

Affidavit

20-902-JPG

ON OR ABOUT 28 Aug 2020 (Friday) C.O. MALDONADO, did deny me a Bowl to eat "Instant" Fajitas, in which is required to make this food, in the A.M. Breakfast. He also denied the Margarine/Butter that is supposed to come, as well as the cup for the Beverage.

As I am Hypoglycemic and this was my main Entree, this was used as a form of Abuse, which he has done to me frequently. I have notified Medical Staff Nurse Anderson who did not intervene. I have previously notified the supervisory and Executive Warden staff of this officers abuses upon me yet they have allowed him to continue his abuses upon me. He has misgendered me, threatened me on several occasions, and does take efforts to intimidate me, He has called me, and others derogatory names, and has done this to harass and sex based harass me. He has made comments regarding my known disabilities/medical conditions so that inmates can hear this to cause further persecution.

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He has made derogatory and offensive comments about my mental health condition, in which should seem to violate HIPPA laws.

Then said "you delusional"; "you a mental case!"; "you crazy"; "you a piece of shit"; "you a faggot"; "you little bitch", Ah, and I did inform him that I was in the middle of writing this, and he said "you crazy" again while on the other end of the range, so all inmates could hear and retaliate.

The aforementioned I swear, Affirm, and certify to be correct and true to the best of my knowledge and belief and information.

Mi Jy 28 Aug 2020

APPENDIX II

ON OR ABOUT ~~THE~~ 25 AUGUST 2020, THE ACTING
SQUAD LIEUTENANT WEILER, CAME TO MY CELL AND
HAD SEVERAL CORRECTIONAL OFFICERS WITH HIM.
THE CONFISCATED ALL OF MY LEGAL, MEDICAL,
RELIGIOUS, AND PERSONAL PROPERTY IN RETALIATION
FOR NOTIFYING THE NEW WARDEN WHOM WEILER
IDENTIFIED AS WARDEN BERGMAN THAT I WOULD
BE NOTIFYING THE COURT, IN THE DOCUMENTS
I WAS PREPARING WHEN BOTH SQUADS OF STAFF
CAME TO MY DOOR. THE WARDEN AND FARRER
TOLD ME THAT HE "DID NOT" GIVE A GOD DAMN
DOG SHIT OR KARS ASS" ABOUT HOW MANY TIMES
I HAD BEEN ROBBED, OR ABOUT WHAT THE
SUPREME COURT HELD IN FARMER V. BRENNAN,
OR ABOUT DELIBERATE INDIFFERENCE TO MY
HEALTH AND SAFETY, I WAS STILL GOING TO
BE TRANSFERRED. THEN SAID "I'M GETTING READY
TO COME IN AND TAKE ALL YOUR SHIT."
THIS WAS DONE IN RETALIATION FOR A
PROTECTED ACTIVITY UNDER THE US CONSTITUTION.
I TOLD LT. WEILER "YOU DO REALIZE THAT THIS IS
ILLEGAL DON'T YOU?" HE SAID "YES I DO KNOW

(1)

That, and I do this ALL THE TIME TO INMATES AND NOTHING HAS EVER HAPPENED TO ME I'M STILL HERE!! The staff all laughed including the OFFICER who pat/wand searched me, and was HOLDING ME (FEMALE K&D OFFICER).

I am being denied all access to the courts currently. He said to this statement that he will provide me access, out of my cell at his convenience.

thus far denying all Law Library Access for months at a time prior.

Also in December 2019 - February 2020 since my arrival I was denied my court ordered legal documents for my 28 USC 2255 resulting in a dismissal and ruling in favor of the US Attorney, this resulted in significant prejudice to my cases. Even my 1983/BIVENS, 1985/1986/ADA/RLUIPA/IFRA/FTCA/Vulnerable Adult Claims.

Through their Denial, Delay, Impediment, Hindrance and other Bad Faith conduct, and through perpetual situ placements, transfers, and torture through Rape, Raynards, chronic pain, gender dysphoria, and other medical conditions and assaults

(2)

They have "Custody, CARE, and SUPERVISORY" CONTROL over me as a ward of THEIRS AT THIS time. LT. Weiler TAKES great PRIDE IN ABUSING his power. He is very VIOLENT towards me and OTHER INMATES.

He SPRAYS PEPPER SPRAY, YELLS, and USES or BRUISES EXTREME and EXCESSIVE force in SITUATIONS most WOULD consider THIS to BE UNWARRANTED. He has TAKEN EXTRA EFFORTS to KEEP me in SHU and TRANSFER me, as THE FORMER SIS LT. and IN FACT MADE THE THREAT TO "get a SEPARATE and SHIP YOU" TO me.

DURING his RAID upon my cell to CONFISCATE MY legal work TO THE courts. He SAID "YOU did THIS TO YOUR SELF Fly, you SHOULD HAVE JUST KEPT your MOUTH SHUT." Regarding THE REPORTING OF SEXUAL ASSAULTS, HARASSMENTS, and ABUSE per PREA LAW.

