

# ORIGINAL

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

ERIC DOWDY-EL, AVERIS X. WILSON  
JAMES HOLLY, MUJAHID LATIF,  
on behalf of themselves and  
all others similarly situated

Plaintiffs,

Case: 2:06-cv-11765  
Assigned To : Cohn, Avern  
Referral Judge: Komives, Paul J  
Assign. Date : 4/12/2006 @ 3:03 P.M.  
Description: CMP DOWDY, ET AL V.  
CARUSO, ET AL (TAM)

**ORIGINAL FOR THE  
COURT**

vs

PATRICIA L. CARUSO, in her official  
capacity as Director of The Michigan  
Department of Corrections and  
DAVE BURNETT, in his official capacity  
as Correctional Facilities Administration  
Special Activities Coordinator

Defendants,

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Plaintiffs' Address:  
G. Robert Cotton Correctional Facility  
3510 N. Elm Street  
Jackson, Michigan 49201-8877  
(IN PRO SE)

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Defendants' Address  
Michigan Department of Corrections  
Grandview Plaza Bldg.  
P.O. Box 30003  
Lansing, Michigan 48909

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**CIVIL RIGHTS COMPLAINT  
EXHIBITS  
MOTION FOR CLASS CERTIFICATION  
MOTION FOR APPOINTMENT OF COUNSEL  
VERIFICATION**

By: Plaintiffs  
(IN PRO SE)

UNITED STATES DISTRICT COURT  
EASTEREN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ERIC DOWDY-EL, AVERIS X. WILSON,  
JAMES HOLLY, MUJAHID LATIF,  
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all others similarly situated

FILE NO:

HON.

Plaintiffs,

vs

PATRICA L. CARUSO, in her official  
capacity as Director of The Michigan  
Department of Corrections and  
DAVE BURNETT, in his official capacity  
as Correctional Facilities Administration  
Special Activities Coordinator,

Defendants

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VERIFIED COMPLAINT

PLAINTIFFS, who are believers and practitioners of the Islamic and Christian Religions, incarcerated in the Michigan Department of Corrections (MDOC), currently at the G. Robert Cotton Correctional Facility, 3510 N. Elm Street, Jackson, Michigan 49201-8877, present this 42 USC §1983 Civil Rights Complaint against Patrica L. Caruso, Director of The Michigan Department of Corrections, and Dave Burnett, Correctional Facilities Administration Special Activities Coordinator (CFA), located at the Grandview Plaza Bldg., P.O. Box 30003, Lansing, Michigan 48909; for violation of Section 3 of The Religious Land Use and Institutionalized Persons Act 42 USC §2000cc.

**CAUSE OF ACTION**

Pursuant to The Religious Land Use And Institutionalized Persons Act 42 USC § 2000cc-2 (a) a person may assert a violation of this chapter as a claim or defense in a judicial proceeding and obtain appropriate relief against a government. Standing to assert a claim or defense under this section shall be governed by the general rules of standing under Article III of the United States Constitution. Defendants' refusal to change the policy governing religious beliefs and practices of prisoners brings about this cause of action in this Honorable Court.

**JURISDICTION AND VENUE**

This court has subject matter jurisdiction over this cause of action pursuant to 28 USC §1331 (a) (b) in that this action arises under the Constitution of the United States; and pursuant to 28 USC §1343 (a) (3) plaintiff's seek redress of their civil rights violations under 42 USC §1983.

This court has jurisdiction to grant declaratory and injunctive relief pursuant to 28 USC 2201 and 2202, and rule 52 of the Federal Rules of Civil Procedure.

**FACTUAL ALLEGATIONS**

1. By creating, approving and enforcing Section CC.

of Policy Directive 05.03.150 entitled Religious Beliefs And Practices of Prisoners (Exhibit A), therein restricting plaintiffs/prisoners from being released from work and school assignments to attend religious services/meetings; defendants are depriving plaintiffs/prisoners of the right to attend their Holy Day, Juma Prayer, Congregational Prayer, or Sabbath Services/Meetings. The defendants' restriction serve no compelling government interest, and, if it did, said restriction is not the least restricted means by which to achieve that interest.

2. Defendants failure to provide Halal Meals for prisoners of the Islamic Religion, as they provide Kosher Meals for prisoners of the Jewish Religion, and Special Religious Diet Meals for prisoners of the Buddhist Religion deprives the Islamic plaintiffs/prisoners from practicing a very important aspect of their religion. Said restriction serves no compelling government interest, nor would it be the least restrictive means by which to achieve that interest if there was one. And said restriction violates the Equal Protection Clause of the U.S. Constitution.

3. Defendants enforcement of Section GG. of Policy Directive 05.03.150, entitled Religious Beliefs And Practices of Prisoners (Exhibit B), deprives plaintiffs/prisoners of the right to address each other by names or titles prescribed by their religion, and serves no compelling government

interest, and, if it did, it would not be the least restrictive means by which to achieve that interest.

4. The defendants refusal to allow plaintiffs/prisoners to wear their religious medallions, pins and badges in the open, serves no compelling government interest, nor would it be the least restrictive means by which to achieve that interest if one existed.

5. The defendants refusal to allow prisoners to receive or purchase perfumed oils, denies the plaintiffs/prisoners of the Islamic Religion the right to practice a very essential practice of the religion, and serves no compelling government interest, and, if it did, it would not be the least restrictive means by which to achieve that interest if one existed.

6. The defendants enforcement of Section XX. of Policy Directive 05 .03 .150, entitled Religious Beliefs And Practices of Prisoners (Exhibit C) denies Religious Special Meals (banquets) to all other religious groups besides those of the Jewish Religion/Faith who are permitted to have a Passover Sedar, serves no compelling government interest, nor would it be the least restrictive means by which to achieve that interest if one existed.

7. The defendants refusal to allow members of The

Moorish Science Temple of America, Inc., a legally chartered religious organization to purchase Nationality Cards with the money it receives from The Prisoner Benefit Fund and the refusal to allow the members of The Moorish Science Temple of America, Inc., to receive donations of Nationality Cards, deprives those plaintiffs/prisoners who are members of The Moorish Science Temple of America, Inc., a Islamic Organization from observing and practicing a very essential part of their religion and serves no compelling interest, and if it did, it would not be the least restrictive means by which to achieve that interest if one existed.

8. The defendants refusal to allow plaintiffs/prisoners to wear religious head gear, daily, in the open, serves no compelling government interest, and if it did, said restriction would not be the least restrictive means by which to achieve that interest.

By mail and a grievance these issues have been addressed to the officials that develop, approve and oversee the religious policy and programs of The Michigan Department of Corrections, defendants Patrica L. Caruso, and Dave Burnett. Letter to defendant Dave Burnett is marked Exhibit D and D part 2, his response is marked Exhibit D part 3. Grievance to Michigan Department of Corrections Office of Prisoner Affairs against defendant Dave Burnett is marked Exhibit E and E part 2. Letter to defendant Patrica L. Caruso

is marked Exhibit F sent via Certified Mail Article Number 7004 1350 0003 3649 0371 and signed for by Jeremy Hall, Mail & Delivery Services, Agent For State of Michigan on Feb. 14, 2006, response to that letter is marked Exhibit G.

**RELIEF SOUGHT**

**WHEREFORE,** plaintiffs seek Declaratory Judgement and Injunctive Relief as such:

Issue a declaratory judgment stating that:

1. The Defendant(s) actions in placing the said restrictions on the religious beliefs and practices of the plaintiffs/prisoners are a violation of the First and Fourteenth Amendments to the United States Constitution and The Religious Land Use And Institutionalized Persons Act 42 USC §2000cc.

Issue an injunction directing Defendant(s) as such:

1. Plaintiffs/prisoners must be allowed to be released from work and school assignments to attend their Holy Day, Juma Prayer, Congregational Prayer, and Sabbath Day Services/Meetings.

2. Plaintiffs/prisoners who are of the Islamic Religion/Faith must be provided with Halal Meals that conform to the dietary requirements of The Islamic Religion/Faith.

3. Plaintiffs/prisoners must be allowed to address each other by names or titles prescribed by their religion, without fear of punishment, harassment or intimidation.

4. Plaintiffs/prisoners must be allowed to wear their religious medallions in the open, outside their clothing.

5. Plaintiffs/prisoners of the Islamic Religion/Faith, must be allowed to receive and purchase perfumed oils.

6. Plaintiffs/prisoners must be allowed to have a Religious Special Meal (banquets) to celebrate a essential holiday, event, etc. in the same manner that the Jewish Prisoners are allowed to have the Passover Seder.

7. Those plaintiffs/prisoners who are members of The Moorish Science Temple of America, Inc., a Islamic Organization, must be allowed to purchase supplies of Nationality Cards with the money they receive from the Prisoner Benefit Fund and receive donations of Nationality Cards, from officials of The Moorish Science Temple of America, Inc.

8. Plaintiffs/prisoners must be allowed to wear their religious head gear daily in the open.

Defendants have a duty to permit plaintiffs/prisoners to practice their religion/faith in accordance with the beliefs and practices of their religion that are not a threat to safety and security. Defendants acting under the Color of State Law have breached that duty to plaintiffs/prisoners, thereby creating the violation of The Religious Land Use And Institutionalized Persons Act 42 USC § 2000cc-3.

**JURY DEMAND**



Pursuant to Rule 36(a) (b) of the Federal Rules of Civil Procedure plaintiffs are requesting a trial by jury in the above entitled action.

Defendants nor any agent for the defendants, should be allowed to take any retaliatory actions against plaintiffs who represent the class, for filing this action in this Honorable Court.

WHEREFORE, plaintiffs under the penalty of perjury, hereby deposes and state that all the statements contained in this complaint are true to the best of their information, knowledge and belief.

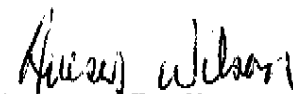
Respectfully Submitted,

IN PRO SE



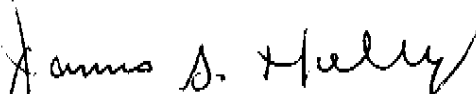
Eric Dowdy-EL No. 139170

Date: 4-3-06



Averis X. Wilson No. 416601

Date: 4-3-06



James Holly No. 216282

Date: 4-3-06



Mujahid Latif No. 169151

Date: 4-3-06

sacred are treated with respect and appropriate care.

- AA. In Level IV, V and VI, group religious services and activities shall have in-room staff supervision at all times. In Level II and III, every effort shall be made to have in-room staff supervision when a religious service is being led by a prisoner assistant pursuant to Paragraph GG. In all other cases, the Warden or TRV Manager, as appropriate, shall determine the need for in-room staff supervision for group services and activities. However, staff must be readily available in the area when in-room staff supervision is not required. Staff providing in-room supervision shall remain in the room where the service or activity is being conducted during the entire service or activity. To ensure that prisoners are engaging only in conduct appropriate to the practice of the religion, staff providing in-room supervision shall listen to and watch those attending the service or activity. This supervision shall be as unobtrusive as possible, consistent with custody and security controls.
- BB. When attending group religious services or activities, prisoners shall engage only in conduct appropriate to the practice of the religion. Prisoners shall not guard or control, or position themselves so as to appear to be guarding or controlling, the entrance to or exit from the religious service or activity. Militaristic type behavior (e.g., saluting each other; marching) shall not be permitted. Failure to comply with these requirements may result in the prisoner being required to leave the area or result in termination of the service or activity.
- CC. Prisoners shall not be released from work or school assignments to attend group religious services or activities, consistent with restrictions on attending other personal interest activities. Religious services and activities should be scheduled when the majority of prisoners have leisure time (e.g., evening and weekend hours). If resources permit, additional services and activities may be scheduled to accommodate those prisoners who are normally on a work or school assignment when other prisoners have leisure time. Chaplains shall be available at the facility when the majority of services and activities are scheduled.
- DD. The Warden, FOA Regional Administrator or designee may reschedule any group religious service or activity at his/her facility, or restrict the size of the group attending religious services or activities, for custody and security reasons.

Additional CFA Requirements

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- EE. Group religious services and activities shall be offered only for religious groups recognized by the Department. Prisoners shall be permitted to attend only the group religious services and activities offered for the religion s/he has designated in writing as his/her religious affiliation, except that attendance at such activities by a prisoner in Level VI shall be subject to the approval of the Warden. Group religious services and activities for prisoners in segregation shall be offered only as set forth in PD 04.05.120 "Segregation Standards".
- FF. The Warden may suspend religious group services and activities if holding the service or activity would constitute a threat to the order and security of the institution. If a Warden suspends group religious services or activities, it shall be reported through the appropriate chain of command to the CFA Special Activities Coordinator. Group religious services and activities may not be suspended for more than one week without authorization from the appropriate RPA and notification to the CFA Special Activities Coordinator.
- GG. The institutional chaplain may approve a prisoner to temporarily assist in leading a group religious service only if the chaplain is not theologically qualified or ecclesiastically permitted to lead the service and there are no qualified outside volunteers nearby who are available to lead the service. In such cases, in-room staff supervision shall be provided as set forth in Paragraph AA. Prisoners acting as temporary assistants to the chaplain shall not be recognized by courtesy titles (e.g., Minister, Priest, Reverend, Imam, Padre, Father, Sister, Brother, Grand Sheik) in the institution; they also shall not represent themselves to members

EXHIBIT A

&

EXHIBIT B



of the public, staff or other prisoners with such titles.

- HH. Institutional chaplains shall maintain records of attendance at group religious services but shall not include those records in a prisoner's Central Office, Record Office or Counselor file.

RELIGIOUS MATERIALS

- II. Prisoners are allowed to receive religious reading material through the mail and, in CFA, from the institutional chaplain, subject to PD 04.07.112 "Prisoner Personal Property", PD 05.03.118 "Prisoner Mail" and PD 06.04.105 "Special Alternative Incarceration Program". This includes reading materials about a religious group not granted recognition by the Department. Institutional chaplains shall ensure that religious reading material from a variety of religious groups is available for prisoner use.

- JJ. In addition to religious reading material, prisoners are allowed to possess personal religious property which are necessary to the practice of the prisoner's religion unless the item presents a threat to the custody and security of the facility, as determined by the CFA Deputy Director and subject to PD 04.07.112 "Prisoner Personal Property" and PD 06.04.105 "Special Alternative Incarceration Program". Attachments A and B identifies personal religious property authorized by the CFA Deputy Director for prisoners who are members of a religious group recognized by the Department. Only religious property identified on the attachments shall be permitted. The attachments also identify restrictions on the possession and use of such property.

