

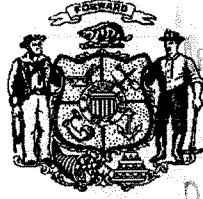
02CV1057

02IP0042

ICE RECEIPT
SMCI-2001-33480

Scott McCallum
Governor

Jon E. Litscher
Secretary



APR 3 10 21 AM '02
CIRCUIT COURT
DANE COUNTY, WI

State of Wisconsin

Department of Corrections

**** ICRS CONFIDENTIAL ****

To: MERRIWEATHER, ANTHONY G # 188123
UNIT: Echo - 110
SUPERMAX CORRECTION INSTITUTION
1101 MORRISON DR.
BOSCOBEL, WI 53805-0265

Complaint Information:

DOC Complaint Number: **SMCI-2001-33480**

Date Acknowledged:

Subject of Complaint:

Brief Summary:

This is to acknowledge the complaint you filed and which was received on the date indicated. Depending on the nature of the complaint, you may or may not be interviewed by the ICE. A recommendation on the complaint will be made and submitted to the appropriate reviewing authority within 15 working days of acknowledgement. A decision will be made by the appropriate reviewing authority within 5 working days following receipt of the recommendation unless extended for cause.

Please write to the ICE if this issue is resolved before you receive an answer.

188123

Group Complaint - apply to all SMC I inmates

OFFENDER COMPLAINT

INSTRUCTION SEE REVERSE SIDE

| | | |
|----------------------------------------------------------|--------------------------------------|-----------------------------------|
| OFFENDER NAME <i>Timothy M. M... ..</i> | | DOC NUMBER <i>108113</i> |
| INSTITUTION NAME <i>SMC I</i> | OFFENDER HOUSING UNIT <i>2040</i> | CELL OR ROOM NUMBER <i>110</i> |
| DATE OF INCIDENT OR DENIAL OF REQUEST <i>10/24/01</i> | | |

| | |
|-----------------------------|--|
| TO BE FILLED IN BY ICE ONLY | |
| DOC COMPLAINT FILE NUMBER | |
| DATE COMPLAINT RECEIVED | |
| CODE NUMBER | |

STATE YOUR COMPLAINT

we are writing in complaint because SMC I rule/policy which allows inmates to be demoted based upon "warning" on behavior log is invalid as it was not properly promulgated under chapter ss. 227 Wis. stats. by the legislative joint committee for review of administrative rules nor was it approved by the administrator of Doc Dick Verplagen per Doc 309.20 (1) Wis. adm. code, which violate's our constitutional rights as the P+P

NAME(S) OF PEOPLE WHO HAVE INFORMATION ABOUT THIS COMPLAINT

SIGNATURE OF OFFENDER OR SPOKESPERSON

DATE SIGNED

[Handwritten Signature]

10-24-01

NOTICE TO OFFENDER: The ICE will acknowledge your complaint within 5 working days of the date of receipt

Page #2

OFFENDER COMPLAINT

INSTRUCTION SEE REVERSE SIDE

| |
|-----------------------------|
| TO BE FILLED IN BY ICE ONLY |
| DOC COMPLAINT FILE NUMBER |
| DATE COMPLAINT RECEIVED |
| CODE NUMBER |

| | | |
|---------------------------------------|---------------------------------------|-----------------------------------|
| OFFENDER NAME <i>Fred B. M...</i> | | DOC NUMBER <i>10113</i> |
| INSTITUTION NAME <i>S.M.C.I.</i> | OFFENDER HOUSING UNIT <i>6C/10</i> | CELL OR ROOM NUMBER <i>110</i> |
| DATE OF INCIDENT OR DENIAL OF REQUEST | | |

STATE YOUR COMPLAINT

2/27/01 (12) ...

"Rule" ...

... does not affect ...

NAME(S) OF PEOPLE WHO HAVE INFORMATION ABOUT THIS COMPLAINT

| | |
|---------------------------------------|-------------|
| SIGNATURE OF OFFENDER OR SPOKESPERSON | DATE SIGNED |
|---------------------------------------|-------------|

NOTICE TO OFFENDER: The ICE will acknowledge your complaint within 5 working days of the date of receipt

OFFENDER COMPLAINT

INSTRUCTION SEE REVERSE SIDE

OFFENDER NAME _____ DOC NUMBER _____

INSTITUTION NAME _____ OFFENDER HOUSING UNIT _____ CELL OR ROOM NUMBER _____

DATE OF INCIDENT OR DENIAL OF REQUEST _____

| |
|-----------------------------|
| TO BE FILLED IN BY ICE ONLY |
| DOC COMPLAINT FILE NUMBER |
| DATE COMPLAINT RECEIVED |
| CODE NUMBER |

STATE YOUR COMPLAINT

at since clearly violates the individual management of SMC3 and it most definitely affects our private rights and interest in this remaining system sets the bases of whether we will handle certain property of our personal possessions and whether we will be covered for money exp through that system to be release from administration and it affects the way we are evaluated at our programs through things by the (PAC) program review committee and that way we are reviewed at our administrative confinement review through by (NOC) administrative confinement review committee what is the state law we are subject to and what is the rule book to be subject for that and what will be subject out interest in the state of Wisconsin records what is the state law we are required by statute 97.27 review to be

NAME(S) OF PEOPLE WHO HAVE INFORMATION ABOUT THIS COMPLAINT _____

SIGNATURE OF OFFENDER OR SPOKESPERSON _____ DATE SIGNED _____

NOTICE TO OFFENDER: The ICE will acknowledge your complaint within 5 working days of the date of receipt
Fred J. Merriweather 10-17-01

OFFENDER COMPLAINT

INSTRUCTION SEE REVERSE SIDE

| | | |
|---------------------------------------|-----------------------|---------------------|
| OFFENDER NAME | | DOC NUMBER |
| INSTITUTION NAME | OFFENDER HOUSING UNIT | CELL OR ROOM NUMBER |
| DATE OF INCIDENT OR DENIAL OF REQUEST | | |

| |
|-----------------------------|
| TO BE FILLED IN BY ICE ONLY |
| DOC COMPLAINT FILE NUMBER |
| DATE COMPLAINT RECEIVED |
| CODE NUMBER |

STATE YOUR COMPLAINT

The Wisconsin Supreme Court mandates that:

"Agency Rules define the boundaries of the agency's authority and when the agency abandons those rules it is beyond its authority..."

"Administrative agency is bound by rules which itself has promulgated and may not proceed without regard to its own rules..."

See: *Adderson vs. Cooks*, WIS. N.W. 2d 521 (2000)
Braun vs. Fielder, case no. 92-cv-5796 Dane Co.
(Plaintiff's Exhibit # 9-1 attached hereto)

We hereby request that the state's... system... be... where...

| | |
|-------------------------------------------------------------|-------------|
| NAME(S) OF PEOPLE WHO HAVE INFORMATION ABOUT THIS COMPLAINT | |
| SIGNATURE OF OFFENDER OR SPOKESPERSON | DATE SIGNED |

NOTICE TO OFFENDER: The ICE will acknowledge your complaint within 5 working days of the date of receipt

10-27-01

Scott McCallum
Governor



ICE REPORT
SMCI-2001-33480

Jon E. Litscher
Secretary

State of Wisconsin

Department of Corrections

INSTITUTION COMPLAINT EXAMINER'S REPORT

To: MERRIWEATHER, ANTHONY G # 188123
UNIT: Echo - 110
SUPERMAX CORRECTION INSTITUTION
1101 MORRISON DR.
BOSCOBEL, WI 53805-0265

Complaint Information:

DOC Complaint Number:

Date Complaint Received: Inmate Contacted?

Subject of Complaint:

Person Interviewed:

Documents Relied Upon:

Brief Summary:

Summary of Facts:

Group complaint challenging policy of demotion based on warnings.

Written warnings are not part of the formally defined disciplinary system as found in DOC 303. Entries on warning cards are, therefore, not subject to review. If such entries are used to provide information to support the charges on a conduct report, then the inmate charged has the opportunity to challenge that information at a disciplinary hearing. The outcome of such challenges is not revisable through the inmate complaint review system.

Therefore, it is recommended this complaint be dismissed.

Dismissed

ICE Recommendation:

Examiner's Signature:

Decision Date: Monday, November 19, 2001

Print Date: Tuesday, November 20, 2001

Miana Bennoch

188123

Scott McCallum
Governor



Reviewer's Decision
SMCI-2001-33480

Jon E. Litscher
Secretary

State of Wisconsin
Department of Corrections
Reviewer's Decision on Complaint

To: MERRIWEATHER, ANTHONY G # 188123
UNIT: Echo - 110
SUPERMAX CORRECTION INSTITUTION
1101 MORRISON DR.
BOSCOBEL, WI 53805-0265

Complaint Information:

DOC Complaint Number:

Date Complaint Received:

Subject of Complaint:

ICE Brief Summary:

ICE Recommendation:

Reviewer's Decision:

Reasons for Decision (If ICE's recommendation is not accepted):

Reviewer's Comments:

If you are adversely affected by the decision, you have 10 calendar days to appeal the decision to the Corrections Complaint Examiner. Form (DOC-405) for such an appeal may be obtained from the Institution complaint Examiner.

CC'd:

Decision Date: Tuesday, November 20, 2001

Reviewer's Signature:

A handwritten signature in black ink, appearing to read "Peter Reinberg".

188123

REQUEST FOR CORRECTIONS COMPLAINT EXAMINER REVIEW

- INSTRUCTION: 1. Prepare an original and one copy of this request. Please print or type.
2. Keep the copy of this request for your records and send the original, in a sealed envelope, to:

CORRECTIONS COMPLAINT EXAMINER
OFFICE OF AUDITS, INVESTIGATIONS & EVALUATIONS
PO BOX 7925
MADISON, WI 53707-7925

PART I - MUST BE COMPLETED

| OFFENDER NAME | DOC NUMBER | INSTITUTION (Abbreviate) | COMPLAINT FILE NUMBER |
|-------------------------------|---------------|--------------------------|------------------------|
| <i>Tommy G. Merrinweather</i> | <i>188123</i> | <i>SACE</i> | <i>SACE-2001-33480</i> |

STATE BRIEFLY WHY YOU ARE NOT SATISFIED WITH THE ACTION OF THE WARDEN:

I am not satisfied with the ICE and Warden's decision as they alleged that level system - warning are not a part of the formally defined disciplinary system promulgated under Doc 303 wis. adm. code, which clearly shows that this Rule has been implemented without legislative authority contrary to ss. 227.11(2)(a) wis. stats. which mandates that:

"each agency may promulgate rules interpreting the provisions of any statute enforced or administered by it if the agency considers it necessary to effectuate the purpose of the statute but a rule is not valid if it exceeds the bounds of correct interpretation..."

which in this case the ICE clearly states that SACE Rule/policy # 300.00 level-system - warning system is not a part of the provision of Doc 303 wis. adm. code therefore, it is forbidden to implement this Rule as it is not or has not put forth any statute that its interpreting and it definitely exceeds the correct interpretation as it is being applied to govern us

(CONTINUE ON REVERSE SIDE)

inmates in administrative confinement under Doc 308.04 Wis. adm. code a non-punitive status which does not authorize no such level of control system which since could not promulgate, whereas the Wisconsin supreme court mandates that:

"Agency cannot promulgate Rule inconsistent with unambiguous statute." "Administrative agency has only those powers which are expressly conferred or can fairly be implied from statutes under which it operates..."
"Administrative agency may not issue rule that is not expressly or impliedly authorized by legislative..."

SEE: ONGIDA-US-CONVERSE; 508 N.W. 2d 416, 186 Wis. 2d 122 (1991)

PART 2 - IDENTIFY AND LIST ALL FORMS OF PROOF YOU HAVE OR ARE AWARE OF THAT SUPPORTS YOUR COMPLAINT.

| | |
|----------------------------------------------|----------------------------------|
| NAME OF PERSON WHO CAN VERIFY YOUR STATEMENT | WHERE CAN THIS PERSON BE REACHED |
|----------------------------------------------|----------------------------------|


WHAT WOULD THIS PERSON VERIFY

| | |
|----------------------------------------------|----------------------------------|
| NAME OF PERSON WHO CAN VERIFY YOUR STATEMENT | WHERE CAN THIS PERSON BE REACHED |
|----------------------------------------------|----------------------------------|

WHAT WOULD THIS PERSON VERIFY

OTHER (Receipts, property sheets, disciplinary paper work, PRC summaries, etc.)

PART 3 - MUST BE COMPLETED

| | |
|-------------------------------------------------------------------------------------------------------------|-------------------------|
| SIGNATURE OF OFFENDER  | DATE SIGNED 11-25-01 |
|-------------------------------------------------------------------------------------------------------------|-------------------------|

REQUEST FOR CORRECTIONS COMPLAINT EXAMINER REVIEW

- INSTRUCTION: 1. Prepare an original and one copy of this request. Please print or type.
2. Keep the copy of this request for your records and send the original, in a sealed envelope, to:

Page #3

CORRECTIONS COMPLAINT EXAMINER
OFFICE OF AUDITS, INVESTIGATIONS & EVALUATIONS
PO BOX 7925
MADISON, WI 53707-7925

PART I - MUST BE COMPLETED

| OFFENDER NAME | DOC NUMBER | INSTITUTION (Abbreviate) | COMPLAINT FILE NUMBER |
|---------------------|------------|--------------------------|-----------------------|
| 1604 G. MEADWEATHER | 180123 | SMCI | SMCI-101-3390 |

STATE BRIEFLY WHY YOU ARE NOT SATISFIED WITH THE ACTION OF THE WARDEN

SMCI officials could not implement this Rule as it affects our private rights and interests. Violation of ss. 227.01 (12)(a) Wis. Stats. which clearly SMCI # 300.00 Rule affects our private rights and interests to property, visitation, parole, program review, classification, custody status etc. (see exhibit #7 attached hereto) and which can not be implemented through the provision of Doc 303.03 Wis. Adm. Code, as it is not a part of the listed criteria set forth thereby. (see exhibit # A - Bells vs. the Coughlin case no. 94-cv-463 Dodge Co. - attached hereto)

"No agency may promulgate a Rule which conflicts with state law."

