

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-DIR-9 and BP-DIR-10, including any attachments must be submitted with this appeal.

From: <u>DeHart, Matthew, P</u>	<u>06813-036</u>	<u>R-Unit</u>	<u>FCI Ashland</u>
LAST NAME, FIRST, MIDDLE INITIAL	REG. NO.	UNIT	INSTITUTION

Part A—REASON FOR APPEAL

The reason for my appeal of the Mid-Atlantic Region Regional Director's response dated November 8, 2017 (ID #: 915650-RL) is as follows:

This response not only fails to redress my grievance in restoring my previously credited 439 days of qualified presentence time (to total 1453 days), it also fails to even address my arguments and concerns especially in how/why the decision was made. These arguments were concisely elucidated in my BP-230 ("BP-10") filing and remain valid in spite of the Regional Director's response. Furthermore, in her response, the Regional Director misstates the facts. She states, "You claim your sentence is not calculated correctly" and that, "You request your sentence be recalculated...". What I, in fact, asked for was the restoration of the time that the BOP had already given me in the certified computation of 3-23-16 to total 1453 days of qualified presentence time (Exhibit 14). (The BOP has never claimed that this computation was erroneous) I have attached another copy of the 3-23-16 certified computation (Exhibit 14) as my permitted one-page extension.

To summarize my arguments once again; I dispute any new finding that these 439 days are not qualified presentence time under 18 U.S.C § 3585(b). More importantly, however, I dispute how and why the BOP is able to recompute jail credit at will. A hearing is required to revoke GCT in smaller increments for disciplinary reasons yet it seems as if 439 days of jail credit have been revoked in my situation without rhyme or reason and without a hearing. 439 days are by no means an insignificant amount of time and their revocation without due process has resulted in actual harm. It appears that this decision has been both arbitrary and capricious (if not retaliatory), not in accordance with policy, and amounts to an abuse of discretion under 18 U.S.C. § 3585(b). Please restore my credit, promptly.

11-15-17

DATE

[Signature] 11-15-17

SIGNATURE OF REQUESTER

Part B—RESPONSE

RECEIVED

NOV 22 2017

Administrative Remedy Section
Federal Bureau of Prisons

RECEIVED

JAN 28 2018

Administrative Remedy Section
Federal Bureau of Prisons

DATE

GENERAL COUNSEL

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 915650-A1/A2

Part C—RECEIPT

CASE NUMBER: _____

Return to: _____	_____	_____	_____
LAST NAME, FIRST, MIDDLE INITIAL	REG. NO.	UNIT	INSTITUTION

SUBJECT: _____

DATE

SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL