



United States Government  
MEMORANDUM

**Date:** August 21, 1992

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

**Subject:** July, 1992 SER Litigation

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

## New Cases

### 1. MARIO BODE DELGADO v. U.S. BUREAU OF PRISONS, et al

*Court:* SOUTHERN DISTRICT OF FLORIDA

*Docket No.:* 92-1609-CIV-GRAHAM

*Institution:* MCC, Miami

*Type of Case:* Habeas Corpus

*Subject:* MEDICAL TREATMENT

*Facts Alleged:* Calif. state prisoner in MIA on writ ad pro claims denial of medical care for ophthalmological problem since 1990. Also seeks TRO. Hearing held on 07-10-1992. Hearing on TRO scheduled for 07-14.

*Damages Req:* 0; *Special Monitoring:* IB2, May be financial liability, All cases involving injury which caused loss of limb or body function.

*Rec'd in Legal:* July 13, 1992; *Due:* 07-14-1992

*Assigned to:* Maureen Donlan; Assistant U.S. Attorney, Miami, FL; Dena Davion, Paralegal Specialist, MCC, Miami

### 2. JOSE DE LEON v. UNITED STATES

*Court:* NORTHERN DISTRICT OF GEORGIA

*Docket No.:* 1:92-CV-1376-WCO

*Institution:* USP, Atlanta

*Type of Case:* Habeas Corpus

*Subject:* SENTENCING

*Facts Alleged:* Inmate at ATL alleges that the time spent in INS custody in 1989-1990 should be credited to his sentence.

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

*Rec'd in Legal:* July 13, 1992; *Due:* 07-13-1992

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

### 3. JUAN MONTOYA v. FRED STOCK

*Court:* NORTHERN DISTRICT OF GEORGIA

*Docket No.:* 1:92-CV-1566-RHH

*Institution:* USP, Atlanta

*Type of Case:* Habeas Corpus

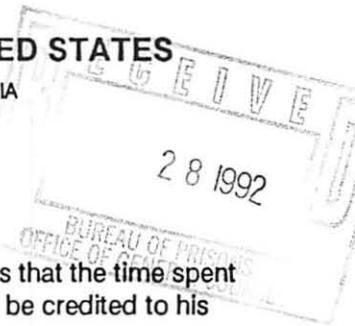
*Subject:* INMATE DISCIPLINE

*Facts Alleged:* Inmate at ATL alleges DHO action at TCN in 1988 was not supported by sufficient evidence because it was based on uncorroborated information from confidential informants.

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

*Rec'd in Legal:* July 13, 1992 July 13, 1992; *Due:* 07-27-1992

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





**4. NICHOLAS ACOSTA-HERRERA v. FRED TOCK**

*Court:* NORTHERN DISTRICT OF GEORGIA

*Docket No.:* 1:92-CV-1542-RLV

*Institution:* USP, Atlanta

*Type of Case:* Habeas Corpus

*Subject:* FURLOUGHS

*Facts Alleged:* Inmate at ATL was denied a furlough to attend his wife's funeral in Panama in 1992. He alleges this is a violation of the 14th amendment as well as the Human Rights Treaty between the United States and Panama.

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

*Rec'd in Legal:* ; *Due:* 07-13-1992

*Assigned to:* James R. Schultz; Assistant U.S. Attorney, Atlanta, GA; Gene Dixon, Paralegal Specialist, SERO

**5. KENNETH LINN v. SHIRLEY MINTER**

*Court:* NORTHERN DISTRICT OF FLORIDA

*Docket No.:* 92-40214

*Institution:* FCI, Tallahassee

*Type of Case:* Personal Liability Action (Bivens)

*Subject:* TRANSFERS

*Facts Alleged:* Inmate at FTW alleges that while at TAL in 1991, he was transferred in retaliation for his Unit Manager's demotion. The inmate also alleges that he was job transfer without a written explanation as required by administrative regulations.

*Damages Req:* \$300,000; *Special Monitoring:* ID8, Case management may be a problem, Other: Sensitive request for advise

*Rec'd in Legal:* July 13, 1992; *Due:* 08-18-1992

*Assigned to:* Kenneth W. Sukhia; United States Attorney, Tallahassee, FL ; Dan Rouse, Paralegal Specialist, FCI, Tallahassee

**6. ROBERT ERRA v. J. MICHAEL QUINLAN, et al**

*Court:* SOUTHERN DISTRICT OF FLORIDA

*Docket No.:* 92-1259

*Institution:* FCI, Tallahassee

*Type of Case:* Personal Liability Action (Bivens)

*Subject:* SENTENCING

*Facts Alleged:* Inmate at TAL alleges that false and prejudicial allegations which are contained in his records have resulted in adverse determinations being made against him.

*Damages Req:* 100,000; *Special Monitoring:* 0, Not assigned to special monitoring

*Rec'd in Legal:* July 13, 1992; *Due:* 07-29-1992

*Assigned to:* Robyn J. Hermann; Assistant U.S. Attorney, Deputy Chief, Civil Division, Miami, FL; Earl L. Cotton, Assistant Regional Counsel, SERO

**7. WOODROW JOHNSON v. UNITED STATES, et al**

*Court:* NORTHERN DISTRICT OF ALABAMA

*Docket No.:* CV-92-B-700-S

*Institution:* FCI, Talladega

*Type of Case:* Personal Liability Action (Bivens)

*Subject:* AIDS

*Facts Alleged:* Inmate at TDG alleges that he was exposed to a cellmate with HIV who subsequently died. This exposure has resulted in cruel and unusual punishment.

