

In The Supreme Court

No. 17-526

**FILED**

Gene Allen Pro Se

JUL 28 2017

Appellant

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *J. H. [Signature]*  
DEPUTY CLERK

v

N.A.A.P. 28(K)

State of Nevada

Respondent

Brief of The Appellant

In this complaint or appeal there will be are multiple defd for events that took place while appellant was incarcerated at, L.C.C. 28 U.S.C.

1350. a British National, A13701404,

In *Sallier v. Books* 343 F.3d 868-880 (6th Cir. 2003) an inmate was compensated Mr. Allen's 76542, Legal mail problem did at L.C.C. back in 2004.

**RECEIVED**  
JUL 27 2017  
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
DEPUTY CLERK

17-25093

Received by OGIS  
**Certification of Identity**  
JUL 3 2017  
Office of Government Information Services



FORM APPROVED OMB NO. 1103-0016  
EXPIRES 03/31/17

**Privacy Act Statement.** In accordance with 28 CFR Section 16.41(d) personal data sufficient to identify the individuals submitting requests by mail under the Privacy Act of 1974, 5 U.S.C. Section 552a, is required. The purpose of this solicitation is to ensure that the records of individuals who are the subject of U.S. Department of Justice systems of records are not wrongfully disclosed by the Department. Requests will not be processed if this information is not furnished. False information on this form may subject the requester to criminal penalties under 18 U.S.C. Section 1001 and/or 5 U.S.C. Section 552a(i)(3).

Public reporting burden for this collection of information is estimated to average 0.50 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Suggestions for reducing this burden may be submitted to the Office of Information and Regulatory Affairs, Office of Management and Budget, Public Use Reports Project (1103-0016), Washington, DC 20503.

Full Name of Requester <sup>1</sup> Gene Anthony Harry Allen

Citizenship Status <sup>2</sup> A13701404 Social Security Number <sup>3</sup> [REDACTED]

Current Address No. 76542, N.D.O.C. 1200 Prison Rd Lovelock, Nv.

Date of Birth 12-29-56 Place of Birth England U.K.

**OPTIONAL: Authorization to Release Information to Another Person**

This form is also to be completed by a requester who is authorizing information relating to himself or herself to be released to another person.

Further, pursuant to 5 U.S.C. Section 552a(b), I authorize the U.S. Department of Justice to release any and all information relating to me to:

Gene Allen Pro Se litigent  
Print or Type Name

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I am the person named above, and I understand that any falsification of this statement is punishable under the provisions of 18 U.S.C. Section 1001 by a fine of not more than \$10,000 or by imprisonment of not more than five years or both, and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of 5 U.S.C. 552a(i)(3) by a fine of not more than \$5,000.

Signature <sup>4</sup> [Signature] Date 6-27-17

<sup>1</sup> Name of individual who is the subject of the record(s) sought.

<sup>2</sup> Individual submitting a request under the Privacy Act of 1974 must be either "a citizen of the United States or an alien lawfully admitted for permanent residence," pursuant to 5 U.S.C. Section 552a(a)(2). Requests will be processed as Freedom of Information Act requests pursuant to 5 U.S.C. Section 552, rather than Privacy Act requests, for individuals who are not United States citizens or aliens lawfully admitted for permanent residence.

<sup>3</sup> Providing your social security number is voluntary. You are asked to provide your social security number only to facilitate the identification of records relating to you. Without your social security number, the Department may be unable to locate any or all records pertaining to you.

<sup>4</sup> Signature of individual who is the subject of the record sought.

1 (a) Ground one:

2 Retaliatory Transfer from  
3  
4 L.C.C. to D.D.C.C.  
5

6 Supporting Facts:

7 The staff were extremely  
8  
9 bias, see Lawrence v. Coughlin  
10  
11 802 F. Supp 1090-1120 (S.D.N.Y.  
12  
13 1994) it imposes atypical and a  
14 (hardship)  
15 significant relative to ordinary  
16 prison conditions. Sandin v.  
17  
18 Conners 115 Sct 2293. and less  
19  
20 of S.O. programs, see Clark 512  
21  
22 A.2d 327-239 (me. 1986).  
23  
24  
25

1 Ground two:

2 The right to unbiased parole  
3 proceedings.  
4

5  
6 Supporting Facts:

7  
8 See Nettles v Grounds 115 Sct

9  
10 2293, his P.S.I. is relevant See

11  
12 U.S. v. Julian 103 Sct 1600, the

13  
14 requested discovery if disclosed

15  
16 would support his arguments

17  
18 See Beck v. City 89 F 3d 966-973-

19  
20 74. (3rd Cir, 1996) he was

21  
22 prejudiced by the 8th J.D.C.

23  
24 all motions denied.  
25

1 (c) Ground three:

2 The Court should have appointed  
3 counsel since counsel of  
4 record had withdrawn 4/27/14  
5 In addition,

6 Supporting Facts:

7  
8 the complexity of the legal issues  
9 Abdullah, 949 F.2d 1032-1035,

10  
11 L.C.C. the denial of medical care,  
12 Pinchak 294 F.3d 492

13 Macre 970 F.2d 268-272,

14 Jackson 953 F.2d 1070-1073

15 No law library

16 Steele 87 F.3d 1266-1271.


17 Gatson 679 F.Supp 270-273.

18 medical history also.

19 Parham 120 F.3d 454-459,

20  
21 with great respect

22  
23 True and correct 28 USC  
24 1740 (7-25-17)

25 

VERIFICATION UNDER PENALTY OF PERJURY

I do verify under the penalty of perjury that the above N.R.A.P. 28 (K) is true and correct and is stated to the best of my knowledge, and is made without benefit of a notary pursuant to NRS 208.165, and 28 USC §1746 as I am an incarcerated person.

*did not receive the final judgment in.*

Dated this 7 day ~~of~~ 20, 2017 and see: 72929.


3:14CV00510-RCJ-VPC.

By: Mr. Allen  
76542

CERTIFICATE OF SERVICE BY MAIL

Pursuant to NRCPC Rule 5 (b), I hereby certify that I am the Petitioner/Defendant named herein and that on this 20 day of July, 2017, I mailed a true and correct copy of the foregoing N.R.A.P. 28 (K) to the following:

Nev Att. Gen.  
100 N. Carson St  
Carson City 89702  
Nev.

  
Signature of Petitioner In Pro Se