

PETER ANAYA AV1189
 Name and Prisoner/Booking Number
 C-SAT/F SP
 Place of Confinement
 P.O. BOX 5248
 Mailing Address
 CORCORAN, CALIF 93212
 City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)

FILED
 JUL 13 2016
 CLERK U.S. DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
 BY *[Signature]*
 DEPUTY CLERK

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

RECEIVED

JUL 13 2016
 CLERK U.S. DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
 BY *[Signature]*
 DEPUTY CLERK

PETER ANAYA AV1189
(Full Name of Plaintiff) Plaintiff,

CDCR

v.

CASE NO. 1:16-CV-00040-MJS

(To be supplied by the Clerk)

- (1) R. VAN VUGT)
(Full Name of Defendant))
- (2) C. GRAY)
- (3) T. LUCERO)
- (4) W.S. WADKINS)
& OTHERS Defendant(s).)

Check if there are additional Defendants and attach page 1-A listing them.

CIVIL RIGHTS COMPLAINT
BY A PRISONER
~~JURY DEMAND: JURY TRIAL DEMANDED~~

- Original Complaint.
- First Amended Complaint
- Second Amended Complaint

SIXTH AMENDED CIVIL RIGHTS COMPLAINT

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:
 - 28 U.S.C. § 1343(a); 42 U.S.C. § 1983
 - 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).
 - Other: 42; USC: 1983 & STATE TORT CLAIMS ARE BEING RAISED AS WELL UNDER PENDANT JURISDICTION.
2. Institution/city where violation occurred: CALIFORNIA SUBSTANCE ABUSE TREATMENT FACILITY: STATE PRISON AT CORCORAN

ECF NO. 47 AT. 5 ECF NO 79 AT 3; ECF NO. 85. AT 2.....

PETER ANAYA AV1189

Name and Prisoner/Booking Number

C-SAT-F/SP

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

PETER ANAYA AV1189

(Full Name of Plaintiff)

Plaintiff,

CDCR

v.

CASE NO. 1:16-CV-00040-MJS

(To be supplied by the Clerk)

(1) (5) A. TUZON

(Full Name of Defendant)

(2) (6) S. NELSON

(3) (7) A. CORONADO

(4) (8) J. BARRIOS

& OTHERS... Defendant(s).

Check if there are additional Defendants and attach page 1-A listing them

CIVIL RIGHTS COMPLAINT BY A PRISONER

JURY DEMAND - JURY TRIAL DEMANDED

Original Complaint

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A. JURISDICTION

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Other: 42 USC & 1983 and STATE TORT CLAIMS ARE BEING RAISED AS WELL UNDER PENDANT JURISDICTION.

2. Institution/city where violation occurred: CALIFORNIA - SUBSTANCE - ABUSE - TREATMENT - FACILITY, STATE - PRISON, AT CORCORAN...

ECF NO 47 AT 5 ECF NO 79 AT 3. ECF NO.85 AT 2..

PETER ANAYA AV1189
 Name and Prisoner/Booking Number
C-SAT-F/SP
 Place of Confinement
P.O. BOX 5248
 Mailing Address
CORCORAN, CALIF 93212
 City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)

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

PETER ANAYA AV1189)
 (Full Name of Plaintiff) Plaintiff,)
 v.)
 CDCR)
 (1) (9) C.MARQUEZ)
 (Full Name of Defendant))
 (2) (10) F.URIBE)
 (3))
 (4))
 TEN-NAMED Defendant(s).)
 Check if there are additional Defendants and attach page 1-A listing them.

CASE NO. 1:16-CV-00040-MJS
(To be supplied by the Clerk)

**CIVIL RIGHTS COMPLAINT
BY A PRISONER**

~~JURY DEMAND: JURY TRIAL DEMANDED~~

- Original Complaint
- First Amended Complaint
- Second Amended Complaint

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:
 - 28 U.S.C. § 1343(a); 42 U.S.C. § 1983.
 - 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).
 - Other: 42 USC& 1983 AND STATE TORT CLAIMS ARE BEING RAISED AS WELL UNDER PENDANT JURISDICTION..
2. Institution/city where violation occurred: CALIFORNIA-SUBSTANCE-ABUSE-TREATMENT-FACILITY, STATE-PRISON, AT CORCORAN
ECF NO 47 AT 5. ECF NO 79 AT 3 ECF NO.85 AT 2...

B. DEFENDANTS

1. Name of first Defendant: R. VAN VUGT. The first Defendant is employed as:
CDCR-CORRECTIONAL-OFFICER at C-SATF/SP 900 QUEBEC AVE
(Position and Title) P.O. BOX 7100 corcoran, ca 93212 (Institution)
HEREBY IS SUED IN HIS INDIVIDUAL AND OFFICIAL CAPACITY
2. Name of second Defendant: C. GRAY. The second Defendant is employed as:
CDCR-SERGEANT at C-SATF/SP P.O. BOX 7100
(Position and Title) 900 QUEBEC AVE CORCORAN, CA 93212 (Institution)
HEREBY IS SUED IN HIS INDIVIDUAL AND OFFICIAL CAPACITY
3. Name of third Defendant: T. LUCERO. The third Defendant is employed as:
CDCR-CORRECTIONAL-OFFICER at C-SATF/SP P.O. BOX 7100
(Position and Title) 900 QUEBEC AVE CORCORAN, CA 93212 (Institution)
HEREBY IS BEING SUED IN HIS INDIVIDUAL AND OFFICIAL CAPACITY
4. Name of fourth Defendant: W.S. WADKINS. The fourth Defendant is employed as:
CDCR-LIEUTENANT at C-SATF/SP P.O. BOX 7100
(Position and Title) 900 quebec ave CORCORAN, CA 93212 (Institution)
HEREBY IS BEING SUED IN HIS INDIVIDUAL AND OFFICIAL CAPACITY

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? Yes No
2. If yes, how many lawsuits have you filed? 1. Describe the previous lawsuits:
 - a. First prior lawsuit:
 1. Parties: PETER ANAYA v. CDCR
 2. Court and case number: 1-16 CV-00040-MJS
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) STILL PENDING.
 - b. Second prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - c. Third prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

B. DEFENDANTS

5. Name of first Defendant: S. NELSON The first Defendant is employed as:
CDCR-CORRECTIONAL-OFFICER at C-SATF/SP P.O. BOX 7100
(Position and Title) 900 QUEBEC AVE CORCORAN, CA (Institution) 93212

HEREBY IS BEING SUED IN HIS INDIVIDUAL AND OFFICIAL CAPACITY

6. Name of second Defendant: A. TUZON The second Defendant is employed as:
CDCR-CORRECTIONAL-OFFICER at C-SATF/SP P.O. BOX 7100
(Position and Title) 900 QUEBEC AVE CORCORAN, CA (Institution) 93212

HEREBY IS BEING SUED IN HIS INDIVIDUAL AND OFFICIAL CAPACITY

7. Name of third Defendant: J. BARRIOS The third Defendant is employed as:
CDCR-CORRECTIONAL-OFFICER-Sergeant at C-SATF/SP P.O. BOX 7100
(Position and Title) 900 QUEBEC AVE CORCORAN, CA (Institution) 93212

HEREBY IS BEING SUED IN HIS INDIVIDUAL AND OFFICIAL CAPACITY

8. Name of fourth Defendant: C. MARQUEZ The fourth Defendant is employed as:
CDCR-CORRECTIONAL-OFFICER at C-SATF/SP P.O. BOX 7100
(Position and Title) 900 quebec ave CORCORAN, CA (Institution) 93212

