

## Money Scam essentials- A Request to Governor Evers to Stop the Stealing

Below is an explanation of the WI DOC's misapplication of the Wisconsin Act 355. This policy has caused great suffering among prisoners and their families, for the DOC is taking 50 % of everything that comes in, which in some cases, even for those inmates who have jobs, means they end up with nothing- they cannot save for release, buy hygiene, supplement their diet etc. That the DOC is stealing from them is demoralizing for all.

I send this to you for although this case is on appeal in the courts, there is an immediate remedy Governor Evers can do. This comes from prisoner litigator Randall Mataya:

**The Dane CTY Circuit court found the DAI policy 309.45.02 illegal and issued declaratory judgment and injunction telling DOC to stop its illegal activity. They stopped in these two plaintiffs cases but continue to take 50% of everything from the other inmates, some who claim they paid their debts off long ago.**

**The solution is simple: Governor Evers can instruct the DOC Secretary to rescind and end 309.45.02 and return all deductions to 25%. Because he controls the DOC , the order would not have to be an executive order.**

contents below:

- 1)FACTS INVOLVED IN THIS CASE- from the Kerby Vs Litscher Court case
- 2) statute DOC 309.465 which overrules an DAI policy and procedure( *I have quotes of the DAI P&P 309.45.02 where they amended it to 50% but not the policy itself*)
- 2) news article Isthmus April 2018
- 3) two court cases won- the decisions
- 4) Isthmus article april 2018 (as summed in FFUP newsletter)
- 5) 2 Court Decisions Kerby Vs Litscher and Howard Vs Litscher ( as quoted in FFUP newsletter)
- 6) Kerby litscher injunction, written and litigated by Randall Mataya.

**FACTS INVOLVED IN THIS CASE:** quote from Kerby Vs Litscher case No. 17CV1363

"The Wisconsin State Legislature enacted 2015 Wisconsin Act 355 and made it effective July 31, 2016. Act 355 amended 973.20 Restitution, and 301.32 property delivered to the Warden or Superintendent for the benefit of the prisoners. Please take Judicial Notice that the Act 355 is not being challenged here. The issues at stake herein are the acts of the DOC in their interpretation of Act 355.

The DOC has followed 973.045, 973.05 and 973.06 Wis. Stats and the 309.465 Administrative Code since the mid 1980s. These laws and rule allow the DOC to take 25% deductions from inmate wages and gift money for the purpose of paying their court ordered financial obligations. These obligations are commonly referred to as Crime victim and witness surcharges "A" and "B" and "C", DNA surcharges, Court cost, fees and fines, restitution, etc.

Act 355 amended restitution costs to be taken as "a reasonable amount or percentage". The DOC immediately made an IMP (policy) known now as DAI P&P 309.45.02 in which they changed the 25% deduction rule to 50% deductions across all of the above categories of court ordered debts.

The DOC's response to the 50% deductions?" We are authorized by the 309-45-02 policy and the 2015 WIs Act 355 Changes. They Changed that response to "301.32 changes allow us to take 50% as it benefits the Inmate." which is fundamentally wrong.

First and foremost, the taking of 50% violates ex post facto. The Judgment Of Conviction, "JOC7.shows.the courts ordered the obligations to be paid.. The JOC states the DOC shall take 25% of the inmate's wages money to pay the court ordered obligations. The DOC has absolutely no authority. to over-rule the JOC and no authority to overrule 973.045, 973.05 and 973.06 or Administrative Code 309.465. The policy, 309.45.02 is not an administrative code and it cannot overrule an administrative code rule or a State Statute.No agency may promulgate a rule which conflicts with State Law. See §227.10(2). Wis. Stats. In a conflict between a statute and a rule, the statute controls. Debeck v. DNR, 172 Wis.2d 382, 493 N.W. 2d 234 (Ct.App,1992)."

