

LIST OF EXHIBITS

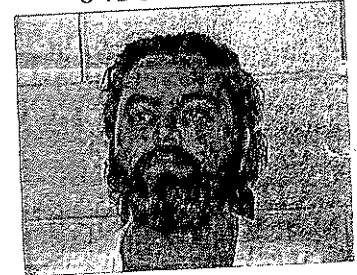
Exhibit

- A - Sentence Data Summary
- B - 1984 Pre-Hearing Assessment
- C - 1986 Parole Review Summary
- D - 1988 Parole Review Summary
- E - 1990 Parole Review Summary
- F - 1992 Parole Review Summary
- G - Original Jurisdiction Appeal Summary
- H - Sentence Monitoring Good Time Data print-out, 04-12-1994
- I - Sentence Monitoring Computation Data print-out, 04-12-1994
- J - Custody Classification Form print-out, 07-20-1994
- K - Inmate Request, 4/25/02
- L - Formal Inmate Grievance Request through BOP's Office of General Counsel
- M - Letter 1/24/2006 from Reg. Dir. Nalley to B. Bachrach
- N - Communications re: Lappin's inquiry

SENTENCE DATA SUMMARY

Reg. No. 04565-059		Name KAHL, Yori Von		Prepared At: FCI BASTROP	
Birthdate 08-12-1959	Race W	FBI No. 727 711 X6	Residence Heaton ND		
Sent. Date 06-24-1983	District ND	Sentence & Procedure 4205 (b)(2)	Offense Murder or manslaughter of US Official 18USC 1114		
Total Sentence: Life + 15 years		JT 131	INOP=0	2/3=02-12-2013	
Date Comm 07-29-1983	Exp. Full Term LIFE	Full Term--180 N/A	Exp. Good Time	Elig. Parole COMM DISCR	
2/3/ 02-12-2013					

Registration Number
04565-059



Reg. No. 04565-059	Name KAHL, Yori Von
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GOOD TIME CHANGES								
FORFEITED			WITHHELD			RESTORED		
Date	Amount	New Rel. Date	Date	Amount	New Rel. Date	Date	Amount	New Rel. Date

Date	Parole Board Action	Outcome	Special Notes
2006/84	cert. not reconsider hear		
07-01-86	Designated as Original Jurisdiction and referred to the Nat'l. Commissioners for decision.		
8-16-92	15 yr pris. 6-2001 w/ 501 H 6-92		
1-4-93	no change w 15 yr keeping 151H 12-94		

File in Central File (Section 1)

Exhibit A

Institution: BastropName: KAHL, Yorie Reg. No. 04565-059Date of Birth: 8-12-59 Months in Custody: 16 as of 6-1-84Sentences(s) Length/Type: Life Parole Eligibility Date: (b)(2)[XX Two-Thirds] [Stat. MR] Date: 2-12-2013Detainer: [XNo] [Yes]Fines/Restitution: [XNo] [Yes] Reviewer: WIGGINS Date: 6-6-84

I. PRESENT OFFENSE:

(a) The prisoner was convicted by jury trial of: Murder of Federal Officers, Aiding and Abetting; Assault & Impede Federal Officers and Law Enforcement Officers, Aiding and Abetting; Harbor/Concealing a Fugitive, Aiding and Abetting; and Conspiracy to Assault.

(b) File material indicates that as of February 13, 1983, a Federal probation violation warrant was outstanding for subject's father, Gordon Kahl, a tax protestor. Gordon Kahl at the time was a member of the Posse Comitatus, a militant anti-tax group with strong political/religious/racial beliefs. A portion of these beliefs stressed that the graduated Federal Income Tax was the second plank of the Communist Manifesto, et cetera. On February 13, 1983, a County Deputy Sheriff named Bradley Kapp spotted a vehicle believed to be utilized by Gordon Kahl and established surveillance outside a medical clinic at Medina, North Dakota. A meeting was apparently conducted during the afternoon of February 13, 1983 in the clinic attended by numerous individuals with tax persuasions similar to those of Gordon Kahl.

