

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT
Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303) 844-3157
Clerk@ca10.uscourts.gov

Christopher M. Wolpert
Clerk of Court

Jane K. Castro
Chief Deputy Clerk

September 17, 2024

Barbara Frantz
124145
Topeka Correctional Facility
815 Southeast Rice Road
Topeka, KS 66607

APPENDIX A
27 PAGES

RE: **24-3032, Frantz v. State of Kansas, et al**
Dist/Ag docket: 5:23-CV-03246-JWL

Dear Appellant:

Enclosed is a copy of the order and judgment issued today in this matter. The court has entered judgment on the docket pursuant to Fed. R. App. P. Rule 36.

Please contact this office if you have questions.

Sincerely,



Christopher M. Wolpert
Clerk of Court

CMW/art

APPENDIX A

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

FILED
United States Court of Appeals
Tenth Circuit

September 17, 2024

Christopher M. Wolpert
Clerk of Court

BARBARA FRANTZ,

Plaintiff - Appellant,

v.

STATE OF KANSAS; JEFF ZMUDA, Secretary of Corrections; GLORIA GEITHER, Warden, Topeka correctional facility; DAVID MCCABE, Acting Warden, Topeka Correctional Facility; RYAN SHANKS, EAI Officer; JOSHUA WINKLEMAN, EAI Officer, Topeka Correctional Facility; CATHY ROBINSON, Director of Health Care Services, Kansas Department of Corrections, in their individual and official capacities; CENTURION, contracted medical provider for Topeka Correctional Facility; MICHELLE CALVIN, Centurion Medical Services Administrator; JENA LEE, M.D., Centurion; APRIL FARRELL, APRN, Centurion; SARA HART, APRN, Centurion; GREGORY ERB, M.D., Centurion; SCOTT LOGAN, M.D., Global Diagnostic Services; FRANCISCO CORREA, M.D., Cotton O'Neil Endocrinology; ANDREW DEDEKE, Sheriff, Leavenworth County; MICHELLE (LNU), Physician Assistant, Leavenworth County Jail, a/k/a Jane Doe; MELISSA WARDROP, LPN, Leavenworth County Jail; JANE AND JOHN DOE, Leavenworth County Sheriff officers involved in operating the Leavenworth County Jail on 7/24/17 through 7/25/17, in their official and individual capacities,

No. 24-3032
(D.C. No. 5:23-CV-03246-JWL)
(D. Kan.)

Defendants - Appellees.

ORDER AND JUDGMENT*

Before **HARTZ**, **BALDOCK**, and **MORITZ**, Circuit Judges.

Plaintiff Barbara Marie Frantz, proceeding pro se and *in forma pauperis*, is a prisoner at the Topeka Correctional Facility (TCF) in Kansas. She appeals the district court's order dismissing her civil-rights action under 42 U.S.C. § 1983 for failure "to state a claim on which relief may be granted." 28 U.S.C. § 1915(e)(2)(B)(ii). Our jurisdiction arises under 28 U.S.C. § 1291. We affirm.

Plaintiff's Third Amended Complaint (TAC), the operative complaint, names multiple defendants including the Kansas Department of Corrections, various prison officials, and medical providers; and it raises several claims: a claim under the Eighth Amendment of deliberate indifference to serious medical needs; a due-process claim for allegedly ignoring her grievances about her medical care; and a First Amendment claim alleging a violation of her "right to file a grievance report against prison official." R., Vol. III at 19.

* After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist in the determination of this appeal. See Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument. This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

We review de novo a district court's order dismissing a prisoner's § 1983 complaint under 28 U.S.C. § 1915 for failure to state a claim. *See Vasquez Arroyo v. Starks*, 589 F.3d 1091, 1094 (10th Cir. 2009). We construe pro se pleadings liberally. *See Haines v. Kerner*, 404 U.S. 519, 520 (1972). But pro se litigants must still comply with the rules of procedure. *See McWhorter v. Fed. Aviation Admin.*, 88 F.4th 1317, 1323 (10th Cir. 2023). We are thus not bound by legal conclusions or conclusory factual allegations. *See Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009).

The district court dismissed the TAC on several grounds. First, the court pointed out that Plaintiff's complaint stated claims that were "duplicative of claims she previously brought before this Court and the Tenth Circuit." *Frantz v. State of Kansas*, No. 23-3246-JWL, 2024 WL 775818, at *2 (D. Kan. Feb. 26, 2024); *see Childs v. Miller*, 713 F.3d 1262, 1265 (10th Cir. 2013) ("Repetitious litigations of virtually identical causes of action may be dismissed under 28 U.S.C. § 1915 as frivolous or malicious." (brackets and internal quotation marks omitted)).

Second, the court dismissed the Eighth Amendment claims for failure to adequately allege the requisite deliberate indifference, explaining that the claims show "a mere difference of opinion between the inmate and prison medical personnel regarding diagnosis or reasonable treatment [that] does not constitute cruel and unusual punishment." *Frantz*, 2024 WL 775818, at *4; *see Estelle v. Gamble*, 429 U.S. 97, 106 (1976) ("[A] complaint that a physician has been negligent in diagnosing or treating a medical condition does not state a valid claim of medical mistreatment under the Eighth Amendment.").

Third, the district court dismissed the due-process and First Amendment claims, which focused on Plaintiff's discontent with the responses to her grievances, explaining that "there is no constitutional right to an administrative grievance system." *Frantz*, 2024 WL 775818, at *3; *see Massey v. Helman*, 259 F.3d 641, 647 (7th Cir. 2001) (for purposes of the Due Process Clause, "the existence of a prison grievance procedure confers no liberty interest on a prisoner."); *Flick v. Alba*, 932 F.2d 728, 729 (8th Cir. 1991) (per curiam) ("When the claim underlying the administrative grievance involves a constitutional right, the prisoner's right to petition the government for redress is the right of access to the courts, which is not compromised by the prison's refusal to entertain his grievance."); *Gray v. Geo Grp., Inc.*, 727 F. App'x. 940, 948 (10th Cir. 2018) (following *Flick*).

On appeal Plaintiff has failed to explain where the district court erred. *See Nixon v. City & Cnty. of Denver*, 784 F.3d 1364, 1366 (10th Cir. 2015) (first task of appellant is to explain why district court's decision was incorrect). Her brief simply repeats allegations in her complaint and makes conclusory, undeveloped assertions of law without making any effort to rebut the district court's reasoning.

Therefore, for substantially the same reasons set forth in the district court's order, we **AFFIRM** the dismissal of Plaintiff's action in its entirety. We **DENY** her request for appointment of counsel. We **GRANT** Plaintiff's motion to proceed *in forma pauperis* but remind her that she remains obligated to continue to make partial

UNITED STATES COURT OF APPEAL
FOR THE TENTH CIRCUIT

FILED
United States Court of Appeals
Tenth Circuit

May 22, 2024

Christopher M. Wolpert
Clerk of Court

BARBARA FRANTZ,

Plaintiff - Appellant,

v.

STATE OF KANSAS, et al.,

Defendants - Appellees.

No. 24-3032
(D.C. No. 5:23-CV-03246-JWL)
(D. Kan.)

ORDER

Before MATHESON and BACHARACH, Circuit Judges.

On May 9, 2024, appellant Barbara Frantz submitted her opening brief for filing in this appeal. Accompanying Ms. Frantz's opening brief were multiple exhibits, totaling well over 100 pages. That same day, the court entered an order in this matter indicating that it would "accept[] Ms. Frantz's brief as filed, but will remove from that brief and separately receive on the docket the exhibits Ms. Frantz included with the brief." The court noted that the "attachments will remain accessible to the judges on the merits panel should they choose to review them."

This matter is now before us on Ms. Frantz's *Motion for Reconsideration to Formally File Exhibits Attached to Motion to Appoint Counsel With Respect to Brief* (the "Motion"). The Motion asks us to reconsider the May 9, 2024 Order to the extent it declined to formally file the exhibits Ms. Frantz submitted on May 9, 2024.

Upon consideration, we deny the Motion. The court reiterates that it has received the exhibits Ms. Frantz submitted on May 9, 2024, and the judges on the merits panel will be able to review those exhibits should they choose to do so. The court may not consider or address further submissions concerning the exhibits Ms. Frantz submitted on May 9, 2024.

This appeal is now at issue. A panel of judges will now review this appeal on its merits and a decision will issue in due course. Nothing further is due from Ms. Frantz.

Entered for the Court



CHRISTOPHER M. WOLPERT, Clerk

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

BARBARA MARIE FRANTZ - PLAINTIFF

v.

CASE NO. 24-3032

KDOC SECRETARY JEFF ZMUDA, et al. - DEFENDANTS

MOTION FOR
RECONSIDERATION TO
FORMALLY FILE EXHIBITS
ATTACHED TO MOTION TO
APPOINT COUNSEL
WITH RESPECT TO BRIEF

COMES NOW PLAINTIFF, BARBARA FRANTZ, BY PRO SE ASKING THIS COURT
TO MOTION FOR RECONSIDER, TO FORMALLY FILE EXHIBITS A THROUGH L,
ATTACHMENTS OF SUPPORTING EVIDENCE FOR MOTION TO APPOINT COUNSEL
WITH RESPECT TO OPENING BRIEF. PLAINTIFF ASSERTS SEVERE PREJUDICE
FOR COURTS DECISION TO DENY TO FORMALLY FILE THOSE EXHIBITS WHICH
CONTAIN NEW DOCUMENTS OF EVIDENCE SUPPORTING HER CLAIMS FOR RELIEF,
FOR SUCH CLAIMS OF SUBSTANTIALLY SERIOUS DEPRIVATION OF MEDICAL NEEDS
BY CONCEALMENT, WHERE DEFENDANTS ARE DELIBERATELY INDIFFERENT FOR
SUCH A LONG PERIOD OF TIME CAUSING SUBSTANTIAL INJURY BEING PERMANENT
AND THREATENING PLAINTIFF'S LIFE. EXHIBITS SHOWING NEW SUPPORTING EVIDENCE
AS EXHIBIT A, SHOWING KANSAS ATTORNEY GENERAL OFFICE INVESTIGATING
TOPEKA CORRECTIONAL FACILITY FOR VIOLATING KANSAS OPEN RECORDS REQUEST
(KORA) FILE NO. CV-23-2022. MS. FRANTZ'S KORA REQUEST TO TCF, FOR TCF
OPTOMETRIST DOCTOR RANDAL DYCK'S SENDING AN E-MAIL TO CENTURION FOR
RECOMMENDING MS. FRANTZ, FOR AN MRI. THIS 7-27-2023 VISIT BEING
DR. DYCK'S SECOND RECOMMENDATION FOR MRI AS MS. FRANTZ'S PERMANENT
INJURY, IS WORSENG FROM SUBSTANTIAL DEPRIVATION FOR HER SKULL SWELLING
FORCING HER LEFT EYE-EAR UPWARD, WORSENG, SKULL SWELLING TO HER
RIGHT SIDE OF HER HEAD, BACK SIDE AT THE BASE OF HER SKULL,
BY DELIBERATE INDIFFERENCE.

FURTHER EXHIBIT H PAGE 5-7 A NEW WITNESS DECLARATION. EXHIBIT L
SHOWING U.S. DEPT. OF JUSTICE CRIMINAL DIVISION DATED 3-11-2024
REFERENCE NO. NM 302061422 REGARDING MS. FRANTZ COMPLAINTS AT TOPEKA
CORRECTIONAL FACILITY.

THE COURT PROVIDED FED. R. APP. P. 32 (A)(7)(A) OF MAXIMUM LENGTH OF
A PRINCIPAL BRIEF OF 30 PAGES. MS. FRANTZ STATES HER FILING 15 PAGE
OPENING BRIEF WITH MOTION TO APPOINT COUNSEL WITH EXHIBITS A THROUGH L,
WITH RESPECT TO BRIEF. EXHIBITS OF SUPPORTING EVIDENCE, THAT WOULD
PREJUDICE MS. FRANTZ, IF DENIED TO FORMALLY FILE THOSE EXHIBITS,
OF THE CIRCUMSTANTIAL EVIDENCE, PLAUSIBLE FOR RELIEF, IF THE PANEL
OF JUDGES CHOOSE NOT TO REVIEW THESE EXHIBITS.

WHEREFORE, PLAINTIFF PRAYS UPON THIS COURT TO GRANT RECONSIDERATION
TO FORMALLY FILE EXHIBITS A THROUGH L, AS SUPPORTING MERITS FOR
HER BRIEF AND MOTION TO APPOINT COUNSEL, IN THE INTEREST OF JUSTICE.

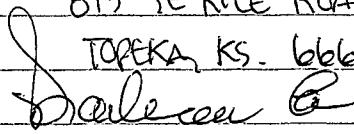
RESPECTFULLY SUBMITTED, GOLD STAR MOTHER

BARBARA FRANTZ #124145

TOPEKA CORRECTIONAL FACILITY

815 SE RICE ROAD

TOPEKA, KS. 66607

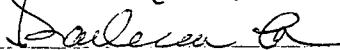
 5-15-2024

CERTIFICATE OF SERVICE

I DECLARE UNDER PENALTY OF PERJURY THAT THE MOTION ABOVE IS TRUE AND
CORRECT UNDER THE LAWS OF THE UNITED STATES OF AMERICA. THAT THE MOTION
WAS PLACED IN US MAIL BOX POSTAGE PRE-PAID FIRST CLASS MAIL UNDER
28 U.S.C.S. § 1746 ON MAY 15TH, 2024 TO:

UNITED STATES COURT OF APPEALS 1823 STOUT STREET DENVER, COLORADO 80257

EXECUTED AT TOPEKA, KANSAS ON MAY 15TH, 2024



CC: FRANTZ, B

BARBARA FRANTZ

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

FILED
United States Court of App
Tenth Circuit

May 9, 2024

Christopher M. Wolper
Clerk of Court

BARBARA FRANTZ,

Plaintiff - Appellant,

v.

STATE OF KANSAS, et al.,

Defendants - Appellees.

No. 24-3032

(D.C. No. 5:23-CV-03246-JWL)

(D. Kan.)

ORDER

This matter is before the court on two matters: (1) receipt and review of appellant Barbara Frantz's opening brief and (2) Ms. Frantz's motion for appointment of counsel in this appeal.

Ms. Frantz's opening brief, including its attached exhibits, is approximately 135 pages in length. Ordinarily, the maximum length of a principal brief is 30 pages. *See Fed. R. App. P. 32(a)(7)(A)*. However, in this instance, the court accepts Ms. Frantz's brief as filed, but will remove from that brief and separately receive on the docket the exhibits Ms. Frantz included with the brief. The court directs its Clerk to receive the exhibits to the brief, but not to formally file those exhibits unless directed to do so by the panel of judges who will later be assigned to consider this appeal on its merits. The attachments will remain accessible to the judges on the merits panel should they choose to review them.

The court refers Ms. Frantz's motion for appointment of counsel to the panel of judges that later will be assigned to consider the merits of this appeal. No decision on that motion will issue now.

Entered for the Court



CHRISTOPHER M. WOLPERT, Clerk

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

BARBARA MARIE FRANZ

Plaintiff/Petitioner - Appellant,

v.

KDOC SECRETARY JEFF ZMUDA, et al.

Defendant/Respondent -
Appellee.

Case No. 24-3032

Appellant/Petitioner's Opening
Brief

NOTICE AND INSTRUCTIONS

If you proceed on appeal pro se, the court will accept a properly completed Form A-12 in lieu of a formal brief. This form is intended to guide you in presenting your appellate issues and arguments to the court. If you need more space, additional pages may be attached. A short statement of each issue presented for review should precede your argument. Citations to legal authority may also be included. This brief should fully set forth all of the arguments that you wish the court to consider in connection with this case.

New issues raised for the first time on appeal generally will not be considered. An appeal is not a retrial but rather a review of the proceedings in the district court. A copy of the completed form must be served on all opposing counsel and on all unrepresented parties and a proper certificate of service furnished to this court. A form certificate is attached.

APPELLANT/PETITIONER'S OPENING BRIEF REDRESS FEDERALLY PROTECTED RIGHTS,

1. Statement of the Case. (This should be a brief summary of the proceedings in the district court.)

GROSS DEPRIVATION OF MEDICAL CARE by DELIBERATE INDIFFERENCE FOR SUBSTANTIALLY SERIOUS MEDICAL NEEDS AS IMMINENT DANGER OF SERIOUS INJURY THREATENING PETITIONER'S LIFE. "CONTINUING VIOLATION" SINCE HER INCARCERATION 1-28-2011 IN WELCO, KS JAIL FOR PRE-ARREST MEDICAL CONDITIONS TO VITAL ORGANS, AND PREA INJURIES SUFFERED BY SHERIFF'S OFFICERS. HAVING HEALTH CARE INSURANCE TO COVER THE COST. CONTINUING DEPRIVATION, WORSENING, BEING OBVIOUS TO THE LAYPERSON ON INTAKE 7-23-2020 TOPEKA CORRECTIONAL FACILITY, SEVERAL OFFSITE PROVIDER APPOINTMENTS WERE SCHEDULED, THEN CANCELLED. CANCELLED DOCTOR ORDERS.

2. Statement of Facts Relevant to the Issues Presented for Review.

DETERIORATING MEDICAL CONDITIONS, ONGOING. PETITIONER HAS BEEN SUBSTANTIALLY DEPRIVED, (CONCERNING HER VITAL ORGANS, KEPT LEFT UNATTENDED BY CONCEALMENT, WHERE CIRCUMSTANTIAL EVIDENCE OF OBVIOUSNESS IN MISSED DIAGNOSIS AND DELAYED REFERRAL FOR SUCH A LONG PERIOD OF TIME CAUSING SUBSTANTIAL DEBILITATING, AND HORRIFIC PAIN, DENYING WORK AND ACTIVITIES. INJURY OF SUCH IMMINENCE SHOWING A CLEAR AND PRESENT NEED FOR EQUITABLE RELIEF TO PREVENT FURTHER IRREPARABLE HARM AS PETITIONER'S DISFIGURED FACE FROM PERMANENT INJURY OF HER SKULL SWELLING FORCING HER LEFT EYE-EAR UPWARD, RISK OBVIOUS, AND SEEN IN APPENDIX NO.13 OF SELF PHOTOS, AND FURTHER, 4-SWORN DECLARATION WITNESS STATEMENTS PROVIDED IN MOTION FOR RECONSIDERATION. SHOCKING AND INTEGRABLE CONDUCT BY PRISON OFFICIALS, MEDICAL PROVIDERS WORKING UNDER A STATE (AW).

THE OBVIOUSNESS OF DELIBERATE INDIFFERENCE THAT THE DENIAL OF MEDICAL CARE FOR SUBSTANTIALLY SERIOUS MEDICAL NEEDS FOR PETITIONER'S SEVERELY DISTENDED-HERNIADED ABDOMEN, THE SOLE OBLIGATION UNDER "GATEKEEPER THEORY" TO REFER OR OTHERWISE AFFORD ACCESS TO MEDICAL PERSONAL CAPABLE OF EVALUATING TREATMENT.

A-12 Appellant/Petitioner's Opening Brief - 12/16

MERELY BECAUSE PETITIONER HAS SEEN SEVERAL DOCTORS DOES NOT MEAN THAT SHE RECEIVED TREATMENT FOR SERIOUS MEDICAL NEEDS. THE DOCTOR DELAYING ADDRESSING THAT NEED, HE DID NOT COMMIT MERE MALPRACTICE BUT RATHER CONSCIOUSLY DISREGARDED SUBSTANTIAL RISK TO PETITIONER. GATEKEEPER THEORY. PAGE 2

MS.FRANTZ REITES ON PRISON ADMINISTRATORS TO TREAT HER MEDICAL NEEDS AND HAS GROSSLY FAILED TO MEET THOSE NEEDS.

CONTINUING VIOLATIONS FROM LACK OF MEDICAL CARE FOR HER PRE-ARREST MEDICAL NEEDS AND LEAVENWORTH CO. JAIL PREA INJURIES FROM STAFF WHICH MS.FRANTZ REPORTED SHE SUFFERED GREAT INJURY THAT HAS GONE COMPLETELY DEPRIVED MEDICAL CARE BY SUBSTANTIAL DELIBERATE INDIFFERENCE FOR HER HEAD INJURY AND RECTAL DAMAGE RESULTING SUBSTANTIAL HARM OF IMMINENT IRREPARABLE HARM - INJURY BEING PERMANENT, WORSENING FROM FRAUDULENT CONCEALMENT AS SHOWN THROUGH CIVIL - CRIMINAL DIVISION INVESTIGATIONS WITH THE FBI REF. NO. SB301690224 AND THE SPECIAL LITIGATION SECTION, PREA 168-29-0-ECATS-2023-193101. AS THE KS BOARD OF HEALING ARTS - BOARD OF NURSING, INVESTIGATING MEDICAL PERSONNEL. DOC 1, APPENDIX 13

MS.FRANTZ HAS SHOWN SUBSTANTIAL REPORTS OF RETALIATION BY PRISON OFFICIALS, SUFFERING EXTENSIVE, INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS, SUFFICIENTLY SUBSTANTIAL DEPRIVATION OF FEDERALLY PROTECTED RIGHTS, SUFFICIENT PERMANENT INJURY.

CIVIL AND CRIMINAL INVESTIGATIONS WHICH DRAWS INFERENCES SUPPORTING MS.FRANTZ'S CLAIMS OF THE WIDESPREAD CONDUCT OF THE FRAUDULENT CONCEALMENT BY THE DEFENDANT'S UNDER A COLOR OF STATE LAW. STATE ACTORS, THAT DISTRICT COURT HAS, GREATLY OVERLOOKED OF CONSTITUTIONAL VIOLATIONS, IN THE COURTS DECISION TO DISMISS AND DENYING HER MOTION FOR RECONSIDERATION. THE COURT MISAPPREHENDED THE FACTS OF DENIAL OF MEDICAL CARE.

MANIFEST INJUSTICE

(conduct will "SHOCK THE CONSCIENCE" WITH INTENT TO HARM MS.FRANTZ,
IN VIOLATION OF SUBSTANTIAL DUE PROCESS, VIOLATION OF 14TH AMENDMENT.

MS.FRANTZ IS IN A 24 HOUR VIDEO RECORDING MEDICAL HOLDING CELL
IN OR ABOUT 8:00 AM ON 7-24-17. LEAVENWORTH CO. KS SHERIFF'S
DEPT. JAIL NARRATIVE REPORT ONLY PROVIDES REPORTING AT 1643 HOURS.
JAIL OFFICIALS DELIBERATELY INDIFFERENT FOR PROVIDING THE MISSING
REPORTS OF THE NINE HOURS PRIOR TO THE 1643 HOUR. FURTHER
MISSING REPORTS FOR THE FOURTEEN HOURS AFTER LAST MENTIONING
OF 1800 Hours, IN THE, INJURY TO INMATE REPORT BY SHERIFF
OFFICER SIBOLD, B.R. (SO47) 7-24-17 17:28:19. DENIAL OF MEDICAL CARE,

42 U.S.C. 1983 CHARGES THE DEFENDANT'S PRISON OFFICIALS INFlicting CRUEL AND UNUSUAL PUNISHMENTS
MS. FRANTZ BEING UNCONSCIOUS FOR OVER 24 HOURS, WAKING UP IN
INTAKE CELL #1, ALSO HAVING 24 HOUR VIDEO RECORDING, WITH INJURIES
OF A SKULL FRACTURE/HEMATOMA TO HER LEFT FOREHEAD, BRUISING
WITH CUTS AROUND HER RECTUM. MS.FRANTZ REPORTS HER SOCKS AND
UNDERWEAR REMOVED FROM HER BODY. PRISON-JAIL OFFICIALS ACTING
WITH DELIBERATE INDIFFERENCE EXPOSED MS.FRANTZ TO A SUFFICIENTLY
SUBSTANTIAL RISK OF SERIOUS DAMAGE TO HER FUTURE HEALTH /SAFETY,
PROHIBITION OF CRUEL AND UNUSUAL PUNISHMENTS.

THE INJURIES MS.FRANTZ IS COMPLAINING IN THIS CASE ARE CONSEQUENCE OF A NUMEROUS
"CONTINUING VIOLATIONS" OF MS.FRANTZ'S CONSTITUTIONAL RIGHTS FOR MEDICAL
CARE FOR PREA INJURIES, WORSENING DUE TO SUBSTANTIAL DEPRIVATION
FOR ACCESS SPECIALISTS CAPABLE TO EVALUATE MS.FRANTZ'S PERMANENT
INJURY CAUSING HER NEEDLESS PAIN AND SUFFERING, OBVIOUS TO
A LAYPERSON, OF THE IRREPARABLE HARM, BEING SUBSTANTIAL INJURY.

PRELIMINARY INJUNCTION WILL SERVE THE PUBLIC INTEREST

THE COURTS FAILURE TO RESPOND, BY COMPLETELY DISREGARDING SUBSTANTIAL EVIDENCE FOR INJUNCTIVE RELIEF SUBMITTED IN THIRD AMENDED FILED 12-19-23 PETITION PG 6, PAGE 65, FOR SANE EXAM AND MEDICAL TESTING FOR SERIOUS MEDICAL NEEDS AND DOCUMENTATION. APPENDIX NO.3 SHOWING AN E-MAIL 1-8-23 OF REFERRAL FROM YWCA RAPE COUNSEOR/COMMUNITY ADVOCATE HANNAH BURRELL TO KDOC VICTIM SERVICES.

MS. BURRELL'S REFERRAL FOR MS. FRANTZ TO RECEIVE SANE EXAM AND MEDICAL TESTING PER POLICY IMPP 10-103 D. AND 28 C.F.R. PART 115 FEDERAL PREA STANDARDS § 115.21 (C) : THE AGENCY SHALL OFFER ALL VICTIMS OF SEXUAL ABUSE ACCESS TO FORENSIC MEDICAL EXAMINATIONS, WHETHER ON-SITE OR AT AN OUTSIDE FACILITY, WITHOUT FINANCIAL COST, WHERE EVIDENTIARILY OR MEDICALLY APPROPRIATE. . .

YWCA MS. BURRELL STATING TO MS. FRANTZ THAT SHE CAN "SEE THE NEED FOR DIAGNOSTIC TESTING" FOR HER HEAD. MS. BURRELL REQUESTING FOR MS. FRANTZ A SANE EXAM "AS SOON AS POSSIBLE". FURTHER REQUEST STATING "I BELIEVE HAVING ACCESS TO THESE MEDICAL APPOINTMENTS OUTSIDE OF THE FACILITY WILL BE BENEFICIAL TO THIS CLIENT." APPENDIX NO.3

PRISON PERSONNEL AND MEDICAL PROVIDERS KNOWING ABOUT THIS REFERRAL AND DENYING TO PROVIDE MS. FRANTZ KNOWING THE SUBSTANTIAL RISK TO MS. FRANTZ' HEALTH FOR DENYING SANE EXAM AND MEDICAL TESTING, SHOWING FAILURE TO RESPOND APPROPRIATELY CONCERNING OBVIOUS SKULL SWELLING FORCING MS. FRANTZ'S LEFT EYE AND EAR UPWARD SEEN IN APPENDIX NO.13 PAGES 27,28 PHOTOS OF MS. FRANTZ PERMANENT FACIAL DISFIGUREMENT. PREA INJURIES BY LYSO OFFICERS IN COUNTY JAIL, WITH DELIBERATE INDIFFERENCE. EVIDENCE PLAUSIBLE FOR RELIEF. PREA OF 2000, 42 U.S.C. § 1983 et seq; 28 C.F.R. § 115.

MS. FRANTZ SHOWING IN APPENDIX NO. 16 OF LEAVENWORTH CO. KS SHERIFF DEPT. NOV. 16th, 2023 DOCUMENT OF MS. FRANTZ SUFFERING INJURY ON 7-24-17, OF HER, PREA DATE, THAT JAIL SECURITY FOOTAGE UNDER A PART OF, CRIMINAL INVESTIGATION REPORT. FURTHER SHOWING OF DEFENDANTS MALICIOUS AND CALCULATED DISREGARD FOR MEDICAL CARE FOR OBVIOUS AND SERIOUS MEDICAL NEEDS WHICH CONTINUE VIOLATIONS OF MS. FRANTZ'S CONSTITUTIONAL RIGHTS ONGOING THROUGH TCF INTAKE, AND TO DATE. CLEAR EVIDENCE OF FAILURE TO RESPOND APPROPRIATELY THAT PRISON OFFICIALS AND OTHERS ACTING IN CONCERT AND PARTICIPATION KNEW ABOUT MS. FRANTZ SERIOUS MEDICAL NEEDS AND DISREGARDED A SUBSTANTIAL RISK TO MS. FRANTZ HEALTH AND SAFETY WITH DELIBERATE INDIFFERENCE. SEEN THROUGHOUT PREVIOUS LAWSUITS, GRIEVANCES OVER THE LAST SEVEN YEARS. CUMULATIVE INJURY OF "CONTINUING" VIOLATIONS OF CRUEL AND UNUSUAL PUNISHMENTS.

MS. FRANTZ SHOWING IN APPENDIX NO. 6 OF HER ATTEMPTS TO OBTAIN AN E-MAIL FROM TCF OPTOMETRIST DOCTOR RANDAL DYCK MAKING A RECOMMENDATION FOR MS. FRANTZ AN MRI. THE 7-27-23 VISIT TO SEE DR. DYCK BEING FOR SPECIFICALLY FOR MS. FRANTZ'S SKULL SWELLING FORCING HER LEFT EYE AND EAR UPWARD, WHICH OPTOMETRIST MADE HIS SECOND RECOMMENDATION FOR MRI. THIS E-MAIL SENT TO CENTURION MEDICAL PROVIDERS KNOWING OF A REFERRAL FOR MRI AND IT BEING DENIED TO MS. FRANTZ AND THE SUBSTANTIAL RISK TO MS. FRANTZ HEALTH WHICH ALLOWS FURTHER INJURY AND PERMANENT, GREAT IRREPARABLE HARM IN FAILING TO RESPOND APPROPRIATELY TO A SERIOUS MEDICAL NEED, WITH DELIBERATE INDIFFERENCE, A CULPABLE STATE OF MIND. ALLOWING MS. FRANTZ'S MEDICAL CONDITIONS TO FURTHER DETERIORATE.

MS.FRANTZ REPORTED IN 12-19-23 PETITION PAGE 2C FOR JUDICIAL NOTICE BE TAKEN FROM OPEN INVESTIGATIONS WITH THE FBI CRIMINAL DIVISION, SPECIAL LITIGATION SECTION, PREGA AND KS BOARD OF HEALING ARTS - BOARD OF NURSING AMONG WITH ANY INFERENCES REASONABLY DRAWN FROM THEM; WHICH WENT OVERLOOKED BY THE COURT. APPENDIX NO.13.

MS.FRANTZ SHOWN DEFENDANT'S BEING PROVIDED FAIR NOTICE OF KNOWING OF OBVIOUS MEDICAL CONDITIONS AND DELIBERATELY INDIFFERENT BY WAY OF MS.FRANTZ REPORTING BY MEANS OF MEDICAL COMPLAINTS, GRIEVANCES AND LAWSUITS SHE HAS FILED THROUGHOUT HER INCARCERATION 1-28-17 TILL CURRENT AS A CLEAR INDICATION OF DELIBERATE INDIFFERENCE WHERE PRISON-JAIL STAFF AND OFFICIALS FAILED TO FOLLOW THEIR OWN POLICY, OR RULES AND REGULATIONS. ALSO SHOWS PERSONS AWARE OF THE SUBSTANTIAL ISSUES MS.FRANTZ STATES WITHIN PREVIOUS LAWSUITS FOR REGRESSING FEDERALLY PROTECTED RIGHTS AND K.S.A. 75-5210 PRISONERS RIGHT TO MEDICAL CARE. THE COURTS OWN ACKNOWLEDGMENT OF PREVIOUS 1983 ACTION BEING SIMILAR, DUE TO SUCH SUFFICIENTLY SUBSTANTIAL DEPRIVATION OF SERIOUS MEDICAL NEEDS, OF, SEVERAL OFFSITE PROVIDER APPOINTMENTS SCHEDULED FOR MS.FRANTZ TO SPECIALISTS PROVIDERS CAPABLE TO EVALUATE MS.FRANTZ WHERE CLINICALLY INDICATED FOR SCHEDULING, THEN CENTURION MEDICAL PERSONNEL MALICIOUSLY CANCELING KNOWING THE SUBSTANTIAL RISK TO MS.FRANTZ'S HEALTH AND SAFETY. SHOCKING AND INTOLERABLE CONDUCT FOR SUCH INDIFFERENCE FOR VITAL ORGANS, SHOWING SUFFICIENT CULPABLE STATE OF MIND. EGREGIOUS OFFICIAL CONDUCT AND PERSONS ACTING IN CONCERT AND PARTICIPATION TO DEPRIVE BY SUBSTANTIAL DEPRIVATION.

DISREGARDING MEDICAL COMPLAINTS. MS.FRANTZ CONTINUOUSLY REPORTS FOR VITAL ORGANS FOR SUCH A LONG PERIOD OF TIME BECOMES CLINICAL EVIDENCE IN-ITSELF, AND FURTHER OBVIOUS THAT EVEN A LAYPERSON WOULD EASILY RECOGNIZE THE NECESSITY FOR A DOCTOR'S ATTENTION. DENYING MS.FRANTZ ACTIVITIES AND WORK LEAVING HER WITH DEBILITATING MEDICAL CONDITIONS, DISREGARDED BY THIS COURTS DECISION TO DISMISS.

ON 2-23-24 MS.FRANTZ MADE AN OPEN RECORDS REQUEST FOR AN E-MAIL THAT A SORT TCF OFFICER AUSTIN MURPHY EXPRESSING HIS DISGUST AND OBSERVATION OF MISTREATMENT FOR RESIDENTS OF TCF AND OF HSA, MICHELLE CALVIN, LCP OF CENTURION BEING RESPONSIBLE FOR DEATH OF RESIDENTS HERE AT TOPEKA CORRECTIONAL FACILITY. SHOWING HIS STATEMENTS OF INADEQUATE MEDICAL CARE. MR.MURPHY A LONG TIME STAFF OFFICER SENDING A MASS E-MAIL ON HIS LAST DAY OF WORK BEFORE QUITTING HIS JOB. SEEN: (EXHIBIT A, MOTION TO APPOINT COUNSEL. ENCLOSED SHOWING KSAG INVESTIGATIONS) MS.FRANTZ REPORTING HER HORRIFIC PAIN, DEBILITATING MEDICAL CONDITIONS KEEPING HER FROM BENDING AND TWISTING NOT ALLOWING FOR ACTIVITIES NOR WORK DUE TO HER SEVERELY DISTENDED - HERNIATED ABDOMEN VISIBILE, SKULL SWELLING FORCING HER LEFT EYE-EAR UPWARD VISIBILE, EDEMA PUFFING BREAKING BLOOD VESSELS IN HER LEGS VISIBILE, FORCING MS.FRANTZ TO LAY 18-20 HOURS A DAY DUE TO SUCH DISTURBING DEPRIVATION OF DENYING AND DELAYING HER MEDICAL CARE FOR SUCH A LONG PERIOD OF TIME WITHOUT ANY REGARDS FOR HER LIFE WHERE CONSTITUTIONALLY PROTECTED RIGHTS THE CHIEF PURPOSE OF CRUEL AND UNUSUAL PUNISHMENT CLAUSE, IS TO PREVENT THE UNNECESSARY WANTON INFILCTION OF PAIN AND SUFFERING.

MEDICAL TREATMENT SUFFICIENTLY DELAYED BY DELIBERATE INDIFFERENCE

MS. FRANTZ HAVING biopsies OF TUMORS IN HER STOMACH AND BLADDER PRIOR to HER ARREST. TUMORS HAVING DEVELOPED ON HER NECK AND COLLARBONE ARE SEEN BY EXAM. MS. KRAFT, UMLP FOR CENTURION BEHAVIORAL HEALTH STAFFING TO MS. FRANTZ IN APRIL OF 2021 THAT THE FACILITY CONCEALING 6 TUMORS ON HER LIVER. MS. FRANTZ REPORTING THE FRAUDULENT CONCEALMENT PAGE 3 I OF 12-9-23 PETITION FILED THIRD AMENDED COMPLAINT. REQUESTING TO TOLL THE STATUTE OF LIMITATIONS. MS. FRANTZ BEING KEPT UNDIAGNOSED AND UNTREATED FOR PURPOSE OF CONCEALMENT. "CONTINUING VIOLATIONS" OF DELIBERATE INDIFFERENCE ALLOWS THE TOLLING OF STATUTE OF LIMITATIONS. FEDERAL COMMON LAW - CASE LAW, HEARD V. SHEAHAN, 253 F.3d 316, 318 (7th Cir. 2001), FOR "CONTINUING VIOLATION" OF PRISONERS 8TH AMENDED RIGHTS UNTIL THE DATE, IF ANY, ON WHICH ADEQUATE TREATMENT WAS PROVIDED. BRIEF ABOVE, PRELIMINARY INJUNCTION FOR SAME EXAM WITH MEDICAL TESTING WILL SERVE THE PUBLIC INTEREST IN THAT PRISON OFFICIALS SHOULD FOLLOW THE LAW AND ESPECIALLY THE CONSTITUTION. MS. FRANTZ SHOWING CLAIMS PLAUSIBLE FOR RELIEF. FEDERAL COMMON LAW TOLLS STATUTE LIMITATIONS

PETITIONER, RESPECTFULLY PRAYS UPON THIS US COURT OF APPEALS TO INCORPORATE ALL DOCUMENTS FILED WITH THIS COURT AND DISTRICT COURT INCLUDING APPENDIX I THROUGH 70; ATTACHED MOTION TO APPOINT COUNSEL WITH ATTACHED EXHIBITS A, B, C, D, E, F, G, H, I, J, K, L WITH RESPECT TO BRIEF, SHOWING CLAIMS PLAUSIBLE ON ITS FACE, FOR RELIEF, WILL SERVE THE PUBLIC'S INTEREST THAT THE JAIL-PRISON AUTHORITIES FOLLOW THE LAW, ESPECIALLY THE CONSTITUTION.

RESPECTFULLY, GOLD STAR MOTHER

BARBARA FRANTZ #124145

Barbara Frantz

MAY 3rd, 2024

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3. Statement of Issues.

8th AMENDMENT VIOLATIONS OF CRUEL AND UNUSUAL -
PUNISHMENTS.

SIGNIFICANTLY SUBSTANTIAL IRREPARABLE INJURY BY,
a. First Issue: DELIBERATE INDIFFERENCE FOR SUFFICIENTLY SERIOUS MEDICAL
NEEDS CREATING CRUEL AND UNUSUAL PUNISHMENTS, INFILCTION OF UNNECESSARY AND WANTON PAIN.

Argument and Authorities: SEALOCK V. COLORADO, 218 F.3d 1205, 1209 (10th Cir. 2000).
SUBSTANTIAL INJURY IN VIOLATION OF PETITIONERS 8th AMENDMENT RIGHTS BEING SIGNIFICANT
PERMANENT IRREPARABLE HARM. ESTELLE V. GAMBIE, 429 U.S. 97, 103 (1976).
THE RIGHT TO BE FREE FROM DELIBERATE INDIFFERENCE TO SERIOUS MEDICAL NEEDS ARISES
UNDER THE 14th AMENDMENT DUE PROCESS CLAUSE PRE-TRIAL DETAINEE. LUCAS V. TURN
KEY HEALTH CENTERS, LLC, 58 F. 4th 1127. "CONTINUING VIOLATIONS" OF DELIBERATE INDIFFERENCE,
CRUEL AND UNUSUAL PUNISHMENTS, WANTON INFILCTION OF PAIN

b. Second Issue: Right to DUE PROCESS OF LAW UNDER 5th OR 14th AMENDMENT
PROTECTION FROM UNCONSTITUTIONAL ADMINISTRATIVE ACTION, EQUAL PROTECTION CLAUSE.

Argument and Authorities: DEFENDANT'S ABUSE OF DISCRETION, FOR DEPRIVING
KNOWING OF OBVIOUS INJURY AND PURPOSEFULLY IGNORING THE RISK FOR SUBSTANTIAL
SERIOUS MEDICAL CONDITIONS DENIED BY CONCEALMENT. SUBSTANTIAL DEPRIVATION BEING,
GROSS AND FLAGRANT, BY KNOWING, OBVIOUSNESS TO A LAYPERSON. SYSTEMIC FAILURE
OF MEDICAL POLICIES AND PROCEDURES AS K.S.A. 75-5210 (a)(c) INMATES RIGHTS FOR MEDICAL
CARE, DISREGARDING AN EXCESSIVE RISK TO PETITIONER'S HEALTH AND SAFETY.

CIRCUMSTANTIAL EVIDENCE SHOWS THE RISK WAS OBVIOUS, PURPOSEFULLY IGNORING, AND
INTENTIONALLY DENYING PETITIONER MEDICAL CARE RAISED IN ADMINISTRATIVE GRIEVANCES,
PREVIOUS LAWSUITS MANIFEST DELIBERATE INDIFFERENCE. LIFE THREATENING CONSEQUENCES
FROM CONTINUING MISTREATMENT OF A CONSTITUTIONAL STATUTE, DEFENDANT'S ACTION TO
SUBSTANTIAL DEPRIVE BY RECKLESSNESS AND ABUSE OF DISCRETION, DELIBERATE INDIFFERENCE,
A-12 Appellant/Petitioner's Opening Brief - 12/16

RESULTING IN SUBSTANTIAL HARM. DENYING PETITIONER HUMANE CONDITIONS
OF CONFINEMENT. FAILURE TO PROTECT AS SIMILAR SITUATED RESIDENTS PLACED IN
HOUSING ACCORDING TO THOSE ALIKE AND RECEIVING ADEQUATE MEDICAL CARE.

CONSTITUTIONAL RIGHTS OF PRISONERS § 6.3 MEDICAL CARE

1. Right to due process of law under the Fifth or Fourteenth Amendment: The due process right has been couched in terms of the prisoner's right to be free from an abuse of discretion on the part of prison administrators, protection from unconstitutional administrative action, protection of a prisoner's life and health from administrative action.
2. Right to be free from the infliction of cruel and unusual punishments as guaranteed by the Eighth Amendment, violation of the Eighth Amendment rights has been found when there is an intentional denial of needed medical care or when a prison official's conduct indicates deliberate indifference to the medical needs of prisoners.

CENTURION MUNICIPAL ACTOR DISREGARDED BY FAILING TO FOLLOW STATE POLICY AND PROCEDURES VIOLATING DELIBERATE INDIFFERENCE FOR OBVIOUSNESS OF SUBSTANTIALLY SERIOUS MEDICAL NEEDS, FAILURE TO ADEQUATELY TRAIN OR SUPERVISE EMPLOYEES, FAILURE RESULTED FROM DELIBERATE INDIFFERENCE TO THE SUBSTANTIAL INJURY AND ILLNESS, "CONTINUING VIOLATIONS" ONGOING, CONSTITUTIONAL VIOLATIONS. SYSTEMIC FAILURE OF MEDICAL POLICIES AND PROCEDURES, FAILURE TO GATEKEEP.

SEE: ROBINSON V. CENTURION CORR. HEALTHCARE OF N.M., LLC, 2023 U.S. DIST. PAGE 11

3.

C. THIRD ISSUE: PETITIONER'S FIRST AMENDMENT RIGHTS, filing EXTENSIVE GRIEVANCE REPORTS TO VOICE VIOLATIONS OF POLICY AND PROCEDURES - RULES AND REGULATIONS OF PETITIONER ENGAGING IN HER FEDERALLY PROTECTED RIGHTS, TO VOICE THE CRUEL AND UNUSUAL PUNISHMENTS - INFlicting UNNECESSARY AND WANTON OF PAIN SHE SUFFERS, CAUSING A SUBSTANTIAL DETERIORATION TO HER HEALTH PRODUCING DEBILITATING AND PHYSICAL TORTURE OR A LINGUERING DEATH, FROM LACK OF MEDICAL CARE. INJURY THAT WOULD CHILL A PERSON OF ORDINARY FIRMNESS FROM CONTINUING TO ENGAGE IN ACTIVITY SUBSTANTIALLY MOTIVATED. AS A RESPONSE TO PETITIONER'S EXERCISE OF HER FIRST AMENDMENT SPEECH RIGHTS RESULTING IN (RETALIATION BY DEFENDANT'S) EXPRESSING VIOLATIONS FOR REMEDY OF DELIBERATE INDIFFERENCE, CRUEL AND UNUSUAL PUNISHMENTS.

FIRST AMENDMENT PROHIBITS OFFICIALS FROM SUBJECTING AN INDIVIDUAL TO RETALIATORY ACTIONS FOR ENGAGING IN PROTECTED SPEECH. WHERE DEFENDANTS JEFF ZMELA AND WARDEN GLORE GUTHIER SUSPENDING, CURTAILING, DENYING K.A.R. 44-15-102, 201, 106 GRIEVANCE PROCEDURE FOR REMEDY, ENGAGED IN ADVERSE ACTION AGAINST PETITIONER THAT RESULTED IN INJURY OF IRREPARABLE HARM, PERMANENT INJURY BEING SUBSTANTIAL.

4. Do you think the district court applied the wrong law? If so, what law do you want applied? YES, FIRST, EIGHTH, FOURTEENTH AMENDMENTS VIOLATIONS OF CONSTITUTIONAL LAW.

Substantial Deliberate Indifference; Right to Medical Care; Sexual Assault and Abuse by Prison Officials; Due Process

Clause - Equal Protection; Failure to Protect; Intentional Infliction of -

5. Did the district court incorrectly decide the facts? If so, what facts? Emotional distress.

GROSSLY OVERLOOKED CIRCUMSTANTIAL EVIDENCE: PHOTOS OF DISFIGURED FACE AND SWORN WITNESS STATEMENTS IDENTIFYING PETITIONER'S DISFIGURED FACE FROM SKULL SWELLING (OBVIOUSNESS); CANCELLED SPECIALISTS APPOINTMENTS - DENIAL OF REFERRALS.

6. Did the district court fail to consider important grounds for relief? If so, what YES, grounds? PRELIMINARY INJUNCTION FOR PREA SANE EXAM AND MEDICAL TESTING; ACCESSING SPECIALISTS CAPABLE TO EVALUATE THE NEED FOR TESTING AND TREATMENT (GATEKEEPER THEORY) DENIED TO PETITIONER, DENYING DOCTORS ORDERS

7. Do you feel that there are any other reasons why the district court's judgment

was wrong? If so, what? YES, DISTRICT COURT COMPLETELY MISAPPREHENDED

THE FACTS OF SIGNIFICANT SERIOUS DENIAL OF MEDICAL CARE FOR SUCH A LONG TIME FOR DELIBERATE INDIFFERENCE "CONTINUING VIOLATIONS" TO HIS STATE STATUTE OF LIMITATIONS UNDER FEDERAL COMMON LAW; CRUEL AND UNUSUAL PUNISHMENTS

8. What action do you want this court to take in your case? OBVIOUS CIRCUMSTANTIAL EVIDENCE

1. REVERSE AND REMAND TO DISTRICT COURT FOR CONSTITUTIONAL VIOLATIONS

2. ORDER APPOINTMENT OF COUNSEL FOR SUCH COMPLEX CASE, SUFFICIENT VIOLATIONS

3. ORDER IMMEDIATE HEARINGS ORDER TO SHOW CAUSE OF ALL PRELIMINARY INJUNCTION - TRO.

9. Do you think the court should hear oral argument in this case? If so, why?

YES, PETITIONER'S RENTLESS ATTEMPTS FOR RELIEF FOR HER FEDERALLY PROTECTED RIGHTS WHERE SUCH DEPRIVATION BEING MARCIOUS AND SADISTIC ACTIONS BY STATE ACTORS INTENTIONAL DEPRIVATION KNOWINGLY CAUSING SUBSTANTIAL INJURY, TO HARM PETITIONER, SHOULD PROVIDE TO THE COURT EXPLANATION OF PURPOSE FOR

Date MAY 31, 2024

Signature

Barbara F

BARBARA FRANTZ

SUCH SADISTIC MISCONDUCT, OF CONSTITUTIONAL VIOLATIONS.

CERTIFICATE OF SERVICE

I hereby certify that on May 10th, 2024
(date) I sent a copy of
the Appellant/Petitioner's Opening Brief to E-file to US DISTRICT COURT OF KANSAS
to SERVE DEFENDANT'S COUNSEL(S), at E-filing to US DISTRICT COURT OF KANSAS
(Opposing Party or Attorney) , the last known address/email
address, by E-filing FROM TCF
(state method of service)

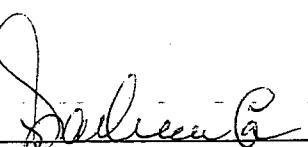
MAY 3rd, 2024
Date


Signature
Barbara FRANZ # 124145

CERTIFICATE OF COMPLIANCE

I certify that the total number of pages I am submitting as my
Appellant/Petitioner's Opening Brief is 30 pages or less or alternatively, if the total
number of pages exceeds 30, I certify that I have counted the number of words and
the total is 3000, which is less than 13,000. I understand that if my
Appellant/Petitioner's Opening Brief exceeds 13,000 words, my brief may be
stricken and the appeal dismissed.

MAY 3rd, 2024
Date


Signature
Barbara FRANZ

CERTIFICATE OF SERVICE

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING OPENING BRIEF WITH MOTION TO APPOINT COUNSEL WITH EXHIBITS IS TRUE AND CORRECT UNDER THE LAWS OF THE UNITED STATES OF AMERICA, THAT THE ABOVE WAS PLACED IN US MAIL BOX POSTAGE PRE-PAID FIRST CLASS MAIL UNDER 28 U.S.C.S. § 1746 ON MAY 3RD, 2024 TO THE UNITED STATES COURT OF APPEALS 1823 STOUT STREET DENVER, COLORADO 80257.

EXECUTED AT TOPEKA, KANSAS ON MAY 3RD, 2024



Barbara Frantz, by pro se
TOPEKA CORRECTIONAL FACILITY
915 SE Rice Road
TOPEKA, KS. 66607

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

BARBARA MARIE FRANTZ,

Plaintiff,

v.

CASE NO. 23-3246-JWL

STATE OF KANSAS, et al.,

Defendants.

APPENDIX B
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MEMORANDUM AND ORDER

Plaintiff brings this pro se civil rights action under 42 U.S.C. § 1983. Plaintiff is incarcerated at the Topeka Correctional Facility in Topeka, Kansas. The Court granted Plaintiff leave to proceed in forma pauperis. On December 5, 2023, the Court entered a Memorandum and Order to Show Cause (Doc. 13) (“MOSC”) granting Plaintiff an opportunity to show good cause why her Amended Complaint should not be dismissed or to file a second amended complaint to cure the deficiencies set forth in the MOSC. Plaintiff filed a Second Amended Complaint (Doc. 16), and the Court entered a Memorandum and Order dismissing this case on February 26, 2024. (Doc. 27.) This matter is before the Court on Plaintiff’s Motion for Reconsideration (Doc. 30) filed on March 1, 2024. Because Plaintiff’s motion was filed within 28 days after the entry of the order, the Court will treat it as a motion under Rule 59. *See Fed. R. Civ. P. 59(e)* (“A motion to alter or amend a judgment must be filed no later than 28 days after the entry of the judgment.”).

A motion to alter or amend under Fed. R. Civ. P. 59(e) may be granted when “the court has misapprehended the facts, a party’s position, or the controlling law.” *Nelson v. City of Albuquerque*, 921 F.3d 925, 929 (10th Cir. 2019) (citing *Servants of the Paraclete v. Does*, 204 F.3d 1005, 1012 (10th Cir. 2000)). A motion to alter or amend judgment pursuant to Rule 59(e)

may be granted only if the moving party can establish: (1) an intervening change in the controlling law; (2) the availability of new evidence that could not have been obtained previously through the exercise of due diligence; or (3) the need to correct clear error or prevent manifest injustice. *Servants of the Paraclete*, 204 F.3d at 1012. Motions to alter and amend are “not appropriate to revisit issues already addressed or advance arguments that could have been raised in prior briefing.” *Nelson*, 921 F.3d at 929 (quoting *Servants of the Paraclete*, 204 F.3d at 1012). “[O]nce the district court enters judgment, the public gains a strong interest in protecting the finality of judgments.” *Id.* at 929 (citation omitted). Reconsideration of a judgment after its entry is an extraordinary remedy that should be used sparingly. *See Templet v. HydroChem, Inc.*, 367 F.3d 473, 479 (5th Cir. 2004); *Allender v. Raytheon Aircraft Co.*, 439 F.3d 1236, 1242 (10th Cir. 2006); *Zucker v. City of Farmington Hills*, 643 F. App’x 555, 562 (6th Cir. 2016) (relief under R. 59(e) is rare).

In her motion for reconsideration, Plaintiff argues that “documents of discovery [are] likely to obtain responses from documents which could lead to useful documentation and witnesses.” (Doc. 30, at 1.) She continues to argue that she should have a forensic medical examination, seven (7) years after the alleged sexual assault. *Id.* at 2. She continues to argue about the assault, missing reports, and lack of medical care immediately after the incident. She asserts that her resulting “permanent injury” is “obvious to a layperson” and attaches four (4) unsworn statements from other prisoners saying that they see her “skull swelling” and that she holds her stomach at night. *Id.* at 11-14. She asserts that the Court failed to take judicial notice of open investigations with the FBI (for conspiracy to murder her) and the Kansas Board of Healing Arts and Board of Nursing (for medical errors in 2013). *Id.* at 16-17. She argues that the continuing violation doctrine should toll the statute of limitations as to her alleged assault in 2017 and that there is a continuing violation

of her Eighth Amendment rights “until the date, if any, on which adequate treatment was provided.” *Id.* at 20. She asserts that she is “being kept undiagnosed and untreated for purpose of concealment.” *Id.*

Plaintiff continues to ignore the bases for dismissal and rehash arguments she has already made in this case and in her previously filed case. She does not point to an intervening change in the law or to new evidence. Plaintiff continues to emphasize that she believes that she has undiagnosed medical needs. As the Court found in its order dismissing this case,

Plaintiff’s allegations do not show a lack of medical care, but rather show Plaintiff’s disagreement regarding both her diagnoses and the proper course of treatment. Plaintiff has failed to show that Defendants disregarded an excessive risk to her health or safety or that they were both aware of facts from which the inference could be drawn that a substantial risk of serious harm existed, and also drew the inference. Plaintiff’s claims suggest, at the very most, negligence, and are subject to dismissal.

Memorandum and Order, Doc. 27, at 7.

Plaintiff does not meet the exacting standard for relief under Fed. R. Civ. P. 59(e). In sum, Plaintiff has failed to meet the standard required for this Court to alter or amend its February 26, 2024 Order and Judgment, and that ruling stands.

IT IS THEREFORE ORDERED BY THE COURT that Plaintiff’s Motion for Reconsideration (Doc. 30) is **denied**.

IT IS SO ORDERED.

Dated March 6, 2024, in Kansas City, Kansas.

S/ Julie A. Robinson
JULIE A. ROBINSON
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT OF KANSAS

BARBARA MARIE FRANTZ - PLAINTIFF

v.

CASE NO. 23-3246-JWL

KANSAS DEPT. OF CORRECTIONS, et al. DEFENDANTS

CIVIL ACTION

SECRETARY OF CORRECTIONS JEFF ZMUDA

MOTION FOR RECONSIDERATION

1983 CIVIL RIGHTS COMPLAINT

COMES NOW PLAINTIFF, BARBARA FRANTZ, by pro se, granted
FORMA PAUPERIS, ASKING THIS COURT FOR RECONSIDERATION OF PETITION
1983 PRISON CONDITIONS FILED 12-19-23 AND EXHIBITS FILED FOR RECONSIDERATION
UPON FACTS PROVIDED, HOWEVER UNADDRESSED BY THE COURT FOR DISMISSAL,
AS FOLLOWS: JUSTICE SO REQUIRES, SUBSTANTIAL ISSUES OVERLOOKED;

1. DOCUMENTS OF DISCOVERY LIKELY TO OBTAIN RESPONSES FROM DOCUMENTS
WHICH COULD LEAD TO USEFUL DOCUMENTATION AND WITNESSES THAT MS. FRANTZ
DOES NOT KNOW ABOUT AND WRITTEN REPORTS, MEDICAL RECORDS BY STAFF.
MS. FRANTZ FILED SUBPOENAS LIKELY TO RESULT FURTHER EVIDENCE FOR
SHOWING CLAIMS FOR RELIEF, THAT MIGHT AFFECT THE OUTCOME OF THE
SUITE UNDER THE LAW.

IMMINENT DANGER OF SERIOUS PHYSICAL INJURY ALREADY OCCURRING
MALICIOUS AND SPECIFIC ACTIONS FOR FAILURE TO TREAT MS. FRANTZ CONDITION
COULD RESULT IN FURTHER SIGNIFICANT INJURY, WHERE MS. FRANTZ BEING LEFT
UNATTENDED FOR MEDICAL NEEDS AFTER BEING BEATEN UNCONSCIOUS AND RAPED
WITH INJURIES AS A DISABLED DETAINEE. EGREGIOUS OFFICIAL CONDUCT.

PRELIMINARY INJUNCTION WILL SERVE THE PUBLIC INTEREST

2. THE COURTS FAILURE TO RESPOND, BY COMPLETELY DISREGARDING, SUBSTANTIAL EVIDENCE FOR INJUNCTIVE RELIEF SUBMITTED IN THIRD AMENDED FILED 12-19-23 PETITION PG 6, RULE 65, FOR SANE EXAM AND MEDICAL TESTING FOR SERIOUS MEDICAL NEEDS AND DOCUMENTATION. APPENDIX NO.3 SHOWING AN E-MAIL 1-HB-23 OF REFERRAL FROM YWCA RAPE COUNSELOR/COMMUNITY ADVOCATE HANNAH BURRELL TO KRCOC VICTIM SERVICES.

MS. BURRELL'S REFERRAL FOR MS. FRANTZ TO RECEIVE SANE EXAM AND MEDICAL TESTING PER POLICY IMP 10-103 D. AND 28 C.F.R. PART 115 FEDERAL PREA STANDARDS § 115.21 (c): THE AGENCY SHALL OFFER ALL VICTIMS OF SEXUAL ABUSE ACCESS TO FORENSIC MEDICAL EXAMINATIONS, WHETHER ON-SITE OR AT AN OUTSIDE FACILITY, WITHOUT FINANCIAL COST, WHERE EVIDENTIARILY OR MEDICALLY APPROPRIATE...

YWCA MS. BURRELL NOTIFYING TO MS. FRANTZ THAT SHE CAN "SEE THE NEED FOR DIAGNOSTIC TESTING" FOR HER HEAD. MS. BURRELL REQUESTING FOR MS. FRANTZ A SANE EXAM "AS SOON AS POSSIBLE". FURTHER REQUEST STATEING "I BELIEVE HAVING ACCESS TO THESE MEDICAL APPOINTMENTS OUTSIDE OF THE FACILITY WILL BE BENEFICIAL TO THIS CLIENT." APPENDIX NO.3

PRISON PERSONNEL AND MEDICAL PROVIDERS KNOWING ABOUT THIS REFERRAL AND DENYING TO PROVIDE MS. FRANTZ KNOWING THE SUBSTANTIAL RISK TO MS. FRANTZ' HEALTH FOR DENYING SANE EXAM AND MEDICAL TESTING, SHOWING FAILURE TO RESPOND APPROPRIATELY CONCERNING OBVIOUS SKULL SWELLING FORCING MS. FRANTZ'S LEFT EYE AND EAR UPWARD SEEN IN APPENDIX NO.13 PAGES 21,22 PHOTOS OF MS. FRANTZ PERMANENT FACIAL DISFIGUREMENT, PREA INJURIES BY LYSO OFFICERS IN COUNTY JAIL, WITH DELIBERATE INDIFFERENCE. EVIDENCE PLAUSIBLE FOR RELIEF.

(conduct will "SHOCK THE CONSCIENCE" WITH INTENT TO HARM MS.FRANTZ,
IN VIOLATION OF SUBSTANTIAL DUE PROCESS, VIOLATION OF 14TH AMENDMENT.
MS.FRANTZ IN A 24 HOUR VIDEO RECORDING MEDICAL HOLDING CELL
IN OR ABOUT 8:00 AM ON 7-24-17. LEAVENWORTH CO. KS SHERIFF'S
DEPT. JAIL NARRATIVE REPORT ONLY PROVIDES REPORTING AT 1643 HOURS.
JAIL OFFICIALS DELIBERATELY INDIFFERENT FOR PROVIDING THE MISSING
REPORTS OF THE NINE HOURS PRIOR TO THE 1643 HOUR. FURTHER
MISSING REPORTS FOR THE FOURTEEN HOURS AFTER LAST MENTIONING
OF 1800 Hours, IN THE, INJURY TO INMATE REPORT by SHERIFF
OFFICER SIBOLD, B.R. (SO47) 7-24-17 17:28:19. DENIAL OF MEDICAL CARE,
42 U.S.C. 1983 CHARGES THE DEFENDANT'S PRISON OFFICIALS INFILCTING CRUEL AND UNUSUAL PUNISHMENTS
MS. FRANTZ BEING UNCONSCIOUS FOR OVER 24 HOURS, WAKING UP IN
INTAKE CELL #1, ALSO HAVING 24 HOUR VIDEO RECORDING, WITH INJURIES
OF A SKULL FRACTURE/HEMATOMA TO HER LEFT FOREHEAD, BRUISING
WITH CUTS AROUND HER RECTUM. MS.FRANTZ REPORTS HER SOCKS AND
UNDERWARE REMOVED FROM HER BODY. PRISON-JAIL OFFICIALS ACTING
WITH DELIBERATE INDIFFERENCE EXPOSED MS.FRANTZ TO A SUFFICIENTLY
SUBSTANTIAL RISK OF SERIOUS DAMAGE TO HER FUTURE HEALTH / SAFETY,
PROHIBITION OF CRUEL AND UNUSUAL PUNISHMENTS.

THE INJURIES MS.FRANTZ IS COMPLAINING IN THIS CASE ARE CONSEQUENCE OF A NUMEROUS
"CONTINUING VIOLATIONS" OF MS.FRANTZ'S CONSTITUTIONAL RIGHTS FOR MEDICAL
CARE FOR PREA INJURIES, WORSENING DUE TO SUBSTANTIAL DEPRIVATION
FOR ACCESS SPECIALISTS CAPABLE TO EVALUATE MS.FRANTZ'S PERMANENT
INJURY CAUSING HER NEEDLESS PAIN AND SUFFERING, OBVIOUS TO
A LAYPERSON, OF THE IRREPARABLE HARM, BEING SUBSTANTIAL INJURY.



LEAVENWORTH COUNTY SHERIFF'S OFFICE

Andrew D. Dedeke
Sheriff

APPENDIX NO. 16

8 PAGES

November 16, 2023

Barbara Frantz #124145
Topeka Correctional Facility
815 SE Rice Road
Topeka, KS 66607

RE: KORA Complaint- Leavenworth County Sheriff's Office
AG File Number CV-23-001423

Dear Ms. Frantz,

I am writing in response to your KORA request/complaint against the Leavenworth County Sheriff's Office that we received from the Kansas Attorney General's Office on Wednesday, November 15, 2023. Your request forwarded to us involved a PREA complaint and a grievance appeal dated December 21, 2018.

With respect to your request regarding records for a PREA complaint on August 6, 2020, we have no records. You were no longer in the custody of the Leavenworth County Sheriff at that time; therefore we have no inmate/correction records associated with you for that time period.

With respect to your request for records regarding a grievance appeal dated December 21, 2018, I have enclosed correspondence/inmate kiosk requests between you and Leavenworth County Jail staff. I have also enclosed an incident report regarding a July 24, 2017 incident in which you became ill and were found unresponsive in your cell as well as an incident in January 2018 regarding an interaction with the jail nurse. These records are not generally open records as they are correctional records of an identifiable inmate pursuant to K.S.A. 45-221(a) (29). However, since you are the inmate involved requesting these records, we will release those to you.

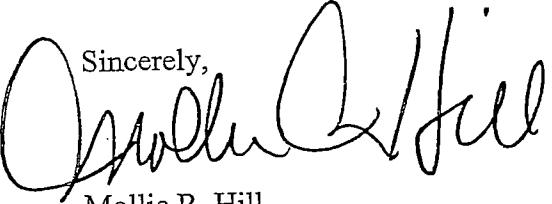
There is body cam footage and surveillance footage of a July 24, 2017 incident when you became ill and then later made an unfounded claim that you were assaulted by jail staff. Those particular reports are investigative in nature and the Leavenworth County Sheriff's Office would contend that they are not open records pursuant to K.S.A. 45-221 (a)(29) correctional records pertaining to an identifiable inmate. Additionally, the surveillance footage from the jail should not be an open record pursuant to K.S.A. 45-221(a) (12) records of emergency or security information or procedure of a public agency as disclosure would jeopardize security measures of

the Leavenworth County Jail. Additionally, the body cam footage is a criminal investigation record pursuant to K.S.A. 45-254 and in accordance with the statute, you may view the footage but are not entitled to a copy.

Please let me know if you have any questions or need additional information. I may be contacted via telephone at (913) 727-2571; via email at mhill@lvsheriff.org; or via mail at:

Mollie Hill
General Counsel
Leavenworth County Sheriff's Office
601 S. 3rd Street, Suite 2007
Leavenworth, KS 66048.

Sincerely,



Mollie R. Hill
General Counsel
Leavenworth County Sheriff's Office

Enclosures
Cc: Amber Smith, Kansas Attorney General's Office

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2
8

APPENDIX NO. 13

P93

Incident #: 2017-0218	Shift: C Shift 1400-2200
Reporting Officer: SIBOLD, B. R. (SO47)	Report Date/Time: 07/24/2017 17:28:19
DOW: Monday Post:	Facility: LVSO
Location Code: MEDICAL	Location Desc:
Reviewed By: CARRIZALES, S. L. (SO13)	
Incident Description: Injury To Inmate	
Additional Action:	

Inmates Involved				
Name Code	Booking #	Name	Location	No. Viol
Witness	2038	Barbara Marie Frantz	LVSO, MED, MED, 1	0

Incident Description:				
<p>On the 24th of July 2017 at 1643 hours I saw Inmate Frantz laying on the cell floor with liquid on the floor underneath her. She was breathing and moving. I went to the medical office and grabbed some ammonia packs from the cabinet and went back to Frantz's cell. The ammonia packs were placed under her nose and she almost immediately sat up. The liquid underneath Frantz was identified as urine from the smell. I told Deputy Magnussen to grab the cleaning cart and new uniform for Frantz. I reviewed the video and saw Frantz on her knees and go forward to the floor at the 16:19:15. At 19:19:35 she shook like she was having a seizure. I sent out an email to the Jail Administration and Nurse Melissa about the issue. I went over to Major Dedeke and talked to him about Frantz. He told me to call Melissa and ask her about any issues. I called Melissa at 1659 hours and told her what was going on, she asked if we had done any vitals and I informed her we had not. She stated she would call PA Annette and call me back. Approximately 1701 hrs Magnussen and I tried to persuade her to stand up and go to the shower. We had clean uniforms for her and we were going to clean the cell. Frantz laid back down in her urine. We left the cell and went back to my office where I received a call from Melissa at 1707hrs. She informed me that Frantz had not history of seizures and her and Annette agree that this is behavioral. Major Dedeke called me back and I informed him of what Melissa said. He told me to call Lt. O'Brien. I called the Jail Commander and we talked about what was going on. Frantz was given dinner by placing it in arms length while she lay on the floor at 1720 hrs. At 1800 hrs dinner was removed from her cell and we moved her down to Intake #1 with the restraint chair. Intake one has a rubber floor and a drain in the middle of the floor. [07/24/2017 17:56, BSIBOLD, 62, SO]</p>				

6

Disposition: Placed On Watch	Disposition Date:
Shift Commander:	Date:

Accessing long term adult SANE exam and medical testing

APPENDIX NO. 3

2 PAGES

Hannah Burrell <hannahb@ywcaneks.org>

Wed 1/18/2023 9:34 AM

To: Sarah Kowalewski [KDOC] <Sarah.Kowalewski@ks.gov>; Holly Chavez [KDOC] <Holly.Chavez@ks.gov>

Cc: Christina Chavez <Christinac@ywcaneks.org>

I have spoken with the Stormont Vail SANE nurse regarding Frantz' request to have a SANE exam. The SANE nurse informed me that she could complete a long-term SANE exam but had expressed concerns of traumatization and could only take photos and do documentation. I informed Frantz of the nurses' concerns, and she informed me that she'd still like to proceed with an exam for documentation purposes.

Can we please set up medical transpiration for Barbara Frantz to Stormont for a SANE exam as soon as possible. This client has also expressed a need to see a doctor outside of the facility regarding ongoing medical concerns that began after assault. I believe having access to these medical appointments outside of the facility will be beneficial to this client.

Frantz is requesting the following medical testing;

1. MRI head to toe
2. Upper GI test
3. extensive labs
4. STD screening
5. Pap smear
6. Cancer testing
7. Rectum damage/scarring (part of SANE examination)
8. eye and ear exams
9. stress testing
10. iodine 123 scan Thyroid
11. EKG

YWCA IS ON A MISSION

Hannah Burrell | Domestic Violence Counselor Center for Safety and Empowerment

Pronouns: She, her, hers

T: 785.354.7927 F: 785.232.2902

7

YWCA Northeast Kansas
225 W 12th Street
Topeka, KS 66612
www.ywcaneks.org

1
2

RECEIVED 6-21-23

APPENDIX NO. 3

Pg 2

eliminating racism
empowering women
ywca
Northeast Kansas

225 SW 12th Street
Topeka, KS 66612

Barbara Frantz #124145
Topeka Correctional Facility
815 SE Rice Road
Topeka, KS 66604

KANSAS CITY 640

15 JUN 2023 PM 6 L

1 - 1 - 124

897676.005
US POSTAGE
06250010933532
FIRST-CLASS
66612
EXPIRES
2023

8

NIN

APPENDIX NO. 13

PG 27

CC: US MARSHALS

ACLU

FBI # SB 301670224

PAIN IN HEAD
AND EYES STARTED
IN 2019, EARLY
2020 VISIBLE SKULL
SWELLING STARTED
SHOWING IN
LVCO, KS JAIL.
(CONTINUED WORSENING)



LEFT
EAR AND EYE
MOVED-UPWARD
FROM SKULL
SWELLING,
IS WORSENING.

ARREST PHOTO 1-28-17
NO SKULL SWELLING,

5-27-2020 JAIL RE-TOOK MUG SHOT SHOWING SKULL SWELLING.

My SKULL SWELLING. My LEFT SIDE EAR AND EYE disfiguring by
MOVING UPWARD, FORCED BY SKELETAL SWELLING OUTWARD AND
UPWARD. SKULL SWELLING WORSENING, ALSO ON my RIGHT TOP
HEAD AND LEFT SIDE OF BACK OF my HEAD. KNOTS THROUGH-OUT
my NECK, COLLARBONE AND ABDOMEN.

