

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

CIVIL ACTION NO. 15-CV-02203

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

JUL 24 2017

SALVADOR MAGLUTA  
PLAINTIFF "P"

JEFFREY P. COLWELL  
CLERK

✓  
U.S. BUREAU OF PRISONS ET AL  
DEFENDANTS.

DECLARATION OF "P" SALVADOR MAGLUTA

1. I Salvador Magluta the "P" pursuant to 28 U.S.C. § 1746. Based upon my personal knowledge and records available to me at the time of this submission.
2. "P" is familiar with all four levels of the ADMINISTRATIVE REMEDY PROGRAM 1330.17 and 28 CFR § 542.10 - 542.19
3. The four tier process has exceptions. Program Statement 1330.17 § 542.14.d.(1) permits Sensitive Issues to be filed at the

## Regional level.

4. Response time to the Administrative Remedies 'AR' is addressed in 28.CFR.542.18. "P" will include the times limits including the extension on all levels.

5. BP 9<sup>s</sup> have a limit of 40 Calendar days  
BP 10<sup>s</sup> have a limit of 60 Calendar days  
BP 11<sup>s</sup> have a limit of 60 Calendar days.

6. Program Statement 1330.17 #12 in part states... "If the inmate does not receive a response within the time allotted for reply, including extension, the inmate may consider the absence of a response to be a denial at that level"

7. "P" has filed approximately 94 'A.R.s' from March 2013 to July 5<sup>TH</sup> 2017. 'NOT 226 as claimed by Declarant in DE. 104.2 paragraph 9. This includes "A.R.s" resolved or not exhausted,

8. "P" DECLARATION IN RESPONSE TO DEFENDANTS  
MOTION FOR SUMMARY JUDGMENT  
RELATED TO "P's" UNEXHAUSTED CLAIMS

9. MEDICAL CARE - KIDNEYS 104-2 pgr-II  
PARTIAL CHANGE TO CLAIM ONE

AR-746610-(F1)-(R1-R2-R3)-(A1)

10. "D's" declaration at 104-2-11. Accepts "P"  
AR# 746610 WAS EXHAUSTED AND THAT  
CLAIM ONE IS EXHAUSTED UP TO AUGUST  
19-2013

"P's" EXHAUSTION OF 746610 AS TO CLAIM ONE

11. "P" kidney stone was discovered on March, 20,  
2013 and remained unresolved until  
September or October 2014.

"P" raised the kidney issue in all four  
levels.

12. Each "A.R" raised the same SINGLE ISSUE related to his KIDNEY. As the same issue evolved "P" would address it in the next process of his AR# 746610.
- 13 "P" BP-10(R3) raised what had occurred or did not occur up and until the dates that all 3 BP-10<sup>5</sup> R1-R2-R3.
- 14 "P" BP-9 ~~was~~ submitted his BP-9 on August-9-2013 Appears logged on August-19-13.
- 15 This BP-9 raised his kidney care issue and could only raise issues that had occurred up to that date. August-19-2013.
- 16 On September 4-2013 "P" was transferred, within the same complex, to the ADX ADX has the same Clinical Director and medical staff work on all four facilities so there was a continuation of medical personnel.
- 17 "P" BP-9 Response was due on September 28-2013. "P" had not been provided a response by the due date and "P" exercised his right and 288542.18 which states that



18 "If the inmate does not receive a response within the allotted time... The inmate considers the lack of a response to be a denial at that level."

19 "P" had not received a response to his BP-9 and proceeded to file his BP-10 submitted on 10-8-2013. This BP-10 was logged in at the Region on 10-25-13 and was assigned a # 746610.R1. Between the date of 10-8-2013 and 10-25-2013 "P" received his BP-9 response dated 9-9-2013 on Oct. 18-2013. see.

20 Because "P" received his BP-9 response on 10-18-13 "P" out of caution filed a second BP-10 on 10-19-13. logged in the Region on 10-25-13 and given the # 746610.R2

21 Both R1 and ~~are~~ R2 were rejected by the Region. One because it did not include a BP-9 and R2 because it was late. Neither Rejections were the "P" fault so staff provided a memo clearing the issue and plaintiff proceeded to file a third BP-10.

22 The 3<sup>rd</sup> BP 10 was assigned 746610-R3  
 This BP 10 was submitted on November  
 26 2013 and logged at the Region on  
 December 3 2013.

23. "P" BP 10 adopts "P" BP 9 and exhibits as if  
 it were part of this BP 10. (as such to include  
 all the issues of to the BP-9<sup>th</sup> submission)

In addition "P" states

(a) I am (still waiting) for appropriate  
 medical and dental care

(b) that this lack of care was RETALIATORY.

(c) that BP 9<sup>th</sup> issues are addressed  
 with facts.

(d) "P" was still in pain (FOR SAME ISSUE)

(e) that Clinical Director Alfred had  
 come to see the "P" and stated he did not  
 know "P" was in pain all the time.

(AGAIN FROM SAME ISSUE AS IT  
 EVOLVED) POST AUGUST-19-2013)

(f) Addresses the "kidney stone has not  
 moved it is still there.

(g) that "P" was told that the C.T. scan  
 was approved, that "Im still waiting"  
 THIS WAS 2 MONTHS AGO.

- (h) that "P" not be treated for deliberate indifference
- (i) that "P" gets DENTAL CARE, that he has been on the list and custody has never taken him.

"D<sup>5</sup>" Regional Response to the R3 BP.10 states  
(a) "YOU ARE REQUESTING HERNIA SURGERY"

(Plaintiff has never had a Hernia  
nor has "P" had requested HERNIA  
SURGERY FOR RELIEF)

- (b) states it concurs with BP.9 response  
and quotes "PS. 6400.02" and "PS. 6031.03"  
and that I was being treated as per policy.
- (c) States a CT Scan had been approved

24. This BP.10 Response is dated 12-19-13.  
raises same issue "Kidney" and lack of  
it being addressed."

25. At no time did the Region claim that  
the BP.10. raised new issues. And  
addressed the BP.10. This is now  
December of 2013.

26. "P" Received the BP.10 R3 response on 1-6-14

to avoid a late rejection on "P" BP. 11. "P" requested a memo to include in his BP. 11 advising any delay was NOT "P" fault

27. "P" filed his BP. 11 appeal on January 6-2014 and was logged in the Central Office on January- 22-2014 assigned an AI to the A.R.

28. "P" BP. 11 contains "P" BP. 8; BP. 9; and BP. 10<sup>5</sup> submissions and exhibits, of which none had been rejected, for substance...

29. "P" raises the following that had evolved  
(a) The lack of the BP. 10<sup>5</sup> response and the fact that it addressed issues of illness that "P" did not raise nor have had  
(Hernia Surgery)

(b) Re raises that Kidney and Dental Care remained unfulfilled. (RESTING ON WHAT HAS BEEN RAISED, PROMISED IN RESPONSES. UNFULFILLED)

30. This BP. 11 lingered at the Central Office level until 10-30-2014 without a response (9 MONTHS)

31. The Response dated on October 30, 2014 and provided to "P" some time after Nov. 2014 states on or omits the following

(a) Omits the dates received as all others do in the Responses in the first paragraph (PERHAPS TO NOT SHED LIGHT TO THE 10 MONTH DELAY)

(b) Acknowledges KIDNEY and DENTAL CARE issues

(c) It then devotes 8 paragraphs in 2 pages of what records state that had been done

(d) goes up to the date of September 4, 2014 (when "P" kidney stones came out)

(e) It states that after the Sept. 4, 2014 date, "Records show you have not reported to Health Services with any additional complaints of pain."

32 The response itself acknowledges the same 2 issues from its inception. The only thing that changed was the none treatment of both Dental and Kidney care.

33. The Response also fails to address the delay. Mr P's years of dealing with 'A.R' issues. It is customary not to respond or take a position on issues until their mooted by claiming the issue has been resolved. As this B.P.D. which states in part what they did but does not address 'WHY' the delays in this case.

34. In addition they (THE A.R. PROCESS) state in this B.P.D. that "P" has not raised complaints of additional pain after September 4<sup>th</sup> 2014. (THOUGH THE CLAIM IS NOT ACCURATE) It acknowledges the pain issue was prevalent throughout the process which took 18 months on the kidney issue and on the dental issue they still <sup>HAS</sup> does not had a finality.

"P" RESPONSE TO DEFENDANTS CHALLENGE  
TO PART OF CLAIM THREE FOR LACK OF  
EXHAUSTION

35. As in the Response to "P" KIDNEY ISSUES  
"P" will start with A.R. 746610-F1/R1-R2-R3/A-1

36. "P" Adopts all issues relevant to Dental Care  
addressed in "P" previous response to  
Kidney Care referenced to A.R. 746610. at  
the BP. 9 level

37. "P" As to Defendants objection Post. January  
23-2014 To September 2015

38. "P" Dental Issues began in March 27. 2013  
and as raised in Kidney the Dental  
ISSUES EVOLVED. As time passed the  
issues got worse.

39. As a result of "P"s complaints "P"  
was provided a consultation at which  
point "D" Roberts identified the issue  
related to "P"s DENTAL CARE and how  
he was going to proceed. SEE

40 As such "P" Dental Issue in BP.11 to A.R. 746610-A1 continues and should be EXHAUSTED up and until the RESPONSE TO "P" BP.11 ON October 30-2014.

41. BP.11 Response in Part states:

(a) You were afforded a comprehensive examination on January 23, 2014.

(b) ... During this encounter, the DENTIST explained to you the need to

(i) extract three teeth; (THESE ARE THE SAME 3 TEETH THAT "Ds" CLAIM WAS NOT RAISED ARE ADDRESSED AS PART OF THE SAME PROCESS)

(ii) Central office could have rejected it THEY DID NOT.

(iii) D<sup>E</sup> Response could have chosen to ignore them (THEY DID NOT)

(c) The BP.11 also addresses dates from October 31-2013 up and until September 29-2014 and at no time "P" issues were Rejected

42. Claim 3 is also supported by A.R.<sup>5</sup> 737155- adopted for this claim as such this claim has met the EXHAUSTION PROCESS



"P" A.R. 793416: SUPPORT OF EXHAUSTION.

43. "P" A.R. 746610- Covers the period of Exhaustion, at the very least, to October 30, 2014. Which was the date A.R. 746610 was Responded to.

A.R. 793416.

44. D<sup>s</sup>. Document 104-1 EXHIBIT A  
Statement of undisputed facts states  
'P' that 'P' did not exhaust Post 8-19-13  
to Claim One.

45. "P" addressed the issue and rests on the  
Arguments and evidence in "P" Fourth  
Amended Complaint and A.R. 746610.

46. "D" Document 104-2 (DECLARATION OF  
KRISTA KLETT) Paragraph 11.(b) Concedes  
that this "A.R. 793416" is considered  
EXHAUSTED

47. This "A.R." was filed on 8-19-2014 and  
logged in on 8-29-14. (TWO MONTHS PRIOR  
TO THE DATE THAT THE BRI FOR 746610  
WAS RESPONDED.

A.R. 793416. KIDNEY ISSUES.

BP. 9

48. Was submitted on 8-19-14 and logged in on 8-29-14.

This BP 9, in part, raised requests for

- (a) Adequate health care
- (b) Information about his kidney issues
- (c) For responses to all the cop outs submitted.
- (d) Claims no follow up care after the surgery
- (e) None Comply with the surgeons request to see "P" within 2 weeks after the surgery
- (f) That D' Santini did not address follow up issues "P" nor address the high levels of "P" GFR and Creatine.
- (g) that "P" had notified Warden Burkebile; HSA. CORDOVA, and Miss Montoya, from the legal department, about the issues dealing with "P" kidney as did "P" counsel Kelly Cherry by email.

(k) That "P" was not provided the necessary tools for "P" post opp. orders nor was provided the post opp orders.

(L) P. also advises that he had urinary, stomach issues. Fainting, Dizziness, Back pain, sugar issues... and none had been addressed

This BP-9 has a closing date of 10-9-14  
(COINCIDENTLY THE CUT OFF DATE FOR RESPONSE)

49 "P" BP-10 was submitted on October-16-14 and logged in on 10-27-14.

50 "P" adopted and in part repeated and expanded on his BP8 and BP9

51 BP-10 was signed as responded on 11-5-14.

52. BP-11. P submitted his BP-11 on or about November 14-14 and logged at Central Office. This BP-11 remained unresponded at the Central Office level until H FEBRUARY-9-2017. A total of 27 MONTHS

53 As such "P" has exhausted his kidney Issue from March 2013 to February 2017.

"P" A.R. # 737155,  
SUBMITTED AS SENSITIVE.

54. 28 CFR § 542.17 b(1) and PS-1330.17.11 b(1)  
SENSITIVE SUBMISSIONS: "Submissions for  
inmate claims which are too sensitive to  
be made known at the institution are  
NOT TO BE RETURNED TO THE INMATE. Only  
a Rejection notice will be provided to the  
inmate." ...

55. BP-10. Since "P" filed this A.R. as a sensitive  
submission, "P" files it at the Regional level  
in a BP-10 form.

56. "P" submitted his BP-10 on May 30, 2013,  
and logged in on June 7, 2013.

57. That submission's subject 1. section  
states: UNPROFESSIONAL, INAPPROPRIATE  
CONDUCT OR MISCONDUCT BY STAFF.

58. This BP-10 is rejected by the Region.  
REJECT REASON 1: The Issue you raised  
is not sensitive. However, we retained

your issue request/appeal according to policy.

59. This rejection is contradictory and by retaining the submission the region accepts that the issue is SENSITIVE and according to the policy in PS.1330.17. b(1). "inmate claims which are too SENSITIVE... are NOT TO BE RETURNED TO THE INMATE..." This concedes it was a sensitive issue and was inappropriately rejected.

60. REJECTION ISSUE 2: "You raise more than one issue"...

61. What makes "P" submission SENSITIVE is the totality of all the issues occurring simultaneously... As such this reason was also improperly rejected.

62. "P" Appealed the BP 10 Rejections to Central Office via a BP 11.

63. "P" BP 11 was submitted on June 23, 2013 and logged on July 17, 2013.

64. This BP 11 was rejected on July 22-2013
65. This Rejection Notice also claims as  
Reasons for Rejections  
ONE: That the AR was not SENSITIVE  
(BUT) like the Region - Central office  
Retained the BP 11 Submitted package.
66. "P" adopts some challenges as he did in  
his BP 10<sup>13</sup> as they relate to reasons "one  
and two" above.
67. "P" BP 11 states that the rejection was  
improper as such he was appealing  
the BP 10 Rejection "P" also included  
the same exhibit he did with his BP 10.  
as well as a T.R.O. in "P" prior case  
11-CV-02381 - Denver Colorado.
68. As such "P" exhaustion of AR 737155  
was completed
69. "P" will now detail what this AR 737155  
raised in both BP 10 and EXHIBIT and  
BP 11 and EXHIBITS

70. 'P' FIRST EXHIBIT I A LETTER  
AUTHORED BY THE 'P' DATED 5-20-13

The following are some of the claims  
'P' raised in that letter.

- (a) Specifically claimed RETALIATION by asking Warden Daniels to refrain from doing so.
- (b) That 'P' was being denied access to counsel and the courts.
- (c) Denial of proper and timely medical treatment or care.
- (d) Was being denied meals.
- (e) Was denied access to his unit team.
- (f) denied mail and phone privileges by violating the shall requirements of the MFR.
- (g) Placed on RESTRICTIVE CONDITIONS OUT OF RETALIATION.
- (h) personally addressed Daniels, A.W. Swartz, Johnson and Yeager on these issues that were occurring.
- (i) RETALIATION was based on (then) present and past conditions.
- (j) while others were fed he was not.

(k) the violations dealt with all aspects of prison life like housing medical food...

## 71. 20 Pg. EXHIBIT II In part raised

This document details issues beginning March 1-2013 - "P" will only describe issues post March 27-2013. His date of arrival to the FCC Colorado Complex.

(a) Raises "P" was the only person transferred to FCC Florence of all the persons dealing with the cell phone issues.

(b) That "P" current confinement was not warranted as "P" transfer was not for greater security nor imposed as a sanction.

(i) that "P" then current confinement was greater than that which he had at Terre Haute where the violation occurred.

(ii) Had to recreate alone

(iii) house alone

(iv) Three man hold with Lt. present when moved

(v) could not communicate with other inmates

(vi) housed in one 30 cell tier alone.

VII denied Due Process



(c) that all were aware "P" suffers from MAJOR DEPRESSIVE DISORDER, panic, anxiety...

(d) this was being done to literally laugh and make fun of "P"

(e) though "P" was to be closely watch due to his mental health due to the way he was being treated "P" would push the duress button and no one would respond.

(f) Medical were not making the daily rounds to see him when others were seen.

(THIS WAS WHAT CAUSED "D." McDERMOTT TO STATE "ALL I HAVE TO DO IS CHECK THAT YOU ARE ALIVE EVERY 24 HOURS")

(g) often would forget to bring PILL LINE MEDICATION.

(h) that he was not receiving DENTAL CARE, was in pain due to infections... and was told he was on the list to be seen.

(i) when "P" complained about pain he was told by Nehls & others that THE PAIN WILL NOT KILL YOU.

(j) The list claims other violations to include violations of his "AR" procedures as well as ACCESS TO THE COURTS.

(k) That fabricated issues that appear in "P" Central File which were agreed to be removed (IN "P" CASE 00404) had not been removed.

(l) that "P" on several occasions was told to pack his property - take his mattress and was escorted to a cell called the "LT" Lieutenant's TANK. (This tank is behind the Captains office and face to face to the IT office. All staff walk by there. The tank has no bid, has a toilet but the front is all glass so everyone sees the "P" urinate and defecate).

(i) "P" would have to sleep on a mattress in the floor with lights on.

(ii) that staff would often comment "What or who did you piss off."

(m) P details the violations of his legal mail and legal visits, his conditions (WHICH EASILY CLASSIFY OR SUPPORT "P" Claim of Retaliation to Atypical and Significant Hardship. and

(n) offers to propose issues and resolve all of them.

(o) Submitted a letter by his attorney which was sent to the Warden Daniels.

that includes violations of "P" access to counsel and the courts - and addresses the conditions of his legal visit with the "P"

(p) that "P" was being denied access to mail that contained Christian literature from approved vendors.

(q) "P" closes the exhibit by stating that he was authoring the document from the floor of the Jail.

72. The Content of EXHIBIT I and II to AR 737155 - in P's BP-10 & BP-11 more than support claims of retaliation; deliberate indifference, conspiracy and access to counsel and the courts... In spite of the fact that the word Conspiracy does not appear, nor the words Atypical and Significant Hardship.

73 Deliberate Indifference itself is the result of acts done knowingly and that itself has sub-claims to support Atypical & Significant Hardship as claimed - Access to the courts - Retaliation and Conspiracy are all supported in the A.R. process of 737155.

74. Defendants Challenge Claim 5 and state  
"P" did not exhaust ATYPICAL HARDSHIP.

### RESPONSE TO ATYPICAL HARDSHIP

75. "P" adopts all previous paragraphs and  
sections. #130. Adopts the Claims in "P"  
fourth Amended Complaint that address this  
issue

76. "P"s Claims addressed in A.R. 746610 ;  
793416, 737155  
of themselves lay out a multitude of  
allegations that support that "P" did  
satisfy the Atypical Hardship Claim.

77. "P" is an inmate with no legal training.  
As such "P" never used the words of  
Atypical Hardship in his A. Remedies  
BUT he did so in facts raised in his A.R.  
submitted in this Declaration.

78. The conduct alleged more than supports that  
"P" conditions of confinement supports "P"  
conditions, in these two years of rising

to the level of Atypical Hardship as exhausted in this enclosed Administrative Remedies.

## 79 "Conspiracy" at 104-2#16 Challenge

As with Atypical Hardship, 'P' did not state the words Conspiracy in his exhaustions but the acts as appear in the Complaint, the A.R.# 746610; 793416; 737155 could not have occurred as raised in this Declaration and as such 'P's Conspiracy claim has been satisfied.

## 80. RETALIATION AT 104-2# HT 20.

'P' adopts all previous documents in A.R.# 746610 793416, 737155, exhibits and the Complaint, as it did also in A.R.# 842.836

D<sup>s</sup> in 104-2 page 7 paragraph 20 (a) in part acknowledges that 'P' did claim a ~~conspire~~ retaliation claim as to D' Nukls.

(b) D<sup>s</sup> have not provided me all my documents so D' must, at this time, rely that that

"D" 104-2 at 20. Continued per their motion

(b) A.R. 730350: "P" must wait to be provided his documents to address this A.R. but D's D's own note states in part.

(i) A.R. was exhausted

(ii) Claims "P" complained of being treated different. (THIS SUPPORTS IN PART THE ATYPICAL HARSHIP CLAIM) and

(iii) SPECIFICALLY ALLEGES RETALIATION in the form of communication restrictions.

"P" REQUESTS THAT HE BE PERMITTED THE OPPORTUNITY TO AMEND ONCE HE IS "P" ACCESS TO THIS A.R. AND OR IN DISCOVERY.

(d) A.R. 751838 - Retrieval records show that "P" did not submit a B.P.11. Again "P" A.R. 751838 is not provided from his property  
(i) "P" would ask that he be able to amend this A.R. once he has his document and or in discovery

(g) A.R. 795894 "P" adopts D's position in this paragraph as being exhausted and retaliation was raised

A.R # 842836.

MEDICAL.

(A)

81. BP-8 was filed on 11-8-2015

82. BP-9 was filed on 11-18-2015 entered on 11-19-2015.

(a) BP-9 addressed numerous issues related to his health care. Some are:

(i) "D" Weise interrupted and interfered with "P" chronic care visit. by interrupting when "P" would address issues raised in "P" Pro SE filing

(ii) "D" claimed retaliation

(iii) "P" claimed her only purpose at the encounter was to impede "P" proper and adequate health care

(iv) "Miss Weise" job description has nothing to do with healthcare or the health care department.

(v) "P" objects to have chronic healthcare encounters without prior notice to be able to address issues appropriately and not on the fly.

(vi) "P" claimed improper care was provided as a result <sup>UNDER</sup> which the chronic care

encounter was performed causing inappropriate blood pressure readings

(vii) "P" was cuffed behind the back

(viii) "P" addressed previous relations during chronic care encounters with Dr. Santini resulting in changes of medication (mg)

(ix) "D" Santini dismissed "P" mental health issues by stating "You look fine"

(x) Miss Weiss continued to interrupt every issue "P" brought up

(b) "P" addressed numerous other health care issues

(c) "P" was denied a request to have the chronic care encounter repeated and in an appropriate manner and conditions nor were issues addressed

(B)

1.) "P" appealed by filing a BP-10 on or about 12-17-15 registered on 12-28-2015

(a) "P" adopted his BP-8 and BP-9 and claimed "D" did not address any of the specific issues raised

(b) "D" response was to basically quote P's by identification of number. D

(C)

1. On 1-22-16 "P" filed his BP-11, adopted all previous submissions, elaborated on certain issues to include that as a result of that chronic care



encounter of Oct-20-2015 "P" psychotropic medications were not renewed and resulted in "P" being placed on suicide watch exacerbating "P" depression, anxiety, panic attacks. "P" asserts this was all retaliatory and calculated. "P" claimed numerous violations of the constitution amongst other violations

2) "D" response is conclusory and tries to foreclose some of the "P" mental health issue as newly raised - even though they were the result of the same encounter but would not be manifested at the time the encounter occurred but only after the medications ran out at which time is when "P" was denied his medications and was told they had not been renewed at the chronic care encounter of 10-20-15 even though Santini claimed all meds were being renewed.

This AR claims Retaliation and specifically names Santini in the process. This Conspiracy or Retaliation for medical issues was exhausted

746331

I

83 This A.R. deals with Adx transfer process  
This process must start at DSCC with a  
BP-10.

(A) Original BP-10 Appeal was submitted in Dec-16-2013  
and docketed on Dec-24-13

1. "P" raised numerous issues and amongst them  
were RETALIATION
2. Medical (Mental Health)

3. BP-10 Response Acknowledges Retaliation was  
raised due to current and extensive litigations.  
(a) But does not directly address the retaliation issues  
and claim, only that I show no evidence  
(b) Acknowledges reviewing Health issues and  
said all files reviewed and state Adx was  
appropriate.

(B) "P" appealed the BP-10<sup>s</sup> response on  
12-16-2013 docketed at Central office on  
12-24-2013

(1) P raised retaliation and acknowledged in

in the Central office response.

(2) Central office also acknowledged that health care was raised.

(3) Central office claims "P" raised a discrimination claim for being a Muslim.

\* (a) P is NOT muslim - "P" is a Christian

(b) "P" never raised a discrimination issue

THIS PROVES HOW THE A.R. PROCESS THAT RELATES TO "P" ARE NOT EVEN READ BUT JUST RUBBER STAMPED - MAKE IT FUTILE

84. This A.R. was exhausted - RAISED RETALIATION AND RAISES MEDICAL ISSUES

85 Defendants Document 104-2 at paragraph 21 and 22 make a claim that "D" Daniels and D' McDermott had no part of "P" custody after September Fourth, 2013. Is a CORRECT statement. "P" was moved within the same Copley to the ADX on 9-4-2013.

86. Based on the "P" allegations (that apply to these claims in his Fourth Amended Complaint; the current documents and exhibits in his possession, at this time, the documents and paragraphs contained in the Declaration. "P" has exhausted all claims of his Complaint as charged.

87. "P" would ask the court to supplement his declaration in support of exhaustion once he has access to all of his legal property and or after discovery, if needed.

88. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge in his current mental state and conditions currently.

affecting his current confinement

EXECUTED ON THIS DAY.  
JULY-19-2017 in Florence Colorado.

Respectfully,  
PLAINTIFF.  
Salvador Magluta  
REG.# 26012037.  
Florence Colorado. ADX.

This document will be provided to the unit  
team member that collects legal mail.

## ENCLOSURES

ATTACHMENT-1. Administrative Remedy  
Generalized Retrieval Sanitized  
format

ATTACHMENT-2 AR. 746610

ATTACHMENT-3 AR#793416

ATTACHMENT-4 AR#737155

ATTACHMENT-5 A.R. 842836.

ATTACHMENT-6. AR. 746331

ATTACHMENT ONE

ADMINISTRATIVE REMEDY.

GENERALIZED RETRIEVAL

SANITIZED FORMAT

DATES

MARCH-29-2013 TO JULY-5-2017

| FLMGK<br>PAGE 002 OF | *ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL *<br>*<br>SANITIZED FORMAT | 07-05-2017<br>14:18:59                                                                               |
|----------------------|-------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| REMEDY-ID            | SUBJ1/SUBJ2<br>RCV-OFC                                                  | -----ABSTRACT-----<br>RCV-FACL      DATE-RCV      STATUS      STATUS-DATE                            |
| 728409-R1            | 34AM/34BM<br>NCR                                                        | CLAIMS STAFF MISCONDUCT/RETALIATION<br>FLP      03-29-2013      REJ      03-29-2013                  |
| 730350-F1            | 34AM/34CM<br>FLP                                                        | CLAIMS STAFF ARE RETALIATING AGAINST HIM<br>FLP      04-15-2013      CLO      04-26-2013             |
| 732615-F1            | 16ZS/<br>FLP                                                            | MAIL DELAY ISSUES INCOMING AND OUTGOING<br>FLP      04-30-2013      CLO      05-16-2013              |
| 733178-R1            | 20AM/<br>NCR                                                            | APPEALS DHO REPORT<br>FLP      05-06-2013      CLD      07-03-2013                                   |
| 728409-A1            | 34AM/34BM<br>BOP                                                        | CLAIMS STAFF MISCONDUCT/RETALIATION<br>FLP      05-08-2013      REJ      05-14-2013                  |
| 730350-R1            | 34AM/34CM<br>NCR                                                        | CLAIMS STAFF ARE RETALIATING AGAINST HIM<br>FLP      05-13-2013      CLD      05-30-2013             |
| 734326-F1            | 33FS/<br>FLP                                                            | WANTS LOF OF LEGAL MAIL INCOMING AND SENT<br>FLP      05-14-2013      CLD      05-29-2013            |
| 734327-F1            | 16ES/18ZS<br>FLP                                                        | COMPLAINTS ABOUT RESTRICTED MAIL<br>FLP      05-14-2013      REJ      05-14-2013                     |
| 734327-F2            | 16ES/18ZS<br>FLP                                                        | COMPLAINTS ABOUT RESTRICTED MAIL<br>FLP      05-14-2013      CLO      06-19-2013                     |
| 732615-R1            | 16ZS/<br>NCR                                                            | MAIL DELAY ISSUES INCOMING AND OUTGOING<br>FLP      06-03-2013      CLO      06-06-2013              |
| 734327-R1            | 16ES/18ZS<br>NCR                                                        | COMPLAINTS ABOUT RESTRICTED MAIL<br>FLP      06-03-2013      REJ      06-03-2013                     |
| 737155-R1            | 34AS/<br>NCR                                                            | ALLEGES STAFF MISCONDUCT-DENIED ACCESS TO UNIT TEAM/<br>FLP      06-05-2013      REJ      06-05-2013 |
| 738346-F1            | 33GS/<br>FLP                                                            | EXCHANGE PROPERTY DURING ATTORNEY VISITS<br>FLP      06-14-2013      CLD      07-08-2013             |
| 739508-F1            | 33DS/<br>FLP                                                            | WANTS CONTACT LEGAL VISIT<br>FLP      06-24-2013      CLD      07-08-2013                            |
| 734326-R1            | 33FS/<br>NCR                                                            | WANTS LOG OF LEGAL MAIL INCOMING AND SENT<br>FLP      06-24-2013      REJ      06-24-2013            |
| 734327-R2            | 16ES/18ZS<br>NCR                                                        | COMPLAINTS ABOUT RESTRICTED MAIL<br>FLP      07-12-2013      REJ      07-12-2013                     |
| G0002                | MORE PAGES TO FOLLOW . . .                                              |                                                                                                      |



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| REMEDY-ID            | SUBJ1/SUBJ2<br>RCV-OFC                                                 | RCV-FACL                                                    | DATE-RCV   | STATUS | STATUS-DATE            |
| 732615-A1            | 16ZS/<br>BOP                                                           | MAIL DELAY ISSUES INCOMING AND OUTGOING<br>FLP              | 07-15-2013 | VOD    | 07-18-2013             |
| 732615-A2            | 16ZS/<br>BOP                                                           | MAIL DELAY ISSUES INCOMING AND OUTGOING<br>FLP              | 07-15-2013 | REJ    | 07-18-2013             |
| 730350-A1            | 34AM/34CM<br>BOP                                                       | CLAIMS STAFF ARE RETALIATING AGAINST HIM<br>FLP             | 07-16-2013 | REJ    | 07-19-2013             |
| 734327-A1            | 16ES/18ZS<br>BOP                                                       | COMPLAINTS ABOUT RESTRICTED MAIL<br>FLP                     | 07-16-2013 | REJ    | 07-22-2013             |
| 737155-A1            | 34AS/<br>BOP                                                           | ALLEGES STAFF MISCONDUCT-DENIED ACCESS TO UNIT TEAM/<br>FLP | 07-17-2013 | REJ    | 07-22-2013             |
| 738346-R1            | 33GS/<br>NCR                                                           | EXCHANGE PROPERTY DURING ATTORNEY VISITS<br>FLP             | 07-18-2013 | CLD    | 07-31-2013             |
| 739508-R1            | 33DS/<br>NCR                                                           | WANTS CONTACT LEGAL VISIT<br>FLP                            | 07-18-2013 | CLD    | 07-26-2013             |
| 733178-A1            | 20AM/<br>BOP                                                           | APPEALS DHO REPORT<br>FLP                                   | 07-22-2013 | REJ    | 08-05-2013             |
| 733178-A2            | 20AM/<br>BOP                                                           | APPEALS DHO REPORT<br>FLP                                   | 07-29-2013 | CLD    | 06-17-2015             |
| 734326-A1            | 33FS/<br>BOP                                                           | WANTS LOG OF LEGAL MAIL INCOMING AND SENT<br>FLP            | 07-30-2013 | REJ    | 08-07-2013             |
| 734327-R3            | 16ES/18ZS<br>NCR                                                       | COMPLAINTS ABOUT RESTRICTED MAIL<br>FLP                     | 07-31-2013 | CLD    | 08-16-2013             |
| 732615-A3            | 16ZS/14ZS<br>BOP                                                       | MAIL DELAY ISSUES INCOMING AND OUTGOING<br>FLP              | 08-02-2013 | CLD    | 05-12-2015             |
| 745296-F1            | 25DS/<br>FLP                                                           | PROPERTY ISSUES<br>FLP                                      | 08-07-2013 | CLO    | 08-20-2013             |
| 745760-R1            | 20AM/<br>NCR                                                           | APPEALS DHO REPORT<br>FLP                                   | 08-12-2013 | CLD    | 10-07-2013             |
| 746331-R1            | 10ZS/<br>DSC                                                           | APPEAL ADX GP HEARING ADMINISTRATOR'S REPORT<br>FLP         | 08-12-2013 | REJ    | 08-15-2013             |
| 730350-A2            | 34AM/34CM<br>BOP                                                       | CLAIMS STAFF ARE RETALIATING AGAINST HIM<br>FLP             | 08-12-2013 | CLO    | 01-23-2014             |

