



U.S. DISTRICT COURT-  
SOUTHERN DISTRICT OF NEW YORK  
300 GUARROBAS STREET  
WHITE PLAINS-NEW YORK 10601  
ATTN: HON. KENNETH M. KARAS  
U.S. DISTRICT JUDGE

PRO SE OFFICE WENDE-C.F.  
P.O. BOX 1187  
ALDEN-NEW YORK  
14004-1187  
11TH APRIL 2022

Smolen v. Brown et al

Doc. 86

RE: SMOLEN VS. BROWN ET AL 18-CIV-7621 [KMK]

DEAR JUDGE KARAS:

PLEASE BE ADVISED- ON 01-17-22-I HAD MY FOURTH SURGERY INVOLVING MY PROSTATE CANCER AND HAVE HAD POST SURGICAL PROBLEMS EVER SINCE. I WAS TAKEN BACK TO ERIE COUNTY MEDICAL CENTER ECMC ON 03-23-22-TO SEE MY UROLOGIST/SURGEON. WHILE AT E.C.M.C.-I BECAME VIOLENTLY ILL AND HAD TO BE TAKEN TO THEIR EMERGENCY ROOM. I WAS THERE FROM 11A.M. TO 11:P.M. AND THEN RETURNED BACK TO THE PRISON WITH A RECOMMENDATION TO BE SEEN BY A GASTROENTEROLOGIST. I NEVER GOT TO SEE MY UROLOGIST/SURGEON AND AM WAITING FOR ANOTHER APPOINTMENT. I AM VERY SICK TO DATE.

I RESPECTFULLY REQUEST-THAT YOU CONSIDER THIS LETTER A MOTION FOR ME TO BE GRANTED NINETY DAYS IN ORDER TO COMPLY/RESPOND TO DEFENDANTS' MOTIONS ETC.?

I FURTHER-RESPECTFULLY REQUEST-THAT THE COURT APPOINT PRO-BONO-THE LAW FIRM OF COVINGTON AND BURLING L.L.P. 620 EIGHTH AVENUE-NEW YORK-N.Y. 10018-1405. THEY HAVE AGREED TO REPRESENT ME-ON TWO OTHER FEDERAL CIVIL RIGHTS LAWSUITS. AND I AM CERTAIN THEY WOULD BE WILLING TO REPRESENT ME ON THE ABOVE

-SMOLEN VS. BROWN ET AL  
18 CIV 7621 [KMK]

JUDGE KATHY MARTIN  
04-11-22

CONT.

TITLED CASE. I ALSO WISH TO BRING TO THE COURT'S ATTENTION OF THE DISINGENUOUS NEGOTIATIONS I HAVE HAD WITH MS. AMANDA YOON- A.A.G. TO SETTLE A ~~THIS~~ MATTER. MS. YOON HAD OFFERED ME TWENTY THOUSAND DOLLARS- \$20,000.00- WHICH IS FAR BELOW THE PAYMENTS PAID TO OTHER INMATES FOR ILLEGAL CONFINEMENT IN S.H.U. OR I.R.C.. MS. YOON HAD STATED THAT SHE WOULD TRY TO INCREASE THE OFFER AND WOULD GET BACK TO ME BUT IT WOULD TAKE SEVERAL MONTHS FOR HER TO GET AN ANSWER. SEVERAL MONTHS HAD PASSED AND MS. YOON STATED SHE COULDN'T INCREASE THE OFFER- BUT AFTER I INFORMED HER THE OFFER WAS UNACCEPTABLE- MS. YOON AGAIN STATED THAT SHE WOULD TRY AGAIN TO INCREASE THE OFFER. MS. YOON APPARENTLY HAS BEEN REPLACED BY ANOTHER N.Y.S. A.A.G... THIS INVOLVED THE CASE OF SMOLEN VS. HARRISON # 7:17 CV-0794 [S.D.N.Y.]. I MENTIONED THE AFOREMENTIONED ONLY TO SHOW THE COURT MY WILLINGNESS TO WORK WITH ANY AND ALL A.A.G.S.

I REQUEST THE COURT GRANT ME MY MOTION REQUEST FOR AN EXTENSION OF TIME- TO REPLY TO THE DEFENDANTS' MOTIONS ETC. AND FOR THE COURT TO APPOINT ME PRO-BONO COUNSEL- CAVINGTON AND BURLING L.L.P. AND ANY AND ALL RELIEF THE COURT DEEMS NECESSARY AND JUST.

C.C. KATHRYN MARTIN-  
A.A.G.

- RESPECTFULLY SUBMITTED-  
Samuel J. Smolen Jr.  
S. SMOLEN # 85A4082

**WENDE CORRECTIONAL FACILITY**

Wende Rd., P.O. Box 1187  
Alden, New York 14004-1187

NAME: SAMUEL J. SMILENIA DIN: 87A4082

WENDE



NEOPOST

FIRST-CLASS MAIL

04/11/2022

**US POSTAGE \$000.53<sup>0</sup>**

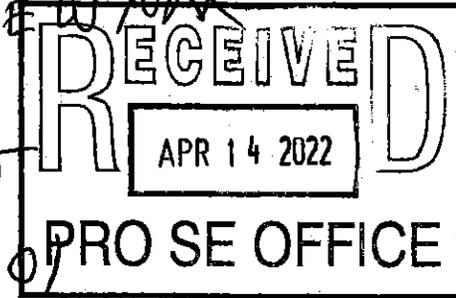


ZIP 14004  
041M11281621

CORRECTIONAL FACILITY



U.S. DISTRICT COURT -  
SOUTHERN DISTRICT OF NEW YORK  
ATTN: PRO-SE OFFICE  
300 GUARROPAS STREET  
WHITE PLAINS - N.Y. 10601



**LEGAL MAIL**

1060134140 0004



In light of Plaintiff's medical issues and potential representation by Covington & Burling, the Court grants Plaintiff **60 days** to file an Amended Complaint. The Court also notes that, per the Court's memo endorsement dated March 9, 2022, (Dkt. No. 83), Defendants' Motion for Summary Judgment, (Dkt. No. 71), is denied as moot. Plaintiff is encouraged to reach out to Covington & Burling as soon as possible. Plaintiff is then directed to inform the Court as to whether Covington & Burling opts to represent him; if so, attorneys are directed to file a Notice of Appearance.

The Clerk of Court is respectfully directed terminate the pending motion, (Dkt. No. 71), and to mail a copy of this memo endorsement to Plaintiff.

SO ORDERED

  
\_\_\_\_\_  
KENNETH M. KARAS U.S.D.J.

May 6, 2022