*Damages Req:* \$250,000; *Special Monitoring:* 0, Not assigned to special monitoring

*Rec'd in Legal:* July 13, 1992; *Due:* 08-14-1992

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



**8. PAUL VREONES v. BOP, et al**

*Court:* SOUTHERN DISTRICT OF FLORIDA

*Docket No.:* 92-8372-CIV

*Institution:* Southeast Region

*Type of Case:* Habeas Corpus

*Subject:* SENTENCING

*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.

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

*Rec'd in Legal:* July 20, 1992; *Due:* 07-28-1992

*Assigned to:* Susan J. Johansen; Paralegal Specialist, U.S. Attorney's Office, Ft. Lauderdale, FL; Sharon Ragland, Paralegal Specialist, Southeast Regional Office

**9. GERADO SOLANA v. WILLIAM BARR, et al**

*Court:* NORTHERN DISTRICT OF GEORGIA

*Docket No.:* 1:92-CV-602

*Institution:* USP, Atlanta

*Type of Case:* Habeas Corpus

*Subject:* TRANSFERS

*Facts Alleged:* Inmate at ATL complains that he has not been transferred to the Camp as he was designated. He also complains that has not been transferred as a result of discrimination.

*Damages Req:* 1,000,700.00; *Special Monitoring:* 0, Not assigned to special monitoring

*Rec'd in Legal:* July 20, 1992; *Due:* None, US Attorney Not Served

*Assigned to:* James R. Schultz; Assistant U.S. Attorney, Atlanta, GA; Gene Dixon, Paralegal Specialist, SERO

**10. STANLEY BLACKWELL v. BUREAU OF PRISONS, et al**

*Court:* NORTHERN DISTRICT OF ALABAMA

*Docket No.:* 92-H-13333-E

*Institution:* FCI, Talladega

*Type of Case:* Personal Liability Action (Bivens)

*Subject:* DISCRIMINATION - INMATE

*Facts Alleged:* Inmate at TDG complains that in 1991 he was discriminated against because of his race because he was not given a new job in UNICOR. He also alleges that a retaliatory memorandum was issued as a result of his filing a BP-9 resulting in harassment and humiliation.

*Damages Req:* \$120,000; *Special Monitoring:* 0, Not assigned to special monitoring

*Rec'd in Legal:* July 20, 1992; *Due:* 09-12-1992

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

**11. ARNOLD FANT v. TALLADEGA MEDICAL OFFICE PARK, et al**

*Court:* NORTHERN DISTRICT OF ALABAMA

*Docket No.:* 92-B-0635

*Institution:* Southeast Region

*Type of Case:* Habeas Corpus

*Subject:* ACCESS TO COURTS

*Facts Alleged:* Inmate at LEW alleges that in 1992, the defendants were ordered to file a special report. He claims that the defendants failed to do so properly and should be placed in contempt of court. Claims he did not receive a copy because defendants had instructed post office to return envelope as undeliverable. 06-07-1992 the court dismisses the action.

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

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

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



**12. PETER C. SMITH v. OLIVER L. MINCEY, et al**

*Court:* NORTHERN DISTRICT OF GEORGIA  
*Docket No.:* 1:92-CV-1023-ODE  
*Institution:* USP, Atlanta  
*Type of Case:* Personal Liability Action (Bivens)  
*Subject:* MISCELLANEOUS  
*Facts Alleged:* Inmate at ATL in 1992 claims that his legal mail was opened read and photocopied and that mail was returned to sender while he was still at the institution.  
*Damages Req:* 0; *Special Monitoring:* 0, Not assigned to special monitoring  
*Rec'd in Legal:* July 21, 1992; *Due:* -1992  
*Assigned to:* James R. Schultz; Assistant U.S. Attorney, Atlanta, GA; Mary Swint, Legal Assistant, SERO

**13. JOHN DAWSON v. ROGER SCOTT**

*Court:* NORTHERN DISTRICT OF ALABAMA  
*Docket No.:* CV-92-AR-1168-E  
*Institution:* FCI, Talladega  
*Type of Case:* Habeas Corpus  
*Subject:* SENTENCING  
*Facts Alleged:* Inmate at TDG alleges that he has been denied credit to his sentence for the time spent in the half-way house and safe house, may have been in state custody at the time.  
*Damages Req:* 0; *Special Monitoring:* 0, Not assigned to special monitoring  
*Rec'd in Legal:* July 21, 1992; *Due:* 07-21-1992  
*Assigned to:* Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Gerelene Gooden, Paralegal Specialist, FCI, Talladega

**14. GILBERT FERNANDEZ v. U S BOP, et al**

*Court:* SOUTHERN DISTRICT OF FLORIDA  
*Docket No.:* 92-1418  
*Institution:* MCC, Miami  
*Type of Case:* Habeas Corpus  
*Subject:* AD DETENTION  
*Facts Alleged:* Detainee arrived at MIA in Feb. of 1992 and was placed in a special housing unit as an escape risk. Denied the right to a transfer to general population.  
*Damages Req:* 0; *Special Monitoring:* 0, Not assigned to special monitoring  
*Rec'd in Legal:* July 21, 1992; *Due:* 07-27-1992  
*Assigned to:* Vivian Rosado; Assistant U.S. Attorney, Miami, FL; Dena Davion, Paralegal Specialist, MCC, Miami

