

STATE OF WISCONSIN
OFFICE OF THE GOVERNOR



WAIVER REQUEST FOR EXECUTIVE CLEMENCY

If you do not meet the requirements for executive clemency, you may not submit the application for executive clemency until your request for a waiver is granted. This document can be made available in alternate formats to individuals with disabilities upon request.

TYPE OR PRINT CLEARLY

- Name (First, Middle, Last): JUAN NAVARRO # 136027
- Date of Birth: 4/30/1949
- Social Security Number: XXXXXXXXXX
- Type of executive clemency requested: Pardon Reprieve Commutation
- Have you applied for an eligibility rule waiver before? Yes No If yes, when? _____
(You may not request a waiver unless 36 months have passed since your last waiver request.)
- Reason why waiver is requested: You were not convicted of a felony
 You are currently incarcerated
 It has been less than 8 years since you completed your sentence (including all parole and probation)
- Mailing address (All correspondence will be sent here. Notify the Board of any change of address.)
Street/P.O. Box/Route: PO BOX 1000, 1101 MORRISON DR
City: Boscobel State: WI Zip: 53805
- Home address, if different from mailing address (Notify the Board of any change of address.)
Street/P.O. Box/Route: _____
City: _____ State: _____ Zip: _____
- Telephone number(s) Include Area Code (You must notify the Board of any change of phone number.):
Home: _____
Work: _____
Cell: _____

10. Crimes for which you will request executive clemency if waiver is granted (use extra sheet if needed)

Crime	Date of Conviction	Sentence and Sentence Length	Date of Sentence completion (including parole and probation)
(A) <u>1st Degree Homicide</u>	<u>20/09/82</u>	<u>LIFE WITH PAROLE</u>	<u>MOD 9/1997</u>
(B)			
(C)			

11. Describe (do not just list) the crime(s) identified in Question 9. Explain the circumstances surrounding the crime(s), and why you committed the crime(s). Attach additional sheets of paper if necessary.

- 1) Read personal Letters from 5/19/20 Via MR. NAVARRO
- 2) Deportation papers to show cause for Release
- 3) Med Records showing Evidence of MR. NAVARRO'S Past and present Health problems which can take his Life at any time

12. Explain the extraordinary circumstances that you believe warrant a waiver of the Governor's eligibility rules. For example, an extraordinary circumstance could be, but is not necessarily, the fact that the conviction prohibits you from obtaining specific employment. However, the desire to hunt or possess a firearm for hunting purposes does not constitute extraordinary circumstances.

I certify that the information in this application is true to the best of my knowledge.

Applicant signature: Juan M. Navarro Date: 05-22-20

Materials voluntarily submitted by, or on behalf of, the applicant during the executive clemency application process, may be used for purposes other than consideration for executive clemency and are subject to Wisconsin's open records laws. Wis. Stat. § 15.04(1)(m).

May 22, 2020

Peg Swan
FFUP 29631 Wild Rose Drive
Blue River, WI 53518

Dear Ms. Swan,

My full name is, Juan M. Navarro, and I'm locked-up for 38 long years in state prisons of Wisconsin, U.S.A., and I'm an old man of 71 years old, and I'm "eligible" to parole since 1993, and I met the parole staff 10 times since 1993, but these authorities are refusing over and over to give me "parole" or to deporting me to my own country, Mexico, because I have an immigration judge order, from Chicago, Illinois, file A 34-984-599 since June 1, 2000, to be deported from United States to Mexico. Also, I had a brutal and painful stroke in November 1, 2008, in the Columbia Corr. Inst., and I was in the hospital from Portage, Wisconsin from some minutes for emergency, but I was dying there, and the doctors sent me quickly in a helicopter to the hospital from Madison, Wisconsin, and there made me two surgeries in my chest to repair my aorta vein, since then I'm not the same man because that brutal and painful stroke damaged my brain and my whole ^{body} forever.

Also, the last months from 2018, I went 3 times to the hospitals from the city of Green Bay, Wisconsin, because I was having problems with my heart, and there made me a surgery from my heart. Also, I enclosed here for you some legal arguments from my lawyer Donald T. Lang, and my first and only appeal in Wisconsin, because I'm saying all these years (38) that I killed Mr. Quintana in self-defense, defending my life, because he attacked me with a knife, according to Ms. Maria Ochoa and Ms. Allice Rodriguez, because these two women FOLLOWED us OUTSIDE the tavern, to WATCH us, and they saw Mr. Lauriano Quintana when he attacked me, and they heard the shots from my gun, SECONDS LATER, after his attacked, when I was defending my life from his attack.

So, I would like to be "deported" to my own country, Mexico, because I'm Mexican citizen from Mexico, but I'm legal in this country, because I have "the green card" since the '70s, and I have a daughter in Des Moines, IA, and she is a citizen from United States, because she born in Kansas City, MO.

So, I'm ready to be "deported" to my own country, Mexico, or to stay here in United States, because to me is the same thing.

Ms. Swan, thank you very much for your attention and time about my case: K-2783, and I hope you could do something about it.

I hope your reply about this matter. Thank you.

Sincerely,

Juan M. Navarro

Juan M. Navarro-#136027

Legal Arguments From My Public Defender Lawyer, Donald T. Lang,
Before The Appeals' Courts From The State Of Wisconsin, U.S.A.,
District 1 - Case No.83-1173-CR:

"Juan M. Navarro was charged with the shooting death of Lauriano Quintana which occurred during the early morning hours of March 7, 1982, OUTSIDE the 'Mi Tierra Tavern', on 1319 South 6th St., in Milwaukee, Wisconsin. At trial, the defense acknowledged that Mr. Navarro fired the fatal bullets, but argued that Mr. Navarro WAS ACTING IN SELF-DEFENSE at the time. The defense also presented EVIDENCE TO SHOW THAT Mr. Navarro WAS INTOXICATED at the time of the incident.

Following the close of testimony the trial court submitted instructions on first degree murder, second degree murder, self-defense, imperfect self-defense, manslaughter and intoxication. At issue in this appeal is the content of these instructions. The instructions submitted to the jury on first degree murder, manslaughter and self-defense VIOLATED due process and Mr. Navarro's STATE and FEDERAL CONSTITUTIONAL RIGHTS TO TRIAL BY JURY AND TO PRESENT A DEFENSE.

- a-The instructional ERRORS in this case AFFECTED SUBSTANTIAL RIGHTS OF Mr. Navarro thereby WARRANTING PLAIN ERROR REVIEW.
- b-Mr. Navarro WAS ENTITLED TO THE SELF-DEFENSE AND MANSLAUGHTER INSTRUCTIONS WHICH WERE SUBMITTED WITHOUT OBJECTION.

Reply From The Wisconsin's Appeals Court:

C. The jury instructions required the jurors TO FIND THE ABSENCE OF IMPERFECT SELF-DEFENSE BEFORE THEY CONVICTED THE DEFENDANT (Juan M. Navarro) OF FIRST DEGREE MURDER.

-2-On this appeal, the defendant (Juan M. Navarro) RAISES TWO ISSUES. BOTH RELATE TO THE JURY INSTRUCTIONS. IN PARTICULAR, NO OBJECTIONS WAS VOICED AT THE INSTRUCTIONS CONFERENCES HELD DURING THE COURSE OF TRIAL.

-6-And what was defense counsel's response to the trial court's efforts to ensure legally adequate instructions? SILENCE.

Statement of Facts

Mr. Navarro's version of the shooting was corroborated at least in part, BY TWO EYEWITNESSES, Ms. Maria Ochoa and Ms. Alice Rodriguez. Ms. Maria Ochoa TESTIFIED that after Mr. Navarro and Ms. Lechuga EXITED the tavern, she and her friend Ms. Alice Rodriguez STEPPED OUTSIDE THE DOORWAY to observe what was going OUTSIDE. At that point, Mr. Navarro was APPARENTLY holding Ms. Lechuga by the hair. Ms. Ochoa then OBSERVED Mr. Quintana TAKE A KNIFE AND LUNGE AT Mr. Navarro. Ms. Ochoa became NERVOUS and immediately RE-ENTERED the tavern where, SECONDS LATER, she heard shots being fired.

