

# UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA

[This form is for prisoners to sue for civil rights violations. NEATLY print in ink (or type) your answers.]

KENNY LEROY FUTCH

[You are the PLAINTIFF, print your full name on this line.]

v.

DOCTOR MARANDET et al

[The DEFENDANT is who you are suing. Put ONE name on this line. List ALL defendants below, including this one.]

Case Number 3:17-cv-753 PPS

[For a new case in this court, leave blank.  
The court will assign a case number.]

[The top of this page is the caption. Everything you file in this case must have the same caption. Once you know your case number, it is VERY IMPORTANT that you include it on everything you send to the court for this case. DO NOT send more than one copy of anything to the court.]

## PRISONER COMPLAINT

#	Defendant's Name and Job Title	Work Address
1	[Put the defendant named in the caption in this box.] DOCTOR MARANDET DOCTOR	J. D. O. C., MIAMI WEST 850 SOUTH
2	[Put the names of any other defendants in these boxes.] OFFICER GRAY INTAKE RR, OFFICER	BUNKER HILL, IN 46914-9810
3	J. SCAIFE UNIT TEAM MANAGER	ALL DEFENDANTS HAVE SAME WORK ADDRESS ABOVE

[If you are suing more defendants, attach an additional page. Number each defendant. Put the name, job title, and work address of each defendant in a separate box as shown here.]

- How many defendants are you suing? 6
- What is the name and address of your prison or jail? MIAMI CORRECTIONAL FACILITY  
3038 WEST 850 SOUTH BUNKER HILL, INDIANA 46914-9810
- Did the event you are suing about happen there?  Yes.  No, it happened at: \_\_\_\_\_
- On what date did this event occur? 02/17/2016 BUT ONGOING

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

CLAIMS and FACTS

DO: Write a short and plain statement telling what each defendant did wrong.

DO: Use simple English words and sentences.

DO NOT: Quote from cases or statutes, use legal terms, or make legal arguments.

DO: Explain when, where, why, and how each defendant violated your rights.

DO: Include every fact necessary to explain your case and describe your injuries or damages.

DO: Number any documents you attach and refer to them by number in your complaint.

DO NOT: Include social security numbers, dates of birth, or the names of minors.

DO: Use each defendant's name every time you refer to that defendant.

DO: Number your paragraphs. [The first paragraph has been numbered for you.]

1. THIS CASE REVOLVES AROUND ALL NAMED AND UNNAMED DEFENDANTS INTERDEPENDENT DEPRIVATION OF MR. FUTCH'S FEDERAL CONSTITUTIONAL RIGHTS WHILE SEEMINGLY ACTING UNDER THE COLOR OF STATE LAW IMPROPERLY PRACTICED FOR BITTON ACTS OF WILFUL MISCONDUCT, ERRATIC DESTRUCTIONS, COLLUSION, CONSPIRACY, INMATE TARGETING, RETALIATORY DISAPLENE AND WERE DELIBERATELY INDIFFERENT TO PRE EXISTING MEDICAL NECESSITIES DOCTORS ORDERS AND LIBERTY INTEREST (INTER ALIA)

BACKGROUND

FOR PURPOSES OF CLAIRITY, COMPLETION, AND CONTEXT IN SUM, MR. FUTCH WAS IMPROPERLY TRANSFERED TO MIAMI FROM WESTVILLE CORRECTIONAL FACILITY 2/17/16 WHERE FUTCH WOULD ATTEMPT TO BRIEVE THE ERRONEOUS SEPERATION OF HIM AND ALL HIS BELONGINGS (PRIOR TO EVEN BEING ALLETED TO THE DISTRUCTIONS THEREOF AND THEREAFTER) INSTEAD OF PROVIDING AN INFORMAL BRIEVANCE TIMELY" IT WAS NOT PROVIDED "FORCING FUTCH TO HAVE USED "A WESTVILLE CORRECTIONAL FACILITY I. D. O. C. INFORMAL BRIEVANCE," ASSOCIATED OFFICERS RESPONDED BY AND TO DETER THE FIRST AMENDMENT ACTIVITY IN THE FUTURE BY WAY OF MANUFACTURING BOGUS. CONDUCT REPORTS ADJUDICATED WITH BIAS AND DECEIT MR. FUTCH WOULD THEN ATTEMPT AGAIN TO USE THE DISFUNCTIONAL

