

NEW MEXICO CORRECTIONS DEPARTMENT
INMATE GRIEVANCE

Inmate's Name: Jason White NMCD#: 86663 Grievance File #: _____

Institution: G.C.C.F Housing Unit: 1-D-107 Date of Incident: 3-22-22

Date Received by Grievance Officer: _____

Grievance Officer's Signature: _____

INSTRUCTIONS: It is expected that problems be resolved in an informal manner. Please read policy/procedure CD-150500 before filing a grievance. Your grievance must be typed or clearly written so as to be readable after photocopying. The grievance must be filed with the Institutional Grievance Officer to be valid. Copies sent elsewhere will be considered informational copies only, not requiring a response.

STEP 1 - Grievance: Include documentation and names of any witnesses to support your claim. For your grievance to be accepted, you must state the relief requested. Use additional pages, if necessary.

I Am filing this formal Grievance due to the very facts given in my informal complaint. That it was a claimed mistake taken at the hands of G.C.C.F Mail-room because the Box that the Legal mail came in looks like the same Box Securix would use and the box was open up-side down. Now please allow me to demonstrate point by point that it would be impossible to make those mistakes. First, the S.T.I.U brought me said legal

Inmate's Signature: Jason White Date: 3-28-22

Relief Requested everyone from Warden Gonzalez down, mail-room

- 1) S.T.I.U. Cupitt to be fired, for missing handle legal mail, and lying on documents.
- 2) damage to be awarded 200,000.00
- 3) No retaliation by staff or warden at G.C.C.F
- 4) that I be return ~~back~~ to the state of Tennessee and not be allow back N.M.

STEP 2 - To Be Completed by the Grievance Officer:

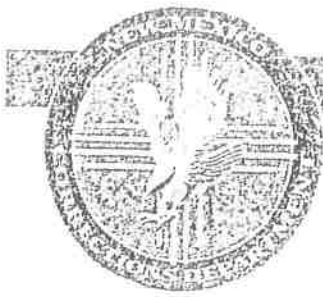
- A. your grievance is **accepted** for consideration.
- B. your grievance is **being returned** to you because of the following reason:
 - 1. The grievance is not readable.
 - 2. The matter has been answered in previous grievance #: _____
 - 3. The grievance concerns material not grievous under present policy.
 - 4. The grievance is a group grievance or petition. (Submit individually.)
 - 5. The grievance is not timely.
 - 6. Other Specify: _____

Grievance Officer's Signature: _____ Date: _____

mail, it was not pass out with other mail by C.O. So the mail-room knew to give the legal mail to S.T.E.U Cupit who passes out only legal mail. So the mail-room knew it was legal mail and would of saw on the box that legal mail came in said Shea Atkinson law office but instead ~~that~~ they put it came from securus, also check marked it was open when received it from U.S. Post office. It took me to have to write A informal Complaint and give Tracking # to the legal package in order to prove what I had already spoken with Warden Gonzalez. Who stated to me that his staff would never open legal mail, As if I wasn't being honest. That my Attorney had to mail my legal mail to securus himself. Now that I have given evidence of the tracking # (see attach back sheet giving Postal Service and Tracking #) that show it was receive here. This informal Complaint was check mark Resolution, that I do not agree with. Now I have missing legal document, my Privilege Communication has been Violated by the staff At G.C.C.F and All this was done through negligence. I would of thought Warden Gonzalez would want to hold responsible, however, instead these people wants me or anyone else to believe that G.C.C.F did not see Law office of Shea Atkinson on the legal box that was clear as day. Warden Gonzalez is the same Warden who passed out memo telling people that legal mail had to be sent to securus in Tempa FL. (see attach memo at the bottom of page 3 lines up) There are no regard by this Warden or other staff under his control that gives no care for what the Policies of the N.M.D.C, which provides that Access to the Courts and Privilege of Attorney Confidentiality are upheld. (next page)

This must comport to my Constitutional rights under the 5th,
6th, and 14th Amendment. I believe this intrusion was done
purposely without regard of Administrative discipline and with
Blessing from the Administrative Staff. I had file a emergency
Grievance because I refuse to send my legal mail to
A third party and as you can see it was deem none
emergency.

