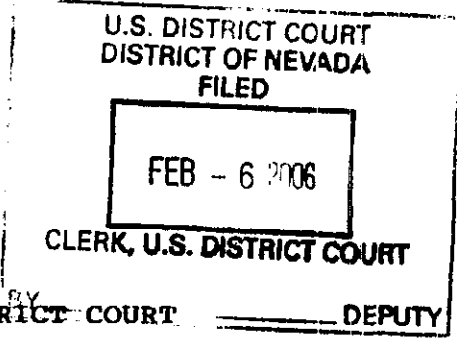


1 Frank M. Peck #57106
2 Post Office Box #607
3 Nevada State Prison
4 Carson City, Nv. 89702



5 UNITED STATES DISTRICT COURT DEPUTY

6 DISTRICT OF NEVADA

7 JAMES E. PHILLIPS, ET, AL.,)
8)
9)
10)
11)
12)

PLAINTIFFS,

VS.

RICHARD BRYAN, ET, AL.,)

DEFENDANTS,)

Case No. CV-R-77-221-ECR

MOTION TO RESTORE/APPOINT

FEDERAL MONITORS

13 Comes Now, Petitioner, Frank Milford Peck, before this
14 Honorable Court to move that Federal Monitors be restored /
15 appointed in the instant case cited above.

16 Petitioner maintains he has the authority to request such
17 action because Petitioner is a member of the General Population
18 at Nevada State Prison (N.S.P.) to whom authority is assigned
19 and defined at Item 2, page 4 lines 1-2 of the Stipulated
20 Settlement Agreement (hereinafter S,S,A,) in the above-cited
21 matter, filed May 19, 1988 in this Honorable Court.

22 Petitioner alleges numerous violations of the S,S,A, and
23 further cites item 5, page 4 lines 20-23, which states the
24 Defendants have no ground for objection to the request to
25 restore/appoint monitors in this instance.

26 Petitioner notes violations which include but are not limited
27 to: Over-Crowding (2 men) in 10X6 Cell.

28 Petitioner belives that it is highly unlikely that the terms

1 of Item 6, page 5, lines 13-15 have been implemented regarding
2 training and orentation to the meaning of the S,S,A, as is
3 required by the same.

4 Medical Diets are Incorrect and are not supervised by a
5 Dietician in violation of Item C. page 18, lines 15-17 and
6 breakfast is not served within the required 14 hours past
7 between dinner and breakfast-the current average is 15+ hours
8 in violation of item E. page 19, lines 26-28.

9 The Environment in the cellhouse exceeded 100° and did not
10 fall below 80° for extended periods of time during summer months,
11 in violation of Item D. page 21, lines 21-24.

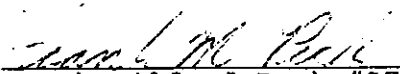
12 Furnishings in the cellhouse are insufficient and unsafe.

13 It is believed that many more violations will become evident
14 upon Monitors inspection.

15 Petitioner Prays this Honorable COurt issue an Order of
16 Protection against Retaliation as Petitioner fears may occur
17 upon the filing of this motion.

18 This Motion is made in good faith and not for the purpose
19 of harrasment.

20
21 Dated this 25th day of January 2006.

22
23 
24 Frank Milford Peck #57106
25 Nevada State Prison

26
27
28 