

United States of America
District of Rhode Island

United States of America

v.

David Stovoley

Case No. 20-CR-00074-MSM

Motion to show Prosecution/
US Attorney Failed to Provide
Exculpatory Evidence

The following motion is presented to the honorable court while the defendant is incarcerated under Covid-19 protocols and without Counsel. The Defendant apologizes for its presentation, but is filing to ensure this motion is on record and filed in a timely manner.

1. On or about May⁶/₁₂, 2021, Attorney Jason Knight appeared at Wyatt Detention Center to meet only the second time with Defendant. He brought with him what he said was "a good offer", a plea agreement dropping 4 charges with 2 remaining. At this point due to Covid-19 restrictions the defendant was in a single cell in lockdown and suffering from past trauma. Attorney Knight informed the Defendant the plea had a 72 hour window to sign otherwise it was off the table according to AVSA Lee Vilker. In fact, Attorney Knight arrived back at Wyatt only 24 hours later wanting the signed plea.

1. (cont.)

Knowing the duress incarceration causes the Defendant and the additional fear (which was already occurring at Wyatt, having the Defendant's sexual assault revealed in unsealed court documents by R.I. District Court (published January 7, 2021 by R.I. Federal Court) to the general public, Attorney Knight made short order of the Defendant signing the plea agreement. On May 31, 2021 (Letter dated May 27, 2021) (Exhibit A-1) a letter arrived to Wyatt from and on the letterhead of Attorney Jason Knight. The letter states "the defendant... can now go view the evidence in his case." This alarmed the defendant, being this was the first time he was offered to see evidence? Due to the weekend the Defendant contacted Evidence Coordinator at Wyatt Luz Jimenez on 6/1/21 (See Exhibit A-2). She responds the next day stating, she has been in touch with Jason Knight and she would schedule me "to START" reviewing evidence. This is now at least 3 weeks after a binding plea was signed the Defendant could begin to see evidence. The Defendant clearly never saw evidence in his case and counsel never provided the notion the Defendant should review evidence for accuracy. The disgrace in this is that, Attorney Jason Knight never communicated with his client but rather gave messages through defendant's 81 year old mother. Attorney Jason Knight was fully aware the Defendant did not see evidence as revealed in his letter

1. (Cont.)

To demonstrate even more incompetence that directly impacted the Defendant, Wyatt Detention Center Evidence Coordinator Luz Jimenez when asked by Defendant when she received the evidence she replies "4/22/21". Wyatt Detention Facility, a U.S. Government Contractor, working on behalf of the Government and Courts hold the Defendants evidence without notifying him since April 22, 2021. (See Exhibit A-2). Again to demonstrate ineffective counsel as well as complete incompetence by Government contractor Wyatt Detention Center, Mr. Jimenez blames Atty Knight for not notifying the Defendant (See Exhibit A-3). Due to Defendants inability to contact counsel it was not until early August when Defendant confronted Atty. Jason Knight about never seeing the evidence in the case? Defendant requested counsel notify AVIA Lee Vilker and request to put things "on hold" until evidence was reviewed. Atty Knight refused and stated, "it will only work against you", he would not do as the Defendant requested. Knowing AVSA Lee Vilker has an obligation to enforce the law and to place responsibility for wrong doing on the appropriate party, I felt if he knew the Defendant did not see evidence he would act and notify the court. Attorney Knight was insulted and offered to withdraw. Knowing the Defendant was struggling and now Atty Knight had

1. (cont)

had extended sentencing by 90 days without Defendant's approval or knowledge, it was left that Jason Knight would contact Lee Vilker and discuss the situation.

The Defendant also, although been attempting for months to get Attorney Jason Knight's phone number registered with Wyatt, neither Wyatt nor Jason Knight provided the registering of Legal Counsel phone number making it impossible for Defendant to make a single call to communicate. (See Exhibits B-1 through B-5). The Defendant attempted 10's at times with no success as displayed in the Wyatt internal communications. During Jason Knight's entire time of representing the Defendant Wyatt had never registered the Defendant's Legal Counsel's phone number completely obstructing the Defendant's ability to have adequate defense in an already difficult Covid-19 lockdown. Wyatt as reflected in (exhibit B-5) finally registered Defendant's legal counsel's phone number on October 8, 2021, two days after sentencing. A little late. This obstruction by a Government entrusted contractor, completely eliminated the Defendant's ability to effectively communicate with an already ineffective Counsel.

2. After 2 weeks of again no communication with Attorney Jason Knight, Defendant requested

2. (cont)

his mother Judith Sanborn to contact AUSA Lee Vilker and notify him that the Defendant never saw the evidence in the case and support that letter with absolute evidence, the letter from Jason Knight (Exhibit A-1) and all the internal correspondence with Wyatt (Exhibit A-1, A-2, A-3) showing the Defendant was denied the right to review the evidence in this case. In addition to sending a letter with evidence to Lee Vilker (Exhibit 1-A) by both certified mail and Fax (Exhibit 1-B) the U.S. Attorney for the District of Rhode Island, Mr. Cunha received a similar letter (Exhibit 2 (Exhibit 2-A)) and was sent via certified mail and fax (Exhibit 2-B). These letters and evidence conveyed to both government attorney's that the Defendant David Staveley was denied his right to review evidence and a plea was signed without the ability to review evidence. This obstruction limited the Defendants ability to make an educated decision to sign the plea. Both AUSA Lee Vilker and U.S. Attorney Cunha elected NOT to notify the court about this denial and obstruction of Justice infringed upon the Defendant. It would seem that one or both of these Red, White & Blue government employers as well as members of the bar have some legal obligation to divulge this injustice or at the very least a moral and ethical obligation to notify the court. Again the Defendant suffers at the hand of others.

3. On October 6, 2021, the Defendant was brought to Federal District Court in Rhode Island for Sentencing. Unusual due to Covid-19 conditions, more unusual because the sentencing was in a Jury Room, and even more unusual representatives of the media were allowed in, but no one else. Seems appropriate being the native case was tried in the media, the Defendant had no chance. On this day AVSA Lee Vilker stated:

"... for me in this venue to talk about the allegations that the Defendant made in the past. All I would say on that point, your Honor, is reading through the presentence report, there's a lot of mixed information."

This was AVSA Lee Vilker's way to discredit the Defendant (a rape victim) while also continuing to portray the Defendant as a liar. He did this masterfully in the media and to the court with the help of an able associate Probation.

The key document that would provide a complete understanding is the NH Federal Court Ordered Psychological Report that was conducted in late June of 2015 by a BOP Psychiatrist in Brooklyn.

A few things now have become very clear -

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3. (cont.)

The BOP provided complete files of Kurt Sanborn/ David Starkey medical and mental health history on two occasions, the assumption is one to U.S. Atty's Offices and the second to probation as indicated in the Internal Correspondence with Devens Psychologist Dr. Fricker there is a medical and psychological file the Court Ordered Psychological Evaluations is in the medical file and was easily obtain due to it being digitally stored. (See Exhibit C-1). Additionally the Defendant was also aware it existed for he had received the report through Freedom of Information Act in November 2015 (See Exhibit C-2). It was reported by Atty. Jason Knight that he requested the Evaluation from Lee Vilker in discovery but, Mr. Vilker said he did not have it and didn't exist? It is clear the document exists and being that many other psychological documents were offered from the BOP in discovery, specifically other documents that were in the same file as the Court ordered Psychological Report. it can only be determined this key document was withheld and obstructed by the Prosecution. As Lee Vilker was discrediting the Defendant at Sentencing, he knew that the Federal Court Ordered Psych Report existed, he had it and he did not provide it to the Court. FMC Devens had the report delivered to me in days upon my request. (See Exhibit D-1) (Court Ordered

3. (cont)

It should also be noted Defense Counsel Taron Knight received every document he had through discovery, yet he did not have this specific vital, Psychiatrist diagnosis as Ordered By Federal Court? This document by its very existence demonstrates the ill intent by prosecution and probation to wrongfully portray the Defendant and to discredit and only instill more shame on a sexual assault victim.