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- KK. Prisoners in a CFA institution or a TRV may possess personal religious property that has not already been authorized by the CFA Deputy Director only with approval of the CFA Deputy Director. Such requests from prisoners must be submitted a request in writing to the Warden, TRV Manager or designee, as appropriate, and include a description of the religious item along with an explanation of its significance to the prisoner's designated religion. The Warden, TRV Manager or designee shall forward the request and any supporting documents to the CFA Special Activities Coordinator through the appropriate chain of command. The CFA Special Activities Coordinator shall present the material to the CAC for review as needed prior to submission to the CFA Deputy Director.

- LL. The CFA Deputy Director shall make the final decision as to whether the religious item will be approved based on whether it is necessary to the practice of the prisoner's religion and whether possession of the item would pose a threat to the custody and security of the facility. The decision whether the item is necessary to the practice of the prisoner's designated religion shall be based on any recommendation received from the CAC. The Warden, TRV Manager or designee, as appropriate, shall be advised of the final decision; The Warden, TRV Manager or designee shall notify the prisoner.

- MM. If a prisoner in a CFA institution or a TRV changes his/her designated religion, any religious items, other than reading material in his/her possession, that are not necessary to the practice of the prisoner's newly designated religion shall be considered contraband. Contraband in a CFA institution shall be disposed of as set forth in PD 04.07.112 "Prisoner Personal Property".

- NN. Wardens shall authorize vendors from which prisoners may purchase religious reading material and other approved religious materials for each religious group recognized by the Department. Wardens of institutions housing prisoners who are not members of a recognized religious group but who are approved to possess personal religious property, in addition to reading material, by the CFA Deputy Director also shall authorize vendors for those property items. In CFA, prisoners may purchase approved personal religious property other than reading material only through the institution from authorized vendors in accordance with PD 04.07.112 "Prisoner Personal Property"; religious reading material may be purchased as set forth in PD 05.03.118 "Prisoner Mail". Religious property, including reading material, in a

DOCUMENT TYPE POLICY DIRECTIVE	EFFECTIVE DATE 05/24/04	NUMBER 05.03.150	PAGE 7 OF 10
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CFA institution is subject to the retail value limit set forth in PD 04.07.112 "Prisoner Personal Property".

- OO. Prisoners in a corrections center may possess additional materials of religious significance that do not pose a custody and security concern within the facility, as approved by the appropriate Manager. Questions regarding the religious significance of an item shall be referred to the CFA Special Activities Coordinator.

RELIGIOUS MENUS/MEALS

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- PP. The regular diet menu shall be posted a minimum of one week in advance in all facilities at which meals are provided to prisoners to permit observance of any religious dietary restrictions. Prisoners shall be permitted to abstain from any foods that violate their religious tenets. Non-meat entrees shall be available as set forth in PD 04.07.100 "Offender Meals".
- QQ. Adequate menu substitutions shall be available to prisoners in all facilities at which meals are provided to meet necessary religious dietary restrictions. Any questions as to whether a menu substitution is required shall be referred to the CFA Special Activities Coordinator for resolution.
- RR. The CFA or FOA Deputy Director or designee may authorize the development of a separate menu to meet the necessary religious dietary restrictions of a prisoner. Such menus shall meet the minimum nutritional standards set forth in PD 04.07.100 "Offender Meals". The appropriate Deputy Director or designee shall have final approval of such menus and shall determine at which facilities the meals will be offered. Kosher meals shall be provided in CFA institutions as set forth in OP 05.03.150-A "Kosher Meal Program".
- SS. The Manager of the Food Service Section, CFA, shall maintain a list of approved religious menus and the facilities at which the meals are offered. The list shall be distributed to all RPAs and Wardens and to the CFA Special Activities Coordinator; for FOA menus and facilities, the list shall be distributed to the FOA Deputy Director or designee.
- TT. A prisoner may eat from a religious menu only with approval of the CFA Special Activities Coordinator. Approval shall be granted only if it is necessary to the practice of the prisoner's designated religion. To request approval, the prisoner must submit a written request to the Warden, TRV Manager, or designee, as appropriate, who shall obtain information regarding the prisoner's request and religious beliefs prior to referring the request to the CFA Special Activities Coordinator. The CFA Special Activities Coordinator shall notify the Warden, TRV Manager or designee, as appropriate, of the decision; the Warden or TRV Manager shall ensure that the prisoner is notified. A prisoner whose request is denied shall not be allowed to submit another request to eat from that religious menu for at least one year.
- UU. A prisoner approved to eat from a religious menu shall be provided appropriate meals within a reasonable time after the approval. In CFA, the prisoner shall be transferred to an institution offering the meals, if necessary. Once the meals are provided, the prisoner shall not be allowed to eat from the regular menu. The prisoner shall continue to be provided meals from the religious menu except as set forth in Paragraphs VV and WW.
- VV. A prisoner approved to eat from a religious menu must notify the Warden in writing if s/he no longer wants to eat from that menu. The approval shall be rescinded upon receipt of the request.
- WW. A prisoner approved to eat from a religious menu shall have that approval rescinded if s/he eats, or has in his/her possession, any food item that violates a tenet of his/her designated religion. The approval shall be rescinded only after a hearing is conducted pursuant to Administrative Rule 791.3310 to establish the basis for that removal. A prisoner may reapply

to eat from a religious menu no sooner than 60 calendar days after approval is rescinded the first time and no sooner than one year after approval is rescinded a second time. A prisoner may reapply to eat from a religious menu only with approval of the CFA Deputy Director if approval has been rescinded more than twice.

- XX. Pursuant to court order, an annual Passover Seder shall be conducted at the Southern Michigan Correctional Facility (JMF) and/or the Parnall Correctional Facility (SMT) under the direction of the CFA Special Activities Coordinator. The Seder shall be conducted in accordance with the court order and this policy. Only prisoners who designated Judaism as their religious affiliation shall be permitted to attend the Seder. The Warden shall determine necessary custody supervision, consistent with requirements set forth in this policy.
- YY. Prisoners shall be permitted to observe religious fasts that are necessary to the practice of their religion, as approved by the CFA Special Activities Coordinator. A prisoner or group of prisoners who wants to observe a religious fast that has not already been approved by the CFA Special Activities Coordinator must submit a written request to do so to the Warden, FOA Regional Administrator or designee, as appropriate, which shall include information regarding the religion's beliefs and practices. The Warden, FOA Regional Administrator or designee shall refer the request and supporting documents to the CFA Special Activities Coordinator through the appropriate chain of command for approval. The CFA Special Activities Coordinator shall present the material to the CAC for additional review, if needed. Approval shall be granted only if the fast is necessary to the practice of a bona fide religion and observance of the fast would not pose a threat to the order and security of the facility. The CFA Special Activities Coordinator shall ensure RPAs, Wardens and TRV Managers are notified of approved religious fasts, as necessary.
- ZZ. Special religious meals and food items shall be provided to prisoners only as set forth in this section. This does not apply to food items that may be sold in the prisoner store pursuant to PD 04.02.130 "Prisoner Store" or provided to prisoners as religious sacraments.