## Claims and Facts (continued)

PRISON Grievance SYSTEM TO ADDRESS CONDITIONS OF CONFINEMENT,  
THE DENIAL OF INFORMALS AS WELL AS ACCESS TO THE COURTS AGAINST  
OFFICERS GRAY, FLACK, MARTIN, AND THE BOWMANS ALSO WHEN OFF,  
GRAY, PRISON OFFICIALS AND MEDICAL PERSONEL DOCTOR MARANDET  
JANE DOE NURSES # 4, 5, AND 6 REFUSED TO PROPERLY PROVIDE, REPLACE,  
AND/OR RETURN NECESSARY CARE AND CAREBY PRODUCTS AND SUPPLEMENTS  
SUPPLIED PREVIOUSLY BY WESTVILLE DOCTORS AND/OR PURCHASED OFF  
COMMISARY TO REDUCE STRESS, PAIN, AND SUFFERING THUS, HEREAFTER  
MADE TO ENDURE EXCRUCIATING PAIN AND SUFFERING THROUGHOUT THE  
(3) THREE YEAR SPAN AND ONGOING AT MIAMI FAILING TO PROVIDE ADE-  
QUATE MEDICAL CARE UNDER THE EIGHTH AND FOURTEENTH AMEND-  
MENTS TO THE U.S.C.A.; 42 U.S.C.S. § 1983 WHEREFORE WITHOUT  
PRE PROVIDED ACE AND KNEE BRACE, BANDAGES, PAIN MEDICA-  
TIONS, SHOE INSOLES, SPECIAL CUSHIONS AND OTHER NAMED SUPPLIES  
THE PRISON OFFICIALS THROUGH THEIR OFFICIAL, INDIVIDUAL,  
AND INTERDEPENDENT CAPABILITY CREATED UNDOE RESTRICTIONS  
IN THAT NOT ONLY THREADED BUT WORSEND MR. FUTCH'S HEALTH  
MENTALLY AS WELL AS PHYSICALLY SO THAT IT HAS CAUSED DEPRESS-  
ION, FOREBETHWISS, PARANDIA, AND MUSCLES TO ATROPHY  
SOMEWHAIT WHERE TO FORE FUTCH MAY NOT BE ABLE TO EVER PERFORM  
PAST JOBS WORKED (UPON RELEASE) DUE TO THE INABILITY TO SIT,  
STAND, WALK, AND/OR WORK FOR LONG PERIODS OF TIME WITHOUT  
PAIN - HIS IMMEDIATE PAST WORK BEING AS: A WAITER, BELL  
RINGER, CASHIER, MAINTENANCE MAN - MANAGER OVER APT.  
COMPLEXES SEE EXHIBIT (I) PP. 104-117 MEDICAL REQUESTS  
AND PRISON RECORDS SHALL REFLECT MR. FUTCH HAVING A  
HISTORY OF COLD TEMPERATURE AND HEART RELATED PROBLEMS  
WITH MULTIPLE ILLNESSES ENHANCED BY OPPRESSIVE SITUA-

5. When did this event happen?

- Before I was confined.
- While I was confined awaiting trial.
- After I was convicted while confined serving the sentence.
- Other: \_\_\_\_\_

6. Have you ever sued anyone for this exact same event?

- No.
- Yes, attached is a copy of the final judgment OR an additional sheet listing the court, case number, file date, judgment date, and result of the previous case(s).

7. Could you have used a prison grievance system to complain about this event?

- No, this event did not happen in a prison or jail.
- No, this event is not grievable at the prison or jail where it occurred.
- Yes, I filed a grievance and attached is a copy of the response from the final step.
- Yes, this event was grievable, but I did not file a grievance because SEE EXHIBITS

{E1 PP 4L (F) PP. 54, 67, 69, 72, (W) PP. 86, 96 (F) PP 104-117; specifically P. 121

8. If you win this case, what do you want the court to order the defendant(s) to do?

[NOTE: A case filed on this form will not overturn your conviction or change your release date.]

