

FLORIDA DEPARTMENT OF CORRECTIONS  
REQUEST FOR ADMINISTRATIVE REMEDY OR APPEAL

MR Minta should  
not have responded  
to this grievance  
Log# 2107-213-154  
Read 33-601.306 (1)(c)

☐ Third Party Grievance Alleging Sexual Abuse

TO: ☐ Warden ☐ Assistant Warden ☒ Secretary, Florida Department of Corrections

From or IF Alleging Sexual Abuse, on the behalf of:

Clark Ronald W. Jr  
Last First Middle Initial

812974  
DC Number

Union Corr. Inst.  
Institution

Part A - Inmate Grievance

DR Appeal #213-210782

Please take notice that 33-103 was violated when MR. Charles Minta of UCI's Classification Dept who conducted the DR Hearing on July 14th, then responded to this Grievance/DR Appeal log# 2107-213-154 which was against him and his erroneous decision of guilty in this case and misapplication of state law. And by doing so has rendered this grievance ineffective in violation of 944.09 and 944.331, F.S. and denying me of due process. Based on this issue alone this grievance should be approved. But to address the issues that MR Minta raised we start with Sgt. Flaherty, Sgt. Wood and Officer Middlebrooks. I've seen these men where they can barely keep their eyes open from being overworked and pushed to the brink of exhaustion. Where one officer is working three security post. I've seen officers fall asleep standing up in front of my cell while pulling me for a call out. I have written about this on my blog and I just spoke with senator's Jeff Brandes and Jason Pizzo about this last week when they visited here on Monday Aug 2. I say this to prove my point that staff is not mentally and physically alert to where inmates who are not exhausted are capable of running a distraction/diversion and placing the cans of smokeless tobacco in my laundry bag. The second issue with inmate Dettman, yes there is a set weight on Thursday morning for laundry bags. And the weight is noticeable because Sgt. Garrett has returned laundry bags where inmates have tried to send out tee shirts in the pillow case in order to get their shirts bleached. And 7 cans of dip would have been bulky and not only hard to get through the bars, which the video would have

August 13, 2021  
DATE

Ronald W. Clark 812974  
SIGNATURE OF GRIEVANT AND D.C. #

\*BY SIGNATURE, INMATE AGREES TO THE FOLLOWING # OF 30-DAY EXTENSIONS:

1  
# Signature

INSTRUCTIONS

This form is used for filing a formal grievance at the institution or facility level as well as for filing appeals to the Office of the Secretary in accordance with Rule 33-103.006, Florida Administrative Code. When an appeal is made to the Secretary, a copy of the initial response to the grievance must be attached (except as stated below).

When the inmate feels that he may be adversely affected by the submission of a grievance at the institutional level because of the nature of the grievance, or is entitled by Chapter 33-103 to file a direct grievance he may address his grievance directly to the Secretary's Office. The grievance may be sealed in the envelope by the inmate and processed postage free through routine institutional channels. The inmate must indicate a valid reason for not initially bringing his grievance to the attention of the institution. If the inmate does not provide a valid reason or if the Secretary or his designated representative determines that the reason supplied is not adequate, the grievance will be returned to the inmate for processing at the institutional level pursuant to F.A.C. 33-103.007 (6)(d).

Receipt for Appeals Being Forwarded to Central Office

Submitted by the inmate on: \_\_\_\_\_ Institutional Mailing Log #: \_\_\_\_\_  
(Date)

(Received By)

DISTRIBUTION: INSTITUTION/FACILITY  
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INMATE'S FILE  
INSTITUTIONAL GRIEVANCE FILE

CENTRAL OFFICE  
INMATE  
INMATE'S FILE - INSTITUTION/FACILITY  
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CENTRAL OFFICE GRIEVANCE FILE



shown, but it would have been a considerable weight difference than that of two sheets and a pillow case.

Third, MR. Minta is the one who stated, "This is a Bullshit DR." Now that he sees that I raised it in the appeal, he's not willing to stand by what he said. And I'll take a polygraph exam to not only prove that he said this, but that I didn't put those cans in the laundry bag.