**15. GEORGE BUCKLES v. JOSEPH CLASS, et al**

*Court:* NORTHERN DISTRICT OF FLORIDA  
*Docket No.:* 92-50125  
*Institution:* FCI, Marianna  
*Type of Case:* Habeas Corpus  
*Subject:* DETAINERS  
*Facts Alleged:* Inmate at MNA alleges that a detainer was lodged against him from GA in 1992 after it had been allegedly dismissed in 1991. This was done in retaliation for complaints.  
*Damages Req:* 0; *Special Monitoring:* 0, Not assigned to special monitoring  
*Rec'd in Legal:* July 21, 1992; *Due:* 08-06-1992  
*Assigned to:* Samuel A. Alter, Jr.; Supervising Assistant U.S. Attorney, Pensacola FL; Sterling Dawson, Paralegal Specialist, FCI, Marianna

**16. ALBERT GRAHAM v. FRED STOCK, et al**

*Court:* NORTHERN DISTRICT OF GEORGIA  
*Docket No.:* 92-000  
*Institution:* USP, Atlanta  
*Type of Case:* Personal Liability Action (Bivens)  
*Subject:* DISCRIMINATION  
*Facts Alleged:* Inmate at ATL alleges that he was discriminated against because of his race when he was not allowed to work for the Plumbing Shop in 1991. Due to the negligence of his foreman in the Steam Shop, he was severely burned. Denied access to courts and the U.S. mail.  
*Damages Req:* 45,000,000; *Special Monitoring:* 0, Not assigned to special monitoring  
*Rec'd in Legal:* July 21, 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



**17. PETER SMITH v. WILLIAM BARR, et al**

*Court:* NORTHERN DISTRICT OF GEORGIA

*Docket No.:* 92-000

*Institution:* USP, Atlanta

*Type of Case:* Personal Liability Action (Bivens)

*Subject:* TELEPHONES

*Facts Alleged:* Inmate at ATL complains that the implementation of the new "ITS", Inmate Telephone System by the Bureau of Prisons is unconstitutional because he is no longer able to make collect phone calls and must seek prior approval for any call he wishes to make and pay for from the funds in his account.

*Damages Req:* 6,000,000; *Special Monitoring:* 0, Not assigned to special monitoring

*Rec'd in Legal:* July 21, 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

**18. GARY YOUNG v. FRED STOCK, et al**

*Court:* NORTHERN DISTRICT OF GEORGIA

*Docket No.:* 1:92-CV-910

*Institution:* USP, Atlanta

*Type of Case:* Personal Liability Action (Bivens)

*Subject:* CORRESPONDENCE

*Facts Alleged:* Inmate at ATL complains that his legal mail was opened, delayed, obstructed, read and compromised in 1992. Note that inmate seeks lis pendens attachment of defendants' property.

*Damages Req:* 1,050,000.00; *Special Monitoring:* ID8, Case management may be a problem, Other: Lis Pendens

*Rec'd in Legal:* July 21, 1992; *Due:* 08-11-1992

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

**19. ZELMORE BEATTY v. FRED STOCK, et al**

*Court:* NORTHERN DISTRICT OF GEORGIA

*Docket No.:* 1:92-CV-877-ODE

*Institution:* USP, Atlanta

*Type of Case:* Personal Liability Action (Bivens)

*Subject:* CORRESPONDENCE

*Facts Alleged:* Inmate at ATL complains that his legal mail had been tampered with, delayed, opened, and photocopied in 1992.

*Damages Req:* 1,050,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

*Rec'd in Legal:* July 21, 1992; *Due:* 08-10-1992

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

**20. KEITH DEBLASIO v. ROGER SCOTT, et al**

*Court:* NORTHERN DISTRICT OF ALABAMA

*Docket No.:* 92-N-109-S

*Institution:* FCI, Talladega

*Type of Case:* Habeas Corpus

*Subject:* SENTENCING

*Facts Alleged:* Inmate at TDG complains that the time spent in a half-way house in 1990 should be credited to his sentence.

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

*Rec'd in Legal:* July 21, 1992; *Due:* 08-03-1992

*Assigned to:* Winfield J. Sinclair; Assistant U.S. Attorney, Birmingham, AL; Earl L. Cotton, Assistant Regional Counsel, SERO

**21. JAMES ELLIS v. FRED STOCK, et al**

*Court:* NORTHERN DISTRICT OF GEORGIA

*Docket No.:* 1:92-CV-1673

*Institution:* USP, Atlanta

*Type of Case:* Habeas Corpus

*Subject:* SENTENCING

*Facts Alleged:* Inmate at ATL complains that the USPC and BOP arbitrarily took away his statutory and extra good time credits. He also complains that the USPC is attempting to make him serve this time on parole.

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

*Rec'd in Legal:* July 21, 1992; *Due:* 08-04-1992

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



**22. JOHN BERRY v. ROGER SCOTT, et al**

*Court:* NORTHERN DISTRICT OF ALABAMA

*Docket No.:* 92-PT-878

*Institution:* FCI, Talladega

*Type of Case:* Personal Liability Action (Bivens)

*Subject:* ACCESS TO COURTS

*Facts Alleged:* Inmate at TDG complains that his access to courts has been obstructed through acts of the defendants in 1992 because of poor quality of photocopies. Warden failed to adequately train staff in their responsibilities.