PRELIMINARY INJUNCTION THAT WOULD SET IN ORDER RE HEARINGS TO DETERMINE THE FULL EXTENT OF IRREPARABLE HARM, DISCOVERY OF VIDEO FOOTAGE OF ALL INCIDENTS NAMED, T.V. PROGRAM IMPLANTED FOR THE POOR INMATES, MEDICAL SUPPLIMENTS AND PILLS PROVIDED COMPENSATORY, RESTITUTIONAL, DAMAGES, AND PUNITIVE AWARDS FOR \$50,000 DOLLARS AND FOR ALL OTHER RELIEF THE COURT DEEM PROPER IN THIS PREMISES

[Initial Each Statement]

KF I will pre-pay the filing fee OR file a prisoner motion to proceed in forma pauperis.

KF I will keep a copy of this complaint for my records.

KF I will promptly notify the court of any change of address.

KF I declare under penalty of perjury that the statements in this complaint are true.

I placed this complaint in the prison mail system on 4/25/2018 at 9:30 am/pm.

[Do not fill in this date and time until you give the complaint to prison officials to send to the court.]



Signature

964875

Prisoner Number

CONTINUATION  
DEFENDANTS

PAGE 5,  
JOB TITLE / GOVERNMENT AGENCY  
WORK ADDRESS

4. JANE DOE NURSE IDENTIFIED BY SIGNATURE  
ON DOCUMENTS/EXHIBITS {I} PP. 106; 108

5. JANE DOE R.N. IDENTIFIED BY SIGNATURE  
ON EXHIBITS {I} PP. 110, 113, 114

6. JANE DOE NURSE IDENTIFIED BY SIGNATURE  
ON EXHIBITS {I} PP. 112, 111, 115, AND 117

I. D. O. C. MIAMI  
3038 WEST 850 SOUTH  
BUNKER HILL, FL  
46924-9820

## Claims and Facts (continued)

tion FORCED UPON FUTCH SEE EXHIBITS {I} PP. 118-20 {E} PP BENE-  
VOLENTLY COMPLAINED ABOUT BY INFORMAL REQUESTS, MEDICAL SLIPS AND  
GRIVANCES BUT TO NO AVAIL WHEREFORE DOCTOR MARADET (WHOS DE-  
MEANOR IS CONSISTENT WITH BEING A COMPULSIVE LIAR) WITH PROMISES  
OF CARE, LOTIONS, GREASE, PAIN MEDS, AND SUPPLEMENTS... ETC. JUST TO GET YOU  
OUT OF HIS OFFICE, JANE DOE RN AND NURSES ARE IDENTIFIED BY THEIR SIGNATURES  
ON DOCUMENTS OF DENIAL TO REPLACE CONFISCATED ITEMS FORCED MR. FUTCH A DIA-  
LECTIC WITH CICKLE CELL TRAIT THUS, ANIMIC, HAS COLD TEMPERATURE ACTIVATED ARTHRITIS,  
HIGH BLOOD PRESURE, BAD BLOOD CIRCULATION, BENTONED FEET, EXTRA-  
DRY TOTAL BODY SKIN, HEAD, AND FEET SCARS AMONG OTHER THINGS CONTEMPOR-  
RANEOUSLY IDENTIFIED BY MEDICAL REQUESTS, TAKEN EXRAYS, RESPON-  
CES OF DOCTORS AND NURSES ALIKE ALL ERRONEOUSLY REFERING MR. FUTCH  
IRONICALLY TO COMMISSARY FOR OVER THE COUNTER MEDS, LOTIONS, GREASE  
AND CREAMS ALTHOUGH AWARE OF MR. FUTCH'S POVERTY EXHIBITS {A} {G} IN  
ITS INTACTY WITH {H} PP. 11-18, {I} PP. 104-124 SUSPICIOUSLY FUTCH  
MAY NOT HAVE RECEIVED SOME MEDICATIONS FOR MONTH(S) AND SOME  
NOT AT ALL THUS, EXPERIENCED PROLONGED UNNECESSARY PAIN AS A  
RESULT OF { 680 F. 3D 866 } READILY TREATABLE CONDITIONS SMITH,  
666 F. 3D AT 1040. 2. OFC. GRAY IS PRIMARY RESPONSIBLE FOR A  
PRISON TO PRISON 1ST AMEND. AND RETALIATION AND CONSPIRACY CLAIM BE-  
LIEVED BY WAY OF THE TRADITIONAL X MARKED ON FUTCH'S PROPERTY BOX-  
ES THIS INFERENCE MUST HAVE CAUSED THE 8th AND 14th AMEND.  
RIGHT TO BE FREE FROM UNREASONABLE SEARCHES, SEIZURES, CRUEL AND  
UNUSUAL PUNISHMENT AS WELL AS EXCESSIVE FORCE APPLIED WITH  
Deliberate INDIFFERENCE TO MR FUTCH'S SERIOUS MEDICAL, LEGAL, MO-  
NETIZABLE, SENTIMENTAL, SUPPLEMENTAL NECESSITIES OF LIFE IN PRI-  
SON AS WELL AS UPON RELEASE SOON WHEN HE ACTED ERRATICALLY,  
PUNITIVELY, AND CRIMINALLY WITH RECKLESS DESREGUARD TO

