

In the United States Court of Appeals
For the Tenth Circuit

Reverend Matt Hale,
Plaintiff - Appellant,

v. Case No. 18-1141

Federal Bureau of Prisons, et al.
Defendants - Appellees.

Motion to Accept Oversized Petition for
Panel Rehearing and for Rehearing En Banc
Instantly

Plaintiff-Appellant Reverend Matt Hale
moves the Court to accept the oversized
Petition for Panel Rehearing and for Rehearing
En Banc which he is submitting concurrently
with this motion, stating as follows:

1) At 17 pages, Hale's Petition for Panel
Rehearing is two pages longer than that allowed.

by FRAP Rule 40(b)(2). On the other hand, his Petition for Rehearing En Banc is a little over eight pages in length and thus comfortably within the limits of FRAP Rule 35(b)(2)(B).

2) Hale needed the extra two pages for his Petition for Panel Rehearing in order for him to comply with Rule 40(a)(2): "The petition must state with particularity each point of law or fact that the petitioner believes the court has overlooked or misapprehended and must argue in support of the petition." In point of fact, Hale alleges more than a dozen such errors and this necessarily caused him to exceed the 15 pages allowed by rule.

3) Notably, this case involves the matter of religious belief and that too has resulted in a slightly longer petition than the norm.

4) Lastly, Hale is compelled to note that he had intended on submitting

a computer-produced Petition — thus making this motion unnecessary since it contains fewer than 3,900 words — but the Federal Bureau of Prisons' employees, knowing that that was his intent, have deliberately delayed his outgoing and incoming mail with his attorney in the outside world in order to prevent Hale from making that computer-produced submission to the Court.

Wherefore, Reverend Hale moves the Court to accept his attached Petition for Panel Rehearing and for Rehearing En Banc instanter.

Respectfully submitted,

Rev. Matt Hale

February 18, 2019

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 February 20, 2019, I sent a copy of this Motion to Accept Oversized Petition for Panel Rehearing and for Rehearing En Banc Instanter to Susan Prose, Asst. U.S. Attorney and Counsel for the Defendants-Appellees, at 1801 California St. Suite 1600, Denver, CO 80202, her last known address, via First Class Mail.

Ther. Matt Hale

February 19, 2019

Office of the Clerk
Tenth Circuit Court of Appeals
1823 Stout Street
Denver, CO 80257

Re: Case No. 18-1141
Hale v. Federal Bureau of Prisons, et al.

Dear Sir or Madam,

Please find enclosed the following for filing:

- ① Motion to Accept Oversized Petition for Panel Rehearing and for Rehearing En Banc Instanter
- ② Petition for Panel Rehearing and for Rehearing En Banc (including panel's 22 page decision)

Very Truly Yours,

Reverend Matt Hale, J.D.
Plaintiff-Appellant
pro se

1 of 2

Rev. Matt Hale
#15177-424
U.S.P. - Max.
P.O. Box 8500
Florence, CO 81226-8500

2 of 2

Mailed
2-20

Name: Rev. Matt Hale
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P.O. Box 8500
Florence, CO. 81226-8500

Special Mail

Office of the Clerk
Tenth Circuit Court of Appeals
1823 Stout Street
Denver, CO 80257

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