

INDEX OF APPENDICES

APPENDIX A – Judgment of the United States Court of Appeals For the First Circuit

APPENDIX B – Mandate of the United States Court of Appeals For the First Circuit

APPENDIX C – Order of the State of Rhode Island Superior Court

APPENDIX D – Order of the United States District court for the District of Rhode Island

APPENDIX E – Text Order of the United States District court for the District of Rhode Island

APPENDIX F – Providence police Department Behavioral Health Response Team (BHRT) Final Project Report.

APPENDIX G – Application for Emergency Certification

APPENDIX H – Rhode Island General Law Title 40.1-5-7 Emergency certification.

APPENDIX I – Letter from NV claiming she is the wrong Nicole Vadnais

APPENDIX J -Plaintiff response to defendant city of Providence motion for final judgment.

APPENDIX K – The Providence Center client resources

APPENDIX

A

Case: 23-1547 Document: 00118120078

Page:1 Date filed: 03/14/2024 Entry ID: 6628908

United States Court of Appeals For the First Circuit

No. 23-1547

RAHIM CALDWELL,

Plaintiff - Appellant,

v.

CITY OF PROVIDENCE; NICOLE VADNAIS;

CHRISTOPHER LOURENCO;

THE PROVIDENCE CENTER,

Defendants - Appellees.

Before Kayatta, Gelpí and Montecalvo,

Circuit Judges.

JUDGMENT

Entered: March 14, 2024

Pro se plaintiff-appellant Rahim Caldwell appeals from the district court's dismissal of his complaint featuring various constitutional and other claims. The district court granted defense motions to dismiss based on statute-of-limitations and Rule 12(b)(6) grounds but granted Caldwell additional time to file an amended complaint. The district court proceeded to extend that deadline, and, when Caldwell failed to file an amended complaint by the extended deadline, the district court dismissed the action for failure to prosecute. See Fed. R. Civ. P. 41(b). Caldwell then noticed this appeal.

After careful review of the record and of the parties' submissions, including each and every one of the points set out in Caldwell's brief, we affirm the district court's dismissal of the underlying action, substantially for the reasons set forth by the district court in relevant rulings. See *Vivaldi Servicios De Seguridad, Inc. v. Maiso Grp., Corp.*, 93 F.4th 27 (1st Cir. 2024) (Fed. R. Civ. P. 41(b) standard of review and general principles); *Morales-Cruz*

v. Univ. of Puerto Rico, 676 F.3d 220, 224 (1st Cir. 2012) (dismissals for failure to state a claim afforded de novo review); see also Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009) (explaining that in order to state a claim to relief that is plausible on its face, a complaint must include "factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged");

Freeman Case: 23-1547 Document: 00118120078

Page 2 Date Filed: 03/14/2024

Entry ID: 6628908 v. Town of Hudson, 714 F.3d 29, 35 (1st Cir. 2013) (reviewing court is "free to affirm an order of dismissal on any basis made apparent from the record"). We add that, with his opening brief, Caldwell has not sufficiently developed any claims of error, much less a claim of error legitimately addressed to the district court's stated grounds for dismissal. See Sparkle Hill, Inc. v. Interstate Mat Corp., 788 F.3d 25, 30 (1st Cir. 2015)

(this court "do[es] not consider arguments for reversing a decision of a district court when the argument is not raised in a party's opening brief," particularly where "the opening brief presents no argument at all challenging [the] express grounds upon which the district court prominently relied in entering judgment"); *United States v. Zannino*, 895 F.2d 1, 17 (1st Cir. 1990) (arguments raised in only a perfunctory and undeveloped manner are deemed waived on appeal). The points actually set out in Caldwell's opening brief lack merit.

Affirmed. See 1st Cir. R. 27.0(c).

By the Court:

Maria R. Hamilton, Clerk

cc:

Rahim Caldwell
Jillian Hoxsie Barker
Steven Bruce Nelson
Michael J. Colucci

APPENDIX

B

APPENDIX B

Case: 23-1547 Document: 00118128874

Page: 1 Date Filed: 04/05/2024 Entry ID: 6633823

United States Court of Appeals For the First Circuit

No. 23-1547

RAHIM CALDWELL, Plaintiff - Appellant,

v.

CITY OF PROVIDENCE; NICOLE VADNAIS;

CHRISTOPHER LOURENCO; THE PROVIDENCE

CENTER,

Defendants - Appellees.

MANDATE

Entered: April 5, 2024

In accordance with the judgment of March 14, 2024, and pursuant to Federal Rule of Appellate Procedure 41(a), this constitutes the formal mandate of this Court.

