

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 21-5039

September Term, 2020

1:20-cv-03591-RDM

Filed On: July 7, 2021

In re: Sealed Case

ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

BEFORE: Wilkins and Rao, Circuit Judges, and Sentelle, Senior Circuit Judge

JUDGMENT

This appeal was considered on the record from the United States District Court for the District of Columbia and on the brief, supplements to the brief, and appendix filed by appellant. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

**ORDERED AND ADJUDGED** that the district court's order filed January 27, 2021, be affirmed. Appellant has not shown that the district court abused its discretion in holding that the complaint failed to comply with Federal Rule of Civil Procedure 8(a), which requires "a short and plain statement of the claim showing that the pleader is entitled to relief." See Ciralsky v. CIA, 355 F.3d 661, 668-69 (D.C. Cir. 2004). Nor has appellant identified any error in the district court's dismissal of the case for failure to state a claim that is plausible on its face. See Fed. R. Civ. P. 12(b)(6); Atherton v. D.C. Office of the Mayor, 567 F.3d 672, 681-82 (D.C. Cir. 2009) ("[E]ven a pro se complainant must plead 'factual matter' that permits the court to infer 'more than the mere possibility of misconduct.'") (quoting Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)). Lastly, the district court properly dismissed the complaint as frivolous. See 28 U.S.C. § 1915(e)(2)(B); Denton v. Hernandez, 504 U.S. 25, 32-33 (1992) (district court may dismiss as frivolous a complaint whose factual allegations "rise to the level of the irrational or the wholly incredible"). It is

**FURTHER ORDERED**, on the court's own motion, that appellant and appellees show cause, within 30 days from the date of this order, why the appellate filings should not be unsealed. In the event the parties conclude the appellate filings or any portion of them should remain under seal, they are directed to identify the proposed redactions and provide an explanation for each proposed redaction. The responses may be filed under seal, if necessary, and may not exceed 2,600 words.

The Clerk is directed to send appellees a copy of this judgment and to send appellant a copy of this judgment by whatever means necessary to ensure receipt.

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 21-5039**

**September Term, 2020**

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Daniel J. Reidy  
Deputy Clerk

United States Court of Appeals  
for the Fifth Circuit

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No. 19-40531

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United States Court of Appeals  
Fifth Circuit

**FILED**

December 30, 2020

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

ROBERT L. HEDRICK,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 5:17-CV-36  
USDC No. 1:11-CR-715-1

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Before JONES, COSTA, and WILSON, *Circuit Judges.*

PER CURIAM:\*

Robert L. Hedrick, federal prisoner # 94886-279, was convicted by a jury of offenses relating to child pornography and attempted sexual exploitation of children, and he is serving an aggregate 360-month sentence. He filed a 28 U.S.C. § 2255 motion challenging these convictions, raising

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\* Pursuant to 5TH CIRCUIT RULE 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 CIRCUIT RULE 47.5.4.

claims of ineffective assistance by trial and appellate counsel. The district court denied relief, concluding that Hedrick's motion was a restatement of his allegations of a convoluted conspiracy that had previously been found to be frivolous by the district and appellate courts. Hedrick now seeks a certificate of appealability (COA) to appeal this ruling.

To obtain a COA, Hedrick must make "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 483 (2000). He will satisfy this standard "by demonstrating that jurists of reason could disagree with the district court's resolution of his constitutional claims or that jurists could conclude the issues presented are adequate to deserve encouragement to proceed further." *Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003). To the extent the district court rejected his claims on their merits, Hedrick "must demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." *Slack*, 529 U.S. at 484; *see also Miller-El*, 537 U.S. at 338. If, however, the district court's ruling is construed as a dismissal on procedural grounds, Hedrick must show "that jurists of reason would find it debatable whether the [motion] states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling." *Slack*, 529 U.S. at 484.

To the extent that Hedrick is complaining about his access to the law library and is alleging that prison officials or others are tampering with his mail, such claims are not cognizable in § 2255 proceedings. *See Padilla v. United States*, 416 F.3d 424, 425-26 (5th Cir. 2005); *Davis v. Fechtel*, 150 F.3d 486, 490 (5th Cir. 1998). Similarly, to the extent that Hedrick is challenging his conviction based on substantive claims that a conspiracy framed him and is attempting to silence him, we decline to consider such claims. *See Padilla*, 416 F.3d at 425-26.

Hedrick also argues, however, that the district court erred in denying relief without considering the claims that he presented in his § 2255 motion. “Relief under . . . § 2255 is reserved for transgressions of constitutional rights and for a narrow range of injuries that could not have been raised on direct appeal and would, if condoned, result in a complete miscarriage of justice.” *United States v. Vaughn*, 955 F.2d 367, 368 (5th Cir. 1999). Allegations of ineffective assistance of counsel, such as those presented by Hedrick, are proper in § 2255 proceedings. *See Massaro v. United States*, 538 U.S. 500, 503-04 (2003). Moreover, some of Hedrick’s claims, such as his assertions that counsel should have challenged the restitution order on various grounds, do not appear related to the conspiracy theory espoused by Hedrick and previously rejected by the courts.

Accordingly, reasonable jurists would debate whether the district court erred in summarily denying relief without considering Hedrick’s ineffective assistance claims to the extent they (a) were not previously raised and (b) do not pertain to conspiracy and other such claims previously rejected by this court and the district court. *See Slack*, 529 U.S. at 484. As a result, COA is GRANTED as to this claim. His motion for leave to proceed in forma pauperis is likewise GRANTED. As further briefing is not necessary on this issue, the judgment is VACATED and the case REMANDED for further proceedings in accordance with this opinion. *See Whitehead v. Johnson*, 157 F.3d 384, 388 (5th Cir. 1998). Hedrick’s numerous other motions seeking various relief are DENIED. We express no opinion on the merits of Hedrick’s ineffective assistance allegations, but strongly caution him that sanctions will be imposed for future frivolous filings. In addition, we note that the district court is free to consider whether Hedrick’s § 2255 motion was filed in a timely manner.

FEB 01 ENT'D

Case 1:11-cr-00715 Document 388 Filed on 02/01/21 in TXSD Page 1 of 1

United States District Court  
Southern District of Texas

**ENTERED**

February 01, 2021  
Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA

VS.

ROBERT L HEDRICK

§  
§  
§  
§

CRIM. ACTION NO. 1:11-CR-715-1

ORDER

On January 29, 2021, Defendant Robert L. Hedrick filed a Motion for Compassionate Release (Dkt. 387). The Government is hereby ORDERED to file a response to Defendant's motion (Dkt. 387) by February 16, 2021.

SIGNED this 1st day of February, 2021.



Diana Saldaña  
United States District Judge

1/1

APPENDIX C

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA

v.

ROBERT L. HEDRICK

§  
§  
§  
§

CRIMINAL NO. 1:11-CR-715

GOVERNMENT'S MOTION TO OBTAIN COPY  
OF THE SEALED PRESENTENCE INVESTIGATION REPORT  
AND ACCOMPANYING ADDENDA

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the United States of America, by and through Ryan K. Patrick, United States Attorney, and Carrie Wirsing, Assistant United States Attorney, for the Southern District of Texas, and moves this Honorable Court to direct the United States Probation Office to make available and/or provide a copy of the sealed Presentence Investigation Report (PSR) to the government to assist in its response to Defendant's motion for compassionate release and in support thereof would state the following:

Defendant filed a *pro se* motion for compassionate release on January 29, 2021 (Dkt. 387). This Honorable Court directed the government to file a response by February 16, 2021 (Dkt. 388). The government submits that a review of the PSR and any accompanying addenda will assist the government in preparing its response. The undersigned is not able to access the file (or what remains of it) as she is out of the state and flights into Houston have been canceled due to a historic snowstorm in Texas and across the nation. The severely inclement weather has also resulted in dangerous road conditions, sweeping power outages and closure of the United States Attorney's Office and federal courthouses throughout the Southern District of Texas. Accordingly, the government requests that it be provided an electronic copy or electronic access to the sealed

APPENDIX D

PSR.

The government has not had the opportunity to consult with Defendant regarding his position on this request for a copy of the sealed PSR in this matter.

WHEREFORE, PREMISES CONSIDERED, the government respectfully prays that this Honorable Court grant the Government's motion and direct the United States Probation Office to provide an electronic copy of the sealed Presentence Investigation Report (PSR) and any accompanying addenda in this case to the government on or before February 24, 2021.

Respectfully submitted,

RYAN K. PATRICK  
UNITED STATES ATTORNEY

/s/ Carrie Wirsing  
CARRIE WIRSING  
Assistant United States Attorney  
Fed. Bar No. 920437  
PA Supreme Court ID No. 89932  
1000 Louisiana, Suite 2300  
Houston, Texas 77002  
(713) 567-9568

APPENDIX D

CERTIFICATE OF SERVICE

I hereby certify that the foregoing motion to obtain a copy of the sealed presentence investigation report was filed electronically on February 15, 2021, and a copy will be sent via certified mail to Defendant at FCI-Fort Dix in New Jersey.

/s/ Carrie Wirsing

CARRIE WIRSING

Assistant United States Attorney

CERTIFICATE OF CONFERENCE

The government has not had the opportunity to contact Defendant regarding his position on the filing of this motion.

/s/ Carrie Wirsing

CARRIE WIRSING

Assistant United States Attorney

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA

§  
§  
§

v.

CRIMINAL NO. 1:11-cr-715

ROBERT L. HEDRICK

GOVERNMENT'S MOTION FOR EXTENSION OF TIME TO FILE  
RESPONSE TO DEFENDANT'S MOTION FOR COMPASSIONATE RELEASE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the United States of America, by and through Ryan K. Patrick, United States Attorney, and Carrie Wirsing, Assistant United States Attorney, for the Southern District of Texas, and moves this Honorable Court for a brief extension of time to file its response to Defendant's motion for compassionate release and in support thereof would state the following:

Defendant filed a *pro se* motion for compassionate release on January 29, 2021 (Dkt. 387). On February 1, 2021, the government was directed to file a response by February 16, 2021 (Dkt. 388).

The government is still waiting to receive requested records from the Bureau of Prisons to assist in the preparation of its response. The government has also filed a separate motion to obtain a copy of the sealed presentence investigation report in this case (Dkt. 391), which will further assist the government in preparing a comprehensive response.

The government has not had the opportunity to consult with Defendant regarding his position on this request for an extension of time.

This extension is not sought for purpose of delay, but so that justice may be served. The government further submits that the defendant will not be prejudiced by the delay, as he is presently serving a 30-year prison sentence that was imposed in 2012.

WHEREFORE, PREMISES CONSIDERED, the government respectfully prays that this Honorable Court Grant this Motion for an Extension of Time for Filing in this matter.

Respectfully submitted,

RYAN K. PATRICK  
UNITED STATES ATTORNEY

/s/ Carrie Wirsing  
CARRIE WIRSING  
Assistant United States Attorney  
Fed. Bar No. 920437  
PA Supreme Court ID No. 89932  
1000 Louisiana, Suite 2300  
Houston, Texas 77002  
(713) 567-9568

APPENDIX E

CERTIFICATE OF SERVICE

I hereby certify that the foregoing motion for extension of time to file a response was filed electronically on February 15, 2021, and a copy will be sent via certified mail to Defendant at FCI-Fort Dix in New Jersey.

/s/ Carrie Wirsing

CARRIE WIRSING  
Assistant United States Attorney

CERTIFICATE OF CONFERENCE

The government has not had the opportunity to contact Defendant regarding his position on the filing of this motion.

/s/ Carrie Wirsing

CARRIE WIRSING  
Assistant United States Attorney

**ENTERED**

February 19, 2021

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

**UNITED STATES OF AMERICA**

**VS.**

**ROBERT L HEDRICK**

§  
§  
§  
§

**CRIM. ACTION NO. 1:11-CR-715**

**ORDER**

Pending are the Government's Motion to Obtain Copy of the Sealed Presentence Investigation Report (PSR) and Accompanying Addenda (Dkt. 391) and Motion for Extension of Time to File Response (Dkt. 392).

On February 1, 2021, the Court ordered the Government to respond to Defendant Robert L. Hedrick's Motion for Compassionate Release (Dkt. 387) by February 16, 2021. (Dkt. 388.) The Government now requests electronic access to Defendant's sealed PSR (Dkt. 163)<sup>1</sup> and an extension of time to file its response. (*See* Dkt. 391 at 1-2; Dkt. 392 1-2.) Counsel for the Government asserts that a review of the PSR would allow for a more comprehensive response. (*See* Dkt. 391 at 1.) However, she is unable to access the Government's copy of the PSR (Dkt. 163) because she is out of state, and the current inclement weather conditions in Texas have prevented her from returning to Houston, presumably where she would have access to the PSR. (Dkt. 391 at 1.) Moreover, the Government explains that an extension of time is requested to allow review of the sealed PSR (Dkt. 163) and additional yet-to-be-received records from the Bureau of Prisons. (Dkt. 392 at 1.) Finding that good cause exists for both requests, the Court concludes that the Government should be permitted both electronic access to Defendant's sealed

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<sup>1</sup> Although the Government requests accompanying addenda related to the PSR (Dkt. 163), it appears from the record that all addenda and revisions have been incorporated into this final version of the PSR (Dkt. 163).

FEB 18 ENTD

PSR (Dkt. 163) and an extension of time to file its response. *See* Fed. R. Crim. P. 45(b).

For the foregoing reasons, the Government's Motion to Obtain Copy of the Sealed PSR and Accompanying Addenda (Dkt. 391) and Motion for Extension of Time to File Response (Dkt. 392) are hereby GRANTED.

The Clerk of Court is hereby DIRECTED to provide electronic access to Defendant's sealed PSR (Dkt. 163) to Counsel for the Government.<sup>2</sup>

It is further ORDERED that the deadline for the Government to file a response to Defendant's Motion for Compassionate Release (Dkt. 387) is EXTENDED to March 19, 2021.

IT IS SO ORDERED.

SIGNED this 18th day of February, 2021.



Diana Saldaña  
United States District Judge

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<sup>2</sup> Directions for electronic access will be sent separately to Counsel for the Government by the Clerk of Court to maintain confidentiality of the sealed matters.

2/2

APPENDIX F

MAR 03 2021

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
Brownsville Division

UNITED STATES OF AMERICA,

v.

§  
§  
§  
Crim. Action No. 1:11-cr-715

ROBERT L. HEDRICK.

§  
Freedom of Information Act/Privacy Act (FOIA/PA)  
and

Court Order Dated February 18, 2021

In this court order the Court GRANTED the Government's request for an "extension of time" to review "additional yet-to-be-received records from the Bureau of Prisons (Dkt 392 at 1).

These records fall under the FOIA/PA which requires my waiver and permission to access.

That being said, I absolutely desire that the United States Attorney's Office have all of my records within the Federal Bureau of Prisons and investigative offices at the Department of Justice and the Federal Bureau of Investigation and in specific those in the FBI Richmond, Va Field Office (See below). and in possession of the BOP.

I hereby waive the FOIA/PA provisions in regards to those records contained herein and GRANT the United States Attorney's Officer full access to the same.

I would also request that since these records are my records that the Court issue it's order to the United States Attorney's Office to provide me with a "non-redacted" copy of all documents released by any of the BOP or any of the others named herein.

Third, these records must include all investigations made by DOJ-BOP-SIS Officers and Offices named below at each prison facility I was incarcerated at:

FCI - Victorville, 13777 Airline Expressway Blvd.,  
Victorville, CA 90394 [Dates: 02/14/2013 through 05-15-2013.

R. Phillips Guttierrez - Warden

C. Ruffo - Investigator

Daniel Godwin - Captain

Andre Matevousin - ASU

Martin Hernandez - MLP

NOTE: Based upon this investigation I was designated a Central Inmate Monitoring Inmate (CIM).

MAR 03 ENT'D

Department of Justice Western Region, Stockton, CA

Juan D. Castillo - Regional Director

Angie D. Castillo - Regional Director

FCI - Petersburg, 1100 River Rd., Hopewell, VA 23860

Vaughn - SIS

Norman - SIS

S. Jublowski - Case Manager

FCI - Butner II/FMC, 100 Old Hwy 75, Butner, NC 27509

Lt. Lloyd - SIS

FCI - Fort Dix, P.O. Box 38, Joint Base MDL, N.J. 08640

Lt. Atkinson - SIS

Brandt - SIS

In addition, Vaughn and Norman arranged to have an FBI Field Office operate as the investigating office within the FBI for the assaults and attempts to murder me and the smuggling across the Mexico/US Border. That office is:

Special Agent Schoffstall or current Agent-In-Charge  
Federal Bureau of Investigation (FBI)  
1970 E. Parham Rd.  
Richmond, VA 23228

The Bureau of Prisons will not be cooperative. I have filed a lawsuit against the Attorney General and the Director of the BOP for the "complete and total failure" of the BOP's CIM inmate protection program to protect me from 15 plus attempts inside of the BOP. That case is currently "SEALED" and is:

Robert L. Hedrick v. United States of America; United States Attorney, William Barr; BOP Director Michael Carivajal, Civil Case No. 20-3591 (RMD).

This case is SEALED to protect inmate witnesses to the attempts to murder me at Fort Dix: Frederico Gonzalez, Michael Austin, Joe Furnando, Jeffery Valentia, Johnny Chapparro and others. It also contains Frederico Gonzalez's identification and connections with Richard Alaniz, Michael Diaz, David Nuckols and Carlos Quintanilla [Fly Frontera] who, together, attempted to get Gonzalez to distribute 30 Kilos of Cocaine through his used car salvage yards.

I hereby GRANT permission for this Court, and the Court ONLY to request that a copy of this Court Action [20-3591(RMD)] be provided to this Court. Then this Court may determine if

MAR 03 ENTD

the U.S. Attorney's Office is responsible enough to have a copy "UNDER SEAL".

Again, I request a Court Order directing the U.S. Attorney's Office to provide me "unredacted" copies of any and all of the above or any other documents provided from any other source.

*Notf 2021*

DATED: March 3, 2021

Respectfully submitted,

*Notf 2021*

Robert L. Hedrick Pro Se  
94886-279 Unit 5751  
Federal Bureau of Prisons  
FCI Fort Dix  
P.O. Box 2000  
Joint Base MDL, N.J. 08640

MAR 05 ENT'D

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
Brownsville Division

United States of America, §  
Plaintiff, §  
v. §  
Robert L. Hedrick, §  
Defendant. §

Crim. Case No. 1:11-cr-715

REQUEST TO GRANT U.S. ATTORNEY  
ADDITIONAL TIME TO RESPOND

NOW COMES, Robert L. Hedrick, Defendant in the above-styled case to Request that the Court GRANT the U.S. Attorney Additional Time to Respond - 14 days.

It is immportant that the U.S. Attorney have ALL documents in the custody of the Federal Bureau of Prisons et al. to make a truthful, adequate and complete response.

The attempts to harass, assault and/or murder me contined this week. BOP Officer Dixon in my Bldg. who is a member in my Unit Team and Inmate Michael Wilkerson conspired and attempted the above. It is currently [starting 03-04-21] under investigation by the Lieutenants' Office, SIS and Warden L. N'Dieye and the Fort Dix FBI Task Force is required to send officers to investigate, specifically because Dixon exposed to other inmates including my "celly" the sex offense I was charged with, which I still deny! This is a crtstal clear violation of PREA and BOP regulations. A request for a PREA investigation has been requested.

On February 12, 2021 the Department of Justice/Office of the Inspector General processed my complaints of 03/09/2021 which was updated to include Dixons' and Wilkersons' threats, harassment and assaults. In this letter he states:

"Thank you for your correspondence dated 03/09/20. The U.S. Department of Justice (DOJ), Office of the Inspector General, investigates allegations of misconduct by employees and contractors of the DOJ, as well as waste, fraud, and abuse affecting DOJ programs and operations. After reviewing your complaint, we have determined that the issues you raised are more appropriate for review by another office within the DOJ. Therefore, we have forwarded your correspondence regarding this matter to that office. Federal Bureau of Prisons Office of Internal Affairs. Please direct further correspondence regarding this matter to that office." Copy available on request. Have to be careful as to who at Unit Team sees this!

