

17-20238

71343019 – Olufolajimi Abegunde (MBA)

WTDF P.O. Box 509 Mason, TN 38049

19 OCT 25 PM 2:46

MEMORANDUM

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
SOUTH OF TN MEMPHIS

From: Olufolajimi Abegunde
To: Business Manager West
cc: The Honorable Judge Lipman; Mr. John Keith Perry
Subject: Re: Re: Clarification Regarding Admission of Prosecutorial Misconduct By Senior Trial Attorney – Timothy Flowers
Date: Wednesday October 9, 2019

On Tuesday October 8, 2019; around 6:10pm, Defendant received the same letter Defendant had sent to Ms. West on two prior occasions. That is, on Monday October 7, 2019 when the letter was sent with an envelope bearing the text: "LEGAL CORRESPONDENCE"; the second occasion was on Tuesday October 8, 2019 when Defendant made alterations to the envelope by redacting the "LEGAL CORRESPONDENCE" text.

This time around however, it appears as though Ms. West explicitly confirmed that she received the letter. This is because the returned letter also came with a response to Defendant's earlier request that Ms. West confirm that she received the letter. The response to the request was stapled to the returned envelope that contained the letter (please see attached copies of the returned envelope and the returned request from. Also see attached a copy of Ms. West's original response on Monday October 7, 2019). The returned request form contained the following text signed by Ms. West and dated 10.8.10:

"The Items requested in your letter need to go through your attorney"

Upon receiving the response from Ms. West, Defendant positively avers that:

- 1) Ms. West explicitly confirmed that she received and read Defendant's letter, yet she returned the letter.
- 2) The same letter – without the redaction – was sent to Ms. West a day before (on Monday October 7, 2019), and was returned because according to Ms. West, the letter did not amount to legal correspondence.

Defendant is very concerned because:

- a) Based on Ms. West's response, it is increasingly plausible that Ms. West had actually read the initial letter sent on Monday October 7, 2019.
- b) It is increasingly plausible that Ms. West's responses – through the deployment of a highly frivolous argument based on semantics in one instance – constitute a tactic to deflect from a critically vital issue of the highest significance. The issue at hand is a prodigiously serious issue centered around the violation of Defendant's Due Process, as well as Defendant's Sixth Amendment Rights. Defendant makes this point because Ms. West's second response regarding Defendant's attorney is not supported by any underlying official policy statement. In other words, Ms. West's response appears to be arbitrary.

Defendant must make it abundantly clear that Defendant is well aware that the potential violations of Defendant's constitutional rights is not an isolated incident. At least one other CCA detention facility, as well as a United States Attorney's Office have been implicated in similar egregious acts of malfeasance. See *United States v. Carter*, 2019 U.S. Dist. LEXIS 12263, Case No. 16-20032-02-JAR (Dist. Kansas 2019); *United States v. Black*, 2017 U.S. Dist. LEXIS 75497, Case No. 16-20032-JAR (Dist. Kansas 2017).

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P.O. Box 509

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Ms. Lisa West

The Business Manager

WTDF

P.O. Box 509

Mason, TN 38049



HH Business Manager West

CCA - WEST TENNESSEE DETENTION FACILITY

INMATE REQUEST FORM

TO (CHECK ONE)

- WARDEN
- ASSISTANT WARDEN
- BUSINESS MANAGER
- HEALTH SERVICES
- JOBS MANAGER
- WAREHOUSE
- CHAPLAIN
- UNIT MANAGER
- CASE MANAGER

FROM Olyfolajimi Abegunde 71343019 K-1.09 10/08/2019
INMATE NAME INMATE NUMBER HOLDING DATE

REQUEST Dear Ma'am, here is a formal request for a
formal confirmation from you ma'am, that you received
the attached formal letter. Thanks for your kind consideration

INMATE SIGNATURE (REQUIRED) *[Signature]*

STAFF RESPONSE The items requested in your letter need
to go through your attorney.

STAFF SIGNATURE *[Signature]*

DATE 10.8.19

WHITE COPY - INMATE RECORD
 YELLOW COPY - RETURNED TO INMATE W/RESPONSE
 PINK COPY - INMATE COPY



K 209
Returned

Not legal
correspondence
Please address
differently
10/2/19