

APR 11

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE APPEAL FORM

4835-4248 5/09
CSJ-247B

Recd 3/23/18

Date Received by Grievance Coordinator at Step II: MAR 28 2018

Grievance Identifier: URF118102101641807A

INSTRUCTIONS: THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.

The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.

If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to: URF
Warden's Office by 4-2-18. If it is not submitted by this date, it will be considered terminated
untimely.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
GOULD, RAND W.	C-187131	URF	B-176	2/15/18	3/24/18

STEP II - Reason for Appeal 2/26/18 admin. Hrg. failed to address Colleen Myette's failure to provide a copy of Notice of Package/Mail Rejection to sender nor was a Full review. Projected material provided, while ignoring the state and federal law and constitutional violations enumerated in Statement of Rand W. Gould, 2/26/18, attached to Admin Hrg. Report, 2/26/18. Moreover, Step I respondent cannot sustain a rejection based on PD 05.03.118 "OO #3 NON WHITE PAPER" (sic), that was upheld at Admin Hrg. under "section OO No. 3" as based on PD 05.03.118 (MM) "#6 Mail addressing racial supremacy or ethnic purity... likely to promote or cause violence or group disruption in the facility" (sic). This is at least as visible as the fact Step I response states P. Board renewed it on "3-19-18" and it was returned to grievant on "3-16-18". This, making it unlikely it was renewed unless P. Board is chronologically impaired and cannot comprehend English. Wherefore remedy demanded at Step I must be granted and is to include S. Thompson and P. Board.

3/24/18

STEP II - Response

Date Received by
Step II Respondent:
MAR 28 2018

See Attached

CONNIE HERRON, LIAISON
Respondent's Name (Print)

Chorton
Respondent's Signature

4/3/18
Date

Recd 4/06/18
Date Returned to
Grievant:
4-5-18

STEP III - Reason for Appeal As usual, URF staff completely ignore and/or violate rule, policy, law and the state and federal constitutions. For reasons set forth time and again, they should be investigated, charged, prosecuted and imprisoned for violating MCL 17.142, MCL 750.478, MCL 750.505, 18 USC §§ 241, 242, 1702 & 1703. The mail in question was yellow, lightweight, lined paper, not "non-white, heavy weight, construction paper...". Rejection was illegitimate on its face PD 05.03.118 (OO) (3) now (4). Moreover, at Step I, the rejection was upheld as "mail addressing racial supremacy" etc., in accordance with PD 05.03.118 (MM) (6), therefore it cannot be re-upheld in accordance with PD 05.03.118 (OO) (3). In sum, the hearing and grievance process at URF is merely a criminal conspiracy to deprive grievant of US's mail, both his and the sender's civil rights under color of law, requiring all staff involved to be

NOTE: Only a copy of this appeal and the response will be returned to you. *investigated, charged and prosecuted accordingly to law.*

STEP III - Director's Response is attached as a separate sheet.

4/07/18

STEP II GRIEVANCE RESPONSE FOR PRISONER: **GOULD 187131 B-176 (URF)**

Grievance **URF 1802 0648 07A** has been reviewed.

Grievant is grieving an Administrative Hearing on a mail rejection for a letter on yellow paper.

This Step II Respondent finds the Step I response is appropriate and supported by PD 05.03.118, Prisoner Mail, Paragraph OO states in part "Mail, including photographs and pictures, received on non-white, heavy weight (i.e., greater than 24 pound), construction paper, card stock, or photo paper. This does not include white lined paper."

The Step I Respondent found that the grievant had a hearing regarding the rejected mail and the rejection was upheld. No violation of policy exists.

Based on the above finding(s), this grievance appeal is denied.



Connie Horton, Warden

4/13/18

Date

CH/ka

Step I Grievance Response

Grievance Number:	URF-18-02-648-7-A
Prisoner Name:	GOULD
Prisoner Number:	187131

Prisoner	<input checked="" type="checkbox"/>	was	<input type="checkbox"/>	was NOT interviewed. GIVE REASON:	N/A
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SUMMARY OF COMPLAINT:

Prisoner Gould is grieving an Administrative Hearing on a mail rejection for a letter on yellow paper.