After Officer Kapp established surveillance he contacted U. S. Marshals for back-up. Ultimately Deputy U. S. Marshals Chesire and Hopson arrived from Bismarck, North Dakota and grouped with Deputy Sheriff Kapp in maintaining surveillance. U. S. Marshal Muir and Deputy U. S. Marshal Wigglesworth arrived on the scene from Fargo, North Dakota and were joined by Medina Police Officer Schnabel approximately one mile north of Medina where a roadblock was established. Ultimately the Gordon Kahl group left the meeting at the medical center in two vehicles travelling north. Individuals in the Gordon Kahl group included subject, Kahl's wife Joan, and codefendants Faul, Broer, and Wegner. Apparently, when the Kahl group noticed the road block, they turned into the driveway of a farm in an attempt to reverse the direction of their travel. At about the same time, a dodge charger truck occupied by Deputy U. S. Marshals Chesire and Hopson, as well as Deputy Sheriff Kapp, arrived at the scene and blocked the road. Apparently U. S. Marshal Muir, Deputy U. S. Marshal Wigglesworth and Medina Police Officer Schnabel then converged on the scene.

The presentence report indicates that in the context described above, the Marshals identified themselves as law enforcement officers and advised all parties that they had a warrant for the arrest of Gordon Kahl. At the time it appears that most, if not all, members of the Gordon Kahl group were armed, many with mini-rifles containing military-type ammunition. After approximately nine minutes it is indicated that subject fired the first shot fatally wounding U. S. Deputy Marshal Chesire. After a few seconds of no action, a gun battle took place. Deputy U. S. Marshal Muir was wounded in the head and Deputy Sheriff Kapp was shot in the right arm. Police Officer Schnabel received a shoulder wound to the right. Subject was the only perpetrator shot and he re

Exhibit B

REVIEW SUMMARY

CASSETTE NUMBER: 41821P

NAME: Kahl, Yorie Von HEARING TYPE: Statutory Interim
 REGISTER NO: 04565-059 (TWO-THIRDS) OR STATUTORY MR DATE: 2-12-2013
 INSTITUTION: Lewisburg FULL TERM DATE: life
 HEARING DATE: 6-18-86 PANEL: Kruger/Weeks

PREVIOUS COMMISSION ACTION:

Subject is serving an indeterminate life plus 15 years for murder or manslaughter of US official. He has now been in custody 40 months. He had his initial hearing at Bastrop in late June, 1984 because of the length of term (life) and because of the unusual national notoriety of his offense, his case was referred for original jurisdiction treatment. By notice of action dated July 20, 1984, the National Commissioners continued to a 10 year reconsideration hearing in June, 1994 based on category eight severity, salient factor 9, in custody then 10 months, adult guidelines of 100 plus months and the decision rendered was not outside the guidelines but included a statutory interim hearing during June, 1986 which the instant hearing represents.

Because of changes in the Commission's regulations, he was informed that today's hearing would result in either a presumptive date falling within the next 15 years or a 15 year reconsideration hearing in June, 2001. Although subject was not aware of that change in the regulations, he elected to proceed with the review hearing today. He had previously waived both disclosure and representation.

Reviewing authorities are referred to an excellent prehearing assessment by Examiner Wiggins of June 6, 1984 which describes an armed confrontation between a group of tax protesters led by subject's father, Gordon Kahl, and a group of law enforcement officers including US Marshals on the afternoon of February 13, 1983 in a rural area in the state of North Dakota. During this confrontation, two US Marshals were killed and several others were wounded, one receiving injury to his coordination of muscular movement. Subject was the only one of the tax protester group that was injured, receiving serious wounds to his abdomen which resulted in the loss of a kidney and gall bladder and some other internal injuries.

During today's hearing, subject did not accept responsibility for any role in the death of law enforcement officials claiming that he has thought over this issue many times previously. He expressed that the Marshals and other law enforcement officials hinted that there be an armed confrontation as they came after subject's father with "swat teams" and being heavily armed. He also quarrels with the term "peers" when it was suggested to him that he was convicted of this crime in a courtroom by a jury of his peers. He states that the dictionary definition of "peers" is like-minded people and it was obvious to him that the jurors did not maintain views similar to that of the tax protesting group.

KAHL, Yorie Von
Reg. No. 04565-059
Page 2

The panel finds no change in the guideline framework which attached to this case at the initial hearing in June, 1984. This is a category eight offense because it involved murder and subject has a salient factor score of 9 point with a minimum guideline of 100 plus months.

