

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-00245-MSK-MJW

REVEREND MATT HALE,

Plaintiff,

v.

FEDERAL BUREAU OF PRISONS,

Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

FEB 13 2017

JEFFREY P. COLWELL
CLERK

PLAINTIFF'S RESPONSE to DEFENSE COUNSEL'S
"NOTICE REGARDING STATEMENT IN PLAINTIFF'S REPLY [DOC. 114]"

There are two basic problems with what Ms. Prose has to say in her Notice (Doc. 114): 1) before Hale had ever mentioned to her that he had indeed mailed in a Declaration to the Court for filing seven days earlier, she brought up his Declaration specifically by name, unprompted by Hale in any way, during the phone call that the two had on January 3rd and 2) she and Hale specifically and clearly talked about what he had alleged in that Declaration regarding the newspaper ban in the SHU at that time (para. 16). So, unless Ms. Prose is a gifted prophet or seer and thus in the wrong profession accordingly, she had to have indeed received Hale's Declaration before the two talked on January 3rd, not on January 9th as she claims now. Hale had made no reference at all to her of his having mailed in a Declaration to the Court when she brought the subject up on her own and when she told Hale specifically that the newspaper ban which he had complained about in his Declaration (para. 16) applies to all prisoners in the SHU, not just him. She could not have done that 1) without knowing that Hale had indeed mailed in a Declaration for filing and 2) without knowing what that Declaration had to say. Furthermore, when Hale returned to his cell after the call, he made a notation to his records indicating that Ms. Prose had indeed received her copy of his Declaration. So, there is no "misunderstanding on Mr. Hale's part" (Doc. 114 at 1) here.

Hale happens to like Ms. Prose as a person--and as a fellow classical musician--but truth is truth and falsehood is falsehood and between the two, light must be made to shine. As for whatever stamp there is on Hale's Declaration at the U.S. Attorney's Office, it must have been made belatedly and that's all there is to it.

Lastly, Hale is still in the SHU, just so the Court knows.

Respectfully submitted,


Reverend Matt Hale, Plaintiff

February 2, 2017

Rev. Matt Hale
#15177-424
FCI
P.O. Box 33
Terre Haute, IN 47808

CERTIFICATE OF SERVICE

I hereby certify that on February 2nd, 2017 I served the foregoing document upon the Defendant by mailing a true and correct copy of it to Susan Prose, Asst. U.S. Attorney, 1225 17th Street, Suite 700, Denver, CO 80202 via first class mail, postage fully prepaid, who is the Defendant's counsel in this case.


Reverend Matt Hale, Plaintiff

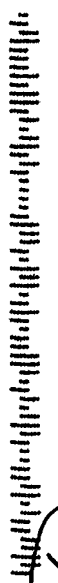
Mailed
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REV. Matt Hale # 15177-424
P.O. Box 33
Terre Haute, IN 47808

INMATE
IDENTIFICATION
CONFIRMED

Office of the Clerk
United States District Court
901-19th Street, Room A105
Denver, CO 80294-3589

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