

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY	DEPUTY

DEXTER DEIBERT LORING
PLAINTIFF

v.

William DALY et al.
DEFENDANT

NO: CV 19-05133-PHX JAT (JFM)

RESPONSE TO DEFENDANTS
MOTION TO DISMISS

FIRST AND FOREMOST, W/ DUE RESPECT TO JUDGE METCALF AND DEFENDANT WILLIAM DALY, I ONLY HAVE NEED TO BRING FACTUAL CLAIM AND BASIS W/OUT HIDING BEHIND A LAWYER, OR LEGAL TERMS THAT ONLY EMPHASIZE THE SURFACE OF MISCARRIED RIGHTS OF INMATES ON TRIBAL LANDS.

1.) COURTS DO NOT LACK JURISDICTION OVER SUBJECT MATTER, WHEREIN, THE U.S. FEDERAL DISTRICTS COURT HAS ALL RIGHT TO INTERVENE INTO ANY FEDERAL TRIBAL LAND WHEN A CRIME IS COMMITTED, OR CERTAIN RIGHTS ARE VIOLATED, DUE TO THE DEGREE OF THE CRIME OR RIGHTS VIOLATED.

A) I TRULY BELIEVE THE DEGREE OF ANYONES RIGHTS IS PRIORITY, AS LIKEWISE WHEN AN AUTHORITATIVE INDIVIDUAL DICTATES TO CONTROL THOSE RIGHTS IN ORDER TO MANAGE AND OVERRIDE CERTAIN LAWS AND ACTS, SUCH AS THE RELIGIOUS LAND USE AND INCARCERATED PERSONS ACT (RLUIPA), 42 U.S.C § 200 CC-2000CC-5.

B) I DID NOT LACK ANY STANDING AND CLAIM DUE TO THE PERSONAL FACT AND WITNESS, THAT DIRECTOR DALY DID NOT ACT ACCORDINGLY UNDER
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TIRIBAI AND COMMUNITY LAW BY RESTRICTING ME FROM CEREMONIAL SWEAT WHILE OTHER INMATES HAD OPPORTUNITY TO ATTEND. AT THESE TIMES I WAS NOT ON ANY SEGREGATED TERMS UNTIL I WAS CITED FOR NON-COMPLIANCE OF RULES. IN ANY CASE, FOR THE INCARCERATED TERMS OF 2018 THROUGH 2020, I STILL WAS NOT ABLE TO ATTEND, EVEN AFTER MONTHS OF GOOD BEHAVIOR. ALTHOUGH THE DEFENDANT FEELS A THIRD PARTY HEARSAY IS NOT DEEMABLE FOR THIS COMPLAINT, PER DEFENDANTS DIRECTIVE TO CORRECTIONS STAFF, I WAS NOT TO ATTEND BECAUSE IT IS NOT PRIORITY FOR ME AT THAT CERTAIN TIME, AND BECAUSE OF SHORTAGE OF STAFF, BUT YET, OFFICER VAUGHT, OFFICER GILARDO AND OFFICER LITTLE (NO LONGER EMPLOYED) SAID THEY DON'T SEE THE REASON IN ME NOT GOING, BECAUSE IT'S ONLY ME AND A FEW OTHER INMATES WHO HAVEN'T GONE, AND THEY HAVE MORE THAN ENOUGH STAFF TO ACCOMMODATE MY RELIGIOUS RIGHT.

2) DEFENDANT SAYS MY COMPLAINT HAS NO RELEVANT GROUND TO MOVE FORWARD AND DISPOSITION BECAUSE I AM NO LONGER INCARCERATED AT SALT RIVER DEPT. OF CORRECTIONS. THAT MAY BE SO, BUT THAT DON'T EXCUSE PAST ACTIONS OF DEFENDANTS UNETHICAL PROCEDURE OF NOT ACCOMMODATING MY RIGHT TO PRACTICE MY RELIGION, AND TO ABBREVIATE IT W/ ERRONEOUS EXCUSES. FURTHERMORE, DEFENDANT HAS TO ANSWER FOR THESE ACTIONS AGAINST INMATES, NOT USE TIRIBAI DECLARATIONS AS LEVERAGE TO

TO HIDE BEHIND, AND CONTINUE TO DICTATE FURTHER ABUSE OF AUTHORITY.

