

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

11/10/2020

David J. Bradley, Clerk of Court

LADDY CURTIS VALENTINE
RICHARD ELVIN KING
• MAURICE MITCHELL
• DEAN TRAHAN
• LOWELL GREEN
• ERNEST WHITE, and;
• ROBERT KERRY MCCLURE, III; individually
and on Behalf of those similarly situated.
Plaintiff(s).

versus:

Civil Action No. 4:20-cv-01115

BRYAN COLLIER, in his official Capacity.
ROBERT HERRERA, in his official Capacity,
• LORIE DAVIS, in her individual Capacity and;
• KYLIE B. FRANKLIN, in his individual Capacity.
and; TEXAS DEPARTMENT CRIMINAL JUSTICE, I-D.
Defendant(s).

P L A I N T I F F ' (S)

FIRST AMENDED CLASS ACTION COMPLAINT
AND APPLICATION FOR TEMPORARY RESTRAINING ORDER
AND OTHER INJUNCTIVE RELIEF - IMMEDIATE MEDICAL
RELEASE FOR [C]ONTACTED & VULNERABLE INMATE(S).

TO THE HONORABLE JUDGE OF SAID COURT:

Comes Now MAURICE MITCHELL, TDCJ #00648121, DEAN TRA-
HAN, TDCJ #2157029, LOWELL GREEN, TDCJ #00518622, ERNEST WHITE
TDCJ #02009027 and ROBERT KERRY MCCLURE, III TDCJ #02151961
and the class of UNNAMED inmates confined to the ALLEN B. FOL-
UNSKY Unit of the TDCJ, I-D located in FOLK COUNTY - Livingston
Texas some of which have been intentionally & knowingly "infected"
with the DEADLY Coronavirus Disease 2019 or COVID-19, who are
being QUARANTINED .. and flagrantly being Openly DENIED any and
[ALL] forms of MEDICAL TREATMENT, and Left with ONLY two Choices,
i.e: (1). Live on your own Volition WITHOUT any Aid or;
(2). DIE ... of COVID-19 Complications.

In support of plaintiff class of inmates on the POLUNSKY Unit
REQUEST for immediate MEDICAL EMERGENCY Release Plaintiff:

- (1). MAURICE MITCHELL
- (2). DEAN TRAHAN
- (3). Lowell Green
- (4). ERNEST WHITE and
- (5). ROBERT KERRY MCCLURE, III shall show the following:

I.

STATEMENT OF THE CASE

(a) In this AMENDED COMPLAINT, the Defendant: LORIE DAVIS is the Director of the TDCJ, I-D and designated 'OVERSEER' for the health & safety of the inmates confined within the Institutional Division under HER care and control during this Pandemic. The Director: While working under color of state law is being held liable in her 'individual Capacity' for her callous, wanton disregards gross negligence & Deliberate Indifference under Title 28 USC § 1983.

(b). The Additional Defendant: KYLER B. FRANKLIN is a Correctional officer III employed on said unit Administrative Segregation cell blocks under direct management of the Director's office through Senior Warden: DANIEL D. DICKERSON

The Defendant: KYLER B. FRANKLIN is being held liable in his [I]ndividual Capacity, while working under color of state law was USED as a willing PROXY after contracting the Virus, than with a Deliberate Indifference and WATON Disregards to the Health & Safety of the inmates. Went among them to spread the Deadly Disease. approximately ⁽¹⁾six to ten days After he tested positive for the Virus.

(c) we have attached Exhibit of Evidence [mm-63-2020] in behalf of Maurice Mitchell. Your Plaintiff is serving a [95] years term STACKED [25] years out of Houston, TX for Possession of Controlled Substance Cause No# 662,120 DISCHARGED DAY FOR DAY IN APRIL 2018 - & Possession of a Deadly Weapon in Penal Institution 70 years out of Bowie County, Texas Cause # 98-F-0331-202 - the 202nd District Court of Bowie County. Due to amount of Time Served he is eligible for immediate release - but for compilation of Trumpeted up disciplinary Action(s).

Plaintiff can not pin point the exact day this Defendant was Tested Positive & Layed off for the less than 10 days period. His appearance on the Job on 7-3-2020 suggest he Contracted the Disease Sometime in Late JUNE of 2020.

§ (c)... continued.

Attached to Exhibit [mm-63-2020] page [1-31] in plaintiff Maurice Mitchell's TDCJ inmate TimeSlips Showing him to have served TWENTY SIX [26] Years Day for Day as revealed at pages [6-7 & 31], herein.

(d). This particular plaintiff is a 'LITIGANT' and due to TDCJ, well known JUDICIAL NOTICE of, open & surreptitious Regulatory measures taken against 'Writ Writers' this plaintiff has been 'TAGGED'. Repeatedly, in Face of being RELEASED On Parole or Mandatory Supervision - each time plaintiff comes CLOSE to going 'Home' - he is Bombarded with totally FALSE disciplinary Action(s) and systematically deprived all all Class Status and good-time/work time Bonus Time Credits. See: Exhibit pages [6, 7, 8] whereas Just recently after a YEAR case free with intent to obtain pp S-4 trustee status necessary for release, plaintiff was promoted to a Line Class One. See; Page (8) This was SEPTEMBER 1, 2020.

On September 2, ⁽¹⁾2020 - the very next day!! plaintiff was falsely accused of attempting to establish a relationship with --- a Transgender Female officer, and threatened with 'Paper Spray' and a 'Fire Man's' Force Move Suited up Team, and FORCED moved to F Pod Level (3). Plaintiff was forced moved to F-Block 28 cell.

Plaintiff: MAURICE MITCHELL is a Litigant in cases pending in the 411th Civil District Court of Polk County - Livingston, Texas under Civil Action Number: CIV-32384 On Claimant's Common Law MOTION For Summary Judgment. Case filed: December 26, 2018 and ANOTHER case: MAURICE MITCHELL VS. ALICE MORTARITY C.O.II in the COUNTY COURT AT LAW: Cause no. 33734, filed on February 25, 2020.

T1 The correct date of false accusation & Force move is 9-7-2020. Five (5) days After promotion.

(c) As revealed at said Exhibit of evidences, pages [11, 12, 13, 14, 15, 16 (12) 17, *] your [P]laintiff REPEATEDLY inform Ranking officials that officer: ALICE MORTALITY C.O. II will send her Friends, Associates and co-workers to 'LIE' on Plaintiff for 'HER' in retaliation.

See: Exhibit page [16] prior to law suit - reason for Law suit. Please see page [11] she sent the Law Library to write a false case report. Page [10] letters to Public officials. 'NOTE this Letter'. Page (9) the second false case for the well known false accusation of 'Masturbation' in cell termed as: 'Masturbating in Public'. Also: page (14) Law Library attempts at retaliation.

II.

CLEAR ATTEMPTED MURDER

(a) As noted in the original Complaint at page (5) foot note (7) Governor GREGG ABBOTT Declares state of Disaster in Texas due to COVID-19 (March 13, 2020)

Your plaintiff is an inmate confined to his cell 24 hours per-day seven days per-week and 'CANNOT' contract this Disease UNLESS..... Somebody brings it TO HIM!!!

(b) As shown on said Exhibit at page [1] plaintiff submitted to a COVID-19 Test, Conducted by TDCJ, I-D Director: LORIE DAVIS and plaintiff's Results were negative. Dated June 11, 2020, Test conducted: June 9, 2020

An officer: KYLER B. FRANKLIN C.O. III Tested Positive for Corona Virus sometime in JUNE of 2020 and was layed off for Less than 10 days.

TDCJ. official records will show that officer: KYLER B. FRANKLIN C.O. III Did in Fact test Positive on or about JUNE 26, 2020 (circa). and was allowed back on the cell blocks within 8-10 days to SPREAD the Deadly Virus.

§ (b) of 7 II continued.

(ii) As NOTED: On Exhibit of Evidence: [Imm-63-2020] page 2 [2 thru 4] (Sworn Affidavit of [P] Plaintiff: Mounice Mitchell). On or about (circa) MAY 29, 2020 both officers:

(1) KYLER B. FRANKLIN, C.O. III and:

(2) DUSTIN C. BECKNER, C.O. III

were assigned to work on E cell Block 12 Building Administrative Segregation.

the affidavit continues to state: "Apparently officer, Kyler B. Franklin (correction has herein been made as to his name) - - (African American) is always assigned to work on F-Block, where the inmates are in constant confrontation with the officers to the point of throwing various substances on the officers, because of the way they are treated.

On the above date (circa) officer, FRANKLIN instigated a confrontation with the Plaintiff, and Plaintiff told said officer in the hearing of officer, BECKNER: "I'm going to do all I can to get you out of here, because it appears to ME that all you want to do is cause 'US' problems!!!"

On Friday JULY 03, 2020 [AFTER WORD SPREAD THAT OFFICER: KYLER FRANKLIN had contracted CORONA VIRUS, (ie: COVID-19), this same officer, not being off work for less than ten [10] days he shows up on E-Block passing out RECLASSIFICATION papers for the inmates to come to their door, and SIGN as 'HE' collect them ??? [A SICK MAN].

He approached plaintiff's cell... But plaintiff decline to Accept the Paper, or Sign it.

Scientist has proven that the 'VIRUS' remain on certain surfaces for certain periods of time. This was the officer's FIRST DIRECT ATTEMPT - to infect plaintiff with said Known Deadly Virus. BECAUSE Plaintiff Did not concede the Attempted Murder - - On JULY 05, 2020 this SAME SICK OFFICER (with all Unit Ranking officials "Acquiesce") Shows up AGAIN. This time - - HE's passing out FOOD!!!

Paragraph = ¶ II § = section (b) (i) (2) continued:

Said infected officer was allowed to pass out Sick Lunches termed as (JOHNNYS).

(C). Your affiant was "suspect," and did not get up to approach the door in order to retrieve the Food. There was no other Food available, in that Unit officials locked the entire unit down starting JUNE 21, 2020 serving Johnnys, "intermittently"

On JULY 05, 2020 - Plaintiff ate the Food, "reluctantly".

(C) AGAIN - Plaintiff points the Court to EXHIBIT Page I 1]. The Date of JUNE 11, 2020 - Plaintiff tested 'Negative' for COVID-19.

After eating the contaminated Food it was on JULY 08, 2020 Just three (3) days afterwards that Plaintiff was "HARD HIT" with what HE thought may have been a Cold. See: Affidavit at Exhibit page [2-3].

Upon discovering via EXPERIENCES that HE had been consciously, intentionally and knowingly infected with the CORONA VIRUS. Exhibit of Evidence: [MM-63-2020 page 4] Show plaintiff Filed his EMERGENCY GRIEVANCE on July 16, 2020.

TODAY is NOW SEPTEMBER 14, 2020 - And there has been 'NO' response acknowledgement or Action taken on the emergency Grievance. IT IS SURE without doubt that Unit officials in their WELL KNOWN REPUTATION; mode of operation - has thrown the July 16, 2020 Grievance in the 'TRASH CAN'. See: Exhibit page. [12] Whereas Unit officials implement a PROXY - officer: STEVEN MORRIS, C.O. the Unit necessity officer to pick up Grievances for the Grievance officers in order to say: "We didn't receive it." See: pg 17(a).

As shown at page [10, 4, 39, 40] of the Exhibit Plaintiff sent his Affidavit & a copy of the Grievance to:

- (i) Mr. William Barr, United States Attorney General
 - (ii). KPFT 90.1 Radio station HANK LAMB,
 - (iii) Lorie Davis, Director of TDCJ-I-D.
 - (iv). William Lee How. Criminal Prosecutor of Polk County,
 - (v). Judge: TOM BROWN of Polk County, and;
 - (vi) Mr. EDDIE FRANKLIN. Private Investigator.
- on JULY 20, 2020. stating: "ATTEMPTED MURDER".

III

* FORESEEABILITY - PRECOGNITIVE *

(a) It was, prior to receiving official acknowledgement that Plaintiff had in fact been given the Disease, that on JULY 12, 2020 the Emergency Grievance was filed. See: Exhibit pages [4.] Letters to officials pages [10, 39, -43] (Classification) Paper Delivered by the "PERPETRATOR" KYLIE B. FRANKLIN, C.O.III signed by "HFM", Dated: JULY 03, 2020. The DATE OF 'INTENTIONAL INFECTION'.. at Page [42].

(b) At Exhibit pages [11, 12, 13, 14. Recruited Law Library staff to retaliate in HER Behalf officer: ALICE R. MORTARITY, C.O.IV. also at page; [15, 16, 27 JULY 15, 2020 Your officer has intentionally infected "ME" with COVID-19. . . . Page (28) requesting MEDICATION. I'M 63 YEARS OLD!!! Page (29) requesting MEDICATION(S). JULY 14, 2020.

Page [30] no one is coming to this INFIRMARY!!!

Page (31). As a result of sending MAJOR: MOHAMED TOUHAMI Exhibit page: [39-40] same as (2-3). pages [4.] the thrown away Grievance and MORE THAN (6) more I-6p Request to said MAJOR... ON JULY 16, 2020 by ORDERS of Major: TOUHAMI Plaintiff was taken via Two Guard escort Shackled Hand & Feet to 1D Building infirmary for COVID-19 Checkup. ②

See: Exhibit Page (31). Nurse: GWENDOLYN CHARVAT, C.C.A became "hysterical" stating over & over again: "Why did You bring him Down Here!!!"

Plaintiff was manipulated into going Back to his cell.

It was not UNTIL JULY 14, 2020 that PLAINTIFF received official notice.. the results of a SECOND TEST -

See: also for Retaliation from officer: ALICE MORTARITY, C.O.IV at Evidence pages [38, 41].

2. See: Exhibit page [21] I'd BE DEAD BY NOW!!! 3rd Request. See: also page [26].

1. Again, Plaintiff: MITCHELL is (63) Years old Suffering Severe "High Blood Pressure". See: Original Complaint 7 at page [22-26].

Paragraph III § (b) continued. . .

... COVID-19 Test results Tested: July 15, 2020 Results Dated July 19, 2020 RECEIVED by Plaintiff on:

(i) JULY 23, 2020. See Exhibit at Page (5).

(c) NOTICE: This official notice of infection is from:
(ii) LORIE DAVIS, Director of the Texas Department of Criminal Justice, Institutional Division, and state the following complete and overall deception and fallacy.

"THE RESULT OF YOUR COVID-19 TESTING WAS POSITIVE. YOU WILL BE PLACED IN MEDICAL ISOLATION AND MONITORED FOR 14 DAYS.

"IF YOU DEVELOP ANY OF THE SYMPTOMS BELOW, PLEASE NOTIFY THE HEALTH CARE STAFF WHO ARE MAKING ROUNDS IN MEDICAL ISOLATED AREAS.

Etc... etc..

PLEASE REMAIN COMMITTED TO PROTOCOLS IN PLACE TO ENHANCE YOUR SAFETY. etc etc". See page (5) herein at the Exhibit, and page 5(a), IT'S ALL "LIES".

For over 3 weeks, your Plaintiff SUFFERED NEAR DEATH, with no relief.

Sick, call after sick call were IGNORED!! The nurses making Rounds were ignoring all cries or request relief. NO ONE!!!! would even take Plaintiff out to see a Doctor in FACE of.

(a) High Body Temperatures;

(b) Fever Blisters on the lips.

(c) Profuse sweating nights & Days.

