

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

Civil Action No. 1-26-cv-00127-RTG
(To be supplied by the court)

JAN 26 2026

JEFFREY P. COLWELL
CLERK

SABIL M. MUJAHID, Plaintiff

v.

Jury Trial requested:
(please check one)
☐ Yes ☒ No

UNITED STATES OF AMERICA

_____, 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.

SABIL M. MUJAHID, 12825-006 P.O. Box 7000 Florence, CO 81226
(Name, prisoner identification number, and complete mailing address)

NONE

(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: UNITED STATES OF AMERICA, 1801 CALIFORNIA
(Name, job title, and complete mailing address)

STREET, STE 1600, DENVER COLORADO 80202

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:

IS THE "GATEKEEPER" OF THE PRISON AND
HAVE A DUTY TO PROVIDE PRISONER MEDICAL CARE

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

Defendant 2: NONE
(Name, job title, and complete mailing address)

N/A

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:

N/A

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

Defendant 3: NONE
(Name, job title, and complete mailing address)

N/A

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:

N/A

N/A

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*)

___ State/Local Official (42 U.S.C. § 1983)

___ Federal Official

As to the federal official, are you seeking:

___ Money damages pursuant to *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971)

___ Declaratory/Injunctive relief pursuant to 28 U.S.C. § 1331, 28 U.S.C. § 1361, or 28 U.S.C. § 2201

☒ Other: (*please identify*) FTCA 28 U.S.C. § 1346 (b)(1);
Negligence, Gross Negligence, Damages

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: Negligence, Gross Negligence, medical care
Being outright Denied TREATMENT, SURGERY
Claim one is asserted against these Defendant(s): FOR DETACHED RETINA

Supporting facts: ON March 5, 2025, DR. MARK DACEY AN outside provider found that PLAINTIFF had A Detached Retina in his Left Eye. He Needs to have surgery to have it fix's. PLAINTIFF also told He Needed to have STERIOD INJECTION in his Right Eye. PLAINTIFF has A SERIOUS DETERIORATING EYE CONDITIONS THAT IS NOT being Treated by DEFENDANT AFTER being Recommended by the DOCTORS. ON May 3, 2025 PLAINTIFF RETURN TO DR. DACEY and now he found that my Retina had become completely DETACHED NO TREATMENT OF SURGERY TO REPAIR RETINA WAS TAKEN. PLAINTIFF RETURNED TO DOCTOR DACEY ON June 30, 2025; September 3, 2025 who STILL Recommended that Surgery and STERIOD INSECTIONS WAS Needed. ON August 2025 I seen The RACILITY EYE DOCTOR CLOUGH who STATED IT WAS AN EMERGENCY to give me Surgery for my Retina. NO TREATMENT WAS given to this Day January 16, 2026, I Am now Blind in my Left Eye with A VISION OF 20/400 Right Eye 20/100

D. STATEMENT OF CLAIMS

CLAIM TWO: GROSS NEGLIGENCE FOR FAILURE TO FOLLOW FEDERAL REGULATION POLICY 6031, 0.5 (K)(1) RETINA, MEDICAL CARE TREATMENT.

DEFENDANT FAILED IN ITS DUTY UNDER THE FEDERAL REGULATION POLICY 6031, 0.5 (K)(1) THAT MANDATED A DETACHED RETINA AS AN EMERGENCY THAT MANDATED HOSPITAL TREATMENT. PLAINTIFF HAS BEEN DENIED MEDICAL TREATMENT OVER 13 MONTHS. BECAUSE OF DEFENDANT NEGLIGENCE PLAINTIFF HAS LOSS SIGHT IN HIS LEFT EYE.

DEFENDANT TOTAL DISREGARDED THE DOCTORS RECOMMENDATION TO HAVE RETINA SURGERY. DR. DACEY SAID, "BECAUSE OF THE LASE IN TIME WITH THE RETINA BEING DETACHED PLAINTIFF WILL NOT RECOVER HIS SIGHT."

DEFENDANT KNEW OR SHOULD HAD KNOWN THAT THEY CAUSE A SUBSTANTIAL RISK OR HARM FOR NOT FOLLOWING THE DOCTORS RECOMMENDATIONS.

PLAINTIFF HAS LOSS OF VISION IN HIS LEFT EYE AND HAS SUFFERED EYE PAIN, MENTAL AND EMOTIONAL DISTRESS, FEAR AND DEPRESSION GOING ALL THE WAY BLIND. THE DOCTRINE OF RES IPSA LOQUITUR APPLIES.

D. STATEMENT OF CLAIMS

Claim Three: Negligence, Gross Negligence
NOT TO FOLLOW DOCTOR RECOMMENDATION
TREATMENT FOR STEROID INJECTIONS TO
PLAINTIFF RIGHT EYE FOR VISION LOSS

DEFENDANT DISREGARD THE RECOMMENDATION FOR TREATMENT OF STEROID INJECTIONS IN HIS RIGHT EYE BECAUSE HE WAS DIAGNOSE WITH A CASE OF CHRONIC UVEITIS. PLAINTIFF RIGHT EYE VISION WENT TO 20/100 AND HE HAS A HARD TIME SEEING. WITHOUT THE STEROID INJECTIONS PLAINTIFF COULD LOSE SIGHT IN HIS RIGHT EYE. DEFENDANT NEGLIGENTLY AND GROSS NEGLIGENCE FAILED TO TREAT PLAINTIFF'S SERIOUS DETERIORATING EYE CONDITIONS IN A TIMELY MANNER AND THAT DELAY OR DENYING HAS EXACERBATED THE SEVERITY OF PLAINTIFF EYE CONDITIONS. IT HAS BEEN 13 MONTHS AND NO TREATMENT HAS BEEN ALLOWED OR GIVEN TO HAVE THE STEROID INJECTIONS. THIS HAS CAUSE PLAINTIFF TO SUFFER FROM BOTH MENTAL AND EMOTIONAL DISTRESS. THE DOCTRINE OF RES IPSA LOQUATUR SHOULD APPLY.

10. STATEMENT OF CLAIMS

CLAIM FOUR: Gross Negligence, Negligence For
NOT Following DOCTOR Recommendation
FOR SURGERY FOR THE VASCULAR LEAKAGE
AND EPIRETINAL membrane Peel

On January 3, 2025, Doctor Viruni, a Retina Specialist and Surgeon confirmed Plaintiff's chronic uveitis diagnosis and also determined that Plaintiff is suffering from peripheral vascular leakage and epiretinal membrane that will require surgery. This was a follow-up treatment from Dr. Blom diagnosed Plaintiff on October 2024 where he thought there might be vascular leakage. Dr. Blom said, the leakage could go into other organs like the heart or lungs and cause death. It has been 13 months and no surgery to stop the leakage yet. Plaintiff is being denied the recommended treatment to stop the leakage and remove the membrane off my retina. The delay or denial has cost me loss of vision in my left eye. The doctrine of RES IPSA LOQUITUR should be applied.

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D. STATEMENT OF CLAIMS

Claim Five: Being Denied medical Treatment
That Was Recommended By Doctors
Which Is A Gross Disregard For The
Health Of Plaintiff's Eye Sight

AS A direct and proximate result of the
Negligence and Gross Negligence or wrongful
acts and omission of Defendant delaying and
denying medical eye treatment are interfering
with the recommended treatment has cost
Plaintiff the loss of sight in his left eye
which is 20/400 and the loss of vision in his
right eye to 20/100 which is the cause of
Plaintiff's injuries. The doctrine of RES IPSA
LOQUITUR should apply in this case. These eye
injuries would not have happened if Defendant
followed the doctor recommendation for the
surgeries; Defendant was in control of Plaintiff
at all times and the "Gatekeeper" He had a
duty to provide eye health care. Defendant
recklessly disregard the Dr. Dacey, Dr. Viruni
and Dr. Clough recommendation for surgery, which
causes pain and suffering. - 5 -

D. STATEMENT OF CLAIMS

CLAIM SIX; DEFENDANT had A Legal Duty to Provide medical TREATMENT and DEFENDANT BREACH THAT DUTY by DENYING EMERGENCY EYE TREATMENT and WAS THE CAUSATION FOR PLAINTIFF'S LOSS OF LEFT EYE SIGHT.

DEFENDANT AS THE "GATEKEEPER" had A Legal Duty to give PLAINTIFF EMERGENCY medical EYE TREATMENT Recommended by the EYE DOCTORS. DEFENDANT BREACH THAT DUTY by NOT PROVIDING the medical TREATMENT which WAS THE CAUSATION FOR PLAINTIFF LOSS OF VISION and his LEFT EYE and THE LOSS OF VISION IN his Right EYE.

DEFENDANT FAILED TO LET PLAINTIFF get EMERGENCY Surgery, Per their own Policy Regulation to Re-ATTACH PLAINTIFF RETINA. DEFENDANT FAILED TO LET PLAINTIFF get the Surgery to STOP the EYE Leaking INTO other parts of his ORGAn that could cause him heart or Lung Problem, and DEFENDANT FAILED TO LET PLAINTIFF get the Surgery for the membrane Peel to Remove SCARING OFF the RETINA. DEFENDANT FAILED TO Let PLAINTIFF get the STERIOD INJECTIONS, to save his vision which - 6 - IS Gross Negligence.

D. STATEMENT OF CLAIMS

^{Seven}
CLAIM SIX: CAUSATION "BUT FOR" DEFENDANT
Negligence and Gross Negligence to Delay
and Deny medical TREATMENT FOR HIS
DETACHED RETINA WOULD NOT HAVE OCCURRED

"BUT FOR" DEFENDANT NEGLIGENCE AND GROSS NEGLIGENCE
TO DENIED OR DELAY MEDICAL TREATMENT THAT
WAS RECOMMENDED BY DR. DACEY TO HAVE
SURGERY TO RE-ATTACH PLAINTIFF RETINA ON MARCH
OF 2025 COMING COMPLETELY DETACHED ON MAY OF
2025 CAUSE THE INJURY.

"BUT FOR" DEFENDANT CONTINUE DENYING PLAINTIFF
TREATMENT FROM MARCH OF 2025 THROUGH
JANUARY OF 2026 AFTER THE DOCTOR RECOMMENDATION
FOR THE SURGERY WAS A "SUBSTANTIAL CONTRIBUTING
CAUSE" OR A "SUBSTANTIAL FACTOR" IN CAUSING
THE DAMAGE TO PLAINTIFF'S RETINA.

THE CAUSATION AND PROXIMATE CAUSATION OF
PLAINTIFF'S LOSS OF VISION IN HIS LEFT EYE WHICH IS
20/400 WILL NEVER BE ABLE TO BE RESTORED LEAVING
PLAINTIFF BLIND IN THAT EYE. THE DEFENDANT DELAY
AND DENIAL "AGGRAVATED" THE INJURY. THE
DOCTRINE OF RES IPSA LOQUITUR SHOULD APPLY.

D. STATEMENT OF CLAIMS

Claim ~~SEVEN~~ ^{EIGHT}: AS A DIRECT AND PROXIMATE RESULT OF DEFENDANT NEGLIGENCE AND WRONGFUL ACTS AND OMISSIONS OF DENYING SURGICAL MEDICAL TREATMENT AFTER DOCTOR RECOMMENDATION

AS A DIRECT AND PROXIMATE RESULT OF DEFENDANT NEGLIGENCE AND WRONGFUL ACTS AND OMISSIONS OF DENYING PLAINTIFF SURGERY TO HAVE MEDICAL TREATMENT TO STOP THE PERIPHERAL VASCULAR LEAKAGE THAT COULD SPILL OVER INTO OTHER ORGAN IN THE HEART AND LUNGS THAT COULD CAUSE DEATH,

PLAINTIFF IS BEING DENIED MEDICAL TREATMENT AND SURGERY TO REMOVE AN EPIRETINAL MEMBRANE WHICH IS SCARING OVER THE RETINA THAT REQUIRE A MEMBRANE PEEL SURGERY THAT PROVIDER DR. VIRUNI RECOMMENDED THE SURGERY AND SHE WAS WILLING TO DO THE SURGERY. THERE HAS BEEN A 13 MONTH DENIAL AND IS CAUSING PLAINTIFF IRREVERSIBLE VISION LOSS. PLAINTIFF IS FUNCTIONALLY BLIND IN THE LEFT EYE 20/400. DR. VIRUNI WAS GOING TO GIVE PLAINTIFF THE STERIOD INJECTION AT THE TIME OF SURGERY THAT TOO IS BEING DENIED. WHICH CAUSE MENTAL AND EMOTIONAL DISTRESS, PAIN AND SUFFERING.

D. STATEMENT OF CLAIM

NINE
CLAIM ~~IS~~: Defendant Gross Negligence Action
have been "WILLFUL and WANTON" with the
INTENTIONAL DENIAL OF medical TREATMENT
Recommended by the EYE DOCTORS.

AS A DIRECT AND PROXIMATE RESULT OF THE
DEFENDANT GROSS NEGLIGENCE ACTION TO INTENTIONAL
DENY OR DELAY medical TREATMENT FOR OVER A
YEAR (12 months) Recommended by the EYE
DOCTORS.

THIS RECKLESSLY DISREGARD FOR medical TREATMENT
Recommended by DOCTORS IS A BREACH OF DUTY
DUE TO PLAINTIFF WHICH IS A SUBSTANTIAL FACTOR
IN PLAINTIFFS INJURY. DEFENDANTS WANTON
behavior IS with purpose, INTENT, and DEFENDANT
VOLUNTARY CHOICE TO DENY medical TREATMENT
IS ALL BUT INTENTIONAL CAUSING PLAINTIFF pain
and SUFFERING FROM Blindness, Headaches, Depression,
mental and EMOTIONAL DISTRESS. REAR OF GOING ALL
THE WAY BLIND BECAUSE PLAINTIFF IS BEING DENIED
SIGHT SAVING PREVENTION CARE and SURGERY. THE
DOCTRINE OF RES IPSA LOQUITUR SHOULD APPLY
TO THIS CASE.

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): N/A

Docket number and court: N/A

Claims raised: N/A

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

Reasons for dismissal, if dismissed: N/A

Result on appeal, if appealed: N/A

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)

NOTE PLAINTIFF HAS COMPLIED WITH ALL PRE-SUIT REQUIREMENT
OR 28 U.S.C. § 2671 BY GIVEN NOTICE TO AGENCY ("BOP")

TRT-NCR-2025-08243 AND TRT-NCR-2025-08171

AND THE AMOUNT OF DAMAGES ON SF-95 FORMS WHICH WAS
DENIED AND RIPP FOR THE COURT PROCEEDINGS.

DENIAL LETTERS ON AUGUST 22, 2025 AND ON SEPTEMBER 15, 2025

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. DECLARE DEFENDANT, UNITED STATES OF AMERICA CONDUCT TO BE IN VIOLATION OF THE RTCA OF 28 U.S.C. § 2671 FOR ITS NEGLIGENCE, GROSS NEGLIGENCE, FOR DENYING MEDICAL TREATMENT TO A PRISONER, CAUSING THE LOSS OF PLAINTIFF EYE SIGHT AND, PAIN AND SURPRISING, MENTAL AND EMOTIONAL DISTRESS, REAR AND DEPRESSION OR GOING ALL THE WAY BLIND,
 2. PLAINTIFF REQUEST THAT THIS COURT RENDER JUDGMENT AGAINST DEFENDANT IN THE SUM TO BE SHOWN AT TRIAL BUT NO LESS THAN \$850,000 DOLLARS, 3. AWARD COST OF SUIT \$450⁰⁰ AND
- H. PLAINTIFF'S SIGNATURE ATTORNEY REE'S,

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.

Sahil M. Musahid
(Plaintiff's signature)

JANUARY 20, 2026
(Date)

G. REQUEST FOR RELIEF of 16



**U.S. Department of Justice
Federal Bureau of Prisons**

North Central Regional Office

Office of the Regional Counsel

400 State Avenue
Tower II, Suite 800
Kansas City, KS 66101

[REDACTED]

Sabil Mujahid, Reg No: 12825-006
United States Penitentiary ADMAX
P.O. Box 8500
Florence, CO 81226

RE: Tort Claim **TRT-NCR-2025-08243**
Amount of Claim: **\$500,000.00**

Certified Mail Receipt No: 9589 0710 5270 2387 4083 46

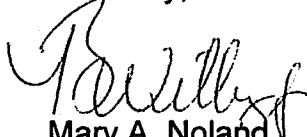
Dear Claimant:

Your above referenced tort claim has been considered for administrative review pursuant to 28 CFR § 0.172, Authority: Federal Tort Claims, and 28 CFR Part 14, Administrative Claims under Federal Tort Claims Act.

The allegations made in this tort claim are identical to those issues raised in tort claim number **TRT-NCR-2025-08171**, filed with the Federal Bureau of Prisons, North Central Regional Office on August 6, 2025. That claim is still pending investigation, and you will receive a response when complete.

As a result of this investigation, tort claim number **TRT-NCR-2025-08243** is denied. This memorandum serves as a notification of final denial under 28 CFR § 14.9, **Final Denial of Claim**. If you are dissatisfied with our agency's action, you may file suit in an appropriate U.S. District Court no later than 6 months after the date of mailing of this notification.

Sincerely,


Mary A. Noland
Regional Counsel

Name: Sabil MueStahid
Reg. No.: 12825-006
U.S. Penitentiary Max.
P.O. Box ~~8888~~ 7006
Florence, CO 81226-8500

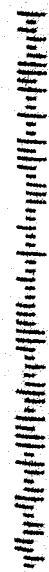
Legal-Mail

DENVER
23 JAN 2026



United States District Court
The Clerk of the Court
901 19th Street
Denver, Colorado 80294-3589

80294-250151



The enclosed letter was processed through special mailing procedures for forwarding to you. The letter has neither been opened nor inspected. If the writer asks a question or problem over which this facility has jurisdiction, you may return the material for further information or clarification. If the writer enclosed correspondence for forwarding to another address, please attach it to the above address.

"SPECIAL/LEGAL MAIL"

DATE: JAN 21 2026

FEDERAL PRISON CAMP
P.O. BOX 8808
FLORENCE, COLORADO 81226