

October 8, 2012

The battle against the abusive retaliation that occurs daily here in the department of corruption rages on. Some good news follows from the front lines of the war. Following you will find a letter from John Reinstein of the ACLU of Massachusetts in which he details to me the fact that John and the ACLU have secured legal counsel for me in the quest to defeat the DOC's appeal in Muise Vs. Roden & Donahue, Suffolk Superior Court Civil Action No. #SUCV2011-0869-G. John secured Scott P. Lewis, from Anderson & Kreiger to handle the appeal from me and you will also find following this post a copy of the contract/engagement agreement I have entered into with the ACLU. This is very good news in this "David Vs. Goliath" battle against the DOC. I have no problem using my "rock sling" to fight this evil giant, but my chances of success are greatly increased if I have a little army backing me up. I am so grateful to Attorney Reinstein, Attorney Lewis, Attorney Paul Holtzman (who filed an amicus brief on the ACLU's behalf in this case), and all the fine attorneys at the ACLU of Massachusetts who recognized that the First Amendment issues in this matter benefit a free society in being fairly addressed.

Let's not forget the fact that I was directly retaliated against at MCI Norfolk, by defendants Gary Roden (MCI Norfolk Superintendent) and Rebecca Donahue (DOC Hearing Officer), due to revealing certain guards involvement in a "sex for information" ring which was being run at the prison. I reported the abuse, with the help of the international human rights organization Just Detention International, and in typical DOC fashion they (the DOC) attempted to make me out to be the bad guy and then created false charges against me to lock me away in solitary confinement and eventually transfer me here to this shithole of MCI Shirley Medium. Now the administration here at MCI Shirley Medium is continuing the retaliation and abuse towards me by denying me work, denying me education, denying me programming, and denying me any ability to earn sentence deductions. The sad news for them is that I will do the extra time in prison without blinking an eye rather than bend to their brainwashing and inhumanities. I plan to continue to shout the failures from the rooftops, naming staff names and documenting the abuses.

One of my big pet peeves and areas of concern here at MCI Shirley (or ShirleyWorld as we call it) is the draconian and abusive medical care afforded here in this prison death camp for the ill and infirm. I have made numerous effective complaints against the butchers and sadists here and their latest effort to place me in harms way consisted of them posting my photo, a "Wanted Poster" of sorts, on the nurse's station in the HSU (Hospital) here letting all who work up there know that I am not allowed up there to help guys or report abuse. This is another "Badge of Honor" for me. They are so scared of their abuses hitting the court of public opinion that they make me public enemy number one and place a "Wanted" poster in the hospital! The Devil lives at MCI Shirley!

Still also working hard to restore the Eucharistic Ministers here at MCI Shirley. Just got the support of Archbishop William Lori in Baltimore who heads the Church's religious freedoms committee. More to come on that soon.



John Reinstein, Senior Counsel
(617) 482-3170 ext. 324
jreinstein@aclum.org

September 19, 2012

LEGAL MAIL

Timothy Muise
MCI Shirley
P.O. Box 1218
Shirley, MA 01464-1218

Dear Tim:

I wanted to let you know that Scott Lewis, a partner at Anderson & Kreiger, has agreed to work on the appeal. This is very good news. Scott is a superb lawyer and someone who has worked on prison litigation for many years, including three cases which we handled together: *Manor v. Commissioner of Correction*, *Torres v. Commissioner of Correction* and, most recently, *Massachusetts Correctional Legal Services v. Commissioner of Correction*. I will send you his contact information when this is formalized

I mentioned the "mail monitor" issue to Scott, and we plan to talk further about it next week. There are several ways of dealing with the issue, but the problem is that we do not know what is in sealed document. Meanwhile, it does not appear that the case has been docketed in the Appeals Court. I assume that the DOC is waiting for the Superior Court clerk to issue a notice that the record has been assembled.

You will receive separately a letter from Matt Segal setting out the terms of our engagement.

Sincerely,

John Reinstein



September 28, 2012

Attorney-Client Privileged

Timothy Muise
MCI Shirley
P.O. Box 1218
Shirley, MA 01464-1218

Dear Mr. Muise:

As John Reinstein has explained to you, the American Civil Liberties Union Foundation of Massachusetts ("ACLUFM") is undertaking to assist you because we believe your case raises important civil liberties issues. This letter will set forth the terms of that undertaking.

1. Legal Services

ACLUFM, and volunteer private attorneys ("cooperating attorneys") who may be working with us on your case, agree to provide you with legal representation for the sole purpose of representing you in the Massachusetts Appeals Court in connection with the appeal by the Department of Correction from the order of the Superior Court vacating the disciplinary sanction against you and declaring that 103 CMR § 430.24 (2-10) is unconstitutional. We are not undertaking to represent you on any other question decided by the court, including the dismissal of your due process claims under 42.2 U.S.C. § 1983. In addition, you have agreed that we should not challenge the jurisdiction of the Appeals Court to consider the appeal.

ACLUFM and its cooperating attorneys have no obligation to represent you, or secure representation for you, in any subsequent stage of your case, including any further appeal, or in any other legal matter. The decision whether to offer any such additional representation to you will be made if and when it becomes necessary.

2. Attorneys

Attorney Scott Lewis has volunteered his services as a cooperating attorney for ACLUM and will serve as lead counsel in the appeal. Cooperating attorneys are

Attorney-Client Privileged

Mr. Timothy Muise

September 28, 2012

Page 2

expected to consult with ACLUFM staff counsel about major litigation decisions and, except in emergency situations, to provide staff counsel with an opportunity to review all important papers to be filed in the case. An ACLUFM staff attorney will appear as co-counsel on papers filed in court.

3. Fees and Costs

You will not be charged by ACLUFM or any cooperating attorney for legal services. You must pay any fines, damages or penalties the court assesses against you personally.

If we succeed in all or part of your case, the opposing party may be required by law to pay attorneys' fees and costs, separate from any money damages you might be awarded to compensate you for injuries or violation of your rights. Since we do not charge you for legal services, you agree that any award of attorneys' fees for work performed by ACLUFM or its cooperating attorneys is hereby assigned to ACLUFM and will not be paid to you. Collection of such fees in cases where we do prevail is essential to our ability to provide representation in cases such as yours.

4. The Roles of Attorney, Client and ACLUFM

Our responsibilities under this agreement are to provide legal counsel and assistance in accordance with the terms of this letter. As your counsel, information which is disclosed to ACLUFM or its cooperating attorneys will be held in confidence unless you otherwise direct. However, ACLUFM ordinarily does publicize its cases. From time to time we will publish basic information concerning your case including your name and the facts set forth in court pleadings.

During the course of our engagement, attorneys involved in the case may express to you opinions or beliefs about various courses of action that might be followed or results that might be anticipated. Such statements are expressions of opinion and should not be construed as promises or guarantees.

You agree to cooperate fully with counsel, to provide information and documents which are required for the appeal and to notify us of any changes in your address or other contact information.

Attorney-Client Privileged

Mr. Timothy Muise

September 28, 2012

Page 3

When we close your file, all original documents that were furnished by you will be returned to you upon request. We will retain the file for one year from the date of closing, after which it may be destroyed.

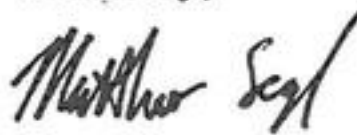
5. Termination of Representation

You have the right to terminate your representation by ACLUFM and its cooperating attorneys at any time. We reserve the right to withdraw from this engagement at any time with your consent, and at any time without your consent provided that withdrawal can be accomplished without material adverse effect on your interests. In addition, we may withdraw without your consent if it becomes legally or ethically proper for us to do so under the applicable rules of professional responsibility. In the event of termination by you or by us, we have no obligation to find replacement counsel or to continue our sponsorship and support of the case.

ACLUFM has established policies relating to civil rights and civil liberties. ACLUFM may elect to terminate its sponsorship and support of the case if continued representation would require us to assert on your behalf a position which is fundamentally contrary to the established policies of ACLUFM concerning civil rights and civil liberties. In addition, ACLUFM reserves the right to take a position disagreeing with you outside the context of this litigation.

If this letter meets with your approval, please sign, date and return this letter. A copy is enclosed for your records.

Sincerely,



Matthew Segal
Legal Director