MAR 3 2021

The same DOJ-OIA employee who investigated the attempts by Dr. Patrick Craft, BOP Officers Stancil, Williams, Cunningham, Campbell, SIS Officer Conyer and AW Rupska at Butner II/FMC. She specifically referred Craft to the FBI for arrest, indictment, and prosecution is assigned to FCI Fort Dix.

More time will be needed for this "latest" attempt to murder me and for the DOJ-OIA and the FBI to take the complaint and investigate the assault.

Secondly, on February 22, 2021 Judge Randolph Moss in re: Robert L. Hedrick v. United States of America, Attorney General William Bar, BOP Director Caravajal and Officer Dixon in Case No. 1-20-cv-0359-RDM "SEALED" USDC DC Circuit the Court Ordered:

RE: "..."...it is hereby ordered that the Bureau of Prisons provide its view with respect to Plaintiff's Request and whether unsealing the case poses a danger to Plaintiff. The Bureau shall file its views under seal and pending further order of the Court and shall serve Plaintiff a copy of its filing."

The reasons not to unseal it is the threat to Frederico Gonzalez, Michael Austin, Johnny Chaparro, Ferando, Valenta and others who witness the attempt by MS-13 to murder Hedrick.

As much as I desire to be released, after 10 years of "wrongful Incarceration, it is more important that the U.S. Attorney in Houston have all of the facts and evidence. I am, since my cancer can return at any time to kill me, more concerned about the AK-47', M-16's and other weapons-of-war that Richard Alaniz et all are moving into Mexico and the U.S. (3 truckloads that Bush and I witnessed).

The second reason is MEDICAL. I am being treated for pneumonia caused by my contracting COVID-19. I have chest pain, stomach pain, drainage into my lungs, vertigo and muscle pains. The first 10 days of antibiotics did not work and I go back to the Medical Clinic on next Tuesday for further treatment. I really need to be hospitalized but that has been refused. I cannot be released with this Medical Condition. I could die without some form of treatment. I want to give the U.S. Attorney all of the time they need. I have spent 10 years in prison for something I did not due; what's a few more days?

We now have 125 or more cases of the new Variant here and not one inmate has received a vaccine. We now have had 2,500 cases of COVID-19 among inmates, over 85 Officers, and over 40 have been taken to outside hospitals in Quarantine/Isolation and 11 have died.

APPENDIX H

MAR 05 ENDO

I request that the Court GRANT this extention of time for the U.S. Attorney and trust that the Court will do the "right thing" and get a compleat picture of my last 10 years.

Respectfully submitted,

DATED: March 5, 2021

*RLH*

Robert L. Hedrick Pro Se  
Federal Bureau of Prisons  
FCI Fort Dix  
P.O. Box 2000  
Joint Base MDL, N.J. 08640



DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL

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February 12, 2021

Mr. Robert L. Hedrick

Reg No. 94886-279

FCI Ft. Dix

P.O. Box 2000

Joint Base MDL, NJ 08640

Dear Mr. Hedrick;

Thank you for your correspondence dated 03/09/20. The U.S. Department of Justice (DOJ), Office of the Inspector General, investigates allegations of misconduct by employees and contractors of DOJ, as well as waste, fraud and abuse affecting DOJ programs and operations. After reviewing your complaint, we have determined that the matters that you raised are more appropriate for review by another office within the DOJ. Therefore, we have forwarded your correspondence to:

Federal Bureau of Prisons Office of Internal Affairs

Please direct any further correspondence regarding this matter to that office.

Of course, if you have information that involves other allegations or issues regarding DOJ employees, contractors, programs or operations, please feel free to submit that information to us.

Thank you for giving us the opportunity to review your concerns.

Sincerely,

Office of the Inspector General  
Investigations Division

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APPENDIX I

950 Pennsylvania Avenue, NW, Washington, DC 20530-0001

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF TEXAS  
 Brownsville Division

UNITED STATES OF AMERICA, §  
 Plaintiff. §  
 v. § Civil Case No. 5:17-cv-36  
 § USDC Case No. 1:11-cr-715  
 § and  
 § USDC Case No. 1:11-cr-715  
 ROBERT L. HEDRICK,  
 Defendant. §

Request for a Court Order to the U.S. Attorney, Houston, Texas To Contact the Federal Bureau of Investigation (FBI) in Washington DC and the Special Agent-in-Charge, Agent Schöffstall, FBI Field Office, 1970 E. Parham Road, Richmond, VA 23228, who Has Been Assigned as Hedrick Agent Since 2015 To Bring Criminal Charges Against Fort Dix SIS Officer Lt. Atkinson for violations of Title 18 U.S.C. The United States Criminal Code. Charges as Applicable.

These violations of Title 18 U.S.C. are directly related to:

- 1) Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence By A Person in Federal Custody.
- 2) "Emergency" Motion for Compassionate Release Under 18 U.S.C. § (c)(1)(A) and the First Step Act (Fed.R.Crim.P. 37) FILED UNDER SEAL.

In re: Hedrick v. United States of America, Attorney General William Barr, BOP Director Caravajal, BOP SIS Officer Atkinson, and BOP SIS Officer Brandt. Case No. 1-20-cv-03591-RDM SEALED: SEALED v. SEALED 1-20-cv-03591 (RDM). Filed 12/09/2020.

On January 3, 2021 Hedrick filed for Permissive Joinder under Fed.R.Civ.P. 20(a)(1)(A) and (B).

REASONS FOR GRANTING THIS REQUEST

The Courts have consistently ruled that prisoners have "The Right to be free from retaliation for using the Court System. 'Prison officials may not retaliate against prisoners using the Courts or trying to do so'"

"The protected act of trying to gain court access should include whatever a prisoner need to take in order to get his claim into the Court" Sigger v. El-Barlos, 412 F.3d 693 (6th Cir. 2005) "a prison employee refused to process a disbursement the plaintiff needed to retain a lawyer to file a court action: the prisoner went over the employees head to his supervisor, and suffered retaliation as a result. The Court rejected Defendant's claim that going to a higher official was not constitutionally protected, holding that it was "part of his attempt to access the courts" 412 F.3d at 699. See also DeThomas v. McGinnis, 970 F.2d 211, 214 (7th Cir. 1992); Crawford-El v. Britton, 532 U.S. 574, 588 n.10, 118 Ct. 1584 (1998).

The First Amendment protects the right to petition the government for redress of grievances.

In Scott v. Coughlin, 344 F.3d 282, 287-88 (2d. Cir. 2003) ["Plaintiffs] involvement in filing claims against prison officials...was a protected activity, as it was an exercise of his right to petition the government for redress of grievances under the First Amendment".

Trobaugh v. Hall, 176 F.3d 1087 (8th Cir. 1999)(directing award of compensatory damages to prisoner placed in isolation for filing grievance.) Hedrick was locked in a cell for filing a grievance against Lt Atkinson.

In Wilson v. Silcox, 151 F.Supp. 2d 1345, 1350-51 (W.D.Fla 2001) (prisoner suffered verbal harassment and threats of bodily harm. The same thing is happening with Lt Atkinson. See statement of Jamie Leit below.

It is crystal clear that Lt Atkinson is retaliating and has threatened me. Atkinson does not know that Michael Wilkerson is under investigation by the Department of Justice Criminal Division in Criminal Investigation Number 4297960 opened on July 19, 2019 and now Atkinson and Brandt have been added.

The Eighth Amendment prohibits cruel and unusual punishment.

In Whitman v. Nesić, 368 F.3d. 934(7th Cir.2004)(equating "elated harassment...maliciously motivated, unrelated to institution security, and hence [are]'totally without penological justification'" (citations ommitted).

In Scher v. Engelke, 943 F.2d 921, 924 (8th Cir. 1981) ("the scope of the Eighth Amendment protection is broader than the mere infliction of pain"; evidence of fear, mental anguish and misery" can establish the requisite injury for an Eighth Amendment claim). See Kingsley v. Bureau of Prisons, 937 F.2d 103, 111 (3rd Cir. 1990).

On March 9, 2021 at 9:40 am I was called to the Officers Station in 5751 by Duty Officer C. Cutler [witness] to see the Compound Lieutenant known as Ms."G" [witness] who told me to go to the Compound Lieutenant's Office where the Lieutenants officer is, where the STS Office is [Lt Atkinson's] and the Holding Cells are for inmates who violate the "Prohibited Acts and Available Sanctions" in the Inmate Handbook (100, 200, 300, 400 "SHOTS"). These "LOCK-UP" cells are used for nothing else.

The moment I arrived Lt. Atkinson "locked me in" to one of these holding cells. I Thought I was there to meet with my liaison to speak to the USMS about the M-16's, AK-47's and Modified to Automatic AR-15's that were used to kill the Mormon Families (women and children) by Cartel of the North in Northern Mexico. In additional, to Fredereco

MAR 14 ENTD

Gonzalez and his "people"; I know where there is an fairfield 150 miles inside of Mexico where Alaniz and the Colombia Drug Cartels store drugs, guns and weapons before sending them to Northern Mexico to cross the U.S. border.

After over three (3) hours of being "locked in a cell" for nothing that I did; Atkinson opens the door and takes me into his office, showed me the messages I sent to the Warden, AW Operations and AW Services and said: "Your lying about me!" I said "That is what this is about? You locked me in a cell for 3 hours about this! Let me tell you; You've been sued by me as a Defendant in the United States District Court for the District of Columbia. You can have no contact with me about that and these emails are about that! Secondly, your reading my complaints about you to the Warden and AW's. Either arrest me or I'm walking out." I took my ID and walked out.

Atkinson was not through with his threats or harassment.

On March 10, 2021 at 1:05 pm Atkinson sent Michael Wilkerson, the reason I was moved from 5752 to 5751 because Wilkerson threatened to get "his people" to beat me."

The following statement is from 5751 Inmate Jamie Leit (10670-032) who Wilkerson passed his threat to me through:

"The time was 1:05 PM. I was walking the yard and came upon Mike Wilkerson, the Barber at Fort Dix who stopped me by yelling out the front window. Upon talking he said he was moving to 5751 in a couple of days. for what reason I have no earthly idea."

Well, I have the reason. Either to harass me and threaten me with the fear that Wilkerson will be moved here or to again have to deal with Wilkerson and his family. This time I will defend myself.