By the Court:

Maria R. Hamilton, Clerk
cc: Jillian Hoxsie Barker, Rahim Caldwell
Michael J. Colucci, Steven Bruce Nelson

APPENDIX

C

APPENDIX C

STATE OF RHODE ISLAND SUPERIOR COURT

RAHIM CALDWELL

V.

C.A. No.: PC2021-02143

NICOLE VADNAIS;

THE PROVIDENCE CENTER;

&

THE CITY OF PROVIDENCE

ORDER

This matter was scheduled for decision on August 26, 2021 before the Honorable Richard D. Raspallo of the Providence County Superior Court on Defendants Nicole Vadnais, and the Providence Center's Super.R.Civ.P. 12(b)(6) motion to dismiss all claims against them of plaintiff, Rahim Caldwell, in the above-captioned matter. After hearing thereon, it is hereby:

ORDERED ,ADJUDGED DECREED

Judge Raspallo takes Judicial Notice, pursuant to R.I.R.Evid. 201, of the fact that Nicole Vadnais is certified through the State of Rhode Island Department of Behavioral Healthcare, Developmental Disabilities & Hospitals (BHDDH) as a Qualified Mental Health Professional pursuant to R.I.G.L. Sec. 40.1-5-7 and was so certified at the time of the incident in question; and Defendants, Nicole Vadnais and the Providence Center's, Super.R.Civ.P. 12(b)(6) motion to dismiss is granted without prejudice.

ENTER: BY ORDER

/s/ Richard D. Raspallo /s/ Alexa Goneconte
Associate Justice Deputy Clerk I
September 20, 2021

APPENDIX

D

APPENDIX D

Case 1:22-cv-00351-MSM-LDA Document 10 Filed

03/10/23 Page 1 of 3 PageID #:500

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

RAHIM CALDWELL,

Plaintiff,

v.

C.A. No. 1:22-CV-00351-MSM-LDA

CITY OF PROVIDENCE, et al.,

Defendants.

ORDER

Mary S. McElroy, United States District Judge. Rahim Caldwell filed this action alleging that the defendants violated his rights by falsifying an application for emergency certification under R.I.G.L. § 40.1- 5-7.1 Defendant Christopher Lourenco (ECF No. 4) and the City of Providence (ECF No. 6) have each filed separate Motions to Dismiss for failure to state a claim upon which relief may be granted pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. Mr. Caldwell, in his response in opposition to these motions (ECF No. 8), has requested that this matter be remanded to state court. The Court will address each of these motions in turn. First, as much as Mr. Caldwell's response in opposition to the defendants' motions serves as a motion to remand his case to the Rhode Island Superior Court,

1 Mr. Caldwell's complaint is challenging to understand, but this appears to be the focus of his action. Case 1:22-cv-00351-MSM-LDA Document 10 Filed 03/10/23 Page 2 of 3 Page ID #: his motion is DENIED. Because Mr. Caldwell's complaint seeks redress under the United States Constitution and 42 U.S.C. § 1983, the Court has original federal question jurisdiction pursuant to 28 U.S.C. § 1331. The action is thus removable from state court pursuant to 28 U.S.C. § 1441. Mr. Lourenco's Motion to Dismiss (ECF No. 4) is GRANTED. Mr. Lourenco claims that the plaintiff's action is time barred as it relates to him. He argues that any causes of action that Mr. Caldwell could pursue for his various alleged injuries, including violations of equal protection, due process, and habeas corpus, would

flow through either 42 U.S.C. §§1983 or 1985. These federal laws are governed by the forum state's statute of limitations for personal injury claims. See *Rodriguez v. Municipality of Caguas*, 354 F.3d 91, 96 (1st. Cir. 2004). Rhode Island has a three year statute of limitations for "actions for injuries to the person." R.I.G.L. § 9-1-14(b). According to the complaint, Mr. Caldwell's cause of action accrued on April 30, 2018. (ECF No. 8.) He filed this complaint on August 9, 2022, more than four years after the cause of action. It is therefore time barred as to Mr. Lourenco. The City of Providence argues that Mr. Caldwell's complaint does not meet the federal pleading standard enunciated by the Supreme court in *Ashcroft et al. v. Iqbal et al.*, 556 U.S. 662 (2009). Mr. Caldwell originally filed his complaint in the Providence Superior Court under the notice pleading requirements of that court, and the City of Providence removed the action to this Court. Although the federal pleading standard applies to removed actions, the Court, pursuant to Fed. R. Civ. P. 81(c)(2), will allow Mr. Caldwell an opportunity to amend his complaint so that it Case 1:22-cv-00351-MSM-LDA Document 10 Filed 03/10/23 Page 3 of 3 Page ID #:502 complies with the federal pleading standard. Therefore, the City of Providence's Motion to Dismiss (ECF No. 6) is GRANTED, however the plaintiff may file an amended complaint within 30 days of this Order to correct the deficiencies in the complaint.