Thereby the SMCI officials have exceeded

their authority and since Rule # 300.00 is invalid and without any legislative authority which since was bound to follow its own rules whereby the Wisconsin Supreme Court mandates that:

" Agency rules define the boundaries of the agency's authority and when the agency abandons those rules it is beyond its authority ... "

" Administrative agency is bound by rules which it itself has promulgated and may not proceed without regards to its own rules ... "

SEE: ANDERSON - ET AL - VS - COOKE, 610 NW2d 821 (2000)
BARN - VS - FASIDER CASE NO: 92-CV-3496 (DANE CO.)
(Exhibit # 4-2 attached to original IOI)

PART 2 - IDENTIFY AND LIST ALL FORMS OF PROOF YOU HAVE OR ARE AWARE OF THAT SUPPORTS YOUR COMPLAINT.

| | |
|----------------------------------------------|----------------------------------|
| NAME OF PERSON WHO CAN VERIFY YOUR STATEMENT | WHERE CAN THIS PERSON BE REACHED |
|----------------------------------------------|----------------------------------|

WHAT WOULD THIS PERSON VERIFY

| | |
|----------------------------------------------|----------------------------------|
| NAME OF PERSON WHO CAN VERIFY YOUR STATEMENT | WHERE CAN THIS PERSON BE REACHED |
|----------------------------------------------|----------------------------------|

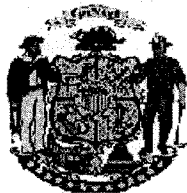
WHAT WOULD THIS PERSON VERIFY

OTHER (Receipts, property sheets, disciplinary paper work, PRC summaries, etc.)

PART 3 - MUST BE COMPLETED

| | |
|-----------------------------------------------------|-------------------------|
| SIGNATURE OF OFFENDER <i>Tony J. Merrinweath</i> | DATE SIGNED 11-25-01 |
|-----------------------------------------------------|-------------------------|

Scott McCallum
Governor



CCE REPORT
SMCI-2001-33480

Jon E. Litscher
Secretary

State of Wisconsin

Department of Corrections

CORRECTIONS COMPLAINT EXAMINER'S REPORT

To: MERRIWEATHER, ANTHONY G # 188123
UNIT: Echo - 110
SUPERMAX CORRECTION INSTITUTION
1101 MORRISON DR
BOSCOBEL WI 53805-0265

From:
Corrections Complaint Examiner
Office of Audits, Investigations and Evaluations
P.O. Box 7925
Madison, WI. 53707-7925

RE: Complaint File #: SMCI-2001-33480

Name: MERRIWEATHER, ANTHONY G # 188123

Complaint Number: SMCI-2001-33480

Nature of Complaint: Group complaint challenging policy of demotion based on warnings.

Method of Disposition:
Y Review on Record

Recommendation: N Investigation

SJH - The complainants allege that the policy and procedure for the level system that uses warnings was not properly promulgated pursuant to state statutes. In "exhibit A" provided by the complainants, the issue in that court case revolved around the institution's misapplication of DOC 303.63, as the violation the inmate was charged with was not one of the listed policies and procedures under that section. I note the complainants are referring to a former version of DOC 303. In "exhibit #2," the complainants submit a Parole Commission Action for another inmate and cited the reference to the lack of progress in the level system. What the complainants fail to realize is that the institution has the authority to develop policies and procedures, e.g. standard operating procedures, programs, that are not subject to discipline in and of themselves. If an inmate violates a specific institution rule which would fall under DOC 303.63, he may be disciplined as such. The level system is a behavioral modification program and progression through the system is clearly laid out in the policy and procedure. Such policies and procedures are not required to be promulgated through the rulemaking process, as the complainants allege. Being demoted a level due to a warning is not a sanction as defined in Chapter 303, and therefore is not disciplinary in

188123

Scott McCallum
Governor

Jon E. Litscher
Secretary



CCE REPORT
SMCI-2001-33480

State of Wisconsin

Department of Corrections

CORRECTIONS COMPLAINT EXAMINER'S REPORT

nature. As such, there are no violations as alleged and it is thus recommended this complaint be dismissed.

Decision Date: Friday, January 04, 2002

Print Date: Sunday, January 13, 2002

Sandy Hautamaki

CORRECTIONS COMPLAINT EXAMINER

Scott McCallum
Governor



OOS REPORT
SMCI-2001-33480

Jon E. Litscher
Secretary

State of Wisconsin
Department of Corrections
OFFICE OF THE SECRETARY'S REPORT

To:

MERRIWEATHER, ANTHONY G # 188123

UNIT: Echo - 110

SUPERMAX CORRECTION INSTITUTION
1101 MORRISON DR

BOSCOBEL WI 53805-0265

Complaint File #: SMCI-2001-33480

The following is the Secretary's decision on the Corrections Complaint Examiner's recommendation of 1/4/02 in the above case:
The attached Corrections Complaint Examiner's recommendation to dismiss this complaint is accepted as the decision of the Secretary.

Decision Date: Sunday, January 13, 2002

Reviewer's Signature:

This Copy Printed On: January 13, 2002

A handwritten signature in black ink, appearing to read 'Craig O'Donnell'.

188123

STATE OF WISCONSIN, CIRCUIT COURT, DANE COUNTY

Please Print or Type

Prisoner's Petition for Waiver of Prepayment of Fees/Costs - Affidavit of Indigency

02CV1057

Tony G. Meadweather
-vs-

Gerald Beagle - Warden

Case No. 021F0042

(The prisoner must provide the following to the Clerk of Court at the time of filing:

- The original and one copy of this affidavit and attachments.
- Sufficient copies of the pleadings for potential service on all named defendants.)

Under oath I state that:

- I am unable to pay the costs of this action, special proceeding or appeal or to give security for those costs, and request waiver of those costs because of poverty.
- I have not had three or more appeals, writs of error, actions or special proceedings dismissed by a state or federal court for any of the reasons listed in §802.05(3)(b)1-4, Wisconsin Statutes.
 - Attached is the original Wisconsin Department of Justice certification (form DJ-LS-22 containing the raised seal) dated within 30 days of the date of this petition concerning the number of appeals, writs of error, actions or special proceedings dismissed by a state or federal court.
- I have attached and incorporated into this affidavit:
 - The original pleading in this matter.
 - [If this proceeding is related to prison or jail conditions]: Written documentation of exhaustion of all available administrative remedies, including copies of all written materials:
 - I provided to the administrative agency as part of the administrative proceeding;
 - the administrative agency provided to me related to the administrative proceeding; and,
 - included as part of any administrative appeal.
 - A certified copy of my prison trust fund account for the six months preceding the date of this petition.
 - My authorization to the agency having custody of my prison trust fund account (on DOC form 1930 provided by the Wisconsin Department of Corrections), to forward payments from my account to the clerk of court each time the amount in the account exceeds \$10, until the costs and fees are paid in full.
- I have have not committed an offense on or after September 1, 1998. (An offense is defined in §165.83(1)(c), Wisconsin Statutes, as an act which is a felony, misdemeanor, or violation of a city, county, village, or town ordinance.
- I am am not employed. Name of employer: _____
- I earn \$ 0- gross weekly. every two weeks. twice monthly. monthly.
- I have received or been entitled to receive money from the following sources within the past 12 months (list total amount):

