

Plaintiff's Name DAVID RAY SANCHEZ JR.
Inmate No. 2061885
Address 17695 INDUSTRIAL FARM Rd.
BAKERSFIELD, CA 93308

FILED

APR 24 2014

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY [Signature]
DEPUTY CLERK

David Ray Sanchez Jr.
(Name of Plaintiff)

1:14 CV - 00594 MJS - (PC)
(Case Number)

vs.

COMPLAINT

Civil Rights Act, 42 U.S.C. § 1983

KIM PEDRIERO
CISENEROS
HERNANDEZ
TIA ZWETSLOOT CSR #13263
F. FELICIANO
T. SCHULTZ
BREEN

(Names of all Defendants)

RECEIVED

APR 24 2014

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY [Signature]
DEPUTY CLERK

I. Previous Lawsuits (list all other previous or pending lawsuits on back of this form):

- A. Have you brought any other lawsuits while a prisoner? Yes ___ No
- B. If your answer to A is yes, how many? _____
Describe previous or pending lawsuits in the space below.
(If more than one, use back of paper to continue outlining all lawsuits.)

1. Parties to this previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if Federal Court, give name of District; if State Court, give name of County) _____

3. Docket Number _____ 4. Assigned Judge _____

5. Disposition (For example: Was the case dismissed? Was it appealed? Is it still pending?) _____

6. Filing date (approx.) _____ 7. Disposition date (approx.) _____

II. Exhaustion of Administrative Remedies

A. Is there an inmate appeal or administrative remedy process available at your institution?

Yes No

B. Have you filed an appeal or grievance concerning ALL of the facts contained in this complaint?

Yes No

If your answer is no, explain why not _____

C. Is the process completed?

Yes For: Kings Co. Jail If your answer is yes, briefly explain what happened at each level.

"D. CARRASCO" along with Ciseneros and Torrez after suppressing my actions finally gave me a grievance form and was unable to solve at first and second level. Sgt. A. NARCISSE at the third level was also unable to remedy. Final results as stated by Commander K. PEDREIRO can not be resolved because I am no longer in their custody? No not fully If your answer is no, explain why not. - For: WASCO ST. PRISON. I was rejected after filing my 602 appeal log # WSP-D-14-00598. In receiving the rejection filed on "2-12-14", I promptly exhausted further in Section D and I also filed a CDCR 22 form to my counsler T. MOSELY as requested" on 2-18-14. My cell mate N. MORALEZ cdc # AR-7274 can verify this. Then and prior to then I wrote several letters home stressing to my family to help alleviate the situation. Then on 2-20-14 I was finally released from Wasco St. Prison and before leaving I stressed the importance, to several officers to retrieve my appeal (specifically T-GAETA) to no avail they said it would be rebutted to me. It never was, I've wrote several letters since then and still no responce!

NOTICE: Pursuant to the Prison Litigation Reform Act of 1995, "[n]o action shall be brought with respect to prison conditions under [42 U.S.C. § 1983], or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." 42 U.S.C. § 1997e(a). If there is an inmate appeal or administrative remedy process available at your institution, you may not file an action under Section 1983, or any other federal law, until you have first completed (exhausted) the process available at your institution. You are required to complete (exhaust) the inmate appeal or administrative remedy process before filing suit, regardless of the relief offered by the process. Booth v. Churner, 532 U.S. 731, 741 (2001); McKinney v. Carey, 311 F.3d 1198, 1999 (9th Cir. 2002). Even if you are seeking only money damages and the inmate appeal or administrative remedy process does not provide money, you must exhaust the process before filing suit. Booth, 532 U.S. at 734.

III. Defendants

(In Item A below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item B for the names, positions and places of employment of any additional defendants.)

A. Defendant KIM PEDREIRO is employed as COMMANDER
at "KINGS COUNTY JAIL" IN HANFORD, CA- 93230

- B. Additional defendants BOOKING STAFF ON 2-7-14 AND OR PRIOR TO, AT KINGS COUNTY JAIL
- CISENEROS EMPLOYED AS A DEPUTY AT KINGS COUNTY JAIL
- HERNANDEZ EMPLOYED AS A DEPUTY AT KINGS COUNTY JAIL
- F-FELICIANO EMPLOYED AS A APPEALS COORDINATOR AT WASCO ST. PRISON
- T-SCHULTZ EMPLOYED AS A APPEALS COORDINATOR AT WASCO ST. PRISON
- KINGS CO. SUPERIOR COURT CLERK IN DEPT. 3 ON 2-3-14
- BREEN - EMPLOYED AS A COUNSLER IN D-3 BUILDING AT WASCO ST. PRISON
- TIA ZWETSLOOT C.S.R. # 13263 - EMPLOYED AS OFFICIAL COURT REPORTER

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach extra sheets if necessary.)

On 2-3-14 due to an improper police investigation, my case in Kings Co. Courts was dismissed. I was not released because a Federal Parole detainer and so while awaiting U.S Marshalls arrival I stayed at Kings Co. Jail till 2-7-14 I was called by Ciseneros to roll up my belongings then deputy Ciseneros and Hernandez escorted me out and at this time I stated to Ciseneros while she was cuffing me for transportation (with Hernandez standing by) "So the Marshalls are here to pick me up? She stated what? I said are the Marshalls here to pick me up? She stated no, your going to Wasco! I stated Wasco, For what? She stated your case, I stated I beat my case, I got it dismissed, I got a Federal parole hold and Marshalls are suppose to come get me. The only places I would be going is only a Federal holding facility, Fresno Co. Jail or Lerdo/Kern Co. Jail." She then stated, "You'll be doing a lay over then. I stated, Oh, okay. During this time she finished cuffing me and Hernandez left to get another —
—continued on attachment —

V. Relief.

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

To order Kings Co. Jail to construct a new mandated system/policy for its staff that adequately keeps track of inmates cases upon dismissal, acquittal and order of release from custody. Ensuring my burdensome struggle and hardships never again happen to anyone else. Also for all Joint Tortfeasors/institutions involved and subject to this suit, mandate a new policy and procedure for their employees to abide by and take immediate action to alleviate under the circumstances and nature that an inmate gives/stresses that he is falsely imprisoned and or is under a mistaken identity; so that in the institutions capacity to secure the welfare and Constitutional Rights and Amendments of any presumed inmate/ Detainee is without falter and negligence. As well as to oder compensatory and punitive damages.

