

JOHN GREGORY LAMBROS
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U.S. Penitentiary Leavenworth
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SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

JOHN GREGORY LAMBROS;	*	
Plaintiff,	*	CIVIL ACTION NO. 2017-CA-929-B
vs.	*	Judge PAN
FEDERATIVE REPUBLIC OF BRAZIL;	*	DEMAND FOR TRIAL BY JURY, Super. Ct.
STATE OF RIO DE JANEIRO OF THE	*	Civ. Rule 38 and 39. (On all issues
FEDERATIVE REPUBLIC OF BRAZIL;	*	triable by jury.)
JOHN & JANE DOE'S;	*	COMPANION CASE NO's: See, Complaint,
Defendant's (Severally	*	Paragraph Two (2).
and Jointly Liable).	*	<u>AFFIDAVIT FORM</u>
	*	

PLAINTIFF LAMBROS REQUESTS COURT "ORDER" TO ATTEND THE
"INITIAL SCHEDULING CONFERENCE" AND ALL LATER PRETRIAL,
SETTLEMENT, OR STATUS CONFERENCES BY TELEPHONE OR AUDIO-
VIDEO CONNECTION. PLAINTIFF IS PROCEEDING PRO SE AN
INCARCERATED AT U.S. PENITENTIARY LEAVENWORTH, KANSAS.
See, Title 42 U.S.C. §1997e(f).

COMES NOW, Plaintiff JOHN GREGORY LAMBROS (Hereinafter "MOVANT"), Pro
Se, and requests this Honorable Court to allow him to attend the "INITIAL SCHEDULING
CONFERENCE" and all later pretrial, settlement, or status conferencess by telephone
or audio-video connection. Plaintiff is proceeding Pro Se an "INCARCERATED" at
the U.S. Penitentiary Leavenworth, Kansas. See, 42 U.S.C. §1997e(f).

In support of this request, I state the following as true and correct
pursuant to Title 28 U.S.C. §1746:

1. Movant filed his initial complaint, Motion for Appointment of counsel, and Motion to Proceed in Forma Pauperis on January 12, 2017, via U.S. Registered Mail. Deputy Clerk Norman Barrett received Movant's filing on January 19, 2017 and returned same, as Forma Pauperis Form 106A was not included. Form 106A was attached to Movant's "MOTION REQUESTING TO PROCEED WITHOUT PREPAYMENT OF COSTS, FEES, OR SECURITY - FORMA PAUPERIS - BY AN INCARCERATED PERSON", as an EXHIBIT, as the Motion was eleven (11) pages in length.
2. **FEBRUARY 1, 2017:** Movant remailed his complaint, Motion for Appointment of Counsel and Motion to Proceed in Forma Pauperis on February 1, 2017, via U.S. Registered Mail. The Clerk received Movant's mailing on February 9, 2017.
3. **FEBRUARY 10, 2017:** Judge Wertheim issued an "ORDER" granting Movant's Motion to Proceed in Forma Pauperis. Also an "INITIAL SCHEDULING CONFERENCE" was scheduled for May 26, 2017, with Judge Pan.
4. **FEBRUARY 21, 2017:** As of February 21, 2017 Movant has not received any "ORDER" and/or correspondence from this Court or the Clerk's office informing of the events listed within paragraph 3 above. Prison staff assisted in researching "COURT CASES ONLINE" at www.dccourts.gov to assist Movant. Assistance by prison staff is rare when contacting the Courts.
5. **FEBRUARY 22, 2017:** The Clerk's Office has not listed Movant's "MOTION FOR THE APPOINTMENT OF COUNSEL" within the DOCKET SHEET THAT APPEARS ONLINE. Movant requests this Court to request the Clerk to list same as a pending motion to be ruled on. Therefore, this Court has not appointed Movant an attorney to assist in allowing Movant to appear at the "INITIAL SCHEDULING CONFERENCE" via a court appointed attorney.

STATEMENT OF LAW:

6. **TITLE 42 U.S.C. §1997e(f):** This statute provides Federal Prisoners actions be "conducted by telephone, video conference, or other telecommunications

technology without removing the prisoner from the facility in which the prisoner is confined." Also, "the court shall allow counsel to participate by telephone, video conference, or other communications technology in any hearing held at the facility."

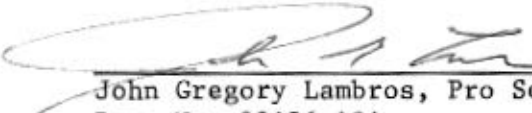
7. **Super. Ct. Civ. R. 16-11. FAILURE TO APPEAR FOR CONFERENCE:** This rule states, "If counsel or a party proceeding Pro Se fails to appear at a pretrial, settlement, or status conference, the Court may enter a **DEFAULT, A DISMISSAL OF THE CASE WITH OR WITHOUT PREJUDICE**, or take such other action, including the imposition of penalties and sanctions, as may be deemed appropriate."

CONCLUSION:

8. Movant Lambros requests this Court to "ORDER" the Warden of U.S. Penitentiary Leavenworth to allow him to attend the "INITIAL SCHEDULING CONFERENCE" and all later pretrial, settlement, or status conferences by telephone or audio-video connection, as required by 42 U.S.C. §1997e(f).

9. I JOHN GREGORY LAMBROS states the above information is true and correct under the penalty of perjury, as per Title 28 U.S.C. §1746.

DATED: March 1, 2017.



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