

1-16-1998

TO: Fontana District Attorney's Office (San Bernardino County)

I, Justin Joseph Rueb, am addressing this court to request to be transferred from my place of confinement here in Canon City, Colorado to California to be tried on any pending charges I may have in your jurisdiction, whether they are currently filed or not, as according to articles III and IV of the IAD agreement.

I have been informed back in December of 96, via my lawyer, that I had pending charges in Fontana California for parole violation as well as Strong Armed Robbery and multiple counts of Kidnapping. That is all the information I have concerning that except that a hold was placed on me while I was facing charges in Adams County Colorado and the hold was sent from Fontana Ca. for parole violation.

I understand from case law I have in my possession concerning the IAD extradition agreement that the receiving state, which in this case is California, may be able to shoot down a request for dismissal even if they fail to take the accused inmate to trial within the 180 day grace period if the IAD request is not filed through the Warden of the accused inmates prison facility.

But a petition for dismissal may be approved if the Warden or officials of said facility, refuse to cooperate or act upon an inmates request for disposition, which I have been doing for over 3 months now.

"A prisoners sole obligation under Pen. Code § 1389 (agreement on detainers) providing for the disposition of charges lodged against persons already incarcerated in another jurisdiction, is to advise the warden of his request for final disposition of charges against him on which a detainer is based"

The paragraph goes on to explain that once the request is made, the "burden of compliance" is placed with the Warden and officials of the receiving state. It also says that "When the Warden or

other prison official receives the prisoner's request for final disposition he is "duty bound" to promptly forward it together with the Certificate to the appropriate prosecuting official"

And in spite of all my efforts to get these pending charges resolved, I am getting no type of cooperation from my case manager or Warden. I have filed nearly a dozen requests to contact you to get this resolved and none have been answered, in hopes I believe, to discourage me from pursuing my legal rights. It is the only reason I can think of for this lack of cooperation.

So that is my dilemma. Since my efforts of going through the Warden are being denied I have opted to write you directly. I will also send a printout concerning the details of my confinement to help satisfy the prerequisites of the IAD. Just remember I am a prisoner in a high level lockdown situation and the things I am able to do in my position are very limited. I will also try to include a number to where you can contact the Warden here at the prison. I hope to get this taken care of A.S.A.P. so I can for once take care of this final situation of legality and go on with my life. I have gone far and beyond what I am required to do as an inmate according to the IAD and thus will promptly file for a dismissal when the 90 day extradition period is over or if my right for final disposition is delayed any further by the wardens failure to continue to take seriously, ignore, deny or otherwise continue to thwart my legal right for final closure.

Thank you for taking the time to read this letter and I ask that you get back to me as soon as possible in regards as to what will be done and on any pending charges, accusations or complaints filed against my person so I can gain final closure in this chapter of my life.

Sincerely,

Justin Ruel