

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

March 19, 23

Civil Action No. 22-CV-3374-GPG  
(To be supplied by the court)

Mamdouh SALIM, Plaintiff

v.

ADX Warden

AUSA SDNY Office

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

MAR 30 2023

JEFFREY P. COLWELL  
CLERK

\_\_\_\_\_, 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.)*

**Amended 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.

Mamdouh SALIM 42426-054 USP-ADX  
(Name, prisoner identification number, and complete mailing address)

P.O. Box 8500 Florence, CO 81226-8500  
(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: MR. A. Ciolli - The Complex Warden  
(Name, job title, and complete mailing address)

USP-ADX P.O. Box 8500 Florence, CO 81226

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:

MR. Ciolli is The Warden who signed the ban on all my contacts with my son DR. M

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

**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.

\_\_\_\_\_  
(Name, prisoner identification number, and complete mailing address)

\_\_\_\_\_  
(Other names by which you have been known)

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

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 **2** AUSA-SDNY office  
(Name, job title, and complete mailing address)

One St. Andrew's Plaza, New York, NY 10007

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:

AUSA-SDNY office is who requested the Warden [Deft\*1] to impose the Ban on All Contacts between me and my son DR. M. \_\_\_\_\_.

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

**Official Capacity - Outside any Criminal Prosecutorial Duty**

**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) RFRA 42 USC § 2000 + APA 5 USC § 701 et. seq. + 28 USC § 1361

## D. Statement Of Claims

Claim One: Defendants Violated The Pltf's RFRA Religious Right By Not Complying With The Doctrine Of "The Least Restrictive Means Available"

1. Plaintiff, Mamdouh Salim (therein Pltf or Salim) was charged in 2001 by case # 01 Cr. 02 [DAB] in SDNY Court. He was convicted for attempt killing a correction Officer in MCC-NY prison and eventually sentenced for Life in prison. He lost his Appeal Salim, 690 F.3d 115 (2nd Cir. 2012) and Cert. was denied in 568 US 1115 (2013). He even lost his § 2255 motion. Thus, **ALL** of AUSA-SDNY Office (therein NY-Off) Criminal Prosecutorial Duties were over by 2013.
2. However, NY-Off continued to have, under § 501.3, the authority to put restrictions on contacts of Pltf while he is incarcerated in prison. These restrictions, obviously, after 2013, have been Outside the Criminal Prosecutorial Duties as they were over by 2013.
3. The said restrictions named **Special Administrative Measurement (SAM)**. SAM is good for ONE year only. But, NY-Off has the right to renew it for one more year as per its discretion. Also, NY off can modify the restrictions to be less or more, any time it wills. Prisoner can challenge SAM, if he wills, thru Prison Adm. Remedy Program.

## D. Statement Of Claims

4. In 2013, after all Criminal Prosecution was over, NY off requested from the ADX Warden (Deft 1) to put a ban on all contacts between Pltf Salim and his eldest son Dr. M — (only initial, here). Deft 1 complied with the request of NY off (Deft 2) and Pltf, since then, was totally 'barred' from all contacts with his son. For easiness, Let's call this ban "The Contact Ban".
5. Pltf, immediately in 2013, challenged the legality of "The Contact Ban" thru the only available avenue Prisoner Litigation ~~Reform Act~~ (PLRA) — Four levels which this Hon. Court very well aware of [e.g. See Abdulmuttalib, 2019 US Dist Lexis 15859 (D.CO. 2019) at Lexis 3]. All four levels were denied and "The Contact Ban" continued until March 2014 when the SAM was renewed for one more year.
6. "The Contact Ban" was done in 2013 without providing Pltf with neither (1) List of charges nor (2) Evidence of a factfinder nor (3) A hearing [The 3 elements required by SCOTUS in Hill, 472 US 445, 454 (1985)]. The above 3 elements are required, by SCOTUS, BEFORE the deprivation can take place [e.g. Santosky, 455 US 745, 753-54 (1982)]. Yet, "The Contact Ban" was done by just a letter from ADX Warden informing Pltf about it without any "adequate pre deprivation procedure" Id. Santosky. not even after Ban, either.

## D. Statement of Claims

7. In <sup>March</sup> 2014 when the SAM was renewed for one more year, "The Contact Ban", for <sup>the</sup> 1<sup>st</sup> time, was put as a part of provisions in the SAM. A further violation for forcing "The Contact Ban" for one more year and again WITHOUT any of the 3 elements of Hill, neither before the ban nor after it, either. So, Pltf filed the 4 levels of Adm. Program (PLRA) which all were denied.
8. The above said violation of SCOTUS in Hill & Santosky continued and "The Contact Ban" became a repeated provision in SAM since 2014 until today 2023. i.e. it has been renewed for one more year, every year because SAM is for one year only as said before. Thus, "The Contact Ban" is, since the past TEN years and counting, <sup>intact</sup> without any neither pre-deprivation procedure nor post-deprivation one. And, all the 4 levels of PLRA for ten years =  $4 \times 10 = 40$  times of Pltf's filings asking for why "The Contact Ban" imposed and to give him a hearing - all that 40 times ended with denial.
9. Pltf did not rely on PLRA only, but also tried with Unit Team and with the Legal department of ADX if they can help. In Feb 2017 Pltf discussed "The Contact Ban" issue with Unit Mgr. Gomez and ADX attorney Krista Klett and <sup>Pltf</sup> wrote her a request in Sept 25, 2017 (See Plz Exh. 1 page 20), She answered: «There were no **criminal** charges brought against you with regard to contact with your son» Id (emphases added).

## D. Statement of Claims

10. The admission of the ADX Attorney Ms. Klett just said "There were no criminal charges..." Id. is a further evidence that "the Contact Ban" requested by NY-off is outside the criminal prosecutorial duties. Thus, NY off does NOT have absolute immunity for a lawsuit of 1983 as clearly established law by both SCOTUS AND the 10<sup>th</sup> Cir. [e.g. Imbler, 424 US 409, at 431 (1976), Burns, 500 US 478, at 494 (1991), Leon, 755 Fed. Appx 790, 795 (10<sup>th</sup> Cir. 2018)].

And in Chilcort, 41 F.4th 1196, at Lexis 15 (10<sup>th</sup> 2022) it says that absolute immunity is ONLY for actions related to criminal prosecutorial proceedings and "not for every litigation-inducing conduct" Id.

11. The 10<sup>th</sup> Cir clearly directed the District Court to look "to the nature of the function performed, not to the identity of the actor who performed it. Thus, a prosecutor has absolute immunity for his conduct that is intimately associated with the judicial phase of the criminal process" (emphases added) Glaser, 2014 US App Lexis 1776, at Lexis 36-37 (10<sup>th</sup> Cir. 2014).

12. The last 2 lines in Plt's SAM state:

"These conditions [i.e. the SAM's] are imposed by the USMS/BOP/DF at the request of the attorney General, through his designated agent, the Deputy Assistant Attorney General" [i.e. the SONY AUSA off]

13. Concluding the previous paragraphs 1 thru 12 is to say:

The ADX Warden imposed and signed "The Contact Ban" in SAM according to request of NY-off outside its <sup>criminal</sup> prosecutorial duties makes BOTH Defendants 1 and 2 liable for this lawsuit.

## D. Statement of Claim

14. The above 13 paragraphs (1→13) were necessary for pleadings to show the liability of Defts that the lawsuit is brought against. And, now, to the Pltf relief which is requested — the removal of "Contacts Ban"

15. First, it is worthwhile to explain that "Contacts" for Pltf Salim as prisoner are of 3 types: Visit, Phone Call, and Letter.

For Visit in person, Pltf never had one for the past 25 years since the 1<sup>st</sup> day in prison (1998 → Today 2023), No any family member had ever visit Pltf and never can they have the financial <sup>(expense)</sup> burden to visit.

Thus, the only "Contacts" Pltf has, with his family members, are just: Phone and Letter.

16. As per SAM:

(a) Phone: is contemporaneously monitored by FBI so as to cut the call immediately if it has any conversation that FBI disapproves. FBI authority is unquestionable.

(b) Letter: both outgoing one or incoming one, the FBI has upto 60 working days (i.e about 3 months) to approve/disapprove. Thus, not a single letter (outgoing/incoming) will be sent/delivered from/to Pltf absent FBI approval. And, again, the FBI authority is unquestionable.

17. The duration of Phone is 15 min. per month as minimum. And, The Letter can be limited to 6 pages per week per one recipient.



## D. Statement of Claim

18. Due to <sup>the</sup> large number of family members of Pltf (Wife, 6 children, 17 Grandkids, and many siblings) the chance for a family member for phone & letter will be about few minutes phone and one letter a month (or <sup>in</sup> 2 months). And, that is how this lawsuit is tiny; The relief <sup>Pltf</sup> request~~ed~~ is just few minutes to speak with his son Dr. M and one letter a month (or <sup>in</sup> 2 months). That is All!

And, of course, FBI can cut, any time, any phone call, for any reason with unquestionable authority. And, <sup>FBI</sup> can reject any letter, any time, for any reason with unquestionable authority. And, thus, Pltf is ~~be~~ totally banned from his son.

19. Due to the absolute authority of FBI to approve/disapprove any conversation on phone and any writing in a letter, SAM at its end at "Conclusion" considered: the Contemporaneous monitoring the phone and delaying mail delivery to allow authorized personnel to examine a copy of the mail, to be "The Least Restrictive Means Available" Id. For easiness let's call it in abbreviation "TLRMA".

20. This "TLRMA" is the well-established law set by 42 § 2000 RERA and SCOTUS' many cases to determine whether a Pltf's Religious Right was violated and thus he is to be granted a relief.

## D. Statement of Claims

21. SCOTUS in Holt 574 US 352, 356-57 (2015) which was affirmed and updated in Little Sisters, 140 S. Ct. 3267, 3283 (2021), explained how to state a valid claim under RFRA violation into 2 steps:
- (1) That the religious exercise of the prisoner is grounded in a sincerely held religious belief and the Govt's action substantially burdens his Rel. Exercise.
  - (2) And, the Govt, to achieve its compelling interest, did not use the least restrictive means.

This 2nd step here I has been proved in the past 3 paragraphs # 18, 19, & 20 by Defts' own admission in SAM "Conclusion" section that "TLRMA" to achieve its compelling interest is by the FBI professionally handling the monitoring of Pltf's phone and letters. Yet, Defts did NOT use the LEAST, Rather the MOST restrictive means by totally banning Pltf from phone & letters with his son.

22. The 1st step above won't be proved by Pltf's mere claiming - No!, rather by an Expert having a Ph.D. degree in Islamic Belief (the religion of Pltf Salim). Again, this Expert is from the Defts' side. He is the Chaplain (Imam) of ADX prison - MR. F. Shwayb. Pltf asked Imam Shwayb Ph.D., by writing, 12 questions in a Questionnaire (4 pages, Exh 2 page 21-24) attached at the end of this complaint here. Imam Shwayb answered all 12 questions by a "Yes".

## D. Statement of Claims

23. The questionnaire (therein Qnr) consists of 12 questions - 10 questions in 3 pages numbered 1/3, 2/3, & 3/3 dated April 1<sup>st</sup>, 2021 plus 2 additional questions #11 and #12 in an annex page dated April 22<sup>nd</sup>, 2021. All these 4 page are Exh 2 attached at end of this complaint.
24. In this questionnaire (Qnr), Chaplain (Imam) Fiazuddin Shuayb Ph.D. (therein Imam) approved the followin information about Islamic Faith:
- (a) Holy Quran **is** the Word of God (Allah);
  - (b) Prophet Mohammed is the messenger of Allah for Islam Rel.
  - and (c) Both: Quran and Mohammed Sunnah (his sayings, deeds, and approval) are the 1<sup>st</sup> two sources for Islamic Faith and Practise. Id Qnr-Q#1.
25. In Qnr#2, Imam Shuayb, further approved citations from both: Quran and Mohammed that: Those who sever their ties of kinship risk themselves to be cursed by God (Allah) and God will sever them from HM (Id Qnr#2).
26. In Qnr#3, Imam acknowledged that: Those who sever their ties of kinship will not enter Paradise - because the 2<sup>nd</sup> of the 4 deeds that make a Muslim eligible to enter Paradise in peace is "honouring and keeping the ties of kinship" as per Qnr#4.

## D. Statement of Claims

27. Accordingly, the Imam affirmed that honouring and keeping the ties of kinship is "grounded in a sincerely held Islamic Belief" because it is required to enter Paradise (the most centre issue in Islamic Faith) - Id Qnr #5

28. The Imam agreed further that:  
Concerning about not entering Paradise has a "substantial burden on the religious exercise" of a practising Muslim (Id Qnr #6). And, P1tf Salim is a practising Muslim who cares about the importance of kinship and Paradise - as per the Imam's personal knowledge about P1tf Salim from weekly dealing with him (Qnr #10).

29. Furthermore, Imam affirmed that Prophet Mohammed said: "Fear God (Allah) and treat your children equally" (Qnr #7). And, therefore, if a father has several children, say 6 children<sup>(1)</sup>, and he severed all contacts with one of them, he had committed TWO sins:-

- (a) 1<sup>st</sup> sin is for not treating his children equally; and
- (b) 2<sup>nd</sup> sin is for severing the ties of the fundamental kinship with his son. (Qnr #8).

(1) P1tf Salim has 6 children - as per record.

## D. Statement of Claims

30. In Qnr#12., Imam confirmed that, Honouring and keeping the ties of kinship with each family member is required on individual basis - which means that:

If Pltf keeps a close relationship with a family member, it does not relieve him from his religious obligation towards each of other family members (Qnr12).

31. Finally, according to Islamic Faith, comparing the sin for not wearing and growing a beard<sup>(2)</sup> OR putting on pants below the ankles<sup>(3)</sup>, these 2 sins are further smaller than the big sin of severing the ties of kinship - the Imam affirmed this religious fact in Qnr#9. So, Pltf Salim suffers a burden greater than Holt's Beard and greater than Lindh's pants.

(2) In scotus case Holt 574 US 352 (2015), Pltf Holt is a practising Muslim who was prevented from growing a beard in prison. Yet, scotus granted him his cert. against the prison for its RFRA violation and Holt was allowed to wear a beard as per his Islamic Faith.

(3) Prisoner Lindh, another practising Muslim, was prevented from wearing pants higher than his ankles which is required by his school of thought in Islam. He not only win his lawsuit (Lindh, 2015 US Dist. Lexis 4063 (SD. Indiana 2015 - under the 6<sup>th</sup> Cir) but also, the BOP resorted to change one of its Program Statement to allow all Muslims to wear pants higher than their ankles if they will so.

## D. Statement of Claims

32. From the answers of Imam for the Questionnaire, it is clear that: keeping the familial close relationship between P1H and all of his 6 children including his son Dr. M — thru phone and letters (the only available means for P1H as a prisoner) is "grounded in a sincerely held Islamic Belief". And, thus, depriving P1H from all contacts with his son would "substantially burden P1H's religious exercise" because P1H, by severing all his ties with his son and not treating him equally with all <sup>his</sup> other children, will make P1H so sinful that he will be cursed by God and be severed from HIM (Qnr2) and he will not enter Paradise (Qnr3). Such a severe religious punishment and substantially burden can be easily removed by Defts using "The Least Restrictive Means" which is: letting FBI handling the censorship of phones & letters as they have been doing it professionally for the past 25 years. FBI can 100% achieve any Govt's compelling interest by cutting any phone call and stop any letter, any time, for any reason, with unquestionable authority.

33. Therefore, the total "Contact Ban" is the greatest — not the least restrictive means. And, thus, the Defts had violated the P1H's RFRA constitutional right.

## D. Statement of Claims

Claim Two: Defendants Violated the APA 5 USC § 701 et seq.  
By Totally Banning Pltf from Contact With his son

34. The previous paragraphs 11.6 → 14 are recalled here so as to show the liability of both Defts for this Claim #2 here. More grounds for liability are explained below:

35. The deep rooted policy of BOP is to encourage incarcerated parents to keep their close relationship with all of their children. BOP, including ADX prison, has always programs and helpful staff to encourage and assist prisoners to have stronger and constructive relationship with their children. In fact, one of most vital factor to better classifying any inmate is how strong relationship he has with his children.

36. The Director of BOP wrote to all inmates in June 2013 a memorandum encouraging them for meaningful parenting:  
« The staff in the BOP are committed to giving you opportunities to enhance your relationship with your children and your role as a parent. For example, we offer parenting programs at all institutions. I encourage you to take advantage of these programs. The BOP also offers many opportunities to communicate with your children and your family thru telephone calls, electronic messages, and letter. [Exh 3, p. 25] here.

## D. Statement of Claim

37. The Director of BOP encourages inmates for effective parenting thru many tools and facilitatings AND the ADX Warden, deviating from BOP policy, issues a total "Contact Ban" on Pltf. without any pre-deprivation procedure. This is nothing but arbitrariness as per APA 5 USC § 701.

38. That is to say: BOP was violating its own policy — an act<sup>is</sup> condemned by both: SCOTUS and the 10<sup>th</sup> Cir:  
« When the rights of individuals are affected, it is incumbent upon agencies to follow their own procedures ».  
Caceres, 440 US 741, HN 3-a + 3-b (1979) — followed by  
Hobbs, 579 F.3d 1171, at 1184 (10<sup>th</sup> Cir. 2009).

39. Again, both Defts violated both: SCOTUS and 10<sup>th</sup> Cir when applying the greatest restrictive means by totally "Contact Ban" while a least one can 100% achieve the Govt's compelling interest as the standard to review a Govt's action<sup>is</sup> to be:  
« involve no greater deprivation of liberty than is necessary to achieve the Govt goal » [see e.g. Henry, 979 F.3d 1265, at 1269 (10<sup>th</sup> Cir. 2020)].

40. Again, both Defts arbitrarily violated their own policy in SAM itself where they say that "these measures are the least restrictive" id SAM at Conclusion. Yet, violating the RFRA rights of Pltf by using the greatest — not the least restrictive.



## D. Statement of Claims

41. Again and again, the 10<sup>th</sup> Cir considers the relationship between parent and children is « constitutionally protected and a father has a fundamental liberty interest in maintaining his familial relationship with his children »

White, 782 F.3d 1118, at 1138 under the title:

The Right To Familial Association. That is why the SCOTUS warned from arbitrariness impairing this familial relationship by stating:

« the federal constitution certainly protect the parent-child relationship from arbitrary impairment by state » Troxel, 530 US 57, 69 (2000).

42. Concluding this Claim TWO is to say:

This Hon. Court is kindly requested to look to the behaviour of Defts in totally "Contact Ban" in the light of APA 5 USC § 701 et. seq. and all citations stated above in ¶ 38 → 41 so as to decide that Pltf had stated a valid claim under APA which may let this court to follow its precedent in Mohammed, 47 F. Supp. 3d 1236, 1240 (D. CO. 2014) to "set aside agency action that is arbitrary, capricious, an abuse of discretion, or otherwise not accordance with law or contrary to constitutional right 5 USC § 706(2)(A)(B)". Id.

**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):

AG, FBI, BOP Director, & ADX Warden

Docket number and court:

13-CV-3175-RM-CBS-D.CO.

Claims raised:

Challenging the whole SAM under: 1<sup>st</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, and 8<sup>th</sup> Amend. Const. Rights

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

Dismissed

Reasons for dismissal, if dismissed:

Failure To State a Claim

Result on appeal, if appealed:

No Appeal

**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)

**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."

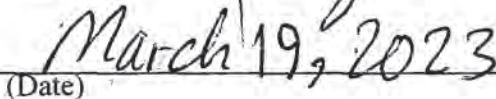
1. To order Defts to respond to this Complaint;
2. To proclaim that the total ban on contacts between Pltf and his son Dr. M — was and is still unconstitutional or not according Law;
3. To issue a "Prohibitory Injunction" against the Pltf's total Contact Ban;
4. To order Defts to let Pltf resume phones & letters (No Visit) with his son;
5. OR, as an alternative to resume reasonably limited time for phones and limited pages for letters between Pltf and his son; AND
6. Any other relief that this court sees that Pltf is entitled for.

**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)

**INMATE REQUEST TO STAFF**

SEP 25 2017

CDFRM  
Colorado

U.S. DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF PRISONS

TO: (Name and title of staff member): Ms. Krista Klett - ADX's Att.	Date: Sept 25, 2017
From: Mamdouh SALIM	Registration number: 42426-054
Work assignment: N/A	Unit: H-401

**SUBJECT:** (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)

In Feb 2017 I sat down with You & Unit Mgr. Gomez complaining that FBI had been depriving me from any contact with my son Dr. Mu'ath since 2013. FBI, violating laws, implemented the deprivation without providing me with: (1) List of Charges against me; (2) Meaningful Hearing; and (3) An Opportunity To Defend Myself.

In that meeting, I requested from You to contact FBI so as they must provide me with these three elements required by laws.

Hereby, I am asking: Did You Get Any Answer from FBI? And, what was their answer? Thank You

M. SALIM *[Signature]* #42426-054  
(Continue on back if necessary)

(Do not write below this line)

Disposition: <sup>advised</sup> There were no charges brought against you with regard to contact with your son. You may contact the FBI for this information and/or file a request under the Freedom of Information Act. The modification to restrict contact was authorized by the Office of Enforcement Operations.

**Exh. 1**

Signature of staff member: <i>[Signature]</i> 20	Date: 10/4/2017
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1/3

Exh. 2 p. 1

April 1<sup>st</sup>, 2021

To: Religious Serv. ADX Prison, Florence, CO  
Att: The Muslims' Chaplain (Imam) Shuayb Ph.D.  
Fm: Mamdouh SALIM 42426-054 Cell J<sub>B</sub> 402  
Subj: Questionnaire about Kinship in Islam

Dear Imam Shuayb

According to your knowledge in Islamic Faith as you have a Ph.D. Degree, Could you please answer my Questionnaire below regarding the importance of honouring and keeping the ties of kinship "Silat Al Rahim"

1. As per Islamic Faith, Holy Quran is the Word Of God (Allah) and Prophet Mohammad (P.B.U.H) is the messenger of Allah for Islam Religion. Both of Quran and Mohammad's Sunnah (his saying, deed, & approval) are the first TWO sources for Islamic Faith & Practise?  
 Yes, that is correct.  No, that is not correct.

2. As per Quran in 47: 22-23, we can find that:  
"those who sever their ties of kinship and spread corruption on earth are whom Allah cursed, deafened, and blinded their vision"

And, Prophet Mohammad recited this very verse after he narrated a symbolic conversation between Allah and Kinship where HE spoke to it: "I will maintain close relations with who maintains your ties, and I will sever who severs your ties (O' kinship)" (See Bukhary 4830, Muslim 2554)  
 Yes, these citations are correct.  No, this is not correct

3. Prophet Mohammad said:

"Who so ever severs the ties of kinship will not enter the Paradise (in hereafter)" (see Bukhary 5984, Muslim 2554)

Yes, this is correct

No, this is not correct

4. Prophet Mohammad mentioned FOUR deeds that make Muslim eligible to enter Paradise in Peace. The 2<sup>nd</sup> one of those 4 good deeds is "honouring and keeping the ties of kinship (Siloo Al Arham)" (see Ibn Majah 3251).

Yes, this is correct

No, this is not correct

5. From the above authentic citations, and more other citations, keeping the ties of kinship is ~~very~~ important as it is related to entering Paradise (the most centre issue in Islamic Faith). The question is: Is honouring and keeping the ties of kenship grounded in a sincerely held Islamic Belief?

Yes, it is

No, ties of kinship is not essential in Islam

6. Again, according to the above citations regarding keeping the ties of kinship and its relationship with entering Paradise, the question is: Does concerning about not entering Paradise have a substantial burden on the Religious exercise of a practising Muslim?

Yes, it does

No, Muslims don't have to worry about not entering Paradise.

7. Prophet Mohammad said:

«Fear Allah and treat your children equally»

(See Bukhary 2587, Muslim 1623). Is this correct?

Yes, it is correct

No, it is not correct.

8. If a father has several children, say 6 children, all of them are pious, practising Muslims, and honour their parent. But, this father severed ALL contacts and relationship with one of his children although this severed child is as good as every other one, did this father commit TWO sins:

(a) Not treating his children equally (as said in 7 above); and (b) Severing the ties of a fundamental kinship (his son).

Yes, this father did.  No, he did nothing wrong.

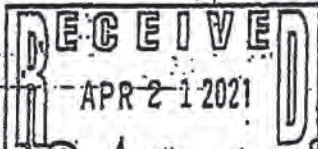
9. It is recommended for a Muslim to grow a beard (see Bukhary 5893, Muslim 259). Also, it is recommended that his garment not to go lower than his two ankles (see Bukhary 5787, Muslim 2086). Is severing the ties of kinship more sinful than not growing a beard or having a garment lower ankles?

Yes, Severing the ties of kinship is more sinful than no beard & long garment  No, Beard and Clothes are more important than the ties of kinship

10. Finally, as per your personal knowledge from dealing with Mamdouh SAMI #42426-054, is he a practising Muslim who cares about importance of Kinship and Paradise in Islamic Faith?

Yes, he is

No, he is not



Annex 1/1 Exp. 2.4<sup>nd</sup>

To: Religious Serv. ADX, Colorado April 22, 2021  
Att: Muslim Chaplain (Imam) Shuayb Ph.D.  
Fr: Mamdouh SALIM 42426-054 Cell J/6 401  
Subj: 2 more questions Re Honouring Kinship Ties In Islam

Dear Imam Shuayb

Thank You for answering my 10 Questions of the Questionnaire dated April 1<sup>st</sup>, 2021 regarding the importance of honouring & keeping the ties of Kinship "Silat-Al-Rahim" in Islam.

I have here just two more questions, I would appreciate you answer them, too. [N.B I numbered them, for continuity: 11 & 12]

11. As per Islamic Rules regarding the ties of Kinship, ~~are siblings considered to be family members of~~ this kinship which to be honoured and kept its ties? In other words, do Islamic Rules of Kinship ties apply to siblings, as well as, children?

Yes, siblings are ones kinship and Islamic Rule apply for them, too

No, siblings are not the kinship of an individual

12. Is it true that: honouring and keeping the ties of kinship with each individual (e.g. Son, Daughter, Brother, Sister) is of individual bases (not collectively), in other words: Is it true that if I give a family member his right of close kinship relationships, this will NOT relieve me from my religious obligation towards each other individuals of family members?

Yes, this is true

No, giving this right to just one family member is enough for relief from Religious Obligation.

4/22/2021  
Imam F. Shuayb





U.S. Department of Justice

Federal Bureau of Prisons

Office of the Director

Washington, DC 20534

June 19, 2013

MEMORANDUM FOR ALL BUREAU INMATES

*Charles E. Samuels, Jr.*

**Exh. 3**

FROM: Charles E. Samuels, Jr., Director  
Federal Bureau of Prisons

SUBJECT: Parenting

As Director of the Federal Bureau of Prisons (BOP), I want to reaffirm the agency's commitment to helping you prepare to reenter society following release from prison. For those of you with children, this preparation includes building parenting skills.

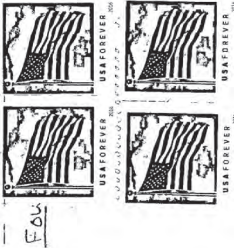
Regardless of the state of your relationship with your children before you came to prison, we understand that incarceration creates new parenting challenges. The staff in the BOP are committed to giving you opportunities to enhance your relationship with your children and your role as a parent. For example, we offer parenting programs at all institutions. I encourage you to take advantage of these programs. The BOP also offers many opportunities to communicate with your children and your family, through telephone calls, electronic messages, and letters. In addition, I hope your family is able to bring your children to visit you—there is no substitute for seeing your children, looking them in the eye, and letting them know you care about them.

I suggest that you not let mistakes you may have made in the past prevent you from being an important role model for your children. You can show them that people who make mistakes and bad decisions can overcome challenging obstacles with the right attitude and commitment. You can also demonstrate that through hard work, people can achieve great things such as education, jobs, and treatment. You can reinforce your children's strengths and help guide them when they are veering off course.

I hope that you use your term of incarceration to acquire the skills needed to live successfully in the community, and this includes building a strong relationship with your children. We are here to help you prepare to successfully release from prison and become a productive and law abiding citizen. Take advantage of the many programs that are available; get help in overcoming problems you have faced; and improve skills you have acquired previously. I challenge each of you to use each day to make a positive difference, and to bring that positive difference to the lives of your children.

Mamdouh SALIM  
42426-054  
USP-ADX  
P.O. Box 8500  
Florence, CO 81226  
cm 23-032

Court Mail



Case # 22-CV-3374-GRG

Office of The Clerk  
US District Court  
Alfred A. Arraj Courthouse  
901 - 19th. Street, R.N. A105  
Denver, CO 80294 - 3589

FEDERAL PRISON CAMP  
P.O. BOX 5009  
FLORENCE, COLORADO 81225

MAR 2 8 2023

DATE: \_\_\_\_\_ "SPECIAL/LEGAL MAIL"

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