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**Daniel J. Kiley**

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**From:** Lynda De La Vina  
**Sent:** Tuesday, November 20, 2007 7:08 PM  
**To:** Diane Walz; Todd Wollenzier; Daniel J. Kiley; Dave Hernandez  
**Cc:** Daniel Hollas; Katherine Pope; Caron Kiley; Kyle Snyder  
**Subject:** RE: language

Julie reported to Beth that Mr. Retzlaff carried a gun in his glove box which she had seen. I do not know if this is accurate but thought I should report to you all.

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**From:** Diane Walz  
**Sent:** Tuesday, November 20, 2007 2:38 PM  
**To:** Todd Wollenzier; Daniel J. Kiley; Dave Hernandez  
**Cc:** Lynda De La Vina; Daniel Hollas; Katherine Pope; Caron Kiley; Kyle Snyder  
**Subject:** language  
**Importance:** High

FYI  
Dean de la Vina asked me to forward this to you, from Mr. Retzlaff's early release from prison decision:

<http://www.bakers-legal-pages.com/cca/opinions/74772c.htm>

**Ex parte Ratzlaff**

May 19, 2004  
No. 74,772  
Dissenting opinion by Judge Hervey  
**Hervey, J., filed a dissenting opinion in which Keasler, J., joined.**

**DISSENTING OPINION**

This dissenting opinion is substituted for the prior dissenting opinion which is withdrawn. The Court has apparently decided that it will provide the extreme remedy of applicant's early release from prison (even though a parole panel has determined that this would endanger the public) if the parole panel does not meet the Court's extra-statutory and arbitrary deadline for reviewing applicant for mandatory supervision release after "timely notice" to applicant. All of this ignores the ultimate due process question and has the very real potential of putting the security of the public at risk. I must, therefore, respectfully dissent to this particular exercise of the judicial power. ....

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**ATTACHMENT 7**