

APPENDIX A

United States Court of Appeals
For the Eighth Circuit

No. 17-2855

Monty M. Shelton

Plaintiff - Appellant

v.

Gene Beasley, Warden, FCI-Forrest City

Defendant - Appellee

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

Submitted: July 24, 2018

Filed: July 27, 2018

[Unpublished]

Before GRUENDER, KELLY, and GRASZ, Circuit Judges.

PER CURIAM.

Federal prisoner Monty Shelton appeals following the district court's¹ 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.

¹The 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.¹ 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.² See *Doc. 8-4*, at 2-3. On December 11, 2009, the sentencing court

¹He 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).

²Shelton'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.

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 907.³

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

³The 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

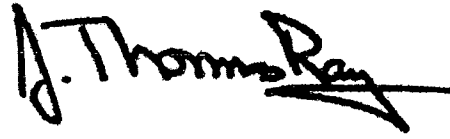
decision in *McQuiggin v. Perkins*, 133 S. Ct. 1924 (2013). While the Eighth Circuit has not spoken on the issue, all of the other Courts of Appeal that have reached this issue have held that *McQuiggin* does *not* allow a federal prisoner to bring a § 2241 petition without showing that any remedies 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 20th day of June, 2017.

A handwritten signature in black ink, appearing to read "J. Thomas Ray", with a stylized flourish at the end.

UNITED STATES MAGISTRATE JUDGE

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

MONTY M. SHELTON
Reg. #10426-078

PETITIONER

V.
GENE BEASLEY
Warden, FCI-Forrest City

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

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
CRIM NO. 4:03cr81

UNITED STATES OF AMERICA

§

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

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

January 6, 2005

Charles R. Fulbruge III
Clerk

No. 04-40307
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MONTY MARCELLUS SHELTON,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:03-CR-81-ALL-LED

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
CRIM NO. 4:03cr81

UNITED STATES OF AMERICA

§

ORDER

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 (5th Cir. 1994) (citing *Lavespere v. Niagara Mach. & Tool Works, Inc.* 910 F.2d 167, 173 (5th 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', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE

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

MONTY MARCELLUS SHELTON	§	
VS.	§	CIVIL ACTION NO. 4:06cv414
UNITED STATES OF AMERICA	§	CRIM. NO. 4:03cr81(01)

ORDER

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 \$ 285.00 on account to his/her credit at the Summit County Jail 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: None

I further certify that during the past six months the applicant's average balance was \$ 288.20

12/12/08
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

FRP Plan Type	Expected Amount	Expected Rate
Unicor %	\$0.00	50%

Account Balances

Account Balance: \$285.50

Pre-Release Balance: \$0.00

Debt Encumbrance: \$0.00

SPO Encumbrance: \$0.00

Other Encumbrances: \$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

Commissary History

Purchases

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

SPO Information

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

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

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

Item Restrictions

List Name	List Type	Start Date	End Date	Active
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Comments

Comments:

**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 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 siguiendo 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?)

When did your problem begin or how long have you had the problem? (Cuando comenzo 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

Por cuanto tiempo tiene este problema? (Circule uno) *Diabetis Hipertencion Enfermedad Cardiaca Astma*
Immunocomprometida 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 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 atravez 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: _____

**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 siguiendo 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?)

When did your problem begin or how long have you had the problem? (Cuando comenzo 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

Por cuanto tiempo tiene este problema? (Circule uno) *Diabetes Hipertencion Enfermedad Cardiac Astma*
Immunocomprometida 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: 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 atravez 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: _____