

United States Government
MEMORANDUM

Date: June 24, 1993

Reply to

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



Subject: May Litigation Report

To: Joyce Zoldak, Associate General Counsel
Litigation Branch

Attached is the May CEO Litigation report. I have also attached some updated information on the unusually active trial schedule from the past month.

Attachment

Dolly, please file w/ monthly reports

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

To	From	# of pages
Joyce Zoldak	Sherree Sturgis	8
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NSN 7540-01-317-7366 5289-101 GENERAL SERVICES ADMINISTRATION

ROBERT H. BURNS v. C. LAWYER, et al*Court:* NORTHERN DISTRICT OF ALABAMA*Docket No.:* CV-90-H-0475-E; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$2,500,000*Subject:* **MEDICAL TREATMENT** *Institution:* FCI, Talladega*Facts Alleged:* Refused treatment at TDG in 1988 for intestinal track problem. Later tests showed gall bladder had burst.*Special Monitoring:* 0, Not assigned to special monitoring*Date Case Filed:* 03-14-1990*Significant Activity:* 03-05-1992 Interlocutory appeal by Inmate dismissed by Eleventh Circuit, 91-7814. 06-16-1993 Trial on the merits was attended by Van Vandivier and went well.**JOSEPH C. SUN v. HAROLD D. DELASHMIT, et al***Court:* NORTHERN DISTRICT OF ALABAMA*Docket No.:* 90-AR-0051-S; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$200,000*Subject:* **MEDICAL TREATMENT** *Institution:* FCI, Talladega*Facts Alleged:* Denied medical care, and bathroom privileges on plane in transport between PET an TDG in 1989, also excessive use of force.*Special Monitoring:* 0, Not assigned to special monitoring*Date Case Filed:* 04-02-1990*Significant Activity:* 06-01-1993 Trial scheduled. Continued to 06-04-1993. Two day trial was attended by Van Vandivier. 06-08-1993 Verdict for Defendants.**HERBERT LEE, et al v. RICHARD THORNBURGH***Court:* NORTHERN DISTRICT OF GEORGIA*Docket No.:* 1:90-CV-1350-JOF; *Type of Case:* Employment Discrimination; *Damages Req:* unspecified wages and earnings*Subject:* **DISCRIMINATION** *Institution:* USP, Atlanta*Facts Alleged:* Black Employees at ATL allege discrimination based on race because denied promotions.*Special Monitoring:* IC2, Publicity / Impact on staff morale, All employee suits.*Date Case Filed:* 06-22-1990*Significant Activity:* 05-24-1993 Three day trial was attended by Earl Cotton. Presentation went well.**GLENN WAYNE MITCHELL v. U.S. DEPARTMENT OF JUSTICE, et al***Court:* NORTHERN DISTRICT OF GEORGIA*Docket No.:* 1:90-CV-915-JTC; *Type of Case:* Employment Discrimination; *Damages Req:* unspecified*Subject:* **DISCRIMINATION** *Institution:* USP, Atlanta*Facts Alleged:* Dismissed from CO position at ATL because of race, threatened co-*Special Monitoring:* IC2, Publicity / Impact on staff morale, All employee suits.*Date Case Filed:* 04-24-1990*Significant Activity:* 06-14-1993 Trial scheduled. Continued to 08-09-1993 because of debate over admissibility of photographs taken from institution tower.



United States Government Memorandum

Date: June 4, 1993

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

Subject: May, 1993 SER Litigation

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

New Cases

1. UNITED STATES OF AMERICA (SEABOARD SURETY COMPANY) v. FEDERAL BUREAU OF PRISONS, et al

Court: DISTRICT OF PUERTO RICO

Docket No.: 93-1561-LRA

Institution: MDC, Guaynabo

Type of Case: Other, Miller Act

Subject: MISCELLANEOUS

Facts Alleged: Action brought by surety company that issued the performance bond to Triangle Construction, the general contractor on the MDC Guaynabo project. Triangle is in bankruptcy. Surety seeks an interpleader to dissolve itself of its contractual obligations to others exceeding \$2,500,000, the amount of the bond. Outstanding debts to subcontractors and suppliers are estimated at \$3,706,486. The action is pled under Miller Act, 40 U.S.C. 270a.

Damages Req: 1,206,486; *Special Monitoring:* IB6, May be financial liability, Other.

