

Wednesday, November 20, 2015

Citizen Boddy -

I am in receipt of your October 27 "Rejection Notice" pertaining to Remedy ID 832343 -RI, in which you request, among other things, that I "provide a memo as to why [my] appeal is untimely" and invite me to resubmit while also listing five "Reject Reasons" which I shall address here one by one:

"Reject Reason 1" notes that I may only submit one continuation page. I have therefore reduced the font size on the text of the appeal so that it now fits very nicely on one page rather than two.

"Reject Reason 2" claims that my appeal is "untimely." I have already explained why it is not, citing both the relevant program statement and your bureau's own records to show that (1) inmates are not required to get their appeals in within 20 days of the date of the warden's response if that response is late, and that (2) that response was late.

"Reject Reason 3" requests that I "provide staff verification stating reason untimely filing was not [my] fault." As has already been explained, my filing was not untimely. Moreover I am not in a position to provide any sort of statement from Fort Worth staff as I am now at Three Rivers, which your office knows perfectly well since I noted it on my BP-10, and since it is noted on your "Rejection Notice," and since you mailed that notice to me here, and since it was your office that authorized the transfer in the first place. Also please note that a request for information does not qualify as any sort of "Reject Reason."

"Reject Reason 4," which likewise does not quite manage to attain the status of an actual "Reject Reason," notes that I may resubmit my appeal "in proper form within 15 days of the date of this rejection notice." The rejection notice is dated October 27th. As shown in the attached memorandum, the notice was provided to me on November 11th. Thus you have given me zero days to comply, whereas the program statement requires you to give inmates a "reasonable" amount of time. As such I am disregarding this latest provocation and granting myself 15 days from the date of receipt.

"Reject Reason 5," which is also not a reject reason, asks me to "See Remarks"; the remarks themselves simply re-state your requests for this memo and for my appeal to be placed on one page rather than two.

I look forward to receiving your next rejection notice.

Barrett Brown
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