CIVI REGIS COMM 44-19182
21-3175-528 122-01 77-3014

July 24th 2017
SUFFERED SKULL FRACTURE -
LEFT SIDE OF my HEAD
BEATEN AND RAPED by LVCO, KS
SHERIFF STAFF

9

Barbara Frantz 27
Barbara Frantz 10-25-21



21-3117-SAC
APPEAL 22-3014

BARBARA FRANTZ # 124145

12-29-21

July 24, 2017 AS A DISABLED DETAINEE IN LSCO, KS JAIL SHERIFF OFFICERS BEAT ME UNCONSCIOUS, LIFE THREATENING CONCUSSION-SKULL FRACTURE ON THE LEFT SIDE OF MY HEAD AND RAPEd WITH INJURIES dURNING MY UNCONSCIOUSNESS OVER 24 HOUR PERIOD. 5-27-2020 THE JAIL RE-TOOK MY MUG-SHOT AFTER SKULL SWELLING STARTED SHOWING. THESE PHOTOS TAKEN 12-1-21 AS MY LEFT SIDE HEAD EYE AND EAR FORCED UPWARD disfiguring MY FACE AND MOUTH FROM WORSENING SKULL SWELLING. KNOTS ALSO THROUGH-OUT MY NECK-COLLARBONE - ABDOMEN ALL NEGLECTED 1-28-17 THRU 28 TODEATE 12-29-21 *Swollen face*

CIVIL RIGHTS COMPLAINT § 1983

CC: FBI # SB 301690224
U.S. MARSIGHTS
KS Board of Healing Arts

APPENDIX
PT
PT
1
12-1

IN THE UNITED STATES DISTRICT COURT OF KANSAS

BARBARA MARIE FRANTZ - Plaintiff

v.

CASE NO. 23-3246-JWL

KANSAS DEPT. OF CORRECTIONS, et al - defendants

Civil Action

SECRETARY JEFF Zmuda

DECLARATION OF

JESSICA MOTTIN

Jessica Mottin hereby Declares,

I have been incarcerated at KDOC Prison Since 2020
I had Known oh Barbara Franz since housed with her
in LRCO, KS Jail Prior to her skull swelling. I have
seen Barbara Franz since my incarceration at KDOC
and can attest that her face is disfiguring due to
Skull Swelling. Her left ear is up higher then her right
ear.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOLLOWING IS TRUE
AND CORRECT. Executed AT TOPEKA, KS ON 3/28/2024

DATE SIGNED

Jessica Mottin #107377

PRINT NAME INMATE NO.

Jessica Mottin

SIGNATURE

11

IN THE UNITED STATES DISTRICT COURT OF KANSAS

BARBARA MARIE FRANTZ - PLAINTIFF

v.

CASE NO. 23-3246-JWL

KANSAS DEPT. OF CORRECTIONS, ET AL. - DEFENDANTS

Civil Action

SECRETARY JEFF ZMUDA

DECLARATION OF

Katie M. Thomas

I have been incarcerated at KDOC Prison since 2019. I have seen Ms. Frantz face slowly disfigure, and continue to swell. Also, she guards her abdomen, like she is in pain. I have seen photos of before and after, and can see the difference in the photos.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOLLOWING IS TRUE AND CORRECT. EXECUTED AT TOPEKA, KS ON February 28, 2024
date signed

12

Katie M. Thomas #0124023
PRINT NAME INMATE NO.

Katie M. Thomas
SIGNATURE

IN THE UNITED STATES DISTRICT COURT OF KANSAS

BARBARA MARIE FRANTZ - PLAINTIFF

v.

CASE NO. 23-3246-JWL

KANSAS DEPT. OF CORRECTIONS, et al - DEFENDANTS

CIVIL ACTION

SECRETARY OF CORRECTIONS JEFF ZMUDA

DECLARATION OF

Brooke Pippin

Brooke Pippin hereby declares, i have been incarcerated at KDOC prison since 2015. Since 2022, i have known Barbara Frantz. i can attest to seeing Ms. Frantz and the continuous disfigurement in her face and her head. Her left eye seems to be swelling from her brow bone, up. Her right eye is showing signs of bulging. i have felt the knots on her face and behind her right ear. i'm her roommate here in Topeka Correctional and in the night she groans and holds her stomach as if she is in a lot of pain while she is sleeping.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOLLOWING IS TRUE
AND CORRECT. EXECUTED AT TOPEKA, KS ON 2-28-24
DATE SIGNED

13

Brooke Pippin 1103570
PRINT NAME INMATE NO.

B. Pippin
SIGNATURE

IN THE UNITED STATES DISTRICT COURT OF KANSAS

Barbara Marie Frantz - Plaintiff

v.

CASE NO. 23-3246-JWL

KANSAS DEPT. OF CORRECTIONS, et al - Defendants

CIVIL ACTION

Secretary Jeff Zmuda

DECLARATION OF

Holly Taylor

I have been at TCF since June of 2023, and work in the law library where I see Barbara Frantz 3 times a week. It is very apparent that the left side of her skull, by her eye, and temporal area are significantly either swollen or enlarged.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOLLOWING IS TRUE
AND CORRECT. EXECUTED AT TOPEKA, KS ON 29 Feb 2024
DATE SIGNED

Holly Taylor - 0123245
PRINT NAME IN MATE NO.

14

Holly Taylor
SIGNATURE

3. MS. FRANTZ SHOWING IN APPENDIX NO. 16 OF LEAVENWORTH CO. KS SHERIFF DEPT. NOV. 16th, 2023 DOCUMENT OF MS. FRANTZ SUFFERING INJURY ON 7-24-17, OF HER, PREA DATE, THAT JAIL SECURITY FOOTAGE UNDER A PART OF, CRIMINAL INVESTIGATION REPORT. FURTHER SHOWING OF DEFENDANTS MALICIOUS AND CALCULATED DISREGARD FOR MEDICAL CARE FOR OBVIOUS AND SERIOUS MEDICAL NEEDS WHICH CONTINUE VIOLATIONS OF MS. FRANTZ'S CONSTITUTIONAL RIGHTS ONGOING THROUGH TCF INTAKE, AND TO DATE. CLEAR EVIDENCE OF FAILURE TO RESPOND APPROPRIATELY THAT PRISON OFFICIALS AND OTHERS ACTING IN CONCERT AND PARTICIPATION KNEW ABOUT MS. FRANTZ SERIOUS MEDICAL NEEDS AND DISREGARDED A SUBSTANTIAL RISK TO MS. FRANTZ HEALTH AND SAFETY WITH DELIBERATE INDIFFERENCE. SEEN THROUGHOUT PREVIOUS LAWSUITS, GRIEVANCES OVER THE LAST SEVEN YEARS. CUMULATIVE INJURY OF "CONTINUING" VIOLATIONS OF CRUEL AND UNUSUAL PUNISHMENTS.

4. MS. FRANTZ SHOWING IN APPENDIX NO. 6 OF HER ATTEMPTS TO OBTAIN AN E-MAIL FROM TCF OPTOMETRIST DOCTOR RANDAL DYCK MAKING A RECOMMENDATION FOR MS. FRANTZ AN MRI. THE 7-27-23 VISIT TO SEE DR. DYCK BEING FOR SPECIFICALLY FOR MS. FRANTZ'S SKULL SWELLING FORCING HER LEFT EYE AND EAR UPWARD, WHICH OPTOMETRIST MADE HIS SECOND RECOMMENDATION FOR MRI. THIS E-MAIL SENT TO CENTURION MEDICAL PROVIDERS KNOWING OF A REFERRAL FOR MRI AND IT BEING DENIED TO MS. FRANTZ AND THE SUBSTANTIAL RISK TO MS. FRANTZ HEALTH WHICH ALLOWS FURTHER INJURY AND PERMANENT, GREAT IRREPARABLE HARM IN FAILING TO RESPOND APPROPRIATELY TO A SERIOUS MEDICAL NEED, WITH DELIBERATE INDIFFERENCE, A CUPABLE STATE OF MIND. ALLOWING MS. FRANTZ'S MEDICAL CONDITIONS TO FURTHER DETERIORATE.

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5. MS.FRANTZ REPORTED IN 12-19-23 PETITION PAGE 2C FOR JUDICIAL NOTICE BE TAKEN FROM OPEN INVESTIGATIONS WITH THE FBI CRIMINAL DIVISION, SPECIAL LITIGATION SECTION, PEGA AND KS BOARD OF HEALING ARTS - BOARD OF NURSING ALONG WITH ANY INFERENCES REASONABLY DRAWN FROM THEM, WHICH WENT OVERLOOKED BY THE COURT. APPENDIX NO.13.

6. MS.FRANTZ SHOWED DEFENDANT'S BEING PROVIDED FAIR NOTICE OF KNOWING OF OBVIOUS MEDICAL CONDITIONS AND DELIBERATELY INDIFFERENT BY WAY OF MS.FRANTZ REPORTING BY MEANS OF MEDICAL COMPLAINTS, GRIEVANCES AND LAWSUITS SHE HAS FILED THROUGHOUT HER INCARCERATION 1-28-17 TILL CURRENT AS A CLEAR INDICATION OF DELIBERATE INDIFFERENCE WHERE PRISON-JAIL STAFF AND OFFICIALS FAILED TO FOLLOW THEIR OWN POLICY, OR RULES AND REGULATIONS. ALSO SHOWS PERSONS AWARE OF THE SUBSTANTIAL ISSUES MS.FRANTZ STATES WITHIN PREVIOUS LAWSUITS FOR REDRESSING FEDERALLY PROTECTED RIGHTS AND K.S.A. 75-5210 PRISONERS RIGHT TO MEDICAL CARE. THE COURTS OWN ACKNOWLEDGMENT OF PREVIOUS 1983 ACTION BEING SIMILAR, DUE TO SUCH SUFFICIENTLY SUBSTANTIAL DEPRIVATION OF SERIOUS MEDICAL NEEDS, OF, SEVERAL OFFSITE PROVIDER APPOINTMENTS SCHEDULED FOR MS.FRANTZ TO SPECIALISTS PROVIDERS CAPABLE TO EVALUATE MS.FRANTZ WHERE CLINICALLY INDICATED FOR SCHEDULING, THEN CENTURION MEDICAL PERSONNEL MALICIOUSLY CANCELING KNOWING THE SUBSTANTIAL RISK TO MS.FRANTZ'S HEALTH AND SAFETY. SHOCKING AND INTOLERABLE CONDUCT FOR SUCH INDIFFERENCE FOR VITAL ORGANS, SHOWING SUFFICIENT CULPABLE STATE OF MIND. EGRESSUS OFFICIAL CONDUCT AND PERSONS ACTING IN CONCERT AND PARTICIPATION TO DEPRIVE BY SUBSTANTIAL DEPRIVATION.

CRIMINAL DIVISION

FBI REF. NO.

SB301690224

CONSPIRACY TO MURDER
WE, INVESTIGATION.

DATE: 5/6/2022

Topeka Correctional Facility

TOPEKA CORRECTIONAL FACILITY
CENTURION

INTERDEPARTMENTAL MEMORANDUM

SKULL SWELLING FORCING
MY LEFT EYE AND EAR
UPWARD,

MY SEVERELY DISTENDED
HERNIATED ABDOMEN

GRIEVANCE # 176711652

KU HOSPITAL'S MEDICAL ERROR
SURGERY - BIOPSIES OF MY
BLADDER - STOMACH

GRIEVANCE: Barbara Frantz #124145
FROM: Michelle Calvin, LCP, Health Services Administrator

NATURE OF COMPLAINT: Ms. Frantz filed a grievance as she was unsatisfied with the response she received to a form 9. In the form 9 communication, Ms. Frantz asked if "Stormont Vail had released her as a patient". Also, if they had released her as a patient how could she be scheduled for an appointment with an offsite specialist affiliated with Cotton O'Niel. The response she received, initially asked for clarification on what she meant by "releasing her as a patient", and further explained that individual providers can accept patients, even if other providers with similar affiliations may not.

FINDING OF FACT: Ms. Frantz has received extensive medical testing and several offsite consultation appointments have been scheduled to investigate her claims of having serious medical concerns. Throughout her incarceration, Ms. Frantz has refused to participate in required testing or assessments needed for the offsite consultations to be completed. As a result, several appointments with offsite providers had to be cancelled as a result of her decision. She has attended offsite appointments with specialists, who often are private practice physicians, and due to her behavior several private practice physicians have declined to see her further.

CONCLUSIONS MADE: Ms. Frantz has had thorough medical assessments throughout her incarceration. Her choices and behaviors have led private practice physicians in the community to no longer provide her services, which is within their right. Interventions are based on the results of clinical evidence and an examination and she will continue to have access to appropriate medical services at the facility.

ACTION TAKEN: No further action indicated at this time as her medical concerns have been addressed and she will continue to have access to appropriate medical care.

Michelle Calvin LCP
Michelle Calvin LCP - Health Services Administrator

DEPRIVED
DELIBERATE INDIFFERENCE

CENTURION ACKNOWLEDGING THEY CANCELLED MY OFFSITE APPOINTMENTS.
I HAVE ONLY REFUSED ONE COLONOSCOPY WHICH WAS SCHEDULED AS ROUTINE. JUNE 2021
MY REASONS FOR REFUSING WAS DUE TO THE COLONOSCOPY WAS GOING TO
BE DONE AT KU HOSPITAL, WHICH KU HOSPITAL CAUSED MY ORGAN DAMAGE
CAUSED BY THEIR MEDICAL ERROR IN 2013 AND STARTED THE CONCEALMENT.
KEEPING ME FROM SPECIALISTS OFFSITE APPOINTMENTS, MALICIOUSLY.

B-18-22 BF

DISREGARDING MEDICAL COMPLAINTS MS.FRANTZ CONTINUOUSLY REPORTS FOR VITAL ORGANS FOR SUCH A LONG PERIOD OF TIME BECOMES CLINICAL EVIDENCE IN-ITSELF, AND FURTHER OBVIOUS THAT EVEN A LAYPERSON WOULD EASILY RECOGNIZE THE NECESSITY FOR A DOCTOR'S ATTENTION. DENYING MS.FRANTZ ACTIVITIES AND WORK LEAVING HER WITH DEBILITATING MEDICAL CONDITIONS, DISREGARDED BY THIS COURTS DECISION TO DISMISS.

7. ON 2-23-24 MS.FRANTZ MADE AN OPEN RECORDS REQUEST FOR AN E-MAIL THAT A SORT TCF OFFICER AUSTIN MURPHY EXPRESSING HIS DISGUST AND OBSERVATION OF MISTREATMENT FOR RESIDENTS OF TCF AND OF HSA, MICHELLE CALVIN, ICP OF CENTURION BEING RESPONSIBLE FOR DEATH OF RESIDENTS HERE AT TOPEKA CORRECTIONAL FACILITY. SHOWING HIS STATEMENTS OF INADEQUATE MEDICAL CARE. MR. MURPHY A LONG TIME STAFF OFFICER SENDING A MASS E-MAIL ON HIS LAST DAY OF WORK BEFORE QUITTING HIS JOB.

MS.FRANTZ REPORTING HER HORRIFIC PAIN, DEBILITATING MEDICAL CONDITIONS KEEPING HER FROM BENDING AND TWISTING NOT ALLOWING FOR ACTIVITIES NOR WORK DUE TO HER SEVERELY DISTENDED - HERNIATED ABDOMEN VISIBLE, SKULL SWELLING FORCING HER LEFT EYE-EAR UPWARD VISIBLE, EDEMA PUFFING BREAKING BLOOD VESSELS IN HER LEGS VISIBLE, FORCING MS.FRANTZ TO LAY 18-20 HOURS A DAY DUE TO SUCH DISTURBING DEPRIVATION OF DENYING AND DELAYING HER MEDICAL CARE FOR SUCH A LONG PERIOD OF TIME WITHOUT ANY REGARDS FOR HER LIFE WHERE CONSTITUTIONALLY PROTECTED RIGHTS THE CHIEF PURPOSE OF CRUEL AND UNUSUAL PUNISHMENT CLAUSE, IS TO PREVENT THE UNNECESSARY WANTON INFILCTION OF PAIN AND SUFFERING.

18

MY COPY

SUMMARY OF REQUEST:

PURSUANT TO K.S.A. 45-215 ET SEQ. KANSAS OPEN RECORDS ACT FOR ACCESS TO PUBLIC RECORDS REQUEST.

COPIED FROM
KDOC FORM 9

KDOC FORM 9 # 424124151 TO: FSA Holly CHAVEZ

DATE 2-23-24 IMTTAB (ELECTRONICALLY SENT)

PURSUANT TO K.S.A. 45-215 ET SEQ. KORA TO PUBLIC RECORDS

I AM REQUESTING FOR PUBLIC RECORD OF E-MAIL TCF OFFICER AUSTIN MURPHY SENT 2-16-24 MASS E-MAIL TO STAFF REGARDING THE MISTREATMENT OF RESIDENTS. INVOLVING HSA MICHELLE CALVIN, LCP BEING RESPONSIBLE FOR DEATH OF RESIDENTS HERE AT TCF.

THE KORA REQUEST REQUIRES A RESPONSE TIME OF THREE DAYS OF ACCESS TO THE PUBLIC RECORDS. IF IT WILL TAKE LONGER PLEASE CONTACT ME WITH A DATE WHEN FILES WILL BE AVAILABLE. IF YOU DENY ALL OR ANY OF THIS REQUEST, PLEASE CITE SPECIFIC REASONS AND NOTIFY ME OF APPEAL PROCEDURES AVAILABLE UNDER THE LAW. THANK YOU.

BARBARA FRANTZ #124145

815 SE RICE ROAD

TOPEKA, KS 66607



COMMENT:

KANSAS OPEN RECORDS REQUEST VS DISTRICT COURT CASE NO. 23-3246-JWL
FRANTZ V. SECRETARY OF CORRECTIONS, ET AL.

* NO RESPONSE FROM FSA Holly CHAVEZ AS OF 3-1-24

MEDICAL TREATMENT SUFFICIENTLY DELAYED BY DELIBERATE INDIFFERENCE

APPENDIX NO. 8. MS. FRANTZ HAVING biopsies of TUMORS IN HER STOMACH AND BLADDER PRIOR to HER ARREST. TUMORS HAVING DEVELOPED ON HER NECK AND COLLABRONE ARE seen by EXAM. MS. KRAFT, LMHP FOR CENTURION BEHAVIORAL HEALTH STATING to MS. FRANTZ IN APRIL OF 2021 THAT THE FACILITY CONCEALING 6 TUMORS ON HER LIVER. MS. FRANTZ REPORTING THE FRAUDULENT CONCEALMENT PAGE 3 I OF 12-19-23 PETITION FILED THIRD AMENDED COMPLAINT. REQUESTING to toll THE STATUTE OF LIMITATIONS. MS. FRANTZ being kept UNDIAGNOSED AND UNTREATED FOR PURPOSE OF CONCEALMENT. "CONTINUING VIOLATIONS" OF DELIBERATE INDIFFERENCE ALLOWS FEDERAL COMMON LAW - THE TOLLING OF STATUTE OF LIMITATIONS: CASE LAW, HEARD V. SHEAHAN, 253 F.3d 316, 318 (7th Cir. 2001), FOR "CONTINUING VIOLATION" OF PRISONERS 8TH AMENDED RIGHTS UNTIL THE DATE, IF ANY, ON WHICH ADEQUATE TREATMENT WAS PROVIDED. NO. 2 ABOVE, PRELIMINARY INJUNCTION FOR SAME EXAM WITH MEDICAL TESTING WILL SERVE THE PUBLIC INTEREST, IN THAT PRISON OFFICIALS SHOULD FOLLOW THE LAW AND ESPECIALLY THE CONSTITUTION. MS. FRANTZ SHOWING CLAIMS PLAUSIBLE FOR RELIEF. FEDERAL COMMON LAW tolls STATUTE LIMITATIONS. WHEREFORE, MS. FRANTZ ASKS THIS COURT FOR MOTION FOR RECONSIDERATION FOR HER CIVIL RIGHTS COMPLAINT PURSUANT TO 42 U.S.C. § 1983 SHOWING SUBSTANTIAL CLAIMS FOR RELIEF AND PRELIMINARY INJUNCTION, AND APPOINTMENT OF COUNSEL, PLAUSIBLE ON ITS FACE.

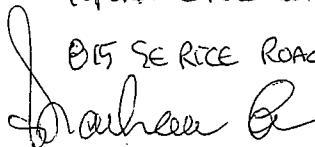
20

Respectfully Submitted, GOLD STAR MOTHER

BARBARA FRANTZ # 124165

TOPEKA CORRECTIONAL FACILITY

815 SE RICE Road TOPEKA, KS. 66607

 3-1-24

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

BARBARA MARIE FRANTZ,

Plaintiff,

v.

CASE NO. 23-3246-JWL

STATE OF KANSAS, et al.,

Defendants.

MEMORANDUM AND ORDER

Plaintiff brings this pro se action under 42 U.S.C. § 1983. Plaintiff is incarcerated at the Topeka Correctional Facility (“TCF”) and proceeds in forma pauperis. On December 5, 2023, the Court entered a Memorandum and Order and Order to Show Cause (Doc. 13) (“MOSC”) directing Plaintiff to show good cause why her Amended Complaint (Doc. 6) should not be dismissed or to file a second amended complaint to cure the deficiencies set forth in the MOSC. Plaintiff filed a Second Amended Complaint (Doc. 15), then a Third Amended Complaint (Doc. 16). This matter is before the Court for screening of the Third Amended Complaint as the operative complaint. The Court’s screening standards are set forth in the MOSC.

I. Nature of the Matter Before the Court

A. First Amended Complaint

Plaintiff alleged in her original Amended Complaint that she was sexually assaulted at the Leavenworth County Jail (“LCJ”) in July of 2017. (Doc. 1-1, at 28.) She claimed that she did not receive adequate medical care for the three and a half years she was at the LCJ. Plaintiff alleged that she is now suffering skull swelling as a result of a skull fracture that she sustained in the attack. When she arrived at TCF, she attempted to pursue a Prison Rape Elimination Act (“PREA”) claim

against LCJ personnel. Plaintiff stated that she also “continued to report she was whistleblowing on a large number of medical practitioners and of KU Hospital’s medical error causing Ms. Frantz’s organ damage.” (Doc. 6, at 13.) She further stated that she filed a civil rights complaint in this Court in May, 2021, which was dismissed, and she alleged that she has been denied due process in state habeas and criminal cases.

Plaintiff contended she is in imminent danger of serious physical injury from her skull swelling. She also stated that she has “knots” throughout her body, which are “intentionally-knowingly being concealed in [her] medical chart and . . . imaging reports.” *Id.* at 14. Plaintiff asserts that these conditions are life-threatening and that she needs to see a specialist. *Id.* She believed that she is “full of tumors.” *Id.* at 15. Plaintiff claimed that a Centurion medical provider at TCF, Dr. Jena Lee, has entered orders for her to have ENT and GI consults, as well as an MRI of her abdomen. *Id.* at 16. Plaintiff alleged that these orders are not being followed “for reasons of protecting the enormous amount of professionals under investigation for the conspiracy to murder Ms. Frantz, as a full disclosure of medical diagnosis will [be] sure to bring about the most serious federal and state criminal charges.” *Id.*

Plaintiff asserted a claim for violation of the Eighth Amendment due to deliberate indifference to her serious medical needs. It is not clear if she was asserting additional claims. She mentioned the failure to respond adequately to her grievances, due process violations in connection with her prior legal actions, and the violation of numerous internal policies and procedures of the Kansas Department of Corrections (“KDOC”).

Plaintiff named the following defendants: the State of Kansas; Jeff Zmuda, Secretary of Corrections; Gloria Geither, Warden of TCF; David McCabe, Acting Warden of TCF; Ryan Shanks, EAI officer, TCF; Joshua Winkleman, EAI officer, TCF; Cathy Robinson, Director of

Health Care Services, KDOC; Centurion, contracted medical provider for TCF; Michelle Calvin, Centurion Medical Services Administrator; Jena Lee, M.D., Centurion; April Farrell, APRN, Centurion; Sara Hart, APRN, Centurion; Gregory Erb, M.D., Centurion; Scott Logan, M.D., Global Diagnostic Services; Francisco Correa, M.D., Cotton O'Neil Endocrinology; Andrew Dedeke, Sheriff, Leavenworth County; Michelle (LNU), Physician Assistant, LCJ; Melissa Wardrop, LPN, LCJ; and Jane and John Doe, Leavenworth County Sheriff officers involved in operating the LCJ on 7/24-25/2017. Plaintiff sought relief in the form of compensatory and punitive damages, as well as declaratory and injunctive relief. *Id.* at 9.

B. MOSC

The Court found in the MOSC that: the allegations that Plaintiff makes in the Amended Complaint are very similar, if not identical, to allegations she raised in a previous lawsuit before this Court, making it repetitive and duplicative of Plaintiff's previous lawsuit and subject to dismissal as frivolous; all of Plaintiff's allegations involving the Leavenworth County Jail occurred outside the applicable two-year statute of limitations, as well as some of Plaintiff's allegations about medical care and other events at TCF; many of the defendants were subject to dismissal because Plaintiff failed to allege facts in the Amended Complaint showing the personal participation of each defendant in the alleged constitutional violations; mere supervisory status is insufficient to create personal liability; Plaintiff's claims regarding the grievance process and the failure to properly respond to grievances are subject to dismissal for failure to state a claim because there is no constitutional right to an administrative grievance system; the State of Kansas and its agencies are absolutely immune from suits for money damages under the Eleventh Amendment; Defendant Centurion is subject to dismissal because Plaintiff failed to allege the requisite causative custom or policy; Plaintiff's allegations showed her disagreement with medical personnel

regarding the proper course of treatment but failed to show that the defendants disregarded an excessive risk to her health or safety or that they were aware of facts from which the inference could be drawn that a substantial risk of serious harm existed and also drew the inference; and allegations that the defendants violated Kansas regulations or prison policy fail to state a federal constitutional violation under § 1983.

The Court granted Plaintiff an opportunity to file a second amended complaint in which she names proper defendants and seeks proper relief regarding her medical claims. The Court cautioned Plaintiff that she must also comply with Fed. R. Civ. P. 8's pleading standards.

C. Third Amended Complaint

In response to the MOSC, Plaintiff filed a Second Amended Complaint (Doc. 15) and then a Third Amended Complaint ("TAC") (Doc. 16). The TAC is the operative complaint, is 53 pages long and references the over 300 pages of exhibits filed with the original complaint. In addition, Plaintiff has filed 50 more pages of exhibits. The TAC continues to name all of the same defendants, with the exception of changing the State of Kansas to the Kansas Department of Corrections ("KDOC").

Plaintiff continues to make the same primary claim in the TAC: an Eighth Amendment deliberate indifference to serious medical needs claim. She also makes a Due Process claim based on the defendants allegedly ignoring her grievances regarding her medical care, and a First Amendment claim alleging a violation of her "right to file a grievance report against prison official."

II. Discussion

Plaintiff's TAC fails to address the deficiencies noted in the MOSC. Plaintiff has made no response to the finding that her claims are duplicative of claims she previously brought before this

Court and the Tenth Circuit. “When a pro se litigant files complaints that are repetitive, duplicative of other filings, without merit, or frivolous, he abuses the district court process. [R]epetitious litigation of virtually identical causes of action may be dismissed under [28 U.S.C.] § 1915 as frivolous or malicious.” *Childs v. Miller*, 713 F.3d 1262, 1265 (10th Cir. 2013). The TAC is subject to dismissal as legally frivolous.

In addition, Plaintiff’s claims based on grievance responses and the filing of grievances fail to state a constitutional claim, as previously explained. The Tenth Circuit has held several times that there is no constitutional right to an administrative grievance system. *Gray v. GEO Group, Inc.*, No. 17-6135, 2018 WL 1181098, at *6 (10th Cir. March 6, 2018) (citations omitted); *Von Hallcy v. Clements*, 519 F. App’x 521, 523-24 (10th Cir. 2013); *Boyd v. Werholtz*, 443 F. App’x 331, 332 (10th Cir. 2011); *see also Watson v. Evans*, Case No. 13-cv-3035-EFM, 2014 WL 7246800, at *7 (D. Kan. Dec. 17, 2014) (failure to answer grievances does not violate constitutional rights or prove injury necessary to claim denial of access to courts); *Strope v. Pettis*, No. 03-3383-JAR, 2004 WL 2713084, at *7 (D. Kan. Nov. 23, 2004) (alleged failure to investigate grievances does not amount to a constitutional violation); *Baltoski v. Pretorius*, 291 F. Supp. 2d 807, 811 (N.D. Ind. 2003) (finding that “[t]he right to petition the government for redress of grievances . . . does not guarantee a favorable response, or indeed any response, from state officials”). Plaintiff’s claims regarding the grievance process and the failure to properly respond to grievances are subject to dismissal for failure to state a claim.

In the MOSC, the Court found that Plaintiff’s medical claims show a mere difference of opinion between the inmate and prison medical personnel regarding diagnosis or reasonable treatment and do not constitute cruel and unusual punishment. *See Estelle v. Gamble*, 429 U.S. 97, 106-07 (1976); *see also Coppinger v. Townsend*, 398 F.2d 392, 394 (10th Cir. 1968)

(prisoner's right is to medical care—not to type or scope of medical care he desires and difference of opinion between a physician and a patient does not give rise to a constitutional right or sustain a claim under § 1983). Nothing in the TAC alters that conclusion.

Plaintiff has clearly received medical care while incarcerated.¹ In response to her September 21, 2021 grievance, the Health Service Administrator responded indicating that since Plaintiff's incarceration at TCF she has been seen a minimum of 37 times in nursing sick calls, she has been scheduled for offsite appointments, and she has refused at least one of the appointments. (Doc. 1-4, at 89.) Plaintiff also clearly disagrees with her medical providers. An October 31, 2023 memorandum prepared by the Health Services Administrator states, "She continues to be non-compliant with recommended medical treatment and focuses on concerns for which there is not current clinical evidence." (Doc. 1-7, at 8-9.)

The Eighth Amendment guarantees a prisoner the right to be free from cruel and unusual punishment. "[D]eliberate indifference to serious medical needs of prisoners constitutes the 'unnecessary and wanton infliction of pain' . . . proscribed by the Eighth Amendment." *Estelle*, 429 U.S. at 104 (citation omitted). The "deliberate indifference" standard includes both an objective and a subjective component. *Martinez v. Garden*, 430 F.3d 1302, 1304 (10th Cir. 2005) (citation omitted). In the objective analysis, the deprivation must be "sufficiently serious," and the inmate must show the presence of a "serious medical need," that is "a serious illness or injury." *Estelle*, 429 U.S. at 104, 105; *Farmer v. Brennan*, 511 U.S. 825, 834 (1994), *Martinez*, 430 F.3d at 1304 (citation omitted). A serious medical need includes "one that has been diagnosed by a physician as mandating treatment or one that is so obvious that even a lay person would easily

¹ See, e.g., Doc. 1-4, at 57 (referencing a 2-hour visit with Dr. Erb on July 12, 2023); Doc. 20, at 6-7 (grievance response dated December 18, 2023 reviewing and listing Plaintiff's studies, tests, and diagnoses).

recognize the necessity for a doctor's attention." *Martinez*, 430 F.3d at 1304 (quoting *Sealock v. Colorado*, 218 F.3d 1205, 1209 (10th Cir. 2000)).

"The subjective component is met if a prison official knows of and disregards an excessive risk to inmate health or safety." *Id.* (quoting *Sealock*, 218 F.3d at 1209). In measuring a prison official's state of mind, "the official must both be aware of facts from which the inference could be drawn that a substantial risk of serious harm exists, and he must also draw the inference." *Id.* at 1305 (quoting *Riddle v. Mondragon*, 83 F.3d 1197, 1204 (10th Cir. 1996)).

As the Court previously held in the MOSC, a mere difference of opinion between the inmate and prison medical personnel regarding diagnosis or reasonable treatment does not constitute cruel and unusual punishment. Plaintiff's allegations do not show a lack of medical care, but rather show Plaintiff's disagreement regarding both her diagnoses and the proper course of treatment. Plaintiff has failed to show that Defendants disregarded an excessive risk to her health or safety or that they were both aware of facts from which the inference could be drawn that a substantial risk of serious harm existed, and also drew the inference. Plaintiff's claims suggest, at the very most, negligence, and are subject to dismissal.

Plaintiff has failed to cure the deficiencies set forth in the MOSC. Plaintiff has failed to show good cause why this case should not be dismissed for failure to state a claim.

III. Pending Motions

Plaintiff has filed three Motions for Order to Show Cause for a Preliminary Injunction (Docs. 17, 18, and 23), a second Motion to Appoint Counsel (Doc. 19), and a Motion for Hearing (Doc. 22).

Plaintiff's motions for injunctive relief ask for the Court to enter an order requiring her behavioral health visits be held in the behavioral health suite rather than the medical clinic (Doc. 17, at 2); allowing her to be excepted from the rule that inmates may have one box for legal

documents (Doc. 18, at 4); and preventing manual blood pressure readings on Plaintiff (Doc. 23, at 1).

To obtain a preliminary injunction, the moving party must demonstrate four things: (1) a likelihood of success on the merits; (2) a likelihood that the movant will suffer irreparable harm in the absence of preliminary relief; (3) that the balance of the equities tip in the movant's favor; and (4) that the injunction is in the public interest. *Little v. Jones*, 607 F.3d 1245, 1251 (10th Cir. 2010). “[A] showing of probable irreparable harm is the single most important prerequisite for the issuance of a preliminary injunction.” *Dominion Video Satellite, Inc. v. Echostar Satellite Corp.*, 356 F.3d 1256, 1260 (10th Cir. 2004).

“To constitute irreparable harm, an injury must be certain, great, actual and not theoretical.” *Heideman v. S. Salt Lake City*, 348 F.3d 1182, 1189 (10th Cir. 2003) (internal quotation marks omitted). A preliminary injunction is only appropriate “to prevent existing or presently threatening injuries.” One will not be granted against something merely feared as liable to occur at some indefinite time in the future.” *State of Connecticut v. Commonwealth of Massachusetts*, 282 U.S. 660, 674 (1931). Plaintiff must establish that “the injury complained of is of such *imminence* that there is a clear and present need for equitable relief to prevent irreparable harm.” *Heideman*, 348 F.3d at 1189. Plaintiff’s allegations do not establish that *great* injury is certain and not theoretical, or more than merely feared as liable to occur in the future.

Here, Plaintiff has not demonstrated a likelihood of success on the merits such that her right to relief is clear and unequivocal and has not demonstrated a likelihood of imminent irreparable harm. For these reasons, the Court finds that Plaintiff has not met her burden to make a heightened showing that entry of a preliminary injunction is warranted.

Plaintiff’s Second Motion to Appoint Counsel (Doc. 19) is also denied. As previously

explained, there is no constitutional right to appointment of counsel in a civil case. *Durre v. Dempsey*, 869 F.2d 543, 547 (10th Cir. 1989); *Carper v. DeLand*, 54 F.3d 613, 616 (10th Cir. 1995). The decision whether to appoint counsel in a civil matter lies in the discretion of the district court. *Williams v. Meese*, 926 F.2d 994, 996 (10th Cir. 1991). “The burden is on the applicant to convince the court that there is sufficient merit to his claim to warrant the appointment of counsel.” *Steffey v. Orman*, 461 F.3d 1218, 1223 (10th Cir. 2006) (quoting *Hill v. SmithKline Beecham Corp.*, 393 F.3d 1111, 1115 (10th Cir. 2004)). It is not enough “that having counsel appointed would have assisted [the prisoner] in presenting his strongest possible case, [as] the same could be said in any case.” *Steffey*, 461 F.3d at 1223 (quoting *Rucks v. Boergermann*, 57 F.3d 978, 979 (10th Cir. 1995)).

In deciding whether to appoint counsel, courts must evaluate “the merits of a prisoner’s claims, the nature and complexity of the factual and legal issues, and the prisoner’s ability to investigate the facts and present his claims.” *Hill*, 393 F.3d at 1115 (citing *Rucks*, 57 F.3d at 979).

Because the Court concludes that this case is subject to dismissal, the motion is denied. For the same reason, Plaintiff’s Motion for Hearing is denied.

IT IS THEREFORE ORDERED that this matter is **dismissed** for failure to state a claim.

IT IS FURTHER ORDERED that Plaintiff’s pending motions (Docs. 17, 18, 19, 22, and 23) are **denied**.

IT IS SO ORDERED.

Dated February 26, 2024, in Kansas City, Kansas.

S/ John W. Lungstrum
JOHN W. LUNGSTRUM
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

BARBARA MARIE FRANTZ,

Plaintiff,

v.

Case No. 23-3246-JWL

STATE OF KANSAS, et al.,

Defendants.

JUDGMENT IN A CIVIL CASE

() **JURY VERDICT.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

(x) **DECISION BY THE COURT.** This action came before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that this matter is dismissed for failure to state a claim.

Entered on the docket 02/26/24

Dated: February 26, 2024

SKYLER B. O'HARA
CLERK OF THE DISTRICT COURT

s/S. Nielsen-Davis
Deputy Clerk

KS.A. 15-5210 (c) (2) (c) KS Statute for MEDICAL CARE, Violation. 2-A

CARE FOR ANCELLING SEGMENT OF THE PROVIDER AGREEMENTS.

NEGLECT, FOR FAILING TO USE REASONABLE CARE. DENYING AND DELAYING MEDICAL

HEALTH DUTIES. AND FOR THE MALFARE OF ALL INMATES AT TCE, FAILED TO PERFORM DUTIES,

UNKNOWN NAMES ARE REQUESTED FOR THE DAILY OPERATIONS, FOR MEDICAL/BEDTIME

1) CENTURION MEDICAL CONTRACTED PROVIDER FOR TCE; AND RVP, RMD, EPP.

(VITDIE CONTRACT WITH KAL HOOPHIA, DFCs FOR K20C)

THE MALFARE OF ALL INMATES AT TCE, FAILED TO PERFORM DUTIES, NEGLECT OF CARE,

RESPONSIBLE FOR THE DAILY OPERATIONS AS HEALTH AUTHORITY OPERATIONS, AND FOR

6) KODC DIRECTOR OF HEALTH CARE SERVICES (ATHY RODINSON). SHE IS LEGALLY AND FULLY

NEGLECT FOR FAILING TO USE REASONABLE CARE.

OPERATIONS AND FOR THE MALFARE OF ALL INMATES AT TCE, FAILED TO PERFORM DUTIES,

RESPONSIBLE FOR THE DAILY OPERATIONS OF ENFORCEMENT, APPREHENSION- INVESTIGATION

5) TOPKA ORGANIZATIONAL FACILITY FOR SHAW NICKELMAN. HE IS LEGALLY AND FULLY

FOR FAILING TO USE REASONABLE CARE.

AND FOR THE MALFARE OF ALL INMATES AT TCE, FAILED TO PERFORM DUTIES, NEGLECT

FOR THE DAILY OPERATIONS OF ENFORCEMENT, APPREHENSION, INVESTIGATION OPERATIONS

4) TOPKA ORGANIZATIONAL FACILITY EA-E RYAN STURKES. HE IS LEGALLY AND FULLY RESPONSIBLE

AT TCE, FAILED TO PERFORM DUTIES, NEGLECT FOR FAILING TO USE REASONABLE CARE.

RESPONSIBLE FOR THE DAILY OPERATIONS, AND FOR THE WELFARE OF ALL INMATES

3) TOPKA ORGANIZATIONAL FACILITY WARDEN DAVID MCABE. HE IS LEGALLY AND FULLY

AT TCE, FAILED TO PERFORM DUTIES, NEGLECT FOR FAILING TO USE REASONABLE CARE.

RESPONSIBLE FOR THE DAILY OPERATIONS, AND FOR THE WELFARE OF ALL INMATES

2) TOPKA ORGANIZATIONAL FACILITY WARDEN GLOSTER. SHE IS LEGALLY AND FULLY

FOR FAILING TO USE REASONABLE CARE. VIOLATING KS Statute K.S.A. 15-5210 (c) (2) (c).

OF ALL INMATES AT TOPKA ORGANIZATIONAL FACILITY, FAILED TO PERFORM DUTIES, NEGLECT

FOR THE DEPARTMENT OF ORGANIZATIONS OF LANSAS DAILY OPERATIONS, AND FOR THE WELFARE

1) KODC SECRETARY OF ORGANIZATIONS JEFF ZWULDA. HE IS LEGALLY AND FULLY RESPONSIBLE

AT ALL TIMES MENTIONED IN THIS COMPLAINT-FACT ACTED UNDER THE COLOR OF LAW.

D DEFENDANTS: ALL DEFENDANTS ARE USED IN THEIR INDIVIDUAL AND OFFICIAL CAPACITIES.

DEFENDANTS AND SATISFY ACTIONS TO DEFEND FEDERALLY PROTECTED RIGHTS.

9.) CENTURION MEDICAL HSA MICHELLE CALVIN, LCP. SHE IS LEGALLY AND FULLY RESPONSIBLE FOR THE DAILY OPERATIONS AS HEALTH SERVICES ADMINISTRATOR, AND FOR THE WELFARE OF ALL INMATES AT TCF, FAILED TO PERFORM DUTIES, NEGIGENT FOR FAILING TO USE REASONABLE CARE.

10.) CENTURION MEDICAL PROVIDER DR. JENA LEE, MD. SHE IS LEGALLY AND FULLY RESPONSIBLE FOR THE DAILY OPERATIONS AS MEDICAL PROVIDER AND FOR THE WELFARE OF ALL INMATES AT TCF, FAILED TO PERFORM DUTIES, NEGIGENT FOR FAILING TO USE REASONABLE CARE.

11.) CENTURION MEDICAL PROVIDER APRIL FARRELL, APRN. SHE IS LEGALLY AND FULLY RESPONSIBLE FOR THE DAILY OPERATIONS AS ADVANCE PRACTICE REGISTER NURSE AND FOR THE WELFARE OF ALL INMATES AT TCF, FAILED TO PERFORM DUTIES, NEGIGENT FOR FAILING TO USE REASONABLE CARE.

12.) CENTURION MEDICAL PROVIDER SARA HART, APRN. SHE IS LEGALLY AND FULLY RESPONSIBLE FOR THE DAILY OPERATIONS AS ADVANCE PRACTICE REGISTER NURSE AND FOR THE WELFARE OF ALL INMATES AT TCF, FAILED TO PERFORM DUTIES, NEGIGENT FOR FAILING TO USE REASONABLE CARE.

13.) CENTURION MEDICAL PROVIDER DR. GREGORY ERB, M.D. HE IS LEGALLY AND FULLY RESPONSIBLE FOR DAILY OPERATIONS AS MEDICAL PROVIDER AND FOR THE WELFARE OF ALL INMATES AT TCF, FAILED TO PERFORM DUTIES, NEGIGENT FOR FAILING TO USE REASONABLE CARE.

14.) GLOBAL DIAGNOSTIC SERVICES PROVIDER DR. SCOTT LOGAN, M.D. HE IS LEGALLY AND FULLY RESPONSIBLE FOR DAILY OPERATIONS AS READING IMAGING REPORTS AND FOR THE WELFARE OF ALL INMATES AT TCF, FAILED TO PERFORM DUTIES, NEGIGENT FOR FAILING TO USE REASONABLE CARE.

15.) COTTON O'NEIL ENDOCRINOLOGY DR. FRANCISCO CORREA, M.R. HE IS LEGALLY AND FULLY RESPONSIBLE TO HIS PATIENTS AND FOR THE WELFARE OF HIS PATIENTS AT TCF, FAILED TO PERFORM DUTIES, NEGIGENT FOR FAILING TO USE REASONABLE CARE.

JUDICIAL NOTICE:

PLAINTIFF CONTENDS SHE IS AFRAID TO FILE AS DEFENDANTS ON SUPERVISOR OFFICERS OR UNIT TEAM MANAGERS DUE TO MS. FRANTZ HAS ALREADY SUFFERED PREA RETALIATION SEEN IN APPENDIX 19, AS SHE IS AFRAID OF CONTINUING RETALIATION.

(6) LEAVENWORTH COUNTY KANSAS SHERIFF ANDREW DEDERKE. HE IS LEGALLY AND FULLY RESPONSIBLE FOR DAILY OPERATIONS OF LVO, KS JAIL AND FOR THE WAFFARE OF ALL INMATES IN THE JAIL, FAILED TO PERFORM DUTIES, NEGIGENT FOR FAILING TO USE REASONABLE CARE.

(7) PHYSICIAN ASSISTANT "JANE DOE" MICHELLE FOR JAIL. SHE IS LEGALLY AND FULLY RESPONSIBLE FOR HER PATIENTS OF LVO, KS JAIL AND FOR THE WAFFARE OF ALL INMATES IN THE JAIL, FAILED TO PERFORM DUTIES, NEGIGENT FOR FAILING TO USE REASONABLE CARE.

(8) NURSE MELISSA WARDROP, LPN FOR JAIL. SHE IS LEGALLY AND FULLY RESPONSIBLE FOR HER PATIENTS OF LVO, KS JAIL AND FOR THE WAFFARE OF ALL INMATES IN THE JAIL, FAILED TO PERFORM DUTIES, NEGIGENT FOR FAILING TO USE REASONABLE CARE.

(9) LEAVENWORTH COUNTY KANSAS SHERIFF'S OFFICERS UNKNOWN NAMES JANE DOE'S AND JOHN DOE'S INVOLVED 7-24-17 THROUGH 7-25-17 OPERATIONS OF THE JAIL LEGALLY AND FULLY RESPONSIBLE FOR INMATES AND FOR THE WAFFARE OF ALL INMATES IN THE JAIL, FAILED TO PERFORM DUTIES, BEATING MS. FRANTZ UNCONSCIOUS AND RAPING WITH INJURIES AS SHE BEING UNCONSCIOUSNESS OVER 24 HOURS AS A DISABLED DETAINEE, NEGLIGENCE FOR FAILING TO USE REASONABLE CARE; INJURED INMATE, PHYSICAL AND SEXUAL ASSAULTS.

(10) PLAINTIFF RESERVES THE RIGHT TO ADD DEFENDANTS AND ENTITIES LATER AS OPEN INVESTIGATIONS ARE CONTINUING THROUGH KANSAS GOVERNMENT AGENCIES, DEPARTMENT OF JUSTICE CRIMINAL DIVISION FBI REF. NO. SB301690224, CIVIL RIGHTS DIVISION 349181-NDK, 351462-SBW, SPECIAL LITIGATION SECTION, STEVEN H. ROSENBAUM 168-29-0-ECATS-2023-193101, KANSAS STATE BOARD OF HEALING ARTS; KANSAS STATE BOARD OF NURSING. APPENDIX NO. 13, 16:
UNDER CIVIL AND CRIMINAL INVESTIGATIONS SUPPORTS CLAIM

PLAINTIFF INCORPORATES APPENDIX'S 1 THROUGH 37 ALREADY FILED IN SUPPORT OF EVIDENCE STATING HER CLAIM, THAT JUDICIAL NOTICE BE TAKEN FROM OPEN INVESTIGATIONS WITH THE DEPT. OF JUSTICE CIVIL RIGHTS DIVISION, CRIMINAL DIVISION, SPECIAL LITIGATION SECTION (PRA), KANSAS STATE BOARD OF HEALING ARTS, KANSAS STATE BOARD OF NURSING ALONG WITH ANY INFERENCES REASONABLY DRAWN FROM THEM, SUPPORTING HER CLAIMS. APPENDIX INDEX PAGES 10, 11, 12

C. CAUSE OF ACTION

1) I allege that the following of my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary you may attach up to two additional pages (8h" x 11") to explain any allegation or to list

~~additional supporting facts.) FEDERALLY PROTECTED RIGHTS TO REDRESS: (CONTINUED
PAGES 3 A-I~~

A) (1) Count I: DEFENDANT'S CONDUCT, MENTAL STATE OF A DELIBERATE INDIFFERENCE

FOR PLAINTIFF'S SUBSTANTIALLY SERIOUS MEDICAL NEEDS, IS CRUEL AND UNUSUAL PUNISHMENTS UNDER THE 8TH AMENDMENT TO THE CONSTITUTION OF THE U.S. IRREPARABLE HARM - FROM SKULL SWELLING PERMANENT DISFIGUREMENT

(2) Supporting Facts: (Include all facts you consider important, including names of

persons involved, places and dates. Describe exactly how each defendant is involved.

State the facts clearly in your own words without citing legal authority or argument.):

MS. FRANTZ HAVING SURGERY AND BIOPSIES OF TUMORS IN HER STOMACH AND BLADDER, ALSO NUMEROUS MEDICAL DIAGNOSIS GIVEN TO HER BY PRE-ARREST SPECIALISTS OF GI, UROLOGY, RHEUMATOLOGY. MS. FRANTZ CONSTANT AND CHRONIC, AND SUBSTANTIAL PAIN BEING GROSSLY DEPRIVE ACCESS TO SPECIALISTS

BEING VISIBLE AND FELT BY EXAM SINCE HER INTAKE TO TCF 7-23-2020.. (CONTINUED
3 A-I

B) (1) Count II: RIGHT TO DUE PROCESS OF LAW UNDER 5TH AND 14TH AMENDMENT.

FREE FROM ABUSE OF DISCRETION ON THE PART OF PRISON ADMINISTRATORS?

PROTECTION FROM UNCONSTITUTIONAL ADMINISTRATIVE ACTION, PROTECTION OF A PRISONER'S LIFE AND HEALTH FROM ADMINISTRATIVE ACTION.

(2) Supporting Facts: DUE PROCESS CLAUSE - EQUAL PROTECTION

DEFENDANT'S ABUSE OF DISCRETION FOR DEPRIVING, TO REMEDY OR TAKE

ACTION AS EXHIBITS 1-37, SHOWING DEFENDANT'S KNOWING OF OBVIOUS

MEDICAL CONDITIONS AND PURPOSEFULLY IGNORING THE RISK OF SERIOUS

INJURY REPORTED BY MS. FRANTZ MEDICAL COMPLAINTS AND GRIEVANCES FILED,

AND LAWSUITS FOR RELIEF.

Continued C. CAUSE OF ACTION IMMINENT DANGER OF SERIOUS PHYSICAL HARM

A COURT MUST ACCEPT PLAINTIFFS DESCRIPTION OF WHAT OCCURRED WITH ANY INFERENCES DRAWN:

A) (2) SUPPORTING FACTS: SHOCKING AND INTOLERABLE CONDUCT, UNDER (CRIMINAL INVESTIGATION). MS. FRANTZ MEDICAL CONDITIONS ARE VERY DEBILITATING NOT ALLOWING FOR ACTIVITIES NOR WORK. CENTURION PROVIDING MS. FRANTZ A STAIR RESTRICTION AND BOTTOM BUNK RESTRICTION IN APRIL OF 2021. KDOC FORM 9 (GRIEVANCE FORMS OF RESPONSE'S SHOWING OUTSIDE APPOINTMENTS ARE SCHEDULED DATED BACK TO NOVEMBER 2020, WHICH THE FACILITY DEPRIVING MS. FRANTZ THESE OFFSITE PROVIDER APPOINTMENTS SHOWN IN GRIEVANCE NO. 176711652 HSA MICHELLE CALVIN, LCP RESPONSE SHOWING SEVERAL OFFSITE PROVIDER APPOINTMENTS WERE CANCELLED DATED 5-6-22. DEFENDANT'S, RVP, RMD, RPD, CENTURION MEDICAL: MENTAL STATE OF 'DELIBERATE INDIFFERENCE', FACTS THAT CENTURION MEDICAL HAS NOT SHOWN HOW THEY ARE INVESTIGATING MS. FRANTZ MEDICAL COMPLAINTS OF HER SKULL SWELLING FORCING HER LEFT EYE-EAR UPWARD. IRREPARABLE HARM AND WORSENING. HER TUMORS FEEL BY EXAM ON HER NECK AND COLLARBONE, HER SEVERELY DISTENDED-HERNIATED ABDOMEN KEEPS HER FROM HENDING AND TWISTING, HER EDEMA WITH PITCHING BREAKING BLOOD VESSELS ON HER LEGS. MS. FRANTZ SUFFERING HORRIFIC PAIN, SUFFERING TO THE POINT FORCING HER TO LAY 18-20 HOURS A DAY TO HELP CONTROL THE HORRIFIC PAIN AND EDEMA. ALL MEDICAL CONDITIONS LISTED ABOVE BEING VISIBLE SINCE MS. FRANTZ 1-23-2020 INTAKE AT TCF. ONGOING FROM LYCO KS JAIL.

PRISON DOCTOR ORDERED GI AND ENT CONSULTS ON 2-2-21, ORDERED FOR MS. FRANTZ AN ABDOMINAL MRI IN APRIL OF 2021. ALL OF WHICH CONTINUES TO BE DENIED TO MS. FRANTZ TO DATE. SERIOUS MEDICAL NEEDS DEPRIVED CARE AND TREATMENT FOR ALMOST 7 YEARS. DELIBERATE INDIFFERENCE TO SERIOUS MEDICAL NEEDS OF PRISONERS CONSTITUTES THE UNNECESSARY AND WANTON INFILCTION OF PAIN. THE EIGHTH AMENDMENT OF THE UNITED STATE CONSTITUTION AND SECTION 9 OF THE KANSAS BILL OF RIGHTS, BOTH PROHIBIT CRUEL AND UNUSUAL PUNISHMENTS. THESE CONSTITUTIONAL RIGHT GUARANTEES, INCLUDING THE RIGHT OF PRISON INMATES TO RECEIVE ADEQUATE MEDICAL CARE AND TREATMENT.

K.S.A. 75-5210 (a) (c), K.A.R. 44-5-112. RIGHTS OF INMATES.

MS. FRANTZ'S RECENTLESS ATTEMPS TO RECEIVE MEDICAL CARE SEEN THROUGHOUT JAIL - KDOC GRIEVANCE'S, WHERE PREPONDERANCE OF THE EVIDENCE THAT THE CONDUCT WAS COMMITTED UNDER COLOR OF STATE LAW, CRUEL AND UNUSUAL PUNISHMENTS, DEPRIVATION OF MEDICAL CARE AND SANE EXAM.

IMPP 10-103 D. FOR SANE EXAM FOR DOCUMENTATION OF PREA INJURIES.

AND THAT DEPRIVED HER OF RIGHTS, PRIVILEGES, OR IMMUNITIES GUARANTEED BY THE CONSTITUTION. MALICIOUS AND SADISTIC ACTIONS BY THE DEFENDANTS OF REPEATED EXAMPLES OF DELIBERATE INDIFFERENCE, CONDUCT SHOWING SYSTEMATIC AND GROSS DEFICIENCIES IN PROCEDURE, ABUSE OF DISCRETION. COUNTS: 1,2,3

APPENDIX 1-37: DEFENDANTS ACTING WITH A CULPABLE STATE OF MIND.

DEFENDANT, ANDREW DEDEKE, SHERIFF OF LEAVENWORTH CO. KS. IN VIOLATION OF MS. FRANTZ'S 8TH AND 14TH AMENDMENTS RIGHTS OF THE 'DUE PROCESS CLAUSE' NOT TO BE PUNISHED AS A DISABLED-DETAINEE. APPENDIX 1,3,16 HABEAS K.S.A. 60-1501 CASES 2017-CV-316, 2020-CV-34. COUNTS: 1,2 DEPRIVED PREA INVESTIGATION UNDER FEDERAL PRISON AND JAIL STANDARDS, SANE EXAM, MEDICAL CARE. 1-28-17 THROUGH 7-23-2020.

DEFENDANT, PA JANE DOE "MICHELLE" AS PHYSICIAN ASSISTANT IN LVCO, KS JAIL SEEING MS. FRANTZ AS A PATIENT JANUARY 2019 THROUGH MAY 28TH, 2020 DENYING BY DELIBERATE INDIFFERENCE TO SUBSTANTIALLY SERIOUS MEDICAL CONDITIONS FOR MS. FRANTZ MEDICAL COMPLAINTS AND IRREPARABLE HARM SKULL SWELLING, PREA INJURIES. APPENDIX 1,3 COUNTS: 1,2

DEFENDANT, MELISSA WARDROP, LPN AS NURSE FOR LVCO, KS JAIL SEEING MS. FRANTZ AS A PATIENT JANUARY 28, 2017 THROUGH 7-23-2020, DENYING BY DELIBERATE INDIFFERENCE TO SUBSTANTIALLY SERIOUS MEDICAL CONDITIONS FOR MS. FRANTZ MEDICAL COMPLAINTS AND IRREPARABLE HARM, PREA INJURIES. APPENDIX 1,3,13,16 COUNTS 1,2

DEFENDANTS, LEAVENWORTH CO. KS SHERIFF'S OFFICERS, JOHN AND JANE DOES, STAFF AND SHERIFF'S OFFICERS INVOLVED IN PHYSICAL AND SEXUAL ASSAULTS OF MS. FRANTZ 7-24-17 THROUGH 7-25-17 PREA INJURIES, DENYING BY DELIBERATE INDIFFERENCE TO SUBSTANTIALLY SERIOUS MEDICAL NEEDS, PREA INJURIES AND IRREPARABLE HARM MEDICAL CONDITIONS FOR MS. FRANTZ HEALTH AND SAFETY. APPENDIX 1,3,13,16 COUNTS: 1,2 SEXUAL ASSAULT AND ABUSE BY SHERIFF'S STAFF WITH PERMANENT INJURY AS MS. FRANTZ BEING A DISABLED DETAINEE 18 U.S.C § 2246

MS. FRANTZ PERMANENT INJURIES OF SCARRING AROUND HER RECTUM AND SKULL SWELLING FORCING HER LEFT EYE-EAR UPWARD FROM SKULL FRACTURE SUFFERED BEING BEATEN UNCONSCIOUS WHILE 24-HOURS OF UNCONSCIOUSNESS SHE WAS RAPED WITH CUTS AROUND HER RECTUM. HOUSED IN

3 B

24-HOUR VIDEO RECORDED MEDICAL HOLDING CELL. UNDER CRIMINAL INVESTIGATION APPENDIX 1

DEFENDANT, 7-23-2020 TILL CURRENT

SECRETARY OF CORRECTIONS JEFF ZMUDA FAILING TO ACT TO REMEDY FOR GRIEVANCE COMPLAINTS OF INADEQUATE MEDICAL CARE, CRUEL AND UNUSUAL PUNISHMENTS, UNNECESSARY AND WANTON INFILCTION OF PAIN AND SUFFERING.

MR ZMUDA RECKLESS DISREGARD AND ABUSE OF DISCRETION FOR FAIL IN ADMINISTRATIVE ACTION OF UNCONSTITUTIONAL ADMINISTRATIVE ACTION, PROTECTION OF MY LIFE AND HEALTH. VIOLATING DUE PROCESS OF LAW. DENYING REMEDIES.

APPENDIX 3,4,5,7,19,20-34 COUNTS: 1,2,3

DEFENDANT'S, TCF WARDEN GLORIA GEITHER AND ACTING WARDEN DAVID McCABE ARE RESPONSIBLE FOR PROVIDING AN ADEQUATE MEDICAL / BEHAVIORAL DEPARTMENT.

BOTH FAILING TO ACT TO REMEDY FOR GRIEVANCE COMPLAINTS OF INADEQUATE MEDICAL CARE, CRUEL AND UNUSUAL PUNISHMENTS, UNNECESSARY AND WANTON INFILCTION OF PAIN AND SUFFERING. AS ADMINISTRATORS INDIFFERENCE FOR SUCH OBVIOUS MEDICAL CONDITIONS, CONSTANT MEDICAL GRIEVANCE'S FOR MS FRANTZ REPORTING SUFFICIENTLY SERIOUS MEDICAL NEEDS. INFOLORABLE CONDUCT FOR SUCH DISREGARD FOR SUCH A LONG PERIOD OF TIME. EXTREME VIOLATION OF DUE PROCESS OF LAW AND ABUSE OF DISCRETION. APPENDIX 3,4,5,7,10,11,14,19,20-34 COUNTS: 1,2,3

7-23-2020 TILL CURRENT

MS FRANTZ RAISED POLICY OF EMERGENCY MEDICAL CARE IN GO 13-102 CRITICAL MEDICAL CONDITIONS: MEDICAL ISSUES THAT ARE NOT IMMEDIATELY LIFE THREATENING, BUT MAY PROGRESS TO LIFE THREATENING CONDITIONS AND /OR RESULT IN LOSS OF BODY PARTS WITHIN A SHORT PERIOD OF TIME. AS MS FRANTZ POINTED OUT IN GRIEVANCE ELECTRONICALLY FILED (DENIED KAR 44-15-02) FOR REMEDY AND RESPONSE FOR GO 13-102 SHOWING "SEVERE LOCALIZED TRAUMA TO HEAD" GO 13-102 NO. 3 EMERGENCY CARE FOR LIFE THREATENING, CRITICAL AND SERIOUS CONDITIONS. A. ANY STAFF WHO IDENTIFIES AN EMERGENCY REQUIRING MEDICAL ATTENTION WILL IMMEDIATELY NOTIFY THE TOPEKA CONTROL CENTER BY RADIO OR OTHER MEANS OF COMMUNICATION . . .

GO 13-102 BEING REVOKED CITING REPETITIVE INFORMATION LOCATED IN IMPP 16-108 D. THIS IS INCORRECT INFORMATION AS IMPP 16-108 D: STATES NOTHING ABOUT "SEVERE LOCALIZED TRAUMA TO HEAD." APPENDIX NO. 11

EVIDENCE: APPENDIX 13, SHOWING PHOTOS OF MS FRANTZ'S FACIAL DISFIGUREMENT SKULL SWELLING FORCING HER LEFT EYE-EAR UPWARD. IRREPARABLE HARM.

MS. FRANTZ SENT KDOC 8-16-23 APPEAL GRIEVANCE FOR 2-5-23 AND 3-20-23 FOR KDOC RESPONSE FOR REMEDY. MS. FRANTZ RECEIVED RESPONSE BACK FROM KDOC 9-12-23, RESPONDING "THESE ISSUES HAVE ALREADY BEEN ADDRESSED AND THESE COMPLAINTS ARE REPETITIVE" DATED 8-22-23. (DEPRIVED A PROPER RESPONSE)

MS. FRANTZ 2-5-23 GRIEVANCE SENT TO KDOC AS K.A.R. 44-15-201 SPECIAL KINDS OF PROBLEMS HAVING ATTACHMENT OF LETTER 1-2-23 TO CENTURION MEDICAL ADVOCATES SHOWING 13 NUMBERED ISSUES FOR REQUEST FOR RESPONSE'S TO MEDICAL CONCERN'S AND ASSISTANCE WHICH STILL TODAY CENTURION DENIES TO RESPOND TO MS. FRANTZ. FAILING TO PROVIDE ASSISTANCE FOR SUCH DEPRIVATION OF MEDICAL CARE FOR VITAL ORGANS AND RESPONSE'S FOR CONCERN'S. APPENDIX NO. 4

MS. FRANTZ' 3-20-23 KAR 44-15-201 COMPLAINT ADDRESSES MANY CONCERN'S OF REQUEST FOR EXCEPTION FOR LEGAL BOX, STAFF MISCONDUCT FOR CREATING IDENTICAL DUPLICATE GRIEVANCES AND BLAMING MS. FRANTZ, AND STAFF MISCONDUCT OF EAI MR. SHANKS AND MR. WINKELMAN VIOLATING POLICY IMPP 10-103 D, FOR MS. FRANTZ TO OBTAIN SANE EXAM, AS MS. FRANTZ REQUESTED KDOC SECRETARY OF CORRECTIONS TO SCHEDULE MS. FRANTZ THIS TRANSPORT ORDER FOR GOING TO THE HOSPITAL FOR SANE EXAM AND MEDICAL TESTING. FURTHER REQUESTING KDOC FOR RESPONSE'S TO ELECTRONIC GRIEVANCES WHICH KDOC FAILS TO RESPOND FOR REMEDIES TO VERY SERIOUS STAFF MISCONDUCT, DELIBERATE INDIFFERENCE TO MS. FRANTZ MEDICAL NEEDS, VIOLATIONS OF POLICY. APPENDIX 19, 20-33 JEFF ZMELA COMPLETELY VIOLATING DUE PROCESS OF (AC) MARICLUOUSLY AND SADISTICALLY DEPRIVING MS. FRANTZ HER CONSTITUTIONAL RIGHTS, STATE RULES AND REGULATIONS AS SUBSTANTIALLY SERIOUS MEDICAL NEEDS FURTHER CAUSING IRREPARABLE HARM AND LINGUING DEATH AS CENTURION DOES NOT SHOW HOW THE MEDICAL DEPT. IS WORKING TO INVESTIGATE TO CURE MS. FRANTZ' MEDICAL COMPLAINTS TO VITAL ORGANS FOR SURVIVAL. APPENDIX NO. 4, 19, 20-33

CURRENTLY MS. FRANTZ HAS APPEALED GRIEVANCE #20240006 DATED 10-1-23 WITH REQUEST TO ACCESS MEDICAL PROVIDERS NOT UNDER INVESTIGATION, AS SEVERE CONFLICT OF INTEREST SHOWN IN ATTACHED DOCUMENTS AND THE MARICLUOUS INDIFFERENCE ARGUED. KDOC FAILS TO PROVIDE MS. FRANTZ A RESPONSE FOR REMEDY AS OF TODAY IN VIOLATION OF K.A.R. 44-15-102 GRIEVANCE PROCEDURE FOR RESPONSE - REMEDY. APPENDIX NO. 5 (NO RESPONSE FROM KDOC AS OF 12-19-23)

TOPEKA CORRECTIONAL FACILITY WARDEN GLORIA GEITHER REVOKING GO 13-102 AFTER MS. FRANTZ COMPLAINTS TO BE TAKEN TO THE EMERGENCY ROOM PER POLICY GO 13-102 SEVERE LOCALIZED TRAUMA TO HER HEAD A CRITICAL MEDICAL CONDITIONS. IMPP 16-108D. POLICY: EACH FACILITY SHALL DEVELOP AND MAINTAIN A WRITTEN PLAN THAT PROVIDES FOR ACCESS TO 24-HOUR EMERGENCY MEDICAL, DENTAL AND BEHAVIORAL HEALTH SERVICES FOR RESIDENTS AND STAFF. GO 13-102 WAS THE FACILITIES WRITTEN PLAN FOR EMERGENCY MEDICAL / DENTAL CARE.

DEFENDANT, 7-23-2020 TIL CURRENT

KDOC IMPP 10-121 D. NO. 4 DIRECTOR OF HEALTH CARE SERVICES, CATHY ROBINSON, A. THE DHCS SHALL BE DESIGNATED BY A CONTRACT WITH KANSAS UNIVERSITY MEDICAL CENTER. (KU HOSPITAL) 1. THE DHCS IS RESPONSIBLE FOR THE OVERALL MANAGEMENT OF ALL HEALTH CARE SERVICES.

DHCS, CATHY ROBINSON IN VIOLATION OF MS. FRANTZ FEDERALLY PROTECTED RIGHTS FOR MEDICAL CARE AND TREATMENT.

MS. FRANTZ WAS WHISTLEBLOWING ON KU HOSPITAL'S MEDICAL ERROR CAUSING INJURY TO MS. FRANTZ'S VITAL ORGANS HAVING SURGERY AND BIOPSY'S OF TUMORS PRIOR TO HER ARREST. KU HOSPITAL AND SOME AFFILIATES WITHHOLDING SERIOUS MEDICAL DIAGNOSIS' FROM MS. FRANTZ'S IMAGING REPORTS.

MANY STAFF HAS STATED TO MS. FRANTZ THAT THE DECISIONS REGARDING HER AND HER MEDICAL ARE COMING FROM WAY, WAY, WAY, WAY ABOVE THEIR PAY GRADE. APPENDIX 3, 4, 8, 9, 10, 13, 14, 15, 36, 37 (COUNTS: 1, 2, 3)

DEFENDANT, 7-23-2020 TIL CURRENT

HSA MICHELLE CALVIN, LCP BEING RESPONSIBLE FOR ENSURING RESIDENTS ARE TAKEN TO THEIR OFFSITE APPOINTMENTS. MS. CALVIN FAILURE TO ENSURE MS. FRANTZ RECEIVING TRANSPORTATION TO THESE SEVERAL OFFSITE PROVIDER APPOINTMENTS SCHEDULED, HAVING CLINICAL EVIDENCE TO WARRANT THAT SPECIALISTS EVALUATE MS. FRANTZ SUBSTANTIALLY SERIOUS MEDICAL COMPLAINTS, PRE-EXISTING MEDICAL CONDITIONS BEING VISIBLE, OBVIOUS TO THE LAY PERSON COULD EASILY RECOGNIZE THE NEED FOR A DOCTOR'S ATTENTION AS IRREPARABLE HARM TO MS. FRANTZ, DETERIORATING MEDICAL CONDITIONS EFFECTING HER SURVIVAL, DELIBERATELY DEPRIVING, DELIBERATE INDIFFERENCE TO MS. FRANTZ MEDICAL NEEDS. APPENDIX 3, 4, 8, 10, 13, 14, 15, 36, 37 (COUNTS: 1, 2, 3) 3 E

IN ESPELLE V. GAMBLE, 429 U.S. 97, 103 (1976), THE UNITED STATES SUPREME COURT HELD THAT "BECAUSE AN INMATE CANNOT OBTAIN HIS OWN MEDICAL CARE AND IS DEPENDENT UPON PRISON OFFICIALS, IF THE AUTHORITIES FAIL TO DO SO, THOSE NEEDS WILL NOT BE MET."

DEFENDANT

MS. FRANTZ VISITS TO COTTON O'NEIL ENDOCRINOLOGY FOR SEEING DR. FRANCISO CORREA, MD ON VISITS 1-18-21, 2-10-21 AND 5-3-22. MEDICAL DOCUMENTS PAGES 1-5, PAGE 6 SHOWING "WILL ORDER A NEW THYROID US TO BE DONE AT STORMONT VAIL."

MS. FRANTZ HAS NEVER BEEN TAKEN TO STORMONT VAIL FOR THIS ORDER 1-28-21.

CENTURION HSA MICHELLE CANIN, LCP HAS A RESPONSE PAGE 4-7-21, "HER (MS. FRANTZ) BELIEF THAT ANOTHER SCAN AND A BIOPSY WERE TO BE PERFORMED."

DEFENDANT 7-23-2020 TIL CURRENT

10-16-20 GLOBAL DIAGNOSTIC SERVICES DR. SCOTT LOGAN, MD REPORTED, LEFT LOBE: NODULE COLLOID CYST IN THE MID LOBE. MS. FRANTZ REPORTS OF KNOTS ON HER ITHMUS THYROID GLAND AND HER COLLARBONE, WHICH DR. LOGAN WITHHELD REPORTING ON THESE FELT BY EXAM SINCE BEFORE HER 7-23-2020 INTAKE AT TCF.

DR. LOGAN REPORT ON IMPRESSION: NO. 3. CORRELATION WITH HISTORY, PHYSICAL EXAM AND LABORATORY VALUES WOULD BE RECOMMENDED. THE NEED FOR FURTHER EVALUATION WITH AN IODINE 123 SCAN AND/OR FINE NEEDLE ASPIRATION SHOULD BE DETERMINED CLINICALLY. APPENDIX NO. 9, 13, 36 COUNTS: 1, 2

DEFENDANT 7-23-2020 TIL CURRENT

DR. CORREA REFUSES TO ACKNOWLEDGE THESE KNOTS ON MY ITHMUS THYROID GLAND AND COLLARBONE ON MY VISIT 5-3-22. ALTHOUGH DR. CORREA MADE KNOWLEDGE OF FEELING MY ITHMUS THYROID GLAND HAVING A KNOT, ENLARGEMENT ON MY VISIT ON 1-18-21, STATING HE WOULD DO ANOTHER SCAN TO GET A BETTER LOOK. APPENDIX 9, 13, 36 COUNTS: 1, 2

JUST ONE EXAMPLE OF SHOWING THE CONCEALMENT OF THESE KNOTS ALSO BY JENA LEE, MD, SARA HART, APRN, APRIL FARRELL, APRN AND DR. GREG ERB. ALL OF WHICH HAVE FELT THESE KNOTS WHICH HAVE NOW TODEATE ENLARGED AND MORE KNOTS HAVE DEVELOPED. MS. FRANTZ'S SKIN SWELLING CONTINUES TO VISIBLELY WORSEN CAUSING FURTHER IRREPARABLE HARM.

