significant Activity: 11-02-1992 Settlement of case for \$35,000 approved.

CHARLES G. ACKERMAN v. R.E. HONSTED

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 291-096; *Type of Case:* Habeas Corpus;

Damages Req: 0

Subject: SENTENCING *Institution:* FCI, Jesup

Facts Alleged: Denied jail credit for time on bond at JES in 1991.

Special Monitoring: 0; Not assigned to special monitoring

Date Case Filed: 03-27-1991

Significant Activity: 06-03-1991 Order dismisses case, Inmate is not entitled to credit for this period.



KUNTA MUWAKIL ALLAH v. U.S.A., et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV-292-136; *Type of Case:* Habeas Corpus;

Damages Req: 0

Subject: ASSAULTS *Institution:* FCI, Jesup

Facts Alleged: Staff at JES failed to protect him from assault by another inmate. He was transferred to TDG as a result of incident. Damage request was dismissed by court sua sponte.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 03-09-1992

Significant Activity: 11-03-1992 Order dismisses case on summary judgement. The inmate failed to plead his claims of constitutional violations with sufficient specificity. The defendants had not been callously indifferent to his security needs.

MOSHE ELKAYAM v. DONALD J. SOUTHERLAND, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: 89-C-1534-S; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$100,001

Subject: CORRESPONDENCE *Institution:* FCI, Talladega

Facts Alleged: Mishandling of legal mail at TDG in 1988.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 12-14-1989

Significant Activity: 09-08-1992 Magistrate's report recommends dismissal. 10-15-1992 Order grants government's motion for summary judgement, dismisses case.

RAUL GARCIA v. R. E. HONSTED, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-205; *Type of Case:* Habeas Corpus;

Damages Req: 0

Subject: SENTENCING *Institution:* FCI, Jesup

Facts Alleged: Inmate at JES complains that he should be considered for parole, but as a result of the BOP's computation for his sentencing, he has been denied.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 08-08-1992

Significant Activity: 11-06-1992 Dismissed for failure to exhaust administrative remedies.

JOSE CARLOS SANCHEZ-RIOS v. R.E. HONSTED, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-96; *Type of Case:* Habeas Corpus;

Damages Req: 0

Subject: SENTENCING *Institution:* FCI, Jesup

Facts Alleged: Sentenced to two concurrent federal sentences on different dates. Seeks credit against second sentence for time awaiting trial and sentencing. Cannot be granted because would be double credit. At JES in 1992.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 04-14-1992

Significant Activity: 11-06-1992 Order dismisses case based on magistrate's report.

VISHU SHARMA v. R.E. HONSTED, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-103; *Type of Case:* Habeas Corpus;

Damages Req: 0

Subject: COMMUNITY TREATMENT CENTERS

Institution: FCI, Jesup

Facts Alleged: Denied camp and CCC placement because not a citizen and INS detainer.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 04-27-1992

Significant Activity: 11-06-1992 Order dismisses case based on magistrate's report.

GERALD E. SMITH v. U.S.P.C., et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-155; *Type of Case:* Habeas Corpus;

Damages Req: 0

Subject: SENTENCING *Institution:* FCI, Jesup

Facts Alleged: Parole improperly revoked and sentences improperly unaggregated at JES in 1992.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 05-29-1992

Significant Activity: 11-03-1992 Order dismisses case as moot, based on magistrate's report.



GARY P. YATES v. R.E. HONSTED, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: 292-126; **Type of Case:** Mandamus; **Damages Req:** 0

Subject: AD REMEDIES **Institution:** FCI, Jesup

Facts Alleged: Denied copies of the administrative remedy index at JES in 1992. Seeks this to support appeal of his denial of a social furlough.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 05-09-1992

Significant Activity: 11-03-1992 Order dismisses case without prejudice as moot based on magistrate's report.