The biggest issue that MR. Minta didn't address is the case law that supports that his DR. Findings should be reversed. See attached Fromal Grievance log # 2107-213-154 and the legal standings in *Kresbach v. State of Florida*, 462 So.2d 62 (Fla. 1st D.C.A. 1984) To prove constructive possession the burden is on the state to show that the defendant knew of the presence of contraband in the container and had the ability to maintain control thereof. In *Stem v. Florida*, 523 So.2d 760 (Fla. 1st D.C.A. 1988) "There must be knowledge of the presence of contraband to be culpable in constructively possessing or introducing contraband." In *Brooks v. State*, 501 So.2d 176 (Fla. 4th D.C.A. 1987), "Guilt cannot rest on mere probability."

Based on the above set of facts and MR. Minta's response to this appeal which was against his erroneous findings in DR. # 213-210782 I'm respectfully calling for this grievance appeal and DR. to be reversed. Thank you

Ronald W. Cluby 812974

August 13, 2021



# PART B - RESPONSE

CLARK, RONALD	812974	2107-213-154	UNION C.I.	P5116S
NAME	NUMBER	FORMAL GRIEVANCE LOG NUMBER	CURRENT INMATE LOCATION	HOUSING LOCATION

Your request for Administrative Remedy or Appeal has been received, reviewed and evaluated.

Further investigation reveals the following information:

The DR Hearing Team members reviewed and considered all information, documentation and evidence available at the time of the disciplinary hearing, to include the statement of facts as it was written for Disciplinary Report 213-210782.

In reference to laundry bags being searched, there is nothing in policy that states every bag being picked up must be searched.

Sergeant Flaherty, Sergeant Wood, and Officer Middlebrooks documented on the DC6-112C (Witness Statement) that while assisting Sergeant Garrett with laundry pickup, at no time was your laundry bag left unattended.

Inmate Dettman stated that he did not notice anything out of the ordinary about your laundry bag. There is no set weight of any particular laundry bag. Therefore, any laundry bag's weight would be different from others based on the items stored inside. There would be no reason for Inmate Dettman to notice a weight difference. You requested a review of the video during the investigation process and it was reviewed. Based upon review of the identified recording or the capabilities of the particular recording equipment, the video requested does not provide evidence to support your statement.

At no time during the disciplinary hearing process did Mr. Minta or Lieutenant Barton state that the disciplinary report was a "bullshit DR."

Other than denying your guilt, you have not provided any new verifiable information nor presented any additional evidence or mitigating circumstances that was not readily available to the DR Hearing Team at the time of deliberation. You have presented nothing that would warrant the overturning of the disciplinary report.

Therefore, based on the foregoing information; your grievance is denied.

You may obtain further administrative review of your complaint by obtaining form DC1-303. Request for Administrative Review or Appeal, Completing the form, providing attachments as required by 33-103.007(3)(a) and (b), F.A.C. and forwarding your complaint to the Bureau of Inmate Grievance Appeals, 501 South Calhoun St. Tallahassee, FL 32399-2500, within fifteen (15) days from date of this response.

CLO C. Minta *← He's the team Chairman* T. Lamb, Warden

SIGNATURE AND TYPED OR PRINTED NAME OF EMPLOYEE RESPONDING

SIGNATURE OF WARDEN, ASST. WARDEN, OR SECRETARY'S REPRESENTATIVE

DATE

*This man is responding to his appeal, which is a clear violation of Due process. See 33-601.306 (1) (c) He should not have responded to this*

*CE [Signature] Acting Warden* *8/9/21*  
 AUG 09 2021



FLORIDA DEPARTMENT OF CORRECTIONS  
REQUEST FOR ADMINISTRATIVE REMEDY OR APPEAL

☐ Third Party Grievance Alleging Sexual Abuse

TO: ☒ Warden ☐ Assistant Warden ☐ Secretary, Florida Department of Corrections  
From or IF Alleging Sexual Abuse, on the behalf of:

Clark Ronald W. JR  
Last First Middle Initial

812974  
DC Number

Union Corr. Inst.  
Institution

Part A - Inmate Grievance

Appeal DR# 213-210782

On Thursday July 8, 2021 at approx 5:30 am an inmate Dettmann assigned as one south runner picked up my laundry bag from cell 6101. Staff are not searching bags before they leave the cell. About 45 minutes later Sgt Garrett found 7 cans of smokeless tobacco (dip) hidden in a sock inside my laundry bag. These bags can be tied and untied in about 20 seconds, so it would have taken no time at all for an inmate or officer to open the bag and drop the sock down inside the bag and close it back up. When attending the DR hearing on Wednesday July 14, 2021, the DR hearing team of Lt. Barton and MR. Minto felt that this DR shouldn't have been written. And thus gave me 3 days on DC. See attached Findings & actions as [Exhibit (A)] MR. Minto made the comment, "this is a bull s---, DR." He knew there was no evidence whatsoever proving knowledge or possession of the 7 cans of dip that was found in my laundry bag. The court has ruled on this and even stated in Kreshbach v. State of Florida, 462 So.2d 62 (Fla 1st DCA 1984) "TO PROVE CONSTRUCTIVE POSSESSION THE BURDEN IS ON THE STATE TO SHOW THAT THE DEFENDANT KNEW OF THE PRESENCE OF CONTRABAND IN A CONTAINER AND HAD THE ABILITY TO MAINTAIN CONTROL THEREOF." Well inmate Dettmann testified in a written statement that when he picked up the laundry bag that morning, that he didn't he didn't notice anything in the laundry bag. Had there been 7 cans of Dip in that bag, he would have noticed the weight difference and the camera would have showed him looking at the bag differently. And one thing is for sure, when that bag left my cell, there would have been no way to maintain control of 7 cans of dip. In Stemm v. Florida 523 So.2d 760 (Fla 1st DCA 1988) THERE

July 16, 2021  
DATE

Ronald W. Clark 812974  
SIGNATURE OF GRIEVANT AND D.C. #

See Continuation and exhibits →

\*BY SIGNATURE, INMATE AGREES TO THE FOLLOWING # OF 30-DAY EXTENSIONS:

RESPONSE  
SEE ATTACHED  
INSTRUCTIONS

# 1 Signature

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RECEIVED  
JUL 20 2021

Receipt for Appeals Being Forwarded to Central Office

Submitted by the inmate on:

(Date)

Institutional Mailing Log #:

2107-213-154

(Received By)

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CENTRAL OFFICE GRIEVANCE FILE

Minto

OSA



MUST BE KNOWLEDGE OF THE PRESENCE OF CONTRABAND TO BE CULPABLE IN CONSTRUCTIVELY POSSESSING OR INTRODUCING CONTRABAND." In Brooks v. State, 501 So.2d 176 (Fla. 4th DCA 1987), GUILT CANNOT REST ON MERE PROBABILITY."

Now its unequivocal that I have staff in this building that hate me for filing grievances over recreation. And have tried in 2019 and 2020 to have inmates jump on me. And then if we look at my most recent writings they are making people very uncomfortable. See attached. Either one of two things have happened here, inmates were using my laundry bag to transport the cans to the main laundry. or a staff member dropped them cans in there as retaliation. Because fact is why would I place something in my laundry bag when I'm hot as a firecracker with these controversial writings? And #2 why would I drop those in my laundry bag, when I can't control where it goes? And as I said in my statement, my pillow case disappeared the week before, so I sent a request in Tuesday night which Officer Briesse told me to do asking for a pillow case, which would have brought attention to my bag. Knowing this its illogical that I would place contraband in my bag. For the above reasons and the fact that I didn't have the ability to maintain control of the contraband and it wasn't found in my possession this guilty verdict should be overturned and the DR dismissed. Let me also state for the record inmates run diversions on staff all the time, and one could have used a diversion tactic, throw the bag to the side tossed the cans in, and tied it back within 20 seconds. I timed it. And we know this happens. All I know is I didn't put it in the bag and had staff searched it when it came out of my cell, they would have seen a bag that contains only 2 sheets.



Continuation

Page 2

Based on these Facts and case law I pray you reverse  
this. Thank you.