#### CLERGY AND RELIGIOUS VOLUNTEERS

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- AAA. All prisoners shall have access to members of the clergy as set forth in this policy, including clergy for a religious group which has not been granted recognition by the Department. For purposes of this policy, "clergy" is defined as a leader of a religious organization or entity such as a church, mosque or synagogue, or a person who has been granted clergy status by a recognized religion. It does not include anyone who is self-ordained or designated as clergy by a prisoner.
- BBB. Clergy shall be permitted to respond to the religious and spiritual needs of a prisoner who requests assistance, consistent with Department policies and procedures. Clergy may keep pastoral confidences intact except when withheld information would endanger the custody and security of the facility or the community, including the health and safety of members of the public, staff or prisoners.
- CCC. CFA prisoners shall be allowed visits from clergy and outreach volunteers as set forth in PD 05.03.140 "Prisoner Visiting". SAI prisoners shall be allowed clergy visits pursuant to PD 06.04.105 "Special Alternative Incarceration Program". TRV prisoners shall be allowed clergy visits as scheduled by the TRV Manager. Clergy may bring into the visiting room or area a copy of their religious writings (e.g. Bible, Quran, Koran, Rabbi's Manual, Prayer Book, Service Book) for their use during the visit. The religious writings shall be subject to search.
- DDD. The Warden or TRV Manager, as appropriate, may permit a qualified religious volunteer to conduct group religious services and activities for religious groups recognized by the Department. Religious volunteers are required to have ecclesiastical endorsement from their religious authority and be approved to provide volunteer services pursuant to PD 03.02.105

EXHIBIT C

Eric M. Dowdy RI No: 139170  
G. Robert Cotton Correctional Facility  
31510 N. Elm Street  
Jackson, Michigan 49201-8877

October 23, 2005

Mr. Dave Burnett, CPA Special Activities Coordinator  
Michigan Department of Corrections  
Grandview Plaza Bldg.  
P.O. Box 30003  
Lansing, Michigan 48909

Mr. Burnett,

I come to you on behalf of the members of The M.S.T. OF A and other similar situated prisoners seeking a understanding on why the MDOC has placed many restrictions on the religious practices of not only the members of The M.S.T. Of A., but all religious groups.

Sir, recently we learned that we will not be allowed to receive donations of Nationality Cards from The Home Office or Officials of The M.S.T. OF A., thereby not allowing a new member who joins The M.S.T. of A., to receive his or her card at the time they join the temple; which has been the established practice in The M.S.T. of A., since it was founded in 1913 A.D., by Prophet Noble Drew Ali.

Sir, as you know from your years of service as a Chaplain at various facilities of The MDOC, that we have always been allowed to issue a Nationality Card to a new member at the time they join the temple and that this practice in no way is a threat to the safety or security of any institution. Now for the MDOC to require a new member to purchase his or her card from the Home Office, is a cleaver way to place a burden on the practice of our religion.

Mr. Burnett, we ask that you and the Chaplain's Advisory Board review this restriction, that we have been told that you have stated is supported or brought on by PD 05.03.150, Religious Beliefs and Practices of Prisoners. And that you also revisit and lift the other restrictions that have been placed on members of religious groups such as:

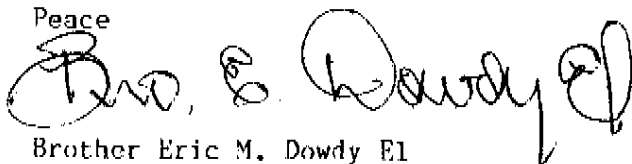
1. Not being allowed to be released from work or school to attend religious meetings/services.
2. Not being allowed to wear religious headgear openly and daily.
3. Not being allowed a pork free kitchen in the manner of a Kosher Kitchen the MDOC provides for members of the Jewish Faith.
4. Not being allowed to have Religious Special Meals.
5. Not being allowed to openly wear religious pins/symbols in the open.

EXHIBIT B

6. Not being allowed to purchase religious oils and remedies.

Mr. Burnett, what has been listed are genuine concerns that need to be re-visited and corrected. Please allow the religious groups to follow their Prophet's Instructions.

Peace

A handwritten signature in cursive script that reads "Bro. E. Dowdy". The signature is written in black ink and is positioned above the typed name.

Brother Eric M. Dowdy El  
No. 139170

cc: Bro. R. McDowell Bey, G.G.  
File

EXHIBIT D  
PART 2





STATE OF MICHIGAN  
DEPARTMENT OF CORRECTIONS

JENNIFER M. GRANHOLM  
GOVERNOR

PATRICIA L. CARUSO  
DIRECTOR

November 3, 2005

Eric Dowdy-El # 139170  
JCF - 3500 N. Elm Road  
Jackson, MI 49201

Dear Mr. Dowdy-El:

You asked about several issues regarding the practices of the Moorish Science Temple of America. I will try to address them individually.

You are correct in understanding that prisoners are not allowed to be released from work and school to attend religious activities. The Department has no interest in changing this policy. In the community, folk generally are not released from work and school responsibilities to attend religious activities. We maintain that same standard. Facilities are encouraged to schedule religious activities during times when most prisoners are available to attend.

You are also correct in understanding that prisoners are not allowed to wear either their headgear or their religious pins and badges openly and daily. Again, the Department has no interest in changing this policy. You are allowed to wear your religious head gear at services and on the way to and from services. You are not required to wear your crown at all times. Your pins and badges are allowed for your benefit. Wearing them under the clothing serves the purpose of keeping your religion close to you.

Again, special religious meals and oils are not required for the practice of your religion. The Department has no interest in changing its policies regarding these issues. The Nationality Card is considered personal property. Prisoners may purchase and possess a card as allowed by policy.

You raise the issue of a pork-free kitchen. It is noted that pork is rarely served. Furthermore, prisoners can select the non-meat entree at any meal that pork is served. I understand that being able to select an alternative meal is not the same as having a pork-free kitchen. However, the Department is not prepared to set up pork-free kitchens.

You seem to be aware that these Department practices and policies are not specific to members of the Moorish Science Temple of America. All prisoners are covered by the same Policy Directives and Operating Procedures. All prisoners are treated the same in regards to these issues. I encourage you to continue to cooperate with staff regarding them.

Sincerely,

Dave J. Burnett, Special Activities Coordinator  
Correctional Facilities Administration

c: Debra Scutt, Operations Manager  
Doug Vasbinder, JCF Warden  
Paul Young, JCF Chaplain  
File

EXHIBIT D  
PART 3



**MICHIGAN DEPARTMENT OF CORRECTIONS  
PRISONER/PAROLEE GRIEVANCE FORM**

4835-4247 10/94  
CSJ-247A

Date Received at Step I \_\_\_\_\_ Grievance Identifier: \_\_\_\_\_

**Be brief and concise in describing your grievance issue. If you have any questions concerning the grievance procedure, refer to PD 03.02.130 and OP 03.02.130 available in the prison Law Library.**

Name (print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
Eric A. Dowdy III	100170	ICA	1-14	11/17/05	11/24/05

What attempt did you make to resolve this issue prior to writing this grievance? On what date? Oct. 27, 2005  
 If none, explain why. In a letter dated October 23, 2005, I addressed the issues of this grievance by mail to Mr. Dave Burnett, CCA Special Activities Coordinator.

