

*il
unread*

DC-410 (8/89)

NORTH CAROLINA DEPARTMENT OF CORRECTION
DIVISION OF PRISONS
ADMINISTRATIVE REMEDY PROCEDURE

1. Inmate Name: [REDACTED] 2. Inmate No.: [REDACTED]
 3. Location: UNIT 3 IL104 4. Date: 6 FEB 2006
 5. Grievance Statement: I have been wanting to hear the final decision of the Publication Review committee re: publications which have been rejected. The Publication Review Committee has not answered any of my various appeals. One appeal has not been answered for over 1 year. I have appealed some of the publications rejected: The Artist Magazine JAN 2005 issue, Edge Magazine Nov 2005, Staff Magazine Sept 2005 issue among various others. I have written requesting the status of one magazine repeatedly i.e. The Artist Magazine JAN 2005 issue to no avail. I have not received notification of the publication review committee decisions re any of my appeals as of this date.

6. What remedy would resolve your grievance?: I need the Publication Review Committee to answer the various appeals I have submitted re the magazines/publications which have been rejected pending review.

7. Inmate Signature: [REDACTED]

8. Date received: 2/16/06 9. Z Receiving Officer Signature

10. This grievance is returned and can only be accepted when your current grievance completes step two.

11. Date delayed: 1/1 12. _____ Screening Officer Signature

13. The grievance is rejected for the following reason(s): (Enter Code) _____
- A. State or Federal Court Decision
 - B. Parole Commission Decision
 - C. Appeals disciplinary action
 - D. Action not yet taken
 - E. Exceeds 1 year time limit
 - F. Remedy for another inmate
 - G. More than one incident
 - H. ARP procedures not followed
 - I. Violates Disciplinary No. 38
 - J. Beyond control of DOC

If grievance is rejected, # 13, # 14, # 15, and # 16 are completed by the Screening Officer, a photocopy of grievance is forwarded to Superintendent for review, and the original grievance is returned to inmate.

14. Rejection Justification: _____

15. Date rejected: 1/1 16. _____ Screening Officer Signature

17. Date accepted: 2/1/06 18. _____ Screening Officer Signature

19. Grievance No. 3100-06-0278

Item #13, 15, or 17 to be completed within 3 calendar days of item #8.
 Distribution: White to point of final disposition, Blue for Unit record; Green to inmate.

DC-410A (11/99)

**NORTH CAROLINA DEPARTMENT OF CORRECTION
DIVISION OF PRISONS
ADMINISTRATIVE REMEDY PROCEDURE**

Step One - Unit Response

20. Grievance No.: 3100-06-1075

21. Inmate Name: [REDACTED]

22. Inmate No.: _____

23. Grievance Response (Item #25 to be completed within 15 calendar days of date in item #17):

I am in receipt of your grievance in which you expressed concerns with your magazine subscriptions being forwarded to the Publication Review Committee for review and appropriate disposition. The Warden's designee reviews each publication on a case by case and / or issue by issue basis in accordance with the requirements set forth by the Division of Prisons, Policies and Procedures. Rejection of several issues of a subscription publication is not sufficient reason to reject the subscription publication in perpetuity. No publication or material will be withheld solely on the basis of its appeal to a particular ethnic, racial or religious group. A publication may not be rejected solely because its content is religious, philosophical, political, social or sexual, or because its content is unpopular or repugnant. The Publication Review Committee will consist of members appointed by the Director of Prisons and will meet monthly to review disapproved publications and materials that have been received. If the Publication Review Committee determines that this publication is unauthorized you will have the options of, mailing this publication to an address provided by you at your expense, donated to a charitable organization or destroyed as contraband. The Publication Review Committee is working diligently on reviewing these magazine issues and a decision will be made in the near future. A copy of this notification will be forwarded to you. This grievance is considered resolved at this level.

24. Date: 6/2/06

25. _____
Superintendent Signature

26. (A) Agree with grievance response

(B) Appeal to Step Two (24-hour limit)

27. Date: 5/17/06

28. [REDACTED]
Inmate Signature

Step Two - Area/Complex/Institution Response

29. Step two response (Item #31 to be completed within 20 calendar days of date in item #27):

It appears that the issues in your complaint have been adequately addressed in the Step #1 response and no further action is recommended. Therefore, your grievance is considered resolved at this level. *Central Prison staff have no authority over the Publication Review Committee.*

30. Date: 2-27-06

31. M. L. P. [REDACTED]
Administrator Signature

32. (A) Agree with grievance response

(B) Appeal to Secretary, DOC (24-hour limit)

33. Date: _____

34. [REDACTED]
Inmate Signature

DC 410B (10/96)

NORTH CAROLINA DEPARTMENT OF CORRECTION

STATE OF NORTH CAROLINA

MICHAEL F. EASLEY
GOVERNOR

FINESSE G. COUCH
EXECUTIVE DIRECTOR

INMATE GRIEVANCE RESOLUTION BOARD

MSC 4207, Raleigh, NC 27699-4207

Administrative Remedy Procedure

REV. REGINALD E. MIDGETTE, SR.
CHAIRMAN

MEMBERS
LUCIEN CAPONE, III, ESQ.
BRADLEY BANNON, ESQ.
DAVID LONG, ESQ.
MATTHEW ROUSE, JR., D.H.L.

Step Three

35. Inmate Name	[REDACTED]	36. GRB Grievance No.:	166606
37. Inmate	[REDACTED]	38. Unit Grievance No.	3100060278
39. Location: Central Prison	3100	40. Date Received:	3/9/2006

41. GRIEVANCE EXAMINER: Findings and Disposition Order

Inmate [REDACTED] filed this grievance on February 6, 2006 at Central Prison complaining about wanting to hear the final decision from the Publication Review Committee regarding his publications which had been rejected. Staff responded that an investigation of inmate Guevara's concern revealed that the Publication Review Committee was working diligently on reviewing the magazine issues and a decision would be made in the near future. Staff stated that a copy of the notification would be forwarded to him.

This examiner has carefully reviewed the grievance and the response given by staff in the DC-410A response. From this review, I am convinced that staff has adequately addressed this inmate's grievance concerns. I adopt the facts found by the staff investigator.

My examination of this grievance reveals no violation of applicable Division of Prisons policy nor does it show any evidence of staff indifference. No further action warranted; thus this grievance is dismissed.

42. Date: 3-17-06 43. J. Baker Williams
Inmate Grievance Examiner

DISTRIBUTION: Originals (DC-410, DC-410A & DC-410B) to location of final action.

cc: [] Unit Superintendent