

FILED  
Feb. 24 1993  
Walter F. Chytr  
Kmt CLERK

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

\*\*\*\*\*  
 \*  
 BERNARD CROW, et al., \* CIV 72-4101  
 \*  
 Plaintiff, \*  
 \*  
 -vs- \* ORDER  
 \*  
 DON R. ERICKSON, et al., \*  
 \*  
 Defendant. \*  
 \*  
 \*\*\*\*\*

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Counsel for Walter F. Leapley, Warden of the South Dakota State Penitentiary, having moved for an order of this Court approving the Inmate Living Guide of the South Dakota Department of Corrections as modified by the Secretary of Corrections on September 23, 1992, and

It being the view of the Court after a review of the record herein that the final judgment herein does not contemplate that all revisions of the Inmate Living Guide must be approved and adopted by this Court. Because the plaintiffs have no continuing representation by counsel herein, any review by the Court would essentially be done *ex parte*, and it is the view of the Court that the rights of parties should be not be determined or affected by *ex parte* proceedings.

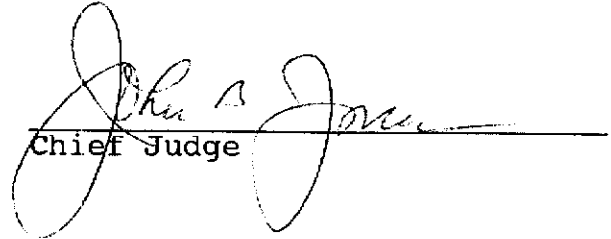
Now, therefore,  
IT IS ORDERED:

(1) That all proposed modifications to the Inmate Living Guide of the South Dakota Department of Corrections may be made without prior approval of this Court.

(2) That any party asserting that his or her rights have been or are being violated by such Guide may seek relief therefrom in any court having jurisdiction thereof.

Dated this 24<sup>th</sup> day of February, 1993.

BY THE COURT:

  
\_\_\_\_\_  
Chief Judge

ATTEST:

WILLIAM F. CLAYTON, CLERK

BY: Karen M. Vogt  
DEPUTY

(SEAL)