State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used. Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP 03.02.130. This grievance is being filed against Mr. Dave Burnett, CCA Special Activities Coordinator for his refusal to convene the Chaplain's Advisory Board for the review and removal of the restrictions listed in the attachment to this grievance, which have been placed on the Religious Practices of this grievant and other members of Religious Groups per PD 03.02.130. In his response letter dated Nov. 7, 2005, which this grievant did not receive until 11/17/05, Mr. Burnett clearly states "The Department has no desire to change its policies regarding these issues". This grievant believes the restrictions listed on the attachment to this grievance are a direct violation of The Religious Land Use and Institutionalized Persons Act 42 USC § 2000cc-3. These restrictions serve no compelling government interest and if they did, they would not be the least restrictive means by which to achieve that compelling government interest, which is the lawful requirement of this act; which in May of 2005, The United States Supreme Court in Cutter v Wilkinson U.S. No. 03-0077, 5/31/05 ruled to be Facially Valid Under The Establishment Clause.

SEE THE ATTACHMENT

\_\_\_\_\_  
 Grievant's Signature

RESPONSE (Grievant Interviewed?  Yes  No If No, give explanation. If resolved, explain resolution.)

Respondent's Signature _____	Date _____	Reviewer's Signature _____	Date _____
Respondent's Name (Print) _____	Working Title _____	Reviewer's Name (Print) _____	Working Title _____

Date Returned to Grievant: _____	If resolved at Step I, Grievant sign here.	_____	_____
	Resolution must be described above.	Grievant's Signature	Date

DISTRIBUTION: White, Green, Canary, Pink--Process to Step One; Goldenrod--Grievant

EXHIBIT E

The restrictions that should be lifted are:

1. The Moorah Science Temple of America, Inc. Nationality Cards should be allowed to be issued to a new member at the time he joins the Temple, which has been the practice since the M.S.T. of A., has been recognized by the Department of Corrections.

Donations of the Nationality Cards from Officials of The M.S.T. of A., should be allowed and we should be allowed to purchase a supply of Nationality Cards with the PBF Allotments we receive, so that we can continue to practice our religion according the Customs of our Religion as taught to us , by our Holy and Divine Prophet, Noble Drew Ali.

2. We should be allowed to be released from work or school to attend Religious Meetings.

3. We should be allowed to wear religious pins/Symbols, etc., in the open not having to conceal them as if they are something shameful.

4. Followers of the Religion of Islamism/Islam should be allowed a pork free kitchen and Halal Food, in the same manner that the Jewish Prisoner are afforded Kosher Food, prepared in Pork free areas.

5. We should be allowed to have a Religious Special Meal to celebrate Our Holy and Divine Prophets' Birthday.

6. We should not be restricted from referring to ourselves by names or titles which are a part of our religion.

EXHIBIT E  
PART 2

Eric M. Dowdy El No: 139170  
G. Robert Cotton Correctional Facility  
3510 N. Elm Street  
Jackson, Michigan 49201-8877

February 10, 2006

Ms. Patricia L. Caruso, Director  
Michigan Department of Corrections  
Grandview Plaza Bldg.  
P.O. Box 30003  
Lansing, Mi. 48909

Dear Ms. Caruso,

I come to you on behalf of myself and all other similarly situated prisoners; seeking your assistance in correcting and removing some of the restrictions that have been placed on prisoners and religious groups, relating to their beliefs and practices as defined by PD .05 .03 .150.

On October 23, 2005, I sent a letter to Mr. Dave J. Burnett, Special Activities Coordinator, CFA, asking him to convene the Chaplain's Advisory Board for the purpose of reviewing and removing some of the restrictions that have been placed on prisoners and religious group's practices of their religious beliefs. Restrictions such as:

1. Prisoners not being allowed to leave work or school assignments to attend religious meetings.
2. Prisoners who are followers of the Islamic Religion not afforded Halal Food in the same manner as the Jewish and Buddhist prisoners are given meals that conform to their religious beliefs.
3. Prisoners not be allowed to wear their religious medallions in the open.
4. The restriction of only allowing a religious special meal to the Jewish Prisoners.
5. The restriction of not being allowed to call ourselves by the names or titles which are a part of our religious beliefs and practices.
6. The restriction of not allowing the members of The Moorish Science Temple of America, Inc., to receive donations of Nationality Cards from outside Officials of The M.S.T. of A., and the restriction of not allowing us to purchase a supply of said cards with the funds we receive from the PBF, thereby restricting us from being allowed to follow a practice of our religion, to issue the said card to a new member at the time, that said new member joins The M.S.T. of A.
7. The restriction not allowing prisoners to receive or purchase perfumed oils.

EXHIBIT F

In his response letter dated November 3, 2005, which I did not receive a copy of until Nov. 17, 2005, Mr. Burnett stated that the Department has no desire to change its policies regarding these matters.

On Nov. 24, 2005 I sent a grievance against Mr. Burnett in regards to this matter to the Michigan Department of Corrections, Prison Affairs Office, as of this date, I have not received any response or acknowledgment of the grievance. The said grievance was sent via U.S. Mail.

I now come to you, asking you to review and lift the aforementioned restrictions. The said restrictions are a violation of **The Religious Land Use and Institutionalized Persons Act, 42 USC § 2000cc-3**, these restrictions serve no compelling government interest and if they did, they would not be the least restrictive means by which to achieve that compelling government interest, which is the lawful requirement of this act; which in May of 2005, **The United States Supreme Court in Cutter V Wilkerson U.S. No. 03-9877, 5/31/05 ruled to be Facially Valid Under The Establishment Cause.**

Director Caruso, on behalf of myself and all other similarly situated prisoners, I asked that you remove these restrictions.

Sincerely

 Eric M. Dowdy EI  
139170

cc: File

EXHIBIT F  
PART 2



STATE OF MICHIGAN  
DEPARTMENT OF CORRECTIONS

JENNIFER M. GRANHOLM  
GOVERNOR

PATRICIA L. CARUSO  
DIRECTOR

March 17, 2006

Eric M. Dowdy-El # 139170  
JCF - 3500 N. Elm Road  
Jackson, MI 49201

Dear Mr. Dowdy-El:

Patricia Caruso, Director asked that I respond to your correspondence regarding prisoner religious practices. You list several desires. I will again respond to each.

1. It is appropriate that prisoners are not allowed to leave school or work assignments to attend religious activities. This rule mirrors practices in the community.
2. It is the decision of the Department that we do not provide Halal meals. Perhaps the most important issue of Halal is the prohibition of pork. Prisoners can choose to avoid pork by self selecting from the menu offerings. Prisoners can choose the non meat entree for any meal that a meat entree is offered.
3. The Department will continue to require religious medallions to be concealed.
4. Special religious meals are not allowed, beyond what is required for Jewish prisoners at two facilities pursuant to a court order.
5. The Department will continue to enforce the rule that prisoners will not be allowed to use courtesy titles.
6. Nationality Cards are allowed by Policy. However, they are personal property and must be received according to the rules regarding receipt of personal property.
7. It has been determined that perfumed oils are not necessary to the practice of the faith. Because of safety and security concerns regarding oils, they will not be allowed.

As I indicated in the earlier correspondence which you reference, the Department is not in a position to change any of these decisions. You suggest that rules such as these violate Federal Law. We believe they do not. I encourage you to continue to practice your faith and to cooperate with staff regarding these policies.