Jason White 86663



NEW MEXICO CORRECTIONS DEPARTMENT

Guadalupe County Correctional Facility

1039 Agua Negra Rd South HWY-54, Santa Rosa, NM 88435
P.O. Box 520, Santa Rosa, NM 88435

To: NMCD Inmate population
From: ~~Julian Marquez, Deputy Warden~~ Guadalupe County Correctional Facility
Thru: David Gonzales, Warden-Guadalupe County Correctional Facility
Date: January 6, 2022
Re: Inmate Mail

All Concerned.

Effective February 1, 2022, all inmate personal mail coming in will need to be sent to the below address:

Inmate name and NMCD # (Your name and number on this line)
C/O Securus Digital Mail Center-NMCD
PO BOX 25397
Tampa, FL 33622

Any incoming inmate personal mail that is not sent to this address after January 31, 2022, will be returned to sender. Mail that is comprised of cardboard or any other rigid materials that is incapable of running through a scanner will no longer be accepted. For example: USPS postal rigid express envelopes that lay flat but do not bend without creasing will not be accepted. All mail must be properly addressed clearly and legible, identifying your name and number. Mail will be returned to sender if information is insufficient or they cannot reasonably determine the identity of the inmate for whom it is intended.

Items that are impossible to inspect without destruction will be returned to sender. For example: **Glued items, greeting cards, excessively taped envelopes** will all be rejected and sent back to sender. Items that are unacceptable will not be separated or thrown out, the entire envelope with its original contents will be returned to sender.

Any packages mailed to inmates will not be accepted, but will be returned to sender unopened.

All legal mail, cashier's checks and money orders will still be forwarded from the address above to the facility for processing.

All magazines and newspapers will no longer be accepted into NMCD facilities after February 1, 2022.

Thank You in advance for your understanding

NEW MEXICO CORRECTIONS DEPARTMENT

INMATE INFORMAL COMPLAINT

Inmate Name: Jason White NMCD#: 86663

Facility: G.C.C.F HU/Cell #: 1-D-107 Date of Incident: 3-22-22

Name of subject or person to whom the complaint was filed against: New Mexico Department of Correction, Warden Gonzalez, Grievance officer, Securus, STCU capit

Explain your complaint in detail: I am filing this informal due to the on going interference with my access to the courts and my standby attorney by forcing my legal mail to be sent to Securus open and photo copy without me present.

Inmate Signature: Jason White Date: 3-22-22

Unit Manager/Chief of Security/Designee

Date Received: 3/25/22

I, J. Marquez have reviewed the above informal complaint and
Unit Manager/Chief of Security/Designee

Recommend: () Resolution () Recommend formal grievance

Explain: Due to box that legal mail arrived in that looks like the same packaging that Securus regular mail arrives. It was assumed the mail came from Securus. However the package in question was opened upside down not revealing the mail was legal mail. Staff assumed it was from Securus had inmate white sign an open mail receipt indicating it was from Securus. That package was saved and when it was forwarded it was marked

Staff Member: J. Marquez [Signature] Date: 3/29/22
Carrying from a bail office. Print / Sign

Acknowledged by the signatures below, this informal complaint is: Resolved Unresolved

Unit Mgr/Chief of Security/Designee: J. Marquez Date: 3/29/22
Print / Sign

Staff Witness: CPacheco [Signature] Date: 3/29/22
Print / Sign

Inmate: Jason White Jason White Date: 3/29/21
Print / Sign

If this informal complaint could not be resolved, the inmate may pursue a formal grievance within 5 working days of the date of resolution.

At time of resolution-the inmate must be given a copy of the completed copy of the Informal Complaint

Inmate must attach this document if the formal grievance is to be submitted.

RECEIVED
MAR 23 2022
BY: CP

On 1-28-22 I had file a emergency grievance on the my legal mail being sent to A third party (see attach Grievance) This grievance stated that this was not A emergancy grievance, but was not re- turn to me by D.H.O (Disciplinary Hearing officer) who Also Act's AS the Grievance officer until I personally ASK ABOUT SAID Grievance.