HEREBY IS BEING SUED IN HIS INDIVIDUAL AND OFFICIAL CAPACITY

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? Yes No

2. If yes, how many lawsuits have you filed? 1. Describe the previous lawsuits:

a. First prior lawsuit:

- 1. Parties: PETER ANAYA v. CDCR
- 2. Court and case number: 1-16-CV-00040-MJS
- 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) STILL-PENDING

b. Second prior lawsuit:

- 1. Parties: _____ v. _____
- 2. Court and case number: _____
- 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

c. Third prior lawsuit:

- 1. Parties: _____ v. _____
- 2. Court and case number: _____
- 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

B. DEFENDANTS

9. Name of first Defendant: A. CORONADO. The first Defendant is employed as:
CDCR-CORRECTIONAL OFFICER at C-SATF/SP P.O. BOX 7100
(Position and Title) 900 QUEBEC AVE CORCORAN, CA 93212 (Institution)
HEREBY IS BEING SUED IN HIS INDIVIDUAL AND OFFICIAL CAPACITY
10. Name of second Defendant: F. URIBE. The second Defendant is employed as:
CDCR-CORRECTIONAL OFFICER at C-SATF/P.O. BOX 7100
(Position and Title) 900 QUEBEC AVE CORCORAN, CA (Institution) 93212
hereby is being sued his individual and official capacity
3. Name of third Defendant: _____ . The third Defendant is employed as:
_____ at _____
(Position and Title) (Institution)
4. Name of fourth Defendant: _____ . The fourth Defendant is employed as:
_____ at _____
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? Yes No
2. If yes, how many lawsuits have you filed? 1. Describe the previous lawsuits:
- a. First prior lawsuit:
1. Parties: PETER ANAYA v. CDCR
 2. Court and case number: 1=16-CV-00040-MJS
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?)
STILL-PENDING
- b. Second prior lawsuit:
1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
- c. Third prior lawsuit:
1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

CLAIM

1. State the constitutional or other federal civil right that was violated: UNITED STATE CONSTITUTION AND BILL OF RIGHTS HAVE BEEN VIOLATED.

2. **Claim I.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- Basic necessities
- Disciplinary proceedings
- Excessive force by an officer
- Mail
- Property
- Threat to safety
- Access to the court
- Exercise of religion
- Other: CONSTITUTION AND LAW, BILL OF RIGHTS WERE VIOLATED
- Medical care
- Retaliation

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments. THE FACTS ALLEDGED IN THESE ACTIONS-ARISE-OUT-OF-THE-SAME TRANSACTION OR OCCURANCES, OR SERIES OF TRANS-ACTIONS OR OCCURENCES. THE TEN-NAMED-DEFENDANTS..CDCR-CORRECTIONAL-OFFICERS 1) R.VAN VUGT 2) SERGNT, C.GRAY 3)C/O, T.LUCERO 4)C/OS.NELSON 5)Lt.W.S. WADKINS 6)C/O A.TUZON 7)C/O A.CORONADO 8)SERGENT, J.BARRIOS 9) C/O C.MARQUEZ 10) F.URIBE, ACTING-UNDER-THE-COLOR-OF STATE-LAW, HAVE EACH-PERSONALLY-PARTICIPATED IN THE DEPRIVATION OF PRISONERS PLAINIFF Mr.ANAYA'S CONSTITUTIONAL-RIGHTS. THE TEN-NAMED-DEEENDANTS CDCR-CORRECTIONAL-OFFICERS CONTINUE TO USE THE CDCR-STATE-COMPUTER, PLAINTIFF MENTAL-HEALTH-CONFIDENTIAL-RECORDS ON PREMISES TO DEPRIVE-THE-PLAINIFF Mr.ANAYA-AV1189 OF CONSTITUTIONAL-RIGHTS AT CALIFORNIA-SUBSTANCE-ABUSE TREATMENT-FACILITY STATE-PRISON AT CORCORAN, IT'S A LAW-SUIT-AGAINST-CDCR ADDRESSING CONDITIONS-OF-CONFINMENT, DEPRIVATION-OF-CONSITUTIONAL-RIGHTS, AND ABUSE BY CDCR-OFFICERS AT CDCR.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s). PLAINIFF HAS BEEN SUBJECTED THE DEPRIVATION OF RIGHTS SECURED BY THE UNITED STATES CONSTITUTION AND LAW, AND AT-ALL-TIMES, BY PERSONS ACTING-UNDER-COLOR-OF STATE-LAW(CIVIL CASE)1-16-CV-00040-MJS

5. **Administrative Remedies:**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- b. Did you submit a request for administrative relief on Claim I? Yes No
- c. Did you appeal your request for relief on Claim I to the highest level? Yes No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. DUE-TO-NO-FALUT-OF-PRISONER- PLAINIFF, Mr.ANAYA AV1189 HAS NOT BEEN ABLE TO EXHAUST THE INMATE-GRIEVANCE-PROCEDURE.THE TEN-NAMED-DEFENDANTS CDCR-CORRECTIONAL-OFFICERS ARE NOT GIVING ME OR PROCESSING MY-CDCR-602-APPEAL RESPONCES IS VIOLATION OF CDCR RULES AND PLANIFFS RIGHTS OR ACCESS TO THE U.S. COURT HAS BEEN OBSTRUCTED ON NON-FRIVOLOUS CLAIMS, LAWSUIT

CLAIM II

1. State the constitutional or other federal civil right that was violated: United States Constitution and law, were violated. Libel/slander-Due-process-of-law on this Civil-action were violated.

2. **Claim II.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- Basic necessities
- Disciplinary proceedings
- Excessive force by an officer
- Mail
- Property
- Threat to safety
- Access to the court
- Exercise of religion
- Other: United States Constitution was VIOLATED
- Medical care
- Retaliation

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim II. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

The ten-named-defendants/CDCR-Officers, acting under the color of State-law continue to have unauthorized access with intentional misconduct to CDCR// Computerized Plaintiffs - Mental-health-records on premises and have typed "falsle information on permanent archives (MHSDS). A legal wrong, like if plaintiff had committed a crime, indicted or condemned. The ten-named-defendants CDCR/Officers have "falsely-typed That I sexual-ly-abused-a-child-at-conditions of confinement (to harrass plaintiff Mr. Anaya AV1189, or that I was a victim of sexually abused-of-Grand-pa, and thats a legal-wrong. The ten-named-defendants-CDCR/Officers action are libel/slander and have complete disregard for plaintiffs civil-protection rights. Fact: Plaintiffs background history; plaintiff Mr. Anaya AV1189 has "no-sex-offences". Petty-theft, domestic-violence and my incident-against-a-child-was-physical, not-sexual" in the year 2002, and up-to-date plaintiff Mr. Anaya AV1189 has no children with physical history only..period, The U.S. COURT may obtain plaintiff RAP-SHEET...

The TEN-NAMED-DEFENDANTS = CDCR/OFFICERS, ACTIONS SUBJECTED PLAINTIFF TO THE DEPRIVATION OF ANY RIGHT, PRIVILEGES, OR IMMUNITIES SECURED BY THE CONSTITUTION AND LAW, BY PERSONS ACTING UNDER COLOR OF STATE-LAW, AT C-SAT-F/SP AT CORCORAN

4. **Injury** State how you were injured by the actions or inactions of the Defendant(s). Plaintiff has been subjected to the deprivation of any right, privileges or immunities secured by the Constitution and Law, by persons acting under color of law. The defendants CDCR/Officers acts violated plaintiff due process-of-law - an-a-Civil-action (libel/slander)

5. **Administrative Remedies.**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- b. Did you submit a request for administrative relief on Claim II? Yes No
- c. Did you appeal your request for relief on Claim II to the highest level? Yes No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. (Due to no-fault-of-prisoner/plaintiff Mr. Anaya AV1189, has not been able to exhaust the Inmate grievance-procedure. The ten-named-

defendants CDCR/Officers are not processing my Administrative - appeal and have obstructed plaintiffs rights of 4/13 access to The United States Courts on non-frivolous claims...CIVIL CASE 1-16-CV-00040-MJS

CLAIM III

1. State the constitutional or other federal civil right that was violated: United States Constitution, and Bill of rights have been violated.