Sincerely,

Dave J. Burnett, Special Activities Coordinator  
Correctional Facilities Administration

c: Patricia Caruso, Director  
Debra Scutt, Operations Manager  
Doug Vasbinder, JCF Warden  
Paul Young, JCF Chaplain  
File

**EXHIBIT G**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ERIC DOWDY-EL, AVERIS X. WILSON  
JAMES HOLLY, MUJAHID LATIF  
on behalf of themselves and  
all others similaryl situated

Plaintiffs,

vs.

File No.

Hon.

PATRICIA L. CARUSO, in her official  
capacity as Director of the Michigan  
Department of Corrections and  
DAVE BURNETT, in his official capacity  
as Correctional Facilities Administration  
Special Activities Coordinator

Defendants.

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MOTION FOR CLASS CERTIFICATION

Title: 42 USCA 2000(cc)

Federal Rule of Civil Procedure 23(a)&(b)(2)

NOW COMES the Plaintiffs' before this Honorable Court pursuant to Rules 23(a) and 23(b)(2), of the Federal Rules of civil Procedure, requesting that the above entitled case be granted class certification for the reasons stated in the attached Memorandum of Points in Support of Motion for Class Certification.

Federal Rule of Civil Procedure 23: CLASS ACTIONS:

"23(a) Prerequisites to a Class Action. One or more members of a class may sue or be sued as representatives parties on behalf of all Only If":

"(1) the Class is so numerous that joinder of all members is impracticable, (2) there are questions of law or fact common to the class, (3) the claims or defenses of the representative

parties are typical of the claims or defenses of the class, and, (4) the representative parties will fairly and adequately protect the interest of the Class."

"23(b) Class Actions Maintainable: (b)(2) clearly defines the party opposing the class has acted or refused to act on grounds generally applicable to the class, thereby making appropriate final injunctive relief or corresponding declaratory relief with respect to the class as a whole."

MEMORANDUM OF POINTS IN SUPPORT OF  
MOTION FOR CLASS CERTIFICATION

1. Issues Numbers 1, 3, 4, 6, and 8 of the above entitled Complaint affects the listed Plaintiffs and all other prisoners incarcerated in and throughout the facilities of the Michigan Department of Corrections (MDOC). These members of the Class also includes any new and all future members of the Class entering into the MDOC who would be effected by the Defendantss actions, to list every member of the this Class would be impracticable.

2. Issues Numbers 2, and 5 of the above entitled Complaint affects all of the Plaintiffs and prisoners incarcerated in and throughout the MDOC that believe in and practice the Islamic Religion/Faith. These members of the Class also includes any new and all future members of the Class entering into the MDOC who would be effected by the Defendants' actions, to list every member of the Class would be impracticable.

3. Issue Number 8 of the above entitled Complaint affects those Plaintiffs/prisoners who are members of The Moorish Science Temple of America, Inc., incarcerated in the MDOC. These members of the Class also includes any new and all future members of the Class entering into the MDOC who would be effected by the Defendants' actions, to list every member of the Class would be impracticable.

4. The questions of law and facts are raised in common to all of the members of the Class (all of the prisoners in and throughout the MDOC who are involved in religious programs), provided the issues raised in the original complaint, and/or Amendments of Compliant under the U.S. Constitution, and 42 USCA 2000(cc) The Religious Land Use and Institutional Protection Act (RLUIPA).

5. The claims of the moving party, the listed Plaintiffs, are typical claims of prisoners in and throughout the MDOC. The RLUIPA is applicable to institutions, and protects religious organizations and individual rights.

6. The representative party of the Class fairly and adequately protects the interest of the Class accessing the protection of the rights provided by the RLUIPA, constitutionally applicable to all members of the Class. The listst Plaintiffs being well versed in the teachings of their perspective religions, and their religious organizations, many being involved in the practices of their religion for over 15, 20 and 30 years, will fairly and adequately protect the interest of the prisoners involved in religious programs in and throughout the MDOC.

7. By the Defendants creating, approving and enforcing the restrictions listed in the above entitled Complaint, have shown beyond a shadow of doubt they will act on grounds that affect the entire prison population of the MDOC involved in religious programs, etc., therefore making appropriate final injunctive relief or corresponding declaratory relief with respect to the Class as a whole.

Wherefore, the Representing parties as Plaintiffs also states



they are all undivided on all and any of the issues presented as Plaintiffs. That the aforementioned claims of violations in the Complaint specifically and cumulatively causes to them "actual injury" due to the Defendants actions towards them. Further, that the issues are constitutionally meritable, and due to its subject matters the issues not being separate situations, but are being raised because of the inadequacies of the statewide policies enacted and administered by the Defendants, enumerating an actual injury to the entirety of the Class.

RELIEF

WHEREFORE, Plaintiffs pray that this Honorable Court grants Class Certification in the above entitle case for the reasons given in the Compalint, (1-3) which are hereto adopted and incorporated by reference.

FURTHERMORE, the Plaintiffs prays that in the granting of Class Certification, this Honorable Court pursuant to Rule 23(c)(2)(A) direct an appropriate notice that could be presented to all the members of the Class; and, pursuant to Rule 23(g) appoint class counsel for the Plaintiffs.

Respectfully submitted,

Plaintiffs In Pro Se:

*Eric Dowdy*  
Eric Dowdy-EL (No. 139170)

DATED: 4-3-06

*Averis Wilson*  
Averis X. Wilson (No. 416501)

DATED: 4-3-06

*James B. Holly*  
James Holly (No. 216232)

DATED: 4-3-06

*Mujahid Latif*  
Mujahid Latif (No. 169151)

DATED: 4-3-06

*Averis Wilson*  
Averis X. Wilson No. 416601

*James S Holly*  
James Holly No. 216282

*Mujahid Latif*  
Mujahid Latif No. 169751

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ERIC DOWDY-EL, AVERIS X. WILSON  
JAMES HOLLY, MUJAHID LATIF,  
on behalf of themselves and  
all others similarly situated

FILE NO:

HON.

Plaintiffs ,

vs

PATRICA L. CARUSO, in her official  
capacity as Director of The Michigan  
Department of Corrections and  
DAVE BURNETT, in his official capacity  
as Correctional Facilities Administration  
Special Activities Coordinator,

Defendants

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**PLAINTIFFS MOTION FOR APPOINTMENT OF COUNSEL  
WITH BRIEF IN SUPPORT**

NOW COMES, Plaintiffs in and before this Honorable Court to request Appointed Counsel on behalf of plaintiffs/prisoners who are imprisoned in the State of Michigan Department of Corrections.

The appointment of counsel is govern under USCA 28:1915 (d) as Pro" Bono or as the court does appoint in accord to the discretion of this Honorable Court. It is that the said plaintiffs in this Motion seek Appointed Counsel due to the nature and the complexity of the matter before the Court.

**BRIEF IN SUPPORT OF MOTION FOR  
APPOINTMENT OF COUNSEL**

1. Plaintiffs/Prisoners are coming before this Court in the best interest of justice, it its necessary for Appointed Counsel due to the claim that is before this Honorable Court.

2. Plaintiffs/Prisoners state that nevertheless, this Court may require under complexity and extreme limits imposed upon prisoners, there are certain restrictions that prisoners are allowed and privilege to, do too being imprisoned.

3. Reason for Appointed Counsel is necessary due to the claim against the State of Michigan Department of Corrections Officials, and the prisoners confined are not expert in the field of law as experts, in Lititgating, Oral Argument, before this Honorable Court.