I declare under penalty of perjury that the foregoing is true and correct.

Date April 17, 2014

Signature of Plaintiff



(revised 6/01/04)

IV. Statement of Claim continued...

- inmate ERIC GONZALEZ AS-5566 and lined him up beside me to get cuffed. Me and E. GONZALEZ AS-5566 were then transported to Wasco St. Prison. There I told R&R staff about my situation and they had no knowledge of it. I told them that I was told I was going to be doing a layover and the U.S. Marshalls were going to pick me up. Then staff there were looking at me and wondering if I was lying or if I was mentally ill. Then after me telling them all necessary information several times to verify my innocence they said I would be getting picked up by Kings County or the Marshalls the following Monday - as "Sgt. WILLS" I believe can verify. I stated, "why would Kings County pick me up, they have no business with me." He then shrugged. I then stated, "So I'm a sitting duck till then?" He said, "yeah." And so I was housed in Wasco D-3 building. Monday passed and so on Tuesday 2-11-14 I filed a 602 Appeal Form # WSP-D-14-00598. I was rejected; I appealed the rejection by F. Feliciano and T. Schultz and sent it in. I also wrote my counsler T. MOSELY on 2-18-14 after I got rejected. I also notified counsler BREEN on various occassions from 2-7-14 - 2-20-14 all of this to no avail. Then finally because of the letters I wrote to my family for help I was finally released and picked up by Kings Co. Jail on 2-20-14. I would of had more names of staff employees in R&R but booking officers T. King Senior and Laird Id # 456 lost my witnessces list upon being booked in Lerdo/Kern Co. Jail. If I had a picture sheet of R&R employees I will be able to identify more important witnessces to verify my claims, medical intake screening nurses, officer who forced me to take a I.D. picture etc.

IV. Supporting Facts..Continued pg.1

LIST OF WITNESSES

WHO CAN SUPPORT MY CLAIM

1. C. GUILLIANI - employed as a Psyc at Wasco St. Prison - She interviewed me during my medical screening/diagnostics on 2. she can verify my severe emotional stress and was shocked this was happening to me, but I told her I already have a 602 filed with verification.
2. J. ELIAS - employed as a correctional officer at Wasco St. Prison - Stated they fucked up in R&R.
3. SMITH - employed as a deputy at King Co. Jail - Transported me from Wasco St. Prison back to Kings Co. Jail. Witnessed Wasco R&R officers giving me "the run around" when asked about my "602 form log number: WSP-D-14-00598".
4. SALCIDO - employed as a correctional officer at Wasco St. Prison - accepted my "602 form log number: WSP-D-14-00598" at approximately 9:00 pm. This individual was working in the "Delta 3" building at Wasco St. Prison and accepted my 602 form to be filed with all documents attached. "I even asked him to staple them."
5. Sgt. WILLS - employed as a Sergeant at Wasco St. Prison - He was made aware of my situation upon my arrival at R&R/Wasco St. Prison.
6. ERIC GONZALEZ - an inmate that was transported with me to Wasco St. Prison and witnessed me attempting several times to ensure correctional staff was well aware of my mistaken identity.
cdc # AS-5566

IV. Supporting Facts continued... Witness List. pg. 2

6. ERIC GONZALEZ CDC #AS-5566 continued... - he can also verify several officers came to me as I fully made them aware of my innocence and they verified this to be true Sgt. Wills can testify. I was then told that Kings County or the Federal Marshalls will be picking me up the following Monday which was 2-10-14 as I was told this on Friday 2-7-14 when I arrived at Wasco St. Prison.

7. L. GARCIA - employed as a deputy at Kings Co. Jail. She can testify that I stressed several times to grieve my "False Imprisonment" right after my arrival from Wasco St. Prison (on 2-20-14) to various deputies TORRES, CISENEROS, D. CARRASCO, R. ALCOSER and was ignored several times and put off until the next shift until finally D. CARRASCO provided me with a grievance form. Miss GARCIA was the first deputy I initially asked for a grievance but stated it was a serious "high level grievance" and stated she would notify "shift sergeant" I asked her again and she said she did notify them/him.

BREEN - employed as a counsler at "D-3" building for years and is still employed there. I stressed the fact various times that I was there for no reason, I even had my celly NICK MORALEZ cdc number AR-7274 tell him again of my situation with appeals coordinators rejecting my Appeal with no help whatsoever. And then I stressed my circumstances to him again, that I shouldn't be here the US Marshalls were suppose to get me. He stated, "They know your here, They know your here". My celly heard him say. I asked my celly to make him aware because he was assigned to -

IV. Supporting Facts continued... Witness List pg. 3

8. Breen - continued - my celly. And my celly was going to several interviews with him so I used this opportunity to advantage to no avail giving that in Wasco D-3 at the time we stay confined to our cell. And as all my other attempts to grieve/appeal and "alleviate" my situation was neglected.

9. NICK MORALEZ - cdc number: AR-7274 - this individual was my celly and can testify to the severe stress and no sleep I was subjected to. He also witnessed me during this time file time and time again exhausting all available remedies to push to alleviate my situation as well as verbally stressing my hardships and punishments to various staff assigned to D-3 building in Wasco St. Prison.