JOEL LEVINE v. HAROLD B. WILBERT

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 91-7113-CIV-ROETTGER; **Type of Case:** Habeas Corpus; **Damages Req:** 0

Subject: INMATE DISCIPLINE **Institution:** Southeast Region

Facts Alleged: BOP improperly disciplined inmate for escape at DAN in 1991 because hearing was not held within 60 days of his return to custody.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 12-26-1991

Significant Activity: 11-10-1992 Order adopts Magistrate's report, dismisses case.



United States Government
Memorandum

Date: January 5, ~~1992~~ 1993

Reply to Sherree L. Sturgis, Regional Counsel
Attn. of: Southeast Region, Bureau of Prisons

Subject: ~~October~~ December
October, 1992 SER Litigation

To: SER CEOs, Regional Administrators
Institution Paralegals and Attorneys
Wallace H. Cheney, General Counsel

New Cases

1. PHILLIP H. NORMAN v. UNITED STATES

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-2318-RLV

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: MEDICAL TREATMENT

Facts Alleged: ATL inmate alleges medical records, including his own were purposely thrown away. After he allegedly found some of the papers in the trash, he informed staff of the alleged criminal activity. As a result of him having the papers in his possession, he was placed in Administrative Detention. Also alleges inadequate medical care resulting in the death of another inmate.

Damages Req: 500,000; *Special Monitoring:* IB1, May be financial liability, All cases involving a death.

Rec'd in Legal: December 8, 1992; *Due:* 01-19-1993

Assigned to: Lori M. Beranek; Assistant U.S. Attorney, Atlanta, GA; Darrin C. Scott, Attorney Advisor, SERO

2. PHILLIP NORMAN v. UNITED STATES

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-2276-RLV

Institution: USP, Atlanta

Type of Case: Federal Tort Claims Act

Subject: RECREATION

Facts Alleged: ATL inmate alleges in 1991 he was injured playing volleyball as a result of ATL staff not supervising the inmates during the games. He also states that his injury was a result of staff's indifference to volleyball regulations.

Damages Req: 1,000,000; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: December 8, 1992; *Due:* 01-19-1993

Assigned to: Lori M. Beranek; Assistant U.S. Attorney, Atlanta, GA; Darrin C. Scott, Attorney Advisor, SERO

3. SAMUEL S. LEE, III v. WILLIAM P. BARR

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-2392-HTW

Institution: USP, Atlanta

Type of Case: Equal Employment Claim

Subject: DISCRIMINATION

Facts Alleged: Former employee at ATL alleges that he was discriminated because of his race beginning in 1987. He was transferred from his job, was not allowed to supervise his employees, and was given inappropriate performance ratings. He had filed a suit with EEO which allegedly agreed with his charges.

Damages Req: unspecified; *Special Monitoring:* IC2, Publicity / Impact on staff morale, All employee suits.

Rec'd in Legal: December 8, 1992; *Due:* 01-22-1993

Assigned to: Sharon Douglas Stokes; Assistant U.S. Attorney, Atlanta, GA; Wanda Hunt, Staff Counsel, USP, Atlanta

4. ROBERT E. DUNLEAVY v. UNITED STATES PAROLE COMMISSION, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: 292-278

Institution: FCI, Jesup

Type of Case: Habeas Corpus

Subject: COMMUNITY TREATMENT CENTERS

Facts Alleged: Inmate at JES in 1992 claims he is eligible for CTC placement and camp transfer.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: December 8, 1992; *Due:* 12-20-1992

Assigned to: Paul G. Justice; Assistant U.S. Attorney, Savannah, GA; Wilson Moorer, Paralegal Specialist, FCI, Jesup

5. ROY STEVE DAVIS v. FRED J. STOCK

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-2623-JEC

Institution: USP, Atlanta

Type of Case: Habeas Corpus

Subject: CONDITIONS OF CONFINEMENT

Facts Alleged: ATL inmate claims he is housed in segregation in unconstitutional conditions in 1992. These conditions include insufficient living space and noise control, overcrowding, and inadequate health care.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: December 8, 1992; *Due:* 12-22-1992

Assigned to: Daniel A. Caldwell; Assistant U.S. Attorney, Atlanta, GA; Wanda Hunt, Staff Counsel, USP, Atlanta



6. ALPHONSO DAVIS v. WAYNE SCRABACK, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-50229/WEA

Institution: FCI, Marianna

Type of Case: Personal Liability Action (Bivens)

Subject: WORK

Facts Alleged: Inmate at MNA alleges that his finger and arm were injured on the job in UNICOR as a result of improper equipment.