3) DEFENDANT CLAIMS I HAVE NO FACTUAL RECORD OF SUCH DENIAL OF MY RELIGIOUS RIGHTS, BUT I "HAD" ALL FORMS OF CHANNELING AND CORRESPONDING W/ DEFENDANT ABOUT THIS ISSUE. DUE TO EVICTION AND MY PROPERTY BEING DISCARDED, I NO LONGER HAVE THESE DOCUMENTS, BUT DEFENDANT HAS THESE COPIES ON RECORD AND IN FILE. IT'S ENTIRELY UP TO DEFENDANT TO EXPOSE THESE FILES W/ OUT ALTERING OR CONGESTING THESE FILES COMPLETELY.

HOW DOES TRIBAL SOVEREIGNTY IMMUNE THE FACT OF ABUSE OF AUTHORITY, AND ENTITLE BURDEN ON COMMUNITY MEMBERS?

I UNDERSTAND THERE ARE LAWS THAT PROTECT THE DEFENDANT, BUT WHERE DO THESE LAWS PROTECT ME AND MY RIGHTS WHEN IT COMES TO TRIBAL SOVEREIGN IMMUNITY?

THIS MAN CAN QUOTE ALL THE LAWS HE CAN ACCESS FROM HIS LAWYER, BUT MR. DALY DOES NOT CARRY TITLE TO HIDE BEHIND THESE LAWS. I SEE ALL THE RELIANCE W/ THIS

CERTAIN DECLARATION, BUT MY CONCERN IS, WHEN DOES THE DEFENDANT ANSWER FOR HIS WRONG AGAINST COMMUNITY MEMBERS?

WHEN DOES THIS DECLARATION CLARIFY WHAT TO DO WHEN TRIBAL OFFICIALS DON'T RELY ON DUE PROCESS OF RIGHTS FOR OTHERS?

DEFENDANTS LAWYER CLAIMS I BROUGHT A "MASKED CAPACITY SUIT" TO THE DISTRICT COURTS, WHAT I BROUGHT WAS MY RIGHT TO BRING FORTH CERTAIN RIGHTS VIOLATED ON TRIBAL LANDS.

MAYBE THE AMOUNT WAS EXCESSIVE OR EVEN NOT TO BE HEARD BY DEFENDANTS DECLARATION FROM TRIBAL OFFICIALS, BUT THE POINT STILL STANDS, DEFENDANT NEEDS TO ANSWER FOR HIS ACTIONS AGAINST INMATES ON TRIBAL LANDS.

THERES A CERTAIN THRESHOLD WHEN IT COMES TO SOVEREIGN NATIONS TAKING ORDER TO INCARCERATE INMATES AS FELONS W/ TERMS OF TEN YEARS PLUS.

AS THE FEDERAL BUREAU OF PRISONS HAS SPECIFIC GUIDELINES TO FOLLOW AS POLICY, BECAUSE OF THE WELL BEINGS OF INMATES HOUSED IN A FACILITY IN WHICH REVOLVES AROUND LIVING CONDITIONS AND HUMAN LIVES. W/ THIS BEING SAID, AN INMATE HAS NO WHERE TO TURN BUT TO THE FACILITY HE OR SHE IS HOUSED IN, SO THE CAPACITY INVOLVED W/ A SOVEREIGN NATION TRIBAL DEPT. OF CORRECTIONS HAS TO RELY ON GUIDELINES THAT WILL MEET THE FEDERAL BUREAU OF PRISONS POLICY, OR THE ARIZONA DEPT. OF CORRECTIONS POLICY, AND NOT THAT OF A SIMPLE TRIBAL TAIL. THATS MY WHOLE STAND POINT OF LITIGATION W/ ANY TRIBAL DEPT. OF CORRECTIONS TAKING INITIATIVE TO OBLIGATE INMATES W/ TERMS OF TEN YEARS PLUS, AS DID THE FEDERAL BUREAU OF PRISONS WHEN THIS AGENCY HAD CONTROL OF INMATES WHO COMMITTED CRIMES OF HIGH DEGREE. (4)

