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August 26, 2014

Mr. Scott S. Harris, Clerk  
Supreme Court of the United States  
1 First Street, N.E.  
Washington, D.C. 20543-0001

Re: *Gregory Holt aka Abdul Maalik Muhammad vs. Ray Hobbs, et al.*  
Case No. 13-6827

Dear Mr. Harris:

On a record consisting of testimony and two documentary exhibits submitted at a half-day preliminary-injunction hearing, the Court granted a writ of certiorari to consider the following question: Whether the Arkansas Department of Correction's grooming policy violates RLUIPA to the extent it prohibits Petitioner from growing a half-inch beard in accordance with his religious beliefs. In an effort to provide the Court with information pertaining to the many important issues at stake, all of the parties and their *amici* have referred to various publicly available materials in their briefs. Such information included the testimony of ADC Director Ray Hobbs in *Jones v. Meinzer*, No. 5:12CV00117 (E.D. Ark.), which is available on PACER. The briefing is complete, and the case is set for oral argument on October 7, 2014.

In response to Professor Laycock's letter dated August 22, 2014, Respondents state that they do not object to the lodging of Petitioner's extra-record exhibits. We agree that it is only fair that Petitioner be allowed to set the record straight. The testimony of Director Hobbs in *Jones* regarding the Steven Oldham incident was erroneous in stating that the razor was concealed in a beard. The undersigned

counsel were not aware that the testimony was incorrect and sincerely regret repeating it in our brief.

We disagree that this singular mistake is probative of the degree of deference due to prison officials under RLUIPA. For present purposes, however, we hope it is sufficient to say that we have no objection to the exhibits and apologize for the error.

We respectfully request that this letter be distributed to chambers.

Sincerely,



David A. Curran  
Deputy Attorney General



Christine A. Cryer  
Sr. Assistant Attorney General

DAC/jkh

CC: Mr. Douglas Laycock,  
Counsel of Record for Petitioner

Mr. Michael Gans, Clerk  
U.S. Court of Appeals for the 8<sup>th</sup> Circuit (8<sup>th</sup> Circuit Case No. 13-3677)

Hon. Leon Holmes, District Judge  
U.S. District Court for the Eastern District of Arkansas

Hon. Jerome Kearney, Magistrate Judge  
U.S. District Court for the Eastern District of Arkansas

Mr. Larry Wayne Jones, ADC#70147