

MAY 23 2017

JEFFREY P. COLWELL  
CLERK

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.

Reply in Support of Protective Order Motion  
(Doc. 156)

The Defendant's response to Reverend Hale's motion (Doc. 161) is nonsensical, and in the following ways:

First of all, there is no B.O.P. rule that prohibits prisoners "from selling things of potential value to people outside the prison" (Id at 1); saying that such

a rule exists does not make it so.  
The "conducting a business" prohibited act provision does not apply here, in part because Pres. Hale has no "business." Rather he has sought to help his mother raise money in order to pay his legal costs in this case, as he has a Fifth Amendment due process right to do.

Second, Pres. Hale was not charged with conducting a business, as shown by the attachment to his motion, nor was he found guilty of conducting a business. Rather, he was charged with and found guilty of Code 399 not Code 334 ("conducting a business").

Doc. 161-1 at 73 is thus in error.

The Defendant has apparently sought to change the charge after the fact in an effort to support its unlawful actions here.

Third, the idea that Pres. Hale "attempted to sell his signature to his

"followers outside the prison" (Doc. 161 at 1) is ridiculous. Indeed, he signs every letter he ever writes and has never sought even a nickel for same; what he has tried to sell here are his books, not his "signature." Anybody can write him and receive his signature for free in response anytime - when his mail is not being banned by the Defendant, that is. Furthermore, his supposed "followers" is not the issue here at all and the Defendant's continual attempt to cast him as some sort of Jim Jones - like cult figure should be rejected for the idiocy that it is.

Fourth, it is irrelevant whether "the B.O.P. applied its disciplinary code to Mr. Hale exactly as it would apply the code to every other inmate" (Id at 2) because 1) once again, there is no violation of Code 399 (not

334) here on its face (see Doc. 161-1 at 57) and 2) even if there were, the code as applied would be unconstitutional for the reasons stated in Pres. Hale's motion. Simply put, the Defendant does not have the legal power to stop its prisoners from trying to raise money - through lawful means - to pay their legal bills. That, quite bluntly, is none of the Defendant's "business."

Fifth, the fact that Pres. Hale's family has sufficient funds to pay for some of the depositors already (Doc. 161 at 2) doesn't mean that he has sufficient funds to take all of the depositors which he would like to take. Indeed, defense counsel knows full well that Pres. Hale would like to take more depositors than the amount of money which has thus far been raised would cover. That's because the two have discussed that very fact.

Sixth, the Defendant ignores the constitutional issue presented here altogether. As usual, it confuses what the B.O.P. might desire with what it can lawfully do; however that which the B.O.P. may well desire is not law as much as it might prefer that that were not the case. The Defendant fails to address any of the arguments which Pres. Hale raised and therefore his motion should be granted on that basis in itself.

\* \* \*

As always, the B.O.P. believes itself to be a law unto itself. The Court has the opportunity here, however, to say that that is not so. By the way, it has now been 29 days since Pres. Hale has been allowed to receive any personal correspondence from anyone in the outside world. all of his incoming and outgoing mail is being rejected. It doesn't matter what anybody

writes him — the mail is returned to the sender all the same, or perhaps even thrown away. Even his own mother can't get a letter to him, and yet these people have the nerve to call themselves human beings. That they are not, however, in any meaningful sense. It should be fairly plain — getting back to New. Hale's instant motion for a protective order — that the Defendant would like to truncate the number of depositions that he will be able to take by stopping him from raising the money needed to take more of them. In the meantime he has been cut off by mail from those who care about him altogether, the Defendant abusing its legal power.

Wherefore, New. Hale's motion for a protective order (Doc. 156) should be granted.

*Respectfully submitted,*

*Rev. Matt Hale*

*May 18, 2017*

*Rev. Matt Hale # 15177-424*

*U.S.P. - Max.*

*P.O. Box 8500*

*Florence, CO 81226-8500*

*Certificate of Service*

*I, Reverend Matt Hale, hereby certify that on May 19, 2017, I duly mailed a copy of this motion to Susan Prose, attorney for the Defendant, at 1801 California Street, Suite 1600, Denver, CO 80202, postage fully prepaid.*

*Rev. Matt Hale*

REV. WATT MALE #15177-424  
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