KINGS CO. COURT CLERK OR TO WHOM IT MAY CONCERN Feb. 20, 2014

My name is "DAVID RAY SANCHEZ JR", I am a NATURAL BORN U.S. CITIZEN MY BIRTH DATE IS 2-20-1981, MY SOCIAL SECURITY NUMBER IS 559- NOT 559-75-8415 ON 2-7-14. I WAS UNDER THE FALSE IMPRESSION by KINGS CO. JAIL STAFF THAT I WAS GOING TO DO A "LAY-OVER" @ WASCOS ST. PRISON AND THAT U.S. MARSHALS WOULD RECEIVE ME ONCE THERE FOR A PAROLE HOLD; BUT ONCE I GOT TO W.S.P. I ADVISED R & R STAFF OF MY SITUATION AND DID NOT KNOW WHO I WAS. THEY TOLD ME I WAS A MISTAKEN IDENTITY AND THAT THE U.S. MARSHALS OR KING CO. WOULD COME TO PICK ME UP. "DUE TO ME BRINGING TO THEIR ATTENTION THAT U.S. MARSHALS ARE SUPPOSE TO DETAIN ME". BY THIS TIME I STRESSED OVER AND OVER I DO NOT HAVE A PRISON COMMITTING OFFENSE NOR WAS I CONVICTED OF A CRIME OR SENTENCED TO ANY PRISON TIME, JAIL TIME OR HAVE ANY CASES PENDING; BUT WAS STILL FORCED TO TAKE A IDENTIFICATION PICTURE RECEIVING A NEW PRISON COMMITMENT NUMBER. R & R STAFF TOLD ME I WOULD BE PICKED UP ON 2-10-14 THE FOLLOWING BUSINESS DAY AFTER 2-7-14

I DID RECEIVE BOOKING INFORMATION WHILE I WAS IN R & R W.S.P. WAITING TO BE HOUSED. THIS BOOKING SHEET / KINGS CO. SHERIFFS DETENTIONS DIVISION RELEASE REPORT "STATED FIVE FALSE CHARGES UPON MY PERSON WITH A CASE NO. 13CM8860, 13CM8998, 13CM9003, 13CM8655 - RESIST PUB OFFICER AND A

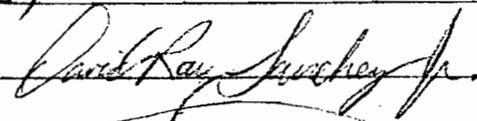
LETTER TO KINGS Co. COURT CLERK

13 CM 8655 - REV OF PROBATION. I WAS NOT ON PROBATION OR ANY STATE PAROLE NOR AM I TO BE SUBJECTED UNDER THEIR JURISDICTION.

I HAVE ADVISED many officers, counslers, pyscs here of my situation with no help. I have also filed a 602 form to no avail as appeals Coordinator F. Feliciano / T. Shultz states "If you are here its court ordered." P "W.S.P staff acknowledged and was made aware of my situation." They say I was sentenced to a year?! Can you please help me, I feel like I'm being framed and suppressed. I am severely stressed out. Is there any way you can verify my innocense. I have no access to a phone, I've written my Mother and Father but I am not sure if they recieved my letters.

Please I am totally innocent and have "no" charges" pending against me in State courts. I am here for no reason at all. Please help me with any advice or assistance you can provide Wasco St. prison or me with that can verify my innocense and warrant a prompt release from State prison's custody. I thank you dearly for your time.

Truly yours,



KINGS COUNTY JAIL INMATE GRIEVANCE FORM

INMATE NAME: SANCHEZ, DAVID MID# 16572 CELL: 304 Inmate's Signature [Signature]

GRIEVANCE PROCEDURE:

- Step 1.** Advise a Deputy of the problem, and allow the Deputy up to 24 hours to resolve.
- Step 2.** After 24 hours if the Deputy can not resolve the problem or the inmate is dissatisfied with the results he/she may submit a grievance form to a Shift Supervisor within 3 days. The Shift Supervisor is allowed 3 working days to resolve the grievance.
- Step 3.** Unresolved matters may be submitted to the Facility Manager who has 5 days to respond. The decision of the Facility Manager is final and shall be considered policy.

FIRST STEP GRIEVANCE:

FIRST ADDRESSED ISSUE ON: 2-20-14 @ APPROX. 5:00 PM.
 Advised Deputy: D. CARRASCO Date: 2/22/14 Time: 1930
 Response Date: 2/23/14 Response Time: 1814 Results: Unable to solve at my level.
 Inmate is hoping that he get sent to wasco for no reasons

SECOND STEP GRIEVANCE:

Submitted to Deputy: D. CARRASCO Date: 2/23/14 Time: 2040
 For Delivery to Shift Supervisor: Sgt. NARCISSE
 Circumstances resulting in grievance: ON 10-6-13 I ALONG WITH 3 OTHERS WERE BOOKED INTO K.C.J. ON 2-3-14 MY CHARGES WERE DISMISSED DUE TO H.P.D NOT DOING A PROPER POLICE INVESTIGATION AND SO DO TO A FEDERAL HOLD I REMAINED IN KINGS CO. JAIL'S CUSTODY, UPON AWAITING FEDERAL MARSHALS ARRIVAL K.C.J STAFF, DUE TO NEGLIGENCE IN PERFORMING THEIR DUTIES K.C.J OFFICERS TRANSPORTED ME TO WASCO ST. PRISON. BEFORE I EVEN LEFT KINGS CO. JAIL I TOLD K.C.J OFFICERS (SPECIFICALLY CISNEROS) "ARE THE MARSHALS HERE TO PICK ME UP?" SHE SAID NO, THAT -
 (use reverse side if more space is needed)

Responding Shift Supervisor: SGT. A Narcisse Date: 02/24/14 Time: 0300
 RESULTS: I cannot remedy your complaint at this level Re: Inconsistent transport to state prison.