Ronald W. Clark

July 16, 2021

FLORIDA DEPARTMENT OF CORRECTIONS  
DISCIPLINARY REPORT  
HEARING INFORMATION  
LOG # 213-21078207/14/2021  
PAGE 1

DC#: 812974 INMATE NAME: CLARK, RONALD P4101S INFRACTION  
VIOLATION CODE: 0317 TITLE: POSS/TOBACCO-DEATH ROW DATE: 07/08/2021  
FACILITY CODE: 213 NAME: UNION C.I. TIME: 06.15

→ TEAM FINDINGS AND ACTION DATE: 07/14/2021, AT: 09.35

INMATE OFFERED STAFF ASSISTANCE: DECLINED  
INMATE PLEA: NOT GUILTY FINDINGS: GUILTY  
INMATE PRESENT: YES

## POSTPONEMENT:

## BASIS FOR DECISION:

THE DISCIPLINARY HEARING TEAM BASED ITS DECISION ON THE WRITTEN STATEMENT AND DIRECT OBSERVATION OF OFFICER SERGEANT GARRETT WHO ADVISES WHILE ASSIGNED AS NORTH EAST UNIT PROPERTY ROOM SERGEANT HE WAS LOADING THE LAUNDRY BAGS COLLECTED FROM NEU 1 SOUTH WING 6 INTO THE LAUNDRY CART TO TRANSPORT TO LAUNDRY AND FOUND 7 FACTORY SEALED UNOPENED CANS OF CREEK TOBACCO BRAND SMOKELESS TOBACCO, CONCEALED INSIDE A SOCK THAT WAS INSIDE THE LAUNDRY BAG OF THE SUBJECT. THE CANS WERE WEIGHED IN THE AMOUNT OF 1.20Z A PIECE WITH A TOTAL WEIGHT OF 8.40Z. ALL ATTACHMENTS WERE READ AND CONSIDERED BY THE TEAM. WITNESS STATEMENTS WERE READ AND REVIEWED. BASED UPON REVIEW OF THE IDENTIFIED TAPE OR THE CAPABILITIES OF THE PARTICULAR TAPING EQUIPMENT, THE TAPE REQUESTED DOES NOT PROVIDE EVIDENCE TO SUPPORT THE INMATE'S STATEMENT. INMATE WAS ADVISED THAT HE HAS 15 DAYS TO APPEAL THE TEAMS DECISION ON A DC1-303 REQUEST FOR ADMINISTRATIVE REMEDY OR APPEAL FORM. SUBJECTS TIME PENDING INVESTIGATION FOR THIS DR WAS CREDITED TOWARDS THE SENTENCE OF THIS DR.