CODEPENDANTS:

No new information.

INSTITUTIONAL ADJUSTMENT AND RELEASE PLANS:

According to the progress report of May 29, 1986, subject has made a very good institutional adjustment, including clear conduct, first pay grade status in the tool and dye apprenticeship program for the past 22 months, through action in a mature and positive manner in all phases of institutional life the unusual wrinkle that subject refused to apply for a social security number that being against his tax protesting philosophy. He has no release plans presently formulated, considering that to be premature. He has requested that his wife be removed from his visiting list. They are divorced and subject is receiving visits from a female pen pal living in California. No particular aftercare services seem required.

REPRESENTATIVE:

Waived.

EVALUATION:

At the age of 26, Kahl is serving his first conviction and commitment for his role in an armed confrontation with law enforcement officials in February, 1983, those officials attempting to apprehend his father who led a tax protesting group in North Dakota. This group was known as the Posse Comitatus and was a militant anti-tax group with strong political/religious/racial beliefs, which subject appears to maintain. During the interview, he stated that he adhered to most of his father's tax philosophy. During the armed confrontation, two US Marshals were killed and other law enforcement officials were shot and seriously injured, sustaining permanent damage. On his life plus 15 year sentence, Kahl can serve at most 30 years which the Bureau computes to be the two-thirds point of his aggregate term.

First, the panel refers to the Regional Commissioner for original jurisdiction consideration on the basis of notoriety and length of sentence. Second, the panel reaches the ultimate recommendation to continue for a 15 year reconsideration hearing because in June, 2001, Kahl will have served about 18 years 4 months and the panel does not feel that is an excessive sanction for the instant very serious and aggressive offense behavior.

RECOMMENDATION:

Refer to Regional Commissioner for original jurisdiction consideration.

Continue to a 15 year reconsideration hearing in June, 2001.

1/24/01
1/24/01
1/24/01
1/24/01

Shilo Basser
1/24/01

REVIEW SUMMARY

CASSETTE NUMBER: 49838

NAME: KAHL, YORI VON HEARING TYPE: STATUTORY INTERIM

REGISTER NO: 04565-059 TWO-THIRDS OR STATUTORY MR DATE: 2/12/2013 (AFTER THE SERVICE OF 30 YEARS)

INSTITUTION: LEWISBURG FULL TERM DATE: LIFE

HEARING DATE: 6/22/88 PANEL: KRUGER/LINDSEY

DISCLOSURE DATE: WAIVED

PREVIOUS COMMISSION ACTION:

Subject is serving an indeterminate sentence of life plus 15 years for Murder or Manslaughter of U.S. Officials. He has been in custody 64 months and about 10 days. He had two previous hearings, each time being considered under original jurisdiction with the last decision dated July 17, 1986, to continue for a 15 year Reconsideration Hearing in June, 2001. The salient factor score was nine, the severity rating was eight and the original guideline range was 100 plus months. Subject was never advised of a reason why the original decision was more than 48 months above the floor of 100 plus months and that language is included on today's parole/reparole guideline worksheet. The last decision included a Statutory Interim Hearing during June, 1988, which the instant hearing represents.

Reviewing Authorities are referred to an excellent Prehearing Assessment by Examiner Wiggins, dated June 6, 1984, and a Statutory Interim Hearing Summary by Examiner Kruger, dated June 18, 1986, both of which describe an armed confrontation between a group of tax protesters led by subject's father and a group of law enforcement officers on the afternoon of February 13, 1983, in a rural area in North Dakota. During this confrontation, two U.S. Marshals were killed and several others were wounded, one receiving injury to his coordination of muscular movement.

Today, subject stated on the record that he was still of the same tax protesting frame of mind that produced the deadly confrontation between the group known as the Posse Comitatus and the government agents on February 12, 1983.

Exhibit D

CODEFENDANTS:

Scott Paul is serving life plus 15 years at Leavenworth and reportedly has not appeared before the Parole Commission yet.

David Brouer is serving 10 years reportedly at the Medical Center for Federal Prisoners in Springfield, Missouri.

Vernon Wegner reportedly received probation.

