

**IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE
DISTRICT OF PENNSYLVANIA**

MUMIA ABU JAMAL,

Plaintiff,

-against-

JOHN KERESTES, et al.,

Defendants.

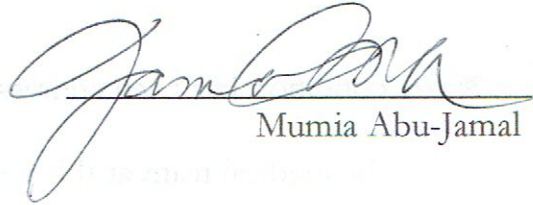
DECLARATION OF MUMIA ABU JAMAL

MUMIA ABU JAMAL, the Plaintiff herein hereby declares pursuant to 28 U.S.C. 1746 that the following is true and correct:

1. I am the plaintiff in this lawsuit and submit this declaration in support of Plaintiff's Reply Brief in Support of Motion for Leave to Amend Complaint.
2. On April 11, 2015, I signed a grievance against all those involved in the provision of my medical care, including those who establish policies and practices for medical care, for failure to properly diagnose, monitor, and treat my health issues. I sought an acknowledgment of wrongdoing, the development of a health care plan that would prevent further harm, and permission to be seen by a doctor of my own choosing. I submitted this the evening of Sunday, April 12, 2015. *See* Defendants' Brief in Opposition to

- Motion for Leave to Amend, West Declaration at 92-93 (hereafter “West Dec.”).
3. On May 5, 2015 I received a response that was dated April 28, 2015. In it Chief Health Care Administrator (CHCA) John Steinhart denied my grievance. In his opinion SCI Mahanoy had adequately treated my “medical condition prior to March 30 through the present time,” including my hospitalization at Schuylkill Medical Center. The denial was not limited to diabetes treatment but addressed, my “skin condition,” and “other medical conditions.” West Dec. at 94.
 4. Between May 12-19, I was hospitalized at Geisinger Medical Center and had no access to materials that would enable me to file any grievance..
 5. Upon return to SCI Mahanoy on May 19, I submitted my appeal to CHCA Steinhart’s denial of my grievance. My appeal challenged the unresponsiveness of the grievance denial, the failure of medical staff to treat my hyperglycemia in March, and their failure to diagnose the underlying cause of my skin condition. The appeal was received by SCI Mahanoy on May 20, 2015. West Dec. at 95.
 6. SCI Mahanoy Superintendent and defendant herein John Kerestes denied my appeal. Although the response was dated May 26, 2015, I was not provided with it until June 15, 2015. Defendant Kerestes upheld CHCA Steinhart’s initial denial, stating in a conclusory fashion that my “medical

- condition has been addressed through physicians at this institutions [sic] and the medical team at this institution continues to properly monitor and treat your issues.” West Dec. at 96.
7. On June 25, 2015, I submitted my final appeal to DOC Central Office in Mechanicsburg, PA. I appealed on the following grounds: 1) that the prior denials were unresponsive 2) they did not address medical staff’s failure to treat my hyperglycemia 3) did not set forth a diagnostic process to identify the underlying cause of my skin condition so that it could be appropriately treated. The appeal stated that “If those responsible for my medical care are not held accountable I am afraid that necessary treatment will be denied or delayed for nonmedical reasons in the future.” I also challenged the refusal to permit my consulting physician to visit me in a clinically appropriate setting. West Dec. at 89-91.
 8. Approximately eight weeks later, on Wednesday, August 19, 2015, I received a notice from Central Office that my grievance had been referred to the DOC’s Bureau of Health Care Services. Exhibit A. There was no indication as to when any final response would be forthcoming.
 9. At no time in this grievance process did I ever receive notice from DOC officials that additional time beyond that stipulated in the DOC grievance policy was necessary to respond to the grievance or any appeal therefrom.



Mumia Abu-Jamal

Dated: September 24, 2015, Frackville, PA.