(BY HIS INTENTIONAL DEPARTURE FROM) TRADITIONAL PROTOCOL WHEN HE PERSONALLY PICKED AND CHOSE WHAT ITEMS TO CONFISCATE AFTER IMMEDIATELY SEPARATING FUTCH FROM ALL HIS BELONGINGS THEN PURPOSELY DESTROYED THE REMAINING THEREOF, FORWARDED SOME TO MEDICAL, AND/OR SIMPLY SENT THE REST BACK TO WESTVILLE OR LOST EVEN THE NAMED AND UNNAMED CONFISCATIONS IN THAT BURE UPON HIS OWN CONFISCATION SLIPS EXHIBIT (A) PP. 1-8 INSTEAD OF EMPLOYING ROUTINE METHODS AFFORDED TO ALL OTHER INMATES WHO ARRIVED SIMULTANEOUSLY WITH FUTCH (BUT WITH MONEY ON/IN THEIR ACCOUNTS) THE OPPORTUNITY TO SEND ANY PROPERTY DFC. GRAY BELIEVED TO HAVE BEEN IN ACCESS OF WHAT'S ALLOWED OUT TO LOVE ONES AS WELL AS SWITCHED OUT CHOICES (EQUAL PROTECTION AND DISCRIMINATION CONTENTION) AS SEC. 1983 CREATES A CAUSE OF ACTION AGAINST "EVERY PERSON WHO UNDER COLOR OF ANY STATUTE, ORDINANCE, REGULATION, CUSTOM, OR USAGE, OF ANY STATE OR TERRITORY OR THE DISTRICT OF COLUMBIA, SUBJECTS OR CAUSES TO BE SUBJECTED, ANY CITIZEN OF THE UNITED STATES OR OTHER PERSON WITHIN THE JURISDICTION THEREOF TO THE DEPRIVATION OF ANY RIGHTS, PRIVILEGES, OR IMMUNITIES SECURED BY THE CONSTITUTION AND LAWS" 42 USC 1983 JOHNSON V. SNEYDER 444 F. 3d. 555, 561 (7th Cir 1995)

WHEN A REASONABLE OFFICER SIMILARLY SITUATED WOULD OR SHOULD HAVE UNDERSTOOD THAT SUCH CONDUCT WAS VIOLATIVE TO THE 8TH AMEND, AS WELL AS DUE PROCESS NOT HONORED ONCE HE TRASHED, RETURNED MR. FUTCH'S PROPERTY BACK TO WESTVILLE AND/OR NEGLIGENTLY ALLOWED HIS INMATE PERSONEL "THE PICK OF THE LITTER" PRIOR TO FIRST, GIVING THE OPPORTUNITY TO SEND SUCH OUT? MEDICINE, PILLS AND CARDS CONFISCATED DREW THE INFERENCE OF AWARENESS

