

PROOF OF SERVICE BY AN INMATE

ACCORDING TO PRISONER MAILBOX RULE

THIS MAILING IS DEEMED FILED AND SERVED UNDER ANTHONY V CAMERA, 236 F.3d.563(9th cir.2000)

WHEN THIS MAILING HAS BEEN DELIVERED INTO THE CUSTODY OF CDCR STAFF

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united states district court  
333 w broadway #420  
s.d.ca.92101

department of justice  
600 w broadway #1800  
s.d.ca.92101

This service contained the following documents;

*LEAVE OF COURT*

MOTION FOR APPOINTMENT OF COUNSEL 28 USC §1915(e)(1)

This service was conducted by an adult over the age of 18 years of age and mailed from a state institution, which will be logged by facility mailroom parties as [LEGAL] mail. This mailing was conducted from ;

sandiego

92179

CITY

ZIP CODE

This service was conducted on (DATE)

10/23/20

UNDER THE PENALTY OF PERJURY

THE FORGOING IS TRUTHFUL AND ACCORDING TO BELIEF

(NAME) john henry yablonsky

(SIGNED) \_\_\_\_\_

My address is \_\_\_\_\_

480 Alta s.d.ca.92179

1 John Henry Yablonsky CDCR#AL0373  
18-147  
480 Alta rd  
2 Sandiego,ca,92179  
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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

10 JOHN HENRY YABLONSKY,  
11 PLAINTIFF,

CASE# 3:18-cv-1122-CAB-AGS

REQUEST LEAVE OF COURT TO FILE  
NOTICE OF MOTION AND MOTION  
FOR APPOINTMENT OF COUNSEL  
PURSUANT TO 28 U.S.C§1915(e)(1)  
FILED IN CONJUNCTION WITH POINTS AND  
AUTHORITIES, SWORN DECLARATION BY JOHN  
HENRY YABLONSKY

13 VS.

DATE:  
TIME:  
DEPT:  
TRIAL: UNASSIGNED DATE

16 CALIFORNIA DEPARTMENT  
OF CORRECTIONS &  
17 REHABILITATIONS,

et al,  
18 DEFENDANT/S,

THE HONORABLE JUDGE SCHOPLER

19 PLAINTIFF--JOHN HENRY YABLONSKY  
20 DEFENDANT/S-D.POWELL, G.MARTINEZ, J. ROBLES, D.MC GUIRE,  
R.BLAHNIK, C.TISCARNIA, CAMOFLAGE MAN,  
MONDET, DOES 1-10

22 INTRODUCTION

23 On August 23, 2020 Plaintiff filed second amended com-  
24 plaint as a direct result of a Courts order on September 28, 2020.  
25 The Court did not dismiss the complaint originally filed in 2018  
26 in it's entirety, granting leave to amend the complaint . Defend-  
27 ants in this case filed timely motion to dismiss certain claims  
28 while not challenging the complaint in its entirety.

1 Plaintiff SAC contained included five causes of action to include  
2 first amendment violations of free speech, retaliation, and access  
3 to Court. The SAC also included two other causes of action for  
4 violations to American With Disabilities Act as well as intentional  
5 infliction of emotional distress. Plaintiff filed opposition to  
6 defendants motion to dismiss along with numerous exhibits support-  
7 ing his allegations made within the complaint.

8 This complaint along with complexities of this case  
9 suggest that plaintiff deserves the assistance of counsel to bring  
10 this case to trial because;

11 1) The complexity of this case where at least seven defend-  
12 ants have been named, one addressed as CAMOFLAGE MAN, as well as  
13 potential defendants identified as DOES listed in five seperate  
14 causes of action that have not been dismissed in their entirety.

15 2) Plaintiff suffers a disability which infringes upon  
16 visually requirments to maintain ordinary course of "PROCEEDINGS"  
17 "DISCOVERY PROCESSES" as well as ability to "RESEARCH AUTHORITY"

18 3) The complaint includes allegations of retaliation  
19 which are already identified by The District Court against R.J.Donovan  
20 staff for taking actions against disabled inmates

21 4) There is a substancial likelihood of success in this  
22 case where defendants have failed to deny one allegation sufficiently  
23 to overcome the burden of presumption of accuracy in the allegations.

24 5) The merits of this case have not been dismissed by  
25 the Court and therefore are meritorious.

26  
27 October 13 2020

John Henry Yablonsky

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3 1. THIS CASE IS COMPLEX

4 Plaintiff arrived at R.J. Donovan as a handicapped inmate  
5 seeking access to resources which are located inside a locked and  
6 segregated location of the prison which "REGULATES" how much access  
7 any one inmate may have. In this case, these "RESOURCES" are required  
8 by plaintiff in order for him to maintain forward momentum of  
9 "ANY" causes of actions. Staff at DONOVAN, specifically law library  
10 staff know this, and use this "FACT" to filter plaintiff efforts  
11 which is the foundation of plaintiff troubles at this facility.  
12 RICHARD J. DONOVAN is already known and currently being addressed  
13 for corruption as well as retaliatory actions against inmates housed  
14 at this institution. (ARMSTRONG) Because plaintiff exercise was  
15 circumscribed, antagonized by library staff who feel their library  
16 cards are licenses to breach protected rights afforded inmates,  
17 plaintiff complaints led to a series of unwarranted acts of retaliat-  
18 ion which included locking plaintiff out of the library while he  
19 had active cases, needs to access ADA equipment. Plaintiff complaint  
20 for this act, led to other acts of retaliation, one after another  
21 to include but not limited to ;

22 \* REDUCING ACCESS TO LAW LIBRARY

23 \* TAKING PLAINTIFF HAND WRITTEN RESEARCH

24 \* BAIT AND SWITCH APPEALS TO FRUSTRATE APPEALS

25 \* MAKING VERBAL THREATS WHILE DISCUSSING EXERCISE RIGHTS

26 \* TAMPERING WITH OFFICIAL PROTECTED MAIL

27 \* FILING FALSE RVR TO TERMINATE ACCESS

28 \* OBFUSCATING ADMINISTRATIVE APPEALS

\* OTHER INTERFERENCES CAUSING UNWARRANTED HARDSHIPS UPON  
AN ADA PROTECTED INMATE

This case involves numerous defendants who have colluded  
to take actions upon an inmate who exercised a protected right.



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C. J. ROBLES

This defendant as a librarian took actions targeting plaintiff protected rights, played a significant role in creating a fake rule about mandatory attendance as PLU inmates, then filed false disciplinary actions to terminate access to ADA resources located inside the law library. This party also took a significant role in the fake rule about librarians rights to read inmates protected papers. This party also took part in reducing access to the ADA resources located inside the law library. This party colluded with others

D. R. BLAHNIK

This defendant as a senior librarian played a significant role in the creation of fake rules with regards to reading protected papers, mandatory access for PLU inmates and the filing of a false disciplinary report, targeting plaintiff ADA needs to access resources located in the library. This party colluded with others. This defendant over seen and facilitated these actions outlined in this complaint about library issues and either facilitated these actions or authorized them to take place in his designated authoritative position in the Plaza Library and other locations.

