

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. '09 - CV - 00558
(To be supplied by the court)

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

MAR -2 2009

GREGORY C. LANGHAM
CLERK

TERRY L. NICHOLS, Plaintiff,

v.

UNITED STATES OF AMERICA,

FEDERAL BUREAU OF PRISONS,

HARLEY LAPPIN, Defendant(s), - cont'd. -

**PRISONER'S MOTION AND AFFIDAVIT
FOR LEAVE TO PROCEED PURSUANT TO 28 U.S.C. § 1915**

I request leave to commence this civil action without prepayment of fees or security therefor pursuant to 28 U.S.C. § 1915. In support of my request, I declare that:

1. I am unable to pay such fees or give security therefor.
2. I am entitled to redress.
3. The nature of this action is:

Bivens, Civil Action - Medical, Religious, Conspiracy

28 U.S.C. § 1915 MOTION - Cont'd.

JANE DOE,

MICHAEL NALLEY,

MS. PERRY,

RON WILEY,

ROD BAUER,

DR. LAWRENCE LEYBA, M.D.,

DR. STEPHEN NAFZIGER, M.D.,

N. GLADBACH,

M.A. KELLAR,

M. SCHAPPAUGH,

D. SCHIEFELBEIN,

UNKNOWN ADX STAFF ACTORS,

MR. JONES, (Derrick)

DARRON GALL,

KEITH POWLEY,

Defendants.

4. My assets and their value are listed below: (attach an additional page if necessary)

(Assets may include income from employment, rent payments, interest or dividends, pensions, annuities, life insurance payments, Social Security, Veteran's Administration benefits, disability pensions, Worker's Compensation, unemployment benefits, gifts or inheritances, cash, funds in bank accounts, real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing), or any other source of income.)

A monthly gift of \$100.00 - See attached Trust Fund
Account Statement

★ NOTE: Please take into consideration I am currently paying \$25.00
per month on dismissed Civil Action No. 08-cv-02064-BNB

5. Are you in imminent danger of serious physical injury?

Yes No (CHECK ONE). If you answered yes, briefly explain your answer:

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that the information in this motion and affidavit is true and correct. See 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Executed on 24 February 2009
(Date)

Terry L. Nichols
(Prisoner's Original Signature)
Terry L. Nichols 08157-031

Required Certification

You must attach to this motion and affidavit a certified copy of your trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of this action. You must obtain the certified copy of your trust fund account statement (or institutional equivalent) from the appropriate official of each penal institution at which you are or were confined during the six-month period.

Date: 01/30/2009
Time: 9:08:56 am

Federal Bureau of Prisons
TRUFACS
Inmate Statement
Sensitive But Unclassified

Facility: FLX

Start Date: 07/30/2008
End Date: 01/30/2009
Inmate Reg #: 08157031
Account Status: All
Institution: All

Date: 01/30/2009
 Time: 9:08:57 am

Federal Bureau of Prisons
 TRUFACS
Inmate Statement
 Sensitive But Unclassified

Facility: FLX

JAN 30 2009

General Information

Inmate Reg#: 08157031
 Inmate Name: NICHOLS, TERRY LYNN
 Current Site Name: Florence Complex
 Housing Unit: FLM-D-A

Living Quarters: D06-208L
 Arrived From: FLX
 Transferred To:
 Account Creation Date: 10/3/2002

FCC FLORENCE
 FINANCIAL MANAGEMENT

CERTIFIED

Transaction Details

Alpha Code	Date Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
FLX	07/31/2008 09:20:54 AM	40			Sales	(\$9.84)		\$185.98
FLX	07/31/2008 09:21:39 AM	41			Sales	(\$2.25)		\$183.73
FLX	08/03/2008 12:06:00 PM	TFN0803			Phone Withdrawal	(\$10.00)		\$173.73
FLX	08/05/2008 10:42:10 AM		8872		Donation	(\$20.00)		\$133.73
FLX	08/05/2008 10:42:10 AM				Donation	(\$20.00)		\$153.73
FLX	08/07/2008 08:55:19 AM	28			Sales	(\$13.50)		\$120.23
FLX	08/07/2008 09:07:49 AM	36			Sales	\$0.00		\$120.23
FLX	08/14/2008 10:11:28 AM	46			Sales	(\$5.75)		\$114.48
FLX	08/21/2008 09:11:07 AM	62			Sales	(\$0.40)		\$114.08
FLX	08/22/2008 10:31:03 AM	HICP0808			Inmate Co-pay	(\$2.00)		\$112.08
FLX	08/25/2008 12:57:49 PM		9059		Books	(\$20.00)		\$92.08
FLX	08/27/2008 01:56:11 PM	HJV00086			Photo Copies	(\$1.70)		\$90.38
FLX	08/27/2008 01:57:22 PM	HJV00086			Photo Copies	(\$1.70)		\$88.68
FLX	08/28/2008 08:55:19 AM	57			Sales	(\$9.20)		\$79.48
FLX	08/31/2008 05:03:33 AM	70115802			Lockbox - CD	\$100.00		\$179.48
FLX	09/04/2008 09:14:19 AM	33			Sales	(\$3.85)		\$175.63
FLX	09/12/2008 11:04:50 AM	14			Sales	(\$22.89)		\$152.74
FLX	09/24/2008 09:23:53 AM	HJV00090			Photo Copies	(\$1.30)		\$151.44
FLX	09/29/2008 07:36:51 AM	26			Sales	(\$15.00)		\$136.44
FLX	10/03/2008 05:01:02 AM	70118101			Lockbox - CD	\$100.00		\$236.44
FLX	10/03/2008 10:49:58 AM	8			Sales	(\$12.30)		\$224.14
FLX	10/05/2008 12:17:24 PM	TFN1005			Phone Withdrawal	(\$10.00)		\$214.14
FLX	10/08/2008 10:10:56 AM		178		Outside Savings	(\$25.00)		\$189.14
FLX	10/09/2008 10:39:38 AM	43			Sales	(\$15.80)		\$173.34
FLX	10/12/2008 06:22:34 PM	TFN1012			Phone Withdrawal	(\$10.00)		\$163.34
FLX	10/16/2008 09:47:42 AM	46			Sales	(\$5.85)		\$157.49
FLX	10/20/2008 02:01:05 PM	DIV00002			Photo Copies	(\$0.60)		\$156.89
FLX	10/22/2008 07:55:21 AM	DIV00002			Photo Copies	(\$3.00)		\$153.89
FLX	10/24/2008 10:52:13 AM	22			Sales	(\$20.84)		\$133.05
FLX	10/31/2008 09:19:54 AM	27			Sales	(\$6.60)		\$126.45

Date: 01/30/2009
 Time: 9:08:58 am

Federal Bureau of Prisons
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 Sensitive But Unclassified

Facility: FLX

General Information

Inmate Reg#: 08157031
 Inmate Name: NICHOLS, TERRY LYNN
 Current Site Name: Florence Complex
 Housing Unit: FLM-D-A
 Living Quarters: D06-208L
 Arrived From: FLX
 Transferred To:
 Account Creation Date: 10/3/2002

