

IN THE
 United States District Court
 Southern District of Indiana
 Terra Haute Division

(Pg#1)

MOTION
 (8 pages total)

Joshua P. Lindsey
 Plaintiff
 vs
 Indiana Dept of Corrections
 W.C.F. Superintendent
 Richard Brown
 W.C.F. S.H.U Custody off
 Benjamin Scott
 W.C.F. S.H.U Custody Sgt
 JACK Schmidt
 Defendants

Case No 2:12-cv-00068-JMS-WGH

Att. Judge Jane Magnuson

FILED

SEP 4 2013

Original
 Pursuant To Civil Procedure
 Federal

U.S. CLERK'S OFFICE
 INDIANAPOLIS, INDIANA

Rules 9(b) Rule 12(g)
 Rule 78

RE- MOTION (RE Show Cause)

Plaintiff's Motion To this Court
 To NOT Impose Any Sanctions
 ON THE Plaintiff And Not Dismiss

THE Plaintiff's Case.

Plaintiff's Specific Reasons For Submitting A Altered
 XRay Consultation Report

Document 43/page 2 of 6
 page ID# 173
 PARAGRAPH 1

pursuant to
 Federal Civil procedure
 Rule 9(b) And Rule 12(g)
 Rule 78

Also Read Brief 1 one

Court's paragraph statement → The Alterations Are As obvious
 As they are clumsy.

Continued on Next page →

Motion Continued

① (Plaintiff's Response)

It was the plaintiff's Initial ~~strategy~~ ^{strategy} Tactic to Alter the XRay Consultation in the most Noticeable, obvious, and clumsy Fashion As possible so that the Plaintiff could Get the immediate Attention of this court.]
The Plaintiff's Intentions was Not To try and ~~win~~ ~~with~~ a Lawsuit Based on fraudulent & False documentation.]

The Plaintiff Wanted this Courts Reviewing Judge to ^{take} Extra Notice of the plaintiffs Complaint At the preliminary stages of this case.] The Plaintiff did not want His Complaint Dismissed At the Initial filing process where the judge Screens All Civil Compliants And Related documents.]

The Plaintiff was under severe stress at the time of filing His Initial Complaint And HIS Amended Motion for preliminary Injunction.]

(See RULE 803) (#2)

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(Motion)

(Plaintiff's Response Continued)

→ The Plaintiff did not want his case dismissed for not providing documented evidence of the plaintiff suffering actual physical injury. Some district courts require that a plaintiff provide proof of actual physical injury to prevail on a Eighth Amendment Guard Brutality Claim.

Plaintiff's specifically planned tactic for submitting 2 versions of his X Ray Consultation Report was these exact reasons.

① Plaintiff submitted the altered X Ray Consultation in a obvious and clumsy manner on

purpose so that the defendant's attorney would quickly identify this alteration and report the alteration to this court. Then the defendant's psychology at the time that the defendant's attorney located the plaintiff's altered X Ray report, there ~~was~~ psychology would be that the defendant's attorney would automatically relax

Next page

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(Motion)

→ And Consider the Plaintiffs Case As Automatic Moot. The defendants relaxed state of mind

→ would be relayed to the actual Wabash Valley Cr Facility defendants In this

Case → Richard Brown, Jack Schmidt and

B. Scott. IF these 3 defendants feel that they have won this case,

then I, THE PLAINTIFF WILL

NOT SUFFER THROUGH

Any more of the defendants.

Campaign of Violent Harassment Retaliation

→ While I am still housed In this Facility.

The Plaintiff wanted the defendants to have a "We have won this case Attitude."

No matter what part of this prison

I Am housed In, the Superintendent (Richard Brown)

of this prison can punish me In several ways, if he feels

that my Federal Lawsuit ~~Against~~ ^{AGAINST} Him has

some serious merit. Employment can be terminated,

And other monetary consequences can occur toward the I.D.O.C.

IF the I.D.O.C. was to lose this case.

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(Motion Continued)

→ As Long As I am still housed At
 this Prison and my Lawsuit IS against Custody^{staff}
 and the Superintendent of this prison, then I
 am Always Going to Be In danger of
Direct or In Direct Retaliation from
 the Warden of this prison. Take A
 look At this Prison's History of
Negligent and Deviant Conduct Related staffs
~~Incidents~~ Incidents
 Especially Inside the S.H.U.

~~The~~ The Plaintiff's submission of the Altered
 X Ray Reports was nothing more than the
 Plaintiff's LOUD CRY FOR HELP TO
~~THE~~ THIS COURT. The Plaintiff
 was going to inform this Court of the
 X Ray Alteration AFTER the Plaintiff submitted
 All of the Plaintiff's Evidence Briefs.

The Plaintiff knows that this Court And
 the Deputy Attorney General's office ARE
NOT BLIND OR STUPID.

↑ Next page →

(Motion Continued)

The Plaintiff Is Smart enough to know that this Alteration could easily be Detected In Several ways.

The Plaintiff Wanted The Alterations to Get Detected. Plaintiff is Aware that these Detection Tactics Are Simple To Utilize.

Alteration Detection methods

- 1) Simply subpoena the Wabash Valley C.F Medical Records clerk To Court.
- 2) Simply Call Callaba Imaging PC And Ask for the Original XRay Consultation Report.

date not or pid.

Plaintiff Was Aware that there Are clearly Several Ways To Detect Alterations ON the Plaintiff's XRay Report.

Here is 100% solid proof that the Plaintiff Was not Intending to Fraud this Court.

I Purposely did not Remove the Words ~~was~~ Typed under the word Conclusion: NORMAL PLAIN VIEWS OF THE SPINE.

Next page

Motion Conclusion

IF I was trying to Fraud this Court I would have clearly Removed those 6 words typed ~~at~~ under the word CONCLUSION.] ^{smart} Common Sense would tell Any ~~one~~ fraudulent ^{mind} person with A Functioning Brain To ~~not~~ ~~that~~ Remove those words Normal Plan View of the spine IF A Fraudulent plan was Detected. See Attached page →

Paragraph CONCLUSION PAGE

All of the Plaintiff's documents submitted with this Motion Are Honest ^{and} ~~legit~~ I'm Sorry if my unorthodox defense Compliant documentation Improvised Tactic offended this Court; please do not dismiss my Case and please do not impose Any Sanctions.] ~~And~~ I would appreciate it if this Court would STRIKE Any Relevance of the Plaintiff's Altered XRay Consultation From the Courts Record.] ~~And~~ Also the XRay Consultation Verification Form should Be Stricken From the Courts Record. Also please.] Thank you End

Wey v. Lanyon, 368 U.S. 91, 41-45-46 (1957)