3. CLAIMS OVERLAP BY CONSPIRACY DUE TO THE PRISON OFFICIALS RESPONSE TO BLATANT OBJECTIONS MADE IN THEIR

BIAS AND PREJUDICIAL ATTEMPT TO NOT ONLY DISCOURAGE MR. FURK FROM EXERCISING HIS FIRST AMENDMENT RIGHT TO GRIEVE OFFICER MISCONDUCT BUT TO JUSTIFY IT AS WELL AS HIS ASSOCIATED {J. SCARFE} CONRAD'S RETALIATION BY WAY OF FALSE REPORTING BOGUS CONDUCT REPORTS, THE GRIEVANCE PROCESS LASTED AN ENTIRE YEAR THEN DENIED ANY ENDEAVOR AT INDEPENDENT INVESTIGATION OF PRELIMINARY MATTERS IN THAT WAS TIMELY BROUGHT TO THE ATTENTION OF J. SCARFE AND SUPERINTENDENT SHARRON HAWK - TO THE INVALIDITY THEREOF AND IMPROPER MOTIVE AND INTENT OF HER OFFICERS, THIS INCREDIBLY LED TO {IN PART} THE POST HOC HYBRID MOVEMENT TO A {P.H.U.} DORM SINGLED OUT FOR DESPERATE TREATMENT THEREIN AND THEREBY INMATES BRANDED TROUBLESOME THAT WHICH IS NOT OFFICIALLY A SEGREGATION UNIT, "MORE LIKE SOLITARY CONFINEMENT" WITH A LITTLE MORE OF A TOUCH OF INHUMAN AND INADEQUATE CONDITIONS IN THAT EXIST WITH A COMBINATION OF THINGS CONNECTED TO BEING SUPPLIED, HALF SHEETS, THIN BLANKETS, YEAR ROUND AIR CONDITIONING BLOWING THROUGH AND ONLY PROVIDED SHORT SLEEVED ATTIRE EXHIBITS {E}, {G}, AND {H} IN THAT ESTABLISHES NEGLECTED DUE PROCESS RIGHTS AS TO OBJECTION, RISK OF DANBER DEPRIVATIONS AND IMMUNITIES SECURED BY THE CONSTITUTION WHEN J. SCARFE AND SHARRON HAWK WAS PERSONALLY RESPONSIBLE FOR RETALIATING WITH THE UNDOE DESPERATE HOUSING MOVEMENT AGAINST PRISON POLICIES ONCE ALERTED THUS, KNEW ABOUT, FACILITATED IT, APPROVED IT, CONDONED IT, JUSTIFIED IT, ENHANCED IT AND CONSISTENTLY TURNED THE BLIND EYE TOWARD THE FORESEEABLE OFFICER WRONG-FULL MISCONDUCT WHEN UNDER A PROTECTIVE DUTY TO OPPOSE OBJECTIVELY THUS, ESTABLISHES A LIBERTY INTEREST AND DELIBERATE INTIFFERENCE TOWARD THE PURPOSEFUL INFLECTION OF UNDOE HARM TO ASSURE THE SAFETY OF THE ELDERLY (UNDER THEIR WATCH) THAT WHICH IMPLIES PURPOSEFUL AVOIDANCE ACCORDING TO THE REPLIES TO REQUESTS EXHIBITS {E} PP. 43-46 OF KNOWN AND AVOIDABLE RISKS CONNECTED