INSTITUTIONAL ADJUSTMENT AND RELEASE PLANS:

According to the Progress Report of June 20, 1988, subject has made a very good institutional adjustment including clear conduct, assignment to inside sanitation after outstanding performance in the tool and dye program, positive interaction with unit team, work supervisors and quarters officers, and no current formal educational programming. Subject has not formulated any release plans but expects that he will locate in the mid-West somewhere and seek suitable employment. No particular aftercare services seem required.

Subject asked two questions, number one, regarding the significance of an indeterminate or b-2 sentence and number two, whether the panel members were "Masons". He implied that he may have experienced prejudice from the sentencing judge who was a Mason because one of the U.S. Marshals slaughtered in this confrontation was a Mason. The panel members declined to answer such a personal question.

REPRESENTATIVE:

Waived.

EVALUATION:

At the age of 28, Kahl continues serving his first conviction/commitment for his role in an armed confrontation with law enforcement officials in February, 1983, those officials attempting to apprehend his father, Gordon, who led a tax protesting group in North Dakota. On his life plus 15 year sentence, subject will serve at most 30 years, the two-thirds point of the aggregate term.

The panel again refers for original jurisdiction consideration on the basis of notoriety and length of sentence (life plus 15 years). Second, despite a very good institutional adjustment, the panel sees no current justification for improving on the last official decision of this case, noting that subject will have served about 18 years and four months at the scheduled Reconsideration Hearing in June, 2001. The panel does not feel that amount of custody is an excessive sanction for the instant very serious and aggressive crime.

RECOMMENDATION:

Refer to Regional Commissioner for Original Jurisdiction Consideration.

No Change in Continuance for a 15 Year Reconsideration Hearing in June, 2001.

I hereby certify the foregoing to be a true and correct transcript of the recording made of the interview at the time, place and on the occasion indicated.

NO INFORMATION REGARDING THIS PRISONER WILL BE DISCUSSED WITH ANY PERSON OTHER THAN AUTHORIZED REPRESENTATIVES OF THE DEPARTMENT OF JUSTICE.

Angela Mastalake

June 30, 1988

CASSETTE NUMBER: _____

NAME: Kahl, Yorie HEARING TYPE: SIH

REGISTER NO: 04565-059 TWO-THIRDS OR STATUTORY MR DATE: 2/12/2013

INSTITUTION: Lewisburg FULL TERM DATE: Life

HEARING DATE: 6/20/90 PANEL: Johnston/Newman

PREVIOUS COMMISSION ACTION:

By notice of action dated 7/28/88 the decision in subject's case was that there be no change in continuance for a 15 year reconsideration hearing in June of 2001. The reasons therefore was category eight severity because it involved murder. The salient factor score was 9. Subject had been in custody at that time for a period of 64 months. The guidelines established of 100 + months to be served for cases of good institutional adjustment and program achievement plus months to be served for cases of good institutional adjustment and program achievement. After review of all relevant factors and information presented, the decision outside the guidelines at this consideration is not found warranted. A decision more than 48 months above the minimum guideline range is warranted because it involved murder of 2 government agents and crippling injuries to other government agents. As required by law, he also had been scheduled for a SIH hearing during 6/90. That brings us up to date.

CODEFENDANTS:

See PSI.

INSTITUTIONAL ADJUSTMENT AND RELEASE PLANS:

Subject has been confined for 85 months on his life plus 15 year term. He has remained free of any type of misconduct all during the 7 years of incarceration and has compiled a generally satisfactory work reports first from UNICOR and more recently from his yard detail position. Subject states that after 3 years in UNICOR he began to feel the stress of continuing to that type of employment and asked to be relieved from UNICOR and was then placed on the yard detail as described above.

There are no release plans made in this case as it is clearly evident that subject will serve a considerable period of time.

FINES AND RESTITUTION:

None.

REPRESENTATIVE:

Subject had representation in the person of Gerald Maxem McLamb. Mr. McLamb is a retired training officer of the City of Phoenix Arizona Police

Exhibit E

REVIEW SUMMARY

NAME: KAHL, Yori Von
REG. NO.: 04565-059
INSTITUTION: USP Lewisburg
DATE: 12/1/92

HEARING TYPE: S.I.H.
2/3 or STAT MR DATE: 2/12/2013
(whichever comes first)
FULL-TERM DATE: Life
PANEL: Essex/Tenney

I. PREVIOUS COMMISSION ACTION: Please refer to the pre-hearing assessment dated 5/27/92 prepared by Examiner Chait for that information.