On 3-22-22 I WAS ASK BY S.T.E.U to come to his office and sign for my legal mail. Once inside of the office I saw my legal mail was not in any kind of envelope but Rubberbanded together. I was told by S.T.E.U this is how he recieved it from the mail room and that it came from Securus, however, my Attorney Shea Atkinson stated in a e-mail to my mother that He sent it to G.C.C.F address with a track number and it was recieved At G.C.C.F on 3-21-22. By New Mexico Correation department Policies state that All legal mail is deem "Privileged Correspondence", it is Also violation of my Constitution Right's to open legal mail without the person

Person it's Address to is present. I Am Also missing documents within the legal that I recieved on 3.22.22. This issue should had been Address on my emergency but the D.H.O/Grievance officer refuse to do that by stateing my legal issue isn't deem emergance when I have a open post-conviction Case Address Constitutional issue. and by the New Mexico Policy Post-conviction is a "qualify legal claim". I Am A out of state inmate, who does not want to be house in New Mexico. I Am Also Adding A copy of the Receipt for Privileged mail (See Attach)

Jason White 86663

Emergency

Emergency

NEW MEXICO CORRECTIONS DEPARTMENT
INMATE GRIEVANCE

Inmate's Name: Jason White NMCD#: 86663 Grievance File #: GC-22-02-05

Institution: GCCF Housing Unit: 2-D-107 Date of Incident: 1-28-22

Date Received by Grievance Officer: 2/2/22

Grievance Officer's Signature: A. Gutierrez

INSTRUCTIONS: It is expected that problems be resolved in an informal manner. Please read policy/procedure CD-150500 before filing a grievance. Your grievance must be typed or clearly written so as to be readable after photocopying. The grievance must be filed with the Institutional Grievance Officer to be valid. Copies sent elsewhere will be considered informational copies only and not requiring a response.

STEP 1 - Grievance: Include documentation and names of any witnesses to support your claim. For your grievance to be accepted, you must state the relief requested. Use additional pages, if necessary. I am

fileing this emergency Grievance due to the legal mail being forward to a Third person in FL. I am fighting a open case in Tennessee and have dead-line's to meet set by the Rule of Court and the institution is not allow to interfere with my ability to receive my legal mail wheather it be by the courts or by my Lincence Attorney by me haveing to send it to a outside person other than the institution
Inmate's Signature: Jason White Date: 1-28-22

Relief Requested:

That the courts or my Attorney be allow to send my legal straight to the institution, even if my Attorney has to email before mailing me my legal mail

STEP 2 - To Be Completed by the Grievance Officer:

- A. your grievance is **accepted** for consideration.
- B. your grievance is **being returned** to you because of the following reason:
 - 1. The grievance is not readable.
 - 2. The matter has been answered in previous grievance #: _____
 - 3. The grievance concerns material not grievous under present policy.
 - 4. The grievance is a group grievance or petition. (Submit individually.)
 - 5. The grievance is not timely.
 - 6. Other Specify: This is not deemed an emergency grievance, you must go through the process and file an informal first

Grievance Officer's Signature: A. Gutierrez Date: 2/2/22

RECEIVED
FEB 02 2022
BY: [Signature]

NEW MEXICO CORRECTIONS DEPARTMENT RECEIPT FOR OPEN PRIVILEGED MAIL

This is to inform you that a letter or package classified as privileged correspondence was received for you. Facility: _____ Date Received: _____

| INMATE NAME | NMCD# | HOUSING UNIT |
|-------------|-------|--------------|
| Jason White | 86663 | 1D107 |

This correspondence was:

- Opened when received from the U.S. Post Office
- Opened accidentally: (brief explanation below):
Received from Securus 3-21-22
- Opened in your presence by the Warden or his designee in accordance ACA to determine if the correspondence is counterfeit and/or contains contraband.
- No Contraband
- Contained the following contraband: _____

By signing this document, you indicate that you have been informed of the reason(s) your privileged mail was opened. You also indicate you understand that you have the right to appeal the opening of your privileged mail.

Please keep a copy of this document for your records.

STU

Staff Delivering

3/22/22
Date

Refused to sign

Inmate Name and NMCD#

3/22/22
Date

XC: Mailroom
Inmate

Stack of legal mail received from Securus on 3/22/21 by STU From Mail Room. Unsecured in legal envelope.

Inmate white took stack of legal mail

United STATE Postal Service (U.S.P.S)

Tracking # 9505-5153-8481-2073-0848-22

This ~~#~~ was given to me by Shea Atkinson Attorney out of Memphis TN who is also going to provide me with a Affidavit. This info. will show my legal mail was delivery to this institution on 3.21.22, so it would be impossible to had received it from Securix on 3.21.22 as stated on the Receipt for open Privileged mail given by the New Mexico Correction Department that was Attach to my informal complaint.

Jason White #
86663