

7/31/2021

## Denial of Access to Court on 1983 complaint

The United States Constitution is considered to be the supreme law of the land and all other laws, prison policies and rules are required to abide by the Constitution. That is ~~what~~ what is supposed to happen anyway, but the South Dakota State Penitentiary and the South Dakota Department of Corrections make up their own policies regardless of if they are constitutional or not.

On Wednesday, July 28<sup>th</sup> 2021 I made legal copies of a Complaint for Violation of Civil rights, commonly referred to as a 1983 lawsuit, and the documents in support of it. I put the documents in 2 separate vanilla envelopes and they were stamped, sealed, and signed by unit coordinator as legal mail to be sent to the Clerk of Courts. ~~That appears~~

However, when I came back from my job ~~on~~ Friday at lunchtime, I found one of the stamped, sealed legal mail envelopes slid under my cell door. It had a note stating I need to pay more money to mail it out per policy. It came from the mailroom, from one of the defendants on my lawsuit.

The highest "law of the land", the United States Constitution guarantees my right to access to the courts and there is a lot of other case law supporting that right. The prison staff here and the policy makers don't believe they have to follow



the laws that guarantee my legal access to the Courts by having a prison policy that states that legal mail postage of \$10 a ~~month~~ month is allowed, ~~not~~ no more than that. That was the reason why one vanilla envelope was slid under my cell door, again this is ~~not~~ not the way LEGAL MAIL is to be handled, anyone could have taken it.

I talked to an Associate Warden about the fact that one envelope was slid under my cell door and I didn't know if the other legal mail was sent to the Courthouse Clerk of Courts or not. ~~not~~

When I mentioned that the U.S. Constitution guarantees my right of access to Court and the prison staff in the mailroom cannot deny mailing my legal documents to Court, she stated they can per prison policy. The SDDOC administration and their employees believe their prison policies they make have more authority than the United States

Constitution, federal/state laws that are applicable, as well as numerous case laws.

I don't know what happened with my legal mail with the 1983 violations of civil rights complaint in it. One thing I do know that the prison staff and their inmate minions are practicing a Conspiracy Against Rights (18 USCS § 241) against me. With the Warden and Deputy Warden being fired by the Governor, and Secretary of Corrections suspended on administrative leave, people are worried about being held accountable