Damages Req: 250,000.00; *Special Monitoring:* IB2, May be financial liability, All cases involving injury which caused loss of limb or body function.

Rec'd in Legal: December 22, 1992; *Due:* 02-09-1993

Assigned to: Michael Finney; Assistant U.S. Attorney, Pensacola, FL; Sterling Dawson, Paralegal Specialist, FCI, Marianna

7. GREGORIO CASTANO v. UNITED STATES IMMIGRATION AND NATURALIZATION SERVICE, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV 92-C-1315-E

Institution: FCI, Talladega

Type of Case: Habeas Corpus

Subject: DETAINERS

Facts Alleged: Inmate at TDG in 1992 alleges that a detainer has been placed on him by the INS which prevents him from being transferred to a camp or receiving a furlough.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: December 22, 1992; *Due:* 02-21-1993

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Gerelene Gooden, Paralegal Specialist, FCI, Talladega

8. GREGORY SCOTT HERMANSKI v. BYRON SANDERS

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV 92-B-2458-S

Institution: FCI, Talladega

Type of Case: Personal Liability Action (Bivens)

Subject: AD DETENTION

Facts Alleged: Inmate at LOM alleges that in 1990 while at TDG, he was subjected to cruel and unusual punishment because his broken wrist was handcuffed and jerked while being taken to Administrative Detention.

Damages Req: \$200,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: December 22, 1992; *Due:* 02-02-1993

Assigned to: Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Gerelene Gooden, Paralegal Specialist, FCI, Talladega

9. RAUL MOJENA v. WILLIAM P. BARR, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-50240/RV

Institution: FCI, Marianna

Type of Case: Federal Tort Claims Act

Subject: MEDICAL TREATMENT

Facts Alleged: Inmate at MNA in 1992 alleges that he has not received proper medical treatment.

Damages Req: unspecified; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: December 22, 1992; *Due:* NA

Assigned to: Michael Finney; Assistant U.S. Attorney, Pensacola, FL; Sterling Dawson, Paralegal Specialist, FCI, Marianna

10. PETER C. SMITH v. DONALD L. GRIFFIN, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1835-ODE

Institution: USP, Atlanta

Type of Case: Habeas Corpus

Subject: CORRESPONDENCE

Facts Alleged: Inmate at ATL in 1992 alleges that he was forced to photocopy materials in violation of the copyright laws and that certain legal documents were confiscated.

Damages Req: 0; *Special Monitoring:*

Rec'd in Legal: December 22, 1992; *Due:* 02-05-1993

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney, Chief, Civil Division, Atlanta, GA; Wanda Hunt, Staff Counsel, USP, Atlanta

11. DAVID GREENBURG v. JOHN FANELLO

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-000

Institution: FPC, Pensacola

Type of Case: Personal Liability Action (Bivens)

Subject: RELIGION

Facts Alleged: Inmate at PEN in 1992 alleges that he has been discriminated against due to his religion. He has been denied furloughs and prohibited from working on certain jobs.

Damages Req: 5,000,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: December 22, 1992; *Due:* -1992

Assigned to: Samuel A. Alter, Jr.; Supervising Assistant U.S. Attorney, Pensacola FL; Sharon Ragland, Paralegal Specialist, Southeast Regional Office



12. WILLIAM F. MUSKAT v. UNITED STATES, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-2319

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: MEDICAL TREATMENT

Facts Alleged: Inmate at ATL in 1992 alleges that his medical treatment for his eye has been continuously denied and delayed.

