

Rene Martinez (14207-171)
FCI Estill
Estill, SOUTH CAROLINA, 29918-0699

Received: August 11, 2014

Nikki R. Haley
SOUTH CAROLINA GOVERNOR
State Capitol
Columbia, SOUTH CAROLINA, 29211

Wednesday, August 6th, 2014

Dear Governor:

RE: "Notice of Acceptance" FOIA Request

We require your kindest assistance and cooperation in furthering a certain cause within the public interest and "in the interest of justice". We have information that the UNITED STATES Government is seriously infringing upon liberty interests reserved to the Sovereign powers of the State of South Carolina and protected under the 10th Amendment of the Constitution of the United States. We desire the herein requested information to confirm or withdraw furtherance of this concern.

Under Title 40 USC §3112; a copy of which is enclosed for your review; it states in part: "the individual shall indicate acceptance of jurisdiction on behalf of the Government by filing [N]otice of [A]cceptance with the Governor of the State" and that "It is conclusively presumed that jurisdiction has not been accepted until the Government accepts jurisdiction".

Also please find enclosed a (3) page copy of such a Notice of Acceptance from the then U.S. Attorney General Janet Reno addressed to then Washington State Governor Gary Locke that confirms and reinforces our concern, and this request that states at Pg.1¶3: "Federal law provides that a state's cession of legislative jurisdiction to the United States does not take effect until accepted by the head of the federal department that has custody over the land." and "This letter constitutes the United States' acceptance of concurrent criminal and civil jurisdiction over the site of the facility".

These authorities affirm our concerns. We kindly request your assistance with providing confirmation and copies of the State of South Carolina Legislature's "cession of legislative jurisdiction" and the "Notice of Acceptance" that are allegedly on file WITH your State Office to the certain locations identified below either by address, by county, or by specific name:

- 1) An alleged territory known as "THE Judicial DISTRICT OF South Carolina " consisting of eleven divisions: (1) the counties of Berkeley, Charleston Clarendon, Colleton, Dorchester, Georgetown and the city of Charleston. (2) the counties of Kershaw, Lee, Lexington, Richland, Sumter and the city of Columbia. (3) the counties of Chesterfield, Darlington, Dillon, Florence, Horry, Marion, Marlboro, Williamsburg and the city of Florence. (4) the counties of Aiken, Allendale, Barnwell and the city of Aiken. (5) the counties of Bamberg, Calhoun, Orangeburg and the city of Orangeburg. (6) the counties of Greenville, Laurens and the city of Greenville. (7) the counties of Chester, Fairfield, Lancaster, York and the city of Rock Hill. (8) the counties of Abbeville, Edgefield, Greenwood, McCormick, Newberry, Saluda and the city of Greenwood. (9) the counties of Anderson, Oconee, Pickens and the city of Anderson. (10) the counties of Cherokee, Spartanburg, Union and the city of Spartanburg. (11) the counties of Beaufort, Hampton, Jasper and the city of Beaufort.

... cont'tn

-and-

- 2) any portion of "Interstate 85" between the cities of Anderson, SOUTH CAROLINA and Greenville, SOUTH CAROLINA.

-and-

- 3) an alleged territory known as the "State Line" or "Interstate Line"/s forming the boundries between the adjacent states of GEORGIA and NORTH CAROLINA.

Should there in fact be no such records responsive to this request, we require for our purposes some Official correspondence signed by either yourself, being the South Carolina State Governor, or otherwise by the South Carolina Secretary of State WITH the Official Recorder within the South Carolina State Land Titles Registry.

Your assistance in this matter well serves the "ends and interest of Justice", and will provide TRUE Disclosure to the Public Interest at large.

We thank you in advance, appreciate, and trust that you will manage this FOIA Request accordingly as,

We Remain, Without Prejudice,



Rened Martinez
cc. Advisors and Counsel

enclosures: (1) Page of Title 40 USC §3112
(3) Page letter Dated March 20, 1997 from AG Janet Reno to Gary Locke



Appendix 'D' - (1) of (3) Pages
Office of the Attorney General
Washington, D. C. 20530

March 20, 1997

RECEIVED

MAR 27 1997

BY CERTIFIED MAIL

OFFICE OF THE GOVERNOR

The Honorable Gary Locke
Governor of Washington
P.O. Box 40002
Olympia, WA 98504

Dear Governor Locke:

On behalf of the United States, I hereby accept concurrent legislative jurisdiction over the site of a Federal Bureau of Prisons facility, near Seattle and Tacoma, Washington, to be used for prisoner detention, correction, and other purposes. As you may know, construction of the facility, presently known as FDC Seatac, is well under way. The facility is soon expected to begin operations.

The State of Washington has consented to the acquisition by the United States of land acquired for federal purposes, see Wash. Rev. Code Ann. § 37.04.010, and has ceded concurrent criminal and civil legislative jurisdiction over such land to the United States for all purposes for which the United States acquired the land, see Wash. Rev. Code Ann. § 37.04.020; see also Department of Labor and Industries v. Dirt & Aggregate, Inc., 120 Wash.2d 49, 52-53, 837 P.2d 1018, 1021 (Wash. 1992) (holding that the state may cede legislative jurisdiction to the United States, and that the scope of the federal jurisdiction is governed by the terms of the cession).

Federal law provides that a state's cession of legislative jurisdiction to the United States does not take effect until accepted by the head of the federal department that has custody over the land. 40 U.S.C. § 255. This letter constitutes the United States' acceptance of concurrent criminal and civil jurisdiction over the site of the facility. Copies of the

Declaration of Taking and general warranty deeds for the site are enclosed.

Concurrent legislative jurisdiction will mutually benefit the State of Washington and the United States. Absent federal legislative jurisdiction, the state would have the entire burden of prosecuting offenses that might be committed at the facility, except those offenses that violate federal law even when committed outside areas of federal legislative jurisdiction. Concurrent jurisdiction enables the United States to investigate and prosecute certain offenses when appropriate, without displacing state authorities. Criminal offenses perpetrated by or against federal prisoners confined at the institution can be investigated by the Federal Bureau of Investigation and prosecuted by the United States Attorney. Thus, cession of concurrent jurisdiction may relieve the State of some of the burden of investigating and prosecuting criminal offenses that occur at the federal institution. In some situations, it might be more appropriate for the State to investigate and prosecute violations of state law, and the State could do so.

Please execute the acknowledgment of receipt of this letter on the enclosed copy, and return that copy to:

Michael E. Wall
United States Department of Justice
Environment & Natural Resources Division
Policy, Legislation and Special Litigation Section
950 Pennsylvania Avenue, NW, Room 2133
P.O. Box 4390
Washington, DC 20044-4390.

Should you need any further information, please have your staff contact Mr. Wall on (202) 514-1442, or Jeffrey J. Limjoco, an attorney with the Federal Bureau of Prisons, on (202) 307-1240.

The Honorable Gary Locke
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I appreciate your assistance in this important area of federal-state cooperation.

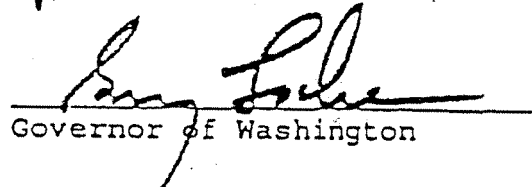
Sincerely,



Janet Reno

Enclosures

Receipt of the above notice of acceptance of concurrent legislative jurisdiction over the site of the Federal Detention Center near Seattle and Tacoma, Washington (FDC Seatac) is hereby acknowledged this 17th day of April, 1997.



Governor of Washington

§ 3112. Federal jurisdiction

(a) **Exclusive jurisdiction not required.** It is not required that the Federal Government obtain exclusive jurisdiction in the United States over land or an interest in land it acquires.

(b) **Acquisition and acceptance of jurisdiction.** When the head of a department, agency, or independent establishment of the Government, or other authorized officer of the department, agency, or independent establishment, considers it desirable, that individual may accept or secure, from the State in which land or an interest in land that is under the immediate jurisdiction, custody, or control of the individual is situated, consent to, or cession of, any jurisdiction over the land or interest not previously obtained. **The individual shall indicate acceptance of jurisdiction on behalf of the Government by filing a notice of acceptance with the Governor of the State** or in another manner prescribed by the laws of the State where the land is situated.

(c) **Presumption.** **It is conclusively presumed that jurisdiction has not been accepted until the Government accepts jurisdiction over land** as provided in this section.

(Aug. 21, 2002, P. L. 107-217, § 1, 116 Stat. 1144.)

HISTORY, ANCILLARY LAWS AND DIRECTIVES