Rec'd in Legal: May 3, 1993; *Due:* 07-05-1993

Assigned to: Osvaldo Carlo Linares; Assistant U.S. Attorney Chief, Civil Division, Hato Rey, PR; Zoe Laboy, Attorney Advisor, MDC, Guaynabo

2. PABLO L. FERNANDEZ-ORTIZ v. WARDEN, et al

Court: DISTRICT OF PUERTO RICO

Docket No.: 93-1629-JP

Institution: MDC, Guaynabo

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: Inmate designated to JES in 1993 alleges that he has served his federal sentence and should not be reincarcerated.

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

Rec'd in Legal: May 6, 1993; *Due:* 07-05-1993

Assigned to: Osvaldo Carlo Linares; Assistant U.S. Attorney Chief, Civil Division, Hato Rey, PR; Wilson Moorner, Paralegal Specialist, FCI, Jesup

3. DAVID FRIEDLAND v. FRED STOCK, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:93-CV-682-CAM

Institution: USP, Atlanta

Type of Case: Habeas Corpus

Subject: AD DETENTION

Facts Alleged: Inmate at ATL in 1993 complains that he has been placed in segregation for no apparent reason. He states that he has not received any disciplinary reports that would result in his being placed in segregation.

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

Rec'd in Legal: May 6, 1993; *Due:* 05-17-1993

Assigned to: Russell G. Vineyard; Assistant U.S. Attorney, Atlanta, GA; Sharon Ragland, Paralegal Specialist, Southeast Regional Office

4. RENE BENITEZ v. UNITED STATES

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: 293-54

Institution: FCI, Jesup

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: Inmate at JES in 1993 complains that his sentence should be credited with the time spent incarcerated in Columbia awaiting extradition to the United States.

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

Rec'd in Legal: May 6, 1993; *Due:* 05-20-1993

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

**5. WILLIE CLARK, JR., et al v. FEDERAL BUREAU OF PRISONS, et al**

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:93-CV-811-RCF

Institution: USP, Atlanta

Type of Case: Habeas Corpus

Subject: DETAINERS

Facts Alleged: Inmate at ATL in 1993 challenges a detainer that has been placed on him from the state of Texas.

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

Rec'd in Legal: May 8, 1993; Due: 05-24-1993

Assigned to: Curtis E. Anderson; Assistant U.S. Attorney, Chief, Civil Division, Atlanta, GA; Darrin C. Scott, Attorney Advisor, SERO

6. JOEL RODRIQUEZ LOPEZ v. WILLIE E. THOMPSON

Court: MIDDLE DISTRICT OF ALABAMA

Docket No.: 93-H-0063-N

Institution: FPC, Maxwell Air Force Base

Type of Case: Habeas Corpus

Subject: TELEPHONES

Facts Alleged: Inmate at MON in 1993 filed a motion with the court to "protect evidence", telephone monitoring tapes that were in the control of the Warden of the Institution.

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

Rec'd in Legal: May 6, 1993; Due: -1993

Assigned to: Kenneth E. Vines; Assistant U.S. Attorney Chief, Civil Division, Montgomery, AL; Michelle Coulombe, Paralegal Specialist Trainee, Southeast Regional Office

7. GABRIELI ANDRE' DAVIS v. FRED STOCK, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:93-CV-838-JEC

Institution: USP, Atlanta

Type of Case: Habeas Corpus

Subject: COMMUNITY TREATMENT CENTERS

Facts Alleged: Inmate at FPC ATL in 1993 alleges that he is eligible for CCC placement.

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

Rec'd in Legal: May 6, 1993; Due: 05-10-1993

Assigned to: James R. Schultz; Assistant U.S. Attorney, Atlanta, GA; Darrin C. Scott, Attorney Advisor, SERO

8. BONITA LACY v. UNITED STATES

Court: EASTERN DISTRICT OF PENNSYLVANIA

Docket No.: 93-CV-0253

Institution: FCI, Marianna

Type of Case: Federal Tort Claims Act

Subject: PROPERTY

Facts Alleged: Inmate claims property was lost when packed at MNA in 1991 for transfer to LEX.

