

From T Merriweather: on **Notice/Motion For Contempt of Court Under Principal Action**" and the **"Order For Production of Documents for Contempt of Court Under Principal Action"**

...I wanted to finish the New pleading, that will be more successful in getting the-Court's to deal with the issue of the DOC's arbitrarily stealing money from inmate's for restitution & Surcharges etc., So please find the "Notice/Motion For Contempt of Court Under Principal Action" and the "Order For Production of Documents for Contempt of Court Under Principal Action", (2-pages).I made it where it should address pretty much of anyone concerns in the DOC, all they have to do is fill in the blanks. However, on the Order for Production of Documents, they fill in the blanks, and where they see State of Wisconsin To: Records & Business Office Personnel, they will need to put the address of the prison they are currently confined in. However, they do not fill in the Date or place where the Judge is to sign.

This is a Motion which they must file with their Court they were Convicted in so they put the County in which they were Convicted and Sentence and their Criminal Case Number, where they see:Case No.\_\_\_\_\_, and their name goes where they see: defendant, or, defendant/Complainant.

I need you to make me 6 copies of each and send them to me.

By the way I read the Court Decision and Order Dismissing your John Doe Petition, and I read your actual John Doe Petition you guy's submitted, that you sent me to review, and I see the problem. You guy's just alleged what was going on with the DOC officials, making the deductions and without having inmates consent and doing so when they had already done deductions in the past. However, you failed to inform as to how their actions or inactions constitute a crime, or crimes. You simply cited a few criminal statutes, but did not show how they applied to each transaction made by the prison officials.

If you review the John Doe Criminal Complaint that I did which I sent you, you'll see how I took each defendant and tied them to each particular crime or criminal statute, that I said their actions met for committing the violation. Now what you can do is either take a copy of the John Doe that I did and have each person on the One you submitted, send one in to the Court or what you guy's can do is submit a "Amended John Doe Complaint", under your case number, with a Motion for the Judge to reconsider, but make sure you tied each defendant (Prison Officials) to the statute/crime you allege they committed and how 'what they did meets the statutory language to constitute the crime.

However, I think it would be wise to just have each one of them file a copy of mY "Notice/Motion For Contempt of ,Court uinder Principal Action", with their Trial Court that convicted them. Because their Judge will have to address the issues and if contempt is found they

not only get their money back, but they will get paid more for Remedial & Punitive Sanctions. Plus they can request the prison officials be given jail time for their contempt under § 785.04 (2) (a)(b) Wis. Stats., & § 785.07 Wis. Stats.

When they submit or any other inmates submits a copy of this Motion they need to make Exhibits any Memo's they received concerning the prison officials taking the money, and any Account Statements or Proof that they have already paid the money in the past or proof that no money was never sent to the Clerk of the Circuit Court in their case, and anything that shows that they never made any deductions towards the debt etc.

Concerning lawsuits by citizens, a citizen can file to have a lawyer to represent themselves. Especially under Article 1,section#21(2) of the Wisconsin Constitution, which mandates that:

Rights of Suitors. Section 21. :2) "In any Court of this State, any suitor may prosecute or defend his suit either in his own proper person or by an Attorney of the suitor's choice.."

Nevertheless, the inmates can file the Contempt of Court Motion I'm sending you and it won't costs them anything to do so. Although they can also file lawsuits if they choose too, and they can site as part of their Relief -sought that they want "Injunctive Relief" & "Declaratory Relief", in that the DOC's be prevented from taking any funds from money without their written authorization or without a Judgment of Unpaid Fines, Forfeitures and Other Financial Obligations, GF-1 71 (CCAP), Form being issued by a 'court or a Garnishment order issued by a Court., authorizing the Prison officials to make deductions.

Prisoner's need to know that simply because they have a Judgment of Conviction saying they owe a debt or Percentage, does not mean the DOC has authorization to make deductions, as there must be an Order of- Judgment for Unpaid amount issued by the judge in the criminal case or even in Civil actions in which prisoners may owe Court filing fees etc. without such a Judgment they DOC cannot act, make any deductions from any money without the prisoner authorization in writing. The Judgment for Unpaid amount is required by § 778.30 (1)(a)(b)Wis. Stats. and § 973.05 (4)a) (h) Wis. stats.

Also remember prisoners can file a lawsuit with multiple prisoner's on it without it being a Class Acción, which would be another good avenue to go' at this issue.-Stay, strong as I do the same.Sincere Litigationalist!!!Tony