

IN THE CIRCUIT COURT OF THE 17<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR  
BROWARD COUNTY, FLORIDA

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Lancelot U. ARMSTRONG, DC #  
693504,  
Plaintiff

CASE NO: 90-5417 CF10B

VS.

Michael W. MOORE, Secretary, D.O.C.  
MR. Bradley D. CARTER, Warden, D.O.C./U.C.I.  
MR. M. R. HICKS, Asst. Warden, U.C.I.  
Captain R. Walmsley, Security, U.C.I.  
Colonel B.G. Coleman, D.O.C./U.C.I.  
Sgt. M. J. Young, D.O.C./U.C.I.  
Sgt. R. U. TUCKER, et. Al. etc.  
Respondants.

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Petition For Court order To The  
Death Row P-dorm unit Captain R.  
Walmsley's office Requiring Him  
To Approve Phone calls To Petitioner  
To Allow Petitioner's Attorneys To  
Assist Petitioner To Have Access  
To His Attorneys To Assist Petitioner

IN CASES WHICH ARE PRESENTLY  
PENDING BEFORE THE COURT, ETC.

COMES NOW, PETITIONER, Lancelot Armstrong, DC #693504, in the above styled cause and moves this Honorable Court pursuant to Article Section 21 of the Florida Constitution for the issuance of an order directing Michael Moore, Bradley D. Carter, Captain R. Walmsley, to allow petitioner to access to phone use for the purpose of have legal conferences with his legal counsel in reference to his cases pending before the court while on appeal, etc. In support thereof petitioner states the following facts:

(1). Said Telephone Rule presently at the P-dorm unit Death Row stated as follows that any outgoing call on a collect basis only. And must be of emergency or legal status.

(2). Calls of an emergency or urgent nature pertaining to serious illness or death in the inmates immediate family will normally be handled and approved by Chaplain.

(3). All outgoing inmate calls ARE To be Placed on A collect call only basis with NO cost to the institution or the state.

(4). Petitioner has Requested Phone call To Confer About legal issues Pertaining To his cases on serval occassions but was Refused By captain R. Walmsley, Sgt. M. J. Young, And The Chaplain. et. Al. etc. even Law library Sgt. R. U. Tucker on The 8 To 4 shift hindering such Access.

(5). SEE exhibits 1 Thru. 44, which Prison officials Willful And Deliberately Refused to Allow PROPER ACCESS To Phone calls, Further Deliberately Denied Petitioner of his normal INK pens And pencils, etc.

(6). Petitioner NEEDS ACCESS To his normal INK pens And pencils, Petitioner NEEDS ACCESS To The Telephone To Assist And Aid Counsel which Represents his cases, " Petitioner Counsel's And Investigators And All other legal Assistants working with or in Petitioner cases, etc.

(7). Petitioner needs Access To Counsel By Phone And To Family And Witnesses, Friends And business Forum And Further not limited To Any person or persons which shall Assist with information in Petitioner cases, For The Purpose of Assisting Counsel in obtaining important Tangible Evidence That will Aid Petitioner in win his Appeal, etc.

(8). The foregoing motion is made upon Authority of Florida Rules of Criminal Procedure, Rule 3.220(B)(2) And Brady v. Maryland, 373 U.S. 83, 10 L. Ed. 2d. 215, (1983). And All other DUE PROCESS And Equal Protection of Law Rights And Basic Rights AS guaranteed by both The state And Federal constitutions.

(9). That if Petitioner is continued To be denied Access To normal Ink Pens And pencils, And such denial Access To Phone use To call his Attorney by Respondants. Plaintiff will suffer The Prejudice of being denied his constitution Right To A

Fair And impartial Trial And his Right  
To both effective Assistance of Counsel  
And To Access To The Court As -  
Guaranteed by The 5<sup>th</sup>, 6<sup>th</sup> And 14<sup>th</sup> -  
Amendments To The United States -  
Constitution .

Respectfully submitted,

Lancelot Armstrong, D.C. #693504.