E. C. TISCARNIA

This defendant as a librarian took actions targeting plaintiff protected rights, played a significant role in the reduction of access to resources for plaintiff ADA needs. She colluded with other

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F. D. MC GUIRE

This defendant acted as a senior party to these actions while arranging, colluding with, the creations of fake rules about being able to read protected papers, mandatory use of PLU ducats, and arranged, facilitated the taking of "ALL" of plaintiff hand written research notes for backward and forward legal interests with criminal as well as civil interests. This party played a significant role in the actions against an ADA inmate while practicing protected rights when she helped, arranged the taking of plaintiff files, then the threats upon plaintiff for filing appeals against her for taking the files. Then conspired with G. Martinez and others for a bait and switch targeting the appeal directed at her actions for taking the legal files. This defendant also took a significant role in tampering with protected mail being sent to sheriff department for service upon her and other defendants to coerce the case into dismissal. This defendant colluded with others

G. . MONDET

This defendant played significant roles in the handling of appeals targeted at the taking legal files when she conducted the interview. This defendant also colluded with others targeting an ADA inmate who exercised protected right.

H. MR CAMOFLAGE MAN

This defendant took a role in making verbal threats upon plaintiff while discussing plaintiff exercise for redressable

1 issues. Making threats that were unwarranted, uncalled for, and  
2 when plaintiff explained the nature of his attacks against his  
3 wrongful conviction this party terminated that attack upon plaintiff.  
4 This defendant colluded with others, targeting plaintiff ADA .

5  
6 COMPLEXITY ISSUE

7 These defendants control the majority of plaintiff  
8 housing needs ~~with~~ regards to access to the Court and other  
9 first amendment practices. These parties either work together,  
10 have been tranfered from one job title to another or transfered  
11 to other institutions and are being sued inthe official capacity  
12 and have been replaced by another party. The discovery for these  
13 defendantys will be extensive which will include ;

- 14 \* Depositions  
15 \* Request for admissions  
16 \* Request for interragatories  
17 \* Deamnds for discoverable materials which include;  
18 i) E.Mails transmissions  
19 ii) Attendance records for staff meetings (EDUCATION)  
20 iii) OTHER ~~XXXXXX~~ related records  
21 iv) Requests for named other parties

22 Because plaintiff is addressing numerous parties who  
23 are already on the records for retaliatory acts against ADA inmates  
24 it is expected that discovery will be lengthy and complicating  
25 since alot of the materials required to show (COLLUSION) will be  
26 on administrative equipment where an inmate access may cause un-  
27 warranted hardshiops about facility security, whereas a license  
28 lawyer will not face these same ~~hurdles~~. It is expected that the  
discovery will show that these acts outlined within the complaint  
were in fact intentional and deliberate to chill an inmate who  
fights for liberty thatw as wrongfully taken through acts of fraud!!





1 4. THERE IS SUBSTANCIAL LIKLIHOOD OF SUCCESS

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3 Because this complaint had not been dismissed by the  
4 Court on at least two of the grounds for first amendment violations  
5 as well as request for injunctive relief, suggests this case had  
6 merit. Furthermore defendants have not denied any of the allegation  
7 made withinthe complaint or any of the apeals which had been exhausted  
8 therefore are estopped from taking another defense. It is likely  
9 that defendants will assert immunity defenses which are only based  
10 on qualified immunity which will not stand because they knew the  
11 rules, laws, statutes and knew substancial liklihood an injury  
12 woiuld result as a direct result of their actions. Therefore not  
13 immune to suit. Besides theya re being sued in their individual  
14 as well as official capacities. Therefore a substancial chance  
15 that plaintiff will suffer more if this Court doe s not provide  
16 a vehicle which relief could be sought. Thererfore attorney fees  
17 are available .

18 It is more than likely that through discovery the defendant  
19 actions will be recorded, which will support the elements required  
20 to prove to a panel of jurists that violations did occur as outlined  
21 withinthe complaint.  
22

23 5. THE MERITS OF THE COMPLAINT

24  
25 The Court had denied defendants motion to dismiss the  
26 complaint in its entirelty, allowing plaintiff a chance to amend  
27 the complaint. Even the SAC may very well face that same issue  
28 where plaintiff was not capable of stating the facts correctly.

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CONCLUSION

For the above stated reasons, appointment of counsel may be necessary to protect plaintiff substantial rights which are being attacked by rogue staff at R.J. DONOVAN who are already on the record for attacking handicapped inmates. This case is complex and includes several complicating issues as described above suggest appointment is necessary

October 23, 2020

John Henry Yablonsky

# EXHIBIT COVER PAGE



Description if this exhibit:

Number of Pages to this exhibit:   1   Pages.

## **JURISDICTION:** (Check One Only)

- MUNICIPAL COURT
- SUPERIOR COURT
- APPELATE COURT
- STATE SUPREME COURT
- UNITED STATES DISCTRICT COURT
- STATE CIRCUIT COURT
- UNITED STATES SUPREME COURT
- GRAND JURY

INSTITUTION (Staff use only)	LOG NUMBER (Staff Use Only) <b>20-63801</b>	DATE RECEIVED BY STAFF: <b>JUL 14 2020</b>
<p>*****TALK TO STAFF IF YOU HAVE AN EMERGENCY*****</p> <p><b>DO NOT</b> use a CDCR 1824 to request health care or to appeal a health care decision. This may delay your access to health care. Instead, submit a CDC 7362 or a CDCR 602-HC</p>		

INMATE'S NAME (Print) <b>YABLONSKY , <del>XXXXXX</del> JOHN</b>	CDCR NUMBER <b>AL0373</b>	ASSIGNMENT <b>TA comp.lit.</b>	HOUSING <b>0800-1000 m-f</b>
--	------------------------------	-----------------------------------	---------------------------------

**INSTRUCTIONS:**

- You may use this form if you have a physical or mental disability or if you believe you have a physical or mental disability.
- You may use this form to request a specific reasonable accommodation which, if approved, will enable you to access and/or participate in a program, service or activity. You may also use this form to submit an allegation of disability-based discrimination.
- Submit this form to the Custody Appeals Office.
- The 1824 process is intended for an individual's accommodation request. Each individual's request requires a case-by-case review.
- The CDCR 1824 is a request process, not an appeal process. All CDCR 1824 requests will receive a response.
- If you have received an 1824 decision that you disagree with, you may submit an appeal (CDCR 602, or CDCR 602-HC if you are disagreeing with a medical diagnosis/treatment decision).