TO P.H.U. DORM FROM JUNE 2016, TO JANUARY 2017, ROUTINELY  
 KNOWN FOR MISTREATMENT AND BARBARICK EPISODES DURING  
 CONFINEMENT, SUICIDE ATTEMPTS TO GET OUT OF THERE AND GANG  
 BANGING THUS, TOOK NO REASONABLE ENDEAVOR TO ENSURE MR.  
 FUTCH'S SAFETY AND WELL BEING AS WELL AS ADEQUATE FOOD, CLO-  
 THING, WARTH, SHELTER, MEDICAL CARE, AND A T.V. PROGRAM OR  
 ACCESS THEREOF FOR SANITY, WORLD, AND CURRENT EVENTS PURPOSES  
 FOR THE INDIGENT OFFENDER DEPRIVATIONS (INTER ALIA) DISCRIBE  
 WILLFULL IGNORANCE { 590 F.3D.467 } OF AN EASILY DISPOSED OF  
 PROBLEM IF TIMELY ADDRESSED SEE ALSO MEDICAL REQUESTS SHOWING  
 MEDICATION WAS WITHHELD FOR RIDICULOUS AMOUNT OF TIME EXHIBIT  
 { I } PP. 104-122, { D } PP 29-37 CONSTITUTING TORTURE IN A CON-  
 SIDERATIONAL CAMP SENCE WHEREFORE SO OPPRESSIVE THAT  
 IT CAN BE SAID FUTCH WAS PURPOSELY STRIPPED OF ADMINISTRAT-  
 TIVE PAY TO ENSURE A MUCH DEEPER SENCE OF POVERTY  
 PRIOR TO THE MOVE TO THE CAST AWAYS DORM P.H.U. SEE  
 EXHIBITS { I } PP. 118-20 EMPHASIS ADDED EXHIBIT { } P. AS THE  
 TAKEDEGE OF WINTER COATS FROM JUNE TO OCTOBER, COLD LUNCH  
 (FROZEN) SOMETIMES PROVIDED AFTER 4 PM RATHER ONE MAKES  
 BREAKFAST MEAL OR NOT ( 5 MINUTE MICROWAVE ACCESS PER  
 MEAL FOR THE INTIRE DORM AND THEN ONLY ONE MICROWAVE )  
 DENIED HOT MEALS ON MANY OCCASIONS, LONG WALKS TO AND  
 FROM CHOW, MED PICKUPS, AND ALL OTHER APPOINTMENTS ( REMEMBER  
 ONLY PROVIDED SHORT SLEEVED ATIRE ) IN SNOW, BLIZZARDS, AND RAIN  
 STORMS WITHOUT PROPER PROTECTION AFTER TAKEDEGE OF COATS AND  
 NOWHERE TO HANG OUT WET CLOTHING TO DRY IN CELLS, DRINK  
 WHAT AMOUNTS TO BEING RECYCLED TO 1.1 WATER ( THE OFFI-  
 CERS ARE WARNED NOT TO DRINK ) SEE EXHIBITS { I } PP. 120,

{A} P. 1, {B} PP. 71-73, 74-85, {H} PP. 100-103, {I} PP. 104-122, {J} PP. 123-25


MR. FUTCH WOULD BENEVOLENTLY ATTEMPT TO OPPOSE HIS PLACEMENT OF ALWAYS BEING ROOMED WITH ACTUAL KILLERS MOST SERIOUS ONE WAS A GUY WHO WAS IN FACT FROM HUNDI WHO SPOKE ARAB, PLAYED MEXICAN MUSIC ALLOWED AND WAS A PRIME CANDIDATE FOR THE MAURY OR JERRY SPRINGER SHOW BEING THAT HE WAS PREJUDICE AGAINST BLACK PEOPLE AVOUEDLY AND WHEN I ALLETED THE PRISON OFFICIALS THAT HE WAS NOT AN ACTUAL AFRO AMERICAN THE COUNSELOR NERO SAID DENIED "THATS THE SAME THING"