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| REMEDY-ID | SUBJ1/SUBJ2<br>RCV-OFC | -----ABSTRACT-----<br>RCV-FACL                              | DATE-RCV   | STATUS | STATUS-DATE |
|-----------|------------------------|-------------------------------------------------------------|------------|--------|-------------|
| 734327-A2 | 16ES/18ZS<br>BOP       | COMPLAINTS ABOUT RESTRICTED MAIL<br>FLP                     | 08-13-2013 | REJ    | 08-26-2013  |
| 746609-F1 | 16ZS/<br>FLP           | CLAIMS SIS STAFF ARE HOLDING MAIL AGAINST POLICY<br>FLP     | 08-19-2013 | CLO    | 08-26-2013  |
| 746610-F1 | 26AM/<br>FLP           | CLAIMS DELAY IN MEDICAL CARE<br>FLP                         | 08-19-2013 | CLO    | 09-09-2013  |
| 739508-A1 | 33DS/<br>BOP           | WANTS CONTACT LEGAL VISIT<br>FLP                            | 08-20-2013 | CLD    | 10-31-2013  |
| 738346-A1 | 33GS/<br>BOP           | EXCHANGE PROPERTY DURING ATTORNEY VISITS<br>FLP             | 08-26-2013 | CLD    | 10-25-2013  |
| 745296-R1 | 25DS/<br>NCR           | PROPERTY ISSUES<br>FLP                                      | 08-30-2013 | CLO    | 09-11-2013  |
| 746609-R1 | 16ZS/<br>NCR           | CLAIMS SIS STAFF ARE HOLDING MAIL AGAINST POLICY<br>FLP     | 09-03-2013 | CLO    | 09-12-2013  |
| 734327-A3 | 16ES/18ZS<br>BOP       | COMPLAINTS ABOUT RESTRICTED MAIL<br>FLM                     | 09-05-2013 | CLD    | 12-12-2013  |
| 750857-F1 | 14GM/<br>FLM           | ALLEGES COPY DECISION FOR ADX PLACEMENT NOT PROVIDED<br>FLM | 09-20-2013 | VOD    | 10-07-2013  |
| 752626-F1 | 14GM/<br>FLM           | ALLEGES COPY DECISION FOR ADX PLACEMENT NOT PROVIDED<br>FLM | 09-20-2013 | REJ    | 09-20-2013  |
| 750857-R1 | 14GM/<br>NCR           | ALLEGES COPY DECISION FOR ADX PLACEMENT NOT PROVIDED<br>FLM | 09-23-2013 | REJ    | 09-23-2013  |
| 751838-F1 | 22ZS/<br>FLM           | CHALLENGE USP SPECIAL HOUSING UNIT CONDITIONS<br>FLM        | 09-30-2013 | REJ    | 09-30-2013  |
| 753637-F1 | 33GS/16CS<br>FLM       | CHALLENGE CONFISCATION OF LEGAL PROPERTY<br>FLM             | 10-11-2013 | REJ    | 10-16-2013  |
| 753639-F1 | 17AM/<br>FLM           | CHALLENGE PHONE SANCTION EXPIRATION DATE<br>FLM             | 10-11-2013 | CLO    | 11-19-2013  |
| 745296-A1 | 25DS/<br>BOP           | PROPERTY ISSUES<br>FLM                                      | 10-17-2013 | CLO    | 05-01-2015  |
| 746609-A1 | 16ZS/<br>BOP           | CLAIMS SIS STAFF ARE HOLDING MAIL AGAINST POLICY<br>FLM     | 10-17-2013 | CLO    | 04-23-2015  |

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|----------------------|------------------------------------------------------------------------|-----------------------------------------------------------|------------|--------|------------------------|
| REMEDY-ID            | SUBJ1/SUBJ2<br>RCV-OFC                                                 | RCV-FACL                                                  | DATE-RCV   | STATUS | STATUS-DATE            |
| 751838-F2            | 22ZS/<br>FLM                                                           | CHALLENGE USP SPECIAL HOUSING UNIT CONDITIONS<br>FLM      | 10-21-2013 | REJ    | 10-24-2013             |
| 755662-R1            | 14AS/<br>NCR                                                           | CONTROL UNIT APPEAL<br>FLM                                | 10-24-2013 | REJ    | 10-24-2013             |
| 746331-R2            | 10ZM/<br>DSC                                                           | APPEALS ADX GENERAL POPULATION PLACEMENT DECISION<br>FLM  | 10-24-2013 | REJ    | 10-31-2013             |
| 746610-R1            | 26AM/<br>NCR                                                           | CLAIMS DELAY IN MEDICAL CARE<br>FLM                       | 10-25-2013 | REJ    | 10-25-2013             |
| 746331-R3            | 13ZM/10ZM<br>DSC                                                       | OBJECTS TO ADX PLACEMENT DECISION/SEEKS TRANSFER<br>FLM   | 11-04-2013 | CLD    | 11-20-2013             |
| 745760-A1            | 20AM/<br>BOP                                                           | APPEALS DHO REPORT<br>FLM                                 | 11-05-2013 | CLO    | 01-07-2014             |
| 746610-R2            | 26AM/<br>NCR                                                           | CLAIMS DELAY IN MEDICAL CARE<br>FLM                       | 11-12-2013 | REJ    | 11-12-2013             |
| 751838-R1            | 22ZS/<br>NCR                                                           | CHALLENGE USP SPECIAL HOUSING UNIT CONDITIONS<br>FLM      | 11-22-2013 | REJ    | 11-22-2013             |
| 759207-R1            | 13ZM/10ZM<br>DSC                                                       | OBJECTS TO ADX PLACEMENT DECISION/SEEKS TRANSFER<br>FLM   | 11-25-2013 | REJ    | 11-26-2013             |
| 746610-R3            | 26AM/<br>NCR                                                           | CLAIMS DELAY IN MEDICAL CARE<br>FLM                       | 12-03-2013 | CLO    | 12-19-2013             |
| 753639-R1            | 17AM/<br>NCR                                                           | CHALLENGE PHONE SANCTION EXPIRATION DATE<br>FLM           | 12-10-2013 | CLD    | 12-23-2013             |
| 746331-A1            | 13ZM/10ZM<br>BOP                                                       | OBJECTS TO ADX PLACEMENT DECISION/SEEKS TRANSFER<br>FLM   | 12-24-2013 | CLD    | 01-09-2014             |
| 789015-A1            | 16EM/<br>BOP                                                           | WANTS STATUS OF MAIL RESTRICTION; COPY OF DOCUMENT<br>FLM | 01-15-2014 | VOD    | 01-14-2015             |
| 766605-F1            | 32AM/<br>FLM                                                           | ALLEGES EXPUNGED IR DATA STILL IN CENTRAL FILE<br>FLM     | 01-16-2014 | CLO    | 02-11-2014             |
| 746610-A1            | 26AM/<br>BOP                                                           | CLAIMS DELAY IN MEDICAL CARE<br>FLM                       | 01-22-2014 | CLO    | 10-30-2014             |
| 753639-A1            | 17AM/<br>BOP                                                           | CHALLENGE PHONE SANCTION EXPIRATION DATE<br>FLM           | 01-23-2014 | CLO    | 05-21-2015             |

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| FLMGK<br>PAGE 006 OF | *ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL *<br>* SANITIZED FORMAT * |                                                             |            |        | 07-05-2017<br>14:18:59 |
|----------------------|------------------------------------------------------------------------|-------------------------------------------------------------|------------|--------|------------------------|
| REMEDY-ID            | SUBJ1/SUBJ2<br>RCV-OFC                                                 | RCV-FACL                                                    | DATE-RCV   | STATUS | STATUS-DATE            |
| 768912-F1            | 13HM/<br>FLM                                                           | CHALLENGE HOUSING ASSIGNMENT<br>FLM                         | 02-18-2014 | CLO    | 03-14-2014             |
| 777070-F1            | 33FM/<br>FLM                                                           | ALLEGES LEGAL MAIL NOT HANDLED ACCORDING TO POLICY<br>FLM   | 04-18-2014 | CLO    | 05-14-2014             |
| 777771-F1            | 16ZM/<br>FLM                                                           | CHALLENGE CORRESPONDENCE RESTRICTIONS/REVIEW<br>FLM         | 04-29-2014 | REJ    | 05-02-2014             |
| 779284-F1            | 33FM/33EM<br>FLM                                                       | CHALLENGE RESTRICTION TO LEGAL TEAM;VISIT/PHONE/MAIL<br>FLM | 05-05-2014 | CLO    | 11-12-2014             |
| 777771-F2            | 16ZM/<br>FLM                                                           | CHALLENGE CORRESPONDENCE RESTRICTIONS/REVIEW<br>FLM         | 05-12-2014 | CLO    | 05-27-2014             |
| 781636-F1            | 26HM/<br>FLM                                                           | CHALLENGE DELAY IN RECEIVING MEDICAL RECORDS<br>FLM         | 05-30-2014 | CLO    | 07-09-2014             |
| 783828-F1            | 16ZM/<br>FLM                                                           | CHALLENGE DELAY TO PROCESS INCOMING/OUTGOING MAIL<br>FLM    | 06-11-2014 | CLO    | 07-09-2014             |
| 784482-F1            | 16BM/33HM<br>FLM                                                       | CHALLENGE REJECTED CORRESPOND;DELAY BP-8 PROCESSING<br>FLM  | 06-20-2014 | REJ    | 06-25-2014             |
| 785088-F1            | 16ZM/18ZM<br>FLM                                                       | CHALLENGE VISIT/PHONE/CORRESPONDENCE RESTRICTIONS<br>FLM    | 06-25-2014 | CLO    | 07-09-2014             |
| 781636-R1            | 26HM/<br>NCR                                                           | CHALLENGE DELAY IN RECEIVING MEDICAL RECORDS<br>FLM         | 07-18-2014 | REJ    | 07-18-2014             |
| 789015-F1            | 16EM/<br>FLM                                                           | WANTS STATUS OF MAIL RESTRICTION;COPY OF DOCUMENT<br>FLM    | 07-28-2014 | CLO    | 08-26-2014             |
| 781636-A1            | 26HM/<br>BOP                                                           | CHALLENGE DELAY IN RECEIVING MEDICAL RECORDS<br>FLM         | 08-18-2014 | REJ    | 09-15-2014             |
| 793416-F1            | 26AM/26BM<br>FLM                                                       | ALLEGES DELAY & INADEQUATE MEDICAL CARE<br>FLM              | 08-29-2014 | CLO    | 10-09-2014             |
| 784482-F2            | 16BM/33HM<br>FLM                                                       | CHALLENGE REJECTED CORRESPOND;DELAY REMEDY PROCESS<br>FLM   | 09-15-2014 | REJ    | 09-26-2014             |
| 795894-F1            | 33EM/<br>FLM                                                           | CHALLENGE DENIAL/DELAY OF LEGAL PHONE CALLS<br>FLM          | 09-16-2014 | CLD    | 11-12-2014             |
| 789015-R1            | 16EM/<br>NCR                                                           | WANTS STATUS OF MAIL RESTRICTION;COPY OF DOCUMENT<br>FLM    | 09-18-2014 | REJ    | 09-18-2014             |

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| FLMGK<br>PAGE 007 OF | *ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL *<br>* SANITIZED FORMAT * |                                                              |            |        | 07-05-2017<br>14:18:59 |
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| REMEDY-ID            | SUBJ1/SUBJ2<br>RCV-OFC                                                 | RCV-FACL                                                     | DATE-RCV   | STATUS | STATUS-DATE            |
| 789015-R2            | 16EM/<br>NCR                                                           | WANTS STATUS OF MAIL RESTRICTION; COPY OF DOCUMENT<br>FLM    | 10-06-2014 | CLO    | 11-10-2014             |
| 799224-F1            | 33DM/33EM<br>FLM                                                       | ALLEGES STAFF MONITORING LEGAL MAIL, VISITS, PHONE<br>FLM    | 10-20-2014 | CLD    | 11-24-2014             |
| 800147-F1            | 33HM/<br>FLM                                                           | ALLEGES ADMIN REMEDIES NOT PROCESSED PROPERLY<br>FLM         | 10-24-2014 | CLO    | 11-12-2014             |
| 793416-R1            | 26AM/26BM<br>NCR                                                       | ALLEGES DELAY & INADEQUATE MEDICAL CARE<br>FLM               | 10-27-2014 | CLO    | 11-05-2014             |
| 801570-F1            | 26HM/<br>FLM                                                           | CHALLENGE DELAY TO RECEIVE MEDICAL RECORDS<br>FLM            | 11-05-2014 | CLO    | 12-12-2014             |
| 784482-F3            | 16BM/<br>FLM                                                           | CHALLENGE REJECTED CORRESPONDENCE<br>FLM                     | 11-10-2014 | CLO    | 01-14-2015             |
| 793416-A1            | 26AM/26BM<br>BOP                                                       | ALLEGES DELAY & INADEQUATE MEDICAL CARE<br>FLM               | 11-24-2014 | CLO    | 02-09-2017             |
| 795894-R1            | 33EM/<br>NCR                                                           | CHALLENGE DENIAL/DELAY OF LEGAL PHONE CALLS<br>FLM           | 12-01-2014 | CLD    | 12-15-2014             |
| 800147-R1            | 33HM/<br>NCR                                                           | ALLEGES ADMIN REMEDIES NOT PROCESSED PROPERLY<br>FLM         | 12-01-2014 | CLO    | 12-15-2014             |
| 779284-R1            | 33FM/33EM<br>NCR                                                       | CHALLENGE RESTRICTION TO LEGAL TEAM; VISIT/PHONE/MAIL<br>FLM | 12-01-2014 | CLD    | 12-19-2014             |
| 803416-F1            | 33FM/<br>FLM                                                           | ALLEGES MISHANDLING OF LEGAL MAIL; REQ 24-HR PROCESSG<br>FLM | 12-01-2014 | CLO    | 12-30-2014             |
| 803422-F1            | 32ZM/<br>FLM                                                           | WANTS IR 2448760 COMPLETELY REMOVED FROM RECORD<br>FLM       | 12-01-2014 | CLO    | 12-23-2014             |
| 789015-A2            | 16EM/<br>BOP                                                           | WANTS STATUS OF MAIL RESTRICTION; COPY OF DOCUMENT<br>FLM    | 12-04-2014 | CLD    | 06-05-2015             |
| 803706-F1            | 25GM/32ZM<br>FLM                                                       | WANTS COPY OF ALL RELEASABLE DOCS FROM CENTRAL FILE<br>FLM   | 12-08-2014 | CLO    | 12-22-2014             |
| 799224-R1            | 33DM/33EM<br>NCR                                                       | ALLEGES STAFF MONITORING LEGAL MAIL, VISITS, PHONE<br>FLM    | 12-10-2014 | CLO    | 01-09-2015             |
| 806117-F1            | 33DM/<br>FLM                                                           | CLAIMS LEGAL VISITS DENIED/DELAYED<br>FLM                    | 12-24-2014 | REJ    | 01-02-2015             |

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| FLMGK<br>PAGE 008 OF | *ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL *<br>* SANITIZED FORMAT * |                                                              |                                  |        | 07-05-2017<br>14:18:59 |
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| REMEDY-ID            | SUBJ1/SUBJ2<br>RCV-OFC                                                 | RCV-FACL                                                     | DATE-RCV                         | STATUS | STATUS-DATE            |
| 803416-R1            | 33FM/<br>NCR                                                           | ALLEGES MISHANDLING OF LEGAL MAIL;<br>FLM                    | REQ 24-HR PROCESSG<br>01-14-2015 | CLO    | 01-22-2015             |
| 800147-A1            | 33HM/<br>BOP                                                           | ALLEGES ADMIN REMEDIES NOT PROCESSED PROPERLY<br>FLM         | 01-15-2015                       | CLO    | 12-03-2015             |
| 779284-A1            | 33FM/33EM<br>BOP                                                       | CHALLENGE RESTRICTION TO LEGAL TEAM; VISIT/PHONE/MAIL<br>FLM | 01-15-2015                       | CLD    | 04-18-2016             |
| 795894-A1            | 33EM/<br>BOP                                                           | CHALLENGE DENIAL/DELAY OF LEGAL PHONE CALLS<br>FLM           | 01-15-2015                       | CLD    | 04-18-2016             |
| 806117-F2            | 33DM/<br>FLM                                                           | CLAIMS LEGAL VISITS DENIED/DELAYED<br>FLM                    | 01-23-2015                       | CLO    | 02-26-2015             |
| 809150-F1            | 33EM/<br>FLM                                                           | CHALLENGE DENIAL OF LEGAL PHONE CALLS<br>FLM                 | 01-29-2015                       | REJ    | 02-02-2015             |
| 784482-R1            | 16BM/<br>NCR                                                           | CHALLENGE REJECTED CORRESPONDENCE<br>FLM                     | 02-02-2015                       | CLD    | 02-13-2015             |
| 799224-A1            | 33DM/33EM<br>BOP                                                       | ALLEGES STAFF MONITORING LEGAL MAIL, VISITS, PHONE<br>FLM    | 02-02-2015                       | CLO    | 04-05-2016             |
| 811620-F1            | 15ZM/<br>FLM                                                           | CHALLENGE STEP DOWN DENIAL; CLM RETALIATE FOR LAWSUIT<br>FLM | 02-23-2015                       | CLO    | 03-05-2015             |
| 809150-F2            | 33EM/<br>FLM                                                           | CHALLENGE DENIAL OF LEGAL PHONE CALLS<br>FLM                 | 02-23-2015                       | REJ    | 02-24-2015             |
| 803416-A1            | 33FM/14ZM<br>BOP                                                       | ALLEGES MISHANDLING OF LEGAL MAIL; REQ 24-HR PROCESSG<br>FLM | 03-09-2015                       | CLO    | 04-24-2015             |
| 809150-F3            | 33EM/<br>FLM                                                           | CHALLENGE DENIAL OF LEGAL PHONE CALLS<br>FLM                 | 03-12-2015                       | CLO    | 03-17-2015             |
| 784482-A1            | 16BM/<br>BOP                                                           | CHALLENGE REJECTED CORRESPONDENCE<br>FLM                     | 03-13-2015                       | CLD    | 05-29-2016             |
| 814377-F1            | 33HM/33FM<br>FLM                                                       | REMEDY PROCESSING; LEGAL MAIL PROCESSING<br>FLM              | 03-16-2015                       | REJ    | 03-18-2015             |
| 806117-R1            | 33DM/<br>NCR                                                           | CLAIMS LEGAL VISITS DENIED/DELAYED<br>FLM                    | 03-17-2015                       | CLO    | 04-06-2015             |
| 815181-F1            | 33FM/<br>FLM                                                           | CHALLENGE LEGAL MAIL PROCESSING<br>FLM                       | 03-23-2015                       | REJ    | 03-25-2015             |

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| REMEDY-ID | SUBJ1/SUBJ2<br>RCV-OFC | -----ABSTRACT-----<br>RCV-FACL                              | DATE-RCV   | STATUS | STATUS-DATE |
|-----------|------------------------|-------------------------------------------------------------|------------|--------|-------------|
| 815186-F1 | 26HM/<br>FLM           | CHALLENGE DELAY TO RECEIVE MEDICAL RECORDS<br>FLM           | 03-23-2015 | CLO    | 04-14-2015  |
| 806117-A1 | 33DM/<br>BOP           | CLAIMS LEGAL VISITS DENIED/DELAYED<br>FLM                   | 04-29-2015 | CLO    | 07-11-2016  |
| 821970-F1 | 15ZM/<br>FLM           | CHALLENGE STEP DOWN DENIAL<br>FLM                           | 05-20-2015 | CLD    | 06-11-2015  |
| 821971-F1 | 16ZM/<br>FLM           | CLAIMS MAIL MONITORING TIMELINES NOT FOLLOWED<br>FLM        | 05-20-2015 | CLO    | 08-05-2015  |
| 824675-F1 | 33DM/<br>FLM           | CHALLENGE DENIAL OF LEGAL VISITOR; YADIRA REYEROS<br>FLM    | 06-11-2015 | CLD    | 07-14-2015  |
| 821970-R1 | 15ZM/<br>NCR           | CHALLENGE STEP-DOWN DENIAL<br>FLM                           | 06-29-2015 | CLD    | 07-22-2015  |
| 828058-F1 | 36EM/<br>FLM           | CHALLENGE DELAY TO PROCESS FOIA REQUEST<br>FLM              | 07-07-2015 | CLO    | 08-14-2015  |
| 859078-R3 | 32ZM/<br>NCR           | REQUESTING MEDICAL RETAIN I/M WRITTEN MEDICAL NOTES<br>FLM  | 07-18-2015 | VOD    | 07-18-2016  |
| 829489-F1 | 33EM/<br>FLM           | CHALLENGE PROCEDURES FOR LEGAL CALL SCHEDULE/NOTIFY<br>FLM  | 07-21-2015 | CLO    | 08-07-2015  |
| 824675-R1 | 33DM/<br>NCR           | CHALLENGE DENIAL OF LEGAL VISITOR; YADIRA REYEROS<br>FLM    | 07-27-2015 | CLD    | 08-21-2015  |
| 831481-F1 | 33EM/<br>FLM           | CLAIMS LEGAL CALLS NOT PROCESSED PROPERLY<br>FLM            | 07-29-2015 | CLO    | 08-24-2015  |
| 833006-F1 | 33FM/<br>FLM           | INCOMING LEGAL MAIL & SOCIAL MAIL DELIBERATE DELAYED<br>FLM | 08-10-2015 | REJ    | 08-24-2015  |
| 821971-R1 | 16ZM/<br>NCR           | CLAIMS MAIL MONITORING TIMELINES NOT FOLLOWED<br>FLM        | 08-17-2015 | CLO    | 08-27-2015  |
| 821970-A1 | 15ZM/<br>BOP           | CHALLENGE STEP DOWN DENIAL<br>FLM                           | 08-17-2015 | CLD    | 09-28-2016  |
| 829489-R1 | 33EM/<br>NCR           | CHALLENGE PROCEDURES FOR LEGAL CALL SCHEDULE/NOTIFY<br>FLM  | 08-20-2015 | CLO    | 09-08-2015  |
| 833825-F1 | 33EM/<br>FLM           | CHALLENGE LEGAL PHONE CALLS<br>FLM                          | 08-20-2015 | REJ    | 08-28-2015  |

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| FLMGK<br>PAGE 010 OF | *ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL *<br>* SANITIZED FORMAT * |                                                            |            |        | 07-05-2017<br>14:18:59 |
|----------------------|------------------------------------------------------------------------|------------------------------------------------------------|------------|--------|------------------------|
| REMEDY-ID            | SUBJ1/SUBJ2<br>RCV-OFC                                                 | RCV-FACL                                                   | DATE-RCV   | STATUS | STATUS-DATE            |
| 828058-R1            | 36EM/<br>NCR                                                           | CHALLENGE DELAY TO PROCESS FOIA REQUEST<br>FLM             | 08-31-2015 | CLO    | 09-14-2015             |
| 834627-F1            | 33EM/<br>FLM                                                           | CHALLENGE PROCESSING OF LEGAL PHONE CALLS<br>FLM           | 08-31-2015 | CLO    | 09-16-2015             |
| 833006-F2            | 33FM/<br>FLM                                                           | INCOMING LEGAL MAIL DELIBERATE DELAYED/OPENED<br>FLM       | 09-01-2015 | REJ    | 09-09-2015             |
| 834891-F1            | 33EM/<br>FLM                                                           | CLAIMS DENIED LEGAL CALLS<br>FLM                           | 09-01-2015 | CLO    | 10-20-2015             |
| 831481-R1            | 33EM/<br>NCR                                                           | CLAIMS LEGAL CALLS NOT PROCESSED PROPERLY<br>FLM           | 09-04-2015 | CLO    | 09-24-2015             |
| 833006-F3            | 33FM/<br>FLM                                                           | INCOMING LEGAL MAIL DELIBERATE DELAYED/OPENED<br>FLM       | 09-18-2015 | CLO    | 10-06-2015             |
| 824675-A1            | 33DM/<br>BOP                                                           | CHALLENGE DENIAL OF LEGAL VISITOR; YADIRA REYEROS<br>FLM   | 09-19-2015 | CLD    | 10-26-2016             |
| 821971-A1            | 16ZM/<br>BOP                                                           | CLAIMS MAIL MONITORING TIMELINES NOT FOLLOWED<br>FLM       | 09-21-2015 | CLO    | 11-14-2016             |
| 829489-A1            | 33EM/<br>BOP                                                           | CHALLENGE PROCEDURES FOR LEGAL CALL SCHEDULE/NOTIFY<br>FLM | 09-28-2015 | CLO    | 08-04-2016             |
| 834627-R1            | 33EM/<br>NCR                                                           | CHALLENGE PROCESSING OF LEGAL PHONE CALLS<br>FLM           | 10-05-2015 | CLD    | 10-19-2015             |
| 838824-F1            | 33FM/<br>FLM                                                           | WITHHOLD OR DELAY IN SPECIAL/LEGAL MAIL<br>FLM             | 10-07-2015 | CLO    | 11-02-2015             |
| 834891-R1            | 33EM/<br>NCR                                                           | CLAIMS DENIED LEGAL CALLS<br>FLM                           | 11-06-2015 | CLO    | 11-19-2015             |
| 828058-A1            | 36EM/<br>BOP                                                           | WANTS UPDATED RESPONSE TO PRIOR FOIA REQUEST<br>FLM        | 11-09-2015 | CLD    | 08-30-2016             |
| 831481-A1            | 33EM/<br>BOP                                                           | CLAIMS LEGAL CALLS NOT PROCESSED PROPERLY<br>FLM           | 11-09-2015 | CLO    | 10-27-2016             |
| 838824-R1            | 33FM/<br>NCR                                                           | WITHHOLD OR DELAY IN SPECIAL/LEGAL MAIL<br>FLM             | 11-17-2015 | CLO    | 12-02-2015             |
| 842836-F1            | 35AM/<br>FLM                                                           | CLAIMS LAST CHRONIC CARE CLINIC EXAM WAS IMPROPER<br>FLM   | 11-19-2015 | CLD    | 12-14-2015             |

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| FLMGK<br>PAGE 011 OF | *ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL *<br>* SANITIZED FORMAT * |                                                            |            |        | 07-05-2017<br>14:18:59 |
|----------------------|------------------------------------------------------------------------|------------------------------------------------------------|------------|--------|------------------------|
| REMEDY-ID            | SUBJ1/SUBJ2<br>RCV-OFC                                                 | RCV-FACL                                                   | DATE-RCV   | STATUS | STATUS-DATE            |
| 834627-A1            | 33EM/<br>BOP                                                           | CHALLENGE PROCESSING OF/DELAYED LEGAL PHONE CALLS<br>FLM   | 11-20-2015 | CLD    | 11-09-2016             |
| 844017-F1            | 26HM/<br>FLM                                                           | CHALLENGE DELAY TO RECEIVE MEDICAL RECORDS<br>FLM          | 11-30-2015 | CLO    | 12-28-2015             |
| 834891-A1            | 33EM/<br>BOP                                                           | CLAIMS DENIED LEGAL CALLS<br>FLM                           | 12-17-2015 | CLD    | 04-01-2016             |
| 842836-R1            | 35AM/<br>NCR                                                           | CLAIMS LAST CHRONIC CARE CLINIC EXAM WAS IMPROPER<br>FLM   | 12-28-2015 | CLO    | 01-07-2016             |
| 838824-A1            | 33FM/<br>BOP                                                           | WITHHOLD OR DELAY IN SPECIAL/LEGAL MAIL<br>FLM             | 01-04-2016 | CLO    | 04-11-2016             |
| 842836-A1            | 35AM/<br>BOP                                                           | CLAIMS LAST CHRONIC CARE CLINIC EXAM WAS IMPROPER<br>FLM   | 02-08-2016 | CLD    | 03-11-2016             |
| 852281-F1            | 34AM/<br>FLM                                                           | STAFF MISCONDUCT ALLEGATION<br>FLM                         | 02-11-2016 | CLO    | 06-01-2016             |
| 852297-F1            | 33FM/<br>FLM                                                           | CLAIMS INCOMING & OUTGOING LEGAL MAIL IS DELAYED<br>FLM    | 02-17-2016 | CLO    | 02-29-2016             |
| 852779-F1            | 33GM/25GM<br>FLM                                                       | CHALLENGE PROCEDURES TO OBTAIN LEGAL COPIES<br>FLM         | 02-23-2016 | CLO    | 03-03-2016             |
| 856561-F1            | 33EM/<br>FLM                                                           | STAFF TOO CLOSE DURING LEGAL CALLS<br>FLM                  | 03-24-2016 | CLO    | 04-15-2016             |
| 856587-F1            | 33FM/<br>FLM                                                           | LEGAL MAIL PROCESSED AS STANDARD MAIL<br>FLM               | 03-24-2016 | CLO    | 04-18-2016             |
| 858258-F1            | 28BM/25ZM<br>FLM                                                       | PSYCH SCHEDULING AND PSYCH ROUNDS<br>FLM                   | 03-30-2016 | REJ    | 04-11-2016             |
| 852281-R1            | 34AM/<br>NCR                                                           | STAFF MISCONDUCT ALLEGATION<br>FLM                         | 04-01-2016 | REJ    | 04-01-2016             |
| 857639-F1            | 33FM/<br>FLM                                                           | CERTIFIED OUTGOING MAIL DELAYED<br>FLM                     | 04-05-2016 | CLO    | 04-21-2016             |
| 858482-F1            | 15ZM/<br>FLM                                                           | REQUESTING STEP-DOWN PLACEMENT<br>FLM                      | 04-08-2016 | CLO    | 05-16-2016             |
| 859078-F1            | 32ZM/<br>FLM                                                           | REQUESTING MEDICAL RETAIN I/M WRITTEN MEDICAL NOTES<br>FLM | 04-15-2016 | CLD    | 05-12-2016             |

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FLMGK \*ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL \* 07-05-2017  
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| REMEDY-ID | SUBJ1/SUBJ2<br>RCV-OFC | RCV-FACL                                                    | DATE-RCV   | STATUS | STATUS-DATE |
|-----------|------------------------|-------------------------------------------------------------|------------|--------|-------------|
| 860027-F1 | 28ZM/<br>FLM           | REQUESTING DIFFERENT PSYCHOLOGIST<br>FLM                    | 04-15-2016 | CLO    | 06-01-2016  |
| 852281-R2 | 34AM/<br>NCR           | STAFF MISCONDUCT ALLEGATION<br>FLM                          | 04-18-2016 | CLO    | 05-11-2016  |
| 856587-R1 | 33FM/<br>NCR           | LEGAL MAIL PROCESSED AS STANDARD MAIL<br>FLM                | 05-02-2016 | CLO    | 05-10-2016  |
| 860982-F1 | 26HM/<br>FLM           | COMPLAINS HE IS NOT RECEIVING MED RECORDS AS REQUEST<br>FLM | 05-02-2016 | CLO    | 05-19-2016  |
| 861487-F1 | 26HM/<br>FLM           | REQUESTING MEDICAL RECORDS<br>FLM                           | 05-05-2016 | CLO    | 06-03-2016  |
| 857639-R1 | 33FM/<br>NCR           | CERTIFIED OUTGOING MAIL DELAYED<br>FLM                      | 05-09-2016 | CLO    | 05-17-2016  |
| 858258-R1 | 28BM/25ZM<br>NCR       | PSYCH SCHEDULING AND PSYCH ROUNDS<br>FLM                    | 05-16-2016 | REJ    | 05-16-2016  |
| 862819-F1 | 17AM/<br>FLM           | CLAIMS A PHONE MESSAGE IS INTERRUPTED BY BOP MESS<br>FLM    | 05-18-2016 | CLO    | 05-27-2016  |
| 863652-F1 | 26DM/34AM<br>FLM       | CLAIMS MEDICAL STAFF BEING VINDICTIVE WITH RX MEDS<br>FLM   | 05-24-2016 | REJ    | 05-25-2016  |
| 859078-R1 | 32ZM/<br>NCR           | REQUESTING MEDICAL RETAIN I/M WRITTEN MEDICAL NOTES<br>FLM  | 05-26-2016 | REJ    | 05-26-2016  |
| 860982-R1 | 26HM/<br>NCR           | COMPLAINS HE IS NOT RECEIVING MED RECORDS AS REQUEST<br>FLM | 05-27-2016 | REJ    | 05-27-2016  |
| 864194-F1 | 26DM/28ZM<br>FLM       | ALLEGES STAFF MALICIOUSLY MESSING WITH RX<br>FLM            | 05-27-2016 | REJ    | 05-31-2016  |
| 856587-A1 | 33FM/<br>BOP           | LEGAL MAIL PROCESSED AS STANDARD MAIL<br>FLM                | 06-01-2016 | CLD    | 09-30-2016  |
| 865023-R1 | 34ZM/<br>NCR           | ALLEGES STAFF MISCONDUCT.<br>FLM                            | 06-03-2016 | REJ    | 06-03-2016  |
| 860027-R1 | 28ZM/<br>NCR           | REQUESTING DIFFERENT PSYCHOLOGIST<br>FLM                    | 06-06-2016 | REJ    | 06-06-2016  |
| 860982-R2 | 26HM/<br>NCR           | COMPLAINS HE IS NOT RECEIVING MED RECORDS AS REQUEST<br>FLM | 06-06-2016 | REJ    | 06-06-2016  |

