

STATE OF FLORIDA
DEPARTMENT OF CORRECTIONS

RECEIVED

JAN 23 2013

REQUEST FOR ADMINISTRATIVE REMEDY OR APPEAL

DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCES

TO: Warden

Assistant Warden

Secretary, Florida Department of Corrections

From:

Last

First

Middle Initial

Number

Institution

State Correctional

Part A - Inmate Grievance

13-6-02567

This is an appeal of the attached prior formal grievance (#1211-463-091) dated 12/12/12 at the institutional level that, for some reason, I just received the belated response to 1/11/13 as was/can be verified by an Officer Norris, CB I, on said date as indicated by his signature (name) and notation concerning same. I am in receipt of a letter dated 10/20/12 from MIM Distributors informing me that they have sent me all of the following mail and publications — i.e. the July/August 2012 issue of Under Lock & Key newsletter, MIA theory 13: Revolutionary Culture magazine — ever since 7/27 12 that I have not or have yet to receive. Additionally, I understand that the Sept./Oct. 2012 issue of their newsletter Under Lock & Key (ULK) has since been published and forwarded to me as a current and active subscriber but I have not or have yet to receive it, either. However, as a matter of proof and honesty concerning this discrepancy or contradiction, I did, in fact, receive the May/June 2012, or #No. 26, issue of said newsletter — with no problems — contrary to the false allegation or documentation contained in the institution's response to this grievance that I did not — which I still have in my possession. Consequently, or all of a sudden the rest of my mail, news magazines, and publications are being censored, confiscated, or illegally withheld for no viable or valid reason in violation of prison regulations and constitutional law. It should also be noted as pointed out and proven above, that the subject has

1/13/13
DATE

SIGNATURE OF GRIEVANT AND D.C. #

*BY SIGNATURE, INMATE AGREES TO THE FOLLOWING # OF 30-DAY EXTENSIONS:

0

#

INSTRUCTIONS

(cont.)

(2)

1/13/13

DCI-303 (cont.)

had been receiving all of the aforesaid mail and publications for quite some time now — or for well over the last 30 years — since he has been incarcerated within the FDOC with no problems, consequences or repercussions whatsoever. Therefore, the subject would now respectfully request to be legally informed according to the rules, statutes, and laws concerning same as to exactly why each and every separate individual issue of the above is being rejected, withheld or censored pursuant to *Thornburgh v. Abbott*, 490 U.S. 401. See also: *Procunier v. Martinez*, 416 U.S. 396, 94 S. Ct. 1800. *Moncalm Public Corp v. Beck*, 80 F.3d 105, 106 (4th Cir.) cert. denied 519 U.S. 928 (1996). *Hindell v. Frank*, 377 F.3d 655, 657 (7th Cir. 2004) citing *Turner v. Satsky*, 482 U.S. 78, 89 (1987). *Prison Legal News v. Lehman*, 397 F.3d 692 (9th Cir. 2005). *Sostri v. McGinnis*, 442 F.2d 178. *Morrison v. Hall*, 26 F.3d 896 (9th Cir. 2001). *Prison Legal News v. Cook*, 338 F.3d 1145 (9th Cir. 2001). *Walker v. Summer*, (9th Cir. 1990) 917 F.2d 382, 385. *Crafton v. Roe*, (9th Cir. 1999) 170 F.3d 957. A grievance (#12/1-463-091) at the institutional level on or ever since 11/20/12 all to no avail. Attached is a copy along with a copy of Form DC5-101, Notice of Rejection or Impoundment of Publications, concerning same as required.