

FEDERAL BUREAU OF PRISONS - SOUTH CENTRAL REGIONAL OFFICE, DALLAS, TEXAS

SUBJECT: MONTHLY REPORT
NOVEMBER 1992

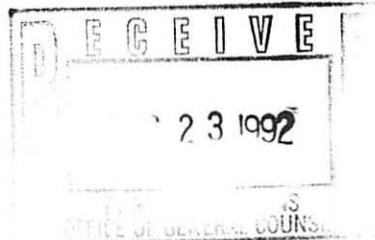
DATE: DECEMBER 22, 1992

TO: WALLACE H. CHENEY
GENERAL COUNSEL

FROM: MICHAEL D. HOOD
REGIONAL COUNSEL

TORT CLAIMS

NUMBER RECEIVED	58
NUMBER ANSWERED	16
NUMBER PENDING	212
NUMBER OVER SIX MON	0



FOI/PRIVACY

NUMBER RECEIVED	24
NUMBER ANSWERED	5
NUMBER PENDING	19
NUMBER OVER 30 DAYS	0

LITIGATION

NEW CASES RECD	14
CASES CLOSED	35
HABEAS CORPUS	7
APPEALS	5
WARRANTS	2
OTHER	0

NUMBER OF LITIGATION REPORTS PREPARED - 23

CASES WITH HEARINGS OR TRIALS - 2

SIGNIFICANT CASES:

SEYMOUR V. HAAS, 4:92-CV-630-Y (NDTX). INMATE NAMED 18 DEFENDANTS INCLUDING TWO CONTRACT PHYSICIANS ALLEGING INADEQUATE MEDICAL CARE. CONTRACT PHYSICIAN HAS THREATENED TO STOP TREATING INMATES IF HE IS NOT ACCORDED REPRESENTATION BY THE DOJ.

TELESFORA LOZANO HAS FILED A TORT CLAIM ALLEGING SHE FELL IN BATHROOM WHILE VISITING RELATIVE AT FPC, BRYAN. CLAIMANT IS AN 82-YEAR OLD FEMALE. CLAIMANT HAS ALLEGEDLY INCURRED IN EXCESS OF \$30,000.00 IN MEDICAL BILLS AND IS REPRESENTED BY COUNSEL. THIS CLAIM WILL CENTER ON WHETHER CLAIMANT WAS AN INVITEE OR LICENSEE. THE SIX (6) MONTH RESPONSE DATE FOR REPLY TO THIS CLAIM IS FEBRUARY 21, 1993.

MARVIN SEIFE HAS FILED A TORT CLAIM ALLEGING IMPROPER TREATMENT ARISING FROM THE AMPUTATION OF HIS LEG. CLAIMANT IS REPRESENTED BY COUNSEL AND HIS COUNSEL WOULD LIKE TO SETTLE THIS MATTER OUT OF COURT. WE ARE CURRENTLY AWAITING A MEDICAL REPORT FROM THE ARMED FORCES INSTITUTE OF PATHOLOGY. ONE MAJOR ISSUE WILL BE THE BUREAU OF PRISONS'

RESPONSIBILITY FOR THE ACTIONS OF ITS CONTRACT PHYSICIANS. THE SIX
(6) MONTH RESPONSE DATE DEADLINE FOR THIS CLAIM IS FEBRUARY 28, 1993.

STIKES V. KASTNER, GINGRAS V. QUINLAN, BETKA V. BROWN, AND LANGSTON V.
QUINLAN - ALL CARVILLE CASES CONSTRUED ALLEGING DISCRIMINATION AGAINST
HANDICAPPED INMATES, DENYING PLACEMENT IN HALFWAY HOUSES. COURT
CONSTRUED AS HABEAS. WE HAVE MAGISTRATE'S RECOMMENDATION IN OUR FAVOR
IN STIKES, AWAITING FINAL DECISION.

MANUEL V. BARR, A-92-CA-569-SS - AN EEO CASE INVOLVING A FEMALE STAFF
MEMBER WHO WAS TERMINATED FROM FCI, BASTROP IN 1984-85. THERE IS A
POSSIBLE LIABILITY ISSUE IN THIS CASE. HOWEVER, THE FEMALE STAFF
MEMBER IS NOT INTERESTED IN BEING REINSTATED EXCEPT TO RECEIVE BACK
PAY.