IT IS SO ORDERED.

Mary S. McElroy,
United States District Judge
March 10, 2022

APPENDIX

E

Appendix E

Case 1:22-cv-00351-MSM-LDA

TEXT ORDER DISMISSING case

ECF- District of Rhode Island

Date Filed # Docket Text

05/03/2023 blank denying without prejudice 10 Motion for Final Judgment. Plaintiff must file an Amended complaint on or before 5/19/2023. So ordered by District Judge Mary S. McElroy on 5/3/2023. (Potter, Carrie) (Entered: 05/03/2023) 06/02/2023 blank TEXT ORDER DISMISSING CASE. Plaintiff was ordered to file an Amended complaint on or before 5/19/2023 and failed to do so. Case is dismissed for lack of prosecution. So Ordered by District Judge Mary S. McElroy on 6/2/2023. (Potter, Carrie) (Entered: 06/02/2023)

APPENDIX

F

APPENDIX F

PROVIDENCE POLICE DEPARTMENT

Behavioral Health Response Team (BHRT)

FINAL PROJECT REPORT

Prepared By:

Sean P. Varano, Ph.D.

and

Stephanie Manzi, Ph.D.

Roger Williams University

Disclaimer: This product was supported by grant number 2017-WY-BX-0003, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this product are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

CLINICIAN SELECTION

On the clinician side, Jessica Zira, MA, QMHP served as the initial Project Coordinator for this grant. Fifty percent of the clinician's time was to be spent coordinating the project, providing officer training, and supervising the case managers. The remaining 50% of the time focused on clinical responsibilities within the department, for example, diverting individuals experiencing mental health and substance use crises away from further criminal justice involvement and toward treatment when that was the most appropriate response. Before the first BHRT shift commenced, Zira left The Providence Center and was replaced by Jacqueline Mancini-Geer, LMHC, CRC, QMHP, Director of Acute Care at The Providence Center. Although she inherited the project, Mancini-Geer was interested in participating in the BHRT; she had been doing police liaison work with the PPD and Warwick Police Department for years on crisis care. Rachel Caruso was hired by Jacqueline Mancini-Geer to serve as a case worker for the

BHRT. Nicole Vadnais was hired by the PPD in 2017 to serve as a Clinical Police Liaison on the second shift. In this capacity, she rode along with patrol officers and assisted as needed to calls for service related to mental health and/or substance abuse (often crisis in nature).

When she found out about the SPI program during its development phase, she was excited to have the opportunity to be brought on board. Early Problems and Strategies to Address them.

The proposed effort between PPD and TPC was well positioned to be translated into action because of their longstanding partnership once BJS provided final approval.

APPENDIX

G

APPENDIX G

APPLICATION FOR EMERGENCY CERTIFICATION

Name of Facility Applied To: _____

Date: _____

Name of Person: _____ Social security Number: _____

Address: _____ Phone: _____

Date of Birth: _____ Religion: _____

Sex: ☐ Male ☐ Female

Marital Status: ☐ Married ☐ Single ☐ Widowed ☐

Seperated ☐ Divorced

Blue Cross Number: _____

Health Insurance Number: _____

Public Assistance Number / VA: _____

Name of Relative or Friend: _____

Relationship: _____

Address: _____

Phone Number: _____

Reason for Application: Within the past five (5) days, I have personally observed the above named person and found the following conditions exist:

1. The person is in need of immediate psychiatric care and treatment; and
2. The person has a mental disability by reason of which,
 - a. The person's continued unsupervised presence in the community would create: an imminent and substantial risk of physical harm to the person himself as manifested by behavior evidencing serious threats of, or attempts at suicide; or

II. an imminent and substantial risk of physical harm to others as manifested by behavior or threats evidencing homicidal or other violent behavior; or 43

III. an imminent and substantial risk of physical harm to the mentally disabled person as manifested by behavior which has created a grave, clear and present risk to his physical health and safety.

MHL 11 Revised 4/06, 5/06 Rhode Island General Laws
§40.1-5-7 Department of Behavioral Healthcare,
1 Developmental Disabilities & Hospitals

The person has the following mental disability or disabilities:

Description of Behavior which establishes the need for emergency application:

Check below if applicable: I personally observed the above described behavior

The above described behavior was reported to me by,

Name _____

address _____

Phone Number _____

I believe that the report of the above described behavior is reliable because:

Alternatives considered prior to referral:

MHL 11 Revised 4/06, 5/06 Rhode Island General Laws
§40.1-5-7

Department of Behavioral Healthcare,
Developmental Disabilities & Hospitals

2 Why ruled out?

Person's present physical condition: (Include available laboratory work and current status relative to use of alcohol and or drugs)

Past history of physical or mental disability: (Include prior psychiatric hospitalization, if known)

Present medication person is receiving: (List kind(s), Amount(s), and Time(s), and prescribing Physician if known)

If person received sedation before coming to the hospital, list: kind, amount, and time

I have discussed this application with: _____
Name of staff person

Facility: _____

In my judgment _____ is the facility that will impose the least amount of restriction on this person while affording him/her the necessary and appropriate care and treatment.

Name of Applicant: _____
Please Print

Signature of Applicant: _____

Credentials of Applicant: _____

MHL 11 Revised 4/06, 5/06
Rhode Island General Laws §40.1-5-7
Department of Behavioral Healthcare, Developmental
Disabilities & Hospitals

3 Peace Officer Request:
I have requested a peace officer from _____
name of police department) to take the above named
person into custody for admission
to _____ (facility

MHL 11 Revised 4/06, 5/06
Rhode Island General Laws §40.1-5-7 Department of
Behavioral Healthcare,

4 Developmental Disabilities & Hospitals

APPENDIX

H

APPENDIX H

<http://webserver.rilin.state.ri.us/Statutes/TITLE40.1/40.1-5/40.1-5-7.HTM> Title 40.1

Behavioral Healthcare, Developmental Disabilities
and Hospitals

Chapter 5 Mental Health Law

R.I. Gen. Laws § 40.1-5-7 § 40.1-5-7.

Emergency certification.

(a) Applicants. Any physician or licensed advanced practice registered nurse (APRN) as defined in § 40.1-5-2 who, after examining a person, has reason to believe that the person is in need of immediate care and treatment, and is one whose continued unsupervised presence in the community would create an imminent likelihood of serious harm by reason of psychiatric disability, may apply to a facility for the emergency certification of the person. The medical director, or any other physician, or a licensed advanced practice registered nurse (APRN) as defined in § 40.1-5-2 employed by the proposed facility for certification, may apply under this subsection if no other physician or licensed advanced practice registered nurse (APRN) as defined in § 40.1-5-2 is available and the medical director or physician certifies this fact. If an examination is not possible because of the emergency nature of the case and because of the refusal of the person to consent to the examination, the applicant on the basis of his or her observation may determine, in accordance with the above, that emergency certification is necessary and may apply therefor. In the event that no physician or licensed advanced practice registered nurse (APRN) as defined in §

40.1-5-2 is available, a qualified mental health professional as defined herein who believes the person to be in need of immediate care and treatment, and one whose continued unsupervised presence in the community would create an imminent likelihood of serious harm by reason of psychiatric disability, may make the application for emergency certification to a facility. Application shall in all cases be made to the facility that, in the judgment of the applicant at the time of application, would impose the least restraint on the liberty of the person consistent with affording the person the care and treatment necessary and appropriate to the person's condition.

(b) Applications. An application for certification hereunder shall be in writing and filed with the facility to which admission is sought. The application shall be executed within five (5) days prior to the date of filing and shall state that it is based upon a personal observation of the prospective patient by the applicant within the five-day (5) period. It shall include a description of the applicant's credentials and the behavior that constitutes the basis for his or her judgment that the prospective patient is in need of immediate care and treatment and that a likelihood of serious harm by reason of psychiatric disability exists, and shall include, as well, any other relevant information that may assist the admitting physician and/or licensed advanced practice registered nurse (APRN) as defined in § 40.1-5-2 at the facility to which application is made. The application shall state whether the facility, in the judgment of the applicant at the time of application, would impose the least restraint on the liberty of the person consistent with affording him or her the care and treatment necessary and appropriate to his or her

condition. Whenever practicable, prior to transporting or arranging for the transporting of a prospective patient to a facility, the applicant shall telephone or otherwise communicate with the facility to describe the circumstances and known clinical history to determine whether it is the proper facility to receive the person, and to give notice of any restraint to be used or to determine whether restraint is necessary.

