

AUG 18 2021

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY [Signature] DEP CLK

United States District Court
Eastern District of North Carolina
Western Division

Case No. 5:21-CT-3217-FL

SEE →

(To be filled out by Clerk's Office only)

I DIDN'T FILL OUT BECAUSE
OF

Inmate Number 108133

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

COMPLAINT

(Pro Se Prisoner)

Jury Demand?

Yes

No

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Section IV. Do not include addresses here.)

NOTICE

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

I. COMPLAINT

Indicate below the federal legal basis for your claim, if known. This form is designed primarily for pro se prisoners challenging the constitutionality of their conditions of confinement, claims which are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

- 42 U.S.C. § 1983 (state, county, or municipal defendants)
- Action under *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971) (federal defendants)
- Action under Federal Tort Claims Act (United States is the proper defendant; must have presented claim in writing to the appropriate Federal agency and received a notice of final denial of the claim pursuant to 28 U.S.C. § 2401(b))

A 'LEGAL MALPRACTICE LAW SUIT/COMPLAINT.

II. PLAINTIFF INFORMATION

Robert Wilkins
Name

108133
Prisoner ID #

GRANDVILLE DETENTION CENTER
Place of Detention

525 NEW COMMERCE DR.
Institutional Address

OXFORD N.C. 27565
City State Zip Code

III. PRISONER STATUS

Indicate whether you are a prisoner or other confined person as follows:

- Pretrial detainee State Federal
- Civilly committed detainee
- Immigration detainee
- Convicted and sentenced state prisoner
- Convicted and sentenced federal prisoner

IV. DEFENDANT(S) INFORMATION

Please list the following information for each defendant. If the correct information is not provided, it could result in the delay or prevention of service. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Attorney:
Defendant 1: STUART POPKINS
Name
Attorney
Current Job Title
1007 HARGRETT ST.
Current Work Address
JACKSONVILLE N.C. 28540.
City State Zip Code
Capacity in which being sued: Individual Official Both

Defendant 2: _____
Name

Current Job Title

Current Work Address

City State Zip Code
Capacity in which being sued: Individual Official Both

V. STATEMENT OF CLAIM

Place(s) of occurrence: ONslow County, JACKSONVILLE JAIL.

Date(s) of occurrence: BETWEEN (1-17-18 & 2-FEBRUARY 2019)

State which of your federal constitutional or federal statutory rights have been violated:

- 1. "Attorney - Client (PRIVACY "PRIVILEGE'S") WERE "BREACHED"
- 2. "VIOLATED. 2ND - "FIDICERY" - (TRUST) HAS BEEN VIOLATED."
- 3. "CONFLICT OF INTEREST" - WAS "VIOLATED".

State here briefly the FACTS that support your case. Describe how each defendant was personally involved in the alleged wrongful actions, state whether you were physically injured as a result of those actions, and if so, state your injury and what medical attention was provided to you.

FACTS:

Who did what to you?

ATTORNEY: STUART POPKINS WAS MY (LAWYER) 2018-2019. HE CAME TO SEE (ME) ON (7-18-18) ON A (LAWYER-CLIENT) VISIT, AFTER MY "INITIAL (ARRAIGNMENT)" ON (JULY-18-18). * HE "ADVISED ME" THAT I SHOULD (TALK TO - LET (2-ARRESTING DETECTIVES) DEBRIEF) ME ON ARREST... HE (POPKINS) "CLAIMED" (FALSELY) IF/WHEN I DO SPEAK TO THEM, "I WILL HELP ME"... LIES! I TOLD (POPKINS) I WOULD NOT "CLEAR", I'LL ONLY AGREE TO THIS IF HE (POPKINS-LAWYER) WILL BE AT MEETING DEBRIEF AS TO "PROTECT ME & MY "RIGHTS"... (POPKINS) TOLD ME (HE'D BE AT DEBRIEF), TO (PROTECT * "MY BEST INTEREST). YET ON (7-20-18), HE "NEVER SHOWED UP), I ASKED BOTH (DETECTIVES) * "WHERE IS (ATTORNEY POPKINS), BEFORE I SPEAK TO THEM. THEY "CLAIMED" HE WAS "BUSY AT COURTS, THEN "COMPERCED ME) TO STILL TALK.

What happened to you?

Detectives (LIED TO ME)! CLAIMING IT WILL HELP ME (AS "POPKINS") DID... SO (UNDER ATTORNEY-POPKINS) "MALICIOUS ADVICE" I DID SO, AND (SINCE THIS DAY - SITUATION OCCURED), (MY "CASE") WAS WENT "SOUTH"! BECAUSE OF (LISTENING TO POPKINS), I NOW FACE (20 YRS)! INSTEAD OF (LESS TIME)!

