## FILED

UNITED STATES DISTRICT COURT
SANTA FE, NEW MEDICO

IN THE UNITED STATES DISTRICT COURT

JUN 27 EU

FOR THE DISTRICT OF NEW MEXICO

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DWIGHT DURAN, et al.,

Plaintiffs,

VS.

No. CIV 77-721 JB

TONEY ANAYA, et al.,

Defendants.

## MOTION TO MODIFY THE INMATE DISCIPLINE POLICY STATEMENT OF THE CONSENT DECREE

Defendants, by and thorough their counsel of record, John Bigelow, Special Assistant Attorney General, hereby move this Court for an order modifying the Inmate Discipline Policy Statement of the Consent Decree herein, by adding a new subsection (1) to paragraph 6, which shall read as follows:

(1) Possession, introduction, or manufacture of any contraband instrument which is capable of causing death or serious physical harm; confinement and disciplinary segregation for up to 30 days, and/or loss of good time not to exceed 180 days.

This Motion is unopposed by Plaintiffs.

Duran v. Apodaca

Respectfully submitted,

John Bigelow Special Assistant Attorney General Post Office Drawer 9570 Santa Fe, New Mexico 87504 (505) 982-9911

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## CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing Motion to Modify the Inmate Discipline Policy Statement of the Consent Decree was mailed to all counsel of record this 21 day of June, 1985.

John Bigelow