**WHAT CAN'T YOU DO / WHAT IS THE PROBLEM?**  
I AM FIGHTING A CRIMINAL CASE WHICH REQUIRES INTENSIVE READING. BECAUSE I AM VISUALLY IMPAIRED BOOK READING IS EXTREMELY DIFFICULT. THE LAW LIBRARY HAS COMPACT LEXUS COMPUTER BOXES THEY PROVIDE INMATES WITH ACCESS ISSUES INTO LAW LIBRARY. BECAUSE OF COVID19 THESE ISSUES NOW APPLY TO ME. I AM REQUESTING ACCESS TO ONE OF THESE LEXUS BOXES FOR A MINIMAL OF TEN HOURS PER WEEK FOR ME TO RESEARCH LEGAL ARGUMENTS, THEORIES, AND DEFENSES FOR (cont)

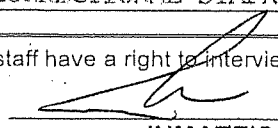
**WHY CAN'T YOU DO IT?**  
BECAUSE OF THE VISUAL IMPAIRMENT BOOK READING IS EXTREMELY DIFFICULT DO TO TEXT SIZE, WHICH ARE AGGRAVATED DUE TO MY DOUBLE VISION. THE DOUBLE VISION AFFECTED THE AMOUNT OF READING I CAN DO. THIS WOULD CHANGE IF THE TEXT WAS LARGER WHICH COMPUTER BOX FOUR ~~XXXXX~~ RESEARCH IS PROVIDED IS CAPABLE OF

**WHAT DO YOU NEED?**  
I NEED THE LAW LIBRARY TO PROVIDE ME WITH A LEXUS NEXUS COMPUTER BOX SO THAT I CAN RESEARCH MY CASE, AND ARGUMENTS, CASE LAW STUDY, TO PROVIDE EFFECTIVE LEGAL ARGUMENTS TO THE COURT. These boxes are available to inmates, and because of access to law library prevents any access at all, and my handicap of visual impairment needs, "SOME" means should be provided me so that (I may exercise my right to challenge an illegal conviction) on a case that i have been studying, researching, and developing for almost eight years now. It is obvious i have resources to write. I need to read before ~~CP~~ (Use the back of this form if more space is needed)

**DO YOU HAVE DOCUMENTS THAT DESCRIBE YOUR DISABILITY?** Yes  No  Not Sure

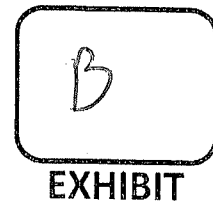
List and attach documents, if available:  
ALL MY MEDICAL IMPAIRMENT RECORDS ARE IN THE CONTROL OF CHIEF MEDICAL STAFF, LIBRARIANS AS WELL AS CORRECTIONAL STAFF MY HANDICAP IS UNDISPUTED

I understand that staff have a right to interview or examine me, and my failure to cooperate may cause this request to be disapproved.

 7 13 20  
 INMATE'S SIGNATURE DATE SIGNED

Assistance in completing this form was provided by:  
 \_\_\_\_\_  
 Last Name First Name Signature

# EXHIBIT COVER PAGE



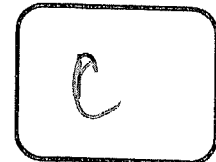
Description if this exhibit:

Number of Pages to this exhibit: 2 Pages.

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EXHIBIT

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- GRAND JURY

**SECTION A: INMATE/PAROLEE REQUEST**

NAME (Print): (LAST NAME) <b>YABLONSKY</b>	(FIRST NAME) <b>JOHN</b>	CDC NUMBER: <b>AL0373</b>	SIGNATURE: 
HOUSING/BED NUMBER: <b>18-147</b>	ASSIGNMENT: <b>TA CAMP</b>	HOURS FROM <b>8</b> TO <b>10</b> <b>AM</b>	TOPIC (I.E. MAIL, CONDITION OF CONFINEMENT/PAROLE, ETC.): <b>LIBRARY ACCESS</b>

CLEARLY STATE THE SERVICE OR ITEM REQUESTED OR REASON FOR INTERVIEW:

**I HAVE COURSE DEADLINES  
 OF 6-24-20  
 I NEED ACCESS  
 NOW PLEASE**

METHOD OF DELIVERY (CHECK APPROPRIATE BOX) **\*\*NO RECEIPT WILL BE PROVIDED IF REQUEST IS MAILED \*\***

SENT THROUGH MAIL: ADDRESSED TO: **NORUSIA** DATE MAILED: **6, 8, 20**

DELIVERED TO STAFF (STAFF TO COMPLETE BOX BELOW AND GIVE GOLDENROD COPY TO INMATE/PAROLEE):

RECEIVED BY: PRINT STAFF NAME:	DATE:	SIGNATURE:	FORWARDED TO ANOTHER STAFF? (CIRCLE ONE) YES NO
IF FORWARDED - TO WHOM:	DATE DELIVERED/MAILED:	METHOD OF DELIVERY: (CIRCLE ONE) IN PERSON BY US MAIL	

**SECTION B: STAFF RESPONSE**

RESPONDING STAFF NAME: <b>D. Nowroozian</b>	DATE: <b>6/10/20</b>	SIGNATURE: 	DATE RETURNED: <b>6/10/20</b>
--	-------------------------	----------------	----------------------------------

**Due to Covid-19, central library is offering  
 paging services only at this time.  
 Thank you,**

**SECTION C: REQUEST FOR SUPERVISOR REVIEW**

PROVIDE REASON WHY YOU DISAGREE WITH STAFF RESPONSE AND FORWARD TO RESPONDENT'S SUPERVISOR IN PERSON OR BY US MAIL. KEEP FINAL CANARY

**YOUR DENIAL OF ACCESS IS ERRONEOUS. PIA, PIA SHOE FACTORY, HEM WORKERS, KITCHEN WORKERS AS WELL AS EDUCATION DESIHING HAVE  
 BEEN TAKING PLACE WHILE COVID 19 ALERTS ARE IN PLACE. YOU HAVE SPACING BETWEEN DESKS, NO FLOCKING OF THE COUNTER AS WELL  
 AS MANDATORY HAND WASHING AND WEARING OF MASKS WHICH SUPPORT ACCESS SHOULD OCCUR. CORONA VIRUS IS VEHICLED ONTO PAPER,  
 CLOTHES, WHICH INDICATE THAT PAGING SHOULD ALSO BE STOPPED ACCORDING TO YOUR UNDERSTANDING ABOUT PRECAUTIONARY MEASURES..  
 I HAVE ACTIVE DEADLINES ON YOUR CASE FOR RETALIATION (R.J. DONOVAN STAFF) 18;1CV-1122-CAB-ACS I NEED ACCESS NOW PLEASE!!**

SIGNATURE: 	DATE SUBMITTED: <b>6/10/20</b>
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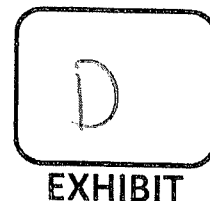
**SECTION D: SUPERVISOR'S REVIEW**

RECEIVED BY SUPERVISOR (NAME): <b>MONDET</b>	DATE: <b>6-16-20</b>	SIGNATURE: 	DATE RETURNED: <b>6-16-20</b>
---	-------------------------	----------------	----------------------------------