2. **Claim III.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- Basic necessities
- Disciplinary proceedings
- Excessive force by an officer
- Mail
- Property
- Threat to safety
- Access to the court
- Exercise of religion
- Other: Constitution/Bill of rights violation...
- Medical care
- Retaliation

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim III. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

The ten named defendants, CDCR/officers, (1) Van Vugt (2) Sergeant C. Gray (3) Lt. W.S. Wadkins (4) co/ S. Nelson (5) co/ T. Lucero (6) co/ A. Coronado (7) Sergeant J. Barrios (8) co/ F. Uribe (9) co/ C. Marquez (10) A. Tuzon.

Acting under color of state law, continue to have improper entries into plaintiffs' CDCR/computerized confidential Mental Health Records, and have typed false information on permanent archives, a legal wrong. The ten named defendants CDCR/correctional officers acting under color of State Law have typed false Sexual contents, like if plaintiff had committed a crime, like being charged or indicted, and that's a legal wrong, because plaintiffs back-ground-history/domestic violence, physical history only period. Plaintiff Mr. Anaya AV1189 has been subjected to the deprivation of any privileges or immunities secured by The United States CONSTITUTION NAD LAW.

The TEN-NAMED-DEFENDANTS = CDCR-OFFICERS ACTIONS HAVE SUBJECTED PLAINTIFF TO THE DEPRIVATION OF ANY RIGHT PRIVILEGES, IMMUNITIES SECURED BY THE CONSTITUTION AND LAW, AND AT ALL TIMES, BY PERSONS ACTING UNDER COLOR OF STATE LAW.

4. **Injury** State how you were injured by the actions or inactions of the Defendant(s).

Plaintiff has been subjected to the deprivation of any privileges or rights immunities secured by the Constitution, and law by persons acting under color of State law. Plaintiffs character has been defamed, libel, slandered

Plaintiff has been the subject/victim of discrimination/harrasment.

5. **Administrative Remedies.**

AT CONDITIONS-OF-CONFINEMENT-C-SAT-F/SP.

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- b. Did you submit a request for administrative relief on Claim III? Yes No
- c. Did you appeal your request for relief on Claim III to the highest level? Yes No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not.

Due to no-fault-of-prisoners Plaintiff Mr. Anaya has been unable to exhaust the inmate-grievance-procedure, because the ten-named-defendants-CDCR/correctional officers have obstructed plaintiffs right of

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.

access to the United States Courts on non-frivolous claims, Civil rights action

D. CAUSE OF ACTION

CLAIM

1. State the constitutional or other federal civil right that was violated: EIGHT AMENDMENT VIOLATION AND STATE TORT CLAIMS ARE BEING RAISED AS WELL

2. **Claim I.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- Basic necessities
- Disciplinary proceedings
- Excessive force by an officer
- Mail
- Property
- Threat to safety
- Access to the court
- Exercise of religion
- Other: EIGHTH AMENDMENT VIOLATION & STATE TORT CLAIMS
- Medical care
- Retaliation

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

THE FACTS ALLEGED THAT THESE ACTIONS ARISE OUT OF THE SAME TRANSACTIONS OR OCCURENCES, THE TEN-NAMED DEFENDANTS, CDCR-CORRECTIONAL OFFICERS, ACTING UNDER COLOR OF STATE-LAW, HAVE EACH PERSONALLY PARTICIPATED IN THE DEPRIVATION OF PLAINTIFF, CONSTITUTIONAL RIGHTS, AND LAW, AND HAVE BEEN CONTAMINATING PLAINTIFF'S FOOD TRAY WITH (FECES). DUE TO WRONGFUL OR NEGLIGENT ACT OF THE TEN NAMED DEFENDANTS- CDCR-CORRECTIONAL OFFICERS. PLAINTIFF HAS BEEN SUBJECTED TO EMOTIONAL, PSYCHOLOGICAL DISTRESS, AND PERSONAL INJURY. IT CAUSED INJURY TO PLAINTIFF'S HEALTH. SYMPTONS OF NAUSEA, STOMACH-ACHES VOMITING, AND MIGRAINES. GENERAL DAMAGES, PLAINTIFF HAVE BEEN SUBJECTED TO EMOTIONAL AND MENTAL ABUSE. PLAINTIFF WAS SUBJECTED TO PERSONAL INJURY WITH FOOD TRAY AND GENERAL DAMAGES AS A RESULT OF THE TEN NAMED DEFENDANTS. CDCR-CORRECTIONAL OFFICERS MISCONDUCT COMMITTED WITH DELIBERATE INDIFFERENCE?

Plaintiff has sought Medical, and Mental Health Care with a nurse and a Professional Mental Health Clinician. For general damages, and personal injury due to the wrongful or negligent act of The Ten-Named-defendants, CDCR-OFFICERS AT C-SATF/SP AT CORCORAN.....

PLAINTIFF PROPERLY PRESENTED HIS CLAIMS TO THE GOVERNMENT CLAIMS PROGRAM

4. **Injury** State how you were injured by the actions or inactions of the Defendant(s). THE ACTIONS OF THE DEFENDANTS. CDCR-CORRECECTIONAL OFFICERS SUBJECTED PLAINTIFF TO PERSONAL INJURY WITH FOOD TRAY AND GENERAL DAMAGES AS A RESULT OF THE DEFENDANTS, CDCR/CORRECRIONAL OFFICERS DELIBERATE INDIFFERENCES PLAINTIFF IN IMMINENT DANGER

5. **Administrative Remedies:**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- b. Did you submit a request for administrative relief on Claim I? Yes No
- c. Did you appeal your request for relief on Claim I to the highest level? Yes No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. DUE TO NO FAULT OF THE PRISONER: PLAINTIFF, Mr. PETER ANAYA AV1189 HAS NOT BEEN ABLE TO EXHAUST THE APPEAL REMEDIES.

Lt. W.S. WADKINS REFUSED TO PROCESS INMATE APPEALS CDCR-602, DISREGARDED THE PROBLEM, IT CONSTITUTE MISCONDUCT WITH DELIBERATE INDIFFERENCE...

A

CLAIM II

1. State the constitutional or other federal civil right that was violated: VIOLATION OF SECTION 527.6 OF THE CALIFORNIA CODE OF CIVIL PROCEDURE AND CALIFORNIA GOVERNMENT CODE 12940 of CIVIL

2. **Claim II.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- Basic necessities
- Mail
- Access to the court
- Medical care
- Disciplinary proceedings
- Property
- Exercise of religion
- Retaliation
- Excessive force by an officer
- Threat to safety
- Other: DISCRIMINATION/SEXUAL HARRASMENT

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim II. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

Background-history=Plaintiff-Mr.Anaya- AV1189, Inmate-patient has been in CDCR system since the year-2002, and Mental-Health-Services-delivery-system. Plaintiff have had three CDCR/no# AV1189/CDC# T-49420/CDC#AN6316.and I have completed six-CDCR-terms.Convictions=petty-theft,domestic-violence. Physical history-only-period.My current-commitment.offence is for domestic-voilence spousal - 273.My EPRD-DATE 5/16/2025. plaintiff has a long-sentence and is enduring "discrimination/civil-harrasment" at CDCR. It has become a pattern and practice of discrimination at CDCR C-SATF/SP.