4. After filing of this Complaint, civil in nature 42 USCA §1983 is being served in this Honorable Court. It is necessary for Appointed Counsel where counsel appearance before this Court and the State Officials/Defendants will presumably be before the Judiciary in Oral Argument, Motion Filing, and Discovery Files if at this Courts request to do so.

5. The Appointment of Counsel is within the discretion of this Honorable Court to appoint counsel to represent plaintiffs in this Civil Nature Pleading and in the best interest of justice, so that the Court can deem what is just and fairness in the matter asserted in this Civil Action for Relief being requested.

**REASON FOR GRANTING APPOINTED  
COUNSEL FOR PLAINTIFFS**

Plaintiffs here have a meritorious cognizable Civil Claim against the State of Michigan Department of Corrections Officials in their official capacities and are financially unable to afford Legal Fees and Cost of hiring or retaining A Legal Expert Bar Association Member due to the "Inability To Pay" under USCA 28: 1915(d).

Plaintiffs under the penalty of perjury, hereby deposes and state that all the statements contained in this Motion and Brief are true to the best of their information, knowledge and belief.

Respectfully Submitted,

IN PRO SE

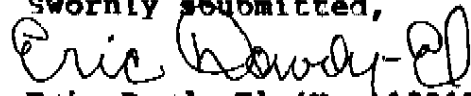


Eric Dowdy-EL NO: 139170

STATE OF MICHIGAN)  
  )ss:  
COUNTY OF JACKSON)

VERIFICATION

The undersigned being first duly sworn deposes and says that he has read the forgoing Complaint for RLOTPA and Civil Rights violations (including all exhibits and motions submitted therein), states that it is accurate and true to the best of his knowledge, information and belief.

Swornly sbumitted,  
  
Eric Dowdy-El (No. 139170)  
Plaintiff In Pro Se  
3510 N. Elm Road  
Jackson, MI 49201

Subscribed and sworn to before  
me on this 30<sup>th</sup> day of April 2006.

  
NOTARY PUBLIC

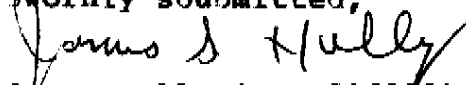
MY Commission Expires: \_\_\_\_\_

SANDRA K. CHARLESTON  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF JACKSON  
MY COMMISSION EXPIRES 08-24-2011  
ACTING IN COUNTY OF

STATE OF MICHIGAN)  
County of Jackson)  
ss:

VERIFICATION

The undersigned being first duly sworn deposes and says that he has read the forgoing Complaint for RLUIPA and Civil Rights violations (including all exhibits and motions submitted therein), states that it is accurate and true to the best of his knowledge, information and belief.

Swornly sbubmitted,  
  
James Holly (No. 215292)  
Plaintiff In Pro Se  
3510 N. Elm Road  
Jackson, MI 49201

Subscribed and sworn to before me on this 3 day of April 2006.

  
NOTARY PUBLIC

MY Commission Expires: \_\_\_\_\_

JACQUELINE R. COOKE  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF JACKSON  
MY COMMISSION EXPIRES Aug 3, 2011  
ACTING IN COUNTY OF JACKSON

STATE OF MICHIGAN)  
  )ss:  
COUNTY OF JACKSON)

VERIFICATION

The undersigned being first duly sworn deposes and says that he has read the forgoing Complaint for RLUIPA and Civil Rights violations (including all exhibits and motions submitted therein), states that it is accurate and true to the best of his knowledge, information and belief.

Swornly sbumitted,

*Averis Wilson*  
Averis X Wilson (No. 415601)  
Plaintiff In Pro Se  
3510 N. Elm Road  
Jackson, MI 49201

Subscribed and sworn to before  
me on this 4th day of April 2006.

*Sandra K. Charleston*  
NOTARY PUBLIC

MY Commission Expires: \_\_\_\_\_

SANDRA K. CHARLESTON  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF JACKSON  
MY COMMISSION EXPIRES ON 04, 2011  
NOTARY IN COUNTY OF



STATE OF MICHIGAN)  
  )ss:  
COUNTY OF JACKSON)

VERIFICATION

The undersigned being first duly sworn deposes and says that he has read the forgoing Complaint for RLUIPA and Civil Rights violations (including all exhibits and motions submitted therein), states that it is accurate and true to the best of his knowledge, information and belief.

Swornly sbumitted,  
*Mujahid Latif #169151*  
Mujahid Latif (No. 169151)  
Plaintiff In Pro Se  
3510 N. Elm Road  
Jackson, MI 49201

Subscribed and sworn to before  
me on this 5<sup>th</sup> day of April 2006.

*Sandra K. Chaulston*  
NOTARY PUBLIC

MY Commission Expires: \_\_\_\_\_

GENERAL COUNSELLOR  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF JACKSON  
MY COMMISSION EXPIRES 08/25, 2011  
ACTING IN COUNTRY OF

**CIVIL COVER SHEET FOR PRISONER CASES**

Name of 1 <sup>st</sup> Listed Plaintiff <i>Eric Dowdy et al</i>	Name of 1 <sup>st</sup> Listed Defendant <i>Patricia Caruso et al</i>
Inmate Number: <i>139170</i>	Defe (If Case: 2:06-cv-11765 Assigned To : Cohn, Avern Referral Judge: Komives, Paul J Assign. Date : 4/12/2006 @ 3:03 P.M. Description: CMP DOWDY, ET AL V. CARUSO, ET AL (TAM)