## ACTIONS TAKEN:

DISCIPLINARY CONFINEMENT: 3; AC CREDIT DAYS: 0; ADJUSTED DC DAYS: 3  
DC PROBATION DAYS SET: 0; CONCURRENT

RESTITUTION: \$.00; INDIV.REVIEW/COUNSEL?: N; CONFISCATE CONTRABAND?: N

→ TEAM CHAIRMAN: MCS27 - MINTA, CHARLES S. ←  
TEAM MEMBERS: BDR29 - BARTON II, DONALD R. -



May 4<sup>th</sup> 2021

Dear Florida Senators and Representatives

I'm coming to you concerning several issues. One of which is the severe staff shortage here at Union Correction Institution. Its so bad that we're not getting our guaranteed constitutional right to weekly recreation and other rights and privileges that we're entitled to. The records here will reflect that we've got staff resigning, retiring and quitting in order to get away from an administration that's dogging them out. Please see attached my March 12, 2021 essay entitled "WANT TO WORK FOR THE FDOC?" Where I lay out how officers are forced to work until their physically and mentally exhausted. Where their endangering the public as well as the security here. Even the PBA (Police Benevolence Association) that represents these officers, (if you can call it representation) has UCI listed as severely under staffed. And these officers aren't happy with the PBA. I'm not sharing what I think, I'm sharing what I know. I have sit here and witnessed too many good officers get pushed out because they can no longer accept the way their being treated. And I don't blame them. You've got an employer who's pushing you to your breaking point!! Implementing petty rules that causes unnecessary conflict between the officers and inmates. When staff fails to put their foot on our neck, then the administration chews them out. Which results in backlash. And when your pushing officer's to their breaking point, with fatigue and unnecessary stress, who catches the brunt of it? Yes - as we've all been told, crap runs down hill. So its us inmates who are the the low man on the totem pole. If your an officer here, you better be prepared to work them 16 hour slave driving shifts without any protest. And if you fail to show up, well be assured you will be reprimanded!!! If you have a family first mentality, well that's not acceptable. If you have a kid who's getting out of school, and you've got to pick your kid up, or there's an emergency and the child is sick, well if the administration hasn't been properly notified and been able to find relief for you, that child is left abandon to fend for his or her self. Yes that's how they treat their staff! Imagine working for a cold hearted employer like that. An employer who is stressing you out on a daily basis. Who's showing you absolutely no loyalty, no compassion no consideration for you or your family. And on top of that, you've got to come in here physically and mentally exhausted and work 16 hour day's. And do this for 4,5,6 days straight getting maybe 5 or 6 hours sleep a night, sometimes working 12 days without a day off. And then having to dealing with the emotions of the inmates who are trying to cope with the hardships of solitary confinement. Where staff has to justify not being able to run recreation, canteen etc etc because they don't have the officers to fill the position. Yes the administration has run everyone off, as a result of poor management and leadership skills. Well why would the FDOC promote people who lacked such skills? To that I say welcome to the FDOC's bubba system, a system that is long over due for a completely overhaul. For they promote people who are a part of the click. You've seen and heard this same old song and dance before with former Secretary James V. Croby Jr. and Regional Director Allen Wayne Clark who both were sent to Federal Prison in 2007 for their illegal activities, while leading the FDOC down a trail of corruption. And incoming Secretary James McDonough cleaned house firing two more Regional Directors as well as several Wardens and Assistant Warden's. I bring this up to show you that this poor in-house promotional process has been in place far to long! And its continued on to this very day. Warden John Godwin of Columbia Correctional Inst. and Assistant Warden ..... Swain of North Florida Reception and Medical Center. These are two men that were part of UCI's 2011 administration under Warden Barry V. Reddish who personally placed me in R dorm medical, put me on strip cell with "Nothing" and turned the air conditioning unit on wide open and tortured me!!! All over my writing about the abuse and corruption here at UCI. These are the type of sick twisted psychopath's that have slipping through the broken cracks of the FDOC's severely flawed promotional system. These are the role model's for 18 and 19 year old kids, who are coming to work for the FDOC.

And these officer's PBA's..... well their about as useless as it gets for the law abiding officer's that's entered the FDOC thinking that they want to make a difference. They want an honorable career. And within a few years of being in this human cesspool they realize that their stuck in a cycle of poor management. And the younger officer's are listening to the old timer's who are just trying to hang on long enough to retire. There's exception's to the rule. What I'm telling you here, is what's come out of the officers mouth. These officers need the legislatures help. What I'm suggesting is for the Senate and House to contact these officers who have quit resigned and or retired. And have them come before you and speak freely about how and why they left the FDOC. You spent millions of dollars changing the logo and the uniforms. But its poor management and leadership that is still going unchecked. And until someone corrects that, your not going to be able to fix the staffing shortage or stop the abuse. We need your help. When I say we, I mean us inmates and these officers. I'm risking serious retaliation as a result of what I'm writing here. But something's are just worth the risk. And to me this is one of those. I hope and pray that you will take this letter and essay under consideration and look into putting forward a new process and possibly a Bill that will correct these flawed promotional systems that are currently holding back the FDOC from progressing into the 21st century. God bless you.

Sincerely Ronald W. Clark Jr.



" WANT TO WORK FOR THE FDOC? "

If your considering a career opportunity in the Florida Department of Corrections, I'd think twice. For the FDOC has gotten to where they treat their staff like pure crap! Yes at times they treat staff worse than they do the inmate's! And we know how bad that is! So in order to survive you've got to be a boot licking butt kissers who just accepts the abuse that your going to receive, at the hands of top level administrators. And I do understand that a lot of these officers have no other choice but to accept this crap because they need the pay check. But I set here and witness these officer's being forced into overtime, where their working to the point of exhaustion! I'm talking 16 hour shift's, and that doesn't include the drive time. I've spoke with officers who have an hour drive to and from here. So the Admin works them 16 hours straight, and this is after they've driven an hour to get here. You figure the officer had to have at least 30 minutes to wake up and prepare for work. So lets say conservatively that that officer has went 17 1/2 without sleep before they put him or her behind the wheel of a 3,000 pound automobile to potential kill someone in a collision. Or hit some little kid who runs out in front of them. Because that officers reaction time, is going to be severely hampered due to sleep deprivation. Hold on, isn't the FDOC's primary responsibility for public safety?!!! Well you see my point! Not only are they putting their staff in grave endanger, but the citizens of Florida and anyone's traveling through the state. I wrote about this several years ago after a staff member was standing in front of my cell, and fell a sleep standing up!! I felt bad for the dude. And wondered how he was going to get home safely in that condition. Yes the Admin got pissed off at me for putting that essay on my blog. Here we are three years later, with the same bad behavior and disregard for their staff and public safety.