(c) Confirmation; discharge; transfer. Within one hour after reception at a facility, the person regarding whom an application has been filed under this section shall be seen by a physician or licensed advanced practice registered nurse (APRN) as defined in § 40.1-5-2. As soon as possible, but in no event later than twenty-four (24) hours after reception, a preliminary examination and evaluation of the person by a psychiatrist, a physician under the psychiatrist's supervision, and/or licensed advanced practice registered nurse (APRN) as defined in § 40.1-5-2 shall begin. The psychiatrist, physician under the supervision of the psychiatrist, and/or licensed advanced practice registered nurse (APRN) as defined in § 40.1-5-2 conducting the preliminary examination and evaluation shall not be an applicant hereunder. The preliminary examination and evaluation shall be completed within seventy-two (72) hours from its inception by the psychiatrist, physician under the supervision of the psychiatrist, and/or licensed advanced practice registered nurse (APRN) as defined in § 40.1-5-2. If the psychiatrist, physician under the supervision of the psychiatrist, and/or licensed advanced practice registered nurse (APRN) as defined in § 40.1-5-2 determines that the patient is not a candidate for emergency certification, the patient shall be

discharged. If the psychiatrist, physician under the supervision of the psychiatrist, and/or licensed advanced practice registered nurse (APRN) as defined in § 40.1-5-2 determines that the person who is the subject of the application is in need of immediate care and treatment and is one whose continued unsupervised presence in the community would create an imminent likelihood of serious harm by reason of psychiatric disability, the psychiatrist, physician under the supervision of the psychiatrist, and/or licensed advanced practice registered nurse (APRN) as defined in § 40.1-5-2 shall confirm the admission for care and treatment under this section of the person to the facility, provided the facility is one that would impose the least restraint on the liberty of the person consistent with affording the person the care and treatment necessary and appropriate to the person's condition and that no suitable alternatives to certification are available. If at any time the official in charge of a facility, or the official's designee, determines that the person is not in need of immediate care and treatment, or is not one whose continued unsupervised presence in the community would create an imminent likelihood of serious harm by reason of psychiatric disability, or suitable alternatives to certification are available, the official shall immediately discharge the person. In addition, the official may arrange to transfer the person to an appropriate facility if the facility to which he or she has been certified is not one that imposes the least restraint on the liberty of the person consistent with affording him or her the care and treatment necessary and appropriate to his or her condition.

(d) Custody. Upon the request of an applicant under this section, to be confirmed in writing, it shall be the duty of

any peace officer of this state or of any governmental subdivision thereof to whom request has been made, to take into custody and immediately transport the person to the designated facility for admission thereto.

(e) Ex parte court order. An applicant under this section may present a petition to any judge of the district court or any justice of the family court, in the case of a person who is the subject of an application who has not yet attained his or her eighteenth birthday, for a warrant directed to any peace officer of the state or any governmental subdivision thereof to take into custody the person who is the subject of the application and immediately transport the person to a designated facility. The application shall set forth that the person who is to be certified is in need of immediate care and treatment and the person's continued unsupervised presence in the community would create an imminent likelihood of serious harm by reason of psychiatric disability, and the reasons why an order directing a peace officer to transport the person to a designated facility is necessary.

(f) Notification of rights. No person shall be certified to a facility under the provisions of this section unless appropriate opportunity is given to apply for voluntary admission under the provisions of § 40.1-5-6 and unless the person, or a parent, guardian, or next of kin, has been informed, in writing, on a form provided by the department, by the official in charge of the facility: (1) That the person has a right to the voluntary admission; (2) That a person cannot be certified until all available alternatives to certification have been investigated and determined to be unsuitable; and (3) That the period of hospitalization or

treatment in a facility cannot exceed ten (10) days under this section, except as provided in subsection (g) of this section.

(g) Period of treatment. A person shall be discharged no later than ten (10) days measured from the date of his or her admission under this section, unless an application for a civil court certification has been filed and set down for a hearing under the provisions of § 40.1-5-8, or the person remains as a voluntary patient pursuant to § 40.1-5-6.

History of Section.

P.L. 1974, ch. 119, § 1; P.L. 1976, ch. 140, § 19; P.L. 1976, ch. 203, § 1; P.L. 1976, ch. 215, § 1; P.L. 1982, ch. 242, § 1; P.L. 1987, ch. 66, § 1; P.L. 2017, ch. 387, § 1; P.L. 2017, ch. 428, § 1; P.L. 2022, ch. 231, art. 11, § 7, effective June 27, 2022; P.L. 2023, ch. 99, § 1, effective June 19, 2023; P.L. 2023, ch. 100, § 1, effective June 19, 2023.