The United States COURT may obtained PLAINTIFF'S-KAP-SHEET. PLAINTIFF MR. Anaya AV1189 IS a "NON-SEX-DEFENDER." (NONE) Physical history only period.

Injury State how you were injured by the actions or inactions of the Defendant(s).

The ten-named-defendants-CDCR-Prison-officials-misconduct, violates the Code of Civil procedure & plaintiff has suffered physical & phycological and emotional distress..

5. **Administrative Remedies.**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- b. Did you submit a request for administrative relief on Claim II? Yes No
- c. Did you appeal your request for relief on Claim II to the highest level? Yes No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not.

Due-to-no-fault-of-prisoner -plaintiff, Mr. Anaya AV1189, has been unable to exhaust the administative relief because the ten-named defendants are personally-pparticipating to deprive.plaintiff of his constitutional-rights. Thus have obstructed plaintiffs rights of access to U.S. COURTS.. ON NON-FRIVOLOUS CLAIMS.

CIVIL CASE# 1:16-CV-00040-MJS

CLAIM III

1. State the constitutional or other federal civil right that was violated First, Fifth, and Fourteenth
amendment of The United States Constitution. Bill of rights were violated

2. **Claim III.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- Basic necessities
- Mail
- Access to the court
- Medical care
- Disciplinary proceedings
- Property
- Exercise of religion
- Retaliation
- Excessive force by an officer
- Threat to safety
- Other: _____

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim III. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

Prisoner plaintiff Mr. Anaya AV1189 has a fundamental right to use the Court system. The right is based on the First, Fifth and Fourteenth Amendment to the United States Constitution, under the First Amendment, plaintiff has a right to petition The Government for redress of grievances, and under the Fourteenth amendment, plaintiff has right to Due-process-of-law. The ten-Named-

defendants CDCR/officers, acting under color of State Law, continue to have access with intentional misconduct to CDCR/State-Computerized "plaintiffs-mental-health-records." The ten-named-defendants CDCR/officers have typed "False-sexual-contents," like "if plaintiff has committed a Crime. INDICTED or CONDEMNED"
Depriving plaintiff of the privileges or immunities secured by the Constitution and Law.

THE TEN-NAMED-DEFENDANTS = CDCR-OFFICERS ACTIONS VIOLATED PLAINTIFF'S DUE PROCESS OF LAW ON THIS CIVIL ACTION. NON-FRIVOLOUS CLAIM.

4. ~~Injury~~ State how you were injured by the actions or inactions of the Defendant(s).

Plaintiff has been subjected to the deprivation of any right privileges, or immunities secured by The Constitution and Law. Plaintiff has been obstructed from my right of access to the united states courts for non-frivolous claims.. BY PERSONS-ACTING-UNDER-COLOR-OF-STATE-LAW.

5. **Administrative Remedies.**

DUE PROCESS OF LAW WAS VIOLATED ON A CIVIL ACTION.

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- b. Did you submit a request for administrative relief on Claim III? Yes No
- c. Did you appeal your request for relief on Claim III to the highest level? Yes No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. Due-to-no-fault-of-prisoner-plaintiff Mr. Anaya AV1189 has not been

able to exhaust The administrative-CDC-602-appeal. The ten-named-defendants CDCR-officers are not giving me or, processing my grievances is violation

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page. of CDCR/rules and have obstructed my right of access to The UNITED STATES COURT ON NON-frivolous claims

D. CAUSE OF ACTION

CLAIM I

1. State the constitutional or other federal civil right that was violated. Eighth Amendant claim in the form of deprivation of plaintiffs health ans safety. Libel/Slander.

2. **Claim I.** Identify the issue involved. Check **only one**. State additional issues in separate claims:
- | | | | |
|--|---|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input checked="" type="checkbox"/> Other: <u>Eighth-amendant-violation</u> | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

The ten named-defendants, CDCR-correctional-officers. Acting under color of State law continue to have unathorized access with intentional misconduct to CDCR/computerized "plaintiffs-Mental-Health-records" on-premises to plaintiffs CDCR/numbers, T-49420 / CDCR/AN6316 CDCR/AV1189. MHSDS-records from the year 2002 to 2016-present. libel/slander. The ten named-defendants, CDCR/officers continue to have unathorized-disclosures to Staff and Inmates. To abused-PRISONER-plaintiff Mr. Anaya AV1189 with deliberate, indifference. Plaintiff herien alleges he has been excessively harrassed at C-SATF/SP at Corcoran, Due to the "unconstitutional-conduct" of the ten named-defendants CDCR/officers and officials it has constitute an exessive risk to plaintiffs health, and safety, at the hands of CDCR-Prison-Officials and at the hands of other inmates There has been on going CDCR/custody-staff misconduct.

Plaintiff character has been defamed, libel/slander. Plaintiff has been the Subject/victim of discrimination/sexual-harrasment/threats of violence, verbal harrasment due to the wrongful act or negligent act of the defendants CDCR/Prison-Officials.. ~~at~~ **CONDITIONS-OF-CONFINEMENT?** C-SAT-F/SP

PLAINTIFF IS IN IMMINENT danger.

4. ~~Injury~~ State how you were injured by the actions or inactions of the Defendant(s).
plaintiff character has been defamed, libel/slander/sexual-harssment threats of violence by prison-officils **IS THE RESULT OF THE-TEN-NAMED DEFENDANTS=CDCR-OFFICERS MISCONDUCT WITH DELIBERATE-INDIFFERENCE TO PLAINTIFF'S HEALTH AND SAFETY**

5. Administrative Remedies: **IT CONSTITUTE AN EIGHTH AMENDMENT CLAIM.**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- Did you submit a request for administrative relief on Claim I? Yes No
- Did you appeal your request for relief on Claim I to the highest level? Yes No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. Do to no-fault-of-prisoner plaintiff Mr. Anaya AV1189 has not been able to exhaust the Inmate grievance procedure. Inmate appeals office Plaintiff has submitted several CDCR 602 forms.. Inmate-appeals personally to Lt.W.S.WADKINS and to the other defendants CDCR/prison officials and have known of such risk to plaintiffs Health and safety and have disregarded the problem....

CLAIM II

1. State the constitutional or other federal civil right that was violated: Fourth Amedment, Defamation of character. Cali-code-of-civil-procedure, 45 and 46 libel/slander 527.6 violation.

The United States Constitution was VIOLATED. The DEFENDANTS = CDCR-OFFICERS HAVE MADE DAILY ANNOUNCEMENTS LIKE IF PLAINTIFF WAS CONDEMNED

2. Claim II. Identify the issue involved. Check only one. State additional issues in separate claims.
- | | | | |
|--|---|--|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input checked="" type="checkbox"/> Other: <u>CDCR/STATE-EMPLOYEE-SEXUAL-HARRASSMENT</u> | |

3. Supporting Facts. State as briefly as possible the FACTS supporting Claim II. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

COMMITTED

The ten named defendants CDCR/Officers, acting under color of State law, have State Employee misconduct, and "State Employee Sexual harrasment" by way of discrimination in violation of California Code of Civil Procedure 45 and 46 section 527.6, harrasment (libel/slander) specifically, plaintiff states The ten named defendants/CDCR/Officers use (the cold med list) and "daily" inmate roster names with CDC# to do derogatory name calling "Announments" daily via public address system, for other inmates and staff to hear, indirectly and directly toward plaintiff, like if plaintiff is charged with a crime, indicted or condemned at my condition of confinement? In reviewing the inmates rosters names, The names consist of (SHOMO, SHORT, LITTLE, SMALL, MURPHY, HUGHES, DU-ANUS, RAPER, BALL, SEAMAN, COWART, HUNTER, Mental health file, Diabetic, (for the whole past year 2015/2016) The defendants CDCR/Officers have been engaging in UNCONSTITUTIONAL CONDUCT "at my" condition of confinement "C-SATF/SP at corcoran.