(d) Gait Symptoms Pain covering the entire body,

(e) the inability to breath through the NOSE.

(f) Coughing, Sneezing, Grogginess, Choking

(g) Throat and Nasal Passages Clogged up with snot,

(h) and Lungs filling with fluids.

See CALLS for Help in sick call request at pages [18]. Plaintiff was MOVED to isolation WITHIN 56 MORE infected inmates on July 19, 2020 FOURTEEN [14] DAYS (AFTER) Plaintiff informed the Administration that 'HE' had been intentionally INFECTED!! See Page (28).

Paragraph III (b) (i) will (c) be continued.

(c) Plaintiff directs this Court & Defense counsel to Exhibit Cmm-13-1000 page (1) we note that on JUNE 14, 2020 the all with all other fifty six [56] infected inmates tested negative.

Just a mere 38 days later [we know the days are shorter counting as to the days the inmates were all infected] A WHILE OF INFECTION HIT THIS PARTICULAR UNIT and on JULY 19, 2020 over (56) inmates was infected with the DENTAL DISEASE. See: Exhibit of page I 57. UNIT WIDE OVER ONE THOUSAND WERE INFECTED.!!

Again, of said Exhibit of Evidence, pages [18, 28-29] Plaintiff (not in possession of ALL sick call request sent out) on July 5, 2020 BEFORE official confirmation (continuously sought HELP!! I'm Dying!! and relief from the painful effects of the virus and NO ONE!! would HELP!! See: Exhibit page 5 (g) Suddenly, all plaintiff personnel either

li) Expanded but drove were under 'unknown' re-staff

li) They were intentionally cut off; STOPPED.!!

Exhibit of Evidence pages [18 thru 23] pages [26, 26a, 27] caused major, momentous L. Touhama - to send security to take Plaintiff to the infirmary, the 3rd Request. Page (31) shows the results of the hospital visit. See: Continuance of Page [4 thru 5]. See: Evidence pages [19, 21, 22, 23, 26, 27] 28 thru 29 requesting SPECIFIC MEDICATIONS.

At page [34] I see inmates being brought to the infirmary; Dated: August 7, 2020.

But again, Plaintiff August 05, 2020 sick call request was 'Deferred'. See: Page (33).

At page [18 thru 21] Plaintiff informed the entire STAFF 'You are causing me to SUFFER & I deliberate the Infirmary. ... towards and inmates & his serious medical needs.'

(d) Once again, Plaintiff points to Exhibit page [42] as the date that 'He and many others were intentionally & knowingly infected with the Deadly Disease by OFFICER KYLE B. FRANKLIN and again He passed off FOOD on JULY 05, 2020 to ensure infections!!

77 IVIVINMATE DEAN TRAHAN, TDCJ #215 7829

(a) As shown on Exhibit of Evidence: [mm-63-2020] pages! [11, -16] show plaintiff Maurice Mitchell was ALREADY being subjected to OPEN retaliation for filing Claims against officer: Alice Morianity C.O.I in the BLK Court Court Court at Law under civil Action no #33734.

As a result of this - the EMERGENCY GRIEVANCE and "Cry" for COVID-19 infection relief. ON SEPTEMBER 7, 2020 Plaintiff in attempts to merely obtain an EXTRA amount of Food from one of whom HE thought --- was a friend. A so-called Muslim Transgender Female --- was working the cell blocks.

Similar comments have been previously made. Plaintiff states: You sure make those BLUE pants look good.

This is equivalent to saying: 'Those blue pants look good on You'.

It's about the pants... nothing more.

the Transgender Female, i.e., A 'man' trying to be a woman... ran down and told Sergeant: VEST

and Lieutenant. SLAUGHTER same made up lie, and plaintiff was first accused of 'Sexual Misconduct'.

Said Sergeant & Lieut. Lieutenant came down and told Plaintiff to Pack up & Move to Punishment Block F-Pod. This was ALL orchestrated in order to "justify" taking plaintiff's TYPE-WRITER and ALL clothing & food as Punishment.

Plaintiff was immediately threatened with A Five Man use of 'FORCE' MOVE TEAM pepper spray and severe harm & Bodily injury all recorded on surveillance camera. Plaintiff was forced moved to F-Pod 28 cell & placed in a cell whose room temperature was near 20 degrees or Below. without Anything for over 24 hours and 'FORCED' to seize the cell Door Food slot & DEMAND his property - relief. They still kept Type-writer Radio & all Food & clothing. Punishment without any Hearing what-so-ever & it continues at the writing of this AMENDMENT.

II continued:

(b) As to Your [P]laintiff, Dean Trahan, on or about June of 2020 the 'Terminally Ill' cancer patient was transported from to Polunsky Unit via Mini Van, to the Galveston, John Sealy Hospital for either the extremely expensive "CHEMOTHERAPY" or LASER TREATMENT to remove CANCER from his "Scirosis liver".

This particular Plaintiff is serving a Term of Less than Ten [10] years (amount of time uncertain - prepared by class-inmate legal Assistance), and is costing the STATE & Tax payers HUGH sums of money.

On the above approximate date plaintiff rode in the 'Mini Van' with only ONE other Administrative Segregation inmate. Upon arrival at John Sealy Galveston, more than a Two [2] hour ride. The OTHER inmate was taken off, and when they came to retrieve Plaintiff, ... it was then that the officers told plaintiff: "Oh Yeah!! We forgot to tell You.. that other inmate got Corona Virus!"

(c) Prior to this event Plaintiff did not have this Disease.

On June 09, 2020 Plaintiff was administered the COVID-19 test on the Polunsky Unit. Without receiving a results, it was on or about JUNE 19, 2020 Just Ten days after Testing that Plaintiff was moved to Cell Block 12 B-14 cell to ISOLATION/QUARANTINED with over 56 other inmates.

(d) This inmate WAS Also, intentionally infected with the Deadly Disease.

Plaintiff DEAN TRAHAN is confined for the offense of Possession of Controlled Substance in a Restricted Zone, and is Close to Parole Eligibility.

Posing 'No threat' to the Public, the Terminally ill patient request immediate medical Release Under the State of Emergency Declared by Governor: Gregg Abbott.

Even though Plaintiff has survived A First infection in FACE of continuous Denial of Any Form of Treatment a SECOND and most likely infection may cost him his life.

V.

INMATE LOWELL GREEN. TDCJ*

(a). As shown on Exhibit of Evidence; [LG-57-2020], page [1] inmate assistance presently retains 'No information' on the plaintiff stated above. It is incumbent upon counsel of record to generate the necessary information for the court.

Inmate Lowell Green is serving a 'live sentence' and has been up for Parole [Ten] (10) or more times, receiving set-off each time.

On or about June 09, 2020 Plaintiff was administered the COVID-19 Test and on JUNE 19, 2020 was moved to Isolation/Quarantine with over (56) other inmates after Testing Positive for Corona-COVID-19 Virus.

Plaintiff is at or about Fifty Nine (59) or Fifty Seven (57) Years old and susceptible to Contracting the Deadly Virus for a second time.

Plaintiff request an EMERGENCY MEDICAL RELEASE under the STATE OF EMERGENCY Declared by Governor: GREGG

ABBOTT on MARCH 13, 2020.

see; Original Complaint page, (5) foot note (7).

VI.

INMATE ERNEST WHITE. TDCJ* 02009027

(a) As shown on Exhibit of Evidence: [EW-34-2020], page [1] inmate Assistance presently retains 'No Significant information' on the plaintiff stated above save the attached TDCJ ID INMATE TIME/ Parole Panel Notice/ Decision dated: February 26, 2020 Prior to the Declaration of PANDEMIC. and National Emergency.

It is noted that this Particular Plaintiff was administered the COVID-19 Test on June 09, 2020 and upon the move of over (56) inmates To Isolation. Plaintiff was not Quarantined. Presently, Your [P]laintiff 'has not' contracted the Deadly Disease but as stated in the original Complaint.

Paragraph VI § (a) continued...

... at page (1). "Prisons are an ideal breeding ground for COVID-19. The Centers for Disease Control & Prevention 'WARNS' that Prisoners are particularly susceptible to the spread of COVID-19, due to the high population density of inmates, and the tight, confinement environment.

While it has ALWAYS been a matter of 'WHEN'..., not 'IF', COVID-19 hits --- etc. etc.

The virus has Thoroughly 'HIT' the inmates confined to the ALLEN B. POLUNSKY Unit in POLK County, Livingston, Texas - with OVER 1,000 infections during a single month of JULY 2020.

Because this particular plaintiff among the class of inmates and those similarly situated, plaintiff Parole Data show him to be Eligible for release, but for loss of class status Line Class and Good-time/Work-time Credits. Under the STATE of Emergency Declared by Governor GREGG ABBOTT, plaintiff request EMERGENCY medical release.

VII.

INMATE ROBERT KERRY MCCLURE TDCJ # 02151961

(a) Information available to the inmate legal Assistant reveal that ROBERT K. MCCLURE will be residing at 1602 ENCLAVE Parkway #1723 - Houston, Texas 77077 upon release. Your [Plaintiff was Tested on or about JUNE 09, 2020 for COVID-19 and as shown at EXHIBIT OF EVIDENCE I [R.K.M.-29-2020] page [13]. dated JUNE 11, 2020 Plaintiff obtained a 'NEGATIVE' results as to infection with COVID-19.

As stated in the original Complaint: "It's only a matter of 'WHEN'".

This particular Plaintiff among the class of inmates confined to the Allen B. Polunsky Unit is serving an Eighteen [18] years term from Fort Bend County for the offense of

¶ VII § (a) continued...

... aggravated robbery, Plaintiff is Eligible for Release to Parole on DECEMBER 13, 2022.

this particular 'Plaintiff' just as Plaintiff:

(1). Maurice Mitchell

(2). Dean Truhan and:

(3). Lowell Green - - - - -

is Suffering from the Deadly Disease of:

High Blood Pressure.. the Silent Killer,

(b) Contracting COVID-19 could well be a 'Death Penalty'.
this [Plaintiff] just as the other (4) above request
immediate Release from any further Confinement under the
State of EMERGENCY Declared by Governor: GREGG ABBOTT.
See: High Risk inmates at Original Complaint. Page: [22-27].

VIII

(a) Plaintiff Mitchell. Truhan. Green. White & McClure,
and the Class they seek to represent are currently incarcerated
at TDCJ's Allen P. Polunsky Unit i.e. DEATH ROW in Polk County
Livingston, Texas. As stated Unit officials are intentionally &
knowingly infecting the inmates with COVID-19 and failing,
flagrantly REFUSING to provide those infected with 'Any'
form of Medication or Relief.

(b) Plaintiff moves Counsel of Record to show this Court the
Present number of Polunsky Unit:

(i) officers infected with the virus:

(ii) officers Death resulting from the virus:

(iii) officers Recovered from the virus:

(iv) Inmates infected with the virus.

(v). Inmates DEATHS resulting from the virus.

(vi) Inmates RECOVERED from said VIRUS.

(c). Plaintiff further request Counsel of record shall
in all things refashion said AMENDMENT to include MORE
Polunsky Unit inmates who are ELIGIBLE for immediate

n. VIII § (c)...continued...

..... due to 'infection' or the [P]ossibility of infection of the deadly Corona COVID-19 virus.

IX

THE ORIGINAL CLASS ACTION

(a). May this Honorable Court please be Advised. This Amended Complaint is Prepared by a Two year graduate from ALVIN COMMUNITY COLLEGE i.e., Associates Art Degree who is ALSO (in Business & Contract Law) --- a Two Year Valedictorian, 1991 Graduate from SOUTHERN CAREER INSTITUTE, Paralegal 1st [P]-79-9169-2. Said paralegal is Competent to Assist his fellow inmates as the Polunsky Unit.

(b). This Amended Complaint in No form or fashion Super- seeds my 'Facts' as alleged in the ORIGINAL COMPLAINT which has been prepared and filed by Professional Licensed Attorneys.

(c). The Allen B. Polunsky Unit Administration and the Director's Office: i.e. MR. DANIEL D. DICKERSON, Senior Warden and MS. LORIE DAVIS, Director of TDCJ, respectively... has failed as to All relief sought at pages [29 thru 31] of the original Complaint. The only measure TAKEN were 'Perfunctory Measures', designed to ONLY 'APPEAR' that proper measures measures were in fact being taken.

(d). As stated at page (18) of the original Complaint foot note (60) "Prisoner serving time for a drug charge is FIRST U.S. inmate to DIE from COVID-19, Reuters (March 28, 2020. A 49-year old prisoner in Louisiana who was serving a 27-years prison term for a drug charge, became the first Federal inmate to DIE from COVID-19.

See foot notes [61 thru 71] for more Deaths in ORIGIN.

JUDGES ORDERING

PRISONERS RELEASED...

(e). From pages [22 thru 32] plaintiff attorney show this Honorable Court "High Risk" inmates, and pages [8, -20] foot notes

Paragraph IX section (c). continued...

..... (19 thru 42) shows a large number of inmates, nation & world-wide being RELEASED from Jails & 'Prisons' in effort to STEER the spread of the Deadly virus to prisoners.

At Foot note (42) 48% of the inmates who 'Died' had 'HYPERTENSION', i.e., 'High Blood Pressure', 31% had Diabetes. and 24% had Coronary heart disease. See: Complaint at page (13).

X

* CONCLUSION *

WHEREFORE premises considered, class plaintiff's Maurice Mitchell who has been up for Parole more than Ten [10] Times. serving a (95) years term having more TWENTY SEVEN YEARS [27] served Day For Day with Chronic High Blood Pressure at Sixty three [63] years old being AFFECTED with COVID-19 Request Immediate medical Release to 2627 Homer-Drive-Houston, Texas 77088.

Plaintiff, Lowell Green - Fifty seven [57] years old with more than [30] years served Day For Day on a life sentence has Chronic High Blood Pressure and Request immediate medical Release to Dallas County, Dallas, Texas.

Plaintiff: Dean Trahan - Fifty three (53) years old on 9-17-20 has more than Six (6) (circa) years Served on a Drug Conviction has Liver Cancer - high Blood Pressure Request immediate medical Release.

Plaintiff Ernest White is eligible for Parole and Request immediate medical Release to the Houston area. Finally, Plaintiff Robert K. McClure request immediate Medical Release to M. Houston, Texas as shown here at Exhibit of Evidence: [R.K.M. - 29-2020] under the Emergency Declaration of Governor Greg Abbott.

Paragraph X Conclusions... continued:

Lastly Your plaintiff(s) class of inmates on the Polunsky Unit PRAY counsel of record to compile a list of other inmates SYSTEM wide confined for DEUC offences, those with CHRONIC DISEASES, and those posing no threat to any one in the Pub PUBLIC, those who have served a substantial amount of their sentence and Add their names to those for immediate Medical Release and OR: Release under the Declaration of An Emergency By Governor Gregg Abbott.

Plaintiff's Pray this Court to Grant them all and any OTHER relief they are so entitled to.