THIRD STEP GRIEVANCE:

Submitted to Deputy/SGT: R. ALCOZER Date: 2/24/14 Time: 0738
 For Delivery To Facility Manager:
 Circumstances resulting in grievance: STILL NO ANSWER TO MY GRIEVANCE OR ANY INFORMATION GIVEN ON HOW I WAS IMPLICATED/CONVICTED TO STATE PRISON AND TRANSPORTED, STAYED THEIR FROM 2-7-14 TO 2-20-14 AND SUBJECTED AGAINST MY WILL TO CRUEL AND UNUSUAL PUNISHMENT TO ME AS WELL AS MY FAMILY. MY FAMILY'S ACTIONS AND EFFORTS ARE THE REASON I WAS ABLE TO BE RELEASED FROM STATE PRISON'S CUSTODY AFTER ALL MY EFFORTS WERE REJECTED AND SUPPRESSED.
 (use reverse side if more space is needed)

Responding Facility Manager: [Signature] Date: 2/25/14 Time: 11:30
 RESULTS:

I received your grievance on February 25th, 2014. In response to your third step grievance that you submitted, this issue cannot be resolved by the facility Commander do to the fact you are no longer in our custody.

KINGS CO. GRIEVANCE CONTINUED pg. 2

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I WAS GOING TO WASCO. I STATED, WASCO, FOR WHAT? SHE SAID, "FOR YOUR CASE" I ADVISED HER THAT; "I GOT MY CASE DISMISSED, I HAVE NO PENDING CASES OR COMMITMENTS, JUST A FEDERAL PAROLE HOLD. SHE SAID, "THAT I WAS GOING TO DO A LAY OVER THEN" I BELIEVED THIS DUE TO THERE'S A FEDERAL HOLDING FACILITY (LAREDO) KERN CO. JAIL NOT FAR FROM WASCO, AND SO I BELIEVED FEDERAL MARSHALS WOULD BE WAITING AT WASCO TO DETAIN ME OR THEY WOULD LATER PICK ME UP FROM WASCO. BUT AFTER ARRIVING TO WASCO R & R STAFF DID NOT BELIEVE THAT I WAS AWAITING FEDERAL MARSHALS THEY STATED I WAS SENTENCED TO A YEAR! I TOLD THEM TO VERIFY & DO A THOROUGH CHECK, THAT I MUST BE UNDER A MISTAKEN IDENTITY, BY THIS TIME I WAS ALREADY "FORCED" TO TAKE A INMATE I.D PICTURE GIVING ME A NEW C.D.C/PRISON COMMITMENT NUMBER. FINALLY AFTER CONTINUOUSLY STRESSING THE FACTS THAT I WAS FALSELY CHARGED AND IMPRISONED THEY VERIFIED IN ALL THAT I WAS TELLING THE TRUTH, AND ADVISED ME THAT I WOULD BE PICKED UP ON THE FOLLOWING MONDAY (2-10-14). I WAS NEVER PICKED UP "WASCO, AFTER FILEING AND EXHAUSTING ADMINISTRATIVE REMEDIES FORGOT ALL ABOUT ME AND REJECTED MY APPEALS STATING; "IF YOU ARE HERE ITS COURT ORDERED." I TRULY THOUGHT I HAD BEEN FRAMED AND LOST IN THE SYSTEM, ALL MY EXHAUSTING ADMINISTRATIVE REMEDIES/ADVISING STAFF OF MY TRAJEDIES WAS SUPPRESSED AND IGNORED CONTINUOUSLY. UPON REQUESTING THIS GRIEVANCE K-C-J STAFF (SPECIFICALLY STAFF WORKING THE BRAVO POD/UNIT FROM 2-20-14 PM THROUGH 2-23-14 AM) ALSO SUPPRESSED/PUT OFF ON OTHER DEPUTIES AND NEGLECTED MY DUE PROCESS RIGHT TO PROPERLY LITIGATE HARM AND INJURY DONE UPON MY PERSON, THE SEVERE EMOTIONAL PSYCHOLOGIC STRESS, FALSE IMPRISONMENT, FALSE IMCRIMINATION, ENTRAPMENT, DEFAMATION OF CHARACTER, STRESS AND DURESS I HAVE BEEN SUBJECTED TO IS IRREPARABLE! THIS IS CRUEL AND UNUSUAL PUNISHMENT AS WELL AS PAIN AND SUFFERING UPON MY PERSON!

David Ray Sanchez Jr.

KINGS COUNTY JAIL

4:20 PM

INMATE REQUEST

CAVE TO ^{CORASOL} TORRES

NAME: DAVID RAY SANCHEZ JR.

DATE: 2.23.14

MASTER I.D. #: 16842

CELL #: B4 FLOOR

REQUEST:

GRIEVANCE FORM

I'VE LONG EXCEEDED THE
24 HR. PERIOD WITH NO ANSWER OF
REMEDY BY PM STAFF ON 2.22.14 AND
AM STAFF ON 2.23.14. I'VE ASKED FOR
A GRIEVANCE ON 2.20.14, 5 PM SINCE
THEN MY REQUESTS AND ACTIONS TO
EXHAUST^{ALL} ADMINISTRATIVE REMEDIES HAVE
BEEN DENIED AND SUPPRESSED BY K.C.J
STAFF VIOLATING MY DUE PROCESS.

RESPONSE:

KERN COUNTY DEPT

MAILED 2-26-14 2:00 P.M. DEPUTY J. TERRY

COMMANDER PEDRIERO,

FEB. 25, 2014

Hi, MY NAME IS DAVID RAY SANCHEZ JR. INMATE ID # 16842. I AM WRITTING TO YOU REGARDING THE OUTCOME OF MY GRIEVANCE WHICH WAS STILL IN ITS FINAL STEPS WHEN I WAS TRANSFERED INTO FEDERAL CUSTODY ON FEB. 25, 2014. BECAUSE OF THIS I AM REQUESTING THAT MY GRIEVANCE FORM AND RESPONCES

1069 LETLIE LN.
PLEASE BE MAILED TO: HANFORD, CA. 93230 OR MY CURRENT ADDRESS
DAVID RAY SANCHEZ JR. # 2061885
17695 INDUSTRIAL FARM RD.
WHICH IS: BAKERSFIELD, CA. 93308 ALTHOUGH PLEASE UNDERSTAND I

WILL BE LEAVING HERE SOON AND SO THIS ADDRESS WILL NO LONGER BE VALID. THIS IS WHY I'D RATHER YOU MAIL TO MY HOME ADDRESS; FIRST STATED ABOVE. ALRIGHT MRS PEDRIERO PLEASE DO RESPOND IN A TIMELY MANNER. I THANK YOU FOR YOUR TIME AND CONSIDERATION.

SINCERLY,



IAB USE ONLY	Institution/Parole Region: _____ Log #: _____ Category: _____ _____ _____ <p style="text-align: center;">FOR STAFF USE ONLY</p>
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You may appeal any California Department of Corrections and Rehabilitation (CDCR) decision, action, condition, policy or regulation that has a material adverse effect upon your welfare and for which there is no other prescribed method of departmental review/remedy available. See California Code of Regulations, Title 15, Section (CCR) 3084.1. You must send this appeal and any supporting documents to the Appeals Coordinator (AC) within 30 calendar days of the event that lead to the filing of this appeal. If additional space is needed, only one CDCR Form 602-A will be accepted. Refer to CCR 3084 for further guidance with the appeal process. No reprisals will be taken for using the appeal process.

Appeal is subject to rejection if one row of text per line is exceeded.

WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First): <u>JR. DAVID RAY</u>	CDC Number: <u>N/A</u> <u>AS-5565</u> <small>SHOWS NOT BE VALID!</small>	Unit/Cell Number: <u>D-3 216^u</u>	Assignment: <u>N/A</u>
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State briefly the subject of your appeal (Example: damaged TV, job removal, etc.):
WRONGFUL INCARCERATION, FALSE IMPRISONMENT, FALSE INCRIMINATION, DEFAMATION OF CHARACTER, SEVERE MENTAL DISTRESS, PAIN AND SUFFERING, STRESS AND DYRESS.

A. Explain your issue (If you need more space, use Section A of the CDCR 602-A):
ON 2-7-14 I CAME TO WASCO ST. PRISON THINKING U.S. MARSHALS WERE WAITING FOR ME. INSTEAD WISIP PLACED ME IN CUSTODY UNDER FALSE IDENTIFICATION, FALSE IMPRISONMENT. EVEN AFTER I STRESSED THE FACT THAT U.S. MARSHALS WERE SUPPOSE^{SEE} OTHER^{SEE}

B. Action requested (If you need more space, use Section B of the CDCR 602-A):
I WROTE A ACTION REQUESTED BUT AM NO LONGER IN POSSESSION OF ORIGINAL 602 & ATTACHMENTS DUE TO WASCO ST. PRISON'S NEGLIGENCE IN HANDELING/PROCESSING MY COMPLAINTS.

Supporting Documents: Refer to CCR 3084.3. HARISON, MARQUEZ/MENDOZA
 Yes, I have attached supporting documents. CSUILLANI - PSYC
 List supporting documents attached (e.g., CDC 1083, Inmate Property Inventory; CDC 128-G, Classification Chrono):
HAD "2" FORMS LISTED OTHER FORM WAS LISTED
CASE DISMISSED FORM HERE - "MY CASE NUMBERS & MINUTE ORDER DOCUMENT.

No, I have not attached any supporting documents. Reason: _____

Inmate/Parolee Signature: David Ray Date Submitted: 2-11-14
 By placing my initials in this box, I waive my right to receive an interview.

STAFF USE ONLY

C. First Level - Staff Use Only Staff - Check One: Is CDCR 602-A Attached? Yes No

This appeal has been:
 Bypassed at the First Level of Review. Go to Section E.
 Rejected (See attached letter for instruction) Date: _____ Date: _____ Date: _____
 Cancelled (See attached letter) Date: _____
 Accepted at the First Level of Review.

Assigned to: _____ Title: _____ Date Assigned: _____ Date Due: _____

First Level Responder: Complete a First Level response. Include Interviewer's name, title, interview date, location, and complete the section below.
 Date of Interview: _____ Interview Location: _____

Your appeal issue is: Granted Granted in Part Denied Other: _____
 See attached letter. If dissatisfied with First Level response, complete Section D.

Interviewer: _____ Title: _____ Signature: _____ Date completed: _____
(Print Name)

Reviewer: _____ Title: _____ Signature: _____
(Print Name)

Date received by AC: _____

AC Use Only
 Date mailed/delivered to appellant: ____/____/____

CONTINUED ON 602 LOG NUMBER: W.S.P-D-14-00598

— TO PICK ME UP. I DENIED TO TAKE A PICTURE OR SIGN ANY DOCUMENTS/DETAIERS AND STILL WAS FORCED UNDER STRESS AND DURESS, GAVE ME A FALSE NEW PRISON COMMITMENT AND C.D.C NUMBER. NOT ONLY WAS THIS A VIOLATION OF MY CONSTITUTIONAL RIGHTS, BUT ALSO LOSS OF MY PROPERTY (PICTURES & CARDS ETC.) I WILL BE SEEKING CIVIL ACTION IN THIS CASE AND DEMAND TO BE RELEASED FROM CUSTODY; IMMEDIATELY!

State of California

CDC FORM 695

Screening For:

CDC 602 Inmate/Parolee Appeals

CDC 1824 Reasonable Modification or Accommodation Request

RE: Screening at the FIRST Level

February 12, 2014

SANCHEZ, AS5565

D 003 2216001UP

CASE INFO./RECORDS, Policy & Procedures, 02/12/2014

Log Number: WSP-D-14-00598

(Note: Log numbers are assigned to all appeals for tracking purposes)

The enclosed documents are being returned to you for the following reasons:

Your appeal has been rejected pursuant to the California Code of Regulations, Title 15, Section (CCR) 3084.6(b)(7). Your appeal is missing necessary supporting documents as established in CCR 3084.3. All documents must be legible (If necessary, you may obtain copy(ies) of requested documents by sending a request with a signed trust withdrawal form to your assigned counselor). Your appeal is missing.

Be advised your appeal will not be processed as you have not attached any evidence to support your claim. You are instructed to attach the evidence to support your claim and your attempt to resolve your issue with the Records staff via a CDCR Form 22. You are instructed to submit a CDCR 22 Form Inmate Request for Interview, Item or Service to WSP-RC Records staff for further review of your issues. Fill in Section 'A' describing your issue forward the form to staff. Staff will respond in Section 'B'. When you receive the response from staff and you are not satisfied; fill in Section 'C' and forward for a review by the Supervisor. Please use the Form 22 process, if dissatisfied with the supervisory response, please attach a copy of the Form 22 to the new/revised CDCR 602 and 602-A attachment form and submit to the appeals office for further processing. This CDCR 695 Screening Form is not to be construed as an elimination of your due process rights but as a tool to file your appeal on the appropriate form or for you to provide the appropriate information so that your appeal can be filed or your questions answered.

CDCR can only accept inmates convicted by the courts and sentenced to the department of corrections. If you are here its court ordered. If you have issue with the courts orders, you need to address that issue with them as this is outside the scope of CDCR.

 F. FELICIANO / T. SCHULTZ

Appeals Coordinator

Wasco State Prison - Reception Center

P.O. Box 7700

Wasco, CA 93280

Be advised that you cannot appeal a rejected appeal, but should take the corrective action necessary and resubmit the appeal within the timeframes specified in CCR 3084.6(a) and CCR 3084.8(b). Pursuant to CCR 3084.6(e), once an appeal has been cancelled, that appeal may not be resubmitted. However, a separate appeal can be filed on the cancellation decision. The original appeal may only be resubmitted if the appeal on the cancellation is granted.

PERMANENT APPEAL ATTACHMENT - DO NOT REMOVE

REQUESTED REQUEST FM. REJECTION 602 APPEAL

Case 1:14-cv-00594-MJS Document 1 Filed 04/24/14 Page 17 of 25

State of California

GA-22 (9/92)

INMATE REQUEST FOR INTERVIEW

DEPARTMENT OF CORRECTIONS

DATE 2-18-14	TO COUNSLER T. MOSELY	FROM (LAST NAME) SANCHEZ JR.	CDC NUMBER AS-5565
HOUSING D-3 A-SIDE	BED NUMBER 216 ^W	WORK ASSIGNMENT N/A	ASSIGNMENT HOURS from TO
OTHER ASSIGNMENT SCHOOL ETC.			ASSIGNMENT HOURS: from TO

Clearly state your reason for requesting this interview

You will be called in for interview in the near future if the matter cannot be handled by correspondence

I AM HERE ON A MISTAKEN IDENTITY, I TOLD OFFICERS IN R&R UPON ARRIVAL
 FEDERAL MARSHALS WERE SUPPOSE TO PICK ME UP, AS I WAS TOLD BY KINGS CO. JAIL
 STAFF. W.S.P R&R STAFF ACKNOWLEDGED THIS FACT & TOLD ME MARSHALS WOULD PICK ME UP
 ON "2-10-14." I WROTE A 602 FORM & OFFICER STATED A FALSE ORDER I AM HERE ON! PLEASE HEL

Do not write below this line if more space is required, write on back

INTERVIEWED BY:	DATE
-----------------	------

DISPOSITION

F. FELICIANO / T. SHULTZ,
 'APPEALS COORDINATOR'

MARCH 7, 2014

My name is David Ray Sanchez Jr. I was there in your reception center under false commitment/charges, false cdc # AS-5565. While there I exhausted your 602 appeal process which was at its last steps when I left your institution via custody of Kings Co. jail by the order of a Federal parole hold from the U.S. Marshals. Upon leaving I stressed the vital importance of tracking down my "602 form" with a log number: WSP-D-14-00598. All my efforts were suppressed by almost every staff member present at R&R. (T. GAETA a Sgt. & other staff members) And so right before I exited R&R T. GAETA and a female officer assured me that my 602 would be re-routed to me at Kings Co. jail. I then told them I would be leaving Kings Co. jail anytime & possibly going to Fresno Co. jail under the custody of U.S. Marshals. T. Gaeta and staff present said don't worry it would be re-routed to you. By this time my efforts were exhausted to my full capability and Kings Co. officers had me in their custody pushing me to stop. As R&R staff seemed to have everything resolved. And my efforts understood.

I had my family members (Mother & Father) follow up on my 602 log # WSP-D-14-00598 and W.S.P. personel denied them of any documents on my behalf. "Where is this particular 602 Form? Why havent I received it?" I followed all exhaustive measures as stated in my first level responce & have proof. Please foward all responces & documents on record or "in your possession" on my 602 Appeal case log number: WSP-D-14-00598 as soon as possible to: 1069 LESLIE LN.
 HANFORD, CA. 93230 phone #(559) 572-4733 / ANTONIA OLIVERA. THANK YOU,
 David Ray Sanchez Jr.

Case 1:14-cv-00594-MJS Document 1 Filed 04/24/14 Page 19 of 25

IAB USE ONLY

Institution/Parole Region

Log

Category

FOR STAFF USE ONLY

You may appeal any California Department of Corrections and Rehabilitation (CDCR) decision, action, condition, policy or regulation that has a material adverse effect upon your welfare and for which there is no other prescribed method of departmental review/remedy available. See California Code of Regulations, Title 15, Section (CCR) 3084.1. You must send this appeal and any supporting documents to the Appeals Coordinator (AC) within 30 calendar days of the event that lead to the filing of this appeal. If additional space is needed, only one CDCR Form 602-A will be accepted. Refer to CCR 3084 for further guidance with the appeal process. No reprisals will be taken for using the appeal process. - I AM NOT SUBJECT TO CCR 3084 ETC.