NOTE:

POPKINS "DELIBERATELY" LIED TO ME, AND HE "DELIBERATELY" DIDN'T SHOW AT MEETING!

When did it happen to you?

* NOTE - ATTORNEY-POPKINS "BREACHED OUR (LAWYER-CLIENT) TRUST & "CONFIDENTIALITY" BY SPEAKING ON (MY LEGAL BUSINESS/CASE) TO 1 OF MY "CO-DEFENDANTS" (SONYA CURBELO), KNOWING SHE IS BEING "USED" TO GO "AGAINST ME" (BY BOTH (DETECTIVES & PROSECUTOR)!

* NOTE - (POPKINS) "KNEW" (BEFORE HAND) THAT (SONYA CURBELO) IS A "SWITCH-INFORMANT" DUE TO HIM (REPRESENTING HER IN A "PRIOR" (SEPERATE CASE) OF HERS. AND DUE TO HIM ALREADY SPEAKING TO (DETECTIVES)!

Where did it happen to you?

* NOTE - ALSO - ATTORNEY POPKINS & (SONYA CURBELO) WERE HAVING AN "INAPPROPRIATE "DRUG USE" & "SEX FOR PAYMENT" RELATIONSHIP), WHERE (ATTORNEY POPKINS) PAID (SONYA CURBELO) TO HAVE "SEX" WITH HIM BY BUYING HER "CRACK" & COCAINE AND "HEROIN" - IN EXCHANGE FOR "SEX"! (SONYA) TOLD ME (ON-

NOTE

* -> (JAIL PHONE) THAT SHE AND POPKINS WOULD TALK AT NIGHT AND HE TOLD HER THINGS ON (MY CASE)! ~~Foul Play!!!~~

What was your injury?

* THIS HAPPENED BETWEEN (July 2018 & FEBRUARY 2019)
 * NOTE - CHECK TAIL (PHONE RECORDINGS)
 BETWEEN (JANUARY ~~20~~ 3RD 2019 & FEBRUARY 3RD - 2019) AND IT WILL "PROVE" (SONYA) TOLD ME (POPKINS - MY LAWYER AT TIME) SPOKE ON "MY CASE" TO HER, YET HE (ATTORNEY POPKINS) "KNEW" SHE (SONYA) BEING "USED" AGAINST (ME)...

My "Injury" - 1. I AND MY (FAMILY) SPENT HARD EARNED (MONEY) TO PAY (POPKINS), YET HE ONLY HURT ME - MY CASE & MY FAMILY, INSTEAD OF "HELPING ME!"

2ND - I AM NOW FACING "OVER 20 YRS" DUE (MAINLY TO LISTENING TO (ATTORNEY-POPKINS) "MELICIOUS & FALSE ADVICE") HIM "ADVISING ME TO GO TALK TO DETECTIVES)

→ LYING TO ME, FALSE CLAIMING "HE'D BE PRESENT AT (MEETING) AS TO "PROTECT ME" AND "MY RIGHTS"

3RD - I HAVE "MULTIPLE" CHRONIC HEALTH PROBLEMS * SUCH AS 1. "SARCOIDOSIS - A "DISEASE" WITH NO CURE" AND IT (AFFECTS MY/THE IMMUNE SYSTEM). I CAN CAUSE ME

→ "DEATH"! 2ND I HAD "CANCER" IN MY (LEFT KIDNEY). I WAS CUT OUT (PART OF MY LEFT KIDNEY I GONE!)

* (4) SURGERIES. 3. I GOT "ASTHMA". 4. I ALSO HAVE ("HIGH BLOOD PRESSURE").

* NOTE: DUE TO "COVID-19" PANDEMIC VIRUS, I AM A CANDIDATE WHICH (CAN - WILL "DIE") MORE LIKELY BECAUSE OF MY "CHRONIC ILLNESSES"...

VI. ADMINISTRATIVE PROCEDURES

WARNING: Prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions. 42 U.S.C. § 1997e(a). Your case may be dismissed if you have not exhausted your administrative remedies.

Have you filed a grievance concerning the facts relating to this complaint? Yes No

If no, explain why not:

NO, I'M FILING A (LEGAL MALPRACTICE LAWSUIT) AGAINST A PRIOR ATTORNEY.

Is the grievance process completed? Yes No

If no, explain why not:

READ ABOVE

VII. RELIEF

State briefly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I ASK THE COURTS TO (AWARD ME) WITH 1. THE (\$ 1,250 RETAINER FEE), PLUS (\$ 1,100 PAID FOR BOND HEARING) HE "FAILED" TO PROPERLY REPRESENT ME: 3RD - \$ 50,000 DOLLARS) FOR MY AND MY FAMILY "PAIN AND SUFFERING" DUE TO HIS (ON PURPOSE "MALICIOUS" LIES AND PURPOSELY NOT SHOWING UP AT (MEETING) WITH DETECTIVES!

