

United States District Court  
Eastern District of Arkansas  
Pine Bluff Division

Gregory Holt #129616,  
Plaintiff

Declaration of  
Carlos Gutiérrez

vs.

Case No 5:11CV00164-  
BSM-JJV

Ray Hubbs, et al.,  
Defendants

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT ARKANSAS

SEP 01 2011

JAMES W. McCORMACK, CLERK  
By: [Signature]  
D/P CLERK

Carlos Gutiérrez hereby declares;

I have been incarcerated at the Cummins Unit since ~~7/15~~ December, 2005. I have been in #14 Barracks since June, 2011 and over a year between 2010 and 2011.

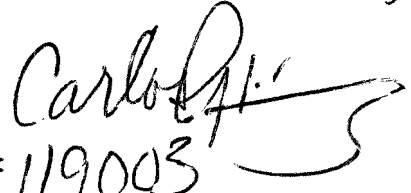
The Arkansas Department of Correction has a grooming policy that forbids the wearing of beards and only allows you to grow a mustache that cannot extend past the corners of your mouth. Failure to comply would result in disciplinary action that can include multiple disciplinaries in one day, placement in punitive isolation where during the summer time temperatures reach 100°+ daily and notations would be made in the institutional jacket of the inmate that would affect good time, parole eligibility and could hurt chances for clemency for those that clemency would apply too.

Additionally at the Cummins Unit in Administrative

Segregation where I am housed, one Correctional Sergeant, Sgt. M. Richardson is charged with enforcement of this policy and will swiftly file disciplinary charges against those who are not in compliance. Further staff members have been known to deny chow call, visitation, library, and yard call, church call, Jumukh, gum call, and school, to inmates in population who have just a hint of stubble on their face or who are not otherwise clean shaven.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed at Grady, Arkansas on August 29, 2011

Signed:   
A.D.C. #119003  
Date: Aug. 29<sup>th</sup>, 2011