Respectfully: Maurice Mitchell
 Rev. Maurice Mitchell
 Specialize Legal Technician
 SOUTHERN CAREER INSTITUTE
 Paralegal No. P-79-9/69-2
 Allen B. Polunsky Unit
 TDCJ, I-D # 00648121
 3872 F. M. 350 South
 Livingston, Texas 77351

Dean Trahan
 Dean Trahan,
 Allen B. Polunsky Unit
 TDCJ, I-D # 2157829

LOWELL GREEN
 Lowell Green
 Allen B. Polunsky Unit
 TDCJ, I-D # 510622

Ernest White
 Ernest White
 Allen B. Polunsky Unit
 TDCJ, I-D # 02009027

Robert K. McClure
 Robert K. McClure
 Allen B. Polunsky Unit
 TDCJ, I-D # 02151961

* Notary Equivalent *

I MAURIE MITCHELL, 'corporate Person' do hereby SWARE that the above Factual Allegations of which I do have Personal Knowledge are True & correct to the best of my knowledge, understanding and belief to which I place my hand on this 30th day of October 2020 A.D.

MAURIE MITCHELL
 AUTHORIZED SIGNATURE
 Chapter 132.000
 Title (b), Tex. Civ. Stat. Rev. Maurice Mitchell
 Remedies Code.
 UNDER PAINS & PENALTY
 OF PERJURY & PENALTY
 NON-COMMISSIONED
 Date: October 30, 2020
 Date: MAURIE MITCHELL
 Date: 00-00-0000

* CERTIFIED MAIL SERVICE *
 ENDORSEMENT

I MAURIE MITCHELL corporate Person do hereby certify that a True and Correct Copy of Plaintiff's First Amended Complaint has been served upon the [D] defendants in and through the Counsel of Record by placing same in the United States mail postage pre-paid on this 30th day of October 2020 A.D. Addressed as follows:

MR. Ken Paxton
 Attorney General for
 State of Texas
 Attention: Special Litigation
 P. O. Box 12548 Capital Station
 Austin, Texas 78711-2548

ATTENTION: DEFENSE ATTORNEY/AND PLAINTIFF(S) attorney has FAILED [US], Plaintiff's Attorney received a copy of this AMENDMENT mailed on SEPTEMBER 21, 2020. and has refused to acknowledge receipt.

DISREGARD SERVICE UPON THE ATTORNEY GENERAL.

SERVICE IS ONLY MADE ON:
 Hon; DAVID BRADLEY, Clerk
 UNITED STATES DISTRICT COURT
 P. O. Box 61010
 Houston, Texas 77208-1010

Respectfully: Maurie Mitchell
 Rev. Maurice Mitchell

(1). Plaintiff: MAURICE MITCHELL; EXHIBIT OF
EVIDENCE: [MM-63-2020]

Pages: [1 thru 43]

(2). Plaintiff: DEAN TRAHAN; EXHIBIT OF
EVIDENCE: [DT-52-2020]

Page: [1]

(3). Plaintiff: LOWELL GREEN; EXHIBIT OF
EVIDENCE: [LG-57-2020]

Page: [1]

(4). Plaintiff: ERNEST WHITE; EXHIBIT OF
EVIDENCE: [EW-34-2020]

Page [1].

(5). Plaintiff: ROBERT KERRY MCCLURE; EXHIBIT OF
EVIDENCE [R.K.M-29 - 2020]

pages [2].

Civil Action Noth 4:20-cv-01115

Mr. Maurice Mitchell. Plaintiff
 TDCJ, I-D# 00648121
 Conviction: Possession of Deadly Weapon
 In A penal Institution. Tex. P. C. 46.10
 Cause Noth 98-F-0331-202
 202nd Criminal District Court Bower County
 Over 27 Years Confined Day-For-Day.
 Term 70 years stacked on 25. 95 years
 Up for Parole Each Year Since 2006
 Release To: 2627 Homer Dr. - Houston, Tx, 77088

EXHIBIT OF EVIDENCE: [MM-63-2020]

Pages:

1-6.

6(a) - Shows Restoration of L-1 Class Status
 MANDATORY SUPERVISED RELEASE DATE: 2/27/2025.

Plaintiff has been Deprived of 11 Years Eleven Years.
 and Five Months (5) and Seven days Good-Time,
 work time Bonus Time Credits.

At Page (37) Plaintiff Show a Total of (26) Years Day for Day,
 Served with 11 yrs 5 months & 7 dgs Added: Equals

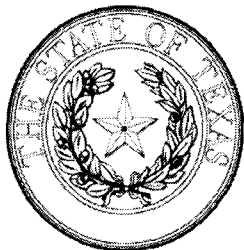
27 yrs	2 months	3 days.
11 yrs	5 months	7 days.
38 yrs,	7 months	10 days and COUNTING.

Pages [6(a) thru 43).

Tested: June 09, 2020

Received: June 17, 2020

(1)



Texas Department of Criminal Justice

Lorie Davis

Correctional Institutions Division, Director

DATE: 06/11/2020

TO: MITCHELL, MAURICE
TDCJ #: 00648121

UNIT: POLUNSKY
HOUSING: 12EF2 83 B

The result of your COVID-19 testing was negative.

Thank you for your participation in our fight against COVID 19. Please remain committed to protocols in place to enhance your safety.

Stay Safe,

Lorie Davis
CID Director

By: [Signature] 6/11/2020
Told her: [Signature] 6/11/2020
By: [Signature] 6/11/2020

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

P.O. Box 99
Huntsville, Texas 77342
www.tdcj.texas.gov

Rev; Maurice Mitchell,[SLT]
Title 22 USC § 5001(5)(A) A Sovereign
AMERICAN NATIONAL
Specialize legal Technician,[SLT]
SOUTHERN CAREER INSTITUTE
The [P]aralegal School of 'Arts' & 'Science'
Valedictorian 1991
ATTORNEY-IN-FACT FOR,his Corporate Fiction
MAURICE MITCHELL,One Legis
Registered; Limited Power of Attorney No#
[R:MM-060275-LPA]
Topeka,KANSAS December 14, 2011
Allan B. Polunsky Unit,TDCJ,I-D
TDCJ, I-D No# 00648121
3872 F.M. 350 South
Livingston, Texas 77351

October 16, 2010

WINSTON & STRAWN, L.L.P
Limited Liability Partnership
A Professional Corporation

Mr. JOHN KEVILLE
Attorney At Law
800 Capital Street, Suite 2400
Houston, Texas 77002

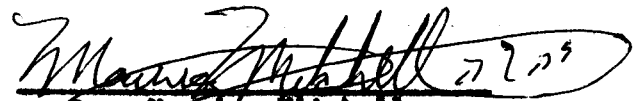
RE: REQUESTING THAT YOU PLEASE CONSIDER FILING THE ENCLOSED AMENDED COMPLAINT
TO YOUR ORIGINAL.

Dear Mr. Keville,

With all due respects Sir, It appears that you simply do not understand the
'Importance' of acknowledging receipt of my mail. If you do not acknowledge, then
I or [WE] as inmates shall assume that you DID NOT RECEIVE the mail because it is
UNIT OFFICIALS MODUS OPERANDI, to SEIZE an inmate's legal mail in hopes of stopping
his efforts for redress.

Please acknowledge receipt.

Respectfully:


Rev; Maurice Mitchell
Holder-In-Due Course
Secured Party Creditor.

P.S: I also mailed to you, a law suit of mine that was wrongfully DISMISSED, whereas
it is clear that I am entitled to redress. Please respond.

cc/files
skf;

(2)

JULY 12. 2020 12:23 A.M.

SWORN AFFIDAVIT

My name is MAURICE MITCHELL, TDCJ, I-D No# 648121 who being over the age of twenty one [21] of sound mind and body, depose and state the following based on the affiant's personal knowledge, understanding and sincerely held belief that;

(1). On or about MAY 29, 2020 (date uncertain), both officer;

KYLIN FRANKLIN, C.O. XII and;

DUSTIN G. DEEMER C.O. XII

were assigned to work E. Block.

Apparently officer KYLIN FRANKLIN, (african American) is always assigned to work on F-Block, where the inmates are in constant confrontations with th officers to the point of throwing various substances on the officers, because of the way they are treated.

On the above date officer Franklin instigated a confrontation with the affiant, and affiant told said officer in the hearing of officer DEEMER; " I'm going to do all I can to get you out of here, Because it appears to me that all you want to do is cause US problems!!!"

On Friday, July 3, 2020 (AFTER WORD SPREAD THAT OFFICER KYLIN FRANKLIN had contracted CORONAS VIRUS, (i.e; COVID-19), this same officer, not being off from work for less then ten (10) days,) he shows up on E- Block passing our RECLASSIFICATION papers for the inmates to come to the door, and sign as he collected them ???? (A SICK MAN)?

He approached affiant's cell, but affiant decline to accept the paper, or sign it.

On JULY 05, 2020 THIS SAME SICK OFFICER SHOWS UP AGAIN. This time he's passing out the PROB. Johnny sacks. Affiant did not get up and go to the door, so the officer dropped the sack into the cell thru the food slot.

On JULY 8, 2020 -suddenly affiant is 'WARD KEY' with what he thought was a cold. On JULY 9, 2020 affiant could not breath good, nose and throat were clogged up with thick mucus, snot, and snivels, due to the thick mucus draining, dripping and causing affiant to sneeze and cough.

I This officer COME AT NOW is KYLER B. FRANKLIN

(3)

AFFIDAVIT OF MAURICE MITCHELL Continued....

(IT IS NOTED THAT ON JUNE 11, 2020 Affiant's TDCJ, I-D OFFICIAL COVID-19 screen test result was returned to him on JUNE 16, 2020 stating "NEGATIVE". Affiant is confident. Aug, 24/7.

Affiant begin to experience bad night sweats, that forced him to have to sleep on a large bath drying towel in order to catch the large quantity of sweat.

July 10, 2020 Affiant is now experiencing "Shut" and "Severe Arthritic" systems. (symptoms). Pain all over the entire body simultaneously. Sweating profusely, day and night. Lethargic.

On July 11, 2020 Affiant informed the sick call nurse that he had been infected with the covid-19 virus, and she stated that she would have him pulled out for examination.

In order to verify that all affiant has stated concerning his physical conditions, the physical body will not lie.

Due to the intense heat, high body temperatures, a large FEVER BLISTER HAS RUPTURED ON THE LEFT SIDE OF AFFIANT'S mouth. Proof, without doubt, of unusual body temperatures.

July 12, 2020 1:33 A.M. at the time of preparing this affidavit, affiant, has recovered substantially, ONLY BECAUSE HE, knows what to do in order to preserve his own life.

Your affiant is 63 years old.

Anything further, affiant sayeth not;

Executed on this the 12, day of JULY 2020, A.D.

Maurice Mitchell 7775
 Mr. Maurice Mitchell
 TDCJ, I-D No# 00648121

Subscribed and sworn to on the undersigned's personal knowledge, under the pains and penalty of perjury on this 12th day of JULY, 2020.

Maurice Mitchell 7775
 Mr. Maurice Mitchell

Maurice Mitchell
 MAURICE MITCHELL
 AUTHORIZED BY STATUTE
 Title 6 Chap. 132.002-132.003
 Tex.Civ.Proc & R. Code
 UNDER PAINS AND PENALTY
 OF PERJURY
 Non-Commissioned
 Date: *July 12, 2020*
 Signed: *Maurice Mitchell* 7775
 Expiration Date: *7/12/2020*



Texas Department of Criminal Justice

STEP 1 OFFENDER GRIEVANCE FORM

OFFICE USE ONLY

4

Grievance #: _____
Date Received: _____
Date Due: _____
Grievance Code: _____
Investigator ID #: _____
Extension Date: _____
Date Retd to Offender: _____

Offender Name: MAURICE MITCHELL TDCJ # 00648121
Unit: Polunsky Housing Assignment: 12;E-83
Unit where incident occurred: ALLEN B. POLUNSKY UNIT

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? MAJOR: MONMAD TAHAMT 7/15/20 I-60 When? [3] different times.

What was their response? FORCED TO REFUSE MEDICAL ATTENTION BY NURSE; GENDOLYN CHARVAT, C.C.A

What action was taken? NO MEDICAL TREATMENT OFFERED, AFTER REPEATED REQUEST..

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

THIS IS AN EMERGENCY GRIEVANCE IN THAT [I] have been intentionally and knowingly given the CORONA VIRUS, COVID-19, in that upon learning that [HE] had covid-19 he was off from work for LESS THAN [10] days. Then the surveillance camera shows that on July 3, 2020 THIS INFECTED OFFICER was at my cell door, 12 E. 83 cell attempting to give me Classification Papers to sign. I REFUSED to accept the papers, KNOWING THIS MAN HAD COVID-19. So he left. TWO DAYS LATER, this SAME SICK MAN is at my door AGAIN, this time PASSING OUT FOOD!!!!

OFFICER: KYLER B. FRANKLIN, C.O. III.

Your grievant was given a Johnny Bask on JULY 5, 2020 by the infected officer as is clearly shown on the surveillance camera, and it is no doubt that this officer either spit on the food, or in some form or fashion put his infected body fluids into the sandwiches, and gave it to your grievant. THIS IS CALLED ATTEMPTED MURDER..

On July 08, 2020 Grievant was HIT HARD with cold like symptoms, and on the following days, his nose throat and entire sinuses were stopped up, clogged with snot, and mucus, and almost unable to breathe. On July 09, 2020 grievant was bedridden, with "GOUT", and "ARTHRITIS" "ARTHRITIS" and "GOUT" pain covering my entire body, Sneezing, coughing, and in constant pain. On July 11, 2020 Grievant told the NURSE, and was told, he'd be pulled out. NO ONE CAME. On July 15, 2020 grievant was given a COVID-19 field test and informed Nurse W. WILLIAMS, that he had been given the virus, intentionally and knowingly from an officer. On this same day, and while in intense pain, the I-60 was sent to the major, and on JULY 09, 2020 Officer; C. ADN C.O. V has taken a sworn affidavit down to the infirmary reporting the attempted Murder, Still no one came to get the dying grievant.

On July 09, 2020 a large FEVER BLISTER appeared on grievant's mouth left upper lip,

and grievant went into his life-saving ritual, of OUT OF BODY EXPERIENCE, and summoned

HIS LATE FATHER TO SUSTAIN HIM. On JULY 15, 2020 per ORDERS of Major TAINAKI, officer:

DARRYL D. HOOVER, C.O.V and a new officer escorted grievant to the infirmary, and an one

UNITED TO PROVIDE MEDICAL ATTENTION. Nurse: GABRIEL W. GIBNEY, C.A.C kept YELLING: "WHAT YOU BRING

HIM DOWN HERE FOR!!!!!!" WHAT YOU BRING HIM DOWN HERE FOR!!!!!!?????" OFFICER:

HOOVER said: "I'M JUST FOLLOWING ORDERS, THE MAJOR SAID BRING HIM, SO I DID. DON'T SMILE THE NURSE!"

Great pain was over. Grievant was in cell working on legal documents, and left all his legal work scattered all over the cell. Upon mentioning that [HE] must go back

to pack his property, THE NURSE NOT WANTING HIM THERE ANYWAY, STATED: "YOU GOT TO REFUSE

Action Requested to resolve your Complaint. TREATMENT IN ORDER TO GO BACK TO YOUR CELL TO PACK UP,

A dirty trick in order to DENY me treatment. I DO NOT NEED TO MOVE. I'M IN QUARANTINE.

PROVIDE ME WITH PROPER MEDICATION, AS REQUESTED ON MY 7/15/2020 SICK CALL REQUEST.

Offender Signature: D.I.B. INVESTIGATION. *M. [Signature]* Date: July 16, 2020

Grievance Response:

Signature Authority: _____ Date: _____

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely Affect the offender's health.

Medical Signature Authority: _____

I-127 Back (Revised 11-2010)

OFFICE USE ONLY

Initial Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

2nd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission UGI Initials: _____

Grievance #: _____

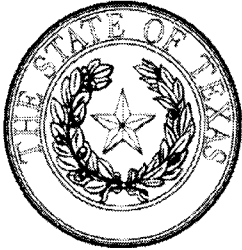
Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

Intentionally infected; July 05, 2020

(5)



Texas Department of Criminal Justice

COVID-19 Test Administered: 7-15-20,

Lorie Davis

7-15-20

Correctional Institutions Division, Director

DATE: 07/19/2020

TO: MITCHELL, MAURICE
TDCJ #: 00648121

UNIT: POLUNSKY
HOUSING: 12EF2 83 B

The result of your COVID-19 testing was positive. You will be placed in Medical Isolation and monitored for 14 days.

If you develop any of the symptoms below, please notify the health care staff who are making rounds in medical isolation areas.

- Fever
- Cough
- Shortness of breath or difficulty breathing
- Chills
- Repeated shaking with chills
- Muscle pain
- Headache
- Sore throat
- New loss of taste or smell

Should you have any additional questions or concerns, please notify security and/or health services personnel.

Thank you for your participation in the fight against COVID-19. Please remain committed to protocols in place to enhance your safety. We are committed to resuming normal operations as soon as it is safe to do so.

Best Regards,

Lorie Davis
CID Division Director

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

P.O. Box 99
Huntsville, Texas 77342
www.tdcj.texas.gov

**CORRECTIONAL MANAGED HEALTH CARE
PROVIDER WRITTEN RESPONSE TO SICK CALL REQUEST**

Rec: 9/24/20

12 FEB 28 T

Patient Name: MITCHELL, MAURICE
TDCJ #: 648121
Date: 09/08/2020 14:22
Facility: POLUNSKY (TL)
Housing: 12EA2 CELL 13

Sick Call Request Date: 9/4

(This communication is to be attached to the sick call request form and returned to the patient.)

This communication is being sent to you to answer your sick call request. If you have questions about the information or do not understand it, you may drop a sick call request for additional information. If you currently are being treated for any medical condition, we would like to encourage you to follow your treatment plan like taking your medication regularly, keeping your scheduled appointments in the clinic and with specialists and coming to clinic for your scheduled treatments and check-ups.

There is no clinical indication for antibiotics in management of COVID infection.

You have Benadryl prescribed for congestion.

You may get Tylenol from the picket if needed for body aches and fever.

Electronically Signed by REILLEY, PAUL K. PA on 09/08/2020.
##And No Others##

Left TO DIE!!!

REPORT: ITS40950-B T.D.C.J. - INSTITUTIONAL DIVISION
107 INMATE TRACKING SYSTEM
COMMITMENT DATA FORM

12/13/2019

PAGE 1

SID NO....: 02592332 TDC NO: 00648121 PIA NO:
NAME.....: MITCHELL, MAURICE DOB: 06/02/1957 RACE: B SEX: M
RECEIVED...: 09/08/1993 UNIT...: TL POLUNSKY
SENT BEGN.: 02/01/1993 L3
NET SENT...: 0095Y 00M 00D LEGISLATURE: 72ND OUT OF CUST.:
MIN EXP DT: 06/10/2085 MS CALC CD.: Y BONUS TIME...: 0
MAX EXP DT: 06/10/2085 PAR CALC CD: FLAT & GOOD TDC CALC PAR: 05/23/2030

OFFENSE DESCRIPTION	MAX. TERM YMD /SENT BEG /MIN EXP /OUT OF CUST.	OFF DATE /MAX EXP	SENT DATE /PAROLE	CC P COURT/COUNTY CU L CAUSE
------------------------	---	----------------------	----------------------	---------------------------------

0070Y 00M 00D 10/24/1996 12/29/1999 CU N 202 BOWIE
06/11/2015 JAIL GT:Y 98-F-331-202 CNT:00
01/01/0001 01/01/0001 01/01/0001 MSCLC: PRLCL:N
DEC: LJ00090 QCC: SD00108

CONSECUTIVE RELATIONSHIPS:

001 662120 00 98-F-331-202 00
JAIL GOOD TIME CREDITED FROM SENTENCE BEGIN DATE
70/72/73/80/81/82/83/84/85TH LEG:MANDATORY SUPV PROSPECT

REMARKS....: 10/21/2019 DISCIPLINARY CASE: 20200000482
FORFEITED TIME
DAYS LOST.....30
DAYS LOST.....1953
BAL GDTM LST.....2189

ECS

12-12-2019 UNSTACKED/STACKED NF/JL

Rec'd August 21, 2020

REPORT: ITS40950-B T.D.C.J. - INSTITUTIONAL DIVISION
107 INMATE TRACKING SYSTEM
COMMITMENT DATA FORM

09/08/2020

PAGE 1

SID NO....: 02592332 TDC NO: 00648121 PIA NO:
NAME.....: MITCHELL, MAURICE DOB: 06/02/1957 RACE: B SEX: M
RECEIVED...: 09/08/1993 UNIT...: TL POLUNSKY
SENT BEGN.: 02/01/1993 L1
NET SENT...: 0095Y 00M 00D LEGISLATURE: 72ND OUT OF CUST.:
MIN EXP DT: 06/10/2085 MS CALC CD.: 4 BONUS TIME...: 0
MAX EXP DT: 06/10/2085 PAR CALC CD: FLAT & GOOD TDC CALC PAR: 02/27/2025

OFFENSE DESCRIPTION	MAX. TERM YMD /SENT BEG /MIN EXP /OUT OF CUST.	OFF DATE /MAX EXP	SENT DATE /PAROLE	CC P COURT/COUNTY CU L CAUSE
------------------------	---	----------------------	----------------------	---------------------------------

0070Y 00M 00D 10/24/1996 12/29/1999 CU N 202 BOWIE
06/11/2015 JAIL GT:Y 98-F-331-202 CNT:00
01/01/0001 01/01/0001 01/01/0001 MSCLC: PRLCL:N
DEC: LJ00090 QCC: SD00108

CONSECUTIVE RELATIONSHIPS:

001 662120 00 98-F-331-202 00
JAIL GOOD TIME CREDITED FROM SENTENCE BEGIN DATE
70/72/73/80/81/82/83/84/85/86TH LEG:MANDATORY SUPV PROSPECT

REMARKS...: ON 09/04/2020 PROMOTED TO: L1 EFF DATE: 09/01/2020
LB
9/8/20 UNSTACK/RESTACK
JL

UNIT COPY
ITS40952T.D.C.J.-INSTITUTIONAL DIVISION
INMATE TIMESLIPS

09/08/2020-107

MITCHELL, MAURICE

TDC:00648121 SID:02592332 UNIT: FL
HOUSING/BED: 12FB2 B28*PRJ-REL-DATE: 06 10 2085
*INMATE STATUS: L1 WMAX-EXP-DATE: 06 10 2085
MAX TERM: 95 00 00FLAT TIME CREDITED: 27 07 05
GOOD TIME CREDITED: 0 01 27
BONUS TIME CREDITED: 0 00 00
WORK TIME CREDITED: 0 01 29
*TOTAL TIME CREDITED: 27 11 01CALC BEGIN DATE: 02 01 1993
TDC RECEIVE DATE: 09 08 1993
GOOD TIME LOST: 2191
WORK TIME LOST: 1951

*STATUS EFFECT DATE: 09 01 2020

JAIL GOOD TIME RECEIVED: YES

DEC: DB00061 QCC: SD00108

*TIME CALCULATIONS DO NOT INCLUDE ABSENCES FOR CURRENT MONTH
PAROLE DATA: INTERVIEW DATE 03/10 TDC CALC. DATE 02/25

(7)

SID: 02592332 TDCJ: 00648121 NAME: MITCHELL, MAURICE
UNIT: TL HSNL LOC 12EA2 13 B ITP DUE: 04/06 LAST PRINTED:

PAROLE VOTED	WINDHAM SCHOOL DISTRICT	COLLEGE	INTENSIVE VOLUNTEER PROGRAMS
PRSAP	ACADEMIC	CA2Y	
IPTC	VOCATIONAL	BA	
DWI	COGNITIVE SKL	MA	
PRTC	PARENTING	AAS	
SOEP	ON-THE-JOB	COLLEGE VOC	

REQUEST FOR L E A V E TO FILE THE ENCLOSED Non-Superseding AMENDED COMPLAINT, continued...

..... [C]lass of UNNAMED inmates confined to the ALLEN B. POLUNSKY Unit, of the TEXAS DEPARTMENT OF CRIMINAL JUSTICE, Institutional Division located in POLK County Livingston, Texas in that many of the inmates have been 'intentionally & knowingly' [I]nfected with the "KNOWN DEADLY COVID-19 Corona Virus, and totally and completely left in their individual cells, "TO DIE" and in face of continuous request for RELIEF, and medical attention, are told; "WE WILL NOT SEE YOU!!!!!!".

See; ENCLOSED EVIDENCE Plaintiff; MAURICE MITCHELL, Exhibit of Evidence [MM-63-2020] Pages, (1, COVID-19 negative) page (5) COVID-19 POSITIVE, Page2 thru 3 'intentionally infected with virus, Pages 17 thru 20 & page 3(a) thru 3(b). "LEFT TO DIE" and denied all manner of treatment, or help!!!!

I.

COUNSEL OF RECORD, REFUSES TO RESPOND TO REQUEST TO AMEND

(a). As shown on the enclosed SEPTEMBER 21, 2020 LETTER addressed to the Plaintiff's inmate's attorney of record, He refuses to respond to request to Amend and again on OCTOBER 16, 2020 Plaintiff class representative wrote counsel of records and THEY again refuse to acknowledge receipt of the AMENDED COMPLAINT.

II.

*CONCLUSION *

WHEREFORE, Premises Considered, plaintiff class members herein, request LEAVE of this HONORABLE COURT, for just cause, and in good-faith, that permission shall in all things be "GRANTED", and that the clerk's office be ordered to SERVE a copy of this AMENDED COMPLAINT upon the Defense Counsel, the Defendant's counsel, the office of the Attorney General, and Plaintiff's Attorney of records, and to RETURN A COPY of this AMENDED COMPLAINT to the Plaintiffs named on page one herein, along

8

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Security Detention Level Review/Placement on Restriction

E-13

I. OFFENDER INFORMATION

Offender Name: MITCHELL, MAURICE; TDCJ Number: 645121; Custody: 13/1A; Unit: TL

II. PLACEMENT ON RESTRICTION (Initial Placement ONLY)

Instructions: The highest-ranking security supervisor on duty has the authority to initially place an offender on restriction. The shift supervisor (may be the same individual) shall document the placement in Sections I. and II. of this form; and then notify the unit classification committee (UCC) or the restrictive housing committee (RHC) by providing them this form intact.

As of (date) _____, at (time) _____, the above-named offender has been placed on restriction, in accordance with SM-01.29, "Offender Management Restrictions." [NOTE: Place a ☒ in front of each restriction imposed]:

☐ Paper gown; ☐ Paper mask; ☐ Food loaf
☐ Personal property (i.e., container; hard plastic; lock; metal; hotpot; etc.)

• List specific property restricted: _____

☐ State-Issued property (i.e., mattress; blanket; sheet; etc.)

• List specific property restricted: _____

Reason for placement: _____

Documented by: _____

(Print Name)

(Rank and Title)

(Signature)

(Date)

➔ The restriction(s) may only continue up to 24 hours without review by the UCC/RHC (or until their earliest following workday).

III. UCC / RHC REVIEW

Instructions: This section shall be used for both UCC and RHC reviews. If the form is being used for a *subsequent review, the RHC must ensure Section I (Offender Information) is completed and the previous I-203 is available for review.

REVIEW: (☒ one) ☐ Initial; ☒ *Subsequent; Review held on 9/1/2020 at (9:31) by the (☒ one) ☐ UCC; ☒ RHC.
(Date) (Time)

Type of Review: ☐ Restriction; ☐ 7-day; ☒ 30-day; ☒ Special Review;

RESTRICTIONS: The UCC/RHC has reviewed the offender's record and has decided to either impose, continue, or discontinue restrictions, as noted below:

- Paper gown? ☐ YES; ☐ NO

Review/Expiration Date: _____

- Food loaf? ☐ YES; ☐ NO

Review/Expiration Date: _____

- Personal property? ☐ YES; ☐ NO

Review/Expiration Date: _____

• List specific property restricted: _____

- State-Issued property? ☐ YES; ☒ NO

Review/Expiration Date: _____

• List specific property restricted: _____

LEVEL: ☒ I; ☐ II; or ☐ III

Justification for decision(s):

LINE CLASS/30 DAY REVIEW P100001

Committee Members (Print name and rank or title):

S. Helms

; and

IV. OFFENDER NOTIFICATION

Instructions: Correctional staff shall notify the offender that the UCC/RHC decision will expire on the date indicated or be reviewed for continuation, request the offender to sign (if the offender refuses, document the refusal), and provide the offender a copy of the completed document.

Notified by:

Speck
(Employee -- print name and sign initials)

9-1-20 2030
(Date and Time)

Refused to Sign
(Offender signature and date)

Received: 9-1-2020

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Security Detention Level Review/Placement on Restriction

E-13

I. OFFENDER INFORMATION

Offender Name: MITCHELL, MAURICE; TDCJ Number: 648121; Custody: L3/1A; Unit: 7L

II. PLACEMENT ON RESTRICTION (Initial Placement ONLY)

Instructions: The highest-ranking security supervisor on duty has the authority to initially place an offender on restriction. The shift supervisor (may be the same individual) shall document the placement in Sections I. and II. of this form; and then notify the unit classification committee (UCC) or the restrictive housing committee (RHC) by providing them this form intact.

As of (date) _____, at (time) _____, the above-named offender has been placed on restriction, in accordance with SM-01.29, "Offender Management Restrictions." [NOTE: Place a $\checkmark$ in front of each restriction imposed]:

☐ Paper gown; ☐ Paper mask; ☐ Food loaf
☐ Personal property (i.e., container; hard plastic; lock; metal; hotpot; etc.)

• List specific property restricted: _____

☐ State-Issued property (i.e., mattress; blanket; sheet; etc.)

• List specific property restricted: _____

Reason for placement: _____

Documented by: _____

(Print Name)

(Rank and Title)

(Signature)

(Date)

→ The restriction(s) may only continue up to 24 hours without review by the UCC/RHC (or until their earliest following workday).

III. UCC / RHC REVIEW

Instructions: This section shall be used for both UCC and RHC reviews. If the form is being used for a *subsequent review, the RHC must ensure Section I (Offender Information) is completed and the previous I-203 is available for review.

REVIEW: ($\checkmark$ one) ☐ Initial; ☒ *Subsequent; Review held on 8/3/2020 at 1102 by the ($\checkmark$ one) ☐ UCC; ☒ RHC.
 (Date) (Time)

Type of Review: ☐ Restriction; ☐ 7-day; ☒ 30-day; ☐ Special Review;

RESTRICTIONS: The UCC/RHC has reviewed the offender's record and has decided to either impose, continue, or discontinue restrictions, as noted below:

- Paper gown? ☐ YES; ☒ NO

Review/Expiration Date: _____

- Food loaf? ☐ YES; ☒ NO

Review/Expiration Date: _____

- Personal property? ☐ YES; ☒ NO

Review/Expiration Date: _____

• List specific property restricted: _____

- State-Issued property? ☐ YES; ☒ NO

Review/Expiration Date: _____

• List specific property restricted: _____

LEVEL: ☒ I; ☐ II; or ☐ III

Justification for decision(s): none

Committee Members (Print name and rank or title): M. Corbett et al; and _____

IV. OFFENDER NOTIFICATION

Instructions: Correctional staff shall notify the offender that the UCC/RHC decision will expire on the date indicated or be reviewed for continuation, request the offender to sign (if the offender refuses, document the refusal), and provide the offender a copy of the completed document.

Notified by: Dominique H
 (Employee print name and sign initials)

08-20/2020
 (Date and Time)

refused to sign
 (Offender signature and date)

received 8-30-19

10

Rev; Maurice Mitchell
 Specialize Legal Technician(ELT),
 SOUTHERN CAREER INSTITUTE
 The [P]aralegal School of 'Arts' & 'Science'
 [P]aralegal No6 [P]-79-9169-1
 Valedictorian 1991
 Allen B. Polunsky Unit, TDCJ, I-D
 TDCJ, I-D No6 00648121
 3872 P.M. 350 South
 Livingston, Texas 77351

JULY 20, 2020.

Mr. William Barr
 OFFICE OF THE UNITED STATES
 OF AMERICA - ATTORNEY GENERAL
 5614 Department of Justice,
 950 Pennsylvania Ave, N.W.
 Washington, D.C. 20530-00001

Mr. William Lee Han
 Polk County, Criminal District
 Attorney's Office
 101 West Mill Street, Suite 247
 Livingston, Texas
 77351

-HANK LAMB -
 The Prison Talk Show Radio
 KPFT 90.1 P.M. Radio - Houston
 Media Correspondence
 419 Lovett Blvd
 Houston, Texas 77036

Mr. Eddie Frankum
 - HALO - Private Investigators
 Attorney At Law
 410 North 14th Street
 Carrollton, Texas 75110

Ms. Loris Davis, Director,
 TEXAS DEPARTMENT CORONAL JUSTICE,
 Institutional Division
 P. O. Box 99
 Huntsville, Texas 77342-0099

Hon; TOM BROWN, Judge
 Polk County, Judicial Center
 101 West Mill Street, Suite 157
 Livingston, Texas
 77351

RE: MAURICE MITCHELL V. CODY WEBB, et, al
 UNITED STATES DISTRICT COURT-EASTERN DISTRICT OF TEXAS
 Civil Action No6 4;19-CV-03820

Dear Mad'am/Sir,

PLEASE!! Please be advised, that this is the THIRD TIME, that TDCJ, officials have tried to take my life, to literally Kill Me, and in face of my continuous efforts to expose these plots, all my efforts are falling on deaf ears. In the above civil action number, a Sergeant, by ORDERS of Captain Webb, STRUCK ME IN THE RIGHT SIDE TOP OF THE HEAD WITH HANDCLIPPED GLAD HANDS IN FRONT OF FIVE BLACK NURSES, and on CAMERA, with impunity. I filed suit, and the crooked Judge DISMISSED the suit under the three strike rule, in face of 911 emergency ambulance call to rush me to HUNTSVILLE MEMORAL HOSPITAL with a hole in my head and blood everywhere.

Now, in broad open day light and on camera they infect me with the covid-19 virus, in an attempt to Murder me again!!!.

Please see the enclosed sworn Affidavit, and contact me with your intent, to help me in these crucial matters. I'm requesting protective custody, and criminal investigation, from these criminals. Please respond. And publish my plight.

Respectfully:

Rev; Maurice Mitchell

sf.;

**CORRECTIONAL MANAGED HEALTH CARE
PROVIDER WRITTEN RESPONSE TO SICK CALL REQUEST**

8/13/20
35

Patient Name: MITCHELL, MAURICE
TDCJ #: 648121
Date: 08/12/2020 13:31
Facility: POLUNSKY (TL)
Housing: 12EA2 CELL 13

Sick Call Request Date: 8/8

(This communication is to be attached to the sick call request form and returned to the patient.)

This communication is being sent to you to answer your sick call request. If you have questions about the information or do not understand it, you may drop a sick call request for additional information. If you currently are being treated for any medical condition, we would like to encourage you to follow your treatment plan like taking your medication regularly, keeping your scheduled appointments in the clinic and with specialists and coming to clinic for your scheduled treatments and check-ups.

Started Meds:

DIPHENHYDRAMINE 25MG CAPSULE
PROVIDER: REILLEY, PAUL K
REFILLS: 0 / 2

1 CAPS ORAL TWICE DAILY for 30 Days

START DATE: 08/12/2020 13:31 PM
EXPIRATION DATE: 11/10/2020 13:31 PM

Electronically Signed by REILLEY, PAUL K. PA on 08/12/2020.
##And No Others##

36

Rec: 4/23/20
8:20 PM.
Thursday

**CORRECTIONAL MANAGED HEALTH CARE
PROVIDER WRITTEN RESPONSE TO SICK CALL REQUEST**

Patient Name: MITCHELL, MAURICE
TDCJ #: 648121
Date: 04/22/2020 10:30
Facility: POLUNSKY (TL)
Housing: 12EF2 CELL 83

Sick Call Request Date: 4/18

(This communication is to be attached to the sick call request form and returned to the patient.)

This communication is being sent to you to answer your sick call request. If you have questions about the information or do not understand it, you may drop a sick call request for additional information. If you currently are being treated for any medical condition, we would like to encourage you to follow your treatment plan like taking your medication regularly, keeping your scheduled appointments in the clinic and with specialists and coming to clinic for your scheduled treatments and check-ups.

Started Meds:

CLOTRIMAZOLE 1% CREAM 15GM

PROVIDER: REILLEY, PAUL K

REFILLS: 0 / 0

1 APPLICS TOPICALLY TWICE DAILY for 90 Days
 KOP
 Special Instructions: APPLY THIN LAYER
 SPARINGLY

START DATE: 04/22/2020 10:34 AM

EXPIRATION DATE: 7/21/2020 10:34 AM

DIPHENHYDRAMINE 25MG CAPSULE

PROVIDER: REILLEY, PAUL K

REFILLS: 0 / 2

1 CAPS ORAL TWICE DAILY for 30 Days

START DATE: 04/28/2020 10:32 AM

EXPIRATION DATE: 7/27/2020 10:32 AM

THERA DERM BODY LOTION 8OZ

PROVIDER: REILLEY, PAUL K

REFILLS: 0 / 0

1 APPLICS TOPICALLY EVERY EVENING for 90
 Days KOP

START DATE: 05/26/2020 10:33 AM

EXPIRATION DATE: 8/24/2020 10:33 AM

Other medications expire in August.

Electronically Signed by REILLEY, PAUL K. PA on 04/22/2020.
 ##And No Others##

12EF
83

MITCHELL, MAURICE

TDC:00648121 SID:02592332 UNIT: TL
HOUSING/BED: 12EF2 B83

*PRJ-REL-DATE: 06 10 2085 MAX-EXP-DATE: 06 10 2085
*INMATE STATUS: L3 W MAX TERM: 95 00 00

FLAT TIME CREDITED: 26 10 14 CALC BEGIN DATE: 02 01 1993
GOOD TIME CREDITED: 0 01 23 TDC RECEIVE DATE: 09 08 1993
BONUS TIME CREDITED: 0 00 00 GOOD TIME LOST: 2191
WORK TIME CREDITED: 0 01 26 WORK TIME LOST: 1951
*TOTAL TIME CREDITED: 27 02 03

*STATUS EFFECT DATE: 11 24 2018 JAIL GOOD TIME RECEIVED: YES

DEC: DB00061 QCC: SD00108

*TIME CALCULATIONS DO NOT INCLUDE ABSENCES FOR CURRENT MONTH
PAROLE DATA: INTERVIEW DATE 03/10 TDC CALC. DATE 05/30

JULY 12, 2020A.D. 12:23 A.M.

39

SWORN AFFIDAVIT

My name is MAURICE MITCHELL, TDCJ, I-D No# 648121 who being over the age of twenty one [21] of sound mind and body, depose and state the following based on the affiant's personal knowledge, understanding and sincere-

38

I - 60
R E Q U E S T

TO: MAJOR M. TAHUMI, 12 Bldg Major;

Date: January 06, 2020.

Address: 3872 F.M. 350, South

cc/files

cold. On JULY 09, 2020 - affiant could not breath good, nose and throat was clogged up with thick mucus, snott, and snivels, due to the thick mucus craining, dripping and causing affiant to sneeze and cough.

40

AFFIDAVIT OF MAURICE MITCHELL, Continued...

(IT IS NOTED THAT ON JUNE 11, 2020 Affiant's TDCJ, I-D OFFICIAL COVID-19 screen test results was returned to him on JUNE 14, 2020 stating: "NEGATIVE". Affiant is confined in AD-SEG, 24/7.

Affiant began to experience bad night sweats, that forced him to sleep on a large bath drying towel in order to catch the large quantity of sweat.

July 10, 2020 - Affiant is now experiencing "SEMT" and "Severe Arthritis" symptoms". Pain all over the entire body simultaneously. Sweating profusiously, day and night., Lethargic.

On July 11, 2020 - Affiant informed the sick call nurse that he had been infected with the covid-19 virus, and she stated she would have him pulled out for examination. In order to verify that all affiant has stated concerning his physical conditions, the physical body will not lie.

Due to the intense heat, high body temperatures, a large FEVER BLISTER HAS RUPTURED ON THE LEFT SIDE OF AFFIANT'S mouth. Proof, without doubt of the unusual body temperatures.

July 12, 2020 (1:35, A.M.) at the time of preparing this affidavit, affiant has recovered substantially, ONLY BECAUSE HE, knows what to do in order to preserve his own life.

Your affiant is [63] years old.

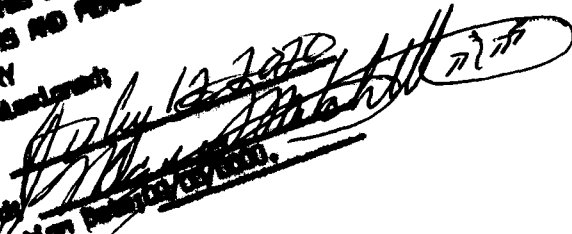
Anything further, affiant sayeth not;

Executed on this 12th day of JULY 2020, A.D.


Mr. Maurice Mitchell
TDCJ, I-D No# 00646121

Subscribed and sworn to on the undersigned's personal knowledge, under the pains and penalty of perjury on this 12th day of JULY, 2020.


Mr. Maurice Mitchell

MAURICE MITCHELL
AUTHORIZED BY STATUTE
Title 6 Chap. 132.003 -132.003
Tex. Gov. Prop. & R. Code
LEADER PAINS AND PENALTY
IN FIDELITY
Non-Commissioned
Date: July 12, 2020
Signature: 
Expiration: August 10, 2020



Texas Department of Criminal Justice

STEP 1

OFFENDER GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 41
 Date Received: _____
 Date Due: _____
 Grievance Code: _____
 Investigator ID #: _____
 Extension Date: _____
 Date Retd to Offender: _____

Offender Name: MAURICE MITCHELL TDCJ # 646121
 Unit: POLUNSKY Housing Assignment: 12 E; 83 cell
 Unit where incident occurred: ALLEN B. POLUNSKY Unit

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Officer ROGER BURK, C.O. V When? 03/30/20
 What was their response? SHE SAID SHE GAVE YOU MATERIALS, Friday 03/27/20
 What action was taken? I received I-60 requesting legal materials WHAT I DID NOT RECEIVE!!

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

This is an EMERGENCY GRIEVANCE. INDIRECT RETALIATION, as foreseen.

Please be advised, that on FEBRUARY 25, 2020 LEGAL PROCEEDINGS were instituted against
officer: ALICE R. MARIARITY C. O. IV in Polk County Court at law, and a copy of the
COMPLAINT was served upon officer Mariarity by me.

The Complaint states explicitly, that any retaliation whether directly, or
indirectly, resulting from the utilization of a LEGAL Process, will swiftly cause the facili-
ating PEACE BOND, with the polk county court at law, and the launching of criminal investiga-
tion and criminal charges for violation of the civil rights of a person in custody.

On TUESDAY March 31, 2020 Officer Alice R. Mariarity C.O. IV came on 12 Building
E Block picking up General Library Books, and went to every cell that had books and picked
those books up, however, she went to cell 82 and obtained his book, then passed grievant
up, cell 83 and went to cell 84 and picket up his book. She left the book in my cell with
"INTENT" to tell library staff, that I STOLE THE BOOK.

ALSO, officer ALICE R. MARIARITY has..... RECRUITED
Her long time school mate, friend, and possible family member, officer: CRYSTAL N. ASH,
C.O. IV. Law Library staff. On FEBRUARY 31, 2020 Officer: ROGER BURKS, C.O. IV law
library staff came to grievant's cell, and stated: MS ASH SAYS SHE GAVE YOU LEGAL MATERIALS
ON FRIDAY, and I COME TO PICK THEM UP!!!

Please be advised, that this is a complete 'LIE' and indirect retaliation on
behalf of Alice R. Mariarity. LAW LIBRARY HAS BEEN DENYING ME ACCESS FOR ALMOST FOUR
WEEKS, and NOONE DELIVERED TO ME ANY LEGAL MATERIALS ON FRIDAY. I am requesting investi-
gation. Please ask this officer the 'Time' she gave me anything, and this is why, WE
HAVE SURVEILLANCE CAMARAS. Please review the camera for FRIDAY MARCH 27, 2020 and you

REASON WHAT SO EVER, and did not give me any law materials at all.

I have told Major. MOHAMMAD TAMIMI, that officer: ALICE R. MARIARITY will retaliate on three different occasions, and each time, he stated " SHE IS NOT GOING TO RETALIATE AGAINST YOU. !!!" Major, I'VE BEEN HERE 30 YEARS, and this is what the devil does. Please controls your officers.

Now, Law library staff will come down to tore up my cell, and confiscate my legal documents on pretext, that I have their fabricated legal work, in order to justify taking my legal documents. and to DENY ME ACCESS TO THE LAW LIBRARY. On March 31, 2020 officer

ASH sent me an I-60 stating THAT I WILL RECEIVE NO MORE LEGAL MATERIALS UNTIL THEY GET BACK. SOMETHING

Action Requested to resolve your Complaint. THAT I DON'T EVEN HAVE.

PLEASE CALL ME OUT FOR AN INTERVIEW, ABOUT THIS INDIRECT RETALIATION, AND STOP YOUR OFFICERS FROM THIS COLLUSION, AND RETALIATORY MEASURES.

Offender Signature: _____ Date: APRIL 01, 2020.

Grievance Response:

Signature Authority: _____ Date: _____
If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely Affect the offender's health.

Medical Signature Authority: _____

OFFICE USE ONLY

Initial Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____
2nd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____
3rd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Security Detention Level Review/Placement on Restriction

I. OFFENDER INFORMATION

Offender Name: Mitchell, Maurice TDCJ Number: 148121; Custody: 18/1A; Unit: TZ

II. PLACEMENT ON RESTRICTION (Initial Placement ONLY)

Instructions: The highest-ranking security supervisor on duty has the authority to initially place an offender on restriction. The shift supervisor (may be the same individual) shall document the placement in Sections I. and II. of this form; and then notify the unit classification committee (UCC) or the restrictive housing committee (RHC) by providing them this form intact.