He WANTS IT CLEAR as day TO BE KNOWN AS LT. JOHNSON SAID TO ME WHEN I REPORTING BEING RAPEd daily in MY SHU CELL: "LEARN TO F*CK OR FIGHT," Then ALLOWING me TO CONTINUE TO

(3)

Be Raped in my cell.

LT. Weiler INFACT, after BEING NOTIFIED THAT A MAN "DETROIT" (EARL PAYTON) had SEXUALLY ASSAULTED me AT another FACILITY and was again sexually HARASSING me AT FCI Fairton, PLACED me on the compound, and ALLOWED FOR me TO BE SENT TO his housing UNIT TO BE HOUSED. THIS IS AN ENTIRE RECKLESS DISREGARD AND DELIBERATE INDIFFERENCE TO MY HEALTH AND SAFETY.

INMATE "TAPLYA" JOHN JONES STATED TO ME THAT AFTER SHE REPORTED BEING RAPED LT. Weiler PLACED her BACK on the compound WITH THE MEN whom she ALLEGED had RAPED her.

THESE SAME MEN DID THIS TO OTHER TRANSGENDERS ALLEGEDLY, AS she did REPORT THIS TO ME.

They did SEXUALLY HARASS me. I REPORTED THEM.

Weiler LATER ^{ALLEGEDLY} HAD me BEAT BY STAFF, THEN PLACED me IN SHU, WHERE I WAS ALWAYS RAE AND CALLED ALONE, AND PUT in a REC CAGE WITH OTHERS whom did attempt TO KILL me FOR THAT PREVIOUS REPORT AS LT. Weiler NAMED me, as THE ONE REPORTING IT. INMATE CHAPNICK STATED he WAS TOLD THAT BY THE ONE WHO DID IT, WHO WAS his CELL MATE. I CAN ONLY SAY I SHOULD

NOT HAVE BEEN PLACED THERE. I DO AFFIRM, CERTIFY, AND DECARE THIS TO BE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND INFORMATION. ^(A) ~~Mr. J.~~ 24 Aug 2020

Affidavit

Today is Day Three of Being Denied My Legal Documents, and Court Filings, including ones in which I was preparing and had prepared to send today in the legal mail to the Southern District of Illinois to file in regards to these same repeated issues of retaliatory misconduct. I was sent documents to prepare by the court's attorney. I did in fact prepare them, and several affidavits, and a memorandum of law. I was identifying exhibits from medical, and emails, and others to show evidence in support of these facts. I also had previously motioned the District of North Dakota to change venue to the Southern District of Illinois, due to their blatant discrimination against transgenders, even resulting in the significant hindrances of my pre-trial proceedings in which resulted in my wrongful conviction in an offense not properly charged by the state's requirements, and in which I am factually innocent, even had this been properly done as the judge blatantly stated "I don't want to

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deal with transgender issues! This after these had been brought to the attention of the judge on more than one occasion, and even in a status conference about them on or about June 7, 2017. In which he had a sworn duty to rule on and protect these constitutional rights being violated to alter the outcome of the proceedings. As this is clearly supported by clear and factual supporting evidence on the record, it is irrefutable. I had previously requested the court to do its "duty" to guard, enforce, and protect every right granted or secured by the U.S. Constitution" as quoted by the Supreme Court in *Zwickler v. Koota*, of change venue to a district that would be unbiased such as California, New York, or New Jersey, then in approximately 30 days after no reply, I then motioned for change of venue to the Southern District of Illinois, upon receiving 1). A letter from the Southern District with a 42 USC 1783, Bivens, FICA Form, and 2). Notice of Immediate Transfer to an undisclosed location; in which one possibility could be to FCI Marion, Illinois, or another like facility in which they force transgender to live with sexually violent offenders, in what seems to encourage rape upon us, in what seems to violate.

(2)

PREA Law 28CFR 115.42 (A), (C), (E), and (F). They also
 forcing Illegal cross gender PAT and Visual strip searches
 upon us. This being the reason, after over having
 been sexually assaulted by staff and inmates over
 50 times. Then Retaliating for reporting it, and
 forcing me into cells to leave me to continue to be
 raped, even after I reported this to them. IN
 one such case in 2019, for an 18 hour period while I
 was again raped in my cell. Then in another
 such case, after I did inform the SHU Lt.
 and Psych, and medical, and SHU staff,
 that I was being raped in my cell, the SHU
 Lt. said "stop fucking with my staff fuy,
 your in my world now, learn to fuck or fight!"
 I continued to be raped daily in my cell for
 approx 30 more days, until I was beat to a bloody
 mess. This was in 2018. I am now suffering from
 severe Rape Trauma Syndrome and Anxiety as a
 result. I have flashbacks of the events, I cannot
 sleep. There is so much more, from this continuous
 torture. They discontinued my chronic care pain
 medications, allergy medications, and my hormone

(3)