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| FLMGK<br>PAGE 013 OF | *ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL *<br>* SANITIZED FORMAT * |                                                             |            |                    | 07-05-2017<br>14:18:59 |
|----------------------|------------------------------------------------------------------------|-------------------------------------------------------------|------------|--------------------|------------------------|
| REMEDY-ID            | SUBJ1/SUBJ2<br>RCV-OFC                                                 | RCV-FACL                                                    | DATE-RCV   | STATUS             | STATUS-DATE            |
| 865026-F1            | 28ZM/<br>FLM                                                           | RQSTS PSYCH RECORDS AND NEW<br>FLM                          | 06-07-2016 | PSYCH DR ON<br>CLO | HIS CASE<br>06-24-2016 |
| 852281-A1            | 34AM/<br>BOP                                                           | STAFF MISCONDUCT ALLEGATION<br>FLM                          | 06-07-2016 | CLO                | 08-12-2016             |
| 857639-A1            | 33FM/<br>BOP                                                           | CERTIFIED OUTGOING MAIL DELAYED<br>FLM                      | 06-08-2016 | CLO                | 03-03-2017             |
| 852281-R3            | 34AM/<br>NCR                                                           | STAFF MISCONDUCT ALLEGATION<br>FLM                          | 06-13-2016 | REJ                | 06-13-2016             |
| 858258-R2            | 28BM/25ZM<br>NCR                                                       | PSYCH SCHEDULING AND PSYCH ROUNDS<br>FLM                    | 06-13-2016 | REJ                | 06-13-2016             |
| 865788-F1            | 28ZM/<br>FLM                                                           | REQUESTING PSYCHOLOGY RECORDS<br>FLM                        | 06-14-2016 | CLO                | 06-30-2016             |
| 865844-F1            | 33HM/<br>FLM                                                           | CHALLENGES REMEDY REJECTION AND HANDLING FOR REVIEW<br>FLM  | 06-14-2016 | VOD                | 06-15-2016             |
| 866457-F1            | 33HM/<br>FLM                                                           | CHALLENGES REMEDY REJECTION AND HANDLING FOR REVIEW<br>FLM  | 06-14-2016 | REJ                | 06-21-2016             |
| 866455-F1            | 33HM/<br>FLM                                                           | CHALLENGING REJECTION OF REMEDY 864194 WANTS ORIGS<br>FLM   | 06-17-2016 | REJ                | 06-21-2016             |
| 864194-R1            | 26DM/28ZM<br>NCR                                                       | ALLEGES STAFF MALICIOUSLY MESSING WITH RX<br>FLM            | 06-20-2016 | REJ                | 06-20-2016             |
| 860027-R2            | 28ZM/<br>NCR                                                           | REQUESTING DIFFERENT PSYCHOLOGIST<br>FLM                    | 06-20-2016 | REJ                | 06-20-2016             |
| 859078-R2            | 32ZM/<br>NCR                                                           | REQUESTING MEDICAL RETAIN I/M WRITTEN MEDICAL NOTES<br>FLM  | 06-24-2016 | REJ                | 06-24-2016             |
| 860027-R3            | 28ZM/<br>NCR                                                           | REQUESTING DIFFERENT PSYCHOLOGIST<br>FLM                    | 06-24-2016 | REJ                | 06-24-2016             |
| 861487-R1            | 26HM/<br>NCR                                                           | REQUESTING MEDICAL RECORDS<br>FLM                           | 06-27-2016 | REJ                | 06-27-2016             |
| 860982-R3            | 26HM/<br>NCR                                                           | COMPLAINS HE IS NOT RECEIVING MED RECORDS AS REQUEST<br>FLM | 06-27-2016 | CLO                | 07-22-2016             |
| 867266-F1            | 34AM/<br>FLM                                                           | ALLEGES STAFF INTENTIONALLY DISCONNECTING PHONE CALL<br>FLM | 06-28-2016 | CLO                | 07-29-2016             |

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| FLMGK<br>PAGE 014 OF | *ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL *<br>* SANITIZED FORMAT * |                                                             |            |        | 07-05-2017<br>14:18:59 |
|----------------------|------------------------------------------------------------------------|-------------------------------------------------------------|------------|--------|------------------------|
| REMEDY-ID            | SUBJ1/SUBJ2<br>RCV-OFC                                                 | RCV-FACL                                                    | DATE-RCV   | STATUS | STATUS-DATE            |
| 858258-R3            | 28BM/25ZM<br>NCR                                                       | PSYCH SCHEDULING AND PSYCH ROUNDS<br>FLM                    | 07-01-2016 | REJ    | 07-01-2016             |
| 860027-R4            | 28ZM/<br>NCR                                                           | REQUESTING DIFFERENT PSYCHOLOGIST<br>FLM                    | 07-05-2016 | CLO    | 08-16-2016             |
| 858258-A1            | 28BM/25ZM<br>BOP                                                       | PSYCH SCHEDULING AND PSYCH ROUNDS<br>FLM                    | 07-05-2016 | REJ    | 08-08-2016             |
| 866457-R1            | 33HM/<br>NCR                                                           | CHALLENGES REMEDY REJECTION AND HANDLING FOR REVIEW<br>FLM  | 07-11-2016 | REJ    | 07-11-2016             |
| 863652-R1            | 26DM/34AM<br>NCR                                                       | CLAIMS MEDICAL STAFF BEING VINDICTIVE WITH RX MEDS<br>FLM   | 07-11-2016 | REJ    | 07-11-2016             |
| 865026-R1            | 28ZM/<br>NCR                                                           | RQSTS PSYCH RECORDS AND NEW PSYCH DR ON HIS CASE<br>FLM     | 07-11-2016 | CLO    | 08-16-2016             |
| 864194-A1            | 26DM/28ZM<br>BOP                                                       | ALLEGES STAFF MALICIOUSLY MESSING WITH RX<br>FLM            | 07-11-2016 | REJ    | 08-04-2016             |
| 865023-A1            | 34ZM/<br>BOP                                                           | ALLEGES STAFF MISCONDUCT.<br>FLM                            | 07-11-2016 | REJ    | 08-09-2016             |
| 869347-F1            | 28BM/34AM<br>FLM                                                       | ALLEGES PSYCH PURPOSELY IGNORING HIM; WANTS NEW PSYC<br>FLM | 07-13-2016 | CLD    | 08-05-2016             |
| 865788-R1            | 28ZM/<br>NCR                                                           | REQUESTING PSYCHOLOGY RECORDS<br>FLM                        | 07-18-2016 | CLO    | 08-10-2016             |
| 859078-R4            | 32ZM/<br>NCR                                                           | REQUESTING MEDICAL RETAIN I/M WRITTEN MEDICAL NOTES<br>FLM  | 07-18-2016 | CLO    | 08-04-2016             |
| 861487-R2            | 26HM/<br>NCR                                                           | REQUESTING MEDICAL RECORDS<br>FLM                           | 07-18-2016 | REJ    | 07-18-2016             |
| 869887-F1            | 33DM/<br>FLM                                                           | CHALLENGES DENIAL OF LEGAL VISITS<br>FLM                    | 07-21-2016 | CLO    | 08-11-2016             |
| 870149-F1            | 34AM/<br>FLM                                                           | CLAIMS ADX STAFF CONSPIRE TO COMMIT RETALIATION<br>FLM      | 07-21-2016 | VOD    | 07-25-2016             |
| 870324-F1            | 34AM/<br>FLM                                                           | CLAIMS ADX STAFF CONSPIRE TO COMMIT RETALIATION<br>FLM      | 07-21-2016 | REJ    | 07-26-2016             |
| 870171-F1            | 16ZM/<br>FLM                                                           | CLAIMS CERTIFIED MAIL NOT SENT OUT PER POLICY<br>FLM        | 07-22-2016 | CLO    | 08-05-2016             |

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| FLMGK<br>PAGE 015 OF | *ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL *<br>*<br>SANITIZED FORMAT | 07-05-2017<br>14:18:59                                                                               |
|----------------------|-------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| REMEDY-ID            | SUBJ1/SUBJ2<br>RCV-OFC                                                  | -----ABSTRACT-----<br>RCV-FACL      DATE-RCV      STATUS      STATUS-DATE                            |
| 861487-R3            | 26HM/<br>NCR                                                            | REQUESTING MEDICAL RECORDS<br>FLM      08-01-2016      CLO      08-26-2016                           |
| 866457-A1            | 33HM/<br>BOP                                                            | CHALLENGES REMEDY REJECTION AND HANDLING FOR REVIEW<br>FLM      08-01-2016      REJ      08-22-2016  |
| 867266-R1            | 34AM/<br>NCR                                                            | ALLEGES STAFF INTENTIONALLY DISCONNECTING PHONE CALL<br>FLM      08-08-2016      CLO      08-19-2016 |
| 872636-F1            | 33HM/<br>FLM                                                            | CLAIMS STAFF WITHHOLDING LEGAL INFO AND ADMIN REMEDY<br>FLM      08-12-2016      CLD      01-19-2017 |
| 869347-R1            | 28BM/34AM<br>NCR                                                        | ALLEGES PSYCH PURPOSELY IGNORING HIM; WANTS NEW PSYC<br>FLM      08-22-2016      CLD      09-19-2016 |
| 870171-R1            | 16ZM/<br>NCR                                                            | CLAIMS CERTIFIED MAIL NOT SENT OUT PER POLICY<br>FLM      08-22-2016      CLO      09-14-2016        |
| 860982-A1            | 26HM/<br>BOP                                                            | COMPLAINS HE IS NOT RECEIVING MED RECORDS AS REQUEST<br>FLM      08-24-2016      CLO      10-05-2016 |
| 859078-A1            | 32ZM/<br>BOP                                                            | REQUESTING MEDICAL RETAIN I/M WRITTEN MEDICAL NOTES<br>FLM      08-26-2016      CLO      10-11-2016  |
| 869887-R1            | 33DM/<br>NCR                                                            | CHALLENGES DENIAL OF LEGAL VISITS<br>FLM      08-29-2016      CLD      09-13-2016                    |
| 874808-F1            | 26DM/<br>FLM                                                            | WANTS TO KNOW IF HE IS TAKING REAL/ACCURATE RX MEDS<br>FLM      08-31-2016      CLD      09-29-2016  |
| 874811-F1            | 16ZM/<br>FLM                                                            | DISPUTES DELAY ON LEGAL PACKAGE<br>FLM      08-31-2016      CLO      09-26-2016                      |
| 863026-A1            | 28ZM/<br>BOP                                                            | RQSTS PSYCH RECORDS AND NEW PSYCH DR ON HIS CASE<br>FLM      09-06-2016      CLD      04-21-2017     |
| 860027-A1            | 28ZM/<br>BOP                                                            | REQUESTING DIFFERENT PSYCHOLOGIST<br>FLM      09-06-2016      CLD      01-19-2017                    |
| 865788-A1            | 28ZM/<br>BOP                                                            | REQUESTING PSYCHOLOGY RECORDS<br>FLM      09-07-2016      CLD      04-21-2017                        |
| 867266-A1            | 34AM/<br>BOP                                                            | ALLEGES STAFF INTENTIONALLY DISCONNECTING PHONE CALL<br>FLM      09-15-2016      CLO      03-13-2017 |
| 882380-F1            | 34ZM/<br>FLM                                                            | CLAIMS STAFF ILLEGALLY RECORDING HIM, LISTENING PRAY<br>FLM      11-09-2016      REJ      11-10-2016 |

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FLMGK \*ADMINISTRATIVE REMEDY GENERALIZED RETRIEVAL \* 07-05-2017  
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| REMEDY-ID | SUBJ1/SUBJ2<br>RCV-OFC | RCV-FACL                                                    | DATE-RCV   | STATUS                         | STATUS-DATE |
|-----------|------------------------|-------------------------------------------------------------|------------|--------------------------------|-------------|
| 889628-F1 | 23CM/<br>FLM           | CLAIMS STAFF SEARCH CELL/LGL<br>FLM                         | 01-23-2017 | DOCS, ITEMS CONFISCATED<br>CLO | 03-01-2017  |
| 890146-F1 | 26DM/<br>FLM           | CLAIMS NOT GETTING CORRECT RX MED DOSE BECAUSE CRUSH<br>FLM | 01-26-2017 | CLO                            | 03-01-2017  |
| 895402-F1 | 28AM/<br>FLM           | CLAIMS MEDICATED W/O A RX FOR PSYCHOTROPIC MEDS<br>FLM      | 03-17-2017 | REJ                            | 03-17-2017  |
| 889628-R1 | 23CM/<br>NCR           | CLAIMS STAFF SEARCH CELL/LGL<br>FLM                         | 03-20-2017 | DOCS, ITEMS CONFISCATED<br>CLO | 04-20-2017  |
| 897040-F1 | 28AM/<br>FLM           | CLAIMS NOT RECEIVING CORRECT DOSE OF ELAVIL<br>FLM          | 03-28-2017 | ACC                            | 04-17-2017  |
| 902899-F1 | 34ZM/<br>FLM           | CLAIMS HE IS BEING "GASSED" DAILY<br>FLM                    | 05-17-2017 | CLO                            | 06-09-2017  |
| 889628-A1 | 23CM/<br>BOP           | CLAIMS STAFF SEARCH CELL/LGL<br>FLM                         | 05-23-2017 | DOCS, ITEMS CONFISCATED<br>CLO | 06-29-2017  |
| 905405-F1 | 28AM/<br>FLM           | REQUESTS ELAVIL BE INCREASED BACK TO 200 MG<br>FLM          | 06-06-2017 | ACC                            | 06-26-2017  |
| 902899-R1 | 34ZM/<br>NCR           | CLAIMS HE IS BEING "GASSED" DAILY<br>FLM                    | 06-26-2017 | ACC                            | 06-26-2017  |

G0000 233 REMEDY SUBMISSION(S) SELECTED  
 TRANSACTION SUCCESSFULLY COMPLETED

ATTACHMENT 2

AR. 746610. With ALH.

EXHIBITS

BP-8

746610

BP-8. 8/6/13. Re Medical condition and medical indifference to it. For about one month I have been in constant pain and have some what survived by taking Naprofen every 4 to 6 hours - 600 mg. After complaining via cop, alt and personally to P.A.<sup>s</sup> and evening pill line, Miss Nehls brought me a urine sample cup and said she would return for it... The nurse returned for it so I addressed the evening pill line P.A. Thomson and explained that the pain is bad and persistent and eventually convinced him to at least take the urine sample and check it - He said he would... That same night he came back and said there was blood and white blood cells that point towards infection... He gave me an IV for hydration, for pain and for maserun Do to time restraints - (approx 1 hr) he only put one of the 2 IV<sup>s</sup> he was asked to provide me... and said they would do the other one in the morning (IT NEVER WAS DONE)...

After many requests Miss Nehls came to see me that next day at which time officer Regan escorted me to see Miss Nehls in Shi - medical Room... I explained that the pain was excruciating and swapped my left side and all the way down to the left testical! She felt it was the kidney even though she said the sonogram for kidney stones came back negative she felt that the object that appears on the xray is more likely a kidney stone. She took me to have an xray performed and said the object had changed position & was now vertical rather than - horizontal after consultation between xray Tech - CYNK - NERB AND Another lady that was present - Miss Nehls came back and said they would use a shot-gun approach and would



give me antibiotics for infection; something for pain and nausea. And I continue to take motrin. \*\* During their conversation I believe that another emergency procedure was considered but eventually decided on the shot gun approach. \*\* I followed directions and used the meds provided. After the week I explain the pain is constant and overruling and only motrin helps a bit. The following is kind of a chronology of the complaints and actions taken or not.

(1) after taking the anti-biotics for a week along with other meds. No one has done any follow up to see if infection is gone nor to see if blood remains or doesn't in my urine. Even though I continue to have the same symptoms that I did.

(2) Miss Nehls eventually saw me again. I again explained that the pain starts in left front of my stomach and as it gets worst it goes towards kidney area and down towards the left testicle area.

(a) When I eat anything the pain on the left side begins. Nausea and gets worse.

- Miss Nehls felt maybe Anti acid med would help. It did not and has not.

(b) I have periods that I feel I had fever...

(c) Only motrin helps me to fore the pain.

(d) I continue to submit medical requests forms.

(\*) What is most concerning is the efforts to find out what is actually causing the pain, nausea, blood, white blood cells - have not been done...

(e) The last few days it has gotten worst and I have been at urinating more during night and I have absolutely no energy at all, I barely get up and try

to do anything - I get nauseau, weak and have to lay down again  
 I don't know how else to address medical staff so that efforts  
 be made to see what's wrong... I have let you all know that  
 there is a history of cancer of pancreas in family - Can this  
 be a serious stomach or pancreas issue - Can it be the appendix  
 can it be something with the prostate or testical since the pain  
 always goes there also... In addition could my diabetes  
 be acting out ?? Could

All I want is to PLEASE FIND OUT WHAT'S WRONG  
 AND WHETHER IT'S BAD OR NOT LET'S ADDRESS IT  
 I CAN'T KEEP GOING THIS WAY - IT'S BEEN A  
 MONTH AND ALL I HAVE REC'D IS A URINE SAMPLE  
 TEST.

Please help

S. Magluta

26012-037

SHU-162

Thank You

## REQUEST FOR ADMINISTRATIVE REMEDY

U.S. DEPARTMENT OF JUSTICE  
Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: MAGLUTA-SALVADOR  
LAST NAME, FIRST, MIDDLE INITIAL26012-037 SHU/DA  
REG. NO. UNITUSP  
FLORENCE  
INSTITUTION

## Part A- INMATE REQUEST

THIS IS A REQUEST FOR MEDICAL CARE IN ACCORDANCE W  
 PS 1330.13 I AM REQUESTING AN EXPEDITED RESPONSE DUE TO THE NATURE OF THE  
 REQUEST BEING MEDICAL AND THAT THERE IS NOT A PENOLOGICAL REASON WHY I  
 MUST BE FORCED TO ENDURE DAILY PAIN - EXTREME PAIN - BY MEDICAL I  
 HAVE NOW SPENT 5 WEEKS WITH DAILY CONSTANT PAIN AND HAVE ONLY  
 BEEN ABLE TO SUSTAIN THE PAIN BY TAKING 600 MG OF TIBOPROFEN EVERY 6  
 HOURS FOR OVER A MONTH WHILE MEDICAL WALKS ME TO THE XRAY MACHINE SAYS  
 THAT WHATEVER APPEARS IN THE XRAY IS STILL THERE AND DOES NOT THINK TO SAY  
 MR MAGLUTA - THE REASONS FOR YOUR PAINS ARE A-B-C THIS IS THE TREATMENT  
 ETC. MEDICAL PROVIDED THE CAPT A PACKAGE AND LIKE AN INDEX  
 OF WHAT THEY HAVE DONE TO ~~THE~~ ATTEMPT TO JUSTIFY DUE DILIGENCE BUT  
 THAT NONE OF THEIR DOCUMENTS TELL IS WHATS THE CAUSE AND WHAT CAN BE  
 DONE TO RESOLVE THE ISSUE... I'D RATHER BE TOLD WE HAVE TO TAKE THIS  
 OUT KIDNEY TESTICLE ETC. THAN BE FORCED TO CONTINUE TO ENDURE THIS  
 PAIN - ... I AM GOING TO ADDRESS THE DOCS PROVIDED AND WILL LABEL  
 THEM WITH EXHIBITS. (I) THE ONLY TRUE FACTS THAT EXIST FOR SURE  
 IS THAT: (A) I HAVE AND CONTINUE TO ENDURE EXCRUCIATING PAIN - (B)  
 8-9-13

Salvador Magluta  
SIGNATURE OF REQUESTER

DATE

## Part B- RESPONSE

WARDEN OR REGIONAL DIRECTOR

DATE  
If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this resp

CASE NUMBER: \_\_\_\_\_

ORIGINAL: RETURN TO INMATE

CASE NUMBER: \_\_\_\_\_

RECEIPT

56

(B) THAT THEIR IS NOT A TREATMENT PLAN NOR IS THEIR A DIAGNOSIS OF WHAT CAUSES THE PAIN... (C) THAT WHEN I HAVE COMPLAINED OF PAIN ETC I AM NOT RESPONDED BUT RATHER SIT AND WAIT UNTIL SOMEONE FEELS TO COME AND SEE ME. — (EXHIBIT A) IS LIKE A SMALL INDEX OF WHAT MEDICAL CLAIMS TO HAVE DONE TO APPEASE THEMSELVES AND OTHERS OF DUE DILIGENCE AND ON PAPER SEEM TO OVERCOME DELIBERATE INDIFFERENCE... EVERYTHING IS WITH-OUT SUBSTANCE AND (1.) WHEN I COMPLAINED IN TERRE HAUTE OF PAIN STAFF IMMEDIATELY PROVIDED A URINE BOTTLE — TOOK IT TO GET TESTED AND BY NOON (ON THAT SAME DAY) HAD AN XRAY PERFORMED — TOLD ME WHAT THEY THOUGHT AND PROVIDED ME WILL (TYLENOL 3) FOR PAIN... PAIN WENT AWAY IN A FEW DAYS AND A WEEK LATER I CAME HERE SO NO FOLLOW UP IN TERRE HAUTE... (2.) EXHIBIT (B) IS A REPORT BY RN THOMPSON — IT STATES (C) THAT FOR DAYS I HAD BEEN SUBMITTING COP OUTS FOR PAIN — IT ALSO SAYS THAT A CULTURE OF URINE WAS DONE (AND) (WHO NO ONE HAD COME TO PICK UP) AND THE U.A DIP SHOWS LARGE OCCULT BLOOD AND INFECTION... THOSE ARE FACTS... BLOOD AND INFECTION EXISTED — AS A RESULT HE CONSULTED MD AND WAS TOLD TO PUT IV... WHEN HE DID IV HE TOLD ME THAT MD TOLD HIM TO PUT 2 IVS — THESE ARE HIS WORDS AND YOU SHOULD ASK HIM I HAVE NO REASON TO FABRICATE THAT AND IV — NEXT — SO THERE IS FACT THAT BLOOD WAS IN URINE AND INFECTION — NEXT (EXHIBIT C) AFTER SEVERAL REQUEST MISS NEHL'S CAME AND (EXHIBIT C) SAYS SOME OF MY COMPLAINTS SHOWS THAT LABORATORY RESULTS SHOW LARGE AMOUNT OF BLOOD AND WBC'S PRESENT — IT ALSO SAYS URINARY TRACT INFECTION — ALSO THAT KUB SHOWS 10MM X 5MM CALCIFICATION — NEXT — SHE PROVIDES CERTAIN MEDICATIONS AND A PLAN OF CARE THAT DOESN'T APPEAR — (EXHIBIT D) SHE WRITES THE NUMBER THREE NEXT PAIN SCHEDULE — SCALE SOMETHING THAT IS FAR FROM ACCURATE BECAUSE IN THAT SAME DOCUMENT (D-1) IT STATES I SAID PAIN WAS SEVERE — SO HER OWN WORDS ARE CONTRADICTORY... NEXT SHE PRESCRIBES MEDICATION — (EXHIBIT E) IN THIS DOCUMENT SHE SAYS (NO) TO APPEARS IN PAIN AND IN DISTRESS... HOW SHE MAKES THAT CONCLUSION I DON'T KNOW CAUSE I AM THE ONE IN PAIN AND KNOW HOW I FEEL (EXHIBIT F) SAYS THAT I LAY DOWN AFTER MEALS — THAT IS NOT AN ACCURATE STATEMENT (AGAIN) PUTS PAIN AT LEVEL 3 — MUST BE REFERRING TO HER OR SHE LOVES #3 BE MY PAIN IS NOT A 3... (EXHIBIT G) STATES A CT SCAN WAS REQUESTED... I AM NOT A DOCTOR BUT COMMON SENSE SHOULD SAY THAT WHEN THERE IS LARGE BLOOD IN THE URINE AND INFECTION IS ALSO PRESENT — THAT ONCE MEDICATION IS PRESCRIBED... DUE DILIGENCE SHOULD AT LEAST DO ANOTHER DIP URINE TEST TO DETERMINE IF BLOOD IS STILL IN URINE AND TO SEE IF INFECTION IS GONE JUST TO SEE IF MEDS WORKED OR NOT ETC — BUT UP TO THIS DATE NOT EVEN A URINE DIP HAS BEEN PERFORMED EVEN THOUGH I CONTINUE TO COMPLAIN OF PAIN... (EXHIBIT A) I WILL ADDRESS HER DATES AND COMMENTS IN EXHIBIT 1. 3-20-13... SHE SAYS (NO SIGNIFICANT FINDINGS) AND SHOWS A POSSIBLE RENAL CALCULI... NOW READ EXHIBIT H WHICH UNLIKE HER RENDERING SAYS "FINDINGS AND CONCLUSIONS" — ABNORMAL — THERE IS A 9MM CALCIFICATION — AS WELL AS ADDITIONAL PUNCTATE CALCIFICATIONS OVERTLYING THE LEFT RENAL FOSSA, POSSIBLY REPRESENTING RENAL STONES... THAT'S THE FACT SEE EXHIBIT AND REPORT... NEXT 3-27-13 — ARRIVED AT USF FLORENCE... THAT'S GREAT BUT HAS NO MEDICAL SIGNIFICANCE... NEXT 4-5-13 CHRONIC CARE DONE BY DR ALFRED — TRUTH IS HE NEVER THAT IS THE REGULAR CHRONIC CARE AS IT HAS NOTHING TO DO WITH MY COMPLAINT — AND DR ALFRED ACKNOWLEDGED THE XRAY AND SAID I WOULD BE PLACED TO DEAL WITH IN HOUSE OR OUTSIDE... NEXT 4-10-13 MISS DEHLID DID THE ADX EXAM AND SAYS COMPLAINED OF SAME PAIN — FOR ONE MONTH... THAT COULD NOT BE ACCURATE BECAUSE MY INITIAL COMPLAINT IN TERRE HAUTE WAS ON 3/19/13 AND PAIN WENT AWAY IN 4 OR 5 DAYS — PLUS — A MONTH NEVER ELAPSE IN 20 DAYS... NEXT 4-18-13... COMPLAINS OF PAIN EXRAY ORDERED — AGAIN NO SOLUTION IN ADDRESSING THE PAIN OR WHAT IS CAUSING IT... NEXT 4-27-13... XRAY DONE AND NO CHANGE — SO WHAT, WHATEVER IS THERE STILL EXISTS AND SHE DOES NOT ADDRESS PAIN I DON'T CARE WHAT XRAY SAYS... NEXT 5-13-13... ULTRASOUND DONE AND RESULT SHOWS NOTHING... LOCAT BUT WHAT IS THE OBJECT ON XRAY AND THE PAIN DOES NOT GET ADDRESSED... NEXT 6-22-13... CT SCAN WAS ORDERED — BUT SHE DOESN'T SAY THAT IT WAS DETECTED... (SEE EXHIBIT I) AND DOESN'T EVEN SAY CT SCAN WAS ORDERED — WAS DENIED ON 7-12-13... NEXT 7-16-13... ENCOUNTER DONE... LET'S ADDRESS THAT ENCOUNTER ON (EXHIBIT J) L SAYS I HAVE BEEN HAVING PAIN FOR DAYS — AND I HAD SUBMITTED SICK CALL SLIPS FOR LAST 4 DAYS — NO ONE EVER RESPONDED — FACTS... I WAS EVENTUALLY PROVIDED A CHART (BY NEHL) FOR URINE SAMPLE SHE SAID SHE WOULD RETURN THE HOLES — NEVER DID — I ASKED YOUNG GIRL PR. TO TAKE IT SHE FOR GOT — WHEN THOMPSON CAME AT EVE RILLING I COMMANDED IT TO TAKE IT BE MY PAIN WAS BAD — HE DID — 3 HRS LATER HE CAME WITH IV — BLOOD IN URINE — INFECTION ETC — DOES THE TV AND IT WAS HE WHO SAID IT WAS SUPPOSE TO BE TWO AND I WOULD BE SEEN NEXT DAY — NO ONE CAME NEXT DAY UNTIL C.O. SHU CALLED IT WAS AN EMERGENCY — NEWS COMES SAYS HER FAULT AND OK... NEXT 7-27-13... XRAY DONE THAT'S GREAT (SEE EXHIBIT K) — XRAY SAYS — ABNORMAL AND THAT WHAT'S THERE MOVED... NEXT 7-18-13 — ANTI BIOTIC FOR INFECTION — BLOOD PRESSURE MED FOR PAIN? EVENTUALLY I AM ALREADY TAKING BLOOD PRESSURE MED... NEXT 8-24-13... NOW SYMPTOMS ARE CONSTIPATION — BUT DOESN'T ADDRESS IT EXCEPT FOR ME TO BUY PULSES EVEN THOUGH I TAKE ACID PILL DAILY AND I KNOW WHAT ACID REFLUX IS AND THAT'S NOT THE PAIN — 8-2-13 CT SCAN ORDERED... DOES ANYONE KNOW REASON FOR DATA (AND) DOES ANYONE KNOW WHY BLOOD IN

## BP-229 RESPONSE

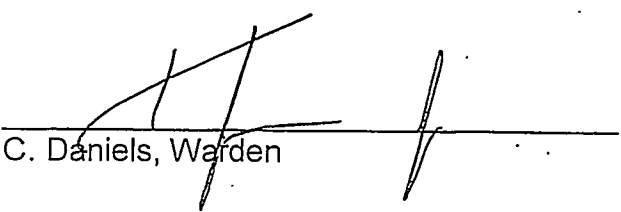
Case Number: 746610-F1

Your Request for Administrative Remedy, dated August 9, 2013, and received in this office August 19, 2013, has been reviewed. You request medical care.

A review of the issue raised in your Request for Administrative Remedy has been conducted. The result of the review reveals you arrived at the United States Penitentiary on March 27, 2013. At that time an intake was performed by a provider, you stated no concerns. On March 28, 2013, you were examined by a provider for the complaint of your heart racing. The provider completed vital signs and an EKG, with no significant findings. Therefore, you were returned to your cell. On April 5, 2013, you were examined by the staff physician for Chronic Care Clinic. The physician renewed all medications, except for your Ranitidine medication which did not meet Bureau of Prisons criteria. You made no complaints at that time, and were instructed to follow-up at sick call as needed. On April 18, 2013, you were examined by a Mid-Level Provider (MLP) for a physical. At that time you complained of mild pain in the left kidney area. The MLP documented on March 20, 2013, you had a KUB completed that showed a 9mm calcification overlying the left renal fossa. Therefore, the MLP ordered a comparison KUB. On April 26, 2013, the comparison KUB was completed, and interpreted as; Abnormal, no changes from March 20, 2013. On May 9, 2013, you were examined by a MLP for the complaint of right upper tooth pain, medication was prescribed. On May 13, 2013, an ultrasound of your left upper kidney was completed, and interpreted as; Unremarkable renal ultrasound. No definite evidence of nephrolithiasis. On June 22, 2013, you were examined by the MLP for Chronic Care Clinic. At that time the MLP discussed your renal ultrasound results with you, to which you reported continued pain and discomfort on a sporadic basis in the region of the left kidney. No further treatment was indicated at that time. On July 16, 2013, you were examined by a provider for the complaint of left abdomen pain. The provider consulted with the medical doctor on call and ordered an IV, and pain medication. The provider documented both were completed with good results. On July 17, 2013, you were examined by a MLP for the complaint of left flank pain. The MLP diagnosed you with a urinary tract infection, and prescribed medication and a KUB. On the same date the KUB was completed and interpreted as: 10x5 calcification slightly inferior in position compared to April 26, 2013, now at level of L2-L3. On July 24, 2013, you were again examined by a MLP for complaints of renal calculi type symptoms. The MLP documented your pain was relieved with Ibuprofen, and you appeared to be in no pain or distress. The MLP diagnosed you with constipation and ordered a KUB follow-up. On August 2, 2013, the KUB was completed and interpreted as; Abnormal. Calcification is unchanged in position and may represent ureteral calculus. On the same date you were examined by a MLP. The MLP diagnosed you with a urinary calculus, unspecified. The provider completed a consultation for a CT Scan with and without contrast.

Currently, the consultation is pending review by the Utilization Review Committee (URC). The URC will meet in September 2013, and either approve/disapprove the consultation. You will be notified in writing of the decision from the URC. There is no documentation to support your allegation you are not receiving medical care.

Accordingly, your Request for Administrative Remedy is for informational purposes. In the event you are not satisfied with this response and wish to appeal, you may do so within 20 calendar days of the date of this response by submitting a BP-230(13) to the Regional Director, Federal Bureau of Prisons, North Central Regional Office, Gateway Complex, Tower II, 8th Floor, 400 State Avenue, Kansas City, Kansas 66101-2492.



C. Daniels, Warden

9-9-13  
Date

(Medical AR)  
746610 -

SALVADOR MAGLUTA, 26012-037  
FLORENCE ADMAX USP UNT: F QTR: Z25-407LAD  
PO BOX 8500  
FLORENCE, CO 81226

Rec'd from  
Cedeno - 10/18/13  
at 9:45 AM

FILED BR 90M 8/9/13 \*xx\* Docketed on 8/19/13  
Responded - 9/9/13 \*xx\* TO INMATE 10/18/13

U.S. Department of Justice

Federal Bureau of Prisons

Regional Administrative Remedy Appeal

NEVER GOT BP-9 RESPONSE

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: TERESA SALVADOR 2662-037 3411 EL PASO  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

## Part A - REASON FOR APPEAL

my medical BP 7 # 746610 was due on Sept 7 & with attention to my last on Sept 28-13. Today is 10/8/13 and as policy states a non response timely allows me to proceed to the next step - BP 10. I am requesting that right and sub- mit this BP 10. I WANT A NON RESPONSE - I adopt my BP 9 but mention as the "Worst BP 10 along with the attachment and all exhibits. I am still waiting for appropriate medical & dental care. AHC Clinical Director ALLEN is the only one for USP 60 an internal transfer within FCC. Florence does not require a new action as medical keep go back & forth. This lack of treatment and use by Mrs T. NEALS about her negligence and DELIBERATE INDIFFERENCE FOR NOT without addressing my medical needs now purposeful - retaliatory - negligent and the attach. BP 9 and EXHIBITS ADDRESSES THE ISSUES WITH FACTS not my words - Director Allen came to see me and said he did not know I was in 10-8-13. I am at that time. TERESA SALVADOR  
 DATE: 10-8-13 SIGNATURE OF REQUESTER

## Part B - RESPONSE

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

SECOND COPY: RETURN TO INMATE

CASE NUMBER: 746610-13

## Part C - RECEIPT

CASE NUMBER: \_\_\_\_\_

Return to:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT:

DATE

SIGNATURE, RECIPIENT OF REGIONAL APPEAL

"Recd these copies on 11-14-13 from Counselor Foster during a legal call about 1 PM."

REJECTION NOTICE - ADMINISTRATIVE REMEDY

DATE: OCTOBER 29, 2013

*for SMS*

RECEIVED

FROM: ADMINISTRATIVE REMEDY COORDINATOR  
NORTH CENTRAL REGIONAL OFFICE

NOV 04 2013

TO : SALVADOR MAGLUTA, 26012-037  
FLORENCE ADMAX USP UNT: G QTR: K04-212L  
PO BOX 8500  
FLORENCE, CO 81226

ADX Warden's Office

FOR THE REASONS LISTED BELOW, THIS REGIONAL APPEAL IS BEING REJECTED AND RETURNED TO YOU. YOU SHOULD INCLUDE A COPY OF THIS NOTICE WITH ANY FUTURE CORRESPONDENCE REGARDING THE REJECTION.

REMEDY ID : 746610-R1 REGIONAL APPEAL  
DATE RECEIVED : OCTOBER 25, 2013  
SUBJECT 1 : MEDICAL CARE - DELAY OR ACCESS TO  
SUBJECT 2 :  
INCIDENT RPT NO:

REJECT REASON 1: YOUR APPEAL IS UNTIMELY. REGIONAL APPEALS (BP-10) MUST BE RECEIVED WITHIN 20 DAYS OF THE WARDEN/CCM RESPONSE OR RECEIPT OF THE DHO REPORT. THIS TIME INCLUDES MAIL TIME.