As of (date) _____, at (time) _____, the above-named offender has been placed on restriction, in accordance with SM-01.29, "Offender Management Restrictions." [NOTE: Place a ☒ in front of each restriction imposed]:

☐ Paper gown; ☐ Paper mask; ☐ Food loaf
☐ Personal property (i.e., container; hard plastic; lock; metal; hotpot; etc.)

• List specific property restricted: _____

☐ State-Issued property (i.e., mattress; blanket; sheet; etc.)

• List specific property restricted: _____

Reason for placement: _____

Documented by: _____

(Print Name)

(Rank and Title)

(Signature)

(Date)

➔ The restriction(s) may only continue up to 24 hours without review by the UCC/RHC (or until their earliest following workday).

III. UCC/RHC REVIEW

Instructions: This section shall be used for both UCC and RHC reviews. If the form is being used for a *subsequent review, the RHC must ensure Section I (Offender Information) is completed and the previous I-203 is available for review.

REVIEW: (☒ one) ☐ Initial; ☒ *Subsequent; Review held on 7/3/2020 by the (☒ one) ☐ UCC; ☒ RHC.
(Date) (Time)

Type of Review: ☐ Restriction; ☐ 7-day; ☒ 30-day; ☐ Special Review;

RESTRICTIONS: The UCC/RHC has reviewed the offender's record and has decided to either impose, continue, or discontinue restrictions, as noted below:

- Paper gown? ☐ YES; ☒ NO

Review/Expiration Date: _____

- Food loaf? ☐ YES; ☐ NO

Review/Expiration Date: _____

- Personal property? ☐ YES; ☒ NO

Review/Expiration Date: _____

• List specific property restricted: _____

- State-Issued property? ☐ YES; ☒ NO

Review/Expiration Date: _____

• List specific property restricted: _____

LEVEL: ☒ I; ☐ II; or ☐ III

Justification for decision(s): _____

Committee Members (Print name and rank or title): _____

; and _____

IV. OFFENDER NOTIFICATION

Instructions: Correctional staff shall notify the offender that the UCC/RHC decision will expire on the date indicated or be reviewed for continuation, request the offender to sign (if the offender refuses, document the refusal), and provide the offender a copy of the completed document.

Notified by: Roger Franklin SR
(Employee -- print name and sign initials)

7/3/2020
(Date and Time)

[Signature]
(Offender signature and date)

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
HEALTH SERVICES DIVISION
SICK CALL REQUEST

(43)

REQUESTING
Single Dossage
until K.O.P. Arrives.

PART A: (To be completed by offender)

Offender's Name: M. Mitchell

Date: 8-25-20

Work Assignment: NA

TDCJ No.: 648121

Wing No: 12 E 13

Work Hours: NA

Service needed: ☒ Medical ☐ Dental ☐ Mental Health ☐ Other:

Reason for Health Services Appointment: Need Re-fill on AMLODIPINE High Blood Pressure, Benadryl for itching & Sinuses & All MEOS renewal

How long have you had this problem?

Hours: 05 Days: 1

"In accordance with state law, if this visit meets offender annual health care services fee criteria, I understand that my trust fund account may be charged a \$13.55 health care services fee. I also understand that I will be provided access to health care services regardless of my ability to pay this fee."

Not A Bill

Signature of Offender

Part B: (To be completed by medical personnel - Do not write below this line)

Medical Reply: Renewed 8/26/20

[Signature]

Medical Staff Member's Signature

AUG 27 2020

Date

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

NOV 10 2020

David J. Bradley, Clerk of Court

LADDY CURTIS VALENTINE §
RICHARD ELVIN KING §
° MAURICE MITCHELL §
° DEAN TRAHAN §
° LOWELL GREEN §
° ERNEST WHITE, AND:
° ROBERT KERRY McCLURE, III; individually
and on Behalf of those similarly situated;
[P]laintiff&s•.

VERSUS:

Civil Action No# 4:20-CV-01115

BRYAN COLLIER. in his official capacity, §
ROBERT HERRERA, in his official capacity, §
LORIE DAVIS, in her individual capacity, and;
KYLER BE. FRANKLIN, C.O.III: in his individual capacity,
AND: THE TEXAS DEPARTMENT CRIMINAL JUSTICE, I-D.
[D]efendant(s),

§

P L A I N T I F F (S)

FIRST AMENDED CLASS ACTION COMPLAINT

AND APPLICATION FOR TEMPORARY RESTRAINING O R D E R

AND OTHER INJUNCTIVE RELIEF-IMMEDIATE MEDICAL

R E L E A S E FOR [I]NFECTED & VULNERABLE INMATE(S).

* MOTION FOR L E A V E TO SO FILE *

TO THE HONORABLE JUDGE OF SAID COURT:

Comes Now MAURICE MITCHELL, TDCJ, I-D No# 00648121, LOWELL GREEN
TDCJ, I-D No# 00518622. these [TWO] specific Plaintiffs being UNDER
the three [3] strike rule of Title 28 U.S.C. § 1915[g], pass the
"BAR" due to the clear, and apparent "THREAT" OF IMMINENT DANGER" Posed by the
DEADLY VIRUS OF COVID-19. See; BANDS V. O'GUIN 144 F.3d 883 [5th Cir 1998]. CIARAPAGLINI V. SAINI
352 F.3d 328,330 [7th-Cir 2009], HUNT V. UPHOFF 199 F.3d 1220[10th-Cir 1999], and are therefore
eligible to join this class action [WITHOUT] the necessity of paying a filing fee,
along with Class of plaintiff's DEAN TRAHAN, TDCJ, I-D No# 2157829, ERNEST WHITE,
TDCJ, I-D No# 02009027 and ROBERT KERRY McCLURE, III TDCJ, I-D No# 02151961 and the

Civil Action no# 4:20-cv-01115

Mr. Dean Trahan

TDCJ: I.D # 2157829

Conviction: Possession of Control Substance in restricted zone.

Tex. Health & Safety Code § 481.114-115

Cause no# _____

_____ Criminal District Court _____ County.

18 years Term: Up for Parole in 2022.

Released To: Address: _____

EXHIBIT OF EVIDENCE: [DT-52-2020]

Pages: [44]

Civil Action No# 4:20-CV-01115

Mr. Lowell Green
TDCJ. I-D No# 518622

Conviction: _____

Tex. Penal Code: _____

_____ Criminal District Court of Dallas County, Texas

over [30] years Served Day-For-Day.

Up for Parole Since 2002 - Life Years.

Release To Dallas County.

EXHIBIT OF EVIDENCE [L - Green [LC-57-2020]]

Pages [45]

Civil Action No[#] 4:20-CV-01115

Mr. Ernest White

TDCJ, I-D #02009027

Conviction: _____,

Texas Penal Code: _____.

Cause no[#] _____.

OVER _____ Years Served Day for Day _____.

Term: _____ Years.

Just received a three (3) Years set off.

EXHIBIT OF EVIDENCE: [EW-34-2020]

Page [1],

(1)

PDKAR008AAHNTL

STATE OF TEXAS
BOARD OF PARDONS AND PAROLES

02/26/2020

PAGE 1

NOTICE OF PAROLE PANEL DECISION

NAME: WHITE, ERNEST

SID NUMBER: 06420726

TDCJ-ID NUMBER: 02009027

TDCJ-ID UNIT OF ASSIGNMENT: POLUNSKY

HOUSING ASSIGNMENT: 12-E-F ROW-2

CELL: 84 ✓

SUBJECT: Decision Not to Grant Parole - NEXT REVIEW

After a review of your case, the Board of Pardons and Paroles decision is not to grant you parole and has set your next parole review date as 02/2023.

You have been denied parole for the reason(s) listed below:
One or more components indicated in each paragraph listed below may apply, but only one is required.

- 1D. THE RECORD INDICATES THAT THE OFFENDER HAS REPEATEDLY COMMITTED CRIMINAL EPISODES THAT INDICATE A PREDISPOSITION TO COMMIT CRIMINAL ACTS UPON RELEASE.
- 2D. THE RECORD INDICATES THE INSTANT OFFENSE HAS ELEMENTS OF BRUTALITY, VIOLENCE, ASSAULTIVE BEHAVIOR, OR CONSCIOUS SELECTION OF VICTIM'S VULNERABILITY INDICATING A CONSCIOUS DISREGARD FOR THE LIVES, SAFETY, OR PROPERTY OF OTHERS, SUCH THAT THE OFFENDER POSES A CONTINUING THREAT TO PUBLIC SAFETY.
- 11D. OTHER - 11D-INSTITUTIONAL ADJUSTMENT-LC3

The Institutional Division will monitor your treatment plan progress and will report your progress to the Board of Pardons and Paroles.

Should you have any questions regarding this notice you are to contact your unit Institutional Parole Office.

Civil Action no# 4:20-cv-01115

Mr. Robert Kerry McClure

TDCJ, I-D #02151961

Conviction: Aggravated Robbery

Texas Penal Code 29.03

240 Criminal District Court Fort Bend County, Texas

OVER three (3) Years served Day for Day.

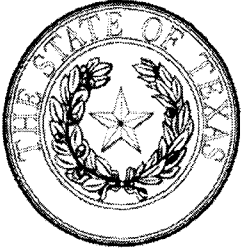
Up for Parole December 13, 2022

Release To: 1602 Enclave Parkway #1723

Houston, Texas 77077

EXHIBIT OF EVIDENCE: [RKC-29-2020]

Page [1].



Texas Department of Criminal Justice

Lorie Davis
Correctional Institutions Division, Director

DATE: 06/11/2020

TO: MCCLURE, ROBERT KERRY III UNIT: POLUNSKY
TDCJ #: 02151961 HOUSING: 12FB2 27 B

The result of your COVID-19 testing was negative.

Thank you for your participation in our fight against COVID 19. Please remain committed to protocols in place to enhance your safety.

Stay Safe,

Lorie Davis
CID Director

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

P.O. Box 99
Huntsville, Texas 77342
www.tdcj.texas.gov

05/15/20 (rev.1)

Ms. Crystal Ash.

PC/files.

(11)

Please be Advised. I have no doubt that you are attacking [ME] in behalf of your Home girl Alice Mariani. I've reviewed MY Files to SEE if I requested those Case citations that YOU say You gave ME on FRIDAY 3/27/20 & YES. I Did send in that REQUEST. HOWEVER, YOU NEVER brought them to ME, I've written Major Tabami and Ask him to REVIEW the Surveillance Camera for FRIDAY 3/27/20 To SEE that YOU NEVER came to my call at all. 30 years I've been Here Ms ASH, & I've seen You before. Correct Your RECORDS. You did not GIVE ME anything.

M. Mitchell 648121

12 E 83

TL
-WA-

I - 60

RE Q UEST

To: Crystal Ash Lowberry 4/2/20

Address: 3872 FM 350 South

Force Majeure on 9/1/20 To F Block (12)

Major, TAHUMI,

Please be advised. I have informed You, that I have filed a commercial injury process against one of your officers, Officer: ALICE R. MARIARITY, C.O.IV, for her open theft of my personal property, displaying her open Prejudice, and bias towards ME, for no provocation from ME.

I've explained TO YOU MAJOR, that this emotional female WILL RETALIATE, but you tell ME, that SHE WILL NOT.

On MARCH 30, said officer came to E; Block to pick up GENERAL LIBRARY BOOKS, and she stopped to pick up cell 82, passed me up and went to cell 84. I'm in cell [83], and she left me with the library book, without saying a word to me. When I tried to call her back to obtain the book, she told other inmates to TELL ME, THAT I..... SHOULD HAVE SAID SOMETHING WHEN SHE WAS NEAR MY CELL???????? My name is on that library list, just like everybody else cell she stopped by to pick up these books and THEY DID NOT HAVE TO CALL ME. It was her job to go to the cell and retrieve the books. THIS IS RETALIATION AND AN ATTEMPT TO ADVANCE A FALSE DISCIPLINARY CASE AGAINST ME. Soon, I will be falsely accused of THREATENING AN OFFICER ME this female. THEREFORE, I AM GIVING WRITTEN NOTICE TO ALL OF YOU, That this officer will retaliate, either directly, or indirectly. Please restrain your officer. I have a copy right on my Corporate name MAURICE, and any use of that name in commerce, will result in a fine of ONE MILLION DOLLARS. PLEASE CONSULT YOUR DIRECTOR'S OFFICE ABOUT MY STATUS.

Respectfully;

Maurice Mitchell Secured Party Creditor MAURICE MITCHELL TDCJ No# 648121 Polunsky Unit
12 E; 83 Cell -MA-

cc/files

Polunsky Unit Grievance Coordinator;

Mr. ~~MONROE~~ TAMI, Unit Major;

Ms. Lorie Davis, Director, TEX, DEPT, CRIM JUST, I-D.

file copy, Originals mailed to

Major Tahumi,

Ms. Norris, and LORIE DAVISE, Director, TDCJ,

APRIL 1, 2020

TO: _____

Date: _____

Address: _____

Appropriate Address.

*Force Moved on 9/1/20 To F-Block**(13)*

Major; Tatum,

Please be advised, that it is so easy for Officer ALICE R. MARIARITY, to send one of her friends down here and simply LIE ON ME, with the all time USUAL CASES that inmates get. JABING OFF ON THE FEMALES. And for sure, I WILL BE ORDERED TO SUMMIT TO HAND RESTRAINTS AND SUMMURILY MOVED TO F-Block, WITHOUT A DISCIPLINARY CASE, and subsequently found guilty based on a lie.

The enclosed grievance IS NOT AGAINST YOU, but your name is in it because I spoke to you about this serious matter.

I am not filing the grievance YET. Please assure me, that you will take care of this reprisal, and the issue is over. But please be mindful, THAT I AND MANY OF US, ARE AWARE OF MS. MARIARITY sexual relationship with many, many of these officers here, because her husband has severe erectile problems, and therefore let many officers have his wife.

IF YOU DON'T KNOW ABOUT THIS, NOW YOU DO. We all know about it, and this lady uses these officers to do her dirty work.

As soon as I see the need, I WILL BE FILING FOR A PEACE BOND, and criminal investigation. OVER THIRTY YEARS Sir, I've been in this hell hole, and I know how staff retaliates. Please investigate, and if you will call me out. Thanks.

MAURICE MITCHELL

648121

Polunsky Unit

12 E. 83 Cell

-NA-

cc/files

I - 6 0
R E Q U E S T

TO: MAJOR: MOHAMMOD TAHUMI, Date: APRIL 01, 2020.

Address: 3872 F.M. 350 South

(14)

Major Tahumi. I'd appreciate it if you will call me out so we can discuss this reprisal that officer ALICE R. MARIARITY, C.O. IV is subjecting me to by USING her friends in the law library. Ms. CRYSTAL ASH, in behalf of MARIARITY, accuses me of having legal materials as follows:

(1). 44 S.W.3d pages 544, (2). 501 S.W.3d pages 447, and (3). 207 S.W.2d pages 149. I DO NOT HAVE THESE CASES AMONG MY LEGAL WORK, and I have no use for them. I DO NOT BELIEVE THAT THEY CAN SHOW YOU A BOOK REQUEST FROM ME.... ASKING FOR SUCH CASE CITATIONS. Tell them to show it to you, where I EVEN REQUESTED SUCH BOOKS ????? Further, PLEASE see the surveillance camera for FRIDAY MARCH 27, 2020 WHEN MS ASH STATES SHE GAVE ME ANYTHING.