**statute:DOC 309.465 Crime victim and witness assistance surcharge.** For an inmate who committed a crime on or after October 1, 1983, and who has not paid the crime victim and witness assistance surcharge required under s. [973.045](#), Stats., upon transfer to the first permanent placement and in all subsequent placements in correctional institutions, the institution business office shall deduct 25% of all income earned by or received for the benefit of the inmate until the surcharge is paid in full. The business office shall forward the funds to the state treasurer to satisfy the surcharge in accordance with s. [973.045](#), Stats.

**History:** Emerg. cr. eff. 5-15-86; cr. [Register, September, 1986, No. 369](#), eff. 10-1-86.

**from FFUP Newsletter Bridge of Voices April 2018**

**below: Isthmus article 3 ,2018**

**Breaking the law?**

State appears to be defying court orders on deducting inmate accounts by [Joe Tarr](#) ,March 1, 2018

Two Dane County judges have ruled that the state Department of Corrections cannot deduct more than 25 percent of inmates' trust funds, as it has been doing to cover restitution, court surcharges and other fees. However, a prisoner rights activist says that the state continues deducting a higher percentage of money from accounts despite the rulings.

In 2015, the state Legislature [passed Act 355](#), defining a garnishment structure for the Department of Corrections to follow in docking inmates' accounts.

The trust accounts hold the money that inmates earn doing prison work between 5 cents and \$1.60 an hour — or gifts deposited by family and friends. Inmates use the money to buy food, including items for special diets, and incidentals like deodorant, stamps and clothing. As [Isthmus reported in February 2017](#), several inmates have complained about 50 percent or more of their trust accounts being deducted by the state.

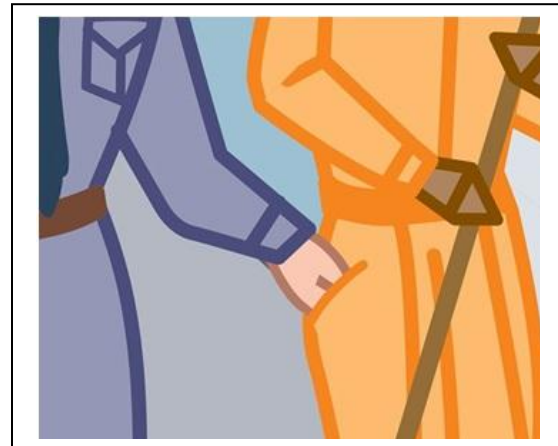
Some inmates have been fighting the deductions. Last summer, Marcus Kerby, an inmate at Fox River, filed a suit against the DOC. On Jan. 18, Dane County Judge Shelley Gaylord ruled in Kerby's favor, [issuing an injunction](#) that prohibited DOC from deducting more than 25 percent. She also ruled that the state cannot deduct from money given to inmates by family or friends, writing "family and friends do not owe such money."

However, the judge did not rule on whether the state had to return money taken inappropriately from inmates accounts — because the request for an injunction didn't ask her to do so. Despite the injunction, Kerby wrote the court on Jan. 25 to complain that DOC is still taking an improper amount of money from his account.

In another case, Joshua Howard, an inmate at Waupun Correctional Institution, complained that the DOC is violating his conviction judgment by deducting 50 percent of his account. Dane County Judge Juan Colas [ruled on Feb. 1 that](#) DOC was violating the law and failing to adhere to Gaylord's injunction.

"The DOC received an order requiring it to collect from [inmate] funds for surcharges and restitution at a rate of 'up to 25 percent.' The DOC, aware of the court order, instead collected at a rate of 50 percent," Colas wrote. "This amounts to a failure to follow the law."

On Feb. 8, the state notified the court that it will be appealing Gaylord's injunction.



Peg Swan, a [prisoners rights advocate](#) in Richland County, says that the DOC continues deducting more than 25 percent from inmates' accounts. Swan, who lives near the state's [maximum security prison in Boscobel](#), corresponds with numerous inmates. She says they're all telling her the same thing: "[DOC] is still deducting and they're not giving money back. That's what everyone is writing me."

