

# **APPENDIX A**

United States Court of Appeals  
For the Eighth Circuit

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No. 17-2855

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Monty M. Shelton

*Plaintiff - Appellant*

v.

Gene Beasley, Warden, FCI-Forrest City

*Defendant - Appellee*

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Appeal from United States District Court  
for the Eastern District of Arkansas - Eastern Division

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Submitted: July 24, 2018

Filed: July 27, 2018

[Unpublished]

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Before GRUENDER, KELLY, and GRASZ, Circuit Judges.

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PER CURIAM.

Federal prisoner Monty Shelton appeals following the district court's<sup>1</sup> dismissal of his 28 U.S.C. § 2241 petition. Having conducted a careful review of the record and the parties' arguments on appeal, we conclude that Shelton's petition was properly dismissed for lack of subject matter jurisdiction. Accordingly, we affirm the judgment. *See* 8th Cir. R. 47B.

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<sup>1</sup>The Honorable James M. Moody, Jr., United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable J. Thomas Ray, United States Magistrate Judge for the Eastern District of Arkansas.

# APPENDIX B

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
EASTERN DIVISION**

**MONTY M. SHELTON  
Reg. #10426-078**

**PETITIONER**

**V. NO. 2:16-CV-00165-JM-JTR**

**GENE BEASLEY  
Warden, FCI-Forrest City**

**RESPONDENT**

**RECOMMENDED DISPOSITION**

The following Recommended Disposition (“Recommendation”) has been sent to United States District Judge James M. Moody, Jr. You may file written objections to all or part of this Recommendation. If you do so, those objections must: (1) specifically explain the factual and/or legal basis for your objection; and (2) be received by the Clerk of this Court within fourteen (14) days of the entry of this Recommendation. The failure to timely file objections may result in waiver of the right to appeal questions of fact.

**I. Introduction**

Pending before the Court is a 28 U.S.C. § 2241 Petition for a Writ of Habeas Corpus filed by Petitioner, Monty M. Shelton (“Shelton”), who is currently incarcerated at the Federal Correctional Institution in Forrest City, Arkansas. *Docs. 1 & 2.* Respondent filed a Response, to which Shelton filed a Reply. *Docs. 8 & 10.* Thus, the issues are joined and ready for disposition.

Before addressing Shelton's claims, the Court will review the relevant procedural history of the case.

In September 2003, a federal jury in the Eastern District of Texas convicted Shelton of: (1) one count of possessing methamphetamine with intent to distribute; and (2) two counts of receiving a firearm while under indictment. On March 3, 2004, Shelton was sentenced to 405 months in the Bureau of Prisons on the drug charge and 60 months on each of the firearm charges, all to be served concurrently. *United States v. Shelton*, E.D. Tex. No. 4:03-cr-00081 (*Shelton I*); *see Doc. 8-1 (Judgment)*.

On direct appeal, Shelton challenged the sufficiency of the evidence supporting all three of his convictions.<sup>1</sup> On January 6, 2005, the Fifth Circuit Court of Appeals affirmed, finding the evidence against him to be "overwhelming." *United States v. Shelton*, 119 F. App'x 638 (5th Cir. 2005). Shelton's petition for rehearing was denied. The United States Supreme Court later denied certiorari. *Shelton v. United States*, 546 U.S. 910 (2005).

On October 5, 2006, Shelton filed a 28 U.S.C. § 2255 motion in the sentencing court arguing, *inter alia*, that the evidence was insufficient to support his firearms convictions.<sup>2</sup> *See Doc. 8-4, at 2-3*. On December 11, 2009, the sentencing court

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<sup>1</sup>He also argued that: (1) hearsay testimony from two police officers was erroneously admitted; and (2) his sentence was illegal under *Blakely v. Washington*, 542 U.S. 296 (2004).