| | |
|------------------------------------------------------------------------------|--------------|
| <input type="checkbox"/> pension, annuities or life insurance payments:..... | \$ <u>0-</u> |
| <input type="checkbox"/> disability or worker's compensation payments:..... | \$ _____ |
| <input type="checkbox"/> gifts, loans or inheritances:..... | \$ _____ |
| <input type="checkbox"/> rent payments, interest or dividends:..... | \$ _____ |
| <input type="checkbox"/> business, profession or self employment:..... | \$ _____ |
| <input type="checkbox"/> other:..... | \$ _____ |
- I have the following cash assets:

| | |
|------------------------------------------------------|--------------|
| <input type="checkbox"/> savings accounts:..... | \$ <u>0-</u> |
| <input type="checkbox"/> checking accounts:..... | \$ _____ |
| <input type="checkbox"/> cash:..... | \$ _____ |
| <input type="checkbox"/> money owed me:..... | \$ _____ |
| <input type="checkbox"/> any other cash assets:..... | \$ _____ |

02CV1057

9. I have the following other assets (list value):

- real estate: \$ 0
- stocks, bonds, securities and financial instruments: \$ _____
- automobiles: \$ _____
- computers, audio-visual equipment, other personal property: ... \$ _____
- jewelry, antiques, objects of art or other valuable property : \$ _____

10. I have not transferred any funds or other assets in the past 12 months except as follows (describe any transfers):

NONE

11. I have not assigned my rights to any funds or other assets since first incarcerated except as follows (describe any assignments):

NONE

12. I have the following legal obligations:

| Obligation | Amount Actually Paid Per Month | Amount Actually Paid in Last Six Months |
|----------------------------------------|--------------------------------|-----------------------------------------|
| <input type="checkbox"/> Child Support | \$ <u>0</u> | \$ <u>0</u> |
| <input type="checkbox"/> Restitution | \$ <u>✓</u> | \$ <u>✓</u> |
| <input type="checkbox"/> Fines/Costs | \$ <u>✓</u> | \$ <u>✓</u> |
| <input type="checkbox"/> Other: | \$ <u>✓</u> | \$ <u>✓</u> |

13. My spouse is is not employed. Name of employer: GI
 14. My spouse earns \$ 0 gross weekly. every two weeks twice monthly monthly.

15. My spouse receives monthly income totaling the amount of \$ _____ from:
 Pension Social Security Unemployment compensation
 Disability Student loans/grants Other: 0

16. I have the following miscellaneous expenses: NONE

Subscribed and sworn to before me
 on 22nd day of Jan 2002
[Signature]
 Notary Public, State of Wisconsin
 My commission expires: 8/28/05

I understand that if my financial situation changes,
 I must notify the court immediately.
[Signature] 1-22-02
 Signature Date

021P0042

AUTHORIZATION TO WITHHOLD MONEY FROM TRUST ACCOUNTS

I, Tony G. Merrilweather #188123
(Print Plaintiff's Name) (ID Number, e.g. DOC No.)

wish to commence a lawsuit described as follows:

Gerald BERGE - WARDEN
Name(s) of defendant(s)

DAVE COUNTY COURTHOUSE
210 MARTIN LUTHER KING JR. BLVD.
MADISON, WIS. 53709
Name of court (e.g. Circuit Court for Dodge County)

Sensory sleep & perceptual deprivation; & ~~arbitrary~~ Policy -
Subject of the lawsuit (e.g. disciplinary ticket #)

Arbitrary Level system

If the court permits me to commence this lawsuit, by my signature below I authorize the agency having custody of my prison trust fund account to forward payments from my account to the clerk of court each time the amount in the account exceeds \$10 until the costs and fees are paid in full.

Tony G. Merrilweather
(Signature of Plaintiff)

1-10-02
(Date)

CUSTODIAN:

Give offender a copy after he or she signs it. File original with the court.

When suit is filed and served, the court enters case number here: _____

**INSTRUCTION TO OFFENDER: THE ORIGINAL OF THIS FORM
MUST ACCOMPANY FORMS CV-438 or CV-440, or SCA-12:
PRISONER'S PETITION FOR WAIVER OF FEES/COSTS -
AFFIDAVIT OF INDIGENCY.**

(STATE OF WISCONSIN)
NOTICE OF INJURY AND CLAIM

JUL 11 2000

pursuant to § 893.82 of the Wisconsin Statutes

000724045

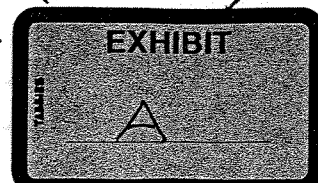
This notice must be served by Certified U.S. Mail within 120 days of the event giving rise to the claim for such injury upon the Attorney General, P.O. Box 7857, Madison, Wisconsin, 53707-7857.

CLAIMANT(S): Tony G. Mcgrawweather #188123 TIME/DATE OF INCIDENT: _____
ADDRESS: Supermax Correctional Institution _____
P.O. Box 9900 _____
Boscobel, Wis. 53805-9900 _____
LOCATION: Supermax Correctional Institution

STATEMENT OF CIRCUMSTANCES GIVING RISE TO CLAIM: I am bring forth a civil action against Gerald Berge, Lt. Richards, whereas I was transferred to Supermax Correctional Institution on 12-9-99 and sometime thereafter my personal property was lost by the defendants or their staff and they have failed to recover or compensate me for the lost of my property which is in violation of my 14th amendment.

STATEMENT OF CLAIMS:

I am entitled to compensation for the lost of my personal property under the custody and control of the warden Gerald Berge, Per. Article I, Sec 9 Wis. Const. & the 14 amendment U.S.C. as the warden is responsible for charge and custody of my property pursuant to ss. 302.04 Wis. Stats. whereby upon my arrival or sometime thereafter the following property items were missing:



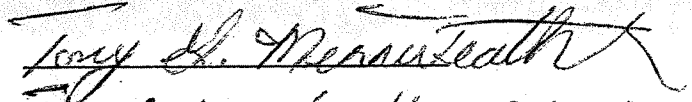
STATEMENT OF THE RELIEF SOUGHT:

- 1.) 4-Volume set of Sahih Muslims Hadith; by: Tr. M. Abdul Hameed Siddiqui (books)
- 2.) 2-Volume set of Everyday Fiqh; by: Muhammad Yusuf Isahki & Abdul Aziz Kamal. (books)
- 3.) Nile Valley contributions to civilizations; by: Anthony Brander (books)
- 4.) Malcolm X Afro-American (book)
- 5.) Chains & Images of Psychological Slavery; (book) by: Dr. Na'im Akbar Ph.D.
- 6.) Miseducation to Education; by: Na'im Akbar Ph.D. (book)
- 7.) Light from Ancient Africa; by: Na'im Akbar (book)

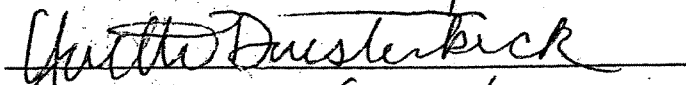
I hereby certify that all statements contained herein are true, correct, and complete; and that the injury actually occurred.