4. Probation made many statements within the PSR and through AVSA Lee V. Iker. In the PSR, the Defendant brought up a tense relationship with his father caused by an incident when the Defendant was 10 and attending a Summer Camp. Probation stated, this was the first time mentioned and used this to discredit the Defendant and label him a liar, yet on page 2 of the Court Ordered Psych Report (Exhibit D-1) this incident is logged and noted dating to 6/24/2015. There is no doubt Probation had this NH ordered document, being the Probation Writer uses numerous points obtained through NH Probation. She just conveniently forgot to reveal this truth to the court.

5. Probation also reported that the Defendant had the ability to do a sworn affidavit regarding the assault and he (the Defendant)

5. (Cont.)

refused to testify. This statement is blatantly false and again used to discredit the Defendant through falsehoods and deceiving the Court. Defendant brings the following forward:

As a PREA victim to be entitled to the Rights and protections of the Federal Law you must report the incident upon intake at any correctional institution. At FMC Devens, as required, that occurred and I was brought to Asst. Warden Elrahab the PREA coordinator. He informed the Defendant that not only is there no record of the incident ever being reported, but there was certainly never an investigation. He asked me to submit a formal complaint and although the incident is almost a decade old, he would make sure it was finally noted. AW Elrahab also told me Adam Rvane the guard that perpetrated the assault was no longer an employee and his leaving date just happened to be six months after the incident occurred and three months after initial reports. (See Report as Requested by AW. Elrahab Exhibit E-1) Upon the investigation being instigated by AW Elrahab, the BOP requested a statement from Judith Sanborn, Defendant's mother, who had first hand experience with Adam Rvane. (See Exhibit E-2)

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5. (cont)

As further proof of the ongoing attempts by the Defendant, Counsel, family and more to get this brutal and life changing sexual assault investigated, the Defendant submits just a small part of efforts made to report.

A. Reports filed 9/2/15 (Exhibit E-3)

Reports filed 4/15/15 (Exhibit E-4)

Reports filed 4/21/17 (Exhibit E-5)

with Attorney General and Inspector General through US Mail and Confidential e-mail through BOP Prison system. These are just three receipts of over 50 Complaints made to the Atty General, BOP and Inspector General.

B. Reporting at Assault upon entrance to FCI Danbury dated 4/6/16 (Exhibit E-6)

C. Reporting and request by Legal Counsel Bjorn Lange to Allenwood Low Warden Warren Strada demonstrating concerns of the Defendants safety at Allenwood. 11/30/2011 (Exhibit E-7)

D. Defendant upon being returned to Allenwood was placed in isolation "SHU" for his own protection. The Defendant spent nearly 4 years in isolation because of the sexual assault and BOP saying I was at risk and for Defendants own protection. Protection or retaliation? Letter to Warden Strada

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5. (Cont)

The PSR made many statements, assertions and what court believes to be reliable facts. Yet a BOP Asst. Warden states there is nothing regarding this incident or investigation in the system. The Defendant, Counsel and Family have been reporting the sexual assault since 2011 as proven by the attached Exhibits with no success. Over 100 filings, reports and notifications to Federal Government Agencies, and not one attempt to investigate a violent crime only retaliation and more punishment as demonstrated by Rhode Island Probation. If indeed there was an investigation, there would be record and there is not. Based on all the attempts to be heard, is it even plausible that the defendant if given the ability to give testimony he wouldn't? Attached are less than 1% of all the attempts made to report the Defendants sexual assault but yet Probation wants you to believe the defendant refused to give an affidavit. The Defendant has provided hundreds of affidavits and testimony over the past decade, but yet the Prosecution and R.I. Probation must manipulate and outright deceive to discredit even more, a victim of a heinous sexual assault.

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The previous claims and supporting exhibits and evidence are believed to show not only was exculpatory evidence withheld, but was concealed in order to continue to paint an image of the Defendant that ran consistent with Rhode Island U.S. Atty. Press Releases. The Defendant has been subjected to years of solitary confinement because of reporting a sexual assault, now with the public release by R.I. Federal Courts of the assault the Defendant will live with that stigma publicly forever. The disgrace is not what has happened to the Defendant, but how the Government has recklessly destroyed a family.

The Defendant asks for relief from the honorable court and grant a vacated conviction, set aside, reduce or correct sentence and immediate release.

Respectfully Submitted

David Staveland, Pro Se
8/21/22

Exhibit A-1

The Law Office of Jason Knight

One Turks Head Place, Suite 1440
Providence, RI 02903
O: (401) 865-6075 F: (401) 216-8234
jason.knight@jasonknightlaw.com

A-1

May 27, 2021

David Staveley, 04230-049
Donald W. Wyatt Detention Facility
950 High Street
Central Falls, RI 02863

RE: DIGITAL EVIDENCE

Dear David,

I hope this letter finds you well. Please reach out to Luz Jimenez, the Evidence Coordinator and request to review the evidence in your case.

If you have any questions or concerns, please do not hesitate to contact this office.

Sincerely,



Jason Knight

rec. on 5-30-21

Request Report

Request Type: EVIDENCE AND GRIEVANCE COORDINATOR Request Subtype: EVIDENCE AND GRIEVANCE COORDINATOR
Assigned Group: EVIDENCE AND GRIEVANCE Assigned User:
Request Number: 251233 Status: CLOSED Inmate Name: STAVELEY, DAVID
Initial Location: DWDF B 27 A Current Location: DWDF B 27 A
Inmate Number: 04230049 Inmate Secondary Number:

Stamp Action

06/01/2021 04:42 pm
ORIGINAL REQUEST:

DEAR MS. JIMENEZ, MY ATTORNEY SAID TO CONTACT YOU TO REVIEW EVIDENCE IN MY CASE. PLEASE ADVISE AS TO HOW I CAN REVIEW? MY ATTORNEY SAYS HE SENT A MEMORY STICK FOR MY FUTURE USE WITH ALL EVIDENCE ON IT? THANK YOU, DAVID STAVELEY 04230049, UNIT B CELL 27
LJIMENEZ

06/02/2021 09:53 am
CLOSED:

Mr. Staveley

Yes I have been in contact with your attorney. At your request I can add you to the schedule to start reviewing your evidence. Bpod goes down on Tuesday afternoons and Wednesday mornings. I can add you on either day just let me know which day works better for you.

Ljimenez

Request Type: EVIDENCE AND GRIEVANCE COORDINATOR Request Subtype: EVIDENCE AND GRIEVANCE COORDINATOR
Assigned Group: EVIDENCE AND GRIEVANCE Assigned User:
Request Number: 251815 Status: CLOSED Inmate Name: STAVELEY, DAVID
Initial Location: DWDF B 27 A Current Location: DWDF B 27 A
Inmate Number: 04230049 Inmate Secondary Number:

Stamp Action

06/04/2021 12:08 pm
ORIGINAL REQUEST:

DEAR MS. JIMENEZ, EITHER IS FINE. A QUESTION? THE MEMORY STICK THAT THE EVIDENCE IS ON? DO YOU GIVE THAT TO ME AT MY RELEASE FROM THIS INSTITUTION? THANK YOU FOR YOUR HELP. DAVID STAVELEY, 04230049 UNIT B CELL 27
LJIMENEZ

06/07/2021 01:13 pm
CLOSED:

Mr. Staveley

I have added you to the schedule for Tuesday afternoon. As for the evidence it gets returned to your attorney upon your release.