THE DEFENDANTS / CDCR-OFFICERS ACTION HAVE EXCESSIVELY HARRASSED PLAINTIFF AT CONDITIONS OF CONFINEMENT, C-SATF/SP PLAINTIFF HAS BEEN SUBJECTED TO VERBAL HARRASMENT EMOTIONAL, AND PSYCHOLOGICAL DISTRESS. (2015 / 2016) PLAINTIFF HAS BEEN LABELED, AT CONDITIONS OF CONFINEMENT AT CDCR - THROUGH DAILY ANNOUNCEMENTS VIA PUBLIC ADDRESS SYSTEM

4. Injury State how you were injured by the actions or inactions of the Defendant(s). at CDCR.

THE DEFENDANTS CDCR OFFICERS ACTS ARE INTENTIONAL, FALSE, PUBLICATION, DEFAMATORY, UNPRIVILIGDED AND HAS CAUSED INJURY TO PLAINTIFFS REPUTATION IN VOILATION OF CIVIL 45-46 AND SECTION 527.6 LIBEL/SLANDER, PLAINTIFF HAS BEEN LABELED. LABELED, PLAINTIFF HAS BEEN EXCESSIVELY HARRASSED.

5. Administrative Remedies. at CONDITIONS OF CONFINEMENT, CDCR. FOURTEENTH AMPENDMENT DEFAMATION.
- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
 - Did you submit a request for administrative relief on Claim II? Yes No
 - Did you appeal your request for relief on Claim II to the highest level? Yes No
 - If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. Due to no fault of the prisoner/plaintiff Mr. Anaya AV1189

has been unable to exhaust The Administrative relief. Plaintiff has kept the (cold med list) and inmate roster's names that are use excessively to harras plaintiff at conditions of confinement at C-SATF STATE PRISON

CLAIM III

1. State the constitutional or other federal civil right that was violated Eighth-Amendment, claim
creul, and unusual punishment violation/Inadequate Mental-health-care.

2. **Claim III.** Identify the issue involved. Check **only one**. State additional issues in separate claims.
- | | | | |
|--|---|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input checked="" type="checkbox"/> Other: <u>United states constitution.</u> | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim III. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

The ten-named-defendants-CDCR-officers (1) Van Vugt
(2) SGT. C.Gray (3)CO/ T.Lucero (4) Lt.W.S.Wadkins (5) CO/S.Nelson
(6)CO/ A.Coronado (7) CO/A.Tuzon (8) CO/SGT.J.Barrios (9)CO/ C. Marquez
(10) CO/E.Uribe. Acting-under-color-of-State-law, each have denied
and interfered with my Mental-Health-treatment at C-SATF/SP at Corcoran
and have inflicted emotional and Mental-abuse with unusaul-gestures and
verbal-harrasment at conditions-of-confinment? The ten-named-defendants
CDCR/- officers have been informed and have disregarded plaintiffs
Mental-health-complaints. The ten-named-defendants;CDCR-officers.
Misconduct is committed with deliberate-indifference, inadequate
Mental-Health-Care, constitutes and Eighth-Amendment-claim.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).
Plaintiff has been subjected to verbal-harrasment, emotional distress
phycsologigal and mental-trauma, mental-health deteriorates the defendants
action constitutes an Eighth-Amendment-claim....

5. **Administrative Remedies.**
- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
 - Did you submit a request for administrative relief on Claim III? Yes No
 - Did you appeal your request for relief on Claim III to the highest level? Yes No
 - If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. the ten-named-defendants-CDCR-officers are each personally
participating in the deprivation of plainiff Mr.Anaya AV1189
c onstitutional rights and keep inflicting psychological, verbal,

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.
harassment and mental abuse at CDCR.
plaintiff has sought psycological, emotional, mental health with a
Profressional clinician.... ^{care}

D. CAUSE OF ACTION

CLAIM I

1. State the constitutional or other federal civil right that was violated Fourth Amendment violation of The United States Constitution, (unreasonable search and seizures)

2. **Claim I.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- Basic necessities
- Disciplinary proceedings
- Excessive force by an officer
- Mail
- Property
- Threat to safety
- Access to the court
- Exercise of religion
- Medical care
- Retaliation
- Other: FOURTH AMEDMENT VIOLATION.

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

The fourth amendment forbids the government from conducting unreasonable, search and seizures. The Ten-Named-defendants: CDCR/officers (1) R.VAN VUGT (2) SGT. C. GRAY (3) C/O T. Lucero (4) C/O S. Nelson (5) LT. W.S. WADKINS (6) C/O A. Tuzon (7) C/O A. Coronado (8) SGT. J. Barrios (9) C/O C. Marquez (10) C/O F. Uribe, acting under color of State Law, continue to "conduct unreasonable search and seizures" and without a (warrant), in violation of plaintiffs "fourth amendment right". The Ten-Named-defendants/CDCR/officers have installed bugs, concealed hearing devices for eavesdropping in the plaintiffs dorm and to know the plaintiffs whereabouts. CDCR correctional Officers follow the plaintiff where ever he goes even to the toilets to purposely harrass plaintiff. The defendants CDCR/Prison officials had ~~an~~ **UN** Authorized disclosures of CDCR-Prison Abuses, Computerized plaintiffs Mental health records to "STAFF and Inmates" frm (A) Facility to (G) Facility, as unreasonable search. The defendants CDCR-Officers searched plaintiff (bunk) Bed area 20-days each month and leaves it in disarray.

these Unreasonable search and seizures have been CONDUCTED FOR THE WHOLE PAST YEAR 2015-2016 AND ONGOING. AT C-SATF/SP

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s). Plaintiffs character has been defamed. The defendants actions constitute "Libel and slander" at CDCR and Violates The Fourth Amendment.. Unreasonable and seizures of plaintiffs Adult-Life. Its to intrusive, and plaintiff has been excessively harrassed, by the DEFENDANTS - CDCR-OFFICERS.

5. **Administrative Remedies:**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- b. Did you submit a request for administrative relief on Claim I? Yes No
- c. Did you appeal your request for relief on Claim I to the highest level? Yes No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. Due to no-fault Prisoner/plaintiff Mr. Anaya AV1189 has not been able to exhaust The Grievance procedure. Plaintiff has submitted

several CDC/602 Appeal forms regarding Fourth Amendment Violations.. Unreasonable search and seizures.....3

CLAIM II

1. State the constitutional or other federal civil right that was violated: United State Constitution and Bill of rights have been violated.