Damages Req: \$562.58; Special Monitoring: 0, Not assigned to special monitoring

Rec'd in Legal: May 6, 1993; Due: -1993

Assigned to: Michael Baylson; U.S. Attorney, Philadelphia, PA; Sterling Dawson, Paralegal Specialist, FCI, Marianna

9. JERRY SINGLETARY v. A. WHITE, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV-93-PT-0385-E

Institution: FCI, Talladega

Type of Case: Personal Liability Action (Bivens)

Subject: MEDICAL TREATMENT

Facts Alleged: Inmate at TDG claims a tooth broke during extraction in 1992 and he had to wait several days for the rest of the tooth to be extracted.

Damages Req: \$15,000; Special Monitoring: 0, Not assigned to special monitoring

Rec'd in Legal: May 6, 1993; Due: 06-25-1993

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

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

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: CV 293-056

Institution: FCI, Jesup

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: Inmate at JES in 1993 claims BOP has improperly computed one of his offenses as non parole eligible. He also complains that the USPC refuses to consider the offense as parole eligible.

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

Rec'd in Legal: May 21, 1993; Due: 06-03-1993

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

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1. DWAIN L. COPELAND v. JOHN FANELLO

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 93-30134/WEA

Institution: FPC, Pensacola

Type of Case: Habeas Corpus

Subject: SENTENCING

Facts Alleged: Inmate at PEN in 1993 alleges that he should receive more good time credit under old law. His first offense was old law, after he was returned for he violating his supervised release he earns under new law.

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

Rec'd in Legal: May 21, 1993; *Due:* 07-12-1993

Assigned to: Samuel A. Alter, Jr.; Supervising Assistant U.S. Attorney, Pensacola FL; Angie Grider, Legal Intern, SERO

12. TIMOTHY L. RUBLE, et al v. LIEUTENANT KING, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:93-CV-1024-JEC

Institution: USP, Atlanta

Type of Case: Personal Liability Action (Bivens)

Subject: INMATE DISCIPLINE

Facts Alleged: Inmates at ATL in 1993 allege that subsequent to a "force cell move," they were beaten and assaulted. They also complains that they did not receive immediate medical care for their injuries.

Damages Req: \$7,200,000; *Special Monitoring:* IB6, May be financial liability, Other.

Rec'd in Legal: May 21, 1993; *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

13. GILBERT HILL v. WARDEN, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 93-50098/WEA

Institution: FCI, Marianna

Type of Case: Personal Liability Action (Bivens)

Subject: INMATE DISCIPLINE

Facts Alleged: Inmate at MNA in 1993 alleges that he received three false incident reports. As a result of the incident reports, he was placed in administrative detention. He was later the subject of a "Force Cell Move" in which he alleges he was severely beaten. He also complains that the videotape of the "Force Cell Move" was broadcast over the institution's cable system in violation of his privacy rights.

Damages Req: \$11,500,000; *Special Monitoring:* 0, Not assigned to special monitoring

Rec'd in Legal: May 21, 1993; *Due:* NONE, NO SUMMONS ISSUED.

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

14. CHARLES S. BOCCHINO v. SARAH B. WEBSTER

Court: MIDDLE DISTRICT OF ALABAMA

Docket No.: 93-A-541-N

Institution: FPC, Maxwell Air Force Base

Type of Case: Mandamus

Subject: AD REMEDIES

Facts Alleged: Inmate at MON in 1993 alleges that he has been refused access to the Administrative Remedy Index in violation of Program Statement 1330.7.

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

Rec'd in Legal: May 21, 1993; *Due:* 05-25-1993

Assigned to: Kenneth E. Vines; Assistant U.S. Attorney Chief, Civil Division, Montgomery, AL; Angie Grider, Legal Intern, SERO

**15. BENJAMIN BARRY KRAMER v. METRO-DADE
DEPT OF CORRECTIONS, et al***Court:* SOUTHERN DISTRICT OF FLORIDA*Docket No.:* 93-0798-CIV-HIGHSMITH*Institution:* MCC, Miami*Type of Case:* Injunction*Subject:* PRETRIAL DETAINEES

Facts Alleged: Inmate at MIA in 1993 alleges that as a pre-trial detainee, he was subject to unconstitutional conditions of confinement and insufficient medical treatment while being housed in a county jail awaiting trial. Seeks transfer to MCC, Miami.

