

State of Wisconsin Circuit Court Columbia County

Nate A. Lindell,  
Petitioner

Case No 19-50-005

v.  
John Does & Nick Pasaventto,  
Defendants

FILED
JUN 5 2019
CIRCUIT COURT COLUMBIA COUNTY WI

To: Clerk, Columbia County Circuit Court  
400 DeWitt St., Portage, WI 53901

Pursuant to §968.26, stat, petitioner asks that this court initiate John-Doe proceedings & direct the D.A. to investigate this matter to determine what crimes have been committed & prosecute them, and, upon conclusion of said investigation, if the D.A. unreasonably declines any prosecutions, that this court reviews the D.A.'s file (which must be provided to this court and petitioner - sub. (2)(b)) & direct any appropriate prosecutions.

The crimes Petitioner believes were committed, as Party to a crime, §939.05(a), include:

§940.29 Abuse of residents of penal facilities

§943.392 Fraudulent data altering

§946.12 Misconduct in public office, subs (1), (2), (3) & (4)

+ §947.013 Harassment, sub (1)(a)

Facts that support Lindell's belief are stated below:

1) Due to the laundry smelling like piss, the psychiatrist refusing to meet him in private, Lindell filed multiple complaints prior to 22 April 2019. The morning of 22 April 2019, C.O. Pasaventto aggressively accused Lindell of "always filing complaints," then, around 10 AM, woke me up for a cell search, when he could've waited until after



lunch & did so while I showered. Although I didn't realize it, until later, Pesavento took evidence & legal documents from my cell during that search, for pending lawsuits (i.e. 13-CV-759 & 18-CV-2027), without telling me & with no valid reason. §946.12(2)&(3)

2) Multiple times from 22 April to 25 April Lindell respectfully asked Pesavento & Sgt. Fosshage for complaint envelopes, but they repeatedly claimed to have none.

Finally, on 25 April, around 6:30 AM, Pesavento refused to give Lindell his migraine meds & inhaler, telling Lindell, "File a complaint about it. You do about everything else."

This left Lindell with an untreated & painful migraine and an asthma attack. §940.29, §946.12(1)&(3)

3) Rather than remedy Pesavento's denial of meds, Sgt. Fosshage got on the hallway intercom for unit 7B, & loudly cried like a baby, saying "All you do is file complaints" At 11:15 AM count, Fosshage went to Lindell's door and furiously shouted at Lindell for filing complaints, even though Wis. Admin. Code §DOC 310.16(6) prohibits reprisals. §946.12

(2). Prisoners such as Jordan Berg #538668, Abdifatah Ahmed #674071, Larry Bracey #19204 & others heard this loud outburst by Fosshage & Pesavento's earlier remarks.

4) In response to Lindell's written description of & objection to Pesavento's & Fosshage's actions, Unit Mgr. Schmidtkecht took no corrective action, didn't protect Lindell, stated: "searches are completed as staff are able, not per your schedule" — the stolen legal papers weren't returned.

§940.29 Ms. Schmidtkecht's refusal to end this harassment left Lindell in fear of future pain & suffering from untreated migraines, possible death from untreated asthma attacks.

§947.013(1r)(a)

5) Lindell submitted two Inmate Complaints (I.C.s)



to the I.C. Review System (I.C.R.S.) on 23 April, about Pesavento's + Fosshage's forenoted actions. But neither of those I.C.s were filed, as §DOC 310 required, nor was the evidence (replies from Ms. Schmidt Knecht) returned. When Lindell sent copies of these I.C.s to warden Novak, Schmidt Knecht readdressed Lindell's request to the ICRS, who (Mary Leiser) returned them without addressing Lindell's concerns about them having previously been ignored. §946.12(3) This appears to be an effort to stop Lindell from exhausting the ICRS so as to bar Lindell from suing staff for violating his rights. Schmidt Knecht's actions conflict with Corrections Complaint Examiner (C.C.E.) M. Greenwood's 22 May 2019 letter to Lindell, which advised: "If you have any questions or concerns with the ICE, you can write to their supervisor, the warden" — Schmidt Knecht blocked such communications.

6) By not filing Lindell's forenoted I.C.'s as §DOC 310 mandated, staff prevented this issue from being reviewed by Madison + seek to enable the erasure of footage from staff's body cams + hallway cameras that verify these acts took place. §943.392 + §946.12(3) Destroying evidence for a future lawsuit.

7) On 7 May 2019, around 10:30 AM, Pesavento again searched Lindell's cell. Pesavento made a rat's nest out of Lindell's paperwork then authored Conduct Report ("C.R.") 15815, which charged Lindell with "Misuse of Medication," based on the false claim that an antacid tablet + two fiber pills were found in Lindell's cell. Apparently Pesavento or C.O. Lavia (who joined the search, while passing meds) planted the meds or blatantly lied (Lavia was holding meds for prisoners, as he was distributing them — body



cam footage will make this clear. (staff are required to keep body cams on & recording — §946.12(1) & (3))

§ 943.392. This frame put Lindell in reasonable fear that Pesavento would again deny meds too, even assault Lindell — anything was/is possible. § 947.013(1r)(a)

8) Due to Pesavento's issuance of C.R. #15815, on 7 May 2019, around noon, Schmidt Knecht told Lindell that he was being demoted to step 1, meaning he wouldn't be allowed his T.V. Also, Lindell was denied 1/2 time, meaning he wasn't let out of seg. on May 9th — he has to spend 120 more days in seg, for 3 Tums & two fiber pills, that Lindell didn't even have in his cell. § 940.29 & § 947.013(1r)

9) Multiple requests that Lindell sent to C.C.I.'s security Director, Schmidt Knecht & Warden Novak to review body cam footage from the 7 May 2019 cell search were not replied to. § 943.392

10) On 10 May 2019, Sgt. Schlachter told Lindell that Lindell was signing (a small electrical screen) to receive C.R. #15815. Lindell didn't believe he was & told Schlachter he didn't want to plead guilty, but that's how Schlachter noted it in Lindell's files. § 943.392. Wis. Adm. Code § DOC 303.78(2) required that only "a supervisor" — not a Sgt. — process such guilty pleas, after giving Lindell clear notice that such is what he's doing. § 946.12(2) & (4).

The investigation may begin with review of body cam & hallway cam footage from the relevant times. I will also make my documentation noted herein available. The witness I noted (& others) will cooperate. Respectfully,

Dated 2 May 2019

Nate A. Lindell #303724  
C.C.I. P.O. Box 900  
Portage, WI 53401-0900

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FILED  
06-12-2019  
Circuit Court  
Columbia County, WI  
2019JD000005

BY THE COURT:

DATE SIGNED: June 12, 2019

Electronically signed by Troy D. Cross  
Circuit Court Judge

STATE OF WISCONSIN

CIRCUIT COURT

COLUMBIA COUNTY

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In the Matter of John Doe,  
Nate Lindell

**JOHN DOE ORDER**

Case No:19 JD 5

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The Court has received a petition for John Doe proceedings from Nate Lindell, an inmate at Columbia Correctional Institution, Pursuant to §968.26(2)(am), Wis. Stats., it is hereby ordered that this matter be referred to the office of the District Attorney for Columbia County.

It is further ordered that pursuant to §968.26(2)(b), Wis. Stats., within 90 days of the receipt of this referral, the District Attorney shall either issue charges or report back to the Court as to why the decision was made to not issue charges.

Cc: District Attorney  
Nate Lindell



Hey Readers,

So you see what's going on now at this prison, really this unit, unit 7. The first unit I was on didn't have such a criminally idiotic unit manager who let staff run amuck and tried to cover it up by interfering with my mail to the warden.

As Father John said, "This is not a road easily travelled," referring to my effort to obtain justice for staff in another prison setting me up to be almost killed. If you look at my Nov. 10, 2018 post, you'll see that right after that attack, with 32 staples in my scalp + "minor" stab wounds elsewhere, I was transferred to the state's worst seg unit + put in a filthy cell to "heal" (i.e. get infected).

They're running out of excuses for keeping me in seg. Now it's Tums + fiber pills! (Now you see why I have a weird sense of humor - I got it from my captors!)

It's a tough road; they can do whatever they want, then erase the camera footage that can prove they lied.

Please help me readers by calling my warden, Sue Novak, at 608-742-910, and Security Director Brian Gustke and inquiring as to and objecting to them keeping me in segregation. Father John has a copy of my letter to them, which authorizes them to "truthfully" discuss my circumstances with "anyone". If you're reading this, you are "anyone". ☺

Phone calls from concerned citizens can deter abuse.

Heck, send a copy of this petition to the warden - she might not know (or might feign it) what my unit mgr., Ms. Schmidt-Knecht, is doing and has allowed to be done.

\* SHARE THIS on your social media, with journalists + activists.\*

You can also help by ordering me stamped envelopes and blue pens (items #8039 + #4305) from [www.JLMarcusWisconsin.com](http://www.JLMarcusWisconsin.com) - not you Fr. John; you've done enough! (Folks, don't make a Priest do all the donating; step up.)



## Lawsuit Approved Over Staff in WI's Former Supermax Allowing Prison Litigator to Be Stabbed In Head created 16 June 2019 by Nate A. Lindell

In a 12 June 2019 Opinion + Order, Magistrate Judge Stephen L. Crocker approved prisoner Nate Lindell's claims that staff let another prisoner stab Lindell and may have incited the other prisoner to do so, then transferred Lindell to a harsher prison to impair Lindell's ability to litigate and thwart Lindell's filing of a suit about the stabbing.\*

The prisoner who stabbed Lindell, Jesse Keith, faces attempted homicide charges in Grant County Circuit Court.\*\* Documents filed in the lawsuit show that Keith was kicked out of Iowa's prison system for making knives out of the steel in his cell, stabbing staff and prisoners, creating a White supremacist gang and using that gang to carry out hits on staff and prisoners.#

As alleged in Lindell's lawsuit, he was stabbed three times in his head, twice in his upper left arm, once in his left eye socket, once through his lip and into his gumline, once behind his left knee and twice in his left middle finger.

Lindell also filed a John Doe Petition, seeking criminal investigation of prison staff for allowing Keith to stab him or possibly inciting Keith to do so. That Petition also was granted, by Judge Craig Day, the same Judge handling Keith's attempted homicide case.##

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\* Judge Crocker's Order, for W.D. Wis. U.S. District Court Case #18-CV-895, Lindell v. Jess, may be viewed at [www.pacer.gov](http://www.pacer.gov)

\*\* See State v. Keith, 19-CF-18, Grant County Circuit Court, on [wcca.wicourts.gov](http://wcca.wicourts.gov)

# These documents are attached as Exhibits 9-15 to docket #24, for W.D. Wis. Case #18-CV-895.

## That John Doe Petition and the order approving it are posted on Lindell's blog — <https://betweenthebars.org/blogs/540/> — on 7 June 2019.

Readers, please share this post on your social media, with journalists, activists, lawyers, EVERYBODY!  
Only by exposing D.O.C. corruption and public outcry can I hope for justice. Merci! ☺