REJECT REASON 2: SEE REMARKS.

REJECT REASON 3: YOU MAY RESUBMIT YOUR APPEAL IN PROPER FORM WITHIN 10 DAYS OF THE DATE OF THIS REJECTION NOTICE.

REMARKS : YOUR BP-9 RESPONSE WAS DATED 09-09-13. YOU MUST PROVIDE A COPY OF THE RESPONSE + STAFF VERIFICATION ON BOP LETTER HEAD REGARDING UNTIMELINESS.

① Reason there was no BP-9 was explained in my BP-10.

② Was moved to ADX on 9-4-13 and response was not provided to me until after my BP-10 was submitted & constantly requested for AA status of all

*11/6/13 to S.M.  
need copies made to properly resubmit the appeal.*

*held until 6/1*



U.S. Department of Justice

Federal Bureau of Prisons

AR-74661061

Regional Administrative Remedy Appeal

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: MAGLUTA SALVADOR. 26012-037 K-1 FLORENCE  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION  
ADX

## Part A - REASON FOR APPEAL

THIS IS AN APPEAL TO PART 746610 WHICH WAS PROVIDED TO ME ON 10/18/13. BY CORNCELO CEDENO AT ADV AT 10:45 AM. (1) I FILED MY BP-10 ON 8-9-13. IT WAS STAMPED REC'D ON 8-19-13. THE RESPONSE WAS PROVIDED TO ME ON 10/18/13. IT IS SIGNED BY THE WARDEN ON 9-9-13. 40 DAYS EARLIER. THE FACT I WAS MOVED TO ADX FROM USP. ACROSS THE STREET SHOULD NOT TAKE 40 DAYS TO PROVIDE ME THE RESPONSE. IN THE INTERIM I FILED A BP-10 DUE TO NOT RECEIVING A TIMELY RESPONSE. I WILL ADDRESS THE BP-10 RESPONSE EVEN THOUGH I ALREADY APPEALED AS THE RESPONSE WAS UNTIMELY. MEDICAL CLAIMS THAT I ARRIVED ON 3/27/13 AND DID NOT STATE ANY CONCERNS - THAT IS UNTRUE - P.A. THOMPSON DOCUMENTED I HAD DENTAL ISSUES AND I HAD OTHER CONCERNS. (4/5) I SAW ALLRED HE ADDRESSED THE ISSUE OF KIDNEY STONE AND SAID DUE TO THE SIZE IT HAD TO BE TREATED IN HOUSE OR IN THE STREET - MEDICAL. THEN JUMPS TO THE DATE OF (4/18/13) BUT SKIPS (4-10-13) WHERE IT STATES I COMPLAINED TO KISS NEHLS THAT I HAD PAIN FOR A MONTH WHILE SHE WAS DOING ADX MEDICAL EXAMINATION FOR TRANSFER REQUEST - AGAIN 4/18 SHOWS I DID COMPLAIN AND XRAY WAS ORDERED - 4/26/13 FOUND ABNORMAL - MAY-9TH ACKNOWLEDGES TOOTH ISSUE AND GAVE ME ANTI BIOTICS FOR INFECTION. XXX THEY WERE WELL AWARE I HAD DENTAL ISSUES AND DENTAL APPTS WERE MADE BUT STAFF REFUSED TO TAKE ME FOR DENTAL CARE \*SEE EXHIBITS 4- I AM STILL WAITING FOR DENTAL CARE, SEE EXHIBITS

10-19-13

DATE

Salvador Magluta

SIGNATURE OF REQUESTER

## Part B - RESPONSE

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: \_\_\_\_\_

## Part C - RECEIPT

CASE NUMBER: \_\_\_\_\_

Return to: \_\_\_\_\_

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT: \_\_\_\_\_

DATE

SIGNATURE, RECIPIENT OF REGIONAL APPEAL

R2

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TODAY-15 10/16/13

U.S. Department of Justice

Federal Bureau of Prisons

Regional Administrative Remedy Appeal

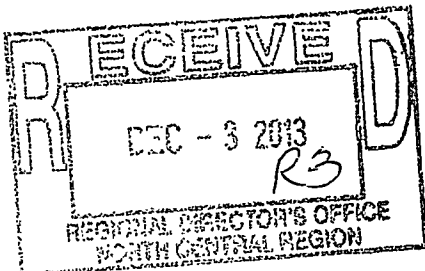
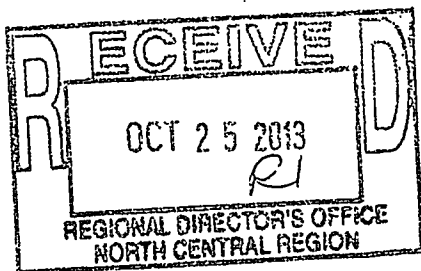
NEVER GOT BP-9 RESPONSE

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: MAGLITA SALVADOR 26012-037 SHU FLORENCE  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL my medical BP 9 # 746610 was due on Sept 8 & with extension it was due on Sept-28-13. Today is 10/8/13 and as policy states a non response timely allows me to proceed to the next step - BP-10. I am proceeding that right and submit this BP-10. APPEAL TO A NON RESPONSE - I adopt my BP-9 but submission as the current BP-10 along with the attachment and all exhibits. I am still waiting for appropriate medical & Dental care. ASX Clinical Director ALFRED is the same one for USP so an internal transfer within FCC. Florence does not require a new action as medical here go back & forth. This lack of treatment and lies by Miss T. NEILS about her negligence and DELIBERATE INDIFFERENCE FOR MONEY. Without addressing my medical needs were purposeful - retaliatory - negligent and the attach. BP-9 and EXHIBITS ADDRESSES THE ISSUES WITH FACTS not my words - Director Alfred came to see me and said he did not know I was in pain all that time! Salvador Maglita  
 10-8-13. 10-26 DATE 13 SE BP-9 - AS MAIN SUBMISSION SIGNATURE OF REQUESTER

Part B - RESPONSE



DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 746610-15

Part C - RECEIPT

CASE NUMBER: \_\_\_\_\_

Return to: \_\_\_\_\_  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: \_\_\_\_\_

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BP - 10 CONTINUED 1

DR. ALLRED ORDERED (2) I V<sup>3</sup> ONLY ONE WAS PROVIDED BY PA. THOMPSON AND HE DOCUMENTED IT. - EVEN THOUGH MISS NEVELS DENIED IT ON HER REPORT (SEE EXHIBIT (A)) HER ACCT OF TREATMENT ETC WHICH NOW THEY AVOID ADDRESSING IT.

DR ALLRED CAME TO SEE ME AT AAX DURING LOCKDOWN IN SEPT AND SAID HE ORDERED (2) I V<sup>3</sup> =

HE ALSO SAID NO ONE HAD MADE HIM AWARE OF THE FACT I WAS IN EXCRUCIATING PAIN FOR OVER 5 WEEKS XXXX STAFF NEW I WAS SUBMITTED FOR AAX TRANSFER SINCE 4-10-13 SO THEY WERE DENYING MEDICAL AS THEY HOPED I WOULD BE GONE SOON - WHILE I SUFFERED AND CONTINUED TO BE DENIED MEDICAL TREATMENT.

ALL THE EXHIBITS PROVE THAT IVE BEEN WAITING FOR DENTAL AND KIDNEY CARE FOR 8 MONTHS AND ALL I GET IS YOUR OWN THE LIST OR - THE KIDNEY STONE HAS NOT MOVED ETC BUT NO SOLUTION TO EVEN FIND OUT WHAT IT ACTUALLY IS.

Response says I am submitted for CT SCAN - Im still waiting for result of the submission - this was 2 months ago.

I ask that I not be treated with deliberate indifference for my complaints and that I get DENTAL CARE // which I've been on list and custody staff there would escort me to Dental

and that my kidney pain be attended and that scans are done to see what it is -

Respectfully

B Magluta  
#20012-037

U. S. Department of Justice  
Federal Bureau of Prisons  
North Central Regional Office

DEC 30 2013

Regional Administrative Remedy Appeal  
Part B - Response

Administrative Remedy Number: 746610-R3

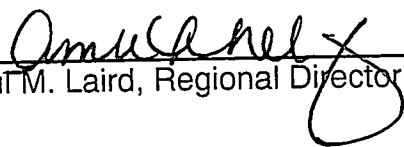
This is in response to your Regional Administrative Remedy Appeal received on December 3, 2013. You allege deliberate indifference by medical staff. For relief, you are requesting hernia surgery.

We have reviewed the documentation related to your appeal. Based on this review, we concur with the manner in which the Warden addressed your concerns. You have consistently been provided timely and appropriate medical care in accordance with Program Statement 6031.03, Patient Care, and Program Statement 6400.02, Dental Services. A review of your dental record indicates you were seen October 31, 2013, and December 9, 2013. It appears your dental concerns have been addressed. Additionally, a review of your medical record indicates you have been approved a consultation for a CT of the kidneys, which is scheduled. Due to security protocol we are not at liberty to divulge dates of service. If your condition worsens, you may sign up for sick call and be re-evaluated. Given this, we shall defer diagnostic and treatment interventions to the Health Services staff at the local level.

Based on these findings, this response to your Regional Administrative Remedy Appeal is for informational purposes only.

If you are dissatisfied with this response, you may appeal to the Office of General Counsel, Federal Bureau of Prisons, 320 First Street, NW, Washington, DC 20534. Your appeal must be received in the Office of General Counsel within 30 days from the date of this response.

12/19/13  
Date

  
Paul M. Laird, Regional Director

DEC 30 2013

SALVADOR MAGLUTA, 26012-037  
FLORENCE ADMAX USP UNT: G QTR: K04-212L  
PO BOX 8500  
FLORENCE, CO 81226

ISSUED to I/m  
ON 1-6-14  
Counselor Foster  
AR. 746610



**U.S. Department of Justice**  
**Federal Bureau of Prisons**

Federal Correctional Complex

☒ *Administrative Maximum Security Institution*

☐ *High Security Institution*

☐ *Medium Security Institution*

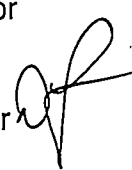
☐ *Minimum Security Institution*

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Florence, CO 81226

November 26, 2013

MEMORANDUM FOR Administrative remedy coordinator

FROM: D. Foster, Correctional Counselor 

SUBJECT: Inmate Magluta #26012-037

The following administrative remedies are late due to administrative error. 755662, 746610, 751838.

U.S. Department of Justice  
Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-229(13) and BP-230(13), including any attachments must be submitted with this appeal.

From: MAGLUTA SALVADOR 26012-037 K ADX  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL BAD RESPONSE TO 746610-R3 IS VERY INDICATIVE OF HOW THE AP  
PROCESS IS ADDRESSED IN THIS REGION AND (ME) (#1) IT STATES THAT I AM ASKING FOR RELIEF  
TO HAVE A HERNIA SURGERY. I HAVE NEVER HAD A HERNIA THAT I AM AWARE OF. NO  
DID I MENTION THE WORD HERNIA ANYWHERE IN ANY AP PROCESS NOR ANYWHERE ELSE. 6616  
SO NO I DO NOT NEED HERNIA SURGERY NOR WANT ONE (#2) DENTAL SERVICE - I HAVE BEEN REQ.  
DENTAL SERVICE SINCE LATE MARCH - NONE WAS PROVIDED UNTIL OCT-31-13 WHEN I WAS ONLY SEEN  
IN THE INTERIM I HAD SEVERAL INFECTIONS WHICH FORCED ANTI-BIOTICS - STAFF REFUSED TO MAKE  
ME AVAILABLE TO DENTAL SERVICE ON NUMEROUS OCCASIONS - RESULTING IN EXTREME PAIN AND  
LOSING TEETH THAT COULD HAVE BEEN SAVED (#3) I STILL HAVE 3 TEETH THAT I NEED PULLING AS  
A RESULT & NEED FALSE TEETH SINCE I CANNOT CHEW ANY MORE. -- AS TO THE KIDNEY ISSU  
I HAVE BEEN HAVING KIDNEY PROBLEMS SINCE MARCH - WAS NOT TREATED APPROPRIATELY  
WAS MADE TO GO 5 WEEKS ON 32 MG OF IBDROFIN DAILY AS A RESULT OF THE PAIN  
- THE TREATMENT THAT WAS PRESCRIBED WAS NOT FOLLOWED - INTERPRETATION OF  
DOCS BY NURSE NEILS WERE LIED ABOUT IN HER REPORT AND ARE CONTRADICTION  
IN THERE THEIR FACE - I NEED DENTAL CARE AND I NEED KIDNEY CARE AS  
STAFF DOES NOT EVEN KNOW WHAT APPEARS IN THE XRAYS - THEY SAY ITS SOMETHING  
1-6-14 BUT DON'T KNOW WHAT THAT IS ALL DELIVERED BY INTERVIEWED  
SALVADOR MAGLUTA

Part B - RESPONSE

DATE \_\_\_\_\_ GENERAL COUNSEL \_\_\_\_\_  
ORIGINAL: RETURN TO INMATE \_\_\_\_\_ CASE NUMBER: \_\_\_\_\_

Part C - RECEIPT

22  
Return to: \_\_\_\_\_ CASE NUMBER: \_\_\_\_\_  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION  
SUBJECT: \_\_\_\_\_

DATE \_\_\_\_\_ SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL \_\_\_\_\_

**Administrative Remedy No. 746610-A1**  
**Part B - Response**

NOV 10 2014

This is in response to your Central Office Administrative Remedy Appeal wherein you allege deliberate indifference on the part of Health Services staff for not receiving appropriate medical care for your kidneys and dental care for your teeth. For relief, you request proper care and treatment for your dental and kidney concerns.

We have reviewed documentation relevant to your appeal which reveals you were evaluated by the dentist on October 31, 2013, and December 9, 2013, as a result of sick call visits. You received antibiotics, pain medication and x-rays were taken of your teeth. You underwent an extraction of tooth #3 and were afforded a comprehensive examination on January 23, 2014. During this encounter, the dentist explained to you the need to extract three teeth and to restore seven more teeth. You refused dental cleaning on April 9, 2014; however, you were provided a dental cleaning on July 31, 2014, and were afforded additional dental treatment on August 7, 2014, August 28, 2014, and September 29, 2014.

Further review of your health record reveals you underwent a KUB on March 20, 2013, which was abnormal, showing a 9mm calcification overlying the left renal fossa. You were seen in Health Services the same day for left flank pain and prescribed narcotic pain medication. In addition, you were evaluated on April 18, 2013, where the mid-level-provider (MLP) ordered a comparison KUB. You had the KUB completed on April 26, 2013, which was abnormal and no change from the previous KUB.

Records reflect you underwent an ultrasound of your left upper kidney on May 13, 2013, which was normal. You were evaluated in the Chronic Care Clinic on June 22, 2013, where you reported continued pain and discomfort on a sporadic basis in the left kidney area. There was no treatment indicated at that time.

You were evaluated again by medical staff on July 16, 2013, for pain in your left abdomen that you advised you had been experiencing for four days. You were given IV fluids with pain medication and on July 17, 2013, you had a KUB which was abnormal, revealing a 10 x 5 mm calcification.



**Administrative Remedy No. 746610-A1**

**Part B - Response**

**Page 2**

On August 2, 2013, you were examined in Health Services for pain and a CT scan was ordered. On the same day, you had another KUB which was abnormal and no change from the previous KUB. You underwent the CT on January 24, 2014, which revealed moderately obstructing left mid ureteral calculus. The provider subsequently submitted a consultation to Urology for further evaluation and treatment.

You underwent evaluation by an urologist on May 14, 2014, who recommended surgery for left ESWL. This surgery was completed on July 14, 2014, and you were prescribed antibiotics and a KUB was ordered. You underwent a KUB on July 29, 2014, which was normal, revealing a left double J stent. Your follow-up evaluation with Urology on September 3, 2014, included the removal of your stent and it was determined no further follow-up was needed. Furthermore, you reported you passed five pieces of renal stones on September 4, 2014, and records show you have not reported to Health Services with any additional complaints of pain.

Although you claim deliberate indifference towards your medical and dental concerns, you have failed to provide evidence to substantiate your contention. Conversely, the record reflects you have received medical care and treatment in accordance with evidence based standard of care and within the scope of services of the Federal Bureau of Prisons.

You are encouraged to comply with proposed treatment so Health Services staff can continue to provide essential care and to contact medical personnel through normal sick call procedures should your conditions worsen.

Based on the foregoing, this response is provided for informational purposes only.

10/30/14  
Date

R. Dodge  
Acting Administrator  
National Inmate Appeals

03/20/13: Clinical encounter done at previous location. Diagnosis is "No Significant Findings." X-ray done & shows possible renal calculi. At this time has the same symptoms that he is complaining of still at current time. *SEE EXHIBIT*

03/27/13: Arrived at USP Florence.

04/05/13: Chronic care done by Dr. Allred.

04/10/13: clinical encounter done for ADX referral. Complained of same pain that has been present for 1 month at this time.

04/18/13: clinical encounter done for complaints of pain in left flank area. X-ray ordered.

04/27/13: X-ray done and shows no change.

05/13/13: Ultrasound done. Shows nothing.

06/22/13: clinical encounter done. Symptoms are not reported as significant at this time. A CT scan was ordered to evaluate the calcification that was determined to not be a renal calculi (according to ultrasound)

07/16/13: clinical encounter done. Symptoms of renal calculi. Treated with pain medication and anti-nausea medication, and IV fluids. It would not be a normal order to infuse 2 liters of IV fluids. There is no order for a second liter.

07/17/13: X-ray done.

07/18/13: clinical encounter done. Symptoms of renal calculi and urinary tract infection. Treated with antibiotics and medication that relaxes the smooth muscles of the urinary tract to aid in the movement of any possible renal stones. (IV fluids are not indicated at this time.)

07/24/13: clinical encounter done. X-ray ordered. Symptoms are now more consistent with constipation and acid reflux type condition rather than initial issue.

08/02/13: X-ray done (ordered 07/24/13). No change in reading. CT ordered a second time (inmate was notified).

*A TO AA*

*(EXHIBIT-A-)*

B1  
~~Mussey~~

|                                  |                                        |
|----------------------------------|----------------------------------------|
| Inmate Name: MAGLUTA, SALVADOR   | Reg #: 26012-037                       |
| Date of Birth: 11/05/1954        | Sex: M Race: WHITE Facility: FLP       |
| Encounter Date: 07/16/2013 21:29 | Provider: Thompson, Craig RN Unit: Z07 |

**Exam:**

**Auscultation**

Yes: Clear to Auscultation

**Cardiovascular**

**Observation**

Yes: Normal Rate, Regular Rhythm

**Auscultation**

Yes: Regular Rate and Rhythm (RRR), Normal S1 and S2

**ASSESSMENT:**

**Pain - Back**

During medication rounds this evening inmate complained of pain to his lower left abdomen that radiates to his left lower back. He has submitted sick call slips for the past 4 days but states that he cannot tolerate the pain anymore. UA dip shows large occult blood, moderate WBC's and pH of 5.0 (see flow sheet). He states that he is able to urinate but is difficult. He states that the pain sometimes radiates into his left testicle. Consulted with on call MD for further orders. 20 gauge angiocath inserted into left dorsal hand on 1st attempt. Infused 1 litre of Normal Saline without difficulty, 25mg Phenergan given IV, 30 mg Toradol given IV with good results.

**PLAN:**

**New Medication Orders:**

| <u>Rx#</u> | <u>Medication</u>                                                                                                                                                                                                                                               | <u>Order Date</u> | <u>Prescriber Order</u>                                |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|--------------------------------------------------------|
|            | Ketorolac Injection 30 MG/ML                                                                                                                                                                                                                                    | 07/16/2013 21:29  | 30 mg Intravenously one time x 1 day(s) Pill Line Only |
|            | <b>Start Now: Yes</b><br><b>Night Stock Rx#:</b><br><b>Source: Pyxis</b><br><b>Admin Method: Pill Line</b><br><b>Stop Date: 07/17/2013 21:28</b><br><b>MAR Label: 30 mg Intravenously one time x 1 day(s) Pill Line Only</b><br><b>One Time Dose Given: Yes</b> |                   |                                                        |
|            | Promethazine Injection                                                                                                                                                                                                                                          | 07/16/2013 21:29  | 25 mg Intravenously one time x 1 day(s) Pill Line Only |
|            | <b>Start Now: Yes</b><br><b>Night Stock Rx#:</b><br><b>Source: Pyxis</b><br><b>Admin Method: Pill Line</b><br><b>Stop Date: 07/17/2013 21:28</b><br><b>MAR Label: 25 mg Intravenously one time x 1 day(s) Pill Line Only</b><br><b>One Time Dose Given: Yes</b> |                   |                                                        |

**Disposition:**

Follow-up at Sick Call as Needed

**Patient Education Topics:**

| <u>Date Initiated</u> | <u>Format</u> | <u>Handout/Topic</u> | <u>Provider</u> | <u>Outcome</u>           |
|-----------------------|---------------|----------------------|-----------------|--------------------------|
| 07/16/2013            | Counseling    | Plan of Care         | Thompson, Craig | Verbalizes Understanding |

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B-2

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|                                  |                              |               |                  |
|----------------------------------|------------------------------|---------------|------------------|
| Inmate Name: MAGLUTA, SALVADOR   | Sex: M                       | Race: WHITE   | Reg #: 26012-037 |
| Date of Birth: 11/05/1954        | Provider: Thompson, Craig RN | Facility: FLP | Unit: Z07        |
| Encounter Date: 07/16/2013 21:29 |                              |               |                  |

---

**Copay Required:** Yes      **Cosign Required:** Yes  
**Telephone/Verbal Order:** Yes      **By:** Allred, D. DO  
**Telephone or Verbal order read back and verified.**

Completed by Thompson, Craig RN on 07/16/2013 21:49  
Requested to be cosigned by Allred, D. DO.  
Cosign documentation will be displayed on the following page.

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# Bureau of Prisons Health Services Clinical Encounter

|                                  |                            |                  |
|----------------------------------|----------------------------|------------------|
| Inmate Name: MAGLUTA, SALVADOR   | Sex: M Race: WHITE         | Reg #: 26012-037 |
| Date of Birth: 11/05/1954        | Provider: Nehls, Teresa NP | Facility: FLP    |
| Encounter Date: 07/17/2013 11:55 |                            | Unit: Z07        |

Sick Call/Triage encounter performed at Health Services.

## SUBJECTIVE:

COMPLAINT 1 Provider: Nehls, Teresa NP

Chief Complaint: Urinary Problem

Subjective: Seen in medical room of special housing for complaints of left flank pain that is severe and colicky in nature. Reports the pain was significantly worse last evening but improved after he received medication and IV fluids. Reports mild nausea this morning and severe nausea yesterday. Reports significant difficulty in producing urine. States left flank pain wraps around towards the front and down into the testicle.

Pain Location: Flank

Pain Scale: 3

Pain Qualities: Colicky

History of Trauma:

Onset:

Duration: 3-5 Days

Exacerbating Factors: Nothing

Relieving Factors: Nothing

Comments:

## OBJECTIVE:

Temperature:

| Date       | Time      | Fahrenheit  | Celsius | Location | Provider         |
|------------|-----------|-------------|---------|----------|------------------|
| 07/17/2013 | 11:55 FLX | Unavailable | 0.0     |          | Nehls, Teresa NP |

Pulse:

| Date       | Time      | Rate Per Minute | Location | Rhythm  | Provider         |
|------------|-----------|-----------------|----------|---------|------------------|
| 07/17/2013 | 11:55 FLX | 78              | Radial   | Regular | Nehls, Teresa NP |

Respirations:

| Date       | Time      | Rate Per Minute | Provider         |
|------------|-----------|-----------------|------------------|
| 07/17/2013 | 11:55 FLX | 14              | Nehls, Teresa NP |

Blood Pressure:

| Date       | Time      | Value  | Location  | Position | Cuff Size   | Provider         |
|------------|-----------|--------|-----------|----------|-------------|------------------|
| 07/17/2013 | 11:55 FLX | 129/85 | Right Arm | Sitting  | Adult-large | Nehls, Teresa NP |

SaO2:

| Date       | Time      | Value(%) | Air      | Provider         |
|------------|-----------|----------|----------|------------------|
| 07/17/2013 | 11:55 FLX | 94       | Room Air | Nehls, Teresa NP |

Weight:

| Date       | Time      | Lbs   | Kg    | Waist Circum. | Provider         |
|------------|-----------|-------|-------|---------------|------------------|
| 07/17/2013 | 11:55 FLX | 224.0 | 101.6 |               | Nehls, Teresa NP |

Exam:

Diagnostics

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EVHBIT C-1

Inmate Name: MAGLUTA, SALVADOR  
Date of Birth: 11/05/1954  
Encounter Date: 07/17/2013 11:55

Sex: M Race: WHITE  
Provider: Nehls, Teresa NP

Reg #: 26012-037  
Facility: FLP  
Unit: Z07

**Exam:**

**Laboratory**

Yes: Results



Urine dipstick shows large amount of blood and WBCs present.  
KUB shows a 10mm x 5mm calcification that has shifted lower since the last x-ray.

**General**

**Affect**

Yes: Cooperative

**Appearance**

Yes: Appears Well, NAD, Alert and Oriented x 3  
No: Appears in Pain, Appears in Distress

**Skin**

**General**

Yes: Skin Intact, Dry

**Abdomen**

**Inspection**

Yes: Obese

**Auscultation**

Yes: Normo-Active Bowel Sounds

**Palpation**

Yes: Flank Tenderness L

Left flank pain.

**ASSESSMENT:**

Urinary calculus, unspecified, 592.9 - Current, Temporary/Acute, Initial

Urinary tract infection, site not specified, 599.0 - Resolved, History/Resolved, Recurrence

**PLAN:**

**New Medication Orders:**

| <u>Rx#</u> | <u>Medication</u>    | <u>Order Date</u> | <u>Prescriber Order</u>                      |
|------------|----------------------|-------------------|----------------------------------------------|
|            | Ciprofloxacin Tablet | 07/17/2013 11:55  | 500 mg Orally -Two Times a Day<br>x 7 day(s) |

✕ Indication: Urinary tract infection, site not specified

Start Now: Yes

Night Stock Rx#:

Source: Pyxis

Admin Method: Self Administration

Stop Date: 07/24/2013 11:54

MAR Label:

One Time Dose Given: No

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|                                  |                            |             |                  |
|----------------------------------|----------------------------|-------------|------------------|
| Inmate Name: MAGLUTA, SALVADOR   | Sex: M                     | Race: WHITE | Reg #: 26012-037 |
| Date of Birth: 11/05/1954        | Provider: Nehls, Teresa NP |             | Facility: FLP    |
| Encounter Date: 07/17/2013 11:55 |                            |             | Unit: Z07        |

**New Medication Orders:**

| <u>Rx#</u> | <u>Medication</u> | <u>Order Date</u> | <u>Prescriber Order</u>            |
|------------|-------------------|-------------------|------------------------------------|
|            | Doxazosin Tablet  | 07/17/2013 11:55  | 40 mg Orally at bedtime x 7 day(s) |

Indication: Urinary calculus, unspecified

One Time Dose Given: No

|                          |                  |                                                  |
|--------------------------|------------------|--------------------------------------------------|
| Promethazine Suppository | 07/17/2013 11:55 | 25 mg Rectally -three times a day PRN x 3 day(s) |
|--------------------------|------------------|--------------------------------------------------|

Indication: Urinary calculus, unspecified

Start Now: Yes

Night Stock Rx#:

Source: Night Stock

Admin Method: Self Administration

Stop Date: 07/20/2013 11:54

MAR Label:

One Time Dose Given: No

**New Radiology Request Orders:**

| <u>Details</u>                   | <u>Frequency</u> | <u>End Date</u> | <u>Due Date</u> | <u>Priority</u> |
|----------------------------------|------------------|-----------------|-----------------|-----------------|
| General Radiology-Abdomen-GU-KUB | One Time         |                 | 07/17/2013      | Today           |

Specific reason(s) for request (Complaints and findings):

Rule out renal calculi,

**Disposition:**

Follow-up at Sick Call as Needed

Return Immediately if Condition Worsens

**Other:**

Urine strainer was given to him. He is to strain all urine and retain any particles that he finds.

**Patient Education Topics:**

| <u>Date Initiated</u> | <u>Format</u> | <u>Handout/Topic</u> | <u>Provider</u> | <u>Outcome</u>           |
|-----------------------|---------------|----------------------|-----------------|--------------------------|
| 07/17/2013            | Counseling    | Plan of Care         | Nehls, Teresa   | Verbalizes Understanding |

Copay Required: Yes

Cosign Required: Yes

Telephone/Verbal Order: No

Completed by Nehls, Teresa NP on 07/17/2013 14:23

Requested to be cosigned by Allred, D. DO.

Cosign documentation will be displayed on the following page.

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**Bureau of Prisons  
Health Services  
Cosign/Review**

|                 |                   |           |                  |
|-----------------|-------------------|-----------|------------------|
| Inmate Name:    | MAGLUTA, SALVADOR | Reg #:    | 26012-037        |
| Date of Birth:  | 11/05/1954        | Sex:      | M                |
| Encounter Date: | 07/18/2013 13:29  | Provider: | Nehls, Teresa NP |
|                 |                   | Race:     | WHITE            |
|                 |                   | Facility: | FLP              |

Cosigned by Allred, D. DO on 07/19/2013 07:15.

**Bureau of Prisons  
Health Services  
Clinical Encounter**

|                                  |                            |                  |
|----------------------------------|----------------------------|------------------|
| Inmate Name: MAGLUTA, SALVADOR   | Sex: M Race: WHITE         | Reg #: 26012-037 |
| Date of Birth: 11/05/1954        | Provider: Nehls, Teresa NP | Facility: FLP    |
| Encounter Date: 07/17/2013 11:55 |                            | Unit: Z07        |

Sick Call/Triage encounter performed at Health Services.

**SUBJECTIVE:**

**COMPLAINT 1**      **Provider:** Nehls, Teresa NP

**Chief Complaint:** Urinary Problem

**Subjective:** Seen in medical room of special housing for complaints of left flank pain that is severe and colicky in nature. Reports the pain was significantly worse last evening but improved after he received medication and IV fluids. Reports mild nausea this morning and severe nausea yesterday. Reports significant difficulty in producing urine. States left flank pain wraps around towards the front and down into the testicle.

**Pain Location:** Flank

**Pain Scale:** 3

**Pain Qualities:** Colicky

**History of Trauma:**

**Onset:**

**Duration:** 3-5 Days

**Exacerbating Factors:** Nothing

**Relieving Factors:** Nothing

**Comments:**

**OBJECTIVE:**

**Temperature:**

| <u>Date</u> | <u>Time</u> | <u>Fahrenheit</u> | <u>Celsius</u> | <u>Location</u> | <u>Provider</u>  |
|-------------|-------------|-------------------|----------------|-----------------|------------------|
| 07/17/2013  | 11:55 FLX   | Unavailable       | 0.0            |                 | Nehls, Teresa NP |

**Pulse:**

| <u>Date</u> | <u>Time</u> | <u>Rate Per Minute</u> | <u>Location</u> | <u>Rhythm</u> | <u>Provider</u>  |
|-------------|-------------|------------------------|-----------------|---------------|------------------|
| 07/17/2013  | 11:55 FLX   | 78                     | Radial          | Regular       | Nehls, Teresa NP |

**Respirations:**

| <u>Date</u> | <u>Time</u> | <u>Rate Per Minute</u> | <u>Provider</u>  |
|-------------|-------------|------------------------|------------------|
| 07/17/2013  | 11:55 FLX   | 14                     | Nehls, Teresa NP |

**Blood Pressure:**

| <u>Date</u> | <u>Time</u> | <u>Value</u> | <u>Location</u> | <u>Position</u> | <u>Cuff Size</u> | <u>Provider</u>  |
|-------------|-------------|--------------|-----------------|-----------------|------------------|------------------|
| 07/17/2013  | 11:55 FLX   | 129/85       | Right Arm       | Sitting         | Adult-large      | Nehls, Teresa NP |

**SaO2:**

| <u>Date</u> | <u>Time</u> | <u>Value(%)</u> | <u>Air</u> | <u>Provider</u>  |
|-------------|-------------|-----------------|------------|------------------|
| 07/17/2013  | 11:55 FLX   | 94              | Room Air   | Nehls, Teresa NP |

**Weight:**

| <u>Date</u> | <u>Time</u> | <u>Lbs</u> | <u>Kg</u> | <u>Waist Circum.</u> | <u>Provider</u>  |
|-------------|-------------|------------|-----------|----------------------|------------------|
| 07/17/2013  | 11:55 FLX   | 224.0      | 101.6     |                      | Nehls, Teresa NP |

**Exam:**

**Diagnostics**

Inmate Name: MAGLUTA, SALVADOR  
Date of Birth: 11/05/1954  
Encounter Date: 07/17/2013 11:55

Sex: M Race: WHITE  
Provider: Nehls, Teresa NP

Reg #: 26012-037  
Facility: FLP  
Unit: Z07

**Exam:**

**Laboratory**

Yes: Results

Urine dipstick shows large amount of blood and WBCs present.

KUB shows a 10mm x 5mm calcification that has shifted lower since the last x-ray.

**General**

**Affect**

Yes: Cooperative

**Appearance**

Yes: Appears Well, NAD, Alert and Oriented x 3

No: Appears in Pain, Appears in Distress

**Skin**

**General**

Yes: Skin Intact, Dry

**Abdomen**

**Inspection**

Yes: Obese

**Auscultation**

Yes: Normo-Active Bowel Sounds

**Palpation**

Yes: Flank Tenderness L

Left flank pain.