Dated this 11th day of July, 2000.

Respectfully submitted,


Tony G. Merrin
(Print your name) Tony G. Merrin Claimant.

Subscribed and sworn before me
this 11 day of July, 2000


Notary Public, Grant County,
Wisconsin.
My commission expires 5/2/2004

- 8.) Community of Self, by: NA'im AKBAR (book)
- 7.) Destruction of Black Civilization, by: Chancellor Williams (book)
- 10.) Echoes of the old Drakland, by: Charles S. Finch III M.D. (book)
- 1.) Subscription of Beloit Daily News Newspaper
- 2.) Entire Case File on legal materials & documents pertaining to MERRIWEATHER - VS - SULLIVAN, et. al. CASE NO. 99-CV-1692 Dane County
- 3.) MAGAZINES
- 4.) Conspiracy to Destroy Black Boys Volumes #1, 2, 3, (books)
- 5.) The words best kept secret about the Black Hebrew Israelites by: Ella Daughley (book)
- 6.) The Illuminati Lobby (book)
- 7.) Power in the Game, by: William Guy Carr (book)
- 8.) The New World Order, by: A. Ralph Epperson (book)
- 9.) The Plot, the Cause, the Solution, by: Malik Jabbar
- 10.) Slavery: The Psychic Trauma, by: Sultan A. Laffin (book)
- 11.) Al-Magasinid (book)
- 12.) Jesus among the lost sheep (book)
- 13.) Non-Ahmadis Muslim Organization in USA (Pamphlet)
- 14.) Nylon Black T-shirt
- 15.) White Gym shorts
- 16.) Blue Long John T-shirt & bottoms
- 17.) Black Sunglasses

29.) Islamic PRAYER BEADS

30.) 5 boxes of Ibuprofen, Sinus Pills, Antacids,

SECOND CLAIM

That I have been deprived of my 1st Amendment Right to Freedom of association, assembly, speech, Petition and FREE EXERCISE of Religion; wherein S.M.C.-I officials Policy of not allowing inmates to possess all our Religious Publications, Political publications, Photographs, and their Practice of not allowing us muslim inmates to participate in our Friday congregational PRAYER and partake in our FEAST OF Eid-ul-Adha and the denial of not providing me with my Religious ministrations and sacraments, such as the mandatory books (Hadith) of the Holy Prophet, Muhammad, pursuant to ss. 301.33 (2)(3) Wis. Stats. and the denial of not provide me access or purchasing my Religious PRAYER ^{Box} for my convenience to be used for the operation of my education and Religious program from the \$60,000 Revolving Fund pursuant to both ss. 46.03 (14) Wis. Stats and ss. 301.27 (2) Wis. Stats. and pursuant to DOC 309 I.M.P. # 6-G (INTERNAL MANAGEMENT PROCEDURES) Religious Beliefs and Practices muslim Religious Practice, which denies me the minimum amount of treatment of prisoners, mandated in the Human Rights declaration of the United Nation, to which

THIRD CLAIM

I am being denied the 14th amendment Right U.S.C. and United Nations constitutional Right to Receive Physical and Recreational training during the exercise period and that S.M.C.I. official provide me with no exercise equipment and I am further being denied the United Nation declaration constitution to allow fresh air into my cell through the window, which are required to be constructed to allow the entrance of fresh air whether or not there is artificial ventilation. (It should be noted that there is no windows in these cell nor is there a ventilation system in this building)

Fourth claim

I am being further subjected to cruel and unusual punishment in violation of my 8th amendment Right wherein I am being deprived of sleep deprivation and sensory deprivation wherein the lights are kept on 24 hours a day and has caused harm to my eyes and has caused both stress, Physiological Psychological & Physical harm and wherein my U.S. mail is being censored and read without and penological security interest wherein the S.M.C.I. official are forcing me to leave my letters open of my family & loves and has been holding my legal mail contrary to Wisconsin law in Stone-US-Schmidt, 398 F. Supp. 768, wherein I have violated no mail Policy Policy...

Fifth claim

I HAVE BEEN PLACED ARBITRARY IN A SOLITARY
CELL, CONTRARY TO THE ADVISE OF A PHYSICIAN (DR. ROBERT E. WHEELER
CONTRARY TO SS. 302.10 WIS. STATS. THESE ACTIONS WILL BE BROUGHT
UNDER CLASS ACTION WITH ~~MYSELF~~ MYSELF OR OTHER INMATES
DAVID HUDSON, GLEN PINSON, LEON IRBY, TONY SHAW, TONY EPPERSON,
WALTER BROWN, DONALD LEE, MONTPELL HORTON, STANLEY FELTON, CURTIS
ELLIS, KEVIN VANCE, BYRON C. MOORE, NATHANIEL DUKES, DEMETRIUS
ROBERTSON, BRUCE JONES, PATRICK SNOWDERS, THOMAS JONES, ROY BORTNER,
JAMES PRICE, JAMES JACKSON, AND SIMILAR SITUATED INMATES. NORMAN C. GREE

WHEREIN THIS NOTICE OF CLAIM SHOULD HEREIN
APPLY AND BE MADE TO STAND FOR ALL THE ABOVE INMATE'S LISTED
ABOVE WHO MY DESIRE TO BRING THEIR CLAIM INDIVIDUALLY OR TOGETHER.

Dated 11th day of July, 2000

cc: ATTORNEY GENERAL
T. MERRIWEATHER #188123

Respectfully Submitted

Tony G. Merrweather
151
TONY G. MERRIWEATHER #188123
IN PERSON / BOX 9900 (SMCI)
Boscobel, Wis. 53805-9900

other defendants will be
VICKIE SHARPE, JIM PARISI,
SANDY DURAN, PETER HUIBREGTSE
AND MORE...

STATE OF WISCONSIN
NOTICE OF INJURY AND CLAIM
pursuant to § 893.82 of the Wisconsin Statutes

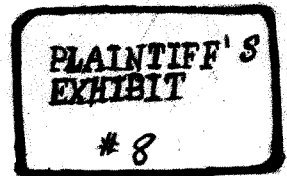
This notice must be served by Certified U.S. Mail within 120 days of the event giving rise to the claim for such injury upon the Attorney General, P.O. Box 7857, Madison, Wisconsin, 53707-7857.

CLAIMANT(S): TONY G. MEAR/WEATHER and those TIME/DATE OF INCIDENT: _____
ADDRESS: SIMILAR SITUATED INMATES _____
SUPERMAX CORRECTIONAL INSTITUTION _____
P.O. BOX 9900 _____
LOCATION: Wausau, Wis. 53805-9900

STATEMENT OF CIRCUMSTANCES GIVING RISE TO CLAIM:

That we have been arbitrary kept in adjustment - solitary confinement cells beyond the adjustment segregation time limits and subjected to cruel and unusual punishment in violation of our 8th amendment, and have been denied of equal protection as to those other inmates who are confined to the same non-punitive status of administrative confinement governed pursuant to DOC 308.04 Wis. Adm. Code; we have been subjected to excessive force and physical, spiritual brutality. subjected to racial and selective punishment and profile... Denied our 1st amendment U.S.C. Rights of Freedom of Association, speech, Right to Redress, and Free exercise of our Religion & Political Views.

STATEMENT OF CLAIMS:



188123

STATEMENT OF THE RELIEF SOUGHT:

SECOND CLAIM

AND THEIR FAILURE TO PROTECT MY FIRST AMENDMENT RIGHTS TO PARAGRAPHIC MATERIALS. ALSO VIOLATES THE COMMON LAW PROVISIONS OF DOC 309. AS THERE EXIST NO PENOLOGICAL SECURITY INTEREST. AND VIOLATES OUR 1ST AMENDMENT RIGHT TO FREEDOM OF EXPRESSION, ASSOCIATION, PRESS, SPEECH, AND FREE EXERCISE OF RELIGION, TO MUTUAL BOND BY SEXUAL EXPRESSION WITH OUR WIFE, FEMALE COMPANIONS AND TO BE EDUCATED SEXUAL THROUGH EXPRESSION AND IT VIOLATES OUR EQUAL PROTECTION CONSUMER RIGHTS PER 14TH AMENDMENT U.S.C. WHEREIN THE DEPT. OF CORRECTIONS DENIES US THE RIGHT TO HAVE NUDE PHOTOGRAPHS, MAGAZINES, BOOKS, OR EVEN LETTERS OF SEXUAL EXPRESSION BETWEEN CONSENTING ADULTS. ALSO THEIR POLICY WHICH DOES NOT ALLOW US TO POSSESS CASSETTE TAPES, RELIGIOUS CASSETTE TAPES, EDUCATIONAL & CULTURAL CASSETTE TAPES VIOLATE OUR 1ST AMENDMENT U.S.C.

I hereby certify that all statements contained herein are true, correct, and complete; and that the injury actually occurred.

Dated this 15th day of December, 2000.

Respectfully submitted,

July G. McQuinn

(Print your name)

July G. McQuinn, Claimant.
 (S.M.I.) P.O. Box 9900 #188123
 Boscobel, Wis. 53805-9900

Subscribed and sworn before me this 15th day of December, 2000.

Julie M. Bigger

Notary Public, Grant County, Wisconsin.
 My commission expires 07/25/04.

Mantell M. Horton
 151 Mantell M. Horton #220511-A

William Medina
 151 William Medina #125928

Steven D. Stewart
 151 Steven D. Stewart #143599

(ATTACH INMATE COMPLAINT)

Glen Pison
 151 Glen E. Pison #130678

Jaurus Bowdy
 151 Jaurus Bowdy #234971

Darren D. Hooker
 151 Darren D. Hooker #187660

Ronald Lee
 151 Ronald Lee #252362

David Hudson
 151 David Hudson #147930

PLAINTIFF'S EXHIBIT #9

STATE OF WISCONSIN
NOTICE OF INJURY AND CLAIM
Pursuant to Section 893.82, Wis. Stats.
(formerly section 765.45, Wis. Stats.)

This notice must be served by certified mail, within 120 days of the event giving rise to the claim for such injury, damage or death upon the Attorney General, 114 East, State Capitol, Madison, Wisconsin 53702.

Claimant's name and address : Time and Date of Occurrence
Tony G. Merrinweather #188123 :
SUPERMAX Correctional Institution : Location
P.O. Box 9900 :
Boscobel, Wis. 53805-9900 : SUPERMAX CORRECTIONAL INSTITUTION

Statement of circumstances of events giving rise to the claim for such injury, damage or death and names of persons involved including names of state officer(s) or employee(s). If additional space is needed, continue on the back side of this notice form.

Defendants Gerald Berge, Vickie Shappe, Program Director, Jim Parisi, Tim Haines, Dick Verhagen - administrator, have all violated our 1st, 6th, 8th and 14th amendment wherein we have been subjected to arbitrary punishment under the guise of security (administrative confinement) and have been subjected to sensory deprivation, perception deprivation, social isolation, freedom of speech, association, petition, and have been denied adequate access to the courts.

I hereby certify that all statements contained herein are true and that the injury, damage or death actually occurred.

Date: 10-16-00
Tony G. Merrinweather
signature of claimant

Tony G. Merrinweather, being first duly sworn, on oath, deposes and says that he is the claimant above named, that he has read the above and foregoing notice of injury and claim and that the same is true to his own knowledge, except as to those matters therein stated upon information and belief, and as to those matters, he verily believes the same to be true.

Respectfully submitted Claimant's

Dated this 16th day of October, 2000.

Julie Biggar
Notary Public

William Medi
151 William Medi #125928 (S.M.C.I)

My Commission expires: ~~40~~ 07/25/04

Mr. Al Curtis
151 AL-CURTIS #234033 (S.M.C.I)

188123
(CONTINUE PAGES 2-8)

Mr. Barrow Walker Sr.
151 BARROW WALKER #182074 (S.M.C.I)

Second claim

That we have all been arbitrarily been deprived of our 1st amendment Rights to Freedom of Association, Speech, Assembly, Petition and Free Exercise of our Religion or Political beliefs, wherein we have been arbitrarily confined in administrative confinement based upon our political views and non-ethical, 'non-ethical beliefs, creeds, ideologies, cultural beliefs in different organizations which the corrections official have either labeled as Street Gangs or Inmate Gangs or Unsanctioned groups, wherein we have been confined for the sole purpose of such beliefs or association with individuals of these belief without a crime being committed. Under the disguise of Security and we have arbitrarily been subjected to unconstitutional ambiguously applied Rules under DOC 308.02 (1)(2)(10) Wis. adm. code, DOC 308.03(6)(9) Wis. adm. code, DOC 303.02(9) Wis. adm. code, DOC 303.20(1)(3) Wis. adm. code, wherein many Latino's, African's ~~and~~ organizations have united in common causes that of both African - Latino ancestor tribes in pursuit of our common endeavors & blood relations - whether dealing for true economical freedom, political empowerment, community betterment or adequate schools/education for our children - which we prisoners acknowledge and support & adhere to these goals, which cannot be the bases of arbitrary punishment for such belief by the State. See: N.A.A.C.P. - vs - Claiborne Hardware Co. 102 S.Ct. 3409 (1982) (In scales - vs - U.S. 81 S.Ct. 1469, the court noted that a "Blanket prohibition of Association with a group having both legal and illegal aims, would present "A Real danger that legitimate political expression or Association would be impaired."

Third claim

That our 1st 8th + 14th amendment rights are violated whereby our religious beliefs, as Muslims, Christian, Black Hebrew Israelites, Egyptian spiritualist, Buddhist, Atheist etc. wherein we are not allowed to possess all our political, religious, educational, legal publications, books, magazines, newspapers + photographs of family + love-ones. are not allowed to attend obligatory congregational prayer services; have had our cultural magazines, (source, vibe, etc.) discriminated against; our cultural + religious music discriminate against and wherein Dept. of Corrections official has prohibited access to cassette tapes which teach us how to speak in Arabic, Spanish, Swahili, Hebrew, Native Languages which are incumbent upon us in our religious + cultural beliefs;

Fourth claim's

That we have been subjected to sensory + perceptual deprivation, social isolation + mental cruelty in violation of our 8th amendment rights U.S.C. + Human Rights vests in United Nations constitution / standard minimum rules for the treatment of prisoners # H-34, sections # 6 (2), # 10, # 11 (A) (b), # 21 (1) (2), # 22 (3), # 24, # 25 (1) (2), # 26 (1) (A) (C) (D) (E) (2), # 30 (1) (3), # 31, # 32 (1) (2) (3), # 33, (C), # 36 (1) (3) (4), # 37, # 39, # 41 (1) (2) (3), # 42, # 43 (1) U.N.C., wherein we have been denied 2 blankets during extreme cold weather and have been denied proper heat and ventilation during extreme hot

(4)

Whether, Wherein we are not provided outdoor exercise, nor are we provided physical and recreational training during recreational periods nor are provided equipment to accommodate exercise. We are not receiving proper dental care. nor have we been under the care and advice of a medical officer or physician pursuant to ss. 302.10 Wis. Stats.; Medical officer does not make daily rounds to see inmates, (unless prisoner pays \$2.50 co-payment), we are being twice punished for disciplinary conduct, corporal punishment is being used as we are denied our food + medication if we are asleep and don't have light (which stays on 24 hours a day) on to the highest degree of illumination; Muslim inmates have been subjected to eating and washing ^{with} pork products, we are arbitrarily being forced to wear full restraints while in closed lock cell for our Law Library; (such as Full Waist Restraints, Handcuffs, leg-irons, chains etc. our property is arbitrarily being made to be sent out of the institution,

Fifth Claims

That our 1st, 6th + 14th Amendment U.S.C. Rights to access to the courts, petition to the court, and to redress are being violated wherein Prison officials are reading our legal mail outside our presents, are determining what is legal documents, materials + correspondence, denying us adequate Law Library, Photocopies, pens, paper, stamps, envelopes, legal assistance; There exist no Wisconsin Supreme Court Reports, Federal Reports, U.S. Supreme Court Reports,

188123

Federal Supplement Reporters and books to Shepardize cases or any citation books...

WE ARE BEING ARBITRARILY SUBJECTED TO CRUEL & UNUSUAL PUNISHMENT AS WE ARE BEING PUNISHED IN A NON-PUNITIVE ADMINISTRATIVE CONFINEMENT STATUS, FOR NOT PARTICIPATING IN PROGRAMS, AND ARE BEING SUBJECTED TO A STEP LEVEL PROCESS SYSTEM NOT AUTHORIZED BY STATE LEGISLATURE PER DOC 308.04 WIS. ADM CODE WHICH ALLOWS OUR PROPERTY TO BE TAKEN AWAY OR DENIED FROM ONE LEVEL TO ANOTHER AND NOT RECEIVE SAME PROPERTY THAT OTHER SIMILAR SITUATED INMATES AT S.M.C.I + OTHER MAXIMUM SECURITY INSTITUTIONS IN THE STATE ARE ALLOWED. WE ARE BEING SUBJECTED TO ARBITRARY STRIP SEARCHES, PAT SEARCHES, CELL SEARCHES CONDUCTED OUTSIDE THE REQUIRED GUIDELINES OF DOC 306.15, DOC 306.16 AND SUBJECTED TO EXCESSIVE FORCE + USE OF CHEMICAL AGENTS DOC 306.06 + DOC 306.08 WIS. ADM. CODE. WE ARE DENIED COMPENSATION OF FULL PAY RATE FOR PARTICIPATION IN PROGRAMS, SCHOOL OR VOCATIONAL TRAINING AS MANDATED BY DOC 309.55 (4)(E-2)(6)(A) WIS. ADM. CODE. WE ARE BEING SUBJECTED TO UNWRITTEN RULES AND POLICIES MADE UP BY S.M.C.I OFFICIALS. WE ARE BEING DENIED EQUAL ACCESS TO \$60,000 REVOLVING FUND FOR EDUCATIONAL, RELIGIOUS, CATERING SERVICES AT OUR CONVENIENCE PURSUANT TO SS. 301.27(2) WIS. STATS. OUR FREEDOM OF WORSHIP PURSUANT TO SS. 301.33 (1)(2) WIS. STATS. TO POSSESS OUR RELIGIOUS MINISTRATIONS AND SACRAMENTS ACCORDING TO OUR FAITH IS BEING DENIED. THAT D.O.C. OFFICIALS ARE ARBITRARILY MAKING RULES AND POLICIES CONTRARY TO STATE LAWS

and which have not been properly promulgated per ss. 227.10(2)(3)(c) Wis. stats. + ss. 227.11 Wis. stats and the entire chapter of ss. 227 Wis. stats.

Sixth Claims

That we have been subjected to arbitrary enforcement of falsified policy DOC 308.04-Register, November, 1997, NO. 503 which does not legally exist and was implemented upon us prior to being published under DOC 308.04-Register, JUNE, 1998, NO. #510 EFFECTIVE date 7-1-98, in violation of Article 4, section 17 Wisconsin constitution. That we have been subjected to arbitrary decision makers who did not legally obtain OFFICE AS they failed to file or take OFFICIAL OATH + Bond OF OFFICE as mandated by ss. 19.01 Wis. stats., ss. 302.03 Wis. stats.

That our outside mail is arbitrarily being monitored wherein we are forced to leave our outside personal letters + attorney mail to court open for inspection by some official, wherein there has been no mail violation nor statement of Probable Cause that contraband is inside and we have been made or given threats of punishment; non-delivery if we don't consent to such monitoring in violation our 1st Amendment Rights U.S.C. contrary to Stone vs-Schmidt, 398 F. Supp. 768.

We are denied Freedom of Association AS we are deprived of human contact in violation

1st amendment U.S.C. and we subjected waiston & inflict
 OF PAIN in violation of 8th amendment U.S.C. Right
 against cruel & unusual & corporal punishments as we are
 being forced to take Tuberculosis skin test also in violation
 of Free Exercise of Religion and we have been subjected
 infliction of pain as we are forced to take shower in
 cells with shower rails or slippery Proof floor to
 protect us from falling; in medical officers' attempt
 to cover up by falsify documents. We are kept in
 administrative confinement based upon arbitrary & bias
 decision-makers, falsified information for long durations of
 time with justification's constituting cruel & unusual punishment.