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

Rec'd In Legal: May 25, 1993; *Due:* 06-25-1993

Assigned to: Maureen Donlan; Assistant U.S. Attorney, Miami, FL; Michael Pybas, Attorney Advisor, MCC, Miami, FDC, Miami

16. THEODORE K. GALE v. KEITH E. OLSON, et al*Court:* NORTHERN DISTRICT OF FLORIDA*Docket No.:* TCA 93-40032-WS*Institution:* FCI, Tallahassee*Type of Case:* Habeas Corpus*Subject:* SENTENCING

Facts Alleged: Inmate at TAL in 1993 complains that his sentences should be aggregated.

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

Rec'd In Legal: May 27, 1993; *Due:* 06-01-1993

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

17. BUFORD SHEFFIELD v. KEITH OLSON, et al*Court:* NORTHERN DISTRICT OF FLORIDA*Docket No.:* TCA 93-40054/MMP*Institution:* FCI, Tallahassee*Type of Case:* Habeas Corpus*Subject:* DETAINEES

Facts Alleged: TAL Inmate in 1993 claims a detainee placed on him by the State of Florida should be removed as they had ample opportunity to prosecute.

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

Rec'd In Legal: May 27, 1993; *Due:* 05-16-1993

Assigned to: Thomas F. Kirwin; Assistant U.S. Attorney, Tallahassee, FL; Dan Rouse, Paralegal Specialist, FCI, Tallahassee

18. HENRY RUDOLPH v. KEITH E. OLSON, et al*Court:* NORTHERN DISTRICT OF FLORIDA*Docket No.:* TCA-93-40062-WS*Institution:* FCI, Tallahassee*Type of Case:* Habeas Corpus*Subject:* DETAINEES

Facts Alleged: Inmate at TAL in 1993 alleges that an illegal detainee has been placed on him by the State of Florida as a result of a probation violation.

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

Rec'd In Legal: May 27, 1993; *Due:* 05-21-1993

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

Significant Activity on Existing Cases

RUBY J. BLACKWELL v. UNITED STATES*Court:* NORTHERN DISTRICT OF FLORIDA*Docket No.:* 90-30306/RV; *Type of Case:* Federal Tort Claims Act; *Damages Req:* \$500,000*Subject:* TORT *Institution:* FPC, Pensacola

Facts Alleged: Civilian visitor at FPC, Pensacola tripped over loose piece of carpet on 07-30-1990 and injured unspecified part of body.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 10-29-1990

Significant Activity: 05-13-1993 Memorandum of Decision finds for the United States. The case was stipulated for submission on depositions and affidavits in lieu of trial. The inmate's visitor who fell was found to be a business invitee under Florida law. The plaintiff failed to prove that the floor mat over which she claims to have tripped was on the sidewalk or that it caused her fall.

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JOHN DAWSON v. ROGER SCOTT

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV-92-AR-1168-E; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: SENTENCING *Institution:* FCI, Talladega

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.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 5-20-1992

Significant Activity: 05-10-1993 In forma pauperis denied on appeal, dismissed. Appeal to 11th Circuit, 92-1137.

Dismissed, 08-10-1992

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

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV 92-H-1728-E; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$125,589.00

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

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

Special Monitoring: IC1, Publicity / Impact on staff morale, All arising from institution disturbances.

Date Case Filed: 07-29-1992

Significant Activity: 04-15-1993 Magistrate's report recommends granting of government's motion for summary judgement. FCI, Talladega staff were not wantonly or callously indifferent to potential danger when they placed this American inmate in administrative detention with Cuban Detainees in Alpha Unit just prior to the 1991 hostage incident. There had been no prior injuries or security problems with these detainees at Talladega. There was no indication they were a threat to the Inmate plaintiff. He did not suffer any physical injuries. Even if the "John Doe" correctional officer was negligent in failing to secure the gate to the recreation area, mere negligence will not support a civil rights action. The decision not to allow food or medical supplies into the unit during the incident was not an Eighth Amendment violation. It was a good faith effort to restore discipline, not designed to punish. 05-11-1993 Order adopts magistrate's report, dismisses case.

DANNY LOWE v. GRAIG TUBBS, et al

Court: SOUTHERN DISTRICT OF GEORGIA

Docket No.: 293-10; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* \$500,000.00

Subject: SAFETY. *Institution:* FCI, Jesup

Facts Alleged: MNA Inmate in 1993 claims the recreation yard at JES was unsafe due to on-going construction in the area in 1991.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 10-13-1992

Significant Activity: 05-04-1993 Dismissed because inmate failed to apprise court of change of address.