Ljimenez

Request Type: EVIDENCE AND GRIEVANCE COORDINATOR Request Subtype: EVIDENCE AND GRIEVANCE COORDINATOR
Assigned Group: EVIDENCE AND GRIEVANCE Assigned User:
Request Number: 252205 Status: CLOSED Inmate Name: STAVELEY, DAVID
Initial Location: DWDF B 27 A Current Location: DWDF B 27 A
Inmate Number: 04230049 Inmate Secondary Number:

Stamp Action

Detail

Request Type: EVIDENCE AND GRIEVANCE COORDINATOR Request Subtype: EVIDENCE AND GRIEVANCE COORDINATOR
Assigned Group: EVIDENCE AND GRIEVANCE Assigned User:
Request Number: 252205 Status: CLOSED Inmate Name: STAVELEY, DAVID
Initial Location: DWDF B 27 A Current Location: DWDF B 27 A
Inmate Number: 04230049 Inmate Secondary Number:

Exhibit A-2

Stamp Action User

06/07/2021 04:32 pm

ORIGINAL REQUEST:

DEAR MS. JIMINEZ, THANK YOU. COULD YOU TELL ME WHEN YOU OR WYATT RECEIVED THE EVIDENCE FROM ATTORNEY KNIGHT? ALSO, I SUFFER FROM INTENSE MIGRAINES DUE TO A VIOLATE A**AULT COMMITTED AGAINST ME BY A GUARD IN THE BOP. THESE MIGRAINES HAVE BEEN OFTEN IN RECENT DAYS AND CAUSE ME TO HAVE A HARD TIME IN THE LIGHT AND READING IS VERY DIFFICULT AND PAINFUL. IF I HAVE A MIGRAINE I WILL TRY BUT READING IS VERY DIFFICULT AND CAUSES THE MIGRAINE TO BECOME MORE INTENSE. I HOPE YOU UNDERSTAND. DAVID STAVELEY, 04230049, UNIT B CELL 27
LJIMENEZ

A-2

06/07/2021 05:30 pm

CLOSED:

Mr. Staveley

Your evidence arrived to the facility 4/22/21. Hope this helps.

Ljimenez

Request Type: EVIDENCE AND GRIEVANCE COORDINATOR Request Subtype: EVIDENCE AND GRIEVANCE COORDINATOR
Assigned Group: EVIDENCE AND GRIEVANCE Assigned User:
Request Number: 252319 Status: CLOSED Inmate Name: STAVELEY, DAVID
Initial Location: DWDF B 27 A Current Location: DWDF B 27 A
Inmate Number: 04230049 Inmate Secondary Number:

Stamp Action User

06/08/2021 09:34 am

ORIGINAL REQUEST:

DEAR MS. JIMINEZ, I AM SUFFERING FROM A MIGRAINE TODAY. I BELIEVE LOOKING AT A COMPUTER TERMINAL WILL MAKE IT WORSE AND I WONT BE ABLE TO FOCUS. COULD I RESCHEDULE TO REVIEW EVIDENCE? ALSO, I WAS SUPPOSE TO REVIEW WEEKS AGO PRIOR TO A PLEA THAT HAD A DEADLINE? SO I NEVER SAW THE EVIDENCE PRIOR TO PLEA. THANK YOU FOR UNDERSTANDING. DAVID STAVELEY, 04230049
LJIMENEZ

06/10/2021 11:41 am

RESPONSE:

Mr. Staveley

I was notified that you were not feeling well. Be advised that still counts as a refusal. I will still keep you on the schedule for next week. Keep in mind per policy you are removed off the schedule after 3 refusals.

Ljimenez

LJIMENEZ

06/15/2021 09:50 am

CLOSED:

Mr. Staveley

You are on the schedule for this afternoon.

Ljimenez

Request Type: EVIDENCE AND GRIEVANCE COORDINATOR Request Subtype: EVIDENCE AND GRIEVANCE COORDINATOR
Assigned Group: EVIDENCE AND GRIEVANCE Assigned User:
Request Number: 253896 Status: CLOSED Inmate Name: STAVELEY, DAVID
Initial Location: DWDF B 27 A Current Location: DWDF B 27 A
Inmate Number: 04230049 Inmate Secondary Number:

Exhibit
A-3

Stamp Action

User

Detail

06/15/2021 01:01 pm

ORIGINAL REQUEST:

DEAR MS. JIMINEZ, I WILL COME TO EVIDENCE, BUT WOULD LIKE TO SPEAK WITH YOU. THE EVIDENCE FOR MY CASE WAS RECEIVED ON 4/22/21, YET I WAS NOT INFORMED AND WAS OFFERED A PLEA WITH A HARD DEADLINE. I ACCEPTED THE PLEA BUT NEVER SAW THE EVIDENCE IN THE CASE ALTHOUGH IT WAS AT WYATT AND AVAILABLE TO SEE PRIOR? COULD YOU EXPLAIN WHY I WAS PUT IN THIS SITUATION? VIEWING THE EVIDENCE NOW IS A MUTE POINT SINCE THE PLEA HAD A DEADLINE AND WAS NEVER GIVEN THE OPPORTUNITY TO VIEW. THANK YOU, DAVID STAVELEY

LJIMENEZ

A-3

06/16/2021 06:07 pm

CLOSED:

Mr. Staveley

Per our conversation I explained to you that your attorney was suppose to notify you (the client) that he was sending in some evidence. You would then reach out to myself and I would confirm just how I confirmed when you reached out to me for the first time.

Ljimenez

Total Requests:

5

Exhibit B-1

Request Report - CLOSED

Request Number: 264201

Submitted: 8/9/21 4:52 pm

Inmate Number: 04230049

Type: CHIEF OF SUPPORT

Inmate Secondary Number:

Sub Type: CHIEF OF SUPPORT

Inmate Name: STAVELEY, DAVID

Initial Location: DWDF B 27 A

Current Location: DWDF B 27 A

Stamp	Action	Detail	User
8/9/2021 4:52:26PM	ORIGINAL REQUEST:	DEAR MAJOR, I APOLOGIZE FOR BOTHERING YOU, BUT FOR 10 DAYS I HAVE BEEN REQUESTING A PHONE SHEET TO REGISTER MY ATTORNEYS PHONE NUMBER SO I CAN EFFECTIVELY COMMUNICATE WITH COUNSEL. STILL TO THIS DAY I HAVE NOT BEEN GIVEN A PHONE SHEET AND HAVE NOT BEEN ABLE TO COMMUNICATE WITH MY ATTORNEY. PLEASE HELP. I AM PROVIDING YOU WITH HIS INFORMATION. WOULD YOU BE KIND ENOUGH TO PUT MY ATTORNEY ON MY CALL LIST AND NOTIFY ME YOU HAVE DONE SO? PLEASE. ATTORNEY JASON KNIGHT, ONE TURKS HEAD PLACE, 1440, PROVIDENCE, RI 02903... 401 865 6075. JASON AT JASONKNIGHTLAW.COM. THANK YOU MAJOR. NOT SURE WHY THINGS ARE SO DIFFICULT FOR ME? MUCH THANKS FOR YOUR HELP. DAVID STAVELEY, 04230049, UNIT B CELL 27	
8/10/2021 7:54:33AM	RESPONSE:	Good morning, I will send this request with the information you provided to the Programs where your Counselor will be able to input the information. Should you have any issues going forward let me know. Have a good day, Major Lepore	ALEPORE
8/10/2021 7:54:40AM	GROUP ASSIGNED CHANGED TO PROGRAM DIRECTOR		ALEPORE
8/10/2021 1:05:48PM	INMATE RESPONSE:	THANK YOU FOR YOUR HELP	
8/10/2021 4:27:49PM	RESPONSE:	Mr. Staveley - you had a legal call on 8/5, and there are phone sheets available on the officers station, but I will assure that someone meets individually with you tomorrow. KDamaso	KDAMASO
8/10/2021 4:27:53PM	GROUP ASSIGNED CHANGED TO PROGRAM SERVICES		KDAMASO
8/11/2021 9:09:42AM	CLOSED:	Please fill out a phone sheet and give it to me when I am in on rounds UM CCAniglia	CCANIGLIA

Given for
5th Time
dating back
to 4/2021

Could not find
259405 ?