INVESTIGATION INFORMATION

Prisoner Gould #187131 was interviewed as to this grievance on 03/8/18. Prisoner Gould stated, "Just read my statement of facts, is says it all." PC Ledford was interviewed as to this grievance on 03/13/18. PC Ledford stated, "under PD 05.03.118 Prisoner Mail, effective date 11/1/17 section OO #3 non white paper is not allowed."

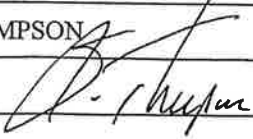

APPLICABLE POLICY, PROCEDURE, ETC.

Per PD 05.03.118 "Prisoner Mail" section NN states in part, "Prisoners are prohibited from receiving mail that may pose a threat to the security, good order, or discipline of the facility, may facilitate or encourage criminal activity, or may interfere with the rehabilitation of the prisoner. The following pose such risks under all circumstances and therefore shall be rejected: #6 Mail advocating racial supremacy or ethnic purity or attacking a racial or ethnic group, which is reasonably likely to promote or cause violence or group disruption in the facility."

SUMMARY

Based on statements by Prisoner Gould and PC Ledford, this respondent finds that Prisoner Gould has not provided any corroborating evidence to support a violation of policy or procedure.

Grievance denied at Step I.

RESPONDENT NAME:	S. THOMPSON	TITLE:	RUM
RESPONDENT SIGNATURE:		DATE:	03/13/18
REVIEWER NAME:	D. ISARD	TITLE:	DW
REVIEWER SIGNATURE:		DATE:	3-19-18

MICHIGAN DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE HEARING REPORT

CSJ-144
REV. 12/01

Institution: URF	Prisoner's Name: Gould	Number: 187131	Date of Notice: 2/15/18
Reporting Staff Member's Signature: C. Myotte	Block/Unit: B	Cell/Room: 1/76	

Purpose of Hearing:

Mail rejection

REPORTING STAFF MEMBER'S STATEMENT:

Yellow writing paper.

PRISONER'S STATEMENT:

Gould was interview and attached is a copy of his statement.

HEARING OFFICER'S FINDINGS (INCLUDE REASONS FOR FINDINGS):

PROHIBITED INCOMING MAIL

05.03.118 OO No. 3 states "Mail written on non-white, heavy weight (i.e., greater than 24 pound), or construction paper. This does not include white lined paper."

After reviewing the mail myself and reading the statement of Gould. I determind the material in the notice of package/mail rejection to be in violation of PD. 05.03.118 section OO No. 3. Mail that was written on yellow paper is in violation of PD 05.03.118. Prisoner was informed that to appeal this hearing he must follow the greivance process.

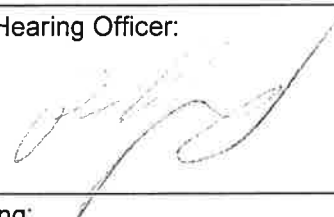
DISPOSITION OF ITEMS, IF ANY:

After reviewing the mail myself and reading the statement of Gould. I determind the material in the notice of package/mail rejection to be in violation of PD. 05.03.118 section OO No. 3. Prisoner was informed that to appeal this hearing he must follow the greivance process. After all appeals have been exhausted the prisoner will be required to send the mail out of the facility at his expense or it will be destroyed per P.D. 04.07.112 and PD 05.03.118.

TYPE OR PRINT NAME OF HEARING OFFICER:

P.C. Ledford

Signature of Hearing Officer:



Date of Hearing:

Monday, February 26, 2018

STATEMENT OF RANDI W. GOLDS L-187131

Now comes Randi W. Gold, L-187131, and states:

1. Notice of Package/Mail Rejection, "YELLOW WRITING PAPER" From "M. Affairs Associations Inc" (EIC), Colleen Myotte OAK, 2/15/18, was improperly noticed in violation of substantive due process as no notice was sent to sender/publisher as required by 39 USC 366, itself, 18 USC 118 (U), Admin. R. 791.6603(2), and Proctor v. Michigan, 416 US 376, 117 (1974). See U.S. Const. Arts. II, VI & VIII; and Mich Const. 1963, art. I, 55 17 & 20.

2. Full review of rejection mail was not provided as required by 18 USC 118 (U), Admin. R. 791.6603, and MCL 800.43(3) see also U.S. Const. Arts. II, VI & VIII; and Mich Const. 1963, art. I, 55 17 & 20.

