

May 11, 2015

TO: TO WHOM IT MAY CONCERN

FR: JOHN G. LAMBROS,
#00436-124
U.S. Penitentiary Leavenworth
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RE: DETAINER DOES NOT ALLOW JOHN GREGORY LAMBROS TO RECEIVE EARLY RELEASE ELIGIBILITY ALLOWED BY 18 U.S.C. §3621(e) - PARTICIPATION WITHIN "RESIDENTIAL DRUG ABUSE PROGRAM (RDAP)" ALLOWS UP TO TWELVE (12) MONTH EARLY RELEASE PRIOR TO EXPIRATION OF TERM OF INCARCERATION.

1. Title 18 U.S.C. §3621(e)(2)(B): "Period of custody. The period a prisoner convicted of a nonviolent offense remains in custody after successfully completing a treatment program MAY BE REDUCED BY THE BUREAU OF PRISONS, BUT SUCH REDUCTION MAY NOT BE MORE THAN ONE (1) YEAR FROM THE TERM THE PRISONER MUST OTHERWISE SERVE."

2. 18 U.S.C. §3621(e) provides SUBSTANCE ABUSE TREATMENT PROGRAM for eligible prisoners. Inmates WITH DETAINERS LODGED AGAINST THEM ARE INELIGIBLE FOR SUCH TREATMENT, as they would be unable to complete the community-based treatment phase of the program. See, ESPINOZA vs. LINDSAY, 500 Fed. Appx. 123, 125 Fn. 2 (3rd Cir. 2012), citing, McLean vs. CRABTREE, 173 F.3d 1176, 1184 (9th Cir. 1999) ("basis for the DETAINER EXCLUSION is the BOP's reasonable concern that prisoners with DETAINERS pose a flight risk during the COMMUNITY-BASED TREATMENT PHASE. Excluding prisoners with DETAINERS from participating in the community-based treatment phase is a reasonable means for eliminating this risk." Id. at 1186.).

OVERVIEW OF FACTS AS TO "DETAINER" - "WARRANT":

3. August 21, 1989, U.S. Parole Commission issued "WARRANT" for the arrest of John Gregory Lambros, to serve 5,357 days (14½ years).

4. May 17, 1991, DEA and Brazilian Federal Police arrest Lambros in Rio de Janeiro, Brazil, pursuant to August 21, 1989, U.S. Parole Commission "WARRANT".

5. April 30, 1992, Supreme Court of Brazil granted "PARTIAL EXTRADITION" of Lambros to the U.S. in extradition case No. 539-1. Lambros WAS NOT EXTRADITED ON THE AUGUST 21, 1989, U.S. PAROLE COMMISSION WARRANT, as the "Treaty of Extradition Between the U.S. and Brazil", signed on January 13, 1961, entered into force on December 17, 1964, does not allow extradition of U.S. Parole Commission Warrants. See, STATE OF WASHINGTON vs. MARTIN SHAW PANG, 940 P.2d 1293, 1354-1361 (Washington, 1997)(copy of treaty). See the following Articles within the treaty: II., V., VIII., IX., XI., and XXI. (person extradited by treaty may not be tried or PUNISHED for any

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crime or offense committed prior to request of extradition, other than that which gave rise to the request - unless person has been set at liberty within the requesting for more that **30 DAYS** and informed of the consequences if he stays within the country). Therefore, Lambros would have 30 days to leave the U.S. before the U.S. can try to extradite him from another country.

6. The Brazilian Supreme Court extradited Lambros on a "WARRANT" issued on May 17, 1989, INDICTMENT NO. 4-89-82. See, USA vs. LAMBROS, 65 F.3d 698 (8th Cir. 1995), for an overview. Lambros is currently serving a **30-YEAR SENTENCE WITH 8-YEARS OF SUPERVISED RELEASE, A TOTAL OF 38 YEARS.**

7. **JULY 14, 2017:** Lambros completes the required 85 percent of his current 30 year sentence and starts his supervised release.

8. **JULY 14, 2016:** U.S. Parole Commission "WARRANT" prevents pre-release custody. Without the "WARRANT" Lambros would be eligible for "PRE-RELEASE CUSTODY" to a halfway house on **JULY 14, 2016**. Inmates are allowed one (1) year within pre-release to adjust and prepare for reentry into the community. See, 18 U.S.C. §3624(c)(1) and 28 C.F.R. §570.21(a).

9. **JULY 14, 2015:** U.S. Parole Commission "WARRANT" - "DETAINER" prevented Lambros from attending and participation within the "RESIDENTIAL DRUG ABUSE PROGRAM (RDAP)" that would of allowed Lambros ANOTHER TWELVE (12) MONTHS OFF OF HIS SENTENCE. THEREFORE, A RELEASE DATE OF JULY 14, 2015. See, Paragraphs one (1) and two (2) above, 18 U.S.C. §3621(e)(2)(B).

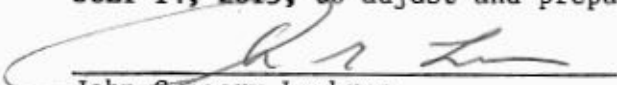
CONCLUSION:

10. **DECEMBER 12, 2014:** Lambros wrote the U.S. Parole Commission requesting relief before Lambros proceeds against Brazil regarding the illegal "WARRANT" - "DETAINER" that he was not extradited on that is causing "FALSE IMPRISONMENT". This document and the other documents filed by Lambros and the U.S. Parole Commission are available for review in PDF format at:

www.PAROLE.Lambros.Name

11. TORT OF FALSE IMPRISONMENT: Federal juries have awarded prisoners compensatory damages of **\$500,000.00 FOR EACH MONTH OF FALSE IMPRISONMENT.** See, SLEVIN vs. BOARD OF COMMISSIONERS FOR THE COUNTY OF DONA ANA, 934 F. Supp. 2d 1282, 1285 (District of New Mexico, January 8, 2013).

12. Lambros should of been released to a federal halfway house on **JULY 14, 2015,** to adjust and prepare for reentry into the community.


John Gregory Lambros
www.Lambros.Name