RAUL MOJENA v. WILLIAM P. BARR, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: 92-50240/RV; *Type of Case:* Federal Tort Claims Act; *Damages Req:* unspecified

Subject: MEDICAL TREATMENT *Institution:* FCI, Marianna

Facts Alleged: Inmate at MNA in 1992 alleges that he has not received proper medical treatment.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 01-01-1992

Significant Activity: 04-14-1993 Magistrate's report recommends dismissal because of inmate's failure to respond to court order. 05-11-1993 Order adopts magistrate's report, dismisses case.

ARMANDO SANTIESTEBAN v. JOSEPH P. CLASS, et al

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: MCA 91-50245/WEA; *Type of Case:* Habeas Corpus; *Damages Req:* 0

Subject: SENTENCING *Institution:* FCI, Marianna

Facts Alleged: BOP improperly computed parole eligibility date at MNA in 1992.

Special Monitoring: 0, Not assigned to special monitoring

Date Case Filed: 04-13-1992

Significant Activity: 04-14-1993 Magistrate's report recommends dismissal. There is no ex post facto violation when changing an incorrect presumptive parole date. 05-14-1993 Order adopts magistrate's report, dismisses case.

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DAVID F. RYDER v. W.J. THOMPSON, et al

Court: MIDDLE DISTRICT OF ALABAMA

Docket No.: 93-D-364; *Type of Case:* Habeas Corpus;
Damages Req: 0

Subject: COMMUNITY TREATMENT CENTERS
Institution: FPC, Maxwell Air Force Base

Facts Alleged: Inmate at MON in 1992 alleges he is eligible for 6 months CCC placement instead of 2 months approved. Also claims violation of equal protection as other similar inmates are given 6 months.

Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 03-24-1993

Significant Activity: 04-19-1993 Magistrate's report recommends dismissal because an inmate has no constitutional right to placement in CCC. 05-20-1993 Order adopts magistrate's report, dismisses case.

DWAYNE HEATON v. P. I. LITTLE, et al

Court: NORTHERN DISTRICT OF GEORGIA

Docket No.: 1:92-CV-2243-JTC; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* 1100.00

Subject: INMATE ACCIDENT COMPENSATION
Institution: USP, Atlanta

Facts Alleged: Inmate at ATL camp in 1992 claims he has not received payment through Inmate Accident Compensation as a result of an injury sustained in UNICOR in 10-91. He also alleges that he was placed on a work detail inconsistent with his medical orders. Lastly, he alleges that he will be transferred in retaliation as a result of his lawsuit. There are difficulties with the merits of this case. After extensive discussion with institution staff concerning this matter, it appears he was carried on medical idle status as a result of a work-related injury for many months. It is likely that he had recovered, but he was never ordered back to work. See related case, Floyd v. Stock, FGAN.

Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 09-22-92

Significant Activity: 05-24-1993 Order dismisses case for failure to file administrative remedies. We will probably have to deal with this matter again after the inmate has exhausted remedies.

JOHN BERRY v. WARDEN SCOTT, et al

Court: NORTHERN DISTRICT OF ALABAMA

Docket No.: CV 91-H-3013-E; *Type of Case:* Personal Liability Action (Bivens); *Damages Req:* 0

Subject: MEDICAL TREATMENT *Institution:* FCI, Talladega

Facts Alleged: Unknown, original petition not served. First notice of case when notice of appeal filed.

Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 12-26-1991

Significant Activity: 04-07-1992 Dismissed for failure to prosecute. 03-30-1992 Court dismisses Inmate's motion to have magistrate disqualified. 04-23-1992 Appeal to 11th Circuit, 92-6348. 05-05-1993 Appeal dismissed for failure to prosecute.

ERNEST L CITRON v. WILLIE SCOTT

Court: NORTHERN DISTRICT OF FLORIDA

Docket No.: PCA 90-30337/WEA; *Type of Case:* Habeas Corpus; *Damages Req:* 0

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

Facts Alleged: Denied jail credit for time in state custody. Claims did not receive credit for time on state sentence. AT EGL in 1990.

Special Monitoring: 0, Not assigned to special monitoring
Date Case Filed: 12-10-1990

Significant Activity: 11-23-1993 Order dismisses case. The inmate is not entitled to credit on his federal sentence for time in state custody serving a state sentence even though a federal detainer had been lodged. 05-04-1993 Appeal to 11th Circuit, 92-3297.