

No. 21-5470

IN THE SUPREME COURT OF THE UNITED STATES

ALEKSYS LOMELI-GARCIA, ET AL, PETITIONERS

VS.

DAVID SHINN, RESPONDENT

ON A PETITION FOR A WRIT OF CERTIORARI TO THE NINTH CIRCUIT COURT OF APPEALS

SUPPLEMENTAL APPENDIX TO PETITION FOR WRIT OF CERTIORARI REHEARING

DECEMBER 16, 2021

Aleksys Lomeli Garcia, # 273617

In Propria Persona

Arizona State Prison

Safford Complex, Tonto Unit

896 South Cook Road

Safford, Arizona 85546

TABLE OF SUPPLEMENTAL APPENDICES

Appendix # 1 ————— D.O. 720 Excerpt

Appendix # 2 ————— D.O. 902 Attachment A (eff. 2013 and 2020)

2.2.7 Religious publications and materials

2.2.8 Learning Management Service (LMS) – The LMS system permits the agency to develop programs and educational content to the inmate population.

2.2.8.1 All LMS services shall be administered and developed by the Inmate Programs and Rehabilitation Division.

2.2.9 Khan Academy Light

2.2.10 Ashland University

2.2.11 LexisNexis or similar legal resources

2.2.11.1 Only content currently defined by Department Order #902 Inmate Legal Access to the Courts shall be made available.

2.2.12 Job View – Application utilized to prepare inmates for obtaining employment once released.

2.2.13 FM Radio – Over the air broadcasts of FM radio signals delivered by the tablet's built-in FM receiver.

2.3 Inmates are subject to disciplinary sanctions which may limit access to kiosk or tablet applications in accordance with Department Order #803, Inmate Disciplinary Procedures.

2.3.1 The visitation staff shall restrict access, through the facility portal, for any sanctions regarding loss of visitation.

3.0 FACILITY BROADCAST MESSAGING – Broadcasts messages may occur through the inmate tablet system as follows:

3.1 Complex wide notifications require approval of the Warden.

3.2 Unit notifications require the approval of the Deputy Warden.

4.0 INMATE MESSAGE PROCESSING

4.1 All communications via the tablets are not confidential and are subject to monitoring and recording. Therefore, inmates shall not use the tablets for communications with their attorney or attorney representative, but shall follow the procedures for confidential communications with an attorney or attorney representative set forth in Department Order #902, Inmate Legal Access to the Courts.

4.2 Inmates may receive messages from any active customer of the contracted vendor.

4.2.1 Minors under the age of 18 shall send and receive messages from approved visitors only.

4.3 Inmates may send photos and/or video gram through the tablet system kiosk only.

4.4 Wardens shall ensure sufficient mail room staff are assigned to review incoming and outgoing messages through the facility portal of the inmate tablet system.

Appendix #2

ATTACHMENT A
DEPARTMENT ORDER 902

LEGAL TEXTS AND RESOURCE MATERIAL

The following legal texts and legal resource material may remain for use by inmates and shall be placed in the Reserve/Reference section of the General Library of each unit:

1. A complete set of Arizona Revised Statutes (non-annotated)
2. Arizona Revised Statutes (annotated), Volumes 5, 5A, 5B and 5C
3. Arizona Rules of Court - State
4. Arizona Rules of the Court - Federal
5. Federal Civil Judicial Procedure and Rules
6. Federal Criminal Code and Rules
7. A complete set of Department Orders or access to authorized computer-generated copies (General Access Department Orders only)
8. The Classification Manual
9. U.S. Code: 28 U.S.C. Section 2254
10. U.S. Code: 42 U.S.C. Section 1981 through 42 U.S.C. Section 2000e-1
11. Black's Law Dictionary
12. Rights of Prisoners 4th
13. The Law and Policy of Sentencing and Corrections 9th Ed.
14. Post-Conviction Remedies (Means)
15. U.S. Constitution (articles and amendments)
16. Arizona Legal Forms Book - Criminal Procedure
17. Lewis v. Casey
18. Prisoner's Handbook (Rule 32) (Petitions for Post-Conviction Relief)
19. The Civil Rights of Institutionalized Persons Act (CRIPA) settlement agreement (Female units only)

Note: Any deletions or additions to the above list will be subject to the approval of the Director of the Department of Corrections.

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8. The Classification Manual
9. U.S. Code: 28 U.S.C. Section 2254 and Section 2241 to 2253
10. U.S. Code: 42 U.S.C. Section 1981 through 42 U.S.C. Section 2000e-1
11. Black's Law Dictionary
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Appendix #2