

October 12, 2001

John Gregory Lambros  
Reg. No. 00436-124  
U.S. Penitentiary Leavenworth  
P.O. Box 1000  
Leavenworth, Kansas 66048-1000 USA  
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Warden H.E. Ray  
U.S. Penitentiary Leavenworth  
1300 Metropolitan Ave.  
Leavenworth, Kansas 66048

RE: BP-229 RESPONSE DATED OCTOBER 11, 2001 - CASE NUMBER 250231-71

Dear Warden Ray:

As per our conversation this morning as to your above dated response to my BP-9, as described above and attached, I stated the following to you:

1. Your review and statement stating, "A review of the issue(s) raised in your BP-229 has been conducted. The review revealed you were **INDICTED** for "Assault on Federal Officer With Dangerous Weapon, 18 USC 111 and 1114" as listed on the face sheet of your Presentence Report dated May 27, 1976. On June 21, 1976, you were sentenced in the District of Minnesota, in case number Cr. 3-76-17, to 10 years for violation of Title 18 U.S.C. § Section 111 and 114. An Amended Judgment and Commitment Order dated June 21, 1976, was issued which corrected the typographical error of "section 114". The amended order corrected the statutory citation to read, "Title 18, United States Code, Sections 111 and 1114". (**emphasis added**), **IS NOT TRUE**.
2. The May 27, 1976, Presentence Report is not correct, as to the following facts:
  - a. I was **INDICTED** on March 24, 1976 in District of Minnesota case number Cr-3-76-17 on two (2) counts of Violations of Title 18 U.S.C. Sections 111 and 114.
  - b. The official docket sheet states that my offenses are Title 18 USC 111 and 114.
  - c. A certified copy of my Judgment and Probation/Commitment ORDER dated June 21, 1976, states violations of Title 18 USC Sections 111 and 114.
  - d. I have attached copy of the July 24, 2001 CERTIFIED COPY of each of the above documents for your review and copy of July 24, 2001 RECEIPT FROM THE United States District Court as to my purchase of same with my letter requesting the INDICTMENT, DOCKET SHEET, AND JUDGMENT ORDER IN CERTIFIED FORM.
3. The law books clearly state by offering the COMPLETE RECORD of John Gregory Lambros' and the Courts' exact language during the entering of the guilty plea in Cr-3-76-17 and Cr-3-75-128, that Lambros pled guilty to an ASSAULT AND RESISTANCE

1. File

October 12, 2001

LAMBROS' LETTER TO WARDEN RAY

RE: BF-229 RESPONSE DATED OCTOBER 11, 2001 - CASE NO. 250231-P1

**AGAINST CERTAIN DEPUTY U.S. MARSHALS AND NARCOTICS OFFICERS:**

"Your Honor, the defendant as part of the negotiation will also this morning tender to the Court a change of plea to Count I of that other **INDICTMENT** in 3-76-17 pertaining to an assault and resistance against certain Deputy U.S. Marshals and narcotics officers. That is **\* NON-NEGOTIATED PLEA**. That is, **THE OFFENSE CARRIES A MAXIMUM PENALTY OF TEN YEARS AND \$10,000** and Mr. Lambros will simply enter a plea of guilty.

See, U.S. vs. LAMBROS, 544 F.2d 962, 963 & 964 (8th Cir. 1976) **EXHIBIT ATTACHED**.

4. 1976 - **MAXIMUM INCARCERATION WAS ALLOWED AS TO THE FOLLOWING STATUTES:**

- a. Title 18 U.S.C. § 111: **TEN (10) YEARS;**
- b. Title 18 U.S.C. § 114: **SEVEN (7) YEARS:** (1984 Amendment raised maximum term of imprisonment from seven years to twenty-five years.)
- c. Title 18 U.S.C. § 1114: This section is for **MURDER, MANSLAUGHTER, AND ATTEMPTED MURDER** and is broken down in the following manner:
  1. **MURDER** - which carries the penalty under Title 18 USC § 1111 of **LIFE IMPRISONMENT**.
  2. **MANSLAUGHTER** - which carries the penalty under Title 18 USC § 1112 of two different sentences: (a) **VOLUNTARY MANSLAUGHTER** is not more than ten (10) years; (b) **INVOLUNTARY MANSLAUGHTER** is not more than three (3) years.
  3. **ATTEMPTED MURDER** - under Title 18 U.S.C. 1114 carries a **MAXIMUM OF TWENTY (20) YEARS**.

**SUGGESTIONS:**

5. Withdrawal your current October 11, 2001 response in **WRITING** in this action.
6. Meet with John Gregory Lambros so he may offer "**A WARDEN'S IN CAMERA INSPECTION**" as to the Clerk of the Courts, District of Minnesota, **JULY 24, 2001 RAISED SEALED CERTIFIED COPY** of the **INDICTMENT, DOCKET SHEET and JUDGMENT ORDER** in this action.
7. Write and fax a letter to the **U.S. Attorney's Office** and the **Chief Probation Officer** of the U.S. District Court of Minnesota requesting the following information:
  - a. Attached are alleged copy of **CERTIFIED COPY** of the **INDICTMENT, FIRST PAGE OF THE DOCKET SHEET, and JUDGMENT AND PROBATION/COMMITMENT ORDER** in **U.S. vs. LAMBROS**,

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LAMBROS' LETTER TO WARDEN RAY

RE: BP-229 RESPONSE DATED OCTOBER 11, 2001 - CASE NO. 250231-F1

District of Minnesota, Criminal Case No. 3-76-17. Please verify that Mr. Lambros was INDICTED and PLED GUILTY to an ASSAULT AND RESISTANCE OF FEDERAL OFFICERS in violation of Title 18, United States Code, Sections 111 and 114. Our review of U.S. vs. LAMBROS, 544 F.2d 962, 963-64 (8th Cir. 1976) and the attached documents support same.

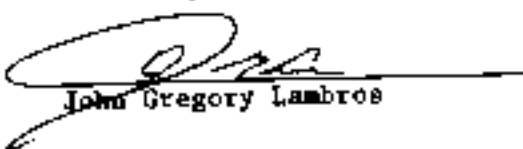
b. Our current records indicate that Mr. Lambros was INDICTED, PLED GUILTY, and SENTENCED under Title 18, United States Code, Sections 111 and 1114. As you know, Title 18, United States Code, Section 1114 are for the acts of MURDER, MANSLAUGHTER, and ATTEMPTED MURDER. The Presentence Investigation Report DOES NOT state Mr. Lambros was involved in acts of MURDER, MANSLAUGHTER, and/or ATTEMPTED MURDER, only ASSAULT as stated within U.S. vs. LAMBROS, 544 F.2d 962, 963-64 (8th Cir. 1976).

CONCLUSION:

8. Thanking you in advance for your prompt consideration in this matter, so we need not waste court resources over a matter that may be resolved by a letter faxed to the U.S. Attorney' Office and Chief Probation Officers' office in the District of Minnesota.

9. Again, please allow me to offer you "A WARDEN'S IN CAMERA INSPECTION" of the RAISED SEALED certified copy of the INDICTMENT, DOCKET SHEET and JUDGMENT ORDER in this action, so you understand my position in requesting to have my U.S. Bureau of Prisons corrected so as to comply with the PRIVACY ACT. See, SELLERS vs. BOP, 959 F.2d 307, 312 (D.C.Cir. 1992).

Sincerely,

  
John Gregory Lambros