II. CODEPENDANTS: Scott Paul - Life; per subject, he his at Oxford. David Broer - per subject, 10 year sentence; continue to expiration. Vernon Wagner - per subject, received probation.

III. INSTITUTIONAL ADJUSTMENT AND RELEASE PLANS: The progress report dated November 1992 reflects an overall positive adjustment throughout subject's period of incarceration which is now 118 months. The progress reports shows that he has not received any misconduct reports. The file/progress report information shows that subject participated in ABE, vocational training, the GED Program and a group correctional counseling program. It shows that he withdrew from the GED Program after having been credited with 92 hours of study because he did not complete social security information. Subject is described as not being a management problem and his mental and physical health are described as being good.

Subject is currently assigned to a Yard Detail where he polices the outside yard areas of the institution. Previous job assignments include being an orderly and also working in the Unicorn Tool and Dye Program where he received average to better than average work reports. He also worked in Food Services while at PCI Bastrop.

Subject participated in the basic apprenticeship training program in the Tool and Dye Department completing several thousand hours of experience. He received a certificate of completion of his many hours as a machinist. The file shows that he received his GED Diploma in November 1990. Subject's relationship with staff is described as being positive. This is evidenced by the fact that he has no misconduct reports.

IV. FINES/RESTITUTION/COURT ASSESSMENT: N/A

V. REPRESENTATIVE: Waived.

VI. EVALUATION: Guidelines computed at the most recent hearing were 100 plus months based upon a SPS of 9 and offense severity of Category Eight involving aiding and abetting 2 murders. Guidelines were re-computed at today's hearing and they are unchanged. Therefore, the major issue at today's hearing becomes whether or not there is justification for an earlier recommendation based upon new information or information developed at today's hearing. Subject admitted that he had no new information that would cause his guidelines to change.

KAHL, Yori Von

Superior Program Achievement (SPA) guidelines are 0-18 months. The panel has reviewed all available information in this case and it finds that there is none that would mitigate subject's involvement in the crimes. Specifically, he was involved in the murders of 2 U. S. Marshals Deputies. Additionally, at least 2 other law enforcement employees were injured during the confrontation that resulted in the death of the 2 Deputy U. S. Marshals. In view of the fact that 2 law enforcement authorities were murdered, the panel is of the opinion that no relief should be granted at today's hearing. The panel is well aware of the fact that subject has been in continuous custody for 118 months.

Panel members note that subject was very cordial and cooperative at today's hearing. However, because of the seriousness of the base behavior, the panel recommends no change in the decision to continue for a 15 year reconsideration hearing in June 2001.

VII. RECOMMENDATION:

- (1) Refer to the Regional Commissioner for original jurisdiction consideration;
- (2) No change in 15 year reconsideration date (6/2001).

REE:LRW
12/15/92

ORIGINAL JURISDICTION APPEAL SUMMARY

NAME: KAHL, Yorie REG. NO. 04565-059 INST: USP, Lewisburg DOB: 8/12/59

OFFENSE: 2nd degree murder of a federal officer & aiding and abetting.

TERM: Life + 15 yrs BEGAN: 6/24/83 MOS AT APPEAL: 125 MOS AT REL: 360

PE DATE: B-2 MR DATE: N/A 2/3 DATE: 2/12/13 FT DATE: Life

DAYS JT: 131 DAYS INOP: 0 G/L: 100+ OFS SEV: 8 SFS: 9

LAST COMMISSION ACTION: SIH - 1/4/93 - No change in 15 year reconsideration hearing June 2001.

>
RESPONSE:

You are correct in pointing out that your original Notice of Action dated July 20, 1984, failed to include reasons to exceed your minimum Category Eight guidelines by in excess of 48 months and instead reported that reason to render a decision outside your guidelines were not warranted. This was an error on the part of the Commission which was corrected by Notice of Action dated July 28, 1988. It caused no prejudicial harm as the decision in both instances was to continue for reconsideration hearings.

In response to your claim that the Commission did not follow correct procedures in deciding your case, the record indicates the contrary.

All relevant factors have been considered and no new or significant information is presented which would justify a more lenient decision.

The Commission recognizes that a (b)(2) sentence provides for parole eligibility at any time. However, eligibility does not imply suitability for parole release.