Request Report - CLOSED

851

Exhibit B-2

Printed: 10/8/2021 1:07:09PM

B-2

Request Number: 265284

Submitted: 8/15/21 1:47 pm

Inmate Number: 04230049

Type: CHIEF OF SUPPORT

Inmate Secondary Number:

Sub Type: CHIEF OF SUPPORT

Inmate Name: STAVELEY, DAVID

Initial Location: DWDF B 27 A

Current Location: DWDF B 27 A

Stamp	Action	Detail
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User

8/15/2021 1:47:09PM

ORIGINAL REQUEST:

DEAR MAJOR LEPORE, I REQUESTED THROUGH YOU ON AUGUST 8, 2021 TO HAVE MY ATTORNEY PHONE NUMBER PLACED ON MY PHONE LIST. I HAD BEEN TRYING FOR 10 DAYS TO GET A PHONE REQUEST SHEET AND WAS UNSUCCESSFUL? YOU TOLD ME BY INTERNAL EMAIL IT WOULD BE TAKEN CARE OF AND THE NUMBER WOULD BE PUT ON MY ACTIVE LIST. IT AS OF AUGUST 15, 2021 IS STILL NOT ACTIVE AND I HAVE NOT BEEN ABLE TO EFFECTIVELY COMMUNICATE WITH MY LEGAL COUNSEL. I AM PROVIDING YOU WITH THE INFORMATION AGAIN TO HELP FACILITATE MY ABILITY TO SPEAK WITH LEGAL COUNSEL. ATTORNEY JASON KNIGHT, ONE TURKS HEAD PLACE, SUITE 1440, PROVIDENCE, RI 02903. PHONE NUMBER TO REGISTER 401 865 6075. PLEASE FACILITATE THIS AS SOON AS POSSIBLE. I HAVE BEEN WITHOUT THE ABILITY TO CONFER WITH COUNSEL FOR SOMETIME. THANK YOU MAJOR LEPORE FOR YOUR HELP IN SOLVING THIS SEEMINGLY SIMPLE MATTER. I AM NEED TO SPEAK WITH COUNSEL. THANK YOU, DAVID STAVELEY, 04230049, UNIT B CELL 27

DMARTIN

8/16/2021 12:59:53PM

GROUP ASSIGNED CHANGED
TO PROGRAM DIRECTOR

KDAMASO

8/16/2021 3:44:17PM

CLOSED:

Mr. Staveley - you have had ample opportunity to speak wiht both unit managers and counselors to request a phone sheet, as well as the stack of phone sheets that are left on the officers station for detainee use. Ms. Caniglia is putting numbers in GTL right now that she recieved from Bravo Pod. Also, you have not requested for us to reach out to your attorney to facilitate a legal call through the office. PLease submit a request for a legal call if you desire. Ms. Caniglia will be down right now to have you fill out the proper paperwork and will have this number added to your list. KDamaso

Never happened (see future correspondence)

Request Report - CLOSED

Request Number: 265503

Submitted: 8/16/21 4:07 pm

Inmate Number: 04230049

Type: CHIEF OF SUPPORT

Inmate Secondary Number:

Sub Type: CHIEF OF SUPPORT

Inmate Name: STAVELEY, DAVID

Initial Location: DWDF B 27 A

Current Location: DWDF B 27 A

Stamp Action DetailUser

8/16/2021 4:07:31PM

ORIGINAL REQUEST:

DEAR MAJOR LAPORE, YOU ARE INCORRECT. I MADE REQUESTS OVER THE COURSE OF 10 DAYS TO RIVARD AND NUMEROUS CO,S TO GET PAPERWORK. I WOULD NOT HAVE BOTHERED YOU IF I HAD NOT EXHASTED MY OPTIONS PRIOR. I TAKE EXCEPTION TO YOUR FALSE ACCUSATIONS. THANK YOU, DAVID STAVELEY, 04230049

ALEPORE

8/17/2021 1:30:02PM

CLOSED:

Good afternoon, I am not sure what your talking about? Explain in more detail.
Have a good day, Major Lepore

Exhibit B-4

Request Report - CLOSED

Request Number: 274610

Submitted: 10/7/21 8:04 pm

Inmate Number: 04230049

Type: CHIEF OF SUPPORT

Inmate Secondary Number:

Sub Type: CHIEF OF SUPPORT

Inmate Name: STAVELEY, DAVID

Initial Location: DWDF B 27 A

Current Location: DWDF B 27 A

StampActionDetailUser

10/7/2021 8:04:29PM

ORIGINAL REQUEST:

DEAR MAJOR LAPORE, YOU ASKED ME TO COMMUNICATE WITH YOU IF I HAD ANY ISSUES? AS YOU MAY REMEMBER I HAVE HAD A VERY HARD TIME GETTING MY ATTORNEY PHONE NUMBER INTO THE SYSTEM. YOU AND COUNSELOR CONIGLIA HAVE RECEIVED THE NUMBER AND N3CESSARY FORM. AS OF TONIGHT THE NUMBER STILL DOES NOT WORK? SORRY TO BE THE BEARER OF BAD NEWS. PLEASE, PLEASE, PLEASE COULD YOU PUT THE FOLLOWING PHONE NUMBER 401 865 6075, ATTY JASON KNIGHT, ONE TURKSHEAD PLACE, SUITE 1440, PROVIDENCE, RI INTO THE PHONE SYSTEM SO I MAY CALL HIM? THANK YOU, DAVID STAVELEY 04230049, UNIT B CELL27

ALEPORE

10/8/2021 8:13:56AM

CLOSED:

Good morning, I will give this information to Major Damaso, she will have someone from her department enter this in the system for you.

Have a good day, Major Lepore

* RHy. # still not available promised 8/16/21 again?

B-4

Request Number: 274659
Inmate Number: 04230049
Inmate Secondary Number:
Inmate Name: STAVELEY, DAVID
Initial Location: DWDF B 27 A

Submitted: 10/8/21 9:36 am
Type: CHIEF OF SUPPORT
Sub Type: CHIEF OF SUPPORT

Current Location: DWDF B 27 A

Stamp Action Detail

User

10/8/2021 9:36:58AM

ORIGINAL REQUEST:

* { DEAR MAJOR LAPORE, THANK YOU FOR ADDRESSING THE ONGOING ISSUE OF GETTING MY ATTORNEY PHONE NUMBER INTO THE INMAYE SYSTEM. AS YOU KNOW I HAVE BEEN REQUESTING FOR MONTHS THIS ACCESS AND FILLED OUT ALL FORMS AND COMMUNICATED REPEATEDLY WITH YOU. MY HOPE IS IT CAN FINALLY BE RECTIFIED. ACCESS IS CRITICAL DURING COVID CONDITIONS. ALSO I KNOW I MUST GO TO YOU TO GET COPIES OF INTERNAL CORRESPONDENCE. YOU HAVE BEEN HELPFUL IN THE PAST SO MY HOPE IS YOU CAN ACCOMODATE THIS REQUEST AS WELL? COULD I GET COPIES OF INTERNAL REQUESTS 259405, 264201, 265284, 265503 AND 274610. FIVE REQUESTS. THANK YOU MAJOR FOR YOUR A**ISTANCE. DAVID STAVELEY, 04230049, UNIT B CELL 27

Exhibit 1-A

August 24, 2021

Deputy Chief Lee Vilker
US Atty's Office District of R.I.
50 Kennedy Plaza, 8th floor
Providence, R.I. 02903

Re: David Staveley 04230049, D W Wyatt Det. Fac.

Dear Sir:

This is my second letter to you detailing David's history of torture and trauma. He has been in Wyatt for 15 months, 25 plus days with no food, no exercise, no fresh air and I have to send him money to buy toothpaste, soap and a normal grown ups toothbrush. Money for the phone call that lets me know he is still alive, but money I can ill afford to send as I am elderly and do not have extra income.

Enclosed is proof that David signed a plea agreement without ever seeing the evidence which came too late for him to object. His attorney gave it to Wyatt although I am not sure if that was in person or by fax or mail and Wyatt neglected to inform David that it was there, claiming it was not their job. The Atty's letter was after the fact and then he had to make an appointment with the Evidence and Grievance Coordinator and they have specific days for different pods to make appointments to view this evidence. The evidence arrived at Wyatt on April 2, 2021. Atty. Knight's letter dated May 27, 2021 informing him of the evidence was given to David on May 30, 2021.

The court date was extended 2 ½ months for PSR to be ready and now there are 41 days left to present this to David and acknowledge his objections and also, time for Atty. Knight and you, Mr. Vilker, to negotiate. Otherwise, we will have to start all over again and I would doubt anyone wants that, but there is so little time and not much choice.

David needs help with therapy, for which I have already requested from McLean Resource Center and I need his help as my caregiver. It's the only way we will survive.