ON 1-27-23 MS. FRANTZ WAS SEEN BY OPTOMETRIST DR. DYCK, WHICH DR. DYCK STATED HE WOULD ONCE AGAIN MAKE ANOTHER RECOMMENDATION FOR MS. FRANTZ AN MRI, SENDING E-MAIL TO DR. ERB.

DR. RANIA DYCK HAS SEEN MS. FRANTZ 3-24-22 FOR EYE EXAM, MAKING HIS FIRST RECOMMENDATION FOR MS. FRANTZ AN MRI, SENDING E-MAIL TO THEN CENTURION-TCF MEDICAL PROVIDER JENA LEE, M.D.

MS. FRANTZ SEEN OPTOMETRIST DR. DYCK AGAIN ON 6-8-23 RECOMMENDING FOR MS. FRANTZ AN MRI FROM EYE EXAM, WHICH DR. DYCK WAS NOT AWARE OF CENTURION-TCF HAVING A NEW MEDICAL PROVIDER, IN APRIL OF 2023, BEING DR. GREG ERB, M.D. KORA REQUEST FOR EMAIL OF RECOMMENDATIONS.

APPENDIX NO. 6

DEFENDANT, MS. FRANTZ CHRONIC CARE VISIT ON 10-3-23 WITH DR. GREG ERB, WHICH MS. FRANTZ WAS FORCED TO LEAVE THIS VISIT WITHOUT ANSWERS FROM DR. ERB FOR HER QUESTIONS TO DR. ERB AS NURSE CANDI KUIPERS, RN WORKING OUT OF HER SCOPE OF PRACTICE ALSO PRESENT AT THIS VISIT, HAD INTERFERED BY FORCING MS. FRANTZ OUT OF HER VISIT DENYING MS. FRANTZ HER VISIT WITH DR. ERB AND RESPONSES TO HER QUESTIONS, AND DENYING MEDICAL EXAMINATION. APPENDIX 3, 8, 9, 13, 31 COUNTS: 1, 2, 3 APRIL 10th 2023 TILL CURRENT

DEFENDANTS, CENTURION PROVIDERS OUT OF THEIR SCOPE OF PRACTICE FOR VITAL ORGANS.

MS. FRANTZ COUNTLESS VISITS WITH CENTURION MEDICAL PROVIDERS: DR. JENA LEE, M.D., APRIL FARRELL, APRN, SARA HART, APRN, DR. GREGORY ERB, M.D. EACH INDIVIDUAL MEDICAL PROVIDER EXAMINATING MS. FRANTZ'S OBVIOUS AND FELT BY EXAM SINCE HER 7-23-2020 INTAKE OF MEDICAL CONDITIONS WHICH A LAY PERSON COULD EASILY RECOGNIZE THE NEED FOR A DOCTOR'S ATTENTION. AS MS. FRANTZ MEDICAL CONDITIONS CONTINUE TO WORSEN FROM MEDICAL PRACTITIONERS MALICIOUS INDIFFERENCE TO SUBSTANTIALLY SERIOUS MEDICAL NEEDS, OF HER SKULL SWELLING FORCING HER LEFT EYE-EAR UPWARD, TUMORS FELT BY EXAM ON HER ITHMUS THYROID GLAND-COLLARBONE, SEVERELY DISTENDED-HERNIATED ABDOMEN, EDEMA ON HER LEGS-PITTING, BREAKING BLOOD VESSELS. GROSSLY DEPRIVED MEDICAL CARE AND TREATMENT AND GATEKEEPER ROLE TO ACCESS SPECIALISTS CONSULTS CAPABLE TO EVALUATE, MS. FRANTZ RELENTLESS ATTEMPTS TO SEEK MEDICAL CARE AS FEDERALLY PROTECTED RIGHTS FOR PRISONERS FOR MEDICAL CARE. APPENDIX 3, 7, 8, 9, 10, 13, 14, 36, 37

DEFENDANT'S,

7-23-2020 till current

KDOC, EAII MR. RYAN SHANKS AND SUPERVISOR JOSHUA WINKLEMAN HAD MADE JUDGEMENTS AND ASSUMPTIONS, DE ME^{NOT} BEING A VICTIM OF SEXUAL ABUSE REPORTING MY INJURIES OF MY SKULL SWELLING AND SCARRING AROUND MY RECTUM, AGAINST POLICY. BOTH REPORTING IN GRIEVANCE'S NOT BELIEVING MY INJURIES WERE ATTRIBUTED TO ANY ASSAULTS OCCURRING DURING MY DETENTION IN LICO, KS JAIL. THEREFORE REFUSING TO RECOMMEND ME FOR THE SANE EXAM.

THIS IS IN VIOLATION OF KDOC IMPP POLICY 10-103 D. APPENDIX 3, 4, 13, 14, 16
(COUNTS : 1, 2, 3)

MS. FRANTZ'S YUCA RAPE COUNSEOR/COMMUNITY ADVOCATE HANNAH BURRELL HAD STATED TO ME, I SHOULD OF HAD THIS SANE EXAM WHEN I REPORTED PREA ON LICO, KS SHERIFF'S OFFICERS TO EAII ON 8-6-2020 NARRATIVE REPORT.

MS. BURRELL STATED, "THIS SANE EXAM WOULD HAVE OPENED THE DOOR FOR ME TO RECEIVE MEDICAL CARE IN 2020." APPENDIX NO. 3 (DELIBERATE AND CALCULATED) BY EAII MR. SHANKS AND MR. WINKLEMAN INVOLVEMENTS IN DENYING MEDICAL CARE.

MS. FRANTZ PRE-ARREST MEDICAL RECORDS WHICH IVE SUPPLIED TO KANSAS BOARD OF HEALING ARTS, OPENING-UP AN INVESTIGATION 7-16-21 COMPLAINT, SHOWING MEDICAL RECORDS OF ME HAVING BIOPSY'S OF TUMORS IN MY STOMACH IN 2015. MY SEVERELY DISTENDED-HERNIATED ABDOMEN STARTED SHOWING THE WORSENING WHILE I WAS HOUSED IN LICO, KS JAIL IN 2019.

APPENDIX NO. 8, 13, 14, 15, 16, 36, 37

MS. FRANTZ QUESTIONS HER SURVIVAL AT THIS POINT OF BEING DELIBERATELY ALLOWED TO WORSEN, SUFFERING HORRIFIC PAIN, BEING SEVERELY DISABILITATING FOR PURPOSES OF CONCEALMENT. AS PROTECTION DATING BACK TO KU HOSPITAL'S MEDICAL ERROR AND PREA INJURIES. MS. FRANTZ FEARING FOR HER SAFETY AND LIFE AS HER BEING IN THE CUSTODY OF HER ABUSER'S WHICH WOULD FACE VERY SERIOUS CRIMINAL CHARGES AND INVOLVING COUNTLESS NUMBER OF PRACTITIONERS ALSO INVOLVED INTO WRONGFULLY CONVICTING MS. FRANTZ TO HIDE HER AWAY IN PRISON TO CONTINUE THE CONCEALMENT. CRIMINAL ACTIONS LOOKING AS IF RICO ACT "ENTERPRISE" PATTERN OF RACKETEERING ACTIVITY, EXTENDING OVER A SUBSTANTIAL PERIOD OF TIME. 18 U.S.C.S. § 1961-1968, et al.

HABEAS CORPUS LEAVENWORTH DISTRICT COURT CASE NO. 23-CV-29. APPENDIX NO. 13

HABEAS CORPUS LEAVENWORTH DISTRICT COURT CASE NO. 2020-CV-34. APPENDIX NO. 35

((CRIMINAL INVESTIGATIONS UNDERWAY FOR RICO VIOLATIONS FOR ABOVE CASE.)) 3 H

EXCEPTION FOR COURT TO TOLL THE 2 YEAR STATUTE OF LIMITATIONS OF INJURY.

FRAUDULENT CONCEALMENT

EXCEPTIONS WARRANT EXTENDING THE NORMAL TWO YEAR STATUTE LIMITATIONS FOR FRAUDULENT CONCEALMENT, BY DEFENDANTS, SHOULD TOLL THE STATUTE LIMITATIONS BECAUSE PLAINTIFF STILL HAS NOT BEEN DIAGNOSED WITH INJURY AS A RESULT OF DEFENDANT'S INTENTIONAL CONCEALMENT.

MS. FRANTZ INCARCERATION PREVENTS HER FROM SEEKING OTHER MEANS OF MEDICAL CARE EXCEPT THROUGH JAIL-PRISON ADMINISTRATORS.

MS. FRANTZ SKULL SWELLING FORCING HER LEFT EYE-EAR UPWARD FROM SKULL FRACTURE FROM PREA INJURIES BEGAN SHOWING JANUARY OF 2020.

MS. FRANTZ HAS MADE ATTEMPTS CONTINUOUSLY TO FILE HER CLAIMS FOR RELIEF, FOR INJUNCTIVE RELIEF, MEDICAL CARE FROM HER PREVIOUS LAWSUITS DEALING WITH THE SAME FACTS AS SEEN IN: D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF.

DEFENDANT'S KEEPING MS. FRANTZ UNDIAGNOSED AND UNTREATED FOR PURPOSES OF FRAUDULENT CONCEALMENT, SHOWING A MENTAL STATE OF DELIBERATE INDIFFERENCE, AND FOR DEPRIVING MS. FRANTZ DOCUMENTATION OF DIAGNOSES FOR INTENTIONAL CONCEALMENT, OF GROSS DEPRIVATION TO SUBSTANTIALLY SERIOUS MEDICAL NEEDS, WHICH BEING IN VIOLATION OF MS. FRANTZ'S CONSTITUTIONAL RIGHTS, CAUSING IRREPARABLE HARM AND LINGUING DEATH WITHOUT NECESSARY INJUNCTIVE RELIEF FROM THIS COURT. DOCUMENTED INJURY BY MEDICAL PRACTITIONERS STILL HAS NOT OCCURRED IN THIS CASE WHICH ALLOWS THE TWO YEAR STATUTE OF LIMITATIONS TO BE FORLED FOR SUCH FRAUDULENT CONCEALMENT CONTINUING FOR SUCH A LONG PERIOD OF TIME. DATE OF DISCOVERY STILL HAS NOT OCCURRED IN THIS CASE, FOR MS. FRANTZ'S DEBILITATING AND VISIBLE MEDICAL COMPLAINTS, UNDER CRIMINAL DIVISION OF FBI INVESTIGATION REF. NO. SB301690224; CIVIL RIGHTS DIVISION - SPECIAL LITIGATION SECTION (PREA) STEVEN H. ROSENBAUM 168-29-O-ECATS-2023-193101.

DIRECTED BY THE UNITED STATES ATTORNEY'S GENERAL WASHINGTON, DC

VIOLATION OF FIRST AMENDMENT:

FIRST AMENDMENT, PROTECTS A PRISONER'S RIGHT TO FILE A GRIEVANCE REPORT AGAINST PRISON OFFICIAL.

C) (1) Count III: KDOC POLICY AND PROCEDURE: VIOLATIONS

A.) IMPP 10-103 D. COORDINATED RESPONSE TO SEXUAL ABUSE AND HARRASSMENT.

B.) IMPP 16-108 D. - GO 13-102 EMERGENCY MEDICAL /DENTAL

C.) K.A.R. 44-15-102, 201 GRIEVANCE PROCEDURE VIOLATIONS

(2) Supporting Facts: _____

KDOC-TCF-CENTURION DEFENDANT'S IN VIOLATION OF STATE'S POLICIES

AND PROCEDURES A- VIOLATION OF MS. FRANTZ RIGHTS FOR SANE EXAM/MEDICAL TESTING

B- VIOLATIONS OF MS FRANTZ RIGHT TO EMERGENCY MEDICAL CARE FOR HEAD TRAUMA.

C- VIOLATIONS OF MS FRANTZ GRIEVANCE PROCEDURE FULL ESCALATION / RESPONSES.

D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

1) Have you begun other lawsuits in state or federal court dealing with the same facts

involved in this action or otherwise relating to the conditions of your imprisonment?

Yes No . If your answer is "Yes", describe each lawsuit. (If there is more than

one lawsuit, describe the additional lawsuits on another piece of paper, using the same

outline.)

(CONTINUED PREVIOUS LAWSUITS PAGE 4A)

a) Parties to previous lawsuit:

Plaintiffs: BARBARA FRANTZ

Defendants: ANDREW DEDERKE

b) Name of court and docket number DISTRICT COURT OF LEAVENWORTH CO. KS

CASE NO. 2017-CV-316 K.S.A. 60-1501 HABEAS

c) Disposition (for example: Was the case dismissed? Was it appealed? Is it still

pending?) dismissed, court appointed denied request to appeal

d) Issues raised ADDITIONAL PAIN RELIEVER, PURCHASE PAIN RELIEVER

FROM CANTEEN, DENIAL OF MEDICAL CARE 14th AMENDMENT VIOLATIONS

D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

2.) STATE COURT WITH SAME FACTS INVOLVED IN THIS ACTION REGARDING TO THE PRISON CONDITIONS. YES

(a) PARTIES TO PREVIOUS LAWSUIT

PLAINTIFF: BARBARA FRANTZ

DEFENDANT: ANDREW DEDEKE

(b) DISTRICT COURT OF LEAVENWORTH, CO. KS CASE NO. 2020-CV-34

(c) DISMISSED AS MOOT DENIED PROCEDURAL DUE PROCESS FOR HEARING

(d) ACCESS TO SPECIALISTS, PURCHASE CANTEEN FOOD / PAIN RELIEVER
DELIBERATE INDIFFERENCE FOR MEDICAL CARE, PHYSICAL / SEXUAL ASSAULTS

(e) 2020 1-31-2020 HABEAS K.S.A. 60-1501

(f) 2023 14th AMENDMENT VIOLATIONS

3.) FEDERAL COURT WITH SAME FACTS INVOLVED IN THIS ACTION REGARDING TO PRISON CONDITIONS. YES

(a) PARTIES TO PREVIOUS LAWSUIT

PLAINTIFF: BARBARA FRANTZ

DEFENDANT: STATE OF KANSAS, et al.

(b) U.S. DISTRICT COURT OF KS CASE NO. 21-3117-SAC

(c) DISMISSED - APPEALED TO COURT OF APPEALS CASE NO. 2022-3014
APPEALED TO U.S. SUPREME COURT CASE NO. 5121

(d) INJUNCTIVE RELIEF, ACCESS TO SPECIALISTS, DELIBERATE INDIFFERENCE

(e) MAY 2021 CIVIL RIGHTS COMPLAINT PRISON CONDITIONS

(f) 2023 DENIED PROCEDURAL DUE PROCESS FOR HEARING

e) Approximate date of filing lawsuit 2017

f) Approximate date of disposition NOT SURE US COURT OF APPEALS

1) I have previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C Yes No . If your answer is "Yes", briefly describe how relief was sought and the results. If you answer is "No", briefly explain why administrative relief was not sought.

ADMINISTRATIVE GRIEVANCE PROCEDURE - DENIED REMEDY SEEKED,
THROUGH LEAVENWORTH CO. KS JAIL AND KDOC GRIEVANCE PROCEDURES.
KDOC - TCF VIOLATING K.A.R. 44-15-102 GRIEVANCE PROCEDURE
DENYING ELECTRONIC GRIEVANCES ESCALATION TAB TO KDOC/ KDOC
DENYING RESPONSES²⁾ REQUEST FOR RELIEF

1) I believe that I am entitled to the following relief: FEDERAL RULE OF CIVIL PROCEDURE 8(a)(2)
PROSPECTIVE RELIEF
RULE 65, INJUNCTIVE RELIEF FOR: SANE EXAM WITH MEDICAL TESTING; ACCESS TO SPECIALISTS
FOR MEDICAL CARE; LEAST RESTRICTIVE HOUSING ACCESSING THE MOST PROGRAMS AND
PRIVILEGES AT CENTRAL COMPOUND; ESCALATION OF GRIEVANCE PROCEDURE TO KDOC; AND
AWARD COMPENSATORY AND PUNITIVE DAMAGES (TO BE DETERMINED); AND
GRANT SUCH OTHER RELIEF PLAINTIFF IS ENTITLED.
FACTS STATED A CLAIM TO RELIEF THAT IS PLAUSIBLE ON ITS FACE.

Signature of Attorney (if any)

Signature of Plaintiff

Barbara F
BARBARA FRANTZ # 124145

(Attorney's full address and telephone number)

UNDER 28 U.S.C. SECTION 2283-2284

INJUNCTIVE RELIEF NO. 1

RUIE 65 (a) (2) SANE EXAM- Medical testing

MS. FRANTZ SEEKS "PROSPECTIVE RELIEF" PRELIMINARY RELIEF TO CORRECT THE VIOLATION OF HER FEDERALLY PROTECTED RIGHTS FOR PRISONERS FOR MEDICAL CARE, 1ST, 5TH, 8TH, 14TH AMENDMENTS OF U.S. CONSTITUTION; AND PRISON AND JAIL STANDARDS 28 C.F.R. PART 115; AND, KDOC POLICY IMP 10-103 D. (PREA) PRISON RAPE ELIMINATION ACT.

SANE EXAM, SEXUAL ASSAULT NURSES EXAMINATION AND MEDICAL TESTING, MS. FRANTZ YWCA RAPE COUNSELOR / COMMUNITY ADVOCATE EMAIL 1-18-23 9:34 AM SENT TO SARAH KOWALEWSKI KDOC, FOR REQUESTED MEDICAL TRANSPORT ORDER TO STORMONT-JAIL HOSPITAL FOR SANE EXAM "AS SOON AS POSSIBLE". AND FURTHER RAPE COUNSELOR MS. HANNAH BURRELL REQUEST FOR MS. FRANTZ MEDICAL TESTING: "I BELIEVE HAVING ACCESS TO THESE MEDICAL APPOINTMENTS OUTSIDE OF THE FACILITY WILL BE BENEFICIAL TO THIS CLIENT."

1. MRI HEAD & TOE
2. UPPER GI TEST
3. EXTENSIVE LABS
4. STD SCREENING
5. PAP SMEAR
6. CANCER TESTING
7. RECTUM DAMAGE / SCARRING (PART OF SANE EXAMINATION)
8. EYE AND EAR EXAMS
9. IODINE 123 SCAN THYROID
10. EKG

28 C.F.R. PART 115: DOT PREA STANDARDS § 115.21 (C) FORENSIC MEDICAL EXAMINATION (SANE)

YWCA NORTHEAST KANSAS

225 W. 12TH ST.

TOPEKA, KS. 66601

T: 785-354-1927 F: 785-232-2902

REFERRED BY HANNAH BURRELL DOMESTIC VIOLENCE COUNSELOR CENTER FOR SAFETY AND EMPOWERMENT APPENDIX 3, 16 SUPPORTING EVIDENCE YWCA E-MAIL # 14, 15 PREA STANDARDS-POLICY ALSO ORDERING PRISON ADMINISTRATION TO FOLLOW DOCTORS ORDERS FOR TREATMENT AND CARE AS RECOMMENDED. SEE: ESTEVE, 429 U.S. AT 106; RAMOS V. LAMM, 639 F.2d 559, 575 (10TH CIR. 1980).

MS. FRANTZ'S SKULL SWELLING WORSENING TO THE RIGHT SIDE OF HER HEAD AND BACK SIDE SKULL AT THE BASE, FURTHERING INJURY FROM SKULL FRACTURE WHICH SKULL SWELLING FORCING HER LEFT EYE AND EAR UPWARD CAUSING IRREPARABLE HARM FACIAL DISFIGUREMENT THREATENING MS. FRANTZ LIFE. AS WITH THE DEBILITATING MEDICAL CONDITIONS LEAVING MS. FRANTZ BED-RIDDEN 18-20 HOURS A DAY TO HELP CONTROL HORRIFIC PAIN AND SUFFERING, SEVERE PUFFING FROM EDEMA ON HER LEG CAUSING BLOOD VESSELS TO BREAK.

FACIAL DISFIGUREMENT, SEVERELY DISTENDED-HERNIATED ABDOMEN, TUMORS FELT BY EXAM BEING OBVIOUS TO THE LAYPERSON, PLAUSIBLE ON ITS FACE, INJURY BEING LEFT UNATTENDED CAUSING SUBSTANTIAL SERIOUS MEDICAL NEEDS, AS DEPRIVATION WHICH PRISON PERSONNEL MALICIOUSLY AND SATISFACTORILY, KNOWINGLY AND RECKLESSLY, DEPRIVES MS. FRANTZ ACCESS TO SPECIALISTS CAPABLE TO EVALUATE MS. FRANTZ'S CONSTANT AND ONGOING MEDICAL COMPLAINTS AND PRE-ARREST MEDICAL DIAGNOSIS', POSES A SUBSTANTIAL RISK OF SERIOUS HARM AND LINGUING DEATH.

MALICIOUS INDIFFERENCE BY RESPONDENTS, KDOC, ET AL. CITE EXAMPLES OF THE PATTERN OF DEPRIVING AND VIOLATING DUTIES FOR DUE PROCESS AS GROSS CONCEALMENT BY CONSPIRACY TO DEPRIVE, NEGLECTING ADMINISTRATIVE REMEDIES TO EXTREMELY INADEQUATE MEDICAL CARE AND TREATMENT, INFICTING NEEDLESS PAIN AND SUFFERING, CRUEL AND UNUSUAL PUNISHMENTS TO INTENTIONALLY CAUSE MS. FRANTZ GREAT HARM. SEE: HULSON V. McMILLIAN, 503 U.S. 1; PEREZ V. FENOGLIO, 792 F.3d 768; ESTELLE V. GAMBLE, 429 U.S. 97, 104, 97 S. CT. 285 50 L. ED. 2d 251 (1976); DARNEEL V. SIMMONS, 30 KAN APP. 2d 778, 780, 48 P.3d 1278 (2002). KDOC IMPP 10-103 D. POLICIES AND PROCEDURES (SEXUAL ABUSE)

INJUNCTIVE RELIEF NO. 2 HOUSING PLAINTIFF AT CENTRAL COMPOUND

FURTHER, MS. FRANTZ ASKED THIS COURT FOR INJUNCTIVE RELIEF FOR ORDERING FOR TOPEKA CORRECTIONAL FACILITY TO FOLLOW POLICY, KDOC IMPP 10-103 D. UNDER LEAST RESTRICTIVE HOUSING: HOUSING THAT AFFORD VICTIMS OF OFFENDER SEXUAL ABUSE THE MOST ACCESS TO PROGRAMMING AND PRIVILEGES WHILE ENSURING THE SAFETY OF THE VICTIM AND THE SECURITY OF THE FACILITY.

COURT ORDERING MS. FRANTZ AS A VICTIM OF SEXUAL ASSAULT WHILE INCARCERATED TO BE HOUSED AT TCF CENTRAL COMPOUND HAVING SAME SECURITY MEASURES AS I-CELL HOUSE WHERE MS. FRANTZ IS CURRENTLY HOUSED.

MS. FRANTZ CONTENDS TCF HOUSING MS. FRANTZ AT I CELL HOUSE AS PEGA RETALIATION, TO INFIL FURTHER CRUEL AND UNUSUAL PUNISHMENTS ONTO HER AS I-CELL IS MAX CUSTODY RESIDENTS. RESIDENTS HOUSED IN I-CELL HOUSE BEING EXTREMELY VIOLENT AND AGGRESSIVE WITH THE HARSHTEST PRISON CONDITIONS AND THE LEAST PRIVILEGES, PROGRAMMING. DENIED COPIES OF ELECTRONIC GRIEVANCES FOR SHOWING AS TCF CURTAILING GRIEVANCES. APPENDIX NO. 4, 12, 14 SUPPORTS EVIDENCE

INJUNCTIVE RELIEF NO. 3 ACCOUNTING GRIEVANCE PROCEDURE - COPIES FOR FILES

KDOC-TCF DENYING MS. FRANTZ K.A.R. 44-15-02, 201, 206 GRIEVANCE PROCEDURE, AS "CURTAILING" AND CLOSING GRIEVANCE'S WITHOUT AN ESCALATION TAB FOR CONTINUING GRIEVANCE PROCEDURE TO KDOC FOR REMEDY. THIS DENIES MS. FRANTZ RESPONSES AND DUE PROCESS FOR FILING ELECTRONIC GRIEVANCES. MS. FRANTZ ASKS THIS COURT TO ORDER ALL GRIEVANCE'S FULL ACCESS FOR ESCALATION TO KDOC.

FURTHER MS. FRANTZ IS DENIED COPIES OF THESE GRIEVANCE'S FOR SHOWING IN OUTSIDE COMPLAINTS AS TO THE IMPROPER CONDUCT OF DEPRIVING DUE PROCESS FOR GRIEVANCE PROCEDURE. UNDER KDOC GENERAL ORDERS (GO) 02-05: RESIDENTS WILL BE PROVIDED WITH THE NECESSARY NUMBER OF PHOTOCOPIED DISCIPLINARY, GRIEVANCE, PROPERTY LOSS CLAIM, ACCOUNTING, AND OTHER RELATED CASE MANAGEMENT DOCUMENTS AT NO COST VIA THE PROCESSES ESTABLISHED FOR THE DISTRIBUTION OF SUCH.

APPENDIX NO. 4

PLAINTIFF REQUEST FOR DOCUMENTS UNDER RULE 34(a) FED. R. CIV. P. REQUESTING FROM DEFENDANTS, ET AL. FOR PRODUCTION OF DOCUMENTS, ELECTRONICALLY STORED INFORMATION OR TANGIBLE THINGS. I AM ALLOWED AS PLAINTIFF, TO INSPECT, COPY, TEST FOR PURPOSES OF THIS CIVIL RIGHTS COMPLAINT. DOCUMENTS REGARDING MEDICAL AND MENTAL RECORDS, X-RAYS, ULTRASOUNDS, ELECTRONICALLY STORED DOCUMENTS, AUDIO/VIDEO RECORDINGS, JAIL RECORDS, INVESTIGATION REPORTS DURING INCARCERATION PERIOD 1-28-17 THROUGH CURRENT DATE. PRODUCE WITHIN 30 DAYS.

FEDERAL PRACTICE THAT DISCOVERY OBJECTIONS ARE WAIVED IF A PARTY FAILS TO OBJECT TIMELY TO INTERROGATORIES, PRODUCTION REQUEST, OR OTHER DISCOVERY REQUEST EFFORTS. GODSEY V. UNITED STATES, 133 F.R.D. 111, 113 (S.D. MISS 1990).

ACCESSING SPECIALISTS FOR MEDICAL CARE AND TREATMENT

NO.4 DENIAL OF MEDICAL CARE - A BASIC HUMAN NEED

PLAINTIFF, MS FRANTZ, STATES SEVERAL OFFSITE PROVIDER APPOINTMENTS WERE CANCELLED, STATED RESPONSE BY CENTURION-TCF HSA MICHELLE CALVIN, LCP 5-6-22 GRIEVANCE NO. 176711652. APPENDIX NO. 10

MS. FRANTZ HAVING FORM 9/GRIEVANCES STATING OFFSITE HAVE BEEN SCHEDULED, CLAGED AS EARLY AS 11-1-2020, WHICH MS. FRANTZ CONTINUES TO BE DENIED THESE STATED AS FOR YOUR OFFSITE APPOINTMENTS THEY ARE SCHEDULED 9-21-21.

CENTURION MEDICAL PROVIDER JENA LEE, M.D. ORDERED MS. FRANTZ ON 2-2-21 FOR SEEING GI AND ENT CONSULTS, ORDERED MS. FRANTZ MRI FOR ABDOMEN IN APRIL OF 2021, STILL TOTATE MS. FRANTZ IS DENIED THESE DOCTOR ORDERS.

KDOC FORM 9/GRIEVANCE DATED 4-26-21 STATES THE PROVIDER HAS DEVELOPED AN ALTERNATE TREATMENT PLAN FOR HER LIVER. STILL TOTATE MS. FRANTZ HAS NOT BEEN TOLD OF ANY ALTERNATIVE TREATMENT PLAN FOR HER LIVER. THIS SAME MONTH OF APRIL OF 2021, BEHAVIORAL HEALTH COUNSELOR MS. KRAFT, LMFT DISCLOSED TO MS. FRANTZ OF 6-TUMORS ON HER LIVER THE FACILITY WAS CONCEALING. APPENDIX NO. 10 K.S.A. 75-520 (a) (c)

MS. FRANTZ HAVING 8-10 X-RAYS OF HER HEAD BY RTX IMAGING ON 9-2-2020, MS. FRANTZ CONTINUES TO BE DENIED RESULTS OF X-RAYS FOR HER HEAD HAVING SKULL SWELLING FORCING HER LEFT EYE AND EAR UPWARD FROM FRACTURE OF HER SKULL FROM 1-24-17 PREA INJURIES OF LVCO, KS SHERIFFS OFFICERS BEATING MS. FRANTZ UNCONSCIOUS AND RAPING WITH INJURIES WHILE SHE WAS UNCONSCIOUS OVER 24 HOURS.

CHRONIC CARE VISIT 1-12-23, MS. FRANTZ SEEN DR. GREGORY ERB, M.D. FOR CENTURION-TCF. DR. ERB SEEN MS. FRANTZ FOR 2-HOUR VISIT, STATING AN ECHOCARDIOGRAM WOULD BE ORDERED. MS. FRANTZ CONTINUES TO BE DENIED ECHOCARDIOGRAM. FURTHER 1-12-23 VISIT DR. ERB ORDERED FOR MS. FRANTZ FOR SEEING DR. RANDAL DYCK OPTOMETRIST FOR SPECIFICALLY "SKULL SWELLING FORCING HER LEFT EYE-EAR UPWARD". APPENDIX NO. 10

UNITED STATES DISTRICT COURT OF KANSAS

APPENDIX

E-FILED 11-19-23

APPENDIX'S

NO. 1.) PETITION FOR WRIT OF HABEAS CORPUS K.S.A. 60-1501 10-PAGES, EXHIBITS PAGE, ROA FOR 2017-CV-316 AND 2020-CV-34

NO. 2.) SUPREME COURT OF THE U.S. JULY 19, 2022 WRIT OF CERTIORARI FILED 6-21-22 NO. 22-5121

NO. 3.) ACCESSING LONG TERM ADULT SANE EXAM AND MEDICAL TESTING YWCA 1-18-23

NO. 4.) KDOC AUGUST 22, 2023 APPEAL GRIEVANCE 2-5-23 AND 3-20-23 KAR 44-15-201

NO. 5.) KDOC GRIEVANCE NO. 20240006 MS.FRANTZ APPEAL TO KDOC DATED 10-1-23

NO. 6.) KANSAS ATTORNEY GENERAL, KANSAS OPEN RECORDS-KORA COMPLAINTS FILED BY MS.FRANTZ

NO. 7.) KDOC-TCF FORM 9 # 172387712 4-6-22 TO WARDEN, UNRESPONDED TO DATE, KDOC GRIEVANCE DATED 10-25-23 (COMPLAINT ON DR. ERB, MD)

NO. 8.) MS.FRANTZ MEDICAL RECORDS - MRI Photo's

NO. 9.) GLOBAL DIAGNOSTIC SERVICES 10-16-2020 US REPORT DR. SCOTT LOGAN, TCF LABS 12-2-2020 HSA MICHELLE CALVIN, LCP 4-7-21 GRIEVANCE RESPONSE, TO DR. CORREA MEDICAL VISITS (COTTON O'NEIL ENDOCRINOLOGY MEDICAL RECORDS VISITS 1-18-21 AND 2-10-21 15-PAGES)

NO. 10.) CENTURION HSA MICHELLE CALVIN, LCP 5-6-22 RESPONSE CANCELING OFF-SITE PROVIDER APPOINTMENTS GRIEVANCE RESPONSE AND TCF WARDEN 6-14-22 GRIEVANCE RESPONSE STATING MS.FRANTZ "MEDICAL APPOINTMENTS ARE BEING SCHEDULED." ELECTRONIC GRIEVANCES.

NO. 11.) KDOC GO 13-102, (REVOKED) GO 13-102, AND IMP 16-103D. EMERGENCY MEDICAL

NO. 12.) KDOC PREA RETALIATION MONITORING CHECKLIST DATES 7-20-23, 8-24-23, 9-27-23, 11-1-23

NO. 13.) U.S. DEPT. OF JUSTICE CIVIL RIGHTS DIVISION REPORT NUMBERS: DOJ INVESTIGATIONS

9-21-23 NO. 349181-NPK ; 9-26-23 NO. 351462-5BW

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FBI REF. NO. 52301690274 - SPECIAL LitIGATION SECTION 169-29-0-ECATS - 2023-193101

IN THE UNITED STATES DISTRICT COURT FOR KANSAS

Barbara Marie Frantz - Plaintiff

v.

CASE NO. 23-3246-JWL

STATE OF KANSAS, et al.

APPENDIX
Supporting documents

NO. 14. KDOC IMPP 10-103 D. WITH ATTACHMENT A

NO. 15. DEPT. OF JUSTICE PRISON AND JAIL STANDARDS. PRISON RAPE ELIMINATION ACT
28 C.F.R. PART 115 DOCKET NO. OAG-131 FINAL RULE PARTIAL

NO. 16. LEAVENWORTH COUNTY SHERIFF'S OFFICE NOVEMBER 16, 2023 W/ ENCLOSURES

NO. 17. KDOC PREA COORDINATOR ALLISON BASINGER 6-19-23

NO. 18. KDOC PREA COORDINATOR ALLISON BASINGER 8-2-23, KDOC RESPONSE 8-16-23

NO. 19. KDOC PREA RETALIATION DISPOSITION AND HEARING RECORD 9-26-23 CASE # 2023-08-0891

NO. 20. KDOC GRIEVANCE NO. 271508081

NO. 21. KDOC GRIEVANCE NO. 275179341

NO. 22. KDOC GRIEVANCE NO. 282475411

NO. 23. KDOC GRIEVANCE NO. 282486511

NO. 24. KDOC GRIEVANCE NO. 290571731

NO. 25. KDOC GRIEVANCE NO. 315122251

NO. 26. KDOC GRIEVANCE NO. 315243661

NO. 27. KDOC GRIEVANCE NO. 316306361

NO. 28. KDOC GRIEVANCE NO. 316580231

NO. 29. KDOC GRIEVANCE NO. 3169117451

NO. 30. KDOC GRIEVANCE NO. 330092981

NO. 31. KDOC GRIEVANCE NO. 388870121 (REQUEST)

NO. 32. KDOC GRIEVANCE NO. 329214301 (REQUEST)

NO. 33. KDOC GRIEVANCE NO. 359902571 (REQUEST)

FRANTZ V. STATE OF KANSAS, et al

CASE NO. 23-3246-JWL

APPENDIX

NO.34 KDOC GENERAL ORDERS 02-105

NO.35 COURT CASE Summary 2020-CV-34 FRANTZ V. DEDEKE LVC, KS DISTRICT COURT

NO.36 KANSAS STATE BOARD OF HEALING ARTS NOVEMBER 27, 2023 (8) MEDICAL PROVIDERS

1. COMPLAINT NO. JENA LEE, MD C-56549
2. COMPLAINT NO. SCOTT D. LOGAN, MD C-56550
3. COMPLAINT NO. FRANCISCO J. CORREA, MD C-57247
4. COMPLAINT NO. SEYED M. OLYAEE, MD C-57244
5. COMPLAINT NO. ELENA I. SIDORENKO, MD C-57245
6. COMPLAINT NO. DANIEL E. HAFFIELD, MD C-57246
7. COMPLAINT NO. TOMAS L. GRIEBLING, MD C-57B35
8. COMPLAINT NO. TINA L. SOLTYS, MD C-57832

NO.37 KANSAS STATE BOARD OF HEALING ARTS 10-30-23 CONTINUED COMPLAINT ON DOCTOR
GREGORY ERB, MD CENTURION MEDICAL PROVIDER

E-FILED ON DECEMBER 5th, 2023 by LIBRARIAN MS. BOEDING.

PROOF OF SERVICE

PLAINTIFF, BARBARA FRANZ, by pro se, declare the following AMENDED CIVIL RIGHTS COMPLAINT IS TRUE AND CORRECT UNDER 28 U.S.C. 1746 PENALTY OF PERJURY.

J
Barbara F
BARBARA FRANZ

26 PAGES

AMENDED COMPLAINT E-FILED ON DECEMBER 19th, 2023 by LIBRARIAN MS. BOEING.

J
Barbara F
BARBARA FRANZ

TCF SECURITY CAMERAS HAVING AUDIO/VIDEO WILL SHOWS MR. JOHNSTONE'S MISTREATMENT OF MS. FRANTZ FOR REPORTING PEGA ASSAULT, FROM 1-B.

MR. JOHNSTONE'S ORDERING MS. FRANTZ'S BELONGING TO BE PACKED OUT, TAKEN TO PROPERTY, AND STATEMENTS TO STAFF HE WAS PUTTING MS. FRANTZ, BY FORCE ON PC, BEING UNAUTHORIZED AND MALICIOUSLY DONE AS RETALIATION TO SEPARATE MS. FRANTZ FROM HER LEGAL PAPERWORK, CAUSING AN INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS UPON MS. FRANTZ.

MS. FRANTZ PAST COMPLAINTS ON 1ST SGT. JAMES JOHNSTONE REPORTED IN APPENDIX NO. 19, SHOWING JOHNSTONE'S AGGRESSIVE ABUSE'S TOWARDS MS. FRANTZ FROM PAST INCIDENTS 3-22-23 GRIEVANCE COMPLAINT BEING DESTROYED AND FOUR 8-29-23 DR'S BY JOHNSTONE FOR MS. FRANTZ'S SPEAKING WITH TOURING FIREFIGHTERS ABOUT HER SERIOUS MEDICAL NEEDS NOT BEING MET.

3. MS. FRANTZ HAS E-FORM 9 NO. 41261B951 TO UTM MS. HULL VERA FOR AN EXCEPTION FOR ONE ADDITIONAL LEGAL BOX. STATING FACTS OF OTHER RESIDENTS HAVING CRAFTS, WHICH MS. FRANTZ'S LEGAL DOCUMENTS NEEDED FOR LITIGATION FOR PRISON CONDITIONS AND HGR (GRIEVANCE) CASE, NOT TAKING ANY MORE SPACE AS CRAFT ITEMS. ASSERTING THE PRENDICE TO LITIGATE IF FORCING MS. FRANTZ TO SEND OUT LEGAL DOCUMENTS. ONGOING VIOLATIONS OF CONSTITUTIONAL RIGHTS. 1-14-24

WHEREFORE, MS. FRANTZ ASKS THIS COURT FOR ORDER TO SHOW CAUSE FOR A TEMPORARY RESTRAINING ORDER RULE 65 (a), FOR ORDERING PRISON OFFICIALS TO STOP RETALIATION, STOP FURTHER INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS AND FAIRCLE-TO-PROTECT.; AND TO ALLOW EXCEPTION OF LEGAL BOX TO PREVENT BEING FORCED TO SEND OUT NECESSARY LEGAL DOCUMENTS FOR PENDING COURT CASES.

RESPECTFULLY, GINA STAR MONTE

BARBARA FRANTZ #124145 TCF - Dabber 1-14-24

DECLARATION OF VERIFICATION

MS. FRANTZ DECLAIRES THAT THE FACTS STATED IN THIS DOCUMENT ARE TRUE AND CORRECT TO HER KNOWLEDGE AND BELIEF UNDER PENALTY OF PERJURY.

Dabber 1-14-24

BARBARA FRANTZ

4 OF 4

INMATE REQUEST TO STAFF MEMBER

To: _____
(Name and Title of Officer or Department)

Date: _____

Unit Team, Detail, or Cellhouse Officer's Signature

To be retained by inmate

Form 9
For Cellhouse Transfer
Work Assignment _____
Interview Requests _____

Last Name Only

KANSAS DEPARTMENT OF CORRECTIONS

INMATE REQUEST TO STAFF MEMBER

Number

To: _____ Date: _____

(Name and Title of Officer or Department)

State completely but briefly the problem on which you desire assistance. (Be specific.)

Work Assignment: _____ Living Unit Assignment: _____

Comment: _____ Detail or C.H. Officer: _____

Disposition: _____

To: _____ Date: _____
(Name & Number)

Disposition: _____

Employee's Signature

To be returned to inmate.

IN THE UNITED STATES DISTRICT COURT OF KANSAS

BARBARA MARIE FRANTZ - PLAINTIFF

v.

CASE NO. 23-3246-JWL

KANSAS DEPT. OF CORRECTIONS et al - DEFENDANTS

CIVIL ACTION

SECRETARY JEFF ZMUDA

ORDER TO SHOW CAUSE FOR A
PRELIMINARY INJUNCTION

RULE 65 (e)

NOW COMES PLAINTIFF, BARBARA FRANTZ, BY PRO SE, GRANTED FORMA PAUPERIS,
BY DECLARATION. SUPPORTING EVIDENCE IN APPENDIX NO. 5 PG. 78, APPENDIX NO. 45

MS. FRANTZ STATES DEFENDANTS CENTURION HSA MICHELLE CALVIN, LCP AND PRISON
DOCTOR GREGORY ERB, MD AND ALL OTHER PERSONS ACTING IN CONCERT AND
PARTICIPATION WITH THEM, FOR THIS COURT TO ORDER TO SHOW CAUSE FOR
PRELIMINARY INJUNCTION TO PREVENT MANUAL BLOOD PRESSURE READINGS ON
MS. FRANTZ. THAT RELIEF OF THE USE OF THE MACHINE READ BLOOD PRESSURE
READING BE OBTAINED ON MS. FRANTZ AS SIMILAR SITUATED RESIDENTS
OBTAINING THEIR BLOOD PRESSURE READINGS FOR VIEWING BY B/P MACHINE.

MS. FRANTZ FILED KDOC FORM 9 DATED 2-5-24 FOR ATTEMPTS FOR RELIEF
FOR OBTAINING B/P READINGS BY MACHINE WAS RESPONDED BY DEFENDANT
HSA MICHELLE CALVIN, LCP, HER RESPONSE BEING TO SPEAK WITH MEDICAL
PROVIDER FOR ADDRESSING AT CHRONIC CARE VISIT. MS. FRANTZ HAS
PREVIOUSLY MADE THIS REQUEST TO MEDICAL PROVIDER DR. ERB, MD ON
11-12-23 CHRONIC CARE VISIT AND WAS DENIED. SEEN IN APPENDIX NO. 5
PAGE 78. THE EQUAL PROTECTION CLAUSE OF THE 14TH AMENDMENT AFFORDS
MS. FRANTZ THE SAME RIGHTS AS SIMILAR SITUATED RESIDENTS AND ASKS THIS
COURT FOR ORDER TO SHOW CAUSE FOR PRELIMINARY INJUNCTION FOR THE ABOVE.

MS. FRANTZ DECLARES THAT THE FACTS STATED ARE TRUE AND CORRECT UNDER
PENALTY OF PERJURY. *Barbara Marie Frantz*

BARBARA FRANTZ # 124145

E-FILED ON FEBRUARY 13TH, 2024 BY TCF LIBRARIAN MS. RODDING

IN THE UNITED STATES DISTRICT COURT OF KANSAS

BARBARA MARIE FRANTZ - PLAINTIFF

J.

CASE NO. 23-3246-JWL

KANSAS DEPT. OF CORRECTIONS, et al.

SECRETARY OF CORRECTIONS JEFF ZMUDA

ORDER TO SHOW CAUSE FOR A

PRELIMINARY INJUNCTION - TEMPORARY RESTRAINING ORDER

RULE 65 (a)

NOW COMES PLAINTIFF, BARBARA FRANTZ, BY PRO SE, GRANTED FORMA PAUPERIS,
BY DECLARATION.

MS. FRANTZ STATES PRISON OFFICIALS AT TOPEKA CORRECTIONAL FACILITY AND ALL OTHER
PERSONS ACTING IN CONCERT AND PARTICIPATION WITH THEM, FOR THIS COURT
TO ORDER TO SHOW CAUSE FOR PRELIMINARY INJUNCTION - TEMPORARY RESTRAINING
ORDER FOR FACTS PROVIDED TO PREVENT FURTHER RETALIATION, FAILURE-TO-PROTECT,
AND EXCEPTION FOR ADDITIONAL LEGAL BOX TO RETAIN LEGAL DOCUMENTS NECESSARY
FOR LITIGATION CONCERNING; PRISON CONDITIONS 1983 COMPLAINT 23-3246-JWL
ONGOING VIOLATIONS OF CONSTITUTIONAL RIGHTS FOR A LONG PERIOD OF TIME; AND
HABEAS CORPUS K.S.A. 60-1507 INEFFECTIVE ASSISTANCE OF COUNSEL CASE NO.
23-CV-29 DEFENDING UNDER MISCARRIAGE OF JUSTICE.

PLAINTIFF IS FEARING FOR HER SAFETY AT TCF

1. THE INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS, RETALIATION AND FAILURE-TO-PROTECT
MS. FRANTZ. ONGOING RETALIATION SUBJECTED ON MS. FRANTZ BY PRISON OFFICIALS.
MS. FRANTZ ANNOUNCED ON 1-10-24 SHE WAS FILING A TRO ON CENTURION
DEFENDANT'S TO STOP RETALIATION. UNDER THE 14TH AMENDMENT EQUAL PROTECTION
CLAUSE - SIMILAR SITUATED. JUST AFTER STATING THIS ON 1-10-24 THE FACILITY
PLACED A DANGEROUS RESIDENT, AMANDA BARNHART, INTO MS. FRANTZ' ROOM 128.
ONGOING VIOLATIONS OF CONSTITUTIONAL RIGHTS.

MS. BARNHART HAVING A SEVERE MENTAL ILLNESS AND DANGEROUS HAD THREATENED MS. FRANTZ. THIS REPORTED TO UTM MS. FULL VERIA ON 1-10-24 OF BEING AFRAID OF RESIDENT BARNHART AND CONCERN OF HER UNPREDICTABLE BEHAVIOR BELIEVING BARNHART'S PLACEMENT INTO ROOM 128 WAS RETALIATION REGARDING MS. FRANTZ'S 1983 PRISON CONDITIONS AND FILING TRO ON CENTURION RETALIATION.

AMANDA BARNHART'S AGGRESSIVE BEHAVIOR TO DESTROY HER PREVIOUS ROOMMATES TV AND TABLET BEING NAKED IN THAT ROOM AND OF HER PHYSICALLY AND SEXUALLY AGGRESSIVE TOWARDS OTHERS. REMINDING UTM IN GRIEVANCE # 411781481. AND THAT MS. FRANTZ HAVING A HISTORY OF SEXUAL ABUSE WHILE INCARCERATED.

UTM RESPONSE: "UNIT TEAM DECIDES HOUSING PLACEMENTS. SITE HAS NO HISTORY WITH YOU AND IS ABLE TO LIVE WITH YOU."

MS. FRANTZ ESCALATED THIS INTO GRIEVANCE AND NO RESPONSE TO DATE 1-14-24.

MS. FRANTZ THEN SENT E-FORM 9 # 411786301 TO ACTING WARDEN, A RETALIATION 1-11-24 COMPLAINT OF TWO ISSUES:

1.) RETALIATION FOR FORCING MS. FRANTZ B.H. SICK CALLS UP IN THE MEDICAL CLINIC WHERE SIMILAR SITUATED RESIDENTS ARE SEEN IN THE B.H. SUITE NOT MEDICAL CLINIC. THIS ACTION FOR REASONS TO CAUSE THE INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS UPON MS. FRANTZ DUE TO KNOWING SITE REPORTS OF BEING TERRIFIED OF CENTURION MEDICAL DEPT. STAFF AND NOW HAVING TO SIGN-UP IN THE MEDICAL DEPT. FOR B.H. SICK CALL.

2.) RETALIATION FOR PLACING A DANGEROUS RESIDENT, AMANDA BARNHART, INTO A ROOM HOUSING WITH MS. FRANTZ. THE FACILITY KNOWING MS. BARNHART'S AGGRESSIVE BEHAVIORS TOWARDS ALL PAST ROOMMATES AND THREATENING MS. FRANTZ THAT MS. FRANTZ REPORTING BEING AFRAID OF MS. BARNHART AND OF HER JUST GETTING OUT OF SEGREGATION FOR DESTROYING PREVIOUS ROOMMATE'S TV AND TABLET, BEING NAKED IN THE ROOM.

THIS E-FORM 9 RETALIATION COMPLAINT REMAINS UN-OPENED - UN-RESPONDED TO DATE 1-14-24.

MS. FRANTZ WAS ON, 1-12-24 SEXUALLY ASSAULTED, AND SUFFERED VIOLENT VERBAL ASSAULTS BY AMANDA BARNHART, WHILE IN THE ROOM AT 7:00 AM.

MS. FRANTZ IMMEDIATELY REPORTED PREGA ASSAULT WITH VIOLENT ASSAULTS TO POD OFFICER MR. COLLINS. AMANDA BARNHART ATTEMPTED TO CONTINUE ASSAULTS ON MS. FRANTZ AND HAD TO BE FRACKED BY TWO OFFICERS.

MS. FRANTZ STATES THAT UTM AND SECURITY FAILED TO TAKE REASONABLE STEPS TO PREVENT AN INCIDENT IN A CELL WITH MS. FRANTZ, AND HAD KNOWN OF MS. BARNHART'S PAST INCIDENTS WITH PAST ROOMMATES HOUSED WITH BARNHART. OFFICIALS PURPOSELY IGNORING THE RISK TO PREVENT FURTHER ROOMMATE'S HOUSED WITH MS. BARNHART. OFFICIALS KNOWING MS. FRANTZ REPORTING OF THREATS BY MS. BARNHART, FAILING TO TAKE ACTION TO REMOVE MS. BARNHART FROM THE ROOM. KNOWING THE DANGERS POSED, BY HOUSED WITH A DANGEROUS BARNHART. THE OFFICIALS KNOWING POD 1-B ROOM 239 WAS UNOCCUPIED ROOM ON 1-10-24 AND COULD HAVE HOUSED MS. BARNHART WHERE THERE WOULD BE NO SECURITY THREAT TO ANY RESIDENT WHILE LOCKED DOWN IN A CELL WITH MS. BARNHART. ROOM 239 STILL TO DATE REMAINS UNOCCUPIED TO DATE 1-14-24.

THE PRISON OFFICERS KNEW THERE WOULD BE A SUBSTANTIAL RISK OF DANGER OF AN ASSAULT AGAINST MS. FRANTZ, WHERE KNOWING OF AMANDA BARNHART'S DANGEROUS MENTAL ILLNESS. MS. FRANTZ BEING ASSAULTED BY MS. BARNHART AS A RESULT OF PRISON CONDITIONS OR PRACTICES THAT ARE DANGEROUS TO ALL PRISONERS HOUSED WITH MS. BARNHART IN CELLS LOCKED. INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS ON MS. FRANTZ.

2. MS. FRANTZ CONCERN OF HOUSING PLACEMENT OF MS. BARNHART WITH MS. FRANTZ BEING MALICIOUSLY DONE. MS. FRANTZ HAS REPORTED 1ST SGT. JAMES JOHNSTONE'S MISCONDUCT, SEEKING AN INVESTIGATION INTO JOHNSTONE'S ATTEMPTS TO FORCE MS. FRANTZ ON PC AFTER MS. FRANTZ REPORTED PREGA INCIDENT 1-12-24. STATEMENTS BY OFFICER JOHNSTONE "YOUR GOING ON PC" AFTER MS. FRANTZ STATED SHE DID NOT WANT PC, PROTECTIVE CUSTODY. MR. JOHNSTONE'S FURTHER STATEMENTS TO MS. FRANTZ, REPORTING SHE WAS THE VICTIM, WHILE CUFFED AND EXCOURTED OUT OF 1-B POD, JOHNSTONE REPLIES "YOUR NOT THE VICTIM" BEFORE KNOWING FACTS. MS. FRANTZ CURRENT HOUSING 1-B ROOM 129 GENERAL POPULATION.

3) Defendant GLORIA GEITHER is a citizen of
(Name of second defendant)

TOPEKA KANSAS, and is employed as
(City, state)

WARDEN OF TOPEKA CORRECTIONAL FACILITY. At the time the
(Position and title, if any)

claim (s) alleged in this complaint arose was this defendant acting under the color of state

law? Yes No . If your answer is "Yes", briefly explain:

STATE ACTOR WORKING IN A PRISON SYSTEM AS WARDEN

SUED IN HER INDIVIDUAL AND OFFICIAL CAPACITY

(Use the back of this page to furnish the above information for additional defendants.)

(CONTINUED DEFENDANTS:
PAGES 2A, 2B, 2C

4) Jurisdiction is invoked pursuant to 28 U.S.C. §1343(3); 42 U.S.C. §1983. (If you wish to assert jurisdiction under different or additional statutes, you may list them below.)

42 U.S.C. § 15601, et seq - 28 C.F.R. § 115 et seq. ; 18 U.S.C. § 3626 ;

42 U.S.C. §§ 12101-12213 ; 42 U.S.C.A. § 1997e(e) ; K.S.A. 15-5210 (a) (c)

B. NATURE OF THE CASE PREVENT MANIFEST INJUSTICE,

1) Briefly state the background of your case: GROSS DEPRIVATION OF MEDICAL CARE:

MS. FRANTZ DISABLED AND INCARCERATED IN LINCOLN'S JAIL, ALL THE WHILE HAVING HEALTH CARE INSURANCE TO COVER THE COST, 1-28-2017 THROUGH 7-23-2020. HER PRE-ARREST MEDICAL CONDITIONS CONTINUE DETERIORATING TO VITAL ORGANS AND INJURIES (PERMANENT) CAUSING SKULL SWELLING DISFIGURING MS. FRANTZ'S FACE, BEING OBVIOUS, FROM PHYSICAL AND SEXUAL ASSAULTS BY SHERIFF'S STAFF.
MS. FRANTZ'S SUBSTANTIAL SERIOUS MEDICAL NEEDS WHERE PRISON DOCTOR THOUGHT HER MEDICAL NEEDS WAS SERIOUS TO REQUIRE SCHEDULING SEVERAL OFFSITE PROVIDER APPOINTMENTS, THEREFORE "SERIOUS". CONTINUOUSLY CANCELING THESE APPOINTMENTS. WHERE PERMANENT INJURIES, THE CHIEF PURPOSE OF CRUEL AND UNUSUAL PUNISHMENT CLAUSE, IS TO PREVENT THE UNNECESSARY AND WANTON INFILCTION OF PAIN AND SUFFERING. UNDER CRIMINAL INVESTIGATION.

2

BARBARA FRANTZ
Name

TCF 815 SE RICE ROAD

TOPEKA, KS. 66607
Address

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

BARBARA MARIE FRANTZ, Plaintiff
(Full Name)

v.

KANSAS DEPT. OF CORRECTIONS, et al., Defendant(s)

CASE NO. 23-3246-JWL
(To be supplied by the Clerk)

THIRD

(CORRECTED) SECOND AMENDED
CIVIL RIGHTS COMPLAINT
PURSUANT TO 42 U.S.C.
§1983

A. JURISDICTION

1) Plaintiff BARBARA MARIE FRANTZ, is a citizen of KANSAS
(State)

who presently resides at TCF 815 SE RICE ROAD
(Mailing address or place)

TOPEKA CORRECTIONAL FACILITY
of confinement.)

2) Defendant JEFF Zmuda is a citizen of

TOPEKA, KS., and is employed as
(City, State)

KDOC SECRETARY OF CORRECTIONS. At the time the
(Position and title, if any) SERVED IN HIS OFFICIAL AND INDIVIDUAL CAPACITY.

claim(s) alleged in this complaint arose, was this defendant acting under the color of state

law? Yes No If your answer is "Yes", briefly explain:

STATE ACTORS WORKING IN A PRISON SYSTEM OR SOME OTHER PART OF STATE
OR CITY GOVERNMENT OR LOCAL OFFICIALS OR UNDER POLICY-CONTRACTED PROVIDER

TO STATE OR CITY GOVERNMENT WITHIN PRISON - JAIL.

23-3246-JWL

LCO, KS

APPENDIX NO. 1

FILED

Barbara M. Frantz
601 S. 3rd St. STE 2007
Leavenworth, Kansas 66048
Pro se

17 PAGES

1-31-2020

IN THE DISTRICT COURT OF LEAVENWORTH COUNTY, KANSAS

BARBARA M. FRANTZ, Petitioner,

v.

Case No. 2020-CV-34

SHERIFF OF LEAVENWORTH COUNTY
KANSAS, Respondent.

APPENDIX C

PETITION FOR WRIT OF HABEAS CORPUS

(Pursuant to K.S.A. 60-1501)

17-PAGES

COMES NOW Barbara M. Frantz, the petitioner, pro se, and respectfully represents that she is unlawfully deprived of her liberty by the above-named respondent, Sheriff at the Leavenworth, in Kansas, and that the cause or pretense of her restraint, to the best of her knowledge and belief, is Case No. 2017 CR 92.

That Petitioner is a resident of Leavenworth County, Kansas and that said wrongful restraint is taking place in Leavenworth County, Kansas.

Further, petitioner states that said imprisonment is wrong for the following reason(s):

1 (Denied adequate medical care and treatment):

Upon information and belief, I contend

that: # 1 (VIOLATION OF THE PETITIONER'S 8TH AND 14TH AMENDMENTS RIGHTS OF THE
'DUE PROCESS CLAUSE' NOT TO BE PUNISHED. AN INFILTRATION OF UNNECESSARY PAIN AND
SUFFERING, THE DENIAL TO ADEQUATE MEDICAL CARE AND TREATMENT OCCURRING BY THE
RESPONDENT ANDY DEDEKE SHERIFF OF LEAVENWORTH COUNTY KANSAS):

APPENDIX C

THE RESPONDENTS DENIAL IN PROVIDING ADEQUATE MEDICAL CARE AND TREATMENT WITH NEGLIGENT TREATMENT FOR CONSIDERABLE AMOUNTS OF PAIN CONTINUING ON A DAILY BASIS FOR MONTHS CAUSING ANGUISH TO THE PETITIONERS BODY WHICH INCLUDING UNNECESSARY SUFFERING, PAIN PRODUCING CRUEL CONDITIONS EQUIVALENT TO PHYSICAL TORTURE. AS LISTED IN #1 VIOLATION, OF PETITIONERS 8TH AND 14TH AMENDMENT RIGHTS. INFILCTION OF CRUEL AND/OR UNUSUAL PUNISHMENT.

THE RESPONDENTS GROSS DISREGARD FOR PETITIONERS; PRE-ARREST DIAGNOSIS, WORSENING MEDICAL COMPLAINTS TO VITAL ORGANS WITH NEW SYMPTOMS, AND EXTREMELY ELEVATED BLOOD PRESSURE READINGS, OVER THE LAST 36 MONTHS. DENIED WOMENS WELLNESS TESTING.

RESPONDENT FAILING TO TAKE ACTION TO VISIBLE MEDICAL CONDITIONS THAT EVEN A LAY PERSON WOULD EASILY RECOGNIZE OF THE PETITIONERS EXTREMELY DISTENDED-SWOLLEN ABDOMEN, RIBS AND STERNUM STICKING OUT, EXTREMELY ELEVATED BLOODPRESSURE READINGS, ARE, SUFFICIENT FACTS TO SUPPORT A CLAIM, THAT, THIS PETITIONERS SERIOUS NEED FOR AN EVALUATION BY MEDICAL DOCTORS, PERSONNEL CAPABLE OF EVALUATING THE NEED FOR TREATMENT.

THE RESPONDENT SHERIFF ANDY DEDEKE NEGLECTING WITH MALICIOUSNESS TO THE PETITIONERS SERIOUS MEDICAL COMPLAINTS WORSENING OVER THE 36 MONTHS OF DENYING CONSTANT REQUEST THROUGH GRIEVANCES. THE UNPROFESSIONAL CONDUCT BY THE RESPONDENT AND RESPONDENTS MEDICAL PERSONNEL. THIS PETITIONERS MEDICAL CONDITION HAS SUFFICIENTLY WORSENED DUE TO RESPONDENTS INADEQUATE MEDICAL TREATMENT OR DIAGNOSIS, DISREGARDED LIFE THREATENING BLOODPRESSURE READINGS, CONSTANT INFECTIONS, AND NEW SYMPTOMS FROM VITAL ORGANS. CAUSING A SUBSTANTIAL RISK TO PETITIONERS FUTURE HEALTH. THE DEPRIVATION OF ACCESS TO MEDICAL PERSONNEL CAPABLE TO ADEQUATELY EVALUATE PETITIONERS MEDICAL COMPLAINTS FOR CARE AND TREATMENT, AND PAIN RELIEVER.

RESPONDENTS GROSS DISREGARD FOR PETITIONERS SERIOUS MEDICAL NEEDS BY DENYING HER ADEQUATE AND TIMELY MEDICAL CARE. CONCEALING PETITIONERS DIAGNOSIS AND MEDICAL CONDITIONS.

THIS PETITIONER HAS NOT AT ALL BEEN PHYSICALLY EXAMINED BY A PHYSICIAN, NOT AT ALL BEEN EVALUATED BY PETITIONERS PRE-ARREST SPECIALIST PHYSICIANS OF; G.I., UROLOGY, RHEUMATOLOGY, OR NEUROLOGY, FOR NEW SYMPTOMS WORSENING IN THE 36 MONTHS. FOR PRE-ARREST DIAGNOSIS DE: ADENOMYOSIS, SMALL BOWEL LOOPS, HEPATIC STEATOSIS-ENLARGED LIVER, INTERSTITIAL CYSTITIS-bladder-kidneys, SUBSEGMENTAL ATELETASIS-lower lungs collapsed, GASTRITIS, ENLARGED UTERUS, RENAL STONES, CYSTS BILATERALLY IN KIDNEYS, ARTHRITIS, CHRONIC PAIN SYNDROME, ELEVATED BLOODPRESSURE, ALL BEING DENIED TREATMENT, DENIED ACCESS TO MEDICAL PERSONNEL-SPECIALIST CAPABLE OF EVALUATING THE NEED FOR TREATMENT.

RESPONDENT ALSO CONTINUES GROSSLY NEGLECTING PETITIONERS WORSENING NEW SYMPTOMS OF; SEVERELY DISTENDED-SWOLLEN ABDOMEN, 2 UPPER ABDOMEN BULGES, ABDOMEN KNOTS-TENDER SPOTS, PULSATING-THROBBING BOWELS, EDEMA, CHARLEY HORSES, CONSTANT INFECTIONS, RIBS AND STERNUM STICKING-OUT, KIDNEY, VAGINAL, MOUTH, LUNG, CHEST, HEAD, EYE, TEETH, JOINTS, PAINS OF CONSIDERABLE AMOUNTS ON A CONSTANT DAILY BASIS FOR MONTHS, WITHOUT PAIN RELIEVER SINCE MAY 2019. PETITIONERS VEINS SEVERELY PROTRUDING FROM HER BODY, CONSTANTLY. MOST INFECTIONS REPORTED TO MEDICAL QD NEGLECTED. STROKE LEVEL BLOODPRESSURE READINGS GO NEGLECTED, NEW SIGNS AND SYMPTOMS GO NEGLECTED, PAIN AND SUFFERING GO NEGLECTED.

PETITIONERS MEDICAL COMPLAINTS GOING NEGLECTED BY RESPONDENT, FOR NEW SYMPTOMS WORSENING AND EFFECTING PETITIONERS MOVEMENT AND MOBILITY CAUSING THIS PETITIONER TO BE IN A DEBILITATING STATE. FORCING THE PETITIONER TO WALK STAIRS. RESPONDENT DENYING THE PETITIONER BOTTOM BUNK- LOWER LEVEL CELL. DENYING MEDICAL MAT. DENYING EXTRA BLANKET.

RESPONDENTS DISREGARD FOR PETITIONERS PRE-ARREST DIAGNOSIS, NEW SYMPTOMS FROM VITAL ORGANS AND WOMENS WELLNESS TESTING, WHICH PETITIONER HAS REPORTED TO RESPONDENT BY WAYS OF CONTINUOUS REQUEST THROUGH GRIEVANCE APPEALS, REQUEST AND COMPLAINTS FOR TESTING FOR ACCESS TO MEDICAL PERSONNEL CAPABLE OF EVALUATING THE NEED FOR CARE AND TREATMENT.

PETITIONERS FIRST DIAGNOSIS OF LEFT SIDE RIBS STICKING OUT BY FACILITY'S PHYSICIAN ASSISTANT

FEBRUARY 15TH 2019 Ultra Sound of Petitioner's Left Side Ribs.

PETITIONERS PRE-ARREST PROVIDER FOUND GREAT NEED FOR MRI TESTING 11-2-16 AFTER

TESTING OF CT, ULTRASOUND, X-RAY TESTED THE MONTH PRIOR TO MRI. MRI

RESULTED FINDINGS WHICH CT, X-RAY, ULTRASOUND DID NOT FIND, CONCLUDING

THE GREAT NEED FOR MRI WITH/WITHOUT CONTRAST ON 11-2-16.

THIS PETITIONER REQUESTED RESPONDENT TO ORDER MRI TO COMPARE TO MRI OF 11-2-16, TO

SEE WHICH ORGANS ARE WORSENING, CAUSING NEW SYMPTOMS, WHICH RESPONDENT DENIED

PETITIONERS REQUEST FOR MRI TESTING. PETITIONER REPLIED TO RESPONDENT THAT PETITIONER

STILL RETAINS HEALTH INSURANCE TO COVER COST.

PETITIONER HAS BEEN DENIED PAIN RELIEVER SINCE 2019, OF MAY. DENIED TO VIEW HER

MEDICAL RECORDS THROUGH FACILITY'S MEDICAL DEPARTMENT. DENIED FOR HER DPOA WITH HIPAA

RIGHTS. TO OBTAIN OUTSIDE FACILITY'S TESTING MEDICAL RECORDS OF; CT, US, X-RAY,

BLOODWORK. THE HOSPITAL STATED TO PETITIONERS DPOA, THAT THE FACILITY DOES NOT

WANT HER FAMILY TO HAVE THESE MEDICAL RECORDS. EVEN THOUGH HOSPITAL CT TECH

STATED TO PETITIONER, HER DPOA WOULD BE ALLOWED TO OBTAIN HER MEDICAL RECORDS

FROM THE HOSPITAL. THIS EXAMPLE OF HOW THE FACILITY ATTEMPTS TO CONCEAL PETITIONERS

MEDICAL CONDITIONS AND DIAGNOSIS.

PETITIONER IS NOW BEING DENIED TO KNOW HER BLOODPRESSURE READINGS BY THE FACILITY,

THIS, ANOTHER EXAMPLE OF THE FACILITY'S ATTEMPTS TO CONCEAL PETITIONERS DIAGNOSIS

AND WORSENING MEDICAL CONDITIONS.

PETITIONER IS NOW NO LONGER TO REQUEST EMERGENCY MEDICAL PROTOCOLS DUE TO THE NURSE

SENDING OUT EMAILS TO JAIL OFFICERS, STATING THEY ARE NO LONGER TO RESPOND TO PETITIONERS

EMERGENCY MEDICAL PROTOCOLS TO HAVE VITALS CHECKED. PETITIONER CONTENTS THAT HER SICK CALL REQUEST ARE

NOT SEEN BY MEDICAL DEPARTMENT FOR DAYS LATER AFTER REQUEST ARE MADE, IF EVEN SEEN AT ALL. THIS WOULD PUT THIS PETITIONER'S LIFE AT RISK FOR BEING DENIED AN EMERGENCY MEDICAL PROTOCOL, FOR NEGLECTING THIS PETITIONER TO HAVE HER VITALS CHECKED FOR DANGEROUSLY ELEVATED BLOODPRESSURE. VITALS TO DETECTING A SERIOUS MEDICAL CONDITION, AS ON 12-28-19 OFFICERS PERFORMED A EMERGENCY MEDICAL PROTOCOL BY PETITIONER'S REQUEST TO HAVE VITALS TAKEN DUE TO BEING IN EXTREME PAIN. PETITIONER'S VITALS WERE STATED BY THE OFFICER, 180 OVER 110. THE FACILITY'S ONLY NURSE WAS CONTACTED BY THIS OFFICER. THE OFFICER STATES TO PETITIONER, THAT, THE NURSE, STATED, "HER VITALS ARE FINE AND SHE CAN GO BACK TO HER POD." THIS PETITIONER WAS NEGLECTED TREATMENT FOR STROKE LEVEL BLOODPRESSURE READING OF 180 OVER 110.

PETITIONER WAS NEGLECTED DIRECTION BY A PROVIDER TO ASSESS PETITIONER'S POTENTIAL LIFE THREATENING BLOODPRESSURE READING. AS OF 12-31-19 PETITIONER WAS TOLD BY THE OFFICER THAT PERFORMED 12-28-19 MEDICAL PROTOCOL OF THE EMAIL SENT OUT TO OFFICERS TO IGNORE PETITIONER'S EMERGENCY MEDICAL PROTOCOLS, THAT, HER VITALS ARE ONLY TO BE TAKEN BY THE ONLY NURSE HERE AT SICK CALL REQUEST, WHICH ARE NOT SEEN FOR DAYS LATER AFTER REQUEST ARE SUBMITTED. THIS PUTTING PETITIONER'S HEALTH AT RISK AND, ANOTHER EXAMPLE OF THE FACILITY'S ATTEMPTS TO CONCEAL PETITIONER'S MEDICAL CONDITIONS AND DIAGNOSIS.

RESPONDENT AND RESPONDENT'S PERSONNEL INAPPROPRIATE STATEMENTS DURING THE LAST 36 MONTHS TO THE PETITIONER. THE RESPONDENT ACCUSING THE PETITIONER OF MAKING, "FREQUENT AND FRAUDULENT COMPLAINTS" AND BEING "DISRUPTIVE TO THE ORDERLY RUNNING OF THE FACILITY" STATEMENTS MADE BY RESPONDENT SHERIFF ANDY DEDEKE, FOLLOWING PETITIONER'S GRIEVANCE APPEAL REQUEST FOR OUTSIDE MEDICAL OUTSIDE THE FACILITY FOR CARE AND TREATMENT FOR SERIOUS MEDICAL COMPLAINTS. (1-15-19 12:31:01)

INAPPROPRIATE RESPONSES TO PETITIONER FROM FACILITY PERSONNEL,

"PUT A REQUEST TO M. H." (MENTAL HEALTH) THIS A SICK CALL REQUEST FOR ABDOMINAL PAIN, VAGINAL PAIN. (10-17-18 6:39:26)

"IN REALITY YOU ARE MAKING YOURSELF SICK" THIS SICK CALL REQUEST FOR
ABDOMEN, VAGINAL PAIN URINATING. (7-24-17 7:12:56)

"OTC DENIED BY MISUSE" THIS SICK CALL REQUEST FOR KIDNEY PAIN (10-15-19 6:17:43)

"NOTHING PHYSICALLY WRONG WITH YOU" GRIEVANCE APPEAL REQUEST TO SEE
MEDICAL PERSONNEL WHO IS QUALIFIED TO ADDRESS MEDICAL COMPLAINTS. (10-3-19 2:43:52)

"SORRY, DECLINED" THIS SICK CALL REQUEST FOR PAIN RELIEVER, PETITIONER HAD
UTI AND YEAST INFECTIONS. (10-11-18 6:21:05)

"MEDICAL DECISIONS ARE NOT GRIEVABLE" GRIEVANCE APPEAL REQUEST REGARDING FACILITY'S
PROVIDER, PHYSICIANS ASSISTANT, LYING TO PETITIONER (2-19-19 12:06:20)

ADDITIONAL COMMENTS: "DON'T BEND" PETITIONERS COMPLAINTS TO PROVIDER P.A., THAT
BENDING IS PAINFUL FROM ABDOMEN BULGES AND RIBS STICKING OUT

"YOU'RE NOT IN ANY PAIN"

"MEDICAL CLOSED"

"ONE COMPLAINT PER SICK CALL"

"NOTED"

"NOT BEING DENIED PAIN RELIEVER"

PETITIONER HAS STEADILY REPORTED TO RESPONDENT AND RESPONDENTS MEDICAL DEPARTMENT MEDICAL COMPLAINTS OF NEW SYMPTOMS WORSENING OVER THE LAST 36 MONTHS. A SMALL AMOUNT OF KIOSK DOCUMENTS, EXHIBITS ATTACHED WITH 1-5-20 PRE-ARREST DIAGNOSIS IN SUPPORTING PETITIONERS CLAIM OF BEING UNJUSTLY DEPRIVED HER LIBERTY AND THAT WRONGFUL RESTRAINT IS TAKING PLACE WITH WANTON INFILTRATION OF PAIN VIOLATING PETITIONERS BASIC HUMAN NEEDS SUCH AS MEDICAL CARE. THE VIOLATION OF PETITIONERS 8TH AMENDMENT RIGHT TO BE FREE FROM CRUEL AND UNUSUAL PUNISHMENT BY INSUFFICIENT MEDICAL TREATMENT WITH FAILURE OF ACCESS TO MEDICAL PROVIDERS TO CURE PETITIONERS AFFLICTION AND PROVIDE CARE AND TREATMENT. VIOLATION OF THE PETITIONERS 14TH AMENDMENT FOR BEING DENIED DUE PROCESS RIGHTS TO ADEQUATE MEDICAL TREATMENT, A WRONGFUL IMPRISONMENT.

PETITIONER CONTENDS, EVEN THROUGH A LAY PERSONS ASSESSMENT WOULD EASILY RECOGNIZE THE NECESSITY FOR A DOCTORS ATTENTION OF PETITIONERS SO OBVIOUS SEVERELY DISTENDED-SWOLLEN ABDOMEN, 2 UPPER ABDOMEN BULGES, THE KNOTS, SIGHT OF PETITIONERS RIBS AND STERNUM SEVERELY STICKING-OUT. THE EDEMA, THE SEVERELY PROTRUDING VEINS. THE DANGEROUSLY ELEVATED BLOODPRESSURE READING 180 OVER 110. THE PETITIONERS LIMITED MOBILITY-MOVEMENTS. ALL VISIBLE TO A LAY PERSON SEEING THESE, SO OBVIOUS NECESSITY FOR PETITIONER NEEDING MEDICAL ATTENTION, MEDICAL PERSONNEL CAPABLE OF EVALUATING THE NEED FOR TREATMENT.

PREA SEVERE DEPRIVATION BY RESPONDENT TO INVESTIGATE PETITIONERS MISTREATMENT OF PHYSICAL, SEXUAL, AND PSYCHOLOGICAL ABUSES AS DOCUMENTED IN COMPLAINTS WITH DOCUMENTATION FOR INVESTIGATING. FIRST ABUSE REPORT W/ DOCUMENTATION DATED 3-5-19, COMPLAINT 2ND ABUSE REPORT W/ DOCUMENTATION DATED 5-10-19, AND COMPLAINT REPORT OF RESPONDENT COVERING-UP, DEFRAUDING LVCO DISTRICT COURT IN CASE 2017-CV-0316, DATED 6-1-19. VIOLATIONS SHOCKING AND INTOLERABLE CONDUCT OF CRUEL AND UNUSUAL PUNISHMENTS WITH MALICIOUSNESS, AGAINST THIS PETITIONER BY THE RESPONDENT IN CASE NO. 2017-CR-92.

Respondents severe deprivation to Petitioners serious medical complaints and pre-arrest diagnosis DENYING PETITIONER PAIN RELIEVER FOR CONSIDERABLE PAIN.

DENYING ACCESS TO MEDICAL PERSONNEL CAPABLE OF EVALUATING PETITIONERS NEED FOR CARE AND TREATMENT. RESPONDENTS ATTEMPTS TO CONCEAL PETITIONERS DIAGNOSIS.

DELIBERATE INDIFFERENCE BY MALICIOUSNESS

#2 (VIOLATION OF THE 14TH AMENDMENT EQUAL PROTECTION CLAUSE TO BE TREATED SIMILARLY SITUATED):

PETITIONER IS BEING DENIED TO PURCHASE PAIN RELIEVER MEDICATIONS AND COMMISSARY FOOD ITEMS OFF CANTEEN. UNLIKE SIMILARLY SITUATED INMATES HOUSED IN GENERAL POPULATION THE JAIL BY THE RESPONDENT. PETITIONER INCORPORATES BY REFERENCE THE ABOVE HEREIN AS IF FULLY SET FORTH IN #2. OTHER INMATES AT THE JAIL RECEIVE ADEQUATE MEDICAL CARE AND TREATMENT, UNLIKE THIS PETITIONER EITHER FROM CANTEEN AND OR MEDICAL CLINIC. OTHER INMATES AT JAIL ARE ALLOWED TO ORDER ANYTHING OFF CANTEEN, UNLIKE THIS PETITIONER. PETITIONER CONTENDS THAT, THESE PUNISHMENTS TO AND AGAINST THIS PETITIONER BY THE RESPONDENT, WHICH VIOLATES PETITIONERS 14TH AMENDMENT RIGHTS, RIPE FOR ACTION BEFORE THIS COURT.

PETITIONER IS UNABLE TO CONSUME FACILITY'S FOOD OF RICE AND PASTA, DUE TO POST INFECTIOUS IBS, DIAGNOSED BY MAYO CLINIC WHICH CAUSES PETITIONER G.I. ISSUES. THE DENIAL

BY RESPONDENT FOR PETITIONER RESTRICTED COMMISSARY FOOD CAUSES UNDUE STRESS ON PETITIONER TO OBTAIN FOODS TO REPLACE RICE AND PASTA, NECESSARY FOR DAILY LIVING.

RESPONDENT DENYING PETITIONER PAIN RELIEVER AND FOOD ITEMS FROM PURCHASING COMMISSARY WITS DONE BY RETALIATION, DUE TO PETITIONER FILING SICK CALLS - GRIEVANCES, PETITIONERS ATTEMPTS TO SEEK MEDICAL ATTENTION AND COMPLAINTS AGAINST MEDICAL PERSONNEL,

PUNISHMENTS BY RESPONDENT TO HARM PETITIONER, DELIBERATE ACTIONS TO CAUSE PAIN AND SUFFERING TO PETITIONER.

1 AND # 2 VIOLATIONS SEEM TO BE SHOCKING AND INTOLERABLE CONDUCT OR
CONTINUING MISTREATMENT, PUNISHMENTS OF INADEQUATE MEDICAL CARE AND
TREATMENT, INFILCTION OF UNNECESSARY PAIN AND SUFFERING OF A CONSTITUTIONAL
STATUTE BY VIOLATING THIS PETITIONERS 8TH AND 14TH AMENDMENT RIGHTS,
UNLAWFULLY DEPRIVED OF HER LIBERTY BY THE RESPONDENT SHERIFF ANDY DEDERKE
OF LEAVENWORTH COUNTY KANSAS. WRONGFUL IMPRISONMENT.

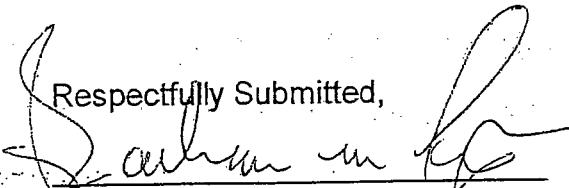
SEE ATTACHED EXHIBITS, A 1-5-2020 PRE-ARREST DIAGNOSIS LIST
B 1-14 MRT 11-2-16 IMPRESSIONS - PHOTOS
C 1-2 MRT 11-2-16 ABDOMEN-PELVIS IMAGING REPORT
D 1-6 SAINT LUKES CT, U.S., X-RAY 2016 STUDY RESULTS
E 1-2 G.I. 2015 SUMMARY CONCLUSIONS
F 1-2 RHEUMATOLOGIST DOCTOR MEDICAL CONDITIONS LISTS
G 1-92 WITH NOTES KIOSK DOCUMENTATION

DEBT TO BEING INCARCERATED SINCE JANUARY 28TH 2017 AND INCOME IS FULLY INDEBTEDNESS TOWARDS
MY LOAN OF 100,000. DOLLARS FOR MY CRIMINAL DEFENSE CASE 2017-CR-92, I RESPECTFULLY
REQUEST THE COURT TO GRANT MY PETITION TO WAIVE ANY REQUIRED FILING FEES FOR THIS
HABEAS CORPUS.

and continues at the filing of this Civil Action.

WHEREFORE, Petitioner prays that Writ of Habeas Corpus be issued, and that she be discharged from the unlawful portion of her imprisonment. And that this Court the appointment of Counsel for Petitioner, and Order a Hearing in the above case.

Respectfully Submitted,

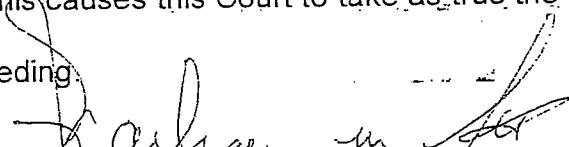

Barbara M. Frantz
Inmate/Pro se
Leavenworth County Jail, Kansas

Petitioner has filed one prior K.S.A. 60-1501 action in State Court, and that occurred in, Leavenworth County, Kansas, within the past Five years, to which this Court can take Judicial Notice of.

Petitioner contends that, she has NO administrative Remedies open to her at this time. The Leavenworth County Jail has a sign up in common area for the inmates to read. That sign states that the inmates cannot file grievances against the clinic. This Petitioner has also been informed of this in person by guards and medical staff, and has been informed of this electronically. Therefore, Petitioner contends that, she has NO administrative remedies open to her allowing this Honorable Court to still hold Jurisdiction to hear this matter in the above case.

STATEMENT OF VERIFICATION

I verify that the above is true and correct to the best of my understanding under the pains of perjury under State and Federal Laws with K.S.A. 54-105 and K.S.A. 53-601 and 28.U.S.C. 1742. This causes this Court to take as true the alleged facts above at this stage of the proceeding.


Barbara M. Frantz
Inmate at the Leavenworth County Jail

LEAVENWORTH COUNTY KANSAS

HABEAS CORPUS 60-1501

CASE NO- 2020 - CV - 34

Barbara FRANZ

PETITIONER

▼

SHERIFF LNCO, KS

ANDY DEDEKE

DEFENDANT

Exhibits

H 1-220 KIOSK DOCUMENTATION WITH NOTES

I 1-3 KIOSK DOCUMENTATION WITH NOTES

J 1-3 KIOSK DOCUMENTATION WITH NOTES

K 3-5-19 FIRST ABUSE REPORT COMPLAINT 40 PAGES

L 5-10-19 SECOND ABUSE REPORT COMPLAINT 106 PAGES

M 6-1-19 COMPLAINT REPORT DEFRAUDING BY DEFENDANT IN CASE

2017-CV-316 TO COVER-UP PHYSICAL AND SEXUAL ABUSES 70 PAGES

N SUPPLEMENT RESPONSE TO EXHIBIT M 6-1-19 5 PAGES

O KIOSK REFERENCE STATEMENTS FROM KIOSK DOCUMENTS EXHIBITS 9 AND H 28 PAGES

P DOCUMENTS SHOWING PETITIONERS DIAGNOSIS BEING CONCEALED 18 PAGES

Q WITNESS SIGNED STATEMENTS 8 PAGES

R, S, T, U, V, W, X, Y EXHIBITS

MAILED EXHIBITS TO DISTRICT COURT 3-5-2020

PACKET 1 EXHIBIT H 1-110

4-PACKETS USPS

PACKET 2 EXHIBIT H 111-220

PACKET 3 EXHIBIT I-L

PACKET 4 EXHIBIT M-Q

MY COPY
MAILED 8-16-2020

BARBARA M. FRANTZ

#124145 TCF

815 S.E. RICE ROAD

TOPEKA, KS 66607

PRO SE

IN THE DISTRICT COURT OF LEAVENWORTH COUNTY, KANSAS

Barbara M. FRANTZ - Petitioner

v.

CASE NO. 2020-CV-34

ANDREW DEDEKE SHERIFF - Respondent

MOTION FOR DEFAULT

JUDGMENT FOR HABEAS CORPUS

K.S.A. 60-1501

COMES NOW BARBARA M. FRANTZ, THE PETITIONER, PRO SE AND
RESPECTFULLY REPRESENTS THAT SHE IS UNLAWFULLY DEPRIVED OF HER
LIBERTY BY THE ABOVE-NAMED RESPONDENT, SHERIFF ANDREW DEDEKE
AT THE LEAVENWORTH JAIL IN KANSAS, AND THAT THE CAUSE OR
PRETENSE OF HER RESTRAINT, TO THE BEST OF HER KNOWLEDGE AND
BELIEF IS CASE NO. 2017-CR-92.

PETITIONER HAS BEEN DENIED A RESPONSE BY RESPONDENT SHERIFF ANDREW
DEDEKE FOR WRIT OF HABEAS CORPUS UNDER AUTHORITY OF K.S.A. 60-1501.
PETITION AND WRIT SERVED ON ANDREW DEDEKE, SHERIFF LEAVENWORTH
COUNTY, KS 66013 3RD ST LEAVENWORTH, KS 66048 ON 6-25-2020,
FOR DEPRIVED DELIBERATE INDIFFERENCE, IN THIS CASE WRIT OF
HABEAS CORPUS 2020-CV-34

WHEREFORE, Petitioner prays on the court to grant motion for default judgment be ordered on Petitioner's K.S.A. 60-1501 HABEAS CORPUS 2020-cv-34 be granted said relief, finding for CASE NO. 2017-CR-92 be ordered by this court, as UNLAWFUL IMPRISONMENT portion of Petitioner, violation of Petitioner's 8th AND 14th AMENDMENT Rights of THE DUE PROCESS CLAUSE' NOT to be PUNISHED. THAT Petitioner was UNLAWFULLY deprived of HER LIBERTY by the Respondent ANDY DEDEKE, SHERIFF of LEAVENWORTH COUNTY, KANSAS. From Respondent's denial in providing adequate MEDICAL CARE AND TREATMENT, NEGLECTING TREATMENT for CONSIDERABLE AMOUNTS of PAIN INFILCTING UNNECESSARY PAIN AND SUFFERING EQUIVALENT to PHYSICAL TORTURE, Petitioner's PHYSICAL, SEXUAL, PSYCHOLOGICAL Abuse's documented mistreatment's set out in Petitioner's K.S.A. 60-1501 HABEAS CORPUS CASE NO. 2020-cv-34.

Violations, Shocking AND INTOLERABLE conduct of CRUEL AND UNUSUAL PUNISHMENTS BEING MALICIOUS AGAINST PETITIONER, AND SUCH RELIEF BE ORDERED AS SET OUT BY THIS COURT.

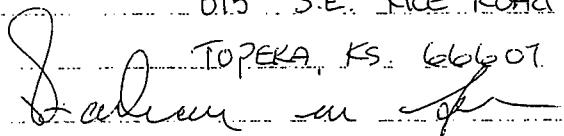
Respectfully Submitted, GOLD STAR MOTHER

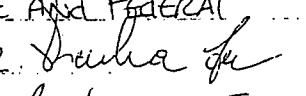
BARBARA M. FRANTZ # 124145

TCF

815 S.E. RICE ROAD

TOPEKA, KS. 66607



VERIFICATION: I verify that the above is true and correct to be the best of my understanding under the pains of perjury under state and federal laws with K.S.A. 54-105 and K.S.A. 53-601 and U.S.C. 1742. 

CERTIFICATE OF SERVICE: I certify the above motion has been

PLACED IN U.S. MAIL POSTAGE PAID to the following, on 8-26-2020.
CLERK OF DISTRICT COURT, JULIE CLEMENS

601 S. 3rd ST. LEAVENWORTH, KS 660048



Barbara M. Frantz

BF

2

2

Date: 7/5/2022

Leavenworth County District Court

User: ALICIAN

Time: 10:13 AM

ROA Report

Page 1 of 4

Case: 2020-CV-000034

Current Judge: Gerald R Kuckelman

Barbara Marie Frantz vs. Andrew Dedeke

Habeas Corpus

Date		Judge
1/31/2020	The record of all proceedings in this case are digitally recorded unless otherwise noted.	Michael D Gibbens
	Petition PETITION FOR WRIT OF HABEAS CORPUS	Michael D Gibbens
3/10/2020	Exhibits EXHIBITS	Michael D Gibbens
	Notice NOTICE OF DEFICIENT PLEADING	Michael D Gibbens
3/12/2020	Certificate CERTIFICATE OF MAILING	Michael D Gibbens
3/27/2020	Filing: Civil Docket Fee Paid by: Frantz, Barbara Marie (plaintiff) Receipt number: 0274864 Dated: 3/27/2020 Amount: \$195.00 (Check) For: Frantz, Barbara Marie (plaintiff)	Michael D Gibbens
5/1/2020	CORRESPONDENCE by the defendant INF: Correspondence	Michael D Gibbens
5/14/2020	Correspondence CORRESPONDENCE from plaintiff	Michael D Gibbens
	Exhibits EXHIBIT	Michael D Gibbens
	Email Sent Date: 05/14/2020 10:31 am To: mollie.hill@leavenworthcounty.org and Wacker, Terrie File Attached: CORRESPONDENCEFROMPLAINTIFF.pdf Name of Document: CORRESPONDENCE from plaintiff	Michael D Gibbens
	Email Sent Date: 05/14/2020 10:31 am To: mollie.hill@leavenworthcounty.org and Wacker, Terrie File Attached: EXHIBIT.pdf Name of Document: EXHIBIT	Michael D Gibbens
	Certificate CERTIFICATE OF MAILING	Michael D Gibbens
5/27/2020	Correspondence CORRESPONDENCE from plaintiff	Michael D Gibbens
5/29/2020	Correspondence CORRESPONDENCE from plaintiff	Michael D Gibbens
6/1/2020	Email Sent Date: 06/01/2020 09:15 am To: mollie.hill@leavenworthcounty.org File Attached: CORRESPONDENCEFROMPLAINTIFF.pdf Name of Document: CORRESPONDENCE from plaintiff	Michael D Gibbens
	Certificate CERTIFICATE OF MAILING	Michael D Gibbens
	Certificate CERTIFICATE OF MAILING	Michael D Gibbens

Date: 7/5/2022

Leavenworth County District Court

User: ALICIAN

Time: 10:13 AM

ROA Report

Page 2 of 4

Case: 2020-CV-000034

Current Judge: Gerald R Kuckelman

Barbara Marie Frantz vs. Andrew Dedeke

Habeas Corpus

Date	Judge
6/1/2020	Michael D Gibbens
	Email Sent Date: 06/01/2020 01:37 pm To: mollie.hill@leavenworthcounty.org and Wacker, Terrie File Attached: CORRESPONDENCEFROMPLAINTIFF.pdf Name of Document: CORRESPONDENCE from plaintiff
	Certificate
	CERTIFICATE OF MAILING
	Correspondence
	CORRESPONDENCE from plaintiff
	Email Sent Date: 06/01/2020 01:40 pm To: mollie.hill@leavenworthcounty.org and Wacker, Terrie File Attached: CORRESPONDENCEFROMPLAINTIFF.pdf Name of Document: CORRESPONDENCE from plaintiff
	Certificate
	CERTIFICATE OF MAILING
	CORRESPONDENCE by the defendant
	INF: Correspondence
6/12/2020	Michael D Gibbens
	Correspondence
	CORRESPONDENCE from plaintiff
	Exhibits
	EXHIBIT S
6/15/2020	Michael D Gibbens
	Exhibits
	EXHIBIT T
6/17/2020	Michael D Gibbens
	Email Sent Date: 06/17/2020 09:12 am To: Wacker, Terrie File Attached: Michael D Gibbens EXHIBITS.pdf Name of Document: EXHIBIT S
	Email Sent Date: 06/17/2020 09:15 am To: Wacker, Terrie File Attached: Michael D Gibbens EXHIBIT T.pdf Name of Document: EXHIBIT T
6/24/2020	Michael D Gibbens
	Hearing Scheduled (Writ of Habeas Corpus 09/24/2020 01:00 PM)
	Barbara Frantz
	WRIT OF HABEAS CORPUS: Issued to Andrew Dedeke on 6/24/2020; Assigned to LVSO, Leavenworth Co Sheriff. Service Fee of \$0.00.
	WRIT OF HABEAS CORPUS ISSUED Andrew Dedeke
	Certificate
	CERTIFICATE OF MAILING
6/26/2020	Michael D Gibbens
	WRIT OF HABEAS CORPUS: Served to Andrew Dedeke on 6/25/2020; Assigned to LVSO, Leavenworth Co Sheriff. Service Fee of \$0.00.
	WRIT OF HABEAS CORPUS served Andrew Dedeke
6/29/2020	Michael D Gibbens
	Certificate
	CERTIFICATE OF MAILING
	Correspondence
	CORRESPONDENCE from plaintiff
	Exhibits
	EXHIBITS
6/30/2020	Michael D Gibbens
	Email Sent Date: 06/30/2020 08:14 am To: mollie.hill@leavenworthcounty.org and Wacker, Terrie File Attached: EXHIBITS.pdf Name of Document: EXHIBITS
	Certificate
	CERTIFICATE OF MAILING

Date: 7/5/2022

Leavenworth County District Court

User: ALICIAN

Time: 10:13 AM

ROA Report

Page 3 of 4

Case: 2020-CV-000034

Current Judge: Gerald R Kuckelman

Barbara Marie Frantz vs. Andrew Dedeke

Habeas Corpus

Date	Judge
7/13/2020	Michael D Gibbens
Exhibits EXHIBITS	
7/14/2020	Michael D Gibbens
Email Sent Date: 07/14/2020 09:57 am To: mollie.hill@leavenworthcounty.org File Attached: EXHIBITS.pdf Name of Document: EXHIBITS	
Certificate CERTIFICATE OF MAILING	Michael D Gibbens
7/16/2020	Michael D Gibbens
Exhibits EXHIBITS	
7/17/2020	Michael D Gibbens
Email Sent Date: 07/17/2020 09:40 am To: mollie.hill@leavenworthcounty.org File Attached: EXHIBITS.pdf Name of Document: EXHIBITS	
Certificate CERTIFICATE OF MAILING	Michael D Gibbens
7/29/2020	Michael D Gibbens
Correspondence CORRESPONDENCE from plaintiff	
7/31/2020	Michael D Gibbens
Email Sent Date: 07/31/2020 10:08 am To: mollie.hill@leavenworthcounty.org and Phillips, Jamie File Attached: CORRESPONDENCEFROMPLAINTIFF.pdf Name of Document: CORRESPONDENCE from plaintiff	
Certificate CERTIFICATE OF MAILING	Michael D Gibbens
8/31/2020	Gerald R Kuckelman
Motion MOTION FOR DEFAULT JUDGMENT FOR HABEAS CORPUS	
9/3/2020	Gerald R Kuckelman
Email Sent Date: 09/03/2020 09:33 am To: mollie.hill@leavenworthcounty.org and Phillips, Jamie File Attached: MOTIONFORDEFAULTJUDGMENTFORHABEASCORPUS.pdf Name of Document: MOTION FOR DEFAULT JUDGMENT FOR HABEAS CORPUS	
Certificate CERTIFICATE OF MAILING	Gerald R Kuckelman
9/24/2020	Gerald R Kuckelman
Hearing result for Writ of Habeas Corpus held on 09/24/2020 01:00 PM: Hearing Held Barbara Frantz MHill for the defendant, plaintiff does not appear, case dismissed (FTR4 104)	
9/30/2020	Gerald R Kuckelman
Writ WRIT OF HABEAS CORPUS	
10/5/2020	Gerald R Kuckelman
Order ORDER OF DISMISSAL	
10/8/2020	Gerald R Kuckelman
Email Sent Date: 10/08/2020 09:26 am To: mollie.hill@leavenworthcounty.org File Attached: ORDEROFDISMISSAL.pdf Name of Document: ORDER OF DISMISSAL	
Certificate CERTIFICATE OF MAILING	Gerald R Kuckelman
10/16/2020	Gerald R Kuckelman
Motion MOTION FOR APPEAL TO HIGHER COURT	

Date: 7/5/2022

Leavenworth County District Court

User: ALICIAN

Time: 10:13 AM

ROA Report

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Case: 2020-CV-000034

Current Judge: Gerald R Kuckelman

Barbara Marie Frantz vs. Andrew Dedeke

Habeas Corpus

Date	Judge
10/16/2020	Gerald R Kuckelman
Email Sent Date: 10/16/2020 10:28 am To: mollie.hill@leavenworthcounty.org and Phillips, Jamie File Attached: MOTIONFORAPPEALTOHIGHERCOURT.pdf Name of Document: MOTION FOR APPEAL TO HIGHER COURT	
Certificate CERTIFICATE OF MAILING	Gerald R Kuckelman
11/4/2020	Gerald R Kuckelman
Correspondence CORRESPONDENCE from plaintiff	
11/6/2020	Gerald R Kuckelman
Email Sent Date: 11/06/2020 09:20 am To: mollie.hill@leavenworthcounty.org and Phillips, Jamie File Attached: CORRESPONDENCEFROMPLAINTIFF.pdf Name of Document: CORRESPONDENCE from plaintiff	
Certificate CERTIFICATE OF MAILING	Gerald R Kuckelman
11/18/2020	Gerald R Kuckelman
Correspondence CORRESPONDENCE from plaintiff	
11/19/2020	Gerald R Kuckelman
Email Sent Date: 11/19/2020 03:32 pm To: mollie.hill@leavenworthcounty.org and Phillips, Jamie File Attached: CORRESPONDENCEFROMPLAINTIFF.pdf Name of Document: CORRESPONDENCE from plaintiff	
Certificate CERTIFICATE OF MAILING	Gerald R Kuckelman
7/1/2022	Gerald R Kuckelman
Correspondence CORRESPONDENCE from the Defendant 6-28-22	

Date: 7/5/2022

Leavenworth County District Court

User: ALICIAN

Time: 10:09 AM

ROA Report

Page 1 of 2

Case: 2017-CV-000316

Current Judge: Gerald R Kuckelman

Barbara Marie Frantz vs. Andrew Dedeke

Habeas Corpus

Date	Judge
11/9/2017	Gunnar A Sundby
	The record of all proceedings in this case are digitally recorded unless otherwise noted.
	Filing: Civil Docket Fee Paid by: Danny Beauclair Receipt number: 0243514 Dated: 11/9/2017 Amount: \$195.00 (Cash) For: Frantz, Barbara Marie (plaintiff)
	Petition
	PETITION FOR WRIT OF HABEAS CORPUS
	Motion
	MOTION FOR APPOINTMENT OF COUNSEL FOR HABEAS CORPUS
11/29/2017	Gunnar A Sundby
	Order
	ORDER
11/30/2017	Gunnar A Sundby
	Hearing Scheduled (Writ of Habeas Corpus 01/23/2018 01:00 PM)
	Email Sent Date: 11/30/2017 01:49 pm To: bryant.law.office@gmail.com
	File Attached: PETITIONFORWRITOFHABEASCORPUS.pdf Name of Document: PETITION FOR WRIT OF HABEAS CORPUS
	Email Sent Date: 11/30/2017 01:50 pm To: bryant.law.office@gmail.com
	File Attached:
	MOTIONFORAPPOINTMENTOF COUNSELFORHABEASCORPUS.pdf
	Name of Document: MOTION FOR APPOINTMENT OF COUNSEL FOR HABEAS CORPUS
	Email Sent Date: 11/30/2017 01:50 pm To: bryant.law.office@gmail.com and Van Parys, David
	File Attached: ORDER.pdf Name of Document: ORDER
	Certificate
	CERTIFICATE OF MAILING
	Certificate
	CERTIFICATE OF MAILING
12/1/2017	Gunnar A Sundby
	Order
	ORDER APPOINTING COUNSEL PRIVATE OR PUBLIC DEFENDER
12/4/2017	Gunnar A Sundby
	Email Sent Date: 12/04/2017 09:35 am To: bryant.law.office@gmail.com
	File Attached: WRITOFHABEASCORPUS.pdf Name of Document: WRIT OF HABEAS CORPUS
	Email Sent Date: 12/04/2017 09:36 am To: bryant.law.office@gmail.com
	File Attached:
	ORDERAPPOINTINGCOUNSELPRIVATEORPUBLICDEFENDER.pdf
	Name of Document: ORDER APPOINTING COUNSEL PRIVATE OR PUBLIC DEFENDER
	WRIT OF HABEAS CORPUS: Issued to Andrew Dedeke on 12/4/2017; Assigned to LVSO, Leavenworth Co Sheriff. Service Fee of \$0.00.
	WRIT OF HABEAS CORPUS issued Andrew Dedeke
	Certificate
	CERTIFICATE OF MAILING
	Email Sent Date: 12/04/2017 10:02 am To: bryant.law.office@gmail.com
	File Attached: PETITIONFORWRITOFHABEASCORPUS.pdf Name of Document: PETITION FOR WRIT OF HABEAS CORPUS

Date: 7/5/2022
Time: 10:09 AM
Page 2 of 2

Leavenworth County District Court
ROA Report
Case: 2017-CV-000316
Current Judge: Gerald R Kuckelman
Barbara Marie Frantz vs. Andrew Dedeke

User: ALICIAN

Habeas Corpus

Date		Judge
12/8/2017	WRIT OF HABEAS CORPUS: Served to Andrew Dedeke on 12/7/2017; Assigned to LVSO, Leavenworth Co Sheriff. Service Fee of \$0.00. WRIT OF HABEAS CORPUS served Andrew Dedeke	Gunnar A Sundby
12/12/2017	ENTRY OF APPEARANCE INF: Entry of Appearance	Gunnar A Sundby
12/14/2017	Email Sent Date: 12/14/2017 10:11 am To: bryant.law.office@gmail.com and mollie.hill@leavenworthcounty.org File Attached: WRITOFHABEASCORPUSERVEDANDREWDEDEKE.pdf Name of Document: WRIT OF HABEAS CORPUS served Andrew Dedeke Certificate CERTIFICATE OF MAILING	Gunnar A Sundby
12/15/2017	Email Sent Date: 12/15/2017 08:12 am To: bryant.law.office@gmail.com File Attached: ENTRYOFAPPEARANCE.pdf Name of Document: ENTRY OF APPEARANCE Certificate CERTIFICATE OF MAILING	Gunnar A Sundby
12/27/2017	DEFENDANTS REPLY TO WRIT OF HABEAS PLE: Reply	Gunnar A Sundby
12/28/2017	DEFENDANTS RESPONSE TO WRIT OF HABEAS PLE: Response - Answer	Gunnar A Sundby
1/4/2018	Email Sent Date: 01/04/2018 08:11 am To: bryant.law.office@gmail.com File Attached: DEFENDANTSRESPONSETOWRITOFHABEAS.pdf Name of Document: DEFENDANTS RESPONSE TO WRIT OF HABEAS Certificate CERTIFICATE OF MAILING	Gunnar A Sundby
1/22/2018	Hearing Rescheduled at request of Mollie Hill (Writ of Habeas Corpus 01/24/2018 02:30 PM)	Gunnar A Sundby
1/26/2018	Hearing result for Writ of Habeas Corpus held on 01/24/2018 02:30 PM: Hearing Held petitioner with Bryant, resp by Mhill, petition for writ of habeas corpus under 60-1501, testimony given, under advisement FTR4	Gunnar A Sundby
2/26/2018	Memorandum Decision MEMORANDUM DECISION	Gunnar A Sundby
2/27/2018	Email Sent Date: 02/27/2018 02:22 pm To: bryant.law.office@gmail.com and mollie.hill@leavenworthcounty.org File Attached: MEMORANDUMDECISION.pdf Name of Document: MEMORANDUM DECISION Certificate CERTIFICATE OF MAILING	Gunnar A Sundby
6/18/2018	Judge: Retired (batch process)	
10/8/2020	Judge: Administrative Reassign (batch process)	
7/1/2022	Correspondence CORRESPONDENCE from the Defendant 6-28-22	Gerald R Kuckelman

MY COPY
MAILED 6-13-24

APPENDIX D

DR. VALERIE WOLFE MAHFOOD, DOJ

61-PAGES

6-13-24

P.O. Box 414

NEUDERLAND, TX 77627

LVCO, KS CASE 2019-CR-92

PREA BY LVSO STAFF

PREA AUDITORS OF AMERICA

RE: 1-2-2023 COMPLAINT OF PREA AGAINST LEAVENWORTH CO. KS SHERIFF'S STAFF
COMPLAINT ON EAI, KDOC, TCF, CENTURION

HELLO, BARBARA FRANTZ #124145 AT TOPEKA CORRECTIONAL FACILITY (TCF).

I HAVE FILED COMPLAINTS OF MISCONDUCT BY EAI OF TOPEKA CORRECTIONAL
FACILITY. THESE 5-2-2024 AND 5-28-2024 ARE ENCLOSED WITH THESE ATTACHMENTS.

I WOULD ALSO LIKE YOU TO INVESTIGATE MY COMPLAINTS AGAINST EAI
SPECIAL AGENTS MR. RYAN SHANKS, MR. HAEHL AND MR. WINKLEMAN.

THE 7-23-2020 AUDIO/VIDEO RECORDING FROM MY TCF INTAKE WAS
PURPOSELY ALLOWED TO BE DESTROYED DUE TO THE CONTEXT OF ITS RECORDED
STATEMENTS BY LEAVENWORTH CO. KS SHERIFF'S OFFICERS THAT TRANSPORTED
ME HERE TO TCF ON 7-23-2020. SHERIFF'S OFFICERS MR. FREAKIE AND
MS. WILLIAMS STATING TO TCF STAFF AND CENTURION NURSE HEIDI WHITE
OF THEM, LVSO OFFICERS, STATING WITH ACKNOWLEDGMENT OF MY COMPLAINT
OF PREA IN CO. JAIL, BUT LYING ABOUT DETAILS OF MY PREA COMPLAINT.

THERE WERE STATEMENTS MADE BEFORE I REALIZED THESE TWO SHERIFF'S
OFFICERS WERE STILL IN THE INTAKE BUILDING AFTER I WAS PLACED IN
A SMALL HOLDING ROOM, NEXT TO INTAKE OFFICE. I BEGAN LISTENING.
I REPORTED ALL THIS INFORMATION THAT NIGHT 7-23-2020 WHEN I MET
WITH BEHAVIORAL HEALTH STAFF MS. SMITH AND TCF OFFICER MR. BROWN
PRESENT.

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I RECEIVED E-mail documents from LVSO COCENSE MOLICE HILL, showing without a doubt MR.SHANKS LYING ABOUT WHAT DETAILS I PROVIDED TO HIM AND MR-HAEHL DURING MY 8-7-2020 AUDIO RECORDED INTERVIEW. MR.SHANKS ALSO LYING IN APRIL 21, 2021 REPORT, STATING IT WAS TOO LATE TO RECOVER THE 7-23-2020 INTAKE AUDIO/VIDEO RECORDING STATING I REPORTED THE SHERIFFS MISCONDUCT ON OR AROUND 8-18-2020. I CLEARLY REPORTED THIS, ON 8-7-2020, DURING MY AUDIO INTERVIEW WITH MR.SHANKS AND MR-HAEHL. THIS AUDIO RECORDING ALSO WAS DENIED TO LVSO FOR SHOWING MY STATEMENTS TO EAI AND ANSWERING EAI QUESTIONS FOR INVESTIGATION INTO PREGA BY STAFF ON 1-24-2017.

EVEN FURTHER, CENTURION NURSE HEIDI WHITE PRESENT IN INTAKE 7-23-2020, SHE STATED TO INMATE RESIDENT SAMMY SANDERS THAT I WAS:

"CRAZY, BE HERE THE REST OF MY LIFE AND DIE HERE". THIS ALSO WOULD HAVE BEEN CAPTURED ON THE AUDIO/VIDEO RECORDING. AND TCF OFFICERS PRESENT DENIED TO REPORT TRANSPORT OFFICERS MISCONDUCT, AND PROVIDED NO INFORMATION, LYING IN THEIR INTERVIEW WITH EAI CONCERNING 7-23-2020 INTAKE. MR.SHANKS E-mail 8-7-2020 SHOWS HIM ACKNOWLEDGING MY COMPLAINTS AGAINST THESE SHERIFFS OFFICERS. SHANKS KNOWING AUDIO/VIDEO RECORDING EXISTED AND WAS RECONGRADABLE. NO-DOUBT AS AN INVESTIGATOR MR.SHANKS AND MR-HAEHL HAD REVIEWED THIS RECORDING FOR KNOWING WHAT EXISTED ON THIS RECORDING FOR EVIDENCE WHICH WOULD SHOW WHAT I REPORTED ON 8-7-2020 AUDIO RECORDED INTERVIEW WITH EAI. EMAIL 8-7-2020 1:05 PM
YET MR.SHANKS LIES IN HIS APRIL 21, 2021 3:44PM LETTER- ENCLOSED.

EAI DENYING ME THIS EVIDENCE ALONG WITH MY OTHER COMPLAINTS DENYING ME THE SANE EXAM, MAKING JUDGEMENTS AND ASSUMPTIONS ABOUT MY CREDIBILITY BEING A VICTIM OF SEXUAL ABUSE, REPORTING MY PERMANENT INJURIES, ALSO DENYING ME MEDICAL CARE THAT WOULD OF COME FROM THE SANE EXAM AT THE HOSPITAL. THESE ARE SEVERE VIOLATIONS OF STATE POLICY AND 28 C.F.R. PART 115 FEDERAL JAIL-PRISON PREGA STANDARDS, AND MY CONSTITUTIONAL RIGHTS.

I WOULD ALSO LIKE TO FILE A COMPLAINT REGARDING LVSO SHERIFF MAJOR TIM DEDEKE. HIS RESPONSE IN E-MAIL DATED MARCH 17, 2021 12:38 PM. THIS EMAIL SHOWS TIM DEDEKE DENYING TO INVESTIGATE MY PREGA COMPLAINT, STATING HE WITNESSED THE "INCIDENT".

THE ENCLOSED 7-24-2017 INJURY TO INMATE REPORT WRITTEN BY LVSO OFFICER SIBOLD, B.R. (SO47), SHOWS AT TIME OF 1643 HOURS, FINDING ME UNRESPONSIVE. I WAS IN THIS MEDICAL HOLDING CELL WITH 24 HOUR VIDEO RECORDING, NINE HOURS PRIOR TO 1643 HOUR NO REPORTS WRITTEN FROM FIRST SHIFT. FURTHER, LAST 1800 HR RESPONSE BY MR. SIBOLD OF 1800 HOUR, WHERE IS THE MISSING 14 HOURS AFTER THIS. I REPORTED UNCONSCIOUSNESS OVER 24 HRS WAKE UP ON 7-25-2017 AROUND 9:00 AM.

IVE ENCLOSED 4-26-2024 LETTER OF KANSAS OPEN RECORDS REQUEST TO LVSO COUNSEL MOLIE HILL FOR REQUEST. MS. HILL DECLINES TO RESPOND SO I FILED A KOPA COMPLAINT TO KSAGA OFFICE DATED 5-28-2024.

I would greatly appreciate you looking into this complaint ongoing from my 1-2-2023 letter to you and your visiting me at TCF on 2-15-2023. My skull swelling has worsened since you seen me and I've obtained witness statements signed under declaration of penalty of perjury, identifying my skull swelling. Enclosed.

I also continue to be denied the SANE Exam my YWCA Rape Counselor/Community Advocate made a referral for me the SANE Exam and medical testing dated 1-8-2023. Enclosed. I am terrified for my life and continue to be grossly deprived medical care by concealment. The conspiracy to cover-up PREA 7-24-2017 extends to EAI, KDOC, TCF, and Centurion. This 1-23-2020 intake recording, extremely damaging, which EAI Mr. Shanks and Mr. Faeth had known of its existence, and can say the probability of them viewing this audio/video recording exist. My audio recorded interview with EAI 8-7-2020 I spoke extensively on several accounts of LVSO transport officers misconduct.

ENCLOSURES

ENCLOSED: 1.) 4-26-24 LVSO Mollie Hill Kora Request w/ ATTACHMENTS
2) DECLARATION WITNESS STATEMENTS 5-20-24 PATRICIA PERKINS, 4-25-24 KATIE THOMAS
3) 5-2-24 KSAG OFFICE COMPLAINT ON EAI w/ GRIEVANCES ATTACHED
4) 5-28-24 KSAG OFFICE CONTINUED COMPLAINT ON EAI w/ ATTACHMENTS
5) LVSO 11-16-23 FROM MOLLIE HILL 2-PGS

SINCERELY, GOLD STAR MOTHER

Barbara FRANTZ #124145

TCF 815 SE RICE Road TOPEKA, KS 66607

Barbara FRANTZ 6-13-2024

CC: FRANTZ,B

4
4

My copy
mailed 4-26-24

LEAVENWORTH CO. SHERIFF DEPT. MORICE HILL

4-26-24

601 S. 3rd ST., STE 2009

LEAVENWORTH, KS 66048

RE: KORA LETTER 4-11-24, RESPONSE 4-22-24

HELLO, I RECEIVED YOUR RESPONSE DATED 4-22-24 WITH THE (PHOTO STRIPPED) MISSING SHOT PHOTOS I REQUESTED. I DID NOT RECEIVE MY REQUESTED FILE NO. OF THE CRIMINAL INVESTIGATION RECORD THAT YOU STATED THE 7-24-17 BODY CAMERA FOOTAGE IS A PART OF. THERE IS A CASE NO. OR FILE NO. FOR THIS "CRIMINAL INVESTIGATION RECORD" AND I'M REQUESTING FOR THIS.

THE JAIL RECORDS I'M REQUESTING ARE FOR ALL OTHER PHOTOS, MEDICAL RECORDS, AND REPORTS, HOUSING PLACEMENTS, DISCIPLINARY RECORDS, ETC. FROM 1-28-17 THROUGH 7-23-2020, ALL RECORDS REGARDING INCARCERATION RECORDS. I WAS IN THE MEDICAL HOLDING CELL 9 HOURS PRIOR TO THE 1643 HOUR, 7-24-17 REPORT BY SIBOLD, B.R. (SO47) REPORT OF INJURY TO INMATE. FURTHER, THERE IS ALSO MISSING NARRATIVE REPORTS MISSING OF 14 HOURS AFTER THE 1800 HRS OFFICER SIBOLD MENTIONS. EVEN FURTHER THERE IS MISSING NARRATIVE REPORTS OF PLACEMENT IN THE RESTRAINT CHAIR. I WAS UNCONSCIOUS OVER 24 HOURS FROM BEING BEAT UNCONSCIOUS. THE INJURIES OF A HEMATOMA HAVING A SKULL FRACTURE TO MY LEFT SIDE OF MY HEAD CAUSED SEVERE BRUISING TO MY FACE. THERE WERE PICTURES TAKEN OF MY FACE BY SIBOLD ON AUG. 4TH, 2017.

I WAS TEMPORARY SENT BACK TO E-POD AUG. 3RD THROUGH AUG 4TH, 2017 UPON ME SHOWING E-POD RESIDENTS MY BUTTOCKS HAVING CUTS WITH BRUISING FOR WITNESSING DUE TO THEIR CONCERN OF SEEING MY SEVERELY BRUISED FACE, I WAS TAKEN BACK TO MEDICAL HOLDING CELL NO. 1, ON AUG 4TH, 2017. THIS IS WHEN SIBORD TOOK PICTURES OF MY BRUISED FACE. THE CUTS AROUND MY RECTUM WAS TREATED WITH TRIPLE ANTIBIOTIC OINTMENT TWICE DAILY FOR APPROX 10 DAYS, THIS DUE TO BEING RAPED DURING ^{24 HRS} MY OVER UNCONSCIOUSNESS. OFFICER SIBORD'S REPORT SHOWS NO MEDICAL CARE WAS PROVIDED ON 7-24-17. GRIEVANCE DATED 12-21-18 1:39:41 SHOWS PREGA WAS INVESTIGATED. PLEASE PROVIDED ME PREGA NO. AND ALL DOCUMENTS, TRANSCRIPTS, FILES FROM THE JAIL AND TCF PROVIDED REGARDING THIS PREGA COMPLAINT I FILED IN JAIL AND AGAIN WITH TOPEKA CORRECTIONAL FACILITY. EAI SHOWS THEY PROVIDED DOCUMENTS AND TRANSCRIPT OF MY 8-7-2020 AUDIO RECORDED INTERVIEW WITH EAI AND 8-6-2020 NARRATIVE REPORT OF ME REPORTING MY HANG HEAD AND RAPED BY LVSO OFFICERS ON 7-24-17. I WOULD LIKE ALL DOCUMENTS PERTAINING TO MY REPORTING PREGA FROM 7-24-17 INCLUDING PHONE LOGS OF MY FAMILY CALLING INTO THE SHERIFF'S DEPT. REPORTING PREGA ALLEGATIONS FROM 7-24-17.

YOUR LETTER TO ME DATED 11-6-23 SHOWS I MAY VIEW THE BODY CAM FOOTAGE. I AM REQUESTING TO VIEW THIS FOOTAGE. I AM ALSO REQUESTING FOR THE FULL NAMES OF JAIL MEDICAL PERSONNEL PA, ANNETTE AND PA, MICHELLE, AND THE COMPANY THEY WORK FOR.

YOUR LETTER DATED 4-22-24 SHOWS YOU ACKNOWLEDGING I WAS FOUND "UNRESPONSIVE" IN MY CELL. PLEASE PROVIDE ME JAIL POLICY FOR RESPONSE BY ^{JAIL} STAFF WHEN FINDING AN INMATE "UNRESPONSIVE" AND NO MEDICAL PERSONNEL ON DUTY, AND POLICY FOR INVESTIGATING PREA ALLEGATIONS AGAINST STAFF. YOU RESPONDED IN YOUR LETTER PREA WAS "UNFOUNDED".
HOWEVER KIOSK REPORT DATED 9-11-17 2:27:59 SHOWS MAJOR DEDEKE REPORTED MY ALLEGATIONS OF PHYSICAL AND SEXUAL ASSAULTS BY STAFF AS "UNSUBSTANTIATED". MAJOR DEDEKE ALSO REPORTS I WAS IN A ROOM THAT IS MONITORED 24 HRS A DAY.

KIOSK REPORT 9-19-17 07:27:56 SHOWS ME REPORTING MY INJURIES FROM 7-24-17, WHICH JAIL COMMANDER SHELIA O'BRIEN REPORTED "YOU WERE SEEN BY MEDICAL". Siford REPORTED MEDICAL PERSONNEL WAS CALLED, NO REPORTS "I WAS SEEN BY MEDICAL".

THE MUG SHOT PHOTOS YOU SENT CLEARLY SHOW PHOTO SHOT TO MY LEFT EAR AND BY APPEARANCE PRINTED OFF FROM A PERSONAL COMPUTER NOT PICTURES TAKEN THE SYSTEM WHICH THE MUG-SHOTS WERE TAKEN FROM. THIS IS VERY CONCERNING TO CONCEAL FACTS OF INJURY TO MY HEAD, WHILE I WAS IN THE CUSTODY OF LVSO CO. JAIL 1-28-17 THROUGH 7-23-2020. TODEATE MY INJURIES PERMANENT WITH SKULL SWELLING FORCING MY LEFT EYE-EAR UPWARD WORSENING TO MY RIGHT EYE FROM FURTHER SKULL SWELLING AND PERMANENT SCARRING OF THE DEEP CUTS AROUND MY RECTUM. I CONTINUED TO BE GROSSLY DEPRIVED MEDICAL CARE FOR CONCEALMENT PURPOSES BY DELIBERATE INDIFFERENCE FOR MY SUBSTANTIALLY SERIOUS LIFE THREATENING MEDICAL CONDITIONS. THREATENING MY LIFE, OBSCURES TO THE PAY PERSON.

ENCLOSED IS THE YWCA RAPE COUNSELOR / COMMUNITY ADVOCATE HANNAH BURRELL'S REFERRAL FOR ME THE SANE EXAM AND MEDICAL TESTING. AS MS. BURRELL HAS STATED SHE CAN SEE THE NEED FOR ME NEEDING DIAGNOSTIC TESTING OF MY HEAD.

E-mail dated 1-18-23 TO KDOC VICTIM SERVICES. I CONTINUED TO BE DENIED THIS SANE EXAM I SHOULD OF HAD IN THE CO. JAIL WHEN SHEILA O'BRIEN CAME INTO MY MEDICAL HOLDING CELL AND TOLD ME TO GET READY TO GO TO THE HOSPITAL FOR A RAPE KIT TO BE DONE. SHE THEN SPOKE TO MELISSA AND CANCELED THIS TRIP TO THE HOSPITAL. I HAD MEDICAL CARE INSURANCE THE ENTIRE 3½ YEARS OF MY WRONGFUL INCARCERATION IN LN CO. JAIL. THE DEPRIVATION OF MEDICAL CARE FOR MY PRE-ARREST MEDICAL CONDITIONS HAVING BIOPSIES OF TUMORS IN MY STOMACH AND BLADDER, PROTECTS KU HOSPITAL'S MEDICAL ERROR CAUSING MY TUMORS. THE DEPRIVATION OF MEDICAL CARE FOR PREA INJURIES, DENYING ME THE REQUIRED SANE EXAM (INVESTIGATION), PROTECTS LN SHERIFF'S OFFICERS BEATING AND RAPING ME.

ALL VERY DISTURBING AND EXTREMELY CRIMINAL VIOLATING MY CONSTITUTIONALLY PROTECTED RIGHTS. CRUEL AND UNUSUAL PUNISHMENTS DOESN'T EVEN COME CLOSE TO HORROR OF TORTURE BY, CRIMINALS PORTRAYED AS PROFESSIONALS, AND OTHERS ACTING IN CONCERT AND PARTICIPATION TO KEEP ME DEPRIVED OF SERIOUS MEDICAL NEEDS BEING CALLOUS, AND MALICIOUSLY DONE TO CAUSE ME GREAT HARM-DEATH, VIOLATING FEDERAL AND STATE LAWS.

I WILL SEEK PUNISHMENTS TO THE FULL EXTENT OF THE LAW.

Enclosed A Copy of:

1. YWCA E-mail 1-18-23 FOR LONG TERM SANE EXAM AND MEDICAL TESTING BY REFERRAL
2. 4 SWORN DECLARATIONS IDENTIFYING MY INJURY OF SKULL SWELLING
3. EAI MR. SHANKS 4-21-2020 3:44 pm 2-pgs WITH NOTES
4. EAI 8-19-2020 COMPLAINT ON LVSO TRANSPORT OFFICERS 7-23-2020 2-pgs w/ Note

PIGARE PROVIDE ME MY REQUEST ABOVE UNDER KORA AND BY MY REQUEST OF CORRECTIONAL RECORDS SINCE I AM THE INMATE INVOLVED IN REQUESTING RECORDS. THE BODY CAMERA FOOTAGE CAN BE SENT TO EAI FOR ME TO VIEW, AND EAI CAN THEN SEND BACK THE DISC TO YOU. I AM WANTING TO SEE THIS BODY CAMERA FOOTAGE. I AM QUESTIONING OF WHY IS THIS THE ONLY BODY CAMERA FOOTAGE? I WAS UNCONSCIOUS JUST OVER 24 HOURS AND REPORTS SHOW THEY HAD ME IN A RESTRAINT CHAIR, HOW LONG? AND WHERE IS THE BODY CAMERA FOOTAGE FROM INTAKE CELL TAKING ME OUT OF THE CHAIR? REPORTS, MISSING.

SINCERELY, GOLD STAR MOTHER
BARBARA FRANTZ #124145

TCF 815 SE Rice Road

TOPEKA, KS. 66607

 426-24

CC: FRANTZ, B

Accessing long term adult SANE exam and medical testing

Hannah Burrell <hannahb@ywcaneks.org>

Wed 1/18/2023 9:34 AM

To: Sarah Kowalewski [KDOC] <Sarah.Kowalewski@ks.gov>; Holly Chavez [KDOC] <Holly.Chavez@ks.gov>

Cc: Christina Chavez <Christinac@ywcaneks.org>

I have spoken with the Stormont Vail SANE nurse regarding Frantz' request to have a SANE exam. The SANE nurse informed me that she could complete a long-term SANE exam but had expressed concerns of traumatization and could only take photos and do documentation. I informed Frantz of the nurses' concerns, and she informed me that she'd still like to proceed with an exam for documentation purposes.

Can we please set up medical transpiration for Barbara Frantz to Stormont for a SANE exam as soon as possible. This client has also expressed a need to see a doctor outside of the facility regarding ongoing medical concerns that began after assault. I believe having access to these medical appointments outside of the facility will be beneficial to this client.

Frantz is requesting the following medical testing;

1. MRI head to toe
2. Upper GI test
3. extensive labs
4. STD screening
5. Pap smear
6. Cancer testing
7. Rectum damage/ scarring (part of SANE examination)
8. eye and ear exams
9. stress testing
10. iodine 123 scan Thyroid
11. EKG

ATTACHED to 4-26-24
LVSO Mollie Hill LETTER, KORA.

YWCA IS ON A MISSION

Hannah Burrell | Domestic Violence Counselor Center for Safety and Empowerment

Pronouns: She, her, hers

T: 785.354.7927 F: 785.232.2902

YWCA Northeast Kansas

225 W 12th Street

Topeka, KS 66612

www.ywcaneks.org

RECEIVED 6-21-23

eliminating racism
empowering women
ywca
Northeast Kansas

225 SW 12th Street
Topeka, KS 66612

Barbara Frontz #124145
Topeka Correctional Facility
815 SE Rice Road
Topeka, KS 66604

KANSAS CITY 640

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IN THE UNITED STATES DISTRICT COURT OF KANSAS

BARBARA MARIE FRANTZ - PLAINTIFF

CASE NO. 23-3246-JWL

KANSAS DEPT. OF CORRECTIONS, et al - DEFENDANTS

CIVIL ACTION

SECRETARY JEFF ZMUDA

ATTACHED TO 4-26-24

DECLARATION OF

LVSO MOLIE HILL LETTER, KORA

JESSICA MOTTIN

Jessica Mottin hereby Declares,

I have been incarcerated at KDOC Prison Since 2020
I had Known on Barbara Franz since housed with her
in LVCO, KS jail Prior to her skull swelling. I have
seen Barbara Franz since my incarceration at KDOC
and can attest that her face is disfiguring due to
skull swelling her left ear is up higher then her right
ear.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOLLOWING IS TRUE
AND CORRECT. Executed at TOPEKA, KS on 3/28/2024

DATE SIGNED

Jessica Mottin # 107377

PRINT NAME INMATE NO.

Jessica Mottin

SIGNATURE

IN THE UNITED STATES DISTRICT COURT OF KANSAS

BARBARA MARIE FRANTZ - PLAINTIFF

v.

CASE NO. 23-3246-JWL

KANSAS DEPT. OF CORRECTIONS, ET AL - DEFENDANTS

CIVIL ACTION

SECRETARY JEFF ZMELKA

DECLARATION OF

Katie M. Thomas

I have been incarcerated at KDOC Prison since 2019. I have seen Ms. Frantz face slowly disfigure, and continue to swell. Also, she guards her abdomen, like she is in pain. I have seen photos of before and after, and can see the difference in the photos.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOLLOWING IS TRUE AND CORRECT. EXECUTED AT TOPEKA, KS ON February 28, 2024
DATE SIGNED

12

Katie M. Thomas #0124023
PRINT NAME INMATE NO.

Katie M. Thomas
SIGNATURE

IN THE UNITED STATES DISTRICT COURT OF KANSAS

BARBARA MARIE FRANTZ - PLAINTIFF

v.

CASE NO. 23-3246-JWL

KANSAS DEPT. OF CORRECTIONS, et al - DEFENDANTS

CIVIL ACTION

SECRETARY OF CORRECTIONS JEFF ZMUDA

DECLARATION OF

Brooke Pippin

Brooke Pippin hereby declares, i have been incarcerated at KDOC prison since 2015. Since 2022, i have known Barbara Frantz. i can attest to seeing Ms. Frantz and the continuous disfiguration in her face and her head. Her left eye seems to be swelling from her brow bone, up. Her right eye is showing signs of bulging. i have felt the knots on her face and behind her right ear. i'm her roommate here in Topeka Correctional and in the night she groans and holds her stomach as if she is in a lot of pain while she is sleeping.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOLLOWING IS TRUE
AND CORRECT. EXECUTED AT TOPEKA, KS ON 2-28-24
DATE SIGNED

13

Brooke Pippin 110350
PRINT NAME INMATE NO.

Bri/

SIGNATURE

IN THE UNITED STATES DISTRICT COURT OF KANSAS

Barbara Marie Frantz - Plaintiff

v.

CASE NO. 23-3246-JWL

KANSAS DEPT. OF CORRECTIONS, et al - defendants

CIVIL ACTION

SECRETARY JEFF ZMUDA

DECLARATION OF

Holly Taylor

I have been at TCF since June of 2023, and work in the law library where I see Barbara Frantz 3 times a week. It is very apparent that the left side of her skull, by her eye, and temporal area are significantly either swollen or enlarged.

I declare under penalty of perjury that the following is true and correct. Executed at Topeka, KS on 29 Feb 2024

DATE SIGNED

14

Holly Taylor - 0123245
PRINT NAME INNATE NO.

Signature

Lore Huggins [KDOC]

From: Ryan Shanks [KDOC]
Sent: Wednesday, April 21, 2021 3:44 PM
To: Karen Williams [KDOC]; Lore Huggins [KDOC]
Cc: KDOC_TCF_EAI; Marcelle Chmidling [KDOC]
Subject: Offender Barbara FRANTZ (0124145)
Attachments: 20210421145924059.pdf

ATTACHED to 426-24
LWSO Mollie Hill Letter, KORA

Concerning the attached grievance by Offender Barbara FRANTZ (0124145), I'm not really certain how we can help her. She believed she had been sexually assaulted while in custody of the Leavenworth County Sheriff's Department. SA HAEHL and I conducted an audio-recorded interview of FRANTZ where she described the alleged assault, which she believed occurred as she was unconscious for a period of approximately 24 hours. I forwarded this information on to the Leavenworth County Sheriff's Department. FRANTZ reported this had occurred in August of 2017.

FRANTZ also reported possible staff misconduct issues on the part of the deputies who brought her to TCF. She alleged Deputies FREKE and WILLIAMS, whom she alleged revealed medical information in violation of HIPPA and personal information in violation of her civil rights. I spoke with COII DOBRISKY and COII THOMPSON concerning her allegations, and they said the transporting officers simply described her as, "problematic," as in they literally said, "she is a problematic inmate." COII THOMPSON could not recall the context of the conversation because it was nothing extraordinary. COII THOMPSON did not believe any medical information was revealed at that time, or anything unprofessional was reported to her. I know she was upset that she could not have access to facility video and/ or audio recordings, even as we explained we would forward any relevant video or audio to Leavenworth County. As she arrived on July 23, 2020, and reported the issue to us on or around August 18, 2020. I do not recall forwarding any audio or video evidence to Leavenworth County because it was too late to recover for that date. ← REPORTED THIS 8-7-2020
Audio RECORDED INTERVIEW. BE

FRANTZ requested EAI investigate the charges which landed her in jail, which was the murder of her husband per her report. This murder occurred outside of our jurisdiction, so we would not be the primary investigative agency to do this. Sidenote: SA HAEHL and I have already explained to her that we investigate crimes that occur in relation to this and other KDOC facilities, and not crimes committed in the community. If she is not satisfied with the legal process that brought her here, I believe she would need to appeal that decision, but I would suggest she seek the support of outside counsel if that is the case as I am certainly not qualified to give legal advice.

I have not been asked by administration to look into her claims of abuse by Team Centurion Medical Staff or by TCF Staff. Outside of her initial complaint, I am unaware of her complaints against staff aside from the complaints she is fielding at this time. I am also not in a position to counter the advice and diagnoses given by medical staff, so we will defer to Team Centurion to answer that portion of her grievance.

FRANTZ recently said she had information concerning the murder of Christina PRATT, and that information was relayed to SSA Steven GILLESPIE of the FBI. Aside from these issues, these are the only dealings I recall with FRANTZ.

If you need further information concerning this, please let me know. I have submitted my response to her Form 9 as well. If she has specific complaints of TCF staff we will look into that as directed by the Warden or, if there are allegations of criminal activity that occurred inside the facility, we can investigate those matters.

Submitted for your information.

Special Agent Supervisor Ryan Shanks
Security Threat Group Intelligence Officer
Topeka Correctional Facility

21-3117-SAC

52 OF 75

Enforcement, Apprehension and Investigation Unit
815 SE Rice Rd, Topeka, KS 66607
(785) 559-5039 Office
(785) 213-0679 Cell
(785) 559-5013 Fax
ryan.shanks@ks.gov
ryan.shanks@leo.gov



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MAILED MY GRIEVANCE
MAILED 8/19/2020

8-19-2020

DEAR EAI

TOPEKA CORRECTIONAL FACILITY
815 S.E. RICE ROAD
TOPEKA, KS 66607

ATTACHED to 4-26-24
LWSO Mollee Hill LETTER, KORA

HELLO, BARBARA FRANTZ HERE, INMATE NO. 124145. I WOULD LIKE
TO FILE A FORMAL COMPLAINT ON THE TWO LEAVENWORTH CO, KS
TRANSPORT SHERIFF OFFICERS. SHERIFF OFFICERS FREAKIE AND WILLIAMS
THAT TRANSPORTED ME ON 7-23-2020 TO THE TOPEKA CORRECTIONAL
FACILITY HAD MADE SLANDER AND HIPAA VIOLATIONS AGAINST ME
TO DEPT. OF CORRECTION OFFICERS, ONE BEING OFFICER THOMPSON, ALSO NURSE
HEIDI WAS PRESENT IN MY VIEW. OFFICERS FREAKIE AND WILLIAMS WERE
IN THE A-AND-D-INTAKE building MAKING FALSE STATEMENTS ABOUT ME,
WHICH I WAS PRESENT TO HEAR SOME, ENOUGH STATEMENTS ABOUT
ME BEING RAPED IN THE LVCD JAIL DURING MY INCARCERATION 1-28-17
THROUGH 7-13-2020. THIS VIOLATION OF MY HIPAA RIGHTS, WHICH ALSO
INCLUDES SLANDER STATEMENTS. I AM REQUESTING TO VIEW THE
RECORDING WHICH I HAVE BEEN MADE AWARE THERE IS AUDIO WITH
THE VIDEO RECORDING IN THE TCF INTAKE A AND D BUILDING. MY
REQUEST TO FILE THE FORMAL COMPLAINT AGAINST THESE TWO
LVCO, KS SHERIFF OFFICERS FREAKIE AND WILLIAMS, THIS FORMAL
COMPLAINT TO BE SEPARATE FROM MY PREA COMPLAINT THAT I
HAVE FILED WITH TCF AGAINST LVCD SHERIFF'S DEPT.

(GRIEVANCE # 035583 10-21-2020)

KDOC GRIEVANCE # 20210031 DUE DATE REMEDY

my REQUEST to VIEW THE Audio / VIDEO RECORDING will allow me to DETERMINE WHAT OTHER STATEMENTS by THESE two LUCO SHERIFF OFFICERS HAD MADE AGAINST ME WHICH MAY INCLUDE ADDITIONAL VIOLATIONS AGAINST ME WHICH MAY INCLUDE ADDITIONAL VIOLATIONS AGAINST ME ON THIS DAY 7-23-2020, AS I WAS ON TCF PROPERTY AND IN THE PRESENTS OF TCF STAFF AND DEPT. OF CORRECTIONS OFFICERS AND AT LEAST ONE OR MORE FEMALE INMATES BEING WITHIN HEARING DISTANCE.

I WOULD GREATLY APPRECIATE TO VIEW THIS RECORDING OF Audio / VIDEO OF SHERIFF OFFICERS FREAKIE AND WILLIAMS AND FILE MY COMPLAINT AGAINST THESE TWO LEAVENWORTH COUNTY, KS SHERIFF OFFICERS.

THANK YOU,

SINCERELY, Gold Star Mother
BARBARA M. FRANTZ # 124145
TCF
815 S.E. RICE ROAD
TOPEKA, KS. 66607

8-19-2020 S. M. Frantz, LLC PRE SE

CC: TERESA BEAUGLAIR Sister D.P.O.A.

785-324-3910

2
2

Barbara Marie Frantz - Plaintiff

KDOC secretary Jeff Zmuda, et al. - Defendants

Declaration of
Patricia G. Perkins

I, Patricia Perkins hereby declares,
I have been incarcerated at KDOC Topeka prison
since October 15th 2023. I have known Barbara
Frantz since housed with her in Heavenworth County
jail prior to her skull swelling. I am currently in contact
with her and can visibly see the difference in the
facial disfigurement. I can also attest to seeing her
abdomen being severely distended and her legs are
pitted. ~~Witnessing~~ Witnessing her medical condition
arises concern with me.

I declare under penalty of perjury that the following
is true and correct.

Executed at Topeka, Kansas on May 20th 2024

Patricia G. Perkins #129746

Patricia G. Perkins

In The United States Court of Appeals
For The Tenth Circuit

Frantz

Case No. 24-3032

v.

KDOC Secretary Jeff Zmucka, et al.

Declaration of
Katie M. Thomas

I, Katie M. Thomas, hereby declare, I have known Barbara Frantz from my incarceration at Topeka Correctional Facility. I first arrived at T.C.F. in 2019, and met Ms. Frantz in 2021. Since meeting her, I have seen increased facial disfigurement, as well as skull swelling. Upon the first interaction with her, I didn't notice any visual issues. However, as time has gone on, I have noticed her eye glasses beginning to sit crooked on her face. Also, I was once her roommate and was shown pictures of her abdomen- MRT's. I have felt knots on her neck and collarbone. I have also witnessed her edema.

pitted on her legs I have noticed her favoring her left side-abdomen area. And I can attest that Ms. Frantz does not attend any gym, yard, or physical activities. Since meeting her, I have observed, she has not had a job, or in my opinion, physically cannot hold a job. I do believe her medical conditions are being grossly deprived care and treatment. Also, she is being denied access to specialists needed. I was in T.C.F. in March 2001, when Jessica Chapman passed away from denial of medical care. I feel the same will happen to Ms. Frantz if she is not given the appropriate medical attention needed. I hope my letter of declaration would serve to assist as witness, for help with her receiving the necessary medical care, which T.C.F. has deprived her for receiving, jeopardizing her health, and possibly her life, from my own observation.

I declare under penalty of perjury
that the following is true and
correct. Executed at Topeka, Kansas on
April 25, 2024.

Katie M. Thomas
Inmate No. 0124023
Katie M. Thomas

MY COPY
MAILED 5-2-24

5-2-24

KANSAS ATTORNEY GENERAL OFFICE

KRES W. KOBACH

120 SW 10TH AVE, 2ND FLOOR

TOPEKA, KS - 66612-1597

Complaint on Topeka Correctional Facility EAI, ENFORCEMENT APPREHENSION AND INVESTIGATION UNIT SPECIAL AGENTS MR. RYAN SHANKS, AND SA MR. HAEAL, AND MR. WINKLEMAN.

Hello, Barbara Frantz with complaint of misconduct by EAI SPECIAL AGENTS MR. SHANKS, MR. HAEAL AND MR. WINKLEMAN. ON MY INTAKE 7-23-2020 AT TCF I WAS TRANSPORTED BY LVSO OFFICERS MR. FREAKIE AND MS. WILLIAMS, WHICH THESE TWO SHERIFFS OFFICERS HAD MADE STATEMENTS TO TCF CORRECTIONS OFFICERS ABOUT ME BEING RAPE IN CO. JAIL, SLANDERING STATEMENTS AND STATEMENTS IN VIOLATION HIPAA. I REPORTED THIS IMMEDIATELY THAT NIGHT UPON SPEAKING WITH INTAKE CENTURION BEHAVIORAL HEALTH COUNSELOR MS. SMITH AND TCF OFFICER MR. BROWN PRESENT. ON MY FIRST DAY OUT OF QUARANTINE FOR COVID ON 8-6-2020, I WAS ON 8-6-2020 GIVEN A TCF NARRATIVE TO REPORT PREGA ON LVSO OFFICERS OCCURRING ON 7-24-17 IN LVCO, KS JAIL. ON 8-7-2020 I WAS AUDIO RECORDED DURING MY INTERVIEW WITH EAI MR. SHANKS AND MR. HAEAL. DURING THIS AUDIO RECORDED INTERVIEW I STATED SEVERAL TIMES TO SPECIAL AGENTS OF 7-23-2020 INTAKE OF SHERIFFS OFFICERS MR. FREAKIE AND MS. WILLIAMS MAKING STATEMENTS ACKNOWLEDGING

my Complaints of PREGA in County Jail, this what had set me into PANIC ATTACKS of SHERIFF'S TRANSPORT OFFICERS LYING to TCF OFFICERS AND SLANDERING, SPEAKING about my PREGA in the JAIL. LATER CENTURION BEHAVIORAL HEALTH COUNSELOR MS. KRAFT, LMHP had told me that A and D building intake has Audio with Video Recording which would have been shown of THESE STATEMENTS OF MISCONDUCT by LVCO OFFICERS MR. FREAKIE AND MS. WILLIAMS THIS DAY 7-23-2020.

MR. SHANKS LETTER DATED APRIL 21, 2021 3:44 PM, ENCLOSED, SHOWS MR. SHANKS ONLY ADDRESSING OF MY COMPLAINT TO EAI DATED 8-19-2020 STATING IT WAS TO LATE TO RECOVER AUDIO /VIDEO RECORDING. I REPORTED MY COMPLAINTS DURING 8-7-2020 AUDIO RECORDING INTERVIEW THAT WOULD HAVE BEEN ABLE TO RECOVER FOR KEEPING AS PART OF THE PREGA INVESTIGATION FROM LVCO, KS JAIL ON 7-24-2017, AND THE MISCONDUCT STATEMENTS BY SHERIFF'S OFFICERS MR. FREAKIE AND MS. WILLIAMS, ACKNOWLEDGING MY PREGA COMPLAINT IN CO-JAIL.

FURTHER MY COMPLAINT INVOLVES MR. SHANKS AND MR. WINKLEMAN MAKING JUDGMENTS AND ASSUMPTIONS ABOUT MY CREDIBILITY BEING A VICTIM OF SEXUAL ABUSE, 7-24-2017 PREGA. MY YWCA RAPE COUNSELOR HANNAH BURKE STATED TO ME I SHOULD OF HAD THIS SANE EXAM WHEN I REPORTED TO EAI OF 7-24-2017 PREGA IN CO-JAIL, THAT THIS WOULD HAVE OPENED THE DOOR FOR ME TO RECEIVE MEDICAL CARE ALSO, FOR MY PREGA INJURIES.

EAT working to destroy the audio/video recording from 7-23-2020
in A and D building from my intake. This protection to
LVSO officers misconduct that also concealed TCF officers
failure to report this misconduct that involves very serious
PRACTICAL, PHYSICAL AND SEXUAL ASSAULTS BY STAFF ON 7-24-2017.
I suffered substantial injuries which are permanent injury
and worsening from gross deprivation of medical care starting
the extensive protection of me withholding on KU Hospital's
medical error causing my tumors during biopsies of these tumors
in my stomach and bladder. And LVSO officers beating me
unconscious and raping me with injuries during my over
24 hours of unconsciousness while housed in a 24 hour video
recorded medical holding cell as a disabled - detainee.