* NOTE - I CAN AND WILL TAKE A "POLYGRAPH TEST TO "PROOVE MY CLAIMS" AGAINST ATTORNEY POOKINS. ...

VIII. PRISONER'S LITIGATION HISTORY

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in forma pauperis in federal court if that prisoner has "on three or more occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. §1915(g).

Have you brought any other lawsuits in state or federal court while a prisoner? Yes No

If yes, how many? ONE

Number each different lawsuit below and include the following:

- Name of case (including defendants' names), court, and docket number
- Nature of claim made
- How did it end? (For example, if it was dismissed, appealed, or is still pending, explain below.)

PLANTIFF Robert WILKINS V.S. DEFENDANT ~~STANT WILKINS~~ Admin: SHAW - SHERIFF McVigor NURSE - ZANOSKI AND CHIEF - CORBETT OF (BLADEN COUNTY JAIL).

+ DOCKET # CASE: 5:20-CT-3031-D CLAIMS: 1983 AND BIVENS - VIOLATIONS OF 1. NOT GIVING ME PROPER-ADJUDICATE (MEDICAL CARE). 2ND - GOING INTO (MY 'LEGAL MAIL) WITHOUT ME OR MY ATTORNEY PRESENT. THIS IS "AGAINST THE LAW"! 3RD - FOOD SERVICE VIOLATIONS...

+ note - THIS CASE STILL PENDING.

IX. PLAINTIFF'S DECLARATION AND WARNING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint and provide prison identification number and prison address.

7-6-21 Dated Robert Wilkins Plaintiff's Signature

Robert WILKINS Printed Name

108133 Prison Identification #

525 NEW COMMERCE DR., OXFORD, N.C. 27565.
Prison Address City State Zip Code

UNITED STATES DISTRICT COURTS
EASTERN DISTRICT OF NORTH CAROLINA

7-15-21.

"SUMMONS" PRO-SEE

NOTE:

↓ PLAINTIFF- Robert H. Wilkins
Civil Action No. 5:21-CT-3217-FL
vs.

NOTICE TO FILE
A "LEGAL MALPRACTICE
LAW SUIT

DEFENDANT) ATTORNEY: SMART POPKINS
1007 MARGRETT ST. (SUITE 1)
JACKSONVILLE, N.C. 28540.

TO THE ABOVE NAMED DEFENDANT:
YOU ARE HEREBY SUMMONED AND REQUIRED TO
SEAVE UPON PLAINTIFFS, WHOSE ADDRESS IS [
[GRANDVILLE DETENTION CENTER, P.O. BOX 527,
OXFORD, N.C. 275657, AN ANSWER TO THE
COMPLAINT WHICH IS HEREWITH SERVED UPON
YOU, EXCLUSIVE OF THE DAY OF SERVICE OF
~~THIS SUMMONS UPON (YOU)~~, OR (60 DAYS)
IF THE U.S. GOVERNMENT OR OFFICER AGENT
HEREFOR IS A DEFENDANT. IF YOU FAIL TO DO SO,
JUDGEMENT BY DEFAULT WILL BE TAKEN AGAINST
YOU FOR THE RELIEF DEMANDED IN THE
COMPLAINT.

CLERK OF THE COURT DATE: 7.

* COPIED

UNITED STATES DISTRICT COURTS
EASTERN DISTRICT OF NORTH CAROLINA

7-15-21.

"SUMMONS" PRO-SEE

NOTE:

Civil Action

Plaintiff- Robert H. Wilkins
No. 5:21-CT-3217-FL
S.

NOTICE TO FILE
A "LEGAL MALPRACTICE
LAW SUIT"

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1007 MARGETT ST. (SUITE 1)
JACKSONVILLE, N.C. 28540.

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YOU FOR THE RELIEF DEMANDED IN THE
COMPLAINT.

CLERK OF THE COURT DATE: 7.

* COPIED

ROBERT WILKINS (108133)
GRANDVILLE DETENTION CENTER
P.O. BOX 527.
OXFORD, N.C. 27565.

LEGAL MAIL



MAILED FROM
GRANDVILLE COUNTY DETENTION CENTER

CLERK'S OFFICE
UNITED STATES DISTRICT COURT
P.O. BOX 25670.
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH, N.C. 27611.

RECEIVED

AUG 18 20

PETER A. MOORE, JR.
US DISTRICT COURT