Guidelines in effect at the time of an initial parole hearing are utilized and not guidelines in effect at the time of an offense. It is the Commission's position that the ex post facto clause of the Constitution does not apply to paroling policy guidelines.

Your institutional behavior and achievements have been considered by the Commission but are not deemed sufficient to warrant a more lenient decision.

>
RECOMMENDATION:

Affirm.

REASONS:

Approved.

Exhibit G

LVNL2 542*22 *
PAGE 001 OF 001 *

SENTENCE MONITORING
GOOD TIME DATA
AS OF 04-12-1994

04-12-1994
08:32:52

REGNO...: 04565-059 NAME: KAHL, YORI VON
ARS 1...: LVN A-DES
COMPUTATION NUMBER...: 010
LAST UPDATED... DATE: 04-12-1994
UNIT...: A/O
DATE COMP BEGINS...: 06-24-1983
TOTAL JAIL CREDIT...: 131
STATUTORY REL DT...: N/A
CURRENT REL DT...: /
PROJ SATISFACT DT...: 02-12-2013 TUE
ACTUAL SATISFACT DT...:
FINAL STAT GOOD TIME...:
DAYS REMAINING...:

FUNCTION...: PRT
FACL...: LVN FUNC: AUTOMATIC
QUARTERS...: BU-321
COMP STATUS...: COMPLETE
TOTAL INOP TIME...: 0
EXPIRES FULL TERM DT: LIFE
PROJ SATISF METHOD...: TWO THIRDS
ACTUAL SATISF METHOD:
FINAL EXTR GOOD TIME:
FINAL PUBLIC LAW DAYS:

-----EXTRA GOOD TIME EARNINGS-----

INST	TYPE	DATE IN	DATE OUT	FRI/SEN IND
LEW	IGT	08-22-1984	04-19-1988	
LEW	MGT	02-24-1992	04-08-1994	
EGT EARNED.....				326 DAYS
BREAK OVER DATE.....				08-22-1985

-----EXTRA GOOD TIME LUMP SUM AWARDS AND ADJUSTMENTS-----

INST	TYPE	LSA/ADJ DATE	AMOUNT	FRI/SEN IND
		NONE		
EGT AWARDED/ADJUSTED.....				0 DAYS
TOTAL EGT.....				326 DAYS

-----STATUTORY GOOD TIME FORFEITURES, WITHHOLDINGS, RESTORATIONS-----

INFRACTION DATE	NO	DECISION DATE	ACTION TYPE	AMOUNT	INFR SEVERITY /RSN FOR ADJ	FREQ
12-29-1992	1	01-12-1993	FF	30	GREATEST	104

NET SGT FORFEITURES, WITHHOLDINGS, RESTORATIONS: 30 DAYS

[Handwritten Signature]
4-12-94

G0005 TRANSACTION SUCCESSFULLY COMPLETED - CONTINUE PROC

Exhibit H

LVNL2 540*23 * SENTENCE MONITORING * 04-12-1994
PAGE 001 * COMPUTATION DATA * 08:56:30
AS OF 04-12-1994

REGNO...: 04565-059 NAME: KAHL, YORI VON

FBI NO.....: 727711X6 DATE OF BIRTH: 08-12-1959
ARS1.....: LVN/A-DES
UNIT.....: A/O QUARTERS.....: BU-321

THE FOLLOWING SENTENCE DATA IS FOR THE INMATE'S CURRENT COMMITMENT.
THE INMATE IS PROJECTED FOR RELEASE: 02-12-2023 VIA TWO THIRDS

-----CURRENT JUDGMENT/WARRANT NO: 010-----

COURT OF JURISDICTION.....: NORTH DAKOTA
DOCKET NUMBER.....: C3-83-16-03
JUDGE.....: BENSEN
DATE SENTENCED/PROBATION IMPOSED: 06-24-1983
DATE WARRANT ISSUED.....: N/A
DATE WARRANT EXECUTED.....: N/A
DATE COMMITTED.....: 07-29-1983
HOW COMMITTED.....: US DISTRICT COURT COMMITMENT
PROBATION IMPOSED.....: NO
SPECIAL PAROLE TERM.....:

RESTITUTION...: PROPERTY: NO SERVICES: NO AMOUNT: \$0.00

-----CURRENT OBLIGATION NO: 010-----

OFFENSE CODE.....: 161
OFF/CHG: SECOND DEGREE MURDER OF FEDERAL OFFICERS; AIDING AND ABETTING

SENTENCE PROCEDURE.....: 4205(B)(2) IMMEDIATE PE
SENTENCE IMPOSED/TIME TO SERVE.: LIFE

REMARKS.....: LIFE ON COUNTS 1 & 2 TO RUN CONC.