Treatment Patches, and my HIV medication. I am now in Imminent threat of future harms, Injuries and Even Death. I Even Hung my self in February, 2020 on the 25th, or so. This is a result of many factors, 1) They discontinued my Acore patches, and changed my Spironolactone causing my testosterone to jump from low levels of 82 and what should have been less than 50. to up around 373, and my Estrogen dropped; 2) I was discontinued from my Pain and Anxiety medications, and then also my Truvada PREP Medications, then also Duloxetine (Cymbalta) this to inflict torture; 3) I was Again forced into SHU 2 (Feb 2020), and the orderly was allowed by staff to sexually assault me, then into a secure property room to steal my property (Inmate Federico Ortega). Then I told them I would hang my self if I were forced into SHU. I was forced to go to the cell where the sexual assaulter resided. They refused to provide me bed mattress, blankets, sheets, cleaning supplies, and left his hygiene, and refused to turn off the lights which cause me severe headaches, and Anxiety. This did result in my informing staff that if they did NOT at least turn the lights off as agreed with Dr. Redondo.

(4)

I WOULD HANG MYSELF. THE OFFICER STATED "DO WHATEVER GOTTA DO" I IMMEDIATELY MADE A NOOSE, AND HUNG MYSELF. HE WAITED THEN WALKED AWAY TO THE REAR STAIR WELLS AND WENT TO GO UPSTAIRS. ANOTHER OFFICER CAME FROM THE FRONT DOING HER ROUNDS, SAW ME, AND SAID "OH SHIT, MEDICAL EMERGENCY IN SITU". I CONTINUED TO HANG, WHILE THREATENED BY ANOTHER GO TO SPRAY ME WITH PEPPER SPRAY, LIKELY RESULTING IN MY DEATH. LT. PROPER, CAME AND POKED THE DOOR, AND LIFTED ME UP AND TOLD THEM TO GET THE CUTTING TOOL, AS IT WAS ON TIGHT NOT COMING OFF. I AM NOW IN SITU. SO MAJORDANO CONTINUES TO BE ALLOWED TO ABUSE ME, AND TODAY DENIED A BOWL TO PREPARE MY HOT CEREAL, LEAVING ME WITH NO ENTREES FOR BREAKFAST WHEN I AM HYPOGLYCEMIC. HE THEN TURNED MY LIGHTS ON AFTER A FEW ROUNDS TO FURTHER INFLECT TORTURE AND INDUCE SUICIDE. THIS PAST WEEK THE SHU LT. ASSAULTED MY CELL WITH 9.3 STUFF TO PREVENT ME FROM FILING DOCUMENTS WITH THE COURT; AT THE DIRECTION OF WARDEN BELGAMI (NEW WARDEN); AFTER I ASKED WHY MY "EMERGENCY GUIDANCE" WAS NOT ANSWERED PER 28 CFR 115.52 (F); WHEN FIRED OVER A MONTH AGO, AS I AM IN IMMEDIATE THREAT OF FURTHER SEXUAL ABUSE. HE USED VULGAR LANGUAGE TO INFORM ME HE DON'T CARE, AND DID THIS OUT OF RETALIATION FOR TELLING HIM I WOULD NEED TO FILE WITH THE COURT AND I WAS WORKING ON THAT (3) WHEN HE CAME TO MY DOOR.

I Need The Court To Take Action
 Please To Allow me to file the paper work, as USDOJ staff
 are preventing me, please help. 28 Aug 2020

MELVIN PRICE FEDERAL BUILDING

UNITED STATES COURT HOUSE

750 MISSOURI AVENUE

Room 104

EAST ST. LOUIS, IL 62201

He then caused Lt. WHEEL and staff to seize the
 COURT'S documents, and my supporting documents and
 evidence in order to prevent my ability to file with
 the courts, and to hinder an investigation by a
 Federal Judge per 18 USC 1512. This I do also
 believe to be in violation of 42 USC 1785, 1786 and
 the 28 USC 241, and 242. I did have an In Forming
 Pauperous Form signed by myself, and one signed
 by inmate "JESSIE" & Jesse Fender #19575-018 whom is
 scared to do herself, and we agreed at USP YAZOO to do
 together, as staff did force us both to be separated and
 Raped, for returning to the compound. Then threaten & held
 for hanging out with me, I was adding her as an intense
 party in comment with that particular issue. The Supreme court
 allows for such according to a case statute I reviewed. I had
 also prepared the 1983, Bivens, P.T.C.A Form. and these with
 supporting documents and evidence were in an legal envelope
 I swear, Affirm, and certify that
 for the court. They seized the above mentioned to be true and correct as
 something Jan 28 Aug 2020 to the best of my knowledge and belief

Miss Toni Fly, Reg 18658023
FCI FAIRTON
PO Box 420
Fairton, NJ 08320

SOUTH JERSEY NJ 080

01 SEP 2020 PM 6 L



CLERK OF THE COURT
UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS
750 MISSOURI AVENUE
SUITE 104
EAST ST. LOUIS, IL 62201

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