

FILED
AUG 21 1979

J. G. ... CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DWIGHT DURAN, et. al.,
Plaintiffs,

vs.

Civil Action No. 77-721-C

JERRY APODACA, et. al.,
Defendants.

O R D E R

The parties to the above styled litigation have presented the Court with a Joint Request for Partial Consent Decree which would result in a settlement of the issues raised by the allegations in Paragraphs 27 and 30 of the Amended Complaint insofar as they relate to attorney-prisoner visitation. The court has considered the said Joint Request and the terms of the proposed settlement and has determined that the proposed Partial Consent Decree would be in the interest of justice to the parties and should be entered. -

Wherefore, premises considered, the defendants, individually and in their official capacities, their agents, employees, successors in office and any other acting on concert with them, are hereby enjoined from failing to implement fully and within the times prescribed each of the following requirements:

1. The Policy Statement attached to this motion as Exhibit A will replace any and all presently existing policies or practices at the Penitentiary of New Mexico governing visits by attorneys and/or their agents with prisoners incarcerated at the Penitentiary of New Mexico.

Duran v. Apodaca



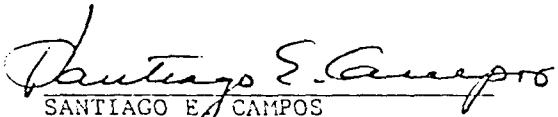
PC-NM-001-004

2. The new Policy-Statement will be provided to all prisoners and put into effect by the defendants as soon as is practical, but in no event later than 21 days, after the entry of said order of this Court.

3. The allegations of Paragraphs 27 and 30 of the Amended Complaint insofar as they relate to attorney-prisoner visitation are dismissed from the trial of this case.

4. The Court retains jurisdiction to enforce this order.

Done this 21st day of August, 1979.


SANTIAGO E. CAMPOS
United States District Judge