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JAN 31 2013

PART B - RESPONSE

Department of Corrections

INMATE NUMBER 13-6-02567 DADE C.I. HOUSING LOCATION

Your request for administrative review has been received in non-compliance with Chapter 33-103. Appeals regarding admissible reading material must be received in the Office of the Secretary within fifteen (15) calendar days from the date of the rejection notice.

Therefore, your grievance is being returned without action.

Publication: UNDER LOCK AND KEY November/December 2012 No.29.

S. Milliken

SIGNATURE AND TYPED OR PRINTED NAME
OF EMPLOYEE RESPONDING

sm
SIGNATURE OF WARDEN, ASST. WARDEN, OR
SECRETARY'S REPRESENTATIVE

1/29/13
DATE

COPY DISTRIBUTION - INSTITUTION / FACILITY

- (2 Copies) Inmate
- (1 Copy) Inmate's File
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FEB 01 2013

Department of Corrections
Bureau of Inmate Grievance Appeals

PART B - RESPONSE

INMATE NUMBER 13-6-01062 DADE C.I. HOUSING LOCATION

Your administrative appeal has been reviewed and evaluated. You appeal the impoundment of the following publication:
UNDER LOCK AND KEY November/December 2012 No. 29.

On January 18, 2013 the Literature Review Committee reviewed the subject matter content in the publication, because it contains subject matter that is inadmissible per Rule 33-501.401(3)(e)(g).

The department may prohibit admission of materials or publications if they are determined to be detrimental to the safety, security, order or rehabilitative interests of a facility or would create a risk of disorder at that facility. Chapter 33-501.401, requires that publications be reviewed and a determination made by one institution. The determination made by that institution affects all other institutions; however, as a result of an individual institution's determination, all impounded publications are reviewed and either approved or rejected by the department's literature review committee as required by rule. Therefore, the final determination is made by the department's literature review committee and not by an individual institution or warden.

The issue of the institution incorrectly filling out the DC5-101 form is a separate concern that needs to be initiated at the appropriate institutional level.

Based on the above information your administrative appeal is denied.

S. Milliken

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