2. **Claim II.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- Basic necessities
- Disciplinary proceedings
- Excessive force by an officer
- Mail
- Property
- Threat to safety
- Access to the court
- Exercise of religion
- Other: Constitution/Bill of rights violation....
- Medical care
- Retaliation

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim II. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

CALIFORNIA-SUBSTANCE-ABUSE-TREATMENT-FACILITY, STATE-PRISON AT CORCORAN.
IT'S A TRAINING FACILITY FOR CDCR/OFFICERS/rookies and among the general
inmate poplation are CDCR state employees in two-peice-Scrubs.CDCR-jumpsuits
that are acting under color of state law, and are personally participating
in the deprivation of plaintiffs constitutional rights, some of them have
actual CDC# with derogatory names that are used daily VIA-public address
system (loud speakers) as a form to excessively use and harass plaintiff.
For the past year 2015 to 2016, there are 21 unknown CDCR officers among the
general population that I did not name as defendants. It has to do with the
unconstitutional conduct with plaintiffs CDCR mental health records.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

Plaintiff continues to be subjected and deprived of his Civil Rights and
Constitutional rights violation. plaintiff has suffered Psychological and
emotional distress and verbal harrasment/libel /slander....

5. **Administrative Remedies.**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- b. Did you submit a request for administrative relief on Claim II? Yes No
- c. Did you appeal your request for relief on Claim II to the highest level? Yes No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. DUE - TO-NO-FAULT-OF-PRISONER-PLAINTIFF, Mr, ANAYA HAS BEEN

UNABLE TO EXHAUST THE ADMINISTATIVE APPEAL PROCESS.....

CLAIM III

1. State the constitutional or other federal civil right that was violated: Eighth-Amendment violation of The United States Constitution

2. Claim III. Identify the issue involved. Check **only one**. State additional issues in separate claims.

- Basic necessities
- Disciplinary proceedings
- Excessive force by an officer
- Mail
- Property
- Threat to safety
- Access to the court
- Exercise of religion
- Other: _____
- Medical care
- Retaliation

~~Plaintiff's Safety~~

3. Supporting Facts. State as briefly as possible the FACTS supporting Claim III. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

~~The Ten Named-defendants: CDCR/Officers (1) R. Van Vugt (2) C/O T. Lucero (3) SGT. C. Gray (4) C/O, S. Nelson (5) C/O, A. Coronado (6) Lt. W. S. Wadkins (7) C/O, A. Tuzon (8) C/O, C. Marquez (9) SGT. J. Barrios (10) C/O E. Uribe acting under color-of-state-law, in violation of prisoner-plaintiff Mr. Anaya AV1189, Eighth-amendment right, to have personal safety, The Ten Named-defendants: CDCR/Officers have denied my Eighth Amendment right to be free from "cruel and unusual punishment" in the form of deprivation of my personal safety, thus denying a basic human need guaranteed to prisoner, plaintiff by The United states constitution. The Ten Named-defendants CDCR/Officers have been premeditating to kill plaintiff because plaintiff's-Civil-Rights-wre-violated at CALIFORNIA SUBSTANCE ABUSE TREATMENT FACILITY with Mental health records..~~

4. ~~Injury~~ State how you were injured by the actions or inactions of the Defendant(s). plaintiff has been deprived of his Eighth Amendment right to have personal safety. Plaintiff has suffered Psychological, emotional trouble, distress, at the hands of CDCR/Prison Officails... Plaintiff is in Imminent DANGER

5. Administrative Remedies.
- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
 - b. Did you submit a request for administrative relief on Claim III? Yes No
 - c. Did you appeal your request for relief on Claim III to the highest level? Yes No
 - d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. due-to-no-fault-of-the-prisoner-plaintiff Mr. Anaya AV1189 has not been able to exhaust the CDCR 602 Administrative Appeal because The ten-named-defendants, CDCR/Officers are personally-participating in the

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.
 deprivation of plaintiffs constitutional rights at C-SATF/SP at Corcoran ECF NO-47- at 5. ECF NO -79_ AT 3. ECF NO 85 At 2

D. CAUSE OF ACTION

CLAIM I

1. State the constitutional or other federal civil right that was violated: 42 USC 1983 was violated, PLAINTIFF has been the SUBJECT/VICTIM OF DISCRIMINATION / sexual-harrasment at CONDITIONS-OF CONFINEMENT

2. Claim I. Identify the issue involved. Check only one. State additional issues in separate claims.
 Basic necessities Mail Access to the court Medical care
 Disciplinary proceedings Property Exercise of religion Retaliation
 Excessive force by an officer Threat to safety Other: 42 USC 1983 was violated CONSTITUTION

3. Supporting Facts. State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

CALIFORNIA SUBSTANCE ABUSE TREATMENT FACILITY, STATE PRISON, AT CORCORAN. ECF NO. 47 AT 5, ECF NO. 79 AT 3, ECF NO. 85 AT 2 CDCR CONSIST OF SEVEN FACILITIES: FACILITY A THROUGH FACILITY G, THE TEN-NAMED-DEFENDANTS = CDCR OFFICERS, ACTING UNDER COLOR OF STATE LAW, HAVE AND USED (CDCR) DEPARTMENT OF CORRECTIONS, CDCR (ERMS) AND CDCR (SOMS) COMPUTERS TO HELP TRACK EACH PRISONER THROUGHOUT HIS TIME WITHIN CDCR, THESE CDCR STATE COMPUTERS ARE USED DAILY BY THE TEN-NAMED-DEFENDANTS = CDCR OFFICERS TO HAVE UNAUTHORIZED ACCESS WITH INTENTIONAL STATE EMPLOYEE SEXUAL MISCONDUCT TO CDCR PLAINTIFF'S COMPUTERIZED MENTAL HEALTH RECORDS. PLAINTIFF'S CDCR MENTAL HEALTH RECORD ARE PLAINTIFF'S "CONDITIONS-OF-CONFINEMENT" THE DEFENDANTS MISCONDUCT VIOLATED 42 U.S.C 1983, PLAINTIFF'S COMPUTERIZED CDCR MENTAL HEALTH RECORDS ON PREMISES FOLLOWS THE PRISONER PLAINTIFF. WHEREVER HE GOES, EVEN THROUGHOUT THE STATE OF CALIFORNIA. CDCR DEPARTMENT OF CORRECTIONS,

4. Injury. State how you were injured by the actions or inactions of the Defendant(s). permanent Archives
THE DEFENDANTS = CDCR OFFICERS ACTS VIOLATED 42 USC 1983. CONDITIONS-OF-CONFINEMENT I AND PLAINTIFF WAS SUBJECTED TO THE DEPRIVATION OF ANY RIGHT SECURED BY THE CONSTITUTION AND LAW, BY PERSONS ACTING UNDER COLOR OF STATE LAW

5. Administrative Remedies: PLAINTIFF has been the SUBJECT/VICTIM OF harrasment

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- b. Did you submit a request for administrative relief on Claim I? Yes No
- c. Did you appeal your request for relief on Claim I to the highest level? Yes No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not.

THE TEN-NAMED-DEFENDANTS = CDCR OFFICERS ARE USING CDCR COMPUTERIZED CONFIDENTIAL PLAINTIFF'S MENTAL HEALTH RECORDS ON PREMISES TO DEPRIVED PLAINTIFF OF HIS CONSTITUTIONAL RIGHTS, AND CDCR MENTAL HEALTH RECORDS ARE PASSWORD PROTECTED IN ACCORDANCE WITH STATE PROTOCOLS. IT'S A BREACH OF data supposed to be FOR STATE LICENSED PSYCHOLOGIST (State Law VIOLATED) (page 30)

CLAIM III

1. State the constitutional or other federal civil right that was violated: Fourteenth Amendment defamation of character libel/slander, Code of Civil Procedure 45 and 46.

2. Claim III. Identify the issue involved. Check only one. State additional issues in separate claims.

- Basic necessities
- Disciplinary proceedings
- Excessive force by an officer
- Mail
- Property
- Threat to safety
- Access to the court
- Exercise of religion
- ~~Other Fourteenth Amendment~~
- Medical care
- Retaliation

3. Supporting Facts. State as briefly as possible the FACTS supporting Claim III. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

Plaintiff Mr, Anaya AV1189, A human being, with whom The United States Court can identify, a legal entity, (I am straight). I like women period. I have had four WIVES, and up to date Plaintiff Mr. Anaya AV1189 has no (children). Plaintiff's background history; domestic violence, petty theft, Physical history only period, and my Father, nor my Grand-Pa has no criminal history.. Physical history only, and herein alleges Plaintiff, That The Ten Named defendants-CDCR/Officers, acting under color or State Law had improper entries to CDCR/computerized Plaintiffs Mental Health Records and falsely typed that I was (GAY) and defamatory remarks about my Father And Grand-Pa The alleged defendants CDCR/ misconduct constitutes libel/slander because it is a false publication that is unprivileged, It's a Fourteenth amendment claim.

~~4. Injury~~ State how you were injured by the actions or inactions of the Defendant(s).

The Defendants misconduct defames plaintiffs character and my immediate family /libel/slander.. Plaintiff loss a protected liberty interest in conjunction with the allegation of Injury to Plaintiffs Reputation,,

5. Administrative Remedies.

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- b. Did you submit a request for administrative relief on Claim III? Yes No
- c. Did you appeal your request for relief on Claim III to the highest level? Yes No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. DUE TO NO FAULT OF PRISONER/PLAINTIFF MR. ANAYA AV1189 HAS NOT

BEEN ABLE TO EXHAUST THE CDCR/INMATE GRIEVANCE PROCEDURE. THE ACT GIVING

RISE-MY-CIVIL-RIGHTS-COMPLAINT OCCURED ON ARE ABOUT 2015-2016 AT

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.

CALIFORNIA/SUBSTANCE ABUSE TREATMENT FACILITY/ STATE PRISON, AT CORCORAN

D. CAUSE OF ACTION

CLAIM I

1. State the constitutional or other federal civil right that was violated: PLAINTIFF'S, right OF access to the United States Court system has been obstructed VIOLATED IN CONJUNCTION WITH CENSORSHIP OF UNITED STATES POSTAL MAIL -

2. Claim I. Identify the issue involved. Check only one. State additional issues in separate claims.

- Basic necessities
- ~~Mail~~ Access to the court
- Disciplinary proceedings
- Property
- Exercise of religion
- Medical care
- Retaliation
- Excessive force by an officer
- Threat to safety
- Other: _____

3. Supporting Facts. State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

The DEFENDANTS = CDCR-OFFICERS, ① R. VAN VUGT ② SERGEANT, C. Gray, ③ LT, W.S. WADKINS ④ C/O, T. LUCERO, ⑤ C/O, S. NELSON, ⑥ C/O, A. Coronado, ⑦ C/O, A. TUZON, ⑧ SERGEANT, J. BARRIOS, ⑨ C/O, C. Marquez, and ⑩ C/O, F. Uribe, acting under-color-of-STATE-LAW, HAVE OBSTRUCTED PLAINTIFF'S right OF access TO THE UNITED STATES COURT ON NON-FRIVOLOUS CLAIMS (a CIVIL ACTION) by NOT PROCESSING PRISONER-PLAINTIFF'S CDCR 602-APPEALS IN VIOLATION OF California Code of Regulation, and IN VIOLATION OF PLAINTIFF'S CIVIL RIGHTS. CIVIL Case# 1:16-CV-00040-MJS. The DEFENDANTS = CDCR OFFICERS have also giving me opened and read, legal mail IN VIOLATION OF California Code of Regulations. SECTION 3144, and 3160, (a) and The DEFENDANTS = CDCR-OFFICERS have "CENSORED" withheld my IMMEDIATE'S FAMILY MEMBER, ^{Mail} is undelivered especially MY SISTERS, DIANA SANCHEZ ANAYA THAT SENDS ME BOOKS OF STAMPS FOR LEGAL MATTERS, and MAILING COSTS.

4. ~~Injury~~ State how you were injured by the actions or inactions of the Defendant(s).

The DEFENDANTS = CDCR-OFFICERS ACTIONS hindered, and obstructed MY right OF access TO THE UNITED STATES COURT SYSTEM ON NON-FRIVOLOUS CLAIMS (CIVIL ACTION), ~~he~~ and IT'S FUTILE TO exhaust ADMINISTRATIVE REMEDIES. ~~He~~ and have deprived

5. Administrative Remedies: ME OF MY PERSONAL PROPERTY = BOOKS OF STAMPS OF MONETARY VALUE

a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No

b. Did you submit a request for administrative relief on Claim I? Yes No

c. Did you appeal your request for relief on Claim I to the highest level? Yes No

d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. DUE TO NO-FAULT-OF-PRISONER-PLAINTIFF has NOT been able TO exhaust THE INMATE-GRIEVANCE procedure because THE DEFENDANTS = CDCR-OFFICERS, acting under-color-of-STATE-LAW, have each personally participated in the deprivation OF PLAINTIFF'S CONSTITUTIONAL RIGHTS, AND LAW. CIVIL Case# 1:16-CV-00040-MJS. (page 50)

CLAIM II

1. State the constitutional or other federal civil right that was violated: Civil rights act 42 U.S.C. 1983, and State Tort Claims are being raised as well under pendant jurisdiction

2. Claim II. Identify the issue involved. Check only one. State additional issues in separate claims.

- Basic necessities
- Disciplinary proceedings
- Excessive force by an officer
- Mail
- Property
- Threat to safety
- Access to the court
- Exercise of religion
- Other: 42 U.S.C. 1983 and State Tort Claims
- Medical care
- Retaliation

3. Supporting Facts. State as briefly as possible the FACTS supporting Claim II. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

Plaintiff Mr. Anaya AV1189 is bringing a (Lawsuit) pursuant to California State Tort Claims Act for monetary damages, punitive damages and injunctive relief and is being pursued together with a Federal Civil Rights act 42 U.S.C., 1983 under pendant jurisdiction. Civil Case# 1-16-CV-00040-MJS.

Plaintiff Mr. Anaya AV1189 submitted legal documents to the Clerk of the Court reflecting that I have properly presented my Claims regarding improper entries into my CDCR/computerized-Mental-Health-Records and contamination of plaintiffs (FOOD-TRAY) in Facility-(A) dining for several months.. CDCR, Personal injury upon plaintiff was the result of the defendants CDCR/Officers misconduct with deliberate indifference..The plaintiff has properly presented his Claim to Government Claims Program=G-629071 corresspondence letter 99

4. ~~Injury~~ State how you were injured by the actions or inactions of the Defendant(s).

Plaintiff has been subjected to the deprivation of any rights secured by the Constitution and Law, by persons acting under color of State Law.

The defendants CDCR/Officers actions has subjected Plaintiff to Personal injury

5. Administrative Remedies.

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- b. Did you submit a request for administrative relief on Claim II? Yes No
- c. Did you appeal your request for relief on Claim II to the highest level? Yes No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not.