**UNTIL FURTHER NOTIFICATION WILL CONTINUE  
 WORKING WITH MODIFIED SCHEDULE AND ATTENDING  
 ONLY THREE DAYS A WEEK PROVIDING PRIORITY EDUCATS TO  
 PLU'S.  
 WHEN WE START REOPENING THE EDUCATION AND  
 LIBRARY SCHEDULE WE WILL LET THE POPULATION KNOW  
 WE WANT TO PREVENT COVID 19 AND RTD HAS BEEN  
 VERY CAUTION IN REOPENING - PLEASE STAY PROOF PLU.**



# EXHIBIT COVER PAGE



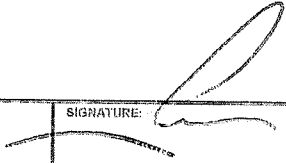
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- GRAND JURY

**SECTION A: INMATE/PAROLEE REQUEST**

NAME (Print): (LAST NAME) (FIRST NAME) <b>YABLONSKY JOHN</b>		CDC NUMBER: <b>410373</b>	SIGNATURE: 
HOUSING/BED NUMBER: <b>18-147</b>	ASSIGNMENT: <b>TA comp lit</b>	HOURS FROM <u>9</u> to <u>10a</u>	TOPIC (I.E. MAIL, CONDITION OF CONFINEMENT/PAROLE, ETC.): <b>LIBRARY ACCESS</b>

CLEARLY STATE THE SERVICE OR ITEM REQUESTED OR REASON FOR INTERVIEW:  
 CCP §§ 3122, 3123 PLAZA LIBRARY HAS BEEN SET UP FOR LAW LIBRARY ACCESS WITH SPACE BETWEEN DESKS, BLOCKADES FROM COUNTER TO AVOID COVID 19 PRECAUTIONS. You had been allowing access to the library, because of these precautions taken by you. FIA, FIA MAINTENANCE, FIA SIDE FACILITY, NEW VONETS, AS WELL AS KITCHEN WORKERS HAVE BEEN GOING TO ASSIGNED DUTIES WHILE COVID19 ALERTS HAVE BEEN IN PLACE. These facts make your denial of access to the law library for inmates with active cases an egregious excuse to avoid rights and responsibilities regarding inmates access to courts. (3122, 3123) I HAVE AC DEALINES WITH A LAWSUIT AGAINST YOUR STAFF FOR RETALIATION, WHICH YOU ARE NOW BRAGGINGLY STATING THAT COVID19 IMPROVES ACCESS. WE HAVE BEEN ON MODIFIED LOCKDOWN FOR TWO MONTHS. THESE RESTRICTIONS ARE INTERFERING WITH MY ACCESS TO THE COURT

METHOD OF DELIVERY (CHECK APPROPRIATE BOX) \*\*NO RECEIPT WILL BE PROVIDED IF REQUEST IS MAILED \*\*  
 SENT THROUGH MAIL: ADDRESSED TO: **NOVOCISIAN** DATE MAILED: **6/19/20**  
 DELIVERED TO STAFF (STAFF TO COMPLETE BOX BELOW AND GIVE GOLDENROD COPY TO INMATE/PAROLEE):

RECEIVED BY, PRINT STAFF NAME:	DATE:	SIGNATURE:	FORWARDED TO ANOTHER STAFF? (CIRCLE ONE) YES NO
IF FORWARDED -- TO WHOM:	DATE DELIVERED/MAILED:	METHOD OF DELIVERY: (CIRCLE ONE) IN PERSON BY US MAIL	

**SECTION B: STAFF RESPONSE**

RESPONDING STAFF NAME: <b>J Robles</b>	DATE: <b>06/17/2020</b>	SIGNATURE: 	DATE RETURNED:
---	----------------------------	--	----------------

Hello, John Yablonsky  
 We will discuss you the law library due to your vision impairment.  
 You are scheduled June 19th, 2020  
 Thank you

**SECTION C: REQUEST FOR SUPERVISOR REVIEW**

PROVIDE REASON WHY YOU DISAGREE WITH STAFF RESPONSE AND FORWARD TO RESPONDENT'S SUPERVISOR IN PERSON OR BY US MAIL. KEEP FINAL CANARY COPY.

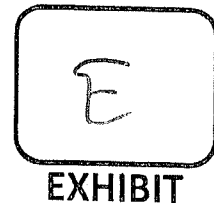
**I WAS DUCATED  
 1-TIME FOR  
 2 HOURS  
 UP UNTIL  
 8-16-20**

SIGNATURE:	DATE SUBMITTED:
------------	-----------------

**SECTION D: SUPERVISOR'S REVIEW**

RECEIVED BY SUPERVISOR (NAME):	DATE:	SIGNATURE:	DATE RETURNED:
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- GRAND JURY

**SECTION A: INMATE/PAROLEE REQUEST**

NAME (Print): (LAST NAME) <b>YABLONSKY</b>		(FIRST NAME) <b>JOHN</b>	CDC NUMBER: <b>AL1373</b>	SIGNATURE: 
HOUSING/BED NUMBER: <b>18-147</b>	ASSIGNMENT: <b>TA comp. III</b>		HOURS FROM <b>8</b> TO <b>10a</b>	TOPIC (I.E. MAIL, CONDITION OF CONFINEMENT/PAROLE, ETC.): <b>LIBRARY ACCESS TO COURT</b>

CLEARLY STATE THE SERVICE OR ITEM REQUESTED OR REASON FOR INTERVIEW: **CCR§§§ 3120(a), 3122, , 3123(a) 1 AMENDMENT CONSTIT.**

**IN your 6/16/20 you indicated that you will only open the library for III inmates. As indicated your libraries have been prepared with "SPACING" between work stations, barricades at counters to ensure social distancing. Mandatory hand washing at the point of entry into library is enforced. The plaza library is prepared and equipped for twelve law library users who would meet the social distance of six feet while attending. R.J. Donovan has been on proloned modified program schedule because of covid alerts, since your staff and space is prepared why are you withholding access??**

METHOD OF DELIVERY (CHECK APPROPRIATE BOX) **\*\*NO RECEIPT WILL BE PROVIDED IF REQUEST IS MAILED \*\***

SENT THROUGH MAIL: ADDRESSED TO: **EDUCATION MONDET** DATE MAILED: **6/22/20**

DELIVERED TO STAFF (STAFF TO COMPLETE BOX BELOW AND GIVE GOLDENROD COPY TO INMATE/PAROLEE):

RECEIVED BY: PRINT STAFF NAME:	DATE:	SIGNATURE:	FORWARDED TO ANOTHER STAFF? (CIRCLE ONE) YES NO
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IF FORWARDED - TO WHOM:	DATE DELIVERED/MAILED:	METHOD OF DELIVERY: (CIRCLE ONE) IN PERSON BY US MAIL
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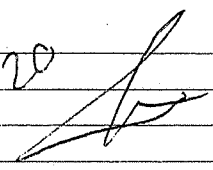
**SECTION B: STAFF RESPONSE**

RESPONDING STAFF NAME:	DATE:	SIGNATURE:	DATE RETURNED:
------------------------	-------	------------	----------------

**I WAS NOT RESPONDED TO**

**SECTION C: REQUEST FOR SUPERVISOR REVIEW**

PROVIDE REASON WHY YOU DISAGREE WITH STAFF RESPONSE AND FORWARD TO RESPONDENT'S SUPERVISOR IN PERSON OR BY US MAIL. KEEP FINAL CANARY COPY.

**I WAS DUCATED FTIME UP UNTIL 8 16 20** 

SIGNATURE:	DATE SUBMITTED:
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**SECTION D: SUPERVISOR'S REVIEW**

RECEIVED BY SUPERVISOR (NAME):	DATE:	SIGNATURE:	DATE RETURNED:
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# EXHIBIT COVER PAGE



Description if this exhibit:

Number of Pages to this exhibit: 1 Pages.

**JURISDICTION:** (Check One Only)

- MUNICIPAL COURT
- SUPERIOR COURT
- APPELATE COURT
- STATE SUPREME COURT
- UNITED STATES DISCTRICT COURT
- STATE CIRCUIT COURT
- UNITED STATES SUPREME COURT
- GRAND JURY

# REASONABLE ACCOMMODATION PANEL (RAP) RESPONSE

RAP Meeting Date: 7/16/20  
Date Received: IAC 7/14/20  
1824 Log Number: 1824-0  
RJD-D-20-3801  
Inmate's Name: YABLONSK Y,J.  
CDC R #: AL0373  
Housing: RJD-D-018-1-147-1L

**RAP Staff Present:** S. Anderson, ADA Coordinator; Dr. R. Barenchi, Chief Physician & Surgeon; H. Le, Custody Appeals Representative; K. Adrian, Health Care Compliance Analyst; M. Ortiz, Health Care Grievance Representative; Dr. C. Kauffman, Psychologist; B. Millum, Education

## **Summary of Inmate's 1824 Request:**

1. Requesting for the law library to provide Lexus Nexus computer box to research cases, and arguments.

---

## **Interim Accommodation:**



No Interim accommodation provided:

---

## **FINAL RESPONSE:**

### **RAP is able to render a final decision:**

Yablonskey submitted a Request for Reasonable Accommodation requesting for the law library to provide Lexus Nexus computer box to research cases, and arguments. Due to COVID-19 precautions, the Law Library is currently assisting inmates on PLU status only. You may submit a request to the law library for PLU status.

**Direction if dissatisfied:** If you disagree with this decision, submit a CDCR 602 HC grievance, be sure to attach a copy of this response along

**REASONABLE ACCOMMODATION PANEL (RAP)**  
**RESPONSE**

RAP Meeting Date: 7/16/20  
Date Received: IAC 7/14/20  
1824 Log Number: 1824  
RJD-D-20-3801  
Inmate's Name: YABLONSK Y,J.  
CDC R #: AL0373  
Housing: RJD-D-018-1-147-1L

with your CDCR 1824 as supporting documents.

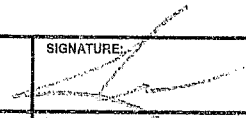
S. Anderson, AW

\_\_\_\_\_  
ADA  
Coordinator/Designee

  
Signature

Date sent to  
inmate: AUG 11 2020

**SECTION A: INMATE/PAROLEE REQUEST**

NAME (Print): (LAST NAME) <b>YABLONSKY</b>		(FIRST NAME) <b>JOHN</b>	CDC NUMBER: <b>AL0573</b>	SIGNATURE: 
HOUSING/BED NUMBER: <b>18-147</b>	ASSIGNMENT: <b>TA comp.lit</b>		HOURS FROM <b>9</b> TO <b>10a</b>	TOPIC (I.E. MAIL, CONDITION OF CONFINEMENT/PAROLE, ETC.): <b>LIBRARY ACCESS DURING COVID</b>

CLEARLY STATE THE SERVICE OR ITEM REQUESTED OR REASON FOR INTERVIEW: **CCR §§§§§ 3120(a), 3122, 3123(a) My Section six. The place library has been arranged to accommodate 12 inmates for access to court needs. Spacing level stations, barricades at counter, mandatory hand washing and wearing of face masks are enforced. Yet the library forbids access and demands peeing services only. How are inmates to know which one to request, or which rule if all these resources are ~~XXXX~~ locked away from us. Personally I have been studying and working on my case for 3 years, and need to research laws which protect us from being wrongly taken. "PRAY" "DISCONDUCTS" "IAC" Please order the library to reopen to need access to the C**

METHOD OF DELIVERY (CHECK APPROPRIATE BOX) **\*\*NO RECEIPT WILL BE PROVIDED IF REQUEST IS MAILED\*\***

SENT THROUGH MAIL: ADDRESSED TO: **GARDEN HOLLARD** DATE MAILED: **6/20/21**

DELIVERED TO STAFF (STAFF TO COMPLETE BOX BELOW AND GIVE GOLDENROD COPY TO INMATE/PAROLEE):

RECEIVED BY: PRINT STAFF NAME:	DATE:	SIGNATURE:	FORWARDED TO ANOTHER STAFF? (CIRCLE ONE) YES NO
IF FORWARDED - TO WHOM:	DATE DELIVERED/MAILED:	METHOD OF DELIVERY: (CIRCLE ONE) IN PERSON BY US MAIL	

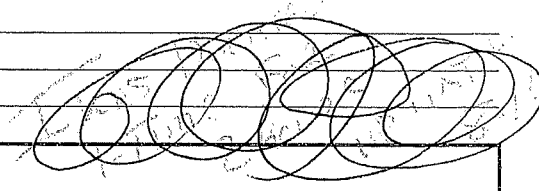
**SECTION B: STAFF RESPONSE**

RESPONDING STAFF NAME:	DATE:	SIGNATURE:	DATE RETURNED:
------------------------	-------	------------	----------------

**SECTION C: REQUEST FOR SUPERVISOR REVIEW**

PROVIDE REASON WHY YOU DISAGREE WITH STAFF RESPONSE AND FORWARD TO RESPONDENT'S SUPERVISOR IN PERSON OR BY US MAIL. KEEP FINAL CANARY COPY.

*I WAS NOT RESPONDED TO*



SIGNATURE:	DATE SUBMITTED:
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**SECTION D: SUPERVISOR'S REVIEW**

RECEIVED BY SUPERVISOR (NAME):	DATE:	SIGNATURE:	DATE RETURNED:
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*I WAS DUCATED 1-TIME UP UNTIL 8/16/21*



# EXHIBIT COVER PAGE



Description if this exhibit:

Number of Pages to this exhibit: 1 Pages.