**ASSESSMENT:**

Urinary calculus, unspecified, 592.9 - Current, Temporary/Acute, Initial

Urinary tract infection, site not specified, 599.0 - Resolved, History/Resolved, Recurrence

**PLAN:**

**New Medication Orders:**

| <u>Rx#</u> | <u>Medication</u>    | <u>Order Date</u> | <u>Prescriber Order</u>                      |
|------------|----------------------|-------------------|----------------------------------------------|
|            | Ciprofloxacin Tablet | 07/17/2013 11:55  | 500 mg Orally -Two Times a Day<br>x 7 day(s) |

**Indication:** Urinary tract infection, site not specified

**Start Now:** Yes

**Night Stock Rx#:**

**Source:** Pyxis

**Admin Method:** Self Administration

**Stop Date:** 07/24/2013 11:54

**MAR Label:**

**One Time Dose Given:** No

Inmate Name: MAGLUTA, SALVADOR  
 Date of Birth: 11/05/1954 Sex: M Race: WHITE  
 Encounter Date: 07/17/2013 11:55 Provider: Nehls, Teresa NP Reg #: 26012-037  
 Facility: FLP Unit: Z07

**New Medication Orders:**

| <u>Rx#</u> | <u>Medication</u> | <u>Order Date</u> | <u>Prescriber Order</u>            |
|------------|-------------------|-------------------|------------------------------------|
|            | Doxazosin Tablet  | 07/17/2013 11:55  | 40 mg Orally at bedtime x 7 day(s) |

Indication: Urinary calculus, unspecified

One Time Dose Given: No

|                          |                  |                                                  |
|--------------------------|------------------|--------------------------------------------------|
| Promethazine Suppository | 07/17/2013 11:55 | 25 mg Rectally -three times a day PRN x 3 day(s) |
|--------------------------|------------------|--------------------------------------------------|

Indication: Urinary calculus, unspecified

Start Now: Yes

Night Stock Rx#:

Source: Night Stock

Admin Method: Self Administration

Stop Date: 07/20/2013 11:54

MAR Label:

One Time Dose Given: No

**New Radiology Request Orders:**

| <u>Details</u>                   | <u>Frequency</u> | <u>End Date</u> | <u>Due Date</u> | <u>Priority</u> |
|----------------------------------|------------------|-----------------|-----------------|-----------------|
| General Radiology-Abdomen-GU-KUB | One Time         |                 | 07/17/2013      | Today           |

Specific reason(s) for request (Complaints and findings):

Rule out renal calculi,

**Disposition:**

Follow-up at Sick Call as Needed  
 Return Immediately if Condition Worsens.

**Other:**

Urine strainer was given to him. He is to strain all urine and retain any particles that he finds.

**Patient Education Topics:**

| <u>Date Initiated</u> | <u>Format</u> | <u>Handout/Topic</u> | <u>Provider</u> | <u>Outcome</u>           |
|-----------------------|---------------|----------------------|-----------------|--------------------------|
| 07/17/2013            | Counseling    | Plan of Care         | Nehls, Teresa   | Verbalizes Understanding |

Copay Required: Yes

Cosign Required: Yes

Telephone/Verbal Order: No

Completed by Nehls, Teresa NP on 07/17/2013 14:23

Requested to be cosigned by Allred, D. DO.

Cosign documentation will be displayed on the following page.

**Bureau of Prisons  
Health Services  
Clinical Encounter**

Inmate Name: MAGLUTA, SALVADOR  
Date of Birth: 11/05/1954  
Encounter Date: 07/18/2013 13:29

Sex: M Race: WHITE  
Provider: Nehls, Teresa NP

Reg #: 26012-037  
Facility: FLP  
Unit: Z07

Sick Call/Triage encounter performed at Health Services.

**SUBJECTIVE:**

**COMPLAINT 1**      **Provider:** Nehls, Teresa NP

**Chief Complaint:** Urinary Problem

**Subjective:** Seen in medical room of special housing for complaints of left flank pain that is severe and colicky in nature. Reports the pain was significantly worse last evening but improved after he received medication and IV fluids. Reports mild nausea this morning and severe nausea yesterday. Reports significant difficulty in producing urine. States left flank pain wraps around towards the front and down into the testicle.

**Pain Location:** Flank

**Pain Scale:** 3

**Pain Qualities:** Colicky

**History of Trauma:**

**Onset:**

**Duration:** 3-5 Days

**Exacerbating Factors:** Nothing

**Relieving Factors:** Nothing

**Comments:**

**OBJECTIVE:**

**Exam:**

**Diagnostics**

**Laboratory**

Yes: Results



Urine dipstick shows large amount of blood and WBCs present.  
KUB shows a 10mm x 5mm calcification that has shifted lower since the last x-ray.

**General**

**Affect**

Yes: Cooperative

**Appearance**

Yes: Appears Well, NAD, Alert and Oriented x 3

No: Appears in Pain, Appears in Distress

**Skin**

**General**

Yes: Skin Intact, Dry

**Abdomen**

**Inspection**

Yes: Obese

**Auscultation**

Yes: Normo-Active Bowel Sounds

**Palpation**

Yes: Flank Tenderness L

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|                                  |                            |               |                  |
|----------------------------------|----------------------------|---------------|------------------|
| Inmate Name: MAGLUTA, SALVADOR   | Sex: M                     | Race: WHITE   | Reg #: 26012-037 |
| Date of Birth: 11/05/1954        | Provider: Nehls, Teresa NP | Facility: FLP | Unit: Z07        |
| Encounter Date: 07/18/2013 13:29 |                            |               |                  |

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**Exam:**

Left flank pain.

**ASSESSMENT:**



Urinary calculus, unspecified, 592.9 - Current, Temporary/Acute, Initial

Urinary tract infection, site not specified, 599.0 - Resolved, History/Resolved, Recurrence

**PLAN:**

**New Medication Orders:**

| <u>Rx#</u> | <u>Medication</u> | <u>Order Date</u> | <u>Prescriber Order</u>           |
|------------|-------------------|-------------------|-----------------------------------|
|            | Doxazosin Tablet  | 07/18/2013 13:29  | 4 mg Orally at bedtime x 7 day(s) |

**Indication:** Urinary calculus, unspecified

**One Time Dose Given:** No

**Discontinued Medication Orders:**

| <u>Rx#</u> | <u>Medication</u> | <u>Order Date</u> | <u>Prescriber Order</u>            |
|------------|-------------------|-------------------|------------------------------------|
|            | Doxazosin Tablet  | 07/18/2013 13:29  | 40 mg Orally at bedtime x 7 day(s) |

**Discontinue Type:** When Pharmacy Processes

**Discontinue Reason:** Order changed

**Indication:**

**One Time Dose Given:**

**Copay Required:** Yes

**Cosign Required:** Yes

**Telephone/Verbal Order:** No

Completed by Nehls, Teresa NP on 07/18/2013 13:32

Requested to be cosigned by Allred, D. DO.

Cosign documentation will be displayed on the following page.

38

E-2

83

**Bureau of Prisons  
Health Services  
Clinical Encounter**

|                                  |                            |                  |
|----------------------------------|----------------------------|------------------|
| Inmate Name: MAGLUTA, SALVADOR   | Sex: M Race: WHITE         | Reg #: 26012-037 |
| Date of Birth: 11/05/1954        | Provider: Nehls, Teresa NP | Facility: FLP    |
| Encounter Date: 07/24/2013 12:15 |                            | Unit: Z07        |

Follow-up encounter performed at Special Housing Unit.

**SUBJECTIVE:**

**COMPLAINT 1**      **Provider:** Nehls, Teresa NP

**Chief Complaint:** Pain

**Subjective:** Seen in medical room of special housing unit for follow-up of complaints of renal calculi type sympoms. Currently denies pain at this moment. Reports the pain is improved with ibuprofen. Pain starts in the morning on the left side of his abdomen. After he eats, it goes into the left side of his back. After a while, the pain is in the back bilaterally. States he is not exercising. He typically lays down right after meals.

**Pain Location:** Abdomen - Diffuse

**Pain Scale:** 3

**Pain Qualities:** Colicky

**History of Trauma:**

**Onset:**

**Duration:** 3-4 Weeks

**Exacerbating Factors:** Eating

**Relieving Factors:** Ibuprofen

**Comments:**

**OBJECTIVE:**

**Pulse:**

| <u>Date</u> | <u>Time</u> | <u>Rate Per Minute</u> | <u>Location</u> | <u>Rhythm</u> | <u>Provider</u>  |
|-------------|-------------|------------------------|-----------------|---------------|------------------|
| 07/24/2013  | 12:15 FLX   | 86                     | Radial          | Regular       | Nehls, Teresa NP |

**Respirations:**

| <u>Date</u> | <u>Time</u> | <u>Rate Per Minute</u> | <u>Provider</u>  |
|-------------|-------------|------------------------|------------------|
| 07/24/2013  | 12:15 FLX   | 14                     | Nehls, Teresa NP |

**Blood Pressure:**

| <u>Date</u> | <u>Time</u> | <u>Value</u> | <u>Location</u> | <u>Position</u> | <u>Cuff Size</u> | <u>Provider</u>  |
|-------------|-------------|--------------|-----------------|-----------------|------------------|------------------|
| 07/24/2013  | 12:15 FLX   | 118/78       | Left Arm        | Sitting         | Adult-regular    | Nehls, Teresa NP |

**SaO2:**

| <u>Date</u> | <u>Time</u> | <u>Value(%)</u> | <u>Air</u> | <u>Provider</u>  |
|-------------|-------------|-----------------|------------|------------------|
| 07/24/2013  | 12:15 FLX   | 96              | Room Air   | Nehls, Teresa NP |

**Weight:**

| <u>Date</u> | <u>Time</u> | <u>Lbs</u> | <u>Kg</u> | <u>Waist Circum.</u> | <u>Provider</u>  |
|-------------|-------------|------------|-----------|----------------------|------------------|
| 07/24/2013  | 12:15 FLX   | 219.0      | 99.3      |                      | Nehls, Teresa NP |

**Exam:**

**General**

**Affect**

Yes: Cooperative

**Appearance**

Yes: Appears Well, NAD, Alert and Oriented x 3

No: Appears in Pain, Appears in Distress

39

F-1

84

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|                                  |                            |               |                  |
|----------------------------------|----------------------------|---------------|------------------|
| Inmate Name: MAGLUTA, SALVADOR   | Sex: M                     | Race: WHITE   | Reg #: 26012-037 |
| Date of Birth: 11/05/1954        | Provider: Nehls, Teresa NP | Facility: FLP | Unit: Z07        |
| Encounter Date: 07/24/2013 12:15 |                            |               |                  |

---

**Exam:**

**Nutrition**

Yes: Appears Obese

**Abdomen**

**Inspection**

Yes: Obese

**Auscultation**

Yes: Hypo-Active Bowel Sounds

**Palpation**

Yes: Soft, Non-tender on Palpation

**ASSESSMENT:**

Constipation, unspecified, 564.00 - Resolved, History/Resolved, Recurrence

**PLAN:**

**New Radiology Request Orders:**

| <u>Details</u>                   | <u>Frequency</u> | <u>End Date</u> | <u>Due Date</u> | <u>Priority</u> |
|----------------------------------|------------------|-----------------|-----------------|-----------------|
| General Radiology-Abdomen-GU-KUB | One Time         |                 | 08/01/2013      | Routine         |

**Specific reason(s) for request (Complaints and findings):**

Follow-up KUB for possible renal calculi

**Disposition:**

- Follow-up at Sick Call as Needed

**Other:**

Gradually increase activity to 30 minutes total per day. A sedentary lifestyle can contribute to your symptoms.

**Patient Education Topics:**

| <u>Date Initiated</u> | <u>Format</u> | <u>Handout/Topic</u> | <u>Provider</u> | <u>Outcome</u>           |
|-----------------------|---------------|----------------------|-----------------|--------------------------|
| 08/01/2013            | Counseling    | Plan of Care         | Nehls, Teresa   | Verbalizes Understanding |

**Copay Required:** Yes

**Cosign Required:** Yes

**Telephone/Verbal Order:** No

Completed by Nehls, Teresa NP on 08/01/2013 11:48

Requested to be cosigned by Allred, D. DO.

Cosign documentation will be displayed on the following page.



**Bureau of Prisons  
Health Services  
Cosign/Review**

|                 |                   |           |                  |
|-----------------|-------------------|-----------|------------------|
| Inmate Name:    | MAGLUTA, SALVADOR | Reg #:    | 26012-037        |
| Date of Birth:  | 11/05/1954        | Sex:      | M                |
| Encounter Date: | 07/24/2013 12:15  | Provider: | Nehls, Teresa NP |
|                 |                   | Race:     | WHITE            |
|                 |                   | Facility: | FLP              |

**Cosigned by Allred, D. DO on 08/02/2013 11:10.**

**Bureau of Prisons  
Health Services  
Clinical Encounter**

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|                                  |                            |                  |
|----------------------------------|----------------------------|------------------|
| Inmate Name: MAGLUTA, SALVADOR   | Sex: M Race: WHITE         | Reg #: 26012-037 |
| Date of Birth: 11/05/1954        | Provider: Nehls, Teresa NP | Facility: FLP    |
| Encounter Date: 08/02/2013 10:30 |                            | Unit: Z07        |

---

Follow-up encounter performed at Health Services.

**SUBJECTIVE:**

**COMPLAINT 1**      **Provider:** Nehls, Teresa NP

**Chief Complaint:** Pain

**Subjective:** Had a follow-up KUB to evaluate the calcification over the left renal fossa. Continues to have colicky type pain in the left renal area.

**Pain Location:**

**Pain Scale:** 3

**Pain Qualities:** Aching | Colicky

**History of Trauma:**

**Onset:**

**Duration:** 3-4 Weeks

**Exacerbating Factors:**

**Relieving Factors:**

**Comments:**

**OBJECTIVE:**

**Exam:**

**Diagnostics**

**Radiology**

No: Results

KUB is unchanged from the last one.

**ASSESSMENT:**

Urinary calculus, unspecified, 592.9 - Current, Temporary/Acute, Not Improved/Same

**PLAN:**

**New Consultation Requests:**

| <u>Consultation/Procedure</u> | <u>Due Date</u> | <u>Priority</u> | <u>Translator</u> | <u>Language</u> |
|-------------------------------|-----------------|-----------------|-------------------|-----------------|
|-------------------------------|-----------------|-----------------|-------------------|-----------------|

Radiology

No

**Reason for Request:**

Request a CT scan with and without contrast for left flank pain that has been intermittent for several months. KUB shows a 5x10 mm calcification over the left renal fossa. Ultrasound was negative.

**Disposition:**

Follow-up at Sick Call as Needed

Return Immediately if Condition Worsens

**Patient Education Topics:**

| <u>Date Initiated</u> | <u>Format</u> | <u>Handout/Topic</u> | <u>Provider</u> | <u>Outcome</u>           |
|-----------------------|---------------|----------------------|-----------------|--------------------------|
| 08/02/2013            | Counseling    | Plan of Care         | Nehls, Teresa   | Verbalizes Understanding |

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|                 |                            |           |               |
|-----------------|----------------------------|-----------|---------------|
| Inmate Name:    | MAGLUTA, SALVADOR          | Reg #:    | 26012-037     |
| Date of Birth:  | 11/05/1954                 | Sex:      | M Race: WHITE |
| Encounter Date: | 08/02/2013 10:30           | Facility: | FLP           |
|                 | Provider: Nehls, Teresa NP | Unit:     | Z07           |

---

Copay Required: No                      Cosign Required: Yes  
Telephone/Verbal Order: No

Completed by Nehls, Teresa NP on 08/02/2013 11:40  
Requested to be cosigned by Allred, D. DO.  
Cosign documentation will be displayed on the following page.

**Bureau of Prisons  
Health Services  
Cosign/Review**

Inmate Name: MAGLUTA, SALVADOR  
Date of Birth: 11/05/1954  
Encounter Date: 08/02/2013 10:30

Sex: M  
Provider: Nehls, Teresa NP

Reg #: 26012-037  
Race: WHITE  
Facility: FLP

Cosigned by Allred, D. DO on 08/05/2013 07:24.

# DIANA Associates

PRIME : EMTEC  
UNIVERSITY OF MARYLAND  
RADIOLOGY REPORT

PATIENT NAME: MAGLUTA SALVADOR  
DATE OF BIRTH:  
PATIENT NUMBER: 26012-037  
REF. PHYSICIAN:  
INSTITUTION NAME: USP Terre Haute  
EXAM DATE: 2013/03/20 11:00  
OBSERVATION DATE: 2013/03/20 11:51  
EXAM TYPE: ABDOMEN  
READING RADIOLOGIST: Justin McClain , MD

## HISTORY and STUDY COMMENTS

Abdomen

## FINDINGS AND CONCLUSION

Abnormal. There is a 9 mm calcification as well as additional punctate calcifications overlying the left renal fossa, possibly representing renal stones.

Findings and Conclusion ----- Abnormal. There is a 9 mm calcification as well as additional punctate calcifications overlying the left renal fossa, possibly representing renal stones.

EXHIBIT-H

**Bureau of Prisons  
Health Services  
Cosign/Review**

|                |                   |           |           |
|----------------|-------------------|-----------|-----------|
| Inmate Name:   | MAGLUTA, SALVADOR | Reg #:    | 26012-037 |
| Date of Birth: | 11/05/1954        | Sex:      | M         |
| Scanned Date:  | 03/21/2013 07:09  | Race:     | WHITE     |
|                |                   | Facility: | THP       |

Reviewed by Harvey, Paul MD, RMD on 03/21/2013 10:10.

# DIANAssociates

PRIME : EMTEC  
UNIVERSITY OF MARYLAND  
RADIOLOGY REPORT

PATIENT NAME: MAGLUTA SALVADOR  
DATE OF BIRTH: 19541105  
PATIENT NUMBER: 26012-037  
REF. PHYSICIAN: T.Nehls\_NP-C  
INSTITUTION NAME: USP Florence  
EXAM DATE: 2013/04/26 16:38  
OBSERVATION DATE: 2013/04/27 08:31  
EXAM TYPE: Abdomen-F/U probable renal calculi  
3/20/13- ABDOMEN

READING  
RADIOLOGIST: Arie I. Moszkowicz MD

## HISTORY and STUDY COMMENTS

Abdomen-F/U probable renal calculi 3/20/13- Abdomen

## FINDINGS AND CONCLUSION

Abnormal. no change from 3/20/13.

Findings and Conclusion ----- Abnormal. no change from 3/20/13.

EXHIBIT- I

**Bureau of Prisons  
Health Services  
Cosign/Review**

|                |                   |           |           |
|----------------|-------------------|-----------|-----------|
| Inmate Name:   | MAGLUTA, SALVADOR | Reg #:    | 26012-037 |
| Date of Birth: | 11/05/1954        | Sex:      | M         |
| Scanned Date:  | 05/01/2013 10:42  | Race:     | WHITE     |
|                |                   | Facility: | FLP       |

Reviewed by Allred, D. DO on 05/08/2013 15:43.



MAY-21-2013 TUE 03:07 PM STM MEDICAL RECORDS

FAX NO. 719 285 2030

P. 02/02

26012-037

FLP

ST THOMAS MORE HOSPITAL  
CANON CITY, CO 81212

PT: MAGLUTA, SALVADOR  
DCB: 11/05/1954, 58, M  
UNIT #: TM00179273  
REPORT #: 0513-1095

ADM: 05/13/13 0754  
LOC: STUS (REG CLI)  
ACCOUNT #: TA0000246840  
ORDER #: 0513-C037

ATTENDING: Allred, David Kim DO ALLRED DAVID  
PCP: Allred, David Kim DO  
ORDERING: Allred, David Kim DO  
REFERRING: Allred, David Kim DO

EXAM: US Renal Complete

EXAM DATE/TIME: 05/13/13 1447

Signed

EXAM: US RENAL COMPLETE

HISTORY: Nephrolithiasis.

COMPARISON: None.

FINDINGS: The right kidney measures 10.2 x 5.3 x 6.8 cm in dimension. The left kidney measures 11.4 x 5.6 x 5.8 cm in dimension. The kidneys are normal in echogenicity. No focal lesion or mass is identified. No definite evidence of nephrolithiasis. There are no perinephric fluid collections. Vascular flow is demonstrated bilaterally. Urinary bladder is decompressed, limiting evaluation. Bilateral ureteral jets are identified. The aorta and IVC are obscured by overlying bowel gas.

IMPRESSION: Unremarkable renal ultrasound. No definite evidence of nephrolithiasis. Further evaluation can be performed with noncontrast CT scan, if clinically indicated.

T: 5/13/2013 3:25:57 PM / SQR / SpeechQ Report ID: 1671782

Dictated BY: McCollum, Michael John MD

D: 05/13/13 1525  
T: SMT

CO-SIGNER:

ELECTRONICALLY SIGNED BY: McCollum, Michael John MD S: 05/13/13 1532  
ELECTRONICALLY CO-SIGNED BY: S:  
ITS DELIVERY DATE/TIME: 05/13/13 1532

DISTRIBUTION LIST:

ALLRDA - David Kim Allred DO

\*\*END\*\*

STATUS: REG CLI

SITE: ST

Signed  
IMAGING REPORT

Page: 1 of 1

EXHIBIT-5

**Bureau of Prisons  
Health Services  
Cosign/Review**

Inmate Name: MAGLUTA, SALVADOR  
Date of Birth: 11/05/1954  
Scanned Date: 05/22/2013 08:42

Sex: M

Reg #: 26012-037  
Race: WHITE  
Facility: FLP

Reviewed by Allred, D. DO on 05/29/2013 11:34.

# DIANAssociates

PRIME : EMTEC  
UNIVERSITY OF MARYLAND  
RADIOLOGY REPORT

PATIENT NAME: MAGLUTA SALVADOR  
DATE OF BIRTH: 19541105  
PATIENT NUMBER: 26012-037  
REF. PHYSICIAN: T.Nehls\_NP-C  
INSTITUTION NAME: USP Florence  
EXAM DATE: 2013/07/17 14:17  
OBSERVATION DATE: 2013/07/17 15:50  
EXAM TYPE: Abdomen-Hematuria,? Left Renal Stone-  
ABDOMEN

READING  
RADIOLOGIST: Cheng Ting Lin MD

## HISTORY and STUDY COMMENTS

Abdomen-Hematuria,? Left Renal Stone- Abdomen

## FINDINGS AND CONCLUSION

Abnormal. 10 x 5 mm calcification slightly inferior in position compared to 4/26/2013, now at level of L2-L3

Findings and Conclusion ----- Abnormal. 10 x 5 mm calcification slightly inferior in position compared to 4/26/2013, now at level of L2-L3

EXHIBIT K

**Bureau of Prisons  
Health Services  
Cosign/Review**

|                |                   |      |   |           |           |
|----------------|-------------------|------|---|-----------|-----------|
| Inmate Name:   | MAGLUTA, SALVADOR | Sex: | M | Reg #:    | 26012-037 |
| Date of Birth: | 11/05/1954        |      |   | Race:     | WHITE     |
| Scanned Date:  | 07/18/2013 12:28  |      |   | Facility: | FLP       |

Reviewed by Allred, D. DO on 07/23/2013 09:25.

# DIANAssociates

PRIME : EMTEC  
UNIVERSITY OF MARYLAND  
RADIOLOGY REPORT

PATIENT NAME: MAGLUTA SALVADOR  
DATE OF BIRTH: 19541105  
PATIENT NUMBER: 26012-037  
REF. PHYSICIAN: T.Nehls\_NP-C  
INSTITUTION NAME: USP Florence  
EXAM DATE: 2013/08/02 12:46  
OBSERVATION DATE: 2013/08/02 13:27  
EXAM TYPE: Abdomen-F/U for possible renal  
calculi- ABDOMEN

READING  
RADIOLOGIST: Sunita Nankoo

MD

## HISTORY and STUDY COMMENTS

Abdomen-F/U for possible renal calculi- Abdomen

## FINDINGS AND CONCLUSION

Abnormal. Calcification is unchanged in position and may represent ureteral calculus.

Findings and Conclusion ----- Abnormal. Calcification is unchanged in position and may represent ureteral calculus.

EXHIBIT - L

**Bureau of Prisons  
Health Services  
Cosign/Review**

|                |                   |      |   |           |           |
|----------------|-------------------|------|---|-----------|-----------|
| Inmate Name:   | MAGLUTA, SALVADOR | Sex: | M | Reg #:    | 26012-037 |
| Date of Birth: | 11/05/1954        |      |   | Race:     | WHITE     |
| Scanned Date:  | 08/02/2013 13:49  |      |   | Facility: | FLP       |

Reviewed by Allred, D. DO on 08/02/2013 12:35.



UTILIZATION REVIEW COMMITTEE  
INMATE NOTIFICATION LETTER  
FCC FLORENCE  
Camp/FCI/USP/ADX

Name: Magluta, Salvador  
Reg. Number: 26012-037

Date: 7-11-13  
Housing Unit: 207-1624

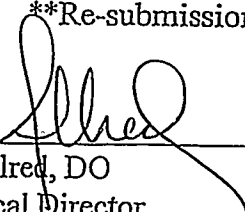
Requested Consult/Procedure

- |                                               |                                      |                                                 |                                                |
|-----------------------------------------------|--------------------------------------|-------------------------------------------------|------------------------------------------------|
| <input type="checkbox"/> General Surgery      | <input type="checkbox"/> Orthopedics | <input type="checkbox"/> Gastroenterology       | <input type="checkbox"/> Ear, Nose, and Throat |
| <input type="checkbox"/> Ophthalmology        | <input type="checkbox"/> Prosthetics | <input type="checkbox"/> Colonoscopy and/or EGD | <input type="checkbox"/> Oral Surgery          |
| <input type="checkbox"/> MRI                  | <input type="checkbox"/> CT Scan     | <input type="checkbox"/> Cardiology             | <input type="checkbox"/> Urology               |
| <input checked="" type="checkbox"/> Radiology | <input type="checkbox"/> Nephrology  | <input type="checkbox"/> Other: _____           |                                                |

Utilization Review Committee Decision

- ☐ The committee has referred your case to the Regional Office for final approval. You should be notified of your status within the next two months.
- ☐ The committee has APPROVED this request without modification.
- ☒ The committee has DENIED this request.
- ☒ You will be scheduled for further evaluation by a staff physician.
  - ☒ You will be scheduled for further evaluation by a mid-level provider.
  - ☐ You need to follow-up in sick call with any further issues.
  - ☐ You will be referred to a specialty consultant.
  - ☐ Your procedure is contraindicated due to unacceptable risk.
  - ☐ You have been placed on the waiting list for: \_\_\_\_\_
  - ☐ Other: \_\_\_\_\_

\*\*Re-submission of the request will be considered if medically indicated.

  
D. Allred, DO  
Clinical Director

JUL 12 2013

USP Health Services

Copy Sent or Issued to Inmate On: \_\_\_\_\_  
Copy Scanned Into BEMR

Form Last Updated: 11.19.10.TM

(EXHIBIT-M)

**Bureau of Prisons  
Health Services  
Dental Soap/Admin Encounter**

|                 |                   |           |                    |           |       |        |           |
|-----------------|-------------------|-----------|--------------------|-----------|-------|--------|-----------|
| Inmate Name:    | MAGLUTA, SALVADOR | Sex:      | M                  | Race:     | WHITE | Reg #: | 26012-037 |
| Date of Birth:  | 11/05/1954        | Provider: | Weidley, Diane RDH | Facility: | FLP   | Unit:  | Z05       |
| Encounter Date: | 04/19/2013 14:18  |           |                    |           |       |        |           |

Sick Call Visit encounter at Dental Clinic.

**Reason Not Done:** Unavailable

**Comments:** Inmate not able to be escorted to dental for sick-call. Inmate will be rescheduled for dental.

**Cosign Required:** No

Completed by Weidley, Diane RDH on 04/19/2013 14:19.

*Denial Dental Care*

*EXHIBIT-[0]*



**Bureau of Prisons  
Health Services  
Dental Soap/Admin Encounter**

|                 |                   |           |                    |
|-----------------|-------------------|-----------|--------------------|
| Inmate Name:    | MAGLUTA, SALVADOR | Reg #:    | 26012-037          |
| Date of Birth:  | 11/05/1954        | Sex:      | M                  |
|                 |                   | Race:     | WHITE              |
| Encounter Date: | 04/19/2013 14:18  | Facility: | FLP                |
|                 |                   | Provider: | Weidley, Diane RDH |
|                 |                   | Unit:     | Z05                |

Sick Call Visit encounter at Dental Clinic.

Reason Not Done: Unavailable

Comments: Inmate not able to be escorted to dental for sick-call. Inmate will be rescheduled for dental.

Cosign Required: No

Completed by Weidley, Diane RDH on 04/19/2013 14:19.

Denial of Dental Care

EXHIBIT - [P]



UTILIZATION REVIEW COMMITTEE  
INMATE NOTIFICATION LETTER  
FCC REFERENCE  
Camp/Unit: ISP/ADX

Name: Maglo, Salvador  
Reg. Number: 26012-037

Date: 9/12/13  
Housing Unit: 235-407LAD

Requested Consult/Procedure

- |                                               |                                      |                                                 |                                                |
|-----------------------------------------------|--------------------------------------|-------------------------------------------------|------------------------------------------------|
| <input type="checkbox"/> General Surgery      | <input type="checkbox"/> Orthopedics | <input type="checkbox"/> Gastroenterology       | <input type="checkbox"/> Ear, Nose, and Throat |
| <input type="checkbox"/> Ophthalmology        | <input type="checkbox"/> Prosthetics | <input type="checkbox"/> Colonoscopy and/or EGD | <input type="checkbox"/> Oral Surgery          |
| <input type="checkbox"/> MRI                  | <input type="checkbox"/> CT Scan     | <input type="checkbox"/> Cardiology             | <input type="checkbox"/> Urology               |
| <input checked="" type="checkbox"/> Radiology | <input type="checkbox"/> Nephrology  | <input type="checkbox"/> Other: _____           |                                                |

Utilization Review Committee Decision

☐ The committee has referred your case to the Regional Office for final approval. You should be notified of your status within the next two months.

☒ The committee has APPROVED this request without modification.

☐ The committee has DENIED this request.

- ☐ You will be scheduled for further evaluation by a staff physician.
- ☐ You will be scheduled for further evaluation by a mid-level provider.
- ☐ You need to follow-up in sick call with any further issues.
- ☐ You will be referred to a specialty consultant.
- ☐ Your procedure is contraindicated due to unacceptable risk.
- ☐ You have been placed on the waiting list for: \_\_\_\_\_

Other: \_\_\_\_\_

☒ Re-submission of the request will be considered if medically indicated.

Physician: [Signature]

Copy Sent or Issued to Inmate On: 9/13/13  
Copy Scanned Into BEMR

Form Last Updated: 11.19.10.TM

WHAT WAS REQUESTED  
WAS A [CT SCAN] EXHIBIT - [Q]  
RE-MADE MORAIC 103

60

BP-A0148  
JUNE 10

INMATE REQUEST TO STAFF CDFRM

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

|                                                     |                                |
|-----------------------------------------------------|--------------------------------|
| TO: (Name and Title of Staff Member) <b>DENTIST</b> | DATE: <b>4-7-13</b>            |
| FROM: <b>S. MAGLUTA</b>                             | REGISTER NO.: <b>26012-037</b> |
| WORK ASSIGNMENT: <b>N-A</b>                         | UNIT: <b>SHU - C-1-138</b>     |

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)

I HAVE A BRO<sup>K</sup>E OFF TOOTH  
ITS THROBING AND CAN'T  
EAT = ITS HURTING BAD

(Do not write below this line)

DISPOSITION:

Added to list 4-9-13  
RD - RORAK

USP-HS Florence Health Services  
P.O. Box 7500  
Florence, CO 81226

Signature Staff Member

Date

Record Copy - File; Copy - Inmate

PDF

Prescribed by P5511

This form replaces BP-148.070 dated Oct 86  
and BP-S148.070 APR 94

FILE IN SECTION 6 UNLESS APPROPRIATE FOR PRESERVATION FOLDER

SECTION 6

61

EXHIBIT [R] Dental Care  
104

copy to be of  
nothing can be  
done 6/1/17 NO SHL  
2/1/17 NO SHL  
5/1/17 NO SHL

You are on the list 4/17/13 AB  
A. Brouillet, Contract Dental Assistant  
FCC Florence, CO

Please I need  
Dental Bad

USF-HS Florence Health Services  
PO Box 7500  
Florence, CO 81226

Thank you  
M. S. M. R.

26012-037

C-1-138 SHH

62

EXHIBIT-[S] Dental

SICKCALL

INMATE NAME: JAL MAGLUTA Date: 6-19-13  
Reg. No: 26012-037 Unit: SHU  
C-1-139  
Z05

CHECK ONE:

☐ NURSE

☒ MEDICAL

- ☐ MEDICAL RECORDS  
☐ PHARMACY/REF  
☐ OPTOMETRY
- USP-HS Florence Health Services  
P.O. Box 7500  
Florence, CO 81226

Brief Description of Request/Concern:

I need antibiotics again - I have  
throbbing & infection on right  
top molar. THANKS

Nixon Roberts, DDS  
FCC Chief Dental Officer

RESPONSE FROM HEALTH SERVICES:

FCC Florence, CO

but needs in 6/24/13  
still on list to be seen

Responder: A. Brouillet, Contract Dental Assistant Date: \_\_\_\_\_  
FCC Florence, CO

EXHIBIT 11

SICKCALL

INMATE NAME: S MAGUIA Date: 7-15-13  
 Reg. No: 26012-037 Unit: SHU

CHECK ONE:

- ☒ NURSE — Deard  
☐ MID LEVEL PROVIDER (MLP)  
☐ DENTAL  
☐ MEDICAL RECORDS  
☐ PHARMACY/REFILL  
☐ OPTOMETRY

Brief Description of Request/Concern:

Pain on left from front to  
back around left kidney  
and all way down to left testical  
IT'S KILLING ME - BAD PAIN  
 RESPONSE FROM HEALTH SERVICES:

You are on the sick-call list

Under left  
Rib cage all  
way around to back

Responsible: Deard Date: 07/16/17

EXHIBIT-[V]

79

h9

S Magluta 26012-037 7-16-13  
 DR. PLEASE SHH

IT HURTS BAD - MOTRIN ALMOST  
 Not doing much help -  
 - One thing that I was embar-  
 rassed to say a few times when  
 ejaculation is to OCCUR -  
 EVERYTHING WORKS BUT NO  
 SEMEN Comes out - other  
 times it does - I say this  
 because it may have a relation

Thank You  
 Respectfully

S. Magluta

26012-037

108

This is  
 4 specimens  
 in triplicate

65

EXHIBIT [W]

7/18/13 KLP  
 you have already  
 been signed up  
 for such calls  
 know what

K. Rowe, MRAS  
 FCC Florence, CO

Miss Nurse Dehlo.

