



UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

POST OFFICE BOX 330

TYLER, TEXAS 75710

CHAMBERS OF
WILLIAM WAYNE JUSTICE
UNITED STATES DISTRICT JUDGE

TELEPHONE
(903) 597-9387

April 15, 1996

The Honorable Janet Reno
Attorney General of the United States
U. S. Department of Justice
10th Street & Constitution Avenue, N.W.
Washington, D.C. 20530

Re: *Ruiz v. Estelle*, 503 F. Supp. 1265 (S.D. Tex. 1980),
stay denied in part, granted in part, 650 F.2d 555 (5th Cir. 1981),
stay denied in part, granted in part, 666 F.2d 854 (5th Cir.),
aff'd in part, rev'd in part, 679 F.2d 1115 (5th Cir.),
amended in part, vacated in part, 688 F.2d 266 (5th Cir. 1982),
cert. denied, 460 U. S. 1042 (1983).

My dear Attorney General:

The United States was an intervenor-plaintiff in the above-entitled civil action, which involved prison conditions in all Texas prisons. A consent decree, styled as a final judgment, was approved by this court on December 11, 1992, some twenty years after the inception of the litigation. The United States was not a signatory to the consent decree, although it had played a very significant part in the trial and other proceedings of the case.

The defendants in the action filed a motion to vacate the final judgment on March 25, 1996. (A copy of the motion is attached.) Necessarily, an evidentiary hearing, which may be lengthy, will be required to determine whether the Texas Department of Criminal Justice-Institutional Division is now in compliance with the final judgment.

It is requested that you inform this court whether the United States will be a participant in the motion to vacate proceedings.

Yours respectfully,

William Wayne Justice
United States District Judge
Eastern District of Texas

bcc: Mr. William G. Maddox, Attorney
Special Litigation Section