Tristan Cook, a spokesperson for DOC, declined to comment about the injunction, except for a statement: "The Department of Corrections is a passionate advocate for victims of crime, which includes ensuring that victims receive court-ordered restitution owed them by inmates in Department custody. The Department has long-standing statutory authority to collect funds from an inmate's account to pay restitution and other financial obligations owed by the inmate." Cook deferred further questions about the case to the state Department of Justice's Johnny Koremenos. Koremenos did not respond to several requests for comment.

<https://isthmus.com/news/news/state-25-percent-taking-inmates-money/>

## TWO COURT DECISIONS

### 1) 1<sup>st</sup> decision Kerby Vs Litscher

STATE OF WISCONSIN

CIRCUIT COURT

DANE COUNTY

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State ex rel Marcus J, Kerby,  
Plaintiff/Petitioner

vs.

Jon Litscher,

Case No. 17 CV 1363

Defendant/Respondent

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Petitioner appeared by phone and Respondent appeared by Asst. A.O. David Rice for an oral ruling. Per the reasons stated on the record:

1. Certiorari is the correct posture for this case.
2. In such an action, refunds are subject to the notice of claim statute, 893.82. See unpublished decision Plschke v. Sondalle, 2000 WI APOP 43, 237 Wis, 2d 691 The issue of a refund is not before this court,
3. I agree with Respondent that the more specific statute at hand regarding 25% Withholding of certain funds per a 973.04 governs. Subsection (h) limits the types of funds from which fines up to a maximum of 25% can be paid. Those types of funds do not include money from family or friends. They only include those specifically listed. Any money received from friends or family are not within those categories, including the last items listed at money due the clerk of courts. Family and friends not owe such money.
4. No DOC rule can override that or any other specific statute, Act 355 did nothing to change. 973.04. The orders from the court stating the correct 25% maximum for withholding are, therefore, the valid orders DCC must follow.
5. Declaratory judgment and an injunction are appropriate and available remedies where an agency rule is unlawful and where needed to stop a practice, as here, that is not authorized.
6. Based on the above, I need not address any other issues raised.

IT IS ORDERED, The underlying interpretation by DOC of withholding more than 25% is invalid, declared to be invalid and an injunction is hereby issued preventing any further withholding that goes above the 25% and the types of funds available.

Dated January 18, 2018

BY THE COURT  
Shelley J Gaylord

cc. Petitioner, AGA Rice.

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### 2)Second decision: Howard Vs Litscher

STATE OF WISCONSIN

CIRCUIT COURT  
BRANCH 10

DANE COUNTY, WI

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STATE ex rel. JOSHUA HOWARD,  
Petitioner,

V.

JON E. LITSCHER, Secretary, Wisconsin Department of Corrections,  
Respondent

Case No. 2016CV3251

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## DECISION AND ORDER

Petitioner Joshua Howard, an inmate at Waupun Correctional Institution, filed this certiorari petition for review of the Wisconsin Department of Corrections' ("DOC") decision to dismiss his inmate complaints. In July 2016, pursuant to an amendment to its policy, the DOC Increased the percentage of restitution, court costs, and surcharges it collected from prisoners' funds from 25% to 50%. Petitioner's judgment of conviction orders that his restitution and other costs are "[t]o be paid from up to 25% of prison wages and as a condition of extended supervision." R. 119. Petitioner complains that, among other things, Respondent's policy violates his judgment of conviction. For the following reasons, the agency decision is REVERSED.

### STANDARD OF REVIEW

On certiorari review the court evaluates whether: (1) the agency kept within its jurisdiction; (2) the agency acted according to law; (3) the action was arbitrary, oppressive or unreasonable and represented its will and not its judgment; and (4) the evidence presented was such that the agency might reasonably make the decision it did. *State ex rel. Brookside Poultry Farms, Inc. v. Jefferson Cty. Bd. Of Adjustment*, 131 Wis. 2d 101, 119, 388 N.W.2d 593 (1986)

### DISCUSSION

Respondent contends that a sentencing court's order specifying that the DOC is to collect from a prisoner at a certain percentage is an "impermissible attempt[] to limit [the] authority" of the DOC. Whether or not a sentencing court has the authority to require that the ordered restitution and other costs are to be collected by the DOC at a particular rate is beyond the scope of this opinion. The DOC has disregarded a court order, arguing that it can "control the restitution rate even if a court has impermissibly attempted to limit that authority." Res. Br. at 11. The weight of caselaw is contrary to the respondent's assessment.

Even if a trial court acts outside the scope of its authority in an order to an agency, the agency is not empowered to simply disregard the order. *State ex rel. Eastman v. Burke*, 28 Wis. 2d 170, 178, 136 N.W.2d 297(1965); *Bartus v. Wisconsin Dept of Health & Soc. Servs., Div. of Corr.*, 176 Wis. 2d 1063, 1082, 501 N.W.2d 419 (1993) ("neither the Division of Hearings and Appeals nor the Department of Corrections has been granted the authority to void or reverse circuit court judgments"). The agency "could not independently determine the propriety of the restitution Order, and [it]-could not reverse the dictates of the original Order absent receipt of a corrective Order." *State ex rd. Lindell v. Litscher*, 2005 WI App 39, 120, 280 Wis. 2d 159, 694 N.W.2d 396, aff'd sub nom. *State v. Lindell*, 2006 WI App 194, 120, (2) 296 Wis. 2d 418, N.W.2d 399. When faced with a potentially erroneous court order, the DOC must seek a remedy just as any other litigant would; it cannot ignore the order and implement a conflicting policy. *State ex rel. Eastman v. Burke*, 28 Wis. 2d 170, 178, 136 N.W.2d 297 (1965).

Here, the DOC received an order requiring it to collect from Petitioner funds for surcharges and restitution at a rate of "up to 25%." The DOC, aware of the court order, instead collected at a rate of 50%. This amounts to a failure to follow the law.

### CONCLUSION

For the above reasons, the final administrative decision of the DOC is REVERSED and REMANDED for further action consistent with this opinion..

Electronically signed by Juan B. Colas, Circuit Court Judge 02/01/2018

## **An example of consequences of Misuse of Act 355 ("money Scam")**

Jerry Pinedo 617272, NLCI

Thanks your for responding to my letter about the DAI taking inmate's money , most to the point that they cannot afford basic needs.

### **general population NLCI**

They give us hygiene at NLCI 2 times a month- on the 1<sup>st</sup> and 15<sup>th</sup>. What they giveus is 1) 2 ounce Bar of soap 2) 2.75 ounce tooth-paste and a toothbrush/

There are not enough jobs for every inmate. SO if you cannot get a job, the you're what the DOC terms INVUNA-satus ( involuntary unassigned)

So they pay you 3 cents a hour for 40 hours. The pay period is by-weekly

So : .05 X40 hours= \$2.00 X 2 weeks-\$4 every two weeks

Then they take 50 % for court costs ( unless you're one of the lucky ones who was able to pay them off.)

SO 50% of 44 leaves 2\$ every two weeks . Then they force you to put 10% of that into a release account: . 20 Cents

So you're left 1.80- unless you owe medical copay-or child support. Then they take more. Besides hygiene, there are many reasons we need money.

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- 1) They don't give enough soap and tooth paste. But also, they do not even give razors, dental floss, deodorant, shampoo, over the counter medications, nail clippers, combs, stamps , paper, pens lotions, q-tips
- 2) We are allowed to have clothing that is not provided by the state- sweatshirts, sweatpants, thermal underclothes, shorts
- 3) they do not wash these clothes for free. they charge \$3.00 for 5 washes-
- 4) if you do not have money – they do not wash your clothes ( your sweat suits or thermals
- 5) then about the over the counter medications- Tylenol, tums , laxatives, hemorrhoid stuff, dandruff shampoo etc.:  
24 tylenols costs 1.00 on canteen.  
If I do not have \$1.00 but I get headaches I have to request to see a nurse-it costs 7.50 to see medical .  
If you do not have 7'50 on your ACCT, that's fine you just owe it.  
Anyway- because I don't have one dollar for Tylenol on canteen  
now I have to owe DCO 7.50- for one dollar's Tylenol.