*Damages Req:* \$400,000.00; *Special Monitoring:* 0, Not assigned to special monitoring

*Rec'd in Legal:* July 21, 1992; *Due:* 08-04-1992

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

**23. MICHAEL MANN v. ROGER SCOTT, et al**

*Court:* NORTHERN DISTRICT OF ALABAMA

*Docket No.:* 92-AR-1374

*Institution:* FCI, Talladega

*Type of Case:* Personal Liability Action (Bivens)

*Subject:* MEDICAL TREATMENT

*Facts Alleged:* Inadequate medical care for growth on toe at TDG in 1991. Continuing to suffer pain because he has not had necessary surgery.

*Damages Req:* \$200,000; *Special Monitoring:* 0, Not assigned to special monitoring

*Rec'd in Legal:* July 27, 1992; *Due:* 09-18-1992

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

**24. DEAN WILLIS v. BOP, et al**

*Court:* NORTHERN DISTRICT OF FLORIDA

*Docket No.:* 92-000

*Institution:* FPC, Pensacola

*Type of Case:* Personal Liability Action (Bivens)

*Subject:* MEDICAL TREATMENT

*Facts Alleged:* EGL inmate claims Navy officer at Whiting Field deliberately injured his knee on May 18, 1990. Claims same officer had injured Inmate Craevling the previous day after officer was advised that both inmates had been convicted of drug offenses. Officer refused to take Dean for medical care. Camp PA refused to allow hospital attention for six months.

*Damages Req:* \$250,000; *Special Monitoring:* IC7, Publicity / Impact on staff morale, Medical Malpractice

*Rec'd in Legal:* July 27, 1992; *Due:* NONE, NO SUMMONS ISSUED.

*Assigned to:* Michael Finney; Assistant U.S. Attorney, Pensacola, FL; Mary Swint, Legal Assistant, SERO

**25. THOMAS CAMPBELL v. U.S. BUREAU OF PRISONS, et al**

*Court:* NORTHERN DISTRICT OF GEORGIA

*Docket No.:* 1:92-CV-1225

*Institution:* USP,

Atlanta

*Type of Case:* Habeas Corpus

*Subject:* COMMUNITY TREATMENT CENTERS

*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.

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

*Rec'd in Legal:* July 27, 1992; *Due:* 08-11-1992

*Assigned to:* James R. Schultz; Assistant U.S. Attorney, Atlanta, GA; Sharon Ragland, Paralegal Specialist, Southeast Regional Office



**26. THOMAS ODEN v. BUREAU OF PRISONS**

*Court:* NORTHERN DISTRICT OF GEORGIA

*Docket No.:* 1:92-CV-1311

*Institution:* USP, Atlanta

*Type of Case:* Mandamus

*Subject:* MISCELLANEOUS

*Facts Alleged:* Inmate at ATL Camp complains that the leisure library is not made available to the inmates as it should be.

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

*Rec'd in Legal:* July 27, 1992; *Due:* 07-25-1992

*Assigned to:* Russell G. Vineyard; Assistant U.S. Attorney, Atlanta, GA; Gene Dixon, Paralegal Specialist, SERO

**27. DAVID YUSTE v. U.S.A, et al**

*Court:* SOUTHERN DISTRICT OF FLORIDA

*Docket No.:* 92-1486-CIV-KING

*Institution:* USP, Atlanta

*Type of Case:* Personal Liability Action (Bivens)

*Subject:* MEDICAL TREATMENT

*Facts Alleged:* Inmate at MIA seeks damages for unspecified violation of constitutional rights. He makes reference to FGAN, 1:91-cv-2560 concerning a lack of medical and dental care at ATL in 1991.

*Damages Req:* \$64,000; *Special Monitoring:* IC7, Publicity / Impact on staff morale, Medical Malpractice

*Rec'd in Legal:* July 27, 1992; *Due:* 09-25-1992

*Assigned to:* Marilyn Lindsey; Assistant U.S. Attorney, Miami, FL; Sharon Ragland, Paralegal Specialist, Southeast Regional Office

**28. NATHAN ROBINSON, et al v. J. D. LAMER, et al**

*Court:* NORTHERN DISTRICT OF FLORIDA

*Docket No.:* 92-40267

*Institution:* FCI, Tallahassee

*Type of Case:* Personal Liability Action (Bivens)

*Subject:* ATTORNEYS

*Facts Alleged:* Inmate at TAL claims his right to counsel has continually been blocked including his access to mail and postage in 1992. Administrative remedy process affords him no relief. Staff have misrepresented his security level. Visits with his co-plaintiff have been met with harassment as a result of their interracial relationship. Retaliation for litigation at THA, LOR and OXF. Represented by Lewisburg Prison Project.

*Damages Req:* 3,750,000.00; *Special Monitoring:* ID10, Case management may be a problem, Frequent Litigator

*Rec'd in Legal:* July 29, 1992; *Due:* 08-18-1992

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

**Significant Activity on Existing Cases**

**RAYMOND FIGUERO v. U.S.P.C., et al**

*Court:* SOUTHERN DISTRICT OF GEORGIA

*Docket No.:* 292-160; *Type of Case:* Habeas Corpus;

*Damages Req:* 0

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

*Facts Alleged:* Inmate at JES alleges that he has not been afforded a preliminary hearing or a revocation hearing that is required as a result of parole revocation. Also alleging entitled to jail credit for time in state custody.