And then I witness an officer standing here just the other day looking sick as a dog!! I feel compassion for this human being who just - from my quick observation, needs to go lay down. I said, " You look bad " He responded, "" I feel bad. "" And went on to tell me how he requested to go home. They gave him a covid test. He tested negative and they denied him. To me that's absolutely inexcusable!!! Your telling me , " I " as death row inmate, can find more compassion for that man than his OIC( officer in charge)?? And you want to work for someone like that? I don't think so! I seen a Captain in 2018 belittle a Sgt in front of staff and inmates. The other Sgt's huddled up in the corner, laughing as this man who was berated in front of all of us. All because he had three or four of us sitting on the bench, waiting to see the doctor. Was the Sgt going by protocol? No, he wasn't. But he wasn't doing anything that any other staff member hasn't done. I can recall our Regional Director John Palmer back in the early 90's at FSP ( Florida State Prison) as a rec officer, where he ran out of handcuffs and instead of sending to get more, said Put your hands behind your back and escorted us out. If a Lt or Captain would have seen that, he would have been written up reprimanded and possibly suspended. My point is they all bend the rules! There was no reason to berate that man like that. Should he have corrected him? By all means. But there's a right way and a wrong way to do everything. And when you look, at how uncompassionate and inconsiderate they are towards their own staff, you need not wonder why they beat inmates to death. Burn them in scalding shower's until the flesh is falling off. Rape female inmates, which has been documented in a U.S. Department of Justice report dated December 2020. Write false disciplinary reports falsifying state documents ect ect.. When you lack compassion for your subordinates, how in the hell can we expect them to find compassion for the inmate population?! We can't! Change starts from the top, not the bottom. And although Secretary Inch is talking about 8.5 hour shifts to correct this. That's going to be of little consequence, when you force staff into double shifts, and working them 8,9 and 10 days straight! Where's their time with their family? Where's their time to decompress from stressful job? Where's their time to enjoy life outside of the human suffering that they witness in here daily? Basically what is being done to staff, is their being desensitized to the human suffering that they witness day in and day out, in this cesspool that warehouses human beings. And this is done without a break. So its truly no wonder why our staff is as broken as the inmate population is. Yes its broken, because not even they, can find compassion among the rank and file of the FDOC for their own kind. Yes this is not a career opportunity that I would recommend to anyone.

Ronald W. Clark Jr #812974

March 12, 2021



**You have received a *jp*ay letter, the fastest way to get mail**

From : RONALD CLARK, ID: 812974  
 To : Between Bars, CustomerID: 7672438  
 Date : 8/12/2021 7:08:38 AM EST, Letter ID: 1244059990  
 Location : 213  
 Housing : P5116S

**"WHERE IS THE DUE PROCESS OF LAW?!!!!!!"**

This Appeal was against Mr Minta's rubber stamping of DR 213-210782. Where he stated it was a Bullshit DR. If you look at who typed up and signed this DR Appeal. Yes it's none other than Mr Minta himself. Wherefore due process just been crapped on by this Administration. For he (Mr Minta) should not have responded or influenced this DR Appeal against his bogus finding and not applying the law which he clearly did not do! Yes they've rendered the grievance system and this DR Appeal ineffective. Which violates my Rights to due process. Welcome to the Florida Department of CORRUPTION.

Grievance Response to log #2107-213-154

Your request for Administrative Remedy or Appeal has been received, reviewed and evaluated.

Further investigation reveals the following information.

The DR Hearing Team members reviewed and considered all information, documentation and evidence available at the time of the disciplinary hearing to include the statement of facts as it was written for Disciplinary Report 213-210782.