**THAT IS PREDATORY!**

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You had mentioned if I came up with a credible suggestion – you would go to a legislative aide you sometimes work with. The suggestion is:

When an inmate who owes fees, DNA surcharges, anything that falls under the DOC-DAI's collection practice- they should allow us to receive 10 \$ before they collect their fees-so if I were to receive 15 dollars from my family or a job assignment- they should post 10 \$ to the inmates' account- no fees – and take the fees from the remainder.

Because as it stands Now- my situation, ( everyone' s is different)

- 1)If my family sent me \$15- the DAI would seize 50%-\$7.50
- 2)then 10 %-.75- that leaves 6.75
- 3)then I owe like 14.00 for medical or dental copays
- 4)so they take 50 % of the ^6.75 to apply for my medical
- 5)so I would be left \$3.75 out of #15.00

I mentioned the INVUNA status of .05 a hour

We also may end up as- VUNA status- this is voluntary unassigned-this status is a lot of the time a result of Inmates choice- if you refuse A program that you are required to do ( example Anger management) but you can also wind up IN-VUNA status by going to segregation, quitting a job-getting fired from a job.

VUNA Status is 90 days no pay-you cannot get a job for 90 days.

Anyway, They give us \$8.00 a month unless we're VUNA status-

The best idea I can think of is DO NOT collect Fees, restitution, or release acct from that \$8.00

What is the purpose/logic in paying me \$8.00 and then taking 4.40 of it? If you could bring this issue to the attention of someone who is in a position to change this- it would increase the quality of life and help 1,000s of inmates to better care for themselves.

STATE  
OF  
WISCONSIN

CIRCUIT COURT  
BRANCH 6  
CIVIL DIVISION

COUNTY  
OF  
DANE

MARCUS J. KERBY,  
Petitioner,

-V-

JON LITSCHER, SECRETARY,  
DEPARTMENT OF CORRECTIONS,  
Respondent.

17CV1363  
CASE NO. ~~17CV1363~~  
CODE NO. 30704

PETITION FOR A TEMPORARY/PERMANENT INJUNCTION PURSUANT TO 813.02  
OF THE WISCONSIN STATE STATUTES

NOW COMES, MARCUS J. KERBY, the petitioner, herein-after to be referred to as "petitioner". The petitioner appears before this Court in forma pauperis and pro se, seeking an Order from the Court that places a temporary restraining order and or temporary injunction pursuant to 813.02 Wis. Stats. Below are the sufficient facts required by the Statute;

1. The petitioner's name is MARCUS J. KERBY. The petitioner is a victim.
2. The Respondent, Jon Litscher, is an adult citizen of Wisconsin.
3. The Petitioner resides in the Redgranite Correctional Institution located at 1006 County Road EE, p.o. box 925, Redgranite, WI. 54970-0925.

4. Jon Litscher is the Department Of Corrections Secretary. The place where he acts in that capacity is located at 3099 East Washington Avenue. Madison, WI. 53704.
5. The Department Of Corrections main office is also located at the same address as Mr. Litscher. As such, Dane County is the proper venue for hearing this matter. With all apparent parties, except for the petitioner, being in Madison it makes sense to have the case handled by the Dane County Court.

**FACTS INVOLVED IN THIS CASE:**

The Wisconsin State Legislature enacted 2015 Wisconsin Act 355 and made it effective July 31, 2016. Act 355 amended 973.20 Restitution, and 301.32 property delivered to the Warden or Superintendent for the benefit of the prisoners. Please take Judicial Notice that the Act 355 is not being challenged here. The issues at stake herein are the acts of the DOC in their interpretation of Act 355.

The DOC has followed 973.045, 973.05 and 973.06 Wis. Stats and the 309.465 Administrative Code since the mid 1980s. These laws and rule allow the DOC to take 25% deductions from inmate wages and gift money for the purpose of paying their court ordered financial obligations. These obligations are commonly referred to as Crime victim and witness surcharges "A" and "B" and "C", DNA surcharges, Court cost, fees and fines, restitution, etc.