Here are the messages that Atkinson had:

03/08/21 3:51 PM to AW Operations - Re Dixon/Wilkerson. From Hedrick, Robert L.

"A neutral peace agreement has been made today in a meeting with all concerned. They are now informed of the larger picture of the situation surrounding the Colombian Drug Cartel's and the Drug Cartel's World-Wide plans, my position with the intelligence community, the attempts to murder me of which 5 have happened at Fort Dix, thus the DOJ-OIA and FBI Investigations, the VACATING of my judgment...and the trial Courts review of my § 2255 review...the U.S. Attorney in Houston, Texas is investigating on two fronts: 1. My medical issues that warrant compassionate release, including the injuries I suffered at Butner II/FMC in the 5th, 6th and 7th attempts to murder me there. Three two-man "hit teams" sent from Colombia were caught by Butner II/FMC SIS Officer Lt. Lloyd with two of those including the FBI and local law

MAR 14 ENT'D

enforcement while attempting to use a BOP Officer assigned to the SHU by threatening his family to get him to give them access to the SHU to kill me. I was under USMS Witness Protection Program [witsec] with Steven Bush who was also attacked in his defense of me. This is why I was transferred to Fort Dix. 2. The attempts to murder me at Butner continued at Fort Dix and I know what officers and inmates are involved in it. Lt Atkinson has now surfaced as one of those people and Dixon is on that list; but if he if he assists me; I will take him off. He caused reinjury of my back injury when he refused to call Dr. Patel to make sure that my first floor pass, lower bunk was current. He could not wait one day or two to give Patel a chance to do that. I was issued a walker by medical and had it in the room. Now he is being sued for that pain and suffering. However, catching the "dirty" BOP officers and gaining information is what needs to be done. My sister has spoken to the DOJ-BOP-OIA investigator who is coming to Fort Dix. It is the same one that investigated the individuals (7) BOP Officers [1 being an SIS Officer], an AW and a Medical Doctor who have been arrested and against whom I will testify against if it goes to trial. That is why I was placed in USMS Witsec that you may not have been advised of. It is not the BOP's Witsec Program and I am not in that program. People seem to get that confused. The bottom line is that I do not know when the OIA or FBI will come in. The Court gave: the U.S. Attorney until March 19 to complete their response and I gave them an additional 14 days on my request to the Court to wait for OIA to arrive at Fort Dix a further extension as necessary. This delays my release, but what's another 30-40 days after 10 years of wrongful incarceration...

03/09/2021 2:02 PM to Warden L. N'Daiye from Hedrick, Robert L.

"At 9:40 am until 11:44 am SIS Atkinson put me in a locked cell. Then called me into his office. Was very abusive. He had some of my institutional messages to you, the AW and others on his desk and said that I was lying about him. I advised him that he is a Defendant as well as Brandt in my lawsuit against the Attorney General of the United States and the Director of the BOP which is SEALED to protect two inmates on this compound Frederico Gonzalez and Johnny Chaparro who have given sworn affidavits as to my innocence of all charges...After taking his harassment and abuse for 3 hours, I told him to "either charge me or arrest me or I'm walking out. I walked out. This is an official complaint and I consider it an assault by a Defendant in retaliation for being sued for not questioning the witnesses of the MS-13 attack on me and not responding to my and AW Smith's requests to see my liaison officer and the FBI for over a year. Apparently, Atkinson has something to hide. Cell phones, cocaine? SIS Conyer was part of that at Butner. Feel free to call [SIS] Lt Lloyd at Butner II/FMC about what happened to me and Steve Bush in the 5th, 6th, and 7th attacks on me which resulted in my medical injuries I still suffer.

There are over 50 messages to Atkinson starting on 12/24/2019 to SIS Atkinson, SIS Brandt, AW Smith, the Warden, Unit Team and others to the current date attempting to see my liaison officer.

What follows is just a sample of those messages. All will be sent

APPENDIX 3

MAR 14 ENTD

4/17/2020 7:55 AM Hedrick to AW Smith

"What is the status of meeting with my Liaison officer and did you receive a Court Order to place me into Witsec protection?"

5/6/2020 11:46 PM Hedrick to Case Management Coordinator

"I am requesting your assistance to set up a meeting with the liaison officer that AW Smith/AW Kodger has referred to or with the FBT thru STS immediately. What can you do to assist?"

5/12/2020 2:17 PM Case Manager Coordinator to Hedrick

"I understand that you have already communicated with AW Smith regarding this matter who passed on your concerns to appropriate staff. Therefore, I am unable to assist you with this matter"

5/12/2020 4:41 PM From Hedrick to Case Management Coordinator

"I appreciate your prompt response. The issue is that I am not getting any response at all from anyone in this list of people who are "passing the buck", In the meantime, people are dying on the Texas/Mexico border and even more will die if a terrorist groups has brought over 125,000 M-16's into the U.S. or along the Mexico border. Within the next few months the time is ripe with our attention diverted to the Coronavirus, one or more U.S. Navy ships of war, including one of the three US carriers in the Pacific Ocean is out of commission and 27 other ships of the line partially affected, and with our local law enforcement and National Guard preoccupied with the virus; the time is prime for an attack. Terrorist supported by Iran, North Korea, China or even Russia do not care about Pandemics nor do they take a vacation. I will repeat, I need to see the FBT and the CTA. I have assembled 8 pages of information including names, telephone numbers and locations of these individuals who are involved and where the M-16's are being stored. My next recourse is to contact the OIG via a link that is now on our inmate message system. I have already been involved with the OIG at Butner and met with him prior to my arrive here. I am trying to remain within the BOP system; but blocking me from access to intelligence agencies will come back to bite someone, [Now it has come back to "bite" SIS SIS Officer Atkinson] when, not if these M-16's are used. I am the one who between 1979 and 1982 shipped over 125,000 M-16's for the CIA to the FARC, Anti-Contra's, Sandinista's and other pro-US factions in Latin America. This will be confirmed by David Turnage in Houston who I have already discussed this matter with. David assisted meat Burlington Northern Air Express at IAH to ship these and other armaments for the CIA and our military forces. Therefore, I have undeniable proof and support for what I am saying. This is not a joke. While officials here at Fort Dix procrastinate and pass the buck people may be dying or will die in mass."

This is just a small sample of the attempts I have made to get past SIS Lt Atkinson. Atkinson is "dirty".

MAR 14 ENTD

Atkinson has not questioned or spoken to any of the witnesses to the attempts to murder me or responded to any of the requests to see my Liaison officer. Here is a list of those WITNESS Inmate:

Rodney Spain - 12455-058  
Michael Wilkerson - 67860-066  
Joe Furando - 65853-030 - MS-13 Attack  
Jeffery Valentia - 35910-068 - MS-13 Attack  
Steve Bush - 19970-006  
Johnny Chaparro - 450304-424  
Byron - 95154-058  
Jason (aka J.C.) See Chaparro  
Frederico Gonzalez  
Others I will provide to the FBI.

PRAYER

Defendant, Robert L. Hedrick, prays that the Court GRANT this request in it's complete request "immediately" as I am under "IMMINANT DANGER" of another potential assault.

Respectfully submitted,

DATED: March 14, 2021

*Robert L. Hedrick*  
Robert L. Hedrick Pro Se  
94886-279 Unit 5751  
Federal Bureau of Prisons  
P.O. Box 2000,  
Joint Base MDL, N.J. 08640

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA

v.

ROBERT L. HEDRICK

§  
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§  
§

CRIMINAL NO. 1:11-CR-715

GOVERNMENT'S SECOND MOTION FOR EXTENSION OF TIME TO FILE A  
RESPONSE TO DEFENDANT'S COMPASSIONATE RELEASE MOTION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the United States of America, by and through Jennifer B. Lowery, Acting United States Attorney, and Carrie Wirsing, Assistant United States Attorney, for the Southern District of Texas, and moves this Honorable Court for a second extension of time to file its response to Defendant's motion for compassionate release and in support thereof would state the following:

Defendant filed a *pro se* motion for compassionate release on January 29, 2021 (Dkt. 387). This Honorable Court directed the government to file a response by February 16, 2021 (Dkt. 388). In the midst of an unprecedented snowstorm in Texas and across the nation, the government submitted motions requesting a copy of the sealed PSR and accompanying addenda (Dkt. 391) and an extension of time to file its response (Dkt. 392). The Court generously granted both motions (Dkt. 393) and ordered that the government file its response by March 19, 2021.

The severe weather conditions caused by the historic snowstorm resulted in dangerous road conditions, sweeping power outages, downed servers, burst water pipes and closure of the United States Attorney's Office and federal courthouses throughout the Southern District of Texas.<sup>1</sup> In

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<sup>1</sup> See Weather Notice, updated 2/15/21 at <https://www.txs.uscourts.gov/offices/houston-division>

response, the United States President issued a Texas Emergency Declaration,<sup>2</sup> and the Texas Governor issued a disaster declaration in all 254 counties.<sup>3</sup> In the ensuing confusion, the government inadvertently noted the new due date for its response as March 29, 2021, resulting in the missed filing deadline and for which the undersigned extends her deepest apologies. The government submits that the failure to timely file its response and/or an extension of time was due to excusable neglect and, pursuant to Fed. R. Crim. P. 45(b)(1)(B), respectfully requests additional time to file its response to Defendant's motion for compassionate release.

This motion is not made for purposes of delay but so that justice may be done. As noted in the Court's Order (Dkt. 402), Defendant himself filed a motion to grant the government additional time to respond to his compassionate release motion (Dkt. 401).

WHEREFORE, PREMISES CONSIDERED, the government respectfully requests that this Honorable Court grant the government's motion and extend the time for filing its response to Defendant's compassionate release motion until at least March 29, 2021.