Note: other Defendant may but are not limited to:

Gary P. Mc Caughtey - warden of Waupun Corr. Inst.
~~Ken~~ Ken Sondalle, Michael Sullivan, Sammy Richard Schweiter,
 Jon E. Litscher - Secretary; Also action will be sought against
 defendant's for arbitrary transfer us from other prisons to
 inflict pain & to avoid or render moot lawsuit's
 against D.O.C. officials in Wisconsin.

cc: Attorney General Office Dated 16th day of October, 2000

T.G. Merrilweather #188123

Notarial Act

ss. 706.07 Wis. Stats.
 Title 28 § 1746 (2) U.S.C.
 Declaration ---

188123

Respectfully Submitted Plaintiffs'

Montell Horton
 1st Montell M. Horton #220511-A (S.M.C.I.)
Steven D. Stewart
 1st Steven D. Stewart #143599 (S.M.C.I.)
Allen Pinson
 1st Glen E. Pinson #130678 (S.M.C.I.)

STATE OF WISCONSIN

NOTICE OF CLAIM AND INJURY

PURSUANT TO SS. 893.82 WIS. STAT.

Location:

Claimant Name and Address:

Tony G. Merrifield #188123

Supremax Correctional Institution

P.O. Box 9900

Wausau, Wis. 53805-9900

Supremax Correctional Institution



Statement of Claims

That the Defendant Gerald Bergs-Warden, Vickie Sharpe-Program Director, Gary Blackburn-Captain, Tim Haines-Suit Manager etc. Have all violated my 1st, 4th, 6th, 8th and 14th Amendment Rights whereby they have deprived me of Freedom of Association, speech, assembly, petition, and access to the court and Freedom of FREE exercise of Religion, wherein I have been subjected to both disciplinary and administrative segregation-arbitrary punishment under the disguise of security, and harassed and retaliated against for my Religious, Political and cultural views and for providing legal assistance and advice to other prisoners to petition the courts regarding being subjected to punishment for their Religious, cultural, political views non-ethical & non-ethical beliefs, creeds, ideologies in different organizations which are being labeled as Street Gangs, inmate Gangs, Unsanctioned Groups, or Disruptive Groups by Defendants under Unconstitutionally vague Policy Unwritten Rules which provide no notice as to what is or which Groups are considered and inmate Gang, Street Gang, Disruptive Group or Unsanctioned Groups. whereby the Defendant falsely label known Religious material, Political cultural material etc. as Unsanctioned

literature, in order to subject me to punishment and put up isolated confinement, whereas I have been arbitrarily punished for providing inmate pursuant to Doc 309.29 (1) Wis. adm. code with legal assistance and Religious-cultural advice as a certified ordained minister of Universal Life Church I have been labeled as possessing or providing detailed history of the alleged Latino King Gang or encouraging such Gang activity, pursuant to the allegations in conduct Report No. #1187100 which show the abuse of correctional official authority in falsely labeling anyone and everything Gang Related, especially under unconstitutional and unconstitutionally applied rules Doc 303.02 (6)(9), Doc 303.20 (1)(13), Doc 308.03 (6)(9); Doc 308.04 (1)(2)(10) Wis. adm. code. That I have been subjected to arbitrary punishment whereas since official failed to follow their own rules and ministerial duties, of 21 day time limits to conduct Disciplinary Hearing and administrative confinement Hearing 21 day time limits and 6 month time limit per. Doc 303.76 (3)(6)(7)(c-4) Wis. adm. code and Doc 308.04 (6)(10) Wis. adm. code, especially whereas since policy of Doc Rule on Unsanctioned Groups, Inmate Groups, Street Groups or Disruptive Groups have not been properly promulgated under ch. s. 227 w. stats. ss. 227.07 (13)(a) stats. ss. 227.10 (2)(3) stats. ss. 227.11 (1)(c)(2) stats. ss. 227.26. ss. 227.40 stats. etc. nor per. Doc 309.20 (1) Wis. adm. code and I have been denied access to witnesses to attend Disciplinary or administrative confinement hearing and assistance from an advocate, as mandated by Doc 303.81 (1)(2)(3)(a-c)(4)(5)(7)(8) Wis. adm. code, Doc 303.78 (2) Wis. adm. code, and right to have full re-hearing on Remanded

Second claim

That I have been arbitrarily denied the right to practice my religious belief and perform my Islamic prayers whereas, I have been subjected to punishment in conduct Report No. #117279, under invalidated rules of Wisconsin that have not been properly promulgated

per. ch. 227. Wis. stats. by state legislature, depriving me of my Religious ministrations and sacraments vested under ss. 301.33 Wis. stats.; 1st amendment U.S.C. which such Policy was not authorized by Doc administrator Dick Verplagen under Doc 309.20 (1) Wis. adm. code nor Doc 309 I.M.P. # 78 (Internal Management Procedure) which affects my my private rights and interest to Property under Grandfather clause - whereby such policy could not act retroactively, and where I was never given copy of alleged Rule/Policy, Notice of Hearing and procedural for 21 day time limits had fully expired per. Doc. 303.08(1)(2). Doc 303.09. Doc 303.76(3) Wis. adm. code, Further that my Prayer Book could not be destroyed per. Doc 303.86(6) Wis. adm. code and must be preserved for Judicial Review as it was evidence considered at hearing and Hearing Officers could not arbitrarily changed disposition on evidence to be stored in my property nor could my Holy Quran be arbitrarily destroyed arbitrarily per. conduct Report no. 1186364-01-70 nor I be punished because of my Religious Hebrew - Islamic name changes or identifying myself under Religious or cultural nicknames per. Doc 303.31-Appendix Wis. adm. code, 1st amendment U.S.C. where I have a common law as well as Religious Freedom Right to exercise my Religious name change, and use thereof.

Third claim

That I have been arbitrarily deprived of access to the court per. 1st, 6th and 14th amendments U.S.C. and ss. 893.82 Wis. stats was as Defendants. have arbitrarily Failed to provide me with stamps at state expense, to send Notice of claim to attorney General office to exhaust my administrative Remedies on several issues thereby limiting my state law claims and that Defendant arbitrarily mailed to notices of claim by regular mail contrary to my request for certified mail that on each occasion I have been deprived of access to the court in violation of mandated constitutional rights under *Bowds vs Smith*, 97 S.Ct. 1492 (1977). 188123

That I have been deprived of the uniform pay rate vested per. Doc 309.55 (6) Wis. adm. code and the INMATE complaint Review system is inadequate as ICE + CEE fail to properly do investigation + interview people and falsify decisions and dismiss complaints arbitrary and have put obstacles in the way of litigation by alleged false names + titles and that the ATTORNEY GENERAL OFFICE FAILS to investigate under ss. 893.82 Wis. stats. when notices of claims are filed and thereby section 893.82 render futile the subjection to mitigate the issues through attorney general office as such actions are not binding on Doc officials...

Dated 10th day of January, 2002

Respectfully Submitted

Jerry J. Howard
 1st Temp. Marriage # 188123
 In Prison / Box 9900 (smcI)
 Prescot, Wis. 53805-9900

Subscribed and sworn to before me on
 #13 10 day of Jan, 2002
Catherine Broadbent
 Notary Public / State of Wisconsin
 My Commission Expires: 2/28/05