

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

MICHAEL T. JONES,)	
Institutional ID No. 419729,)	
SID No. 3101735,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	5:12-CV-00204-C
WEST TEXAS I.S.F., <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Plaintiff filed a Civil Rights Complaint pursuant to 42 U.S.C. § 1983 on November 8, 2012, and was granted permission to proceed *in forma pauperis*. The complaint was referred for judicial screening pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A to the Magistrate Judge, who has entered a Report and Recommendation recommending the dismissal of Plaintiff's complaint. However, the Court finds that there is insufficient information in the records for this Court to adopt the findings and recommendation. Plaintiff should therefore be required to answer the attached Questionnaire and return it to the Clerk for filing within twenty (20) days from the date of this Order. *See Green v. McKaskle*, 788 F.2d 1116, 1120 (5th Cir. 1986) (holding that a prisoner may be required to supplement his § 1983 complaint with answers to a questionnaire).

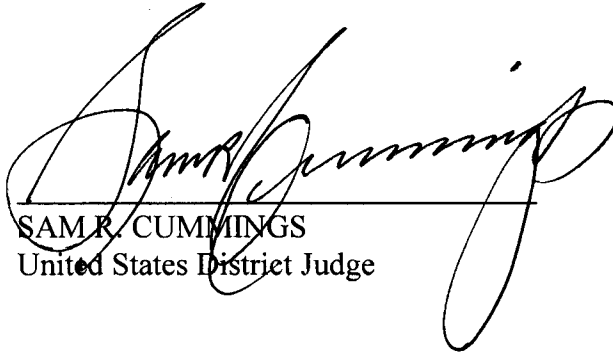
It is, therefore, ORDERED:

1. This Court declines to adopt the Magistrate Judge's Report and Recommendation filed on April 30, 2013.
2. Plaintiff shall file answers to the attached Questionnaire and return it to the Clerk for filing within twenty (20) days from the date of this Order.

Failure to comply with this Order or complete the Questionnaire shall result in the dismissal of this complaint for want of prosecution.

SO ORDERED.

Dated January 29, 2014.



SAM R. CUMMINGS
United States District Judge

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QUESTIONNAIRE

INSTRUCTIONS: You have filed a civil rights complaint pursuant to 42 U.S.C. § 1983 and appear to have raised claims regarding the denial of access to the courts, the denial of equal protection, the denial of due process, a false disciplinary proceeding, and the denial of due process in a parole revocation proceeding. You must answer the following questions completely. If you do not have enough space to give a complete answer, you may attach additional 8½” x 11” sheets to this questionnaire.

On this date, Plaintiff, under penalties of perjury, provides the following answers and information required by the Court.

(1) Are you currently incarcerated?

If your answer is “yes,” explain where you are incarcerated and why you are incarcerated (*i.e.*, new charges, a parole revocation, *etc.*).

(2) Were you incarcerated in the West Texas Intermediate Sanctions Facility (“ISF”) between May 14, 2012, and July 9, 2012?

If your answer is “no,” provide the dates when you were incarcerated in the West Texas ISF.

(3) What legal cases were you attempting to work on when you were incarcerated in the West Texas ISF?

(4) Please provide the name of the court, the location of the court, the cause number(s) for the case(s), appeal(s), or petition(s) which was (were) pending, and the nature of each legal case.

(5) What legal assistance did you request while you were incarcerated in the West Texas ISF and when did you request such assistance? Be specific.

(6) How did the denial of your request damage or harm your case(s)? Be specific.

(7) What was the outcome of your case(s), appeal(s), or petition(s)? When were you notified of the results?

(8) Are you complaining that you were denied equal protection when you were incarcerated in the West Texas ISF?

If your answer is "yes," you must answer the following questions:

(a) What governmental action "classified or distinguished" between two or more persons or groups?

(b) Who were the persons or groups that acted with discrimination and how did you know that they were discriminating against you?

(c) Who denied you equal protection and how did he (they) deny you equal protection?

(d) How were you damaged or injured by the denial of equal protection?

(9) Are you complaining that you were denied due process because your grievances were not answered when you were incarcerated in the West Texas ISF?

If your answer is “yes,” you must answer the following questions:

(a) What grievances were not answered?

(b) How did the failure to respond to grievances contribute to the denial of your right to access the courts? Be specific.

(d) Did the failure to respond to grievances contribute to any of the other complaints that you have raised? Be specific and explain how the failure contributed to the other complaints.

(e) Who failed to respond to your grievances?

(10) Are you complaining about a false disciplinary proceeding in disciplinary case no. 20120266341?

If your answer is “yes,” you must answer the following questions:

(a) Did you have a hearing in disciplinary case no. 20120266341? When was the hearing?

(b) Who was (were) the charging officer(s)?

(c) Who was the disciplinary hearing officer?

(d) What evidence was presented at the hearing?

(e) Has this disciplinary hearing been overturned or expunged from your record?

(f) Have you filed a federal petition for writ of habeas corpus challenging disciplinary hearing no. 20120266341?

If your answer is “yes,” where and when did you file the petition and what was the outcome of the petition?

(11) Are you complaining about the proceedings or the outcome of a revocation proceeding?

If your answer is “yes,” you must answer the following questions.

(a) When and where was the hearing conducted?

(b) Who conducted the hearing?

(c) What evidence was presented at the hearing?

(d) Were you represented by counsel at the hearing?

(e) Did you request that counsel represent you at the hearing?

(f) What was the outcome of the hearing?

(g) What errors were committed in the revocation proceedings?

(h) Did you file a state or federal petition for writ of habeas corpus to challenge the revocation of your parole? If your answer is “no,” why not?

(i) How were you harmed by the revocation of parole?

(12) Why did the Board of Pardons and Parole reverse their decision to revoke your parole and reinstate your supervision on October 9, 2012?

(13) Were you transferred from West Texas ISF on July 9, 2012, to the Correctional Institutions Division of the Texas Department of Criminal Justice (“TDCJ-CID”)?

(14) Were you released from TDCJ on October 9, 2012, after the Board of Pardons and Paroles reinstated your supervision?

(15) Why are you suing Warden Payne? Be specific.

(16) Why are you suing D. Dorman? Be specific.

(17) Why are you suing West Texas ISF? Be specific.

(18) Why are you suing the Texas Department of Criminal Justice? Be specific.

(19) Are you suing anyone else in this complaint?

If your answer is "yes," provide their name(s) and specifically explain why you are suing them.

(20) What kind of injunctive relief are you seeking? Be specific.

(21) Are you seeking monetary damages?

If your answer is "yes," specifically explain each injury/harm for which you are seeking monetary damages.

(22) What do you want this Court to do for you? Be specific.

I declare, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. 28 U.S.C. § 1746.

Signed this _____ day of _____, 2014.

Michael T. Jones