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VICTOR TAGLE 1080239
PO Box 1989, Ely, NV. 89301

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MAR 15 2016	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: <u>Victor Tagle</u>	DEPUTY

United States District Court
District of Nevada

VICTOR TAGLE
Plaintiff
vs.

Case No _____

State of Nevada, NDOC,
employees, Guards: C. Rowly,
Caldwell, Warden Bell
but not limited too!
Respondents.

TORT
ASSAULT & DISCRIMINATION

3:16-cv-00148

Comes Now, Plaintiff Victor Tagle, in Pro-Per, and herein above, respectfully moves this Honorable Court for a: "Order to set a case, based on, but not limited too, Assault & Discrimination". The above is made and based on the following Memorandum of Points and Authorities:

On or about, 3/3/16 at 0700 hrs, I was told by the guards, to get ready, since I will be taken to the Ely's hospital for some X RAYS!

I was taken to intake, where: "C.E.R.T." (Correctional Emergency Respond Team), were waiting to transport me. All of them under guard C. Rowly's orders!

1 Guard C. Rowly, is one of 3-4 brothers/relatives, who
2 work for ESP, being well known, by the inmates, due
3 to their abuses. I had confrontations with the other two
4 due to them: "DISCRIMINATION, verbal abuse, shortening
5 of food rations, and but not limited too, illegal removal of
6 legal documents!".

7
8 "C. Rowly", seems to have some kind of coordination
9 problem. (he seems retarded!) Reason why, I was amused,
10 with the fact that: "he was in charge of the other three (3) and
11 all of them, with hand held weapons! (Pistols!)

12 As soon we left intake, C. Rowly began dragging me,
13 through the hallways toward the van.

14 Since I was with special security features, such the
15 "box", which keeps the hands, and belly together on a very
16 pain full way, and "shockles", was very difficult for
17 me to walk.

18 C. Rowly, and the rest of the "CERTS", were 6'4" or so, so
19 basically, one of their steps, means two (2) for me, since
20 I am 5'7", so I appear, I was being drag'.

21
22 at the hospital, we rook between: "The E. doors, and the
23 stretcher's access doors, 1 1/2" from the wall.

24 While waiting, the 4 of them were acting like "cowboys at
25 Dodge City!", with their guns on their sides.

26 The X rays technicians, were really professional, and even
27 I was all tight-up with chains on hands, and feet, they
28 asked a couple questions, and I answered them, and...

1 ... They allways, with a pleasant smile!
2 However, that seemed to be "disturbed the guards!" and although
3 they didn't say anything there, they were very upset!, (Espe-
4 cially Rowly!), and in the way back to the van, they kept
5 kept dragging me, and pushing me! -

6
7 Guards: C. Rowly & Caldwell, had me each, from each
8 arm, then C. Rowly opened the double side cargo door,
9 then he did push me forward, and hit me with the other door,
10 really hard, and the face and forearm!, I said: "why did
11 you do that for?", C. Rowly said: "~~fuck~~ you!", and since
12 he's 6'4" +/-, he picked me up from the "box", hunted me,
13 and threw me in the 2nd back seat.

14
15 On the seat, I was on my belly, and C. Rowly began
16 hitting me on the head 3-4 times, while he had the gun on
17 my ribs, and Caldwell had the gun on my head, telling me
18 me: "TO MOVE, so he could ~~fuck me~~ shoot me!".

19 Once C. Rowly stopped hitting me on the head, both of them
20 moved back and close the doors.

21 we waited for 10 minutes +/- for the said technicians,
22 then once we had the X Rays, we began rolling, towards
23 ESP., however, both of them continue the verbal abuse
24 all the way through ESP.

25
26 C. Rowly began saying: "once we get to ESP, I'll re-
27 move the chains from you, and I'll beat the ~~shit~~ out of
28 you!".

1 I Told him: "What's your problem? you hit me in the face,
2 and touched, (when he hit me in the face he touched with his refer-
3 ded touch, since he did it in purpose!), and then you hunted me
4 with the "box", and hit me in the head, not to mention, you
5 shoved the barrel of the gun on my ribs!"