Intimidation within my LVSO's case 2017-cr-02 to stop my
statements. The cover-up is extensive and those persons working
in concert and participation to continue the cover-up.
My skull surgery forcing my left eye - ear upward and my
scarring around my rectum are denied documentation from
PRACTICAL investigation and deprivation of medical care for my
life threatening medical conditions left unattended for care
and treatment is malicious and sadistic for concealment
purposes.

THE US DEPT. OF JUSTICE CIVIL RIGHTS DIVISION, SPECIAL LITIGATION SECTION
WITH STEVEN H. ROSENBAUM 168-29-O-ECATS-2023-19301 INVESTIGATING
THE WIDESPREAD PATTERN OF CONDUCT. KDOC-TCF-CENTURION
INVOLVEMENT TO HELP WITH PREGA CONCEALMENT FROM 7-24-2017.

I AM REQUESTING FOR KSAG OFFICE TO INVESTIGATE MY COMPLAINT
AGAINST EPA SPECIAL AGENTS MR. SHANKS, MR. HESAI, AND
MR. WINKLEMAN FOR THEIR PARTICIPATION IN THE COVER-UP TO
DESTROY EVIDENCE AND VIOLATING IMP 10-103D. AND FEDERAL
PREGA STANDARDS. THANK YOU.

ENCLOSED: 1. EPA RYAN SHANKS 4-21-21 3:44 PM LETTER
2. MY COMPLAINT TO EPA 8-19-2020
3. KDOC GRIEVANCES NO. 188696432 AND 218730252

NOTE:
SEEN IN
LWSO
4-26-24

Respectfully Submitted, GOLD STAR MOTHER
BARBARA FRANTZ #124145
TCF 815 SE RICE ROAD
TOPEKA KS 66601
Dreher 6 5-2-24

CC: FRANTZ, B

DOJ SPECIAL LITIGATION SECTION 168-29-O-ECATS-2023-19301



Resident Info

Name: Barbara Frantz (1966-06-12)
 Booking Number: 124145
 Submitted Date: 12/09/22 13:06
 Submitted from Location/Room: 03,011126/011
 Current Location/Room: 03,011126/011
 Facility: Topeka Correctional (KSDOC) - KS

Audit Photo:

Form Info

Category: Grievance
 Form: Unit Team Grievance

Grievance Info

Status: CLOSED by Lindsey.Harris
 Facility Deadline: 12/23/22 23:59
 Grievance Level: 1
 Resident can reply: No
 Disposition @ 1: Invalid Complaint

PREA

MR SHANKS VIOLATING
 IMP 10-103 D- MAKING
 JUDGMENTS AND ASSUMPTIONS
 ABOUT MY CREDIBILITY BEING
 A VICTIM OF SEXUAL ABUSE.

Details:

Request to EAI Mr. Shanks rape crisis advocate and forensic medical examination

Details:

EAI Mr. Shanks

I have 2 requests

1. I am requesting for a rape crisis advocate be provided to me for advocating for me the necessary information which I'm needing for obtaining for the Civil Rights Complaint to Supreme Court of the United States, as IMP 10-103 (D) states an advocate will be provided to me for community advocating.

2. I am also requesting for a forensic medical examination be done on me for the PREA complaint I filed 8-6-2020 with EAI against Leavenworth County Kansas Sheriff's Officers beating me unconscious and raping me while my 24 hours of unconsciousness as I have tissue damage around my rectum from being raped and the skull fracture I suffered from being beaten unconscious, a life threatening concussion, skull swelling forcing my left eye and ear upward as more swelling continuing, began showing early in 2020, and continues worsening from deprived deliberate indifference to my serious life threatening medical needs, see appendix VV and FFF provided in TCF narrative dated 6-10-2022 I requested EAI be provided includes attachments.

These injuries of mine, I have never had forensic medical examination due to concealment of LVCC KS Sheriff's officers beating and raping me, as IMP 10-103 (D) states EAI will ensure that all victims of sexual abuse must have access to forensic medical examinations. This would document my injuries of my skull swelling permanent damage, which became VISIBLE early 2020, and could still be documented.

Thank you

Barbara Frantz #124145

Lay In

DATE/TIME	USER	ACTION	DETAILS
01/27/23 09:50	Lindsey.Harris	Staff Response	duplicate
01/27/23 09:50	Lindsey.Harris	Changed Status	From 'Open' to 'Closed'
01/27/23 09:49	Lindsey.Harris	Changed Disposition	Changed the disposition value for level 1 from Invalid Complaint to Invalid Complaint
01/27/23 09:49	Lindsey.Harris	Changed Disposition	Changed the disposition value for level 1 from to Invalid Complaint
12/09/22 13:06	Barbara Frantz	Request turned into Grievance	Barbara turned request 187088972 into grievance 218730252
12/09/22 13:06	Barbara Frantz	Appeal Answer	Appeal Answer: EAI RESPONSE IS UNSATISFACTORY. THE FACTS THAT I HAVE A KIOSK DOCUMENT 7-27-17 1:24:13, LVCC, KS JAIL DOCUMENT SHOWING SICK CALL REPORT: THE FLUID IS BUILDING UP ON THE LEFT SIDE OF MY HEAD FROM MY INJURY ON MONDAY. IT HAS STABBING PAINS ALSO IN IT. COULD I PLEASE GET SOME PAIN MEDICINE FOR THE PAIN. THE NURSE MELISSA WARDROP RESPONDED: ACCORDING TO THE PROVIDER, IT WOULD BE A ONE TIME ORDER OF TYLENOL ONLY. YOUR VITALS ARE STABLE. THIS KIOSK DOCUMENT SHOW THE NURSE ACKNOWLEDGING A FLUID BUILD UP AND A HEAD INJURY ON THAT MONDAY 7-24-17, THIS THE DATE WHICH I REPORTED I WAS BEAT AND RAPED BY LVCC, KS SHERIFF'S OFFICERS. THIS HEAD INJURY WAS A SKULL FRACTURE THAT NOW I HAVE SKULL SWELLING FORCING MY LEFT EYE AND EAR UPWARD. PERMANENT DAMAGE

DATE/TIME			USER/DEPT	ACTION	REASON
					AND WORSENING DUE TO GROSS DERELICTION OF MEDICAL CARE AND TREATMENT. TSPRE TO MR SHANKS TO DAY 12-9-22 IN PASSING GOING TO MY LAW LIBRARY TIME. MR. SHANKS DENIED STATING THIS COMMENT RESPONDED TO IN THIS COMPLAINT FOR A FORENSIC MEDICAL EXAM.
07/26/22 08:09	Holly Chavez	Changed Status			From 'Open' to 'Closed'
07/05/22 12:26	Ryan Shanks	Staff Response			Concerning the issue of providing an advocate, FSA CHAVEZ has advised you have been put in contact with VSL Sarah KOWALEWSKI and have been in contact with the YWCA Center for Safety and Empowerment and have been working with their Leavenworth, KS Coordinator. Please let me know if you have not been contacted by them. Concerning wanting a SANE examination, you reported this incident occurred prior to your incarceration on July 23, 2020. There would be no recoverable DNA evidence from a SANE, and I do not believe any injuries noted to your report could be attributed to any assault alleged to have occurred while in detention during that time frame. Because of that, I cannot recommend to TCF Management that you be transported and given a SANE examination.
07/05/22 10:45	CCi Cox	Staff Response			Forwarding to EAI.
06/30/22 15:33	Barbara Frantz	Submitted New			Request to EAI Mr. Shanks rape crisis advocate and forensic medical examination.

GRIEVANCE # 218730252



Resident Info

Name: Barbara Frantz (1966-06-12)
 Booking Number: 124145
 Submitted Date: 07/09/22 08:45
 Submitted from Location/Room: 03,011126/011
 Current Location/Room: 03,011126/011
 Facility: Topeka Correctional (KSDOC) - KS

Audit Photo:

[Audit Photo](#)

Form Info

Category: Grievance
 Form: Unit Team Grievance

Grievance Info

Status: OPEN
 Facility Deadline: 08/11/22 23:59 (-2022)
 Grievance Level: 3
 Resident can reply: No
 Disposition @ 1: Remedy Denied
 Disposition @ 2: Remedy Denied

Details:

FSA Holly Chavez, a staff complaint on EAI Mr. Shanks from form 9 #187089972 response

Details:

FSA Holly Chavez
 I am filing a staff complaint on EAI Mr. Shanks regarding his response on form 9 #187089972. Mr. Shanks provides inaccurate information for protecting the Leavenworth sheriff's department and sheriff Andy Dedeke and staff as the Kansas government officials which ignored my written complaints for investigations into me being beaten and raped with severe injuries by sheriff officers 7-24-2017.

Mr. Shanks statement...I do not believe any injuries noted to your report could be attributed to any assault alleged to have occurred while in detention during that time frame.

This is completely inaccurate and his wording shows Mr. Shanks protection to hide, conceal the facts of my severe life threatening injuries of hematoma, skull fracture, which a hole in my skull on the left side which is reported in my written 8-6-2020 statement to PREA on LVCO, KS sheriff's officers beating me unconscious and raping during my over 24 hours of unconsciousness with injuries of deep cuts around my rectum. The cuts I have reported in my written statement and my audio statement to EAI of the tissue around my rectum having permanent damage which a SANE examination would document as with the SKULL SWELLING FORCING MY LEFT EYE AND EAR UPWARD causing me worsening injury due to depraved deliberate indifference to my life threatening injuries, which I HAVE REPORTED IN THE 8-6-2020 WRITTEN REPORT SHOWING I REPORTED in MY 2 PAGE REPORT.

A SANE examination would document this. Mr. Shanks denying me this

Lay In

The form 9 #187089972, Mr. Shanks responds but this form 9 denies me to escalate to appeal to grievance grievance procedure due

DATE/TIME	USER	DESCRIPTION	DETAILS
07/28/22 09:00	Barbara Frantz	Escalated	<p>Frantz, Barbara has escalated the grievance on 07/28/2022 09:00 -06:00</p> <p>Response: The response by defendant warden Gloria Gethers is unsatisfactory. The FACTS THAT THIS COMPLAINT ON EAI, MR. SHANKS, TO FSA HOLLY CHAVEZ REGARDING POLICY GO 10-103 d, stating that EAI and other STAFF MUST MUST ENSURE THAT ALL VICTIMS OF SEXUAL ABUSE MUST HAVE ACCESS TO FORENSIC MEDICAL EXAMINATION. MR. SHANKS FAILURE VIOLATING POLICY, AND FURTHER MR. SHANKS IS NOT CAPABLE TO MAKE THIS DECISION, WHETHER HE BELIEVES MY INJURIES I REPORTED BY WRITTEN COMPLAINT 8-6-2020 AND BY AUDIO INTERVIEW OF ME DISCLOSING MY INJURIES WHICH CAN STILL BE DOCUMENTED BY A FORENSIC MEDICAL EXAMINATION! SCARING OF THE TISSUE AROUND MY RECTUM FROM DEEP CUTS FROM BEING RAPED WHILE UNCONSCIOUS, AND UNCONSCIOUSNESS FOR OVER 24 HOURS FROM BEING BEATEN UNCONSCIOUS...ON THE LEFT SIDE OF MY HEAD HAVING A SKULL FRACTURE HOLE IN MY HEAD...NOW HAVING SKULL SWELLING FORCING MY LEFT EAR AND EYE UPWARD...VISIBLE STARTED SHOWING IN EARLY 2020... CAN STILL ALL BE DOCUMENTED WITH FORENSIC MEDICAL EXAMINATION. FURTHER GRIEVANCE #186557052 IS TO VICTIM</p>

DATE/TIME	USER	ACTION	SERVICES - ME KDOC IS VIOLATING THE LAW BY DENYING THE FACILITY TO PROVIDE ME ACCESS TO A COMMUNITY ADVOCATE AND IS BEING DENIED TO ME FOR 24 MONTHS NOW. THIS ALSO VIOLATING POLICY STATES IN GO 10-103 A COMMUNITY ADVOCATE SHALL BE PROVIDED. ALL I HEAR FROM THE FACILITY ARE EXCUSES, AFTER EXCUSES AND EXAMPLES OF DEFICIENCIES IN POLICY FOR KNOWINGLY PROTECTING KANSAS GOVERNMENT OFFICIALS. CRIMINALS PORTRAYED AS PROFESSIONALS
07/28/22 09:00		Changed Status	From Closed to Open due to Appeal
07/28/22 09:00		Changed Level	Level changed from 2 to 3 due to Appeal
07/27/22 14:04	HChavez2	Staff Response	Please see response on behalf of Warden Geltner.
07/27/22 14:04	HChavez2	Changed Status	From 'Open' to 'Closed'
07/27/22 14:04	HChavez2	Document added	Document Frantz, Barbara 124145 tier 2 188696432.pdf was added. Shared with Resident Yes
07/27/22 14:04	HChavez2	Changed Disposition	Changed the disposition value for level 2 from to Remedy Denied
07/14/22 08:40	Barbara Frantz	Escalated	Frantz, Barbara has escalated the grievance on 07/14/2022 08:40 -06:00 Response: Response is unsatisfactory. The FACTS that grievance #186167062 this grievance is to victim services Ms. Kowalewski for my request for a community advocate as stated would be provided to victims of rape 10-103 d states the facility provides yet I've not been provided this in the 24 months which I've been here. The response to this grievance was that this is a DUPLICATE GRIEVANCE to grievance #186167062 is inaccurate according to the facts. EAI Mr. Shanks statements of he doesn't believe any injuries noted to my report 8-6-2020 could be attributed to any assault alleged to have occurred while in detention at LVCO, KS jail. These injuries I CLEARLY REPORTED IN BOTH MY WRITTEN 8-6-2020 COMPLAINT AND MY AUDIO INTERVIEW WITH EAI, MR. SHANKS. SO FOR MR. SHANKS TO HIDE AND CONCEAL THIS INFORMATION IS DISTURBING AND CRIMINAL AND DENIES ME BY VIOLATION OF GO 10-103 D #3 which EAI must ensure that ALL VICTIMS must have access to forensic medical examination. Thank you. Barbara Frantz #124145
07/14/22 08:40		Changed Status	From Closed to Open due to Appeal
07/14/22 08:40		Changed Level	Level changed from 1 to 2 due to Appeal
07/11/22 16:05	Holly Chavez	Changed Status	From 'Open' to 'Closed'
07/11/22 16:05	Holly Chavez	Changed Disposition	Changed the disposition value for level 1 from to Remedy Denied
07/11/22 16:05	Holly Chavez	Staff Response	This is a duplicate request of form #186102542 that you escalated into grievance #186567062. It will be the same response as that response. KAR 44-16-102 d3 states that "No offender shall abuse the grievance system by repeatedly filing the same complaint". This grievance will be considered void.
07/09/22 08:45	Barbara Frantz	Request turned into Grievance	Barbara turned request 188305362 into grievance 188696432
07/09/22 08:45	Barbara Frantz	Appeal Answer	Appeal Answer: GO 10-103d #3 EAI MUST ENSURE ALL VICTIMS OF SEXUAL assault MUST have access to forensic examination The facts which I reported in my written 8-6-2020 TCF narrative report, and my audio recorded interview with EAI for this PREA, I reported I was unconscious for over 24 hours which having a hematoma on the left side of my head lasting 3 weeks, which in my audio interview recording I stated I had a hole in my skull (skull fracture) after the hematoma receded revealing the hole. This of me being left by, neglected and to conceal, life threatening medical conditions of a concussion without any medical treatment Any reasonable person would know such facts reported, which seeing and hearing me state I now have, and is seen by eyesight (VISIBLE) of my skull swelling on my left side of my head causing my left eye and ear upward and has worsened from my intake here at TCF 7-23-2020, due to the STAFF of KDOC, TCF, EAI, And Gentryton staff continuing to knowingly conceal, to protect the Kansas Governor
07/07/22 11:19	Holly Chavez	Changed Status	From 'Open' to 'Closed'
07/07/22 11:19	Holly Chavez	Staff Response	Please see response from EAI Supervisor Winkelman: I have reviewed the details of the response you received from SA R. Shanks sent 07/05/2022 at 12:26p. I have also reviewed your return response which was sent 07/07/2022 at 09:40a. I agree with SA Shanks in his complete statement: "Concerning wanting a SANE examination, you reported this incident occurred prior to your incarceration on July 23, 2020. There would be no recoverable DNA evidence from a SANE, and I do not believe any injuries noted to your report could be attributed to any assault alleged to have occurred while in detention during that time frame" Even if a SANE exam was to occur, there would be no evidentiary DNA which could be recovered and analyzed. Furthermore, soft tissue damage may be present in the rectal area, however, this damage wouldn't be able to be verified/attributed to the allegations which you reported happening on 07-24-2017.
07/07/22 09:45	Holly Chavez	Staff Response	Forwarded to EAI Supervisor Winkelman for response. FSA Chavez
07/07/22 09:40	Barbara Frantz	Submitted New	FSA Holly Chavez a staff complaint on EAI Mr. Shanks from form #187089972 response

IMPP 10-103 D-(5) (A) (3) KDOC STAFF MUST NOT MAKE JUDGMENTS OR ASSUMPTIONS About the CREDIBILITY OF A VICTIM OF SEXUAL ABUSE.

my copy
mailed 5-28-24

KANSAS ATTORNEY GENERAL OFFICE

5-28-24

KRIS W. KOBACH

120 SW 10th AVE, 2nd FLOOR

TOPEKA, KS. 66612-1597

RE: MY CONTINUED COMPLAINT ON TOPEKA CORRECTIONAL FACILITY EAI,
ENFORCEMENT, APPREHENSION AND INVESTIGATION UNIT SPECIAL AGENTS
MR. RYAN SHANKS, AND SA MR. HAEHL AND MR. WINKLEMAN ; AND

KORA REQUEST

HEICO, BARBARA FRANTZ HERE WITH MY CONTINUED COMPLAINTS AGAINST
EAI. I RECEIVED BY OPEN RECORDS REQUEST FROM LSSO COUNSEL
MOLLE HILL DATED MAY 16th, 2024 OF 10 PAGES. IN THESE E-MAILS
ALL SENT FROM RYAN SHANKS, WHICH MR. SHANKS SHOWS STATEMENTS
REGARDING 8-7-2020 AUDIO RECORDED INTERVIEW. MR. SHANKS REPORTED
INACCURATELY OF MY VISIT IN THE JAIL WITH MY MOTHER AND BROTHER
WHICH WAS ON TUESDAY 7-25-2017. THE AUDIO RECORDING I WAS VERY
CLEAR ABOUT BEING UNCONSCIOUS FOR JUST OVER 24 HOURS OF UNCONSCIOUSNESS.
MR. SHANKS REPORTED THE VISIT ON MONDAY JULY 24th, 2017. MR. SHANKS
ALSO STATES I RECEIVED TRIPLE ANTIBIOTIC OINTMENT FOR MINOR CUTS,
THIS IS ALSO INACCURATE BY MR. SHANKS. I CLEARLY REPORTED DEEP
CUTS AROUND MY RECTUM. THESE DEEP CUTS HAVING SCARRING TO DATE.
LSSO MOLLE HILL STATES EAI DID-NOT PROVIDE A COPY OF THE AUDIO
RECORDING. MR. SHANKS HAS STATED TO ME THAT HE PROVIDED EVERYTHING
THEY HAVE, WAS PROVIDED TO LSSO, HE CLEARLY LIED ABOUT THIS AS
WELL. WHY WAS THIS INTERVIEW OF ME WITH EAI NOT
SUBMITTED TO LSSO?

MR-SHANKS AUG 7th, 2020 1:05 PM E-MAIL , MR-SHANKS SHOWS OF ME REPORTING MY COMPLAINTS AGAINST LISO OFFICERS MR-FREAKIE AND MS.WILLIAMS, THIS CONFIRMS THAT MR-SHANKS did HAVE TIME TO RECOVER THE AUDIO RECORDING FROM A AND D BUILDING ON MY INTAKE 7-23-2020. MR-SHANKS E-MAIL AUG. 7th, 2020 1:05 PM SHOWS HE INTERVIEWED TWO TCF OFFICERS MS.THOMPSON AND MS. DOLRINSKY FOR THEIR ACCOUNTS OF STATEMENTS BY THE SHERIFFS OFFICERS. THIS INTERVIEW BEFORE I FILED 8-9-2020 COMPLAINT TO EAI , AFTER, I FIND OUT A AND D BUILDING HAVING AUDIO/VIDEO RECORDING. I STATED TO MR-SHANKS AND MR-HAEHL SEVERAL TIMES OF SHERIFFS OFFICERS MISCONDUCT ACKNOWLEDGING MY PREGA COMPLAINTS IN THE CO.JAIL BUT THEY WERE LYING ABOUT THE DETAILS, SLANDERING ME VIOLATING MY HIPAA RIGHTS, ON 8-7-2020.

MR-SHANKS AS AN INVESTIGATOR CLEARLY REVIEWED THIS AUDIO/VIDEO RECORDING FROM A AND D BUILDING FROM MY INTAKE 7-23-2020 AS I MENTIONED SEVERAL TIMES ABOUT HOW UP-SETTING IT WAS TO ME OF THESE SHERIFFS OFFICERS MISCONDUCT STATEMENTS. MR-SHANKS ALLOWED THIS VITAL RECORDING TO BE DESTROYED , IS OF GREAT CONCERN.

FURTHER, THE WINTER OF 2020 I WAS TOLD BY RESIDENT SAMMY SANDERS WHICH WAS THE RESIDENT I DID SEE ALSO IN INTAKE UPON MY ARRIVAL 7-23-2020. MS-SANDERS TOLD ME THAT CENTURION NURSE HEIDI WHITE STATED TO HER THAT I WAS "CRAZY, BE HERE THE REST OF MY LIFE AND DIE HERE." I FILED GRIEVANCES HERE AT TCF REGARDING THIS INFORMATION WHICH ALSO WOULD OF BEEN CAPTURED ON RECORDING.

I AM ALSO VERY CONCERNED ABOUT MAJOR JEFF DEDEKE E-MAIL
REPLY DATED MARCH 17th, 2021 12:38 PM. JEFF DEDEKE SHOWS IN
HIS STATEMENT THIS "INCIDENT" STATING IT WAS CAPTURED ON VIDEO,
AND HIS STATEMENT TO DENY "TO INVESTIGATE A FABRICATED EVENT."
THIS IN VIOLATION OF 28 C.F.R. PART 115 FEDERAL JAIL-PRISON PREA STANDARDS.

I AM REQUESTING TO KNOW WHAT HAS THE KSAG OFFICE DONE TO
INVESTIGATE SUCH A BRUTAL ATTACK OF PHYSICAL AND SEXUAL ASSAULTS
I HAVE REPORTED TO KSAG OFFICE IN 2019. I HAVE COPIES OF
THESE LETTERS AND I SUPPLIED DOCUMENTS OF KIOSK COMPLAINTS
IN THE COUNTY JAIL REGARDING P/S ASSAULTS BY STAFF AND NUMEROUS
OTHER SERIOUS ABUSES IVE SUFFERED OF DELIBERATE INDIFFERENCE,
CRUEL AND UNUSUAL PUNISHMENTS AT THE VERY HANDS OF SHERIFFS
OFFICERS-STAFF. THE LVSQ STATES IN A QUERIANCE THEY INVESTIGATED
PREA COMPLAINT FROM 7-24-17 YET PROVIDE ME NO DOCUMENTATION
OF PREA NUMBER NOR DOCUMENTS OR VIDEO.

I AM TERRIFIED FOR MY LIFE HERE AT TCF, TERRIFIED OF CENTURION
MEDICAL DEPT. STAFF AND NOW TERRIFIED OF MR. RYAN SHANKS.
EAT INVOLVEMENTS TO HELP COVER-UP AND DESTROY EVIDENCE VITAL
FOR SHOWING MY INTAKE AT TCF OF SEVERE MISCONDUCT WHICH WOULD
HELP AID IN THE PREA INVESTIGATION FROM 7-24-17 BEATING AND BEING
RAPED BY STAFF AS I WAS A DISABLED-DETAINEE; THAT I HAVE
REPORTED TO NUMEROUS KANSAS GOVERNMENT AGENCIES OVER THE
PAST SEVEN YEARS, SEEN IN MY EXTENSIVE HABEAS CASE NO.
2020-CV-34 FRANTZ V. DEDEKE, DENTAL OF DUE PROCESS;
1983 PRISON CONDITIONS CASE 21-3117-SAC AND 23-3246-JWL (24-3032)

ENCLOSED:

1. MAY 16th, 2024 10 PAGE RESPONSE FROM: MOLIE HILL
2. TCF B-6-2020 NARRATIVE REPORT P/S ASSAULTS BY STAFF 2-995
3. LWSO INCIDENT NO. 2017-0218 SIBOLD, B.R. (5047) INJURY TO INMATE REPORT
4. JAIL GRIEVANCE 12-21-2018 1:39:41 PM, 9-11-17 2:27:59, 8-10-17 6:15:14, 9-19-17 7-27:56,
7-27-17 1:24:13
UNDER KANSAS OPEN RECORD REQUEST (KORA) K.S.A. 45-215 et seq.

I AM REQUESTING A COMPLAINT NUMBER AND STATUS REPORT OF
MY COMPLAINT I FILED 5-2-2024 ON THIS MATTER ABOVE AS MY
CONTINUED COMPLAINT AND SUPPORTING DOCUMENTS ABOVE, AND FOR
WHICH AGENCY HAS OR BEING THE INVESTIGATIVE AGENCY TO
INVESTIGATE MY PREA 7-24-17 AGAINST LWSO STAFF.

KORA REQUIRES A RESPONSE TIME OF THREE DAYS OF ACCESS TO
PUBLIC RECORDS, IF IT WILL TAKE LONGER, PLEASE PROVIDE ME A
DATE WHEN PRACTIC RECORDS WILL BE AVAILABLE. IF YOU DENY
ALL OR ANY OF THIS REQUEST, PLEASE CITE SPECIFIC REASONS UNDER
K.S.A. 45-218 (D) AND PROVIDE ME APPEAL PROCEDURES AVAILABLE
UNDER THE LAW. THANK YOU.

SINCERELY, GOLD STAR MOTHER

Barbara FRANTZ #124145

TOPEKA CORRECTIONAL FACILITY

815 SE RICE ROAD

TOPEKA, KS. 66607

Barbara B 5-28-2024

CC: FRANTZ, B



LEAVENWORTH COUNTY SHERIFF'S OFFICE

Andrew D. Dedeke
Sheriff

May 16, 2024

Barbara Frantz #124145
Topeka Correctional Facility
815 SE Rice Road
Topeka, KS 66607

RE: KORA Request

Dear Ms. Frantz,

I am writing in response to your KORA request dated May 12, 2024, which I received on May 15, 2024. As I have mentioned to you several times, the body cam footage is not an open record pursuant to K.S.A. 45-454. I will not send you a copy of the video. As I have told you several times before, you or your attorney may come view the video but under the statute, you are not entitled to a copy of it. The LVSO number associated relates to the jail incident number 2017-0218. I already provided those incident reports to you.

Your request also asks for all records of documents from Topeka Correctional Facility and EAI including the transcript of your interview with EAI. Enclosed please find the correspondence the Leavenworth County Sheriff's Office received from Topeka Correctional Facility regarding an interview and your PREA Complaint. The Leavenworth County Sheriff's Office has no records or transcripts of any interviews.

Please let me know if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Mollie R. Hill".

Mollie R. Hill
General Counsel
Leavenworth County Sheriff's Office

Enclosures

1
10

Hill, Mollie

From: Metcalf, Mark
Sent: Thursday, August 20, 2020 1:52 PM
To: Hill, Mollie
Subject: FW: Offender report regarding past physical/sexual assault non-KDOC
Attachments: 08202020 re FRANTZ request - officer misconduct.pdf; 08072020 Frantz PREA - COII Thompson.m4a

From: Ryan Shanks [KDOC]
Sent: Thursday, August 20, 2020 1:12 PM
To: Dedeke, Jeff ; Metcalf, Mark
Cc: KDOC_TCF_EAI ; Gloria Geither [KDOC] ; Gregory Perez [KDOC]
Subject: RE: Offender report regarding past physical/sexual assault non-KDOC

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Major Dedeke and Lt. Metcalf,

Offender FRANTZ has offered another statement, this time in regards to what she perceives as HIPPA violations and slander against her made by two transporting Deputies Freakie and Williams. I have attached my interview with COII Thompson, who was present during FRANTZ' admission. COII Thompson reported she did hear them say, "she is a difficult inmate," but could not recall if they said anything else. She asked her coworker, presumably COII Dobrinsky, if she had heard them say anything. COII Dobrinsky could not recall anything else being said outside of the comment about her being a difficult inmate.

Submitted for your information.

*Special Agent Ryan Shanks
Topeka Correctional Facility
Enforcement, Apprehension and Investigation Unit
815 SE Rice Rd, Topeka, KS 66607
(785) 559-5039 Office
(785) 213-0679 Cell
(785) 559-5013 Fax
ryan.shanks@ks.gov
ryan.shanks@leo.gov*



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From: Ryan Shanks [KDOC] <Ryan.Shanks@ks.gov>
Sent: Tuesday, August 18, 2020 10:33 AM
To: JDedeke@leavenworthcounty.gov; MMetcalf@leavenworthcounty.gov
Cc: KDOC_TCF_EAI@ks.gov; Gloria Geither [KDOC] <Gloria.Geither@ks.gov>; Gregory Perez [KDOC] <Gregory.Perez@ks.gov>
Subject: FW: Offender report regarding past physical/sexual assault non-KDOC

Major Dedeke and Lieutenant Metcalf,

I thought I had sent this information over to you concerning Offender Barbara FRANTZ (DOB 06/12/1966, KDOC 0124145) but I cannot find where I actually had. My apologies for that if this has created any confusion.

We interviewed FRANTZ, who reported she believed she was a victim of sexual abuse while detained in LVCO in 2017. She expressed a lot of frustration about not being able to see any video evidence concerning this case. Please find the summary below concerning her allegations.

If you have any questions, please feel free to contact me.

*Special Agent Ryan Shanks
Topeka Correctional Facility
Enforcement, Apprehension and Investigation Unit
815 SE Rice Rd, Topeka, KS 66607
(785) 559-5039 Office
(785) 213-0679 Cell
(785) 559-5013 Fax
ryan.shanks@ks.gov
ryan.shanks@leo.gov*



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From: Ryan Shanks [KDOC]
Sent: Friday, August 7, 2020 1:05 PM
To: Gregory Perez [KDOC] <Gregory.Perez@ks.gov>; Gloria Geither [KDOC] <Gloria.Geither@ks.gov>
Cc: Susan Peavler [KDOC] <Susan.Peavler@ks.gov>; Marcelle Chmidling [KDOC] <Marcelle.Chmidling@ks.gov>;
KDOC_TCF_EAI <KDOC_TCF_EAI@ks.gov>
Subject: RE: Offender report regarding past physical/sexual assault non-KDOC

SAS Haehl and I conducted an audio-recorded interview of Offender Barbara FRANTZ in the library of I Cellhouse. She reported pretty much verbatim what was written in her report. FRANTZ said on July 24, 2017 she felt ill. Her door to her living quarters opened, she exited, and then began to walk down the hall with Officer Lambert. She said she has no memory from that point until the next morning on July 25, 2017, when she was in a padded medical room. She told us she had a visit with her mother and brother and though it was still Monday, July 24, 2017. She mentioned being in pain at this time. She reported bruising on the left upper quadrant of her head and bruising on the left side of her hip and buttocks. FRANTZ said she experienced pain for several days before being seen by medical. FRANTZ told us she saw Nurse Melissa Wardrop for her medical concerns and that Officer Dressler was present for the exam, but turned away as she was examined. She reported Nurse Wardrop gave her triple antibiotic ointment for minor cuts in her inter-gluteal crease near her rectum, which she described as running in parallel lines along the horizontal plane. At this point she was returned to her cell. Jail Commander Sheila O'Brien told her to get ready to go to a hospital for a SANE exam (which FRANTZ explained was to happen due to pressure from FRANTZ' family), but O'Brien had to check with medical about the trip. FRANTZ said she was then told by O'Brien that she would not go to the hospital because FRANTZ had experienced an unexplained fall in medical. When she returned to her assigned pod, FRANTZ said she showed other offenders in her unit her injuries, specifically naming current KDOC offender Tina WEST (0060773). She said prior to losing consciousness on July 24, 2017 she did not have any injuries.

FRANTZ made a clarification concerning her written statement. She was returned to the housing unit on August 3, 2017, not September 3, 2017 as indicated in her written statement.

She expressed frustration with not being able to see the video associated with this situation. Her current concerns are pain near her eye socket and the upper left-hand quadrant of her head and face. She also expressed frustration with the transporting officers from Leavenworth County. She said Officers Williams and Freake (sp) told COII Thompson that → FRANTZ will scream that she's raped if anyone touches her. COII Thompson said the officers told COII Thompson that FRANTZ was a difficult inmate, but nothing more specific.

— We also will need to speak with BHP Amy Smith and COI Joshua Brown; FRANTZ reported to us she told these two about the incident and specifically mentioned she felt she had been sexually assaulted. This may need to be addressed with

them because this is the first we've heard of this and these situations should immediately be reported. We will bring Team Centurion management and Major Hook up to speed if it is determined they did not report this.

We will forward this information to the Leavenworth County Sheriff's Department for their review and investigation, and TCF-PR-20-27 will be moved to a status of "pending" until we hear back from Leavenworth County concerning this. Warden Geither, I will forward a copy of the letter we will send to Sheriff Dedeke for your signature once that is completed.

Submitted for your information.

*Special Agent Ryan Shanks
Topeka Correctional Facility
Enforcement, Apprehension and Investigation Unit
815 SE Rice Rd, Topeka, KS 66607
(785) 559-5039 Office
(785) 213-0679 Cell
(785) 559-5013 Fax
ryan.shanks@ks.gov
ryan.shanks@leo.gov*



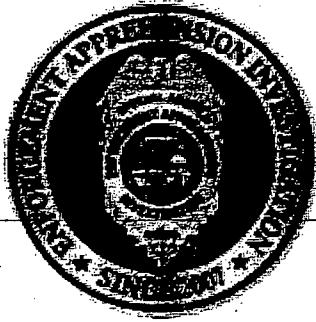
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From: Ryan Shanks [KDOC] <Ryan.Shanks@ks.gov>
Sent: Friday, August 7, 2020 10:17 AM
To: Brian Scharf [KDOC] <Brian.Scharf@ks.gov>; Gregory Perez [KDOC] <Gregory.Perez@ks.gov>; Gloria Geither [KDOC] <Gloria.Geither@ks.gov>
Cc: Susan Peavler [KDOC] <Susan.Peavler@ks.gov>; Marcelle Chmidling [KDOC] <Marcelle.Chmidling@ks.gov>; KDOC_TCF_EAI <KDOC_TCF_EAI@ks.gov>
Subject: RE: Offender report regarding past physical/sexual assault non-KDOC

I have opened case TCF-PR-20-27 for this non-KDOC PREA allegation. Dave and I will talk with her this morning.

*Special Agent Ryan Shanks
Topeka Correctional Facility
Enforcement, Apprehension and Investigation Unit
815 SE Rice Rd, Topeka, KS 66607*

(785) 559-5039 Office
(785) 213-0679 Cell
(785) 559-5013 Fax
ryan.shanks@ks.gov
ryan.shanks@leo.gov



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From: Ryan Shanks [KDOC] <Ryan.Shanks@ks.gov>
Sent: Thursday, August 6, 2020 9:43 PM
To: Brian Scharf [KDOC] <Brian.Scharf@ks.gov>; Gregory Perez [KDOC] <Gregory.Perez@ks.gov>; KDOC_TCF_IMT <KDOC_TCF_IMT@ks.gov>; Gloria Geither [KDOC] <Gloria.Geither@ks.gov>
Cc: Susan Peavler [KDOC] <Susan.Peavler@ks.gov>; Marcelle Chmidling [KDOC] <Marcelle.Chmidling@ks.gov>; KDOC_TCF_EAI <KDOC_TCF_EAI@ks.gov>
Subject: Re: Offender report regarding past physical/sexual assault non-KDOC

PCM Perez and I spoke and agreed no immediate response to the facility was necessary. This is a non-KDOC PREA that is alleged to have occurred in 2017. I will interview Offender Frantz tomorrow morning.

Get [Outlook for iOS](#)

From: Brian Scharf [KDOC] <Brian.Scharf@ks.gov>
Sent: Thursday, August 6, 2020 9:18:06 PM
To: Gregory Perez [KDOC] <Gregory.Perez@ks.gov>; KDOC_TCF_IMT <KDOC_TCF_IMT@ks.gov>; KDOC_TCF_EAI <KDOC_TCF_EAI@ks.gov>
Cc: Susan Peavler [KDOC] <Susan.Peavler@ks.gov>
Subject: Offender report regarding past physical/sexual assault non-KDOC

Contact made with PCM Perez @ 1824p and then EAI on duty SA Shanks @ 1827p. As per instructions received, Offender Frantz was seen by MH A. Smith @ 1845p. MH Smith called back @ 2014p and that offender Frantz is safe and she will be followed up with by MH in the morning. Hard copy of the report will be sent to Major Hook.

Brian A. Scharf

Captain

From: Brian Scharf <brian.scharf@ks.gov>
Sent: Thursday, August 6, 2020 8:55 PM
To: Brian Scharf [KDOC] <Brian.Scharf@ks.gov>
Subject: Message from "TCFP26"

This E-mail was sent from "TCFP26" (MP 7503).

Scan Date: 08.06.2020 20:55:24 (-0500)

7
10

DEAR E.A.I

8-19-2020

TOPEKA CORRECTIONAL FACILITY

815 S.E. RICE ROAD

TOPEKA, KS. 66607

HELLO, BARBARA FRANTZ HERE, INNATE NO. 124145.

I WOULD LIKE TO FILE A FORMAL COMPLAINT ON THE TWO LEAVENWORTH CO, KS TRANSPORT SHERIFF OFFICERS. SHERIFF OFFICERS FREAKIE AND WILLIAMS THAT TRANSPORTED ME ON 7-23-2020 TO THE TOPEKA CORRECTIONAL FACILITY. HAD MADE SLANDER AND HIPAA VIOLATIONS AGAINST ME TO DEPT. OF CORRECTION OFFICERS, ONE BEING OFFICER THOMPSON. ALSO NURSE HEDI WAS PRESENT IN MY VIEW.

OFFICERS FREAKIE AND WILLIAMS WERE IN THE A AND D INTAKE building MAKING FALSE STATEMENTS ABOUT ME, WHICH I WAS PRESENT TO HEAR SOME, ENOUGH STATEMENTS ABOUT ME BEING RAPED IN THE LVCO JAIL DURING MY INCARCERATION 1-28-17 THROUGH 7-23-2020. THIS VIOLATION OF MY HIPAA RIGHTS, WHICH ALSO INCLUDES SLANDER STATEMENTS.

I AM REQUESTING TO VIEW THE RECORDING WHICH I HAVE BEEN MADE AWARE THERE IS AUDIO WITH THE VIDEO RECORDING IN THE TCF INTAKE A AND D BUILDING. MY REQUEST TO FILE A FORMAL COMPLAINT AGAINST THESE TWO LVCO, KS SHERIFF OFFICERS, FREAKIE AND WILLIAMS, THIS FORMAL COMPLAINT TO BE SEPARATE FROM MY PREA COMPLAINT THAT I HAVE FILED WITH TCF, AGAINST LVCO SHERIFF DEPT.

MY REQUEST TO VIEW THE AUDIO/VIDEO RECORDING WILL ALLOW ME TO DETERMINE WHAT OTHER STATEMENTS BY THESE TWO LVCO SHERIFF OFFICERS HAD MADE AGAINST ME WHICH MAY INCLUDE ADDITIONAL VIOLATIONS AGAINST ME ON THIS DAY 7-23-2020.

AS I WAS ON TCF PROPERTY AND IN THE PRESENCE OF TCF STAFF AND DEPT. OF CORRECTIONS OFFICERS AND AT LEAST ONE OR MORE FEMALE INMATES BEING WITHIN HEARING DISTANCE.

I would greatly appreciate to view this recording of
audio / video of SHERIFF OFFICERS FREAKIE AND WILLIAMS
AND FILE MY COMPLAINT AGAINST THESE TWO LEAVENWORTH
COUNTRY, KS. SHERIFF OFFICERS.

THANK YOU.

SINCERELY, GOLD STAR MOTHER
BARBARA M. FRAZIER 124145

TCF

815 S.E. RICE ROAD
TOPEKA, KS. 66607

8/19/2020

Deborah M. Fraizer PRO SE

CC: TERESA BEAUCLAIR SISTER- D.P. D.A.

785-224-3910

Hill, Mollie

From: Dedeke, Jeff
Sent: Wednesday, March 17, 2021 12:40 PM
To: Hill, Mollie
Subject: FW: Case involving Frantz, Barbara KDOC #124145

FYI-

From: Dedeke, Jeff
Sent: Wednesday, March 17, 2021 12:38 PM
To: 'Peggy Steimel [KDOC]' <Peggy.Steimel@ks.gov>
Subject: RE: Case involving Frantz, Barbara KDOC #124145

Ms. Steimel,

I am aware of the fabricated allegation made by inmate Frantz. The entire incident was captured on video and witnessed by myself. This "incident" developed only after she returned to her housing assignment and has morphed during her extended stay. It would have proven moot to investigate a fabricated event.

From: Peggy Steimel [KDOC] <Peggy.Steimel@ks.gov>
Sent: Monday, March 15, 2021 8:55 AM
To: Metcalf, Mark <mmetcalf@leavenworthcounty.gov>; Dedeke, Jeff <JDedeke@leavenworthcounty.gov>
Subject: Case involving Frantz, Barbara KDOC #124145

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Good morning:

I am following up on the case that was filed against the Leavenworth County Jail by the above named offender who is currently incarcerated at the Topeka Correctional Facility. She has sent me a letter stating she has never been interviewed regarding the allegations nor has she received any final response from the incident.

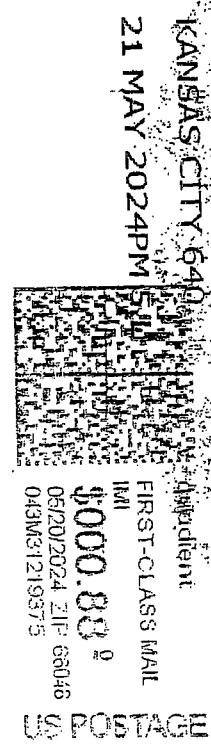
Please let me know what the conclusion of the investigation were so that I might provide that to her. Please feel free to contact me if you should have any questions or require additional information.

Thank you.

Peggy Steimel | Corrections Manager II, KDOC PREA Coordinator
Kansas Department of Corrections
714 SW Jackson St, Suite 300 | Topeka, Ks 66603-3722
Office: 785-260-4658 | Peggy.Steimel@ks.gov



Leavenworth County Sheriff's Office
610 S. 3rd St., Suite 2007
Leavenworth, KS 66048



J-1-189
Barbara Frantz #124145
Topeka Correctional Facility
815 SE Rice Road
Topeka, KS 66607

5-66047-236329

Legal Mail

KANSAS DEPARTMENT OF CORRECTIONS
LEGAL, OFFICIAL, PRIVILEGED MAIL DELIVERY FORM
TOPEKA CORRECTIONAL FACILITY

SECTION A: This section is to be filled out by mail room staff (please print):

Staff Name: BRP Signature: PHILLIPS Date: 05/23/2024

Resident Name: FRANTZ, BARBARA KDOC Number: 124145 Athena Number: I-1-129

Sender's Name: LEAVENWORTH COUNTY SHERIFF OFFICE

Sender's Address: 610 SE 3RD ST STE 2007 LEAVENWORTH KS 66048

SECTION B: Inspection and clearance by designated staff (please print):

Clear for processing: YES NO

Staff Name: _____ Signature: _____ Date: _____

SECTION C: To be filled out by Delivering Staff (please print):

Staff Name: _____ Rank/Position: _____

Staff Signature: _____ Date: _____

SECTION D: Resident Acknowledgement (please print):

Please respond "Yes" or "No" to the statement below:

Yes Quality of photocopy is acceptable. Yes I am accepting my legal, official, privileged mail.

*10 - PAGES FROM
LWSO*

Resident Signature: Barbara Frantz Date: 5-24-24

ORIGINAL legal document TAKEN FROM THE AGAINTS MY WILL

SECTION E: To be filled out by Witnessing Staff if Resident refuses to sign Section D (please print):

Staff Name as Witness (please print): _____

Staff Signature as Witness: _____

Noted Concerns: _____

Leavenworth, KS 66048

KANSAS CITY 64
21 MAY 2024 PM

RECEIVED
U.S. POSTAL SERVICE
FIRST-CLASS MAIL
AM
\$6000.00 0
05/20/2024 ZIP 60646
043M31219375

Barbara Frantz #124145
Topeka Correctional Facility
815 SE Rice Road
Topeka, KS 66607

Legal Mail

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LEGAL, OFFICIAL, PRIVILEGED MAIL DELIVERY FORM
TOPEKA CORRECTIONAL FACILITY

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Clear for processing: YES NO

Staff Name: _____ Signature: _____ Date: _____

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Staff Signature: _____ Date: _____

SECTION D: Resident Acknowledgement (please print):

Please respond "Yes" or "No" to the statement below:

*10-PAGES FROM
LWSO*

Yes Quality of photocopy is acceptable. Yes I am accepting my legal, official, privileged mail.

Resident Signature: Barbara Frantz

Date: 5-24-24

ORIGINAL legal document TAKEN FROM THE AGAINTS MY WILL

SECTION E: To be filled out by Witnessing Staff if Resident refuses to sign Section D (please print):

Staff Name as Witness (please print): _____

Staff Signature as Witness: _____

Noted Concerns: _____

TOPEKA CORRECTIONAL FACILITY

NON-STAFF MEMBER NARRATIVE REPORT

DEFENDANT'S
EXHIBIT N

13

Date: 8-6-2020

Page 1 of 2

Name/Number BARBARA FRANTZ 124145

Subject PHYSICAL - SEXUAL ASSAULT BY STAFF WCO, KS JAIL

Narrative:

7-24-17 I HAD BEEN COMPLAINING OF BEING SICK SITTING IN SICK CALL STARTING ON 7-19-17 THROUGH 7-24-17 ON. MONDAY 7-24-17 I PUT ANOTHER SICK CALL ON KIOSK AT BREAKFAST THEN LEADED BACK DOWN. I STARTED DRINKING WATER TO FLUSH MY UTI BECAUSE I WAS TOLD DRINKING MORE WATER. I STARTED THROWS UP WATER. I PRESSED THE CALL BUTTON ON MY INTERCOM SAYING I WAS THROWS UP. THE OFFICER (AMBERT CALM) GOT ME. I WAS WALKING OUT OF MY CELL TO GO TO MEDICAL. FROM THIS POINT TILL 7-25-17 BETWEEN 7-10 AM I HAVE NO MEMORY. I WAS BLACKED OUT - UNCONSCIOUS. WHEN I WAS WOKE UP 7-25-17 I WAS TOLD I HAVE A VISIT. I WENT TO VISITATION IT WAS MY MOTHER AND BROTHER WAS THERE TO SEE ME. I ASKED MY MOTHER WHAT SHE WAS DOING THERE ON A MONDAY SHE STATED IT WAS TUESDAY. I WAS DAZED AND CONFUSED. I WAS EXTREMELY SOON EVERYWHERE. 7-25-17 I WAS TAKEN BACK DOWN TO THE INTAKE CELL WHERE I HAD AWAKEN. THIS PADDED CELL WITH A HOLE IN THE FLOOR A 24 HR VIDEO CAMERA INSIDE. I WAS PUT ON A LIQUID DIET AND HELD FOR 2-3 DAYS. I WAS THEN TAKEN BACK UP TO MEDICAL HOLDING CELL #1 THIS CELL ALSO HAS 24 HRS VIDEO CAMERA. AT SOME POINT I WAS CALLED INTO THE MEDICAL OFFICE SEEN BY NURSE MELISSA DAWDRON. SHE ASKED ME TO PULL DOWN MY PANTS TO SEE MY BUTTCKES. BECAUSE WHEN I HAD WOKE UP ON THE 25TH I HAD INJURIES TO MY FOREHEAD - HEMATOMA (BLOOD) WITH BRUISES ON MY BUTTCKES MY UNDERWEAR AND SCAFFS I HAD ON 7-24-17 WAS REMOVED FROM MY BODY WHEN I WOKE UP ON THE 7-25-17 MORNING. I FAMILY MOTHER AND BROTHER HAD BEEN CALLING INTO THE JAIL TO GET ME TO A HOSPITAL FOR A RAPE KIT. ONCE THE NURSE HAD SEEN MY CUTS, SHE GAVE ME THREE ANTIBIOTIC DROPS EACH 2 X'S A DAY FOR APPROX 10 DAYS IS WHAT I RECEIVED. AT SOME POINT THE JAIL COMMANDER S. O'BRIEN CAME INTO MY MEDICAL CELL AND TOLD ME TO GET READY TO GO TO THE HOSPITAL TO HAVE A RAPE KIT THAT MY FAMILY BELIEVED I HAD BEEN RAPED SHE STATED SHE NEEDED TO TALK WITH THE NURSE MELISSA. THE JAIL COMMANDER CAME BACK INTO MY CELL SAYING MY TRIP TO THE HOSPITAL HAD BEEN CANCELLED THAT I HAD AN UNEXPLAINED FALL IN MEDICAL CELL AS SHE POINTED TO THE FLOOR. I REQUESTED TO SEE THE VIDEO SHE STATED "IT BELONGED TO THEM". I STATED I HAD BEEN ABUSED

COPY

(Attach additional pages if necessary but sign only last page.)

I declare (or verify, certify or state) under penalty of perjury that the foregoing is true and correct.

Executed on 8-6-2020

Signature

TOPEKA CORRECTIONAL FACILITY

NON-STAFF MEMBER NARRATIVE REPORT

2 OF 2
Page 1 of 1

Date: 8-6-2020

Name/Number BABBIKA FRANZSubject Physical assault sexual assault by STAFF LVCOKS JAIL

Narrative:

I WAS LEFT A TOTAL OF ABOUT A WEEK AND A HALF ON SEPT. 31ST 2017 I WAS TAKEN BACK TO MY POD E PLACED IN E-6 AN UPPER TIER - ROSA KERLY ROOMMATE. I HAD AT THIS POINT MY ENTIRE UPPER FACE BUISSUED. THE INMATES ASKED IF THEY BEAT THE SHIT OUT OF ME I STATED IF THEY THOUGHT THAT MY FACE WAS BAD MY BUTTCKS (WAS EVEN) WORSE. I SHOWED MY BUTTCKS TO A MEMBER OF INMATES FOR WITNESSING. I HAVE THEIR NAMES. I WAS TAKEN BACK OUT OF E-POD THE GUARD STATED I WAS GOING BACK TO MEDICAL CELL. I ASKED WHAT FOR THEY STATED FOR HALL WEEK. I STATED I WAS PLACED IN AN UPPER TIER CELL. THAT I BELIEVED IT WAS FOR SHOCKING INMATES AND INMATES. THE REASONS FOR BEING LEFT IN MEDICAL CELL TIL OCT 11TH 2017, THE REASONS I CANT CHARGE. THE ONLY REASON I WAS FINALLY LET OUT OF ISOLATION WAS BECAUSE I THREATENED TO FILE A 150C TO GO BACK TO GENERAL POPULATION. ALSO MADE HIP DATA (COMPLAINTS)

2-CELLS WITH 24 HOUR VIDEO RECORDING. THE HALLS ARE LINED WITH VIDEO CAMERAS. WILL DRAVE WHO HAD ACCESS TO ME WHILE I WAS UNCONSCIOUS AND EXACTLY WHAT TRANSPRISED DURING 7-24-17 T-25-17 I HAVE KEEPS DOCUMENTATION FROM THE SHERIFF STATING HIS ACKNOWLEDGEMENT OF MY ~~BEING~~ COMPLAINT OF BEING PHYSICALLY AND SEXUALLY ASSAULTED BY STAFF.

NO INVESTIGATION

NO RAPE KIT

NO TREATMENT FOR THE HEMATOMA THAT LEFT ME

UNCONSCIOUS FOR OVER 24 HOURS. (CONCUSSION)

I WOULD HAVE KNOWN BY MY FACE - HEAD SWELLING DISFIGURING MY FACE. ON 5-18-17 THE P.D. ASKED ME IF I HAD BEEN HIT IN THE HEAD BY ANY INMATES OR HIT MY HEAD RECENTLY I STATED NO. MY SPOT WHERE THE HEMATOMA WAS HAS A RUSTLE WITH SWELLING OF MY SKIN, TO THIS DATE.

MY MOTHER RESERVA REECE HAD SPOKE TO DEPT. ST. JOHN ABOUT HER CONCERNAS ABOUT MY BEING RAPED. THE DEPT. ST. JOHN TOLD HER THE JAIL TRIES TO DO A GOOD JOB WEEDING OUT THOSE INDIVIDUALS BUT SOMETIMES ONE GETS THROUGH.

(Attach additional pages if necessary but sign only last page.)

I declare (or verify, certify or state) under penalty of perjury that the foregoing is true and correct.

Executed on 8-6-2020

Signature D. Clevenger

COPY

Incident #: 2017-0218	Shift: C Shift 1400-2200
Reporting Officer: SIBOLD, B. R. (SO47)	Report Date/Time: 07/24/2017 17:28:19
DOW: Monday	Post: Facility: LVSO
Location Code: MEDICAL	Location Desc:
Reviewed By: CARRIZALES, S. L. (SO13)	
Incident Description: Injury To Inmate	
Additional Action:	

Inmates Involved

Name Code	Booking #	Name	Location	No. Viol
Witness	2038	Barbara Marie Frantz	LVSO, MED, MED, 1	0

Incident Description:

On the 24th of July 2017 at 1643 hours I saw Inmate Frantz laying on the cell floor with liquid on the floor underneath her. She was breathing and moving. I went to the medical office and grabbed some ammonia packs from the cabinet and went back to Frantz's cell. The ammonia packs were placed under her nose and she almost immediately sat up. The liquid underneath Frantz was identified as urine from the smell. I told Deputy Magnussen to grab the cleaning cart and new uniform for Frantz. I reviewed the video and saw Frantz on her knees and go forward to the floor at the 16:19:15. At 19:19:35 she shook like she was having a seizure. I sent out an email to the Jail Administration and Nurse Melissa about the issue. I went over to Major Dedeke and talked to him about Frantz. He told me to call Melissa and ask her about any issues. I called Melissa at 1659 hours and told her what was going on, she asked if we had done any vitals and I informed her we had not. She stated she would call PA Annette and call me back. Approximately 1701 hrs Magnussen and I tried to persuade her to stand up and go to the shower. We had clean uniforms for her and we were going to clean the cell. Frantz laid back down in her urine. We left the cell and went back to my office where I received a call from Melissa at 1707hrs. She informed me that Frantz had not history of seizures and her and Annette agree that this is behavioral. Major Dedeke called me back and I informed him of what Melissa said. He told me to call Lt. O'Brien. I called the Jail Commander and we talked about what was going on. Frantz was given dinner by placing it in arms length while she lay on the floor at 1720 hrs. At 1800 hrs dinner was removed from her cell and we moved her down to Intake #1 with the restraint chair. Intake one has a rubber floor and a drain in the middle of the floor. [07/24/2017 17:56, BSIBOLD, 62, SO]

Disposition: Placed On Watch	Disposition Date:
Shift Commander:	Date:

Subject: Re: DISCIPLINARY/GRIEVANCE
APPEALS
To: Admin Users Group
From: 13002 BARBARA MARIE FRANTZ
6/12/1966
Date: 12/21/2018 1:39:41 PM
Message:

On 2018-12-21 13:39:41, inmate 13002 (BARBARA FRANTZ) Replied:

I am compelled to believe that i have the repercussions from having suffered from walking pneumonia. My chest, lungs and be remain to be terribly sore. My cough is still persistant. Im requesting that im able to seek medical attention such a some type of scan and or internal medicine. Im losing rest and am truly concerned about my health issues being ignored. I dont choose to be a neusance its just im concerned about the deterioration of my health since my stay in leavenworth county. Its not normal to be this sore and in such discomfort.

my grievance that has followed chain of command with reguard to requesting an investigation that nurse melissa not following protocol on my medical sick calls-complaints.

there was no invesgitation in to my being phsically and sexually assulted, commander obrien came in my medical holding cell to take me to the hospital for a rape kit to be done obrien goes in to speak with nurse melissa and comes back in and tells me i'm not going to the hospital. I assume they realized the hospital would be doucumenting my injuries to my buttocks of cuts and scrapes with severe brusing that occured during my over 24 hours of being unconsciousness along with an hema-toma on my forehead. My underwear andsocks that i had on me right before my unconsciousness had been removed by my attacker. No invesgitation was ever done, i was in the care of the medical nurse melissa durning my attack with injuries.

this grievance was issued to the jail commander Please stay with my request of an invesgitation.

Original Message, sent 2018-12-21 09:21:12:

On 2018-12-21 09:21:12, an admin user replied:

On 12/19/2018, you were seen by Gary McIntosh pertaining to the multiple physical health concerns you have. His results yielded no medical findings that support your claims or concerns.

EA
Regarding the alleged complaint of physical and sexual assault by staff while unconscious was invesgitated and unfounded. I was informed you filed a court case for this, which they heard and dismissed.

12-18
Your complaint on medical battering you in January of 2018; was investigated and unfounded.

12-18
For me not answering your greviance on medical, it did not follow the proper chain of command on greviances,

Original Message, sent 2018-12-20 19:07:58:

My one request for this grievance appeal to the jail administrator. I'm requesting an investigation into nurse-melissa not following protocol on my sick call-complaints. Medical complaints can be found on kiosk inmate no.13002

such as burning pain in my lungs coughing up yellow infection, yeast infection,chronic uti symptoms,increased abdominal pain,chest pain,canceling my pain releavier,request for pain releavier,arthritis pain,u.a. Sample not being pick up for testing,my complaint of physically and sexually assulted by staff while unconsciousness for over 24 hrs. That included injuries to my forehead cuts and crapes with severe brusing on my buttocks while housed in medical holding kiosk 9-11-17 time 2 27 59, my request to see my specialist doctors for new symptoms,possible cancer,not following dr. Orders to re-check my u.a., not checking my morning urine,only giving 5 days of a 10 day order of keflect antibiotic,medical complaints not being passed on to dr. Mc intosh,threats of medical seg. If i dont stop putting in sick clls, 10-18-17 i spoke with sgt. Masoner who witnessed large debree i urinated, i spoke about threats by the nurse occurring 10-17-18.

12-12-18 i spoke with sgt. adams about the nurse not following protocol on my medical complaints, her
assulting me on 1-22-18 kiosk 1-26-18 time 3 27 59, her personal hatred towards me.
12-12-18 time 5 08 56 my grievance on the nuse to the jail commander lt. metcalf yielded no response.
grievance appeal to the jail administrator

om: MAJORDEDEKE
te: 9/11/2017 2:27:59 PM
ssage:
s. Frantz,

DEFENDANT'S
Exhibit

HABEAS
2020-cv-34

1
92

12

When you were in general population and assigned to a pod, you made your medical conditions and concerns public knowledge to the point where inmates made complaint. You further refused to flush your toilet and sought out witnesses to view your waste to prove your point. This activity was disruptive to the unit.

You have frequent and lengthy medical complaints.

You had an unexplained fall in medical. Your unsubstantiated claim is that you were attacked and physically assaulted by staff and or sexually assaulted by staff. Both of which are patently false.

You have a history of being medically non-compliant

Your placement in pod (general population) is not optional at this time as your presence will cause or be disruptive or a detriment to the operation of this facility.

Based upon the above and in your interest as well as ours, you will remain in a room that is monitored 24 hours a day and classified as medically separated.

Major Dedeke

6-17-2020

THE ASSAULTS OCCURRED ON 7-24-2017

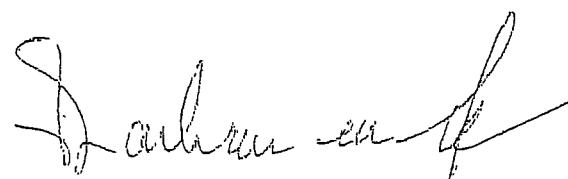
THIS ACKNOWLEDGEMENT by SHERIFF MAJOR DEDAKE OF MY COMPLAINTS OF ASSAULTS BY STAFF, WHICH I WAS UNDER 24 HOUR VIDEO MONITOR I HAD INJURIES OF HEMATOMA ON MY LEFT SIDE OF MY FOREHEAD, CUTS WITH BRUISING ON MY BUTTOCKS. MY SOCKS AND UNDERWEAR WERE REMOVED BY MY ATTACKER(S).

I WAS DENIED A RAPe KIT

I WAS DENIED AN INVESTIGATION

I WAS UNCONSCIOUS FOR OVER 24 HOURS FROM A CONCUSSION THAT ALSO WENT NEGLECTED. I DID RECEIVE TREATMENT OF TRIPLE ANTIBIOTIC OINTMENT TWICE A DAY FOR OVER A WEEK TO TREAT MY CUTS ON MY BUTTOCKS THAT WERE LESS THAN A INCH FROM MY RECTUM.

UNDER INVESTIGATION
August 2020.



1
2

ubject: SICK CALL

o: 13002 BARBARA MARIE FRANTZ 6/12/1966

rom: MWARDROP

ate: 8/10/2017 6:15:14 AM

16
92

Message:

In 2017-08-10 06:15:14, an admin user replied:

You are already receiving triple antibiotic ointment, you can use some for this as well. Noted, no blister on the face when AM med pass given.

Original Message, sent 2017-08-09 20:36:42:

blister soars on my face around my mouth ineed hydrocort for these blister soars

6-17-2020

TRIPLE ANTIBIOTIC DINTMENT WAS TREATMENT FOR MY INJURIES OF CUTS LESS THAN AN INCH FROM MY RECTUM, OINTMENT I RECEIVED TWICE DAILY FOR OVER A WEEK.

I WAS ASSAULTED-RAPED BY STAFF WITH INJURIES.

THIS VIOLENT ASSAULT WENT COVERED-UP BY THE SHERIFF

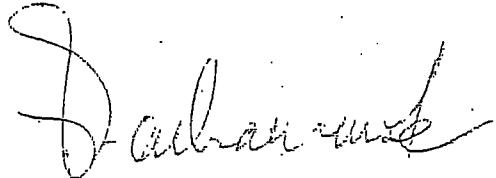
ANDY DEDERKE AND STAFF. I WAS HELD IN ISOLATION

MEDICAL CELL FOR 3 MONTHS. THIS DETAILED IN MY

LAWSUIT KSA 60-1501 CASE NO 2020-CV-34 622 PAGES-PLUS-

OF EXHIBITS I CONTINUE TO FILE AS MY ABUSES CONTINUE

TO NEGLECT MY LIFE THREATENING MEDICAL CONDITIONS.



2
2

JESTS

13002 BARBARA MARIE FRANTZ 6/12/1966

to: SOBRIEN

on: 9/19/2017 7:27:56 AM

subject:

2017-09-19 07:27:56, an admin user replied:

were seen by medical

ffABEAS

1501

2020-CV-34

18
92

Final Message, sent 2017-09-19 06:13:48:

reince- fall incident on 7-24-17 i have no memory of this fall i blacked out for over 20 hours and wake to
ries of hema-toma on my head, bruising of my face and bruising with cuts on my buttocks. I would like a
of fall incident report forward to th commander, jail administrator, sheriff

PREA date 7-24-17

To: 13002 BARBARA MARIE FRANTZ 6/12/1966 ~~disputed~~ DEFENDANT IN COKS JAIL

From: MWARDROP

Date: 7/27/2017 1:24:13 PM

Message:

On 2017-07-27 13:24:13, an admin user replied:

According to the provider, it would be a one time order of Tylenol only. Your vitals are stable.

VITALS NOT STABLE ON MONDAY

Original Message, sent 2017-07-27 13:08:02:

The fluid is building up on the left side of my head from my injury on monday. It has stabbing pains also in it. Could i please get some pain medicine for the pains.

Exhibit N

7-27-17 1:08:02

I did NOT SEND THIS MESSAGE I did NOT HAVE ACCESS
TO A KIOSK ON THE 27th

NURSE MELISSA WARDROP ACKNOWLEDGING PROVIDING ME PAIN RELIEVER.

I WAS BEAT AND RAPED BY SHERIFF'S OFFICERS ON 7-24-17, MONDAY.

I WAS BEAT UNCONSCIOUS, UNCONSCIOUS FOR OVER 24 HOURS, AND WAS
RAPED WHILE UNCONSCIOUS HAVING DEEP CUTS AROUND MY RECTUM, WHILE
IN A 24 HOUR VIDEO RECORDED MEDICAL HOLDING CELL.

AS OF TODAY 12-8-22 I AM STILL HAVING SCARRING AROUND MY RECTUM
AND MY SKULL FRACTURE FROM BEING BEATEN UNCONSCIOUS I HAVE
SKULL SWELLING FORCING MY LEFT EYE AND EAR UPWARD FROM GROSS
DEPRIVATION OF MEDICAL CARE AND TREATMENT.

S. Frantz

2
2

HABEAS

13

220

Subject: SICK CALL

To: 13002 BARBARA MARIE FRANTZ 6/12/1966

From: MWARDROP

Date: 7/27/2017 11:02:45 AM

Message:

On 2017-07-27 11:02:45, an admin user replied:

You will have to be off of pain relievers for 7 days before you can start again to give your kidneys a break
You will resume your Ibuprofen on 7/29/17 AM twice daily for 3 days then off for a week. We will be using what you purchased first.

Original Message, sent 2017-07-27 10:26:34:

I would like to get some pain medication from the dr for pain in my uritha and bladder. Ty

Exhibit N

NEGLECTED

SHOWS MY SCHEDULED PAIN RELIEVER

3 days ON 7 days OFF

7-27-17 10:26:34 I did NOT send this message

I did NOT have access to a kiosk on the 27th

Exhibit H $\frac{1}{2}$

LVCO.RS
HABEAS CORPUS
2020-CV-34
12
220



LEAVENWORTH COUNTY SHERIFF'S OFFICE

Andrew D. Dedeke
Sheriff

November 16, 2023

Barbara Frantz #124145
Topeka Correctional Facility
815 SE Rice Road
Topeka, KS 66607

RE: KORA Complaint- Leavenworth County Sheriff's Office
AG File Number CV-23-001423

Dear Ms. Frantz,

I am writing in response to your KORA request/complaint against the Leavenworth County Sheriff's Office that we received from the Kansas Attorney General's Office on Wednesday, November 15, 2023. Your request forwarded to us involved a PREA complaint and a grievance appeal dated December 21, 2018.

With respect to your request regarding records for a PREA complaint on August 6, 2020, we have no records. You were no longer in the custody of the Leavenworth County Sheriff at that time; therefore we have no inmate/correction records associated with you for that time period.

With respect to your request for records regarding a grievance appeal dated December 21, 2018, I have enclosed correspondence/inmate kiosk requests between you and Leavenworth County Jail staff. I have also enclosed an incident report regarding a July 24, 2017 incident in which you became ill and were found unresponsive in your cell as well as an incident in January 2018 regarding an interaction with the jail nurse. These records are not generally open records as they are correctional records of an identifiable inmate pursuant to K.S.A. 45-221(a) (29). However, since you are the inmate involved requesting these records, we will release those to you.

There is body cam footage and surveillance footage of a July 24, 2017 incident when you became ill and then later made an unfounded claim that you were assaulted by jail staff. Those particular reports are investigative in nature and the Leavenworth County Sheriff's Office would contend that they are not open records pursuant to K.S.A. 45-221 (a)(29) correctional records pertaining to an identifiable inmate. Additionally, the surveillance footage from the jail should not be an open record pursuant to K.S.A. 45-221(a) (12) records of emergency or security information or procedure of a public agency as disclosure would jeopardize security measures of

Letter to Barbara Frantz regarding KORA request/Complaint

November 16, 2023

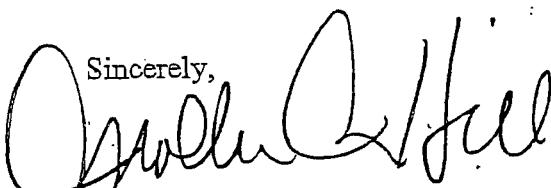
Page 2 of 2

the Leavenworth County Jail. Additionally, the body cam footage is a criminal investigation record pursuant to K.S.A. 45-254 and in accordance with the statute, you may view the footage but are not entitled to a copy.

Please let me know if you have any questions or need additional information. I may be contacted via telephone at (913) 727-2571; via email at mhill@lvsheriff.org; or via mail at:

Mollie Hill
General Counsel
Leavenworth County Sheriff's Office
601 S. 3rd Street, Suite 2007
Leavenworth, KS 66048.

Sincerely,



Mollie R. Hill
General Counsel
Leavenworth County Sheriff's Office

Enclosures

Cc: Amber Smith, Kansas Attorney General's Office



U.S. Department of Justice

Civil Rights Division

168-29-0 - ECATS-2023-193101

APPENDIX E

22 PAGES

Special Litigation Section - 4CON
150 M Street NE
Washington, D.C. 20001

June 06, 2023

Via First Class Mail

Barbara Frantz
815 SE Rice Road
Topeka, KS 66607-2354

Dear Ms. Frantz

Thank you for your letter. Your letter raised concerns that may fall under the Prison Rape Elimination Act (PREA), a law that addresses sexual abuse and sexual harassment against prisoners and detainees. The Department of Justice has developed National PREA Standards, which are rules that apply to all prisons and jails, community detention facilities and juvenile facilities. The standards are meant to effectively prevent, detect, and respond to custodial sexual abuse and sexual harassment. The PREA Standards also forbid retaliation against a prisoner or staff member who reports sexual abuse or sexual harassment. You can learn more about PREA at the PREA Information Center's website: www.praeresourcecenter.org/training-technical-assistance/prea-101/prisons-and-jail-standards. The standards require agencies to name a PREA Coordinator to oversee agency PREA compliance efforts, including investigating individual prisoner complaints of sexual abuse and sexual harassment. You may wish to contact the Statewide PREA Coordinator listed on the attached directory.

The Special Litigation Section of the Civil Rights Division does not have authority to directly enforce the PREA standards. However, we rely on information from community members to identify civil rights violations. Each week, we receive many reports of potential violations. We collect and analyze this information to help us select cases, and we may also use this information as evidence in an existing case. Our cases involve protecting people's civil rights that are threatened by widespread patterns of conduct, including conduct that affects people in institutions like jails and prisons. We do not assist with individual problems or complaints, or criminal matters. We will review your letter to decide whether it is necessary to contact you for additional information. We do not have the resources to follow-up on every letter.

APPENDIX E

If your concern is not within this Section's area of work, you may wish to consult the Civil Rights Division web page to find the correct section: www.justice.gov/crt.

For more information about the Special Litigation Section or the work we do, please visit our web page: www.justice.gov/crt/about/spl/.