In reference to laundry bags being searched, there is nothing in policy that states every bag being picked up must be searched.

Sergeant Flaherty, Sergeant Wood and Officer Middlebrooks documented on the DC6-112 C (Witness Statement) that while assisting Sergeant Garrett with laundry pickup, at no time was your laundry bag left unattended.

Inmate Dettman stated that he did not notice anything out of the ordinary about your laundry bag. There is no set weight for any particular laundry bag. Therefore any laundry bag's weight would be different from others based on the items stored inside. There would be no reason for inmate Dettman to notice a weight difference. You requested a review of the video during the investigation process and it was reviewed. Based upon review of the identified recording or the capabilities of the particular recording equipment, the video evidence does not provide evidence to support your statement.

At no time during the disciplinary hearing process did Mr. Minta or Lieutenant Barton state that the disciplinary report was a "bullshit DR."

Other than denying your guilt, you have not provided any new verifiable information nor presented any additional evidence or mitigating circumstances that was not already available to the DR hearing team at the time of deliberation. You have presented nothing that would warrant the overturning of the disciplinary report.

Therefore, based on the foregoing information: your grievance is denied.

You may obtain further administrative review of your complaint by obtaining form DC1-303 Request for Administrative Review or Appeal. Complete the form, providing attachments as required by 33-103.007(3)(a) and (b). F.A.C. and forwarding your complaint to the Bureau of Inmate Grievance Appeals, 501 South Calhoun St. Tallahassee, FL 32399-2500, within 15 days from date of the response.

Investigated typed and Signed by CLO C Minta and Warden T. Lamb

Let's look at several issues. On Sgt Flaherty, Sgt Wood and Officer Middlebrooks. I've seen these men where they can barely keep their eyes open from being overworked and pushed to the brink of exhaustion! Where one officer is working three security post! I've seen these officer's fall a sleep standing up while pulling me for a call out. I've written about it on my blog. So to say these men are mentally and physically alert to where inmate's can't run a distraction diversion and place the can's in that laundry bag, is utter nonsense! I've seen such tactics used right in front of staff.

On Inmate Dettman. Yes there is a set weight on Thursday morning for laundry bags. You are only allowed to have two sheets and one pillow case in that laundry bag. And the weight is noticeable because Sgt Garrett has returned laundry bags that had a tee shirt in them. Where Inmates were trying to get their shit bleached with the sheets. And 7 cans of smokeless tobacco would have been bulky and hard to get through the bars in a laundry bag and would have weighed a considerable amount more than two sheets and a pillow case.

And Mr Minta is the one who stated, This is a bullshit DR. Now that he see's that I brought it to their attention in the appeal he's denying it. If I say something, I'm man enough to stand behind what I say or write.

And the biggest issue here is applying case law. Kresbach v. State of Florida, 462 So. 2d 62 (Fla 1st D.C.A. 1984) "TO PROVE CONSTRUCTIVE POSSESSION THE BURDEN IS ON THE STATE TO SHOW THAT THE DEFENDANT KNEW OF THE PRESENCE OF CONTRABAND IN THE CONTAINER AND HAD THE ABILITY TO MAINTAIN CONTROL THEREOF." Stemm v. Florida, 523 So 2d 760 (Fla 1st D.C.A.1988) "THERE MUST BE KNOWLEDGE OF THE PRESENCE OF CONTRABAND TO BE CULPABLE IN CONSTRUCTIVELY POSSESSING OR INTRODUCING CONTRABAND." In Brooks v. State, 501 So 2d 176(Fla 4th D.C.A.1987), "GUILT CANNOT REST ON MERE PROBABILITY."

It's clear I'm dealing with unethical and immoral people who will not admit their wrong. And has now violated my

***jp*ay Tell your friends and family to visit [www.jp.com](http://www.jp.com) to write letters and send money!**



*You have received a **jp**ay letter, the fastest way to get mail*

From : RONALD CLARK, ID: 812974  
To : Between Bars, CustomerID: 7672438  
Date : 8/12/2021 7:08:38 AM EST, Letter ID: 1244059990  
Location : 213  
Housing : P5116S

Rights to Due Process of law by allowing Mr Minta to respond to an appeal against him.  
Regretfully Submitted Ronald W. Clark Jr. #812974

**jp**ay Tell your friends and family to visit [www.jp.com](http://www.jp.com) to write letters and send money!



DC#: 812974 INMATE NAME: CLARK, RONALD  
VIOLATION CODE: 0317 TITLE: POSS/TOBACCO-DEATH ROW  
FACILITY CODE: 213 NAME: UNION C.I.