Sincerely,

Judith Sanborn

Judith Sanborn
judithsanborn2014@gmail.com
456 Mammoth Rd. #7
Dracut, MA 01826
978-204-8750

*Disclose
how Saw
Evidence*

Exhibit 1-B

7021 0950 0001 6016 1403

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®	
Providence, RI 02903	
Certified Mail Fee \$3.60	Postmark Here 08/21/2021
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy) \$0.00	
☐ Return Receipt (electronic) \$0.00	
☐ Certified Mail Restricted Delivery \$0.00	
☐ Adult Signature Required \$0.00	
☐ Adult Signature Restricted Delivery \$0.00	
Postage \$0.55	
Total Postage and Fees \$7.00	
Sent To Lee Wilkes, Chief Dep. US Atty Gen. R.I. Street and Apt. No., or PO Box No. 22 Kennedy Plaza City, State, ZIP+4® PROVIDENCE, R.I. 02903	
PS Form 3800, April 2016 PSN 7530-02-000-9047 See Reverse for Instructions	

Certified
Mail

↓
 Faxed
 to Lee Wilkes
 & US Atty
 General

TRANSMISSION VERIFICATION REPORT

TIME : 08/24/2021 09:54AM
 NAME : DRACUT
 FAX : 1
 TEL : 19789578265
 SER. # : U65527C9N345968

DATE, TIME
 FAX NO./NAME
 DURATION
 PAGE(S)
 RESULT
 MODE

08/24 09:46AM
 14017095001
 00:08:34
 08
 OK
 STANDARD

Exhib. 8572-14

Aaron L. Weisman }
Peter Nerauka } Same
Zachery Cunha } letter
Receipt

September 11, 2021

U.S. Attorney District of R.I.
Atty. Aaron L. Weisman
50 Kennedy Plaza 8th floor
Providence, R.I. 02903

Re: David Staveley

Dear Sir:

The information I have sent you shows and is proof that my son, David Staveley never saw the evidence before signing a plea. DWWyatt kept it for a month before his attorney notified him it was there. Too late for any objections.

He is a PREA victim with PTSD caused by a guard in The BOP who beat and raped him and therefore has to stay in his cell for fear of it happening all over again as he is in a racist atmosphere being one of very few caucasians. They have read all of his information on the internet and continuously harass and threaten him, this after the judge ordered this to be sealed.

He has not had a shower in all these months, no fresh air and no exercise. His Civil Rights have been violated so many times and he does not have the mental capacity to complete the paperwork for these charges. He did all the manual labor and put his trust in four other people.

It took a very long time with therapy just for him to be able to sleep for a few hours without fear of a guard coming into his cell and this has all been erased and worsened. I have spoken with McLean Hospital in Boston and they have promised to help him. He is my caregiver and at 80 years old I have to be his.

I would think 16 months of fear, torture and more trauma to be as much inhumanity as any one person should be asked to suffer.

Sincerely,



Judith Sanborn, Mother
978-204-8750
456 Mammoth Rd. #7
Dracut, MA 01826
judithsanborn2014@gmail.com

Exhibit 2-B

CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

Postmarked Here
SEP 01 2021
USPS
09/07/2021

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$1.56
Total Postage and Fees	\$5.31

Sent To
US Attorney General
50 Kennedy Plaza
Providence, RI 02903
City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

Postmarked Here
SEP 01 2021
USPS
09/17/2021

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$1.56
Total Postage and Fees	\$5.31

Sent To
US Attorney General
50 Kennedy Plaza
Providence, RI 02903
City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

Postmarked Here
SEP 01 2021
USPS
09/11/2021

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$1.56
Total Postage and Fees	\$5.31

Sent To
US Attorney General
50 Kennedy Plaza
Providence, RI 02903
City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

Domestic Return Receipt

Article Number (Transfer from service label)
7020 3160 0001 5027 0938

9590 9402 6335 0296 1434 84

Article Addressed to:
US Attorney General
50 Kennedy Plaza
Providence, RI 02903

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail (PSN 7530-02-000-9053)
☐ Registered Mail
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation
☐ Signature Confirmation Restricted Delivery
☐ Restricted Delivery
☐ Restricted Delivery Restricted Delivery

D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

B. Received by (Printed Name)
C-19

C. Date of Delivery
9-14-21

A. Signature
X

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.

Print your name and address on the reverse so that we can return the card to you.

Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
US Attorney - District - RI
Atty. Zachary Cunha
50 Kennedy Plaza 8th floor
Providence, RI 02903

2. Article Number (Transfer from service label)
7020 3160 0001 5027 7708

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail (PSN 7530-02-000-9053)
☐ Registered Mail
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation
☐ Signature Confirmation Restricted Delivery
☐ Restricted Delivery
☐ Restricted Delivery Restricted Delivery

D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

B. Received by (Printed Name)
C-19

C. Date of Delivery
9/14/21

A. Signature
X

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

Article Number (Transfer from service label)
7020 3160 0001 5027 9932

9590 9402 6335 0296 1434 60

Article Addressed to:
US Attorney - District - RI
Atty. Zachary Cunha
50 Kennedy Plaza 8th floor
Providence, RI 02903

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail (PSN 7530-02-000-9053)
☐ Registered Mail
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation
☐ Signature Confirmation Restricted Delivery
☐ Restricted Delivery
☐ Restricted Delivery Restricted Delivery

D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

B. Received by (Printed Name)
C-19

C. Date of Delivery
9/14/21

A. Signature
X

PS Form 3811, July 2020 PSN 7530-02-000-9053

G.BP-S148.055 INMATE REQUEST TO STAFF CDFRM
SEP 98
U.S. DEPARTMENT OF JUSTICE

Exhibit C-1
Deven's Request for Psych Eval
(Received in Docs)

FEDERAL BUREAU OF PRISONS

TO: (Name and Title of Staff Member) Dr. Fricker / Psychology	DATE: 4-1-22
FROM: David Staveley	REGISTER NO.: 04230-049
WORK ASSIGNMENT: FS-1	UNIT: H-A

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)

Dear Dr. Fricker,

To follow-up on our conversation today - the Federal Court Ordered Psychological Evaluation done at MDC Brooklyn was conducted on or about 6-26-2015. One of the reports you gave me (11/22/2021 14:51) notes "was seen by psychiatrist at Brooklyn on 6/26/15 and given a diagnosis of PTSD".

This was the interview done as part of Psych Eval. This psychiatrist is who wrote the evaluation. I hope this helps in finding and getting you this document to better understand my assault. I also as recommended filed another report online regarding the assault. Thank you David Staveley

(Do not write below this line)

DISPOSITION:

I can see the note The psychiatrist wrote but since this in your medical file, not psychology file, I cant print it off for you. You would want to submit a request for it through medical records.

Signature Staff Member D. Fricker	Date 4-7-22
--------------------------------------	----------------

Record Copy - File; Copy - Inmate
(This form may be replicated via WP)

This form replaces BP-148.070 dated Oct 36
and BP-S148.070 APR 94

Thanks for these details - it was helpful

Sensitive Limited Official Use Only

Exhibit C-2

Page 1



*Freedom of Information Act
Request for Court Ordered
Psych Report date 6/24/2015*

**U.S. Department of Justice
Federal Bureau of Prisons**

*Northeast Regional Office
2nd & Chestnut St., 7th Floor
Philadelphia, PA 19106*

November 5, 2015

Kurt Sanborn
Strafford County DOC
266 County Farm Road
Dover, NH 03820

Dear Mr. Sanborn:

The Federal Bureau of Prisons (BOP) received your Freedom of Information Act/Privacy Act (FOIA/PA) request. Your request has been assigned a number and forwarded to the processing office noted below. Please make a note of the request number and processing office as you will need to include it in any correspondence or inquiry regarding your request. A copy of the first page of your request is attached to help you more easily keep track of your request.

FOIA/PA Request Number: 2016-00742
Processing Office: NER

The time needed to complete our processing of your request depends on the complexity of our records search and the volume and complexity of any records located. Each request is assigned to one of three tracks: simple, complex, or expedited. Due to the large number of FOIA/PA requests received by BOP and the limited resources available to process such requests, BOP handles each request on a first-in, first-out basis in relation to other requests in the same track. Your request was assigned to the complex track and placed in chronological order based on the date of receipt.

We determined exceptional circumstances exist as the documents responsive to your request must be searched for and collected from a field office, and/or the documents responsive to your request are expected to be voluminous and will require significant time to review, and/or your request requires consultation with at least one other agency with a substantial interest in your request. Because of these unusual circumstances, we are extending the time limit to respond to your request beyond the ten additional days provided by the statute. Processing complex requests may take up to nine months. Pursuant to 28 C.F.R. § 16.5(b) and (c), you may narrow or modify your request in an effort to reduce the processing time.

Pursuant to 28 C.F.R. § 16.10, in certain circumstances we are required to charge fees for time spent searching for or duplicating responsive documents. If we anticipate your fees will be in excess of \$25.00 or the amount you have indicated you are willing to pay, we will notify you of the estimated amount. At that time, you will have the option to

Exhibit C-2

page 2

reformulate your request to reduce the fees. If you requested a fee waiver, we will make a decision whether to grant your request after we determine whether fees will be assessed for this request.

If you have questions regarding the status of your request or anything discussed in this letter, you may contact the NER at 215-521-7391 or the BOP FOIA Public Liaison, Mr. C. Darnell Stroble at (202) 616-7750 or BOP FOIA Section, 320 First Street, NW, Room 936, Washington, D.C. 20534. You can also check the status of your request on line at <http://www.bop.gov/PublicInfo/execute/foia>.

Sincerely,

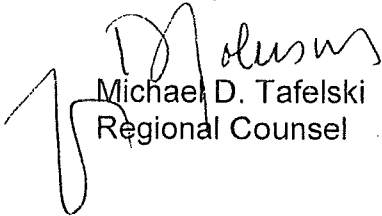

Michael D. Tafelski
Regional Counsel

Exhibit 862-1

David Staveley

page 1

NSN 7540-00-834-4175

AUTHORIZED FOR LOCAL REPRODUCTION

MEDICAL RECORD

MENTAL Health

CHRONOLOGICAL RECORD OF MEDICAL CARE

DATE

SYMPTOMS, DIAGNOSIS, TREATMENT TREATING ORGANIZATION (Sign each entry)

6-24-2018

11:37 AM

Psychiatric Evaluation:—
 Mr Sanborn Kurt is a 48 year-old (K81)
 Caucasian male referred for Psychiatric
 evaluation.

Mr Sanborn Kurt reported he was sexually
 molested while incarcerated at Allenwood
 by a prison guard there.

Mr Sanborn noted he was to finish with his
 Probation by April 2015, however before
 the end of the probation, they violated him

Mr Sanborn noted it is a vendetta against
 him for having reported the molestation
 by the Guard.

Mr Sanborn reported feeling threatened, directly
 experiencing the traumatic event since he
 returned from ^{JP} to prison.

Mr Sanborn Kurt furthermore reported recurrent
 distressing dreams in which the contents
 of his dream are related to his traumatic
 event in Allenwood. He has been having
 dissociative reactions in which he acted
 as if the traumatic event were recurring

HOSPITAL OR MEDICAL FACILITY

STATUS

DEPART./SERVICE

RECORDS MAINTAINED AT

SPONSOR'S NAME

SSN/ID NO.

RELATIONSHIP TO SPONSOR

PATIENT'S IDENTIFICATION: (For typed or written entries, give: Name - last, first, middle; ID No or SSN; Sex;
 Date of Birth; Rank/Grade.)

REGISTER NO.

WARD NO.

04230-049

CHRONOLOGICAL RECORD OF MEDICAL CARE

Medical Record

STANDARD FORM 600 (REV. 6-97)

Prescribed by GSA/ICMR
 FIRM (41 CFR) 201-9.202-1

USPLVN

Sanborn Kurt D

D.O.B 4/23/1967

863
Exh. b.7 D-1

page 2

(11)

DATE	SYMPTOMS, DIAGNOSIS, TREATMENT, TREATING ORGANIZATION (Sign each entry)
	When he sees a Guard or the voice of the keeps Mr. Sanborn Kurt complained of efforts he has done to avoid distressing memories closely associated with the traumatic event. Also Mr. Sanborn Kurt showed negative alterations in cognition by not wanting to remember an important aspect of the traumatic event along with an exaggerated negative beliefs about himself stating "I am bad" "my life is ruined for ever" Mr. Sanborn Kurt denied having auditory and visual hallucinations. Mr. Sanborn Kurt denied repeatedly and currently suicidal and homicidal ideations. <u>Developmental History:</u> Mr. Sanborn Kurt is a 48 year-old single Caucasian male. He identified his hometown as Massachusetts, USA. When asked to describe his childhood he noted it was good until the age of 12 when his mother sent him to Camp Alexander for one week, the male who was responsible forced him and 2 other boys to be touching each other, he did not tell his mother until 10 years ago. <u>Marital History:</u> Mr. Sanborn Kurt was married and had 2 children ages 18 and 15 respectively. Mr. Sanborn is now divorced and has no contact with

Referred
On RPT
PSP
as well

864
Exhibit D-1

David Staveley

page 3.

NBN 7840-00-834-4176



AUTHORIZED FOR LOCAL REPRODUCTION

MEDICAL RECORD ~~MENTAL HEALTH~~ CHRONOLOGICAL RECORD OF MEDICAL CARE

DATE	SYMPTOMS, DIAGNOSIS, TREATMENT	TREATING ORGANIZATION (Sign each entry)
6-24-2015	Educational History:	
11:37 AM	Mr. Sanborn Kurt noted he graduated from college has a BA and had a few classes in University and got arrested.	
	Employment History:	
	Regarding his employment history, Mr. Sanborn Kurt reported working in the Broadcasting since he was 17 years old until he was 35. Then he went to work for an engineering firm until he went to jail.	
	Military History:	
	Mr. Sanborn has never been enlisted.	
	Criminal History:	
	Mr. Sanborn Kurt was charged with wire fraud and was sentenced to 30 months and released after 26 months with 3 years of probation.	
	Past Psychiatric History:	
	Mr. Sanborn Kurt noted he has no previous psychiatric hospitalization, however after his alleged molestation, he has been on Psychotherapy and (medications) pharmacotherapy.	
HOSPITAL OR MEDICAL FACILITY	STATUS	DEPART./SERVICE
MDC, Brooklyn BOP		
SPONSOR'S NAME	SSN/ID NO.	RELATIONSHIP TO SPONSOR

PATIENT'S IDENTIFICATION: (For typed or written entries, give: Name - last, first, middle; ID No or SSN; Sex; Date of Birth; Rank/Grade.)

REGISTER NO.

WARD NO.

Sanborn Kurt D 484/0
04-23-1967

CHRONOLOGICAL RECORD OF MEDICAL CARE

Medical Record

STANDARD FORM 600 (REV. 6-97)

Prescribed by GSA/CMR
FIRM (41 CFR) 201-9.202-1

USP LVN

IV

Exhibit D-1

David Stevoley

Page 4

DATE	SYMPTOMS, DIAGNOSIS, TREATMENT TREATING ORGANIZATION (Sign each entry)
6/24/2015 11:37 AM	Mr. Sanborn Kurt denied history of substance abuse. He denied having used alcohol or any other illicit drugs. Medical History: Mr. Sanborn Kurt has no medical conditions.
	Mental Status Examination: Mr. Sanborn Kurt is a 48-year-old male who looks younger than stated age. He is casually dressed and his grooming is appropriate. He made eye contact. Speech is spontaneous, relevant, and appropriate. He denied auditory and visual hallucinations. Mr. Sanborn Kurt denied presently and currently suicidal and homicidal ideations intent or plan. He was very fearful. Mr. Sanborn Kurt did not appear to be responding to inner stimuli. Mood was anxious, labile, sad. Affect was constricted. Thought process, logical, appropriate. Thought content organized, relevant, appropriate. Immediate recall is intact. Memory recent and remote are well preserved. Patient has insight into his condition and his judgment is fair. Patient does not pose as a danger to self and others at the present time.

David Stevely
Exhibit D31

Page 5

NBN 7640-00-834-4176

AUTHORIZED FOR LOCAL REPRODUCTION

MEDICAL RECORD

~~MENTAL HEALTH~~

CHRONOLOGICAL RECORD OF MEDICAL CARE

DATE	SYMPTOMS, DIAGNOSIS, TREATMENT TREATING ORGANIZATION (Sign each entry)
6-24-2015 11:37 AM	Axis (I) Posttraumatic Stress Disorder *
	Axis (II) Deferred
	Axis (III) No Medical Conditions
	Axis (IV) Psychosocial and Environmental - Fair
	Has strong family support -
	Axis (V) GAF (Global assessment functioning) 50-70
	Assess 48 year-old with Posttraumatic Disorder with acute exacerbation he needs stabilization with Pharmacotherapy.

Plan:

Due to Mr. Sanborn's reported current history of reported symptoms, I will, with agreed upon by patient, begin pharmacotherapy with:

- ① Remeron 15mg qd at bedtime x 180 days
- ② Zoloft 50mg qd daily x 180 days

A patient is started on Remeron. And Zoloft he was educated on the side effects of these medications including, but are not limited to dry mouth, blurred vision, constipation, tremor, drowsiness, dizziness.

HOSPITAL OR MEDICAL FACILITY	STATUS	DEPART./SERVICE	RECORDS MAINTAINED AT
SPONSOR'S NAME	SSN/ID NO.	RELATIONSHIP TO SPONSOR	
PATIENT'S IDENTIFICATION: (For typed or written entries, give: Name - last, first, middle; ID No or SSN; Sex; Date of Birth; Rank/Grade.)			REGISTER NO. 04230-049
			WARD NO.

Sanborn Kurt D 48y
D.O B 7/23/1967

CHRONOLOGICAL RECORD OF MEDICAL CARE
Medical Record

STANDARD FORM 600 (REV. 6-97)
Prescribed by GSA/ICMR
FIRM (41 CFR) 201-9.202-1

USP LVN

Exhibit E-1

[Formal PREA Complaint as
required at every BOP facility]

O.BP-S148.055 INMATE REQUEST TO STAFF CDFRM

SEP 98

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

TO: (Name and Title of Staff Member) <i>ON 1/4/22</i> <i>AW Elrahbe during mainline.</i>	DATE: <i>12-20-2021</i>
FROM: <i>David Stavely</i>	REGISTER NO.: <i>04230-049</i>
WORK ASSIGNMENT: <i>FS 1</i>	UNIT: <i>H-A</i>

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)

Dear AW Elrahbe

pursuant to your request I am submitting this copy-out reporting a sexual assault of me by a BOP employee named Adame Rvane on or about 2012 at Allenwood Low Facility. Mr. Rvane made physical contact with me and once the incident was reported to BOP psychologists Tenafter Eng, I was retaliated against and assaulted by CO Adame Rvane in the Allenwood Low Contract Office. I in no way am refusing any services that can help me cope with this assault. Although reported the incident has never been investigated by any agency

(Do not write below this line)

DISPOSITION: I have received your complaint thru this copy-out and also thru my conversation with you on Dec, 22, 2021. Your complaint has been referred to the institution where you

Signature Staff Member

Date

*K. E. H. H. H.**1/4/2022*Record Copy - File; Copy - Inmate
(This form may be replicated via WP)This form replaces BP-148.070 dated Oct 86
and BP-S148.070 APR 94

→ reported the incident occurred. See psychology for any services you may need; or they may deem appropriate for you. *Elrahbe*

Sensitive Limited Official Use Only

Exhibit E-2

Requested Account by Judith Sanborn
for BOP - 1st Documented Investigation
January 3, 2022 8 years too late

Federal Bureau of Prisons
No. East Regional Office
US Customs House, 7th fl
2nd and Chestnut Streets
Philadelphia, PA 19106

Re: Kurt D. Sanborn/David A. Staveley

Attn: Director English:

At last! Validation of reports of beatings, rape, extended solitary confinement by a guard in the BOP in Allenwood, PA in 2009 and ignored by all people and departments of the government, private and state facilities, lawyers and the USAA, Robert Kinsella. He defied Judge Barbaderos order for a 2255 way back in Concord, NH when Atty. Allen Baum made a deal with him and tried to steal restitution money from me, Judith Sanborn and caused years and years of pain and suffering for Kurt D. Sanborn/David A. Staveley. The records have been found along with psychological reports that no attorney has been able to obtain from the BOP especially from Brooklyn, NY even with written permission requests from Kurt/David. We are not sure whether Atty. Jason Knight ever actually requested them as we have no records or contracts from him, nothing.

This is the story of an atrocity conducted on an inmate in the BOP and condoned by the BOP in their silence along with Warden Walsh, the Psychologist, Dr. Enigk, the Inspector General's office and as you will see many others.

Around or about 2012 Kurt David Sanborn, aka David Staveley, (legal name change) was brutally assaulted and raped while in the visitation strip search area by guard Adam Ruane.

Approximately 3 weeks later the victim, my son, could not bear another minute of suffering and went to Allenwood Low staff psychologist Jennifer Enigk. He revealed the assault and named the perpetrator, Adam Ruane of the BOP.

Approximately 2 days later Kurt D. Sanborn (David Staveley) was called to the Lieutenant's office and was met by BOP Guard Adam Ruane. In the presence of a Lieutenant, Guard Ruane beat and committed assault and battery upon Kurt D. Sanborn/David Staveley. During the physical beating the Lieutenant informed the victim that if the rape was mentioned again there would be further retaliation by the staff and Kurt was placed in the SHU, Special Housing Unit), beaten and bleeding for months and months.

Sometime after when my son was able to have visits Adam Ruane, who was the visitation guard, came to me and stated boldly "mommy can not help in here". I remember this moment vividly and as I saw the after effects of my sons rape and beating I knew we were helpless.

Exh. b. + E-2

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
1. Article Addressed to: Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Federal BOP - Director New East Regional Office U.S. Customs House 7 floor 2nd & Chestnut St. Philadelphia, PA 19106 9590 9402 6547 1028 4240 58		A. Signature ☒ Agent B. Received by (Printed Name) ☒ Addressee C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below:	
2. Article Number (Transfer from service label) 7021 1970 0000 9687 9558 PS Form 3811, July 2020 PSN 7530-02-000-9053		3. Service Type ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	

Domestic Return Receipt



*Letter Reporting Sexual Assault
by BOP Guard
Receipt -*

U.S. Department of Justice

Mail Referral Unit

Washington, D.C. 20530

September 2, 2015

Judith S. Sanborn
96 Frederick Street
Unit 55
Dracut, MA 01826-3453

Dear Friend:

Thank you for your letter dated August 10, 2015 to the Attorney General, Deputy Attorney General, or Associate Attorney General, which was received by the Department of Justice, Mail Referral Unit, on September 2, 2015 and assigned ID number 3096855.

Your letter will be reviewed and if a response or an update is necessary it will be sent to you within 60 business days. If you have any questions, please contact us at (301) 583-7350 and refer to your ID number 3096855 when requesting any information concerning your correspondence.

Sincerely,

Mail Referral Unit
Department of Justice

Exhibit E-4

04230049
Staveland/Sanborn



Receipt - Correspondence Reporting
Sexual Assault

U.S. Department of Justice

Mail Referral Unit

Washington, D.C. 20530

April 15, 2015

Judith S. Sanborn
96 Frederick Street
Unit 55
Dracut, MA 01826-3453

Dear Friend:

Thank you for your letter dated April 15, 2015 to the Attorney General, Deputy Attorney General, or Associate Attorney General, which was received by the Department of Justice, Mail Referral Unit, on April 15, 2015 and assigned ID number 3012166.

Your letter will be reviewed and if a response or an update is necessary it will be sent to you within 60 business days. If you have any questions, please contact us at (301) 583-7350 and refer to your ID number 3012166 when requesting any information concerning your correspondence.

Sincerely,

Mail Referral Unit
Department of Justice



Exhibit E-5
Rec-5 22-17 04230043
Stoveley/Sanborn
Receipt - Letter Reporting Assault

U.S. Department of Justice

Mail Referral Unit

Washington, D.C. 20530

April 21, 2017

Judith S. Sanborn
96 Frederick Street
Unit 55
Dracut, MA 01826-3453

Dear Friend:

Thank you for your letter dated April 10, 2017 to the Attorney General, Deputy Attorney General, or Associate Attorney General, which was received by the Department of Justice, Mail Referral Unit, on April 21, 2017 and assigned ID number 3823135.

Your letter will be reviewed and if a response or an update is necessary it will be sent to you within 60 business days. If you have any questions, please contact us at (301) 583-7350 and refer to your ID number 3823135 when requesting any information concerning your correspondence.

Sincerely,

Mail Referral Unit
Department of Justice

Exhibit ~~1~~ E-6

TRULINCS 04230049 - SANBORN, KURT - Unit: DAN-D-A

(Reporting of Incident 4/6/16)

FROM: 04230049

TO: Psychology

SUBJECT: ***Request to Staff*** SANBORN, KURT, Reg# 04230049, DAN-D-A (Steve Key)

DATE: 04/06/2016 09:44:37 AM

To: Yard

Inmate Work Assignment: AM Yard

Dear Psychology,

In Spring of 2011, I was sexually assaulted by BOP Correctional Officer (Adam Ruane) while at LCI Allenwood in White Deer, PA. This assault was documented and an active Office of Inspector General investigation and torte civil action has been instigated. As a result, I have suffered from PTSD and anxiety since the assault being diagnosed by several psychiatrists/psychologists. After the assault, I found the confidence to meet with Allenwood Psychologist Dr. Eng, who subsequently took what we discussed and revealed it to not only the perpetrating officer, but others on the correctional staff. This action alone caused great trauma and loss of trust, but the acts of retaliation by staff after my assault complaint was shared were relentless. I have only been at Danbury since mid-march with a release date of 7/12/16. After orientation and hearing from the Warden of her philosophy and desire to "get inmates as much half-way house as possible", I began to feel comfortable and secure in Danbury and its staff thinking they will understand my need to get home to private therapy. This changed quickly when Case Manager Ms. McElroy told me she would not even submit my halfway house papers because I was only 90 days from release. It is BOP policy that inmates are given half-way house as a means for successful re-entry, as well as to assist in developing coping skills (I have been a model inmate, no shots or disciplinary reprimands). I have been denied this opportunity and put in a situation for failure upon release by the lack of action by a Danbury FCI staffer. My mind can't help but believe this callous act is one of retaliation by Ms. McElroy because of my complaint against another BOP employee. Additionally, I have attempted to get my case file as it pertains to psychological reports, case notes and evaluations by BOP psychology/psychiatry staff at Allenwood, MDC Brooklyn and Danbury. I have a freedom of information act waiver on file at the BOP National Office, Regional Office, Allenwood and MDC Brooklyn authorizing the release of these documents. My counsel also has a letter from BOP Regional Counsel stating " the retrieval of these files is COMPLEX and will take time to locate if not lost." I then am shown all of the subsequent documents requested from Danbury staff Psychologist Dr. Bealieu demonstrating that Regional Counsel has blatantly lied and the requested files are easily accessed not "COMPLEX" at all. This information would help in my ongoing treatment when released and would be critical to establishing a viable treatment plan going forward. I have been denied that right by not only the region, but by the response given to me by cop-out from FCI Danbury Psychology staff. Because of all this clear retaliation and disregard for PREA victims rights. I am requesting to receive community based counseling at the level that inmates within FCI Danbury are receiving and are entitled too. Additionally, based on the most recent act of retaliation by Ms. McElroy I feel a need to have an impartial and confidential party to talk to and help relieve my anxiety. I cannot discuss my sexual assault with other inmates and now I feel FCI Danbury is simply part of the problem and not available to help me through the trauma created by a BOP guard. Please respond at your earliest convenience. Regards, Kurt Sanborn 04230-049

Exhibit E-7

page 1

FEDERAL DEFENDER OFFICE

DISTRICT OF NEW HAMPSHIRE
22 BRIDGE STREET
CONCORD, NH 03301

TELEPHONE: (603) 226-7360
FAX: (603) 226-7358

November 30, 2011

VIA FACSIMILE (570) ~~547-1740~~
AND FIRST CLASS MAIL

547-0342

Warren Strada, Warden
Low Security Correctional Facility
Allenwood
P. O. Box 1500
White Deer, PA 17887

Re: Kurt D. Sanborn, Inmate No. 04230-049; DOB: 4/23/67

Dear Warden Strada:

On August 10, 2011 I was appointed by the United States District Court for New Hampshire to represent Kurt Sanborn, who was then an inmate at the Low Security Facility in Allenwood. In September Mr. Sanborn was brought to the District of New Hampshire on a writ to deal with pending matters. It appears that they may be resolved fairly soon.

I see from the Bureau of Prisons Inmate Locator that Mr. Sanborn's present release date is April 26, 2012. I understand that he would currently be eligible for transfer to a Community Corrections Center (CCC) if he had remained in Allenwood.

On November 15, 2011 I spoke on the telephone with case manager Bruce Beaver. I learned from him that in the ordinary course upon Mr. Sanborn's release from this district he would be returned to Allenwood to serve out his current sentence, that no decision would be made on a possible transfer to a CCC until then, and that given the relatively short time until his release it would be unlikely that Mr. Sanborn would be sent from Allenwood to a CCC. Since that telephone conversation I have not been able to communicate with Mr. Beaver regarding such a transfer.

At this point it appears that Mr. Sanborn would be placed at considerable personal risk if he were returned to your facility. In three proffer sessions he provided information to law enforcement regarding criminal activity by others. As a result, he was reportedly threatened by inmates at Allenwood. He also initiated complaints against Allenwood staff, and these matters are or were being investigated by your office, as indicated in August 11 and September 20, 2011 letters from you to his mother Judith Sanborn. The letters confirmed that there is or was an inquiry, although understandably provided no details. Thus, it appears that if returned to Allenwood Mr. Sanborn would face potential retaliation from both other inmates and possibly

Exhibit E-7
page 2

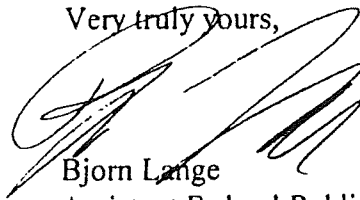
from staff who might have been subjected to his allegations against them.

If Kurt Sanborn completed his obligations in this district and there were no other holds on him, could he be designated to a CCC directly from the District of New Hampshire, where he is currently being held in a county jail, rather than having to return to Allenwood? If so, how would that determination be made?

I would appreciate any assistance that you can provide in this important matter.

Thank you for your attention.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Bjorn Lange', written over the typed name.

Bjorn Lange
Assistant Federal Public Defender

BRL:dmr

cc: Kurt Sanborn

RECEIVED
1-2-2012
(Exhibit E-8)

Warren Strada Warden
Ellenwood Farm
P.O. Box 1500
White Deer, PA 17887

page 1

Re: Kurt D Sanborn
04230-049

Dear Sir,

Once again I am writing to you, but this time without any expectations except the fact that you are courteous enough to acknowledge my letter.

I had one telephone call from Kurt on Friday, Dec. 30, 2011 and was told he is back in the "shu", which is, I guess, solitary confinement. As a FNO Tracy told him to settle in. It appears he will be kept there for his remaining four months. The last time in the shu, he had no communication with his family for six months, except by mail and no visits for over one year. I do hope that is not how it will be this time as the only thing the BOV has to do is to protect him due to information leaks by the that very facility.

Nov 2, 2012 pg 2
Exhibit E-8 page 2

His attorney, Mr. Lange and myself have tried numerous times during the last few months to contact Mrs. Bruce Bearey to no avail, in fact, the telephone number on file is never even answered. You would think attorneys would be able to reach a Case Manager.

I do not believe there was any investigation into the initial charge that put him into solitary in April of 2010, but I will not sit back and let it happen again. I also know there are dangerous people out there and because of a faulty U.S. Attorney's Office in D.C. and incompetent people at the BOP, his life is in danger. However, four months in solitary confinement is pretty dangerous too. I do not know if

Ruane Adam Baker is still in this facility, but I would hope he does not come near my son as along with what I have heard about him, I have watched him myself.

Thank you for previous considerations and I am just letting you know I am moving forward this time, not waiting.

Sincerely
Judith L. Lamborn