<sup>2</sup>Shelton's § 2255 claims were summarized as follows: (1) the government knowingly used unsubstantiated and speculative testimony to obtain the firearms convictions; (2) his trial attorney was ineffective for failing to prove Shelton's actual innocence of one firearms charge, to object

dismissed the § 2255 motion with prejudice. *Docs. 8-5 & 8-6*. The court also denied Shelton's subsequent motion to alter or amend the judgment, noting that its "main focus seems to be that [Shelton] is actually innocent" of the firearms charges. *Doc. 2, at 15-16*. On November 4, 2010, the Fifth Circuit denied Shelton's motion for a certificate of appealability on the § 2255 dismissal. *United States v. Shelton*, No. 09-41284 (5th Cir. Nov. 4, 2010).

Shelton next filed, in the sentencing court, a motion for relief from judgment, pursuant to Fed. R. Civ. P. 60(b), which the sentencing court denied on April 13, 2011. *Doc. 2, at 17*. On August 21, 2012, the Fifth Circuit rejected Shelton's motion for a certificate of appealability seeking review of the denial of his Rule 60(b) motion. *United States v. Shelton*, No. 11-40534 (5th Cir. Aug. 21, 2012). In its order, the Fifth Circuit found that the Rule 60(b) motion was "in the nature of a successive § 2255 motion"; Shelton had not obtained authorization to proceed with a successive § 2255 motion; and "[r]easonable jurists would not debate the district court's ruling denying relief." *Id.*, slip op. at 1-2.

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to the evidence on both firearms charges, to contest the court's jurisdiction, to address the issue of severance, or to establish a defense strategy; (3) his appellate counsel was ineffective for failing to address the trial court's jurisdiction or the severance of charges, filing an incomplete trial transcript, failing to timely file a petition for writ of certiorari, and failing to challenge an upward adjustment of his offense level; (4) his Sixth Amendment rights were violated because the facts were not found by the jury beyond a reasonable doubt; (5) he was shackled during his trial based on testimony that was later recanted; (6) his right to counsel was violated when the trial court denied his request for substitute counsel; and (7) the government allowed false testimony. *Doc. 8-4, at 2-3*.

On December 5, 2013, Shelton filed a § 2241 federal habeas action in the United States District Court in the Central District of California, where he was then incarcerated. He argued that his two firearms convictions were invalid and that he was “actually innocent” of those crimes. On January 8, 2014, the court dismissed Shelton’s § 2241 action for lack of jurisdiction, finding that it was a “disguised successive § 2255 motion attacking his convictions” and he could not show that he had “not already had an ‘unobstructed procedural shot’ at raising his claims” in his § 2255 proceedings. *Shelton v. United States*, 2014 WL 69516 (C.D. Cal. Jan. 8, 2014). The Ninth Circuit Court of Appeals denied Shelton’s request for a certificate of appealability. *Shelton v. United States*, No. 14-55316 (9th Cir. Sept. 26, 2014).

On December 7, 2016, Shelton filed this § 2241 habeas action, which challenges his two convictions for receipt of a firearm while under indictment. In his § 2241 papers, he alleges that he is “factually innocent” of those charges because: (1) no evidence was presented at trial regarding the date he received the firearms, and the “fictitious” dates on the charging instrument were never discussed or verified; (2) the evidence was insufficient, on one of the counts, to prove that he “received” the firearm after the indictment; (3) the evidence was insufficient to prove that he knew about an indictment when he received either of the firearms; (4) venue was improper; (5) the government constructively amended the charges to include “possession” of a firearm while under indictment; (6) the trial and appellate courts,

in his direct appeal, and the § 2255 courts, improperly characterized the charged offense to include “possession” of a firearm; (7) he was prejudiced by the misjoinder of the firearms charges with an unrelated drug charge; and (8) his trial attorney was ineffective for various reasons.

For the reasons discussed below, the Court concludes that it lacks subject matter jurisdiction to consider Shelton’s § 2241 Petition, and recommends that it be dismissed, without prejudice.

## **II. Discussion**

A challenge to the lawfulness of a federal conviction and sentence generally must be made in the sentencing court through a 28 U.S.C. § 2255 motion to vacate, set aside, or correct. *Lopez-Lopez v. Sanders*, 590 F.3d 905, 907 (8th Cir. 2010); *see* § 2255(a) (a federal prisoner “may move the court which imposed the sentence” to vacate, set aside or correct the sentence). Because a § 2255 motion attacks the validity of the conviction or sentence, it is “a further step in the movant’s criminal case,” and subject matter jurisdiction lies with the court which convicted and sentenced him. *DeSimone v. Lacy*, 805 F.2d 321, 323 (8th Cir. 1986); *Thompson v. Smith*, 719 F.2d 938, 940 (8th Cir. 1983).

A limited exception to this rule is found in the “savings clause” of § 2255(e), which permits a federal court in the district of incarceration to entertain a § 2241 habeas petition challenging the validity of a conviction or sentence *only if* “it also

appears that the remedy by [§ 2255] motion [to the sentencing court] is inadequate or ineffective to test the legality of his detention." *See United States ex rel. Perez v. Warden, FMC Rochester*, 286 F.3d 1059, 1061-62 (8th Cir. 2002) (describing the exception as a "narrowly-circumscribed 'safety valve'"). A petitioner bears the burden of demonstrating that the § 2255 remedy is inadequate or ineffective. *Lopez-Lopez*, 590 F.3d at 907.

The Eighth Circuit has explicitly held that a § 2241 petition in the district of incarceration cannot be used to raise an issue which could have been, or actually was, raised in a direct appeal or a § 2255 motion in the sentencing district. *Id.*; *Nichols v. Symmes*, 553 F.3d 647, 650 (8th Cir. 2009); *Hill v. Morrison*, 349 F.3d 1089, 1092 (8th Cir. 2003). In addition, simply because procedural barriers prevent a petitioner from pursuing § 2255 relief does *not* render that remedy "inadequate or ineffective" under § 2255(e). *Lopez-Lopez*, 590 F.3d at 907.<sup>3</sup>

In one form or another, virtually all of Shelton's current claims were asserted either in his direct appeal or in his § 2255 proceedings. Furthermore, *all* of Shelton's claims in this action unquestionably challenge the validity of his firearms

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<sup>3</sup>The Eighth Circuit has specifically held that the § 2255 remedy is *not* inadequate or ineffective merely because: (1) the claim already has been raised and rejected in a § 2255 proceeding; (2) the sentencing court failed to fully or adequately address a § 2255 claim; (3) the petitioner has been denied permission to file a second or successive § 2255 motion; or (4) a § 2255 motion would be barred as successive or untimely. *Id.*; *Hill*, 349 F.3d at 1091.

convictions in the Eastern District of Texas and thus *could have been raised* in his § 2255 proceedings in that court.

Shelton argues that, based on his alleged “actual innocence,” the “savings clause” applies to him because the sentencing court allegedly did not address that issue in his § 2255 proceedings. *Doc. 10, at 2.*

It is well-settled law in the Eighth Circuit that the “savings clause” in § 2255 may *only be applied* in cases in which a prisoner asserts a claim of “actual innocence” *if* he has “never had an unobstructed procedural opportunity to raise the claim [of actual innocence].” *Abdullah v. Hedrick*, 392 F.3d 957, 960 (8th Cir. 2004). Here, Shelton unquestionably has been afforded an “unobstructed procedural opportunity” to raise his claim of actual innocence. In fact, he *explicitly raised that claim* in his § 2255 proceedings in the sentencing court, where it was *rejected*, and the Fifth Circuit denied two requests for a certificate of appealability. Shelton argues that, because those courts denied his actual innocence claim based on a “procedural barrier to relief,” rather than deciding the issues on the merits, it renders the § 2255 remedy inadequate or ineffective. This argument was flatly rejected by the Court in *Lopez-Lopez*, 590 F.3d at 907. Thus, based on *Abdullah*, the “savings clause” in § 2255 is *not* available to Shelton in this case.

