

CLAIM #1

PETITIONER CLAIM, DEFENDANTS VIOLATES HIS FREE EXERCISE RIGHTS, AS OUTLINED IN THE FIRST AMENDMENT OF THE U.S. CONSTITUTION; RELIGIOUS FREEDOM RESTORATION ACT OF 1993; THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSON ACT OF 2000; AND HIS FOURTEENTH AMENDMENT - DUE PROCESS CLAUSE - THOSE BINDING LIBERTY INTERESTS OF DUE PROCESS OF CODE OF VIRGINIA; INSTITUTIONAL POLICIES AND A.C.A. STANDARDS - OF DENYING HIM RELIGIOUS NEWSPAPERS WHICH IS ESSENTIAL TO PRACTICING HIS FAITH AND RELIGION. THIS DENIAL HAS CREATED A SUBSTANTIAL BURDEN ON PETITIONER, THEREBY PROHIBITING HIM OF PRACTICING HIS FAITH AND RELIGION.

PETITIONER STATES, HE HAS RECEIVED THIS SAME RELIGIOUS NEWSPAPER AT BED ONZON STATE PRISON, FOR OVER TWELVE WEEKS. WITHOUT TRUE REASON, DEFENDANTS ARBITRARILY DECIDED TO DENY - REPEATEDLY - THE NEWSPAPER. THIS PUBLICATION IS APPROVED THROUGHOUT THE VIRGINIA DEPARTMENT OF CORRECTIONS AND HAS POSED NO PAST, PRESENT, OR FUTURE THREAT TO THE SECURITY OR ORDERLY OPERATIONS OF THE INSTITUTION. THIS IS A RELIGIOUS PUBLICATION - NOT PROMOTING GANG ACTIVITY, VIOLENCE, INSURRECTION, TERRORIST ACTIVITY CIVIL UNREST OR ANY THING THAT POSES A DANGER

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OR THREAT TO INSTITUTION.

PETITIONER BELIEVES HE SHOULD BE, AND HAS A RIGHT TO BE RELIEVED OF THIS SUBSTANTIAL BURDEN IMPOSED UPON HIM BY DEFENDANTS, VIA HIS FIRST AMENDMENT RIGHTS; FOURTEENTH AMENDMENT RIGHTS; THOSE BINDING LIBERTY INTERESTS GUARANTEED BY STATE LAWS AND INSTITUTIONAL POLICIES.

CLAIM #2

PETITIONER CLAIM, DEFENDANTS VIOLATES HIS FIRST AMENDMENT RIGHT OF FREE EXERCISE CLAUSE OF FREEDOM OF THE PRESS AND HIS FOURTEENTH AMENDMENT RIGHTS OF DUE PROCESS - AS IT RELATE TO RECEIVING RELIGIOUS PUBLICATIONS AND OTHER PUBLICATIONS VIA MAIL ORDER - AND THOSE BINDING LIBERTY INTERESTS OF CODE OF VIRGINIA AND VIRGINIA DEPARTMENT OF CORRECTIONS POLICIES, BY REPEATEDLY DENYING HIS RELIGIOUS PUBLICATIONS AND OTHER AFRICAN-AMERICAN PUBLICATIONS; A RIGHT BOUND BY VIRGINIA DEPARTMENT OF CORRECTIONS POLICIES AND PROCEDURES.

THIS REPEATED DENIAL BY DEFENDANTS, AFTER FIRST PERMITTING THE PUBLICATIONS FOR YEARS - CREATES A SUBSTANTIAL BURDEN UPON PETITIONER PRACTICING HIS FAITH AND RELIGION, AND RECEIVING CULTURAL PUBLICATIONS. DUE TO RED OXON STATE PRISON BEING A PUNITIVE SEGREGATION UNIT, PETITIONER IS NOT PERMITTED TO ATTEND RELIGIOUS PROGRAMS OUTSIDE HIS CELL. THE INSTITUTION - THOSE IN SEGREGATION - IS "LOCKED-DOWN" 23-24 HOURS A DAY. THOUGH INSTITUTION SHOWS RELIGIOUS VIDEOS VIA CLOSE CIRCUIT TELEVISION TO WATCH PROGRAMS, MORE THAN EIGHTY-FIVE PERCENT OF SEGREGATION DO NOT OWN TELEVISIONS. THE CHAPLAIN SERVICE

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DEPARTMENT DOES NOT PROVIDE NOR OFFER NATION OF ISLAM RELIGIOUS MATERIAL. BY RECEIVING PUBLICATIONS THROUGH MAIL - WHETHER DONATED OR PURCHASED - IS THE ONLY WAY PETITIONER (AND OTHERS AT BED ONZON) CAN PRACTICE HIS FAITH AND RELIGION. THIS DENIAL CREATES A SUBSTANTIAL BURDEN. IT IS NOT THE LEAST RESTRICTED MEANS.

PETITIONER BELIEVES HE HAS A RIGHT TO BE RELIEVED OF THESE VIOLATIONS BY DEFENDANTS, OF HIS FIRST AND FOURTEENTH AMENDMENT RIGHTS, AND THOSE BINDING LIBERTY INTERESTS EXTENDED BY STATE LAW AND VIRGINIA DEPARTMENT OF CORRECTIONS POLICIES AND PROCEDURES.

