

IN THE SUPREME COURT OF THE STATE OF NEVADA

Teddie C. Craig

Appellant,

vs.

Dr. Donnelly et al.

Respondent.

Supreme Court No. 75050

District Court No. 161044

FILED
MAR 07 2018

APPELLANT'S INFORMAL BRIEF

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY Richard
DEPUTY CLERK

INSTRUCTIONS: If you are an appellant proceeding pro se (without an attorney) in the Nevada Supreme Court, you must file either (1) a brief that complies with Nevada Rule of Appellate Procedure (NRAP) 28(a), or (2) a completed copy of this informal brief form, *see* NRAP 28(k), with the Nevada Supreme Court on or before the due date, *see* NRAP 31. In civil appeals, if you do not file one of these documents by the due date, the Nevada Supreme Court may dismiss your appeal. In postconviction criminal appeals, if you do not file one of these documents by the due date, the Nevada Supreme Court or Nevada Court of Appeals may decide your appeal on the record without briefing.

HOW TO FILL OUT THIS FORM: This form must be typed, unless you are incarcerated, in which case it must be clearly handwritten. You do not need to refer to legal authority or the district court record. If you are completing your brief on this form, write only in the space allowed on the form. **Additional pages and attachments are not allowed.** If typing an informal brief, you may either use the lined paper contained in this form or an equivalent number of pages of your own paper. Your brief will be stricken if you fail to follow the directions in this form and the Nevada Rules of Appellate Procedure.

WHERE TO FILE THE BRIEF: You may submit your brief for filing in person or by mail.

To file your brief in person: Briefs may be submitted for filing Monday through Friday, 8:00 a.m. to 4:00 p.m.

Carson City: Bring the brief to the Clerk's Office at the Supreme Court of Nevada, 201 South Carson Street, Carson City, Nevada, 89701.

Las Vegas: Place your brief in the Clerk's Office Drop Box at the Las Vegas courthouse for the Nevada Appellate Courts, 408 East Clark Avenue, Las Vegas, Nevada, 89101.

Informal Brief Form October 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

18-09020

To file your brief by mail: Mail the brief to the Clerk of the Supreme Court of Nevada, 201 South Carson Street, Carson City, Nevada 89701. **Your brief must be postmarked on or before the due date.**

You must file the original brief and 1 copy with the clerk of the Nevada Supreme Court. If you want the clerk to return a file-stamped copy of your brief, you must file the original form and 2 copies and include a self-addressed, stamped envelope. Documents cannot be faxed or emailed to the Supreme Court Clerk's Office.

Copies of the brief must be mailed or delivered to the other parties to this appeal or to the parties' attorneys, if they have attorneys. You must also include a proper certificate of service or complete the certificate that is attached to the informal brief form.

CAUTION: Pro se parties are prohibited from representing other parties. A pro se party may not complete a brief on behalf of other parties. Pro se parties may collaborate on their briefs, however, provided that if one brief is submitted on behalf of multiple pro se parties, each party must sign and date the brief to confirm that he or she has participated in the preparation of the brief and, by his or her signature, joins in the arguments and representations contained therein.

Judgment or Order You Are Appealing. List the judgment or order that you are appealing from and the date that the judgment or order was filed in the district court.

Filed Date	Name of Judgment or Order
Jan/23/2018	ORDER Granting Defendants' Motion To Dismiss

Notice of Appeal. Give the date you filed your notice of appeal in the district court: February 02/2018

Related Cases. List all other court cases related to this case. Provide the case number, title of the case and name of the court where the case was filed.

Case No.	Case Title	Name of Court
N/A		

Pro Bono Counsel. Would you be interested in having pro bono counsel assigned to represent you in this appeal?

☒ Yes ☐ No

NOTE: If the court determines that your case may be appropriate for having pro bono counsel assigned, an appropriate order will be entered. Assignment of pro bono counsel is not automatic.

Statement of Facts. Explain the facts of your case. (Your answer must be provided in the space allowed.)

Plaintiff's Civil Rights Complaint was Filed on (6/14/2016),
and dismissed (Without Prejudice), Filed on (Jan/23/2018),
according to the Attorney General's team and the (11th)
Judicial district Court's Honorable Judge (J. Shiner), "The case
was dismissed for failure of the Plaintiff to name the State of
Nevada, and as such, deprives the Court of Subject Matter Jurisdiction.
Due to the fact that defendants were allowing the case

to hang, which served no reasonable Penological Purpose, and were not in the best interest of the Public. At one Point, the case appeared to become Stationary, not moving in any form of action, making an attempt to resolved the issues. At one Point, the Attorney General's Designated Deputy and team, were Corresponding with me in an attempt to settle. Please See: EXHIBIT A, B, and C. L.C.'s Medical are still subjecting me to the same danger that initiated this Civil Suit in the first Place, e.g., Failed to Provide me (Atenolol) High Blood Pressure Medicine for the Month of (December/2017). And around January/28/2018) The Medication was stopped again. This has been going on continuously since the filing of this Civil Rights Action. There are issues of Federal Question as well as Tort Claims, Defendants should have bound this Case over to the United-States District Court for Constitutional review of Plaintiff's (8th) Amendment right to be free from deliberate Indifference /Cruel and unusual Punishment, Retaliation and other Federal Constitutional Violations. In Defendant's Answer after being served, it was admitted in the documents that the record did reflect that the injuries and-

issue of Plaintiff Painning due to denial of Medication did happen although defendants admitted it in a Blanketed, Vague, and Ambiguous Fashion. Please Review defendant's answer To Complaint Filed on (March/03/2017). Plaintiff is still being denied adequate Medical Care, and still subjected to ongoing Pain and Suffering and acts of retaliation. Plaintiff's Civil Complaint Consist of Federal Questions of Constitutional Violations and should not have been dismissed, The Honorable Judge Jim C. Shimely Abused its discretion.

Statement of District Court Error. Explain why you believe the district court was wrong. Also state what action you want the Nevada Supreme Court to take. (Your answer must be provided in the space allowed.)

I believe that the district Court was wrong in its decision, due to the fact that Plaintiff did demonstrate that there were Genuine issues. Further, the attorney General's office and Plaintiff engaged in a Correspondence Pertaining to a Settlement Conference on two occasions, But thereafter decided to wait until the Judge make a decision. The Honorable Judge Shimely's decision to dismiss MY Civil rights Complaint could be an act of

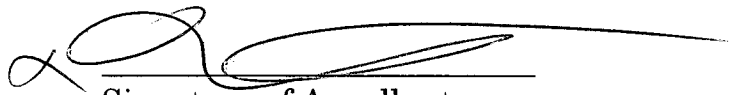
CONSPIRACY OR CONFLICT OF INTEREST due to the fact that his (Wife, Spouse) and or relative works here at Lovelock Correctional Center, This case was held up in the district Court for approximately two years and no action was taken on the case until I filed A Motion to Expedite Action Pursuant to Title-28: 1567. Plaintiff had filed Previous Motions to no Avail, for example, Motion for Summary Judgment, Motion To Strike NRS 41.031, Request for Submission of Motion, and Motion to Show Cause. Petitioner's Claims, reflects Claims of Federal questions, and Constitutional Violations. The District Court Served no Penological Purpose in dismissing my Civil Rights Complaint instead of allowing me to correct any deficiencies. Further, since this case has or were Pending in the district Court, The Medical department, is now more inadequate than ever before, denying my High blood Pressure Medicine again, This is the reason A Law suit was brought against defendants in the first instance. I'm asking this Court to Reverse and Remand the district Court's decision and Present an order allowing me to correct any deficiencies, being that the Claims have not been adjudicated on the Merits, and Furthermore, ^{Plaintiff's @} Petitioner's Claims.

reflects Federal questions, and United - States Constitutional violations. As previously stated, Plaintiff's Civil Rights § 1983 law suit sat in the 11th Judicial district Court, for an unreasonable amount of time. Defendants and the Attorney-General's office employees, recognized that the claims reflected genuine issues and the (11th) Judicial District Court - Judge, (The Honorable Tim C. Shirley), "Could or should have granted Plaintiff's Motion to strike NRS 4-031, Filed (6/30/17). This action by Judge Shirley and the AG's office employees could pose a potential conflict of interest, being that The Honorable Tim C. Shirley's spouse work here at Lovelock Correctional Center and have the ability to affect Plaintiff's 42 U.S.C. - § 1983 Civil Rights Complaint.

