

Memorandum

DATE: August 20, 2009

TO: Inmate
Avenal State Prison

SUBJECT: First Level Appeal Log #ASP-M-09-01525

INTERVIEWED BY: R. E. Jackson, Mailroom Sergeant

APPEAL ISSUE: MAIL

In your appeal you state that your Maoist International Movement (MIM) publication was disapproved. You state that the MIM does not incite violence and that it is a political publication protected by the 1st Amendment of the U.S. Constitution.


In your appeal you requested that you be allowed to receive your MIM publication.


APPEAL DECISION:

Your appeal has received careful consideration and has been thoroughly researched. Your appeal was referred for First Level Review on August 19, 2009. You were interviewed by R. E. Jackson, Mailroom Sergeant concerning your appeal on Thursday, August 20, 2009, in order to provide you an opportunity to fully explain your appeal and to provide any supporting evidence or documents. During the course of the interview, you related essentially the information as which was provided in your written appeal of issue. I explained to you that the publication of MIM was banned from inmates within the custody of the California Department of Corrections and Rehabilitation (CDCR) (see attached memorandum, dated; December 13, 2006, authored by Scott Kernan, Director of Adult institutions).

Considering the above information, your appeal is DENIED at the First Level of Review.

You are advised that you may submit this issue for a higher level of review by completing section "F" of the CDC form 602 and forwarding the CDC form 602 to the appeals office within 15 days of receiving this response.


L. McMANUS
Custody Captain (A)
Avenal State Prison


K. A. KLEE
Associate Warden (A)
Complex B and Central Operations
Avenal State Prison