CLAIM #3

PETITIONER CLAIM, DEFENDANTS VIOLATES HIS FIRST AMENDMENT RIGHTS OF REDRESS OF GRIEVANCES OF GOVERNMENT (INSTITUTION) RULES, REGULATIONS, POLICIES, AND PROCEDURES - BY DENYING HIM THE RETURN DOCUMENTS THAT WOULD ENABLE HIM TO FILE GRIEVANCES AND APPEALS OF PRISON'S DECISIONS, RULES, REGULATIONS, POLICIES AND PROCEDURES. THIS VIOLATES PETITIONER'S FOURTEENTH AMENDMENT RIGHTS OF DUE PROCESS OF LIBERTY INTERESTS EXTENDED BY STATE LAW AND VIRGINIA DEPARTMENT OF CORRECTIONS POLICIES AND PROCEDURES

DEFENDANTS HAVE DENIED PETITIONER HIS RELIGIOUS PUBLICATION AND OTHER CULTURAL PUBLICATIONS, VIA DECISIONS RENDERED BY INSTITUTION'S MAJOR OF SECURITY AND PUBLICATION REVIEW COMMITTEE. PETITIONER HAS A BINDING LIBERTY INTEREST - DUE PROCESS - TO FILE GRIEVANCES AND APPEALS IN OPPOSITION TO INSTITUTION'S DECISIONS. DEFENDANTS HAVE FAILED, IN MANY CASES, TO RETURN PROPER DOCUMENTS TO ALL DENIED PUBLICATIONS, THEREBY DENYING PETITIONER THE RIGHT TO REDRESS OF GOVERNMENT AND THOSE BINDING LIBERTY INTERESTS. THIS HAS CREATED A SUBSTANTIAL BURDEN ON PETITIONER.

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PETITIONER BELIEVES HE HAS A RIGHT TO BE BELIEVED OF THESE VIOLATIONS BY DEFENDANTS OF HIS FIRST AND FOURTEENTH AMENDMENT RIGHTS; AND THOSE BINDING LIBERTY INTERESTS EXTENDED BY STATE LAW AND THOSE OF VIRGINIA DEPARTMENT OF CORRECTIONS.

CLAIM # 4

PETITIONER CLAIM, DEFENDANTS VIOLATES HIS FOURTEENTH AMENDMENT RIGHTS - DUE PROCESS CLAUSE, A BINDING LIBERTY INTEREST OF THOSE EXTENDED BY THE FIRST AMENDMENT OF THE UNITED STATES CONSTITUTION, LAWS OF THE STATE VIRGINIA, AND ALL VIRGINIA DEPARTMENT OF CORRECTIONS RULES, REGULATIONS, AND POLICIES AND PROCEDURES. DEFENDANTS DENY PETITIONER THE RIGHTS TO PRACTICE HIS FAITH AND RELIGION WITHOUT INFRINGEMENT OR SUBSTANTIAL BURDEN; AND TO ORDER, RECEIVE, POSSESS AND HAVE RELIGIOUS AND CULTURAL DOCUMENTS, PUBLICATIONS, AND MAGAZINES.

DEFENDANTS HAVE REPEATEDLY DENIED PETITIONER RELIGIOUS PUBLICATIONS AND CULTURAL MAGAZINES WITHOUT TRUE JUSTIFICATION OF A PENOLOGICAL INTEREST, BUT RATHER, A THEOLOGICAL AND PHILOSOPHICAL DIFFERENCE; AND BY LABELING ANYTHING ASSOCIATED WITH RAP MUSIC OR URBAN CULTURAL GANG RELATED. THIS DENIAL BY DEFENDANTS HAVE INFRINGED UPON PETITIONER'S RIGHTS, AS OUTLINED IN THE FIRST AND FOURTEENTH AMENDMENTS, STATE LAW, AND VIRGINIA DEPARTMENT OF CORRECTIONS RULES AND REGULATIONS, POLICIES AND PROCEDURES, THEREBY IMPINGING UPON PETITIONER'S RIGHTS TO EXERCISE HIS FAITH AND RELIGION, AND

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RECEIVE RELIGIOUS NEWSPAPER, CULTURAL MAGAZINES,
AND OTHER RELATING MATERIALS

PETZTOWER BELIEVES HE HAS A RIGHT TO BE RE-
LIEVED OF THE VIOLATIONS OF DEFENDANTS, OF HIS
FOURTEENTH AMENDMENT OF DUE PROCESS OF LIBERTY,
AND THOSE BINDING LIBERTY INTEREST EXTENDED
BY STATE LAW AND THOSE OF THE VIRGINIA
DEPARTMENT OF CORRECTIONS.

CLAIM # 5

PETITIONER CLAIM, DEFENDANTS VIOLATES HIS EIGHTH AMENDMENT RIGHTS OF BEING SUBJECTED TO CRUEL AND UNUSUAL PUNISHMENT.