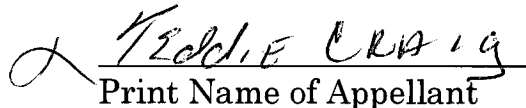
Being that this civil action pertains to inadequate Medical Care to Plaintiff that resulted in Plaintiff fainting in the unit showers, and sustained injuries, which in turn resulted in defendants retaliating against Plaintiff, and in the process destroyed valuable legal documents and a variety of personal property -

this ^(GAY) could also be due to Plaintiff being A Transgender. Plaintiff further ask this Court to decide this Civil Case if applicable, in the First instance, Reverse and Remand to a different district Court i.e., First or (2nd) Judicial district Court, and allow Plaintiff to Correct the deficiency of the invocation of Waiver Pertaining to sovereign immunity. Petitioner is now being subjected to inadequate Medical Care, The Doctor caused my high Blood Pressure Medication to expire, and forcing myself and others to schedule an appointment every three months to have the Medication renewed and Charges are \$8.00 Co-Pay each time Dr Adamson said the State was in debt.

DATED this ^{5th (20)} ~~2nd~~ day of March, 20 18.



Signature of Appellant



Print Name of Appellant

CERTIFICATE OF SERVICE


I certify that on the date indicated below, I served a copy of this completed informal brief form upon all parties to the appeal as follows:

- ☐ By personally serving it upon him/her; or
☒ By mailing it by first-class mail with sufficient postage prepaid to the following address(es) (list names and address(es) of parties served):

SUPREME COURT of NV
CARSON CITY

A-G
555 E Washington #3900
LAS VEGAS NV 89101

DATED this 5th (10) day of March, 20 .


Signature of Appellant

Reddie Craig
Print Name of Appellant

L.C.C. 1200 Prison Road
Address

Loveock, NV 89419
City/State/Zip

N/A
Telephone

ADAM PAUL LAXALT
Attorney General



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL
100 North Carson Street
Carson City, Nevada 89701

WESLEY K. DUNCAN
First Assistant Attorney General
NICHOLAS A. TRUTANICH
Chief of Staff
KETAN D. BHIRUD
General Counsel

September 7, 2017

Teddie C. Craig #62269
Lovelock Correctional Center
1200 Prison Road
Lovelock, Nevada 89419

Re: 11th JD PI – 16-1044

CONFIDENTIAL SETTLEMENT DISCUSSIONS

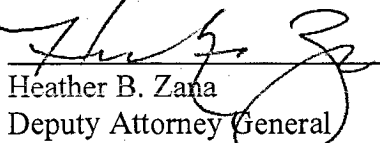
The contents of this letter related to settlement are confidential and are not to be disclosed, disseminated, or discussed publicly. Cf. FED. R. EVID. 408.

Mr. Craig,

I received your letter dated August 21, 2017. My understanding of the status of your case is that we are waiting on a judicial decision on the Defendants' Motion to Dismiss. If you would wish to discuss a settlement prior to that decision I will, of course, take that offer to my clients.

I hope we can continue to work together amiably throughout the duration of your action. Should you have any concerns please do not hesitate to contact me.

Sincerely,


Heather B. Zana
Deputy Attorney General
Bureau of Litigation
Public Safety Division

HBZ:kh

Exhibit-A

ADAM PAUL LAXALT
Attorney General



NICHOLAS A. TRUTANICH
Chief of Staff

KETAN D. BHIRUD
General Counsel

STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

100 North Carson Street
Carson City, Nevada 89701

September 27, 2017

Teddie C. Craig #62269
Lovelock Correctional Center
1200 Prison Road
Lovelock, Nevada 89419

Re: 11th JD PI – 16-1044

CONFIDENTIAL SETTLEMENT DISCUSSIONS

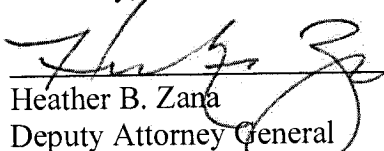
The contents of this letter related to settlement are confidential and are not to be disclosed, disseminated, or discussed publicly. Cf. FED. R. EVID. 408.

Mr. Craig,

I received your letters dated August 21, 2017 and September 12, 2017. However, neither correspondence has a clear summary of what it is you are seeking in terms of settlement. If you wish to convey a settlement demand, please clearly state what it is you are seeking so that I can convey your demands to my clients.

I hope we can continue to work together amiably throughout the duration of your action. Should you have any concerns please do not hesitate to contact me.