MAURICE MITCHELL

648121

TL

12 E; 83 cell

-NA-

Please send your response. CALL ME OUT

cc/files
WILLIAM BARR,
USA, ATTORNEY GENERAL

MAJOR: Mohammad Tatum1

April 01, 2020

3872 F.M. 350 South

(15)

Major, TANUMI,

Please be advised. I have informed You, that I have filed a commercial injury process against one of your officers, Officer: ALICE R. MARIARITY, C.O.IV, for her open theft of my personal property, displaying her open Prejudice, and bias towards ME, for no provocation from ME.

I've explained TO YOU MAJOR, that this emotional female WILL RETALIATE, but you tell ME, that SHE WILL NOT.

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Respectfully;

Maurice Mitchell Seized Party Creditor MAURICE MITCHELL TDCJ No 648121 Polunsky Unit
 12 E; 83 Cell -KA-

cc/files

Polunsky Unit Grievance Coordinator;

Mr. ROBERTO TAMMIL, Unit Major;

Ms. Lorie Davise, Director, TEX, DEPT, CRIM JUST, I-D.

TO: MS. LORIE DAVISE Director, TDCJ, I-D

Date: APRIL 1, 2020.

Address: P. O. Box 99 - Huntsville, Texas 77342-0099

(16)

Major Tatum

As Saluam Alikum. I have Reported
 Officer: ALICE MORRIS, C.O.I To Captain: JEREMIA CARTER
 how this FEMALE keep on Drying ME NECESSITIES, 12 Cloth,
 Sheets, Towels, For NO Reason on My Part. I haven't done
 Anything to this Lady. On 12-9-19 Shakedown SHE
 Took my Radio → Headphones, Trying to Hunt me, by leaving
 ME Nothing to listen to my RADIO with. Plug she did
 not give me confiscation papers NOTHING! I
 been ROBBED Major. The Headphones BROKE & I
 Fixed them. The work Perfectly, & is not Harmful to
 Anyone. Headphones carry D.C. Battery Power, NO Electric
 Shock. Please ORDER your officer to Stop mistreating ME
 & RETURN MY Headphones OR Replace them. W/R
 MAURICE MITCHELL aka Issa Wali 648171 IL

12 E 83

* Maurice Mitchell, Pro-se *

cc/ALCS

I-60

RE Q U E S T

cc/files

Family Members;

TO: Mr. Mohammad Tahuni; Major ASD 4212-16-19

Address 3872 F.M. 350. Suite 4

177

Major; Tahani, Grievance Coordinator,

My records show that on or about JULY 12, 2020 MONDAY MORNING, a grievance was handed over to OFFICER: STEVEN MORRIS, C.O. V., in that "HE" have been instructed to give [ALL] grievances to the UNIT NECESSITY OFFICER, because the grievance office needs an excuse/excuse, as a shield to say: "THEY DID NOT RECEIVE THE GRIEVANCE". On said date the grievance was given to officer MORRIS, to turn in, concerning the INSPECTION OF THE COVID-19 VIRUS. MORE THAN THIRTY DAYS (30) have passed and the grievance office has not acknowledged receipt of the grievance filed against officer: KYLER D. FRANKLIN C.O. III

At this time I am requesting that the grievance office acknowledge receipt of said grievance and provide us with the grievance number.

Major; Tahani, please insure compliance.

Thank you. Respectfully; sc/fllb
Major; TAHAH.
Grievance Coordinator.

MAURICE MITCHELL

643121

Polunsky Unit

12 E; 13-0cell

-NA-

Please send your response.

I
-
6
0

R E Q U E S T

Files

TO: _____

DATE: September 07, 2020

Address: 3872 P... 350 South

cc/files

Grievance office
Christina M. Norris

17(a)
Third (3rd) Request
NO response means
You've thrown it Away!!

I - 60
REQUEST

TO: Grievance office; C. Norris Date: 9/16/20
Address: 3872 FM 350 South

This grievance you speak of was never received! 17(c)
 you can resubmit & date it for now
 This is my 3rd Request for you to acknowledge receipt

of my Grievance. On July 13, 2020 - I mail (hand Delivered)
 Gave a Grievance over to officer STEVEN MORRIS, C.O. III the
 Ad-Seg Necessities officer; to bring down to the grievance
 office. It is now AUGUST 25, 2020 and you still
 have not acknowledged receipt nor processed my
 Emergency Grievance, whereas, I have been potentially
 & knowingly infected with CORONA-VIRUS, by officer
 KYLER, B. FRANKLIN, C.O. III. Please acknowledge
 Receipt & send ME the Grievance #.

MAURICE MITCHELL

648921

TL

12 F 28

-NA-

17 (b)

SUBJECT: State briefly the problem on which you desire assistance.

Constipated
movement

Please prescribe for Bowel
'LACTULOUS'

Laxative

COVID-19
Patient

Name: M. Mitchell No: 648121 Unit: 7L
Living Quarters: 12 E 13 Work Assignment: WA

DISPOSITION: (Inmate will not write in this space)

Rec 9/21/20

Your sick call request (SCR) has been screened by Medical and has been determined not to be emergent or urgent. Due to pandemic COVID-19, to limit unit movement and enhance your safety, all non-emergent/non urgent requests will be deferred. All medication renewals will continue to be reviewed. In the meantime, you may resubmit a SCR if your symptoms worsen.

SEP 05 2020

TEXAS DEPARTMENT OF CRIMINAL JUSTICE — INSTITUTIONAL DIVISION

INMATE REQUEST TO OFFICIAL

cc/files

REASON FOR REQUEST: (Please check one)

PLEASE ABIDE BY THE FOLLOWING CHANNELS OF COMMUNICATION. THIS WILL SAVE TIME, GET YOUR REQUEST TO THE PROPER PERSON, AND GET AN ANSWER TO YOU MORE QUICKLY.

- | | |
|---|---|
| 1. ☐ Unit Assignment, Transfer (Chairman of Classification, Administration Building) | 5. ☐ Visiting List (Asst. Director of classification, Administration Building) |
| 2. ☐ Restoration of Lost overtime (Unit Warden-if approved, it will be forwarded to the State Disciplinary Committee) | 6. ☐ Parole requirements and related information (Unit Parole Counselor) |
| 3. ☐ Request for Promotion in Class or to Trusty Class (Unit Warden- if approved, will be forwarded to the Director of Classification) | 7. ☐ Inmate Prison Record (Request for copy of record, information on parole eligibility, discharge date, detainers-Unit Administration) |
| 4. ☐ Clemency-Pardon, parole, early out-mandatory supervision (Board of Pardons and Paroles, 8610 Shoal Creek Blvd. Austin, Texas 78757) | 8. ☐ Personal Interview with a representative of an outside agency (Treatment Division, Administration Building) |

TO: MD. Montgomery Med Dept DATE: 9/4/20
 (Name and title of official)

ADDRESS: 3872 FM 377 South

CC/US District Court, Houston
CAUSE NO 4:20-CV-1115

18

Please Be Advised - After Contracting COVID-19, I've been
Placed on Quarantine and DENIED any and ALL medical
Attention. Absolutely NOTHING has been given to Fight or
COMBAT said Virus. NOTHING. I am LEFT to DIE!
It has been since AUGUST 3, 2020* with NO Medication. The
VIRUS lingers in My Body causing incessant Flu like
symptoms. I AM REQUESTING "Anti-biotics" Cold Medication's
"Robatusan" cold medication & Pain Medication.
Your Failure to Act shall be "Deliberate Indifference".

Name: M. Mitchell

No: 648121

Unit: TL

Living Quarters: 12 - E : 13 Top

Work Assignment: NA-

DISPOSITION: (Inmate will not write in this space)

* Correction: JULY 5, 2020 n.m.

Rec'd 9/21/20

Prisoner Review

SEP 04 2020

JBR

INMATE REQUEST TO OFFICIAL

cc/U.S. District
Judge:

REASON FOR REQUEST: (Please check one)

PLEASE ABIDE BY THE FOLLOWING CHANNELS OF COMMUNICATION. THIS WILL SAVE TIME, GET YOUR REQUEST TO THE PROPER PERSON, AND GET AN ANSWER TO YOU MORE QUICKLY. Attorney: John R. Keville
Houston, TX

- | | |
|---|---|
| 1. ☐ Unit Assignment, Transfer (Chairman of Classification, Administration Building) | 5. ☐ Visiting List (Asst. Director of classification, Administration Building) |
| 2. ☐ Restoration of Lost overtime (Unit Warden-if approved, it will be forwarded to the State Disciplinary Committee) | 6. ☐ Parole requirements and related information (Unit Parole Counselor) |
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TO: Laurie J. Montgomery Med Dept
PA./MD./RN/
(Name and title of official)

DATE: 9/2/20

ADDRESS: 3872 FM. 350 South

137 2501

(19)

cc/files Sick Call

Grievance Office REQUEST

Major: Tahumi

OUT OF HIGHLIGHTED
Pressure medication
Need Single Dossage
Out of Beardryl Need
Single Dossages

TO: Grievance Office Date: 8/26/20

Address: 3872 F.M. 350 South

What are You people doing? I've sent in
 OVER 6 Sick call Request Asking For
 Single Dossage until My KOP arrive, to no
 Avail. I've Told 5 different Nurses I'm
 Out of Medications, including my Betadil
 & High Blood Medication. Nurse Dickens
 Says... I'll take care of it, Since 8-12-20
 And still no Medications.. (COVID-19
 kills After the virus is gone!! What are
 You doing. Deliberate Indifference
 M. Mitchell 648121 TL
 12 E 13

Duplicate
 Report

cc/files

Grievance
Office

Major: Tahumi

Sick Call
REQUEST

(20)

Out of High blood
Pressure - Medication
Need Single Dossage
Out of Benadryl. Need
Single Dossages.

TO: Major: Tahumi

Date: 8/26/20

Address: 3872 F.M. 350 Suite

What are You people doing? I've sent in
 OVER 6 Sick call Request Asking for
 Single Dossage until My KOP arrive, to no
 Avail. I've Told 5 different Nurses I'm
 Out of Medications, including my Benadril
 & High Blood Medication. Nurse Dickens
 Says... I'll take care of it, Since 8-12-20
 And still No Medications!! COVID-19
 kills After the Virus is Confirmed!! What are
 You doing, Deliberate Indifference!!

M. Mitchell

648121

TL

Duplicate
request

12E 13

(21)

cc/files

Sick Call

Grievance
Office

REQUEST

Major: Tahumi

OUT OF Highblood
Pressure medication
Need Single Dosage
Out of Brandy. Need
Single Dosages.

TO: De Riley.

Date: 8/26/20

Address: 3872 F.M. 350 South

What are You people doing? I've sent in
 OVER 6 Sick call Request Asking for
 Single Dossage until my KOP arrive, to no
 Avail. I've Told 5 different Nurses I'm
 Out of Medications, including my Benadriol
 & High Blood Medication. Nurse Dickens
 Says... I'll take care of it, Since 8-12-20
 And still no Medications!! COVID-19
 kills After the Virus is Gone!! What are
 You doing, Deliberate Indifference!!

M. Mitchell //

648121

TZ

12E 13

cc. Provider Review
 AUG 26 2020
 JCL

(22)

Why am I not receiving my medication?
My High Blood Pressure medication has run out.
Whats going on ??

Referred to MD/MLP for Med Renewal
Norvasc

AUG 23 2020

M. Mitchell

648121

TL

Did not
start receiving
until 8/30/20

K.P.

12 E 13

Sick Call
Rest & Rest

23

offices Sick Call

Greene Office REQUEST

Major Tahiri
Received Meds starting on
August 30, 2020
KDP Blood pressure pills

Out of High blood
Pressure Machine
Used Single Dose
out of Blood pressure
Single Doses

TO: Files See Above Date 8/26/20

Address 3872 E 11th St South

Nurse Maddison 8/22/20

What are you people doing? I've sent in
 over 6 Sick call Request Asking For
 Single Passage until my KOP arrives, to the
 Avail. I've Told 5 different Nurses I'm
 out of medications, including my Bismolol
 & High Blood Medication. Nurse Pickens
 Says... it'll take care of it. Since 8-12-20
 And still no medication... (CSD-19
 kills After the virus is gone... what are
 you doing. Deliberate Indifference
Mitchell 648121 IL
 12 E 13

The Kitchen is NOT sending ME ⁽²⁴⁾
DIET TRAYS ??

Did you discontinue my Dental
Plan to obtain my partial upper & lower
Plates? ? Did you discontinue my
Diet ?? we have not cancelled anything

YOU ARE SCHEDULED FOR AN
APPOINTMENT TO BE SEEN ONCE
THE PANDEMIC HAS SUBSIDED AND
DENTAL DEPT. HAS RESUMED NORMAL
OPERATIONS

Computer shows
mechanical soft diet

[Signature] Dental
AUG 20 2020
[Signature]

M. Mitchell 648121

Blumsky Unit

17 E 13

3871 E. W. 38 South
Addres;

To: Death Department
Date: 8/19/20

STICK CALL
KEY WEST

~~THESE EXHIBITS CONTAINING THE SAME PAGES, IN SEVERAL PLACES. THE NUMBER~~

~~COURT.~~

~~THAT HE EXPLAINS THAT SAME IS EXACT COPIES OF THE DOCUMENTS FILED IN THE TRIAL~~

~~Page 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000~~

RS
sent
h
5

Sick
CALL

JUL 30 2020
Dental
H Miller

* Dental *

TO: Medical Department Date: 7-23-20

Address: 3872 FM 350 South

My RECORDS reveal, that on November 27, 2019. WE entered into a 'Contract' for a Six Month Treatment Plan whereas, Upon paying the CO-MEDICAL Payment, being placed on A SOFT DIET, at the END of (6) months, I would RECEIVE my Upper & Lower partial Plates, PLEASE!! PLEASE!! I am Aware of COVID-19 & have been Intentionally infected with the virus, MORE than 25 days have Passed Since Contract I & my Body has KICKED IT'S ASS!!

YOU ARE SCHEDULED FOR AN APPOINTMENT TO BE SEEN ONCE THE PANDEMIC HAS SUBSIDED AND DENTAL DEPT. HAS RESUMED NORMAL OPERATIONS

Please make preparation for IMPRESSIONS so that My TEETH will be in good condition.

MAURICE MITCHELL 648127 TL *NEED* TEETH

12 E 13

-NA-

26

CASIO-19 infected. Please be advised.
My High Blood Pressure Medication has
Run out. Please Renew. Also, please
Provide Single Doses, UNTIL
KOP arrives.

AUG 04 2020

Juchon

Severe Night Sweats
Every Night. Temperature
High.

M. Mitchell

648121

TL

12 E 13

12-E-13

JUL 25 2020

Pharmacy notified for single doses. BlumetPh 7/25/20

PLEASE
Fix this
8-3-20
I need My Benadryl's
Sick Call
cc/files.

You have Given ME NOTHING
For this CORONA VIRUS. NOTHING!!
cc/files.