*Special Monitoring:* 0, Not assigned to special monitoring

*Date Case Filed:* 06-05-1992

*Significant Activity:* 07-08-1992 Dismissed as moot.



**MARIO BODE DELGADO v. U.S. BUREAU OF PRISONS, et al**

*Court:* SOUTHERN DISTRICT OF FLORIDA  
*Docket No.:* 92-1609-CIV-GRAHAM; *Type of Case:* Habeas Corpus; *Damages Req:* 0  
*Subject:* MEDICAL TREATMENT *Institution:* MCC, Miami  
*Facts Alleged:* Calif. state prisoner in MIA on writ ad pro claims denial of medical care for ophthalmological problem since 1990. Also seeks TRO. Hearing held on 07-10-1992. Hearing on TRO scheduled for 07-14.  
*Special Monitoring:* IB2, May be financial liability, All cases involving injury which caused loss of limb or body function.  
*Date Case Filed:* 07-10-1992  
*Significant Activity:* 07-22-1992 Hearing on Emergency Petition for relief attended by Regional Counsel. The court did not address the disciplinary issue involved in this case. Order issued by the court the same day required BOP to keep the inmate at MIA until the initial ophthalmologist appointment is complete and the court has an opportunity to review the report. At that time, we will address whether he may be returned to CA before treatment is provided. Also, we were ordered to allow examination by an outside physician to determine the need for emergency treatment.

**MANUEL MENDOZA LAZARO v. W.H. SEIFERT**

*Court:* MIDDLE DISTRICT OF ALABAMA  
*Docket No.:* 89-D-1376-N; *Type of Case:* Habeas Corpus; *Damages Req:* 0  
*Subject:* FURLOUGHES *Institution:* FPC, Maxwell Air Force Base  
*Facts Alleged:* Furlough denied because of INS detainer at MON in 1989.  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* 12-21-1989  
*Significant Activity:* 04-30-1990 Magistrate's report recommends dismissal, an inmate in custody serving a sentence and subject to an INS detainer is not in the custody of the INS for purposes of habeas corpus. When he finishes the sentence and INS takes custody he can file his action. 05-24-1990 Court grants government's motion for summary judgement, dismisses case.

**JAMES LEE MILLER v. D.J. SOUTHERLAND, et al**

*Court:* NORTHERN DISTRICT OF ALABAMA  
*Docket No.:* CV 90-A-2632-E; *Type of Case:* Mandamus; *Damages Req:* 0  
*Subject:* DISCRIMINATION - INMATE *Institution:* FCI, Talladega  
*Facts Alleged:* SPG and TDG refuse to set up program for blind in 1990.  
*Special Monitoring:* IA1, Precedent may be important, May impact on nationwide policy,  
*Date Case Filed:* @12-14-1990  
*Significant Activity:* 02-26-1991 Dismissed without prejudice.

**LARRY COOPER v. BILL STORY, et al**

*Court:* NORTHERN DISTRICT OF ALABAMA  
*Docket No.:* 89-A-1558-E; *Type of Case:* Habeas Corpus; *Damages Req:* 0  
*Subject:* INMATE DISCIPLINE *Institution:* FCI, Talladega  
*Facts Alleged:* Denied parole and participation in institutional programs without due process because of unsubstantiated allegations of escape risk.  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* 08-31-1989  
*Significant Activity:* 06-13-1990 Dismissed based on 05-14-1990 Magistrate's report. An inmate has no liberty or property interest in continuing employment in UNICOR.

**DAVID CONGERO, et al v. BRUCE HENSHELWOOD, et al**

*Court:* MIDDLE DISTRICT OF FLORIDA  
*Docket No.:* 90-702-CIV-ORL-18; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* 0  
*Subject:* MISCELLANEOUS *Institution:* FCI, Ashland  
*Facts Alleged:* Primarily a challenge to his conviction, but has alleged beating at ASH in special motion. Now at JES.  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* 09-18-1990  
*Significant Activity:* 06-17-1991 Dismissed because of inmate's failure to comply with a court order.



**SAMUEL EUGENE COFFEY v. FRED J. STOCK**

*Court:* NORTHERN DISTRICT OF GEORGIA  
*Docket No.:* 1:92-CV-794-CAM; *Type of Case:* Mandamus;  
*Damages Req:* 0  
*Subject:* SENTENCING *Institution:* USP, Atlanta  
*Facts Alleged:* Denied jail credit at ATL in 1992 for pretrial time spent on bond with electronic monitoring.  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* 04-03-1992  
*Significant Activity:* 06-24-1992 Magistrate's report recommends dismissal because time on home confinement does not qualify for jail credit. 07-21-1992 Judgement entered.

**DAVID L., SR. LIGHTBURN v. BUTNER C.I., et al**

*Court:* SOUTHERN DISTRICT OF FLORIDA  
*Docket No.:* 89-2627-C-V-HOEVELER; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$2,000,000  
*Subject:* CONDITIONS OF CONFINEMENT *Institution:* FCI, Butner  
*Facts Alleged:* Denied adequate diet, facilities overcrowded, inadequate mental health care at BUT in 1989. Dismissed without service to be filed in FNCE  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* 11-29-1989  
*Significant Activity:* 01-29-1990 Order dismisses petition on the merits.

**JERRY L. MILLER v. ROGER F. SCOTT, et al**

*Court:* NORTHERN DISTRICT OF ALABAMA  
*Docket No.:* CV 91-A-1937-E; *Type of Case:* Habeas Corpus; *Damages Req:* 0  
*Subject:* SENTENCING *Institution:* FCI, Talladega  
*Facts Alleged:* Wants EGT for presentence jail credit time. At TDG in 1991.  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* 08-12-1991  
*Significant Activity:* 07-30-1992 Dismissed based on 05-21-1992 Magistrate's report.

**JON MICHAEL HUNTER v. JOSEPH P. CLASS, et al**

*Court:* NORTHERN DISTRICT OF FLORIDA  
*Docket No.:* MCA 91-50191/WEA; *Type of Case:* Habeas Corpus; *Damages Req:* 0  
*Subject:* SENTENCING *Institution:* FCI, Marianna  
*Facts Alleged:* Denied jail credit for time in state custody, at MNA in 1991.  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* 09-26-1991  
*Significant Activity:* 03-09-1992 Magistrate's report recommends dismissal. Inmate held in Northern District of Florida serving a sentence and subject to prosecution by the Middle District of Florida on additional charges is not subject to the Interstate Agreement on Detainers. 05-11-1992 Dismissed.

**THOMAS D. POWELL v. WILLIE SCOTT, et al**

*Court:* NORTHERN DISTRICT OF FLORIDA  
*Docket No.:* 89-30260/WEA; *Type of Case:* Habeas Corpus; *Damages Req:* 0  
*Subject:* SENTENCING *Institution:* FPC, Eglin Air Force Base  
*Facts Alleged:* Failure to credit jail time as provided in plea agreement.  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* 10-02-1989  
*Significant Activity:* 06-12-1990 Order grants government's motion for summary judgement, dismisses case.



**WALTER A. HALABURDA v. RICHARD HORNBURGH**

*Court:* NORTHERN DISTRICT OF GEORGIA  
*Docket No.:* 1:89-CV-1810-ODE; *Type of Case:* Employment Discrimination; *Damages Req:* unspecified back pay  
*Subject:* DISCRIMINATION *Institution:* USP, Atlanta  
*Facts Alleged:* Former Employee of ATL claims discriminated against and discharged in retaliation for assisting an employee in EEO complaint  
*Special Monitoring:* IC2, Publicity / Impact on staff morale, All employee suits.  
*Date Case Filed:* 08-14-1989  
*Significant Activity:* 08-12-1991 Trial on the merits. 10-11-1991 Special Master's report recommends dismissal of action because the plaintiff failed to prove he was dismissed because of retaliation for Title VII activities. 11-13-1991 Response of US to plaintiff's objections to report. 04-28-1992 Court adopts Magistrate's Report, dismisses case.

**ARNOLD NORMAN FANT v. MAX WEGER, et al**

*Court:* NORTHERN DISTRICT OF GEORGIA  
*Docket No.:* 1:90-cv-2489-HTW; *Type of Case:* Habeas Corpus; *Damages Req:* 0  
*Subject:* TRANSFERS *Institution:* FCI, Talladega  
*Facts Alleged:* Denied medical transfer for unspecified problem in 1990 from TDG.  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* 10-24-1990  
*Significant Activity:* Appeal to 11th Circuit (91-8776) dismissed for lack of jurisdiction because the district court had not made a final ruling on the motion for summary judgement. 11-05-1991 Appeal Dismissed.

**WILLIAM L. DEERING v. U.S.P.C., et al**

*Court:* NORTHERN DISTRICT OF ALABAMA  
*Docket No.:* 90-A-2128-E; *Type of Case:* Habeas Corpus; *Damages Req:* 0  
*Subject:* PAROLE *Institution:* FCI, Talladega  
*Facts Alleged:* Court orders amended petition with specific instructions for completing form.  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* 12-06-1990  
*Significant Activity:* 01-17-1992 Order dismissed case for failure of inmate to comply with order to amend complaint.

**GORDAN L. DOLLAR v. C.F.I. WARDEN SAMPLES**

*Court:* NORTHERN DISTRICT OF FLORIDA  
*Docket No.:* 89-000; *Type of Case:* Injunction; *Damages Req:* 0  
*Subject:* EDUCATION, VT *Institution:* FCI, Marianna  
*Facts Alleged:* Refuses to take education tests at MNA in 1989  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* @09-29-1989  
*Significant Activity:* 06-06-1991 Magistrate's report recommends dismissal for failure to show proof of service.

**EDWARD LIN DAVIS v. ROBERT HONSTED, et al**

*Court:* SOUTHERN DISTRICT OF GEORGIA  
*Docket No.:* 291-140; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$1,916,300,000.00  
*Subject:* SENTENCING *Institution:* FCI, Jesup  
*Facts Alleged:* Release date miscalculated at JES in 1991 causing suicide of family members.  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* 07-11-1991  
*Significant Activity:* 07-20-1992 Dismissed via voluntary Stipulation.

**FRANCISCO COLON v. R.L. MATTHEWS, et al**

*Court:* NORTHERN DISTRICT OF GEORGIA  
*Docket No.:* 1:90-0271-JOF; *Type of Case:* Habeas Corpus; *Damages Req:* 0  
*Subject:* DETAINERS *Institution:* USP, Atlanta  
*Facts Alleged:* Interstate Agreement on Detainer request from FL violates law because he had already been tried on the charges.  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* 02-24-1990  
*Significant Activity:* 08-30-1990 Mag Report recommends dismissal. He does not agree with our failure to exhaust remedies argument because the time for exhausting the remedies available under the IAD has already run. The detainer presented to the warden was properly documented. The fact that there may be some underlying irregularity in the criminal action itself does not void the detainer. 02-25-1991 Order dismisses case based on Magistrate's report.