**JURISDICTION:** (Check One Only)

- MUNICIPAL COURT
- SUPERIOR COURT
- APPELATE COURT
- STATE SUPREME COURT
- UNITED STATES DISCTRICT COURT
- STATE CIRCUIT COURT
- UNITED STATES SUPREME COURT
- GRAND JURY

**SECTION A: INMATE/PAROLEE REQUEST**

NAME (Print): (LAST NAME) <b>YARLONSKY</b> (FIRST NAME) <b>JOHN</b>		ODC NUMBER: <b>AL0373</b>	SIGNATURE:
HOUSING/BED NUMBER: <b>19-147</b>	ASSIGNMENT: <b>TA educ.</b>	HOURS FROM <b>8</b> TO <b>10</b>	TOPIC (I.E. MAIL, CONDITION OF CONFINEMENT/PAROLE, ETC.): <b>ACCESS TO LIBRARY</b>

CLEARLY STATE THE SERVICE OR ITEM REQUESTED OR REASON FOR INTERVIEW: **CCR § 3122, 3123. I have repeatedly asked for access**

**into the law library, adding that I had deadlines, for a case which you are defendants. All my requests to access went silent, unanswered. I filed CCR 1826 asking to gain access into your world known as black box so that I could research active cases, future cases, if you are denied. I am visually impaired, making reading difficult. You have the resources inside the library for visually impaired inmates and refuse access, knowing I have deadlines, because you are a defendant. This is unfair, impracticable, since your library is set up for CND attendees!!**

METHOD OF DELIVERY (CHECK APPROPRIATE BOX) **\*\*NO RECEIPT WILL BE PROVIDED IF REQUEST IS MAILED\*\***

SENT THROUGH MAIL: ADDRESSED TO: **LIBRARIAN BOBBI/SBORSTAN** DATE MAILED: **8/17/20**

DELIVERED TO STAFF (STAFF TO COMPLETE BOX BELOW AND GIVE GOLDENROD COPY TO INMATE/PAROLEE):

RECEIVED BY: PRINT STAFF NAME:	DATE:	SIGNATURE:	FORWARDED TO ANOTHER STAFF? (CIRCLE ONE) YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
IF FORWARDED - TO WHOM:	DATE DELIVERED/MAILED:	METHOD OF DELIVERY: (CIRCLE ONE) IN PERSON <input type="checkbox"/> BY US MAIL <input checked="" type="checkbox"/>	

**SECTION B: STAFF RESPONSE**

RESPONDING STAFF NAME: <b>D. Navroozian</b>	DATE: <b>8/20/20</b>	SIGNATURE:	DATE RETURNED: <b>8/20/20</b>
---	----------------------	------------	-------------------------------

**We are opening up the Law Library in about 2 weeks. I will make sure you receive a Ducat. Meanwhile please fill out this PLU form.**

**SECTION C: REQUEST FOR SUPERVISOR REVIEW**

PROVIDE REASON WHY YOU DISAGREE WITH STAFF RESPONSE AND FORWARD TO RESPONDENT'S SUPERVISOR IN PERSON OR BY US MAIL. KEEP FINAL CANARY COPY

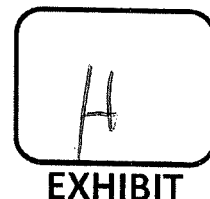
**YOUR JUDGE GAVE ME UNTIL 8 SEP 4, 2020 TO COMPLY TO COURTS ORDERS. YOU ARE DEFENDANTS IN THIS LAWSUIT ABOUT RETALIATION. I am an impaired inmate with special needs. Your library has these resources and now that I request them for deadlines you refuse,....for two weeks. The deadline will be over by then. You are retaliating upon me for appeals and lawsuits. I am writing your judge and filing another appeal for refusal of access to court as an ada issue**

SIGNATURE:	DATE SUBMITTED: <b>8-24-20</b>
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**SECTION D: SUPERVISOR'S REVIEW**

RECEIVED BY SUPERVISOR (NAME):	DATE:	SIGNATURE:	DATE RETURNED:
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# EXHIBIT COVER PAGE



Description if this exhibit:

Number of Pages to this exhibit: 4 Pages.

**JURISDICTION:** (Check One Only)

- MUNICIPAL COURT
- SUPERIOR COURT
- APPELATE COURT
- STATE SUPREME COURT
- UNITED STATES DISCTRICT COURT
- STATE CIRCUIT COURT
- UNITED STATES SUPREME COURT
- GRAND JURY

PRIORITY LIBRARY USER (PLU) REQUEST AND DECLARATION

Date of Request: 9 / 10 / 20

JOHN YABLONSKI  
Inmate's Full Name (Print Legibly)

A10373  
CDCR #

Complete Inmate Housing Assignment Information: 18-147

Complete sections A through D below to describe your established court deadline and certify your eligibility for Priority Legal User (PLU) status.

A. My established court deadline is based on (check one and provide information):

A court imposed deadline for an active case (attach court document showing the deadline).  
Specify court (e.g., Kern County Superior Court): U.S. DISTRICT COURT  
Specify case number: 18-CV-1122-CAB-AGS

A statutory deadline.  
Identify the statute or court rule that compels the deadline: FRAP(A)(1)(B) WITHIN 60 DAYS  
FRAP(A)(1)(A)

B. My deadline pertains to a(n) (check one and provide information if needed):

Writ of habeas corpus  
 State or Federal action concerning prison conditions  
 Appeal of criminal conviction  
 Petition for certiorari concerning criminal conviction  
 Other legal action (specify) CIVIL RIGHTS

C. The day of my established court deadline is: 10 / 14 / 2020  
(MM) (DD) (YY)

D. Inmate's self certification of eligibility. (Check all that apply. Sign and date below):

I am not represented by an attorney.  
 I am working on, and will only work on, my individual case.

I certify that all of the above information is true and correct. I understand that my application for PLU status, or the granting of my PLU status, will be revoked for falsifying information on this request; and that I will be guilty of an administrative rule violation.

[Signature]  
Inmate's Signature

A10373  
CDCR #

9-10-20  
Date

PRIORITY LIBRARY USER (PLU) REQUEST AND DECLARATION

Date of Request: 9 / 30 / 20

JOHN YABLONSKY  
Inmate's Full Name (Print Legibly)

A10373  
CDCR #

Complete Inmate Housing Assignment Information: 18-147

Complete sections A through D below to describe your established court deadline and certify your eligibility for Priority Legal User (PLU) status.

A. My established court deadline is based on (check one and provide information):

A court imposed deadline for an active case (attach court document showing the deadline).

Specify court (e.g., Kern County Superior Court): U.S. DISTRICT COURT

Specify case number: 18 - CV - 1122 - CAC - AGS

A statutory deadline.

Identify the statute or court rule that compels the deadline: \_\_\_\_\_

B. My deadline pertains to a(n) (check one and provide information if needed):

Writ of habeas corpus

State or Federal action concerning prison conditions

Appeal of criminal conviction

Petition for certiorari concerning criminal conviction

Other legal action (specify) CIVIL RIGHTS

C. The day of my established court deadline is: 10 / 23 / 20  
(MM) (DD) (YY)

D. Inmate's self certification of eligibility. (Check all that apply. Sign and date below):

I am not represented by an attorney.