Appeal is subject to rejection if one row of text per line is exceeded.

WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First): SANCHEZ JR., DAVID RAY	CDC Number: NOT VALID AS-5565	Unit/Cell Number: N/A D3 2164	Assignment: N/A
------------------------------------------------------	-----------------------------------------	-----------------------------------------	---------------------------

State briefly the subject of your appeal (Example: damaged TV, job removal, etc.): **STRESS & DURESS, ALL SUBJECTS OF APPEAL STATED ON CDC 602 LOG NUMBER: WSP-D-14-00598 AS WELL AS 6th A: EMBARRASSMENT, HUMILIATION AND COLOR OF LAW. FALSE IMPRISONMENT. 8th APRIL**

A. Explain your issue (If you need more space, use Section A of the CDCR 602-A): **I HAVE RECENTLY FILED A 602 FORM WITH LOG NUMBER: WSP-D-14-00598 BEFORE LEAVING WASCO R#R, I STRESSED THE IMPORTANCE OF THIS PARTICULAR 602 FORM BEING GIVEN TO ME BEFORE I LEAVE. I MADE VARIOUS STAFF -CONTINUED**

B. Action requested (If you need more space, use Section B of the CDCR 602-A): **MY 602 FORM LOG NUMBER WSP-D-14-00598 AND ALL RESPONSES / REJECTIONS, SUPPORTING DOCUMENTS ATTACHED ETC. AS WELL AS AN INDEPTH DETAILED REPORT ON HOW I STAYED FALSELY IMPRISONED, INCRIMINATED/WRONGLY INCARCERATED WHILE SUFFERING SEVERE EMOTIONAL DISTRESS INJURY, PAIN AND SUFFERING, DURESS; AS WELL AS DEFAMATION OF CHARACTER WITH CRUEL AND UNUSUAL PUNISHMENT UPON MY PERSON. I AM ALSO REQUESTING WHAT LED TO MY ORDER OF RELEASE? AS KINGS CO. JAIL WILL VERIFY. I WOULD LIKE A TIMELY RESPONSE TO BE SENT TO:**

Supporting Documents: Refer to CCR 3084.3. **"1069 LESLIE LN." FOR I MAY BE RELEASED - HANFORD, CA 93230 - SOON.**

Yes, I have attached supporting documents.

List supporting documents attached (e.g., CDC 1083, Inmate Property Inventory; CDC 128-G, Classification Chrono):

DOCUMENTS ATTACHED TO 602 FORM LOG NUMBER: WSP-D-14-00598 **DOCUMENTS ATTACHED TO 602 FORM LOG NUMBER: WSP-D-14-00598**

No, I have not attached any supporting documents. Reason: _____

Inmate/Parolee Signature: *David Ray Sanchez Jr.* Date Submitted: 4-11-14

By placing my initials in this box, I waive my right to receive an interview.

STAFF USE ONLY

C. First Level - Staff Use Only Staff - Check One: Is CDCR 602-A Attached? Yes No

This appeal has been:

Bypassed at the First Level of Review. Go to Section E.

Rejected (See attached letter for instruction) Date: _____ Date: _____ Date: _____ Date: _____

Cancelled (See attached letter) Date: _____

Accepted at the First Level of Review.

Assigned to: _____ Title: _____ Date Assigned: _____ Date Due: _____

First Level Responder: Complete a First Level response. Include interviewer's name, title, interview date, location, and complete the section below.

Date of Interview: _____ Interview Location: _____

Your appeal issue is: Granted Granted in Part Denied Other: _____

See attached letter. If dissatisfied with First Level response, complete Section D.

Interviewer: _____ Title: _____ Signature: _____ Date completed: _____
(Print Name)

Reviewer: _____ Title: _____ Signature: _____
(Print Name)

Date received by AC: _____

AC Use Only
Date mailed/delivered to appellant ____/____/____

Section A of the CDCR 602-A' continued --

OFFICERS AWARE AND WAS CONTINUOUSLY PUT OFF OR IGNORED, A FEW WHO RESPONDED SAID THEY WONT BE ABLE TO LOCATE IT. I TOLD THEM IT SHOULD OF BEEN ALREADY RETURNED TO ME FOR APPEALING THE REJECTION BY APPEALS COORDINATORS F. FELICIANO AND T. SCHULTZ. OFFICERS CONTINUOUSLY SUPPRESSED AND NEGLECTED MY REQUESTS. ONE OFFICER IN R^{ER} OF WHOM I WAS ABLE TO SET HIS NAME AND LOG/REMEMBER IT;

[REDACTED]

AND SO I WAS TRANSPORTED TO KINGS CO. JAIL, WHILE THERE I NEVER I NEVER RECEIVED MY 602 FORM. I'VE CALLED MY PARENTS AND HAD THEM CONTACT WASCO R^{ER} ON VARIOUS OCCASIONS TO NO AVAIL. KERN CO. JAIL PHONE RECORDING LOGS WILL VERIFY SUCH. I'VE WROTE W.S.P'S WARDEN AND APPEALS COORDINATORS TO NO AVAIL/NO RESPONCE IN NEGLIGENTLY IGNORING MY CONSTITUTIONAL RIGHTS VIOLATIONS / DUE PROCESS CLAUSE. I THEN ASKED MY PARENTS TO CONTINUE TO CONTACT THESE APPEALS COORDINATORS REGARDING "MY RESPONCE" AND FINALLY MY MOTHER SPOKE WITH BIAS APPEALS COORDINATORS F. FELICIANO AND T. SCHULTZ AND THEY TOLD MY MOTHER THAT MY APPEALS WERE NOT AVAILABLE DUE TO WATER DAMAGE! PRIOR TO THIS I WROTE "CHIEF INMATE APPEALS BRANCH IN SACRAMENTO ON 3-29-14 AND AM STILL AWAITING A RESPONCE. WHERE IS MY 602 FORM? AND OR USABLE REMAINS? NOT ONLY IS MY 602 FORM