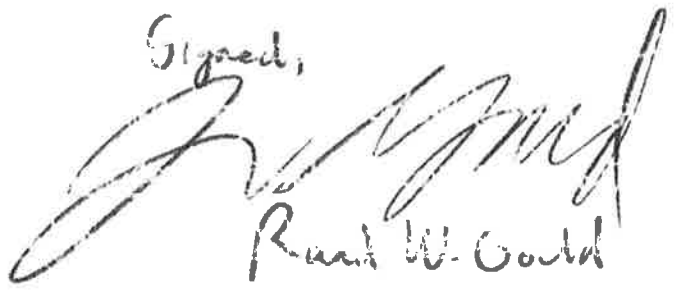
3. Yellow writing paper can in no way be logically related to a serious psychological concern and no attempt to do so has been made in the instant case, aside from the recitation of flagrantly unconstitutional 18 USC 118 (U)(3), which nevertheless requires the paper to be "non-white, heavy weight (i.e., greater than 24 pound)" ~~weight~~ when it is not "heavy weight" paper in any sense. Turner v. Safley, 402 US 38, 89 (1975).

4. As such, said notice of rejection constitutes a compelling violation of my and ~~sender's~~ sender's rights to free speech, and to send and receive U.S. PS mail as set forth in U.S. Const. Art. I and Michigan Const. 1963, art. I, 55, requiring investigation and criminal prosecution by the U.S. Attorney General in accordance with 18 USC 893 702, 1703, and 18 USC 89 241 & 242, as well as investigation and prosecution by the Michigan Attorney General for failure by Myotte to perform her duties in violation of MCL 19.142 and MCL 750.418, along to the level of common law offenses of misconduct in office, obstruction of justice and misprison as punishable by MCL 750.505.

5. This statement constitutes "fair warning" of unconstitutional and unlawful conduct, Hope v. Pelzer, 536 US 730, 741 (2002), that renders immunity unavailable to Myotte, and any persons engaged in obstruction of justice in this matter. Swann v. Katzev, 535 U.S. 194, 201 (2001).

6. I state under penalty of perjury the foregoing is true and correct.
28 USC 5174c.

Signed,



Russ W. Gould

Executed on: 26 February

NOTICE OF PACKAGE/MAIL REJECTION

Prisoner Number 187131	Prisoner Name GOULD	Facility URF	Lock B176
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You have received a package or mail containing the following:
YELLOW WRITING PAPER

From Mi Lifers Associations Inc
665 W WILLIS STREET SUITE B1
DETROIT MI 48201

NOTE: A copy of this notice is being mailed to the sender if rejected pursuant to PD 05.03.118 "Prisoner Mail". The sender has 10 business days to send any opposition to this proposed action to the facility head. The sender will be notified of the final disposition. Sender must not use the bottom section of this form.

The item(s) identified above will not be delivered to you pursuant to

PD 04.02.105 "Prisoner Funds" PD 04.07.112 "Prisoner Personal Property" PD 05.03.118 "Prisoner Mail"

(This notice must identify the reason for this rejection and the policy section which supports the rejection.)

OO. # 3 NON WHITE PAPER

Staff - Print/Type Name Colleen Myotte	Title GOA	Signature <i>Colleen Myotte</i>	Date 2/15/2018
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THIS SECTION IS TO BE COMPLETED BY THE PRISONER ONLY

Indicate what you want to have done with the item(s) identified above by marking one of the following:

- Return to sender at my expense.
- Send at my expense to: _____
Whose address is: _____
- Hold to be picked up by (photographs, books magazines & property only).
- Destroy (mail & property only).
- Turn over to Prisoner Benefit Fund (funds & postage only).
- Donate to charity (property only).
- Store for me in Record Office File (official documents only; e.g. Birth Certificate).
- Item arrived without receipt/packing slip; I will provide purchase confirmation within seven days (JPay or hard copy acceptable).

I request a hearing.

Prisoner- Print Name <u>R. GOULD</u>	Prisoner Number <u>C-187131</u>	Signature <i>R. Gould</i>	Date <u>2/16/18</u>
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Send reply within 10 business days to: Mail room Other:

THIS SECTION TO BE COMPLETED BY MAIL ROOM STAFF

Fifteen day hold expires on:

Disposition of Package/Mail:

Mailed Picked Up Destroyed Donated Stored in RO file Date

DISTRIBUTION: Prisoner Sender (if required) Housing Unit/Mail Room Counselor File