

*J. Ollman*

TO: WALLACE H. CHENEY, General Counsel  
FROM: DOUGLAS W. CURLESS, Western Region Counsel

*Handwritten signature/initials*

MONTHLY REPORT *w/ some institution repts attached*  
WESTERN REGION  
APRIL, 1992

15 June, 1992

**STATISTICS:**

TORTS:	<i>revd.</i>	<i>Completed</i>	<i>Pending</i>	<i>Overdue</i>
	<i>31</i>	<i>33</i>	<i>446</i>	<i>164</i>
FOIA/PA:	<i>39</i>	<i>25</i>	<i>187</i>	<i>91</i>

BP10: *133*

**LITIGATION:**

Open Cases: 472  
New Cases: 19

HC	6
FTCA	4
BIV	7
OTHR	3

Closed Cases: 13

**INS/Soler Petitions/Writs:**

The original Soler v. Scott has now been transferred from Dist. of AZ to Dist. of Oregon as Soler was transferred to Sheridan (the U.S. Attorney is just delighted).

New 11  
Pending 80

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**Henthorn Requests:**

5 (Several of the named staff are now in job assignments outside the 9th Cir. which complicates compliance since this is little known outside the 9th Cir.)

**Brown v. Rison Matters:**

12 (Collateral matters /Incomplete figure)

**SUPBOENAS: (Reported) 19**

LOS -14

LOM -2

PHX -5

SCD -1

Subpoenas for telephone monitor recordings continue to present a major security problem for institutions in that master reels taken out of inventory by subpoena requests leave institutions with small number of tapes available for use. U.S. Attys and agents are in no hurry to replace tapes.

However, the U.S. Attorneys Office in San Diego (Southern District of California) recently sent a memo to the Warden at MCC stating that under Rule 16 FRCrP it was sufficient for the BOP to make a copy of the calls from the master reel and hold that cassette copy as a "duplicate original" and return the master reel to inventory. We have declined to pursue this remedy to inventory problems as it contradicts the procedure established in the Director's earlier memorandum.

**HEARINGS/TRIALS/DECISIONS:**

**U.S. v Walstrum NDCA**

"Jail credit" issue, hearing on 5/26/92, Part II, Court orders a brief from BOP 6/5 on issue whether a reviewing Court can nunc pro tunc date of sentencing (7/89) back to date of indictment (2/87). D.Curless at hearing with U S Atty.

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**U.S. v. Burt NDCA**

Pre-trial defendant at PLE FDC charges BOP and USM have not allowed "access to courts" ie. legal materials. Burt is a pro per criminal defendant. So far Judge is satisfied with BOP. V. Stewart at hearing with U.S. Atty.

**Kimball Richards v. Hayes and BOP NDCA**

TRO filed to prevent inmate from being transferred from Western Region. Richards is a prolific jailhouse lawyer recently transferred from FCI SHE after his participation in organizing a work stoppage in May. While at PLE/FDC in holdover he filed a TRO to prevent transfer. Court denied TRO. M. Sullivan on brief.

**Criswell v. Hayes NDCA**

WRO wrote 9th Cir. brief. AUSA on leave hadn't filed reply brief timely when USAO got order from 9th Cir. to file reply within 5 days WRO was told to write brief. Sentencing credit issue. Brief by V. Stewart.

**Douglas Coupar v. UNICOR CDCA**

Dept. of Labor ALJ S. Smith deposed inmate Coupar at FCI TI 5/27 BOP contends that federal inmates are not entitled to protection as a "whistle blower" under CERLCA or CAA as they are not "employees" nor is UNICOR an "employer". D. Curless at TI for pre-depo hearing with ALJ as to BOP position.

**Grant v. Taylor CDCA**

Magistrate held hearing 5/19 at FPC BRN re: Warden's denial of inmate's furlough application in retaliation for inmate's activities as jailhouse lawyer. Inmate subpoenaed 15 BOP and inmate witnesses, 6 of which Court allowed after US Atty filed objection. V. Stewart at hearing for BOP.

**Martin v. Rison 9th Cir.**

Appellants Martin And San Francisco Chronicle have each filed a petition for rehearing en banc with the Circuit. We anticipate a response from the Circuit in approx. a month.

**Blitzstein v. Taylor CDCA**

HC for removal of 30 GTC revocation sanction. V. Stewart on brief

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**ADVERSE DECISIONS:**

Grady v Crabtree 9th Cir 3/5/92 (D Ore -Sheridan)

9th Cir. overruled District Court's decision dismissing habeas petition for "jail credit". Circuit has expanded Brown v Rison "jail time credit" to include time spent in halfway house as a condition of probation upon commitment for probation violation. U.S. Atty D.Ore and Criminal Division DOJ will support appeal.

U.S.v Anderson NDCA

Defendant found not guilty by reason of insanity (18 U.S.C. 4243) conditionally released to custody of sister and supervision by U.S. Probation. Court has ordered costs of medical/psychiatric care be paid for by the Atty General/BOP. (Brief and argument in opposition at hearing by D. Curless.) Request for appeal now under consideration by the U.S. Attorney.

**STAFF NEWS:**

**Regional:**

Curless, D.           GLYNCO 6/1 - 6/26  
Stewart, V.           Acting Regional Counsel

**Institutions:**

BRN - Pam Riley-Morgan	5/3-27	Bereavement Leave
LOF - Mike Dedman	5/4-8	Annual leave
PLE - Tina Robinson	6/1	Start date

05/13/1992 09:29:23 =====

UNITED STATES GOV. MEMORANDUM  
FEDERAL BUREAU OF PRISONS  
WESTERN REGIONAL OFFICE  
DUBLIN, CALIFORNIA

DATE: 5/12/92

REPLY TO DOUGLAS CURLESS  
ATTN OF: REGIONAL COUNSEL

SUBJECT: MONTHLY REPORT

APRIL 92

TO: WALLACE H. CHENEY  
GENERAL COUNSEL

DECISIONS/HEARINGS/TRIALS:

U.S. V. CHERYL GRAHAM, D. ARIZ. (TUCSON). SENTENCING ON 5/7/92. GRAHAM WAS A FORMER STAFF MEMBER EMPLOYED IN THE BUSINESS OFFICE BY FCI SAFFORD. OVER A 9 MONTH PERIOD SHE EMBEZZLED IN EXCESS OF \$66,000 BY MANIPULATING THE RAPID DRAFT SYSTEM, DOUBLE PURCHASE ORDERS, AND INMATE TRUST ACCOUNTS. JUDGE BILBY SENTENCED HER TO 16 MONTHS IN CUSTODY. (MAXIMUM GUIDELINES RANGE CALCULATION BY THE COURT WAS 18 MONTHS); 3 YEARS SUPERVISED RELEASE; RESTITUTION FOR THE FULL AMOUNT OF LOSS (\$66,295.32); AND CRIME VICTIM FUND ASSESSMENT OF \$100.00. THE COURT NOTED GRAHAM HAD LIED TO STAFF AND

05/13/1992 09:29:32 =====

LAW ENFORCEMENT AGENTS WHEN SHE WAS INITIALLY CONFRONTED WITH EVIDENCE OF HER CRIME.

DANNIE MARTIN/SAN FRANCISCO CHRONICLE V. RISON ET AL., 9TH CIRCUIT, NO. 90-16122, ORDER OF DISMISSAL. ON APRIL 28, 1992, THE 9TH CIRCUIT COURT OF APPEALS IN SAN FRANCISCO, CALIFORNIA ENTERED A ONE PAGE ORDER OF DISMISSAL IN THE ABOVE CAPTIONED CASE. THE COURT NOTED PLAINTIFF/APPELLANT DANNIE MARTIN WAS ON PAROLE, AND NO LONGER SUBJECT OF THE BOP REGULATIONS AT ISSUE IN THE CASE. THE COURT DECIDED THE ISSUES ON APPEAL WERE MOOT AND DISMISSED THE APPEAL.

IN AN UNUSUAL MOVE, THE CIRCUIT COURT VACATED THE DISTRICT COURT OPINION BY U.S. DISTRICT COURT JUDGE CHARLES LEGGE (N.D. CAL.). JUDGE LEGGE'S OPINION IS CITED AT 741 F.SUPP 1406 (N.D. CAL 1990). BECAUSE THE 9TH CIRCUIT ORDERED THE DISTRICT COURT OPINION VACATED, JUDGE LEGGE'S OPINION CANNOT BE CITED AS PRECEDENT.

THE PRACTICAL EFFECT OF THE 9TH CIRCUIT'S ORDER IS THE PARTIES ARE BACK IN THEIR ORIGINAL POSITIONS. THE BOP REGULATIONS WHICH WERE CHALLENGED ARE STILL GOOD LAW AND WILL BE ENFORCED BY THE AGENCY. PLAINTIFF'S DO NOT HAVE ANY LITIGATION PENDING IN COURT.

05/13/1992 09:29:45 =====

U.S. V. BENTON BURT, N.D. CALIF. (SAN FRANCISCO) HEARINGS: 4/16/92 & 4/30/92. PRE-TRIAL ACCESS TO COURT ISSUES RAISED BY PRO PER CRIMINAL DEFENDANT NOW HOUSED AT FDC PLEASANTON. COURT ORDERED USM AND BOP TO RESPOND TO ALLEGATIONS THAT LEGAL MATERIALS WERE BEING WITHHELD. LOSS OF MATERIALS, IF ANY, OCCURRED BEFORE INMATE (WHO HAD BEEN IN STATE CUSTODY) WAS HOUSED WITH FDC. COURT HAS ORDERED ON-GOING MONITORING OF DEFENDANT'S LEGAL NEEDS, BUT STATED ON THE RECORD THAT HE KNEW THE BUREAU WAS AWARE OF RESPONSIBILITIES TOWARDS DEFENDANT AND FELT SURE THE BUREAU WOULD MEET ITS

OBLIGATIONS.

LITIGATION: \*(STATISTICS ARE INCOMPLETE - V. STEWART UNABLE TO ACCOMPLISH ALL APRIL DOCKETING BEFORE THIS DATE. FIGURES IN NEXT MONTHS REPORT WILL NOTE ADDITIONAL APRIL CASES.)

OPEN CASES: 478
NEW CASES: 18
HC: 6
FTCA: 2
BIVENS: 9
BIVENS & FTCA:
OTHER 1

05/13/1992 09:30:01 =====

CASES CLOSED 6

SOLER PETITIONS (INS CASES) NEW: 17 PENDING 75

BROWN V. RISON/CHALKER MATTERS (CURRENT); NO SEPARATE COUNT FOR MONTH OF APRIL

REGIONAL MISC: SUBPOENAS/ORDERS AT INSTITUTIONS/REGION: (REPORTED) 29

ADVERSE DECISIONS:

U.S. V. ANDERSON, N.D. CALIF. U.S. ATTORNEY HAS REQUESTED MAIN JUSTICE PROCESS APPEAL OF DISTRICT COURT DECISION TO HOLD BOP LIABLE TO PAYMENT OF MEDICAL CARE OF ANDERSON WHO HAS BEEN RELEASED AFTER FINDING OF NOT GUILTY BY REASON OF INSANITY.

STAFF NEWS:

REGIONAL OFFICE:

LIDA PAETZKE - AWARDED THE GENERAL COUNSEL'S AWARD FOR EXCEPTIONAL PERFORMANCE IN LEGAL SUPPORT.

05/13/1992 09:30:13 =====

DOUG CURLESS WILL BE STATIONED AT FCI PLEASANTON FROM MAY-NOVEMBER. TRAVEL:

DOUGLAS CURLESS: 5/20-23 REGIONAL COUNSEL MEETING - ANNAPOLIS
6/01-26 GLYNCO
VALERIE STEWART: 5/18-19 BORON, HEARING IN GRANT V. GARRETT
5/22 REDDING, CA, LECC MEETING FOR THE REGIONAL DIRECTOR
6/07-08 PARK CITY, UTAH, REGIONAL USPO CONF.
MARY SULLIVAN: 5/18-29 STAFF ASSIST, FCI SHERIDAN
DELESO ALFORD: 5/04-15 STAFF ASSIST, FCI TERMINAL ISLAND
SANDY WELLS: 5/04-15 STAFF ASSIST, FCI SHERIDAN

INSTITUTIONS:

BORON:

PAM RILEY-MORGAN: 4/30-5/20, LEAVE. PAM'S FATHER DIED AFTER HEART SURGERY SHE IS WITH HER FAMILY IN FLORIDA.

MDC, LOS ANGELES:

TIM ROBERTS: 5/12-15 SUPERVISOR'S TRAINING

FCI, TERMINAL ISLAND:

MIKE FLAGOR: 5/12-15 SUPERVISOR'S TRAINING

FCI, PHOENIX:

JANE HASCHEMEYER - ACTING EXEC ENTIRE MONTH OF MAY.

5/13/1992 09:30:24 =====

ADMINISTRATIVE MATTERS:

BP10'S RECEIVED/REVIEWED: 143

	RECEIVED	CLOSED	PENDING	OVERDUE
TORT CLAIMS	55	12	452	133
FOI/PA REQUESTS	37	22	151	77

# FY 1992 MONTHLY REPORT

## WESTERN REGIONAL COUNSEL'S OFFICE

Month: May, 1992

Attorney: Tim Roberts  
Paralegal: Ed Ross

Institution: Metropolitan Detention Center  
Los Angeles, California

TORTS		FOIA/PA		ADMIN. REM.		LITIGATION		DHO
NEW	CLOSED	NEW	CLOSED	NEW	CLOSED	NEW	CLOSED	
2	4	2	1	9	5	2*	0	N/A

\* - The new cases are Trimble v. United States and Jones v. United States. The actions are brought under the FTCA.

### LITIGATION UPDATE

- ▶ Bustamante v. Thornburgh et al., No. CV 92-186 MRP(T):  
As of this date, the defendants at MDC-LA have not been served. Correspondence has been sent to the AUSA asking him to pursue a motion to dismiss citing Rule 4(j) as authority.
- ▶ Chamberlain v. Dept. of Justice, CV 92-0833-SVW(JG):  
As of this date, the defendants at MDC-LA have not been served. A Rule 4(j) motion is being prepared by the AUSA.
- ▶ Chesney v. Seifert, CV 92-2418-WMB(JG):  
As of this date, Warden Seifert has not been served. Because the issues have been presented via BP-9, the

research for the litigation report has been done.

▶ Jones v. United States, CV 91-5776-JGD:

This case was dismissed by the plaintiff in accordance with Fed.R.Civ.P. 41(a)(1)(ii).

▶ Jones v. United States, CV 92-2714-IH:

This case has been refiled. Only one issue has been refiled (premises liability); however, the plaintiff has attempted to exhaust the administrative procedure regarding the medical malpractice issue.

▶ Matthews v. Seifert, CV 92-0267-HLH:

According to the U.S. Attorney's Office, criminal dockets, the petition was not served on their office.

▶ Racinowski v. Seifert, CV 91-6061-RSWL(CT):

According to the AUSA, the petition was dismissed.

▶ Saahir v. Seifert, CV 91-4740-AWT(K):

Case was dismissed by order of Judge Tashima on February 18, 1992.

▶ Trimble v. United States, CV 91-6615-DT:

The litigation report has been completed and sent to the AUSA. A motion to dismiss will be filed regarding lack of subject matter jurisdiction, insufficiency of service of process, and failure to state a claim.

## **SUBPOENAS:**

Total for May, 1992: 14. The materials sought were medical records, psychological records, telephone recordings, and testimony from MDC-LA employees.

## **COURT ORDERS:**

Total for May, 1992: 10. Of this number, three were for forensic evaluations. The issues ranged from medical care to place of confinement to psychological evaluations. We have seen an increase in calls from the FPD's Office as well as the private defense bar concerning our procedures. This is significant to

demonstrate that the lines of communication are becoming more fixed.

## **SPECIAL PROJECTS:**

1) Incident Reports were reviewed and reports written regarding the assault on staff by several USP-Lompoc inmates transferred here due to the work stoppage.

2) Research and drafting continue for the paper on practical applications on the Code of Federal Regulations.

## **MISCELLANEOUS:**

1) Articles have been written and submitted for the May issue of the Freeway, the institution newsletter. I submitted 2 articles while Ed submitted one on wellness.

2) The following group was given a tour of the institution:

- ▶ A group of German attorneys, investigators, and a judge toured the institution and interviewed an inmate.

3) I continue to submit cases to Sherree Sturgis, Regional Counsel, Southeast Region, for publication in the Legal Eagle. Twelve cases were sent in May.

4) We have been asked to perform some research to prepare for Unit Management program review.

5) I attended the following training:

- ▶ Personnel Management for Managers
- ▶ Introduction to Supervision

6) I May, 1992, we processed 21 requests from attorneys asking that their interpreter, investigator, paralegal, or a material witness be allowed into the institution with them for the purpose of a legal visit.

## **REQUESTS/SPECIAL NOTES:**

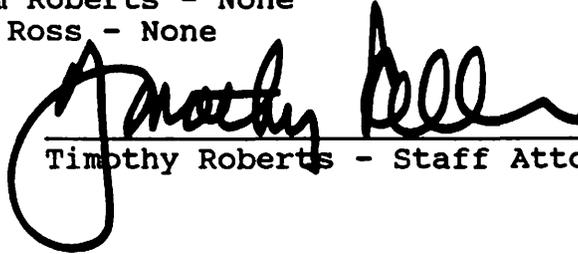
According to Pretrial Services, interpreters from the court pool are not employees, nor are they vouchered. They are given identification cards as interpreters for the U.S. courts. Because

no security clearance is done, this situation may give rise to serious security breaches.

**LEAVE SCHEDULED:**

Tim Roberts - None  
Ed Ross - None

Date: June 1, 1992

  
\_\_\_\_\_  
Timothy Roberts - Staff Attorney

Institution: FCI/FPC PHOENIX

May 1992

Atty/Paralgl: J. Haschemayer

TORTS		FOIA		ADMIN. REMEDIES		LITIGATION		DHO
New	Closed	New	Closed	Review	Re-Do	New	Closed	
111		111 1	111 111 111 11	111 111 111 11	111	1 Ann Moore vs. BOP 92-63 PHOENIX Received 5/21/92		
No. sent to NPTC								<p>also</p> <p>3 letters in lieu of subp on staff during ca U.S. v. Debon CR92-104 RG</p> <p>Subpoenas 11</p> <p>I had a subpoena in April that I forgot to document!</p>

Acting Executive Assistant entire month

SPECIAL PROJECTS: planning Dept Head Key Indicator/Strategic Planning retreat for May 12, 1992

Organizing Staff Recall for May 8 - Recall held May 8

Dept Head Retreat - May 12 - segment on Key Indicator (try to get)

walked 2 miles in Fed Fitness Day 5-13-92

Begin work on ACA Re-Accreditation - responsible for Executive office standards.

MISC.: working w/ U.S. Attorney prepping staff for depositions in Garcia wrongful death FTCA action; gathering more records, info

working w/ attorney from CFTC re: Rosen's legal mail.

Ann Moore mtn for default judgment - not served 5/15/92 - gathering pertinent info.

Inmate paternity testing - 5/24/92

Leave Schl'd: ~~XXXXXX~~

Teach IIF - Inmate Discipline 5/20/92

Set up & supervise "CBS Evening News w/ Dan Rather" interview w/ inmate

Need Assist:

Answer 2255 motion for AUSA in COCA re inmate McAndrews.

work on court order

TORTS		FOIA		ADMIN. REMEDIES		LITIGATION		DHO
New	Closed	New	Closed	Review	Re-Do	New	Closed	
<i>3</i>		<i>5</i>		<i>5</i>	<i>0</i>	<i>4</i>		<i>none</i>
No. sent to NPTC								

**SPECIAL PROJECTS:** I was away from the institution almost the entire month of May (~~4/29~~ - 5/22). But since I have been back I've been given 24 ACA standards to complete. I am the special assistant at FPC Boston which is a permanent position (not part time). I'm involved with several issues (writes, community services projects, liaison with military bases), I'm also the reporter record for staff investigations. Any special projects seem to come my way. I write most of the Warden's correspondence. I'm strategic planning coordinator. I'm involved with RDM in providing a lesson plan & instructing aspiring paralegals. I control & maintain Program Statements, Ops Memos & Institution Supplements. I am office supervisor for the Executive suite & supervisor of Warden's secretary. I also do *Etchubly* & *Monday* Leave Sch'l'd Morning Highlights articles.

*NONE*

**Need Assist:** The Regional Office provided assistance to me during the month of May while I was on emergency annual leave. Also, a case manager, *Mark Colenfeld*, provided assistance.

## memorandum

DATE: May 26, 1992  
 REPLY TO ATTN OF: J.C. Campbell, Staff Attorney  
 SUBJECT: Status and Activity Report - Legal Department  
 TO: John Sullivan, Warden

USP LOMPOC

RECEIVED

MAY 28 1992

LEGAL  
Western Regional Office

Following is a summary of active cases and claims assigned to the USP Lompoc Legal Department as of May 26, 1992.

PENDING LITIGATION

All cases originally filed in U.S. District Court for the Central District of California unless otherwise noted.

Africa v. Tharpe, CV 90-6388-JGD(S), Bivens action re law library time. Plaintiff ordered to show administrative exhaustion 8/14/91. AUSA John Nordin (798-3552).

Baker v. Rison, CV 91-3337-WMB(S), Habeas action re Federal detainer/State custody. Litigation report completed 8/22/91. Answer due 11/15/91. Final ISM declaration to AUSA 11/14/91. AUSA Chris Painter (798-4367).

Birdwell et al. v. Quinlan, CV 91-5792-JMI(Bx), Bivens class action re crowding, medical, recreation, food service, visiting, ventilation, and commissary. No USP defendants. Complaint received 3/5/92. Awaiting service for Defendant Quinlan. Litigation report completed 4/10/92. AUSA Russell Chittenden (798-0474).

Brockett v. Thornburgh, CV 91-3636, Habeas action re denial of parole. Litigation report to AUSA Tom Brown (798-3541) 7/26/91.

Bustamante v. Thornburgh, CV 92-0186-MRP(T), Bivens action re legal property. Filed 1/10/92. AUSA Mike Johnson (798-6880). No service on USP defendants (Sullivan, Hillebrand) or LOS defendants at this time. Central file documents to LOS Attorney Tim Roberts 3/4/92.

Ellard v. Quinlan, CV 91-0828, Bivens action re USMCFP medical care. Litigation report to AUSA Mike Johnson (798-6880) 7/2/91. Declaration re exhaustion from this office and SPG to AUSA on 2/13/92. Declaration in response to Plaintiff's declaration re SPG medical care to AUSA 2/12/92.

Escalante v. Rison, CV 91-55454, Ninth Circuit appeal of dismissal of Habeas petition re sentencing. No action necessary at this time. AUSA Matthew Frank (798-2423).

Gargani v U.S., CV 90-0919-H (M) (Southern District of California), Bivens action re medical care at MCC San Diego and USP Lompoc. Filed 6/25/91. AUSA Tom Stahl (895-5662). Regional Attorney Mary Sullivan preparing litigation report and working with MCC San Diego Attorney Bill Hobson. Medical file to MCC 12/30/91. Final three representation requests to Region 1/24/92. Declaration to AUSA 2/3/92 re medical records authenticity. Motion to dismiss filed week of 2/3/92.

Ghana v. Quinlan, CV 91-6631 JSL (EE), Bivens action seeking injunctive relief re conditions. Representation requests forwarded to Region 1/17/92. U.S. Attorney not served. Declarations re official capacity for USP defendants to U.S. Attorney 2/21 and 2/24/92. Notified of dismissal with prejudice 3/24/92; awaiting order. AUSA Sara Robinson (798-6585).

Gonzalez v. Rison, CV 91-3927-HLH (T), Habeas action re Administrative Detention/medical complaints. Filed July 23, 1991. Former Warden served 9/23/91. Responsive documents to AUSA Mike Johnson (798-6880) on 11/21/91. Declaration re opposition to Petitioner's appearance at hearing to AUSA 1/30/92; Magistrate withdrew order for appearance. Dismissed with leave to amend by 8/15/92 with more specific allegations and a showing of exhaustion.

Hess v. U.S., CV 91-0787 E (IEG) (Southern District), FTCA action re property loss. Litigation report submitted by Regional Attorney Mary Sullivan to AUSA Elizabeth Burnett (895-5662) 10/8/91.

Hogan v. U.S., CV 90-5088, FTCA action re property loss. Litigation report to AUSA Jon Pearson (798-2574) 6/3/91. Status conference 11/25/91; Judge ordered one hour law library access per day for Plaintiff, beginning 30 days before trial on 5/17/92. Inmate has refused settlement proposal. Plaintiff has filed production request; our response to AUSA 12/18/91. Pretrial conference to be rescheduled.

Jenkins v. Hopkins, CV 87-3215 WDK (G), Bivens action re alleged beating by Correctional Officers. No trial date set. BOP witness locations provided to AUSA Scott Park (798-2285).

Jennings v. Mitchell, CV 89-4428 WJR (K), Bivens action re use of force. Motion for Summary Judgment taken under advisement by Magistrate 8/23/91. AUSA Sara Robinson (798-6585).

McCarthy v. Rison, CV 91-1558 JMI(B), Bivens action re disciplinary procedures. Lompoc defendants (Razo, Gilbert) served, representation request for Defendant Razo to Region 10/21/91. Answer due 11/23/91. Litigation report from Region to AUSA Jon Pearson (798-2574) 11/14/91. Razo declaration forwarded to AUSA 2/19/92. Rison and Gilbert declarations forwarded for signatures 2/18/92. Defendants' Motion for Summary Judgment due 6/5/92.

Mendoza-Gonzales v. Rison, CV 91-1216, Bivens action re medical care. Litigation report to AUSA Mike Johnson (798-6880) 5/30/91. Motion to Dismiss pending.

Murphy v. Williford, CV 89-4568-RSWL(JG), Bivens action re placement in Administrative Detention. Hearing on Motion for Summary Judgment held 11/15/91. Transferred to Magistrate Judge Robert J. Groh 10/17/91. AUSA Stan Blumenfield (798-2872). Plaintiff's motion for protective order denied 1/2/92.

Paramo v. U.S.A., CV 91-4317-WDK (GHK), FTCA/Bivens action re inmate sexual assault. Request for Production received 5/20/92; extension requested. AUSA John Nordin (798-3552).

Perkins v. Sullivan, et al., CV 92-0836 DT(EE), Bivens action re medical care. USP employees received service from USMS 3/24/92. Notice to U.S. Attorney and rep requests to WRO 3/27/92. Regional Counsel will assist with litigation report.

Plumes v. Quinlan, CV 91-0392 DT(T), Bivens action re medical care. Litigation report to AUSA Mike Johnson (798-6880) 9/3/91.

Quackenbush v. U.S. Bureau of Prisons, et al., CV 88-4363-RSWL(S), Bivens action by former employee seeking damages re background investigation/suspension. AUSA Sara Robinson (798-6585) also working with Regional Law Clerk Deleso Alford. Summary Judgment entered 3/3/92 in favor of Ray Marshall; denied for BOP on issue of liability for failure to release name of credit reporting agency. BOP objections filed 3/16/92.

Quackenbush v. DOJ, et al., CV 91-5813 WDK (Eex), Injunctive action re alleged Privacy/FOIA violations by Bureau with regard to subject of above action. Filed 10/23/91. Answer due 12/19/91. Memorandum and Business Office procedures mailed 3/24/92. Working with Regional Law Clerk Deleso Alford. AUSA Sara Robinson (798-6585).

Rapozo v. Sullivan, CV 91-5636-ER(E), Habeas action re Administrative Detention. Filed 10/17/91. Responsive documents to AUSA Mike Johnson (798-6880) 11/8/91.

Rizzo v. Thornburgh, et al., CV 90-614-RMT(B), Habeas action re CTC placement. Traverse filed 11/27/90. AUSA Sean Berry (798-0330).

Sanchez v. Rison, CV 91-4081-WMB(JR), Habeas action re sentencing, parole eligibility. Litigation report to AUSA Tom Brown (798-3541) 9/9/91.

Sims-Africa v. Morse et al., CV 90-4243, Improperly filed Section 1983 civil rights action re disciplinary procedures. No action necessary at this time. AUSA John Nordin (798-3552).

Smith v. U.S., CV 91-3928-TJH (T), Bivens action re loss of outgoing mail items. Declaration of Defendant Sedlak to AUSA 10/24/91. AUSA Michael Johnson (798-6880).

Sperb v. Thornburgh, CV 91-5329-JMI (B), Bivens action re drug testing. Filed 10/2/91. Three USP defendants served 11/4/91 and 11/5/91: Razo, Passage, and Allen. Representation requests and summonses forwarded 11/12/91. AUSA John Lee (798-2448). Regional Attorney Mary Sullivan forwarded representation requests 12/6/91. Dr. Kea declaration to Region 1/2/92. Declaration re failure to serve Defendants Harris, Fisher, Sanchez, and Saucido to Region 1/6/92. Litigation report from Region to AUSA 1/21/92. Sanchez and Fisher representation requests to WRO 2/13/92 (service improper).

Veon v. Rison, CV 91-3245 RG(S), Habeas action re good time forfeiture, segregation, and disciplinary findings at FCI Tucson. SAF Paralegal Larry Weston forwarded litigation report to AUSA Bruce Riordan (798-2432) 10/23/91.

Veon v. Rison, CV 91-3246 DT(S), Habeas action re same issues in CV 91-3245, above. SAF Paralegal Larry Weston forwarded litigation report to AUSA Bruce Riordan (798-2432) 10/23/91.

Warner v. U.S., CV 91-0241, Bivens action re use of force. Litigation report to AUSA George Wu (798-3038) 6/18/91.

#### ADMINISTRATIVE CLAIMS

NAME	CLAIM NO.	CLAIM TYPE	STATUS
STEVENSON, Charles	92-02-053	Property	Complete
GORDON, Marty	92-02-101	Property	Legal
BROOKS, Robert	92-02-103	Property	Rec/SIS
BEUKES, Johannes	92-03-116	Personal Injury	HSA (Overdue)
PARK, Gary	92-03-121	Property	Legal
SMITH, Lawrence	92-03-132	Personal Injury	Legal
RODRIGUEZ-MEZQUITA	92-03-151	Property	Rec/SIS
VAN VLYMEN, David	92-03-153	Property	AWC (Overdue)
CONTRARES, Frankie	92-03-159	Property	Legal

GEISE, Richard	92-03-172	Property	Legal
MENDEZ-TORRIENTE	92-03-173	Property	AWC (Overdue)
LA PLANTE, Dan	92-04-182	Property	Complete
WEISER, Sandra	92-04-188	Property	Mech Svc
MCCARTHY, Glenn	92-04-199	Property	ISM
EDWARDS, Ross	92-04-200	Property	Complete
HARVEY, Eugene	92-04-202	Property	AWC
SAAVEDRA, Jesus	92-04-209	Property	IBO/Unit
HECK, Quincy (CECA)		Property	Region
FERNANDEZ-LUIZ, J.	92-04-212	Property/ Personal Injury	Complete
SALINAS, Jesse	92-04-215	Property	ISM
ZALDIVAR-CASTILLO	92-04-219	Property	AWC
LITTLE, W. (CECA)	92-04-225	Property	Camp
WESTBROOK, Ricky	92-04-230	Property	AWC
JACKSON, Renard	92-04-231	Property	Camp

#### FOI/PRIVACY ACT REQUESTS

NAME	INFORMATION REQUESTED	STATUS
MADRID	Central File	Legal
WEBER	Medical Records	Legal
DIXON	Central File	Legal
CRAWFORD	Central File	Legal
RISLEY	Medical Records	HSA
BARRETT	Medical Records	HSA
HOSHAR	Med./Psych. Records	HSA/Psych Services
MASON	Medical Records	HSA
CHAPPEL	Medical Records	HSA
GARDNER	Medical Records	HSA

cc: Regional Counsel