To Medical Dept. Date: 7-23-20
Address 3872 FM 350 South

Major, Tahani,

JUL 23 2020

Secret

(27)

It appears that on July 5, 2020 One of your officers infected with the COVID-19 Virus, intentionally and knowingly infected [ME] with the virus. Since then, I have been extremely sick, body aches, pain and straight out suffering, trouble breathing, coughing and sneezing. On Saturday, I INFORMED THE SICK CALL NURSE, and SHE STATED SHE WOULD HAVE THEM PULL ME OUT, TO BE BROUGHT TO THE INFIRMARY.

NO ONE CAME TO GET ME.

ON MONDAY, July 13, 2020 an officer walked my AFFIDAVIT, AND SICK CALL REQUEST DOWN TO THE INFIRMARY, and STILL NO ONE HAS COME TO GET ME.

IF I WAS ONE OF THESE KIDS WITHOUT KNOWLEDGE ON HOW TO PROVIDE FOR THEMSELVES I'D BE DEAD BY NOW !!!!!

I am not a psychic patient, and I do not play any type of games. I am 63 years old Sir, and I'm being denied medical treatment at a most crucial time.

This virus, has caused internal damage to organs, and emitting a bad odor, as is a result of contracting the disease. PLEASE SEE TO IT THAT I'M TAKEN TO THE INFIRMARY FOR MEDICAL VIEWS, and test. See

Respectfully;

MAURICE MITCHELL

00648121

Polunsky

12 E. 83
cc/files

July 15, 2020.

Rec Buck E-13
7-28-20

this is My 3rd Request

cc/files

Major Mehmed Tahuni, Ad-Seg Major;
Unit Grievance Office.
Office of the Inspector General
Files.

Medical Dept.

Medical Staff

7-14-20

To: ~~3872 F.M. 350 South~~ Date: _____

Address: _____

Requesting the following medical Aids to
Combat infection of COVID-19 Virus, Infected 7-5-20

- Ⓐ. Antibiotic Pills x 7 days dosages
- Ⓑ. Laxatives x 3 days dosages
- Ⓒ. Triamcinolone Acetonide Cream, Tub
- Ⓓ. Vitamins A, B, C, D.

(28)

Please Comply. 63 Year old MAN

MAURICE MITCHELL 648121 TL

12 E 83

7/15/20.

sf:
cc/files

Sick Call
REQUEST

Dr. Montgomery: DR

TO: Medical Staff Dr. Rickey Dutzi, 7/15/20

Address 3872 F.M. 350 South

8:30pm

7-14-20

Items need from

Intimacy To Exped
Wash from Body,

1. Antibiotics x 7 days
2. laxative x 3 days
3. Enema¹ to cleanse bowels
4. Steroids x 7 days
5. Vitamins A B, C

(29)

Legal Directory

Vol 1

- Probate Court pg 166-167
- District Courts pg 148-149
- Justice of the Peace
Courts pg 187
- Statutory Courts Courts
At LAED page 174-175

COMMON

12EF-838

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
HEALTH SERVICES DIVISION
SICK CALL REQUEST

30

PART A: (To be completed by offender)

Offender's Name: M. MitchellDate: 3/25/20TDCJ No.: 648124Work Assignment: NA-Work Hours: NA-Wing No: 12 E 83Sick Call Hours: NA-

Service needed: ☐ Medical ☒ Dental ☐ Mental Health ☐ Other: Follow up to Continue
Reason for Health Services Appointment: Agreed Dental Plan

How long have you had this problem?

Hours: Since November Days: 6 MONTH PLAN

"In accordance with state law, if this visit meets offender annual health care services fee criteria, I understand that my trust fund account may be charged a \$13.55 health care services fee. I also understand that I will be provided access to health care services regardless of my ability to pay this fee."

YOU are SCHEDULED FOR AN
APPOINTMENT TO

signature of offender

Part B: (To
Medical Rej

BE SEEN ONCE THE PANDEMIS HAS
SUBSIDED AND DENTAL DEPT. HAS
RESUMED NORMAL OPERATIONS

ot write below this line

al
Medical Staff Member's Signature

MAR 27 2020

Date

DEPARTAMENTO DE JUSTICIA CRIMINAL DE TEXAS
DIVISION DE SERVICIOS MEDICOS
PETICION PARA TRATAMIENTO MEDICO

PARTE A: (Completado por ofensor)

Fecha: _____

Número de ofensor: _____

Numero de TDCJ.: _____

Trabajo: _____

Horas de trabajo: _____

Ala del edificio: _____ Horas de escuela: _____

Servicios necesitados: ☐ Medico ☐ Dental ☐ Salud Mental ☐ Otro: _____

Razon para tratamiento de servicio de salud: _____

Cuanto tiempo tiene con este problema? Horas: _____ Dias: _____

"De acuerdo con la ley estatal, si esta visita encuentra al delincuente criterios de honorarios de servicios de asistencia médica anuales, entiendo que mi cuenta de fondo fiduciario puede ser cobrada unos honorarios de 13 dólares y 55 centavos. También entiendo que me proporcionarán acceso a servicios de asistencia médica sin tener en cuenta mi capacidad de pagar estos honorarios."

Firma del Ofensor

Parte B: (Completado por personal medico – No escriba debajo de esta linea.)

Respuesta Medica: _____

Firma del Miembro de Empleados Medicos
HSA – 9 (Rev. 8/19)

Fecha

(21)

By ORDERS of Major: Mohammed

Tahuni, Officer: Darryl D. Harte, COX

A new officer: Escorted ME

To the 10 Bld returning for

COVID-19 Evaluation. Upon arrival

NO ONE KNEW my LEASER for 50-

ing there, 3 different nurses

ask: Why are you here??

You telling them I had contracted

the Corona virus. Officers were

told to take ME in front of

the Ten Building Hospital Entrance

way where Nurse: SWEEDOLYN

CHAPMAN. CCA had a Temperature

Blood pressure set up. where nurse

set down in Chair for Check up.

Off kept SWEETING. "What you

bringing down here for? It's

COMMON LAW, MANDAMUS, continued....

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
HEALTH SERVICES DIVISION
SICK CALL REQUEST

(32)

PART A: (To be completed by offender)Offender's Name: M. MitchellDate: 12-15-19Work Assignment: NATDCJ No.: 64812Wing No: 12 E 83Work Hours: NAService needed: ☐ Medical ☒ Dental ☐ Mental Health ☐ Other:Reason for Health Services Appointment: Schedule tooth cleaning. BEFORE (30) past appointment PER Dentist.

How long have you had this problem?

Hours:

Days:

Sick call to SEE Doctor for SOFT Diet. Have not called ME out

"In accordance with state law, if this visit meets offender annual health care services fee criteria, I understand that my trust fund account may be charged a \$100 health care services fee. I also understand that I will be provided access to health care services regardless of my ability to pay this fee."

NOT A Bill - Follow up

Signature of Offender

Part B: (To be completed by medical personnel – Do not write below this line)Medical Reply: SC - DENTAL SICK CALL SCHEDROUTINE DENTAL ROUTINE SCHEDX SC - DENTAL - ON BOOKSSC - DENTAL RESPONSE ONLY

Medical Staff Member's Signature

Dental

DEC 18 2019

Date

DEPARTAMENTO DE JUSTICIA CRIMINAL DE TEXAS

DIVISION DE SERVICIOS MEDICOS

PETICION PARA TRATAMIENTO MEDICO

PARTE A: (Completado por ofensor)

Fecha: _____

Nombre de ofensor: _____

Numero de TDCJ.: _____

Trabajo: _____

Horas de trabajo: _____

Ala del edificio: _____ Horas de escuela: _____

Servicios necesitados: ☐ Medico ☐ Dental ☐ Salud Mental ☐ Otro: _____

Razon para tratamiento de servicio de salud: _____

Cuanto tiempo tiene con este problema? Horas: _____ Dias: _____

"De acuerdo con la ley estatal, si esta visita encuentra al delincuente criterios de honorarios de servicios de asistencia médica anuales, entiendo que mi cuenta de fondo fiduciario puede ser cobrada unos honorarios de 100 dólares. También entiendo que me proporcionarán acceso a servicios de asistencia médica sin tener en cuenta mi capacidad de pagar estos honorarios."

Firma del Ofensor

Parte B: (Completado por personal medico – No escriba debajo de esta linea.)

Respuesta Medica: _____

Firma del Miembro de Empleados Medicos

Fecha

Please be Advised: This is my 5th
 Sick call Request and You have ME down
 HERE SUFFERING, Runny noses, Sneezing,
 and itching, without Relief, I am have
 Severe Sinus Problems, and allergies and
 I NEED my Benadryl for Relief. You
 have told me three Times that I will
 RECEIVE Single Dosage daily UNTIL my
 KOP arrives. I just found out 8-4-20 at
 5:15 PM that my Benadryl are not even Showing
 as Medication for ME. PLEASE RENEW
 dyls & Send Single Dosages. RESPECTFULLY, My Ben-
 MAURICE MITCHELL 648/21 12E B cell

Referred to MD/MLP for Med Renewal

AUG 03 2020

Officer

Rec'd Back
8/11/20

STOK
CALL

RENEW
Medications
Bonachrys.

TO: Medical Dept. Dr. Reiley Date: 8-5-20

Address 3872 FM 350 South

SUBJECT: State briefly the problem on which you desire assistance.

Please Be Advised

347

I have observed several inmates from my Block, Escorted to the Dental Department for TREATMENT.

Please call me out for Impressions, and the

Making of my Top & Bottom
Dentures

Thanks

Name: M. Mitchell

No: 648121

Unit: TL

Living Quarters: 12 E 13

Work Assignment: -NA-

DISPOSITION: (Inmate will not write in this space)

YOU ARE SCHEDULED FOR AN
APPOINTMENT TO BE SEEN ONCE
THE PANDEMIC HAS SUBSIDED AND
DENTAL DEPT. HAS RESUMED NORMAL
OPERATIONS

✓
Dental
AUG 13 2020
[Signature]

INMATE REQUEST TO OFFICIAL

REASON FOR REQUEST: (Please check one)

PLEASE ABIDE BY THE FOLLOWING CHANNELS OF COMMUNICATION. THIS WILL SAVE TIME, GET YOUR REQUEST TO THE PROPER PERSON, AND GET AN ANSWER TO YOU MORE QUICKLY.

- | | |
|---|---|
| 1. ☐ Unit Assignment, Transfer (Chairman of Classification, Administration Building) | 5. ☐ Visiting List (Asst. Director of classification, Administration Building) |
| 2. ☐ Restoration of Lost overtime (Unit Warden-if approved, it will be forwarded to the State Disciplinary Committee) | 6. ☐ Parole requirements and related information (Unit Parole Counselor) |
| 3. ☐ Request for Promotion in Class or to Trusty Class (Unit Warden- if approved, will be forwarded to the Director of Classification) | 7. ☐ Inmate Prison Record (Request for copy of record, information on parole eligibility, discharge date, detainers-Unit Administration) |
| 4. ☐ Clemency-Pardon, parole, early out-mandatory supervision (Board of Pardons and Paroles, 8610 Shoal Creek Blvd. Austin, Texas 78757) | 8. ☐ Personal Interview with a representative of an outside agency (Treatment Division, Administration Building) |

TO:

DATE:

(Name and title of official)

ADDRESS:

WHEREFORE Premises Considered, your claimant, pray the Honorable Judge: **TOM BROWN** to issue order enclosed. Claimant, pray the court to **WITHDRAW** it's order of **JUNE 09, 2020** as premature or improvident. Claimant pray **MANDAMUS** issue upon the office of the clerk to ;

(1). **ISSUE SERVICE OF PROCESS UPON THE DEBTOR: ALICE R. MORIARTY, C.O.**
IV at the address provided, and service same upon the Director's office as provided;

(2). That the enclosure be filed, marked, and assigned the same cause number stated herein, and that the clerk be ordered to;

(3). **RETURN DATED AND FILED MARKED COPIES OF ALL THE ENCLOSURE, TO THE CLAIMANT, INCLUDING ALL THE EVIDENCE, UCC-1 AND ALL THE AGREEMENTS,** and that if the Judge so decides, that service be made upon the office of the Attorney General for the state of Texas.

See: IN RE NICK D. SMITH 263 S.W.3d 92; 2008 Tex.App.LEXIS 8163 (2008).
(writ of 'MANDAMUS' conditionally "granted".).

1A 11
1. 2. 3. 4. 5.

COMMON LAW, MANDAMUS, continued....

Section III (a)(5), continued...

Ironically, the court's clerk received claimant's above named documents on APRIL 24, 2020 and filed said documents and assigned Civil Action number [CIVIL 033734]. and O R D E R issued from the Honorable; Judge, TOM BROWN, for the Defendants to respond within sixty days, to claimant's PLEADINGS, seek [D]efault Judgment. See; SEVEN ADDITION II LP, V. BUREAU 229 S.W.3d 803; Tex.App. LEXIS 4793.

(b). WITH ALL DUE RESPECT TO THIS HONORABLE JUDGE, the clerk's office and all involved, the SERVICE of the above documents, and the ORDER to respond, and totally out of place, and premature.

(c). Suppositly, the court has 'PLACED THE CART BEFORE THE HORSE', and has rendered claimant's action 'Void' and of no effect, in that the DEFENDANTS have not been served the initial common law claims, Affidavits, Process, and [CAN NOT] even address a Default, without first being properly served by the clerk's office, and the court.

IV.

United States Courts
Southern District of Texas
FILED

November 10, 2020

David J. Bradley, Clerk of Court

Rev. Maurice Mitchell [SLT]
Title 2a USC § 500 [SLT] (A) A SOVEREIGN
AMERICAN NATIONAL
Specialize Legal Technician [SLT]
SOUTHERN CAREER INSTITUTE
The [P] Juralegal school of Arts & Science
Valedictorian 1991

ATTORNEY-IN-FACT FOR HIS Corporate Fiction

MAURICE MITCHELL, ENS legis
Registered: Limited Power of Attorney No #
R: MM-060275-LPAA

Topeka, KANSAS, Dec, 14, 2011
387a F. M. 35D South
Livingston, Texas 77351

SEPTEMBER 21, 2020

WINSTON & STRAWN, L.L.P.
Limited Liability Partnership
A Professional Corporation
Mr. John Keville
Attorney-at-Law
800 Capital Street, Suite 2400
Houston, Texas 77002

RE: REQUESTING THAT YOU PLEASE CONSIDER FILING THE
ENCLOSED AMENDED COMPLAINT TO YOUR ORIGINAL.

Dear Mr. Keville,

I am in possession of the original Amended Complaint
and Attached thereto is over (50) pages of Exhibit of Evidence
For the FEDERAL JUDGES consideration towards RELEASING
from prison under the EMERGENCY DECLARATION of Governor
GREGG ABBOTT. Those inmates who are Old, infected susceptible
and Vulnerable inmates. As shown in the AMENDED complaint
TDCJ officials have been trying to 'TAKE MY LIFE for years'.

Simply because I have an 'EDUCATION'.

It is because of the EVIDENCE that I retain the
originals. Please write me back with a Positive stance
that You Your colleagues will file this Amended Complaint
modified if you like. and I shall mail you All the originals
awaiting Your reply.

Respectfully: ~~Maurice Mitchell~~ [initials]
Rev. Maurice Mitchell

cc/fikes
skf;