APPENDIX

I

APPENDIX I

Letter from NV claiming she is the wrong Nicole Vadnais

Case 1:22-cv-00351-MSM-LDA Document 5 Filed 09/29/22
Page 75 of 206 PageID #: September 7, 2022 Court Clerk,
City of Providence: Yesterday, Tuesday, Sept. 6th, received
papers addressed to Nicole Vadnais at 79 Cherokee Bend
in Charlestown regarding lawsuit on behalf of Rahim
Caldwell (PC-2022-04794). While am the Nicole Vadnais
who resides at 79 Cherokee Bend in Charlestown, am not
the person referred to in the lawsuit. do not work and have
never worked at the Providence Center. believe the
plaintiff found the address of the incorrect Nicole Vadnais.
Per the advice of the Court Clerk, am returning the
paperwork to the Court Clerk's office in Providence, with
the note on the paperwork stating that it is the incorrect
person.

Sincerely,
Nicole L. Vadnais
79 Cherokee Bend
Charlestown, RI 02813

APPENDIX

J

APPENDIX J

Plaintiff comes before the court with this response to defendant City of Providence motion for entry of final judgment. Plaintiff position is the amended complaint complies with FRCP; hence the court not being specific in stating the reasons for granting the motion to dismiss, and the order being an entry and no actual order. The only thing wrong with the amended complaint is that that scheme to frame plaintiff backfired, and plaintiff continues to fight for his rights. This case involves illegal no-bid contracts awarded to employer of John J. Mcconell Jr. Over \$125,000 (during Jorge Elorza) tenure and Jorge Elorza is RWU alumni also), Providence police employee(s); RWU alum defendant Nicole Vadnais, Hugh Clements, The Providence Center employee Nicole Vadnais, and Providence police employee Nicole Vadnais. City of Providence has more connections to that rise to the highest levels of city government.

The grant over \$700,000 subject to this partnership from Hugh Clements current employer U.S. Department of Justice. The Providence Center, Providence police department, and Roger Williams University are in this partnership. The Providence Center was awarded over \$400,000. The Providence Center now former President Mary O'Brien and Hugh Clements only signed the agreement after the date of the event because plaintiff exposed the partnership, and defendants tried to cover their tracks, as they did not get the required consent from neither city hall nor other required authorizations. The defendants have been involved in an illegal agreement involving RWU, and TPC.

The order granting defendants city of providence motion to dismiss did not provide any instruction or guidance on what deficiencies need to be corrected, and not any instruction or guidance on how to correct the deficiencies. The transfer of this case to the United States district court is a commitment to stifle discovery which would reveal the identity of the mystery man " John" Defendant Lourenco spoke with a mystery person named John on the date of this event. Jeffrey Dana is a board member with John J. McConnell Jr. Of the United States district court for the district of Rhode Island. Thomas Verdi is also a board member with John J. McConnell Jr.

Defendants also awarded a no-bid contract to Roger Williams University, which did not go out to bid; defendants were involved with the no-bid contract, which was used as a social control program.

Several Roger Williams University employees were involved with this no-bid contract; not limited to former Providence police employees.

Without Discovery John J. McConnell Jr. Has not been ruled out as the mystery person named John, whom defendant Lourenco spoke. Defendants used backchannels throughout the event, and even withheld Body worn camera footage released by the city, only to be blocked by defendants; not limited to Hugh Clements, and Steven Pare the highest officials that could block release of such records. Steven Pare is on the board linked to hospitals which defendant had communications. Steven Pare also has connections to the United States District court for the district of Rhode Island. Clark Greene has connections to the United States District court, city of Providence, State

of Rhode Island, Brown University and others linking to Hugh Clements to Brown Universities. Defendants used their work experience and community partnerships in furtherance of their framing and defrauding plaintiff. Defendants have a friend in John J. McConnell Jr. With connections to Brown University, City of Providence, and others. In the long run plaintiff will prevail. The public corruption has to take its course, as there are some judges in Rhode Island that are dependent, not on the constitution, but on the connections involved, and refused to uphold the constitution, and make unconstitutional decisions and wait until a higher court makes the decision. Former PPD employees now working for Rhode Island college were provided inside information by PPD involving the framing of plaintiff. Rookie campus security guard is familiar with Nicole Vadnais, as one of them was employed in 2017 by PPD, and Nicole Vadnais was hired by PPD in 2017. Hugh Clements has connections to Brown University; which defendants have connections, and the event involves Jeffrey Michaelson; former attorney for Brown University, Brown Alum, and other connections. Mary McElroy has been assigned this case strategically, conflicts with hearing this case., and may be called as a witness in this case; discovery is needed. United States District judge Mary McElroy has no choice other than to dismiss the case due to the connections involved, not limited to the mystery man named "John" whom defendants Lourenco spoke on April 30, 2018., date of event. United States district Judge Mary McElroy's could not deny defendants motion, even if she wanted to, the fix in this case was in from the beginning. This entire case is a corrupt process which involves backchannels, and connections between Rhode Island

college, which Gina Raimondo has an interest in protecting her sister, Marianne Raimondo a RIC employee.