Ms. Alice Rodriguez indicated that she and Ms. Ochoa FOLLOWED Mr. Navarro and Ms. Lechuga OUTSIDE THE TAVERN. Once OUTSIDE THE DOOR, she observed Mr. Navarro holding Ms. Lechuga by the hair. Moments later, Mr. Quintana CAME RUNNING OUT OF THE TAVERN WITH A KNIFE IN HIS HAND. Mr. Quintana then SWUNG THE KNIFE AT Mr. Navarro and appeared TO STRIKE him. Ms. Rodriguez became FRIGHTENED and RAN INSIDE THE TAVERN where, she heard shots fired.

JUDGMENT OF CONVICTION
SENTENCE TO WISCONSIN STATE PRISONS

22

STATE OF WISCONSIN,

Plaintiff

STATE OF WISCONSIN, Circuit Court Branch

JUAN MANUEL NAVARRO

Defendant

County Milwaukee

~~4-30-49~~ 4-30-49 Defendant Date of Birth

Court Case No. K-2783

4-30-49 4-30-49

The defendant entered his/her plea(s) of guilty not guilty no contest;

9-16-82 The Court Jury found the defendant guilty of:

Wis. Statute(s) Violated
Felony or Misdemeanor (F or M)
Date(s) Committed

Crime(s)
First Degree Murder

940.01

on/about
3-7-82

committed in this County, and

On September 16, 1982, the Court inquired of the defendant why sentence should not be pronounced, and no sufficient grounds to the contrary being shown or appearing to the Court, the Court having accorded the district attorney, defense counsel, and the defendant an opportunity to address the Court regarding sentence; and upon all the evidence, records and proceedings, the Court pronounced Judgment as follows:

IT IS ADJUDGED that the defendant is convicted as found guilty, and is sentenced to the Wisconsin State Prisons for an indeterminate term of not more than LIFE IN PRISON. ((Court advised by defense counsel that defendant has received threats from Jorge Garcia, an inmate at Waupun, and request a Court order to keep defendant separated from the Cuban population at Waupun. Court ordered a transcript of this hearing forwarded to Waupun.))

IT IS ADJUDGED that 194 days sentence credit are due pursuant to Sec. 973.155, Wis. Stats.

IT IS ORDERED that the Clerk deliver a duplicate original of this Judgment to the Sheriff, and that the Sheriff shall forthwith deliver the defendant and a copy of this Judgment to the Waupun Correctional Institution (Reception Center) located in the City of Waupun

BY ORDER OF THE COURT: Signature of Judge, Deputy or Clerk of Court

Name of Judge: William J. Haese
Date Signed: September 16, 1982
Name of Defense Attorney: Emilie Lopez; Liliana Rosenthal (interpreter)
Name of District Attorney: E. Michael McCann

(affix seal)

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
55 EAST MONROE ST., SUITE 1900
CHICAGO, IL 60603

*S-NAVARRO-CARRANZA, JUAN MANUEL
P. O. BOX 900
PORTAGE, WI 53901

Date: May 11, 2009

File: A34-984-599

In the Matter of:
*S-NAVARRO-CARRANZA, JUAN MANUEL

Attached is a copy of the written decision of the Immigration Judge. This decision is final unless an appeal is taken to the Board of Immigration Appeals. The enclosed copies of FORM EOIR 26, Notice of Appeal, and FORM EOIR 27, Notice of Entry as Attorney or Representative, properly executed, must be filed with the Board of Immigration Appeals on or before _____. The appeal must be accompanied by proof of paid fee (\$110.00).

Enclosed is a copy of the oral decision.

Enclosed is a transcript of the testimony of record.

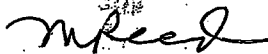
You are granted until _____ to submit a brief to this office in support of your appeal.

Opposing counsel is granted until _____ to submit a brief in opposition to the appeal.