INFRACTION  
DATE: 07/08/21  
TIME: 06:15

## I. STATEMENT OF FACTS

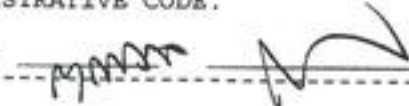
AT APPROXIMATELY 0615 HOURS ON THURSDAY, JULY 8TH, 2021, WHILE ASSIGNED AS NORTH EAST UNIT PROPERTY ROOM/LAUNDRY SERGEANT, I WAS LOADING THE LAUNDRY BAGS COLLECTED FROM NEU 1 SOUTH WING 6 INTO THE LAUNDRY CART TO TRANSPORT TO LAUNDRY WHEN I FOUND (7) FACTORY SEALED (UNOPENED) CANS OF CREEK TOBACCO BRAND SMOKELESS TOBACCO, CONCEALED INSIDE A SOCK THAT WAS INSIDE THE LAUNDRY BAG OF INMATE CLARK, RONALD DC#812974 HOUSED IN P6101S. I CONFISCATED THE (7) CONTAINERS OF SMOKELESS TOBACCO, AND NOTIFIED THE SHIFT OIC. EACH FACTORY SEALED CAN OF SNUFF WEIGHS 1.2 OZ. THE TOTAL WEIGHT OF TOBACCO FOR THE 7 CANS IS 8.4 OZ. INMATE CLARK IS IN VIOLATION OF F. A. C. CHAPTER 33-601.314 RULES OF PROHIBITED CONDUCT CODE: (3-17) DEATH ROW INMATES - POSSESSION OF TOBACCO, OTHER THAN AUTHORIZED SMOKELESS TOBACCO, OR POSSESSION OF TOBACCO-RELATED PRODUCTS INTENDED FOR USE WITH SMOKING TOBACCO SUCH AS LIGHTERS OR CIGARETTE PAPERS; INTRODUCTION OF TOBACCO OR TOBACCO-RELATED PRODUCTS TO NON-DEATH ROW HOUSING OR TRAFFICKING IN SUCH PRODUCTS. PHOTOS OF THE CANS OF TOBACCO WERE TAKEN AND ARE ATTACHED. THE CANS OF TOBACCO WERE THEN SECURED IN THE EVIDENCE LOCKER WITH A DC6-801 CHAIN OF CUSTODY ATTACHED. ADMINISTRATIVE RULES 33-401.401 (8) INMATES ON DEATH ROW SHALL NOT PURCHASE MORE THAN TWO (2) PACKAGES OF SMOKELESS TOBACCO PRODUCTS PER WEEK AND SHALL NOT EXCEED THE POSSESSION LIMIT OF TWO (2) PACKAGES. INMATE CLARK WILL REMAIN ON DEATH ROW STATUS. THIS INCIDENT WAS REFERRED TO THE SHIFT SUPERVISOR FOR FURTHER DISPOSITION.

REPORT WRITTEN: 07/08/21, AT 06:40

BY: GSH02 - GARRETT, STEVEN H.

II. INMATE NOTIFICATION OF CHARGES: DATE DELIVERED: 07/09/21, AT 10:44

NO HEARING SHALL COMMENCE PRIOR TO 24 HOURS OF DELIVERY OF CHARGES EXCEPT WHEN THE INMATE'S RELEASE DATE DOES NOT ALLOW TIME FOR SUCH NOTICE OR THE INMATE WAIVES THE 24 HOUR PERIOD AS AUTHORIZED IN RULE 33-601, FLORIDA ADMINISTRATIVE CODE.

DELIVERED BY : 

## NOTICE TO INMATE:

AS AN INMATE BEING CHARGED WITH A VIOLATION OF THE RULES OF PROHIBITED CONDUCT, YOU ARE ADVISED THE FOLLOWING: