

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

FILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

Civil Action No. 18-cv-1034  
(To be supplied by the court)

JUL 30 2018

JEFFREY P. COLWELL  
CLERK

Chris Sanchez, Plaintiff

v.

Pescador,

Benjamin Arguello,

Mike Jones,

Nurse Samantha, Defendant(s).

*(List each named defendant on a separate line. If you cannot fit the names of all defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Section B. Do not include addresses here.)*

PRISONER COMPLAINT

NOTICE

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include only: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

**Plaintiff need not send exhibits, affidavits, grievances, witness statements, or any other materials to the Clerk's Office with this complaint.**

**A. PLAINTIFF INFORMATION**

You must notify the court of any changes to your address where case-related papers may be served by filing a notice of change of address. Failure to keep a current address on file with the court may result in dismissal of your case.

# 154274  
Box 2017  
Christopher Sanchez ; Buena Vista, CO 81211  
(Name, prisoner identification number, and complete mailing address)

Chris  
(Other names by which you have been known)

Indicate whether you are a prisoner or other confined person as follows: (check one)

- Pretrial detainee
- Civilly committed detainee
- Immigration detainee
- Convicted and sentenced state prisoner
- Convicted and sentenced federal prisoner
- Other: (Please explain) \_\_\_\_\_

**B. DEFENDANT(S) INFORMATION**

Please list the following information for each defendant listed in the caption of the complaint. If more space is needed, use extra paper to provide the information requested. The additional pages regarding defendants should be labeled "B. DEFENDANT(S) INFORMATION."

Defendant 1: Juan Pescador ; Officer Level 1 ; ~~Box 2017~~ BOX 6000  
(Name, job title, and complete mailing address) Buena Vista  
Sterling, CO 80751

At the time the claim(s) in this complaint arose, was this defendant acting under color of state or federal law?  Yes  No (check one). Briefly explain:

He is an officer at a prison and is a peace officer

Defendant 1 is being sued in his/her  individual and/or  official capacity.

Original form provided free of charge by CODOC Legal Services to Offenders on June 26, 2018

Original form provided free of charge by CODOC Legal Services to Offender on June 26, 2018

Defendant 2: Benjamin Arguello; officer level 1; Sterling, CO 80751 <sup>BOX 6000</sup>  
(Name, job title, and complete mailing address)

At the time the claim(s) in this complaint arose, was this defendant acting under color of state or federal law?  Yes  No (check one). Briefly explain:

He is a peace officer at a prison.

Defendant 2 is being sued in his/her  individual and/or  official capacity.

Defendant 3: Michael Jones; officer level 1; Sterling, CO 80751 <sup>BOX 6000</sup>  
(Name, job title, and complete mailing address)

At the time the claim(s) in this complaint arose, was this defendant acting under color of state or federal law?  Yes  No (check one). Briefly explain:

He is a peace officer at a prison.

Defendant 3 is being sued in his/her  individual and/or  official capacity.

**C. JURISDICTION**

Indicate the federal legal basis for your claim(s): (check all that apply)

42 U.S.C. § 1983 (state, county, and municipal defendants)

*Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971) (federal defendants)

Other: (please identify) U.N. Declaration of Human Rights; US Constitution.

Defendant 4: (Nurse) Samantha; Nurse Medical Staff; Box 6000 Sterling, CO 80751

✓ Yes, she was acting under color of state law:

She is a nurse contracted by the Dept. of Corrections through Correctional Health Partners LLC.

She works at a prison.

She is being sued in her individual capacity. ✓

Defendant 5: Jane Doe Nurse; Medical Staff Box 6000 Sterling, CO 80751

✓ Yes, she was acting under color of state law:

She is a nurse contracted by the Dept. of Corrections through Correctional Health Partners, LLC.