SECTION A of the CDCR 602-A² CONTINUED —

— LOG NUMBER WSP-D-14-00598 IN FILE I ALSO ATTACHED IMPORTANT SUPPORTING DOCUMENTS THAT VERIFY MY CLAIM. ARE THEY SUPPOSEDLY WATER DAMAGED AS WELL? ATTACHED ARE MY CASE DISMISSAL/ORDER OF RELEASE DOCUMENT WITH ATTORNEY'S CONTACT INFORMATION LISTED AND MY COURT/CASE MINUTE ORDERS THAT PROVE I HAVE NO CASES PENDING OR COMMITMENTS TO ST. PRISONS OR COUNTY JAILS, OR ANY FALSE CASE NUMBERS ATTACHED TO MY PERSON. ON 2-7-14 R&R STAFF/ AND SERGEANT VERIFIED MY CLAIM/ INNOCENCE AFTER I STRESSED THE FACT THAT I WAS UNDER THE FALSE ASSUMPTION BY KINGS CO. JAIL STAFF THAT I WAS GOING TO BE DOING A LAY OVER. AND AFTER GIVING THEM ALL INFORMATION TO VERIFY MY CLAIM (FEDERAL NUMBER, D-O-B-, FULL NAME "AGAIN"; CASE NUMBER AND DISMISSAL DATE.) THEY SAID KINGS CO. OR THE MARSHALS WOULD BE PICKING ME UP THE FOLLOWING MON. 2-10-14. WHAT HAPPENED? WHY AFTER CONTINUOUSLY STRESSING THE FACT TO VARIOUS STAFF AND EMPLOYEES EXHAUSTING ALL ADMINISTRATIVE REMEDIES, STRESSING AND WRITING VARIOUS AGENCIES/602'S AND WAS STILL BEING HOUSED ON LOCKDOWN IN ST. PRISON FOR NO REASON? IT TOOK ME TO WRITE VARIOUS LETTERS HOME TO GET MY FAMILY INVOLVED, STRESSING AND BURDENSOME TO PUSH THE ISSUE OF GETTING ME OUT OF ST. PRISON CUSTODY AND FINALLY KINGS CO. COMES PICKS ME UP AND WASCO ST. PRISON FINALLY RELEASES ME? WHY DID IT TAKE MY FAMILIES CONTINUOUS EFFORTS TO ORDER MY RELEASE? HOW WAS WASCO ST. PRISON STAFF NOTIFIED TO FINALLY ORDER MY RELEASE FROM THEIR CUSTODY? WHY WAS MY ACTIONS CONTINUOUSLY SUPPRESSED AND NEGLECTED BY STAFF HUMILIATING AND EMBARRASSING ME, LOOKING AT ME AS IF I WAS MENTALLY ILL WHEN I STRESSED THE

SECTION A of the CDCR 602-A³ CONTINUED —

— SEVERITY OF MY ISSUES. IS THIS PROFESSIONAL "CORRECTIONAL OFFICER" CONDUCT? IS THIS 602 APPEAL FORM GOING TO GET WATER DAMAGED AS WELL? APPEAL COORDINATOR'S ACTIONS AND NEGLECT PROVE THEIR ACTING UNDER COLOR OF LAW!

ALL STATED IS APPLICABLE TO 602 FORM LOG NUMBER:

WSP-D-14-00598

David Ray Sanchez Jr.

DATE SUBMITTED

4-11-14

Kern County Sheriff's Department

Department De El Sherife De El Condado De Kern
Facilidad De Detencion

3-14-14

DAVID RAY JANCHEZ

Date / Fecha

Name / Nombre

2061885

D-106

Booking #
Numero

Housing Location - Situacion De Casa

Appeal - Apelacion

Review - Revista

Discipline - Disciplina

Classification - Clasificacion
Classification may be reviewed every 30 days
Clasificaciones pueden ser revistados cada 30 dias

Request - Peticion

What is my outdate?
Que es mi fecha de salida?

Please re-figure my outdate
Por favor re-figure mi fecha de salida

Other (Explain in space provided below)
Otro (Explice en espacio proveido abajo)

Comments - Comentario

LEGAL MAIL ENVELOPE PLEASE.

Review/Appeal Findings - Revista/Encontrado De Apelacion

1 sm. envelope

[Signature]

Name of Sheriff's Representative

MAR 17 2014

Sheriff's Facility 580 2320 1205L (2/91)

Kern County Sheriff's Department

Department De El Sherife De El Condado De Kern
Facilidad De Detencion

3.15.14

DAVID RAY SANCHEZ JR.

Date / Fecha

Name / Nombre

Booking #
Numero

Housing Location - Situacion De Casa

Appeal - Apelacion

Request - Peticion

Review - Revista

What is my outdate?
Que es mi fecha de salida?

Discipline - Disciplina

Please re-figure my outdate

Classification - Clasificacion

Por favor re-figure mi fecha de salida

Classification may be reviewed every 30 days
Clasificaciones pueden ser revistados cada 30 dias

Other (Explain in space provided below)
Otro (Explice en espacio proveido abajo)

Comments - Comentario

A LEGAL RESEARCH FORM
PLEASE (L.R.A FORM) THANK YOU.

David Ray Sanchez Jr.

Review/Appeal Findings - Revista/Encontrado De Apelacion

Attached

MAR 17 2014

J. [Signature]
Name of Sheriff's Representative