



THE PERMANENT REPRESENTATIVE
OF THE
UNITED STATES OF AMERICA
TO THE
ORGANIZATION OF AMERICAN STATES

WASHINGTON, D.C.
January 3, 2017

Mr. Paulo Abrão
Executive Secretary
Inter-American Commission on Human Rights
Organization of American States
Washington, D.C. 20006

**Re: Jeremy Vaughn Pinson, Petition No. P-1374-10
Response to Petition**

Dear Mr. Abrão:

The United States Government has the honor of submitting to the Inter-American Commission on Human Rights (“Commission”) this response to the Petition filed by Jeremy Vaughn Pinson (“Petitioner” or “Mr. Pinson”) that your office transmitted to us on December 3, 2015 via a letter dated November 30, 2015. Petitioner originally filed his Petition with the Commission on August 9, 2010 and sent two additional letters to the Commission on November 17, 2010 and March 17, 2011.

Introduction

The Petitioner is an inmate in the custody of the Federal Bureau of Prisons (“Bureau”). In 2007 he was sentenced to 252 months in prison for threatening to harm the President of the United States, making a materially false statement to a U.S. Marshal, threatening a juror, and mailing threatening communications. After being housed in federal correctional institutions in Texas and Florida, Mr. Pinson was transferred on August 6, 2009 to a Special Management Unit (“SMU”)¹ at the

¹ The Bureau uses restrictive housing for serious infractions of institutional and system-wide rules governing inmate conduct, such as engaging in violent, aggressive behavior against other inmates and staff. There are three categories of restrictive housing: special housing units, SMUs, and the administrative maximum facility in Florence, Colorado. An inmate is housed in an SMU when “enhanced and more restrictive management approaches have been determined to be necessary to ensure the safety, security, or orderly operation of Bureau

Federal Correctional Institution in Talladega, Alabama (“FCI”), due to a history of serious disciplinary infractions that had not been controlled through disciplinary processes in the prior facilities.²

In his Petition, Mr. Pinson asserts that the United States violated the American Convention on Human Rights (“American Convention”)³ and the American Declaration of the Rights and Duties of Man (“American Declaration” or “Declaration”)⁴ with respect to two incidents that took place respectively on September 10, 2009 and October 20, 2009 in the FCI, where Mr. Pinson was then incarcerated. Specifically, he alleges that: (a) “[o]n Sept. 10, 2009 at 9:00 a.m. ...

facilities, or protection of the public.” Federal Bureau of Prisons: Special Housing Unit Review and Assessment, December 2014, at 14, available at https://www.bop.gov/resources/news/pdfs/CNA-SHURReportFinal_123014_2.pdf.

² The specific disciplinary incidents warranting the transfers were “disruptive conduct—high; assault with serious injury; assault without serious injury (12 times); threatening bodily harm (5 times); fighting with another person; possessing a dangerous weapon (2 times); adulterating food or drink; destroying property; refusing to obey an order; and insolence to staff (2 times).” *Caldwell v. Warden*, 748 F.3d 1090, 1093 n.4 (11th Cir. 2014).

³ The United States is not a party to the American Convention. Accordingly, the United States is not legally bound by any provisions of the American Convention, the Commission does not have competence over the American Convention relating to the United States, and it cannot use the American Convention as a basis for any decision regarding the United States. Article 34(a) of the Commission’s Rules of Procedure (“Rules”) provides that “[t]he Commission shall declare any petition or case inadmissible when ... it does not state facts that tend to establish a violation of the rights referred to in Article 27 of these Rules of Procedure” Article 27, in turn, directs the Commission to “consider petitions regarding alleged violations of the human rights enshrined in the American Convention on Human Rights and other applicable instruments” Article 20 of the Commission’s Statute and Article 23 of the Rules, in turn, identify the American Declaration as an “applicable instrument” with respect to nonparties to the American Convention.