Respectfully submitted,

JENNIFER B. LOWERY  
ACTING UNITED STATES ATTORNEY

/s/ Carrie Wirsing  
CARRIE WIRSING  
Assistant United States Attorney  
Fed. Bar No. 920437  
PA Supreme Court ID No. 89932  
1000 Louisiana, Suite 2300  
Houston, Texas 77002  
(713) 567-9568

<sup>2</sup> See <https://www.whitehouse.gov/briefing-room/statements-releases/2021/02/14/president-joseph-r-biden-jr-approves-texas-emergency-declaration/>, last visited 2/15/21

<sup>3</sup> [https://gov.texas.gov/uploads/files/press/DISASTER\\_severe\\_weather\\_FINAL\\_02-12-2021.pdf](https://gov.texas.gov/uploads/files/press/DISASTER_severe_weather_FINAL_02-12-2021.pdf)

CERTIFICATE OF SERVICE

I hereby certify that the foregoing second motion for extension of time to file its response was filed electronically on March 23, 2021, and a copy will be sent via certified mail to Defendant at FCI-Fort Dix in New Jersey.

/s/ Carrie Wirsing

CARRIE WIRSING

Assistant United States Attorney

CERTIFICATE OF CONFERENCE

The government has not had the opportunity to contact Defendant regarding his position on the filing of this motion.

/s/ Carrie Wirsing

CARRIE WIRSING

Assistant United States Attorney

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA

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§  
§

VS.

CRIM. ACTION NO. 1:11-CR-715-1

ROBERT L HEDRICK

ORDER

Pending is the Government's Second Motion for Extension of Time (Dkt. 404) to respond to Defendant Robert L. Hedrick's ("Defendant") Motion for Compassionate Release (Dkt. 387). The Government explains that its failure to file a response by the Court-ordered deadline—March 19, 2021—was due to excusable neglect. (Dkt. 404 at 2.) Due to circumstances caused by the severe weather conditions throughout the Southern District of Texas in mid-February of 2021, the Government inadvertently noted the deadline as March 29, 2021. (*Id.*) Additionally, the Government requests that the Court extend the deadline to file a response to Defendant's compassionate release motion (Dkt. 387) to at least March 29, 2021. (*Id.*)

Having considered the Government's motion (Dkt. 404), the Court concludes that the Government's failure to respond by March 19, 2021 was due to excusable neglect. *See* Fed. R. Crim. P. 45(b)(1)(B). The Court also concludes that good cause exists to further extend the response deadline. *See* Fed. R. Crim. P. 45(b)(1)(A).

For the foregoing reasons, the Court hereby EXTENDS the deadline for the Government to respond to Defendant's Motion for Compassionate Release (Dkt. 387) to March 29, 2021. The Court further DENIES as MOOT Defendant's "Request to Grant U.S. Attorney Additional Time to Respond" (Dkt. 401) because the Court concludes that the additional time to respond

granted here appropriately resolves Defendant's request.<sup>1</sup>

The Clerk of Court is hereby DIRECTED to mail Defendant a copy of this Order at the address listed in his most recent filing.

IT IS SO ORDERED.

SIGNED this 23rd day of March, 2021.



Diana Saldaña  
United States District Judge

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<sup>1</sup> Defendant requested a 14-day extension to the Court's original March 19, 2021 deadline. (Dkt. 401 at 1.) The Court finds that the extension granted in this Order is sufficient to allow the Government to make a "truthful, adequate, and complete response." (See *id.*)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
Brownsville Division

UNITED STATES

3

v.

8

3 Case No. 1:11-cr-715

ROBERT L<sup>W</sup> HEDRICKEXTENSION OF TIME UNTIL APRIL 30, 2021  
Covid-19 Cases at Fort Dix  
DOJ-SIS Documents

NOW COMES Robert L. Hedrick to Request that the Court GRANT an Extension of Time to the United States Attorney until April 30, 2021 to file the Governments Response. The physical attacks and harassment by SIS Lt. Atkinson continues. These attacks are fully described in Hedrick v. United States of America; William Barr, Attorney General; Michael Caravajal, BOP Director; SIS Lt. Atkinson; SIS Off. Brandt, Case # 1:20-cv-00359-RDM, Court of Appeals DC Circuit, Case No. 21-5039,

I would request that the U.S. Attorney acquire a copy of the Brief that I filed in the Appealallate Court.

The physical attacks and retaliation by SIS Lt. Atkinson have continued. I would request that the U.S. Attorney request a copy of all information located at the SIS Offices at the following facilities: FCI Victorville, FCI Petersburg, Burner II/FMC, FCI Fort Dix and FBI, Agent-in-Charge, 1970 Parham Rd., Richmond, VA 23228.

I would also request that the Court issue a subpeona to the BOP to produce those records UNREDACTED. The COVID-19 Pandemic is out of control with 90% of the inmates at Fort Dix infected and now the South African Variant has infected over 1,200 inmates and has started its spread. Fourteen (14) inmates have died at Fort Dix. See United States v. Charles Anthony Davis, No. 1:10-cr-00041-JRN-BKE on Appeal No. 21-10528 (11th Cir Feb 2, 2021). I prepared this case for Mr. Davis. When filed the following individuals and corporations filed a Certificate of Interested Persons and Corporate Disclosure Statement in the case on March 1, 2021:

David H. Estes, Acting U.S. Attorney, Southern District of Georgia:

Hon. W. Leon, former United States Magistrate Judge;  
Carlton Bourne, Jr., former Assistant United States Attorney;  
Bobby L. Christine, former United States Attorney;  
Edward J. Coleman, III, former Attorney for Appellant;  
Amy Lee Copeland, Interested Party (Amy Lee Copeland, LLC);  
Justin G. Davids, Assistant United States Attorney;  
James D. Durham, former First Assistant United States Attorney;  
Hon. Brian K. Epps, United States Magistrate Judge;  
Nancy C. Greenwood, former Assistant United States Attorney;  
Hon. J. Randal Hall, Chief United States Judge;  
Jacque D. Hawk, former Attorney for Appellant;  
Channell Veena Singh, Assistant United States Attorney;  
Brian R. Tanner, former Assistant United States Attorney;  
Edward J. Tarver, former United States Attorney;  
Julie M. Wade, Interested Party (The Wade Law Firm).

I would request that the Court GRANT an additional Extension of Time until April 30, 2021 for the U. S. Attorney to continue their research in this case. I would also request that the Court issue subpeona's to the BOP to produce the above documents forthwith. This request for extension of time could not be filed until Mr. Davis filed his Brief in the 11th Circuit and it was Docketed. This was done on April 5, 2021. I cannot serve a copy on the U.S. Attorney because the Unit Team in my Bldg and in Education is refusing to make inmates copies saying they are "out of toner". There are 6 other copiers in other Units and the Wardens office.

Respectfully submitted,



DATED: April 5, 2021. Robert L. Hedrick Pro Se  
Federal Bureau of Prisons  
FCI Fort Dix  
P.O. Box 2000  
Joint Base MDL, N.J. 08640

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
Brownsville Division

UNITED STATES OF AMERICA,  
Plaintiff,

V.

ROBERT L. HEDRICK,  
Defendant.

No. 1:11-cr-715  
"FILED UNDER SEAL"

Motion for Compassionate Release

EVIDENTIARY DECLARATION No. 1  
Identification of Witnesses

NOW COMES, Robert L. Hedrick, Defendant, in the above-styled case, to identify witnesses who will testify to the accuracy of the facts in Hedrick's complaint's a ^11ocations:

1) Frederico Gonzalez, Fed. Inmate No. 31225-177. Frederico Gonzalez, by order of the Court, has been GRANTED compassionate release to Home Confinement due to his medical illnesses. Therefore, he will be available to testify within the next 6 weeks. Before being released he has to undergo an operation that the BOP has been "putting off" for over a year. His release could happen any day. Gonzalez will testify to the illegal activities of Richard Alaniz, including the sales of M-16's, AK-47's and AR-15's to terrorists and drug cartel's in Mexico and the United States. He will testify to the threats, harrassment and attempts by Michael Wilkerson and Officer Dixon to threaten, harass and harm Hedrick. He will identify from a color photo Michael Diaz, David Nuckols, Noi Lopez and others involved in the smuggling of drugs, guns, money and weapons-grade plutonium into the United States.

**CAUTION:** This information if leaked to drug cartel members in Mexico/United States/ROP or prematurely to the 14 individuals identified in Mr. Gonzalez's family and cartel contacts; it is highly possible that a "hit" could be made upon Mr. Gonzalez or Mr. Hedrick. Any information that Gonzalez provides should be funneled through Hedrick and the FBI Special Agent assigned to Hedrick at the FBI-Richmond Field Office. This is a "deadly" situation.

2) Joaquin "El Chapo" Guzman; ... At Hedrick's trial a photograph of Richard Alaniz [man behind the attempts to murder Hedrick] with "El Chapo", taken by MOSSAD, at Group SA, a U.S./TSA approved "foreign" cargo screening facility in Bugala, Colombia; was attempted to be shown to the jury. Judge Hanen "deliberately blocked" the identification of "El Chapo" by directing the jury that: "You can only use this photo to identify what Mr. Alaniz looks like." Why?

Judge Andrew S. Hanen was on the cartel "payroll"! He has since been removed from South Texas and criminal cases. "El Chapo" is now an inmate in the Federal Bureau of Prisons "Super-Max" facility in Colorado. He can be called to testify via video link in regards to Alaniz's smuggling and sales of drugs, guns, money, claymore mines, hand grenades, proximity alarms, armored vehicles like the one used in the Mexican town of Villa Union to free "El Chapo's" son, drug speed boats, stealth aircraft and more through IPS Global (ipsglobal.cs.net).

BOP Fort Dix Officer Sanchez - Officer Sanchez will testify that none of the seven (7) stages of protection touted by the BOP as their solution to keep inmates safe was ever put into place by the BOP at Fort Dix. He will testify to the harassment of Hedrick by Dixon resulting in the re-injury of Hedrick's injuries suffered in the 5th, 6th and 7th attempts to murder Hedrick at Butner II/FMC. He will testify to the complete failure of officers, even up to April 24, 2021 to wear their masks and keep 6' apart from each other and inmates.

I hereby request that the Court issue subpoenas to each of these individual's to testify before the Court or answer written questions prepared by Hedrick.

