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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

#11
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
ENTERED

DALE HYDE,

Plaintiff,

v.

TEXAS DEPARTMENT OF CRIMINAL
JUSTICE-INSTITUTIONAL DIVISION,

Defendant.

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APR 10 1996

Michael N. Milby, Clerk

CIVIL ACTION H-94-2987

ORDER

It is ordered that this case is set for a Spears hearing at 9:00 A.M. on May 31, 1996, at the Darrington Unit, Rosharon, Texas. See: Spears v. McCotter, 766 F.2d 179 (5th Cir. 1985); Cay v. Estelle, 789 F.2d 318 (5th Cir. 1986); Pugh v. Parish of St. Tammany, 875 F.2d 436 (5th Cir. 1989).

Defendants are ordered to provide copies of all relevant records, in admissible form, to the Court at the time of the hearing.

All pending motions are denied at this time subject to later reconsideration by the court after the Spears hearing. Any party may be examined on any material matter.

The plaintiff is advised that any party who presents a claim that is determined to be frivolous or made in bad faith may be subject to sanctions, which may include an award of costs, and any other penalty as deemed appropriate.

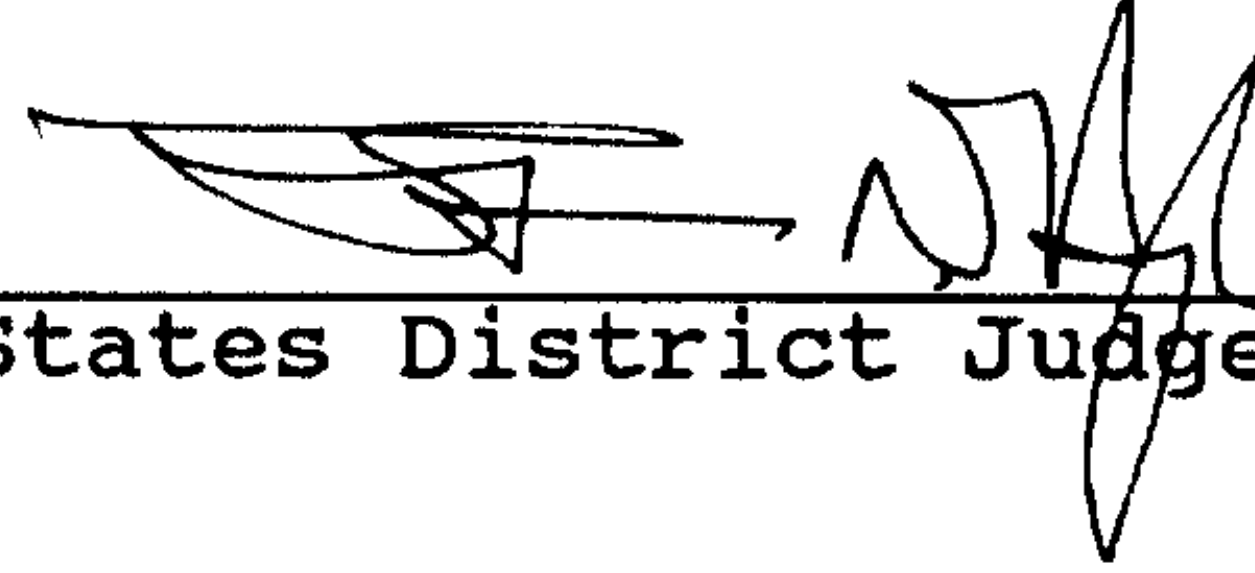
The Clerk shall send a copy of this order to the Chief of the Enforcement Division, Attorney General of Texas, P.O. Box 12548,

Capitol Station, Austin, Texas 78711 and to Randolph McVey, Spears
Coordinator, P.O. Box 99, Huntsville, Texas 77340.

Signed at Houston, Texas, on

April 10

_____, 1996.



United States District Judge