7-21-13

Mam- the medicines you gave me does nothing for pain for me. I am better with morphine that at least gives me a few hours of comfort.

The pain is UNBEARABLE. Please see what else I can do.

Also I take Atenolol which is also a blood pressure med so didn't know if 2 blood pressure meds together would be ok to take?

Thank you but PLEASE see what else can be done. I'm going on 10 straight day w/ this pain.

FLP 7/22/13

You are on the  
weekend schedule

K. Rowe, MRAS

FCC Florence, CO

Respectfully

Sal Magluta

#26012-037 SHU 164

P

A Mam Could this be something else - Pain always starts front left & anytime I eat - it triggers it bad

EXHIBIT [X]



SICKCALL

INMATE NAME: S. MAGLITA Date: 8-6-13  
Reg No: 26012-037 Unit: SHU

CHECK ONE:

- ☒ NURSE  
☐ MID LEVEL PROVIDER (MLP)  
☐ DENTAL  
☐ MEDICAL RECORDS  
☐ PHARMACY/REFILL  
☐ OPTOMETRY

ALSO URINATE  
Several times a  
night

Brief Description of Request/Concern:

I have 24/7 pain on left side of stomach  
anything I eat - pain gets real bad and  
nausea - ANTACID PILLS DO NOTHING  
THERE IS SOMETHING WRONG PLEASE  
address this - Please

You are on the list to be seen

Respondent: Mr.

FLP

Date: 08/06

EXHIBIT [Y]

1000

68  
msley

United States Penitentiary  
Administrative Maximum (ADX)  
Health Services Department  
5880 State Highway 67 South  
Florence, CO 81226

DENTAL CARE

10/15/13

Please Please Please LLL

I have pain a throbing bad  
have been waiting in the USP  
and Now at ADX since March  
Please One side is badly  
hanging on its split several  
times & the other as well

Thanks for your Assistance

Respectfully

SAL (MAGLITA)  
MAGLITA

You are added to the  
list 10/15/13  
A. Brouiller, Contract Dental Assistant  
FCC Florence, CO

(69)

26012-037 K-B-212  
[EXHIBIT-1AA]

11/1/13

ATTACHMENT 3.

A.R. # 793416

A.R. 793416.

MEDICAL. KIDNEY

(A)

1. BP. 8 was filed by "P" 8-12-2014.

(B)

1. BP. 9 was filed on 8-19-2016. Both the BP 8 and BP 9 raised numerous issues related to "P" health care.

(a) "P" requests adequate health care.

(i) request for information about his kidney issues

(ii) asks for response to his numerous requests.

(iii) no follow up care after surgery - no information

(iv) No compliance with surgeon's request to see "P" ~~or~~ within 2 weeks

(v) Santini did not address follow up issues with "P" nor address the high levels of "P" GFR and CREATINE

(vi) "P" notified Warden Berkeley, H.S.A. Cordora and Miss Montoya from legal as did "P" counsel Kelly Cherry via Email to all above

(vii) "P" was not provided tests nor the information the surgeon requested in his post-op orders.

(b) "P" advises he has complained about urinary issues stomach issues, fainting, Abdominal issues, Dizziness, Back Pain, sugar etc. "P" asserts none were being addressed

(c) As is customary the BP.9 response does not address any of the issues raised NOT ONE SPECIFICALLY

(C)

1.) "P" submitted his BP.9 appeal by filing a BP.10 on OCT-16-14. This appeal was entered at the regional level on Oct-27-2014

2.) "P" adopted repeated and ~~expounded~~ expanded on his BP.8 and BP.9 submissions

(a) BP.10 was responded on Nov-5-2014 with a general response stating P.5.

(D)

1.) "P" submitted his BP.11 to central office addressing the same issues and appeal of the BP.10 response. THIS BP.11 WAS ENTERED AT CENTRAL OFFICE ON NOV. 24-2014. AS OF THE CURRENT DATE THIS BP.11 HAS NEVER BEEN RESPONDED ~~ON~~ ~~RECEIVED~~ AS OF THIS DATE

2

793416

FEDERAL CORRECTIONAL COMPLEX  
FLORENCE, COLORADO  
INFORMAL RESOLUTION FORMInmate Name: MAGLUTA - S. MAGLUTA  
Unit: D.Reg. No. 26012-037  
Date: 8-12-14

**NOTICE TO INMATE:** You are advised that normally prior to filing a Request for Administrative Remedy, BP-229(13), you must attempt to informally resolve your complaint through your Correctional Counselor. Please follow the three steps listed below:

1. State your complaint: This is a request for closely related medical issues information and medical attention. I have been dealing with these medical issues for 1 1/2 years on some and years on others. Get staff, both here at the CSP, have shown total disregard to my health and have treated my health issues with deliberate  
SEE - ADD Pg. →

(If more space is needed, you may use up to one letter size (8 1/2 x 11) continuation page. You must also submit one copy of supporting exhibits. (Exhibits will not be returned with the response to BP-229(13) responses.)

2. State what actions you have made to informally resolve your complaint: numerous  
rep. out and verbal request.

3. State what resolution you expect: To Be treated timely and appropriately to all my medical needs including kidney issues and issues that appear to be abnormal in lab tests etc

Inmate's Signature: Schador MaglutaDate: 8-13-14

Correctional Counselor's Comments (Steps to Resolve): FROM HEALTH SERVICES - YOU HAVE BEEN SEEN, EVALUATED, AND FOLLOWED UP BY THE UROLOGIST. YOU HAVE A PENDING APPOINTMENT TO DISCUSS THE PROCEDURE AND HAVE THE STENT REMOVED. ANY OTHER ISSUES CAN BE DEALT WITH BY SIGNING UP FOR SICK CALL.

Counselor's Signature: [Signature]Date: 15 AUG 14Unit Manager's Review: [Signature]Date: 8/18/14

Informally Resolved: \_\_\_\_\_

Date: \_\_\_\_\_

|           | BP-8 ISSUED        | BP-8 RETURNED      | BP-9 ISSUED | BP-9 RETURNED | REMEDY CLERK |
|-----------|--------------------|--------------------|-------------|---------------|--------------|
| DATE      | 12 AUG 14          | 15 AUG 14          |             |               |              |
| TIME      | 810                | 850                |             |               |              |
| COUNSELOR | <u>[Signature]</u> | <u>[Signature]</u> |             |               |              |

(A) = KIDNEY = EXHIBIT (A) IS THE MOST RECENT LETTER SENT TO HEALTH SERVICE ADMINISTRATOR - (HSA) CORDOVA... LIKE OTHER FILINGS THIS ADMINISTRATOR'S PRACTICE OF RETALIATION AGAINST ME IS NOT ONLY TO DENY HEALTH CARE BUT ALSO REFUSES TO RESPOND TO COPOUTS - AR'S - ETC... THE LETTER AS EXHIBIT (D) STATES WHAT THE RECORDS REFLECT AND THE H.S. LACK OF ATTENTION TO THOSE LAB REPORTS.

(B) RECORDS REFLECT CHRONIC KIDNEY DISEASE - YET AS OF THIS DATE NO ATTENTION HAS BEEN PROVIDED FOR THE DISEASE. (C) IN SPITE OF THE FACT THAT SINCE 3-19-13 BOP MEDICAL STAFF HAVE KNOWN THAT THERE WAS A LARGE CALCULUS AND THE STONE WAS TOO LARGE TO VOID WITHOUT A MEDICAL PROCEDURE. FCC FLORENCE MEDICAL STAFF REFUSED TO ADDRESS IT - PROVIDE THE PROPER CARE - DENIED CT SCAN REQUESTS THAT WERE MADE BY MSP MEDICAL STAFF. IN JULY 2013 - HAD ME BUY BOTTLES OF IBUPROFEN FOR THE PAIN (WHICH IS ACTUALLY BAD FOR THE KIDNEYS) RATHER THE ATTEND THE ISSUE WHICH RESULTED IN INFECTIONS - BLOOD IN URINE - UNBEARABLE PAIN WHICH THEN REQUIRED (IV'S) - ANTIBIOTICS - MORE PAIN MEDICATIONS - ALL THIS APPEARS IN MY MEDICAL FILE - IN A.R.# 74660 WHICH PLACED THE MEDICAL STAFF - THE WARDENS - REGIONAL DIRECTOR - CENTRAL OFFICE - HSA - CORDOVA - A.H.S.A. MCDERMOT - MISS NEHLS - DR ALRED AND LEGAL STAFF MISS MONTDOYA AND MANY OTHERS - ALL ON NOTICE OF ALL MY KNOWN AND UNKNOWN MEDICAL NEEDS... (AS EXHIBIT II) I AM GOING TO PROVIDE A PARTIAL COPY OF AN OLD DRAFT OF A POSSIBLE COMPLAINT FOR LACK OF MEDICAL ATTENTION THAT WAY I DON'T NEED TO RE-WRITE SOME OF WHAT HAS ALREADY TRANSPIRED UNTIL ABOUT - (1-24-2014) - THIS WILL PROVIDE A SMALL BACKGROUND AS TO WHAT I AM COMPLAINING ABOUT & SEEKING PROPER MEDICAL CARE (CURRENT ISSUES - KIDNEY)

ON 7-15-14 I WAS TAKEN TO SURGERY AND AS OF THIS DATE I DON'T KNOW WHAT WAS DONE - WHAT WAS OR WASN'T ACCOMPLISHED - THE ONLY THING I WAS TOLD AFTER SURGERY THAT A STENT WAS PLACED SOMEWHERE IN THE AREAS OF THE LEFT KIDNEY - UTERE - BLADDER AREA AND IT MUST COME OUT... (1) WHAT WAS DONE? WHAT WAS OR WAS NOT ACCOMPLISHED? WHAT IS THE STATUS OF THE CYSTS? IS THE STONE STILL THERE OR WAS IT REMOVED? WHAT ABOUT THE OTHER CRYSTALS ETC. WAS A BIOPSY DONE AND WHAT ARE THOSE RESULTS? WHAT'S NEXT (NOT WHEN OR WHERE) ALL I WANT TO KNOW IS WHAT'S NEXT AND WHERE WE GO FROM HERE.

#### SYMPTOMS - AILMENTS RIGHT NOW

(1) MY URINE FOR THE LAST FEW DAYS HAS BEEN BURNING A BIT - AND I CAN'T VOID COMPLETELY - I NEED TO GET BACK UP SEVERAL TIMES TO VOID AND ITS LITTLE BITS... ALSO URINE COMES OUT REAL STRONG YELLOW. LIKE NEVER BEFORE I CAN'T TELL IF BLOOD IS IN IT OR NOT...

(2) FOR A LONG TIME I HAVE HAD A LOT OF UNCONTROLLABLE GAS AND PAIN IN THE LEFT FRONT PART OF MY STOMACH... BECAUSE ITS IN THE LEFT SIDE ITS ALWAYS ATTRIBUTED TO THE LEFT KIDNEY STONE & ISSUES BUT IT SEEMS LIKE ITS SOMETHING ELSE - I PASS GAS WITHOUT CONTROL AND JUST LIKE WHEN I HAVE HAD A COLONOSCOPY AND AFTER YOUR DONE GAS COMES OUT NON STOP - STOMACH IS ALWAYS BLOATED

(3) MY LAB REPORTS SHOW SEVERAL THINGS OUT OF THE ZONES - MY CONCERN IS THE PLATELETS: WHAT IS THAT OR WHAT CAUSES THE DROP. SO LOW AND OUT OF RANGE.

I NEED TO ADDRESS THE ABOVE AND SEE MEDICAL.

THANK YOU. RESPECTFULLY  
S. MABLUTA

26012-032



Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: MAGLUTA-SALVADOR 26012-037 D ADX  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST REQ FOR TIMELY AND APPROPRIATE MEDICAL CARE, UNIT TEAMS RE-

STATES THAT I HAVE BEEN SEEN, EVALUATED AND FOLLOWED UP BY THE UROLOGIST AND THAT I HAVE A PENDING APPOINTMENT TO DISCUSS THE PROCEDURE AND HAVE THE STENT REMOVED AND LASTLY THAT I REQUEST SICK CALL FOR ANY OTHER ISSUE. I WILL ADDRESS EACH ISSUE

YES I SAW THE UROLOGIST 17 MONTHS AFTER THE FCC STAFF KNEW I NEEDED TO BE SEEN BY A UROLOGIST - THE PROCEDURE WAS DONE 7-15-14 AND MEDICAL HAS ONLY TOLD ME THAT I HAVE A STENT THAT MUST BE REMOVED - NO ONE HAS TOLD ME WHAT WAS DONE AND RESULTS - UROLOGIST ASKED TO SEE ME IN 2 WKS AFTER SURGERY PER MEDICAL RECORDS. YET ADX ADMINISTRATIVE AND MEDICAL STAFF HAVE REFUSED TO PRODUCE ME FOR THE POST OP. APPOINTMENT PER RECORDS - IN ADDITION DR. SANTINI WAS SUPPOSED TO SEE ME PER AS THE RESULT OF ABNORMAL LEVELS IN MY LAB WORK WHICH SUGGEST CHRONIC KIDNEY DISEASE - I WAS NOT TAKEN TO THE UROLOGIST ON 7-30-14 NOR TO MEDICAL ON 8-11-14 DATES THAT APPEAR IN MY MEDICAL FILE FOR BOTH APPTS. SO NO I HAVE NOT BEEN SEEN NOR BEEN TREATED IN ACCORDANCE WITH MY MEDICAL FILES. AUTHORED BY YOUR (OWN) STAFF. I HAVE SUBMITTED NUMEROUS WRITTEN AND VERBAL REQUEST ABOUT KIDNEY ISSUES AND PLACED - HSA CARDONA - WARDEN BERKHAUSE - LEGAL MISS MONTOYA ALL ON NOTICE OF MY MEDICAL ISSUES. AS DID MY LAWYER THRU EMAILS.

SEE NEXT PAGE

8-19-14  
DATE

USE BP8 AND ATTACHMENTS  
AS EXHIBITS TO THIS BP8.

Salvador Magluta  
SIGNATURE OF REQUESTER

Part B- RESPONSE

RECEIVED

AUG 21 2014

ADX AW Office

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 793416-F1

CASE NUMBER: \_\_\_\_\_

Part C- RECEIPT

Return to: \_\_\_\_\_  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: \_\_\_\_\_

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)

ONE TOLD ME & NO ONE PROVIDED A STRAINER.

PS - WHEN I CAME BACK FROM HOSPITAL I READ I WAS TO STAIN MY URINE AND NOT

② Informal resolution says I need to submit sick call requests for other issues!

③ I have done that in several different ways.

(a) By providing medical (Camacho) a personal copy of my BP-8 request and exhibits  
NO ONE HAS RESPONDED TO SEE ME

(b) I HAVE VERBALLY TOLD CAMACHO ON ALMOST EVERY PILL LINE DAILY IN FRONT OF UNIT STAFF.

(c) I HAVE GIVEN MR. CAMACHO SICK CALL REQUEST ON NUMEROUS OCCASIONS ABOUT THE OTHER MEDICAL ISSUES - HE SAYS HE HAS GIVEN THEM TO MR. OSAGIE.  
NO RESPONSE BY MEDICAL.

(d) I have put the HSA - LEGAL WARDEN ON NOTICE BY SENDING THEM THE COPIES OF MY SUBMISSIONS TO MEDICAL.  
NO RESPONSE.

I have complained about urinary problems, stomach problems, Fainting issues, ABDOMINAL ISSUES, DIZZINESS, BACK PAIN ETC. ETC. NONE HAVE BEEN ADDRESSED EXCEPT ONE DAY CAMACHO DURING PILL LINE DID A SUGAR TEST, BLOOD PRESSURE TEST.

SO TO SAY I HAVE NOT MADE REQ IS NOT ACCURATE AND TO BE TOLD TO PLACE SICK CALL REQ. IS ABSURD WHEN I HAVE DONE SO IN EVERY WAY.  
AVAILABLE TO ME - PLEASE GET ME MEDICAL CARE  
THANK YOU.

①

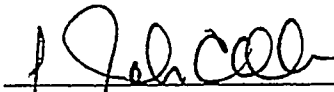
BP-229 Response

Case Number: 793416-F1

Your Request for Administrative Remedy dated August 19, 2014, and received in this office August 21, 2014, has been reviewed. Specifically, you state after your urology appointment and surgical treatment no one has followed up with you and the specialist requested a follow-up medical appointment that did not occur.

A review of the issue raised in your Request for Administrative Remedy has been conducted. The results of the review revealed on July 15, 2014, you underwent a lithotripsy with stent due to renal calculus (kidney stone). On September 3, 2014, you were seen by the specialist and the stent was removed with no complications noted by the specialist. The specialist also stated no further follow-up is needed and that you tolerated the procedure well. If you need further medical attention, you will need to sign up for sick call.

Accordingly, this response to your Request for Administrative Remedy is for informational purposes only. In the event you are not satisfied with this response and wish to appeal, you may do so within 20 calendar days of the date of this response by submitting a BP-230(13) to the Regional Director, Federal Bureau of Prisons, North Central Regional Office, Gateway Complex, Tower II, 8th Floor, 400 State Avenue, Kansas City, Kansas 66101-2492.

  
D. Berkebile, Warden

10/9/14  
Date

7

Federal Bureau of Prisons

793416-RI 10/16/14 SC

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: MAGLITA-SALVADOR 26012-037 D ADX  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL

The BP 9 response is partially accurate as I did have the stone removed on 9-3-14 but when I filed the BP 9 it had not been removed and had been scheduled to be removed on 7-30-14. In addition the specialist I was to see was not the urologist but a nephrologist because my lab work for my GFR scored one step short of kidney failure and remains on a level 4 which is (1- to 5) one being the best and 5 being dialysis. In addition I have continued to submit requests for medical care due to pain on both flanks and NO ONE RESPONDS OR ACKNOWLEDGES THEY HAVE REC'D MY REQUESTS. THESE REQUESTS ARE PERSONALLY HANDLED TO THE PILL LINE (P.N) WHO COMES TO bring me evening medications so its not that the report has been misplaced yet no response is provided and the pain remains - Each time I have complained the results of my complaint have been confirmed (so its NOT CRYING WOLF) They already left a 10mm kidney stone (that HAS TO COME OUT BY SURGICAL PROCEDURE DUE TO ITS SIZE) and waited 17 months from 3/2013 to 7-15-2014) as a result my GFR went to level 4 and resulted in me now being diagnosed with chronic kidney disease level 4... PLEASE ASK THAT MY MEDICAL 710-16-14 ISSUES BE ADDRESSED AND TIMELY. Arados Maglita  
 DATE SIGNATURE OF REQUESTER

Part B - RESPONSE

OCT 27 2014

DATE REGIONAL DIRECTOR  
 If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.  
 ORIGINAL: RETURN TO INMATE CASE NUMBER: 793416-RI

Part C - RECEIPT

Return to: A CASE NUMBER: \_\_\_\_\_  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION  
 SUBJECT: \_\_\_\_\_

DATE SIGNATURE, RECIPIENT OF REGIONAL APPEAL

BP-10 CONTINUED. SALVADOR MACIATA - 793416-

On or about 9-25-14 I saw a Dr. whose name I believe is Dr. King - He advised me that yes my BFR went down to a level of 4 and that yes they needed to address it - he said he first was going to order lab work for FIRST WEEK OF OCT & FIRST WK OF NOV and see if at the removal of the stone things got any better - Today is 10/16/14 and I have NOT had any lab work done yet - I have constant pain in my flanks... In addition I am diabetic - treated for high blood pressure and for elevated levels of cholesterol - and have had an elevated creatinine level for the last 10 years at least... ALL OF THAT EFFECTS OR AFFECTS THE KIDNEYS so my kidney issues are not those of just someone who had a stone but are rather more complicated and as a result require closer attention something that was not done when making me wait 17 months for a procedure that was medically required from the first time they became aware of the stone Endolith's sizes that dictated it had to be surgically treated... and which xray and CT scan showed it was obstructing the urine from my left kidney to the bladder as it was in the uterus... Records also show I still have several small stones (or crystals) in the kidneys as well as cysts... all which make my kidney complaints that much more complicated.

\* PLEASE ASSIST ME IN RECEIVING MORE PROPER AND TIMELY MEDICAL CARE AS I STILL HAVE KIDNEY PAIN \*

Also please address this correctly - the last medical BP-10 I filed you (Regen) said I was requesting Hernia surgery - In fact it was denied because I have never had a Hernia nor did I request hernia surgery

☺ Thanks

U. S. Department of Justice  
Federal Bureau of Prisons  
North Central Regional Office

Regional Administrative Remedy Appeal  
Part B - Response

Administrative Remedy Number: 793416-R1

This is in response to your Regional Administrative Remedy Appeal received on October 27, 2014. You allege you have not been seen for your complaints. For relief, you request timely medical attention.

We have reviewed the documentation related to your appeal. Based on this review, we concur with the manner in which the Warden addressed your concerns. You have consistently been provided timely and appropriate medical care in accordance with Program Statement 6031.04, Patient Care, and the National Drug Formulary. A review of your electronic medical record indicates you were most recently seen on October 17, 2014, by the physician who discussed your labs. You have had labs collected on September 4, 2014, and again on October 27, 2014. Your labs will continue to be monitored on a regular basis. If your condition worsens, you may sign up for sick call. Health Services will continue to monitor your condition during chronic care clinic.

Based on these findings, this response to your Regional Administrative Remedy Appeal is for informational purposes only.

If you are dissatisfied with this response, you may appeal to the Office of General Counsel, Federal Bureau of Prisons, 320 First Street, NW, Washington, DC 20534. Your appeal must be received in the Office of General Counsel within 30 days from the date of this response.

11-5-14  
Date

  
Paul M. Laird, Regional Director

10

SALVADOR MAGLUTA, 26012-037  
FLORENCE ADMAX USP UNT: D QTR: D05-110L  
PO BOX 8500  
FLORENCE, CO 81226

BP-10  
PROVIDED TO CEDENO  
FOR COPIES TO SUBMIT  
WITH BP-10 ON 10-17-14 A.M.  
10-22-14 - Counselor Robinson met  
a unit of fees provided me the BP-10.  
Unfortunately the requested copies were not  
included so I'm sending it this way w/ 3 copies of each page  
Thank you ...

(# 793416-F1)

TO 1M-ON-10-16-14  
BY COUNSELOR ROBINSON  
IN THE PRESENCE OF  
SIS TECH - ESPINO

By 10/16/14 sc

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-229(13) and BP-230(13), including any attachments must be submitted with this appeal.

From: MAGNITA SALVADOR 26012-037 D ADX  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL

This is an appeal to PR# 793416-R1-BP-10 response states that they agreed with the BP 9 and that I have rec'd lab work... what they do not address is that it took 16 months to have a procedure to have a kidney stone that was (a) 2 big to come out (b) causing an obstruction in my elbow (c) causing pain (d) causing infection (e) causing further damage to my kidney (f) causing mental strain (g) pain during operation (h) causing I take medications that would not have been need like medical staff knew about the issue since 3-20-13 - yet it took until 7-14-14 to address and it still remains unresolved completely (2) - my dental mirrors my kidney as it took from March 2013 until Sept. 2014 before any dental work was done... all you need to see is when I complained - March 27-13 and when I had work done 18 months later, and caused me harm. 11-14-14  
DATE SIGNATURE OF REQUESTER Salvador Magnita

Part B - RESPONSE

RECEIVED

NOV 24 2014

Administrative Remedy Office  
Federal Bureau of Prisons

DATE

GENERAL COUNSEL

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 793416

Part C - RECEIPT

CASE NUMBER: \_\_\_\_\_

Return to: \_\_\_\_\_  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: \_\_\_\_\_

DATE

SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL

UPN LVN



125

BP-231(13)  
JUNE 2002



**Administrative Remedy No. 793416-A1**

**Part B - Response**

This is in response to your Central Office Administrative Remedy Appeal wherein you allege a delay in medical care resulted in pain, infection, obstruction, and damage to your kidney since it took 14 months to receive a procedure for kidney stones. In addition, you contend an 18 month delay in dental work caused you harm. You request no specific relief.

The issue you raise regarding your allege delay in dental care is repetitive to Central Office Administrative Remedy Appeal 746610-A1, for which we have previously provided a response. That is, we do not find the appeals materially or substantively different and, as such, we refer you to that response, rather than elaborating further with like conclusions.

Our review reveals you were evaluated on March 20, 2013, for flank pain and your clinician ordered an x-ray. The x-ray was done the same day and revealed calcification that was possibly representing renal stones.

On March 27, 2013, you transferred to your current correctional complex. On April 27, 2013, you had a repeated x-ray which revealed similar findings to those found in the previous x-ray. On May 13, 2013, you have a kidney ultrasound that was negative. On June 22, 2013, your clinician submitted a consult for a CT scan since you continued to complain of intermittent pain in the region of the left kidney. The consult was denied by the Utilization Review Committee (URC) with the notation it was not medical necessary.

On July 18, 2013, you were evaluated for flank pain and prescribed Doxazosin. You had an x-ray that revealed a 10mm x 5mm calcification that had shifted lower since the last x-ray exam. On August 2, 2013, you had a follow-up with your clinician who submitted a consult request for a CT scan.

The CT scan was approved and scheduled; however, the appointment had to be rescheduled since the security clearance packet was not returned to Health Services. The CT scan was categorized as medically necessary, non-emergent. The CT scan was completed on January 24, 2014, and revealed a moderately obstructing renal stone.

**Administrative Remedy No. 793416-A1**  
**Part B - Response**  
**Page 2**

On January 31, 2014, a Urology consult was submitted and approved as medically necessary, non-emergent. You were seen by the Urologist on May 14, 2014. The Urologist discussed with you the fact that the calculus could increase in size, and about the chances it could pass spontaneously. In addition, surgery was recommended to remove the stone. The surgical procedure was approved and was completed on July 15, 2014.

On July 17, 2014, your clinician noted you were in post-operative lithotripsy and needed a follow-up evaluation with the Urologist for a cystoscopy, stent removal, and an x-ray prior to the appointment. The x-ray was completed on July 29, 2014, and the follow-up appointment for the stent removal was submitted and approved as medically necessary, non-emergent. The appointment was subsequently completed on September 3, 2014, when there were no complications noted by the Urologist. Based on the aforementioned information, we find no evidence to suggest you had a delay in medical care for your kidney stones.

The record reflects you have received medical care and treatment in accordance with evidence based standard of care and within the scope of services of the Federal Bureau of Prisons. You are encouraged to comply with proposed medical treatment so Health Services can continue to provide essential care and to contact medical personnel through routine sick call procedures should your condition change.

Considering the foregoing, this response is provided for informational purposes only.

2/9/17  
Date

IC  
Ian Connors, Administrator  
National Inmate Appeals

KG

ATTACHMENT 4

AR 737155

Justice

Prisons

(3)

## Regional Administrative Remedy Appeal

ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with the appeal.

MAGLITA SALVADOR

26012-037

340/NA

USP FLOREVE

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

## A - REASON FOR APPEAL

This is a request that Warden Daniels refrain from retaliating against me by denying me access to the courts - denying me access to counsel - denying timely and appropriate medical treatment - denying me meals and timely meals - denying me access to unit team team per policy - deny me mail privileges and phone privileges without complying with the SHAC mandates of the CFR - held me in restricted conditions out of retaliation

5-20-13

DATE

see new page exhibit Salvador &amp; Maglita

SIGNATURE OF REQUESTER

## Part B - RESPONSE

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: \_\_\_\_\_

## Part C - RECEIPT

CASE NUMBER: \_\_\_\_\_

Return to: \_\_\_\_\_

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT: \_\_\_\_\_

129

DATE

SIGNATURE OF REGIONAL DIRECTOR

⑥ ON-5-20-13, Warden Daniels along with A.W. Swartz, Johnes  
 St Yaeger and came through the unit about  
 1:20 P.M. - Before they came an officer came to advise me that  
 a team was coming. Since they had not been by before they didn't know  
 they had not fed me. So when he came I asked for my food and he said they  
 had to get it from the kitchen cause again they had not fed me. When Warden Daniels  
 came by he asked why my garbage was out. I said "Because you have not  
 fed me. He ~~said~~ <sup>implied</sup> he didn't care about me not getting fed and that it should  
 not affect why my (so-called) trash was out. He needed to act tough because  
 he had his thing with him. If he cared about feeding me as it's his obliga-  
 tion, he would realize garbage is thrown out when they pick up the  
 trays - we don't have garbage bags or cans in our cells. And since  
 once DRAIN he made sure I wasn't fed ~~then~~ then he should know  
 that garbage can't be thrown out - HE PURPOSELY MAKES  
 SURE I DON'T GET FED NO THAT STAFF DOES WHAT THEIR  
 OBLIGATION REQUIRES when it deals with me. He does this by words,  
 action, and in-action. He is well aware of the issues that have  
 been raised as to treating me (i.e. medical, feeding, 30 minute  
 walk by staff through tea etc. etc. They are part of a request  
 for a T.R.C. filed in court. All this is in retaliation to my present  
 and past lawsuits as well as my current filings via the D.R. & etc  
 courts - I respectfully request that Warden Daniels abusive and illegal  
 behavior be stopped at once and that he perform his duties and obliga-  
 tions as he is supposed to and not personally retaliate against me. In  
 1:00 P.M. - everyone at 11, I'm still waiting. All I ask is that Dome  
 stop his retaliation and that he perform his duties and obligations so that I  
 get what I'm supposed to and when I'm supposed to. This includes, however,  
 food, medical, etc. etc. etc. each aspect of prison life & constitutional protection.  
 Respectfully - Sal Maglietta 26012-037

1-20

## EXHIBIT - A - (1-20)

Your Honor this statement is made for the record and as if it were an affidavit - T.R.O request.

On 3-1-13 a search of my cell was done and my cell-mate Juan Jose Carrazos and I were taken to S.H.V. - H.C. here. At a later date 3-7-13 I and my cellie were given an incident report and charged with possession of cell phone. Without titigting that (at this point) my cellie advised he was going to accept full responsibility. At that point on 3-14-13 the B.O.P re-iterate the incident report and all of a sudden additional information come up, but that's not the purpose of this letter. One week later I and my cellie were given a hearing and both were found to have possessed the cell phones and both were sanctioned with 60 days of S.H.V. There were no recommendations of disciplinary transfers as it was my first infraction in over a decade. I will not litigate it here as I'm in the appellate process, or at least making an effort to do so. I also do not want this court to feel that I am down-playing the seriousness of the offence. I brought it up so the court knows how the following issues arise.

After being placed in S.H.V. on 3-1-13 I began requesting my property and most importantly my legal property. My legal property is approximately 11 Parker boxes. My legal property contains documents and work product

2-20

generated by myself as well as lawyers who have in the last 22 years represented me or did legal work on my behalf. Some of the lawyers were and are, Lawrence Basser, Neil Schuster, Richard Hugh, Ken Luker, Paul Lettuzzi, Jessica West, Jeffrey Fisher (who litigated Blakeley), Benjamin Weintraub and several other lawyers. Much of the ~~the~~<sup>documents</sup> evidence and work product deals with some of my legal trials in criminal court, appeals. A large part is current and past litigation with the B.O.P. at present as well as for the past 22 years. It also includes current law suits that the B.O.P. was and is well aware were going to ~~be~~<sup>be</sup> filed by me and others at the present time. They are also aware that I have documentation that I was working on (to provide the lawyers) for my 2255 before the judge in my case rules on the pending issues. They also know that there ~~is~~<sup>is</sup> a package of documents and affidavits that are filed under serial in my 2255 as well... This is not an all inclusive list but just some of what is currently contained in my legal property.

Since 3-4-13 I have been requesting my legal prop-  
erty so that I could proceed in my legal issues. All the  
S.H.V. property officers say is "It's not here" I have made  
every possible attempt to retrieve it but no one knew where  
the property was.

Sometime around 3-20-13 I sent a letter to A.W. CHURCH in U.S.P. Prison House making certain requests that included access to my legal property, request to speak to

3-20

my lawyers by phone or legal visit since Mr. Bense had not responded to any of my legal mail and I could not mail any other lawyer because I didn't have their addresses and U.S. P. Serge Haute counsela Setzler and others refused to provide me the addresses (and all that Mr. saying I have documentation to support all these issues.)

On 3-22-13 A.W. Church and S.I.A. Meyers come to see me. A.W. Church began responding to some of my concerns. He said I was not going to be permitted a legal visit nor a legal call. He said that my lawyers were aware of it. He said all my social mail (both incoming and outgoing) was being screened but that he would make sure it was not detained more than necessary. At that point S.I.A. Meyers jumped into the conversation and said that all my out-going legal mail was being screened. I asked how he could do that since it's sealed and properly addressed. At that point he back tracked and said no "I HAVE IT ALL" and "CAN'T WAIT TO READ THEM". Mr. Church then said "Your incoming legal mail is NOT being screened." at which point I said I could prove otherwise and explained how and he assured he would address that issue with staff.

I then asked for my legal property and again S.I.A. Meyers said "I got it."



4-20

all in my office and am reading it all" and also said that "he had a few other guys coming to help him." He also said he had all my regular property and would turn it over to the S.H.O. property officer on Monday the 25<sup>th</sup> of March. I was then returned to my cell and never heard from them again and as of today Saturday the 27<sup>th</sup> of April I have not received any of my property in spite of constant requests.

When I would write Mr. Busser my legal mail (which by 3-22-13 were approximately 15 letters as I would write daily) I would also write someone in my family and would explain some of the issues I was asking Mr. Busser to address so they could follow it up with him because sometimes it takes him a while to get going. As a result Mr. Meyers was well aware I was asking Mr. Busser to file a T.R.D., to hire local counsel and address the legal mail - legal visits & the intrusion into my legal property along with a request to file the lawsuit that had been prepared on others and my behalf. So even if Mr. Meyers had not read my outgoing legal mail he knew the substance of the legal mail so by holding all my legal mail he assured that I did not have access to my lawyers which would also

5-20

deny me access to the courts, I also requested Program statements to address additional inappropriate conduct by B.O.P. staff, so he Mr. Meyers also held the social mail and when my family sent legal books and Program Statements he and others refused to provide them to me. In my legal property I have several self help litigation materials like Prisoners Litigation Manuals and several others. They refused to supply my books as well and as of today I don't have any.