XXX Enclosed is a copy of the order/decision of the Immigration Judge per your request.

All papers filed with the Court shall be accompanied by proof of service upon opposing counsel.

Sincerely,



Immigration Court Clerk

UL

cc:

	MRN	Sex	DOB	AGE	SSN
Navarro, Juan	1064484	Male	04/30/1949	59	

Christopher Goodavish, Physician Assistant
PA

Service:
THORACIC
SURGERY-HOS

D/C Summaries 11/06/2008 1007

Cosign Required

Patient : Juan Navarro; 59 year old MRN# 1064484

Primary Service: CARDIAC SURGERY - HOSP - **Attending:** De Oliveira, Nilto

Admit date: 11/1/2008 10:11 PM

Discharge date: 11/6/2008

It was a pleasure caring for your patient Juan Navarro at the University of Wisconsin Hospital on the Cardiothoracic Surgery service. Mr. Navarro is a 59 year old male with a past medical history significant for HTN and presented with an acute aortic dissection on 11-1-2008. He underwent ascending aortic arch repair with resuspension of the aortic valve emergently. He did relatively well and the following is a summary of his hospitalization.

Discharge Diagnosis:

1. Aortic dissection of ascending aorta
2. HTN
3. Allergic rhinitis
4. Right kidney injury requiring nephrectomy in the 1970's
5. Post operative hyperglycemia requiring

Hospital Management:

1. Aortic dissection repair using a 28mm gel weave graft with resuspension of the aortic valve. CPB 161minutes, ACC 78 minutes, selective cerebral perfusion time 39 minutes.
2. Multiple line placements and removal.
3. Consults: RT, CN, Diabetes, PT/OT

Hospital Course:

Juan Navarro was admitted to the University of Wisconsin Hospital on 11/1/2008. He was taken to the operating room emergently for an ascending aortic dissection as described above in the hospital management. Immediately postoperatively, Mr. Navarro was transported to the cardiac ICU in critical, yet hemodynamically stable condition. He had a slightly prolonged intubation and was extubated on 11/3/08. There were no complications post operatively however he did experience hyperglycemia which required both oral medications and supplemental sliding scale insulin. He was weaned of his supplemental oxygen and had met all of his post operative goals and was discharged to Dodge Correctional Infirmary on 11/6/2008 in hemodynamic stable condition.

Vitals at time of discharge.

BP 113/79 | Pulse 69 | Temp (Src) 37 °C (98.6 °F) (Oral) | Resp 16 | Ht 1.85 m (6' 0.84") | Wt 91 kg (200 lb 9.9 oz)
| SpO2 92

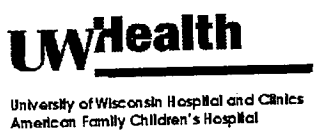
Discharge Instructions:

1. Avoid all tobacco products and second hand smoke
2. Weigh self daily. Notify MD of weight gain or loss greater than 2 pounds in one day or 5 pounds in one week
3. Call MD with any of the following: weight gain or loss as directed, increased pain not relieved by medication, fever over 100.5 degrees sustained for 24 hours, increased shortness of breath, or signs or symptoms of infection including redness, swelling, drainage or odor from wounds.
4. No lifting greater than 8 pounds for 4 weeks
5. No tub baths for 30 days or until wounds are fully healed
6. No driving for 4 weeks or while taking narcotic pain medication
7. Diet: No added salt, with a 2 liter fluid restriction
8. Activity: up as tolerated, ambulating a minimum of 4 times daily

about:blank

11/6/2008

DCI



600 Highland Avenue
Madison, WI 53792

SERVICE: CARDIAC SURGERY
NAVARRO, JUAN
UWH #: 1064484 (5878699)

SEX: M DOB: 04/30/1949
UNIT: B4/5
ADMITTED: 11/01/2008

This is an emergency admission. I cannot remember the name of the ER physician who transferred the patient; I am going to have to check this later. He is the ER physician from Portage, Wisconsin.