Damages Req: 450,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: December 22, 1992; *Due:* @02-16-1993

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney, Chief, Civil Division, Atlanta, GA; Wanda Hunt, Staff Counsel, USP, Atlanta

13. LUIS ALDAMA SANCHEZ v. FRED STOCK, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1854-CAM

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: MEDICAL TREATMENT

Facts Alleged: Inmate at ATL in 1992 alleges that he has not received proper medical treatment for a skin problem resulting in permanent scarring.

Damages Req: 160,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: December 30, 1992; *Due:* 02-02-1993

Assigned to: Russell G. Vineyard; Assistant U.S. Attorney, Atlanta, GA; Wanda Hunt, Staff Counsel, USP, Atlanta

14. GARY S. WILLIAMS v. J. MICHAEL QUINLAN, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1387-RLV

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subjects: OVERCROWDING, CENTRAL MONITORING, TRANSFERS

Facts Alleged: ATL Inmate in 1992 claims unconstitutional overcrowding. He also challenges assignment of CIM status denial of a transfer and placement in administrative detention.

Damages Req: 75,001.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: December 30, 1992; *Due:* NONE, NO SUMMONS ISSUED.

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney, Chief, Civil Division, Atlanta, GA; Wanda Hunt, Staff Counsel, USP, Atlanta

Q

15. LARRY GRIGSBY v. J. D. LAMER, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-40286-WS

Institution: FCI, Tallahassee

Type of Case: Personal Liability Action (Bivens)

Subject: MEDICAL TREATMENT

Facts Alleged: Inmate at JES in 1992 alleges that he has not received proper medical care despite staff's knowledge of his condition.

Damages Req: 12,700,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: December 30, 1992; *Due:* 01-04-1993

Assigned to: David W. Moye; Assistant U.S. Attorney, Tallahassee, FL; Dan Rouse, Paralegal Specialist, FCI, Tallahassee

16. ESTEBAN CUELI v. W. J. THOMPSON, et al

Court: MIDDLE DISTRICT OF ALABAMA

Docket No.: 92-T-1552-N

Institution: FPC, Maxwell Air Force Base

Type of Case: Habeas Corpus

Subject: COMMUNITY TREATMENT CENTERS

Facts Alleged: Inmate at MON alleges that he should be eligible for a six month CCC placement instead of two months.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: December 30, 1992; *Due:* 01-08-1993

Assigned to: Kenneth E. Vines; Assistant U.S. Attorney, Chief, Civil Division, Montgomery, AL; Darrin C. Scott, Attorney Advisor, SERO

17. CHARLES GRAY v. UNITED STATES GOVERNMENT, et al

Court: MIDDLE DISTRICT OF ALABAMA

Docket No.: 92-H-1392

Institution: Southeast Region

Type of Case: Personal Liability Action (Bivens)

Subject: MEDICAL TREATMENT

Facts Alleged: Inmate at Montgomery County, AL Jail alleges that he has not received proper medical treatment for lung condition.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: December 30, 1992; *Due:* 01-18-1993

Assigned to: D. Broward Segrest; Assistant U.S. Attorney, First Assistant, Montgomery, AL; Earl L. Cotton, Assistant Regional Counsel, SERO



18. GARY S. WILLIAMS v. J. MICHAEL QUINLAN, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1402-RLV

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: AD DETENTION

Facts Alleged: Inmate at ATL in 1992 alleges that he should be transferred from SHU. Also complains of conditions in the unit and denial of access to medical care.

Damages Req: 0; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: December 31, 1992; *Due:* NONE, NO SUMMONS ISSUED.