I also requested access to the legal library in Terre Haute. I was told I was on a list and had to wait my turn. For the 26 days I was there my turn never came up. I am only addressing some of the issues and incidents that arose in Terre Haute, as they deal with my 1<sup>st</sup> amendment, 5<sup>th</sup> 6<sup>th</sup> and retaliation by the Defendant B.O.P. and the usual smirks of sell me if you want to.

As a result of the above conduct I never had the opportunity to file anything within in this court or in Terre Haute Indiana because all my efforts were purposefully cut off so they could continue to hold access to my legal material - circumvent the attorney client relationship and get away with it by

6-20

all of a sudden sending me here (on 3-27-13) to U.S.P. Florence. By the time I left Terre Haute Indiana at 2 AM on 3-27-13 I had not received any of the other lawyers addresses. There is actually mail that was sent to Terre Haute with my lawyers addresses that was just recently supplied to me here.

It is important to note that aside from other issues in Terre Haute my condition of confinement was never affected. I lived in a regular cell, with a cellmate, had access to the recreation cages with other inmates and myself in one recreation cage along with inmates in recreation cages adjacent to ours. I was in a regular tier that housed several other inmates. I didn't have to be escorted around any different than anyone else.

On 3-27-13 I was transferred to U.S.P. Florence which is where I am presently housed. Of all the inmates who had incident reports <sup>Duke</sup> ~~to~~ <sup>in</sup> mine I was the only one who they did not allow time to prepare <sup>for</sup> ~~the~~ objection or evidence to mitigate the infraction. I was given a hearing in one week while all the other SHU inmates are waiting and given time to prepare for 3 plus months. and I was the only one transferred.

7-20

even though there was not a disciplinary nor a greater security transfer request made by D.H. O. or U.S.P. They obviously knew that they had to eventually give me access to counsel and courts so the quicker they gave me a hearing & find me guilty I could be shipped somewhere else & they did not have to deal with judicial redress and could continue to keep violating the attorney client relationship along with reading all my legal materials as I would not be in any position to intervene.

On 3-27-13 at approximately 2 o'clock I arrived at U.S.P. Florence and was taken to SHU.

On 3-28-13 I was taken to R&D to be properly processed since there was no staff to do so the previous day. During the process I was advised I had been transferred to the code unit D-A in general population and once I was done with the 60 days of disciplinary segregation that was I would go.

A while later I was escorted back to S.H.U. by Lt. Yeager and another staff member. While being escorted back Lt. Yeager made a remark about what he read about me and said "at least your kids are set for life" to which I responded that my son has 3 kids and makes 12 dollars an hour and my daughter works 2 jobs and looking for a part time. "If that's set for life then yes."

8-20

Later on everything changed. Every possible restriction that they did NOT do at first, but regarding my confinement they placed on me here by those whom are currently defendants in this instant case before Your Honor. Some of them are purposefully done because of the low suit as they always have the comment of "well you can always see" I am to recreate alone!

I must be housed alone

I must be moved by 2 staff members and a Lt. must be present

I can not communicate with ANYONE

I am housed in a whole section by myself. previously they had me in a strong cell which are for people who take up the cells, <sup>throw</sup> through things to staff, break the lights etc. It is a dark cell with thick mesh iron in every conceivable area.

Now this is done without <sup>any</sup> due process afforded whatsoever.

They are aware I'm in a deep state of depression and suffer from panic and anxiety attacks so they can see me go into panic and literally laugh while the episode lasts. During this period they have said they are concerned that I may harm myself yet staff will go for hours without doing a round which according to post orders should be every 30 minutes. I have staff who will testify and support my statements.

9-20

- I press the distress button and they come 1 1/2 hours later and not to answer the distress request.
- Medical has to make rounds in the morning. They come by my cell 2 times in the first 31 days.
- Medical forgets to bring me my evening medication and only after beating the door and screaming for attention do they come back and then make any excuse as to why they didn't do it when they come to give it to all the other inmates, it so happens mine is always the one they forget.
- Dental - I request dental care because I have two teeth that need dental care and are hurting and throbbing. One nurse responds in front of a Lt and officer and a cop - "You have to wait at least 3 months" and "The pain will not kill you" to which I say "then what do I do" she says "Keep asking me and I'll keep giving you the same answer."
- I put dental requests in writing, <sup>GOT NO RESPONSE</sup> once I advised the warden out of courtesy about a coming T.R.O. they go to medical. That same day they respond to all the requests I had made in writing, but don't realize that they put - You are on list to be seen by dental staff on 4-17-13 but



10-20

the response is provided to me on 4-19-13 which is 2 days after I was supposedly going to be seen. I have documents that support all that I have been saying.

- Feeding - at least 3 to 4 times a week they forget "or so they say" to feed me and Warden Daniels is a personal witness cause it occurred in his presence when he was doing rounds on 4-19-13.

- S.H.U. staff come by in morning for breakfast then later for lunch (when they don't forget) and that's usually it until the evening shift comes, and usually the evening shift is who has to pick up the lunch food trays because day shift never come by again. EVEN THOUGH THEY HAVE TO MAKE ROUNDS EVERY 30 MINUTES

Unit Staff: Unit Manager - Case Manager & Counselor

- The unit staff has to make themselves available every day to the inmates assigned to them.

- If I get lucky I see them once a week - as a result

- I can't have legal materials copied to send to my lawyer - or even to this court because they don't come by and we in S.H.U. are totally dependant on unit staff because we can not do it ourselves.

- All the Administrative remedies are provided by unit staff so by making themselves unavailable

11-20

they affect access to the courts in a timely manner so as to prevent that access. (see section of Administrative Remedies addressed in current law suit.)

- They will provide only one informal resolution a week, they take 2 weeks to respond and they require one issue per request. It would be impossible to address a

- If I need additional stamps (THAT I PURCHASE NOT PROVIDED BY THEM) I must wait till unit staff comes give them the documents, they go and weigh them then give me permission to purchase them. But when staff only come by once a week I will be waiting forever which is the way to deny access to counsel on the courts. This is what is presently being done to me.

All this is being done to frustrate my access to the courts while they fulfill their agendas of railroading me through the process of getting to me to ADX or whatever those intentions may be.

- I request for the transfer package that was sent from U.S.P. Terre Haute to U.S.P. Florence and unit manager Derr says that I may need to get it through the F.O.I.A. He knows I would need that to address current confinement and any other issue as to my current housing and possible releases, so by not providing them they can frustrate my current efforts in addressing the pending issues and can continue to retaliate



12-20

and doing as they want, while advancing their personal vendetta and agenda.

Its ironic that when I objected to being moved from here in Jan-2012 they said I couldn't stay here and immediately after they move the defendant files a motion to dismiss lawsuit and claims mother as a ground for dismissal amongst other things. Yet now Serre Haute sends me here so I can't file over in their district the lawsuit (amongst other things) and the same warden who ~~said~~ said I could not be housed here is the one that accepts me here, then retaliates by many of the things I'm claiming here amongst others.

My transfer here was not to submit me to the I.M.U. program nor the APX. If that were the case Serre Haute would have been the one submitting these packages. Now the same warden who is a defendant in the current lawsuit, takes it upon himself to submit me to APX as another way of retaliation and denies me, amongst other things, access to counsel and the courts as well as freedom of religion. Some of these I will continue to address in this submission.

I have been here over a month yet unit team has not even done the required form when a person arrives. I can't quote the P.S. because they won't let me get it.

13-20

During my stay at U.S.P. Florence, both now and previously I constantly get comments from the Administration and staff that reflect to issues that are in my central file to be corrected along with some of which I was told had been corrected.

On 4-11-13 Two S.H.U. officers came to my cell and said that I pack up all my property because Lt. Yeager said I had to go and sleep in the holding tank which is behind the Captains office and across the hall from the Lieutenant's office. The tank has no bed, so I had to sleep on my mattress on the floor. You are exposed to almost every staff member and some inmates because the front of the tank is all glass (except for the door). There is a toilet but to use it you have to do your necessities in front of everyone men and women alike. You have no shower and must accept every derogatory comment that is made by staff both audibly as well as in gesture. But I will be honest many of the staff and Lieutenants try to be helpful and even wonder why all this is being done to me. One common comment is "Who the hell did you piss off?" If called to a hearing I am sure that staff will support a lot of what I have claimed in this document.

On 4-11-13 while housed in the holding tank I asked Lt. Yeager about the process of sending out my legal mail since in the unit I provide it to a unit officer who inspects it

14-20

for contraband and then I seal it and present it to them - but here I did not know how to do it. St. Yaeger said he would take care of it in a few minutes then took off and never came back. I then continued to ask everyone who would come by and eventually the officer said that St. Yaeger Banuelos would deal with the issue. After a while nothing was done so I saw Captain Klein and asked him the same question. Unlike anyone else he went on a disrespectful, unprofessional tirade screaming in front of everyone else to humiliate me more in addition of how humiliated I was already and ended with the remark that I already knew St. Banuelos was going to address it.

A while later I saw St. Banuelos and after some small talk I showed him the package of documents I was sent to Mr. Neil Schuster. He responded that he thought I had to do it through my counselor. I explained how it is done in S. H. U. and he said he ~~was~~ would inquire about it. A while later counselor Church came to the Sts office and explained how it was supposed to be done. After that back time I saw St. Banuelos I would suggest to do the process and he would wave me off till later. I then was provided with my evening dose of psychiatric

15-20

medication and after a while one of the effects is that it makes you sleepy. I also didn't want to keep bothering Lt Banuelos (one disrespectful episode was more than enough for me) so I put a sign on the door explaining that I may fall asleep but that when ever he was free to go through the process to wake me up. I also placed the whole package of the legal mail, open, under the door. I also placed a letter addressed to the warden as well under the door. Several hours later at the end of Lt Banuelos shift I heard him come out of his office so I lifted my head. He saw the documents and asked if those were it. He got down, picked them up and walked away with them and never returned. That is not the protocol of how to handle legal mail, I was never allowed to seal it in his presence, he just took the open package and walked away. A while later, a Lt (whose name I don't recall) walked by and I noticed he had my legal documents in his hand. He went into his office and I yelled that why did he have my legal documents. He responded, that, Banuelos had sealed them and that (He NU) was going to send it out. "IT IS IMPORTANT TO NOTE THAT LT BANUELOS IS A DEFENDANT IN THE INSTANT CASE BEFORE YOUR HONOR" This all transpired on Thursday April 11<sup>th</sup>, 2013

16-20

On April Tuesday, April 23<sup>rd</sup> I was supposed to have a legal visit with Mr. Neil Schuster which I will address later on. Mr. Schuster came to see me during the time we spoke I asked him if he had received all the documents I had sent him on 4-11-13. He replied NO I have not. Those documents were to prepare him for the supposedly legal visit and were supposed to be on the mail on 4-11-13 evening.

Since my arrival to U.S.P Florence I have seen Warden Daniels 3 times. During each occasion I have raised several of the issues I have raised here as well as others. His usual answer is "It's strictly business Maglite" and then I get the law-suit comment. Actually that brings to mind that in Dec 2011 he and Captain Hutchins came to D-A unit. I asked if he was going to help me get to U.S.P Coleman which was the intention behind the good faith effort in settling the previous case. His answer was "when are you going to stop suing me". This referred to this current law suit which actually deals with that transfer promise and issue. So in the first time I saw him during this past month I brought that up as well and I got "Oh well" "Maglite it's just strictly business".

During all of my 3 conversations with him, I have expressed my desire to resolve

17-20

these issues and have even offered to address any and all concerns that he may have or that anyone else has. I said I'll address any issue that causes a concern and I would submit my answer to a polygraph of his choice. Let me make it clear what I mean my issues I will address only issues about me and NO ONE ELSE. That is my position. I do so because my file is full of allegations which years later turn out to be false and unsupported like many that have been raised in this law suit. and many others that persons after being submitted to polygraphs (by law enforcement) have failed and admitted to lying for hopes of leniency and rule 35. Some have even been indicted for it. I can go through a list and have the documents and indictments to prove this.

I have addressed Warden Daniels with all the issues raised and his adverse treatment's in my conditions of confinement. I have said what changed or has changed from 3-27-13 at 2:00 PM (which is when I left Torr Haute) to 3-27-13 at 3:00 PM in the afternoon which is when I arrived at U.S.P. Florence. Because for 27 days after the cellphone incident, I was treated no different than all other similarly situated individuals even though it was the actual place of where the incident occurred. His reply is always similar "strictly business" and



18-20.

some self-serving statement about the lawsuit. I ask why then did U.S. Judge Harte treat me totally different than what you are doing now and then from before when I was in the regular compound here? He always fails to address it. I ask if he considers that whole administration as being incompetent, he shrugs it off and won't answer. I suggest if he thought S.W. Church, from Terre Haute, who was the Captain all thro whole complex here in Florence and was P.D. Captain when I was here between 2006 and Jan of 2012) was also incompetent and he shrugs it off.

I ask him why he is denying me Christian literature sent from approved vendors like Christian Book Distributors "Strictly Business" John McCutcher Study Bible "Strictly Business" my U.S.A. Today papers, and on and on... the answer is similar each time. THE LIST WOULD REQUIRE SEVERAL OTHER PAGES.

On 4-23-13 Mr. Neil Schuster came for a pre-approved legal visit. I am sure there is a letter addressing that visit that can be attached to this submission from Mr. Schuster. My so called visit was behind a glass - I was restrained - no lights for me no Mr. Schuster in the bath - had to remain standing for approximately 2 hrs. because on Mr. Schusters side was a phone but on my side

19-20

had a speaker that must be activated in one minute intervals or approximately 120 times in 2 hours and since I'm in restraints and can't lift my arms over my head I had to remain standing in a small dark room so that I could press the speaker button every minute or so. Mr.

Mr. Schuster was assured that he could produce legal documents and provide them to me along with work product and that I would be able to do the same. When we made the requests we were told NO. So all the work prepared for the legal visit and that would assist in Mr. Schuster filing a T.R.O. in this court on a timely basis was for naught.

As of this day I have not received any legal mail from Mr. Schuster at all. The only (5) I believe from Mr. Besser were provided to me 3 weeks after they were sent. I have even asked Mr. Besser and Mr. Schuster to please send me legal documents from my file as well as program statements on a daily basis so that I can build my file to work with and so that I can force the unit team to do their job since they must then come to see me to open the mail in my presence. As of this date I have not received any from Mr. Besser who assured me he would have a paralegal assist him in making



20-20

sure that it would be done. Not one letter since that date has been provided to me. And I was told, specifically by Warden Daniels that I would not get any of my religious material nor legal documents or books from lawyers or approved vendors.

The writing of this document is being done from the floor of the tank across of the Lieutenant's office. I was again placed here and have been here on the floor since Friday the 26<sup>th</sup> without a shower nor bed - with 24 hour lighting full blast. Today is Sunday the 28<sup>th</sup> and they said the earliest I will return to a regular cell, where I was, is hopefully tomorrow Monday the 29<sup>th</sup> of April.

Since March 1-2013 I have spoken (on a telephone call that was not supposed to be monitored) to counsel, Mr. Besser, for 30 minutes; then Mr. Schuster for approximately 10 to 15 minutes and saw Mr. Schuster for 2 hrs on 4-23-13 under the conditions that previously wrote in this document. I am scheduled for a legal call I believe tomorrow 4-29-13 at 9:00 AM.

LAW OFFICES  
**NEIL M. SCHUSTER**

SUITE 2C  
555 N.E. 15<sup>th</sup> STREET  
MIAMI, FLORIDA 33132

NEIL M. SCHUSTER \*  
ANDREW HORN \*  
OF COUNSEL  
\*ALSO ADMITTED IN COLORADO  
& DISTRICT OF COLUMBIA

TELEPHONE (305) 416 - 0324  
TELECOPIER (305) 416 - 0325  
e-mail: nmschus@bellsouth.net

April 24, 2013

VIA U.S. MAIL

ATTN: Warden Charles Daniels  
USP Florence High  
P.O. Box 7500  
Florence, CO 81226

Re: Salvador Magluta  
Reg. No. 26012-037

Dear Warden Daniels:

This letter shall serve to, (1) describe my impression of yesterday's visit at USP Florence, (2) respond to your decision to set yesterday's visit in an absurdly non-functional attorney client "non contact" visit room, (3) request the opportunity for future contact attorney client visits, and (4) address the issue of legal mail. With regard to my description below, Mr. Sandoval and Ms. Cooper both witnessed the farce of yesterday's legal visit.

Beyond waiting 1½ hours to see my client, USP Florence provided the worst attorney client setting for a visit in my 36 years of practice. I make this comparison after visiting many jails in this Nation and others for decades. There was no light to see papers. No window to pass the sound of words. The only method to speak was for my client to press a button every short while to use the voice phone system. But the phone system constantly turns off after a short time. The button must be pressed by my client to convey sound. You chose to maintain all shackles, hand to body and foot, allowing for little to no extension, during the entire visit. The sound button is positioned at an elevation far above the desk area and his shackles make the effort to speak and communicate with counsel a punitive effort. It cannot be accomplished from a seated position reviewing documents. My client was brought and maintained in the "visiting room" shackled in a manner that he could barely turn pages. Any stream of conversation was abbreviated by the need to press the button while trying to read or turn pages. This required my shackled client to constantly assume an uncomfortable

EXHIBIT-B  
151

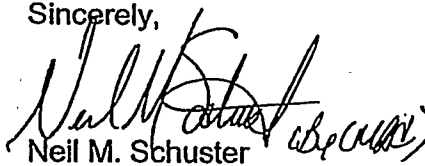
and odd posture with a continuing unsuccessful but distracting effort to keep the flow of sound. He simply could not sit, converse, and read documents. With no light on my side, some talk, loss of phone contact, loss of conversational continuity, me constantly repeating "what," and Magluta standing shackled, stretching to press a button amounted to an absurd legal visit.

Your letter to me of April 19, 2013 notes that you may permit contact visits in the future. I respectfully request that you do so. No attorney should be forced to speak to a client under such circumstances and no inmate should be required to engage with counsel in abbreviated cut off conversations while shackled and constantly physically stretched to press a talk button. This was my first prison visit during which I literally wondered if I was in the United States of America.

Finally, would you kindly review whether Magluta is timely receiving his legal materials and determine whether staff timely allows his legal mail to leave the institution. Both issues appear to be problematic at this point in time.

I thank you for your review.

Sincerely,

  
Neil M. Schuster

CLIENT'S ATTORNEY'S ABSENCE  
TO AVOID DELAY

NMS:lmde

cc: Theresa Montoya, Senior Attorney, Florence ADMAX (Via Email: [Tmontoya@bop.gov](mailto:Tmontoya@bop.gov))  
Amy Padden, AUSA (Via Email: [Amy.padden@usdoj.gov](mailto:Amy.padden@usdoj.gov))  
Rick Schott, Regional Counsel, North Central Regional Office (Via Fax)

ATTACHMENT 5

N.R. 842836

FEDERAL CORRECTIONAL COMPLEX  
FLORENCE, COLORADO  
INFORMAL RESOLUTION FORM

Inmate Name: Magluta  
Unit: D

Reg. No. 26012-037  
Date: 11-8-15

**NOTICE TO INMATE:** You are advised that normally prior to filing a Request for Administrative Remedy, BP-229(13), you must attempt to informally resolve your complaint through your Correctional Counselor. Please follow the three steps listed below:

1. State your complaint: ON OR ABOUT 10-20-15 I HAD A MEDICAL ENCOUNTER WITH DR SANTINI AND MISS WELSE WAS ONE OF THE ESCORT OFFICERS MY MEDICAL ENCOUNTER WAS INADEQUATE IN DIFFERENT WAYS. IT WAS INADEQUATE AS IT WAS DONE IN AN EFFORT TO MANIPULATE IT BECAUSE OF THE PENDING LAW SUIT RATHER THAN PERFORMING A REAL CCC ENCOUNTER →

(If more space is needed, you may use up to one letter size (8 1/2 x 11) continuation page. You must also submit one copy of supporting exhibits. (Exhibits will not be returned with the response to BP-229(13) responses.)

2. State what actions you have made to informally resolve your complaint:

I already have a law suit pending since it was never appropriately addressed when the staff was confronted with my issues -

3. State what resolution you expect: THAT MY MEDICAL ENCOUNTERS BE APPROPRIATELY PERFORMED RATHER THAN PERFORMED WITH THE FOCUS ON LITIGATION RATHER THAN MY HEALTH AND THE ENCOUNTER BE RE-DONE

Inmate's Signature: Alfredo Magluta

Date: 11-8-15

Correctional Counselor's Comments (Steps to Resolve):

Medical department seen you on 10-20-15 for your chronic care appointment. Records show you have not been charged a co-pay since 9-10-15. Medical department was not responsible for how you were cutted or what you were wearing.

Sent 11-12-15

Counselor's Signature: M. Wych

Date: 11-13-15

Unit Manager's Review: CR

Date: 11-13-15

Informally Resolved: \_\_\_\_\_

Date: \_\_\_\_\_

|           | BP-8 ISSUED     | BP-8 RETURNED   | BP-9 ISSUED    | BP-9 RETURNED   | REMEDY CLERK |
|-----------|-----------------|-----------------|----------------|-----------------|--------------|
| DATE      | <u>11-04-15</u> | <u>11-09-15</u> | <u>11/7/15</u> | <u>11/18/15</u> |              |
| TIME      | <u>801</u>      |                 |                |                 |              |
| COUNSELOR | <u>mw</u>       | <u>mw</u>       | <u>my</u>      | <u>my</u>       |              |

ON OR ABOUT 10-20-15 I WAS ASKED IF I WANTED TO SEE DR. SANTINI FOR WHAT I ASSUME WAS A CHRONIC CARE VISIT. THIS CAME ABOUT UNANNOUNCED WHICH ACTUALLY PROHIBITS THE INMATE TO RECOLLECT MY THOUGHTS AND ORGANIZE MYSELF IN WHAT I WOULD LIKE TO DISCUSS AND ADDRESS WITH COUNSEL. EVERY WHERE ELSE INMATES ARE PLACED IN A CALL OUT LIST AND KNOW BEFOREHAND WHAT THEY CAN ADDRESS -- THIS IS NOT DIFFICULT TO DO - EVEN IF ITS A FEW HOURS BEFORE A MEDICAL OR HEALTH CARE ENCOUNTER. (2) DURING THE MEDICAL ENCOUNTER I WAS WEARING A SWEAT SHIRT AND BLACK BOX BELLY CHAINED. THE LAST 2 OCCASIONS THAT DR. SANTINI HAS PERFORMED A CHRONIC CARE VISIT I HAVE HAD A SWEAT SHIRT AND ON THE PREVIOUS TIMES I WAS CUFFED BEHIND MY BACK (FIRST) ON 5-16-14 HE DID A CHRONIC CARE ENCOUNTER - I HAD A NORMAL SHIRT - HE DID IT APPROPRIATELY AND MY BLOOD PRESSURE ON MY LEFT ARM READ 114/76. (SECOND) ON 9-25-14 DR. KING PERFORMS A HEALTH CARE ENCOUNTER DURING THAT ENCOUNTER I WAS CUFFED BEHIND MY BACK AND HAD A SWEAT SHIRT ON. MY FIRST AND ONLY BLOOD PRESSURE EXAM WAS DONE ON MY LEFT ARM TRYING TO ROLL UP SHIRT - MY BLOOD PRESSURE READ (145-97) AND MY WEIGHT WAS IMPROPERLY READ AT 259 LBS INSTEAD OF ORDERING THAT MY BLOOD PRESSURE MEDS GO UP (DR. KING) I BELIEVE APPROPRIATELY PRESCRIBED THAT MY BLOOD PRESSURE BE MONITORED WEEKLY FOR 45 DAYS THIS DID NOT OCCUR. MY PREVIOUS BLOOD PRESSURE WERE (125-83) AND

(128-74) WHICH SHOULD BE CONSIDERED DURING ANY EVALUATION TO DECIDE ON A COURSE OF ACTION (THIRD) ON 11-26-14 DR. SANTINI PERFORMS A CHRONIC CARE ENCOUNTER. AGAIN SWEAT SHIRT AND CUFFED BEHIND THE BK. MY BLOOD PRESSURE READ (154-101) WITHOUT RECHECKING NOR READING THAT DR. KING HAD ORDERED WEEKLY BLOOD PRESSURE EXAMS DR. SANTINI JUST DOUBLED MY BLOOD PRESSURE MEDS.

(FOURTH) ON THE LAST CEE-VISIT - I HAD SWEAT SHIRT AND MY LEFT ARM READ ABOUT 190 OVER 130 (HE STATES) LETS WAIT FOR HIM TO CALM DOWN AND RE-DO IT. BY THE WAY THE ONLY ONE IN THE ROOM TO CALM DOWN WAS I. HE THEN REPEATS THE PRESSURE AND AGAIN READS (180 OVER 120) HE THEN GOES TO MY RIGHT ARM WHICH I BELIEVE READ (125/70) THEN HE SAID YOUR PERFECT. I CONTINUE TO BE CONCERNED THAT THE WAY THAT MY CEE ENCOUNTERS HAVE BEEN PERFORMED IS TOTALLY OUTSIDE POLICY AND THAT MY BLOOD PRESSURE MAY NOT BE ACCURATE.

(5) DURING THE ENCOUNTER I WAS PROHIBITED AND INTERRUPTED BY ESCORT OFFICER WEISE WHOSE ONLY REASON THEIR WAS TO INTERFERE WITH THE HEALTH ENCOUNTER. ON EACH OCCASION THAT "P" HAS A QUESTION ABOUT HIS KIDNEY, HIS BP AND HIS CREATINE. ALL OF WHICH ARE THE SUBJECT OF THE CURRENT SUIT. THE INTERRUPTIONS WERE AS SILLY AND OVIOUS AS TO HAVE ME WATCH NET FLIX AND THAT BOX I CAN ORDER MOVIES TO WATCH IN MY CELL IF I REQUEST THAT MY ENCOUNTER BE RE-SCHEDULED AND I DON'T CARE WHO IS PRESENT AND THEIR MOTIVE AS LONG AS IT DOESN'T INTERFERE WITH MY ADEQUATE CARE.

RESPECTFULLY S. MAGLITA 26012037

U.S. DEPARTMENT OF JUSTICE  
Federal Bureau of Prisons

## REQUEST FOR ADMINISTRATIVE REMEDY

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: MAGLUTA SALVADOR 26012-037 D AD X  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

## Part A- INMATE REQUEST

THIS IS A REQUEST THAT I HAVE A PROPPER CHRONIC CARE ENCOUNTER THAT IS NOT INTERRUPTED BY MISSWEISE WHILE I AM TRYING TO DISCUSS ISSUES OF MY HEALTH WITH THE PHYSICIAN. (1) THIS DENIES PROPPER HEALTH CARE THE INTERDCTION BETWEEN THE PAINT PATIENT & THE PHYSICIAN IS THE MOST IMPORTANT PART OF A MEDICAL ENCOUNTER THE FACT THAT THERE IS A REDRESS OF GRIEVANCES (B4) THE COURTS HAS NO BEARING ON THE CARE THAT I AS AN INMATE I AM ENTITLED TO. I WAS TRYING TO ADDRESS MY KIDNEY AND SUGAR ISSUES AND MISS WEISE WOULD INTERRUPT WITH ~~BE~~ NETFLIX DOCUMENTARY IS OF HITLER AND THAT I CAN WATCH IT ON MY CELL. THIS MIGHT AND SEEMS LIKE IT IS RETALIATORY BECAUSE WHAT PENOLOGICAL INTEREST IS FURTHERED BY INTERFERING WITH MEDICAL CARE - OR MAYBE IS TO PREVENT PROPPER ACCESS TO THE COURTS - THE ATTACHED DOCUMENT FURTHERS WHAT OCCURRED - IF YOU DO YOUR WORK ~~PER~~ CORRECT THEIR SHOULD NOT BE FEAR OF COURT REDRESS. BECAUSE YOU CAN STAND W. YOUR HEAD UP AND A CLEAR CONSCIENCE THAT YOU HAVE ACTED AND PERFORMED YOUR DUTIES ETHICALLY AND APPROPRIATELY.

11-17-15  
DATE

PLEASE PROVIDE CELL AGAIN.

Salvador Magluta  
SIGNATURE OF REQUESTER

## Part B- RESPONSE

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: \_\_\_\_\_

CASE NUMBER: \_\_\_\_\_

## Part C- RECEIPT

Return to: \_\_\_\_\_  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: \_\_\_\_\_

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)

ON OR ABOUT 10-20-15 I WAS ASKED IF I WANTED TO SEE DR. SANTINI - FOR WHAT I ASSUME WAS A CHRONIC CARE VISIT. THIS CAME ABOUT UNANNOUNCED WHICH ACTUALLY PROHIBITS THE INMATE TO RECOLLECT MY THOUGHTS AND ORGANIZE MYSELF ~~IN~~ WHAT I WOULD LIKE TO DISCUSS AND ADDRESS WITH COUNSEL. EVERY WHERE ELSE INMATES ARE PLACED IN A CALL OUT LIST AND KNOW BEFOREHAND WHAT THEY CAN ADDRESS - THIS IS NOT DIFFICULT TO DO - EVEN IF ITS A FEW HOURS BEFORE A MEDICAL OR HEALTH CARE ENCOUNTER. (2) DURING THE MEDICAL ENCOUNTER I WAS WEARING A SWEAT SHIRT AND BLACK BOX BELLY CHAINED. THE LAST 2 OCCASIONS THAT DR. SANTINI HAS PERFORMED A CHRONIC CARE VISIT ~~THE~~ I HAVE HAD A SWEAT SHIRT AND ON THE PREVIOUS TIMES I WAS CUFFED BEHIND MY BACK (FIRST) ON 5-16-14 HE DID A CHRONIC CARE ENCOUNTER - I HAD A NORMAL SHIRT - HE DID IT APPROPRIATELY AND MY BLOOD PRESSURE ON MY LEFT ARM READ 114/76. (SECOND) ON 9-25-14 DR. KING PERFORMS A HEALTH CARE ENCOUNTER DURING THAT ENCOUNTER I WAS CUFFED BEHIND MY BACK AND HAD A SWEAT SHIRT ON, MY FIRST AND ONLY BLOOD PRESSURE EXAM WAS DONE ON MY LEFT ARM TRYING TO ROLL UP SHIRT - MY BLOOD PRESSURE READ (145-97) AND MY WEIGHT WAS IMPROPERLY READ AT 259 LBS INSTEAD OF ORDERING THAT MY BLOOD PRESSURE MEDS GO DR. (DR. KING) I BELIEVE APPROPRIATELY PRESCRIBED THAT MY BLOOD PRESSURE BE MONITORED WEEKLY FOR 45 DAYS THIS DID NOT OCCUR. MY PREVIOUS BLOOD PRESSURE WERE (125-83) AND (128-74) WHICH SHOULD BE CONSIDERED DURING ANY EVALUATION TO DECIDE ON A COURSE OF ACTION. (THIRD) ON 11-26-14 DR. SANTINI PERFORMS A CHRONIC CARE ENCOUNTER. AGAIN SWEAT SHIRT AND CUFFED BEHIND THE BK. MY BLOOD PRESSURE READ (154-101) WITHOUT RECHECKING NOR READING THAT DR. KING HAD ORDERED WEEKLY BLOOD PRESSURE EXAMS DR. SANTINI JUST ~~WAS~~ DOUBLED MY BLOOD PRESSURE MEDS. (FOURTH) ON THE LAST CCC-VISIT - I HAD SWEAT SHIRT AND MY LEFT ARM READ ABOUT 190<sup>S</sup> OVER 130<sup>S</sup> HE (STATES) LETS WAIT FOR HIM TO CALM DOWN AND REDO IT. BY THE WAY THE ONLY ONE IN MIND TO CALM DOWN WAS I. HE THEN REPEATS THE PRESSURE AND AGAIN READS (180<sup>S</sup> 120) HE THEN GOES TO MY RIGHT ARM WHICH I BELIEVE READ (125/70<sup>S</sup>) THEN HE SAID YOU'RE PERFECT. I CONTINUE TO BE CONCERNED THAT THE WAY THAT MY CCC ENCOUNTERS HAVE BEEN PERFORMED IS TOTALLY OUTSIDE POLICY AND THAT MY BLOOD PRESSURE MAY NOT BE ACCURATE. (B) DURING THE ENCOUNTER I WAS PROHIBITED AND INTERRUPTED BY ESCORT OFFICER WEISE WHOSE ONLY REASON THEIR WAS TO INTERFERE WITH THE HEALTH ENCOUNTER. ON EACH OCCASION THAT "P" HAD A QUESTION ABOUT HIS KIDNEY - HIS BP AND HIS CREATINE. ALL OF WHICH ARE THE SUBJECT OF THE CURRENT SUIT. THE INTERRUPTIONS WERE AS SILLY AND OVIDUS AS TO HAVE ME WATCH NET FLIX AND WHAT ADX I CAN ORDER MOVIES TO WATCH IN MY CELL. I REQUEST THAT MY ENCOUNTER BE RE SCHEDULED AND I DON'T CARE WHO IS PRESENT AND THEIR MOTIVE AS LONG AS IT DOESN'T INTERFERE WITH MY ADEQUATE CARE.

10  
RESPECTFULLY S. MAGLUTA 26012-037



**BP-229 RESPONSE**

**Case Number: 842836-F1**

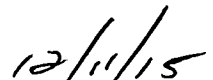
Your Request for Administrative Remedy dated November 17, 2015, and received in this office November 19, 2015, has been reviewed. Specifically, you state you were removed from your cell for an evaluation by the Clinical Director on October 20, 2015. During this encounter, you allege the escorting staff repeatedly interrupted your conversation with the physician. You are requesting the Chronic Care evaluation be rescheduled and that there be no interference from the escorting staff.

A review of the issue raised in your Request for Administrative Remedy has been conducted. The documentation in your medical record regarding the Chronic Care appointment conducted on October 20, 2015, indicates there were no significant concerns regarding your medical condition. The only medication which was changed was for treatment of your cholesterol, as a result of your recent laboratory tests. The physician has determined there is currently no medical indication to re-schedule your Chronic Care appointment and evaluation. You may submit a request to staff at any time to discuss medical questions you may have regarding your conditions or the medical treatment provided, and an appointment will be scheduled to address your concerns.

Accordingly, your Request for Administrative Remedy is denied. In the event you are not satisfied with this response and wish to appeal, you may do so within 20 calendar days of the date of this response by submitting a BP-230(13) to the Regional Director, Federal Bureau of Prisons, North Central Regional Office, Gateway Complex, Tower II, 8th Floor, 400 State Avenue, Kansas City, Kansas 66101-2492.



B. True, Acting Warden



Date

Provided to me inmate on  
12-<sup>16</sup>~~17~~-2013 AT ABOUT 2:30PM.  
BY Miss BOEHM

8

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: MAGLITA SALVADOR 26012-037 D. ADX  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL

R P P E A L T O B P - 9 842836 - I object to the response because it avoids the issues raised and is not a properly investigated report. (A) Alleged staff miss WEISE REPEATEDLY INTERRUPTED THE CC MEDICAL ENCOUNTER. (A) THIS WAS NOT ADDRESSED OR RESPONDED TO. (B) I alleged it was done to interfere with a current lawsuit (C) This was not addressed (D) I stated it was retaliatory (E) This was also not addressed (F) I addressed that MR. Senini refused to correct the interruption and did not do so because he is a defendant in my current medical suit. (G) This was not addressed (H) I addressed specific actions that occurred during the encounter SEE BP-9 AND ITS ATTACHMENT AND INSTEAD OF REWRITING IT I ADOPTED ALL OF THE BP-9 AND ATTACHMENT AS PART OF THIS BP-10 SUBMISSION AND ASK THAT THEY ALL BE INVESTIGATED, CORRECTED, PROVIDE ME WITH WHAT ACTIONS WERE TAKEN OR NOT TAKEN IN ADDRESSING THIS BP-10. AND THAT A NEW CC ENCOUNTER BE PERFORMED AS WELL

12-17-15

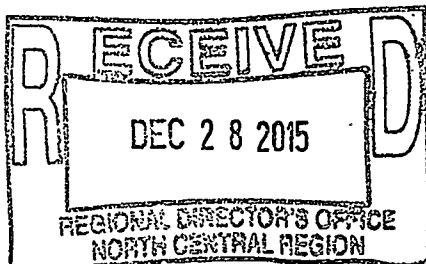
DATE

Thank You.

Salvador Maglita

SIGNATURE OF REQUESTER

Part B - RESPONSE



9

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER:

842836-R1

Part C - RECEIPT

CASE NUMBER:

Return to: \_\_\_\_\_  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: \_\_\_\_\_

DATE

SIGNATURE, RECIPIENT OF REGIONAL APPEAL



U. S. Department of Justice  
Federal Bureau of Prisons  
North Central Regional Office

Regional Administrative Remedy Appeal  
Part B - Response

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Administrative Remedy Number: 842836-R1

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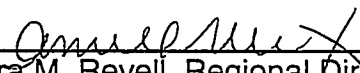
This is in response to your Regional Administrative Remedy Appeal received on December 28, 2015. You allege you have been denied a proper evaluation in the Chronic Care Clinic. For relief, you request a new Chronic Care evaluation.

We have reviewed the documentation related to your appeal. Based on this review, we concur with the manner in which the Warden addressed your concerns. You have consistently been provided timely and appropriate medical care in accordance with Program Statement 6031.04, Patient Care, and the National Drug Formulary. A review of your electronic medical record indicates you were evaluated in the Chronic Care Clinic by the Clinical Director on October 20, 2015. At that time, the evaluating physician prescribed you Atorvastatin 20 milligrams (mg) taken one tablet daily, ordered laboratory blood work and recommended weight loss. Furthermore, you are scheduled for a Chronic Care visit in the near future. At that time, you are encouraged to discuss your concerns with your primary care provider. The Health Services Department will continue to monitor your medical needs. If your condition worsens, you may sign up for sick call and be re-evaluated. Given this, we shall defer diagnostic and treatment interventions to the Health Services staff at the local level.

Based on these findings, this response to your Regional Administrative Remedy Appeal is for informational purposes only.

If you are dissatisfied with this response, you may appeal to the Office of General Counsel, Federal Bureau of Prisons, 320 First Street, NW, Washington, DC 20534. Your appeal must be received in the Office of General Counsel within 30 days from the date of this response.

1-7-16  
Date

  
Sara M. Revell, Regional Director



**U.S. Department of Justice**  
Federal Bureau of Prisons  
*United States Penitentiary –*  
*Administrative Maximum*  
P.O. Box 8500  
Florence, Colorado 81226

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January 21, 2016

MEMORANDUM FOR All Concerned

FROM:  M. Sanchez, GP Counselor

SUBJECT: Magluta Remedy number 842836-R1  
Reg. No. 26012-037

Inmate Magluta 26012-037 received a BP-10, Institutional Remedy response from the Region dated 01-07-2016 but did not receive this response until 01-19-2016 due to Administrative Constraints for Unit Team. As inmate Magluta wishes to appeal this remedy within the established time frame, please allow this memorandum to serve as notice.

b

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-229(13) and BP-230(13), including any attachments must be submitted with this appeal.

From: MAGLITA SALVADOR 26012-037 D ANY  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL LIKE THE BP-9 RESPONSE BP-10 RESPONSE TO APR 842836  
MY REQUESTS WERE NOT ADDRESSED OR RESPONDED TO - I ADOPT AS PART OF THIS SUBMISSION  
THE BP-9 & BP-10 WHAT MY ALLEGATIONS WERE ARE THE SAME AS THEY WERE SET FORTH  
HERE (1) THE RESPONSE STATES I HAD A CHANGE IN MEDICATION AND TOLD TO LOSE WEIGHT  
YET I AM ON CHRONIC CARE FOR MENTAL HEALTH - HYPOTHYROIDISM - KIDNEY FAILURE  
DYSMETABOLIC SYNDROME X - PRE GLAUCOMA - DIABETES MELLITIS, TYPE II -  
HYPERTENSION - ULCERATIVE COLITIS - AND OTHERS NONE OF WHICH I WAS ABLE  
TO DISCUSS WITH DR. SANTINI DURING THE (10-20-15) ENCOUNTER DUE TO MISS WEISE WH  
HAS NO PART OF MEDICAL STAFF INTERFERED DURING THE ENCOUNTER WHENEVER I WOULD  
MAKE AN EFFORT TO DISCUSS MY KIDNEY AND MENTAL CONDITION SINCE THEY ARE  
PART OF A PRESENT SUIT - DR. SANTINI DID NOT INTERVENE BUT RATHER HID BEHIND  
HER INTERFERENCE NOT TO NOT RESPOND TO MY HEALTH ISSUES (2) HER INTERFERENCE  
RESULTED IN MY MENTAL HEALTH MEAS NOT BEING RENEWED CAUSING ME TO END UP ON  
SUICIDE WATCH - MRS. SANTINI EVEN ASKED IF I WAS TAKING ELAVIL FOR BACK PAIN WHEN  
IT HAS BEEN PRESCRIBED BY HIM AND OTHERS FOR OVER 30 YEARS FOR MAJOR DEPRESSION - THIS ALL WAS  
RETALIATORY MOTIVATED - INTERFERES W ACCESS TO COURT - VIOLATES MY FIRST & 8TH AMD - STAFF  
1-22-16 SHOULD BE REPRIMANDED AND SEE - BP-9 & 10 SUBMISSIONS AS ADDED. SAVITA SALVADOR  
DATE SIGNATURE OF REQUESTER

Part B - RESPONSE

RECEIVED  
FEB 8 2016  
Administrative Remedy Section  
Federal Bureau of Prisons

DATE

ORIGINAL: RETURN TO INMATE

GENERAL COUNSEL

CASE NUMBER: 842836-A1

Part C - RECEIPT

CASE NUMBER: \_\_\_\_\_

Return to: \_\_\_\_\_  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: \_\_\_\_\_

DATE

SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL

**Administrative Remedy No. 842836-A1**  
**Part B - Response**

This is in response to your Central Office Administrative Remedy Appeal wherein you allege you were not permitted to discuss all of your chronic care concerns during your Chronic Care Clinic (CCC) appointment on October 20, 2015, resulting in your mental health medications not being renewed and you ending up on suicide watch. For relief, you request for staff to be reprimanded for their actions.

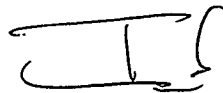
Our review of your medical record with regard to the aforementioned CCC encounter reveals that although you claim another staff member did not permit you to discuss all of your chronic care concerns, you did not support this contention by offering any credible evidence. Rather, you provided a general statement not substantiated by facts. There is no evidence in your medical record to substantiate your allegations that you were not permitted to discuss your chronic care concerns. Therefore, we find no rationale warranting further review of your allegation.

The new issues you raise regarding mental health medications and suicide watch were not raised in the previous levels of this administrative remedy; therefore, will not be addressed in this response. You must first present these concerns at the institution level and then may appeal the response thereto if you are not satisfied with the response.

The record reflects you have received medical care and treatment in accordance with evidence based standard of care and within the scope of services of the Federal Bureau of Prisons. You are encouraged to comply with proposed medical treatment so Health Services can continue to provide essential care and to contact medical personnel through routine sick call procedures should your condition change.

Considering the foregoing, your appeal is denied.

3/11/16  
Date



Ian Connors, Administrator  
National Inmate Appeals

(16)

Delivered  
TO J/m  
3/30/16  
n/z

ATTACHMENT 6

R.R. 746331

**U.S. Department of Justice**

ISSUED

10.30.13 ✓

## Regional Administrative Remedy Appeal

- Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: MARILYN SALVADOR  
LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

**Part A - REASON FOR APPEAL**

Part A - REASON FOR APPEAL

ADX TRANSFER APPEAL - ON AUG 9-13 I FILED AN APPEAL TO DSCC FOR THE ADX TRANSFER AFTER BEING TOLD BY MR. DEER THAT I HAD TO AND HE PERSONALLY SIGNED 2 BP-10'S IN THE EVENT THAT I MESSED ONE UP. CERT. REG. - 7011 3500 0002 2672 ~~3753~~ 3753 /// REC'D BY DSCC ON 8-16-13. THIS WAS NEVER ACKNOWLEDGED BY RCT. /// ONCE I GOT THE DESCRIPTION NOTICE ON 10-8-13 OVER A MONTH OF MY TRANSFER (ON 9-4-13) I SENT COUNSEL MY DOCUMENTS AND DUE TO ADX STAFF NOT MAKING COPIES AND WHEN THEY DO DOING SO WEEKS AFTER THE REQUEST MR. SCHUSTER (ON MY BEHALF) SENT AN APPEAL PACKAGE TO DSCC AND REGIONAL COUNSEL - BC HE DID NOT PASS MY BP-10. I SUBMITTED MY BP-10 H WITHOUT THE EXHIBITS (WHICH DSCC SHOULD HAVE ALREADY) ON 10-31-13 MORNING CERT # 7006-2460-0004-9614-4754. /// ON 10-1-13 I REC'D A NOTICE FROM NCR SAYING THAT THEY (REGION) WERE RETURNING MY COUNSEL THE APPEAL SUBMISSION... AS FAR AS DSCC I HAVE NOT REC'D ANY REJECTION TO COUNSEL'S ADX APPEAL SUBMISSION AS DSCC IS THE ONE RESPONSIBLE FOR ACCEPTING OR DENYING MY SUBMISSION SINCE THEY ARE THE ONES RESPONSIBLE FOR MY APPEAL. XXX NOW IN FURTHER ABUNDANCE OF CAUTION I AM SUBMITTING MY (4TH) APPEAL SUBMISSION TO ADX TRANSFER AND REFERRAL - I DO SO TO ASSURE THAT ALL AVENUES ARE COVERED TO THE BEST OF MY CAPABILITIES AND THAT ADX CONDITIONS AND STAFF PERMIT. PLEASE CONSIDER MY APPEAL - AND REVERSE THE TRANSFER TO ADX WHICH WAS DONE W. OUT DESCRIPTION

11-3-13 ON 9-4-13 & PLEASE SEND Miranda Magluta \* \* Sec. →

DATE MG. CLOSE TO NAME SEE NEXT PG SIGNATURE OF REQUESTER

DATE \_\_\_\_\_

SIGNATURE OF REQUESTER

**Part B - RESPONSE**

DATE \_\_\_\_\_

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER:

### Part C - RECEIPT

CASE NUMBER:

Return to: \_\_\_\_\_  
LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

**SUBJECT:**

DATE \_\_\_\_\_

SIGNATURE, RECIPIENT OF REGIONAL APPEAL

BP-230(13)



## Appeal of ADX Referral Report and Decision

### I. Transfer to ADX

A. On 9-4-13 I was transferred to ADX.

1. This transfer occurred in violation of the Dondrill Memo (See Exhibit U)=REVIEW AND FINAL DECISION

a. Decision Delivery=..."if approved for placement, the Chief DSCC, will forward a copy of the decision to the institution for delivery to the inmate. The date and time the inmate receives the written decision and the name and signature of the staff member confirming delivery. \*THIS WAS NOT DONE NOR HAS IT YET BEEN DONE IN VIOLATION OF THE DUE PROCESS AND DONDRILL MEMO\* See Oct 2013 lawyer letter asking for reasons for transfer.

2. Appeal: this has also been denied-because no decision has been provided.

a. \*This transfer was done in retaliation and in violation of CFR-BOP policy, due process, and inmate's Constitutional Rights.

### II. Misleading, Factual Incorrections, Embellished and Retaliatory Actions by HA Alexander in Referral Report and Hearing Procedure

\*All facts will be addressed by referring to the enclosed HA Report by pages of the report and referenced letters assigned by me in response to the report as well as exhibits.

A. Pg. 11-B States 3 smart phones (THAT IS FALSE AND INCORRECT)

B. Pg. 1-B States "I inferred delivery time was wrong."

1. This statement is addressed in the following exhibits:

a. Exhibit M has an account of all the facts and how they transpired

b. Exhibit K Pages 11-12

2. I also request that all calls between HA and me be preserved, that every e-mail also be preserved that way it's not her word against mine—I again request that the recorded calls with HA all be made part of the record as well as all emails between HA-Region and USP Staff i.e. Counselors, DHO, etc. be preserved and made part of this record (in addition I will submit to a polygraph to support all my assertions and statements.

C. Report (pg. 3, D & E) (Pg. 4-6) are inaccurate as well= these are also addressed in my exhibits (M) and (K pg. 11-12).

D. Report (Pg. 10, #21) this paragraph is addressed by my exhibits (Exhibit E, pg. 4-6) (Exhibit Set) which are paragraphs 56 and 86 of my PSI report which carry a complete and accurate description of what the HA detailed, which was incomplete, misleading, and inaccurate. She also refused to correct it and date it as she said she would.

1. Date was 1991 and each allegation in her paragraph omits the following sentence which clarifies the allegation and the results.

2. The person that made the allegations of these 2 escapes conversations was not credible at all, rejected by the jury as all counts testified about returned as NOT GUILTY.

3. Exhibit V is a report and interview where she says she lies in her testimony and the allegations were false.

E. HA Report (Pg. 10- #22) this paragraph is addressed in my Exhibit E (pg. 5). Again the HA changes, omits, and distorts the paragraph to infer conduct or facts that are not in the actual PSI. See my Exhibit T PSI paragraph 86 for a true and accurate rendition of the actual statements. HA also refused to correct it and said "I don't have to be verbatim." \*If she is trying to do an honest hearing and report why not be verbatim—the omissions are purposeful because they mitigate and or clarify the allegation the paragraph contains (Example: "a document may say "I pushed someone down the stairs and person died." If that's all you see it infers I did so out of malice but if the next sentence says "I did so after slipping on a wet floor, etc." it takes a totally different tone. Well that is what HA Alexander has done on the report and specifically in #s 21 and 22 of page 10 by omitting and changing the content of the DSR.

- F. HA Report pg. 12 (C-1 to C-8). Allegations of prison misconduct and HA exclusion of mitigating information available to HA and rejected corrections offered by me.
1. HA report pg. 12 (C-3). HA omits that all 4 Injury Reports were codes 406 and all were for non criminal conduct. Penalties for 406 are losing job—extra duty, etc.
  2. (C-6) this was not for testing positive but for possession of one Xanax
  3. (C-7) again this was a code 406 (she omitted) and part of a previous period of incarceration as I went home in February 1996.
  4. (C-8) again states “inmate has prior placement in ADX General Population”
    - a. But omits to clarify that I came to ADX because Marion’s mission changed and went straight into the pre-transfer unit as others like me did.
    - b. She also omits that when I was originally sent to Marion in 2003-ADX was an option yet the choice was made I go to Marion rather than ADX even then staff felt that ADX was not appropriate. This was right after ALL the misconduct had recently occurred. \*Yet now 13 years later without an IR until March 2013, HA feels that I deserve ADX placement.
  5. This is also addressed in my exhibit C and J-1 to J-5 letters from my counsel to BOP.
- G. HA Report (Pg. 11-B) Cell Phone Code 108 Incident.
1. As previously addressed there were not 3 cell phones as report states
  2. HA refused to include the FBI report (in my central file) that states a) No criminal conduct found, b) inmate’s cellmate says phones are his “She specifically says I’m not making that part of the record”
  3. HA then says “I have history of having others take responsibility for cell phones” a) nowhere does it state I had the inmate take the shot---I did not, b) it was in HIS cell-his shoe-how can he challenge that, c) in addition I was exonerated by the DHO which prohibits the use of such evidence. PS-5270.09 pg. 34, 541.8(h) (5) states, “if the DHO expunges an IR, unit staff must ensure, the inmate’s central file (DOES NOT) include the incident report.” It also states “An expunged IR cannot be used by anyone in making any decision of the inmates. Yet she does here and next one.
- H. HR Report (Pg. 11-A) the unadjudicated and now expunged 297 IR
1. This paragraph is addressed in my following exhibits:
    - a. H, pages 1-6, J-1 page 2, paragraph 5 in counsel’s letters of September 4, J-2 counsel’s July 19 letter, L expunged IR.
  2. Documented Facts:
    - a. Call took place on 4-2-13 by inmate Garcia
    - b. On 4-3-13 inmate Garcia was fired from his job because of the call.
    - c. On 4-10-13 Warden submits an ADX referral package to the region. The package does not include this call because they knew I had nothing to do with it. It was verbally addressed by the warden and SIS with me on 4-3 or 4-4-13.
    - d. On 5-14-13 counsel sends a letter to region and DCSS (see exhibit J-4)
    - e. Shortly thereafter I became aware that the package needed more info than what was originally submitted.
    - f. Surprisingly on 5-24-13 BOP goes back and issues an incident report of the incident that occurred on 4-2-13 thereby fulfilling the 2 IR’s within 60 months that the criteria memo requires.
    - g. Now the incident report states that SIS Roy was reviewing inmate Garcia’s calls on 5-24-13 at 6:00 AM and became aware of the call (for the first time) he then called law enforcement who verified that the number called by his wife was to a number that related to me (DOES NOT EVEN PUT THE PERSON’S NAME) and concluded that Garcia made the call at my request. All this transpired between 6:00 AM to 900 AM when IR was written (see Exhibit W- Incident Report).
    - h. I request a staff rep and Warden appoints C.O. Grisento
      1. I request she interview Garcia, the Warden, and SIS to clarify the issue since it had been addressed months prior. She does the interview but refuses to come see me to relay the results. I sent several cop-outs but no response and never provided me with the interview results-no hearing.

- i. 6-26-13 I am provided with the notice of ADX referral and the hearing for 6-27-13 (NEXT DAY).
- j. On 6-27-13 on my way to the hearing another staff mentions that I was scheduled for a DHO hearing the next day 6-28-13.
- k. The hearing, after much hesitation, was cancelled for 7-8-13. See Report.
- l. Surprisingly, the DHO hearing the next day was also cancelled and my staff rep was nowhere to be found.
- m. On 7-2-13 in a call with HA, I objected to the inclusion of an unadjudicated IR and again on 7-8-13 during hearing and submissions. Please see Exhibit H. Interestingly she said that the only mitigation I could offer was "I did it because X, Y, Z, etc."
- n. On 7-23-13 HA submits her report and its provided to me on 7-29-13.
- o. On 7-26-13 (three days later) I have the DHO hearing and the IR is expunged (See Exhibit L)
- p. After the expunging, staff affirms the DHO was manipulated by HA and others and eventually he backed out and wanted no part of the process.
- 3. Again, as previously stated CFR-541.8 and PS 5270.09 state that an Expunged IR must be totally removed from an inmate's central file and cannot be used.

**Conclusion of Section II.** The HA and others omitted facts, distorted facts, created evidence, used evidence in violation of BOP rules, CFR mandates and my Constitutional rights. Did so in retaliation, due to extensive current and previous litigations, HA specifically states in (HA Report pg. 2(F)) "the information still exists and is directly relevant to why the inmate is being referred to ADX." This renders this HA Report tainted and factually incorrect and taints the whole process as DSCC Region and others relied on illegal evidence in making their decisions. As a result, this referral must be denied.

### III. Status

- A. HA Report (Pg. 6, #5(d))
  - 1. I adopt all exhibits and specifically Exhibits D and J1 to J4 made by counsel's letters of 9-4-13 7-19-13 and 5-14-13.
  - 2. In addition, I add the following arguments:
    - a. Had status been a concern, I would have never been released from the ADX in 2009.
    - b. Had it become a concern, the USP- Florence Warden Daniels and or USP IH Warden Carraway would have acted upon it. (They did not)
    - c. My 2 HR watch was removed in T.H.
    - d. CIM removed my Broad Publicity in or about 2004-2005.
    - e. It has not appeared in any documents past 2005 nor in transfer
    - f. At the height of the publicity, I was in gen pop in my home city without concerns—went home, came back, no issues-FCI's, USPs, etc. and was not a concern when at USP Florence. Once I filed law suit status becomes an issue. See Exhibit D.

### IV. PSI Information

- A. HA Report (Pages 6 to 11). I address these in my Exhibits E, F, J1 to J4 (Counsel's letters 9-4, 7-19, 5-14), S, T, and V; as well as in II above.
- 1. All conduct is a) 20 plus years ago, b) not one paragraph contains alleged conduct that is part of this current incarceration that began on 4-14-97 at my arrest, c) I've been home and back to prison, d) Been in gen pop in FDC, USP's, FCI's without issue, e) was considered and mitigated when I transferred out of ADX, f) conduct is acquitted, uncharged, and unadjudicated, g) it is distorted, embellished, and disingenuous.

### V. Institution Misconduct

- A. HA Report (Pg. 11 and 12: A, B, C1 to C8)
- B. This is addressed in my Exhibits C and J1 to J4 (counsel's letters).
- C. It is also addressed in II above. In addition this is my first IR in over 12 years. No conduct was for criminal purpose. I have offered to address any concerns this one IR may create. I am the only inmate suit to ADX referral after one incident report (code 108) all others remain in USP T.H.
- D. It is the result of retaliation. See exhibit I.

### VI. Recusal Requests Denied and Retaliation

- A. My exhibits A, J1 to J4, K pages 11, 12, 13.
- B. Arguments raised in II above.
- C. By Reference, I submit cases that deal with these Defendants: 1) No. 11-CV-02381-PAB-KLM, D. Colo. And CV-Action No. 08-0404 that was the breached settlement. See Exhibit P. Most telling is I was transferred without being provided a decision and appeal. They separated me from my legal documents (again), refused to address ARs, and denied medical care, violating my 8<sup>th</sup> Amendment.

**VII. Program Achievement, Clear Conduct, and Extraordinary Educational and Religious**

**Achievement**

Review of my central file reflects the following: (1) over the past decade no additional prison misconduct other than the 2013 USP Terre Haute IR; (2) completion of the Challenge Program (and remained as a mentor); (3) upon this same administration's request, chosen as one of four speakers to address a youth "scared straight" type program; (4) received excellent program reviews; (5) excelled in the completion of the E-Code Program while at USP Marion; (6) obtained my paralegal certificate from Blackstone College; (7) successfully completed various religious college courses; etc. It is evident that my positive conduct outweighs the unjust punishment imposed.

**CONCLUSION:** Before there was litigation there were no documents alleging the same facts now announced as concerns against me. Now the same ADX staff that had no similar concerns voiced in any earlier documents now used against me, with the same background info, used me to speak to kids from the street. See Exhibit X. AW Johnson's memo T HA Alexander. I assisted on many additional prison issues. I sued. Staff retaliated and submits me to ADX while violating policy statements and First and Fifth Amendment Constitutional rights. All after one single IR in over 12 years. I am the only person with the same record ever sent to ADX for cell phone possession. Why? Pretext and retaliation!

**Administrative Remedy Number 746331-R3**  
**Part B - Response**

This is in response to your Administrative Remedy Appeal in which you contest being designated to the general population of the Administrative Maximum Penitentiary (ADX) in Florence, Colorado. Specifically, you contend your placement at the ADX was retaliatory, violates BOP policy, due process and your Constitutional Rights. In addition, you also state your transfer was based on misleading facts, embellished and retaliatory actions by the Hearing Administrator, due to your extensive current and previous litigations. You allege the Hearing Administrator's Report taints the whole process as DSCC, Regional staff and others relied on illegal evidence in making their decisions. You indicate that your transfer to the ADX occurred in violation of the Dodrill Memorandum and you were provided with a backdated ADX General Population Placement Decision form. You request this referral be denied.

The Bureau of Prisons (BOP) identified a need for the ADX to effectively manage inmates who by the nature of the offense conduct, criminal history, and/or discipline history while incarcerated pose a significant threat to the safety of staff, inmates, and the public. You are again being considered for ADX general population placement based on your continued misconduct and refusal to adhere to institution rules. On March 1, 2013, you were placed in SHU after you were discovered with Smart cellphones in your cell. A contact number saved on one of the cellphones belonged to one of your relatives. On April 2, 2013, another inmate made a call and instructed the individual to place a call to a specific telephone number and to "tell her that her uncle is doing bad and he is here with me and he needs a lawyer to find out what is going on and then I will call you back in a half hour, I only have two minutes." Law enforcement discovered the telephone number belonged to your relatives. This phone call occurred after staff found cellphones in your cell. On December 14, 2001, you used another inmate's telephone to make a call. On October 1, 2001, you called your attorney and then allowed another inmate to speak to your attorney during the same call. In 2000, you received four incident reports for using the phone without authorization. On September 12, 2000, you received an incident report for contacting the public without authorization. On January 10, 1998, you tested positive for Benzodiazepines. On December 12, 1997, you tested positive for drugs. On July 9, 1995, you received an incident report for using the phone without authorization. Records indicate you incurred your most recent incident report on March 1, 2013, for Possession of Cell Phone. In addition, a review of your discipline history revealed you incurred incident reports for Possessing Unauthorized Item, Refusing to Obey an Order, Misusing Authorized Medication, and Phone Abuse-Disruptive Monitoring.

In regards to the Dodrill Memorandum, in which you allege the BOP violated, the BOP was not in violation. The Bureau of Prisons will

*It never occurred at my request - Not only was it x-punged but even the person that did the alleged call stated I did not ask him to but she SIS himself said no way to place it on me. OUTSIDE OF THE DUE PROCESS & EXIGENT CIRCUMSTANCES.*

*I would like to address this in person w you if possible.*

Administrative Remedy Number 746331-R3  
Part B - Response  
Page 2

retain the authority to select the place of imprisonment.

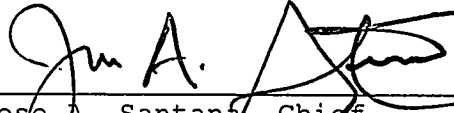
Your conduct requires greater security and controls than can be afforded while you are housed in a typical general population setting or in a Communication Management Unit. Your disciplinary history has shown a disregard for rules and regulations as you repeatedly attempted to circumvent communication monitoring procedures. Your refusal to adhere to institution rules demonstrates the fact you still pose a serious threat to institutional security, good order, and the safety of others.

A review of your records indicates you received Notice of Hearing on Referral for Transfer to the General Population at the ADX on June 26, 2013. The initial hearing was conducted on June 27, 2013. The Hearing Administrator granted your request to postpone the hearing, to provide ample time for you to prepare for the hearing. Your hearing reconvened on July 8, 2013, you appeared at the hearing via telephone and made an oral statement. Additionally, you presented documentary evidence and provided a written statement. Your medical records were reviewed and determined to be appropriate for designation to the general population at the ADX. There is no evidence to support your claim your designation to the general population at the ADX was retaliatory or that your placement decision form was backdated. The Hearing Administrator's findings and the Regional Director's recommendation were reviewed by the Designation and Sentence Computation Center, and the Assistant Director, Correctional Programs Division, Central Office. Accordingly, you were appropriately assigned to the ADX such that greater management of your interactions would ensure the safety, security, or orderly operation of Bureau facilities and protection of the public.

We concur with the decision and find your placement appropriate and consistent with the requirements of Program Statement 5100.08, Security Designation and Custody Classification Manual. You have not demonstrated otherwise. Your appeal is denied.

You have the right to appeal the BP-10 response within thirty days from the date on the BP-10 response using the Central Office Administrative Remedy Appeal (BP-11) form. Your appeal should be sent to Office of General Counsel, HOLC Building, 320 First Street, N.W., Washington, DC 20534.

11/20/2013  
Date

  
\_\_\_\_\_  
Jose A. Santana, Chief  
Designation and Sentence Computation  
Center

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-229(13) and BP-230(13), including any attachments must be submitted with this appeal.

From: MAGLITA SALVADOR 26012-037 K AD X FLORENCE  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL APPEAL TO DSCC RESPTO AP # 746331-R3 (ADX PLACEMENT) THE CONTINUATION  
PAGE ADDRESSES ISSUES USED BY DSCC AS WELL AS ADDITIONAL CLAIMS PASSED HERE AGAIN AS WELL AS  
IN THE ACCOMPANYING EXHIBITS. DSCC STATES THE REASONING AS CONTINUED MISCONDUCT AS THE  
REASON ADX IS WARRANTED. (1) THE 3-1-13 (IR) WAS AND IS MY ONLY MIS CONDUCT IN  
OVER 12+ YEARS (2) THE CRITERIA FOR ADX REQUIRES (2) IRS WITHIN 60 MOS. (3) THE H-A REPO  
AND DSCC USE AN INCIDENT OF A PHONE CALL MADE BY SOMEONE AGAINST ME TO SUPPORT  
THE CRITERIA FOR TRANSFER (SEE EXHIBIT 2, OF BP-10 RESPONSE). THIS INCIDENT WAS  
EXPUNGED BY THE DHO - P55270-09 (541-8)(9)(5) STATES AN EXPUNGED (IR) MUST BE  
TOTALLY REMOVED FROM INMATES CENTRAL FILE... AND CAN NOT BE USED IN AN AD-  
VERSE WAY AGAINST THE INMATE. THEY HAVE USED IT AGAINST POLICY- DUE PROCESS AND  
AS AN ACT OF RETALIATION AS WELL AS IN CONSTITUTIONAL VIOLATIONS INCLUDING BUT  
NOT LIMITED TO: EQUAL PROTECTION. FOR ALL INTENT AND PURPOSES THAT CALL DOES  
NOT EXIST. AND BY RELYING ON IT AS THE LYNCH PIN TO SUPPORT ADX PLACEMENT IT HAS  
NOT ONLY VIOLATED BOP RULES AND POLICY, CONSTITUTIONAL PROTECTIONS BUT HAS ALSO TAINED  
THE WHOLE PROCESS. ALL THIS IS FURTHER ADDRESSED IN THE CONTINUATION PAGE AND  
WAS NEVER ADDRESSED BY DSCC. AGAIN ADDITIONAL DUE PROCESS VIOLATIONS. HAD MY CON-  
DUCT REQUIRED ADX IT WOULD HAVE OCCURRED  
IN 2003 WHEN NOT 12 1/2 YRS LATER.  
12-16-13  
DATE SIGNATURE OF REQUESTER Salvador Maglita

Part B - RESPONSE

RECEIVED

DEC 24 2013

Administrative Remedy Office  
Federal Bureau of Prisons

DATE

ORIGINAL: RETURN TO INMATE

Part C - RECEIPT

Return to: \_\_\_\_\_  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: \_\_\_\_\_

DATE

SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL



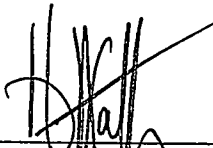
Administrative Remedy No. 746331-A1  
Part B - Response

This is in response to your Central Office Administrative Remedy Appeal where you appeal your ADX/GP placement and transfer. You argue your placement was based on one incident report from 12 years ago and state the second incident report for supposed phone abuse was expunged. You allege institution staff retaliated against you when you were referred for ADX placement and violated your First and Fifth Amendment Rights. You allege discrimination as a Muslim inmate. **NEVER**

The Regional Director adequately addressed your complaint and we concur with the response provided. Program Statement 5100.08 Security Designation and Custody Classification Manual provides policy and procedure regarding the Bureau of Prisons (BOP) inmate classification system. The classification of inmates is necessary to place each inmate in the most appropriate security level institution that also meets their program needs and is consistent with the BOP's mission to protect society. The above policy provides procedures and criteria for ADX referrals, hearings and transfers. The BOP designates inmates to an ADX when they have demonstrated an inability to function in a less restrictive environment without being a threat to others or the secure and orderly operation of an institution. This enhances the BOP's ability to manage some of the most disruptive and problematic inmates in the system.

A review of your appeal reveals you have an extensive disciplinary history of jeopardizing institution security to include a March 1, 2013, sustained disciplinary infraction for Code 108, possessing a tool hazardous to institution security (cell phone). Although the April 2013 incident report was later expunged, you sustained two other phone abuse charges that were not expunged. You were referred for ADX placement and received notice of the ADX referral hearing on June 26, 2013. You appeared at the initial June 27, 2013, and reconvened July 8, 2013, telephonic hearings and made statements on your behalf. In addition, you received a mental health assessment prior to the hearing and it was determined you were capable of functioning adequately in an ADX environment. We find you meet eligibility criteria for ADX/GP placement and there is no indication you have been retaliated against or your Constitutional rights violated. Accordingly, your appeal is denied.

January 9, 2014  
Date

  
Harrell Watts, Administrator  
National Inmate Appeals 