MR. Lancelot Armstrong, #693504,  
Union Correctional Institution, ~~A-1~~  
P.O. Box 221, Housing - P1105,  
Raiford, Florida. 32083

## Relief sought

wherefore, in view of the above stated facts petitioner requesting requests this honorable court to issue an order requiring warden Bradley D. Carter, and captain R. Walmsley, and Sgt. M.J. Young, and Sgt. R.W. Tucker, et al. etc. and all employees under his command to allow petitioner to make legal phone calls at the rate of at least three per week until petitioner's appeal has become final. To further command to allow petitioner to have and use normal ink pens and pencils, allowing access to receive new replacement pens when needed.

Respectfully submitted,  
Lancelot Armstrong, D.C. 693504,  
MR. Lancelot Armstrong, #693504.  
Union Correctional Institution, ~~A-1~~  
P.O. Box 221, Raiford, FLA. 32083  
"Housing - P1105."

State of Florida  
County Union S.S.

Before me, the undersigned Authority,  
This day personally appeared Lancelot Armstrong,  
who first being duly sworn, says that he is the  
petitioner in the above styled cause, that he  
has read the foregoing Affidavit of Insolvency  
and has personal knowledge of the facts and  
matters therein set forth and alleged and that  
each and all of these facts and matters are  
true and correct.

Lancelot U. Armstrong, Jr. #69504  
(signature)

Sworn and subscribed to before me this 13  
day of March, ~~2000~~ 2001.

~~Notary Public Authorized To  
Administer An Oath (Print, Type  
or Stamp Commissioned Name of  
Notary Public). Special Note:~~

"was Denied of notary service as well."

## Certificate of Service

I Hereby certify that A True And correct copy of The Foregoing Petition For order Requiring warden Bradley D. Carter, And Captain R. Walmsley, And Sgt. M. J. Young, And Sgt. R. U. Tucker, et. Al. etc. And All Employee Under his Command which D.O.C / U.C.I. office To Allow Petitioner To have Normal pens And pencils, To Allow Petitioner To have Additional Phone Access To Communicate with His Attorneys, And Others etc. has been Forwarded To U.S. District Court Middle District of Florida office of The Clerk.

P.O. Box 53558, Jacksonville, Florida. 32201;

Respondants Michael W. Moore, Secretary, D.O.C.  
2601 Blain Stone Road, Tallahassee, Florida.

32399-2500., warden Bradley D. Carter, D.O.C./U.C.I.  
MR. M. R. Hicks, Asst. Warden, Colonel B.G. Coleman,  
Captain R. Walmsley, Sgt. M. J. Young, Sgt. R. U.  
Tucker, et. Al. etc. Union Correctional  
Institution, A-1, P.O. Box 221, Raiford,  
Florida. 32083, And To MR. Robert A.  
Butterworth, Office of The Attorney General,



The Capitol, Tallahassee, Florida. 32399-1050  
on This 13 day of March ~~2000~~, 2001,

Respectfully submitted,  
Lancelot Armstrong, Oc. #693504.

MR. Lancelot Armstrong, #693504.  
Union Correctional Institution, ~~A-t.~~  
P.O. Box 221, Raiford,  
Florida. 32083

"Housing - P1105"

VERIFICATION OF DOCUMENT

STATE OF FLORIDA  
COUNTY OF UNION

This Verification of Documents is made pursuant to Florida Statute §92.525, Fla. Stat. (1999). The undersigned does hereby declare: UNDER THE PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT, AND THAT THE FACTS STATED IN IT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I HAVE EVIDENCED THIS TRUE VERIFICATION OF THIS DOCUMENT BY EXECUTING MY SIGNATURE BELOW."

Executed on 3 / 13 / 01, by: Lancelot Armstrong, D.C. 693504  
SIGNATURE

Lancelot U. Armstrong,  
PRINTED NAME  
D.C. # 693504  
P.O. BOX 221, Mailbox # Housing-1105  
Raiford, Florida, 32083-0221

\*\*A person who knowingly makes a false statement in a declaration of a Verification of Document is guilty of the crime of perjury by false written declaration, a felony of the third degree, punishable as provided in § 775.082, § 775.083, or §775.084.\*\*