I am working on, and will only work on, my individual case.

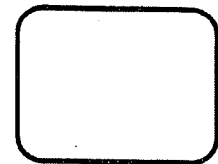
I certify that all of the above information is true and correct. I understand that my application for PLU status, or the granting of my PLU status, will be revoked for falsifying information on this request; and that I will be guilty of an administrative rule violation.

[Signature]  
Inmate's Signature

A10373  
CDCR #

9 / 30 / 20  
Date

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EXHIBIT

Description if this exhibit:

Number of Pages to this exhibit: \_\_\_\_\_ Pages.

**JURISDICTION:** (Check One Only)

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- UNITED STATES DISCTRICT COURT
- STATE CIRCUIT COURT
- UNITED STATES SUPREME COURT
- GRAND JURY

PROOF OF SERVICE BY AN INMATE

ACCORDING TO PRISONER MAILBOX RULE

THIS MAILING IS DEEMED FILED AND SERVED UNDER ANTHONY V CAMERA, 236 F.3d.563(9th cir.2000)

WHEN THIS MAILING HAS BEEN DELIVERED INTO THE CUSTODY OF CDCR STAFF

This service and mailing was conducted by a party and inmate of CDCR, and was conducted according to California Code Regulations § 3142 and P.C. § 2501(b). This mailing was inspected and sealed in the presence of an on duty correctional officer, into a fully prepaid envelope to be delivered by the U.S.P.S. as addressed to the following parties;

united stated sitrreict court  
333 w broadway #420  
s.d.ca.92101

department of justice  
600, w broadway #1800  
s.d.ca.92101

This service contained the following documents;

POINTS AND AUTHOTRITIES

This service was conducted by an adult over the age of 18 years of age and mailed from a state institution, which will be logged by facility mailroom parties as [LEGAL] mail. This mailing was conducted from ;

SANDIEGO

92179

CITY

ZIP CODE

This service was conducted on (DATE) \_\_\_\_\_

UNDER THE PENALTY OF PERJURY

THE FORGOING IS TRUTHFUL AND ACCORDING TO BELIEF

(NAME) john henry yablonsky

(SIGNED) \_\_\_\_\_

My address is \_\_\_\_\_

480 alta s.d.ca.92179

John Henry yablonsky CDGR#AL0373  
18-147  
480 Alta rd  
Sandiego,ca,92179

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

John Henry Yablonsky,  
Plaintiff,

CASE NO.18-cv-1122-CAB-AGS

POINTS AND AUTHORITIES IN SUPPORT  
OF MOTION FOR APPOINTMENT OF COUNSEL

vs.

DATE:NONE  
TIME : UNKNOWN  
DEPT: SCHOPLER

Californai Department  
of Corrections &  
Rehabilitations

Defendants ;  
et al ;

THE HONORABLE MAGISTRATE A A. SCHOPLER

A fedreal civil rights complaint was filed by John Henry Yablonsky (PLAINTIFF) naming numerous defednants whop work for the departrtment of correction at 480 Alta rd Sandiego, ca,92179. This Court adopted and found this case should npt be dismissed in it's entirety. Providing relief for plaintiff for first amdnemtn violations, as stated withinthe complaint . These allegations are supported by exhiboits filed withinthe *SECOND* amended complaint filed with thois Court



POINTS AND AUTHORITIES

1 Top prevail on a request for appointment of counsel  
2 the plaintiff must "PREVAIL" on some practicle benefit of law,  
3 favorable to the complaint. Hewitt v Helms 482 US 755(1987 A  
4 prevailing party may be entitled to attorney fees unless special  
5 circumstances would render such an award unjust. Farr v. Hobby,  
6 506 US 103(1992. Prior to § 1983 PRLA cases would always be afforded  
7 "reasonable" fees at marketable billing rates. Johnson v Georgia  
8 Highway Express 488 f.2d 714 (5th cir 1974) Fees are limited  
9 to hourly rates plus 150 percent of CRIMINAL JUSTICE ACT RATES.  
10 42 USC § 1997e(d)(3); 18 USC § 3006A

11 In this case defendants R. Blahnik had been involved  
12 with numerous complaints regarding similar actions by himself  
13 and other law library employees, there have been at least seventy  
14 three seperate complaints naming R. Blahnik as a defendant who  
15 ~~violated federal laws. ( GARCIA V BLAHNIK )~~ This indicates the  
16 creation of custom s and policy to ignore rules , laws and statutes  
17 which were protected. In order to protect plaintiff reights  
18 from "SYSTEMIC OFFICAL ACTIONS" which would frustrate plaintiff  
19 current action as well as forward looking actions: the filing  
20 Oof complaints at present time or near future must be protected  
21 Christopher v Harbury 536 US at 413(536 US 403)(2002)

22 Although there is no constitutional right to counsel  
23 parties may be entitled to such appointments by the Court. Lassiter  
24 v Depoartment of Social services 452 US 18(1981); Palmer v Valdez  
25 560 f3d 965(9th cir 2009) The finding whether a prisoner in unable  
26 to articulate his claim in light of the complexity of the issues  
27 ~~eguld~~ deem appointment necessary. 8Harrington v sccribner 785  
28 f3d 1299)9th cir 2015)(quoting Palemerer

1 It is further determined by the Court that pro se  
2 litigants may further be serviced by counsel assistance where access  
3 may be impeded upon access to knowledge. Rand v Rowland 113 f3d  
4 1520(1997) rev oth grn 154 f3d 952(1998)(CONCERN REGARDING INVEST\_-  
5 igation and discovery are not exceptional facots). Furhter pro  
6 se litigants may not have the vast knowledge necessary to convenience  
7 the Court. Wells v Washington no.#C13 234 RJB/KLS. It is the  
8 Courts sound discretion to appoint counsel. Franklin v Murphy  
9 745 f2d 1221(9th cir 1984); Eskridge v rhay 345 f2d 778(1985);  
10 Franko gonzales v Holder 767 f.supp.2d 1034(2010)(REFERING CASE  
11 TO PRO BONO COUNSEL)

12 There is no constitutional right to appointment of  
13 counsel. Lassiter v Department of social sdervices 452 US 18(1981);  
14 Palmer v Valdez 560 f3d 965(9th cir 2009)(FINDING WHETHER PRISONER  
15 MAY ARTICULATE THE CLAIM IN LIGHT OF THE COMPLEXITIES) ;Harrington  
16 v scriber 785 f3d 1299(9th cir 20-15)(quoting Palmer 560 f3d at  
17 970) The Court agrees pro se litigants may be better ser ved with  
18 the assistance of counsel. Rand v Rowland 113 f3d 1520(9th cir1997);  
19 rev oth grn 154 f3d 952(1998)( "CONCERN REGARDING INVESTIGATIONS  
20 AND DISCOVERY ARE NOT EXCEPTIONAL FACOTRS); Garcia v Blahnik 2017  
21 U s Dist Lexis 47136(2017)

22 When exceptional circumstances exist. Terrell v  
23 Brewer 935 f2d 1015(9th cir.1991)Estelle v Gamble 429 US 92 (1976)  
24 (MORALES)( Deliberate indifferent to inmates medical needs)The  
25 likelihood of success on the merits and plaintiff inability to  
26 articulate the claim in light of compexities of elgal issues involved.  
27 Wilborn v Escalderon 789 f3d 1382(9th cir 1986);Smith v Hospital  
28 Admin 814 f2d 751(7th cir 1988). The threat of imminent dange may  
be enough Hart v Hairston 343 f3d 762(5th cir 2003)  
be enough HART V HAIRSTON 343 F3d 762 (5th Cir 2003)

1 The plaintiff was physically threatened and believes  
2 he is in imminent danger of physical harm. Lewis v Sullivan 279  
3 f3d 526(9th cir 2002) Imminent danger is satisfied where plaintiff  
4 has stated and shown he was in danger of physical injury, prolonged  
5 attacks, anxiety, worry and fear. Ciarpaclini v Saini 352  
6 f3d 328(9th cir 2003) Imminent means that injury had already  
7 occurred as well about to occur and threateningly hanging over  
8 plaintiff head and ongoing danger. In other words officer who  
9 continue to practice acts ~~XXXXXX~~ targeted at causing injury  
10 to plaintiff as well as others satisfies imminent danger. Andrews  
11 v Cervantes 2007 US app.Lexis 15187(9th cir 2007) amend, 493 f3d  
12 1047(9th cir 2007) REPRINT 493 f3d 1047(9th cir 2007

#### 13 THE COMPLEXITY OF THE CASE

- 14 1) Stated colorable claims under 42 USC 1983 and chances  
15 of success are reasonable .
- 16 2) The incarceration makes it difficult if not impracticable  
17 to investigate critical facts underlying the complaint
- 18 3) Complex factual issues constitutes grounded would  
19 be best argued by one schooled in the laws

20 ARMSTRONG V SNYDER 9103 FRD 96(1984)

#### 23 MERITS OF THE CASE

- 24 \* The claims are not frivolous
- 25 \* The allegations are not denied
- 26 \*The claim has merit
- 27 \*The plaintiff has "SOME" chance of success

28 JULIANO V NEW YORK CITY HUMAN ADM2003 US Dist Lexis 5646(  
(2003)

1 ANALYSIS

2  
3 As outlined in the complex and extensive complaint be-  
4 fore this court, this complaint includes many issues with an  
5 inmates protected rights, which is also a handicapped inmate.  
6 Plaintiff only fault in any of these claims is that he demanded  
7 his rights not be violated. When he complained, staff took flight  
8 and acted in concert to terminate plaintiff rights<sup>to</sup> exercise altog-  
9 ether. Taking actions upon a handicapped inmate for more than  
10 two full years. The acts are cumulative, complex and this Court  
11 had not dismissed the case. The fact COVID 19 floods this community  
12 with hardships over and above what is outlined herein, making  
13 it virtually impracticable to schedule deadlines, knowing that staff  
14 will further hinder actions upon plaintiff to prevent this case  
15 from becoming fruitful. Appointment of counsel may be a reasonable  
16 option at this time.

17 Please do not use the fact that plaintiff has been  
18 able to state a cause of action as a manner to decide whether  
19 staff will, further interfere and be non cooperative with plaintiff  
20 pleading in the discovery phase in this case. Plaintiff visual  
21 impairments are not getting better, and all efforts to correct  
22 this disability have been frustrated, forcing plaintiff into less  
23 than ~~per~~ reasonable care and treatment. The resources for plaintiff  
24 are located inside a secure location of the institution and not  
25 accessible when plaintiff requires or for the length of time  
26 needed to complete research. As stated earlier ~~was~~<sup>is</sup> given 8 hours  
27 of access in six months. Certainly this is unacceptable.

28 Octoberr 23, 2020

John Henry Yablonsky

PROOF OF SERVICE BY AN INMATE

ACCORDING TO PRISONER MAILBOX RULE

THIS MAILING IS DEEMED FILED AND SERVED UNDER ANTHONY V CAMERA, 236 F.3d.563(9th cir.2000)

WHEN THIS MAILING HAS BEEN DELIVERED INTO THE CUSTODY OF CDCR STAFF

This service and mailing was conducted by a party and inmate of CDCR, and was conducted according to California Code Regulations § 3142 and P.C. § 2601(b). This mailing was inspected and sealed in the presence of an on duty correctional officer, into a fully prepaid envelope to be delivered by the U.S.P.S. as addressed to the following parties;

united states district court  
333 w broadway #420  
sandieg,ca92101

department of justice  
600 w broadway #1800  
s.d.ca.92101

This service contained the following documents;

SWORN DECLARATION OF John Henry Yablonsky

This service was conducted by an adult over the age of 18 years of age and mailed from a state institution, which will be logged by facility mailroom parties as [LEGAL] mail. This mailing was conducted from ;

a sandiego

CITY

92179

ZIP CODE

This service was conducted on (DATE) \_\_\_\_\_

UNDER THE PENALTY OF PERJURY

THE FORGOING IS TRUTHFUL AND ACCORDING TO BELIEF

(NAME) john henry yablonsky

(SIGNED) \_\_\_\_\_

My address is \_\_\_\_\_

480 alta rd s.d.ca.92101

John Henry yablonsky CDCR#AL0373  
18-147  
]480 alta rd  
1 sandiego,ca,92179

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7 UNITED STATES DISTRICT COURT  
8 SOUTHERN DISTRICT OF CALIFORNIA

9 John Henry yablonsky,  
Plaintiff,

CASE NO. 18-cv-1122-CAB-AGS

10 NOTICE OF DECLARATION BY JOHN  
11 HENRY YABLONSKY IN SUPPORT OF LEAVE  
OF  
12 COURT TO REQUEST APPOINTMENT OF COUNSEL

13 Vs.

DATE: NONE  
TIME: NONE  
DEPT: SCHOPLER

14 California Deaprtment of  
Correction and  
15 Rehabilitations

16 et al,  
defendants , The Magistrate Andrew A Schopler

17  
18 DECLARATION BY JOHN HENRY YABLONSKY

19 I John Henry yablonsky an adult over the age of consent  
and party to this action swear before this court;

20 1) That all allegations and satatements within motion  
21 for leave of court for appointment of counsel are according to  
22 belief and knwoedge

23 2) That I am an inamte and party to this action befOore  
this court

24 3) That all allegations made with the complaint before  
25 thios court are the belief and knwoledge of apltiff in this matter

26 4) If called top testify will state the same unde  
27 penalty of perjury

28 ~~John~~ Henry yablonsky

DECLARION BY JOHN HENRY YABLONSKY-1