Transaction Details

Alpha Code	Date Time	Reference #	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
FLX	11/02/2008 05:02:30 AM	70120102			Lockbox - CD	\$100.00		\$226.45
FLX	11/07/2008 09:58:13 AM	11			Sales	(\$16.25)		\$210.20
FLX	11/10/2008 07:22:17 AM	IIPP1008			Payroll - IPP	\$26.04		\$236.24
FLX	11/10/2008 01:20:06 PM		652		Donation	(\$60.00)		\$176.24
FLX	11/13/2008 10:19:43 AM				Sales	(\$35.78)		\$140.46
FLX	11/13/2008 10:33:16 AM				Sales	(\$1.00)		\$139.46
FLX	11/17/2008 03:13:48 PM	DV00016			Photo Copies	(\$5.90)		\$133.56
FLX	11/18/2008 02:37:24 PM		783		Donation	(\$10.00)		\$123.56
FLX	11/18/2008 02:37:43 PM		784		Court Fees	(\$25.00)		\$98.56
FLX	11/18/2008 03:15:44 PM		804		Subscriptions	(\$10.00)		\$88.56
FLX	11/20/2008 10:02:28 AM				Sales	(\$5.70)		\$82.86
FLX	11/25/2008 12:43:30 PM	DV00016-V			Photo Copies	\$5.90		\$88.76
FLX	11/25/2008 12:45:14 PM	DV00017			Photo Copies	(\$5.90)		\$82.86
FLX	11/26/2008 10:32:05 AM	20			Sales	(\$6.60)		\$76.26
FLX	12/04/2008 05:03:15 AM	70122201			Lockbox - CD	\$100.00		\$176.26
FLX	12/04/2008 10:12:57 AM				Sales	(\$12.10)		\$164.16
FLX	12/04/2008 10:13:38 AM	50			Sales	(\$8.40)		\$155.76
FLX	12/10/2008 08:08:52 AM	IIPP1108			Payroll - IPP	\$25.20		\$180.96
FLX	12/10/2008 08:10:45 AM	020022-9			FRP Quarterly Pymt	(\$25.00)		\$155.96
FLX	12/11/2008 01:02:05 PM	DV00024			Photo Copies	(\$2.10)		\$153.86
FLX	12/11/2008 01:04:27 PM	DV00024			Photo Copies	(\$21.80)		\$132.06
FLX	12/12/2008 09:45:05 AM	35			Sales	(\$28.90)		\$103.16
FLX	12/16/2008 05:04:50 AM	70123001			Lockbox - CD	\$25.00		\$128.16
FLX	12/16/2008 08:18:19 AM		1129		Court Fees	(\$25.00)		\$103.16
FLX	12/24/2008 08:17:28 AM				Sales	(\$13.85)		\$89.31
FLX	12/24/2008 08:18:19 AM				Sales	(\$1.50)		\$87.81
FLX	12/24/2008 08:18:39 AM				Sales	(\$18.56)		\$69.25
FLX	12/24/2008 11:06:54 AM	DV00024			Photo Copies	(\$2.00)		\$67.25
FLX	01/02/2009 10:37:26 AM		1420		Donation	(\$25.00)		\$42.25
FLX	01/06/2009 11:36:06 AM	70124301			Lockbox - CD	\$100.00		\$142.25

Date: 01/30/2009
Time: 9:08:58 am

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General Information

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Inmate Name: NICHOLS, TERRY LYNN
Current Site Name: Florence Complex
Housing Unit: FLM-D-A
Living Quarters: D06-208L
Arrived From: FLX
Transferred To:
Account Creation Date: 10/3/2002

Transaction Details

Alpha Code	Date Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
FLX	01/08/2009 01:18:03 PM	IVV00036			Photo Copies	(\$1.20)		\$141.05
FLX	01/09/2009 07:19:49 AM	IIPP1208			Payroll - IPP	\$26.04		\$167.09
FLX	01/09/2009 09:52:21 AM	8			Sales	(\$3.20)		\$163.89
FLX	01/11/2009 05:36:12 PM	TFN0111			Phone Withdrawal	(\$15.00)		\$148.89
FLX	01/13/2009 09:26:23 AM		1552		Court Fees	(\$25.00)		\$123.89
FLX	01/15/2009 10:50:09 AM		84		Sales	(\$5.85)		\$118.04
FLX	01/22/2009 09:47:08 AM	IVV00036			Photo Copies	(\$0.80)		\$117.24
FLX	01/22/2009 09:49:42 AM	IVV00036			Photo Copies	(\$2.70)		\$114.54
FLX	01/22/2009 10:43:27 AM	90			Sales	(\$15.55)		\$98.99
FLX	01/26/2009 11:07:29 AM		1676		Donation	(\$10.00)		\$88.99
FLX	01/26/2009 11:07:29 AM		1678		Books	(\$20.00)		\$68.99
FLX	01/29/2009 10:37:41 AM		36		Sales	(\$3.40)		\$65.59
Total Transactions:						72	(\$130.23)	\$0.00

Current Balances

Alpha Code	Available Balance	Pre-Release Balance	Debt Encumbrance	SPO Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
FLX	\$65.59	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$65.59
Totals:	\$65.59	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$65.59

Date: 01/30/2009
 Time: 9:08:59 am

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Other Balances

National 6 Months Deposits	National 6 Months Withdrawals	National 6 Months Avg Daily Balance	Local Max. Balance - Prev. 30 Days	Average Balance - Prev. 30 Days	Commissionary Restriction Start Date	Commissionary Restriction End Date
\$602.28	\$732.51	\$132.66	\$167.09	\$104.48	N/A	N/A