Respectfully submitted,

DATED: April 29, 2021

*RLH 2/24*  
 Robert L. Hedrick Pro Se  
 94886-279 Unit 5751  
 Federal Bureau of Prisons  
 FCI Fort Dix  
 P.O. Box 2000  
 Joint Base MDL, N.J. 08640

CERTIFICATE OF SERVICE

Now Comes, Robert L. Hedrick, Defendant in the above-styled case to swear or affirm that on this date: April 29, 2021, I placed a true and correct copy of the above in the United States Mail [prison mail box rule] with postage prepaid to each and every party to the above or that party's counsel. The party's served are:

United State Attorney  
 Attn: Jennifer B. Lowery  
 1000 Louisiana, Suite 2300  
 Houston, Texas, 77002

*RLH 2/24*  
 Robert L. Hedrick Pro Se

APR 29 ENT

"viejon

¶ Juan Lozano  
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sons mother-in-law  
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Roel Rodriguez  
304 Bar Rd.  
Rio Grande City, Tx 78582

USA v. Gonzalez 3:03-cr-0634-G-BH  
3:03-cr-0329-G(1)  
Fed. Id 31225-177

Juan Martinez Sr  
1 Keats Street  
San Antonio, TX 78211  
(210)689-6356

Juan Martinez  
22531  
Piedras, Copaluilla  
26080 Mexico  
011528781040349

UNITED STATES DISTRICT COURT  
 FOR THE SOUTHERN DISTRICT OF TEXAS  
 Brownsville Division

UNITED STATES OF AMERICA,  
 Plaintiff,

v.

ROBERT G. HEDRICK,  
 Defendant.

No. 1:11-cr-715  
 "Filed Under Seal"

Motion for Compassionate  
 Release

EVIDENIARY DECLARATION No. 2  
 Back, Hip, Spine & Nerve Damage  
 May 13, 2021

On May 13, 2021, an additional assault caused injury to my back, hip, spine and nerve that runs from between my spine and hip to my calf's. This re-injured the injury I sustained when Dixon put me on the 2d Floor of Bldg 5751; reinjured the injury I sustained in the attack on me at FCL Butner, re-infection and now has caused additional injuries along with COVID-19 and Pneumonia with residual affects.

On May 11, 2021 I was in the shower on the 1st floor at about 7:00 pm when someone [who I did not see] yelled at me in the shower: "Why don't you drown yourself and die!" I looked through the top 1/4 of the shower curtain which is clear plastic and asked "Who is that?" I did not recognize the voice. There are only 12 of us on the first floor so I would have recognized the voice. I have duplicated the facts of what happened on May 13, 2021 via the messages I sent to Fort Dix staff:

TO: Health Services: Back Injury  
 FR: Hedrick, Robert L.

"At 12:00 when lunch was called for Bldg. 5751, we exited out of the back door. The officers use two (2) rocks to keep the door open. One of the rocks is the size of a softball; it was not under the door, but in front of the door. I was pushed and stepped on it; it rolled and I hit my back and hip on the edge of the sidewalk [step]; re-injuring my back injury, my hip and knee. Using a stone to prop open a door instead of having the work shop make a wooden wedge is a bad and unsafe practice. Now my injury is worse. I have already been prescribed capscin cream 0.02%, naproxen 500 mg tabs and acetaminophen 325 mg tabs for the pain I already have. I will not know how bad or painful this is going to be. I need to have my back x-rayed to see what additional damages to my back and hip has occurred and safety needs to do something about this hazard. I will turn in a sick call sheet. What do you suggest?

03 ENTD

Health Services on 5/13/2021 1:17 pm wrote:

"Access to healthcare, including requests for appointments with providers, is obtained through sick-call triage when your unit is released for am main line. If you are experiencing a medical emergency, report to the nearest staff member, who will contact health services."

TO: Head of Safety

FR: Robert L. Hedrick, <94886279@inmatemessage.com 5/13/2021  
12:59pm

"At 12:00 today when we were called to go to lunch, we exited Bldg 5751 from the back door. The officers have been using two rocks to wedge under or place in front of the door to keep it open. The larger rock is the size of a softball. Today that rock was not wedged under the door; but was in front of the door. I stepped on it. It rolled and I fell forward off the step hitting my back and hip on the step and my knee on the ground. I am already being treated for a back injury that needs surgery that Fort Dix has refused to schedule that was prescribed at Butner FMC by an outside orthopedic surgeon who came in to review my back injury. It was not done before I was shipped and Dr. Patel refuses to schedule surgery. Now, I do not know what additional damages have been caused by this safety hazard. I have reported it to AW Kodger and sent a message to medical and will turn in a medical call-out sheet to get x-rays. But the hazard needs to be fixed at all of the buildings using the "stone method".

Safety on 5/20/2021 7:17 wrote:

"We are working on this. Please let us know if you do not see a resolution soon."

TO: Head of Safety

FR: Hedrick, Robert L. on 5/20/2021 wrote:

"As of today the rocks are still being used to prop the door open. The wood shop could make some wooden wedges for that purpose very easily for each door. The inmates have plenty of time on their hands to do this. Just a suggestion. I was once an OSHA INSPECTOR for manufacturing facilities and these types of hazards cost millions if someone is hurt."

Safety on 5/24/2021 7:07 am wrote:

"Your report that the rocks are still being used came 3 hours after I sent your response and notified the Captain. Are the still there?"

TO: Head of Safety

FR: Hedrick, Robert L. on 5/24/2021 8:10 wrote:

"They have been removed. Thanks,"

TO: Head of Safety

FR: Hedrick, Robert L. on 5/30/2021 10:42 am wrote:

"This is a follow-up to my 5/13/2021 complaint about the injury I suffered because a rock was used to prop open the rear exit door to Bldg 5751. In my last message on 05/24/2021 at 8:10

I wrote that the rocks had been removed. Apparently, the officer who removed them simply threw the large rock into the grass.

On 05/29/2021 the large rock was back. Another inmate stepped on the same rock and was injured. This was witnessed by Mark Johnson, 5751, cm 114 who was right behind that inmate when he fell. There were three (3) officer's who witnessed it and numerous inmates. The injured inmate has not gone to medical, yet. I will speak to him and other witnesses. Apparently, the Captain did not get his message across. This is complete negligence and deliberate indifference to OSHA requirements and to the well-being of inmates, specifically, in light of the fact, I reported this hazard and nothing was done to solve the issue permanently. We should not be exiting out the back door. I am filing this with my district court."

On May 17, 2021, I went to Medical to have x-rays taken. The following week I returned to medical and met with Dr. Patel concerning my back injury and the current "side-effects" that I am suffering from including headaches, liquid drainage into my throat, food going down and through my diaphragm, low back aches, pain in chest and restless sleep. The cough I got with the pneumonia from the COVID-19 is not going away. Dr. Patel wanted to anesthetize hospital for two (2) separate procedures. This would have exposed me to the new COVID-19 Variant and would require a 14 day Quarantine.

After the attempts to murder me by Dr. Patrick Craft at FCI Butner; I will not submit myself to any outside or inside of the BOP surgeon who has not been vetted by the FBI. As it stands now, I require the following medical procedures:

1. Injections in three-six locations in my spine and hip to deaden the nerves causing the seizures in my legs and calf's;
2. Removal and replacement of the port-a-cath installed on the right side of my chest in the main vein to my heart;
3. Another MRI;
4. Another CAT Scan.
5. Now the two other procedures.

These can be done at a VA hospital on the outside with no risks to my life from a VA doctor.

The injuries have now increased in severity and I am having trouble walking to meals.

#### Conclusion

It is my belief that the person who shoved me off the step was the same person who made the threat in the shower. However, at this time, I do not believe that he set me up to slip on the rock. I think it just happened to be there by the negligence

of the BOP. However, by proxy, that person is responsible for the injury, potentially, because if I had not turned to see who shoved me, I might have seen the rock and avoided it.

Please advise of the current status of the BOP providing documents to the U.S. Attorney. Inmate Michael Wilkerson has been removed from this side of the facility. Atkinson is supposed to retire or so he has told the officers in his office; although Officer J. Sanchez told me that Atkinson does not have enough time to retire; and Dixon has removed all of his personal stuff from his office. We currently have over 1,200 cases of the New Variant with 4 Buildings and the SHU on the West side locked down and the SHU and Bldg 5703 locked down on this side in quarantine. All of the other buildings are locked down except to go segregated to lunch and 45 minutes recreation. That is the actual situation at FCI Fort Dix as of this date.

Respectfully submitted,

DATED: June 3 , 2021

*mtz*  
Robert L. Hedrick Pro Se  
94886-2791 Unit 5751  
Federal Bureau of Prisons  
FCI Fort Dix  
P.O. box 2000  
Joint Base MDE, N.J. 08640

CERTIFICATE OF SERVICE

I, Robert L. Hedrick, swear or affirm that on this date: June 3 , 2021, I served each party to the above by placing a true and correct copy of the above in the United States Mail [Prison Mail Box Rule] with postage pre-paid and affixed to the envelope and addressed to:

United States Attorney  
1000 Louisiana St., Ste. 2300  
Houston, TX 77002

*mtz*  
Robert L. Hedrick Pro Se

JUL 30 2021

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA

vs.

Crim. Action No. 1:11-cr-715-1

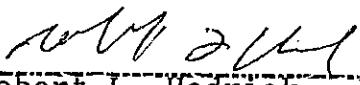
ROBERT L. HEDRICK

ADDITIONAL ASSAULT ON JULY 3, 2021

On July 3, 2021 at 1:45 pm Inmate Marine in my Bldg 5751 assaulted me in the room allotted for legal work while I was on this typewriter tying legal work. He ripped the paper out of the typewriter, spilled coffee on me and yanked the typewriter out of my hands on the desk. When I stopped him from smashing the typewriter he verbally assaulted me and threatened physical harm. Another inmate interceded and stopped his physical and verbal assault. There are five (5) witnesses to this event. Marine just came out of the SHU that is still controlled by SIS Atkinson and he is assigned the job of taking out the units trash 2 times per day by DIXON and is a friend of Carter. It is my assessment that this was an attempt to get me to fight him to get us both sent to the SHU under Atkinson's control. These assaults will continue until they either "kill" me or severely injure me. Again, I will reiterate that I need to be removed from the BOP.

Respectfully submitted,

DATED: July 5, 2021

  
Robert L. Hedrick Pro Se  
94886-279 Unit 5751  
Federal Bureau of Prisons  
FCI Fort Dix  
P.O. Box 2000  
Joint Base MDL, N.J. 08640

THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
Brownsville Division

UNITED STATES

v.