WHAT LIES BENEATH THE MOVE TO P.H.U. DORM WAS A DIRECT RESULT OF MR. FUTCH'S POST HOC ATTACK ON THE INFRINGED FIRST AMENDMENT RIGHT TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCE, AND THE LINCH PEN HERE IS THE FACT THAT MR. FUTCH WAS NOT SENTENCED AT HIS DISCIPLINARY HEARING TO ANY AMOUNT OF SECREATION, PROGRAM, AND/OR SOLITARY CONFINEMENT, WAS NOT A THREAT TO THE INSTITUTION, SAFETY, OTHER INMATES NOR TO HIMSELF THUS, THE MOVE WAS SO FAR REMOVED FROM THE ORIGINAL TERMS OF CONFINEMENT AND OR PUNISHMENT ANNOUNCED THAT IT AMOUNTS TO A DEPRIVATION OF LIBERTY IRRESPECTIVE OF WHETHER OR NOT STATE LAW (PRISON RULES) MANDATE CABIN DISCRETION e.g. ANTE AT 483-84; 132 LED 2d AT 429-30 NOT FOR MISBEHAVIOR BUT INMATE TARGETING COMPOUNDED BY DEPRIVATION OF CONSTITUTIONALLY PROTECTED LIBERTY WITH RESPECT TO

MR. FUTCH'S PROBATION STATUS PRIOR TO COMING TO MIAMI EXHIBIT (J) P. 123 DRAWING THE INFERENCE THAT PRISON OFFICIALS SURELY KNEW THIS TREATMENT WOULD ALSO STIGMATIZE AND TOTALLY DIMINISH NOT ONLY PROSPECTS OF MOVEMENT TO A MINIMAL LEVEL FACILITY, EFFECT ON INTER STATE TRANSFER TO ANOTHER PRISON AS WELL AS PAROL PROSPECTS MR. FUTCH SHOULD HAVE BEEN ELIGIBLE FOR AS SOON AS HE SET FOOT ON MIAMI I.D.O.C. 501 BEING A LEVEL (2) TWO STATUS INMATE UNTIL RETURNED TO 01 STATUS (b) SIX MONTHS SUBSEQUENT TO THE LAST WESTVILLE CONDUCT REPORT IF NOT BUT FOR FALSE REPORTING EXHIBIT (J) PP 124

ARGUMENTALLY EVEN IF THE CONDUCT REPORTS HAD BEEN DONE IN GOOD FAITH (BUT WERE NOT) THE POST HOC PUNISHMENT WAS ENFORCED LONG AFTER THE THE COMPLETION OF ANY AND ALL SANCTIONS IMPOSED, TRIGGERING DOUBLE JEOPARDY ENCROACHMENT BEING TOTALLY ABSENT ANY NEW INFRACTIONS PENDING OR OTHERWISE AND OFFEND RIGHT NOT TO BE PUNISHED PRIOR TO AN ADJUDICATION OF GUILT AND LIBERTY INTEREST IN REMAINING FREE OF DISCIPLINARY SEGREGATION UNDER LAW OF WOLF V. MCDONNELL, 418 U.S. 539, 41 LED 2d 935, 94 S. Ct 2963.

4. MALICE CLAIM UNDER 42 U.S.C.S. <sup>§</sup> 1983 BY THE SAME PRISON OFFICIALS IMPROPER CIRCUMVENTATION OF THE CONSTITUTIONALLY VALUE, IMPROPER, AND ABUSIVE USE OF POLICY NUMBER 02-04-101 IN TUNE WITH SAID SENTENCING ENTRAPMENT AND RESTORATION OF TIME SYSTEM IMPLANTED AT WESTVILLE DESIGNED TO ROB INMATES OF EARNED BACK GOOD TIME BY RESCINATION EVEN OUTSIDE THE (b) MONTH STATUTE OF LIMITATION NO MATTER HOW GOOD ONES CONDUCT SEE EXHIBIT (J) P. 53

SINCERELY SUBMITTED, 

AMANDA E. FIORINI / NICK RIMER  
ATTORNEY GENERAL OF INDIANA  
GOVERNMENT CENTER SOUTH - 5TH FL.  
302 W. WASHINGTON STREET  
INDIANAPOLIS, IN 46204

KENNY L. FUTCH # 964875  
I. D. O. C. MIAMI D-207  
3038 WEST 850 SOUTH  
BUNKER HILL, IN  
46914-9810

APR 1 25, 2018

RE TO CASE NO. # 3:17-CV-387-JD-MLL

DEAR ATTORNEY/PARALEGAL,

ENCLOSED PLEASE FIND MY/A RESUBMISSION OF NOTICE  
OF APPEAL

Sincerely Resubmitted,