Act 355 amended restitution costs to be taken as "a reasonable amount or percentage". The DOC immediately made an IMP (policy) known now as DAI P&P 309.45.02 in which they changed the 25% deduction rule to 50% deductions across all of the above categories of court ordered debts.

The DOC'S response to the 50% deductions? We are authorized by the 309.45.02 policy and the 2015 Wis. Act 355 changes. They changes that response to, "301.32 changes allow us to take 50% as it benefits the inmate", which is fundamentally wrong.

First and foremost, the taking of 50% violates ex post facto. The Judgment Of Conviction, "JOC" shows the courts ordered the obligations to be paid. The JOC states the DOC ~~can~~<sup>shall</sup> take 25% of the inmate's wages ~~and~~ money to pay the court ordered obligations. The DOC has absolutely no authority to over-rule the JOC and no authority to over rule 973.045, 973.05 and 973.06 or Administrative Code 309.465. The policy, 309.45.02 is not an administrative code and it cannot over-rule an administrative code rule or a State Statute.

No agency may promulgate a rule which conflicts with State Law. See §227.10(2). Wis. Stats. In a conflict between a statute and a rule, the statute controls. *Debeck v. DNR*, 172 Wis.2d 382, 493 N.W. 2d 234 (Ct.App.1992).

The fact that the DOC made a policy which is in conflict with the laws of this State, should allow the rule to be stricken. However, a controversy is created here. Must the Joint Committee For Review Of Administrative Rules, be notified and served with a copy of this petition? This legal writer believes that the JCRAR should be served with a copy of this petition and invited to attend the hearing this Court will schedule. Therefore, the petitioner of this action will serve a copy of this petition on the JCRAR. If it is necessary, this Court can construe this as a judicial review by Declaratory Judgment under Ch. 227.40 Wis. Stats. All bases are covered this way.



The taking of 50% for court ordered obligations is contrary to law and it is arbitrary and capricious decision making at its worst. The DOC must follow its own rules which it itself had promulgated. Please see **Vitarelli V. Seaton**, 359 U.S. 535, 79 S.Ct. 968 (1959) and our own State Supreme Court decision in **SXR Anderson-El II V. Cooke**, 2000 WI 40, 234 Wis.2d 626, 610 N.W.2d 821. It is clear, from a reading of Act 355, that the DOC is in violation of several State Statutes, and their own administrative codes. This is why a temporary injunction must issue. All deductions must either, be stopped completely or an order to only deduct 25% until the injunction is resolved.

When all defendants were sentenced under Chapter 973 of the Wis. Statutes, the law held that DOC only take 25% of wages and gifts to be paid toward court ordered obligations. That law cannot be changed retroactively by Act 355. Ex post facto implications are at stake. The U.S. Constitution, Art 1 §10, cl.1 forbids retroactive application by its 3rd prong, which states, (3) Every law that changes punishment and inflicts greater punishment than the law annexed to the crime, when committed. See also, **Carmel V. Texas**, 529 U.S. 513, 120 S.Ct. 1620 (2000), **Lynce V. Mathis**, 519 U.S. 433, 117 S.Ct. 891 (1997). The Wisconsin Supreme Court interprets ex post facto to mean "An ex post facto law is one that punishes as a crime an act previously committed that; 1) was innocent when done; 2) makes more burdensome the punishment for a crime after its commission (emphasis added), or 3) deprives one charged with a crime of any defense available at the time the act was committed. **State V. Thiel**, 188 Wis.2d 695, 524 N.W.2d 641 (1994). Taking 50% of a mans wage certainly "makes more burdensome the punishment..." Id.

The DOC has been taking 50% deductions for more than one deduction at a time, such as, 50% toward crime victim and witness surcharge "A" and of what's left of the money, 50% of it toward crime victim and witness surcharge "B", and if enough is left, 50% of it for DNA surcharge until almost nothing is left for the inmate's account. That is not a reasonable thing to do.

Furthermore, it violates 973.045 Wis. Stats and DOC 309.465. And all JOCS orders. The DOC has taken a stance utterly at odds with the law and they appear to rest their illegal activity on Act 355's new amendments. Nothing in Act 355 says "50% is reasonable", or 50% by 50% until a man has 2 bucks left out of 100 dollars his family sent to him! This activity must be stopped.

