

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

FILED

UNITED STATES DISTRICT COURT
DENVER, COLORADO

FEB 22 2019

CIVIL ACTION NO. 15-CV-02203-RM-KLM

JEFFREY P. COLWELL
CLERK

SALVADOR MAGLUTA #26012-037

PLAINTIFF "P"

VS

U.S. BUREAU OF PRISONS "BOP" ET AL.

DEFENDANTS "D"

MOTION TO ADVISE THE COURT OF
THE REASONS "P" HAS NOT COMPLIED WITH
THE NOTICE TO DEFENDANTS AS STATED IN
"P" SECOND RESPONSE TO DOC-129-139-142.

1. On 1-29-2019 "P" worked on his response to this
courts orders and "DEF^s" DOC-129. "P" finished
about 3:00 AM and was able to submit the motion
on its due date.

2. As I believe I stated to this Honorable Court in my
motion, "P" did not have paper like this one and had
the copies for the "P" and "DEF^s" carbon copied on the
backs of papers that had written issues of other

unrelated to this action. I did not want to send the D⁵ their copy in that fashion, even though they knew the reason and were participants in the denial of appropriate paper, so on the 30th of Jan 2019 I spent the day separating exhibits and trying to separate a clean copy for Def^s and myself.

3. On the 31st I was beginning to finalize the package when officer Pallas and two other officers at the, upon information and belief, the direction of Unit Manager TUTTOILMONDO, came to my cell, said they were going to go through my property and ordered that I go and lock up in another cell.

At that point they proceeded to take my legal property along with Bible Commentaries and institutional programming documents. They chose what to take and coincidentally the legal property they took were everything related to this action.

- I have no docket sheet, no docket document entries to include all that is currently before this court including the motions I just filed. I do not even possess the complaint. In essence I have absolutely nothing of any substance related to this action.

4. Defendants took all my ADMINISTRATIVE REMEDIES some which I included as exhibits in my last

submission to this Honorable Court. Anything I could use to further this action or address issues raised in "AR⁵" Administrative Remedies to possibly resolve some or all, since they are all exhausted and most relate to medical care.

(5) I have made every effort in addressing the issue directly with my unit manager and counselor, Dollbrock, but no progress has been made. On the contrary, my requests have been denied and/or passed the buck. I have used the informal resolution, which I submitted the first day it was available to me, on 2-3-2019 and though the response was due, in 3 working days, it was left to me today 2-12-2019, denying the informal resolution Request. I just drafted a BP 9 to submit in the morning along with this motion.

(6) I have spoken to Assistant Warden "A.W." Spitz on 1-25-2019 along with Lt Palider and both knew what I was working on "THIS COURT'S ORDER" and processing legal documents. They said to keep doing ~~was~~ what I was doing.

(7) I again spoke to "A.W." Spitz on February 1st 2019 and she assured me she was going to take care of the issue and I'm still hopeful she does but I

am concerned that your Honor would take my non-compliance as a failure to comply with what I told your Honor in my motion and what the rules require to serve the "D" with a copy of my filing.

(8) I also spoke to Lt. Hammens, who apparently has all my legal property, and I advised him of what A.W. Spitz had shared with me. He seems to be new in his position since he did not know Miss Spitz was an 'A.W.'. When I last saw him he stated he is waiting on her.

Conclusion

Your Honor, I wrote all the details above so that this court recognizes that I did as much due diligence as what was possible and available to me... I am waiting for a copy of my last motion that an attorney friend was sending to me as I possess NOTHING...

As such I ask this court to take into consideration the difficulties I have encountered for not complying to proceed in sending "D" their copy nor in proceeding to address issues in the path of moving forwards in ANY FASHION

RESPECTFULLY SUBMITTED

FEBRUARY-13-2019

PROSE^o SALVADOR MAGLUTA

REG# 26012-037

USP MAX-ADX

P.O. BOX 8500

FLORENCE COLORADO

81226

CERTIFICATE OF SERVICE

This certifies that on February 13 2019 A.M.
a copy to D^s counsel regular mail to
MARK S. PESTAL.

A-U.S.A.

1225 17TH ST. SUITE 700

DENVER CO. 80202.

*Legal mail - 2-13-19 AM
to unit team*

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

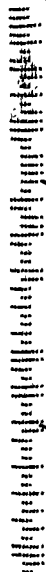
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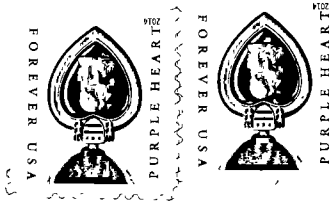


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