

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

DALE HYDE,

Plaintiff,

versus

TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, INSTITUTIONAL DIVISION,

Defendant.

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#18
CIVIL ACTION H-94-2987

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
ENTERED

SEP 25 1996

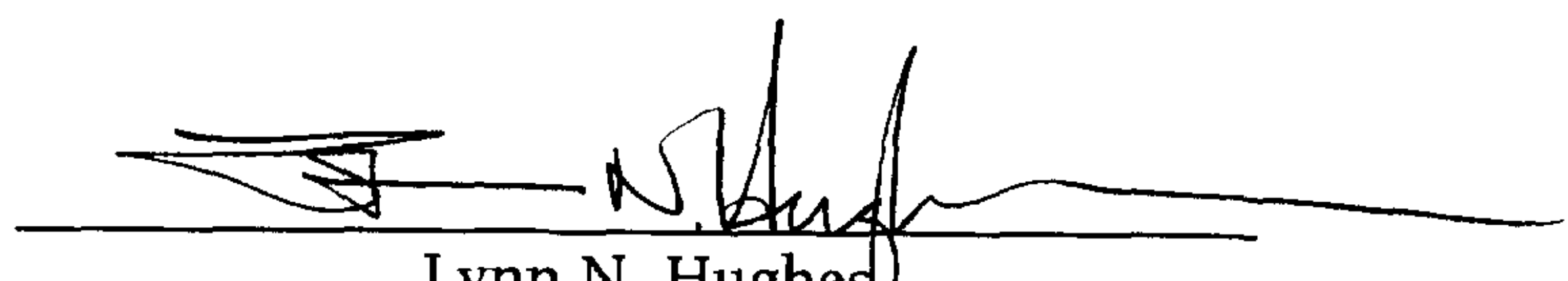
Order

Michael N. Milby, Clerk

1. Hyde's supplemental complaint is allowed, and it is construed to include a due process claim as well as a religious freedom claim.
2. The response of the state does not address the particulars of Hyde's complaint. The warden's arbitrary denial of his grievance simply compounds the state's problems.
3. Warden Hall of the Wynne Unit will appear in person to explain the failure to accommodate Hyde's religious practices. Warden Hall will explain how he applies the constitutional principles of religious freedom in the Wynne Unit consistent with his independent, personal obligation to obey the Constitution by his constitutionally-required oath. See ART. VI, ¶ 3.
4. The State will explain its practices since the response only affirmed the inadequacies revealed at the *Spears* hearing.
5. The hearing is set:

Tuesday, October 15, 1996
2:00 p.m.
Courtroom 11-C, Eleventh Floor
United States Court House
515 Rusk Avenue
Houston, Texas 77002.

Signed September 23, 1996, at Houston, Texas.


Lynn N. Hughes
United States District Judge