She works at a prison. She was contacted about Sanchez's eye.\*

She is being sued in her individual capacity. ✓

**D. STATEMENT OF CLAIM(S)**

State clearly and concisely every claim that you are asserting in this action. For each claim, specify the right that allegedly has been violated and state all facts that support your claim, including the date(s) on which the incident(s) occurred, the name(s) of the specific person(s) involved in each claim, and the specific facts that show how each person was involved in each claim. You do not need to cite specific legal cases to support your claim(s). If additional space is needed to describe any claim or to assert additional claims, use extra paper to continue that claim or to assert the additional claim(s). Please indicate that additional paper is attached and label the additional pages regarding the statement of claims as "D. STATEMENT OF CLAIMS."

CLAIM ONE: 8<sup>th</sup> Amendment and 1st Amendment Violation

Supporting facts: On May 23, 2017, the Victim / Plaintiff, Chris Sanchez was being removed from his cell in Super Maximum security at Sterling prison. He was still standing in the entrance to his cell when another prisoner began getting loud and boisterous with staff. Fearing he might get brought into a volatile situation and be sprayed with OC spray (Oleoresin Capsicum), Mr. Sanchez declined his "table time" and specifically told staff he did not want to proceed to "table time". The defendants, (the male officers), told Sanchez he would be seated and chained to the table until the situation was resolved.

\* CDOC policy, as well as the rules of the prison, state that whenever a situation arises involving violence or disruption, all prisoners must remain in their cells until the situation is resolved.

"First Responders" were called over the radio to come deal with the disruptive prisoner at the table. At this point, according to the defendant's own rules, Mr. Sanchez should have remained in his cell.

Defendants purposely took him to the steel table and chained him to it with full restraints. He was handcuffed to the table through holes in the tabletop and was secured by his ankles to the floor. There was also a chain around his waist. He was purposely placed at the epicenter of a violent, disruptive situation, so that he would end up being within breathing distance of OC when it was used on the other prisoner at the same table. Officer Pescador said, "We're gonna show you how we deal with punks who act up."

Benjamin Arguello said, "If you don't like it; tough! But you're gonna watch." The unruly prisoner was severely assaulted by Jones, Pescador and Arguello in front of Mr. Sanchez. (This shocked his conscience and gave him PTSD). After forcibly removing the unruly prisoner, the defendants left a pair of handcuffs directly in front of Mr. Sanchez, who grabbed them by sliding them towards himself. Sanchez was still seated, unable to stand. His hands were secured to the table itself with cuffs and his ankle fetters went through an "eyelet" and were secured by a padlock to the floor, preventing foot movement.

## D. STATEMENT OF CLAIMS

The combination of being physically attached to the table by wrists and by his ankles wholly prevented Mr. Sanchez from any real movement other than looking around and playing cards. This is very important factual data for this Court to understand: prisoners who are fully shackled to the table cannot move, fight, kick, strike, nor stand up. They are 90% immobilized. Upon grabbing the handcuffs; Sanchez was immediately surrounded by Jones, Arguello and Pescador.

Jones said, "put down the cuffs, punk." (A "punk" is a sexual toy in prison whom is raped and sexually trafficked /exploited by other men.)

Jones had drawn his XP Taser and was aiming it at Sanchez. Sanchez was upset by the comment and responded with, "who the fuck you think you are talkin' to?"

This was a simple question. Sanchez exercised his right to freedom of speech and freedom of expression and officer Jones punished him by firing the taser prong darts into Sanchez's body and electrocuting him with thousands of volts. The darts penetrated his flesh and barbed into him. The electricity stunned him and knocked him from his seat but he couldn't fall because he was chained to the table. Upon being Tased, Sanchez was compliant and he did not resist nor argue. He was in shock from being Tased. He hung there unable to get back on his seat and he did not move. At this point, he was not a threat to anyone. Pescador and Arguello decided to further harm Mr. Sanchez. Though the darts were still in him and c/o Jones could have just squeezed the trigger again to tase him, and though Sanchez was compliant, Pescador and Arguello unholstered their canisters of OC spray and blasted Sanchez directly in the face and eyes. Their proximity was so close that the stream of emulsified liquid pepper went into his eye socket and behind his eyelids. BOTH Arguello and Pescador were fully aware of the Medical order prohibiting the use of OC spray on Christopher Sanchez. All staff in Units 5, 6, 7 and 8 (segregation and isolation units) are made aware of the special medical needs of the prisoners in said Units. Ergo, Sanchez and all other asthmatic prisoners who utilize rescue inhalers are to be safe from OC spray. In fact, staff must remove said asthmatic prisoners from their cells prior to utilizing OC spray on another inmate during a cell extraction. (i.e. If a prisoner with asthma lives in a pod or unit in which staff plan to extract an unruly inmate from a cell, they must remove the asthmatic from the Unit before using ANY OC spray.)

Therefore, both Pescador and Arguello willingly and purposely sprayed Mr. Sanchez in direct violation of CDCO policy and in violation of Medical Orders. These 2 could have killed Mr. Sanchez or caused him to go to an emergency room. This will be expanded upon in Claim Two. However, the use of a Taser by Jones on Sanchez was excessive because Sanchez was fully restrained and chained to a table. It was a 1st Amendment Violation because Sanchez only used words to ask a question. He did not try to attack anyone nor did he move at all. The use of the Taser was pure sadistic punishment for use of free speech.

The use of a Taser in CDOC is only to "gain compliance" in order to restrain someone OR, to save a life or prevent loss of life.

As Sanchez was already fully restrained and physically attached by wrists to a table and by ankles to the floor and the chair, he was not a threat to any staff. There existed NO justifiable excuse nor exigent circumstance for the use of the XP Taser on Mr. Sanchez.

Furthermore, AFTER being shot with the Taser prongs and electrocuted, while hanging by chains from a table; completely immobile, Sanchez was now even less of a threat and was, at that point no longer speaking nor moving. The use of ANY force after this was excessive.

Arguello and Pescador had no justifiable reason nor excuse to spray OC at Sanchez. Their use of spray after Jones had Tased Sanchez was unlawful and sadistic and served no purpose but to Kill an asthmatic or suffocate him. Such force is also automatically excessive if it is life threatening and a Medical order prohibits its usage on a prisoner.

Essentially, while Jones' use of a Taser was excessive; Arguello and Pescador's usage of OC spray was even more excessive.

After this, all 3 men violently assaulted Sanchez with blows, strikes, and "soft hand tactics", which was extremely excessive at this point. They also deprived him of his inhaler.

All of these actions, were done with a culpable state of mind.

None of the force used was for the maintenance or restoration of discipline.

Sanchez's speech (his question) was protected by the constitution.

The defendants actions were so harmful and violent and life-threatening that Sanchez was chilled and scared to speak anymore.

Jones ONLY fired his XP Taser after Sanchez asked his question, ergo, Jones' actions were solely motivated by the use of free speech, as he fired said Taser as soon as the Victim spoke to him.

Therefore, a 1st and 8<sup>th</sup> Amendment Claim is valid, meritorious and appropriate.



## D. STATEMENT OF CLAIM

CLAIM TWO: 8<sup>th</sup> Amendment Violation (Cruel Punishment)

FACTS: The May 23, 2017 incident involved Sanchez being FORCED to attend "table time" and be chained to a table with a violent and unruly prisoner at said table. Sanchez specifically told staff he did not want his table time but the defendants forced him to go be seated so they could use force on both men and have an excuse to do so. This was malicious and cruel.

By placing an asthmatic inmate at a table and chaining him to it while dealing with another prisoner; the defendants endangered Mr. Sanchez. They brought him to a hostile situation which would probably involve OC spray. HOWEVER, OC spray was not used on the violent unruly prisoner because 1.) Staff may have felt it was not necessary; 2.) Staff knew not to utilize OC spray near Chris Sanchez.

It was used only on Sanchez, who was not being unruly nor violent. Pescador and Arguello, knowing Sanchez was already subdued by Jones' Taser, purposely sprayed Sanchez to cause pain, burning, and harm for no reason.

Both men were also aware of the medical orders which prohibit the use of OC on Christopher Sanchez. They knew the OC would cause him to choke, suffocate, and have an asthma attack. They also knew it might kill him.

As such, they initiated a coordinated OC spray attack on Sanchez to cause him cruel suffering and a severe asthma attack. This was cruel and unusual. Even Jones' taser usage on Sanchez was cruel and unusual as it was specifically for causing harm to a fully shackled, secure, defenseless person.

The OC spray is very dangerous to a diagnosed asthmatic. Its use on an asthmatic is automatically cruel and unusual.

The Court must also consider the fact that any usage of OC spray at close range on someone whom was already Tased and secured / controlled is absolutely unnecessary and therefore cruel because it is excessive and unwarranted.

The totality of circumstances wherein this was done to an asthmatic who uses a rescue inhaler should amount to cruel and unusual punishment.

The spray was applied by Arguello and J. Pescador "sadistically for the very purpose of causing harm."

The fact that they used no OC spray on the violent, unruly inmate but did use it on a calm, unmoving inmate proves a culpable mind.

\* [NOTE: The event was recorded by 3 cameras but CDOC only preserved the footage from one.]

The OC caused a serious eye infection which resulted in Sanchez's vision going from 20/20 (perfect) to 20/50 and requiring him to wear prescription glasses / lenses.



## D. STATEMENT OF CLAIM

CLAIM THREE: Denial of Medical Care and Interference with Treatment  
(8<sup>th</sup> Amendment - Deliberate indifference)

FACTS: Medical orders which prohibited the use of OC spray on Christopher Sanchez were in full effect on May 23, 2017 when defendants Pescador and Arguello sprayed OC into this Victim's face.

These men violated medical orders which is tantamount to denial of or interference with medical care. The orders are in place to keep Sanchez safe and protect his respiratory health. Arguello and Pescador prevented this and practically tried to kill Sanchez.

They also kept him shackled to the table, unable to utilize his rescue inhaler.

Pescador and Arguello forcefully held him in place while striking him with knees and closed fists, as Sanchez choked and suffocated. This interference with his treatment and denial of access to his rescue inhaler was an 8<sup>th</sup> Amendment Violation. It was willful and wanton and malicious.

Nurse Samantha's involvement is simple. On May 25<sup>th</sup>, 48 hours later, Sanchez's eyes were still burning and he noticed his right eye was virtually useless and his vision in said eye was almost non-existent. This eye was discharging pus and a sticky liquid / fluid. Blood was also leaking from his right eye and he dabbed at it lightly with toilet paper.

Being in a Solitary Confinement environment, Sanchez had to press his intercom button and alert staff of his eye problem. He told staff he had a Medical emergency. Proper procedure requires staff to immediately contact Medical Services and take the prisoner to see a nurse or doctor. Timely responses and timely actions prevent further damage and serious damage. However, staff refused to "allow" Sanchez to receive medical attention.

When nurse Samantha happened to walk through the pod to do "medline"; Sanchez showed her his BLOODY, SWOLLEN right eye which was leaking PUS and sticky fluids. This was so obvious, a layperson would have recognized a need for medical attention. Samantha said, "it's not serious" and "not an emergency."

In fact, a lay person DID notice. After about 20 hours, Lieutenant MacRone (or MacCrone), who works in Units 6, 7, and 8; interceded on Sanchez's behalf and wrote a report about his eye AND ordered subordinate staff to escort Mr. Sanchez to Medical Services to save his right eye.

The eye had been so obviously damaged and infected that Lieutenant MacCrone had personally discussed the nurse's failure to act previously.

(MacCrone will be a witness in this case) If MacCrone noticed, a nurse should've.

Samantha, as a licensed medical professional, should have treated Sanchez or at least recommended treatment. When MacCrone ordered staff to take Sanchez to Medical Services, Sanchez was examined and it was immediately determined that the proximity of the OC cans allowed for more OC than necessary and forced it into his eyes, and the sheer amount bathed his eyeballs in OC liquid, causing an infection. The diagnosis of "infection" required antibiotics. At a follow-up appointment, the ophthalmologist confirmed the OC spray induced infection caused Irreversible eye damage and permanent vision loss, which could have been prevented had Samantha acted and treated Sanchez or allowed him to declare his emergency.

### D. STATEMENT OF CLAIM

Due to Nurse Samantha's failure to act and her non-feasance and misdiagnosis (malfeasance), Chris Sanchez now has 20/50 vision where before he had 20/20.

He now must utilize glasses /corrective lenses where before he did not.

Lenses and eye exams will cost him money for the rest of his life. Compensation and reimbursement will be requested.

## CLAIM FOUR : DENIAL OF ACCESS TO MEDICAL CARE and DISCRIMINATION

FACTS: On or about May 25, 2017

after a violent assault by staff (defendants), when this Victim, Sanchez told staff of his eye problem (discharging blood and pus) and "declared" an emergency, his Unit Staff called Medical Services as required.

Medical Staff are to assess the situation by EXAMINING the prisoner. A Medical Emergency costs \$5.00 because it represents a non-scheduled emergency appointment.

Prisoners MUST be escorted to Medical Services OR, a nurse MUST come to the prisoner to examine him. Only then can it be determined if the situation is an emergency or not. (CDOC policy defines, in part, an emergency as one in which a person is bleeding.)

When Unit staff called Medical Services, Nurse JANE DOE answered and refused to send anyone to examine Chris Sanchez and verbally told a Unit sergeant and Lieutenant MacCrone that Sanchez's eye problem was "not a medical emergency" without actually seeing Sanchez nor his eye.

Jane Doe nurse deprived Sanchez of medical care. She also violated procedure by "diagnosing" his condition as a "non-emergency", especially without ever examining him.

The correct procedure would have been to tell Unit Staff to bring Sanchez to Medical Services and check his eye.

Upon seeing his bloody pus-leaking, infected eyeball, Nurse Jane Doe or an available nurse or doctor on-duty could have treated the problem and given some antibiotics and or pain medication, thereby preventing the condition from worsening.

Instead, Nurse Jane Doe instructed Unit staff (like Lt. MacCrone) to NOT bring Sanchez to Medical Services because "it's not a medical emergency."

Due to this lack of care, Sanchez was forced to wait until he saw a nurse walking through the pod/unit and had to call her over to his door. Even then, the nurse (Samantha) declined to do anything about the Victim's eye. (see Claim Three)

Jane Doe Nurse had a clear duty to act when Unit Staff called and told her an inmate had a bloody eye leaking pus and was declaring a medical emergency. She failed to act and she contributed significantly to the loss of eyesight and the prolonged pain Mr. Sanchez experienced.

## D. STATEMENT OF CLAIMS

**CLAIM FIVE:** False Imprisonment; Unlawful Imprisonment;  
Defamation; Slander; Libel; Due Process Violations

Facts: Defendants Arguello, Pescador and Jones, in order to preserve their reputations AND to place Sanchez in a more restrictive living environment did falsely report the events which involved their assault of Sanchez. They lied and committed perjury by filing reports which stated Sanchez had been violent and was "swinging" the handcuffs around in an attempt to strike the defendants.

Their reports (which Sanchez has copies of) falsely state that Sanchez refused to comply with staff orders / "directives" and tried to justify use of the XP Taser by claiming it "had to [be] used."

These false reports claimed Sanchez tried to assault staff. The false testimony was not supported by camera evidence. Although Sanchez was prohibited from viewing the footage, he did see a still-frame photograph of himself seated at the table, but his hands are not visible.

When Sanchez asked to see the photos or video from the other THREE cameras which captured the incident, he was told by Sterling Disciplinary staff that the only footage preserved was the one they chose to use against him at a hearing.

Thus, only self-serving evidence was used, not the exculpatory evidence.

The false reports written about Sanchez caused a hearing and caused Sanchez to be found "guilty." As a direct result, Sanchez lost 30 days "Good Time", which extended his prison sentence by 30 days.

