

Reply I.D. Blog 4HR

Investigation of Staff-Set-Up Stabbings In Wisconsin's Supermax created 27 May 2019

Attached you'll see my 3-pg John Doe Petition + Judge Day's May 23rd Order approving it - Case No. 19-JD-4, Grant County Circuit Court - + directing the D.A. to investigate the Administration of W.S.P.F. for setting myself + other prisoners up to be stabbed.

Please share this material on social media + with the Press.

Leave a comment, so I get the reply I.D. for this post + can post the results w/ notification going to interested viewers.

-end-

Nate A. Lindell,
Petitioner

Case No.

v.
Lebbeus Brown, Shawn Gallinger

Petition for John Doe Proceeding, Pursuant to Stat. § 968.26

To: Clerk, Grant Co. Circuit Court
130 W. Maple St.
Lancaster, WI 53813-1675

Petitioner ("Lindell") hereby petitions this court pursuant to Stat. § 968.26 to initiate John Doe proceedings and direct the District Attorney ("D.A.") to investigate, and, upon the conclusion, if the D.A. declines to prosecute appropriate charges, that this court will review the D.A.'s file, conduct an appropriate evidentiary hearing, then direct justifiable prosecutions.

In support, Lindell represents as follows:

1. As this court knows from the Criminal Complaint pending before it for Case No. 19-CF-18, State v. Keith, on Oct. 8th, 2018, Lindell was stabbed multiple times with a steel knife that was approx. 15" long. Lindell almost died from that attack.

2. Prior to Mr. Keith entering the group-rec. room at W.S.P.F. where he stabbed Lindell, Mr. Keith was searched by C.O. Gallinger. C.O. Gallinger was showing a rookie how to do pat-searches when he pat-searched Mr. Keith, so Gallinger surely did a thorough pat-search. As Mr. Keith had his at-least-15"-long knife in his waistband there's no way that Gallinger failed to detect the knife, yet Gallinger allowed Keith to bring that knife into the rec. room where Lindell was waiting, then Gallinger locked Keith in the rec. room and walked away.

3. Multiple stabbings and serious beatings had recently occurred in W.S.P.F.'s group rec. rooms - e.g. on 27 July 2018 Quentin Thompson stabbed Zachary Hayes after C.O. Jaynes put Hayes into the same rec. cage with Thompson, despite Jaynes hearing Thompson say he had a weapon and threatening Hayes. Approximately two weeks

after Keith stabbed Lindell in the indoor group rec. room for segregated prisoners Dexter Ewing stabbed a prisoner in the same room — Ewing too faces criminal charges for this, but not W.S.P.F. officials, who set up the assaults

4. Around May of 2018, Lebbeus Brown met with prisoners and told them that staff expected there to be fights between prisoners in the group rec. rooms for segregated prisoners. But Brown took no action to minimize the risk of assaults.

5. During a shakedown of W.S.P.F.'s segregation unit, which holds less than 100 prisoners, in June of 2018, staff told Lindell that over 30 knives were found. Yet no actions were taken to minimize the risk of stabbings during group rec.

6. As revealed in an affidavit drafted by Terrance Prude #335878, filed as Docket #25 for U.S. Dist. Court for W.D. Wis. Case No. 18-CV-895, Lindell v. Jess, C.O. Gallinger knew that Keith wanted to kill Lindell prior to Gallinger placing Keith and Keith's knife in a group rec. room with Lindell on 8 Oct. 2018. Also revealed in Prude's Affidavit, Lebbeus Brown told Keith that Lindell had snitched on Lindell and knew Keith wanted to attack Lindell prior to Keith's 8 Oct. 2018 stabbing of Lindell. Despite this knowledge, neither Gallinger nor Brown took any action to protect Lindell from Keith.

7. Brown, Gary Boughton and Mark Kartman all signed off on many Risk Assessment Information Guides (R.A.I.G.s) for both Keith and Lindell, prior to 8 Oct. 2018. Those R.A.I.G.s directed both Keith and Lindell to attend group rec. with other prisoners, as a condition to being released from solitary confinement. Also detailed in Keith's RAIGS was Keith's extensive record of making knives and using sharp weapons to attack both staff and inmates. Yet none of those staff at WSPF ensured that Keith didn't stab other prisoners, such as Lindell.

8. Due to Keith's forenoted stabbing of Lindell, Lindell lost around five pints of blood, needed surgery and 32 staples to put his scalp back together. But rather than ensuring that Lindell was provided appropriate post-assault treatment, despite Traumatic Brain Injury (T.B.I.) now being a commonly known malady and Lindell clearly having suffered such, Mark Kartman and other W.S.P.F. staff had Lindell sent to

a Wisconsin prison that is infamous for denying health care and tormenting its captives (i.e. Green Bay C.I.), which is exactly what happened to Lindell: G.B.C.I. did no tests to determine the cause of vertigo, pain and denied toradol prescribed by the hospital that did surgery on Lindell. There was no need to send Lindell to G.B.C.I. for his own safety, as W.S.P.F. staff had Keith in a cell that was securely locked and separated from the cell that Lindell was in. It appears that the reason Lindell was sent to G.B.C.I. was to indirectly deny Lindell health care and impair his ability to gather evidence of W.S.P.F. staff's wrongdoing regarding assaults during group rec.

Crimes Believed to Have Been Committed

Based on the foregoing, Lindell believes that W.S.P.F. staff - Gallinger, Brown, Boughton & Kartman - are guilty of the following, as Party to a crime, §939.05(2)(c)

§940.29 Abuse of residents of penal facilities


§940.45 Intimidation of victims; felony, subs. (1)-(2), (4)-(6)

§940.19 Battery, - substantial battery; aggravated battery, subs. (1)-(5)

§946.12 Misconduct in public office, subs. (2)-(3)

Conclusion

This petition provides sufficient facts to show that Lindell's belief that these crimes have been committed is reasonable, thus the D.A. should be directed to investigate this matter. A copy of the D.A.'s report is obliged to be forwarded to Lindell with his/her decision as to whom to prosecute.

Respectfully,

Nate A. Lindell #303724
C.C.I. P.O. Box 900
Portage, WI
53901-0900

In Re: Complaint for John Doe

ORDER FOR REFERRAL

Filed by: Nate A. Lindell

Case No. 19-JD-4

WHEREAS: This Judge has received a petition seeking the initiation of John Doe proceedings from the above-named complainant.

CLERK OF CIRCUIT COURT
FILED

WHEREAS: The complainant is not a district attorney.

MAY 23 2019

IT IS HEREBY ORDERED:

TINA McDONALD, Clerk
GRANT COUNTY, WIS.

1. That pursuant to Wis. Stats. §. 968.26(2)(am), this complaint seeking John Doe proceedings is referred to the Grant County District Attorney for investigation. The investigation may be confined to the allegation that penal institution employees knowingly permitted Jesse Keith to physically assault and abuse Nate Lindell, and a charging decision. Specifically, the investigation may wish to address:

- Review of available video documentation, if any, and/or corroborating witnesses.
- Interviews with Lebbeus Brown, Shawn Gallinger, C.O. Jaynes, Gary Boughton, Mark Kartman, and Jesse Keith.

2. That within 90 days of the date this order is signed, the Grant County District Attorney shall either file a criminal complaint or forward to the court the following items:

- All law enforcement investigation reports on the matter that are in the custody of the District Attorney.
- District Attorney records and case files on the matter.
- A written explanation of why the District Attorney refused to issue charges.

Dated this 23rd day of May, 2019.



Hon. Craig R. Day
John Doe Judge

cc: District Attorney
Nate A. Lindell, Complainant