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney, Chief, Civil Division, Atlanta, GA; Wanda Hunt, Staff Counsel, USP, Atlanta

19. PETER C. SMITH v. FRED STOCK

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1798-ODE, 1:92-CV-1848-ODE

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: ACCESS TO COURTS

Facts Alleged: ATL inmate claims he has been denied phone calls and photocopying necessary to his litigation. He alleges interference with his legal mail and confiscation of legal materials after a search and disclosure to US Attorney of documents relating to criminal case. He was compelled to make copies of copyrighted materials.

Damages Req: 15,750,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: December 31, 1992; *Due:* 02-05-1993

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney, Chief, Civil Division, Atlanta, GA; Wanda Hunt, Staff Counsel, USP, Atlanta

Significant Activity on Existing Cases

RONALD ANDREWS v. U.S.P.C., et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: 292-165; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$187,500.00

Subject: MEDICAL TREATMENT *Institution:* FCI, Jesup

Facts Alleged: Inmate at ASH alleges insufficient evidence in a disciplinary procedures at at JES in 1989. Denied administrative appeal of action. Held too long in administrative detention before hearing. Denied medical care for heart attack while in segregation.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 2-25-1992

Significant Activity: 11-17-1992 Order grants summary judgement, dismisses case. The uncontroverted evidentiary materials submitted by the government show that the inmate's claims are without merit.

THOMAS CAMPBELL v. U.S. BUREAU OF PRISONS, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-1225; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: COMMUNITY TREATMENT CENTERS

Institution: USP, Atlanta

Facts Alleged: ATL inmate claims his allowable CTC time was reduced in 1992. This decision was based only on the seriousness of his crime. Claims entitlement to longer period.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 05-26-1992

Significant Activity: 11-08-1992 Order adopts Magistrate's report and dismisses case.



HENRY CARABALLO-SANDOVAL v. RON E. HONSTED, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 292-20; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$140,000

Subject: VISITING *Institution:* FCI, Jesup

Facts Alleged: Inmate and civilian sue for visiting privileges. Civilian was a former contract employee at MNA in 1989.

She visited Inmate at MNA after resigning from contract position. She claims to have relationship with Inmate prior to his incarceration. Visiting not permitted at JES in 1991.

Special Monitoring: IC2, Publicity / Impact on staff morale, All employee suits.

Date Case Filed: 01-09-1992

Significant Activity: 11-23-1992 Order grants summary judgement, dismisses case without prejudice pending resolution of administrative remedies.

PHILLIP COHEN v. R. E. HONSTED, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: 292-190; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: SENTENCING *Institution:* FCI, Jesup

Facts Alleged: JES Inmate claims he should be given jail credit for the time spent in state custody during 1990-1991.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 07-15-1992

Significant Activity: 11-18-1992 Order adopts magistrate's report, dismisses case.

MOSHE ELKAYAM, et al v. D.J. SOUTHERLAND, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: 88-pt-1326-e; *Type of Case:* Personal Liability (Bivens) and Tort Action; *Damages Req:* 22.45

Subject: TORTS *Institution:* FCI, Talladega

Facts Alleged: Property lost in transit from LAT to TDG in 1988.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 09-29-1988

Significant Activity: 11-04-1992 The Eleventh Circuit dismissed the appeal for want of prosecution.

ARNOLD NORMAN FANT v. D.J. SOUTHERLAND, et al
Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV-90-A-1418-E; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: MEDICAL TREATMENT *Institution:* FCI, Talladega

Facts Alleged: Alleges officials at TDG conspired to deny medical care for infected testicle by characterizing condition as psychiatric instead of medical in 1990. 09-21-1990 dismissed by court sua sponte. Notice of appeal to Eleventh Circuit.

Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 09-21-1990

Significant Activity: 09-24-1992 Order denies petition. It is unlikely that a claim of denial of medical care could ever constitute grounds for habeas corpus relief. This type of claim should more appropriately be raised in an action for injunctive relief.

FREDERICK J. HEGNEY v. JOSEPH PETROVSKY, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:91-CV-1890-GET; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$210.40

Subject: PROPERTY *Institution:* USP, Atlanta

Facts Alleged: Property lost during transfer from ATL to MIA in 1989.

Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 06-03-1991

Significant Activity: 11-13-1992 Order dismisses case because the United States is the only proper defendant in a Federal Tort Claims Action (FTCA) and was not named. Additionally, even if the complaint was amended to include the U.S., the action must fail because the claim is barred by 28 U.S.C. 2680(c) which exempts the U.S. from liability from FTCA for claims "arising in respect of ... the detention of any goods ... by any ... law enforcement officer". The inmate's claim in this case arises from the detention of his goods by either the Bureau of Prisons or the Marshals Service. The employees of both of these agencies qualify as law enforcement officers. The Bivens portion of the case must fail because negligent deprivation of property is not actionable under the Due Process Clause.



DAVID LAMAR JOHNSON v. ROBERT E. HONSTED, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: TCA 88-40039-WS; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: SENTENCING *Institution:* FCI, Tallahassee

Facts Alleged: Seeks fifteen months Jail Time Credit.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 02-25-1988

Significant Activity: 05-11-1989 Dismissed as moot after the Inmate was paroled.

JUAN LAMELAS v. JOHN CLARK, et al

Court: SOUTHERN DISTRICT OF FLORIDA

Docket No.: 89-1651-CIV-NESBITT; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: INMATE DISCIPLINE *Institution:* MCC, Miami

Facts Alleged: Insufficient evidence to support finding of participation in food strike at ATL in 1988

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 08-18-1989

Significant Activity: 02-07-1990 Magistrate's report recommends dismissal because there was sufficient evidence to support the disciplinary finding that the inmate participated in a food strike at USP, Atlanta in June, 1988.

HAROLD H. PASLAY v. U.S. DEPARTMENT OF JUSTICE, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:90-CV-1874-ODE; *Type of Case:* Mandamus; *Damages Req:* 0

Subject: LAW LIBRARIES *Institution:* USP, Atlanta

Facts Alleged: At ATL since 1989 in Administrative Detention, no access to law library materials. Cannot ask for copies of cases because no access to digests to identify cases. Also, violations of visiting policy, mingled with other inmates with medical problems and refused BP9 forms.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 09-07-1990

Significant Activity: 11-24-1992 Order dismisses case. Claims for injunctive relief are moot because the inmate is no longer housed at USP, Atlanta. The DOJ and BOP cannot be sued for damages in a Bivens action. The inmate failed to plead his cause of action against the only remaining defendant, Warden Matthews, with sufficient specificity.

KURT S. STONER v. MICHAEL QUINLAN, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 91-30245/WEA; *Type of Case:* Injunction; *Damages Req:* 0

Subject: MEDICAL TREATMENT *Institution:* FPC, Eglin Air Force Base

Facts Alleged: Inmate at EGL in 1991 has preexisting back and leg injuries as a result of car accident. Seeks to block BOP plans to move him to SPG or RCH because he claims cold weather aggravates his condition. Also seeks injunction prohibiting work assignment.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 07-12-1991

Significant Activity: 11-19-1992 Order adopts 10-13-1992 magistrate's report, dismisses case for failure to prosecute.

FELIPE TOLEDO-PEREZ v. UNITED STATES OF AMERICA

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:89-CV-471-JTC; *Type of Case:* Federal Tort Claims Act; *Damages Req:* \$ 1,000,000

Subject: ASSAULTS *Institution:* USP, Atlanta

Facts Alleged: Kicked by staff and denied medical care at ATL on 04-17-1985

Special Monitoring: 0

Date Case Filed: 03-10-89

Significant Activity: 11-30-1992 Dismissed after non-jury trial before Judge Camp. Since the filing of the complaint, the inmate had been repatriated to Cuba. Counsel appointed for him was not able to contact him after repatriation. The court found that the inmate's testimony presented by deposition failed to show that the correctional officers had beat him or caused him any injury.