He proceeded to lose another 30 days of "Earned Time" accumulation where DOC policy prohibits prisoners from obtaining 10 days a month Earned Time reductions for 3 months following a disciplinary infraction.

Thus, as a direct result of the male defendants' false reporting, Sanchez is now going to be in prison **60** days longer than he would have if they had not attacked him and then written false reports to "justify" the attack.

This means the defendants conspired under 42 U.S.C. § 1985 and used full libel, slander and defamation to ensure their actions would go unpunished and that the victim would spend time in "the Hole" and would remain in prison 60 days longer.

Since these extra 60 days were the product of illegal actions; perjury; and false testimony; they constitute unlawful imprisonment.

\* NOTE: Such a Prison disciplinary conviction is not possible to defeat in state court where standards allow for "some evidence" and CDCR can use its own reports as "evidence".

**E. PREVIOUS LAWSUITS**

Have you ever filed a lawsuit, other than this lawsuit, in any federal or state court while you were incarcerated? \_\_\_ Yes  No (*check one*).

*If your answer is "Yes," complete this section of the form. If you have filed more than one previous lawsuit, use additional paper to provide the requested information for each previous lawsuit. Please indicate that additional paper is attached and label the additional pages regarding previous lawsuits as "E. PREVIOUS LAWSUITS."*

Name(s) of defendant(s): \_\_\_\_\_

Docket number and court: \_\_\_\_\_

Claims raised: \_\_\_\_\_

Disposition: (is the case still pending?  
has it been dismissed?; was relief granted?) \_\_\_\_\_

Reasons for dismissal, if dismissed: \_\_\_\_\_

Result on appeal, if appealed: \_\_\_\_\_

**F. ADMINISTRATIVE REMEDIES**

*WARNING: Prisoners must exhaust administrative remedies before filing an action in federal court regarding prison conditions. See 42 U.S.C. § 1997e(a). Your case may be dismissed or judgment entered against you if you have not exhausted administrative remedies.*

Is there a formal grievance procedure at the institution in which you are confined?

Yes \_\_\_ No (*check one*)

Did you exhaust administrative remedies?

Yes \_\_\_ No (*check one*)

Original form provided free of charge by CODOC Legal Services to Offender on June 26, 2018

Original form provided free of charge by CODOC Legal Services to Offenders on June 26, 2018

**G. REQUEST FOR RELIEF**

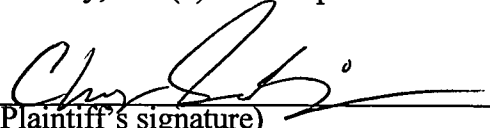
State the relief you are requesting or what you want the court to do. If additional space is needed to identify the relief you are requesting, use extra paper to request relief. Please indicate that additional paper is attached and label the additional pages regarding relief as "G. REQUEST FOR RELIEF."

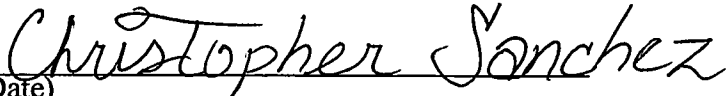
- 1.) Damages (Compensatory ; Nominal ; Exemplary AND Punitive damages) totalling to \$ 500,000.00 US.
- 2.) Compensation and Medical Costs for 10 years directly related to vision loss and disability. (to be determined)
- 3.) The termination and/or suspension of all defendants from CDOC or current employment.
- 4.) A Jury trial to determine any extra damages or awards.
- 5.) Declaratory Relief in the form of policy charges at Sterling CF.
- \* 6.) Injunctive relief prohibiting similar violence or assault against the Victim and assurance that this will never occur again. (Protection Order if applicable)\*

**H. PLAINTIFF'S SIGNATURE**

I declare under penalty of perjury that I am the plaintiff in this action, that I have read this complaint, and that the information in this complaint is true and correct. See 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Under Federal Rule of Civil Procedure 11, by signing below, I also certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

  
\_\_\_\_\_  
(Plaintiff's signature)