W/ THIS LAWSUIT I ONLY WISH TO REMODIFY LIVING CONDITIONS AND POLICY OF THIS DECLARATION, IN WHICH THE DEFENDANT ATTAINS TO "MASK" HIS WRONG DOINGS.

WHAT ELSE AM I TO DO WHEN THE DEFENDANT TELLS ME THERE IS NO EXTERNAL REVIEW OF MY GRIEVANCES, AND THAT HIS REVIEW IS WHERE IT ENDS?

WHEN I SPOKE TO EX-COUNCILMAN DAVID ANTONIE ABOUT BRINGING MY COMPLAINT TO COMMUNITY MANAGER ASSISTANT, CARIA BENLIELOS, HE RESPONDED SHE NO LONGER CAN INTERVENE W/ DIRECTOR DALY, BECAUSE HE ASSERTED SHE WAS "PICKING ON HIM".

WHEN I SPOKE TO COUNCILMAN TOM LARGO, HE RESPONDED THAT I RUFFLED ALOT OF FEATHERS, AND TO BE READY FOR WHATEVER DIRECTOR DALY BRINGS MY WAY.

I'VE TALKED TO SALT RIVER LEGAL SERVICES TO HELP ME FILE A COMPLAINT, AND THEIR RESPONSE WAS, IT'S CIRCUMSTANCES INVOLVE A TRIBAL EMPLOYEE, SO IT'S TO SENSATIVE AND IT WONT GO NO WHERE.

SO TO EXHAUST ALL REMEDIES OF CHANNEI WAS ACCOMPLISHED, AND NOW I RELY ON THE U.S. DISTRICT COURT OF ARIZONA TO HELP ME OBTAIN THIS REMODIFICATION OF TRIBAL POLICY THAT INVOLVE SALT RIVER DEPT. OF CORRECTIONS.

BEFORE I CLOSE, I WOULD LIKE TO SAY THAT I DO BELIEVE IN THE FEDERAL COURT SYSTEM, FACT BEING, A FAMILY MEMBER, MARTHA BROWN, WAS GRANTED AN ORDINANCE OF LAW WHEN MY COUSIN'S KILLER WAS BROUGHT TO JUSTICE.

AT THE TIME, HIS KILLER WAS FROM ANOTHER SOVEREIGN NATION IN CALIFORNIA, THEREFORE, SALT RIVER COULD NOT BRING THIS MAN TO JUSTICE BECAUSE OF A DECLARATION HE HID BEHIND.

IT SO HAPPENS THE SUPREME COURT HEARD THE CASE AND DISPOSITIONED IT W/ REMODIFYING THIS CERTAIN DECLARATION TO UPHOLD W/ FEDERAL STANDARD LAW, AND NOW ANYONE WHO COMMITS A CRIME ON TRIBAL LANDS OF ANY SOVEREIGN NATION CAN BE TRIED IN FEDERAL COURT, SO I KNOW THERE IS JUSTICE W/ DUE PROCESS WHEN IT COMES TO SOVEREIGN NATIONS.

THIS MAY NOT BE MURDER IN THE FIRST OR SECOND DEGREE, BUT IT IS A MURDER OF RIGHTS THAT NEEDS TO BE HEARD, NOT "MASKED" W/ DECLARATIONS FOR ENTITIES ON TRIBAL LANDS.