

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

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BERNARD CROWE, et al,  
Plaintiffs,

CIV NO. 72-4101

-vs-

ORDER

DON R. ERICKSON, et al,  
Defendants

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UPON the pleadings and all prior proceedings heretofore had herein, and upon plaintiffs motion to punish defendant Erickson for contempt of court and upon hearing the matter in open court wherein both parties were represented by counsel, and upon considering the evidence and oral testimony, and it appearing to the satisfaction of the court that violations of its Order dated August 24, 1973 pertaining to procedural due process for inmates charged with violations of prison rules are continuing, the court concludes that certain preliminary relief should be ordered, it is

ORDERED that defendant Erickson shall within five , days of the date of this Order, have prepared for use a form "Notice to Inmate" for use in connection with any charge against the inmate which may result in the inmate being placed in the Adjustment Center or any other form of solitary confinement or who may have good time taken from him. The Notice to Inmate shall contain a substantial recitation of the procedural safe-

guards set forth in the August 24, 1973 Order. The Order of Judge Neville in Inmate 24394 v. Schoen, 363 F. Supp. 683 (D. Minn.) will be used as a rough model in preparing the Notice to Inmate. Judge Neville's order regarding when said notice is to be delivered to the inmates will control, and it is

ORDERED, that defendant Erickson shall order his employees to include in any Notice a statement of the actual rule allegedly violated including the number and page and any other designation that helps identify the rule and its source, and it is further

ORDERED, that defendant Erickson shall order his employees to include in any Notice to Inmate a statement of the actual rule allegedly violated including the number page and any other designation that helps identify the rule and its source.

ORDERED, that defendant Erickson will cause each Notice to Inmate and resulting record of disciplinary action taken or other disposition of a charge to be sent each week to counsel for plaintiffs, Roy S. Haber at 1506 Broadway, Boulder, Colorado, 80302, for his inspection.

Done this 21 day of November, 1973, at Sioux Falls, South Dakota.

  
Fred J. Nichol  
Chief Judge

*Filed with the court this ~~21st~~ day of  
November, 1973.*

  
Judge