Finally, Shelton argues that the Eighth Circuit’s “narrow interpretation” of the § 2255 savings clause in *Abdullah* “runs afoul” of the United States Supreme Court’s

decision in *McQuiggin v. Perkins*, 133 S. Ct. 1924 (2013). While the Eighth Circuit has not spoken on the issue, all of the other Courts of Appeal that have reached this issue have held that *McQuiggin* does *not* allow a federal prisoner to bring a § 2241 petition without showing that any remedies available under § 2255 are inadequate or ineffective. *See Boyce v. Berkebile*, 590 F. App'x 825, 826-27 (10th Cir. 2015); *Candelario v. Warden*, 592 F. App'x 784, 785-86 (11th Cir. 2014); *Griffin v. Longley*, 548 F. App'x 146, 147 (5th Cir. 2013); *McAdory v. Warden Lewisburg USP*, 545 F. App'x 88, 91 (3rd Cir. 2013). As the Eleventh Circuit explained: “[E]ven assuming *McQuiggin* is retroactively applicable and applies to federal prisoners, ... [its] holding was limited to *initial* petitions for habeas corpus ... It created an exception to the limitations period; *it said nothing about whether a petitioner may bring a second or successive petition under the savings clause.*” *Candelario*, 592 F. App'x at 786 (emphasis added).

Accordingly, because this Court lacks subject matter jurisdiction to consider Shelton’s challenges to the convictions and sentences imposed by the United States District Court for the Eastern District of Texas, this § 2241 habeas action must be dismissed.

**III. Conclusion**

IT IS THEREFORE RECOMMENDED THAT this 28 U.S.C. § 2241 Petition for Writ of Habeas Corpus, *Doc. 1*, be DENIED, and the case be DISMISSED, without prejudice.

DATED this 20<sup>th</sup> day of June, 2017.



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UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
EASTERN DIVISION**

**MONTY M. SHELTON  
Reg. #10426-078**

**PETITIONER**

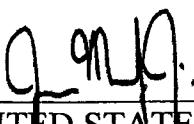
**V. NO. 2:16-CV-00165-JM-JTR  
GENE BEASLEY  
Warden, FCI-Forrest City**

**RESPONDENT**

**JUDGMENT**

Consistent with the Order that was entered on this day, it is CONSIDERED, ORDERED, and ADJUDGED that this 28 U.S.C. § 2241 action is DISMISSED, WITHOUT PREJUDICE.

DATED this 6th day of July, 2017.

  
\_\_\_\_\_  
**UNITED STATES DISTRICT JUDGE**

# ATTACHMENT B

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

MONTY MARCELLUS SHELTON  
#10426-078

§

VS. § CIVIL ACTION NO. 4:06cv414  
UNITED STATES OF AMERICA § CRIM NO. 4:03cr81

REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE

Movant Monty Marcellus Shelton, a prisoner confined at FCI Beaumont (Medium) in Beaumont, Texas, proceeding *pro se*, filed the above-styled and numbered motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255. The motion was referred for findings of fact, conclusions of law and recommendations for the disposition of the case.

Background

On September 16, 2003, a jury found Movant guilty of the offense of possession with intent to distribute methamphetamine (Count One) and for being a felon in possession of a firearm while under indictment (Counts Two and Three), in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 922(n). On March 8, 2004, the Court sentenced him to 405 months of imprisonment. On January 6, 2005, the United States Court of Appeals for the Fifth Circuit affirmed his conviction. Movant filed a petition for writ of certiorari review, which the United States Supreme Court denied on October 5, 2005.

FILED

January 6, 2005

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUITCharles R. Fulbruge III  
ClerkNo. 04-40307  
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MONTY MARCELLUS SHELTON,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 4:03-CR-81-ALL-LED  
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Before DAVIS, SMITH and DENNIS, Circuit Judges.

PER CURIAM:\*

Monty Marcellus Shelton appeals his conviction and sentence for one count of possession with intent to distribute 500 grams or more of methamphetamine and for two counts of being a felon in possession of a firearm while under indictment. 21 U.S.C. § 841; 18 U.S.C. § 922(n). He argues (1) that the evidence at trial was insufficient to support his convictions, (2) that the testimony of two police officers contained hearsay, in violation of his rights under the Confrontation Clause of the Sixth Amendment, and

\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

(3) that his sentence violates Blakely v. Washington, 124 S. Ct. 2531 (2004).