**CLYDE R. ALLEN v. UNITED STATES**

*Court:* NORTHERN DISTRICT OF GEORGIA

*Docket No.:* 1:91-CV-73-JTC; *Type of Case:* Habeas Corpus; *Damages Req:* 0

*Subject:* SENTENCING *Institution:* USP, Atlanta

*Facts Alleged:* Challenges forfeiture of good time credits when paroled in ATL in 1990.

*Special Monitoring:* 0, Not assigned to special monitoring

*Date Case Filed:* 01-10-1991

*Significant Activity:* 04-23-1991 Dismissed without prejudice for failure to exhaust administrative remedies.

**HECTOR RICARDO MANSO v. WILLIE SCOTT, et al**

*Court:* NORTHERN DISTRICT OF FLORIDA

*Docket No.:* PCA 90-30123/SMN; *Type of Case:* Habeas Corpus; *Damages Req:* 0

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

*Facts Alleged:* Challenges computation of sentence and plans to transfer from EGL to MIA in 1990.

*Special Monitoring:* 0, Not assigned to special monitoring

*Date Case Filed:* 06-01-1990

*Significant Activity:* 06-14-1990 Dismissed on the motion on the merits.

**CEDRIC DEVON LOWE v. JUDGE MILE HUFFSTUTLER, et al**

*Court:* CIRCUIT FOR THE SIXTH CIRCUIT

*Docket No.:* 89-5996; *Type of Case:* Habeas Corpus; *Damages Req:* 0

*Subject:* DETAINERS *Institution:* FCI, Memphis

*Facts Alleged:* Claims detainer that prohibits CTC placement from MEM in 1989 is invalid. DC dismissal as frivolous upheld.

*Special Monitoring:* 0, Not assigned to special monitoring

*Date Case Filed:* 01-01-1989

*Significant Activity:* 05-21-1990 Dismissed.

**RAYMOND JOHNSON v. DONALD J. SOUTHERLAND, et al**

*Court:* NORTHERN DISTRICT OF ALABAMA

*Docket No.:* CV-89-H-0444-E; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$3,410,000

*Subject:* PROTECTIVE CUSTODY *Institution:* FCI, Talladega

*Facts Alleged:* Wrongly placed in protective custody at TDG in 1988, denied administrative remedies, mail, medical care.

*Special Monitoring:* 0, Not assigned to special monitoring

*Date Case Filed:* 06-28-1989

*Significant Activity:* 02-26-1991 Dismissed based on 12-27-1990 Magistrate's report. 07-01-1991 Appealed to CA11, 91-7205

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

*Court:* SOUTHERN DISTRICT OF GEORGIA

*Docket No.:* CV292-140; *Type of Case:* Habeas Corpus; *Damages Req:* 0

*Subject:* FINES *Institution:* FCI, Jesup

*Facts Alleged:* Sought adjudication of indigency before magistrate for committed fine. Denied because he owned 2 cars. Appealed to regional director alleging the cars had been sold. Appeal denied because new evidence should go back to magistrate for additional fact finding. Suit seeks immediate relief because denied CCC placement because of the fine.

*Special Monitoring:* 0, Not assigned to special monitoring

*Date Case Filed:* 05-15-1992

*Significant Activity:* 07-16-1992 Dismissed. Inmate allowed to execute indigency oath.

**LARRY N. BRANHAM v. J. MICHAEL QUINLAN**

*Court:* NORTHERN DISTRICT OF GEORGIA

*Docket No.:* 1:92-CV-853-RLV; *Type of Case:* Mandamus; *Damages Req:* 0

*Subject:* MEDICAL TREATMENT *Institution:* USP, Atlanta

*Facts Alleged:* Denied knee replacement surgery at ATL in 1992 because condition was preexisting.

*Special Monitoring:* 0, Not assigned to special monitoring

*Date Case Filed:* 04-10-1992

*Significant Activity:* 07-20-1992 Ruling on government's motion to dismiss deferred for 90 days to see whether BOP approves surgery.



**CLARENCE A. CLARKE v. FRED A. STOCK**

*Court:* NORTHERN DISTRICT OF GEORGIA

*Docket No.:* 1:92-CV-726-GET; *Type of Case:* Mandamus;  
*Damages Req:* 0

*Subject:* TRANSFERS *Institution:* USP, Atlanta

*Facts Alleged:* Wants to be transferred to ATL camp. Feels he has satisfied all criteria. At ATL in 1992.

*Special Monitoring:* 0, Not assigned to special monitoring

*Date Case Filed:* 03-27-1992

*Significant Activity:* 06-03-1992 Magistrate's report recommends dismissal for failure to exhaust administrative remedies. 07-16-1992 Dismissed.

**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.

**DEE FARMER v. MICHAEL QUINLAN, et al**

*Court:* NORTHERN DISTRICT OF GEORGIA

*Docket No.:* 1:90-CV-1233-JTC; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$50,000

*Subject:* ACCESS TO COURTS *Institution:* USP, Atlanta

*Facts Alleged:* Lost legal materials in transit, now at SPG, 1990. One stop was at ATL. Claims suit in Md. was dismissed because of problems.

*Special Monitoring:* 0, Not assigned to special monitoring

*Date Case Filed:* 06-26-1990

*Significant Activity:* 07-08-1992 Dismissed because the inmate had not proved that his law suit in Maryland was dismissed because of his problems gaining access to his legal materials.

**MILTON CLARET INCIARTE v. JOSEPH CLASS, et al**

*Court:* NORTHERN DISTRICT OF FLORIDA

*Docket No.:* 91-50181/WEA; *Type of Case:* Injunction;  
*Damages Req:* 0

*Subject:* MEDICAL TREATMENT *Institution:* FCI, Marianna

*Facts Alleged:* Assaulted by prisoner at unspecified institution on 10-20-1989. Medical care for facial injuries provided at ERE and SPG. Not provided appropriate reconstructive surgery. Presently at MNA, suffering from disfigurement, dizziness and blackouts. Denied access to translator during medical appointments.

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

*Date Case Filed:* 01-08-1992

*Significant Activity:* 06-22-1992 Dismissed without prejudice.

**AARON DALE TAYLOR v. RICHARD THORNBURGH**

*Court:* NORTHERN DISTRICT OF GEORGIA

*Docket No.:* 1:90-CV-356-JTC; *Type of Case:* Habeas Corpus; *Damages Req:* 0

*Subject:* SENTENCING *Institution:* USP, Atlanta

*Facts Alleged:* Denied jail credit for time in transit after conviction. At ATL in 1990.

*Special Monitoring:* 0, Not assigned to special monitoring

*Date Case Filed:* 02-15-1990

*Significant Activity:* 05-16-1990 Dismissed and costs awarded to defendants.

**KENNETH R.X. STRAWDER v. DIRECTOR, FEDERAL BUREAU OF PRISONS, et al**

*Court:* NORTHERN DISTRICT OF ALABAMA

*Docket No.:* CV-91-PT-00089-E; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$8,000,000

*Subject:* RELIGION *Institution:* FCI, Talladega

*Facts Alleged:* Not allowed to have religious apparel and other items important to the Muslim faith at TDG in 1990.

*Special Monitoring:* 0, Not assigned to special monitoring

*Date Case Filed:* 01-14-1991

*Significant Activity:* 02-13-1992 Order grants defendants' motion for summary judgement, dismisses case.



**KEITH WORBOYS v. WILLIE J. SCOTT**

*Court:* NORTHERN DISTRICT OF FLORIDA  
*Docket No.:* 90-30305; *Type of Case:* Habeas Corpus;  
*Damages Req:* 0  
*Subject:* SENTENCING *Institution:* FPC, Eglin Air Force Base  
*Facts Alleged:* Denied credit for time  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* 10-02-1990  
*Significant Activity:* 05-21-1991 Dismissed on the merits.

**WILLIAM DAVID RICCIO v. U.S. DEPARTMENT OF JUSTICE, et al**

*Court:* NORTHERN DISTRICT OF GEORGIA  
*Docket No.:* 1:89-CV-2849-RLV; *Type of Case:* Habeas Corpus; *Damages Req:* 0  
*Subject:* SENTENCING *Institution:* USP, Atlanta  
*Facts Alleged:* Denied jail credit for time on bond. In ATL in 1989.  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* 12-06-89  
*Significant Activity:* 06-18-1990 Order adopts magistrate's report, dismisses case.

**JESUS PRIETO v. ROGER BAXTER, et al**

*Court:* NORTHERN DISTRICT OF FLORIDA  
*Docket No.:* TCA 91-40375-WS; *Type of Case:* Habeas Corpus; *Damages Req:* 0  
*Subject:* INMATE DISCIPLINE *Institution:* FCI, Tallahassee  
*Facts Alleged:* Incident report issued 12-24-1990 charged TAL inmate with bribery but did not specify the date of the offense. Inmate was not permitted to review the Captain's memo upon which the DHO relied to find him guilty.  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* 10-16-1991  
*Significant Activity:* 05-26-1992 Dismissed because inmate failed to file amended complaint as ordered by the court.

**JULIO BORRIEL-OCHOA v. STEPHEN PONTESSO**

*Court:* SOUTHERN DISTRICT OF FLORIDA  
*Docket No.:* 91-1790-CIV-DAVIS; *Type of Case:* Habeas Corpus; *Damages Req:* 0  
*Subject:* URINE SURVEILLANCE *Institution:* MCC, Miami  
*Facts Alleged:* Challenges urine collection procedure at MIA on 04-12-1991 that resulted in his testing positive for cocaine.  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* 08-16-1991  
*Significant Activity:* 09-09-1991 Dismissed without prejudice because inmate had been transferred before the petition was filed.

**ARNOLD NORMAN FANT v. MRS. LUCY HENDRICKS, et al**

*Court:* NORTHERN DISTRICT OF ALABAMA  
*Docket No.:* 90-H-0694-S; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* 111,600,000  
*Subject:* MEDICAL TREATMENT *Institution:* FCI, Talladega  
*Facts Alleged:* Denied adequate psychological report at TDG in 1990 in retaliation for a verbal argument with US Marshal in Orlando in 1989. Also inadequate medical care for an infected testicle.  
*Special Monitoring:* 0, Not assigned to special monitoring  
*Date Case Filed:* 04-10-1990  
*Significant Activity:* 06-01-1990 Dismissed as frivolous.