The DOC even started taking supervision fees out of our wages and that too violated the law. Supervision fees are only allowed to be collected when a man is out of prison. Furthermore, they even took supervision fees for pre-1996 years when they didn't even exist!

The DOC is listing old debts, most of which were paid off, but the DOC claims are owed and they are taking money at 50% for them too. We have no way to prove payment for 20 year old debts. Furthermore, when told the debt was time barred by 893.40 statute of limitations, the DOC said nothing at all, it just keeps doing what it wants to do.

Another issue needing resolution is that old debts were waived by the DOC failure to utilize available statutes to collect the debt at that time. 304.074 and 973.07 allow them to convert to civil judgment a debt still owed, also 973.06. When released from prison, a debt still owed, must be followed up on by DOC under 304.074(4m)(b) Wis. Stats. If not followed up on, they waive that debt because they failed to take advantage of available remedies!

A Notice Of Injury And Claim pursuant to 893.82 Wis. Stats, has been filed by the petitioner by mailing said notice, certified mail to the Wisconsin Attorney General's office. A copy of this Injunction is also going to be mailed to the Attorney General.

The DOC is in violation of the following State Statutes: 301.32, 227.10, 227.19, 230.01, 230.80(1), 230.82(1), 304.074, 304.078, 973.045, 973.05, 973.06, 973.07, 943.20, 943.70, 943.39, 946.12, 946.68, 946.73, 946.80, 939.05, 940.29 and 2015 Wisconsin Act 355, section 973.20(11)(c). The list of offenses they are committing is quite extensive. The CPA staff are at risk of losing their certification due to the felonies and misdemeanors they are committing by blindly following DOC Administrators orders. Although they are doing what they have been told to do by their bosses, they have been told by this inmate that what they are doing is illegal and why and yet, they are continuing with their illegal behaviors.

My inmate complaint, file number RGCI-2017-<sup>3459</sup>~~3859~~, is attached to this petition. My ICE decision is attached as well, as is the CCE review and DOC Secretary decision on this matter.

I've also attached a copy of the Notice Of Injury And Claim that has been filed with the Wisconsin Attorney General. I am sending a copy of this petition and its attached exhibits to the Joint Committee For Review Of Administrative Rules at State Capitol, Room 131 South, P.O. Box 7882, Madison, WI. 53707-7882. A copy of all of this is also going to Wisconsin Attorney General Brad Schimel, P.O. Box 7857, Madison, WI. 53707-7857. A copy will also be sent to the Secretary of the DOC, Jon Litscher at P.O. Box 7925, Madison, WI. 53707-7925. A copy of my JOC showing wages only for 25% deductions, is attached.

It is the petitioner's specific request, that this Court order the DOC to immediately stop all deductions except for release accounts and, or stop taking 50% and return to taking 25% until this legal action has been concluded. Furthermore, the petitioner intends to also request the Court to order the DOC to return all the excess fees that they illegally took.

The DOC will claim it cannot do that, that its too expensive to go back through all of our accounts to fix it. Too bad for them. They chose to disregard all of our complaints on the matter. They chose to act willfully, with blatant disregard for the laws of this great State. They created their own dilemma and should bear the burden of fixing the problems and making every one "whole" again. Let it be a lesson learned. It may act as a deterrent to future illegal acts.

Let it be legally stated here as a legal notice to all parties, if this matter has to go to the federal courts, it will be the petitioner requesting compensatory damages as well as punitive damages and return of all illegally taken funds. Also, that the CPA certifications be revoked from all institution CPA'S and that the U.S. Attorney General seek charges against DAI/DOC Administrators for computer crimes, and wire fraud, theft and any other relief available.

Furthermore, the petitioner seeks reimbursement of his cost and fees in this action as well as sanctions and damages and the interest on all collected funds.

Dated this 9<sup>th</sup> day of April, 2017.

BY THE PETITIONER:



CC: all referenced within.