BECAUSE OF PETITIONER'S RELIGIOUS BELIEFS, DEFENDANTS SEEKS TO DEPRIVE HIM OF RELIGIOUS MATERIAL AS A FORM OF PUNISHMENT, DESIGN TO CURB HIS BEHAVIOR. PETITIONER HAS AN EIGHTH AMENDMENT RIGHT TO BE FREE FROM CRUEL AND UNUSUAL PUNISHMENT. THIS VIOLATION BY DEFENDANT HAS CAUSED PETITIONER STRESS, HARDSHIP, AND HAS CREATED A SUBSTANTIAL BURDEN UPON PETITIONER.

PETITIONER STATES, PRIOR TO COMING TO RED OZON STATE PRISON, HE HAS ALWAYS RECEIVED RELIGIOUS MATERIAL AND CULTURAL MAGAZINES ASSOCIATED WITH HIS FAITH AND AFRICAN-AMERICAN CULTURAL (THEY ARE APPROVED THROUGHOUT VIRGINIA DEPARTMENT OF CORRECTIONS). PETITIONER STATES, HE HAS RECEIVED SUCH MATERIAL AND NEWSPAPER FOR OVER FOURTEEN AND A HALF YEARS, NEVER HAVING ONE ISSUE DENIED; UNTIL I ARRIVED AT RED OZON STATE PRISON. PETITIONER WAS SENT TO RED OZON FOR AN INFRACTION ASSOCIATED WITH HIS RELIGIOUS BELIEF, PRACTICE, AND PROGRAM. AS A RESULT,

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DEFENDANTS SEEK to FURTHER PUNISH him by DENYING him his RELIGIOUS MATERIAL AND OTHER CULTURAL MAGAZINES; FOSTERING CRUEL AND UNUSUAL PUNISHMENT

PETITZNER FURTHER STATES, AS OUTLINED IN THE FOURTEENTH AMENDMENT, HE HAS A DUE PROCESS RIGHT TO BE PROTECTED FROM CRUEL AND UNUSUAL PUNISHMENT AS AN EIGHTH AMENDMENT RIGHT; AND THOSE LIBERTY INTERESTS EXTENDED VIA CODE OF VIRGINIA AND VIRGINIA DEPARTMENT OF CORRECTIONS RULES AND POLICIES, AND PROCEDURES.

PETITZNER BELIEVES HE HAS A RIGHT TO BE RELIEVED OF THE VIOLATION OF DEFENDANTS OF HIS EIGHTH AMENDMENT RIGHT, AND THOSE RIGHTS EXTENDED VIA DEPARTMENT OF CORRECTIONS POLICIES AND PROCEDURES.

CLAIM # 6

PETITIONER CLAIM, DEFENDANTS VIOLATES HIS FOURTEENTH AMENDMENT - EQUAL PROTECTION RIGHTS TO BE FREE FROM RACIAL DISCRIMINATION AND RELIGIOUS BIGOTRY.

PETITIONER BELIEVES THE DENIAL OF HIS RELIGIOUS AND CULTURAL MATERIALS ARE MOTIVATED BY RACIAL DISCRIMINATION AND RELIGIOUS BIGOTRY.

RED ONION STATE PRISON HAS A LONG HISTORY, PLAGUED WITH CLAIMS AND ALLEGATIONS, AND FINDINGS BY LOCAL, STATE, AND FEDERAL COURTS, OF RACIAL DISCRIMINATION. RED ONION IS LOCATED IN RURAL SOUTH-SOUTHWESTERN VIRGINIA, AND ITS STAFF AND OFFICERS ARE NINETY-NINE PERCENT WHITE - WHO OFTEN TIMES VERBALLY EXPRESS THEIR RACIAL BIGOTRY AND HATRED FOR BLACKS, HISPANICS, AND BI-RACIAL PRISONERS. THESE VIEWS ARE HELD BY MOST IN ADMINISTRATION AT RED ONION. FOR THESE REASONS, I BELIEVE THE DECISION TO REPEATEDLY DENY MY RELIGIOUS NEWSPAPER AND CULTURAL MAGAZINES, AND LABELING ALL URBAN MATERIAL OR RAP MUSIC MATERIAL AS "GANG RELATED" IS RACIALLY

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MOTIVATED AND RELIGIOUS BIGOTRY. I HAVE FEARED FOR MY LIFE EVERY DAY, SINCE COMING TO RED OXON.

THESE ACTS OF RACIAL DISCRIMINATION VIOLATES PETITIONER'S CIVIL RIGHTS AND HIS FOURTEENTH AMENDMENT RIGHTS OF DUE PROCESS - TO BE PROTECTED FROM SUCH TREATMENT VIA LIBERTY INTEREST EXTENDED BY STATE LAW AND VIRGINIA DEPARTMENT OF CORRECTIONS RULES AND POLICIES.

PETITIONER BELIEVES HE HAS A RIGHT TO BE RELIEVED OF THESE VIOLATIONS BY DEFENDANTS AS OUTLINED IN EQUAL PROTECTION CLAUSE, CIVIL RIGHTS AND FOURTEENTH AMENDMENT, AND RELATING STATE LAW AND VIRGINIA DEPARTMENT OF CORRECTIONS RULES AND POLICIES.