Case No. 1:11-cr-715

ROBERT L. HEDRICK

Supplement To Complaints of  
Harassment, Threats, Assaults & Attempted Murder

Now comes, Robert L. Hedrick, to supplement my complaints concerning the threats to my life at FCI Fort Dix. The harassment, threats, assaults and murder attempts have continued unabated at Fort Dix. I am still designated a Central Inmate Monitoring (CTM) inmate and ZERO protection has been provided by the BOP. Instead, officers and staff individually and in collusion with inmates (paid by Richard Alaniz et al) have continued with their assaults, causing additional injuries.

On July 5, 2021 the following was filed in this case:

## ADDITIONAL ASSAULT ON July 3, 2021

On July 3, 2021 at 1<sup>st</sup>45 PM Inmate Marine in my Bldg 5751 assaulted me in the room allotted for legal work while I was using this typewriter typing legal work. He ripped the paper out of the typewriter, spilled coffee on me and yanked the typewriter out of my hands on the desk. When I stopped him from smashing the typewriter on the floor he verbally assaulted me and threatened physical harm. Another inmate interceded and stopped his physical and verbal assaults. There are five (5) witnesses to this event. Marine just came out of the SHU that is controlled by SIS Atkinson and he is assigned the job of taking out the units trash 2 times per day by DIXON and is a friend of Anthony Wayne Carter who is also assigned by DIXON to take out Unit 5751's trash at the same time as Marine. It is my assessment that this was an attempt to get me to fight him to get us both sent to the SHU under Atkinson's control. These assaults will continue until they either "kill" me or severely injury me. Again, I will reiterate that I need to be removed from the BOP."

When this did not work, DIXON conspired with Mr. Brian Womack in Education and Lieutenant W. Hampton (in the same office as SIS

AUG 02 ENT'D

Atkinson) to harass me concerning my 4 College Degrees and put me in the SHU. On July 5, 2021 Brian Womack posted a GED Schedule on TRUIJNKS for the final testing of inmates for their GED on July 7, 2021. In this posting Womack committed FRAUD by showing that I had already completed four (4) parts of the 240 hour GED class. I have not attended one single minute of the GED class. Womack can produce no sign-in sheets for those 4 sections that have my signature on them. FRAUD! My high school and college diploma's and transcript's were included in my PSR and verified at FCI Petersburg Unit Team; so for 10 years I have not been scheduled for a GED. The following are the messages concerning this "set-up" attack's and harassment:

HEDRTCK, ROBERT L. on 7/5/2021 8:25 am wrote to Education; FWD to AW Operations

You still have me listed as taking GED classes and testing on July 7, 2021. I told you last year that I have 4 college degrees that are listed in my PSR and in my individual files in Unit Team. I have a Political Science and Mechanical Engineering Degree from Texas A&M in 1973; a Law Degree from Yale and an Explosive's Engineering Degree from MIT. I could teach your class and in fact have taught classes at Petersburg and Butner. I have not spent one single minute in this GED class. You are committing criminal fraud by saying in the form you posted here that I have completed 4 parts of this class. It is fraud to attempt to collect money for classes that the individual did not attend.

HEDRTCK, ROBERT L. <94886279@inmatemessage.com> 7/5/2021 to AW Operations/Warden

This issue needs to be resolved. I am not going to the class on the 7th. I have already told these people to stop scheduling me for the GED classes. If this continues, I will report it as harassment with the U.S. Attorney in Houston, Texas in my court case in which the Court has ordered an investigation at Fort Dix, Dixon, Atkinson and others. Also, in my suit against the Attorney General of the United States and the Director of the BOP. Also, be advised and check the previous messages sent to the previous Acting Warden, AW Smith and others of the attempts to harass, threaten, injure or murder me at Fort Dix. For your information, I was assaulted on July 3, 2021 at 1:40 pm and this is being reported to the U.S. Attorney in Houston, Texas, the FBI Agent assigned to my case in Richmond, VA, the IG and BOP/DOJ Office of Internal Affairs and USMS. Since SIS Atkinson is also included in these complaint's for "illegal" imprisonment in a SHU cell for three (3) hours for his own personal purposes to threaten me because I sued him. I cannot and will not go to SIS!! This is now far beyond the BOP level. On December 30, 2021 my conviction was overturned and I am waiting the completion of the investigation of the BOP by the U.S. Attorney in Houston, Texas for

AUG 02 ENTD

the Court Order to release me. In fact, I am no longer a convicted felon and not "technically" subject to many of the BOP regulations.

AW Operations on 7/6/2021 2:32 pm wrote to Hedrick:

Program Statement 5350s.28 (544.70). SUBJECT: Literacy Program (GED Standards). Except as provided for in 544.7i, an inmate confined in a Federal Institution who does not have a verified General Education Development (GED) credential or high school diploma is required to attend an adult literacy program for a minimum of 240 instructional hours or until a GED is achieved whichever comes first. The completion of the literacy program is often only the first step toward adequate preparation for successful post-release re-integration into society.

HEDRICK, ROBERT L. on 7/6/2021 3:55 pm wrote to AW Operations; FWD to Education

I appreciate the reply, but it simply does not apply to me due to a BA Degree from Texas A&M in 1973; a BS Degree from Texas A&M in 1973; a Law Degree from Yale and an Explosives Engineering Degree from MIT. All in my PSR and in Unit Team files and in my court case; so it is a waste of time.

HEDRICK, ROBERT L. on 7/07/2021 11:54 am wrote to AW Operations/Warden

Education is still harassing me concerning GED Class and has enlisted the Duty Officer and they made threats of SHOTS etc. so I am having to go down to education for a third time (in 1999/2020/2021) to stop this insane harassment. I'm going to add the individual I see in Education to my lawsuit against the Attorney General of the United States, the Director of the BOP, SIS Atkinson, SIS Brandt, Dixon and inmate Michael Wilkerson. I am a CJM. I will seek \$5,000,000 in addition to the default judgment for \$30 million that has already been awarded by the court. This will be individual and BOP charges. Enough is enough.

EDUCATION on 7/8/2021 6:27 am wrote to Hedrick:

There is a Release of Information For Transcripts Request Form available in TRULINKS to assist you with requesting an official education transcript that shows either a GED, high school diploma, or college degree awarded. They are your education records. I cannot access them without your written authorization. I have already reviewed your PSR and it does not confirm sufficient information to verify your claims. Namely, the pretrial services officer would have to review an original diploma or an official transcript and write that information into the PSR and that did not happen. Therefore, it is incumbent upon you to provide verification of your education. Until such time; you are required per PS 5350.28 to attend GED classes and participate in any associated testing.

HEDRICK, ROBERT L. on 7/08/2021 am wrote to Education

AUG 22 ENTD

First off you were not in my court trial 11 years ago; so you are out in left field!! Secondly, all four diploma's were sent to Unit Team at Petersburg. I will be "joining" you as a defendant in Hedrick v. Attorney General of the United States, Director of the Bureau of Prisons, Fort Dix SIS Officer Atkinson and Fort Dix SIS Officer Brandt. You will be joined for "harassment" and "threats" as a continuation of the 17 plus attempts to harass, threaten, assault and murder me [starting] 10 days after trial and 17 times in the BOP including 5 times at Fort Dix. Fort Dix is currently under investigation by the IG, DOJ Office of Internal Affairs, FBI and the United States Marshals Service. You have now been notified of the suit. Any further conversations or interactions with me as a plaintiff in a Federal lawsuit is prohibited by statutes. You have absolutely no clue what you have stepped into with your threats to send me to the SHU or write me up. I will forward this to the AW Operations since I already told you he was involved.

On 07/07/2021 13:42 Brian Womack retaliated by executing an Incident Report and delivered to Lt W Hampton on 07/09/2021 09:06 am stating that:

On July 7, 2021, at approximately 1:30 pm, Inmate HEDRICK, ROBERT, #94886-279 refused to take the GED READY test, part of the mandatory GED program. Specifically, inmate Hedrick came into my office stating "I am not taking the test and I am not attending your GED classes either." I have informed Hedrick that he can be written an incident report for refusing a mandatory program assignment. Hedrick replied, "I am not taking your test and I'll sue you and the AW for \$50,000.00 each." Inmate Hedrick has failed to provide verification of his GED/HSD or college degree and is therefore required to participate in the GED/Litecacy program PS 5350.28 for at least 240 hours or until he provides verification that he already has a GED/HSD or college degree, or he passes the test, or he goes home; whichever comes first."

A telephone call to the Registrar at Waxahachie High School revealed that the BOP, any Federal Agency or even a company or business where I applied for a job can request and receive a copy of my diploma and transcripts. They are public documents!! Womack could have simply requested them when I identified where I graduated. They are provided at "no charge". BOP officers, staff, contractors and inmates may be given a "polygraph examination". I am more than willing to do that because Womack "boldly lied" in this legal BOP document. First, I did not threaten to sue him in that meeting. That was sent to Womack by e-mail on 7/7/2021 at 11:54 am [see above]!! Womack filed his Incident Report 7/7/2021 at 13:42 after he read my previous e-mail. Second, I showed him a photograph taken at

AUG 02 ENTD

Texas A&M of me in military uniform standing between my two grandmother's holding one of my Texas A&M diploma's; Third, Womack committed "Criminal Fraud" by falsifying GED documents showing that I had attended 4 parts of the 240 hour class and was TEST READY. I did not attend one single minute of those classes and a "polygraph examination" will prove it as well as the fraud committed by Womack. The question is "How many times has Womack committed FRAUD and does he receive a bonus for people attending the class? This was a set-up to put me at risk in the SHU. On 07-08-2021 09:23 Lieutenant W. Hampton "illegally" put me in the SHU after he refused to allow me to fully address the Incident Report. He did, however, threaten me in front of another officer when he locked me in the cell, something to the effect that "I am going to show him!", before even discussing why I was being brought in. I was put in a cell with an inmate known as a "hater". He had been either incarcerated or on probation since he was 18. He is now 50 and on August 7, 2021 will be released for the 1st time not being on probation. He admitted to having killed a sex offender at Victorville Medium and beat up each one he ran across. He stated that they (BOP) put me in with him to get him to assault me; but that he was leaving on August 7, 2021 and for the first time was free and he was not going to jeopardize that. I remained in the SHU about 4 days. At that time Mr. Ebinger who supervises both 5751 and 5752 came in and told me I would be out of the SHU that day. Then Ms Ainsworth and DIXON came in and tried to make me agree to the Incident Report and that I should agree to either give up commissary or visitation time for 30 days. I told them that "Do what you like; but I do not agree." Not only was it a "set-up", but it was a follow-on to DIXON putting me on the 2nd Floor and causing injuries to my back that still have not been treated. I also stated that it comes right after Marine assaulted me in the "typewriting room." That Marine works for DIXON. I also advised them that they were past the 24 hour deadline, set in BOP rules, to present the Incident Report to me. The Incident Report was not processed.

HEDRICK, RORBERT L. <94886279@inmatemessage.com> 7/16/2021 10:55 am wrote to AW Operations; FWD Unit Team

AUG 22 ENTD

I previously wrote to you about Womack scheduling me for a GED test. I have 4 college degrees. My PSR Addendum I and II identify that I graduated from Texas A&M in 1973. BOP Program Statements on education state that if a person has a college degree he does not have to take GED. See Unit Team - PSR. I have been incarcerated going on the 11th year. This was settled 10 years ago. Mr. Womack has committed FRAUD. He has posted for me to go again to GED on the 27th and shows that I have completed 4 parts of the 240 hour course. I have not attended one minute of that class and Mr. Womack cannot produce one single document proving otherwise. I went thru this last week and was "illegally" put into the SHU by the Lt. Mr. Womack has committed FRAUD under the United States Criminal Code, Title 18. At the same time, I sent a message to you; I printed a copy of the schedule and filed a criminal complaint of FRAUD in my District Court and the United States Attorney's Office in Houston, Texas. Secondly, On December 30, 2020 the Court of Appeals for the Fifth Circuit VACATED my conviction and REMANDED it back to the trial court for administrative processing. The court was to have removed me in April; but I, not the court, requested that they investigate the harassment, threats, assaults and attempted murder of me at Fort Dix. The Inspector General of the United States turned it over to the BOP/DOJ Office of Internal Affairs for investigation of Fort Dix. I have had a Special Agent of the FBI assigned to me at Richmond, VA since 2015 and he is involved; doing investigations. I have also filed a lawsuit against the United States, Director of the BOP and the Attorney General. Fort Dix Officer's Atkinson and Brandt have been joined as Defendants for locking me in a holding cell for 3 hours, not because I committed an infraction; but because of his own personal interests because he was notified he was being sued. I am going to joinder Mr. Womack to the same suit as a Defendant as well as the Lt. for "illegally" detaining me. Technically, since my conviction has been overturned and my release is waiting on the investigation of the attempts to murder me; a release that I and not the court has delayed. I am a citizen in custody of the BOP and am not subject to programming as an inmate. Of course you can argue this; but in the end you lose. The District Court only has two options: 1) Release me immediately; 2) If I have attacked a BOP Officer or other inmate or if an officer or staff have attacked me [which is the case here] I cannot be released until the nearest U.S. Attorney's Officer investigates. That office is in Houston, Texas!! I can and will show you all of these documents referred to above if you need to see them. I would request that you tell Education - Womack to take me off of that list or it will constitute retaliation for my adding him to the case as a Defendant. Don't make it worse. Please advise.

HEDRICK, ROBERT L. on 7/16/2021 10:56 am to Unit Team:

Here we go again.

HEDRICK, ROBERT L. on 7/16/2021 10:58 am wrote to Mr. Moody/Womack

Self explanatory. [FWD last 2 messages above]

AW Operations on 1/16/2021 11:32 am wrote

Please provide a copy of your high school transcript that states you graduated high school or received a GED. There is not sufficient evidence on file to rectify this inquiry.

HEDRICK, ROBERT L. on 7/16/2021 1:27 pm wrote to AW Operations

I do not have to provide a copy of my college diploma if it is in my PSR, which it is. See Education Program Statements. It was provided to FCI Petersburg Education. The Political Science Degree. In addition, I showed Womack that photo. In the end you will lose to continue this. I am going to have DIXON get me the request form and have my sister sent to A&M for the diploma; then I am going to add to my tort claim in the United States District Court, DC Circuit; another amount of damages for harassment. I am forwarding this to DIXON and Unit Team. Secondly, I cannot go to the 2nd Floor. I have a lower floor, bottom bunk, pass from Dr. Patel caused by the attack on me by Dr. Patrick Craft and BOP officers at Butner FMC. Give SIS Officer Lloyd at Butner a call who will confirm this.

HEDRICK, ROBERT L. <94886279@inmatemessage.com on 7/17/2021 7:54 am wrote to AW Operations

The ball is in their court.

HEDRICK, ROBERT L. on 7/17/2021 8:28 am wrote to Ms. Ainsworth - Unit Team

I think the GED matter can be resolved if you would send a copy of the page in my PSR that shows that a copy of my high school and college transcripts were obtained. Here is what the Program Statement OPI/FPI Number 5300.21 DATED 2/18/2002; SUBJECT: Education, Training and Leisure Time Program Standards Program Statement: Program Goals Section 544.18. The Warden shall insure that an inmate with the need, capacity, and sufficient time to serve, has the opportunity to: "a. Complete an adult literacy program leading to General Education Development (GED) certificate and/or a high school diploma;...+ need is defined as not having achieved a verifiable high school diploma or equivalency certificate; + verification is established when an inmate furnishes a copy of his credential or an official GED score, or where the achievement is verified officially in a pre-sentence report." It is verified because the pre-sentence report states that my high school and college transcripts were reviewed. There would be no college transcripts to review if I had not graduated from high school which clearly I did. Thanks.

HEDRICK, ROBERT L. <94886279@inmatemessage.com> on 07/17/20021 8:28 am wrote to AW Operations

Any suggestions. FWD msg above.

HEDRICK, ROBERT L. <94886279@inmatemessage.com> on 7/17/2021 wrote to Mr. Womack/Moody

AUG 02 ENTD

For your information. FWD msg to Unit Team above.

HEDRICK, ROBERT L. <94886279@inmatemessage.com> on 7/20/2021 2:53 pm wrote to AW Operations

As you can see, I have requested that Education provide me with the form required to send to Waxahachie High School and Texas A&M to send those transcript's and diploma's. Education has not responded. My family spent \$18,000 a year to send me to college. I spent \$24,000 to go to Yale and the Department of Defense (DIA) spent \$50,000 to send me to MIT for an Explosives Engineering Degree. It is a personal insult, not only to me; but to the United States military. I spent 6 months as a POW in Vietnam and this is documented in my medical records in the BOP and the VA. Keep on and I will use my military awards and decorations and POW status to have the "Black Flag" removed from all BOP facilities. I have spoken to Unit Team and it is in my PSR. I assure you that my military record and two stars will accomplish exactly what I have said. Secondly, on December 30, 2020 my conviction was overruled by the Court of Appeals for the Fifth Circuit. The only reason I am still here is I asked the USDC Southern District of Texas and the U.S. Attorney in Houston, Texas to investigate Fort Dix and the corruption which is rampant here. I have all of the correspondence from the IG who referred it to DOJ-BOP Office of Internal Affairs and the FBI. Want to see those documents? And the Court Orders? Mr. Womack has been reported to the US Attorney in Houston along with his commission of FRAUD in saying I have completed 4 parts of the GED Class. I did not attend a single minute of that class. That is harassment of an inmate who is no longer convicted.

AW Operations on 7/20/2021 pm wrote to Hedrick

You can request transcripts through the mail to either: Annie Bonilla, Registrar 972-923-4000 extension 21032 or Dana Jones, Registrar 972-923-4000 extension 21029 at Waxahachie High School, 3001 U.S. Hwy 287 Bypass, Waxahachie, TX 75167, ATTN: Registrar. They will be able to fulfill your request.

HEDRICK, ROBERT L. <94886279@inmatemessage.com> on 7/20/2021 4:47 pm wrote to Aw Operations

Thank you. I will have my sister request them and send them in to me or should they be sent directly to someone else? I only want to do this one time and the right way. Thanks.

HEDRICK, ROBERT L. on 7/21/2021 5:40 pm wrote to Ms Ainsworth

Mr. Womack posted a BOP form on TRULINKS to be used to get high school diploma and transcript. Can you print a copy of it so I can send it to my sister to send for me and she can pay any costs? Thanks.

AW Operations on 7/23/2021 wrote to Hedrick

AUG 02 ENT'D

Please make 2 copies of it. Give one to your Case Manager to put in your Central File and keep the other copy for your records.

HEDRICK, ROBERT L. on 7/27/2021 3:38 pm wrote to Womack

For your files. FWD 3 messages above.

EDUCATION on 7/26/2021 10:42 am wrote:

You still haven't provided verification of your educational achievements, the requirement is an official transcript or original diploma.

Education on 7/26/2021 10:57 wrote to Hedrick

PS 5350.28 specifically states that the PSR is only acceptable as proof of verification when the Pre-Trial Service Officer saw an original diploma or an official transcript and states that in the PSR. Your PSR specifically states that they saw a copy of such documents. From the statement, I cannot determine whether they saw a photo copy or an official copy (which would not meet policy statement requirements) or an official transcript (not so likely since they used the word copy) Therefore, I need you to get the document sent to us.

In my documents filed in this court I have exposed the fact that Fort Dix is out of control. That "illegal gambling, making "hotch" (alcohol), smoking cocaine and tobacco is done in every unit on every floor. The cocaine, tobacco, K-2 are all accomplished with the assistance of DIXON, other officers and part of it "dropped by drones". Inmates have access to the roof of 5751 through a trap door at the entry to the 1st Floor hallway where I am housed. My roommate Anthony Wayne Carter makes "hotch" and also runs gambling tickets. All condoned by DIXON who is his "buddy". I am at serious risk because of the hundreds of "illegal phones" giving access to internet legal sites.

Respectfully submitted,

*RLH*

DATED: August 2, 2021

Robert L. Hedrick Pro Se  
94886-279 Unit 5751  
Federal Bureau of Prisons  
FCI Fort Dix  
P.O. Box 2000  
Joint Base MDL, N.J. 08640