**FACILITIES, LISTED ALPHABETICALLY**

<input type="checkbox"/> ALGER MAXIMUM CORRECTIONAL FACILITY INDUSTRIAL PARK DRIVE P.O. BOX 600 MUNISING, MI 49862 ALGER COUNTY	<input type="checkbox"/> FLORENCE CRANE CORRECTIONAL FACILITY 38 FOURTH STREET COLDWATER, MI 49038 BRANCH COUNTY	<input type="checkbox"/> MAI 19E MI MI
<input type="checkbox"/> BARAGA MAXIMUM CORRECTIONAL FACILITY 301 WADAGA ROAD BARAGA, MI 49908 BARAGA COUNTY	<input checked="" type="checkbox"/> ROBERT COTTON CORRECTIONAL FACILITY 3500 N. ELM ROAD JACKSON, MI 48201 JACKSON COUNTY	<input type="checkbox"/> MIH 8201 N. CROSWELL ROAD ST. LOUIS, MI 48880 GRATIOT COUNTY
<input type="checkbox"/> BELLAMY CREEK CORRECTIONAL FACILITY 1727 W. BLUEWATER HIGHWAY IONIA, MI 48846 IONIA COUNTY	<input type="checkbox"/> GUS HARRISON CORRECTIONAL FACILITY 2727 E. BEECHER STREET ADRIAN, MI 49221 LENAWEE COUNTY	<input type="checkbox"/> MOUND CORRECTIONAL FACILITY 17601 MOUND ROAD DETROIT, MI 48212 WAYNE COUNTY
<input type="checkbox"/> BOYER ROAD CORRECTIONAL FACILITY 10274 BOYER ROAD CARSON CITY, MI 48811 MONTCALM COUNTY	<input type="checkbox"/> HANDLON MICHIGAN TRAINING UNIT 1728 BLUEWATER HIGHWAY IONIA, MI 48846 IONIA COUNTY	<input type="checkbox"/> MUSKEGON CORRECTIONAL FACILITY 2400 S. SHERIDAN DRIVE MUSKEGON, MI 49442 MUSKEGON COUNTY
<input type="checkbox"/> CARSON CITY CORRECTIONAL FACILITY 10522 BOYER ROAD CARSON CITY, MI 48811 MONTCALM COUNTY	<input type="checkbox"/> HIAWATHA CORRECTIONAL FACILITY 4533 W. INDUSTRIAL PARK DRIVE KINCHELOE, MI 49786-0001 CHIPPEWA COUNTY	<input type="checkbox"/> NEWBERRY CORRECTIONAL FACILITY 3001 NEWBERRY AVENUE NEWBERRY, MI 49868 LUCE COUNTY
<input type="checkbox"/> CHARLES EGELER RECEPTION AND GUIDANCE CENTER 3865 COOPER STREET JACKSON, MI 49201-7547 JACKSON COUNTY	<input type="checkbox"/> HURON VALLEY CENTER 3511 BEMIS ROAD YPSILANTI, MI 48197 WASHTENAW COUNTY	<input type="checkbox"/> OAKS CORRECTIONAL FACILITY 1500 CABERFAE HIGHWAY EASTLAKE, MI 49626-0038 MANISTEE COUNTY
<input type="checkbox"/> CHIPPEWA CORRECTIONAL FACILITY 4269 W. M-80 KINCHELOE, MI 49784 CHIPPEWA COUNTY	<input type="checkbox"/> HURON VALLEY CORRECTIONAL FACILITY 3201 BEMIS ROAD YPSILANTI, MI 48197 WASHTENAW COUNTY	<input type="checkbox"/> OJIBWAY CORRECTIONAL FACILITY N8796 OJIBWAY ROAD MARENISCO, MI 48947-9771 GOGEBIC COUNTY
<input type="checkbox"/> COOPER STREET CORRECTIONAL FACILITY 3109 COOPER STREET JACKSON, MI 49201 JACKSON COUNTY	<input type="checkbox"/> IONIA MAXIMUM CORRECTIONAL FACILITY 1578 W. BLUEWATER HIGHWAY IONIA, MI 48846 IONIA COUNTY	<input type="checkbox"/> PARNALL CORRECTIONAL FACILITY 1780 E. PARNALL JACKSON, MI 49201 JACKSON COUNTY
<input type="checkbox"/> DEERFIELD CORRECTIONAL FACILITY 1765 HARWOOD ROAD IONIA, MI 48846 IONIA COUNTY	<input type="checkbox"/> KINROSS CORRECTIONAL FACILITY 18770 S. WATERTOWER DRIVE KINCHELOE, MI 49788 CHIPPEWA COUNTY	<input type="checkbox"/> PARR HIGHWAY CORRECTIONAL FACILITY 2727 E. BEECHER STREET ADRIAN, MI 49221 LENAWEE COUNTY
<input type="checkbox"/> EARNEST C. BROOKS CORRECTIONAL FACILITY 2500 S. SHERIDAN DRIVE MUSKEGON HEIGHTS, MI 49444 MUSKEGON COUNTY	<input type="checkbox"/> LAKELAND CORRECTIONAL FACILITY 141 FIRST STREET COLDWATER, MI 49038 BRANCH COUNTY	<input type="checkbox"/> PINE RIVER CORRECTIONAL FACILITY 320 N. HUBBARD ST. LOUIS, MI 48880 GRATIOT COUNTY
<input type="checkbox"/> FEDERAL CORRECTIONAL INSTITUTION - MILAN P.O. BOX 1000 MILAN, MI 48160-1090 WASHTENAW COUNTY	<input type="checkbox"/> MACOMB CORRECTIONAL FACILITY 34625 26 MILE ROAD NEW HAVEN, MI 48048 MACOMB COUNTY	<input type="checkbox"/> PUGSLEY CORRECTIONAL FACILITY 7401 EAST WALTON ROAD KINGSLEY, MI 49649 GRAND TRAVERSE COUNTY
<input type="checkbox"/> ST. LOUIS CORRECTIONAL FACILITY 8586 N. CROSWELL ROAD ST. LOUIS, MI 48880 GRATIOT COUNTY	<input type="checkbox"/> SAGINAW CORRECTIONAL FACILITY 9625 PIERCE ROAD FREELAND, MI 48623 SAGINAW COUNTY	<input type="checkbox"/> SOUTHERN MICHIGAN CORRECTIONAL FACILITY 4002 COOPER STREET JACKSON, MI 49201 JACKSON COUNTY
<input type="checkbox"/> STANDISH MAXIMUM CORRECTIONAL FACILITY 4713 W. M-81 STANDISH, MI 48658 ARENAC COUNTY	<input type="checkbox"/> STRAITS CORRECTIONAL FACILITY 4367 W. M-90 KINCHELOE, MI 49786-0001 CHIPPEWA COUNTY	<input type="checkbox"/> THUMB CORRECTIONAL FACILITY 3228 JOHN CONLEY DRIVE LAPEER, MI 48446 LAPEER COUNTY
<input type="checkbox"/> WAYNE COUNTY JAIL 570 CLINTON STREET DETROIT, MI 48228 WAYNE COUNTY	<input type="checkbox"/> WEST SHORELINE CORRECTIONAL FACILITY 2500 S. SHERIDAN DRIVE MUSKEGON HEIGHTS, MI 49444 MUSKEGON COUNTY	

**OFFICE USE ONLY**

PLAINTIFF ADDRESS: (IF NOT ABOVE)	BASIS OF JURISDICTION <input type="checkbox"/> 2 US GOVERNMENT DEFENDANT <input checked="" type="checkbox"/> 3 FEDERAL QUESTION <input type="checkbox"/> 4 DIVERSITY	ORIGIN <input checked="" type="checkbox"/> ORIGINAL PROCEEDING <input type="checkbox"/> 2 REMOVED FROM STATE COURT <input type="checkbox"/> 5 TRANSFERRED FROM ANOTHER DISTRICT COURT	FEE STATUS <input type="checkbox"/> IFP IN FORMA PAUPERIS <input type="checkbox"/> WAI WAIVED <input type="checkbox"/> PD PAID
PLAINTIFF'S COUNTY OF RESIDENCE	NATURE OF SUIT <input type="checkbox"/> 510 MOTION TO VACATE <input type="checkbox"/> 530 HABEAS CORPUS <input type="checkbox"/> 535 HABEAS/DEATH PENALTY <input type="checkbox"/> 540 MANDAMUS <input checked="" type="checkbox"/> 550 CIVIL RIGHTS <input type="checkbox"/> 555 PRISON CONDITIONS	JURY DEMAND CHECK YES ONLY IF DEMANDED IN COMPLAINT <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	CASE OPENING <input checked="" type="checkbox"/> OPEN AS CV <input type="checkbox"/> NO CREDIT REASSIGN TO (MOTION TO VACATE - 2255)

PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously discontinued or dismissed?  Yes  No

If yes, give the following information:

Court: \_\_\_\_\_

Case Number: \_\_\_\_\_

Judge: \_\_\_\_\_

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)  Yes  No

If yes, give the following information:

Court: \_\_\_\_\_

Case Number: \_\_\_\_\_

Judge: \_\_\_\_\_

Notes: