

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

MAY 14 2018

JEFFREY P. COLWELL
CLERK

In the United States District Court
For the District of Colorado

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

Reverend Matt Hale,
Plaintiff

v.

Federal Bureau of Prisons, et al.
Defendants.

Motion for Relief from Judgment

Pursuant to Federal Rules of Civil Procedure Rule 60(b)(3), Reverend Hale moves for relief from the order and judgment issued in this case on March 28-29, 2018 respectively (Doc. 212 and 213), stating as follows:

Barely waiting for the ink on the Court's decision to dry and as Hale all-too-sadly had anticipated, the BOP's employees —

"SIS Technician" Rudy Marques among them — today seized all of Hale's Creativity books and literature from his prison cell, thus making a mockery of the BOP's "representation" to this Court (and him) that he would be allowed to possess this material in peace (see Doc. 186 at 134-136 and Doc. 199 at 72-74, as well as Doc. 212 at 31). (Hale's personal books, photos of his family and friends, and other personal items were also seized, as well as deposition transcripts and other legal documents from this case.)

Therefore, without belaboring the point, Hale moves for relief pursuant to Rule 60 (b)(3): since the BOP committed fraud, misrepresentation, and misconduct by telling this Court that Hale could in fact possess the scriptures of Creativity in his cell in order to obtain the judgment in its favor when, in fact, it had no intention of honoring that representation, he should be granted relief from the judgment as to Claim Five (Doc. 212 at 31-32) and that judgment should be modified

so as to order the BOP to return his Creativity literature and not to seize it again absent identifiable misconduct on his part; in the alternative, trial on Claim Five should be held. The BOP's own conduct has rendered this once again a live case or controversy.

I hereby swear under penalty of perjury pursuant to 28 U.S.C. sec. 1746 that the foregoing is true and correct to the best of my knowledge and belief.

Respectfully sworn and submitted,

Ther. Matt Hale

May 8, 2018

Rev. Matt Hale # 15177-424

U.S.P. - Max.

P.O. Box 8500

Florence, CO 81226-8500

Certificate of Service

I hereby certify that on May 9, 2018
I served the foregoing Motion for Relief
from Judgment upon the following via
U.S. Mail, postage fully prepaid:

Susan Prase, Atty. for Defendant
Asst. U.S. Attorney
1801 California Street, Suite 1600
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Rev. Matt Gole
Plaintiff

Mailed
5-9

Name: Rev. Matt Hale
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DENVER CO 802

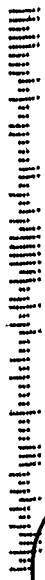
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