Defendants would have plaintiff held as an enemy combatant, as they did suspend habeas corpus in order to frame plaintiff. Under Brett Smiley, Hugh Clements resigns, Steven Pare resigns, and others have resigned involved with this event. Steven Pare sits on a board which Sarah Dowling is chair for Judicial Nominating commission which Judge Melissa Long has a connection which she became a Rhode Island Supreme court justice. Melissa Long also has support from First circuit court of appeals Judge O. Rogerie Thompson. This is about a group of people so insecure that rather than give plaintiff proper process, there are quid pro quo and cover up by dismissing the amended complaint unjustly. The court wants plaintiff to go the long route. This is a corrupt process with so many connections, that when discovery takes place there are going to be Federal judges being be deposed, as well as former Governor Gina Raimondo, Marianne Raimondo, Melissa Long, Hugh Clements, Steven Pare and list of other notable persons. This is a corrupt process, and defendants and those involved are pulling all the stops out to stop plaintiff from prosecuting this case. The defendants have to cheat in order to win.

Defendants have no choice but to transfer case to federal court. By transferring to federal court defendants can cause unnecessary delay in order to stifle discovery and block the identity of the mystery person named John, bodycam footage, phone records of calls made by defendants and non-parties.

This corrupt process has to play out and I will continue to fight for my rights. Defendants have to cheat,

as if they played fair plaintiff would have the body cam footage, the mystery person named John would be provided, the phone records of calls made by defendants using back channels would be provided.

Public corruption must be challenged, some people still have the jim crow mind set. I am not inferior. I have rights. No matter how you treat me, you will not convince me I am inferior.

The connections in this case are undeniable, as Providence Police department, The Providence center, Roger Williams University, have a link also to Brown University.

It is clear the lengths these defendants are willing to go to in order to cover up what they did to frame plaintiff. Plaintiff will challenge defendants until this case is resolved. All these government employees are going against a US citizen, in order to conceal and cover up their frame of plaintiff. Plaintiff position is the amended complaint complies with FRCP; hence the court not being specific in stating the reasons for granting the motion to dismiss, and the order being an entry and no actual order. Plaintiff could keep writing, but that would be futile. It may take many years, but the mystery person "John" will come to light, the Body worn camera footage will be provided, the phone records will be provided, and the public corruption involved in this case will be exposed.

The order granting city of providence motion to dismiss did not provide any instruction or guidance on what deficiencies need to be corrected, and not any instruction or guidance on how to correct the deficiencies. For the reasons stated above defendants motion for entry of final judgment should not be granted.

/S/ RAHIM CALDWELL 5/1/23

APPENDIX

K

APPENDIX K

<https://www.providencecenter.org/client-resources>

Client Information & Education

Information About Your First Appointment

Insurance Information

No Refusal of Services Policy and Sliding Fee Application

Human Rights Officer

Disability Clinic

Let's Talk: Suicide Prevention

Community Resources

Warm Line

Consumer Advocacy Council

Client Rights and Responsibilities

The Providence Center Mission

To help adults and children affected by psychiatric illnesses, emotional problems, and addictions by providing treatment and supportive services within a community setting.

The Providence Center Vision

A behavioral health care system in which every individual who needs care will receive the broadest possible array of services, so that his or her unique needs are met.

Client Rights and Responsibilities Agreement

You have certain important rights guaranteed to you as a client of The Providence Center which we want you and/or your parents or guardian to know, understand, and exercise. These rights include:

Equal Treatment, The right to be treated without regard to race, religion, gender, sex, age, marital status, national

origin, sexual orientation, gender identity or expression, developmental disabilities, or mental or physical handicap.

The right to have access to translated materials or translators who can assist you if English is not your first language. The right to be provided treatment and services in an environment free of abuse, neglect, financial exploitation, humiliation, or any other human rights violation. The right to access self-help, advocacy, and legal services. The right to be protected from coercion.

Confidentiality and Privacy.

The right to privacy, security, and confidentiality of your identity, diagnosis, prognosis, and treatment.

The right to have the entire staff keep your identity, diagnosis, prognosis, and treatment confidential.

The right to be treated respectfully regarding your privacy.

The right to understand how your Protected Health Information (PHI) is disclosed for purposes of treatment, payment, and health care operations (these types of disclosures are further defined in the Notice of Privacy Practices, which is provided to you along with this document).