  
\_\_\_\_\_  
(Date) 07/21/2018  
SIGNED

(Form Revised December 2017)

[Exhibit G-1]

**Colorado Department of Corrections Offender Grievance Form**

<b>Offender Must Complete</b>	
Name: Sanchez, Christopher	Doc #: 154274
Grievance number (complete for Steps 2 and 3, only):	
<b>Instructions:</b>	
1. Fill out identifying data in space provided. (Must be legible.)	
2. Clearly state basis for grievance or grievance appeal.	
3. State specifically what remedy you are requesting.	
4. Remedy must remain consistent.	
<b>Subject of Grievance and Requested Meaningful Remedy:</b>	
<p>On May 25 2017 @ approx. 8:20 pm. I requested a medical emergency to be seen for my eye because I was in pain, bleeding, blistering, pussing out my right eye and having blurred vision and was unable to see clearly or straight. Medical would not except my request for a Medical emergency and I was told to kite Medical and an appointment would be scheduled for me the next morning. I asked about my appointment the next morning @ 7:15am, 8:00am, 8:45am, 9:30am, 10:50am. at 10:50 am I was told no appointment was scheduled for me and that I had to request a medical emergency which I did. I was not picked up to see medical until 3:56 pm. - I was seen by the <del>optometry</del> Optometrist and was found to have an infection and prescribed an anti-biotic ointment. My remedy is I would like to be <del>reimbursed</del> reimbursed for my medical visit as well as I am seeking a lawsuit against DCC and their medical staff.</p>	
Offender Signature: <i>[Signature]</i>	Date: 6-29-17
*By signing this form the offender recognizes and waives confidentiality on records necessary to address this grievance	
Case Manager/CPO Must Complete	Facility/Unit/Pod/Parole Office/Community Corrections Center:
Signature: <i>[Signature]</i>	Step (Circle one) ① 2 3
Print Name and DOC Employee Id #: <i>J. Jolley 8198</i>	Date received: <i>7-6-17</i>

Attachment D  
Page 1 of 1

**RECEIVED**  
JUL 07 2017  
BY: \_\_\_\_\_

**TO BE COMPLETED BY GRIEVANCE COORDINATOR**

RECEIPT: I acknowledge receipt this date of a complaint from the offender in regards to the following subject.  
Date: 07/07/2017 | Grievance Coordinator & ID # | EBERLY, LEAANN (21938)

**RESPONSE**

Mr. Sanchez,  
No charges have been taken out for the 5/26/17 emergency, therefore we can not reimburse a non-existent charge. Should the charge go through in the future, we will not reimburse it as you were not scheduled an appointment and you did not submit a kite requesting an appointment.

**TO BE COMPLETED BY RESPONDER**

Date: 07/07/2017 | Responder Name & ID # | MAY, RYDER (16220) | Response Date: 07/25/2017  
Disposition: Denied

**TO BE COMPLETED BY OFFENDER**

RECEIPT: I acknowledge receipt this date of a response from the Department of Corrections, to this grievance.  
If you are dissatisfied with the response to this grievance, you may obtain further review by submitting the next step to the appropriate individual.  
Offender Name: SANCHEZ, CHRISTOPHER | DOCNO: 154274 | Grievance #: C-SF17/18-00113893-1  
Date: \_\_\_\_\_ | Offender Signature: \_\_\_\_\_

Original: Department file/AIC

Copies: Administrative Head, Offender



Colorado Department Of Corrections

Name Craig Robledo

Register Number 145545

Unit \_\_\_\_\_

Box Number 999

City, State, Zip Canon City, Co 81215

LEGAL MAIL

U.S. District Court  
of

COLORADO

901 19th Street

A105

Denver, Co 80294

LEGAL

DOC #	145545	OFFENDER LAST NAME	Robledo	INT
STAFF LAST NAME	MOCK	ID #	23860	INT
FACILITY	ECF	DATE REC'D	7/25/18	INT
				INT

neopost  
07/26/2018  
**USIPOSTAGE**  
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