The evidence at trial was overwhelming. The Government presented 12 witnesses, most of whom attested to Shelton's possession of large quantities of methamphetamine pills as well as his activities as a dealer of methamphetamine. One witness testified that Shelton was in possession of at least 30,000 methamphetamine pills. Another testified that approximately 5,000 methamphetamine pills were found in Shelton's vehicle. Witnesses also attested to Shelton's possession of the two shotguns charged in counts two and three. This argument is without merit. See United States v. Payne, 99 F.3d 1273, 1278 (5th Cir. 1996).

Shelton's argument that hearsay testimony was erroneously admitted at trial fails. Any error in admitting the testimony was harmless in light of the overwhelming evidence of his guilt. See United States v. Cantu, 167 F.3d 198, 203 (5th Cir. 1999).

Shelton's argument that his sentence is illegal under Blakely is foreclosed by this court's opinion in United States v. Pineiro, 377 F.3d 464 (5th Cir. 2004), petition for cert. filed (U.S. July 14, 2004) (No. 04-5263).

AFFIRMED.

# **ATTACHMENT C**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

MONTY MARCELLUS SHELTON  
#10426-078

§

VS. § CIVIL ACTION NO. 4:06cv414  
UNITED STATES OF AMERICA § CRIM NO. 4:03cr81

O R D E R

Movant filed a Motion to Alter or Amend Judgment on December 21, 2009. If the motion for relief from judgment is filed within ten days of final judgment, Movant's motion should be filed as a motion under Rule 59 rather than Rule 60. *Ford v. Elsbury*, 32 F.3d 931, 937 (5<sup>th</sup> Cir. 1994) (citing *Lavespere v. Niagara Mach. & Tool Works, Inc.* 910 F.2d 167, 173 (5<sup>th</sup> Cir. 1990)) (the decision to apply Rule 59 or Rule 60 depends on when the motion was served – if within ten days of the rendition of the judgment, the motion falls under Rule 59(e); if it is served after that time, it falls under Rule 60(b)). Because Movant's motion was filed within ten (10) days of final judgment, it is properly construed as a motion pursuant to Rule 59.

In his Rule 59 motion, Movant complains that his objections were timely filed, but that the case had already been closed. He is correct in his assertion. The Report and Recommendation was filed on November 23, 2009. This would have made objections due December 10, 2009, including a 3-day mailing period. Movant's case was denied on December 11, 2009. Unfortunately, Movant's acknowledgment of receipt of the Report and Recommendation was not filed until after the case had been closed – on December 14, 2009. Because the acknowledgment of receipt shows that Movant

did not receive the Report and Recommendation until December 2, 2009, his objections are timely.

This Court has considered Movant's objections, and have found them to be without merit. His main focus seems to be that he is actually innocent of Counts One and Two. However, the firearm issues that he presented concerning Counts One and Two are barred from collateral review, as explained in the Report and Recommendation. Accordingly, if he wishes, Movant may file a Rule 60 motion for relief from judgment wherein he must show that failure to grant his motion for relief will result in a grave miscarriage of justice. It is accordingly

**ORDERED** that Movant's motion (docket entry #29) is **DENIED**.

So **ORDERED** and **SIGNED** this 13th day of January, 2010.

A handwritten signature in black ink, appearing to read "LEONARD DAVIS", is written over a horizontal line. The signature is fluid and cursive, with a large, stylized "L" at the beginning.

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**LEONARD DAVIS**  
**UNITED STATES DISTRICT JUDGE**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

MONTY MARCELLUS SHELTON §  
VS. §  
UNITED STATES OF AMERICA §

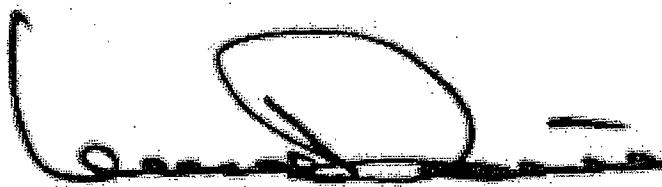
CIVIL ACTION NO. 4:06cv414  
CRIM. NO. 4:03cr81(01)

O R D E R

Came on for consideration, Movant's Rule 60 motion for relief from the judgment (docket entry #40) denying his § 2255 motion. The § 2255 motion was dismissed on December 21, 2009. The Fifth Circuit denied his motion for a certificate of appealability on November 5, 2010. The present motion was filed on January 11, 2011. He presented three grounds for relief that were not raised in the original § 2255 motion. The motion should be denied for three reasons. First of all, Movant has not shown nor attempted to show that the decision dismissing the § 2255 motion was erroneous. Secondly, the Rule 60 motion should be construed as a successive § 2255 motion, and Movant may not file a successive § 2255 motion unless he has obtained permission from the Fifth Circuit to file it. See *United States v. Rich*, 141 F.3d 550, 551-53 (5th Cir. 1998). Finally, a Rule 60 motion must be filed, at a minimum, within a reasonable time after the entry of the judgment. Fed. R. Civ. P. 60(c)(1). The present motion was filed more than a year after the § 2255 motion was dismissed and was not filed within a reasonable length of time after the entry of the judgment. It is therefore

**ORDERED** that the motion for relief from the judgment (docket entry #40) is **DENIED**.

So ORDERED and SIGNED this 12th day of April, 2011.



LEONARD DAVIS  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE**  
(Prisoner Accounts Only)  
(To be Completed by the Institution of Incarceration)

I certify that the applicant named herein has the sum of \$ 225.00 on account to his/her credit at the State Prison, New Mexico institution where he is confined.

I further certify that the applicant likewise has the following securities to his/her credit according to the records of said institution: W 100

I further certify that during the past six months the applicant's average balance was  
\$ 228.00.

12/12/88

Date

\_\_\_\_\_  
Signature of Authorized Officer of Institution

## Inmate Inquiry



**Inmate Reg #:** 10426078      **Current Institution:** Forrest City - FCC  
**Inmate Name:** SHELTON, MONTY      **Housing Unit:** FOR-Z-A  
**Report Date:** 12/18/2018      **Living Quarters:** Z04-231UAD  
**Report Time:** 8:37:20 AM

[General Information](#) | [Account Balances](#) | [Commissary History](#) | [Commissary Restrictions](#) | [Comments](#)

### General Information

**Administrative Hold Indicator:** No

**No Power of Attorney:** No

**Never Waive NSF Fee:** No

**Max Allowed Deduction %:** 100

**PIN:** 5161

**PAC #:** 288347101

**Revalidation Date:** 19th

**FRP Participation Status:** Participating

**Arrived From:** OKL

**Transferred To:**

**Account Creation Date:** 3/22/2004

**Local Account Activation Date:** 6/10/2016 3:15:12 AM



**Sort Codes:**

**Last Account Update:** 12/11/2018 10:35:19 AM

**Account Status:** Active

**Phone Balance:** \$1.13

### Pre-Release Plan Information

**Target Pre-Release Account Balance:** \$0.00

**Pre-Release Deduction %:** 0%

**Income Categories to Deduct From:**  Payroll  Outside Source Funds

### FRP Plan Information

<b>FRP Plan Type</b>	<b>Expected Amount</b>	<b>Expected Rate</b>
Unicor %	\$0.00	50%

### Account Balances

<b>Account Balance:</b>	\$285.50
<b>Pre-Release Balance:</b>	\$0.00
<b>Debt Encumbrance:</b>	\$0.00
<b>SPO Encumbrance:</b>	\$0.00
<b>Other Encumbrances:</b>	\$0.00

Outstanding Negotiable Instruments: \$0.00  
 Administrative Hold Balance: \$0.00  
 Available Balance: \$285.50  
 National 6 Months Deposits: \$2,737.93  
 National 6 Months Withdrawals: \$2,681.67  
 Available Funds to be considered for IFRP Payments: \$1,493.98  
 National 6 Months Avg Daily Balance: \$288.20  
 Local Max. Balance - Prev. 30 Days: \$419.36  
 Average Balance - Prev. 30 Days: \$273.31

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## Commissary History

### Purchases

Validation Period Purchases: \$189.05  
 YTD Purchases: \$547.25  
 Last Sales Date: 12/11/2018 10:35:19 AM

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### SPO Information

SPO's this Month: 0  
 SPO \$ this Quarter: \$92.54

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### Spending Limit Info

Spending Limit Override: No  
 Weekly Revalidation: No  
 Bi-Weekly Revalidation: No  
 Spending Limit: \$410.00  
 Expended Spending Limit: \$153.35  
 Remaining Spending Limit: \$256.65

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## Commissary Restrictions

### Spending Limit Restrictions

Restricted Spending Limit: \$0.00  
 Restricted Expended Amount: \$0.00  
 Restricted Remaining Spending Limit: \$0.00  
 Restriction Start Date: N/A  
 Restriction End Date: N/A

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### Item Restrictions

List Name	List Type	Start Date	End Date	Active
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## Comments

**Comments:**

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**Additional material  
from this filing is  
available in the  
Clerk's Office.**

## **Federal Correctional Complex Forrest City, Arkansas**

## Sick Call Request/Triage and Medication Refill Form

Formulario para obtener una cita medica y para llenar medicinas

7:00 am -7:30 am

**Do not place the sick call request in the institution mail.**

**Failure to complete this form or follow any procedure delays processing your sick call complaint.**  
Llene este formulario completamente y traigalo al Servicio de Salud para ponerlo en la caja designada para sick call entre las 7:00 a.m. y 7:30 a.m. No ponga este pedido para cita medica en el correo de la institucion. No seguiendo este procedimiento o llenando este formulario incompletamente, tardara su cita medica.

(PLEASE PRINT)

**NAME:** \_\_\_\_\_ **(Nombre)**

**REG. No.:** \_\_\_\_\_ *(Número de Registro)*

**Signature:** \_\_\_\_\_ **(Firma)** **UNIT:** \_\_\_\_\_ **(Unidad)**

Today's Date: (Fecha de Hoy)

What is your medical problem? (Cuál es su problema médico?)

**When did your problem begin or how long have you had the problem? (Cuando comenzó su problema/ Cuanto tiempo ha tenido su problema?)**

**When were you last seen for your problem? (Cuando fue la ultima vez que lo vieron por su problema?)**

History of medical problems? (Circle)      Diabetes      Hypertension      Cardiac Disease      Asthma  
Immunocompromised      Mental Health Problems

Are you taking medicine? (Circle one) YES NO (Estas tomando medicina - Circule uno) (Si) (No)

**Do you Need Refills? (Circle one)** YES NO (Necesitas rellenar tus medicinas? ) (Si) (No)

If yes, what is the name(s) of the medication(s) you need refilled? \_\_\_\_\_

Cual es el nombre de las medicinas que necesita rellenar?

**Have you had an injury?** YES NO      **If YES, do you have pain?** (Circle one) YES NO

**Have you had an injury? YES NO**      **If YES, do you have pain? (Circle one) YES NO**  
*(Le ha lesionado?) (Si) (No) (Tienes dolor?) (Circule Uno) (Si) (No)*

If yes, how long have you had pain: \_\_\_\_\_ If YES, where is your pain? (Si contestas Si, donde estas su dolor?) \_\_\_\_\_  
(Por cuanto tiempo?)

If yes, rate your pain (circle one) 1 2 3 4 5 6 7 8 9 10  
(Como quantifica su dolor (circule uno) (0- No pain, 1-2 Mild, 3-4 Discomfort, 5-6 Moderate, 7-8 Severe, 9-10 Worst pain possible)  
(0- No dolor, 1-2 Poco dolor, 3-4 Leve dolor, 5-6 Dolor moderado, 7-8 Dolor severo, 9-10 Peor dolor)

All non-medical problem requests including copies of Medical Records should be sent by regular Cop-Out through the institutional mail system.

*(Todos los problemas que no son de indole medicos, incluyendo copias de su record medico, seran dirigidos a travez de un Cop-Out y puesto en el correo de la institucion)*

Do not write below this line  
(No escriba abajo de esta linea)

A decorative border consisting of two horizontal lines of stars, with a single horizontal line of dots in between.

**Date Scheduled to be Seen:** \_\_\_\_\_ **HSU Staff Signature:** \_\_\_\_\_

**Health Care Provider**  
**Comments:**

**Federal Correctional Complex**  
**Forrest City, Arkansas**

**Sick Call Request/Triage and Medication Refill Form**

Formulario para obtener una cita medica y para rellenar medicinas

7:00 am -7:30 am

Do not place the sick call request in the institution mail.

Failure to complete this form or follow any procedure delays processing your sick call complaint.

Llene este formulario completamente y traigalo al Servicio de Salud para ponerlo en la caja designada para sick call entre las 7:00 a.m. y 7:30 a.m. No ponga este pedido para cita medica en el correo de la institucion. No seguiendo este procedimiento o llenando este formulario incompletamente, tardara su cita medica.

(PLEASE PRINT)

**NAME:** \_\_\_\_\_ (Nombre)

**REG. No.:** \_\_\_\_\_ (Numero de Registro)

**Signature:** \_\_\_\_\_ (Firma) **UNIT:** \_\_\_\_\_ (Unidad)

**Today=s Date:** \_\_\_\_\_ (Fecha de Hoy)

What is your medical problem? (Cual es su problema medico?)

Where did your problem begin or how long have you had the problem? (Cuando comenzó su problema/ Cuanto tiempo ha tenido su problema?)

When were you last seen for your problem? (Cuando fue la ultima vez que lo vieron por su problema?)

**History of medical problems?** (Circle)

Diabetes      Hypertension  
Immunocompromised

Cardiac Disease      Asthma  
Mental Health Problems

Por quanto tiempo tiene este problema? (Circule uno) *Diabetes      Hypertencion  
Immunocomprometida*      *Enfermedad Cardiaca      Astma  
Enfermedad Mental*

Are you taking medicine? (Circle one) YES      NO      (Estas tomando medicina - Circule uno) (Si) (No)

Do you Need Refills? (Circle one) YES      NO      (Necesitas rellenar tus medicinas?) (Si) (No)

If yes, what is the name(s) of the medication(s) you need refilled? \_\_\_\_\_

Cual es el nombre de las medicinas que necesita rellenar? \_\_\_\_\_

Have you had an injury? YES      NO  
(Le ha lesionado?) (Si) (No)

If YES, do you have pain? (Circle one) YES      NO  
(Tienes dolor?) (Circule Uno) (Si) (No)

If yes, how long have you had pain: \_\_\_\_\_ If YES, where is your pain? (Si contestas Si, donde estas su dolor?)  
(Por quanto tiempo?) \_\_\_\_\_

If yes, rate your pain (circle one)      1      2      3      4      5      6      7      8      9      10  
(Como quantifica su dolor (circule uno) (0- No pain, 1-2 Mild, 3-4 Discomfort, 5-6 Moderate, 7-8 Severe, 9-10 Worst pain possible)  
(0- No dolor, 1-2 Poco dolor, 3-4 Leve dolor, 5-6 Dolor moderado, 7-8 Dolor severo, 9-10 Peor dolor)

All non-medical problem requests including copies of Medical Records should be sent by regular Cop-Out through the institutional mail system.

(Todos los problemas que no son de indole medicos, incluyendo copias de su record medico, seran dirigidos a travez de un Cop-Out y puesto en el correo de la institucion)

Do not write below this line  
(No escriba abajo de esta linea)

\*\*\*\*\*  
\*\*\*\*\*

TO BE COMPLETED BY HEALTH SERVICES STAFF ONLY.

Date Scheduled to be Seen: \_\_\_\_\_

HSU Staff Signature: \_\_\_\_\_

Health Care Provider  
Comments: \_\_\_\_\_