⁴ The United States has consistently maintained that the American Declaration is a nonbinding instrument and does not create legal rights or impose legal duties on member states of the Organization of American States (“OAS”). U.S. courts of appeal have independently held that the American Declaration is nonbinding and that the Commission’s decisions do not bind the United States. *See, e.g., Garza v. Lappin*, 253 F.3d 918, 925 (7th Cir. 2001); *accord, e.g., Flores-Nova v. Attorney General of the United States*, 652 F.3d 488, 493–94 (3rd Cir. 2011); *In re Hicks*, 375 F.3d 1237, 1241 n.2 (11th Cir. 2004). As explained by the U.S. Court of Appeals for the Seventh Circuit in *Garza*, “[n]othing in the OAS Charter suggests an intention that member states will be bound by the Commission’s decisions before the American Convention goes into effect. To the contrary, the OAS Charter’s reference to the Convention shows that the signatories to the Charter intended to leave for another day any agreement to create an international human rights organization with the power to bind members. The language of the Commission’s statute similarly shows that the Commission does not have the power to bind member states.” 253 F.3d at 925. *Accord* Commission Statute, art. 20 (setting forth recommendatory but not binding powers). For a further discussion of the U.S. position regarding the nonbinding nature of the American Declaration, see Request for an Advisory Opinion Submitted by the Government of Colombia to the Inter-American Court of Human Rights Concerning the Normative Status of the American Declaration of the Rights and Duties of Man, Observations of the United States of America, 1988, available at <http://www1.umn.edu/humanrts/iachr/B/10-esp-3.html>.

As a result of the nonbinding nature of the American Declaration, the United States understands the term “violation” in reference to the American Declaration as meaning an allegation that a country has not lived up to its political commitment to uphold the Declaration. As the Commission is aware, the United States faithfully respects its political commitment to uphold the American Declaration.

employees of the United States did bind [his] hands and ankles into restraints for 28 hours during which time [he] was denied meals, access to a toilet, water or medical care”; and (b) on October 20, 2009, prison officials “did deprive [him] of meals for 29 hours and all access to water,” and denied a request from the physician’s assistant to remove Mr. Pinson from his cell to treat low blood sugar levels.⁵

The letter of November 17, 2010 cites Mr. Pinson’s petition number but is signed by Timothy Demitri Brown, another FCI inmate. That letter informs the Commission that the “atrocities that are occurring” at FCI are occurring elsewhere in the federal prison system.

On March 17, 2011, Mr. Pinson wrote to inform the Commission that he had been transferred to the Administrative Maximum United States Prison (“ADX”), in Florence, Colorado.⁶ Mr. Pinson alleged that he was being held in solitary confinement with no human contact, banned from having a television, not allowed to practice his religious beliefs, and threatened with harassment and retaliation. He included a copy of an Internet petition asking the President, Attorney General, and Director of the Bureau “to respect the rule of law, protect civil rights and end the oppressive SMU programs.” Mr. Pinson also included a declaration from another inmate, Stephen G. Burke, describing the treatment of inmates at Talladega FCI. The Burke declaration specifically stated that Mr. Pinson and his cellmate fought on June 25, 2010, and Mr. Pinson was subjected to more severe disciplinary measures than his cellmate, including referral to and approval for placement in ADX. The declaration also alleged that Mr. Burke had seen staff search Mr.

⁵ Pinson v. United States, Petition No. P-1374-10, Petition (hereinafter “Petition”), Aug. 9, 2010, at 1-B, 3-B. Copies of a request for administrative remedy for the September 10, 2009 incident, dated September 20, 2009, and a request for administrative remedy and request for appeal for the October 20, 2009 incident, dated October 23, 2009 and January 4, 2010, respectively, can be found in materials filed by Petitioner.

⁶ As explained in more detail in *Inmates of the Administrative Maximum United States Prison v. United States*, Petition No. 387-09, Response of the United States, Sept. 7, 2016 (“U.S. ADX Response”), at 2–3, ADX is an administrative institution housing maximum-custody inmates. The facility is specifically designed by the Bureau to house inmates who require an uncommon level of security due to their history of serious institutional misconduct, involvement in violent or escape-related behavior, or unusual security needs based on the nature of their offense. The Bureau houses inmates at ADX when it concludes that placement of an inmate at any another facility would pose a risk to the safety and security of the institution, staff, inmates, and the public.

Pinson's cell on nearly a daily basis, take all his property without justification on several occasions, and mistreat Mr. Pinson.⁷

Discussion

For the reasons stated below, we urge the Commission to find this matter inadmissible because Petitioner has failed to exhaust domestic remedies, because he has failed to state facts that tend to establish any violations of rights set forth in the American Declaration, and because supervening information reveals that this matter is inadmissible; and we also urge dismissal of his claims of a general nature on behalf of unidentified individuals because the Commission lacks competence to entertain an *actio popularis*. Should the Commission nevertheless declare the Petition admissible, it should dismiss the Petition as meritless. The reasons the Petition is inadmissible, and the reasons it is meritless in any event, are discussed in tandem throughout this brief.

The Petition Is Inadmissible for Failure to Exhaust Remedies and for Failure to State Facts that Tend to Establish a Violation of the American Declaration

In order for this matter to be admissible, Article 20(c) of the Commission's Statute and Article 31 of its Rules of Procedure ("Rules") require Petitioner to show that he has pursued and exhausted the remedies of the domestic legal system "in accordance with the generally recognized principles of international law"; and under Article 34(a) of the Rules, the facts alleged must "tend to establish a violation of the rights" set out in the American Declaration.⁸ Several of the allegations set forth in the Petition fail to meet these requirements.

On September 10, 2009, Mr. Pinson was charged with taking his cellmate hostage and assaulting him. Specifically, a prison officer reported that he approached Mr. Pinson's cell and observed that the cellmate had his hands tied behind his back and his legs tied together. Mr. Pinson had a sharpened metal object, approximately eight inches (20 centimeters) long, in his hand, and stated that he would kill the cellmate unless he could speak to the Unit Manager within

⁷ Declaration of Stephen G. Burke, ¶¶ 12, 16 (included in the materials sent by Petitioner dated July 3, 2010, at 1–2 (pdf pagination)). Although this declaration is undated, Mr. Pinson refers to an "affidavit by a fellow inmate" in his March 17, 2011 letter.

⁸ See *supra* note 3 (explaining that, for the United States, the American Declaration is the instrument referred to in Article 34(a) of the Rules).

five minutes. After 90 minutes of hostage negotiations with prison staff, Mr. Pinson agreed to relinquish the weapon and be restrained. The cellmate had puncture wounds and cuts on his head and upper torso and required medical treatment.⁹

On September 20, 2009, Mr. Pinson filed a request for administrative remedy stating that he was in ambulatory restraints from September 10, 2009 at 9 a.m. to September 11, 2009 at 1 p.m., and that neither the medical staff nor the correctional staff checked his restraints every two hours, as required. In his Petition in the instant matter, Mr. Pinson further added that FCI employees denied him meals and access to a toilet, water, and medical care during the 28 hours he was in restraints.¹⁰

The Bureau has a three-tiered administrative procedure for inmate grievances, which is codified at 28 C.F.R. § 542.10, et seq. Pursuant to this procedure, the Bureau may consider allegations of constitutional violations, including complaints related to the conditions of confinement, and take action as appropriate.¹¹ Inmates must first address complaints to the Warden. If dissatisfied with the Warden's decision, inmates can appeal to the Regional Director, and ultimately the Director of National Inmate Appeals in Washington, D.C.¹² An inmate will have exhausted his administrative remedies only after seeking review at all three levels.¹³

According to information provided by the Bureau, Mr. Pinson's remedy request was responded to at the institution, the Regional Office, and the Central Office levels. The remedy was denied at all levels, finding that the restraints were necessary due to disruptive behavior, that Mr. Pinson was checked periodically, and that he was also seen by medical staff during this period.¹⁴ Following the

⁹ Pinson v. Rathman, 2013 WL 4482408, at 5 (N.D. Ala. 2013). A copy of this decision is enclosed as Annex A. See also Caldwell v. Warden, 748 F.3d 1090, 1095 (11th Cir. 2014).

¹⁰ Petition at 1-B.

¹¹ See Yousef v. Reno, 254 F.3d 1214, 1222 (10th Cir. 2001) (affirming that "the [Bureau] can and does evaluate the merits of individual constitutional challenges and may modify particular conditions of an inmate's confinement."). See also Porter v. Nussle, 534 U.S. 516, 520 (2002) (holding that the exhaustion of administrative remedies is mandatory and "applies to all prisoners seeking redress for prison circumstances or occurrences.").

¹² 28 C.F.R. §§ 542.14, 542.15(a).

¹³ *Id.*

¹⁴ Mr. Pinson was also subjected to a disciplinary proceeding for the incident on September 10, 2009, for which he was given written notice, and several administrative hearings were held at which he had the right to call

exhaustion of these administrative procedures, Mr. Pinson had the option of filing a civil lawsuit in federal court alleging that officers at FCI violated his federally protected rights during the September 10 to 11 incident, including those set forth in the U.S. Constitution.¹⁵ Mr. Pinson, however, did not file a lawsuit in federal district court seeking a remedy for the alleged violations of his rights on September 10 and 11, 2009.

The Petition also raises another incident that took place at FCI Talladega on October 20, 2009, alleging that prison officers deprived Mr. Pinson of meals and access to water for 29 hours and denied a request from the physician's assistant to remove Mr. Pinson from his cell to treat low blood sugar levels.¹⁶ Mr. Pinson filed a request for administrative remedy on October 23, 2009 that stated that he did not receive an evening meal on October 20, 2009 and did not receive a breakfast meal the next morning, and that the prison staff did not summon health services staff when he said he felt weak and lightheaded.

Although no decision regarding this request is provided with the Petition, Mr. Pinson filed an appeal on January 4, 2010, on the basis that the Warden's response was insufficient because "the incident in question was one inmate refused to allow staff to secure his feeding slot. This is not justification for punitively starving 40 inmates for 22 hours, some of whom are hypoglycemic."¹⁷ Mr. Pinson provided no further information about the response to this appeal. Although Bureau records show that Mr. Pinson exhausted his October 20, 2009 request, the records are no longer available because of the Bureau's records retention written policy, which provides for routine destruction of these records after three years.¹⁸ More importantly, Mr. Pinson does not allege—and there is no information in the

witnesses. Following the decision to recommend sanctions, Mr. Pinson appealed the decision through the administrative process, and then filed a case in federal district court alleging that his rights were violated by the disciplinary proceeding. The district court denied his claim. *Pinson*, 2013 WL 4482408 (appended as Annex A). At no time in that case did he allege that he had been mistreated or abused following the incident.

¹⁵ Federal law, at 28 U.S.C. § 1331, provides that federal district courts have jurisdiction over "civil actions arising under the Constitution, laws, or treaties of the United States."

¹⁶ Petition at 3-B.

¹⁷ Regional Administrative Remedy Appeal, Jan. 4, 2010 (included in Petitioner's July 3, 2010 materials at 8 (pdf pagination)).

¹⁸ The records are routinely destroyed three years after the end of the calendar year after final disposition of the administrative remedy case. See https://www.archives.gov/records-mgmt/rcs/schedules/departments/departments-of-justice/rg-0129/nc1-129-83-07_sf115.pdf.

Petition to indicate—that Mr. Pinson then sought further judicial review of his allegations in federal district court, which he was permitted to do.

The Commission has repeatedly emphasized that the petitioner has the duty to pursue all available domestic remedies.¹⁹ Article 31(1) of the Rules states that “[i]n order to decide on the admissibility of a matter, the Commission shall verify whether the remedies of the domestic legal system have been pursued and exhausted in accordance with the generally recognized principles of international law.” As the Commission is aware, the requirement of exhaustion of domestic remedies stems from customary international law, as a means of respecting State sovereignty. It ensures that the State where a human rights violation has allegedly occurred has the opportunity to redress the allegation by its own means within the framework of its own domestic legal system.²⁰

It is a sovereign right of a State conducting judicial proceedings to have its national system be given the opportunity to determine the merits of a claim and decide the appropriate remedy before resort to an international body.²¹ The Inter-American Court of Human Rights has remarked that the exhaustion requirement is of particular importance “in the international jurisdiction of human rights, because the latter reinforces or complements the domestic jurisdiction.”²²

The Rules do not require that these domestic remedies be judicial in nature in order to require their exhaustion before a petitioner may have recourse to the Commission, and the Commission has previously considered non-judicial remedies as remedies that need to be properly exhausted in order for a matter to become admissible under Article 31.²³

¹⁹ See, e.g., *Páez García v. Venezuela*, Petition No. 670-01, Report No. 13/13, Inadmissibility, Mar. 20, 2013, Analysis§ B(I) & Conclusion ¶ 35 (finding petition inadmissible for failure to exhaust because petitioner did not avail himself of remedies available to him in the domestic system).

²⁰ See, e.g., *Interhandel Case (Switzerland v. United States)* [1959] I.C.J. 6, 26–27; *Panevezys-Saldutiskis Railway Case (Estonia v. Lithuania)*, 1939 P.C.I.J., Ser. A/B, No. 76.

²¹ THOMAS HAESLER, *THE EXHAUSTION OF LOCAL REMEDIES IN THE CASE LAW OF INTERNATIONAL COURTS AND TRIBUNALS* (1968), at 18–19.

²² *Velásquez Rodríguez Case*, Judgment, July 29, 1988, Inter-Am. Ct. H.R. (Ser. C) No. 4, ¶ 61.

²³ See, e.g., *Vázquez & Gil Rendón v. Mexico*, Petition Nos. 1352-06 & 580-07, Report No. 67/14, Inadmissibility, July 25, 2014, ¶¶ 39–44 (stating that the petitioners had exhausted domestic remedies even though they had not pursued a special administrative remedy, not because the administrative remedy would not have constituted a domestic remedy, but because that particular special administrative procedure could not have yielded an effective remedy for the petitioners); *Cortina González v. Mexico*, Petition No. 700-04, Report No. 25/12, Inadmissibility, Mar. 20, 2012, ¶¶ 29–34 (declaring petition inadmissible for failure to exhaust

Indeed, Mr. Pinson concedes in the Petition that he has not exhausted his remedies in court due to a federal statute, 28 U.S.C. § 1915(g), which precludes suit without prepayment of costs that he claims he cannot afford.²⁴ With respect to Mr. Pinson's allegation that he was precluded from filing suit to challenge the two incidents following his exhaustion of administrative remedies, his argument is without merit. During the same period that he filed the administrative remedy request for the first incident, he was similarly challenging the disciplinary penalties he had received for his acts on September 10, 2010.²⁵ He also filed lawsuits on July 9, 2010, July 12, 2010, and September 13, 2010, which all proceeded on the basis of successful motions by Mr. Pinson to proceed *in forma pauperis* or upon his partial payment of the filing fee.²⁶ In fact, Mr. Pinson has filed suit in U.S. courts over a hundred times notwithstanding his assertion in the Petition that he cannot afford filing fees.²⁷ Thus, Mr. Pinson clearly had the ability to seek judicial review of his claims once he had exhausted the administrative process, but he cites no evidence that he sought such court review, including through filing a motion to proceed *in forma pauperis* for lack of ability to pay filing fees.

For these reasons, the Commission must declare these allegations of the Petition inadmissible and dismiss them. The record of dozens of lawsuits filed by Mr. Pinson in U.S. courts shows beyond question that the United States affords extensive due process of law for the protection of the rights of prisoners, including ones who claim to be indigent, demonstrating that the Petition is also inadmissible for failure to state facts that tend to establish a violation of the American Declaration under Article 34(a) of the Rules. Mr. Pinson has not provided any information that he has been denied access to judicial remedies available under

domestic remedies because the petitioner sought *amparo* relief for violations of constitutional principles rather than the proper domestic remedy through the Conciliation and Arbitration Tribunals).

²⁴ Petition at 2-B. 28 U.S.C. § 1915(g) states: "In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this section if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury."

²⁵ *Pinson*, 2013 WL 4482408 (enclosed as Annex A). The docket sheet for this case, which shows that it was filed on September 14, 2010, is enclosed at Annex B. The docket sheet shows that Mr. Pinson filed a motion to proceed *in forma pauperis*, which was granted.

²⁶ Docket sheets showing that Mr. Pinson filed suit in federal district court for these three cases are enclosed at Annex B.

²⁷ Information provided by the Bureau states that, as of August 23, 2016, Mr. Pinson had filed 939 administrative remedies, 40 tort claims, and 161 civil lawsuits while in Bureau custody.

U.S. law for these incidents; in fact, the evidence shows that he has used the judicial process on many occasions, but he fails to provide any information to the Commission regarding the outcome of his challenges and any efforts to seek further review in federal courts.²⁸

Generalized Claims of Mistreatment Must Be Dismissed for Lack of Competence

With respect to the remaining possible claims in the materials presented by Mr. Pinson, the letter of November 17, 2010 signed by Timothy Demitri Brown informs the Commission that the “atrocities that are occurring” at FCI are occurring elsewhere in the federal prison system. The Commission’s governing instruments, however, do not allow for an *actio popularis*;²⁹ an individual petition is not the proper means by which to present a general claim regarding alleged widespread mistreatment of an unidentified group of individuals in federal prisons. Thus, the matter discussed in Mr. Brown’s letter is improper in the context of an individual petition. As this Commission has explained on numerous occasions, the Commission has competence to review individual petitions that allege “concrete violations of the rights of specific individuals, whether separately or as part of a group, in order that the Commission can determine the nature and extent of the State’s responsibility for those violations”³⁰ Consequently, an individual petition is not the proper means by which to seek a general review writ large regarding alleged mistreatment of inmates in the U.S. federal prison system.

The March 11, 2011 letter and additional enclosures present similar problems. The Internet petition and the allegations in Stephen G. Burke’s declaration regarding the general treatment of inmates in the federal correctional institutions are not individualized claims, but are seeking generalized remedies across the entire federal prison system. As such, like the Brown letter, these

²⁸ We are able to provide some relevant information based on Bureau records and court decisions. Court records are enclosed with this response at Annex B.

²⁹ Sánchez et al. v. United States (“Operation Gatekeeper”), Petition No. 65/99, Report No. 104/05, Inadmissibility (“*Operation Gatekeeper* Inadmissibility Decision”), Oct. 27, 2005, ¶ 51. *Accord* International Abductions, Case No. 11.082, Report No. 100/14, Nov. 7, 2014, Inadmissibility, ¶ 27.

³⁰ *Operation Gatekeeper* Inadmissibility Decision, *supra* note 29, ¶ 51; *accord, e.g.*, Undocumented Migrant, Legal Resident, and U.S. Citizen Victims of Anti-Immigrant Vigilantes v. United States, Case No. 12.720, Report No. 78/08, Admissibility, Aug. 5, 2009, ¶¶ 41–44 (dismissing claims relating to unidentified group of alleged victims of anti-immigrant violence for lack of competence *ratione personae*).

documents cannot be addressed by the Commission through the individual petition procedure.

Supervening Information Renders the ADX Claims Inadmissible

With respect to the Petition's allegations regarding Mr. Pinson's treatment at ADX, these claims are inadmissible under Article 34(c) of the Rules due to supervening information because Mr. Pinson has been transferred out of ADX to a lower-security prison facility.³¹ (Up-to-date information about the whereabouts of individual inmates in the U.S. federal prison system can be found via the online Bureau Inmate Locator at <https://www.bop.gov/inmateloc/>.) Given that Mr. Pinson is no longer housed at ADX, the grounds on which the ADX allegations are based no longer exist. Accordingly, this supervening information renders the ADX claims inadmissible under Article 34(c) of the Rules, and the Commission should dismiss these claims or, alternatively, it should archive them under Article 42 of the Rules because these grounds do not subsist.

Conclusion

In sum, the criminal justice and prison systems in the United States embody the protections set forth in the American Declaration. The United States has afforded Petitioner comprehensive opportunities to have his claims heard in administrative and judicial settings in the U.S. domestic system. The Petition must be dismissed because the Petitioner has failed to exhaust domestic remedies as required under Article 20(c) of the Statute and Article 31 of the Rules, the Petition fails to state facts which tend to establish a violation under Article 34(a) of the Rules, the Commission lacks competence to consider generalized claims, and because supervening information under Article 34(c) of the Rules renders the Petition inadmissible. The Commission should accordingly declare the Petition inadmissible and, in line with its own practice, close this matter. Alternatively, for all the reasons set forth above, the Commission should rule the claims meritless and dismiss the Petition in its entirety. We reserve the right to submit further observations should this matter, nonetheless, reach the merits stage.

³¹ As of December 7, 2016, Mr. Pinson was incarcerated at the U.S. Medical Center for Federal Prisoners (MCPF) in Springfield, Missouri. MCPF provides medical, mental health, and dental services to federal prisoners. Mr. Pinson is also a Petitioner in a separate matter pending before the Commission regarding ADX. See U.S. ADX Response, *supra* note 6. This response, filed September 9, 2016, similarly urges the Commission to find that matter inadmissible with respect to Mr. Pinson because the same supervening information reveals the inadmissibility of his claims.

Please accept renewed assurances of my highest consideration.

Sincerely,



Genevieve Libonati
Acting Interim Permanent Representative

Annexes:

- A. Pinson v. Rathman, 2013 WL 4482408 (N. D. Ala 2013).
- B. Docket Sheets for Domestic Cases Filed by Jeremy Pinson.