

PELICAN BAY STATE PRISON
SECURITY HOUSING UNIT

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Side 1



IAB USE ONLY

Institution/Parole Region:

Log #:

Category:

PBSP

CU-00752

3/1

C

FOR STAFF USE ONLY

MAOIST Intern.

You may appeal any California Department of Corrections and Rehabilitation (CDCR) decision, action, condition, policy or regulation that has a material adverse effect upon your welfare and for which there is no other prescribed method of departmental review/remedy available. See California Code of Regulations, Title 15, Section (CCR) 3084.1. You must send this appeal and any supporting documents to the Appeals Coordinator (AC) within 30 calendar days of the event that lead to the filing of this appeal. If additional space is needed, only one CDCR Form 602-A will be accepted. Refer to CCR 3084 for further guidance with the appeal process. No reprisals will be taken for using the appeal process.

Appeal is subject to rejection if one row of text per line is exceeded.

WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First):

CDC Number:

Unit/Cell No.:

Assignment:

State briefly the subject of your appeal (Example: damaged TV, job removal, etc.):

Mail

A. Explain your issue (If you need more space, use Section A of the CDCR 602-A):

Today on 3-2-11
C/O Hutchinson gave me a CDC 1819 Disapproval notice denying my mail from "CJ Studies". This is the 2nd notice in 2 days, Hutchinson states its due to a Ban of "Maoist International Movement Publications".

B. Action requested (If you need more space, use Section B of the CDCR 602-A): I have not seen this material but the above org (Maoist International Movement) no longer exists, the above mail came from "Maoist International Ministry of Prisons". I would like my mail please. Thank you.

Supporting Documents: Refer to CCR 3084.3.

☒ Yes, I have attached supporting documents.

List supporting documents attached (e.g., CDC 1083, Inmate Property Inventory, CDC 128-G, Classification Chrono):

"inmate request for interview"
cdc 1819 notice of Disapproval of mail"

☐ No, I have not attached any supporting documents. Reason:

Inmate/Parolee Signature:

Date Submitted:

3-2-11

By placing my initials in this box, I waive my right to receive an interview.

C. First Level - Staff Use Only

Staff - Check One: Is CDCR 602-A Attached? ☐ Yes ☐ No

This appeal has been:

☐ Bypassed at the First Level of Review. Go to Section E.

☐ Rejected (See attached letter for instruction) Date: _____ Date: _____ Date: _____

☐ Cancelled (See attached letter) Date: _____

☒ Accepted at the First Level of Review.

Assigned to:

AW SHU

Title:

Date Assigned:

MAR 07 2011

Date Due:

4-19-11

First Level Responder: Complete a First Level response. Include Interviewer's name, title, interview date, location, and complete the section below.

Date of Interview: 3/19/11

Interview Location:

C 11 106

Your appeal issue is:

☐ Granted

☐ Granted in Part

☒ Denied

☐ Other:

See attached letter. If dissatisfied with First Level response, complete Section D.

Interviewer:

M. TRAYLOR

Title:

Sgt.

Signature:

[Signature]

Date completed:

3/19/11

Reviewer:

R. GRAVES

Title:

FC(A)

Signature:

[Signature]

Date received by AC:

MAR 28 2011

AC Use Only

Date mailed/delivered to appellant

MAR 28 2011

MAR 07 2011

MAR 30 2011

INMATE APPEALS BRANCH

RECEIVED

STATS

D. If you are dissatisfied with the First Level response, explain the reason below, attach supporting documents and submit to the Appeals Coordinator for processing within 30 calendar days of receipt of response. If you need more space, use Section D of the CDCR 602-A.

Dissatisfied: There is no clear reason for denying my mail from "CJ Studies" section 3006 contraband (c)(1) is used however at no time does it point to which paragraph/sentence etc incites these violent acts. And a blanket ban is illegal for political material this section 3132/section 3138 don't apply if section 3006 is incorrect ly used. Also the memo dated 12-13-06 being used to deny my 602 has been overturned 3 years ago following a lawsuit filed by Prison Legal News. Also MIM Distributors is not on the centralized list of disapproved publications dated 10-21-08 which supersedes any prior departmental or facility memo regarding banned publications. I want my mail.

Date Submitted: 3-29-11

Inmate/Parolee Signature: [Redacted]

Staff - Check One: Is CDCR 602-A Attached? ☒ Yes ☐ No

E. Second Level - Staff Use Only

This appeal has been:

- ☐ By-passed at Second Level of Review. Go to Section G.
☐ Rejected (See attached letter for instruction) Date: _____ Date: _____ Date: _____
☐ Cancelled (See attached letter)
☒ Accepted at the Second Level of Review

Assigned to: Appeals Title: _____ Date Assigned: MAR 30 2011 Date Due: 5-12-11

Second Level Responder: Complete a Second Level response. If an interview at the Second Level is necessary, include interviewer's name and title, interview date and location, and complete the section below.

Date of Interview: N/A

Interview Location: _____

Your appeal issue is: ☐ Granted ☐ Granted in Part ☒ Denied ☐ Other: _____

See attached letter. If dissatisfied with Second Level response, complete Section F below.

Date completed: 4-12-11

Interviewer: M. K. [Redacted] Title: CT

Signature: [Redacted]

Reviewer: F. [Redacted] Title: C.D.

Signature: [Redacted]

Date received by AC: APR 22 2011

AC Use Only
Date mailed/delivered to appellant

APR 22 2011

F. If you are dissatisfied with the Second Level response, explain reason below; attach supporting documents and submit by mail for Third Level Review. It must be received within 30 calendar days of receipt of prior response. Mail to: Chief, Inmate Appeals Branch, Department of Corrections and Rehabilitation, P.O. Box 942883, Sacramento, CA 94283-0001. If you need more space, use Section F of the CDCR 602-A.

The Appeals coordinator has failed to answer my 602 and has not listed what paragraph/sentence incites violent acts" or is illegal. This has been a continuous issue here at PBSP in not receiving Political literature because an inspector doesn't agree with it. The courts have ruled that you can't ban or censor mail just to censor it, it must be shown what part is illegal. I have not been shown what is being withheld only its from "CJ Studies". Please intervene.

Date Submitted: 4-26-11

Inmate/Parolee Signature: [Redacted]

G. Third Level - Staff Use Only

This appeal has been:

- ☐ Rejected (See attached letter for instruction) Date: _____ Date: _____ Date: _____
☐ Cancelled (See attached letter) Date: _____
☒ Accepted at the Third Level of Review. Your appeal issue is ☐ Granted ☒ Granted in Part ☐ Denied ☐ Other: _____

See attached Third Level response.

Third Level Use Only
Date mailed/delivered to appellant JUL 12 2011

Request to Withdraw Appeal: I request that this appeal be withdrawn from further review because; State reason. (If withdrawal is conditional, list conditions.)

Print Staff Name: _____

Inmate/Parolee Signature: _____

Date: _____

Title: _____

Signature: _____

Date: _____