Sincerely,

/s/

Steven H. Rosenbaum
Section Chief
Special Litigation Section

5

15

WAS TO STOP ME FROM WITNESSED ON MY PC-RECEIVED MEDICAL PROVINCIALS
THAT MY SON COMMITTED THE CRIME AND THE REASON FOR MY DETENTION
DISMISSED-DEFENCE, TO STOP ME FROM SITTING TO MY DEFENCE COUNSEL
(EVIDENCE). THIS WAS INTIMIDATION BY SITTING STAFF AS I WAS A
FEDERAL NOW HAVING SKULL SWELLING FRACTURE MY LEFT HAND THE UPWARD
HOLDING CELL. I SUFFERED A SKULL FRACTURE ON MY LEFT SIDE OF MY
MY RECTION. THIS WHILE I WAS UNDER 24 HOUR VIDEO RECORDING MEDICAL
24 HOURS OF UNCONSCIOUSNESS THEY RAPED ME WITH INJURIES OF CUTS AROUND
WCO'S SITTING OFFICES BEATING ME UNCONSCIOUS. AND DURNING MY OVER
MY FACE BEING PRACTICALLY DAMAGED AND THE TREATMENT, INJURIES FROM
HOLDOMER-URST. MY SKULL SWELLING IS VERY VISIBLE, WHICH IS DISTINGUISHING
THAT CAME TO TCF TO SEE ME HAND FOOL PICTURES OF MY FACE-NECK
ON 8-26-22 THESE WERE ZFBL AGENTS (TM LEAKER AND TRUST MGRWIC)
TO EVALUATE FOR MEDICAL CARE AND EVALUATING THE NEED FOR RESTING.
AND TREATMENT FOR OVER 5 1/2 YEARS FOR ACCESSING MEDICAL SPECIALISTS APPLICABLE
MEDICAL CONDITIONS ARE WORKING FROM GROSS DEPARTMENT FOR MEDICAL CARE
ECCD, BAILBAA FRAUD HERE WITH MY COMPLAINTS THAT MY LIFE TREATMENT
MEDICAL CONDITIONS ARE WORKING FROM GROSS DEPARTMENT FOR MEDICAL CARE
ON 8-26-22 THESE ALLEGEDLY GENERAL'S OFFICE
MERITICK GARRAND
950 FENNELLA AVE, NW,
WASHINGON, DC 20543-0001
RE: REC. NO. 5B301620224

10-26-22

UNITED STATES ATTORNEY GENERAL'S OFFICE

13

EXHIBIT N

MY GOLF
MAY 10-26-22

which includes KU Hospital that caused the medical error, causing me again damage. Which I had obtained most of the damage to the severity of my medical conditions which is extreme. This is also taken pictures of my severely disturbed generalized abdominal. I had from my generalized abdomen. The worst being on my left side. I had been from my stomach in 2015, by KU Hospital. (Enclosed). I have KDS. Besides of my stomach in 2015, by KU Hospital. (Enclosed). I had felt by physical exam since early 2020, on my stomach throughout my abdomen. My medical conditions being concealed from my and my colleague. And my medical records and imaging reports. Ks board of hearing arts is supposed to be investigating this. Its numerous Ks Gov. Agencies following DPA investigations for the DPA providing me information. I believe this is a prime example of RICO Act. About Tim (KU) killed me while as I want the MRI to be done at? I stated Texas; I know once I do get this MRI Head to toe, my medical conditions are extremely life threatening which shows the (unintelligible) to moderate me. I am having to be bed-ridden 15-18 hours a day for controlling severe pain, daily, and due to the fact head or twist. This is (unintelligible) unusual presentation on the most disturbing accounts. My relentless attempts to receive medical care over 5½ years of my wonderful incubation.

I have internationally denied access to specialists, unable to evaluate. One of the international deny my WPooful incubation.

MY MEDICAL CONDITIONS ARE VISIBLE TO THE LAWPERSONS, ONLY NEEDING EYE-SIGHT TO SEE THE NEED FOR ME NEEDING ACCESS TO EMERGENCY MEDICAL CARE. I AM EXPOSING, WHISTLEBLOWING, ON PROFESSIONALS AT THE HIGHEST LEVELS OF KS GOVERNMENT AND MEDICAL.

KS ATTORNEY GENERAL, DEREK SCHMIDT, I HAVE WRITTEN TO MANY TIMES WITH MY COMPLAINTS LISTED ABOVE WHEN I WAS IN LSCO, KS JAIL, AS WITH KS GOVERNOR, KBI, COUNTY JUDGES AND SO ON. I HAVE COPIES OF THESE LETTERS WITH NO RESPONSE. MY FILING MOTIONS TO LSCO, KS DISTRICT COURT FILED WITH MY CASES 2017-CR-92 AND 2020-CV-34, ALSO IGNORED. I NOW HAVE FILED WITH SUPREME COURT OF THE U.S. CASE NO. 22-5121 FOR INJUNCTIVE RELIEF FOR MRI AND ACCESS TO SPECIALISTS OUTSIDE OF THE FACILITY, TCF. I AM TERRIFIED FOR MY LIFE, AND THERE IS NO MEDICAL DEPT. FOR ME HERE AT TCF. THEY ARE WAITING FOR ME TO DROP DEAD THEN CLEAN UP THE AFTER-MATZ.

I REQUESTED THE FBI TO INVESTIGATE THESE KS. GOV. AGENCIES AND KSAG AS DEREK SCHMIDT OVER-SEES MY CRIMINAL CARE WHICH HAS SEVERE CORRUPTION. THE KS BOARD OF EXAMINERS OF COURT REPORTERS, 3-OF THESE REPORTERS HAS FRAUDULENTLY PREPARED TRANSCRIPTS. CRIMINAL CONSPIRACY, AND THEY DIDN'T ACT ALONE. ONLY STATE PROSECUTORS WOULD OF KNOWN WHICH STATEMENTS FROM THE RECORD, TO REMOVE AND CHANGE THE WORDING OF JUDGES, STATE PROSECUTORS, DEFENSE COUNSEL'S. STATE PROSECUTORS NEEDED TO RE-WRITE THE RECORD OF TRANSCRIPTS TO WRONGFULLY CONVIET ME.

THE FRAUDULENTLY PREPARED TRANSCRIPTS UNDER OPEN INVESTIGATION FOR ALMOST 2-YEARS. I FILED MY COMPLAINT IN JANUARY 2020, SHOWING PROOF, WHICH OFFICIALLY OPEN MY COMPLAINT # 1655-03-2021. MARCH OF 2021. I AM DENIED MY WRITTEN REQUEST FOR STATUS AND CORRECTED TRANSCRIPTS. MY APPEAL TO SUPREME COURT OF KANSAS IS FOR AN ACQUITTAL AS POLICE - PROSECUTION - JUDICIAL MISCONDUCT BEING EXTENSIVE AND REASONS FOR WRONGFULLY CONVICTING WAS TO HIDE ME AWAY AND CONTINUE THE CONCEALMENT THEN I'M SURE CONCEAL THE REASONS FOR MY DEATH. AS LISTED IN MY 8-18-21 LETTER TO YOU, WHICH YOU PROVIDED ME THE REF. NO. SB301690224 FOR THE CRIMINAL DIVISION OF FBI TO INVESTIGATE, DATED 1-6-22.

FEDERAL AND STATE LAWS, MY CONSTITUTIONAL RIGHTS VIOLATED. ALL MEASURES IN PLACE FOR ME I HAVE SEEKED HAVE FAILED ME SO FAR.

I AM BEGGING FOR FEDERAL PROTECTION. THESE KS STATE GOVERNMENT OFFICIALS ARE WORKING, CORRUPTING, TO ENSURE THEIR CRIMINAL CONDUCT IS NOT EXPOSED. I AM REQUESTING FOR YOUR HELP.

I GREATLY APPRECIATE YOUR TIME. THANK YOU.

ENCLOSED:

1. 4-17-15 MRN-335518 KU HOSPITAL BIOPSY'S DONE ON ME.
2. APPENDIX VV AND FFF SELF PHOTOS FACIAL DISFIGUREMENT
3. FBI 2-17-22 LETTER
4. FBI TIM LEAKEY AGENT 8-29-22 LETTER
5. FBI TIM LEAKEY AGENT 9-25-22 LETTER
6. 9-20-22 NEWS PAPER ARTICLE
7. SUPREME COURT OF U.S. 22-5121 PETITION FOR RE-HEARING

REQUESTING FOR INJUNCTIVE RELIEF, MRI - SPECIALISTS

B. SUPREME COURT OF U.S. 22-5121 RETALIATION COMPLAINT

9. 9-11-17 KIOSK LVCO,KS JAIL PREA, 8-10-17 KIOSK PREA

10. KDOC MEDICAL ADVOCATES 9-17-22, MEDICAL DOCUMENTATION, REQUEST

11. KS BOARD OF EXAMINERS OF COURT REPORTERS 10-19-22

12. CLERK OF SUPREME COURT OF KS 20-123096-S LVCO,KS. 17-CR-92
COURT REPORTER COMPLAINT

13. 10-8-22 LIST OF TESTING SINCE INCARCERATION

14. 1-14-17 COUNSEL FOR KU HOSPITAL TREVIN E. WRAY

15. LVCO,KS DISTRICT COURT CASE NO. 17-CR-92 AND 2020-CV-34
MOTION FOR COURT DATE SET FOR MY 1501 HABEAS CORPUS MAILED 4-27-2020
W/ 2-23-2020 ALLOWED TO WORSEN COMPLAINT

16. LVCO,KS DISTRICT COURT CASE NO. 17-CR-92 AND 2020-CV-34
5-28-2020 W/ MEDICAL GRIEVANCE 5-28-2020 10:31:51

17. 9-14-19 DISCIPLINARY ADMINISTRATOR COMPLAINT ON KATIE DEVIN.
REQUESTING FOR HELP MRI HEAD TO TOE W/ WO CONTRAST
ACCESS TO SPECIALISTS OUTSIDE THE FACILITY CAPABLE TO GRADUATE ME,
FEDERAL PROTECTION. THANK YOU.

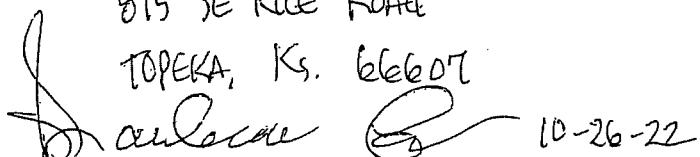
SINCERELY, GOLD STAR MORTE

BARBARA FRANTZ #124145

TOPEKA CORRECTIONAL FACILITY

815 SE RICE ROAD

TOPEKA, KS. 66607

 10-26-22

CC: FRANTZ

19

5



U.S. Department of Justice
Criminal Division

Washington, DC 20530-0001

January 6, 2022

Barbara Frantz #124145
Topeka Correctional Facility I-4
815 SE Rice Road
Topeka, KS 66607-2354

Dear Ms. Frantz:

Thank you for your letter dated August 18, 2021, to the Attorney General. Your letter has been referred to the Criminal Division for review. We are pleased to respond and regret the delay.

Based on the information you provided, you may wish to forward your complaint to the State Attorney General for your state, who has jurisdiction to review the matters that you raise.

If you have evidence of a violation of federal criminal law, you should provide that information to the office of the Federal Bureau of Investigation (FBI) in your area. In cases concerning alleged violations of federal law, the FBI will determine whether a federal investigation may be warranted. If appropriate, the FBI will refer the matter to a United States Attorney for a final determination regarding legal action.

Again, thank you for writing the Attorney General. We hope this information has been helpful.

Sincerely,

Correspondence Management Staff
Office of Administration



Reference Number: SB301690224

For further correspondence please email criminal.division@usdoj.gov. Should you wish to speak to a representative please call (202) 353-4641 and provide the reference number.

U.S. Department of Justice

Criminal Division

Washington, D.C. 20530

Official Business

Penalty for Private Use \$300

RECEIVED
-25-22

REFERENCE

Q
SB301690224

TY/HB

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01/14/2022

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US OFFICIAL MAIL
\$300 Penalty
For Private Use
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041M12120109

TCF MAILING

JAN 21 2022

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RECORDED CERT

http://www.usps.com

N

CASE SUMMARY
CASE NO. 2020-CV-000034

Barbara Marie Frantz vs. Andrew Dedeke

§
§
§
§

Location: Leavenworth County
Judicial Officer: Lee, Clinton
Filed on: 01/31/2020

CASE INFORMATION

Statistical Closures
09/24/2020 Other Dismissal

Case Type: CV Habeas Corpus

Case Status: 09/24/2020 Disposed

Case Flags: Clerk Alert

PARTY INFORMATION

Attorneys

Plaintiff Frantz, Barbara Marie
TCF 815 SE Rice Rd, #0124145
Topeka, KS 66607-0000
White Female Height 5'6" Weight 161lbs
DOB: 06/12/1966
DL: KS K02997507
Other Agency Number: FBI: W5E6F1CPL Default Conversion OTHID,
KS33642577 Kansas Bureau of Investigation

Patty, Kristen B.
Retained
312-261-9954(F)
316-651-0030(W)
200 W Douglas, Ste 600
P.O. Box 3545
Wichita, KS 67201-3545
Desch, Joseph Andrew
Retained
866-710-6778(F)
785-232-7003(W)
Law Office Of Joseph A.
Desch
201 Sw Greenwood Ave
Topeka, KS 66606
Pro Se, Party
Retained
UNKNOWN

SHERIFF

Defendant Dedeke, Andrew
601 South 3rd street
Leavenworth, KS 66048-0000

Hill, Mollie Rose
Retained
913-758-4097(F)
913-272-2571(W)
Leavenworth County
Sheriff's Office
601 S 3Rd St, Ste 2007
Leavenworth, KS 66048

DATE

EVENTS & ORDERS OF THE COURT

DISPOSITIONS

09/24/2020

Other Dismissal

APPEAL NO. 23-126,147 A

EVENTS

01/31/2020

Original Case Filed - Stats Open

01/31/2020

The record of all proceedings in this case are digitally recorded.
The record of all proceedings in this case are digitally recorded unless otherwise noted.

01/31/2020

PLE: Petition

Petition

PETITION FOR WRIT OF HABEAS CORPUS

03/10/2020

Exhibit

Exhibits

EXHIBITS

denied PROCEDURAL due PROCESS

CASE SUMMARY
CASE NO. 2020-CV-000034

03/10/2020	<input checked="" type="checkbox"/> Exhibit <i>Exhibits</i> EXHIBITS
03/10/2020	<input checked="" type="checkbox"/> Exhibit <i>Exhibits</i> EXHIBITS
03/10/2020	<input checked="" type="checkbox"/> Exhibit <i>Exhibits</i> EXHIBITS
03/10/2020	<input checked="" type="checkbox"/> Notice <i>Notice</i> NOTICE OF DEFICIENT PLEADING
03/12/2020	<input checked="" type="checkbox"/> Certificate <i>Certificate</i> CERTIFICATE OF MAILING
03/27/2020	Default Conversion ROA <i>Filing: Civil Docket Fee Paid by: Frantz, Barbara Marie (plaintiff) Receipt number: 0274864</i> <i>Dated: 3/27/2020 Amount: \$195.00 (Check) For: Frantz, Barbara Marie (plaintiff)</i>
05/01/2020	<input checked="" type="checkbox"/> INF: Correspondence <i>CORRESPONDENCE by the defendant</i> <input checked="" type="checkbox"/> Correspondence
05/14/2020	<input checked="" type="checkbox"/> Correspondence <i>Correspondence</i> <i>CORRESPONDENCE from plaintiff</i>
05/14/2020	<input checked="" type="checkbox"/> Exhibit <i>Exhibits</i> EXHIBIT
05/14/2020	Default Conversion ROA <i>Email Sent Date: 05/14/2020 10:31 am To: mollie.hill@leavenworthcounty.org and Wacker, Terrie File Attached: CORRESPONDENCEFROMPLAINTIFF.pdf Name of Document: CORRESPONDENCE from plaintiff</i>
05/14/2020	Default Conversion ROA <i>Email Sent Date: 05/14/2020 10:31 am To: mollie.hill@leavenworthcounty.org and Wacker, Terrie File Attached: EXHIBIT.pdf Name of Document: EXHIBIT</i>
05/14/2020	<input checked="" type="checkbox"/> Certificate <i>Certificate</i> CERTIFICATE OF MAILING
05/27/2020	<input checked="" type="checkbox"/> Correspondence <i>Correspondence</i> <i>CORRESPONDENCE from plaintiff</i>
05/29/2020	<input checked="" type="checkbox"/> Correspondence <i>Correspondence</i> <i>CORRESPONDENCE from plaintiff</i>
06/01/2020	Default Conversion ROA <i>Email Sent Date: 06/01/2020 09:15 am To: mollie.hill@leavenworthcounty.org File Attached: CORRESPONDENCEFROMPLAINTIFF.pdf Name of Document: CORRESPONDENCE from plaintiff</i>
06/01/2020	<input checked="" type="checkbox"/> Certificate <i>Certificate</i> CERTIFICATE OF MAILING
06/01/2020	<input checked="" type="checkbox"/> Certificate <i>Certificate</i>

CASE SUMMARY
CASE NO. 2020-CV-000034

CERTIFICATE OF MAILING

06/01/2020 Default Conversion ROA
Email Sent Date: 06/01/2020 01:37 pm To: mollie.hill@leavenworthcounty.org and Wacker, Terrie File Attached: CORRESPONDENCEFROMPLAINTIFF.pdf Name of Document: CORRESPONDENCE from plaintiff

06/01/2020 Certificate
Certificate
CERTIFICATE OF MAILING

06/01/2020 Correspondence
Correspondence
CORRESPONDENCE from plaintiff

06/01/2020 Default Conversion ROA
Email Sent Date: 06/01/2020 01:40 pm To: mollie.hill@leavenworthcounty.org and Wacker, Terrie File Attached: CORRESPONDENCEFROMPLAINTIFF.pdf Name of Document: CORRESPONDENCE from plaintiff

06/01/2020 Certificate
Certificate
CERTIFICATE OF MAILING

06/01/2020 INF: Correspondence
CORRESPONDENCE by the defendant *INF: Correspondence*

06/12/2020 Correspondence
Correspondence
CORRESPONDENCE from plaintiff

06/12/2020 Exhibit
Exhibits
EXHIBIT S

06/15/2020 Exhibit
Exhibits
EXHIBIT T

06/17/2020 Default Conversion ROA
Email Sent Date: 06/17/2020 09:12 am To: Wacker, Terrie File Attached: EXHIBITS.pdf Name of Document: EXHIBIT S

06/17/2020 Default Conversion ROA
Email Sent Date: 06/17/2020 09:15 am To: Wacker, Terrie File Attached: EXHIBIT T.pdf Name of Document: EXHIBIT T

06/24/2020 Hearing Scheduled
Hearing Scheduled (Writ of Habeas Corpus 09/24/2020 01:00 PM) Barbara Frantz

06/24/2020 Document Service
WRIT OF HABEAS CORPUS: Issued on 6/24/2020; to Andrew Dedeke on 6/24/2020; Assigned to LVSO, Leavenworth Co Sheriff; Service Fee of \$0.00

06/24/2020 Issued
WRIT OF HABEAS CORPUS: Issued to Andrew Dedeke on 6/24/2020; Assigned to LVSO, Leavenworth Co Sheriff. Service Fee of \$0.00.
WRIT OF HABEAS CORPUS ISSUED Andrew Dedeke

06/24/2020 Certificate
Certificate
CERTIFICATE OF MAILING

06/26/2020 Served
WRIT OF HABEAS CORPUS: Served to Andrew Dedeke on 6/25/2020; Assigned to LVSO, Leavenworth Co Sheriff. Service Fee of \$0.00.
WRIT OF HABEAS CORPUS served Andrew Dedeke

06/29/2020 Certificate

COURT & CLERK'S OFFICE
CASE SUMMARY
CASE NO. 2020-CV-000034

	<p><i>Certificate</i> CERTIFICATE OF MAILING</p>
06/29/2020	<p><input checked="" type="checkbox"/> Correspondence <i>Correspondence</i> <i>CORRESPONDENCE from plaintiff</i></p>
06/29/2020	<p><input checked="" type="checkbox"/> Exhibit <i>Exhibits</i> <i>EXHIBITS</i></p>
06/30/2020	<p>Default Conversion ROA <i>Email Sent Date: 06/30/2020 08:14 am To: mollie.hill@leavenworthcounty.org and Wacker, Terrie File Attached: EXHIBITS.pdf Name of Document: EXHIBITS</i></p>
06/30/2020	<p><input checked="" type="checkbox"/> Certificate <i>Certificate</i> CERTIFICATE OF MAILING</p>
07/13/2020	<p><input checked="" type="checkbox"/> Exhibit <i>Exhibits</i> <i>EXHIBITS</i></p>
07/14/2020	<p>Default Conversion ROA <i>Email Sent Date: 07/14/2020 09:57 am To: mollie.hill@leavenworthcounty.org File Attached: EXHIBITS.pdf Name of Document: EXHIBITS</i></p>
07/14/2020	<p><input checked="" type="checkbox"/> Certificate <i>Certificate</i> CERTIFICATE OF MAILING</p>
07/16/2020	<p><input checked="" type="checkbox"/> Exhibit <i>Exhibits</i> <i>EXHIBITS</i></p>
07/17/2020	<p>Default Conversion ROA <i>Email Sent Date: 07/17/2020 09:40 am To: mollie.hill@leavenworthcounty.org File Attached: EXHIBITS.pdf Name of Document: EXHIBITS</i></p>
07/17/2020	<p><input checked="" type="checkbox"/> Certificate <i>Certificate</i> CERTIFICATE OF MAILING</p>
07/29/2020	<p><input checked="" type="checkbox"/> Correspondence <i>Correspondence</i> <i>CORRESPONDENCE from plaintiff</i></p>
07/31/2020	<p>Default Conversion ROA <i>Email Sent Date: 07/31/2020 10:08 am To: mollie.hill@leavenworthcounty.org and Phillips, Jamie File Attached: CORRESPONDENCEFROMPLAINTIFF.pdf Name of Document: CORRESPONDENCE from plaintiff</i></p>
07/31/2020	<p><input checked="" type="checkbox"/> Certificate <i>Certificate</i> CERTIFICATE OF MAILING</p>
08/31/2020	<p><input checked="" type="checkbox"/> Motion <i>Motion</i> MOTION FOR DEFAULT JUDGMENT FOR HABEAS CORPUS</p>
09/03/2020	<p>Default Conversion ROA <i>Email Sent Date: 09/03/2020 09:33 am To: mollie.hill@leavenworthcounty.org and Phillips, Jamie File Attached: MOTIONFORDEFAULTJUDGMENTFORHABEASCORPUS.pdf Name of Document: MOTION FOR DEFAULT JUDGMENT FOR HABEAS CORPUS</i></p>
09/03/2020	<p><input checked="" type="checkbox"/> Certificate <i>Certificate</i> CERTIFICATE OF MAILING</p>

CASE SUMMARY
CASE NO. 2020-CV-000034

09/24/2020	Hearing Held <i>Hearing result for Writ of Habeas Corpus held on 09/24/2020 01:00 PM: Hearing Held Barbara Frantz M.Hill for the defendant, plaintiff does not appear, case dismissed (FTR4 104)</i>
09/30/2020	<input checked="" type="checkbox"/> Writ <i>Writ WRIT OF HABEAS CORPUS</i>
10/05/2020	<input checked="" type="checkbox"/> Order <i>Order ORDER OF DISMISSAL</i>
10/08/2020	Default Conversion ROA <i>Email Sent Date: 10/08/2020 09:26 am To: mollie.hill@leavenworthcounty.org File Attached: ORDEROFDISMISSAL.pdf Name of Document: ORDER OF DISMISSAL</i>
10/08/2020	<input checked="" type="checkbox"/> Certificate <i>Certificate CERTIFICATE OF MAILING</i>
10/16/2020	<input checked="" type="checkbox"/> Motion <i>Motion MOTION FOR APPEAL TO HIGHER COURT</i>
10/16/2020	Default Conversion ROA <i>Email Sent Date: 10/16/2020 10:28 am To: mollie.hill@leavenworthcounty.org and Phillips, Jamie File Attached: MOTIONFORAPPEALTOHIGHERCOURT.pdf Name of Document: MOTION FOR APPEAL TO HIGHER COURT</i>
10/16/2020	<input checked="" type="checkbox"/> Certificate <i>Certificate CERTIFICATE OF MAILING</i>
11/04/2020	<input checked="" type="checkbox"/> Correspondence <i>Correspondence CORRESPONDENCE from plaintiff</i>
11/06/2020	Default Conversion ROA <i>Email Sent Date: 11/06/2020 09:20 am To: mollie.hill@leavenworthcounty.org and Phillips, Jamie File Attached: CORRESPONDENCEFROMPLAINTIFF.pdf Name of Document: CORRESPONDENCE from plaintiff</i>
11/06/2020	<input checked="" type="checkbox"/> Certificate <i>Certificate CERTIFICATE OF MAILING</i>
11/18/2020	<input checked="" type="checkbox"/> Correspondence <i>Correspondence CORRESPONDENCE from plaintiff</i>
11/19/2020	Default Conversion ROA <i>Email Sent Date: 11/19/2020 03:32 pm To: mollie.hill@leavenworthcounty.org and Phillips, Jamie File Attached: CORRESPONDENCEFROMPLAINTIFF.pdf Name of Document: CORRESPONDENCE from plaintiff</i>
11/19/2020	<input checked="" type="checkbox"/> Certificate <i>Certificate CERTIFICATE OF MAILING</i>
07/01/2022	<input checked="" type="checkbox"/> Correspondence <i>Correspondence CORRESPONDENCE from the Defendant 6-28-22</i>
07/05/2022	<input checked="" type="checkbox"/> Certificate <i>Certificate CERTIFICATE OF MAILING</i>
01/26/2023	<input checked="" type="checkbox"/> INF: Correspondence

CASE SUMMARY
CASE NO. 2020-CV-000034

CORRESPONDENCE FROM CLERK TO PLAINTIFF mailed to plaintiff

02/13/2023	<input checked="" type="checkbox"/> INF: Correspondence <i>CORRESPONDENCE FROM PLAINTIFF</i>
03/07/2023	<input checked="" type="checkbox"/> ORD: Appoint - Counsel <i>ORDER APPOINTING COUNSEL Emailed JDesch</i>
03/08/2023	<input checked="" type="checkbox"/> INF: Correspondence <i>CORRESPONDENCE FROM PLAINTIFF</i>
03/09/2023	<input checked="" type="checkbox"/> ORD: Appoint - Counsel <i>ORDER APPOINTING COUNSEL Emailed KPatty and mailed copy to plaintiff</i>
03/12/2023	<input checked="" type="checkbox"/> DIS: Transcript Request <i>REQUEST FOR TRANSCRIPT copy in supervisor box(court clerk unavailable)</i>
03/13/2023	Case Note <i>Mailed copy of Correspondence file stamped 2/13/23 to plaintiff</i>
03/20/2023	<input checked="" type="checkbox"/> DIS: Transcript <i>Transcript of Hearing on Writ of Habeas Corpus</i>
03/20/2023	<input checked="" type="checkbox"/> INF: Information (Generic) <i>Certificate of Completion of Transcript</i>
03/21/2023	<input checked="" type="checkbox"/> NOT: Notice - No Sheriff Service Required <i>ORDER OF ASSIGNMENT</i>
03/23/2023	<input checked="" type="checkbox"/> INF: Correspondence <i>CORRESPONDENCE FROM PLAINTIFF</i>
03/24/2023	Case Note <i>Mailed copy of ROA's per plaintiff request</i>
<u>SERVICE</u>	
06/24/2020	Writ Dedeke, Andrew Served: 06/25/2020 Anticipated Server: County Sheriff Office Actual Server: Serving Officer: Serving Method: Personal Service Tracking Comment: Appearance Date: 09-24-2020 01:00 PM; <i>Appearance Date: 09-24-2020 01:00 PM;</i>

DATE	FINANCIAL INFORMATION		
	Plaintiff Frantz, Barbara Marie		195.00
	Total Charges		195.00
	Total Payments and Credits		0.00
	Balance Due as of 03/24/2023		
03/27/2020	Charge	Plaintiff Frantz, Barbara Marie	195.00
03/27/2020	Charge	Plaintiff Frantz, Barbara Marie	195.00
03/27/2020	Adjustment	Plaintiff Frantz, Barbara Marie	(195.00)
03/27/2020	Case Payment Receipt # 274864	Plaintiff Frantz, Barbara Marie	(200.00)

COURT PERSONNEL CIVIL
CASE SUMMARY
CASE NO. LV-2023-CV-000029

Barbara Marie Frantz vs. State of Kansas

§
§
§
§

Location: Leavenworth County
Judicial Officer: Lee, Clinton
Filed on: 01/27/2023

CASE INFORMATION

Case Type: CV Habeas Corpus

Case Status: 01/27/2023 Pending

Case Flags: Clerk Alert
60-1507

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number: LV-2023-CV-000029
Court: Leavenworth County
Date Assigned: 01/27/2023
Judicial Officer: Lee, Clinton

PARTY INFORMATION

Plaintiff

Frantz, Barbara Marie
TOPEKA CORRECTIONAL FACILITY I-B #124145
815 S.E. RICE ROAD
TOPEKA, KS 66607-0000
White Female Height 5'6" Weight 161lbs
DOB: 06/12/1966
DL: KS K02997507
Other Agency Number: FBI: W5E6F1CPL Default Conversion OTHID,
KS33642577 Kansas Bureau of Investigation

Attorneys
Floyd, James Antwone
Retained
913-369-7155(F)
913-369-7155(W)
J.A. Floyd Law
827 Armstrong Ave Ste 202
Kansas City, KS 66101
james@jaifloydlaw.com

Pro Se
913-969-2367(H)
TOPEKA
CORRECTIONAL
FACILITY I-B #124145
815 S.E. RICE ROAD
TOPEKA, KS 66607-0000

Defendant

State of Kansas
601 S 3rd ST
Leavenworth, KS 66048

Thompson, Todd Garrard
Retained
913-684-1050(F)
913-684-0899(W)
Leavenworth County
Attorney's Office
601 S Third St, Ste 3069
Leavenworth, KS 66048
toddgthompson@yahoo.com

DATE

EVENTS & ORDERS OF THE COURT

EVENTS

01/19/2023 INF: Information (Generic)
INSTRUCTIONS (Petition)
01/19/2023 APP: Affidavit (Generic)

COURT PERSONNEL CIVIL
CASE SUMMARY
CASE NO. LV-2023-CV-000029

POVERTY AFFIDAVIT

01/19/2023 INF: Information (Generic)
INMATE ACCOUNT STATEMENT

01/27/2023 Original Case Filed - Stats Open

01/30/2023 NOT: Notice - No Sheriff Service Required
NOTICE OF DEFICIENT PLEADING mailed to plaintiff

02/21/2023 INF: Correspondence
CORRESPONDENCE FROM PLAINTIFF

03/03/2023 Case Note
A check was sent to us totaling \$18.00 which is the \$3 filing fee and the \$15 service fee combined. I sent it back to KDOC requesting two separate checks

03/08/2023 INF: Correspondence
CORRESPONDENCE FROM PLAINTIFF

03/13/2023 INF: Correspondence
CORRESPONDENCE FROM CLERK TO PLAINTIFF mailed to plaintiff

03/20/2023 PLE: Summons
SUMMONS ISSUED DISTRICT ATTORNEY

03/21/2023 RET: Return of Service
SUMMONS SERVED DISTRICT ATTORNEY 3/21/23 AGENT mailed to plaintiff

03/23/2023 INF: Correspondence
CORRESPONDENCE FROM PLAINTIFF

03/24/2023 Case Note
Mailed copy of ROA's per plaintiff request

03/30/2023 INF: Correspondence
CORRESPONDENCE FROM PLAINTIFF

04/10/2023 INF: Correspondence
CORRESPONDENCE FROM PLAINTIFF

04/10/2023 INF: Correspondence
MOTION REQUEST FOR INVESTIGATION OF ALTERED POLICE BODY CAMERA FOOTAGE Emailed to TThompson

04/13/2023 INF: Correspondence
AMENDED MOTION REQUEST FOR INVESTIGATION OF ALTERED POLICE BODY CAMERA FOOTAGE Emailed to TThompson

04/20/2023 Case Note
Hearing held 4/20/23 plaintiff appears in custody, TThompson for the def, def to file an answer, cont to 7/20/23 1 pm (FTR4 418)

04/20/2023 MOT: Motion (Generic)
MOTION FOR CHANGE OF VENUE

04/26/2023 MOT: Motion (Generic)
MOTION TO APPOINT COUNSEL FOR UNDUE DELAY TO BE HEARD

05/08/2023 INF: Correspondence
CORRESPONDENCE FROM PLAINTIFF

05/22/2023 INF: Correspondence
CORRESPONDENCE FROM PLAINTIFF

06/23/2023 MOT: Motion (Generic)
AMENDED MOTION FOR CHANGE OF VENUE

COURT PERSONNEL CIVIL
CASE SUMMARY
CASE NO. LV-2023-CV-000029

07/17/2023	<p> MOT: Motion (Generic) <i>MOTION TO CONTINUE THE STATUS CONFERENCE Mailed to plaintiff</i></p>
07/20/2023	<p>Case Note <i>Plaintiff appears in custody, TThompson for the def, state to file an answer, cont to 8/17/23 1 pm for motion to change venue filed by plaintiff (FTR4 151)</i></p>
08/17/2023	<p> MOT: Response <i>STATE S RESPONSE TO K.S.A. 60-1507 MOTION Mailed to plaintiff</i></p>
08/17/2023	<p>Judge Note <i>plaintiff in custody, def by SBoyd, ct denies motions to change venue, status hearing set for 9/21/23 1 pm (Judge Notes)</i></p>
08/18/2023	<p> ORD: Venue Change <i>ORDER DENYING CHANGE OF VENUE Mailed to plaintiff</i></p>
08/25/2023	<p> INF: Correspondence <i>EXHIBITS FOR ARGUMENT FOR INEFFECTIVE ASSISTANCE OF COUNSEL APPELLATE COUNSEL MOTION TO BE HEARD</i></p>
08/29/2023	<p> INF: Correspondence <i>CORRESPONDENCE FROM PLAINTIFF</i></p>
08/30/2023	<p> INF: Correspondence <i>CORRESPONDENCE from the defendant 8-21-23</i></p>
08/31/2023	<p>Case Note <i>Copy of ROA's and pleading file stamped 8/25/23 mailed to plaintiff per her request</i></p>
09/05/2023	<p> ORD: Appoint - Counsel <i>ORDER APPOINTING ATTORNEY Emailed JFloyd and mailed to plaintiff</i></p>
09/13/2023	<p> INF: Correspondence <i>CORRESPONDENCE FROM PLAINTIFF (Letter to Chief Judge Lowdon)</i></p>
09/13/2023	<p> INF: Correspondence <i>CORRESPONDENCE FROM PLAINTIFF Emailed TThompson</i></p>
09/18/2023	<p> MOT: Motion (Generic) <i>AMENDED MOTION FOR CHANGE OF VENUE Emailed TThompson</i></p>
09/21/2023	<p>Case Note <i>Plaintiff appears in custody with JFloyd, SBoyd for the def, cont to 11/16/23 1 pm (FTR4 303)</i></p>
10/30/2023	<p> MOT: Motion (Generic) <i>MOTION FOR REQUEST</i></p>
11/06/2023	<p> INF: Correspondence <i>CORRESPONDENCE FROM PLAINTIFF</i></p>
	<p><u>HEARINGS</u></p>
04/20/2023	<p>Hearing (1:00 PM) (Judicial Officer: Lee, Clinton) Resource: Courtroom Courtroom 4</p>
	<p>BARBARA FRANTZ</p>
	<p>FILING FEE AND SERVICE FEE RECEIVED</p>
	<p>SUMMONS ISSUED 3/20/23</p>
	<p>SUMMONS SERVED 3/21/23</p>

COURT PERSONNEL CIVIL
CASE SUMMARY
CASE NO. LV-2023-CV-000029

Hearing Held
07/20/2023 **Status Conference** (1:00 PM) (Judicial Officer: Lee, Clinton)
Resource: Courtroom Courtroom 4
BARBARA FRANTZ

DEF HAS NOT FILED AN ANSWER

Hearing Held
08/17/2023 **Status Conference** (1:00 PM) (Judicial Officer: Lee, Clinton)
Resource: Courtroom Courtroom 4
BARBARA FRANTZ

DEF FILED AN ANSWER 8/17/23

MOTION FOR CHANGE OF VENUE FILED BY PLAINTIFF

Hearing Held
09/21/2023 **Status Conference** (1:00 PM) (Judicial Officer: Lee, Clinton)
Resource: Courtroom Courtroom 4
BARBARA FRANTZ

AMENDED MOTION FOR CHANGE OF VENUE FILED

Hearing Held
11/16/2023 **Status Conference** (1:00 PM) (Judicial Officer: Lee, Clinton ;Location: Courtroom 4)
Resource: Courtroom Courtroom 4
BARBARA FRANTZ

COURT PERSONNEL CIVIL
CASE SUMMARY
CASE NO. LV-2023-CV-000029

AMENDED MOTION FOR CHANGE OF VENUE

SERVICE

03/20/2023

Summons

State of Kansas
Unserved
Anticipated Server: County Sheriff Office

DATE	FINANCIAL INFORMATION
	Plaintiff Frantz, Barbara Marie 3.00
	Total Charges 3.00
	Total Payments and Credits 0.00
	Balance Due as of 02/27/2024
01/27/2023	Charge Plaintiff Frantz, Barbara Marie 195.00
03/20/2023	Adjustment Plaintiff Frantz, Barbara Marie (192.00)
03/20/2023	Case Payment Plaintiff Frantz, Barbara Marie (3.00) Receipt # LV-2023-01051

Susan Gile, Executive Director

Laura Kelly, Governor

June 9, 2023

Barbara Frantz #124145
Topeka Correctional Facility
815 SE Rice Road
Topeka, Kansas 66607

RE: Open Records Request(s) – Investigation Materials

Dear Ms. Frantz:

Your letters of March 21, 2023, and May 12, 2023, have been referred to this office for response. Please note your May 12th letter contains only 3 of 4 pages, so I am not aware of how your letter concluded.

If I am reading your correspondence correctly, you are requesting access to/copies of investigative materials with reference to your July 16, 2021, complaint to our agency regarding multiple practitioners and entities.

Kansas statutes prohibit us from releasing the information you have requested. See K.S.A. 65-2839a(d) and 2898a. I have enclosed information on your rights under the Kansas Open Records Act and a copy of the complaint form should you wish to file a complaint with the Kansas Attorney General. Thank you.

Sincerely,

LeeAnn Hunter-Roach

LeeAnn Hunter-Roach
Legal Assistant to General Counsel

Kansas State Board of Nursing
Landon State Office Building
900 SW Jackson St., Suite 1051
Topeka, KS 66612-1230



Carol Moreland, MSN, RN
Executive Administrator

Kansas State Board of Nursing

Phone: 785-296-4929
Fax: 785-296-3929
www.ksbn.org

Laura Kelly, Governor

March 29, 2023

Barbara Frantz
#124145
Topeka Correctional Facility
815 S.E. Rice Road
Topeka, KS 66607

RE: Request for records

Dear Ms. Frantz,

Pursuant to your request, enclosed please find:

"Re: Complaints on Melissa Wardrop, LVCO, KS Jail Nurse; and Centurion Nurses at TCF. Hello, Barbara Frantz with request under KORA K.S.A. 45-215 et seq. and in accordance K.S.A. 45-218 (d), requesting the opportunity to inspect and obtain paper copies of public records, for the above complaint. If there are any fees, please inform me, however I would like to file a waiver of all fees as I am filing a pro se case. The KORA requires a response time of three days (business) of access to the public records, if it will take longer, please contact me with a date when files will be available. If you deny all or any of this request, please cite specific reasons and notify me of appeal procedures available under the law."

Some documents were redacted or withheld pursuant to K.S.A. 45-221.

Sincerely,

Linda Davies BSN, RN

Linda Davies, BSN, RN
Practice Specialist

Enclosure

32
32

SIMPSON, LOGBACK, LYNCH, NORRIS, P.A.

ATTORNEYS AT LAW

7400 WEST 110TH STREET, SUITE 600
OVERLAND PARK, KANSAS 66210
(913) 342-2500
FAX (913) 342-0603
SLLN.COM

APPENDIX F
15 - PAGES

December 28, 2023

Barbara Frantz
Inmate No. 124145
TCF 815 SE Rice Road
Topeka, Kansas 66607

RE: KORA Request

Dear Ms. Frantz:

My law firm is representing The Guidance Center (TGC) in regards to the KORA request dated October 5, 2023. As you may be aware, KORA only applies to certain public entities. Given its structure, we cannot admit TGC is a public entity for purposes of KORA. We understand that you have made a complaint to the Kansas Attorney General's Office suggesting that TGC did not comply with KORA in responding to your request for a mental health evaluation that was performed by TGC staff in 2017 at the Request of the Leavenworth County Court related to criminal case no. 2017-CR-92. This request appears to be for the same information you requested via letter dated October 11, 2020 (See Attached Exhibit 1). As outlined in the response to that letter made by TGC on October 19, 2020, all records of TGC related to that evaluation are considered property of the district court and the judge (Id.).

In our analysis of KORA, we believe the court views the records you are requesting as exempt from KORA under K.S.A. 45-221 (2) as records which are privileged under the rules of evidence, and (3) as records containing medical and psychiatric information, but also exempt under subparagraph (9) testing materials; (10) criminal investigation records; and/or (29)(A). In light of this evaluation, even if we assume KORA generally applied to TGC, we do not believe the requested records would be required to be disclosed under KORA as being subject to one, or more, of these exceptions. Therefore, the requested records will not be disclosed. As previously outlined, we believe any request for such records should be directed to the Court or counsel involved in case no. 2018-CR-92.

APPENDIX F

1
6

Sincerely Yours,

SIMPSON, LOGBACK, LYNCH, NORRIS, P.A.

By: 
Lawrence J. Logback

LJL/clm
Enclosure



10/19/2020

Re: Barbara Frantz

Ms. Frantz,

We received your letter requesting documents that would pertain to your case. However, we only completed a competency to stand trial evaluation on 3/6/2017 and that report is the property of the courts since it was ordered by a judge. I would recommend sending your request to that court/judge in order to obtain a copy. We do not have any other documents on file that you could request.

Thank you,



Jason Malousek, PsyD, LP

Clinical Director, The Guidance Center

10-19-20

Date

J. DAVID KAAZ MEMORIAL CAMPUS
500 Limit Street Phone: (913) 682-5118
Leavenworth, KS 66048 Fax: (913) 682-4664

ATCHISON COUNTY CENTER
201 Main St. Phone: (913) 367-1593
Atchison, KS 66002 Fax: (913) 367-1627

JEFFERSON COUNTY CENTER
1102 Walnut Street Phone: (785) 863-2929
Oskaloosa, KS 66066 Fax: (785) 863-2972

For after-hours emergencies, please call (888) 260-9634.

DEAR LEAVENWORTH GUIDENCE CENTER,

10-11-2020

REQUEST FOR REPORTS, RECOMMENDATIONS, FINDINGS

Hello, Barbara Frantz here, I am requesting a copy of all documents pertaining to my case with Leavenworth County District Court Case No. 2017-CR-92 and the Guidance Center regarding my case. PLEASE SEND COPIES to my address below.

THANK YOU FOR YOUR TIME.

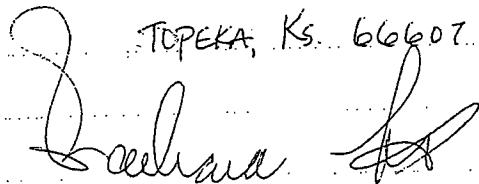
SINCERELY, Gold STAR Mother

Barbara Frantz #124145

TOPEKA CORRECTIONAL FACILITY

815 S.E. RICE ROAD

TOPEKA, KS 66607



cc: APPEAL ATTORNEY KASPER SCHIRER CASE NO. 20-123069-S

RECEIVED

OCT 14 2020

EXHIBIT

4
6

tabber

SIMPSON, LOGBACK, LYNCH, NORRIS, P.A.

ATTORNEYS AT LAW

7400 W. 110TH STREET, SUITE 600

OVERLAND PARK, KANSAS 66210-2362

KANSAS CITY 640

29 DEC 2023 PM

US POSTAGE IMPITNEY BOWES



T-1-128
Lynn

Barbara Frantz
Inmate No. 124145
TCF 815 SE Rice Road
Topeka, Kansas 66607

66607-236393

5/51

**KANSAS DEPARTMENT OF CORRECTIONS
LEGAL, OFFICIAL, PRIVILEGED MAIL DELIVERY FORM
TOPEKA CORRECTIONAL FACILITY**

SECTION A: This section is to be filled out by mail room staff (please print):

Staff Name: CLA Signature: ARREDONDO Date: 01/02/2024

Resident Name: FRANTZ, BARBARA KDOC Number: 124145 Athena Number: I-1-128

Sender's Name: SIMPSON, LOGBACK, LYNCH, NORRIS, PA ATTORNEYS AT LAW

Sender's Address: 7400 W 110 STREET SUITE 600 OVERLAND PARK KS 66210-2362

SECTION B: Inspection and clearance by designated staff (please print):

Clear for processing: YES _____ NO _____

Staff Name: _____ Signature: _____ Date: _____

SECTION C: To be filled out by Delivering Staff (please print):

Staff Name: _____ Rank/Position: _____

Staff Signature: _____ Date: _____

SECTION D: Resident Acknowledgement (please print):

Please respond "Yes" or "No" to the statement below:

YES Quality of photocopy is acceptable. YES I am accepting my legal, official, privileged mail.

Resident Signature: Barbara A Date: 1-5-24

Original taken from the envelope we will be

SECTION E: To be filled out by Witnessing Staff if Resident refuses to sign Section D (please print):

Staff Name as Witness (please print): _____

Staff Signature as Witness: _____

Noted Concerns: _____

Copier issues

My Copy
Mailed 5/24/2021

DEAR JASON MALOUSEK

5-23-21

LWCO, KS. GUIDANCE CENTER

RE: LWCOKS 2017-CR-92

500 Limit St.

APPELLATE CASE NO. 20-123096-5

LEAVENWORTH, KS. 66048

APPEAL for Acquittal

Hello, BARBARA FRANTZ HERE Requesting you provide me a copy of report which you wrote from your visit to see me in the LEAVENWORTH CO. JAIL in 2017. I HAVE WRITTEN PAST LETTERS 10-11-2020, 10-22-2020 for SAME REQUEST WITH NO RESPONSE to my REQUEST. You made RECOMMENDATIONS to District Court to HAVE my MEDICAL of being CONCERNED, to see if I WAS full of TUMORS as I believed. I WAS to be Court ordered to LST to see if in fact I WAS or NOT. LST used my MEDICAL Complaints to give me a FALSE DELUSIONAL diagnosis. THIS FALSE DELUSIONAL diagnosis CAUSED ME GREAT HARM. I HAVE REQUESTED for INVESTIGATIONS, NOW I'M SEEKING INVESTIGATIONS into the ATTEMPTED MURDER/CONSPIRACY to Commit 1ST DEGREE MURDER AGAINST ME by THE STATE of KANSAS and MANY OTHERS INVOLVED THEMSELVES to CONTRIBUTE to CONTINUE to CONCEAL my MEDICAL CONDITIONS. I AM full of TUMORS, Knots Everywhere ^{my Liver} my FACIAL DISFIGUREMENT from Knots throughout my HEAD FACE upper body. PLEASE PROVIDE ME my REQUEST for your RECORDS of RECOMMENDATIONS to US district Court AS ALL THOSE WHO CONTINUE to INVOLVE THEMSELVES I will NOT HESITATE to ADD MORE NAMES. ¹⁷ SINCERELY, Gold STAR Mother

BARBARA FRANTZ 5/24/21

CC: US district Court of KANSAS

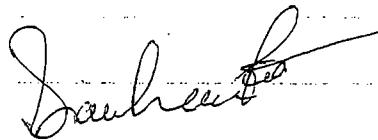
TCF 1-B

CASE NO. 21-CV-03117-SAC

815 SE RICE ROAD

FBI JOSEPH R. JENSEN WASHINGTON, DC

TOPEKA, KS. 66607



AI 4-15-21
HACHIMENT
1629647 9216
PROGRESS NOTE
CPR-45
45G1 Treatment Team Note
(OF 8)

11/06 Name: FRANTZ, BARBARA MARIE - 53122
DOB: 6/12/1966
Case No: 53122 Gender: Female
Unit: Isaac Ray - North 3 Adm Date:
4/17/2017

Page 1 of 1

Document ID: 4849777

- MALICIOUS MISCONDUCT -
by LARNED STATE HOSPITAL

Ms. Frantz initially presented to the unit as organized, stable, and euthymic. However, particularly in the last week, her mental state has significantly declined. She is increasingly fixated on delusional beliefs surrounding various medical concerns (e.g., her perception that she has tumors throughout her body that are impacting her brain). Despite reporting that she has received significant medical care from specific facilities, records conflict with her statements. The frequency and intensity of her delusions are escalating and her ability to respond to redirection is deteriorating. Due to her intensifying delusional beliefs, she has become agitated, demanding, and intimidating. Furthermore, she has expressed belief that a specific peer should be further punished for her actions and Ms. Frantz is now focused on negatively impacting the treatment of that particular peer. Specifically, Ms. Frantz has repeatedly antagonized that peer which resulted in the peer physically assaulting Ms. Frantz on 05/22/17. On 05/23/17, Ms. Frantz has been heard positively speaking about getting a peer "locked up" for violence and has been heard attempting to incite violence in others.

Due to her recent behaviors and decompensation, an IPMP has been requested to assist in medication management and safety of patient and others. Furthermore, her diagnosis has been changed to Delusional Disorder, Somatic Type, Provisional. Her CITP will be updated to reflect the change.

CONFIDENTIAL
FURTHER DISCLOSURE
PROHIBITED

Date Typed and Initials:

Cassandra Groth, PhD., TLP
Cassandra Groth, PhD., TLP-05/23/2017 14:00:25 (19430410)

5/23/2017

Date

David Barnum, PhD, Clinical Director
David Barnum, PhD, Clinical Director-05/23/2017 18:09:32 (19431528)

5/23/2017

Service Date: 5/23/2017; Patient Contact: 0 minutes; Diagnosis: Mood Disorder, Unspecified - ;
Linked Short-Term Goal: T; Meeting Short-Term Goal: N/A;

10-1210. IMPP LSH is UNDER WITH KDOC

LSH CONTRACTED WITH KU HOSPITAL

LATE 2020,
MS. KRAFT, LMHP
REMOVES FALSE DELUSIONAL
DIAGNOSIS STATING LSH GAVE IT
TO ME FALSELY, DONE TO KEEP
MY MEDICAL COMPLAINTS-DIAGNOSIS
CONCEALED

GASLIGHTED
TO CONCEAL KU
HOSPITAL'S MEDICAL ERROR
THEY WERE CONCEALING
THE SEVERITY OF
MY ORGAN DAMAGE
FROM IMAGING REPORTS

04/17/2015

Barbara Frantz

, KS
MRN-1335518

KU HOSPITAL

UNDER INVESTIGATION

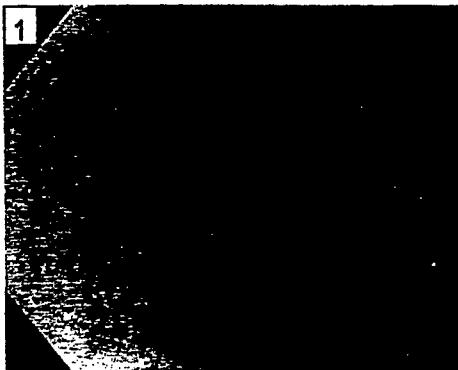
SEE KS STATE BOARD OF HEALING ARTS
MEDICAL PRACTITIONERS

Dear Barbara Frantz:

You have undergone a Esophagogastroduodenoscopy procedure performed by Dr. Elena Sidorenko. The summary conclusions and images from the procedure include the following:

Summary:

- The tonsils appeared slightly enlarged.
- There was white exudate on the base of the tongue only suggestive of oral candida.
- Food found in the body of the stomach.
- Polyps found in the fundus (211.1). Biopsy taken.
- Normal duodenum. Biopsied for celiac disease.



esophagus



food in the stomach



duodenum



retroflex view, cardia

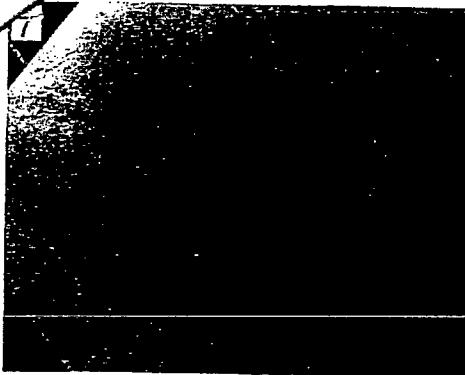


gastric polyp

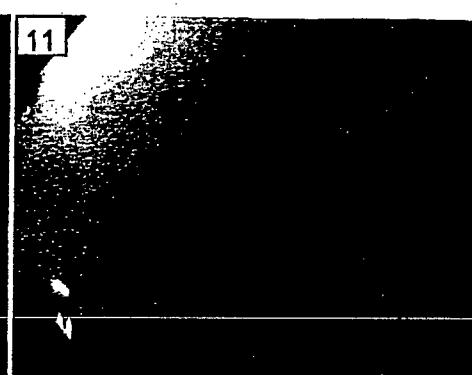
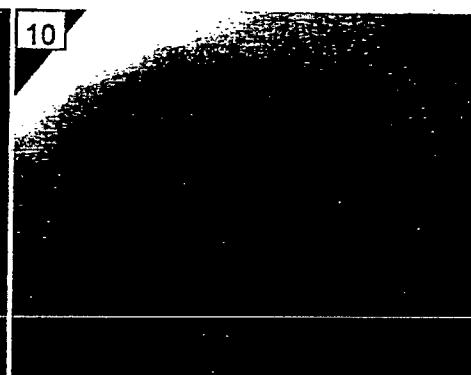


the antrum

I HAD
NOT EATEN FOR 16 HOURS BEFORE ESOPHAGOGASTRODUODENOSCOPY AND
FOOD IN THE STOMACH DURING PROCEDURE SHOULD OF BEEN A CONCERN!



GE junction



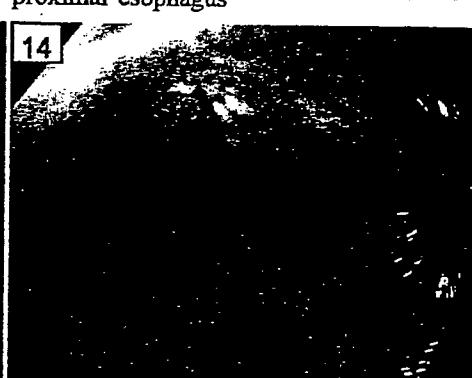
proximal esophagus



oropharynx



tonsils



possible candida

Please note the potential after effects documented in the attached Discharge Instructions sheet that you reviewed prior to the procedure.

Recommendations:

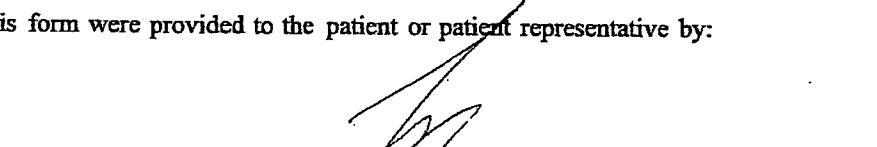
- Follow-up on the results of the biopsy specimens.
- consider Video swallow study.
- consider Gastric emptying time test.
- Follow-up appointment with referring physician.
- consider referral to ENT
- Begin taking nystatin susp 100,000units/ml for oral thrush 5 ml po swish and swallow qid for 10 days.

Reports of your procedure and these recommendations have been sent to:

→ • Dr. Mojtaba S Olyae (Referring Physician)

If specimens were taken during your procedure, they may take several days to be analyzed. Call your doctor's office in 2 weeks if you have not received your results.

Recommendations on this form were provided to the patient or patient representative by:


Date

SIMPSON, LOGBACK, LYNCH, NORRIS, P.A.

ATTORNEYS AT LAW

JANET M. SIMPSON*
LAWRENCE J. LOGBACK*
TODD A. NORRIS*
MARK A. LYNCH*
JEFFREY A. BULLINS**
TREVIN E. WRAY*
MEGAN L. MOSELEY*

7400 WEST 110TH STREET, SUITE 600
OVERLAND PARK, KANSAS 66210
(913) 342-2500
FAX (913) 342-0603
SLLN.COM

MARK W. STAFFORD*
CAROL R. BONEBRAKE
CASEY L. WALKER
JAIME L. WHITT*
J. WESLEY SMITH***
PHILLIP R. RAINES*

* ADMITTED IN KANSAS AND MISSOURI
** ADMITTED IN KANSAS, MISSOURI AND NEBRASKA
*** ADMITTED IN KANSAS

July 14, 2017

Barbara Frantz
Larned State Hospital
Isaac Ray 3
1301 KS Hwy 264
Larned, KS 67550

RE: University of Kansas Hospital Authority

Dear Ms. Frantz:

I am in receipt of your letters alleging claims concerning the care you received at the University of Kansas Hospital. I interpret the letters to demand settlement in the form of a dismissal of the criminal charges currently pending against you in Leavenworth County District Court, as well as a payment of \$1 million. My client declines to make a response to this demand. Do please note that KU Hospital has no authority to take action with regard to criminal charges regardless, which are prosecuted under the authority of the District Attorney.

Should you decide to pursue this matter further, please note that the limitations period may expire on December 7, 2017.

Sincerely,



By: Trevin E. Wray

TEW/ab

- e. Emergency services;
- f. Dental procedures;
- g. Infectious and/or sexually transmitted disease, positive Human Immunodeficiency Virus (HIV) tests, Hepatitis, Gonorrhea, Chlamydia, Syphilis, tuberculosis infection of disease; and
- h. Deaths.

B. The Health Services Administrator shall make the statistical report available to the warden/superintendent, and the KDOC Director of Health Care Services. Trends in the delivery of health care shall be discussed at monthly Medical Administrative Committee (MAC) meetings and include service volume, proportion of service types, incidence of certain illnesses, diseases, and injuries targeted for risk management. Statistical reports shall be considered to assess staffing needs, space and equipment needs, and facility comparisons.

III. Prohibited Practices

- A. The health contract staff, health authorities, or any health care personnel employed by the contracted health care service provider shall not participate in legally authorized executions or the training of KDOC staff in such procedures. The KDOC Secretary of Corrections shall establish agreements with a community health care provider to perform such procedures.
- B. The Health Services Administrator, Facility Medical Director or Director of Health Care Services or any health care personnel shall not participate in the collection of forensic information. The Regional Medical Director and Regional Vice President shall make arrangements with community health care providers to perform such procedures. Behavioral health staff hired specifically to perform forensic behavioral health evaluations shall not be in a treatment relationship with the offender.

IV. Director of Health Care Services (ACI-4-4380, 4-JCF-4C-34; NCCHC P-A-02, Y-A-02)

*KU Hospital
CONTROL'S ALL
KDOC HEALTH
CARE SERVICES
NOT
CENTURION*

- A. The Secretary shall appoint a Director of Health Care Services (DHCS). The DHCS shall be designated by a contract with Kansas University Medical Center as approved by the Secretary and shall be the designated administrative health authority for the Department.
 - 1. The DHCS is responsible for the overall management of all health care services.
 - 2. The DHCS and Secretary shall appoint a Regional Vice President (RVP) hired by the contracted health services provider to manage the health services contract. The RVP is responsible for reporting to the DHCS and the contract health care provider organization.
 - 3. The DHCS and Secretary shall approve a Regional Medical Director (RMD) as the department's clinical health authority. The RMD shall be hired through the contracted health services organization and shall report directly to the contractor's RVP and Corporate Medical Director.
- B. The Regional Medical Director shall be responsible for the clinical supervision of all Site Medical Directors, staff physicians, and all healthcare personnel within the facilities.
 - 1. Each facility shall have a designated facility health authority. The facility health authority shall be responsible to the RMD clinically and the RVP administratively.
 - 2. When the facility health authority is other than a physician, final clinical judgment shall be determined by a physician/medical director designated by the Regional Medical Director.
 - 3. Each facility shall have a designated Site Medical Director. The Site Medical Director shall be responsible to the Regional Medical Director clinically and the Health Services Administrator administratively.

Health Care Practitioner: A person who has met the requirements of and is engaged in the practice of medicine, dentistry, or nursing.

Regional Psychiatric Director: Responsible for the clinical supervision of all facility psychiatrists. The Regional Psychiatrist is supervised clinically by the Regional Medical Director and administratively by the Regional Vice President and or his designee.

Regional Dental Director: Responsible for the clinical supervision of all facility dentists and dental health care personnel within the facilities. The Regional Dental Director is responsible to the Regional Medical Director and the Regional Vice President or designee administratively.

PROCEDURES

I. Administration of Health Care Program

- A. All health related services shall be conducted under the direction and supervision of the Regional Medical Director who acts as the Departmental Clinical Health Authority.
 1. The KDOC Director of Health Care Services serves as the Departmental Administrative Health Authority and shall develop a written staffing plan, which ensures that each facility has a designated clinical and administrative health authority and qualified medical, nursing, ancillary, dental, and behavioral health care staff, including consulting physicians.
 - a. The staffing plan shall provide staffing sufficient to allow offenders access to an adequate level of health care services consistent with contemporary standards of care and provisions of the contractual agreement.
 2. All such personnel designated for offender health care shall be qualified health care personnel who meet the requirements for employment through the licensure, certification, or registration requirements or restrictions as established by appropriate State and Federal regulatory bodies.
- B. All treatment and care by personnel other than a physician, dentist, psychiatrist, psychologist, optometrist, podiatrist or other independent provider shall be performed according to written or direct orders signed by personnel authorized by statute to give such orders.
 1. Nursing Clinical Guidelines, consistent with Kansas Nurse Practice Act (K.S.A. 65-1113[d]) and appropriate to the level of skill and preparation of nursing personnel who will implement the clinical guidelines, shall be established by the Regional Medical Director and Regional Psychiatric Director and approved by the KDOC Director of Health Care Services.
- C. Health care personnel shall be subject to the same security regulations and requirements of the KDOC and the individual correctional facility as departmental personnel.

II. Statistical Report of Services Provided

- A. The health care services contractor shall insure that each facility collects monthly statistical data that accurately reflects all health services provided to offenders at each facility.
 1. The report shall include, but not be limited to:
 - a. Number of offenders receiving health services by category of care
 - b. Operative procedure;
 - c. Medication utilization;
 - d. Referrals to outside specialists;



APPENDIX NO. 56

10 PAGES

KANSAS DEPARTMENT OF CORRECTIONS
INTERDEPARTMENTAL MEMORANDUM

A Safer Kansas Through Effective Correctional Services

MY COPY

2-7-24

DATE: December 6, 2023

TO: Frantz, Barbara 124145

FROM: Jacob Phelps, Grievance Coordinator

SUBJECT: Grievance: 24-065 Re: Medical complaint

ELECTRONIC GRIEVANCE
NO. 419382171 FOR REQUEST
RESPONSE AND RETURN
OF 24-065
by WARDEN,
NO RESPONSE TO DATE
2-19-24
BF

The grievance was received and reviewed. You have stated that your medical needs are not being met and that you believe TCF is concealing your medical records from you and creating more danger for you. You restate the medical conditions that you are currently experiencing or have experienced in the past and you state that you believe the Centurion is ignoring your medical conditions and putting you in danger and you are requesting an MRI.

Consultation with HSA M. Calvin she stated "Ms. Frantz has had and will continue to have access to medical care. Interventions are provided based on clinical evidence and the results of medical assessments. She continues to be non-compliant with recommended medical treatment and focuses on concerns for which there is not current clinical evidence."

Please continue to work with the medical department so they can help you with your concerns.


Jacob Phelps
Grievance Coordinator

RECEIVED ON
12-19-23, RECKLESS DISREGARD -
DEFENDANT'S CULPABLE STATE OF MIND
OF DELIBERATE INDIFFERENCE. HSA M. CALVIN
FRAUDULENT CONCEALMENT FOR MY VISIBLE
COMPLAINTS SINCE MY INTAKE 7-23-2020, WHERE
SEVERAL OFFSITE PROVIDER APPOINTMENTS WERE
SCHEDULED FOR SUBSTANTIAL CLINICAL EVIDENCE,
THEN CANCELLED BY CENTURION-HSA, MALICIOUSLY.
GRIEVANCE NO. IT6711652 DATED 5-6-22 HSA RESPONSE.
HSA MICHELLE CALVIN STATING CENTURION MEDICAL PROVIDERS ARE INCOMPETENT. BF

FBI REF. NO.

SB301690224

CONSPIRACY TO MURDER
INVESTIGATION.

TOPEKA CORRECTIONAL FACILITY
CENTURION

INTERDEPARTMENTAL MEMORANDUM

DATE: 5/6/2022

Topeka Correctional Facility

GRIEVANCE: Barbara Frantz #124145

FROM: Michelle Calvin, LCP, Health Services Administrator

SKULL SWELLING FORCING
MY LEFT EYE AND EAR
UPWARD,

MY SEVERELY DISTENDED
HERNIATED ABDOMEN

GRIEVANCE # 176711652

KU HOSPITAL'S MEDICAL ERROR
SURGERY BIOPSIES OF MY

BLADDER-STOMACH

NATURE OF COMPLAINT: Ms. Frantz filed a grievance as she was unsatisfied with the response she received to a form 9. In the form 9 communication, Ms. Frantz asked if "Stormont Vail had released her as a patient". Also, if they had released her as a patient how could she be scheduled for an appointment with an offsite specialist affiliated with Cotton O'Neil. The response she received, initially asked for clarification on what she meant by "releasing her as a patient", and further explained that individual providers can accept patients, even if other providers with similar affiliations may not.

FINDING OF FACT: Ms. Frantz has received extensive medical testing and several offsite consultation appointments have been scheduled to investigate her claims of having serious medical concerns. Throughout her incarceration, Ms. Frantz has refused to participate in required testing or assessments needed for the offsite consultations to be completed. As a result, several appointments with offsite providers had to be cancelled as a result of her decision. She has attended offsite appointments with specialists, who often are private practice physicians, and due to her behavior several private practice physicians have declined to see her further.

← FALSE STATEMENTS

←
CLINICAL
EVIDENCE TO
SCHEDULE ME
SEVERAL
OFF-SITE
APPOINTMENTS

CONCLUSIONS MADE: Ms. Frantz has had thorough medical assessments throughout her incarceration. Her choices and behaviors have led private practice physicians in the community to no longer provide her services, which is within their right. Interventions are based on the results of clinical evidence and an examination and she will continue to have access to appropriate medical services at the facility.

ACTION TAKEN: No further action indicated at this time as her medical concerns have been addressed and she will continue to have access to appropriate medical care.

Michelle Calvin HSA
Michelle Calvin LCP—Health Services Administrator

DEPRIVED
DELIBERATE INDIFFERENCE

CENTURION ACKNOWLEDGING THEY CANCELLED my OFFSITE APPOINTMENTS.

I HAVE ONLY REFUSED ONE COLONOSCOPY WHICH WAS SCHEDULED AS ROUTINE JUNE 2021
MY REASONS FOR REFUSING WAS DUE TO THE COLONOSCOPY WAS GOING TO
BE DONE AT KU HOSPITAL, WHICH KU HOSPITAL CAUSED MY ORGAN DAMAGE
CAUSED BY THEIR MEDICAL ERROR IN 2013 AND STARTED THE CONCEALMENT.
KEEPING ME FROM SPECIALISTS OFFSITE APPOINTMENTS, MALICIOUSLY.

RECEIVED
9-17-24

Topeka Correctional Facility
Warden's Response to Offender Grievance

DATE: September 5, 2024

TO: Frantz, Barbara 124145-ICH

RE: Response to Your Grievance Received: 9/3/24
Grievance: # 474753711

9-19-24,
KDOC-TCF-CENTURION FAISELY STATES
THAT I'M NOT COMPLYING WITH REQUESTED
APPOINTMENTS, IS ABUSIVE. FURTHER,
ABUSIVE TO STATE THESE ARE "OLD MEDICAL
COMPLAINTS" AND WILL NOT BE ADDRESSED
AGAIN IS DELIBERATE INDIFFERENCE. BE

Finding of Fact:

Your grievance has been received and reviewed. You are reporting that you are being denied by Centurion, your annual assessment. You report being denied chronic care on 1/29/24 and your mammogram for the last 2.5 years. You are claiming that the medical care is inadequate and in violation of state policy and state statute.

Conclusions:

Centurion responded to your complaint on 8/8 with the following information:

APPENDIX G

6/30/23 and 6/30/24—a documented refusal of your health assessment on both days.

7-PAGES

1/29/24—chronic care appointment was attended

January 2025—next chronic care appointment

Centurion reported that you are not compliant with your treatment, however, have been provided treatment and if you become compliant you will be scheduled every 90 days. During the medical case management meeting, scheduling of your mammogram will be discussed.

Based on the information provided by Centurion, it appears that they are being responsive to your medical needs and that you are not complying with all the requested appointments. Your appeal answers continue to bring up old medical complaints and issues that have answers in past grievances and complaints and will not be addressed/answered again.

Inasmuch as it is out of the purview of the Warden to determine if medical or dental care is appropriate, it does not appear that the clinic has been unresponsive to your needs. The response Centurion appears to be appropriate.

If you continue to have medical issues or concerns, please attend sick call and follow the recommendations made by Centurion.

Action Taken: FALSE INFORMATION PROVIDED

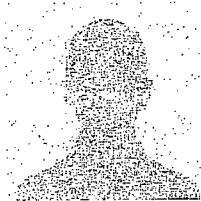
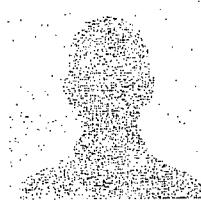
Resident Frantz has been provided with a timeline of her appointments providing her with the information that she was in fact scheduled for her annual appointments. She was also provided information that her mammogram will be discussed in her next medical case management meeting. It was recommended to her that if she continues to have any issues, she should attend sick call and follow Centurion recommendations. No further action is necessary at this time.


Dona Hook, Warden

APPENDIX G

CC: FRANTZ,B
NCCHC

Grievance #474753711

Profile Photo:**Audit Photo:****Resident Info**

Name: Barbara Frantz (1966-06-12)
Booking Number: 124145
Submitted Date: 08/08/24 18:25
Submitted Room: 03,0I1129/0I1
Current Room: 03,0I1129/0I1
Facility: Topeka Correctional (KSDOC) - KS
MAC ID:
Device ID:

Form Info

Category: Grievance
Form: IMT Grievance

Grievance Info

Grievance ID #: 474753711
Status: OPEN
Facility Deadline: 09/13/24 23:59 (8d)
Grievance Level: 3
Resident can reply: No
→ **Disposition @ 1:** Remedy Denied
Disposition @ 2: Remedy Denied
Disposition @ Level 3: Undecided

Summary:

THE FACILITY IS IN VIOLATION OF PROVIDING ME MY ANNUAL NURSES ASSESSMENT AND CHRONIC CARE VISITS AND MY MAMMOGRAM.

Details:

FSA HOLLY CHAVEZ

7-31-24,

I AM BEING DENIED BY THE FACILITY OF MY ANNUAL NURSES ASSESSMENT FO TWO YEARS NOW. MY BIRTH MONTH IS JUNE AND I WAS ASKING TWICE IN JUNE IF I WANTEDMY ANNUAL NURSES ASSESSMENT ANR ISAIID "YES" BOTH TIMES.

I AM BEINGDENIED MY CHRONIC CARE VISITS SINCE 1-29-24.