The right to the confidentiality of your medical records and source of payment for services (except as otherwise noted in the Notice of Privacy Practices).

The right to require your consent for the use of tape recordings, videotapes, and/or photographs of you, and to be informed of their purpose and how they will be used. The right to provide or refuse authorization for family members or others to participate in your treatment or for the release of confidential information to family members or others. The right to access your medical records in compliance with applicable state and federal laws in sufficient time to make

decisions regarding your care. The right to be given information regarding your pertinent legal rights relative to the Representative Payee Program, when applicable.

The right to enroll in the Rhode Island Healthcare Information Exchange. Treatment with Dignity, The right to be treated with respect for your personal dignity. The right to receive safe and considerate treatment in the least restrictive environment. The right to refuse to participate in any research study without losing treatment services. The right to exercise your rights as a client of The Providence Center without fear of adverse consequences. The right to refuse to perform services for The Providence Center in place of paying for treatment fees, unless this is an agreed-upon part of your treatment plan. Service by Qualified Staff.

The right to have qualified, competent staff supervise and provide you with services. The right to be provided, upon request, information about the credentials, training, professional experience, and specialization of your providers and their supervisors. The right to obtain the Center's Code of Ethics, upon request. Information about Treatment and Medications. The right to be informed of interventions, services, treatment, and medication in a language you understand. The right to have the opportunity to ask questions about your rights. The right to be given the name, professional qualifications, and position of the staff member responsible for your care, as well as their supervisor's name. The right to be informed in advance if there is a change in your primary therapist.

The right to be informed of what to expect when you receive treatment. The right to be told about the risks, benefits,

and side effects of any proposed medications, interventions, services, or treatment.

The right to refuse any treatment or medication to the extent permitted by law, and to be informed of the likely results of your refusal. The right to be informed in advance if you are to be transferred to a different treatment program, and the right to be given an explanation for these changes.

The right to receive a copy of the patient brochure, which contains program rules, services provided, clients' rights, and other important information. The right to receive the following information during orientation and upon verbal or written request: Accreditation status of The Providence Center Discharge policies Areas of treatment specializations at The Providence Center Hours of operation Emergency contact procedures for resolving concerns and complaints General services provided by The Providence Center the right to be informed of your rights during orientation to The Providence Center, whenever the Center makes a change in the rights statement, and upon verbal or written request. The right to be informed about the use of a seclusion or restraint for an emergency situation only and when less restrictive measures have been attempted and failed. The right to be informed about, and to participate in, decisions regarding your treatment and services and to receive the information necessary for you to make informed decisions, including: Your current diagnosis, the limitations of confidentiality Projected discharge date and plan Potential risks if treatment is not provided. Ongoing review of your treatment goals, and mutually agreed upon adjustments of the treatment or

service plan The right to object to any changes in treatment, services, or personnel, and the right to a clear and written explanation if such an objection cannot be accommodated. The right to be referred to an alternate service, program, or treatment setting if you would be better served at a different level of care. The right to screening for pain management, with a referral to your health care provider if appropriate. The right to call The Providence Center's Emergency Services at (401) 274-7111 should I experience an acute psychiatric emergency.

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

February 27, 2025

Rahim Caldwell
8 The Green
#10968
Dover, DE 19901

RE: Caldwell v. Providence, RI, et al.
USAP1 23-1547
No: 23A1103

Dear Mr. Caldwell:

Returned are the petitions and docket fee in the above-entitled case postmarked on August 12, 2024 and received again on February 20, 2025, which fail to comply with the Rules of this Court.

The petition must bear a suitable cover consisting of heavy paper, front and back. Rule 33.1(e).

The opposite side of the front cover page must be blank. The questions presented for review must appear on the first page immediately following the blank cover of the petition. Rule 14.1(a).

The index of appendices must appear at the beginning of the appendix, not within the body of the petition.

The conclusion of the petition must bear the name and signature of the petitioner. Rule 34.3.

Your petitions and money order no. 29623106261 in the amount of \$300.00 are herewith returned.

Kindly correct the petition and appendix so that it complies in all respects with the Rules of this Court and return it to this Office promptly so that it may be docketed. Unless the petition is submitted to this Office in corrected form within 60 days of the date of this letter, the petition will not be filed. Rule 14.5.

Three copies of the corrected petition must be served on opposing counsel. Rule 29.3.

When making the required corrections to a petition, no change to the substance of the petition may be made.

Sincerely,
Scott S. Harris, Clerk
By:

Sara Simmons
(202) 479-3023

Enclosures