

IN THE SUPREME COURT OF THE UNITED STATES

Robert L. Hedrick,
Petitioner,

V.

United States of America,
Respondant;

William Barr, Attorney General,
Respondant;

Michael Caravajal, BOP Director,
Respondant.

No. 21-6022
In re: Hedrick
Court of Appeals Decision on:
July 7, 2021
App. No. 21-5038
USDC No. 1:20-cv-03591-RDM

Motion to Reconsider In Forma Paupris Status
And

Failure to Provide Access to the Court

On January 10, 2020, the Clerk of the Court, not the Court, dismissed Hedrick's Petition for Writ of Mandamus by denying In Forma Paupris status. Hedrick has exactly thirty-cents (.30) on his TRULINKS account. Money does not appear out of thin air no matter what the Clerk of the Court may think,

Hedrick has already, over the past 6 years, been granted access to the courts to pursue his legal issues to the district courts, the appellate courts and to the Supreme Court. Hedrick, has, in fact, been successful in these filings. On December 20, 2020 the Court of Appeals for the Fifth Circuit overturned Hedrick's conviction in his §2255 petition.

However, Hedrick remains "housed" in the Federal Bureau of Prisons (BOP) waiting for the final investigation reports from the United States Attorney's Office in Houston, Texas for their response to the district court's orders to investigate the attempts to murder Hedrick in the BOP and at Fort Dix, specifically. This final report is pending the investigation of the FBI and the DOJ-OIA.

These investigations involve attempted murder by BOP Officer Dixon, SIS Officer Atkinson and others including Inmates Wilkerson, Spain, Casas, Fox and other officer's and inmates who were paid by Richard Alaniz to harass, threaten, assault and kill Hedrick.

These assaults occurred at Butner II/FMC and at Fort Dix, resulting in Hedrick being injured two (2) times; once at Butner FMC and once at Fort Dix, which are fully documented with numerous witnesses identified including Officer W. Williams.

Hedrick is a Central Inmate Monitoring (CIM) inmate and has been since the attempt to murder him at FCI Victorville over nine years ago. There have now been over 35 documented attempts on Hedrick's life.

The United States Attorney in Houston, Texas has by order of the Court been given until February 21, 2022 to complete their investigation of these events. See Hedrick v. United States, Civil Case No. 5:17-cv-36; Crim. Case No. 1:11-cr-715.

Access to the Court

Courts in all circuits as well as the Supreme Court have ruled and made it crystal clear that all incarcerated and indigent inmates are entitled to access to the courts.

"Under the First Amendment a prisoner has both the right to meaningful access to the court's and a broader right to petition the government for a redress of his grievances." Bradley v. Hall, 64 F.3d 1276, 1279 (9th Cir. 1995).

The Central Inmate Monitoring (CIM) was designed to protect Hedrick from threats from inside and outside of the BOP. It did not do so. Hedrick is entitled to "redress".

"Prisoners have a constitutional right of access to the courts." Bounds v. Smith, 430 U.S. 817, 821.

Hedrick's medical records were submitted to the court to substantiate his injuries as well as the assaults on him satisfying "proof of injury."

"An 'actual injury' for an access to the court claim may include a court dismissal of a complaint [of] an inability to even file a complaint." Booth v. King, 346 F.Supp. 2d 751, 758 (W.D.Pa. 2004)(citing Lewis, 518 U.S. at 351). See also Garcia v. Dechan, 384 Fed. App'x 94, 95 (3d Cir. 2010)(per curiam); Lewis v. Casey, 518 U.S. 343, 349-51 (1998).

This is "exactly" what the court Clerk did on January 10, 2022. This could, in fact, open the Supreme Court, itself, to potential suit for violation of it's own rulings on the issue.

Hedrick's injuries are "continuing" to become progressively more serious due to the lack of medical care by the BOP. Medical care which would not put Hedrick at further risk of attempts to murder him by doctors like Dr. Patrick Craft at Butner FMC who are on the Colombian Drug Cartel Payroll via Richard Alaniz.

The nerve damage that Hedrick suffered as a results of the

attack on him at Butner II/FMC affected his right leg from hip to foot. After the second assault at Fort Dix Hedrick suffers nerve damage to his left leg, injury to his right knee and minor brain injury to frontal lob affecting long-term memory. Therefore, Hedrick meets the criteria for an access-to-the-court claim. Actual injury.

The Clerks dismissal of Hedrick's Petition for Writ of Mandamus is an intentional delay that violates Hedrick's constitutionally protected rights.

"Prisoners clearly have a constitutionally protected right of access to the courts, and interference with a prisoner's right to access to the courts, such as a delay, may result in a constitutional deprivation." Criceol v. Phillips, 169 F.3d 313 (5th Cir. 1999).

The courts have further ruled that:

"In no event shall a prisoner be prohibited from bringing a civil action for the reason that the prisoner has no assets and no means by which to pay the initial fee." 28 U.S.C. § 1915(b)(4). Fuller v. Terry, 381 Fed. App's 907 (June 30, 2012).

Hedrick has exactly thirty cents (.30) in his TRULINKS account and has sworn under penalty of perjury that this is all he has.

Hedrick requests that the court approve In Forma Paupris and RE-DOCKET the Petition for Writ of Mandamus.

Respectfully submitted,

Dated: January 27, 2022

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Proof of Service

I, Robert L. Hedrick, do swear or declare that on this date: January 27, 2022, I have served the above document on the Solicitor General of the United States, Department of Justice, 950 Pennsylvania Ave. NW, Room 5614, Washington DC 20530-0001 by depositing an envelope containing the above document in the United States mail [prison mail box rule] properly addressed with first-class postage prepaid.

Robert L. Hedrick
Robert L. Hedrick Pro Se