I AM BEING DENIEDMY ANNUAL MAMMOGRAM FO 2 1/2 YEARS NOW, SINCE 1-25-22 LAST MAMMOGRAM

THIS IE IN VIOLATION OF POLICY AND MY CONSTITUTIONAL RIGHTS FOR MEDICAL CARE AND PREVENTABLE CARE. THE FACILITY IS RESPONSIBLE FOR PROVIDING ME AN ADEQUATE MEDICAL DEPT AND I DID ADDRESS THIS WITH WARDEN HOOK THIS MONTH MEETING HER IN OUR POD ANDALSO ADDRESSING THE WARDEN'S STATEMENTS SHE SAID SHEWAS LOOKING INTO THE DOCTOR'S ORDERS FOR ME AN ABDOMNIAL MRI DOCTOR ORDERED IN APRIL 2021 AND GI AND ENT CONSULTS DOCTOR ORDERED ON 2-2-21 AND ALL DENIED TO ME TODATE. PLUS THE REFERRALS OF MY SANE EXAM AND MRI FOR MY HEAD.

THIS BEING EXTREMELY INADEQUATE MEDICAL CARE IN VIOLATION OF STATE POLICY, STATE STATUTE

AND MY CONSTITUTIONAL RIGHTS FOR MEDICAL CARE BEING GROSSLY DEPRIVED MEDICAL CARE AND TREATMENT BY CONCEALMENT FOR VISIBLE LIFE THREATENING MEDICAL CONDITIONS.

THANK YOU.

BARBARA FRANTZ #124145

Lay in due to debilitating life threatening medical conditions deliberately denied medical care until it kills me be murder by d

DATE/TIME	USER	ACTION	DETAILS
09/03/24 17:10	Barbara Frantz	Viewed Staff Response	
09/03/24 05:50	Barbara Frantz	Viewed Staff Response	
08/30/24 18:28	Barbara Frantz	Viewed Staff Response	
08/30/24 18:28	Barbara Frantz	Viewed Staff Response	
08/30/24 07:42	Barbara Frantz	Viewed Staff Response	
08/30/24 07:41	Barbara Frantz	Escalated	<p>Frantz, Barbara has escalated the grievance on 08/30/2024 07:41 -06:00 Response: 8-30-24, RESPONSE IS UNSATISFACTORY. THE FACTS THAT I HAVE REPORTED THAT I HAVE NOT....REFUSED MY NURSES ASSESSMENTS THE LAST TWO YEARS IN A ROW. JUST BECAUSE CENTURION FABRICATES MEDICAL RECORDS FOR DENYING ME MEDICAL CARE BY CONCEALMENT DOESN'T EXCUSE TCF FOR ALSO DENYING ME MEDICAL CARE. CENTURION HAS A HISTORY OF OVER FOUR YEARS NOW DEPRIVING ME ADEQUATE MEDICAL CARE AS I CONTINUE TO REPORT THERE HAS BEEN NO TREATMENT PLAN EVER DISCUSSED TO ME BY THE MEDICAL DEPT. I CONTINUE TO REPORT THIS TO TCF. TCF STAFF DENYING TO LISTEN TO MY COMPLAINTS ON CENTURION SHOW RECKLESS DISREGARD AND ABUSE OF DISCRETION AND DELIBERATE INDIFFERENCE FOR MY COMPLAINTS TO INADEQUATE MEDICAL CARE BY CONCEALMENT POLICY SHOWS I AM ENTITLED TO DOCTORS ORDER FOR ABDOMINAL MRI ORDER IN APRIL 2021 WHICH I CONTINUE TO BE DENIED POLICY SHOWS I AM ENTITLED TO PREVENTATIVE CARE AND I CONTINUE TO BE DENIED POLICY AND FEDERAL PREA STANDARDS SHOWS I AM ENTITLED TO THE SAME EXAM THAT MY YWCA RAPE COUNSELOR/COMMUNITY ADVOCATE HAS MADE REFERRAL FOR ME ON 1-18-23, WHICH I CONTINUE TO BE DENIED. THERE HAS BEEN A REFERRAL FOR MEAN MRI FOR MY HEAD, WHICH I CONTINUE TO BE DENIED. I CONTINUE TO BE DENIED MY CHRONIC CARE VISITS SINCE 1-29-24 WHICH I CLEARLY WAS ATTENDING TO THESE CHRONIC CARE VISITS MY LIFE THREATENING MEDICAL CONDITIONS ARE VISIBLE AND THE MEDICAL DEPT ABUSE'S TOWARD ME OF REPEATEDLY TELLING ME THAT I FOCUS ON THINGS WHICH THERE IS NO CLINICAL EVIDENCE SHOWS CENTURION-TCF DELIBERATE INDIFFER</p>
08/30/24 07:41		Changed Status	From Closed to Open due to Appeal
08/30/24 07:40		Changed Level	Level changed from 2 to 3 due to Appeal
08/30/24 07:31	Barbara Frantz	Viewed Staff Response	
08/30/24 07:28	Barbara Frantz	Viewed Staff Response	

DATE/TIME	USER	ACTION	DETAILS
08/27/24 17:32	Barbara Frantz	Viewed Staff Response	
08/23/24 18:35	Barbara Frantz	Viewed Staff Response	
08/23/24 18:05	Barbara Frantz	Viewed Staff Response	
08/23/24 17:37	Barbara Frantz	Viewed Staff Response	
08/23/24 07:42	Holly Chavez	Changed Status	From 'Open' to 'Closed'
08/23/24 07:40	Holly Chavez	Changed Grievance ID #	Changed Grievance ID # with value " to '474753711'
08/23/24 07:40	Holly Chavez	Staff Response	These issues have been addressed by Centurion in the first response and in previous grievances. Your appeal answer discusses issues that have been answered in years previous grievances and will not be answered/ discussed again. The remedy for your grievance is for you to participate appropriately during your visits and follow Centurion recommendations of care and for the referrals to other physicians.
08/23/24 07:37	Holly Chavez	Changed Disposition	Changed the disposition value for level 2 from to Remedy Denied
08/16/24 05:46	Barbara Frantz	Viewed Staff Response	
08/16/24 05:39	Barbara Frantz	Viewed Staff Response	
08/12/24 21:43	Barbara Frantz	Viewed Staff Response	
08/12/24 16:26	Barbara Frantz	Viewed Staff Response	
08/11/24 15:30	Barbara Frantz	Viewed Staff Response	
08/11/24 15:30	Barbara Frantz	Escalated	<p>Frantz, Barbara has escalated the grievance on 08/11/2024 15:30 -06:00 Response: 8-11-24, RESPONSE IS UNSATISFACTORY AND INCORRECT FURTHER THERE IS NO FINDING OF FACT NOR CONCLUSION DRAWN, NO INVESTIGATION OF THE FACTS I'VE PROVIDED. I HAVE NO IDEA OF WHAT TREATMENT CENTURION IS MENTIONING, FACT! I HAVE NEVER BEEN PROVIDED EDUCATION BY ANY MEDICAL STAFF TO BECOME COMPLAINT --TO WHAT TREATMENT? FACT ! CENTURION - TCF DEPRIVING ME DOCTORS 2-2-21 ORDERS FOR GI AND ENT CONSULTS, DENYING DOCTOR ORDER IN APRIL 2021 FOR ABDOMINAL MRI, FACTS ! THE FACILITY DENYING ME SANE EXAM REFERRAL 1-18-23 FROM YWCA RAPE COUNSELOR, FACT! THE FACILITY DENYING ME OPTOMETRIST 3-24-22 AND 7-27-23 REFERRAL FOR ME AN MRI OF MY HEAD FOR VISIBLE SKULL SWELLING, FACT! FACT, THE FACILITY DENYING ME A RESPONSE FOR 6-30-22 GRIEVANCE #262861941 AT LEVEL 2, ON MY COMPLAINT OF CENTURION DENYING ME MY ANNUAL NURSE'S ASSESSMENT 6-30-22, ALSO VIOLATES POLICY FOR RESPONSE AND REMEDY TO WARDEN AND KDOC, VIOLATION OF MY CONSTITUTIONAL RIGHTS FOR THE GRIEVANCE SYSTEM, DELIBERATE INDIFFERENCE AND ABUSE OF DISCRETION. I CONTINUE TO BE DENIED MY JUNE 2024 ANNUAL NURSES ASSESSMENT AND THERE ARE TWO WITNESSES THAT WERE PRESENT WHEN I WAS ASKED IF I WANT MY NURSES ASSESSMENT AND OF ME REPLYING "YES" I WANT MY NURSE'S ASSESSMENT. CENTURION FABRICATING FALSE INFORMATION IN MY MEDICAL CHART IS THEIR COMMON PRACTICE.....THIS IS THE FACILITIES NOTICE</p> <p>6-30-23</p>

DATE/TIME	USER	ACTION	DETAILS
			GIVEN BY ME, TO TCF AND KDOC ADMINISTRATION FOR REMEDY, FOR MY ANNUAL NURSES ASSESSMENT, MY DOCTOR ORDERS FOR GI AND ENT CONSULTS, MRI, SANE EXAM AND MAMMOG
08/11/24 15:30		Changed Status	From Closed to Open due to Appeal
08/11/24 15:30		Changed Level	Level changed from 1 to 2 due to Appeal
08/11/24 14:55	Barbara Frantz	Viewed Staff Response	
08/11/24 05:41	Barbara Frantz	Viewed Staff Response	
08/09/24 11:53	Linda Hull-Vera	Staff Response	FSA Chavez's response is appropriate and correct.
08/09/24 11:53	Linda Hull-Vera	Changed Status	From 'Open' to 'Closed'
08/09/24 11:51	Linda Hull-Vera	Changed Disposition	Changed the disposition value for level 1 from to Remedy Denied
08/09/24 05:37	Barbara Frantz	Viewed Staff Response	
08/08/24 18:54	Barbara Frantz	Viewed Staff Response	
08/08/24 18:25	Barbara Frantz	Request turned into Grievance	Barbara turned request 472033111 into grievance 474753711
08/08/24 18:25	Barbara Frantz	Appeal Answer	<p>Appeal Answer: 8-8-24, RESPONSE IS UNSATISFACTORY AND COMPLETELY INACCURATE TO THE FACTS STATED. THE FACTS THAT MY 6-30-23 ANNUAL NURSES ASSESSMENT WAS DENIED TO ME AND MY 6-30-23 GRIEVANCE #262861941 CURRENTLY AT LEVEL TWO CONTINUES TO BE DENIED A RESPONSE TO THIS DAY, AND VIOLATES POLICY AND MY CONSTITUTIONAL RIGHTS FOR THE PRISON GRIEVANCE SYSTEM FOR A REMEDY FROM TCF WARDEN AND KDOC SECRETARY. I DO NOT KNOW WHAT TREATMENT CENTURION IS MENTIONING AND FURTHER I HAVE NEVER BEEN PROVIDED BY MEDICAL OF ANY EDUCATION THAT IF I BECOME COMPLAINT TO WHAT ?? THERE IS NO MENTION OF BECOMING COMPLIANT TO WHAT ?? CENTURION DEPRIVING ME DOCTORS ORDERS OF GI AND ENT CONSULTS ORDERED 2-2-21, DENYING ME DOCTORS ORDERS FOR ABDOMINAL MRI ORDERED APRIL OF 2021 AND DENYING ME SANE (SEXUAL ASSAULT NURSES EXAMINATION) REFERRAL 1-18-23 AND DENYING ME OPTOMETRIST DR RANDAL DYCK MRI REFERRAL FROM 3-24-22 AND 7-27-23 VISITS. ALL FOR VISIBLE LIFE THREATENING MEDICAL CONDITIONS VISIBLELY SEEN SINCE MY 7-23-2020 INTAKE AND WORS</p>
08/08/24 17:55	Barbara Frantz	Viewed Staff Response	
08/08/24 17:28	Barbara Frantz	Viewed Staff Response	
08/08/24 17:05	Barbara Frantz	Viewed Staff Response	
08/08/24 16:44	Barbara Frantz	Viewed Staff Response	
08/08/24 16:44	Barbara Frantz	Viewed Staff Response	
08/08/24 16:44	Barbara Frantz	Viewed Staff Response	
08/08/24 16:43	Barbara Frantz	Viewed Staff Response	
08/08/24 13:47	HChavez3	Changed Status	From 'Open' to 'Closed'
08/08/24 13:47	HChavez3	Staff Response	I heard back from Centurion and your chart stated the following: a refusal was documented for your health assessment on 6/30/24 and 6/30/23. Chronic care appt. was January 29, 24 and next chronic care appt is a year out in January 2025. Centurion is reporting that you

DATE/TIME	USER	ACTION	DETAILS
			are not in compliance with treatment however, you were provided education if you would become compliant you would become seen every 3 months. During case management meeting, your mammogram request will be discussed.
08/06/24 20:56	Barbara Frantz	Viewed Staff Response	
08/05/24 07:11	Barbara Frantz	Viewed Staff Response	
08/03/24 05:40	Barbara Frantz	Viewed Staff Response	
08/01/24 05:39	Barbara Frantz	Viewed Staff Response	
08/01/24 05:34	Barbara Frantz	Viewed Staff Response	
07/31/24 12:37	Barbara Frantz	Viewed Staff Response	
07/31/24 07:55	Barbara Frantz	Submitted New	THE FACILITY IS IN VIOLATION OF PROVIDING ME MY ANNUAL NURSES ASSESSMENT AND CHRONIC CARE VISITS AND MY MAMMOGRAM.

MEMO



DATE: 9/16/24

TO: UT for ICH

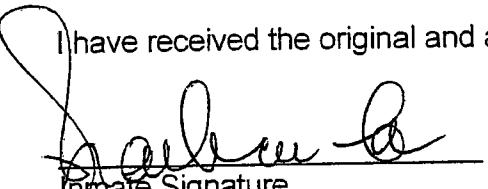
FROM: Lore Huggins Administration Specialist

Inmate Frantz #124145 Grievance Claim 474753711

RE:

Please have inmate sign and return to Warden's Office.

I have received the original and a copy of the above grievance.


Inmate Signature

9-17-24
Date

Thanks
Lore Huggins
Administrative Specialist Warden's Office

714 S.W. Jackson St., Suite 300
Topeka, KS 66603



TRFV
Phone: (785) 296-3317
Fax: (785) 296-0014
kdocpub@ks.gov
www.doc.ks.gov

Jeff Zmuda, Secretary

Laura Kelly, Governor

APPENDIX H
9-PAGES

March 26, 2024

TO: 0124145 Frantz, Barbara
Topeka Correctional Facility
RE: Invalid Grievance

RECEIVED 4-4-24
FOR GRIEVANCES:
20240006
20240033

I received your informal grievance. These issues have already been addressed and these complaints are repetitive. You may not agree with the answers provided in the previous grievance response, that I have attached, but this current grievance is a repetitive complaint. Medical did an exhaustive review and your answers were provided.

KAR 44-15-102 (d) (3) No offender shall abuse the grievance system by repeatedly filing the same complaint.

For this reason, your repetitive grievance is being returned to you without substantive response.

Sincerely,

A handwritten signature in black ink, appearing to read "Darcie Holthaus CMII".

Darcie Holthaus CMII
Corrections Manager, Facility Management

cc: Correspondence
Warden Hook
w/attachments

APPENDIX H

KDOC COPY
MAILED 1-28-24

23-3246-JWL

APPENDIX

NO. 38

6-PAGES

MAILED 10-1-23 KDOC GRIEVANCE, APPEAL NO. 20240006 RECEIVED 1-11-24

COMPLAINT: ACCESS TO MEDICAL PRACTITIONERS NOT UNDER INVESTIGATION

FINDINGS OF FACTS CLINICAL REVIEWER: CONCEALMENT OF FACTS

MS. FRANTZ COUNTER RESPONSE,

BARBARA FRANTZ #124145

* KDOC GRIEVANCE DATED 12-18-23 ATTACHED PAGE 5,6 APPENDIX, NO. 5 COMPLAINT
12-18-23 RESPONSE OF: A PROVIDER VISIT, ON 6-19-23 BEING INCORRECT.
FACES THAT MY PROVIDER VISITS WITH DR. GREG ERB ON 7-12-23 AND 10-3-23.
7-12-23 WAS A TWO HOUR VISIT. THERE WAS AN ATTEMPT FOR SEEING
DR. ERB ON 4-10-23, I WAS DENIED VISIT DUE TO THE FACILITY DENIED
ME A TCF OFFICER WHICH MEDICAL DEPT. REQUIRED TWO STAFF MEMBERS
FOR VISIT.

FRAUDULENT CONCEALMENTS BY KDOC

THERE IS NO MENTION BY KDOC OF BTX IMAGING 9-2-2020 X-RAYS
OF MY HEAD 8-10 IMAGES TAKEN OF MY HEAD AND SEVERAL X-RAYS TAKEN
OF MY CHEST AND ABDOMEN. CONCEALING THESE RESULTS.

FURTHER GLOBAL DIAGNOSTIC SERVICES ULTRASOUND ON 2-19-21 AND 2-26-21
WARRANTED MEDICAL PROVIDER JENA LEE, MD TO ORDER MRI OF MY
ABDOMEN. MRI DENIED BY CENTURION IN APRIL OF 2021.

JENA LEE, MD PROVIDER ORDERED 2-2-21 VISITS FOR ME TO SEE ENT
AND GIE CONSULTS, THESE ALSO ARE DENIED TO ME TO DATE.

HSA MICHELLE CAVIN, LCP RESPONSE TO GRIEVANCE NO. 176711652
DATED 5-6-22 SHOWS HSA RESPONDING "MS. FRANTZ HAS RECEIVED
EXTENSIVE MEDICAL TESTING..." AND STATES "SEVERAL APPOINTMENTS
WITH OFFSITE PROVIDERS HAD TO BE CANCELLED..."

RECEIVED DENIAL OF DOCTORS ORDERS FOR MY VITAL ORGANS

VIOLATIONS OF FEDERALLY PROTECTED RIGHTS

FEB 01 2024

VIOLATIONS OF FEDERAL AND STATE LAWS

DOC Facility Management Area

Scan
Return to
Frantz @ TCF

KDOC RESPONSE STATING ON Pg 2 OF MENTAL HEALTH DIAGNOSES IS DISTURBING ACTS AND PERSONS ACTING IN CONCERT AND PARTICIPATION TO FALSELY DIAGNOSIS AND USE FALSE MENTAL HEALTH DIAGNOSES TO DISREGARD MY MEDICAL COMPLAINTS TO VITAL ORGANS SHOWS THE DESPERATE LENGTHS TO COMMIT CRIMINAL CONDUCT FOR FRAUDULENT CONCEALMENT. SHOWING SICK AND EVIL INTENTIONS TO DO HARM TO ME.

KDOC PAGE 2 RESPONSE "SHE HAS HAD MORE THAN ADEQUATE WORKUP PRIOR TO INCARCERATION, AND AFTER THE REVIEW OF HER PREVIOUS RECORDS, I CAN SEE NOTHING TO BE GAINED BY FURTHER STUDIES."

CLEAR INDICATIONS FURTHER STUDIES WOULD EXPOSE THE FRAUDULENT CONCEALMENT. PREVIOUS RECORDS WHICH ARE OVER 7 YEARS OLD; AND UNDER CRIMINAL INVESTIGATIONS.

KDOC RESPONDS ONLY TO VISIT 9-20-21 WITH PROVIDER. THIS ALMOST 2 1/2 YEARS AGO. NOTHING STATED BY KDOC OF MY 2 HOUR VISIT WITH CENTURION PROVIDER, VISIT WITH DR. ERB, MD ON 7-12-23 NOR MY 10-3-23 VISIT.

LISTED NUMBER OF DIAGNOSES AND STUDIES: KDOC LEAVES OUT MANY OF THESE FACTS

1. ABDOMINAL U.S. 8-20-21 HEPATIC STEATOSIS (CONCEALMENT OF TUMORS ON LIVER)
2. ABDOMINAL U.S. 2-14-19 (BTX IMAGING) NO FOCAL ABNORMALITY. MY ORGANS WERE NOT SCANNED, DIAGNOSED WITH LEFT SIDE FLOATING RIBS STICKING OUT. BY PA "MICHELLE" TAIL PROVIDER. SCAN OF MY LEFT SIDE ONLY
3. KUB X-RAYS IN 2019 NO ABNORMALITY OF ABDOMEN. THIS WAS 9-6-19 BY BTX IMAGING WHICH LED TO SAINT LUKES - CUSING HOSPITAL CT ON 9-16-19 MY FAMILY HAVING DISC OF CT AND MEDICAL RECORDS.
4. CT ABD/PELVIS W/ CONTRAST (ST. LUKES) NO DATE. THIS DONE ON 10-5-16 E.R. VISIT, ALSO HAD E.R. VISIT - E.R. VISIT 10-25-16. RECORDED 10-25-16 VISIT
5. HEARTLAND PRIMARY CARE NOTE 11-14-16 NO MENTION OF DR. SOLTYS ORDER FOR MRI 11-2-16 AND PROVIDED RESULTS FOR FINDINGS? RECORDED THIS VISIT TO E.R. AT SAINT LUKES ON 10-25-16.
6. MRI ABD/PELVIS (PROVIDENCE IMAGING) SHOWING DIAGNOSES KDOC LEAVES OUT OF FINDINGS FROM MRI IMAGING REPORT BY DR. DANIEL HATFIELD, MD.
7. 2014 VISIT NO REPORT TO WHERE VISIT OCCURRED.

8. COLONOSCOPY JULY 2013 (KUMC) REPEATED IN 2015 - NORMAL. KDOC FAILS TO MENTION UROLOGY SURGERY AND FIRST biopsy OF TUMORS IN MY BLADDER. NO MENTION OF 4-17-15 ENDOSCOPY AT KUMC MRN-1335518 SHOWING biopsies OF TUMORS IN MY STOMACH.

9. H2 BREATH TEST KUMC 13-1-16 NORMAL I HAD A TOTAL OF THREE BREATH TEST.

10. CT ENTEROGRAPHY KUMC 11-2013 NORMAL. I WAS NOT AT KU IN NOV. 2013. I WAS AT THE MAYO CLINIC AFTER MY OCT. 2013 MEDICAL ERROR BY KU HOSPITAL CAUSING MY ORGAN DAMAGE OF TUMORS. I WENT TO SAINT LUKES HOSPITAL AT THE END OF OCT. 2013 FOR BOWEL SPASMS UNCONTROLLABLE, A WEEK HOSPITAL STAY, THEN AT MAYO CLINIC NOV. 2013.

11. H PYLORI FECAL ANTIGEN NORMAL - NEGATIVE

12. EGD KUMC JULY 2013 NEGATIVE DONE WHERE? KDOC FAILS TO SHOW

13. CT ANGIOGRAPHY OCT. 2013 NEGATIVE. DONE WHERE?

14. GASTRIC EMPTING STUDY JUNE 2015 - NORMAL. DONE WHERE?

15. SWALLOW STUDY JULY 2015 NORMAL. DONE WHERE?

16. CT ABD / PEVNS JULY 2016 DONE WHERE?

17. CT ABD / PEVNS DECEMBER 2016 DONE WHERE? KUMC E.R. VISIT 12-1-16 THIS DAY I LEFT THE E.R., OUTSIDE THE E.R. DEPT. STAFF ATTACKED ME THREE AGGRAVATED BATTERY / KIDNAPPING ASSAULTS. I RECORDED ON MY PHONE HOSPITAL STAFFERS ATTEMPTING TO DRAW ME BACK INSIDE THE HOSPITAL DUE TO EXPOSING HAVING PROOF OF MEDICAL PROVIDERS CONCEALING THE SEVERITY OF MY ORGAN DAMAGE FROM 11-2-16 MRI 1100 PICTURES. I DISCLOSED THIS TO PATIENT REP. BECKY McBURG. HOURS OF RECORDINGS MY FAMILY HAVE COPIES SHOWING PROOF.

OCT. 2013 - HAVING C-DRILL AND UTI I HAD A WEEK HOSPITAL STAY AT KU HOSPITAL WHICH THEY GAVE ME AN ANTIBIOTIC GENERIC TO FLAGYL. I'M SEVERELY ALLERGIC TO, AND I TOLD THEM NOT TO GIVE ME THE FLAGYL ANTIBIOTIC. THIS CAUSING MY ORGAN DAMAGE OF TUMORS THROUGHOUT MY ABDOMINAL ORGANS. KU HOSPITAL STAY EARLY OCT. 2013.

E.R. VISIT TO KU HOSPITAL DIAGNOSED ME HAVING THE ALLERGIC REACTION TO FLAGYL ON 7-14-13 FROM ST. FRANCIS E.R. VISIT ON 11-5-13 IN TOPEKA KS. BOWEL INFECTION.

18. CT ENTEROGRAPHY JULY 2014 (MAYO CLINIC) NORMAL.

I WAS NOT AT THE MAYO CLINIC IN 2014! I WAS AT THE MAYO CLINIC NOV. 2013 AND FALL OF 2015.

19. 9-2-16 REFERRED to Rheumatologist who diagnosed with Fibromyalgia.

REPORT FOR 8-31-15 DR. VIJAY R. MHATRE, MD AT ST. FRANCIS MEDICAL GROUP THIS REPORT SHOWING NUMEROUS DIAGNOSES. DR. MHATRE STATED TO ME THAT SINCE I HAD AN ALLERGIC REACTION to FLAQYL ANTIBIOTIC THIS EFFECT COULD MIMIC Fibromyalgia.

MS. KRAFT, LMNP STATED TO ME IN APRIL 2021 THE FACILITY WAS CONCEALING 6 TUMORS ON MY LIVER. KDOC RESPONSE MENTIONS PRIOR TO INCARCERATION WORKUPS, MEANING OVER 7 YEARS AGO, AND DOCTORS ORDERS FOR ABDOMINAL MRI IN APRIL 2021 BEING DENIED SHOWS KDOC AND PERSONS ACTING IN CONCERT AND PARTICIPATION TO FRAUDULENTLY CONCEAL THESE TUMORS THROUGHOUT MY BODY WHICH WOULD SHOW IN THE MRI. THE ONLY REASON DOCTOR ORDERED MRI, CONTINUES TO BE DENIED AS CRIMINAL CHARGES LOOMING WITH THE EXPOSURE OF TUMORS.

MY SKULL SWELLING FORCING MY LEFT EYE-EAR UPWARD, MY CONGESTIVE HEART FAILURE. SUBSTANTIAL MEDICAL NEEDS FRAUDULENTLY CONCEALED DATING BACK TO KU HOSPITAL'S MEDICAL ERROR AND PREGA INJURIES OF A SKULL FRACTURE FROM LVSO PHYSICAL AND SEXUAL ASSAULTS BY STAFF.

FURTHER, THE CONCEALMENT OF OPTOMETRIST DR. DYCK MAKING RECOMMENDATIONS FOR ME AN MRI ON VISITS 3-24-22, 6-8-23, 7-27-23. RANDAL DYCK SENDING EMAILS TO CENTURION PROVIDERS. KDOC CONCEALING BTX IMAGING RESULTS FROM X-RAYS ON 9-2-2020 HEAD, CHEST, ABDOMEN YET NO MENTION OF THIS IN KDOC GRIEVANCE RESPONSE. NO MENTION OF GLOBAL DIAGNOSTIC SERVICES U.S. ON 10-16-2020 FOR MY NECK-CAVICAL-ABDOMEN. THIS CONCEALMENT OF DIAGNOSES AND STUDIES, A MENTAL STATE OF DELIBERATE INDIFFERENCE, CULPABLE STATE OF MIND.

CALCULATED AND MALICIOUS CANCELLING SEVERAL OFFSITE PROVIDER APPOINTMENTS FOR CLINICALLY INDICATED TO WARRANT SCHEDULING THESE SEVERAL OFFSITE PROVIDER APPOINTMENTS.

ALL UNDER CRIMINAL INVESTIGATIONS FBI REG. NO. SB 301690224

Jeff Zniada, Secretary

Laura Kelly, Governor

Unofficial-Grievance Response

FACILITY: Topeka Correctional Facility
RESIDENT: Barbara Frantz #124145 ICH
COMPLAINT TYPE: Resident Letter
DATE: 12/18/2023

GRIEVANCE APPEAL NO. 20240006

COMPLAINT:

Multiple concerns.

FINDINGS OF FACTS BY CLINICAL REVIEWER:

The Kansas Department of Corrections Medical Health Authorities reviewed the correspondence, site response, behavioral health review and EHR. The complaint received contains an impressive 54 pages of complaints and responses, including the resident's demand that the entire medical department be fired. She claims multiple tumors which are felt, a history of skull swelling displacing her left eye and ear upward, a distended/herniated abdomen, edema with pitting, breaking blood vessels, and a KDOC-TCF conspiracy to murder her by gross deprivation of accessing specialists since her intake.

A provider visit, on 6/19/23, listed a number of diagnoses and studies:

1. Abdominal ultrasound 8/20/21—Hepatic steatosis
2. Abdominal ultrasound 2/14/19—No focal abnormality
3. Multiple KUB x-rays in 2019 for abdomen complaints—no abnormality
4. CT Abd/pelvis w/ contrast (St. Luke's)—No acute intra-abdominal or pelvic process. Small, fat-containing umbilical hernia. Stable mild calcified aortoiliac atherosclerosis. No additional acute findings
5. Heartland primary care note, 11/14/16, "Multiple complaints related GI, feeling like her sternum is misplaced. Recommend pt seek second opinion from GI specialist. No further workup planned by PC."
6. MRI abd/pelvis, 11/02/16—"No clear cause for abdominal pain is identified. Correlate for site of concern. Correlate for constipation."
7. 2014 visit, Pt complains of bowels bubbling, bowel infection, esophagus pain—unchanged from previous status.
8. Colonoscopy July, 2013 (KUMC)—internal hemorrhoids, repeated 2015—normal.
9. H2 breath test (KUMC), 12/01/16—negative
10. CT enterography (KUMC) 11-2013—normal
11. H Pylori fecal antigen negative
12. EGD (KUMC) July, 2013—mild chronic gastritis Normal small bowel biopsies, repeat October-2013 normal, April-2015—small polyps in fundus of stomach—bx showed fundic gland polyp, no H. Pylori.
13. CT angiography October-2013 negative for ischemia
14. Gastric emptying study June-2015—normal emptying time
15. Swallow study July-2015—normal
16. CT abd/pelvis July-2015—1. evidence of bowel obstruction, abdominopelvic inflammatory mass or ascites; 2. Mild colonic diverticulosis w/ evidence of diverticulitis; 3. Stable appearance of tiny non-obstructing left renal calculi.
17. CT abd/pelvis [presumably based on reading] December-2016: 1. no inflammatory abdominal mass, bowel obstruction or ascites. Normal appendix; 2. Stable appearance of non-obstructing left renal calculi; 3. Mild colonic diverticulosis w/o diverticulitis.
18. CT enterography July-2014 (Mayo Clinic)—normal.
19. 9/01/2016 referred to rheumatologist, who diagnosed fibromyalgia.

A visit, on 9/20/2021, with a provider for: 1. Follow up of "small bowel loops; "abd pain" Pt continued abd pain and small bowel loops complaints and when will she see GI. 2. Follow up of "thyroid issues". Pt. reports swelling nodules on her thyroid and on her medial clavicle stating US never commented on the nodule on her clavicle and that she needs a radioiodine scan of her thyroid. 3. Follow up of "bone pain" cheek and knots on face. She states left side of face continues to grow w/ pain, and her left ear and eye are more elevated than the right, and she has nodules on her R anterior scalp and left cheek and left postauricular area that is very painful and even affects laying on that side of the head. Pt. also reports feeling her left cheek at the area she reports is enlarged as dead over this weekend and popping in her sinuses. Pt. states that when she went to the ER in the streets they would "always get a head CT immediately." She states facial deformity started at Leavenworth County and due to this Leavenworth County sheriffs are all under investigation.

The review of systems was entirely negative except for vomiting. The examination was entirely normal except for agitation. The resident then complained the Medical Director "was concealing information and that again everyone else is saying her face is deforming more and more due to the nodules on her head. This visit was ended prematurely as pt would continue to circle back around to things already discussed as if ignoring information provided. Due to pts obvious increased volume in her voice, interrupting RN Walters and this provider will not order a head CT when "in the ER they always got her a head CT" pt was escorted out of the room by the officer on the other side of the door." The resident has filed allegations of intentional negligence with intent to commit first degree murder with both the state and federal criminal divisions.

RECEIVED
11-26-2024 FROM MS. FEIERS

5
b

CONCLUSIONS MADE BY CLINICAL REVIEWER:

The diagnoses of "undifferentiated somatoform disorder" and "delusional disorder" are more than adequately documented. Her delusions of persecution raise serious questions about the likelihood of paranoid disorder. It is likely that she could benefit from administration of psychotropic drugs.

She has had more than adequate workup prior to incarceration, and after the review of her previous records, I can see nothing to be gained by further extensive studies.

ACTION TAKEN:

Recommendations have been forwarded to the Regional Medical Director.


Darcie E. Hothaus

Secretary of Corrections Designee

CC: Warden
Centurion's Regional Medical Director
Site H.S.A.
Frantz, Barbara #124145
File

The original response on appeal and all attached documents were mailed by way of United States Mail on _____

Topeka Correctional Facility
Warden's Response to Offender Grievance

DATE: January 12, 2024

TO: Frantz, Barbara 124145--ICH

RECEIVED 3-13-24

RE: Response to Your Grievance Received: 1/10/2024
Grievance# 20240033

9 PAGES

Finding of Fact: Your grievance was received and reviewed. You filed a complaint that your rights were violated, as your specialty appointment were cancelled. You also state that the medical team at TCF continues to have "malicious indifference" to what you claim are your life-threatening medical conditions.

Conclusions:

HSA Michelle Calvin responded on behalf of Centurion explaining their documentation of all your medical appointments and your treatment. The process for confidential medical records was also explained to you, and how they are not covered by Kansas Open Records Act, as they are not a part of public record.

You have access to all the medical care necessary and interventions you receive are based on the clinical evidence and results of medical assessment.

Inasmuch as it is out of the purview of the Warden to determine if medical or dental care is appropriate, it does not appear that the clinic has been unresponsive to your needs. The response of Ms. Calvin, HSA is appropriate.

Action Taken:

No further action is necessary at this time.

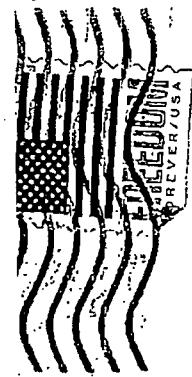


Dona Hook
Warden

Kansas Correctional Facility 18
15 SE Rice Road
Topeka, KS, 66607

Legal Mail
PLACED IN US MAIL BOX
ON 1-28-24

KANSAS CITY 640
30 JAN 2024 PM 3:1



Kansas Dept. of Corrections
714 S.W. Jackson St., Ste 300
Topeka, KS. 66603

ESS008-372275

00000000000000000000000000000000

Subject: Medical Grievance

To: 13002 BARBARA MARIE FRANTZ 6/12/1966

From: MWARDROP

Date: 5/28/2020 10:31:51 AM

Message:

On 2020-05-28 10:31:51, an admin user replied:
Cannot grieve medical, see Kiosk Section N, Item 2.

APPENDIX I

45 - PAGES

Original Message, sent 2020-05-28 10:01:06:

My bloodpressure was 169 over 117 nothing was said as to my high bloodpressure. Nothing was done for my limp notes. Swollen in my neck nothing was done for my left side of my face swollen my left eye being moved raised up from the swelling in my face-head, nothing was done for my knots in my neck-collar bone. Nothing was done for the severe pain going to extreme pain i reported i'm in constantly. Nothing was done for my hearniated abdomen, nothing was done for the edema in my legs. I reported popping in my sinus cavity. My eye glasses fit cricked on my face because my left side ear is also moved up from swelling in my face and head. It was reported that i'm not getting otc pain reliever due to hoarding yet i was accused of hoarding on 7-24-17 and again on 1-31-18 yet my scheduled pain reliever that was 3 days on and 7 days off when to 3 days on 3 days off after my habeas corpus ksa 60-1501 to receive pain reliever, in march 2018. My scheduled pain reliever continued until sgt. Masoner stated to me as to why all my scheduled medications were stopped because my case was over this july 16th 2018 masoner said that nurse melissa wardrop staing this to him after he called her to question why my meds were nt on the med cart july 16th 2018. This medications included my scheduled 3 day on 3 days off. As for being accused of hoarding on 7-24-17 , it is impossible for me to of been hoarding anything due to facts that i just returned from larned on 7-18-17 my first commissary order came in on 7-23-17, which means i had not ordered anything for 3 months because i was at larned this making it impossible for me to of hoarded anything little-lone pain reliever. This lying was done to take my pain reliever from me and make me suffer intentionally. Facts got to love them...

my medical continues to being concealed by medical due to my medical being concealed pre-arrest. I've now been neglected medical care for vital organs that i've reported worsening since my arrest 1-28-17. This being done with maliciousness alowing me to beocme in a lift threatening situation, criminal intent to cause me harm. Kiosk documentation stated my ct-u.s.-chest x-ray were all normal from my 10-5-16 and 10-25-16 er visit to saint lukes hospital yet i have these medical records with me and the findings are not normal as nurse melissa wardrop is stating on my kiosk documentation. This the start of the medical dept. Concealing my medical conditions again criminal behavior by medical to conceal and cause me great harm to intentionally allow me to worsen to this life threatening state.

thank you barbara frantz

APPENDIX I

To: 13002 BARBARA MARIE FRANTZ 6/12/1966

From: MWARDROP

Date: 5/28/2020 12:02:21 PM

Message:

You were diagnosed by the Psychiatrist at Larned for Somatic Symptom Disorder:

Somatic symptom disorder involves a person having a significant focus on physical symptoms, such as pain, weakness or shortness of breath, that results in major distress and/or problems functioning. The individual has excessive thoughts, feelings and behaviors relating to the physical symptoms. The physical symptoms may or may not be associated with a diagnosed medical condition, but the person is experiencing symptoms and believes they are sick (that is, not faking the illness).

A person is not diagnosed with somatic symptom disorder solely because a medical cause can't be identified for a physical symptom. The emphasis is on the extent to which the thoughts, feelings and behaviors related to the illness are excessive or out of proportion.

Somatic symptom disorder diagnosis:

One or more physical symptoms that are distressing or cause disruption in daily life

Excessive thoughts, feelings or behaviors related to the physical symptoms or health concerns with at least one of the following:

Ongoing thoughts that are out of proportion with the seriousness of symptoms

Ongoing high level of anxiety about health or symptoms

Excessive time and energy spent on the symptoms or health concerns

At least one symptom is constantly present, although there may be different symptoms and symptoms may come and go and usually begins by age 30.

Treatment

Treatment for somatic symptom disorder is intended to help control symptoms and help the person function as normally as possible.

Treatment for somatic symptom disorder typically involves the person having regular visits with a trusted health care provider. The provider can offer support and reassurance, monitor health and symptoms and avoid unnecessary tests and treatments. Psychotherapy (talk therapy) can help the individual change their thinking and behavior, and learn ways to cope with pain or other symptoms, deal with stress and improve functioning.

Antidepressant or anti-anxiety medications can be useful if the person is also experiencing depression or anxiety.

AFTER A MONTH AT LARNED STATE HOSPITAL I STARTED REQUESTING TO SEE A DOCTOR AND TO HAVE MY MRI 11-2-16 BE GIVEN A SECOND OPINION. THIS IS WHEN LARNED LABELED ME SOMATIC DISORDER I'M SURE SO THAT MY COMPLAINTS OF MEDICAL SYMPTOMS WOULD BE DISCOUNTED, NOT BELIEVED. AFTER AN ER VISIT BY AMBULANCE IS WHEN LARNED PRESCRIBED ME TRAMADOL FOR MY PAIN. PRE-ARREST I WAS DIAGNOSED WITH MANY MEDICAL CONDITIONS FROM SURGERY, MRI, CT, U.S., X-RAY, BIOCWORK AND BIOPSIES TAKEN. I HAD 4 SPECIALIST DOCTORS PRE-ARREST. MY LARNED STAY 4-17-17 - 7-18-17

I AM REQUESTING to get back the following Form 9's (6) without having to REQUEST THEM BACK.

Form 9
For Cellhouse Transfer
Work Assignment _____
Interview Requests

J-3

FRANTZ

Last Name Only

10F6

KANSAS DEPARTMENT OF CORRECTIONS

124145

Number

INMATE REQUEST TO STAFF MEMBER

To: HEAD of NURSING - Kelsey Howie Date: 11-1-2020

(Name and Title of Officer or Department)

State completely but briefly the problem on which you desire assistance. (Be specific.)

WHAT IS TCF MEDICAL DEPT. GOING TO DO TO TREAT MY MEDICAL CONDITIONS AS FOLLOWS: LEFT SIDE FLOATING RIBS STICKING - DIAGNOSED AT LVCO JAIL BY U.S. ON 2-14-2019 BTX IMAGING. I HAVE AN ENORMOUS AMOUNT OF PAIN AROUND MY CHEST RIBS AND STERNUM. BENDING IS VERY PAINFUL. I WAS DIAGNOSED WITH MY HAVING SMALL BOWEL LOOPS FROM CT ON 10-5-2016 AT SAINT LUKES BOWEL LOOPS ARE THE CAUSE OF HERNIAS. WHAT IS GOING TO BE DONE TO TREAT THIS?

Work Assignment:

Living Unit Assignment: J-3

Comment:

Detail or C.H. Officer: T. Butcher (co1)

Disposition:

NOTE: AS OF 8-18-21 STILL NO OUTSIDE APPOINTMENTS SCHEDULED. BY
STILL TOTATE 2-28-22 I HAVE NOT BEEN TO
THESE OUTSIDE APPPTS SCHEDULED!

RECEIVED
NOV - 9 2020

To:

(Name & Number)

BY:

Date:

Disposition: YOU HAVE OUTSIDE APPPTS SCHEDULED, PLEASE FOLLOW UP IN SICK CALL FOR ANY FURTHER MEDICAL NEEDS.

B. N. Davis - DON
Employee's Signature

P-0009

BRANDI DAVIS - DON

21-3117-SAC

To be returned to inmate.

Civil Rights Complaint #1983

20 OF 67

I AM REQUESTING TO RECEIVE BACK MY FORM 9 WITHOUT HAVING TO PUT IN A FORM 9 TO GET IT BACK.

Form 9
For Cellhouse Transfer
Work Assignment _____
Interview Requests

5-3

FRANTZ

Last Name Only

KANSAS DEPARTMENT OF CORRECTIONS

124145

Number

INMATE REQUEST TO STAFF MEMBER

To: Head of Nursing: KELSEY HOWE Date: 11-3-2020

(Name and Title of Officer or Department)

State completely but briefly the problem on which you desire assistance. (Be specific.)

I am requesting to know how TCF Medical Dept is going to do to investigate my severely distended abdomen with 2 herniated areas also my face, head, neck, collarbone having knots which is disfiguring my face causing my left eye and ear moved up causing me stabbing pains in my head with eye and ear pain, sinus popping, pressure and pain.

I am also requesting to have my MRI 1100 photos given a second opinion dated 11-2-2016 from PROVIDENCE IMAGING.

Work Assignment: Living Unit Assignment: J-3

Comment: Detail or C.H. Officer: T. Bratcher (COT)

Disposition:

NOTE: AS OF 8-18-21 still NO outside appointments scheduled.
Still to date 2-28-22 I HAVE NOT BEEN to ^{BF}
THESE OUTSIDE APPS SCHEDULED!

RECEIVED
NOV - 9 2020

To: _____
(Name & Number)

BY: Date: _____

Disposition: You have outside apps scheduled
Please follow up in sick call for any further
medical needs.

20 of 21

Brandi Davis - DON
Employee's Signature

P-0009

BRANDI DAVIS - DON

CIVIL RIGHTS COMPLAINT # 1983
21-3117-SAC

To be returned to inmate.

28 of 67

I AM REQUESTING TO RECEIVE MY TERM & S BACK WITHOUT HAVING TO REQUEST THEM BACK.

Form 9
For Cellhouse Transfer
Work Assignment _____
Interview Requests

J-3

FRANTZ

Last Name Only

GOOD CAUSE 28 OF 34

1 OF 2

KANSAS DEPARTMENT OF CORRECTIONS

124145

Number

INMATE REQUEST TO STAFF MEMBER

To: Head of Nursing - Kelsey Howe Date: 11-5-2020

(Name and Title of Officer or Department)

State completely but briefly the problem on which you desire assistance. (Be specific.)

I AM REQUESTING TO KNOW IF I AM BEING SENT OUT FOR MY MEDICAL COMPLAINTS OF SEVERELY DISTENDED ABDOMEN WITH 2 HERNIATED AREAS. MY LEFT SIDE HERNIA - UPPER ABDOMEN IS WORSENING. A BURNING PAIN IT FEELS AS IF A BALL IS FORMING. BENDING IS PAINFUL AND I HAVE LIMITED MOVEMENT. I AM REQUESTING TO BE SENT OUT TO SEE THE CAUSE OF ABOVE. I AM FEARING FOR MY SAFETY AS MEDICAL DEPT CONTINUES TO ALLOW ME TO WORSEN.

Work Assignment: _____

Living Unit Assignment: J-3

Comment: _____

Detail or C.H. Officer: F. Bratcher (cor)

Disposition:

updated

NOTE: AS OF 8-18-21 STILL NO OUTSIDE APPT. SCHEDULED.
12-15-21 "

BF

To: _____

(Name & Number)

Date: _____

BY: _____

Disposition: your appt has been scheduled

we are unable to discuss appt times and dates
with offenders.

Brandi Davis - Dan

Employee's Signature

P-0009

Brandi Davis - Dan

21-3117-SAC

Civil Rights Complaints 1983

To be returned to inmate.

29 F 67

21
OF
21

Form 9
For Cellhouse Transfer
Work Assignment
Interview Requests

SICK CALL
TODAY

FRANTZ

Last Name Only

UPDATED

Good Cause 27 of 34

KANSAS DEPARTMENT OF CORRECTIONS

124145

Number

INMATE REQUEST TO STAFF MEMBER

To: MEDICAL CLINIC

Date: 9-21-21

(Name and Title of Officer or Department)

State completely but briefly the problem on which you desire assistance. (Be specific.)

I just had sick call today. Nurse Trish Otto stated if I keep coming to sick call every day she will charge me for coming to sick call. My sick calls are follow-ups as I state the very same things which are not being remedying. TCE officers tell me to go to sick call as they can see my facial skeletal disfigurement for themselves. Form 9's last now. 1st 3rd 5th 2020 all state I have outside apps scheduled which I have not been to these outside apps for what's stated on my Form 9's. I also would like a refund as today I

Work Assignment:

Living Unit Assignment:

1-4 Refund as today I

Comment: Detail or C.H. Officer: Cost of form 9 was charged.

TCE

Disposition: Note: 10-19-21 HSA Michelle Calvin fails - neglects to answer my complaint. It is criminal to conceal life threatening medical conditions her resisting Dr Lee in conspirative to commit murder. As for your offsite appointments they have been scheduled "Sep 28 AGAINST ME. SEE: Form 9 dated 10-18-21 "G.I. CONSULTATION IS THE ONLY PENDING REQUEST"

PP
3 OF 3

To: Frantz 124145

(Name & Number)

Date:

Disposition: Since the beginning of your incarceration at TCE you have requested and been seen or had the opportunity to be seen at a minimum 37 times in nursing sick call. Of those visits you have been charged 15 times, but 2 of those charges have been reversed, leaving a total of 13 charges.

Michelle Calvin HSA

Employee's Signature

P-0009

Each of those charges involved a newly reported issue. As for your offsite appointments, they have been scheduled. You have refused at least once. That is your choice.

UPDATED:

AS OF 12-15-21 STILL NO OFFSITE APPOINTMENTS SCHEDULED. 11-18-21 DR LEE STATED TO ME "G.I. CONSULT IS SCHEDULED" THEN ON 12-13-21 NURSE CANDI LOOKED INTO CENTURION SYSTEM AND STATED THERE IS NO G.I. CONSULT SCHEDULED, STILL PENDING APPROVAL. BF

Form 9
For Cellhouse Transfer
Work Assignment
Interview Requests

CONSPIRACY TO COMMIT FIRST DEGREE MURDER
AGAINST ME

FRANZ

Last Name Only

GOOD CAUSE 31 OF 34

NO TREATMENT PLAN DEVELOPED KANSAS DEPARTMENT OF CORRECTIONS

AS STATED BELOW, PROOF I'M
BEING LEFT FOR DEAD.

124145

Number

INMATE REQUEST TO STAFF MEMBER

To: MEDICAL CLINIC RFA MS. CALVIN Date: 4-26-21

(Name and Title of Officer or Department)

State completely but briefly the problem on which you desire assistance. (Be specific.)

UPDATED

1. I AM REQUESTING TO GO THROUGH MY MEDICAL RECORDS TO VIEW THE RESULTS OF TEST PERFORMED AND MY LABS.

2. DR IEE STATED TO ME 2-26-21 U.S. REPORTED "RIPPLES" ON MY LIVER AND SHE WAS ORDERING FOR ME TO HAVE AN ~~CT~~ CT DONE, WHAT DID THE 2-26-21 U.S. REPORT ON, MY LIVER AND ORGANS SCANNED? IS THE CT ORDERED YET?

Work Assignment:

Living Unit Assignment:

Comment:

Detail or C.H. Officer:

COII

GLOBAL DIAGNOSTIC SERVICES ULTRASOUNDED MY ABDOMEN (10-16-2020, 2-19-21 AND 2-26-21))

Disposition: NOTE TO MS. CALVIN'S RESPONSE, MS. CALVIN SKEAKING OF CT, "THE MEDICAL PROVIDER IS DEVELOPING TREATMENT PLAN" THIS FOR MY LIVER.

TODATE THIS STILL HAS NOT HAPPENED 8-4-21. WHAT IS THE TREATMENT PLAN? TCF-CENTURION- KDOC DEPRIVED

RECEIVED
APR 29 -
By: Date:

To: FRANZ 124145

(Name & Number)

deliberate indifference
to my many serious medical
needs, I constantly report
SINCE 7-23-2020. BF
8-4-21

Disposition: A review of your chart regarding your visits with the medical provider do NOT indicate information regarding "ripples" related to an ultrasound. As for CT, the medical provider is developing a treatment plan and will communicate such during scheduled appointments. Finally, I will follow up

MICHELLE CALVIN 124145

Employee's Signature

P-0009

21-3117-SAC

CIVIL RIGHTS COMPLAINT § 1983

regarding your PLEASE RETURN TO ME
request to review
your chart. m
To be returned to inmate.

57 OF 67

UPDATED
Still NO TREATMENT PLAN AS OF 12-15-21 by DR. IEE. BF

WHAT TREATMENT PLAN? MS. KRAFT, LMNP, STATED TO ME IN APRIL 2021 "THE FACILITY IS ONLY REPORTING ON ONE TUMOR ON MY LIVER WHEN THERE ARE 6-TUMORS ON MY LIVER."

1
2
Dawson 8-18-21

21-3117-SAC Civil Rights Complaint § 1983

APPENDIX H
1
9
N

Form 9
or Cellhouse Transfer
Work Assignment _____
Interview Requests _____

SICK CALL
TODAY

FRANTZ

Last Name Only

KANSAS DEPARTMENT OF CORRECTIONS

124145

Number

INMATE REQUEST TO STAFF MEMBER

To: MEDICAL CLINIC

Date: 9-21-21

(Name and Title of Officer or Department)

State completely but briefly the problem on which you desire assistance. (Be specific.)

I JUST HAD SICK CALL TODAY. NURSE TRISH OTTO STATED IF I KEEP COMING TO SICK CALL EVERY DAY SHE WILL CHARGE ME FOR COMING TO SICK CALL. MY SICK CALLS ARE FOLLOW-UPS AS I STATE THE VERY SAME THINGS WHICH ARE NOT BEING REMEDYING. TCE OFFICERS TELL ME TO GO TO SICK CALL AS THEY CAN SEE MY FACIAL SKELETAL DISFIGUREMENT FOR THEMSELVES. FORM 9'S (LAST NOW) 1ST 3RD 5TH 2020 ALL STATE I HAVE OUTSIDE APPS SCHEDULED WHICH I HAVE NOT BEEN TO THESE OUTSIDE APPS FOR WHATS STATED ON MY FORM 9'S. I ALSO WOULD TELL A WORK ASSIGNMENT Living Unit Assignment: I-4 REFUSED AS TODAY I

Comment: Detail or C.H. Officer: ~~OTTO~~ OF F171 WAS CHARGED.

T4

Disposition: NOTE: 10-19-21 HSA MICHELLE CALVIN FAILS - NEGLECTS TO ANSWER MY COMPLAINT. IT IS CRIMINAL TO CONCEAL LIFE THREATENING MEDICAL CONDITIONS HER DESPITE DR. LEE IN CONSPIRACY TO COMMIT MURDER, BE AS FOR YOUR OFFSITE APPOINTMENTS THEY HAVE BEEN SCHEDULED SEP 28 AGAINST ME.

SEE: FORM 9 DATED 10-18-21

"GT CONSULTATION IS THE ONLY PENDING REQUEST"

DR
W
OF
C

To: Frantz 124145

(Name & Number)

Date: _____

Disposition: Since the beginning of your incarceration at TCE you have requested and been seen or had the opportunity to be seen at a minimum 37 times in nursing sick call. Of those visits you have been charged 15 times, but 2 of those charges have been reversed, leaving a total of 13 charges.

MICHELLE CALVIN HSA

Employee's Signature

P-0009

Each of those charges involved a newly reported issue. As for your offsite appointments, they have been scheduled. You have refused at least once. That is your choice.

To be returned to inmate.

AS OF TODAY 2-28-22

I still HAVE NOT been to THESE OFFSITE APPOINTMENTS, SCHEDULED!

SEE FORM 9'S 11-1-2020 AND 11-3-2020 STATING I HAVE OUTSIDE APPS SCHEDULED..

MS. CALVIN, HSA denies to SCHEDULE ME THESE APPOINTMENTS FOR CONSULTS. BF

GOOD CAUSE 25 OF 34

UPDATED

HSA Michelle CALVIN's liability

Form 9
 For Cellhouse Transfer
 Work Assignment
 Interview Requests

FRANTZ
 Last Name Only

KANSAS DEPARTMENT OF CORRECTIONS

124145

10-18-21

Number

INMATE REQUEST TO STAFF MEMBER

To: HSA MS. CALVIN Date: 10-18-21

(Name and Title of Officer or Department)

State completely but briefly the problem on which you desire assistance. (Be specific.)

I AM REQUESTING TO KNOW WHAT SPECIALTY APPOINTMENTS I HAVE SCHEDULED? I KNOW ABOUT GI CONSULT. WHAT OTHER CONSULTS TO SPECIALISTS ARE THERE? YOU STATED YOUR (LAST FORM 9) APPOINTMENTS. THANK YOU

Work Assignment _____ Living Unit Assignment: 578 106

Comment _____ Detail or C.H. Officer: BF

Disposition: NOTE: 10-26-21, HSA Michelle CALVIN STATES ON FORM 9 DATED 9-21-21 "AS FOR YOUR OFFSITE APPOINTMENTS, THEY HAVE BEEN SCHEDULED DR. IEE ORDERED FOR GI CONSULT ON 2-2-21 AND STILL DATE 10-26-21; I STILL HAVE NOT BEEN TAKEN TO GI CONSULT. AND THE ONLY OFFSITE APPOINTMENTS I HAVE BEEN TAKEN TO IS 1-18-21, 2-10-21 ENDOCRINOLOGIST. BF OCT 21

To: Frantz 124145 Date: _____
 (Name & Number)

Disposition: At this time it appears the GI consultation is the only pending request. Throughout your incarceration you have attended several specialty consultations. m

APPENDIX RR

Michelle Calvin HSA Employee's Signature 21-3117-SAC To be returned to inmate.

P-0009

Civil Rights Complaints 1983

10/15/21

ON 11-18-21 DR. IEE STATED TO ME "G.I. CONSULT IS SCHEDULED" ON 12-13-21 NURSE CANDI LOOKED INTO CENTURION SYSTEM AND STATED THERE IS NO G.I. CONSULT SCHEDULED. TCF-CENTURION INTENTIONALLY AVOIDING CONSULTS TO SPECIALIST. BF 12-15-21

Form 9
or Cellhouse Transfer
Work Assignment
Interview Requests

RECORDS REQUEST DENIED
by defendant MICHELLE CALVIN, HSA, SHE FRANTZ
is a LIAR, AND IS CONCEALING my
Life Threatening Medical Conditions. Last Name Only

KANSAS DEPARTMENT OF CORRECTIONS

3 of 5

124145

Number

RECEIVED 2-28-22

INMATE REQUEST TO STAFF MEMBER

To: HSA Michelle CALVIN, CCP Date: 2-6-22

(Name and Title of Officer or Department)

State completely but briefly the problem on which you desire assistance. (Be specific)

I AM REQUESTING TO KNOW THE DATE FROM MS. KRAFT, LMP RECORDS OF MY WHICH YOU WERE MS. KRAFT BOSS AUTHORIZING MS. KRAFT TO DISCLOSE TO ME OF HAVING AN ENT SPECIALIST APPOINTMENT SCHEDULED IN LATER 2020. MS. KRAFT STATED TO ME THAT SHE DOCUMENTED THIS IN HER RECORDS AS DOCUMENTATION SHOWING YOU APPROVED TO ALLOW MS. KRAFT TO DISCLOSE THE MEDICAL DEPT. SCHEDULED ME TO OUTSIDE ENT SPECIALIST APPOINTMENT.

Work Assignment

Living Unit Assignment

1-A 143

THANK
YOU

Comment

Detail or C.H. Officer: Det. Beale

NOTE: MY LEFT EAR FLUSH WAS ON 1-24-2020, DR. IEE ORDERED FOR ENT SPECIALIST ON 2-2-2020 (BF).

Disposition: NOTE: THERE'S NOT ANY ALTERNATE TREATMENT PLAN AS MS. CALVIN STATES! MY SKULL SWELLING FORCING MY LEFT EAR AND EYE UPWARD, PERMANENT INJURY AND HAS WORSENCED DUE TO INTENTIONAL DENIAL OF MEDICAL CARE, SEVERE CIVIL RIGHTS VIOLATIONS! MS. CALVIN'S PERSONAL INVOLVEMENTS OF DEPRIVED DELIBERATE INDIFFERENCE TO MY LIFE THREATENING MEDICAL CONDITIONS DENYING TO SCHEDULE OUTSIDE APPPTS SEE FORM 9 DATED 11-3-2020. RE

To: Frantz 124145

Date: 2/23/2022

(Name & Number)

Disposition: In early 2021 an ENT request was made. It was discussed with you by the medical provider. An alternate treatment plan was developed. While you frequently attempted to discuss medical issues with behavioral health staff this is outside of their scope and therefore inappropriate.

Michelle Calvin HSA

Employee's Signature

To be returned to inmate.

TOPEKA CORRECTIONAL FACILITY
CENTURION

INTERDEPARTMENTAL MEMORANDUM

DATE: 5/6/2022

Topeka Correctional Facility

GRIEVANCE # 176093212

GRIEVANCE: Barbara Frantz #124145

FROM: Michelle Calvin, LCP, Health Services Administrator

NATURE OF COMPLAINT: Ms. Frantz filed an electronic grievance in which she stated she would like to file a complaint against the site Medical Director as she feels she has medical issues, for which she reportedly received diagnoses for prior to her incarceration, which are being intentionally neglected. Further she indicated she has been denied medical care and treatment throughout her incarceration.

FINDING OF FACT: A review of Ms. Frantz' chart indicates medical has addressed each concern presented by Ms. Frantz, as indicated in responses to previous grievances she has submitted. She has had thorough medical assessments for the issues she has reported and been provided education regarding such.

CONCLUSIONS MADE: Ms. Frantz has received appropriate medical assessments throughout her incarceration. Medical interventions are based on clinical presentation and the assessments conducted. Based on the results of the assessments and studies she has had, she is receiving appropriate interventions. There is no indication serious medical issues are being ignored or that there has been deliberate indifference in regards to her medical care.

ACTION TAKEN: No further action indicated at this time as she has received appropriate medical care and will continue to have access to such.

Michelle Calvin HSA
Michelle Calvin LCP—Health Services Administrator

GRIEVANCE
#180671212

TOPEKA CORRECTIONAL FACILITY
CENTURION

INTERDEPARTMENTAL MEMORANDUM

DATE: 25 May 2022

SUBJECT: Grievance

INMATE: Barbara Frantz

FROM: Katie Schmidt, BSN RN

KDOC ID # 124145

TCF -
CENTURION
WHITE WASHING
my MEDICAL
MENTAL HEALTH
RECORDS

NATURE OF COMPLAINT: Patient Frantz complains that she is dissatisfied with her care and that she believes that she received inaccurate information from HSA Calvin as it pertains to the medication amlodipine.

FINDING OF FACT: A review of the medical record reveals that patient Frantz was seen by nursing staff in the early morning hours of May 15, 2021 for her complaints of edema. No changes were made to the amlodipine prescription at that time. Amlodipine was added to patient Frantz's allergy list in May of 2022, well after HSA Calvin answered the Form-9 referenced in this complaint.

CONCLUSIONS MADE: Documentation completed in May of 2022 would have been unavailable for reference and review in July of 2021.

AMLODIPINE
ON MY
ALLERGY LIST
IN 2021 ..

ACTION TAKEN: No further action at this time.

K Schmidt RN RM
Katie Schmidt BSN RN

8-16-22
My visit with DR. HART 5-10-22,
she placed Amlodipine medication

back on my allergy list due to
CENTURION removed this medication and re-prescribed it.
SEVERE REACTION to Amlodipine Medication 5-14-21. TCF - CENTURION
denied me medical emergency stat at 9:00pm 5-14-22, 1B pod.

SEVERE EDEMA COULD OF BEEN CONGESTIVE HEART FAILURE!

SEEN JENA LEE, M.D. CHRONIC CARE VISIT ON 5-24-21 I REPORTED TO
DR. LEE TO REMOVE Amlodipine MEDICATION FROM my MED LIST, SHE
DENIED TO REMOVE FROM MARS CHART UNTIL 7-21-21 CHRONIC CARE
VISIT WITH DR. LEE, AFTER 7-20-21 UTM MEETING WITH DR. LEE, WHICH
DR. LEE LIED ABOUT KNOWING WHY I REQUESTED Amlodipine MEDICATION
REMOVED. DR. LEE STATED 7-21-21 THAT EDEMA IS A SIDE-EFFECT
TO THE Amlodipine. BF 8-16-22

1
2

BARBARA FRANTZ #124145 FBI REF. NO. SB301690224 CRIMINAL DIVISION

CONSPIRACY TO MURDER ME BY GROSS DEPRIVATION OF MEDICAL CARE

MEDICAL PRACTITIONERS UNDER INVESTIGATION KU Hospital CAUSED MEDICAL MURDER Oct. 2013

GI DR. OLYAEE M.D. KU Hospital ORGAN damage

GI DR. SIDORENKO M.D. KU Hospital biopsy

UROLOGY DR. GREBELING M.D. KU Hospital SURGERY - biopsy 2014

PCP DR. SOFTYS D.O. HEARTLAND PRIMARY CARE 2015 - 2017

DR. HATFIELD M.D. PROVIDENCE IMAGING (MRI 11-2-16 REPORT
SEVERELY CORRUPTED)

MELISSA WARDROP LPN LWC, KS JAIL 2017-2020 MALTREATMENT

KDOC - LARNED STATE HOSPITAL CONTRACTED WITH KU HOSPITAL 4-17-17 THROUGH 7-18-

DR. JENA LEE M.D. TCF - CENTURION 2020 - CURRENT 2023

CENTURION NURSES TCF - CENTURION ABUSIVE (REFUSE TO Triage)

DR. SCOTT LOGAN M.D. GLOBAL DIAGNOSTIC SERVICES ULTRA SOUND REPORTS

DR. CORREA M.D. ENDOCRINOLOGIST COTTON O'NEIL

IMPP 10-121 D. KU HOSPITAL CONTRACTED WITH KDOC, DHCS - CATHY ROBINSON

JAIL - CENTURION NURSES UNDER KS STATE BOARD OF NURSING INVESTIGATION

PERSCRIBED HCTZ 2020

HCTZ WITH LISINOPRIL 2021

HCTZ D/C 4-2021

LISINOPRIL WITH AMLODIPINE

7-21-21

5-14-21 SEVERE ANAERGIC REACTION TO AMLODIPINE, D/C ^A ALLERGY LIST 2021

LISINOPRIL CONTINUED

LISINOPRIL D/C, AMLODIPINE RE-PREScribed. AMLODIPINE PLACED AGAIN ON
~~AMLODIPINE~~ AMLODIPINE D/C, RE-PREScribed LISINOPRIL MAY 10th 2022 ^{AT ERGIC L59}

SHOWS - CENTURION KNEW LISINOPRIL WAS NOT LOWERING MY BLOOD PRESSURE

REPORTING: MISCONDUCT OF DEPRIVING ME
MY ANNUAL NURSES ASSESSMENT FRANTZ
Last Name Only

B/P READING HAVE ALWAYS BEEN DONE BY MACHINE.

KANSAS DEPARTMENT OF CORRECTIONS

RECEIVED
BACK

124145

Number

1-18-23

To: HSA Michelle Calvin, ICP

Date: 6-30-23

(Name and Title of Officer or Department)

State completely but briefly the problem on which you desire assistance. (Be specific.)

APPENDIX NO. 59

2-PAGES

TODAY NURSES BRANDI DAVIS, RN AND KELLY SILAS, RN BOTH DENIED ME MY ANNUAL NURSES ASSESSMENT DUE TO I REQUESTED FOR MY B/P READING TO BE DONE BY THE MACHINE. I TRIED TO COMPROMISE STATED THEY COULD DO BOTH MANUAL AND MACHINE B/P READING, BUT BOTH STATED "NO", AND DENIED ME THIS NURSES ASSESSMENT. I HAVE COMPLAINTS ON THESE NURSE'S WITH KS BOARD OF NURSING AND MANY OTHER NURSES. THIS BEING ONE OF MY COMPLAINTS OF NURSE'S MANIPULATING MY B/P MANUAL READINGS TO SHOW MUCH LOWER READING THAN THE MACHINE READING.

Work Assignment:

Living Unit Assignment: HB 126

Comment: B/P MACHINE READING ALLOWS ME TO SEE

Detail or C.H. Officer: COT S

READING BY MACHINE. I AM REQUESTING ALL MY B/P READINGS BE CONDUCTED BY MACHINE

Disposition: AND RESCHEDULE MY ANNUAL NURSES ASSESSMENT. THANK YOU. BF

CC: KS BOARD OF NURSING,
US DEPT. OF JUSTICE CIVIL RIGHTS DIVISION SPECIAL
LITIGATION 168-29-0-ECATS-2023-193101

To: Frantz 124145
(Name & Number)

RECEIVED 7-10-23
Date: JUL 06 2023

BY:

Disposition: In consultation with the SIC medical director, an order for
Manual blood pressures has been provided as manual blood pressure is
the most accurate measure. m

Michelle Calvin ICP
Employee's Signature

To be returned to inmate.

P-0009

- DENYING B/P MACHINE READING IS TO CONCEAL NURSE'S MANIPULATING MANUALLY. BF
- A MANUAL B/P READING IS ONLY MOST ACCURATE ACCORDING TO THE FACT THE NURSE PERFORMING THE MANUAL B/P MEASURE, IS HONEST. HERE IN THIS CASE NUMEROUS TCF-CENTURION NURSE'S ARE UNDER INVESTIGATION FOR FAILURE TO Triage AND ACCURATELY REPORT MY B/P READINGS. BF 7-18-23
- MS. CALVIN FAILS TO RESPOND TO MY NURSES ASSESSMENT. BF

1/2

Kansas State Board of Nursing
Landon State Office Building
900 SW Jackson St., Suite 1051
Topeka, KS 66612-1230



Carol Moreland, MSN, RN
Executive Administrator

Kansas State Board of Nursing

Phone: 785-296-4929
Fax: 785-296-3929
www.ksbn.org

Laura Kelly, Governor

March 29, 2023

Barbara Frantz
#124145
Topeka Correctional Facility
815 S.E. Rice Road
Topeka, KS 66607

RE: Request for records

Dear Ms. Frantz,

Pursuant to your request, enclosed please find:

"Re: Complaints on Melissa Wardrop, LVCO, KS Jail Nurse; and Centurion Nurses at TCF. Hello, Barbara Frantz with request under KORA K.S.A. 45-215 et seq. and in accordance K.S.A. 45-218 (d), requesting the opportunity to inspect and obtain paper copies of public records, for the above complaint. If there are any fees, please inform me, however I would like to file a waiver of all fees as I am filing a pro se case. The KORA requires a response time of three days (business) of access to the public records, if it will take longer, please contact me with a date when files will be available. If you deny all or any of this request, please cite specific reasons and notify me of appeal procedures available under the law."

Some documents were redacted or withheld pursuant to K.S.A. 45-221.

Sincerely,

Linda Davies BSN, RN

Linda Davies, BSN, RN
Practice Specialist

Enclosure

FRANTZ

Last Name Only

KANSAS DEPARTMENT OF CORRECTIONS

124145

Number

INMATE REQUEST TO STAFF MEMBER

To: DON, BRANDI DAVIS, RN Date: 10-13-23

(Name and Title of Officer or Department)

State completely but briefly the problem on which you desire assistance. (Be specific.)

RECEIVED
PAGE 10
10-22

MY APPOINTMENT ON 10-3-23 WITH DR. GREG ERB, NURSE CANDI KUPIERS, RN WAS ALSO PRESENT WHICH MS. KUPIERS WAS IMPROPER AND WAS OUT OF HER SCOPE OF PRACTICE AS AN RN. I WAS HAVING MY CHRONIC CARE VISIT WITH DR. ERB. MS. KUPIERS FORCED ME OUT OF MY VISIT FOR ASKING HER TO STOP TALKING AS SHE WAS IMPEDED ON MY VISIT WITH DR. ERB, NOT ALLOWING ME TO SPEAK WITH DR. ERB FOR ANSWERS TO MY QUESTIONS CONCERNING THE E-MAIL OPTOMETRIST DR. DICK MAKING A RECOMMENDATION FOR ME AN MRI FROM MY VISIT 7-27-23. 10-3-23 VISIT WITH DR. ERB I

Work Assignment:

Living Unit Assignment:

I-B 126

REQUESTED DR. ERB TO RE-SCHEDULE ME WITHOUT

Detail or C.H. Officer: AT C. L. G.

Comment: MS. KUPIERS PRESENT. HAS THIS APPOINTMENT FROM 10-3-23 CHRONIC CARE BEEN RESCHEDULED?

Disposition: PLEASE RESCHEDULE MY CHRONIC CARE VISIT WITH DR. ERB FOR ME TO BE PROVIDED MY CHRONIC CARE. BE

CC: KS BOARD OF HEALING ARTS

KS BOARD OF NURSING

SPECIAL LITIGATION SECTION, DOJ 168-29-0-ECATS-2023-193101
FBI REF. NO. SB301690224

Date: 10-17-23

To: Frantz 124145

(Name & Number)

Disposition: YOUR CHRONIC CARE APPOINTMENT WAS TO DISCUSS YOUR BLOOD PRESSURE AND THYROID, FOR WHICH YOU ARE NOT COMPLIANT. THE APPOINTMENT WAS RESCHEDULED DUE TO YOUR REFUSAL TO DISCUSS THOSE ISSUES AND CONTINUED TO FOCUS ON ISSUES FOR WHICH THERE IS NO CLINICAL JUSTICE OR SHOULD BE ADDRESSED THROUGH SUCH CALL. MR. MICHAEL CALVIN H.P.A.

To be returned to inmate.

Employee's Signature

P-0009 CLINICAL EVIDENCE WARRANTED SCHEDULING SEVERAL OFFSITE PROVIDER APPOINTMENTS, SEE: GRIEVANCE NO. 176711652 HSA RESPONSE 5-6-22 OF CANCELING SEVERAL OFFSITE PROVIDER APPOINTMENTS.

10-20-23, RESPONSE TO: HSA MICHAEL CALVIN, ICP RESPONSE OF HER PERSONAL INTEREST TO DEPRIVE ME MY FEDERALLY PROTECTED RIGHTS FOR PRISONERS FOR MEDICAL CARE UNDER THE 5TH, 8TH, AND 14TH AMENDMENTS OF THE U.S. CONSTITUTION. MY 7-12-23 CHRONIC CARE VISIT WITH DR. GREG ERB, FACILITY PROVIDER, I MET WITH HIM FOR TWO HOURS GOING OVER ALL MY MEDICAL CONDITIONS WHICH DR. ERB HAD SENT ME BACK TO SEE TCF OPTOMETRIST DR. RANDAL DICK ON 7-27-23, FOR SPECIFICALLY, MY SKULL SWELLING FORCING MY LEFT EYE AND EAR UPWARD. IRREPARABLE HARM AND WORSENTING.

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8

— TERRIFIED FOR MY LIFE —

BARBARA FRANZ #124145 FORM 9 dated 10-13-23
PROOF CENTURION CONTINUES to GROSSLY DEPRIVE ME ADDICATE MEDICAL CARE
THERE IS NO MEDICAL DEPT FOR ME HERE AT TCF-CENTURION
THIS VISIT WITH DR. DYCK OF OPTOMETRY ON 7-27-23 HE HAS MADE ANOTHER
RECOMMENDATION FOR ME AN MRI based on CLINICAL EVIDENCE OF
MY OBVIOUS FACIAL DISFIGUREMENT, AND HAD STATED HE WOULD SEND
DR. GREG ERB AN E-MAIL FOR RECOMMENDING THIS MRI AS MY VISIT SEEN ON
6-8-23, VISIT WITH DR. DYCK HAD PERFORMED AN EYE-EXAM AND HAD
SENT THE MRI RECOMMENDATION TO THE FORMER FACILITY PROVIDER.
OPTOMETRIST DR. DYCK HAD ALSO MADE AN MRI RECOMMENDATION ON
3-24-22 OPTOMETRY VISIT FOR MY VISIBLE SKULL SWELLING FORCING MY
LEFT EYE AND FAR UPWARD, WHICH HAS CONTINUED to WORSEN FROM GROSS
DEPRIVATION FOR MEDICAL CARE AND TREATMENT, DENIED NECESSARY SPECIALISTS
CONSULTS CAPABLE to EVALUATE ME, SINCE MY INTAKE 7-23-2020.

MY CHRONIC CARE VISIT ON 10-3-23 WAS FOLLOWING-UP ON FACTS WHICH
DR. ERB STATED to ME, HE WAS ORDERING FOR ME AN ECHOCARDIOGRAM
FOR MY HEART. CONGESTIVE HEART FAILURE, AS I SHOWED DR. ERB ON
10-3-23 MY CONTINUED PUFFING FROM EDEMA, BLOOD VESSELS BREAKING ON
MY LEFT LEG, QUESTIONING DR. ERB OF, WHY HASNT HE ORDERED THIS TEST
YET? I ALSO, WAS STATING, WANTING THE RESULTS OF BTX IMAGING X-RAYS THE
8-10 IMAGES OF MY HEAD ON 9-2-2020 WHICH THESE RESULTS CONTINUE to BE
DENIED to ME. I HAD STATED to DR. ERB MY PAIN IS HORRIFIC AND
THE REASONS FOR MY ELEVATED BLOOD PRESSURE READINGS, AS MY PRE-ARREST
PROVIDER HAD DIAGNOSED ME WITH "ELEVATED B.P. READINGS WITHOUT THE DIAGNOSIS
OF HYPERTENSION", THIS THE REASON B.P. MEDS WERE NOT WORKING on ME.

DR. ERB ALLOWING A NURSE, OUT OF HER SCOPE OF PRACTICE, MS. ANDI KUPIERS, RN,
TO INTERFERE WITH MY CHRONIC CARE VISIT LASTING 20 MINS., FORCING ME to
LEAVE THE OFFICE WITHOUT THE PROVIDED RESPONSES by DR. ERB TO ANSWER FOR
FOLLOW-UPS FROM MY TWO HOUR VISIT ON 7-9-23, AS DR. ERB EXAMINED:
MY SEVERELY DISTENDED HERNIATED ABDOMEN, MY TUMORS ON MY NECK-COLLARBONE,
EXAMINING MY HEART AND LUNGS AND QUESTIONING ME ABOUT, IF I HAD
AN MRI OF MY HEAD YET?

DR. GREG ERB (CONTINUING)
THE MALICIOUS INDIFFERENCE to my SUBSTANTIALLY SERIOUS (LIFE THREATENING)
MEDICAL CONDITIONS CAUSING ME IRREPARABLE HARM FROM GROSS DEPRIVATION
OF ACCESSING SPECIALISTS AND TESTING FOR MALICIOUSLY KEEPING ME
UNDIAGNOSED AND UNTREATED FOR CONCEALMENT PURPOSES. AS MY MEDICAL
CONDITIONS FORCING DEBILITATING CONDITIONS, HORRIFIC PAIN AND SUFFERING.

RECEIVED

JUL 27 2023

FRANTZ

Last Name Only

RECEIVED
BACK
31-23

Form 9

For Cellhouse Transfer

Work Assignment

Interview Requests

BY:

3: MALICIOUS DEPRIVED

KANSAS DEPARTMENT OF CORRECTIONS

INDIFFERENCE TO MY LIFE THREATENING MEDICAL CONDITIONS,

SINCE 7-23-2020 FAILURE TO CURE.

INMATE REQUEST TO STAFF MEMBER

To: MEDICAL DEPT. CENTURION

Date: JULY 24th, 23 1 OF 2

(Name and Title of Officer or Department)

State completely but briefly the problem on which you desire assistance. (Be specific.)

I BARBARA FRANTZ #124145 REPORTING TO FIRE ALL MEDICAL PRACTITIONERS AND NURSES FROM CENTURION. STATE OF KANSAS BOARD OF HEALING ARTS AND BOARD OF NURSING HAVING OPEN INVESTIGATIONS INTO SEVERE MISCONDUCT- NEGLECT- MALICIOUS INDIFFERENCE TO MY LIFE THREATENING MEDICAL CONDITIONS, THE CONCEALMENT FROM MY MEDICAL RECORDS AND IMAGING REPORTS, DENIAL TO QATEKEEP TO SPECIALISTS CAPABLE TO EVALUATE. AS GRIEVANCE # 176711652 HSA MICHELLE CALVIN, LCP DATED 5-6-22 THE CANCELING SEVERAL OFFSITE PROVIDER APPOINTMENTS WERE MALICIOUSLY CANCELLED TO CAUSE ME HARM AND DEATH.

Work Assignment: Living Unit Assignment: 1-B 126

I CONTINUE TO REQUEST TO BE TAKEN TO THE

Comment: Detail or C.H. Officer: *LSJ*

EMERGENCY ROOM FOR LIFE SAVING MEDICAL CARE AND,

PREA SAME EXAM FOR DOCUMENTATION OF MY PREA INJURIES WHICH ARE PERMANENT

Disposition:

AND LIFE THREATENING TO ME. CC: US DEPT. OF JUSTICE CIVIL RIGHTS DIVISION 168-27-0-ECATS-2023-193101,

FBI CRIMINAL DIVISION-SB301690224, FRANTZ, B

ATTACHMENTS:

KS BOARD OF HEALING ARTS MAY 25, 2023, JUNE 9th 2023
AND BOARD OF NURSING MARCH 29th 2023

To: FRANTZ, 124145

Date: 7-28-23

(Name & Number)

Disposition: As has been previously stated, your medical treatment is determined on the basis of clinical findings and will continue to be. Appropriate consultations have been ordered and completed. You have refused consultations as well. You will continue to have appropriate access to medical services. me

MICHELLE CALVIN HSA

Employee's Signature

To be returned to inmate.

P-0009

((GROSS, MALICIOUS INDIFFERENCE TO MY LIFE THREATENING MEDICAL CONDITIONS))
18-31-23, CLINICAL FINDINGS SEEN AND FELT BY EXAM SINCE MY INTAKE 7-23-2020 AS MS. KRAFT, LM LP MENTAL HEALTH RECORDS SHE DOCUMENTED IN HER RECORDS OF MS. CALVIN AUTHORIZING MS. KRAFT TO STATE TO ME THAT I HAD AN ENT CONSULT APPOINTMENT SCHEDULED THIS IN NOVEMBER OF 2020. BTX IMAGING ON 9-2-2020 OF 8-10 X-RAYS OF MY SKULL. ONCE AGAIN DOCTOR ORDERS 2-2-21 FOR ME ENT AND GI CONSULTS AND APRIL OF 2021 FOR MRS. I HAVE NEVER REFUSED ANY CONSULTATIONS, NEVER. BF

Form 9
For Cellhouse Transfer
Work Assignment _____
Interview Requests _____

RECEIVED
JUL 27 2023

FRANTZ
Last Name Only

KANSAS DEPARTMENT OF CORRECTIONS
BY: _____

124145

Number

INMATE REQUEST TO STAFF MEMBER

To: MEDICAL DEPT- CENTURION

(Name and Title of Officer or Department)

State completely but briefly the problem on which you desire assistance. (Be specific.)

Date: JULY 24th 23

2 OF 2

I BARBARA FRANTZ # 124145 REPORTING TO FIRE GLOBAL DIAGNOSTIC SERVICES FROM ANY FURTHER DIAGNOSTIC TESTING OF ME FOR THE REASONS OF GLOBAL DIAGNOSTIC SERVICES BEING UNDER INVESTIGATION WITH STATE OF KANSAS BOARD OF HEALING ARTS.

CC: US DEPT. OF JUSTICE CIVIL RIGHTS DIVISION 16B-29-0-ECATS-2023-19310L,
FBI CRIMINAL DIVISION SB 301690224, FRANTZ,B

ATTACHMENT: KS BOARD OF HEALING ARTS JUNE 9th, 2023

Work Assignment: _____ Living Unit Assignment: 1B 126

Comment: _____ Detail or C.H. Officer: LSP ST ME

Disposition:

To: Frantz 124145

(Name & Number)

Date: 7.28.23

Disposition: Appropriate services have been provided. You will continue to have ongoing access to medical care. Inc

McGill Celina H&A

Employee's Signature

To be returned to inmate.

P-0009.

((GROSS, MALICIOUS INDIFFERENCE TO MY LIFE THREATENING MEDICAL CONDITIONS))

-31-23, GLOBAL DIAGNOSTIC SERVICES DR. SCOTT LOGAN BEING UNDER INVESTIGATION LONG SIDE NUMEROUS MEDICAL PRACTITIONERS (PREARREST) THROUGH CURRENTLY INVOLVED WITH CONCEALING SEVERE MEDICAL CONDITIONS FROM MY IMAGING REPORTS. THE CONCEALMENT OF THE SEVERITY OF MY MEDICAL CONDITIONS COMES FROM INJURIES CAUSED BY KU HOSPITAL'S MEDICAL ERROR (PREARREST) AND SHERIFF'S OFFICERS BEATING ME UNCONSCIOUS-RAPING ME WITH INJURIES AS INTIMIDATION INVOLVING KU HOSPITAL'S MEDICAL ERROR BE

BARBARA FRANZ
124145

7-12-23 VISIT WITH DR. ERB

I GAVE DR. ERB 2-PAGE SFTOWING DOCTORS ORDERS FOR MRI (APRIL 2021) AND GI AND ENT SPECIALISTS CONSULTS ORDERED 2-2-21 STILL NOT BEEN PROVIDED NONE OF TINA LEE, MD. ORDERS. ALSO SFTOWS BTX IMAGING 9-2-2020 IMAGING MY HEAD X-RAYS 8-10 OF MY HEAD; ALONG WITH AN ALTERNATIVE TREATMENT PLAN FOR MY LIVER DATED 4-26-21 BY MS. CANNIN, LCP NOT BEEN TOLD OF ANY ALTERNATIVE TREATMENT PLAN FOR MY LIVER THIS THE SAME MONTH MS. KRAFT, LMCP STATED TO ME OF 6-TUMORS ON MY LIVER THE FACILITY IN CONCEALING FROM ME.

STATED TO DR. ERB,

I AM TERRIFIED FOR MY LIFE.

• I'M IN IMMINENT DANGER OF SERIOUS PHYSICAL INJURY, AFGAHCY OCCURRING.

• I'M REQUESTING TO GO TO THE HOSPITAL EMERGENCY ROOM.

• THE CONSPIRACY TO MURDER ME BY DEPRIVATION OF MEDICAL CARE AND TREATMENT, OVER 6 YEARS, 3 YEARS SINCE I'VE BEEN IN THIS FACILITY.

• I CAME INTO THIS FACILITY WITH LIFE THREATENING MEDICAL CONDITIONS, WHICH HAVE BEEN INTENTIONALLY DEPRIVED BASIC HUMAN NEED TO CONCEAL THE ONSET.

SEEN DR. GREG ERB AND NURSE CANDI KUPIERS AT 5:00 PM TILL 7:00 PM ON JULY 12th, 2023 SEE MY 4-PAGE NARRATIVE OF VISIT.

NURSE CANDI KUPIERS MANUAL BP READING 180/104, MADE NO ATTEMPTS TO RE-DO BP READING NOR PROVIDE ME MEDICATION.

Barbara Franz 7-12-23

INMATE REQUEST TO STAFF MEMBER

To: _____
(Name and Title of Officer or Department)

Date: _____

Unit Team, Detail, or Cellhouse Officer's Signature

To be retained by inmate

Form 9

For Cellhouse Transfer

Work Assignment _____
Interview Requests

Last Name Only

KANSAS DEPARTMENT OF CORRECTIONS

INMATE REQUEST TO STAFF MEMBER

To: _____ Date: _____
(Name and Title of Officer or Department)

State completely but briefly the problem on which you desire assistance. (Be specific.)

Work Assignment: _____ Living Unit Assignment: _____

Comment: _____ Detail or C.H. Officer: _____

Disposition: _____

To: _____ Date: _____
(Name & Number)

Disposition: _____

Employee's Signature

To be returned to inmate.

NARRATIVE OF MY VISIT

7-12-23 5-7:00PM

Barbara FRANTZ #124145

VISIT WITH DR. GREGORY ERB NURSE CANDI KUPERS PRESENT.

18th two hour visit. I told dr.ERB I CAME INTO TCF WITH THESE MEDICAL CONDITIONS DR.ERB COULD - DID NOT LOOK INTO MY EARS DUE TO THE DEVICE NOT WORKING. NURSE CANDI STATED "THAT'S WEIRD IT ALWAYS WORKS." I STATED TO DR.ERB, I'M TERRIFIED FOR MY LIFE, I'M IN IMMEDIATE DANGER OF SERIOUS PHYSICAL INJURY. THAT MY MEDICAL CONDITIONS ARE LIFE THREATENING. I'M WANTING TO GO TO THE EMERGENCY ROOM.

DR.ERB STATED FOR ME TO GET COPIES OF MY MEDICAL RECORDS AND HE WILL GO THROUGH THEM MORE CAREFULLY. HE DID SEE ALL MY PRE-ARREST MEDICAL RECORDS. I TOLD HIM MY INJURIES - MEDICAL CONDITIONS ARE DOCUMENTED ON KIOSK AND I WILL PROVIDE HIM A COPY OF PREA INJURIES ON JAIL DOCUMENTS.

DR.ERB LISTENED TO MY LUNGS / HEART UPON MY REQUEST. ALSO UPON MY REQUEST DR.ERB AND NURSE CANDI LOOKED AT MY SEVERELY DISTENDED-HERNIATED ABDOMEN STANDING UP AND LYING DOWN. MY LEFT BREAST RIBS STICKING OUT (FRACTURED) AND THE TIP OF MY STERNUM MOVED OVER TO THE RIGHT STICKING OUTWARD. I HAD GREAT DIFFICULTIES LYING DOWN FLAT ON MY BACK AS DR.ERB AND NURSE CANDI EXAMINED MY RIBS AND STERNUM. I HAD GREAT PAIN AS THEY TOUCHED MY RIBS AND STERNUM, MY BACK CRAMPING FROM LYING ON MY BACK. I STATED TO DR.ERB THAT I'VE BEEN DENIED BY MARITIUS INDIFFERENCE ACCESS TO SPECIALISTS CAPABLE TO EVALUATE MY LIFE THREATENING MEDICAL CONDITIONS. THAT THE FBI CRIMINAL DIVISION INVESTIGATING THE CONSPIRACY TO MURDER ME, DOJ CIVIL RIGHTS DIVISION (PREA).

DR.ERB STATED HE'S KNOWN DR. DODSON, RMD FOR A LONG TIME.

14

I Showed dr.Erb the KS Board of
Hearing Arts and Board of Nursing
documents showing OPEN INVESTIGATIONS.

I Showed dr.Erb my Endocrinology
Medical documents from 1-18-21 and
2-10-21 visits w/ my Notes.

Visit with dr.Erb

I told dr.Erb the Medical doc FALSELY
STATES I've had Extensive testing - NOT SO

BARBARA FRANTZ

1-12-23

I told dr.Erb I was ~~heat~~ unconscious, unconsciousness over
a 24 hour period and RAPED with INJURIES while unconscious.
THE SKULL FRACTURE showing SKULL SWELLING EARLY JAN. 2020.
THE deep cuts around my Rectum showing SCARING to this day.
I REQUESTED to dr.Erb to Recommend SANE Exam as policy
ASKED dr.Erb for a MRI AT LEAST HEAD- RECTUM THROUGH
SANE EXAM AND testing I REQUESTED to YANG. TO HAVE
MY INJURIES - testing on the SANE - PREA INVESTIGATION REPORT.
I STATED IF I WAS ON THE OUTSIDE I would be going to the
EMERGENCY ROOM. I Showed dr.Erb my Mental Health documents
from LARNEK STATE HOSPITAL stating LSH gave me a delusional
DIAGNOSIS AND SOMATIC SYMPTOM disorder due to I believed
I was full of TUMORS, which I was supposed to be
Court ORDERED to SEE IF I was full of TUMORS, this
MISSING FROM THE RECORD OF TRANSCRIPTS. Now imagine I'm full
of TUMORS, which I am. I STATED to dr.Erb I've been denied
OVER 6 1/2 YEARS OF ACCESS to SPECIALISTS CAPABLE to EVALUATE
to CONCEAL from PRE-ARREST KU Hospital's MEDICAL ERROR AND
PREA INJURIES by WCKS SHERIFF'S OFFICE. I STATED to dr.Erb
THERE ARE 3 magister photos of my FACE after my ARREST, before
my SKULL STARTED showing SKULL SWELLING. THAT my BTX imaging
X-RAYS ON 9-2-2020, 8-10 X-RAYS of my HEAD will show THE
WORSENING SINCE 9-2-2020. THE MRI 11-2-2016 100 photos images
AND A NEW MRI will show THE WORSENING WHICH IS
WHAT EVERYONE IS DESPERATELY trying to COVER-UP.

Visit with DR. ERB

Told DR. ERB THE MEDICAL DEPT STATES
THEY'VE ADDRESSED ALL MY MEDICAL COMPLAINTS. NOT SO

BARBARA FRANTZ

7-12-23

I SPOKE TO DR. ERB THAT PROVIDERS SARA HART, APRIL FARREL,
JENA LEE ARE NOT GATEKEEPING TO SPECIALIST CAPABLE TO
EVALUATE ME FOR TESTING AND TREATMENT, ALONG WITH JENA LEE, MD.

CONCERNED
ABOUT
DR. ERB'S
STATEMENT
HE KNOWS
BETTER

DR. ERB HAD THE NERVE, STATING IF I WENT INTO THE EMERGENCY
ROOM THEY WOULD SEND ME BACK OUT WITH NO TESTING, I STATED,
THAT'S NOT TRUE, THAT "EVERY TIME I WALK INTO THE ER
I WAS GIVEN AN CT. OVER 10 CT'S IN A YEAR'S TIME AT
KU HOSPITAL AND MY ABDOMEN ~~DOESN'T~~ DIDN'T LOOK LIKE IT
DOES RIGHT NOW. JUST THE FACT OF MY SKULL SWELLING IS
LIFE THREATENING AND MY SEVERELY DISTENDED HERNIATED ABDOMEN
WOULD ALONE WARRANT MRI TESTING, BUT THIS WOULD AGAIN
SHOW WHAT EVERYONE'S SO DESPERATELY TRYING TO COVER UP."

I SPOKE ABOUT THE ITCHING STINGING IN MY VAGINAL AREA
SPREADING TO MY RECTUM AND NOW TO MY BREAST. THAT THE
DARK SPOTS-AREA'S ON MY LEFT BREAST APRIL FARREL, APRN
PRESCRIBED UGLIN CREAM FOR AND THERE'S NO REDNESS OR NO
RASH, THAT I'VE EXPLAINED TO MS FARREL IT'S INFERNAL ISSUE.
THAT I'M HAVING TO USE HYDROCORTISONE CREAM SINCE CO. JAIL
ON MY VAGINAL AREA, AND THE SPREADING TO MY RECTUM & BREAST
AREA'S WHICH IS CHRONIC. I SPOKE ABOUT DR. RANDAL DYCK
THE OPTOMETRIST VISIT 3-24-22 AND 6-8-23 THAT DR. RANDAL
STATED HE RECOMMENDED AND ~~ME~~ FOR MY HEAD ON 3-24-22
VISIT AND STATED HE COULD AGAIN ON MY 6-8-23 VISIT
FOR AN MRI TO DR. ERB. I told DR. ERB I CAN FEEL
MY HEART BEAT OFF MY ORGANS, THERE-SLIPPED UP INTO
MY CHEST.

I STATED TO DR. ERB THAT MEDICAL
PRACTITIONERS ARE LOOKING AT FEES
CONTINUAL AND GROWING CHARGES.

3
if

I REQUESTED FOR DR. GAB TO ORDER DOTI MACHINES AND MANUAL BIP REACTIONS SO I MAY SEE MY OWN BIP NURSES ARE UNDER INVESTIGATION, VISIT WITH DR. GAB FOR MAINTAINING MY BIP READINGS MANUALLY

((I REQUESTED FOR DR. GAB TO PROVIDE ME SAME EXAM WITH TESTING.))

DR. GAB SEEMED CONCERNED WHEN LISTENING TO MY HEART.

I TOLD DR. GAB I HAVE DIFFICULTIES SPEAKING, CAUSING ME PAIN WHEN I TALK, THAT I'M IN THORACIC PAIN THAT I'VE BEEN DISTURBED. THAT I'M LAYING 10-20 HOURS A DAY TO HELP CONTROL THORACIC PAIN AND THE SWELLING, PUFFING ON MY LEGS.

I TALKED ABOUT CONSTITUTION. KNEW THE LISINOPRIL WAS NOT WORKING. THAT I STARTED OUT ON HCTZ THEN ADDED LISINOPRIL THEN DR. GAB THE HCTZ AND PRESCRIBED AMILODIPINE MEDICATION. I HAD AN ALLERGIC REACTION TO AMILODIPINE THIS D/C IN 2021 PLACED ON MY ALLERGY LIST. THE FACILITY D/C MY LISINOPRIL AND RE-PREScribed AMILODIPINE. THAT ON 5-10-22 SARA HART, APRN HAD TO PLACE IT ONCE AGAIN ON MY ALLERGY LIST, ON 5-10-22. THEN RE-PREScribed ME LISINOPRIL.

(NO MEDICATION WAS ATTEMPTED TO GIVE ME FOR MY 100/104 READING) OF BIP, NO ATTEMPT TO RE-TEST MY BIP. DATE 7-12-23, WHILE I WAS GAINED DINNER TELK THOUGH I REQUESTED TO DR. GAB. DR. GAB TALKED THAT IF I'M NOT BACK FROM THE CLINIC FOR FOLLOW WOULD HE ORDER ME A TRAIL, HE SAID "YES." NO TRAIL WAS GIVEN. MR. THOMAS WAS IN HIS OFFICE ON MY WAY BACK TO DR. GAB I ASKED AGAIN FOR DR. GAB HE WOULD LOCATE A QLL TRAIL. (GAINED MY DINNER)

HE STATED TO DR. GAB THE CONTRACT OF INTEREST WITH KEL HOSPITAL GOSHAT DIAGNOSTIC SERVICES AND NUMEROUS MEDICAL PRACTITIONERS.

I REQUESTED FOR DR. GAB TO QUIT KEEP TO SPECIFIC
4
4
Barbara G.
Barbara Franz #124145 7-12-23

DR. GAB AGREED THE SWELLING ETC
COULD BE CONGESTIVE HEART FAILURE

TO: DR. ERB

RECEIVED
03/27/2023
10:55 AM
KANSAS MEDICAL RECORDS
1000 N. WISCONSIN AVENUE
SUITE 200
MILWAUKEE, WI 53202

dob 6-12-66 Barbara FRANTZ # 124145

1. 10-8-22 Testing BARBARA FRANTZ 2-pps
2. YWCA Accessing long term Adult spine Exam (Medical testing 1-18-23
3. WORKS MAIL KIOSK 9-11-11, 8-10-17, 9-19-11, 9-13-11, 7-20-11 PREA
4. TCF - CENTURION 5-6-22 HSA Michelle CAVIN, LCP CANCELLING APPOINTMENTS
5. 4-7-21 TCF - CENTURION
6. OTTON O'NEIL ENDOCRINOLOGY 1-18-21 And 2-10-21 Pages 15
7. PROVIDENCE IMAGING REPORT 11-2-16 MRI Images 20 Numbered
8. CT ABDOMEN REPORT 10-5-16 3-pps
9. XR CHEST REPORT 10-25-16 2-pps
10. 4-17-15 KU HOSPITAL ENDO SCOPY BIOPSES - STOMACH 2-pps
11. 8-31-15 ST. FRANCIS DR. MHAIRE RHEUMATOLOGIST 2-pps
12. JUNE 2013 KANSAS STATE BOARD OF HEALING ARTS
13. MAY 25th, 23 KANSAS STATE BOARD OF HEALING ARTS
14. MARCH 29th, 23 KANSAS STATE BOARD OF NURSING
15. LINCOLNS JAIL KIOSK 2 • 5-28-2020
16. KDOC FORM 9 2-28-21
17. TCF - CENTURION 7-11-21 GRACEFARE NO. 188081472 HSA

Barbara B

MEDICAL RECORDS

cc: FRANTZ, B

MY GRIEVANCE
MAILED 9-15-24

KDOC SECRETARY JEFF ZMUDA
114 SW JACKSON ST. STE 300
TOPEKA KS 66603

9-15-24

GRIEVANCE APPEAL
470833741

RESIDENT OF TCF BARBARA FRANTZ #124145 filing GRIEVANCE
APPEAL to KDOC WHICH TCF STAFF IN VIOLATION OF POLICY OF
K.A.R. 44-15-101, 102 AND MY CONSTITUTIONAL RIGHTS FOR PRISON
GRIEVANCE SYSTEM FOR REMEDY. GRIEVANCE # 470833741 AT
LEVEL 2, UNDECIDED AND LAST RESPONSE DENIES ME TO ESCALATE
THROUGH ELECTRONIC GRIEVANCE SYSTEM. I NOW SEEK KDOC
SECRETARY JEFF ZMUDA RESPONSE due to TCF EXTREMELY DELINQUENT
FOR RESPONDING FOR REMEDY OF MY COMPLAINT AGAINST TCF OPTOMETRIST
DR. RANDAL DYCK DENYING TO DILATE MY EYES FOR LOOKING INTO OTHER
MEDICAL CONDITIONS AS DR. DYCK IS CAPABLE FOR DOING SO. THIS 7-25-24
VISIT FOR OPTOMETRIST DENYING ME PRESCRIPTION EYE GLASSES AND
SEEKING INTO MY SUBSTANTIALLY SERIOUS MEDICAL COMPLAINTS OF
STABBING PAINS IN MY EYES AND HEAD WITH MY SKULL SWELLING
FORCING MY LEFT EYE AND EAR UPWARD AND MY RIGHT EYE BULGING.
THE BACKSIDE AT THE BASE OF MY SKULL IS SWELLING, THESE SERIOUS
MEDICAL COMPLAINTS SHOULD HAVE WARRANTED A CERTIFIED MEDICAL
PROVIDER FOR SEEING DR. GREG ERB, MD WHICH DID-NOT.
BOTH DR. DYCK AND DR. ERB ARE DELIBERATELY DIFFERENT FOR MY
VISIBLE SUBSTANTIALLY SERIOUS MEDICAL COMPLAINTS FOR A
LONG PERIOD OF TIME.

DR. DICK STATED HE WOULD REPORT TO DR. ERB OF MY MEDICAL COMPLAINTS. NO FOLLOW UP BY CENTURION WAS DONE.

REQUEST FOR REMEDY,

I SEEK A SECOND OPINION TO AN OUTSIDE OPTOMETRIST FOR DILATING MY EYES, EYE TESTING AND INVESTIGATION INTO MY COMPLAINT INTO DR. DICK REFUSING ME EYE GLASSES AND DILATION OF MY EYES TO SEEK OTHER MEDICAL CONDITIONS CONCERNING MY MEDICAL COMPLAINTS. THIS BEING MY FOURTH VISIT FOR SEEING DR. DICK.

SEE ATTACHMENT HAND WRITTEN GRIEVANCE # 470833741
DATED 9-8-24 2-PGS.

Respectfully, GOLD STAR MOTHER

BARBARA FRANTZ # 124145

1215 SE RICE ROAD

TOPEKA, KS. 66607

Submitted for 9-15-24

CC: FRANTZ, B

NCCHC

Barbara FRANTZ #124445

KDOC GRIEVANCE # 470833741 OPEN AS OF today's DATE 9-8-2024
LEVEL 2 UNDECIDED

COMPLAINT ON TCF OPTOMETRIST DR. RANDAL DYCK AND REQUESTING
FOR A SECOND OPINION

TO: ULM MS. HU-VERIA

7-25-24,

I AM FILING A COMPLAINT AGAINST TCF OPTOMETRIST DR. RANDAL DYCK
AND REQUESTING FOR A SECOND OPINION FROM AN OPTOMETRIST OUTSIDE
OF THE FACILITY.

today's visit with DR. DYCK HE REFUSED TO DILATE MY EYES FOR LOOKING
INTO OTHER MEDICAL CONDITIONS AS HE IS QUALIFIED FOR DOING SO
AND FURTHER I CONTINUE TO REPORT TO HIM OF STABBING PAINS IN MY
EYES AND MY HEAD FOR YEARS NOW.

DR. DYCK REFUSES TO SEEK FURTHER INTO MY MEDICAL COMPLAINTS OF MY
LEFT EYE AND EAR MOVED UPWARD FROM MY SKULL SWELLING AND MY
RIGHT EYE BULGING. DR. DYCK ALSO STATING TODAY I HAVE 20/20 VISION
WHICH SINCE 2013 I HAVE HAD PRESCRIPTION EYE GLASSES FOR FAR AND
NEAR SIGHTED PRESCRIPTION EYE GLASSES, THAT HAS WORSENGED EACH YEAR AND
HAVING DOUBLE VISION.

ON 3-24-22 DR. DYCK REFERRED ME FOR AN MRI FROM ACKNOWLEDGING MY
LEFT EYE AND EAR MOVED UPWARD FROM MY SKULL SWELLING.

KDOC GRIEVANCE # 470833741

ON 6-8-23 DR. DYCK REFERRED ME FOR AN MRI STATING HE WOULD AGAIN REFER ME FOR ANOTHER MRI, BUT SENT IT TO THE PREVIOUS MEDICAL PROVIDER. ON 7-27-23 I SEEN DR. DYCK SPECIFICALLY FOR MY SKULL SWELLING FORCING MY LEFT EYE AND EAR UPWARD WHICH HE AGAIN SENT CENTURION MEDICAL PROVIDER ANOTHER REFERRAL FOR ME AN MRI.

NOW ALL OF A SUDDEN I HAVE 20/20 VISION?

DR. DYCK REFUSING TO SEEK FURTHER INTO VISIBLE MEDICAL CONDITIONS AND DENYING TO DILATE MY EYES CHECKING INTO OTHER POSSIBLE MEDICAL CONDITIONS AND DEPRIVING MY MEDICAL COMPLAINTS OF ME HAVING STABBING PAINS IN MY EYES AND HEAD OCCURRING AS MY SKULL SWELLING WORSENS.

LAY IN DUE TO DEBILITATING LIFE THREATENING MEDICAL CONDITIONS BEING DEPRIVED MEDICAL CARE UNTIL IT KILLS ME BEING MURDER BY DEF.

MY LAST RESPONSE DATED 8-5-24 WAITING FOR TCF STAFF RESPONSE; THAT DENIES ME A RESPONSE IN VIOLATION OF KAR 44-15-101, 102 FOR GRIEVANCE PROCEDURE AND VIOLATION OF MY CONSTITUTIONAL RIGHTS FOR THE PRISON GRIEVANCE SYSTEM.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on 9-8-2024

CC: FRANTZ, B

Barbara Frantz

Barbara Frantz #124145

Grievance #229869752

Profile Photo:

Resident Info

Name: Barbara Frantz (1966-06-12)

Booking Number: 124145

Submitted Date: 02/07/23 08:27

Submitted Room: 03,011126/011

Current Room: 03,011129/011

Facility: Topeka Correctional (KSDOC) - KS

MAC ID:

Device ID:

Form Info

Category: Grievance

Form: IMT Grievance

Grievance Info

Grievance ID #:

Status: CLOSED / Duplicate by Holly Chavez

Facility Deadline: 02/23/23 23:59

Grievance Level: 2

Resident can reply: No

Disposition @ 1: Remedy Denied

Disposition @ Level 2: Invalid Complaint

Appeal has been curtailed

Curtailed on 9-23-24

MY LAST RESPONSE FOR ESCALATION ON 2-9-23

Summary:

Transport order for my being taken to the hospital for the SANE exam my YWCA rape counselor Hannah Burrell stated this being sch

Details:

FSA HOLLY VHAVEZ

Date 1-31-23,

I am inquiring about if the transport order has been scheduled for my being taken to the hospital for the SANE examination ?
YWCA rape counselor Hannah Burrell has stated to me that she was setting up a transport order for me to obtain this SANE exam. Hannah
mentioned your name as a person she spoke with some time ago.

1/4

DATE/TIME	USER	ACTION	DETAILS
09/23/24 10:38	Holly Chavez	Staff Response	this complaint has already been answered multiple times in multiple grievances and forms. KAR 44-15-102 d.3 states that "No offender shall abuse the grievance system by repeatedly filing the same complaint". This grievance will be considered void. If you continue to submit duplicate grievances, it may result in formal application to the Secretary of Corrections to impose a \$5.00 fee per repetitive grievance to remedy the abuse of the grievance system.
09/23/24 10:38	Holly Chavez	Changed Status	From 'Open' to 'Closed / Duplicate'
09/23/24 10:37	Holly Chavez	Changed Disposition	Changed the disposition value for level 2 from to Invalid Complaint
09/06/24 05:41	Barbara Frantz	Viewed Staff Response	
04/21/24 05:47	Barbara Frantz	Viewed Staff Response	
04/21/24 07:01	Barbara Frantz	Viewed Staff Response	
04/10/24 06:41	Barbara Frantz	Viewed Staff Response	
04/10/24 06:35	Barbara Frantz	Viewed Staff Response	
08/14/23 07:00	Barbara Frantz	Viewed Staff Response	
08/13/23 13:54	Barbara Frantz	Viewed Staff Response	
07/13/23 17:56	Barbara Frantz	Viewed Staff Response	

Regarding PREA ON LVCO, KS SHERIFF'S OFFICES, FOR SAME EXAM BY POLICY IMP 10-103 D ((HAS TRANSPORT ORDER BEEN SCHEDULED))

lay in

Thank you.
Barbara Frantz #124145

Has this transport order been scheduled ?

VIDEO RECORDED MEDICAL HOLDING CELL.

THIS FACILITY'S ATTEMPTS TO DEPRIVE ME DUE PROCESS OF THIS POLICY IMP 10-103 D, FOR PREA FORENSIC EXAMINATION, IS THE FACILITY PROTECTIVE TO THE LVCO, KS SHERIFF AND STAFF WHICH COVERED UP THESE VIOLENT ASSAULTS AS I WAS IN A 24 HOUR

BOTH ARE PERMANENT AND THE SKULL SWELLING IS WORSENING FROM THE DENIAL OF POLICY IMP 10-103 D. THAT ALL VICTIMS OF SEXUAL ASSAULT MUST HAVE ACCESS TO FORENSIC MEDICAL EXAM.

MY SKULL FRACTURE (LT. SIDE HEAD) FROM BEATING UNCONSCIOUS, OVER 24 HOURS OF UNCONSCIOUSNESS, I HAVE SKULL SWELLING HAVE SCARRING FROM SOME OF THESE DEEP CUTS.

PERMANENT AND VISIBLE AND CAN STILL BE DOCUMENTED TODAY THROUGH THE SAME EXAM.
TFC ON LVCO, KS SHERIFF'S OFFICES BEATING ME UNCONSCIOUS AND RAPING ME WITH INJURIES, WHICH SOME OF THESE INJURIES ARE

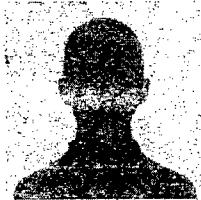
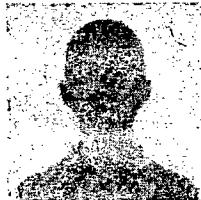
Hannah Burrell has stated numerous times that I should of had this SAME EXAMINATION 2 1/2 YEARS AGO WHEN I FILED 8-6-2020 PREA HERE AT

DATE/TIME	USER	ACTION	DETAILS
02/09/23 08:56	Barbara Frantz	Escalated	Frantz, Barbara has escalated the grievance on 02/09/2023 08:56 -06:00 Response: Response is unsatisfactory. THE FACTS THAT PER POLICY PAGE 30F 4, ATTACHMENT A, IMP 10-103 D. EA1 INVESTIGATION, #3, IN CONJUNCTION WITH FRACTURE HAVING SKULL SWELLING FORCING MY LEFT EYE AND EAR UPWARD AND MY SCARIN FROM DEEP CUTS AROUND MY RECTUM, AND MY HIP INJURY SUSTAINED FROM BEATING AND RAPED BY VCO, KS SHERIFF'S OFFICERS. THIS REPORTED IN MY WRITTEN NARRATIVE REPORT 8-6-2020 AND THE AUDIO INTERVIEW WITH EA1. PER POLICY EA1 MUST ENSURE I RECEIVE THIS SAME EXAM FOR DOCUMENTATION AND INVESTIGATION WHICH IS PERMANENT AND LIFE THREATENING. THE MEDICAL DEPARTMENT IS CONCERNED CARE FOR THE ONGOING INJURY AND FOR RECEIVING MEDICAL CARE FOR THE MEDICAL RECORDS AND IMAGING REPORTS OF MY LIFE THREATENING. THE MEDICAL CONDITIONS FOR MY LIFE THREATENING. THE MEDICAL STAFF WHICH COVERED UP THESE VIOLENT ASSAULTS WHILE I WAS IN A 24 HOUR VIDEO RECORDING OUR SON committed INTIMIDATION TO STOP ME FROM STATING OUR HOLDING CELL, THE CRIME AND MY DETENTION WAS TO STOP ME FROM WHISTLING LOWING ON KU HOSPITAL MEDICAL ERROR. THIS PROTECTION TO THE SHERIFF AND DEDEKE IS DUE TO HIS DEPRIVATION ME MEDICAL ERROR 3 1/2 YEARS, PROTECTING KU HOSPITALS MEDICAL ERROR THAT CAUSED MY ABDOMINAL ORGAN DAMAGE. IMP 10-121D. DIRECTOR OF HEALTH CARE SERVICES IS UNDER CONTRACT WITH KU HOSPITAL.
02/09/23 08:56	Barbara Frantz	Changed Status	From Closed to Open due to Appeal
02/09/23 08:56	Barbara Frantz	Changed Level	Level changed from 1 to 2 due to Appeal
02/09/23 08:35	Barbara Frantz	Viewed Staff Response	Services is unsatisfactory and cannot confirm if a transport has been scheduled
02/07/23 13:50	Lindsey.Harris	Changed Status	From 'Open' to 'Closed'
02/07/23 13:50	Lindsey.Harris	Changed Disposition	Changed the disposition value for level 1 from to Remedy Denied
02/07/23 08:27	Barbara Frantz	Viewed Staff Response	Barbara turned request 228495092 into grievance 229869752
02/07/23 08:27	Barbara Frantz	Request turned into Grievance	Appeal Answer: Response by FSA HOLLY CHAVEZ IS UNSATISFACTORY. THE FACTS OF MY QUESTION, HAS THE TRANSPORT ORDER BEEN
02/07/23 08:27	Barbara Frantz	Appeal Answer	SCHEDULED YET ? I DID NOT ASK THE DATE ! AGAIN MY QUESTION TO

REFERENCE NO. 229869152

DATE/TIME	USER	ACTION	DETAILS
02/06/23 16:29	Holly Chavez	Changed Status	From 'Open' to 'Closed'.
02/06/23 16:29	Holly Chavez	Staff Response	If a transport order were to be completed and set up you would be notified, as that would be considered a risk and it would be against policy. I am also not in control of the hospital orders, you will need to file a paper form with medical staff to ask them.
01/31/23 08:22	Barbara Frantz	Submitted New	exam my YWCA rape counselor Hannah Burrell stated this being transport order for my being taken to the hospital this being sch

Grievance #262861941

Profile Photo:**Audit Photo:****Resident Info**

Name: Barbara Frantz (1966-06-12)
Booking Number: 124145
Submitted Date: 07/09/23 19:49
Submitted Room: 03,0I1126/0I1
Current Room: 03,0I1129/0I1
Facility: Topeka Correctional (KSDOC) - KS
MAC ID:
Device ID:

Form Info

Category: Grievance
Form: Unit Team Grievance

Grievance Info

Grievance ID #:
Status: CLOSED / Duplicate by Holly Chavez !
Facility Deadline: 09/25/23 23:59
Grievance Level: 2
Resident can reply: No
Disposition @ 1: Remedy Denied
Disposition @ Level 2: Remedy Denied
! Appeal has been curtailed

*(C)URTAILED 9-19-24 AFTER I
REQUESTED FOR A COPY POINTING OUT
I WAS DENIED A RESPONSE FROM TCF*

Summary:

I am being denied my annual nurse's assessment by DON Brandi Davis, RN and nurse Kelly Silas, RN, 12:00 pm today.

Details:

UTM Ms. Hull-Veria

6-30-23,

Today 12:00pm I was denied my annual nurse's assessment due to I wanted my b/p reading to be done with the machine. I compromise with allowing them to use both methods manual and with the machine. DON Brandi Davis, RN and Kelly Silas, RN both stated NO.

I want to see my b/p reading and facts that both nurses and the majority of the nurse's are under investigation with the KS Board of Nursing as with the entire medical Dept. With the KS Board of Healing Arts. For gross deprivation of medical care for accessing specialists capable to evaluate my, VISIBLE SINCE MY INTAKE 7-23-2020, LIFE THREATENING MEDICAL CONDITIONS.

Some of the nurse's have intentionally -maliciously misread the manual readings to make it look as if my b/p reading is much lower than the machine reading. This is to cause me harm, and death by deprivation of medical care.

There is a reason the machine is available and always been used so that residents can also see our readings. This is one of my complaints against nurses with CENTURION and the LVCO, KS JAIL NURSE.

I STILL WANT MY NURSES ASSESSMENT.

THANK YOU

Lay in due to the gross deprivation of medical care.

DATE/TIME	USER	ACTION	DETAILS
09/19/24 09:40	Holly Chavez	Staff Response	<p>THIS IS NOT A DUPLICATE GRIEVANCE AS FSA CHAVEZ STATES to Completely disregard my COMPLAINT</p> <p>After reviewing the grievance, it is clear that this is a duplicate grievance and many of the issues being brought up have been addressed and discussed within several form9's and/or grievances over the past 3-4 years. Centurion is also requesting their grievances being handled via paper as they have been for as you have been asked multiple times.</p>
09/19/24 09:39	Holly Chavez	Changed Status	From 'Open' to 'Closed / Duplicate'
09/19/24 09:37	Holly Chavez	Changed Disposition	Changed the disposition value for level 2 from to Remedy Denied
09/19/24 05:36	Barbara Frantz	Viewed Staff Response	
09/17/24 10:34	Barbara Frantz	Viewed Staff Response	
09/08/24 19:15	Barbara Frantz	Viewed Staff Response	
09/07/24 10:58	Barbara Frantz	Viewed Staff Response	
08/27/24 07:29	Barbara Frantz	Viewed Staff Response	
08/11/24 16:22	Barbara Frantz	Viewed Staff Response	
08/08/24 17:12	Barbara Frantz	Viewed Staff Response	
06/11/24 05:45	Barbara Frantz	Viewed Staff Response	
05/31/24 05:48	Barbara Frantz	Viewed Staff Response	
05/22/24 07:33	Barbara Frantz	Viewed Staff Response	
05/15/24 20:20	Barbara Frantz	Viewed Staff Response	
05/07/24 06:30	Barbara Frantz	Viewed Staff Response	
04/21/24 06:36	Barbara Frantz	Viewed Staff Response	
04/17/24 19:02	Barbara Frantz	Viewed Staff Response	
04/10/24 06:30	Barbara Frantz	Viewed Staff Response	
11/01/23 11:09	Barbara Frantz	Viewed Staff Response	
11/01/23 10:54	Barbara Frantz	Viewed Staff Response	
10/09/23 14:11	Barbara Frantz	Viewed Staff Response	
09/11/23 13:15	Barbara Frantz	Viewed Staff Response	
09/11/23 13:14	Barbara Frantz	Viewed Staff Response	
09/11/23 13:13	Barbara Frantz	Viewed Staff Response	
09/11/23 13:12	Barbara Frantz	Viewed Staff Response	
09/11/23 13:12	Barbara Frantz	Escalated	<p>Frantz, Barbara has escalated the grievance on 09/11/2023 13:12 -06:00 Response: 9-11-23 RESPONSE IS UNSATISFACTORY AND INCORRECT. THE STATEMENT I BECAME AGGRESSIVE IS AS USUAL INCORRECT. THE FACTS THAT THE ENTIRE CENTURION MEDICAL STAFF ARE UNDER OPEN INVESTIGATION WHICH IS ONGOING MALICIOUS INDIFFERENCE FOR MY VISIBLE AND FELT BY EXAM TUMORS THROUGHOUT MY BIDY SINCE MY INATE 7-23-2020 ONGOING FROM LVCO, KS JAIL, AND ONGOING FROM KU HOSPITAL'S MEDICAL ERROR. THIS THE REASONS FOR SHERIFF'S OFFICERS BEATING ME UNCONSCIOUS AND RAPING WITH INJURIES WHILE I WAS UNCONSCIOUS CAUSIN MY SKULL FRACTURE</p> <p>9 GRIEVANCE NO. 262861941</p>

DATE/TIME	USER	ACTION	DETAILS
			DEPRIVATION FROM THE LCVO, KS JAIL WHICH ALSO MALICIOUS INDIFFERENCE FOR PROTECTING THE PREA INJURIES I SUSTAINED FROM SHERIFF'S OFFICERS BEATING ME UNCONSCIOUS AND RAPING ME WITH INJURIES. INTIMIDATION TO STOP ME FROM STATEMENTS OF MY PRE-ARREST ORGAN DAMAGE FROM KU HOSPITALS MEDICAL ERROR AND THE EVIDENCE WILL SHOW OUR SON COMMITTED THE CRIME, THE REASONS FOR BEATING AND RAPING ME, AS I WAS WHISTLEBL
07/09/23 19:30	Barbara Frantz	Viewed Staff Response	
07/09/23 19:28	Barbara Frantz	Viewed Staff Response	
07/07/23 18:44	Barbara Frantz	Viewed Staff Response	
07/06/23 21:49	Linda Hull-Viera	Changed Status	From 'Open' to 'Closed'
07/06/23 21:49	Linda Hull-Viera	Staff Response	At this time, medical concerns must be addressed through hard copy form 9 or by going to medical sick call for concerns.
07/02/23 08:28	Barbara Frantz	Viewed Staff Response	
06/30/23 13:01	Barbara Frantz	Viewed Staff Response	
06/30/23 12:44	Barbara Frantz	Submitted New	I am being denied my annual nurse's assessment by DON Brandi Davis, RN and nurse Kelly Silas, RN, 12:00 pm today.

GRIEVANCE NO- 262861941

9-25-24,
 DON BRANDI DAVIS, RN WAS FIRED BY CENTURION IN AUGUST 2024
 AS WITH OTHER NURSE'S CANDI KUIPERS, EDINA RUSSO, MICHELLE WATTERS.
 I WAS told THESE NURSE'S WERE FIRED FOR TELLING ON HSA MICHELLE CALVIN.

BF

DATE/TIME	USER	ACTION	DETAILS
			<p>NOW HAVING SKULL SWELLING FORCING MY LEFT EYE-EAR UPWARD. MY 5TH, 8TH, 14TH AMENDMENT RIGHTS OF THE CONSTITUTIONAL RIGHTS, FEDERALLY PROTECTED RIGHT TO DUE PROCESS TO BE FREE FROM ABUSE OF DISCRETION ON THE PART OF PRISON ADMINISTRATORS PROTECTION FROM UNCONSTITUTIONAL ADMINISTRATIVE ACTION, PROTECTION OF MY LIFE AND HEALTH FROM ADMINISTRATIVE ACTION.. NO. 2 RIGHT TO BE FREE FROM INFILCTION OF CRUEL AND UNUSUAL PUNISHMENTS AS GUARANTEED BY THE 8TH AMED. RIGHTS WHERE THE INTENTIONAL DENIAL OF MEDICAL CARE AND/OR WHEN PRISON OFFICIAL'S CONDUCT INDICATES DELIBERATE INDIFFERENCE TO MY MEDICAL NEEDS. MY SUFFICIENTLY SERIOUS MEDICAL NEEDS ARE VISIBLE TO THE LAY PERSON OF MY SKULL SWELLING, SHOWING A SUFFICIENTLY CULPABLE STATE OF MIND, CONDUCT UNDERTAKEN FOR THE PURPOSE OF CAUSING ME HARM. PRISON OFFICIAL DELIBERATE INDIFFERENCE THAT THE OFRICIAL KNOWS OF AND DISREGARDS AN EXCESSICE RISK TO MY HEALTH AND SAFETY. DEPRIVATION OVER 3 YEARS FOR ACCESSING SPECIALISTS</p>
09/11/23 13:12		Changed Status	From Closed to Open due to Appeal
09/11/23 13:12		Changed Level	Level changed from 1 to 2 due to Appeal
09/11/23 12:54	Barbara Frantz	Viewed Staff Response	
09/11/23 12:15	HChavez3	Staff Response	Centurion has stated that you are on an order to receive your blood pressure to be read manually and not on a machine. you refused to let them do it manually, became aggressive and you were removed from the appointment due to your non-compliance and treatment of medical staff.
09/11/23 12:15	HChavez3	Changed Status	From 'Open' to 'Closed'
09/11/23 08:36	Barbara Frantz	Viewed Staff Response	
08/25/23 17:17	Barbara Frantz	Viewed Staff Response	
08/16/23 07:51	Barbara Frantz	Viewed Staff Response	
08/14/23 06:56	Barbara Frantz	Viewed Staff Response	
08/14/23 06:53	Barbara Frantz	Viewed Staff Response	
08/11/23 11:59	Barbara Frantz	Viewed Staff Response	
08/10/23 15:36	HChavez3	Changed Disposition	Changed the disposition value for level 1 from to Remedy Denied
07/09/23 20:55	Barbara Frantz	Viewed Staff Response	
07/09/23 19:54	Barbara Frantz	Viewed Staff Response	
07/09/23 19:49	Barbara Frantz	Viewed Staff Response	
07/09/23 19:49	Barbara Frantz	Request turned into Grievance	Barbara turned request 260467001 into grievance 262861941
07/09/23 19:49	Barbara Frantz	Appeal Answer	Appeal Answer: 7-9-23, Response is unsatisfactory. I have submitted a hard copy to medical dept. HSA Michelle Calvin, LCP with my request for having me blood pressure reading done by machine so that I may see my b/p readingand reschedule nurses assessment. This complaint I'm seeking help from UTM-CORRECTIONS COUNSELORS for advocating for me. I am special needs and chronic care, which the medical dept. Staff are facing very serious CRIMINAL CHARGES for the GROSS DEPRIVATION OF ME ACCESSING SPECIALISTS CAPABLE TO EVALUATE MY, VISIBLE, LIFE THREATENING MEDICAL CONDITIONS SINCE MY INTAKE 7-23-2020. THIS ONGOING

GRIEVANCE
NO. 262861941

Topeka Correctional Facility
Dona Hook, Warden
815 SE Rice Rd.
Topeka, KS 66607



Phone: (785) 296-3432
Fax: (785) 559-5112
kdocpub@ks.gov
www.doc.ks.gov

Jefferey Zmuda, Secretary of Corrections

Laura Kelly, Governor

September 19, 2024

Frantz, Barbara 124145—ICH
Re: copy of requested grievances

Ms. Frantz,

Attached are grievances that you requested copies of for your records. You will find the following grievances attached to this letter:

Grievance: #474753711

Grievance: #262861941

Any additional copies of either will need to be completed with your copy card.

Respectfully,


Holly Chavez, Facility Services Administrator

Grievance #474753711

Profile Photo:**Resident Info**

Name: Barbara Frantz (1966-06-12)
Booking Number: 124145
Submitted Date: 08/08/24 18:25
Submitted Room: 03,011129/011
Current Room: 03,011129/011
Facility: Topeka Correctional (KSDOC) - KS
MAC ID:
Device ID:

Audit Photo:**Form Info**

Category: Grievance
Form: IMT Grievance

Grievance Info

Grievance ID #: 474753711
Status: OPEN
Facility Deadline: 10/02/24 23:59 (9d)
Grievance Level: 4
Resident can reply: No
Disposition @ 1: Remedy Denied
Disposition @ 2: Remedy Denied
Disposition @ 3: Remedy Denied

Summary:

THE FACILITY IS IN VIOLATION OF PROVIDING ME MY ANNUAL NURSES ASSESSMENT AND CHRONIC CARE VISITS AND MY MAMMOGRAM.

Details:

FSA HOLLY CHAVEZ

7-31-24,

I AM BEING DENIED BY THE FACILITY OF MY ANNUAL NURSES ASSESSMENT FO TWO YEARS NOW. MY BIRTH MONTH IS JUNE AND I WAS ASKING TWICE IN JUNE IF I WANTED MY ANNUAL NURSES ASSESSMENT ANR IS AID."YES" BOTH TIMES.

I AM BEING DENIED MY CHRONIC CARE VISITS SINCE 1-29-24.

I AM BEING DENIED MY ANNUAL MAMMOGRAM FO 2 1/2 YEARS NOW, SINCE 1-25-22 LAST MAMMOGRAM

THIS IS IN VIOLATION OF POLICY AND MY CONSTITUTIONAL RIGHTS FOR MEDICAL CARE AND PREVENTABLE CARE. THE FACILITY IS RESPONSIBLE FOR PROVIDING ME AN ADEQUATE MEDICAL DEPT AND I DID ADDRESS THIS WITH WARDEN HOOK THIS MONTH MEETING HER IN OUR POD AND ALSO ADDRESSING THE WARDEN'S STATEMENTS SHE SAID SHE WAS LOOKING INTO THE DOCTOR'S ORDERS FOR ME AN ABDOMINAL MRI DOCTOR ORDERED IN APRIL 2021, AND GT AND ENT CONSULTS DOCTOR ORDERED ON 2-2-21 AND ALL DENIED TO ME TODATE. PLUS THE REFERRALS OF MY SANE EXAM AND MRI FOR MY HEAD.

THIS BEING EXTREMELY INADEQUATE MEDICAL CARE IN VIOLATION OF STATE POLICY, STATE STATUTE AND MY CONSTITUTIONAL RIGHTS FOR MEDICAL CARE BEING GROSSLY DEPRIVED MEDICAL CARE AND TREATMENT BY CONCEALMENT FOR VISIBLE LIFE THREATENING MEDICAL CONDITIONS.

THANK YOU.

BARBARA FRANTZ #124145

Lay in due to debilitating life threatening medical conditions deliberately denied medical care until it kills me be murder by d

DATE/TIME	USER	ACTION	DETAILS
09/23/24 05:35	Barbara Frantz	Viewed Staff Response	
09/20/24 06:42	Barbara Frantz	Viewed Staff Response	
09/19/24 08:19	Darcie Holthaus	Staff Response	This request has been sent to medical review for assessment of needs.9/19/2024
09/18/24 23:40	Barbara Frantz	Escalated	Frantz, Barbara has escalated the grievance on 09/18/2024 23:40 -06:00 Response: 9-8-24, WARDENS RESPONSE IS UNSATISFACTORY. FURTHER DISTURBINGLY TELLING ME THAT THESE ARE OLD MEDICAL COMPLAINTS AND THAT THESE ISSUES HAVE BEEN ADDRESSED AND WILL NO LONGER ADDRESS OLD ISSUES. MY SERIOUS MEDICAL COMPLAINTS BEING DEPRIVED FOR OVER FOUR YEARS !!! CALLOUS DISREGARD FOR SUCH SERIOUS MEDICAL COMPLAINTS IS DELIBERATE INDIFFERENCE AND CRUEL AND UNUSUAL PUNISHMENTS AND A WANTON INFILCTION OF PAIN NEEDLESSLY. ALLOWING FURTHER DETERIORATION. CENTURION MEDICAL DENYING ME MY ANNUAL NURSES ASSESSMENT FOR THE LAST TWO YEARS IN A ROW. I CONTINUE TO REPORT THAT I DID NOT REFUSE THESE NURSES ASSESSMENTS. THE FACILITY SHOULD LOOK INTO WHY CENTURION STAFF IS DOCUMENTING FRAUDULENT INFORMATION INTO MY MEDICAL CHART. I HAVE NOT SIGN NOR ASKED TO SIGN ANY REFUSAL AND PER POLICY IT IS A CLASS TWO VIOLATION FOR REFUSING TO SIGN A REFUSAL. I HAVE NEVER BEEN WRITTEN ANY DR FOR REFUSING TO SIGN A REFUSAL. AGAIN THE WARDEN IS RESPONSIBLE FOR PROVIDING AN ADEQUATE MEDICAL DEPT. I CONTINUE TO REPORT TO THE WARDEN THAT CENTURION IS EXTREMELY INADEQUATE MEDICAL CARE MY SUBSTANTIALLY SERIOUS MEDICAL COMPLAINTS COMPLETELY DISREGARDED BY DELIBERATE INDIFFERENCE FOR CONCEALMENT PURPOSES. ALLOWING FURTHER DETERIORATION WITH PERMANENT INJURIES VIOLATES SUBSTANTIAL

GRIEVANCE NO.

47453711

DATE/TIME	USER	ACTION	DETAILS
08/30/24 07:41		Changed Status	ENTITLED TO THE SANE EXAM THAT MY YMCA RAPED ME ON 1-18-23, WHICH I CONTINUE TO BE DENIED. THERE HAS BEEN A REFERRAL FORM MEAN MRI FOR MY HEAD, WHICH I CONTINUE TO BE DENIED. I CONTINUE TO BE DENIED MY CHRONIC CARE VISITS SINCE 1-29-24 WHICH I CLEARLY WAS ATTENDING TO THESE CHRONIC CARE VISITS MY LIFE THREATENING MEDICAL CONDITIONS ARE VISIBLE AND THE MEDICAL DEPT ABUSE'S TOWARD ME OF REPEATEDLY TELLING ME THAT FOCUS ON THINGS WHICH THERE IS NO CLINICAL EVIDENCE SHOWS CENTURION-TCF DELIBERATE INDIFFERENT
08/30/24 07:40		Changed Level	From Closed to Open due to Appeal
08/30/24 07:31	Barbara Frantz	Viewed Staff Response	Level changed from 2 to 3 due to Appeal
08/30/24 07:28	Barbara Frantz	Viewed Staff Response	
08/27/24 17:32	Barbara Frantz	Viewed Staff Response	
08/23/24 18:35	Barbara Frantz	Viewed Staff Response	
08/23/24 18:05	Barbara Frantz	Viewed Staff Response	
08/23/24 17:37	Barbara Frantz	Viewed Staff Response	
08/23/24 07:42	Holly Chavez	Changed Status	
08/23/24 07:40	Holly Chavez	Changed Grievance ID #	From 'Open' to 'Closed'
08/23/24 07:40	Holly Chavez	Staff Response	These issues have been addressed by Centurion in the first response and in previous grievances. Your appeal answer discusses issues that have been answered in years previous grievances and will not be answered/ discussed again. The remedy for your grievance is for you to participate appropriately during your visits and follow Centurion recommendations of care and for the referrals to other physicians.
08/23/24 07:37	Holly Chavez	Changed Disposition	Changed the disposition value for level 2 from to Remedy Denied
08/16/24 05:46	Barbara Frantz	Viewed Staff Response	
08/16/24 05:39	Barbara Frantz	Viewed Staff Response	
08/12/24 21:43	Barbara Frantz	Viewed Staff Response	
08/12/24 16:26	Barbara Frantz	Viewed Staff Response	
08/11/24 15:30	Barbara Frantz	Viewed Staff Response	
08/11/24 15:30	Barbara Frantz	Escalated	Frantz, Barbara has escalated the grievance on 08/11/2024 15:30 -06:00 Response: 8-11-24, RESPONSE IS UNSATISFACTORY AND INCORRECT FURTHER THERE IS NO FINDING OF FACT NOR CONCLUSION DRAWN, NO INVESTIGATION OF THE FACTS I'VE PROVIDED. I HAVE NO IDEA OF WHAT TREATMENT CENTURION IS MENTIONING, FACT! I HAVE NEVER BEEN PROVIDED EDUCATION BY ANY MEDICAL STAFF TO BECOME COMPLAINT -- TO WHAT TREATMENT? FACT ! CENTURION - TCF DEPRIVING ME DOCTORS 2-2-21 ORDERS FOR GI AND ENT CONSULTS, DENYING DOCTOR

DATE/TIME	USER	ACTION	DETAILS
			CONSTITUTIONAL RIGHTS FOR MEDICAL CARE. CENTURION MEDICAL PROVIDERS ARE NOT INVESTIGATING MY SERIOUS MEDICAL COMPLAINTS TO VITAL ORGANS. REMEDY FOR THESE ANNUAL NURSES ASSESSMENTS WHICH FURTHERS DELIBERATE INDIFFERENCE BY D
09/18/24 23:40		Changed Status	From Closed to Open due to Appeal
09/18/24 23:40		Changed Level	Level changed from 3 to 4 due to Appeal
09/18/24 23:19	Barbara Frantz	Viewed Staff Response	
09/18/24 14:29	HChavez2	Staff Response	the warden response was sent to you via paper in the facility mail.
09/18/24 14:29	HChavez2	Changed Status	From 'Open' to 'Closed'
09/18/24 14:28	HChavez2	Changed Disposition	Changed the disposition value for level 3 from to Remedy Denied
09/18/24 14:27	HChavez2	Changed Disposition	Changed the disposition value for level 3 from to Remedy Denied
09/17/24 11:13	Barbara Frantz	Viewed Staff Response	
09/17/24 11:13	Barbara Frantz	Viewed Staff Response	
09/11/24 15:57	Barbara Frantz	Viewed Staff Response	
09/07/24 11:01	Barbara Frantz	Viewed Staff Response	
09/07/24 10:49	Barbara Frantz	Viewed Staff Response	
09/06/24 05:36	Barbara Frantz	Viewed Staff Response	
09/03/24 17:10	Barbara Frantz	Viewed Staff Response	
09/03/24 05:50	Barbara Frantz	Viewed Staff Response	
08/30/24 18:28	Barbara Frantz	Viewed Staff Response	
08/30/24 18:28	Barbara Frantz	Viewed Staff Response	
08/30/24 07:42	Barbara Frantz	Viewed Staff Response	
08/30/24 07:41	Barbara Frantz	Escalated	Frantz, Barbara has escalated the grievance on 08/30/2024 07:41 -06:00 Response: 8-30-24, RESPONSE IS UNSATISFACTORY. THE FACTS THAT I HAVE REPORTED THAT I HAVE NOT...REFUSED MY NURSES ASSESSMENTS THE LAST TWO YEARS IN A ROW. JUST BECAUSE CENTURION FABRICATES MEDICAL RECORDS FOR DENYING ME MEDICAL CARE BY CONCEALMENT DOESN'T EXCUSE TCF FOR ALSO DENYING ME MEDICAL CARE. CENTURION HAS A HISTORY OF OVER FOUR YEARS NOW DEPRIVING ME ADEQUATE MEDICAL CARE AS I CONTINUE TO REPORT THERE HAS BEEN NO TREATMENT PLAN EVER DISCUSSED TO ME BY THE MEDICAL DEPT. I CONTINUE TO REPORT THIS TO TCF. TCF STAFF DENYING TO LISTEN TO MY COMPLAINTS ON CENTURION SHOW RECKLESS DISREGARD AND ABUSE OF DISCRETION AND DELIBERATE INDIFFERENCE FOR MY COMPLAINTS TO INADEQUATE MEDICAL CARE BY CONCEALMENT POLICY SHOWS I AM ENTITLED TO DOCTORS ORDER FOR ABDOMINAL MRI ORDER IN APRIL 2021 WHICH I CONTINUE TO BE DENIED POLICY SHOWS I AM ENTITLED TO PREVENTATIVE CARE AND I CONTINUE TO BE DENIED POLICY AND FEDERAL PREA STANDARDS SHOWS I AM 3
			GRIEVANCE NO. 47453711

DATE/TIME	USER	ACTION	DETAILS
08/09/24 11:53	Linda Hull-Vera	Staff Response	<p>FSA Chavez's response is appropriate and correct.</p> <p>From 'Open' to 'Closed'</p> <p>Changed the disposition value for level 1 from to Remedy Denied</p>
08/09/24 05:37	Barbara Frantz	Viewed Staff Response	<p>Changed Status</p> <p>From Closed to Open due to Appeal</p>
08/11/24 14:55	Barbara Frantz	Viewed Staff Response	<p>Changed Level</p> <p>Level changed from 1 to 2 due to Appeal</p>
08/11/24 05:41	Barbara Frantz	Viewed Staff Response	<p>Appeal Answer: 8-8-24, RESPONSE IS UNSATISFACTORY AND COMPLETELY INACCURATE TO THE FACTS STATED. THE FACTS THAT MY 6-30-23 ANNUAL NURSES ASSESSMENT WAS DENIED TO ME AND MY 6-30-23 GRIEVANCE #262851941 CURRENTLY AT LEVEL TWO CONTINUES TO BE DENIED A RESPONSE TO THIS DAY, AND VIOLATES POLICY AND MY CONSTITUTIONAL RIGHTS FOR THE PRISON GRIEVANCE SYSTEM FOR A REMEDY FROM TCF WARDEN AND KDOC SECRETARY. I DO NOT KNOW WHAT TREATMENT CENTURION IS MENTIONING AND FURTHERI HAVE NEVER BEEN PROVIDED BY MEDICAL OF ANY EDUCATION THAT IF I BECOME COMPLAINT TO WHAT ?? THERE IS NO MENTION OF BECOMING COMPLAINT TO WHAT ?? CENTURION DEPRIVING ME DOCTORS ORDERS OF GI AND ENT CONSULTS ORDERED 2-2-21, DENYING ME DOCTORS ORDERS FOR ABDOMINAL MRI ORDERED APRIL OF 2021 WND DENYING ME SANE (SEXUAL ASSAULT NURSES EXAMINATION) REFERRAL 1-18-23 AND DENYING ME OPTOMETRIST DR RANDAL DYCK MRI REFERRAL FROM 3-24-22 AND 7-27-23 VISITS. ALL FOR VISIBLE LIFE THREATENING</p>
08/08/24 18:25	Barbara Frantz	Request turned into Grievance	<p>Appeal Answer</p> <p>Barbara turned request 472033111 into grievance 474753711</p>
08/08/24 18:25	Barbara Frantz	Appeal Answer	<p>Appeal Answer: 8-8-24, RESPONSE IS UNSATISFACTORY AND COMPLETELY INACCURATE TO THE FACTS STATED. THE FACTS THAT MY 6-30-23 ANNUAL NURSES ASSESSMENT WAS DENIED TO ME AND MY 6-30-23 GRIEVANCE #262851941 CURRENTLY AT LEVEL TWO CONTINUES TO BE DENIED A RESPONSE TO THIS DAY, AND VIOLATES POLICY AND MY CONSTITUTIONAL RIGHTS FOR THE PRISON GRIEVANCE SYSTEM FOR A REMEDY FROM TCF WARDEN AND KDOC SECRETARY. I DO NOT KNOW WHAT TREATMENT CENTURION IS MENTIONING AND FURTHERI HAVE NEVER BEEN PROVIDED BY MEDICAL OF ANY EDUCATION THAT IF I BECOME COMPLAINT TO WHAT ?? THERE IS NO MENTION OF BECOMING COMPLAINT TO WHAT ?? CENTURION DEPRIVING ME DOCTORS ORDERS OF GI AND ENT CONSULTS ORDERED 2-2-21, DENYING ME DOCTORS ORDERS FOR ABDOMINAL MRI ORDERED APRIL OF 2021 WND DENYING ME SANE (SEXUAL ASSAULT NURSES EXAMINATION) REFERRAL 1-18-23 AND DENYING ME OPTOMETRIST DR RANDAL DYCK MRI REFERRAL FROM 3-24-22 AND 7-27-23 VISITS. ALL FOR VISIBLE LIFE THREATENING</p>

GRIEVANCE NO. 474753711

DATE/TIME	USER	ACTION	DETAILS
			MEDICAL CONDITIONS VISIBLY SEEN SINCE MY 7-23-2020 INTAKE AND WORS
08/08/24 17:55	Barbara Frantz	Viewed Staff Response	
08/08/24 17:28	Barbara Frantz	Viewed Staff Response	
08/08/24 17:05	Barbara Frantz	Viewed Staff Response	
08/08/24 16:44	Barbara Frantz	Viewed Staff Response	
08/08/24 16:44	Barbara Frantz	Viewed Staff Response	
08/08/24 16:43	Barbara Frantz	Viewed Staff Response	
08/08/24 13:47	HChavez3	Changed Status	From 'Open' to 'Closed'
08/08/24 13:47	HChavez3	Staff Response	I heard back from Centurion and your chart stated the following: a refusal was documented for your health assessment on 6/30/24 and 6/30/23. Chronic care appt. was January 29, 24 and next chronic care appt is a year out in January 2025. Centurion is reporting that you are not in compliance with treatment however, you were provided education if you would become compliant you would become seen every 3 months. During case management meeting, your mammogram request will be discussed.
08/06/24 20:56	Barbara Frantz	Viewed Staff Response	
08/05/24 07:11	Barbara Frantz	Viewed Staff Response	
08/03/24 05:40	Barbara Frantz	Viewed Staff Response	
08/01/24 05:39	Barbara Frantz	Viewed Staff Response	
08/01/24 05:34	Barbara Frantz	Viewed Staff Response	
07/31/24 12:37	Barbara Frantz	Viewed Staff Response	
07/31/24 07:55	Barbara Frantz	Submitted New	THE FACILITY IS IN VIOLATION OF PROVIDING ME MY ANNUAL NURSES ASSESSMENT AND CHRONIC CARE VISITS AND MY MAMMOGRAM.

GRIEVANCE NO. 47453711