I have accepted an emergency transfer for a patient named Mr. Juan Navarro, who is a 59-year-old patient who presented with chest pain this afternoon and was found to have an aortic dissection by CT scan, which was documented at another hospital. When I received the phone call and accepted transfer the patient was stable, with a blood pressure of 140/90, and was being medicated. The patient was transferred by Med Flight and was admitted directly into the operating room. When the patient arrived at the operating room he was immediately placed under general anesthesia. I have briefly examined the patient, auscultated his chest. There is no murmur. His blood pressure was 120/70 through the A line. I could hear heart sounds and he had palpable femoral pulses. I have reviewed his CT scan that has been sent to me from another hospital and clearly the patient has an aortic dissection extending from the aortic root up to the innominate artery. A transesophageal echo was performed in the operating room, which confirmed the diagnosis of aortic dissection. There is no evidence of aortic insufficiency. There is no evidence of aortic tamponade.

At this time the patient was intubated in the operating room. There is no present medical history or past medical history. Social history, and family history at this time are simply not available.

I will proceed with the emergency surgery on this patient with the repair of an aortic dissection.

Niito C De Oliveira, MD
Assistant Professor CHS
Cardiothoracic Surgery Section
Department of Surgery

Dictated by:
Niito C De Oliveira, MD
Assistant Professor CHS

NCD/kml D: 11/01/2008 22:32:09 T: 11/02/2008 23:50:46 Doc#: 3189048 A:
Revised: 11/02/2008 23:50:46 Job #: 3577585 D: ESA

cc: Columbia Correctional Institution

DATE OF ADMISSION: 11/01/2008
005 - ADMISSION H&P

Discharge Summaries (continued)

D/C Summaries signed by Christopher Goodavish, PA at 11/06/2008 1007 (continued)

Goodavish, PA
Filed: 11/06/2008 1007 Note Time: 11/06/2008 1004 SURGERY-HOS
Related Cosigned by : DE OLIVEIRA, NILTO C at 11/06/2008 1121
Notes:

Patient : Juan Navarro; 59 year old MRN# 1064484

Primary Service: CARDIAC SURGERY - HOSP - Attending: De Oliveira, Nilto

Admit date: 11/1/2008 10:11 PM

Discharge date: 11/6/2008

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2. HTN
3. Allergic rhinitis
4. Right kidney injury requiring nephrectomy in the 1970's
5. Post operative hyperglycemia requiring

Hospital Management:

1. Aortic dissection repair using a 28mm gel weave graft with resuspension of the aortic valve. CPB 161minutes, ACC 78 minutes, selective cerebral perfusion time 39 minutes.
2. Multiple line placements and removal.
3. Consults: RT, CN, Diabetes, PT/OT

Hospital Course:

Juan Navarro was admitted to the University of Wisconsin Hospital on 11/1/2008. He was taken to the operating room emergently for an ascending aortic dissection as described above in the hospital management. Immediately postoperatively, Mr. Navarro was transported to the cardiac ICU in critical, yet hemodynamically stable condition. He had a slightly prolonged intubation and was extubated on 11/3/08. There were no complications post operatively however he did experience hyperglycemia which required both oral medications and supplemental sliding scale insulin. He was weaned of his supplemental oxygen and had met all of his post operative goals and was discharged to Dodge Correctional Infirmary on 11/6/2008 in hemodynamic stable condition.

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| SpO2 92

Discharge Instructions:

1. Avoid all tobacco products and second hand smoke

SERVICE: CARDIAC SURGERY
NAVARRO, JUAN
UWH#: 1064484 (5878699)

SEX: M DOB: 04/30/1949
UNIT: B4/5
ADMITTED: 11/01/2008

Gregory Keeling, MD

Electronically signed by Nilto C De Oliveira, MD on 11/05/2008 14:57:09

10. Call MD if patient does not have a bowel movement for more than 3 days

11. Please call 608-263-6400 with questions or concerns

Discharge Medications:

- metFORMIN (GLUCOPHAGE) tab 500 mg PO BID
- furosemide (LASIX) tab 40 mg PO BID x 5 days, then 40 mg PO Daily x 5 days.
- lisinopril (PRINIVIL, ZESTRIL) tab 5 mg PO daily
- metoprolol (LOPRESSOR) tab 25 mg PO BID
- cloNIDINE (CATAPRES) tab 100 mcg PO BID
- fluticasone (FLONASE) 50 MCG/ACT nasal spray 2 Sprays each nostril BID
- potassium chloride ER tab 20 mEq PO BID x 5 days, then 20 mEq PO daily x 5 days
- aspirin chew tab 81 mg PO daily
- insulin aspart (NOVOLOG) 100 UNIT/ML vial 1-4 Units SQ HS per instructions
- insulin aspart (NOVOLOG) 100 UNIT/ML vial 1-5 Units SQ AC per instructions
- magnesium hydroxide (MILK OF MAGNESIA) susp 30 mL PO daily prn for constipation
- acetaMINOPHEN-codeine 300-30mg (TYLENOL #3) 300-30 MG per tab 1-2 Tab

Condition on disposition: good

We will see Mr. Navarro in 4-6 weeks for post operative followup, please feel free to call us if the need to see him arises before that time.

As always, it was a pleasure collaborating with you in the care of this patient. If you have any questions regarding this hospital stay, please feel to contact us at your earliest convenience.

Sincerely,

De Oliveira, Nilto

Dictated by:

Christopher Goodavish

atient Instructions

Discharge Instructions: Prevea Cardiac Catheterization/Post Percutaneous Coronary Intervention (PCI) Procedure

Activity Limitations:

- Rest today.
- No heavy lifting. No more than 10 pounds for 7 days.
- Avoid push/pull activity (vacuuming, raking, lawn mowing, shoveling, golfing, bowling) for 7-10 days. Walking and ordinary activity are okay.
- Do not drive for 24 hours or as instructed by your provider.
- You may shower the day after your procedure. However, no tub baths, swimming, or hot tubs for 7 days.
- You may resume sexual activity when you feel comfortable in doing so.

Diet:

- Regular diet
- Low sodium diet (2 gram)
- Cardiac diet (low sodium, low cholesterol, low fat)
- Diabetic diet
- Drink 6-8 glasses of water over the next 24 hours, unless instructed otherwise by your healthcare provider
- No alcohol for 24 hours

Catheterization Site Care:

- Remove your bandage the day after your procedure.
- Once the dressing is removed, you may lightly wash the site with soap and water. Avoid applying lotions or powders to the area for 2 days after the dressing was removed.
- You may notice bruising or slight tenderness around your catheterization site.
- Depending on your closure device, you may also notice a small lump at the catheterization site for up to 6 weeks after your procedure. This lump will go away on its own.
- Please refer to the booklet you received about your procedural site for additional information and questions.

Call your doctor if:

- You notice sign of infection at your catheterization site or IV site (redness, heat, and/or drainage). You should also call if your temperature is >100.9 degrees, or if you have excessive pain, numbness, tingling, or color changes of your leg or arm.
- You notice bleeding and/or swelling at your catheterization site. If you do, lie down and apply firm, direct pressure to the site for 20 minutes and call your provider.
- You experience chest pain, palpitations, dizziness, or shortness of breath.
- Call 911 if your chest discomfort is not relieved with nitroglycerin (if you have a prescription).

Other instructions:

- You may take your regular pain medication unless otherwise instructed by your health care provider. Last dose ***.
- If you are currently a smoker, it is time to quit. Do not leave without a smoking cessation plan or instructions on help available to quit smoking.
- Follow-up with outpatient Cardiac Rehab, if recommended by your provider.

Patient Name:

Navarro, Juan M

Exam Date/Time:

05/24/2018 1536

Phone #: 920-432-4877

MRN:

55541614

I did discontinue patient's Meloxicam at time of discharge home because there is concern of GI bleeding with dual antiplatelets with strong NSAIDs.

A copy of this report has been sent to:
MARY A. SAUVEY, MD

Transcribed by:

Dictated by:

Electronically Released by:

CC:

Mary A Sauvey, MD - Fax