

**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.

Defendant's Notice Regarding Bill of Costs Hearing

At the request of the Clerk of Court, the Bureau of Prisons (Defendant) submits three attached pieces of correspondence between Plaintiff Matthew Hale and counsel for Defendant, wherein Plaintiff was informed of the bill of costs hearing to be held on May 8, 2018. Mr. Hale indicated in writing to Defendant's counsel that he declined to participate telephonically in that hearing.

Dated May 9, 2018.

Respectfully submitted,

ROBERT C. TROYER
Acting United States Attorney

s/ James Wiencek
James Wiencek
Special Assistant United States Attorney
5880 Highway 67 South, P.O. Box 8500
Florence, Colorado 81226
Telephone: (719) 784-5218
Email: James.Wiencek@usdoj.gov

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
CERTIFICATE OF SERVICE**

I hereby certify that on May 9, 2018, I served the foregoing document on the following non-CM/ECF participant by hand delivery:

Matthew Hale
Reg. No. 15177-424
ADX – Florence
P.O. Box 8000
Florence, CO 81226

s/ James Wiencek
James Wiencek
United States Attorney's Office

Exhibit 1

**Letter to Plaintiff from AUSA Prose, dated April 11,
2018 (hand-delivered by J. Wiencek)**

Hale v. Fed. Bureau of Prisons,

No. 14-cv-00245-MSK-MJW



U.S. Department of Justice

Robert C. Troyer
Acting United States Attorney
District of Colorado

Susan Prose
Assistant United States Attorney

1801 California Street, Suite 1600
Denver, Colorado 80202

Telephone: 303-454-0100
Fax: 303-454-0404

April 11, 2018

Via hand delivery only

Matthew Hale
Reg. No. 15177-424
ADX – Florence
P.O. Box 8500
Florence, CO 81226

Re: *Hale v. Federal Bureau of Prisons*, Civil Action No. 14-cv-00245-MSK-MJW

Dear Mr. Hale:

Attached please find the BOP's proposed Bill of Costs and supporting documentation. These materials were filed with the Court today.

A hearing on the Bill of Costs is scheduled for **Tuesday, May 1, 2018, at 8:30 a.m.** Arrangements will be made for you to participate in that hearing by telephone. If you will not be in the institution for some reason on the scheduled date and time, please let Mr. Wiencek know, and I will request another date. Also, pursuant to Rule 54.1 of the Court's Local Rules, prior to the hearing I must file a written statement confirming that the BOP has conferred with you regarding the costs. Please communicate with Mr. Wiencek and let him know if you are willing to stipulate to any of the costs requested by the BOP.

Thank you.

Sincerely,

s/ Susan Prose
Susan Prose
Assistant United States Attorney

Enclosures

Exhibit 2

**Plaintiff's Letter to J. Wiencek, dated May 1, 2018,
acknowledging hearing on May 8th and declining to
participate**

Hale v. Fed. Bureau of Prisons,
No. 14-cv-00245-MSK-MJW

Cap-Out

MAY 02 2018

Colorado CLC

To: Attorney Wiercek, Legal Department
From: Rev. Matt Hale #15177-424 DOI-102
Date: May 1, 2018

Dear Mr. Wiercek,

Since your client is (unlawfully) preventing me from calling my mother on the basis of my religious exercise - thus preventing me from finding out whether my filings are actually reaching the courts or not, I request that you let me know whether the following items have duly been filed with the district court:

Notice Concerning Fee Due for Prosecution of this Appeal (mailed on April 13th)

Motion to Deny Defendant's Costs (mailed April 20th)

Assuming that both were successfully received and filed, could you also give me their respective docket numbers? Thanks.

Lastly, in light of the above motion, I can discern of no reason for me to attend the hearing on May 8th. Besides, this case is going to be reversed and thus your costs will be as well, should they be imposed.

Sincerely Yours,

Rev. Matt Hale, J.D.
Church of the Creator

Cap-Out

MAY 09 2018

Colorado CLC

To: Attorney General
From: [unclear] #1577-157
Date: May 1, 2018

Dear Mr. [unclear]

Since our client is (Colorado) [unclear] from calling my number on the basis of my [unclear] address - this [unclear] from [unclear] things are actually [unclear] I [unclear] that you [unclear] the [unclear] have [unclear] my [unclear] with the [unclear] court.

Notice Concerning Fee Due for [unclear] of this appeal
(mailed on April 25th)

Notice to [unclear] (mailed April 25th)

Assuming that both were successfully received and filed and we also are in that [unclear] [unclear] [unclear] [unclear] in light of the [unclear] I can discuss it on [unclear] for me to attend the hearing on May 8th. [unclear] this case is going to be [unclear] and the [unclear] will be [unclear] as well [unclear] [unclear].

Sincerely,
[unclear]
[unclear] 210
[unclear]

Exhibit 3

Letter to Plaintiff from J. Wiencek, dated May 2, 2018

Hale v. Fed. Bureau of Prisons,

No. 14-cv-00245-MSK-MJW

RESPONSE TO INMATE REQUEST TO STAFF MEMBER

Name: HALE, Matthew

Register Number: 15177-424

Unit: D

This is in response to your Inmate Request to Staff Member dated May 1, 2018. In that request, you ask whether certain documents have been filed with the District Court for the District of Colorado in *Hale v. Federal Bureau of Prisons*, 1:14-cv-00245-MSK-MJW.

Specifically, you ask whether the following documents were received by the Court: Notice Concerning Fee Due for Prosecution of this Appeal, and Motion to Deny Defendant's Costs. The former was docketed as Document 221 on April 18, 2018. The latter was docketed as Document 222 on April 25, 2018.

Finally, I will inform the United States Attorney's Office that you decline to attend the hearing set for May 8, 2018.

I trust this addresses your concerns.

/s James Wiencek
James P. Wiencek
Senior Attorney

5/2/18
Date