6 C. Rowly, didn't answer, and remained thinking, however,
7 Caldwell said: "The ~~best~~ reason we're doing it, is because
8 you're the biggest piece of ~~shit~~ in the whole world, you raped
9 your 5 year old daughter!" (??)

10 I said: "What the hell are you talking about?", then C. Ro-
11 wly's face "showed", and said: "Yeah!, That's the reason you
12 you piece of ~~shit~~, say that with me, bla, bla, bla!".

13 So I Told them: "Why don't you get INFORMED first before
14 you do your stupidities!"

15
16 AT ESP, he dragged me "again", by then my ankles were
17 all sore, and I couldn't walk, so I was put on a 6' x 8' cell,
18 and about 8 guards around it, and in it!

19 C. Rowly said: "I am going to remove the handcuffs & shackles,
20 if you move, you'll be sorry!"

21 He had one hand on the Teaser gun, and so he removed the
22 chains!

23 Once he removed the chains, he asked me to get undress,
24 after I did, he said: "So, you want to fight me now?", I
25 Told him: "you're brave, 8 guards and you have the Teaser
26 gun on your hands!"

27 so he started kicking me really hard on the ankles, until
28 a young cert. next to me (4" apart) told him to "STOP!"

1 C. Rowly, said: "bend over, spread your chicks and cough!".
2 I did it, (I was still naked!) Then he said: "do it again, and again"
3 for over 12 times or more, while he was laughing about it!"
4 He said: "Turn around and get dress!"; I told him: "besides the
5 physical abuse, you're sexually harassing me!". he responded:
6 "NO I am not!", I said: "R. S., I am going to sue you!",
7 Then he went again on his "Speed out Thinking mood!" and
8 very "nicely" said: "Get dress!". so I bended over to grab
9 my coverall, but he vicked me really hard on my forearm,
10 maintaining to my face!
11 The same young mexican cert, told him: "Stop!". (Call the
12 guards were "white" except the young mexican!)
13 and C. Rowly left the room!.

14
15 I got dressed, and C. Rowly had "3 Stunt Guns" on him,
16 and was following us to the unit 2.B.
17 At unit 2B, C.O. Boardman was at the bubble, and Caldwell
18 told him: "This piece of ~~shit~~, (me!) snapped at us, back
19 at the hospital!". So, C.O. Boardman said: "you must have
20 done something to him!", but Caldwell said: "No we did-
21 not!", Then C.O. Boardman said: "is he going to be all right."
22 Caldwell asked me: "Are you going to be all right?", So I
23 said: "as long as you don't hit me again in the face with the
24 door, I'll be all right!". C.O. Boardman said: "you-
25 see!", Caldwell said: "he said he'll be all right!",
26 also he said: "The problem is, he's not right in his head -
27 he's old!".
28

1 We began walking upstairs, towards my cell, there
2 once I was locked down, Co Rowley said: "You see!, if
3 you follow instructions, everything goes very smooth!",
4 and laughed with his: "mentally challenged smile!", I
5 told him: "Why don't you tell that to the Judge, once we-
6 re in front of him?".
7 His look, got "lost down!", and very sad, put his head,
8 down, and left from the front of my cell, while Caldwell,
9 looking "very worry!", kept telling me to: "Relax,
10 and Take it easy!".

11 Conclusion

12
13
14 On or about 3/11/16, Friday!, I was told by the
15 guards that: "If I want to, I will be seen by the Provider!"
16 (I repeat, something is in my throat, reason why I went to
17 the said X-rays!), so I said yes, and got ready!".
18 At medical, something weird was going on, however I could
19 not pinpoint it!.
20 I was told to undress, and wear a "clinical paper gown!".
21 Then I was escorted to the exam. room, where lots of "C.E.R.T.",
22 nurses, and staff, were waiting! (??)
23 That made me think, I thought: "Perhaps, something worrisome
24 about my Throat!".
25 The nurse took vitals, and he said he'll call the doctor!, once
26 he came, he asked me, "what's going on?", so I told him: "We-
27 ll, still my Throat...". he said: "I don't care about that!,
28 who beat you up?"..."

1 ... Once I told him, he inspected me! (Chavez) after one
2 week the lumps in my head and the bruised forearms, were OK!
3 never the less, Honorable Victoria P. Cooke from USDC of Reno,
4 saw the red marks on my hands & forearms, since I had a
5 video conference with her, very next day of the beating,
6 on 3/4/16!.) and he said: "When did you report it?, why
7 I was not notified right away?, I can't see no physical,
8 marks on you!, I can not testified!"

9 So I told him: "I reported it, right away!, I don't know,
10 why you were not notified!, and perhaps that's the
11 reason, so you can't witness the bruises and lumps!",
12 Then even the C.E.R.T.S laughed, Dr Koehn didn't
13 say anything, since we were being "videotaped!"

14
15 It's very sad to see, 99% of the guards are: "abusers,
16 drug dealers, sexual deviated, who let go freely all their
17 perfections w/ the inmates, not to mention the: Mail-
18 Tampering, physical, mental, verbal abuses, the "illegal-
19 confiscation of legal documents!" etc. etc. Plus
20 The farce/comedy of MDOC, acting like if they were in-
21 vestigating, they're not, the I. 6. is a joke, and a
22 criminal as well, if this Honorable Court remembers
23 I. 6. lewaine Steve, witnessed an assault on my, by
24 guard LT. Day, and he denied even been there! (VT)

25
26 Dated this 12th of March 2016

27 By: Steve Lewaine
28 Petitioner

PO Box 1989, Elz, NV. 89701

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1 Request for Relief

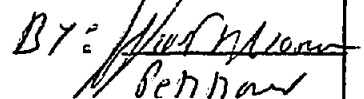
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3 Therefore with all due respect, the petitioner request from
4 This Honorable Court, to order, Penal, and monetary
5 charges, to the defendants mentioned in this complaint,
6 for the amount of \$100,000, and all the Penal punishment
7 allowed by law, since this individuals believe that:
8 "They are above the law!". (VT)

9
10 Therefore with all due respect, the petitioner request:
11 The schedule of a hearing, to review and see about this:
12 "Assault & battery, due to discrimination, but not limited
13 to!", Perpetrated by MDUC's personnel.

14
15 Defendants:

- 16 1- State of Nevada
17 2- MDUC, MDUC's Director, E. K. McDaniel
18 3- Warden Renee Baker
19 4- Guard "Senior", C. Rowly (C.E.R.T.)
20 5- Guard Caldwell (C.E.R.T.)

21
22 Dated This 12th of March 2016.

23 BY: 
Petitioner

24 3/12/16. PoBox 1989, Elko, Nevada 89301

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Certificate of Service by Mail

Pursuant to MRCP 5(b), I hereby certify that I am
the Petitioner named herein, and that on this 12th day
of March, 2016, I mailed a true and correct copy of
the foregoing "Joint, Assault Battery & Discrimination"
to the following:

Clerk, U.S. District Court
District of Nevada
323 Las Vegas Blvd. So. Rm 1324
Las Vegas, NV. 89301

The Petitioner respectfully requests the
MCR (9)(c) for
filing & distribution.

Dated this 12th of March 2016

BY: [Signature]
Petitioner

P.O. Box 1989, Elko, NV. 89301

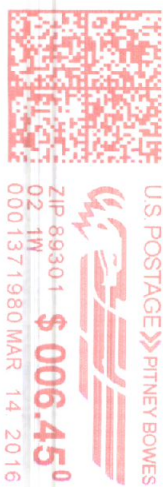
Victor Taylor 1080229
Po Box 1989 ESP
Ely, Nevada 89301

Clerk, U.S. District Court
District of Nevada
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Las Vegas, Nevada. 89301

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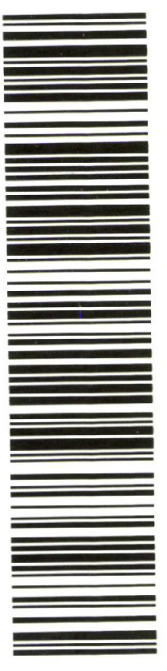
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