Sincerely,


Heather B. Zana
Deputy Attorney General
Bureau of Litigation
Public Safety Division

HBZ:kh

Exhibit -B

ADAM PAUL LAXALT
Attorney General



NICHOLAS A. TRUTANICH
Chief of Staff

KETAN D. BHIRUD
General Counsel

STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

100 North Carson Street
Carson City, Nevada 89701

October 16, 2017

Via U.S. Mail

Teddie C. Craig #62269
Lovelock Correctional Center
1200 Prison Road
Lovelock, Nevada 89419

Re: 11th JD PI – 16-1044

CONFIDENTIAL SETTLEMENT DISCUSSIONS

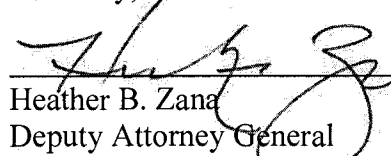
The contents of this letter related to settlement are confidential and are not to be disclosed, disseminated, or discussed publicly. Cf. FED. R. EVID. 408.

Mr. Craig,

I received your letter dated October 2, 2017. At this time, my clients would like to wait until the Judge determines their Motion for Summary Judgment, before looking towards settlement. With that being said, they are not going to provide you with a counter offer.

I hope we can continue to work together amiably throughout the duration of your action. Should you have any concerns please do not hesitate to contact me.

Sincerely,


Heather B. Zana
Deputy Attorney General
Bureau of Litigation
Public Safety Division

HBZ:kh

EXhibit - C

Case #: PI-16-1044
Judge: SHIRLEY, JIM C
Date Filed: 09/13/16 Department: 01
Case Type: CVRVIO CIVIL RIGHTS VIOLATION
Title/Caption: Teddie C. Craig
vs
Sgt. Chappy et al

Defendant(s)
SGT. CHAPPY

Attorney(s)
ATTORNEY GENERAL

Plaintiff(s)
CRAIG, TEDDIE C.

Attorney(s)
PRO PER

Disp/Judgment: MTDS Date: 06/22/17

Filings:

Date	Pty	Filing	Fees
9/13/16	P	APPLICATION TO PROCEED IN FORMA PAUPERIS	FILED
9/13/16	P	CERTIFICATE OF INMATE'S INSTITUTIONAL ACCOUNT	FILED
10/14/16	C	ORDER TO PROCEED IN FORMA PAUPERIS	FILED
10/14/16	P	CIVIL RIGHTS COMPLAINT PURSUANT TO 42 U.S.C. 1983	FILED
10/26/16	P	SUMMONS 5/DONNELLY-BALLANTYNE-NANCY-DONNELLY-CHAPPY	ISSUED
1/09/17	P	SUMMONS 1/BALLANTYNE	ISSUED
1/25/17	P	SUMMONS 5/DONNELLY-BALLANTYNE-NANCY-DONNELLY-CHAPPY	FILED
3/03/17	D	ANSWER TO COMPLAINT	FILED
3/15/17	P	REPLY TO DEFENDANT'S ANSWER	FILED
6/22/17	D	DEFENDANT'S MOTION TO DISMISS	FILED
6/30/17	P	MOTION FOR SUMMARY JUDGMENT PURSUANT TO NEVADA RULE OF P CIVIL PROCEDURE RULE (56)	FILED
6/30/17	P	MOTION TO STRIKE NRS 41.031 PURSUANT TO NRCP 12F	FILED
7/06/17	D	DEFENDANTS' MOTION TO STAY PROCEEDINGS PENDING DECISION	
	D	ON DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S	
	D	COMPLAINT FOR LACK OF SUBJECT MATTER JURISDICTION	FILED
7/13/17	P	PLAINTIFF'S MOTION IN OPPOSITION TO DEFENDANTS' MOTION	
	P	TO STAY PROCEEDINGS, PENDING DECISION ON DEFENDANTS'	
	P	MOTION TO DISMISS PLAINTIFF'S COMPLAINT FOR LACK OF	
	P	SUBJECT MATTER JURISDICTION	FILED
7/19/17	D	REPLY IN SUPPORT OF DEFENDANTS' MOTION TO STAY	
	D	PROCEEDINGS PENDING DECISION OF DEFENDANTS' MOTION	
	D	TO DISMISS PLAINTIFF'S COMPLAINT FOR LACK OF SUBJECT	
	D	MATTER JURISDICTION	FILED

Exhibit D