Due to no fault of Prisoner/Plaintiff Mr. Anaya AV1189 has not been able to exhaust My Inmate Grievance Procedure, But have properly presented my Claims to The Government Claims Program(VGGCB) P.O.BOX 3035 California, 95812 THANK -YOU---And in COMPLIANCE with the (CTCA)

CLAIM III

1. State the constitutional or other federal civil right that was violated: United States Consitution and Law were violated

2. Claim III. Identify the issue involved. Check only one. State additional issues in separate claims.

- Basic necessities
- Disciplinary proceedings
- Excessive force by an officer
- Mail
- Property
- Threat to safety
- Access to the court
- Exercise of religion
- Medical care
- Retaliation

~~Other CDCR was housing plaintiff in (TWO) places.~~

3. Supporting Facts. State as briefly as possible the FACTS supporting Claim III. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

The Ten-named-defendants, CDCR/Officers, acting under color of State law are engaged in "unconstitutional-conduct." This Claim is regarding that CDCR/Officers have been primiditating to kill plaintiff or primiditating wrong. The defendants CDCR/Officers had plaintiff housed in two-places. Plaintiff received a CDC-115, dated 3/16/2015, LOG FD-15-03 0030 and under housing No# 4-226 low/ that was incorrect, because I was never housed in building 5-133.. All plaintiff Medical and Mental-health-records, Electronic-Unit-health-records, verified, confirmed that I was always in building (5) during my duration at N.K.S.P. between the date 11/15/2014 thru 3/31/2015. This is an issue I would like to address in this same Lawsuit, because The defendants CDCR/Officers and Prison-Officials can't physically have plaintiff housed in (2) places at CDCR. Its against the Law.

~~Injury~~ State how you were injured by the actions or inactions of the Defendant(s).

The defendants-CDCR/Prison Officials actions demonstrated that CDCR/correctional-Officers had known about the alleged misconduct with CDCR/computerized, plaintiffs Mental-Health-Records. Eight Amendment violation/ Plaintiff to have personal safety..

5. Administrative Remedies.

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- b. Did you submit a request for administrative relief on Claim III? Yes No
- c. Did you appeal your request for relief on Claim III to the highest level? Yes No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. DUE-TO-NO-FAUT-OF-PRISONER/PLAINTIFF HAS NOT BEEN ABLE TO EXHAUST

THE INMATE-GRIEVANCE-PROCEDURE, PLAINTIFF FILED A COMPLIANT WITH (CDCR) DEPARTMENT OF CORRECTIONS REGARDING CDCR/CUSTODY STAFF..THE DEFENDANTS/PRISON OFFICIALS,

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.

PLAINTIFF IS IN IMMINENT DANGER.THE DEFENDANTS-CDCR/OFFICIALS HAVE TAKEN the law into there own hands.because they have violated-plaintiffs Civil-Rights at C-SATF/SP

CLAIM II

1. State the constitutional or other federal civil right that was violated: United States Constitution and Law were violated, by persons acting under color of state law.

2. Claim I. Identify the issue involved. Check only one. State additional issues in separate claims.

- Basic necessities
- Disciplinary proceedings
- Excessive force by an officer
- Mail
- Property
- Threat to safety
- Access to the court
- Exercise of religion
- Other: Official Capacity claim
- Medical care
- Retaliation

3. Supporting Facts. State as briefly as possible the FACTS supporting Claim II. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

The ten named respondents = CDCR Correctional Officers acting under color of state law, have each personally participated in the deprivation of prisoner plaintiff Mr. Anaya's AV1189 Constitutional rights.

Plaintiff alleges the custom that motivated the ten named defendants = CDCR officers conduct was that for the whole past year 2015-2016 the defendants CDCR officers have been engaged in on-going "unconstitutional conduct" with CDCR state computerized plaintiff's mental health records on premises. The defendants = CDCR officers actions constitute libel / slandered on permanent archives. That amounts to constitutional violations. The ten named defendants = CDCR officers for the whole past year 2015-2016 have and continue to have unauthorized CDCR computerized plaintiff's mental health records disclosures to staff and all inmates to abused-harrassed prisoner plaintiff, Mr. Anaya AV1189 with deliberate indifference, at conditions of confinement C-SATF/SP

4. Injury. State how you were injured by the actions or inactions of the Defendant(s).

The defendants = CDCR officers actions subjected plaintiff to the deprivation of rights secured by the Constitution and Law of the United States, and by persons acting under color of state law,

5. Administrative Remedies

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- b. Did you submit a request for administrative relief on Claim II? Yes No
- c. Did you appeal your request for relief on Claim II to the highest level? Yes No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not.

Due-to-no-fault of prisoner plaintiff has NOT been able to exhaust the inmate grievance procedure. Plaintiff has submitted several administrative grievances regarding the official-capacity-claim.

REQUES FOR RELIEF

State the relief you are seeking:

- (1) ~~Injunctive~~ relief
- (2) Moneytary damages Civil Case/unlimited amount demaned \$75,000.00
- (3) Punitive damages
- (4) ATTORNEY FEES/pursuant to 28 USC 1915(d)
- (5) cost of suit
- (6) And such further relief as The United States Court deems proper.

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

Executed on 6-27-2016
DATE

Peter Anaya AV1189
SIGNATURE OF PLAINTIFF

NONE
(Name and title of paralegal, legal assistant, or other person who helped prepare this complaint)

MA
(Signature of attorney, if any)

(Attorney's address & telephone number)

Plaintiff Mr. Anaya seek s a Court-order requiring that CDCR/department of coorections cease the unlawful conduct with CDCR/computer. Plaintiffs Mental health records on preminies/with plaintiff CDCR/numbers; CDC# T-49420 /CDCR#AN6316 CDCR/ AV1189/ MHSDS records from the year 2002 to 2016 (present)

Request for (injunctive relief)
Civil Case# 1-16-CV-00040-MJS

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.

Plaintiff seeks injunctive relief. Plaintiff seeks a Court Order requiring that CDCR/cease the unconstitutional-conduc t upon Mr. Anaya AV1189. Hereby Mr. Anaya herein alleges the ten-named-defendants CDCR/officers, have been premeditating to kill plaintiff, because the ten-named-defendants acting under the Color-of-State Law, have violated plaintiff civil rights at California Substance Abuse Treatment Facility, State Prison at Corcoran ECF NO.47 at 5, ECF NO 79. at 3 ECF NO 85 at 2.

Plaintiff is in imminent DANGER.....

dated: 7-5-2016

Peter Anaya AV1189
SIGNATURE OF PLAINTIFF

PROOF OF SERVICE BY MAIL

BY PERSON IN STATE CUSTODY

(Fed. R. APP. P. 4; 28 U.S.C. s 1746)

I, Peter Anaya AV1189, INMATE-PATIENT-PLAINTIFF, declare:

I am over 18 years of age and a party to this action. I am a resident of CALIFORNIA SUBSTANCE ABUSE TREATMENT FACILITY STATE Prison.

in the county of KINGS COUNTY

State of California. My prison address is: PETER ANAYA AV1189
C-SAF-F/SP AT CORCORAN

On JULY 5, 2016 (DATE)

I serve the attached: SIXTH AMENDED CIVIL RIGHTS COMPLAINT
IT CONSIST OF (25 PAGES) PLUS PROOF OF SERVICE (1 SHEET)
26 PAGES ALTOGETHER. (DESCRIBE DOCUMENT)

on the parties herein by placing true and correct copies thereof, enclosed in a sealed envelope, with postage thereon fully paid, in the United States Mail in a deposit box so provided at the above-named correctional institution in which I am presently confined. The envelope was addressed as follows:

CLERK OF THE U.S. DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIF.
2500 TULARE STREET ROOM 1501
FRESNO, CA 93721

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on July 5, 2016 (DATE)

Peter Anaya
(DECLARANT'S SIGNATURE)

Mailed pursuant to the Houston v. Lack (1988) 487 U.S. 266, 270, 276 "mailbox rule".

Executed on 7-6-16 (DATE)

[Signature]
DECLARANT'S SIGNATURE
CDCR-OFFICER'S SIGNATURE