-----CURRENT OBLIGATION NO: 020-----

OFFENSE CODE.....: 161
OFF/CHG: FORCIBLY ASSAULT & IMPED FED OFFICERS W/DEADLY WEAPON; HARBORI
NG AND CONCEALMENT OF FUGITIVE, AID & ABET; CONSP TO ASSAULT

SENTENCE PROCEDURE.....: 4205(B)(2) IMMEDIATE PE
SENTENCE IMPOSED/TIME TO SERVE.: 15 YEARS

G0002 MORE PAGES TO FOLLOW . . .

Exhibit I

LVNL2 540*23 *
PAGE 002 *

SENTENCE MONITORING
COMPUTATION DATA
AS OF 04-12-1994

* 04-12-1994
* 08:56:30

REGNO.: 04565-059 NAME: KAHL, YORI VON

REMARKS.....: 10 YRS EA ON CTS 5,6,7,8 CONC BUT CONSEC TO CTS 1&2; 5 YRS EA
ON CTS 9&11 CONC BUT CONSEC TO CTS 1,2,5,6,7,8 FOR A TOTAL OF
LIFE + 15 YRS UNDER 4205(B)(2).

-----CURRENT COMPUTATION NO: 010-----

COMPUTATION 010 WAS LAST UPDATED ON 04-12-1994 AT LVN AUTOMATICALLY

THE FOLLOWING JUDGMENTS, WARRANTS AND OBLIGATIONS ARE INCLUDED IN
CURRENT COMPUTATION 010: 010 010, 010 020

DATE COMPUTATION BEGAN.....: 06-24-1983
TOTAL TERM IN EFFECT.....: LIFE
TOTAL TERM IN EFFECT CONVERTED...: LIFE
AGGREGATED SENTENCE PROCEDURE...: AGGREGATE GROUP 20

JAIL CREDIT.....: FROM DATE THRU DATE
02-13-1983 06-23-1983

TOTAL JAIL CREDIT TIME.....: 131
TOTAL INOPERATIVE TIME.....: 0
STATUTORY GOOD TIME RATE.....: 0
TOTAL SGT POSSIBLE.....: 0
PAROLE ELIGIBILITY.....: COMMISSION'S DISCRETION
STATUTORY RELEASE DATE.....: N/A
TWO THIRDS DATE.....: 02-12-2023
180 DAY DATE.....: N/A
EXPIRATION FULL TERM DATE.....: LIFE

00002 3 MORE PAGES TO FOLLOW . . .

LVNF6 606.00 *
PAGE 001 OF 001

CUSTODY CLASSIFICATION FORM

* 07-20-1994
13:53:02

(A) REG NO.: 04565-059 FORM DATE: 04-26-1994 ORG: LVN
NAME: KAHL, YORI VON
SEN LIMT: NONE MGMT VARIABLE: NONE
PUB SFTY: GRT SVRTY, SENT LGTH

(B) DETAINER: (0) NONE SEVERITY: (7) GREATEST
LENGTH: (5) 84 PLUS M (MOS): 346 PRIOR: (0) NONE
ESCAPES: (0) NONE VIOLENCE: (0) NONE
PRECOMMT: (0) N/A

(C) TIME SERVED: (4) 26-75% DRUG/ALC INVOLV: (4) NEVER
MENTAL STABILITY: (4) FAVORABLE TYPE DISCIP RPT: (0) GREATEST
FREQ DISCIP RPT: (3) NONE RESPONSIBILITY: (0) POOR
FAMILY/COMMUN: (4) GOOD

--- LEVEL AND CUSTODY SUMMARY ---

BASE SCORE	CUST SCORE	VARIANCE	SEC TOTAL	SEC LEVEL	CUSTODY	CONSIDER
+12	+9	+1	+13	HIGH	IN	INCREASE

30005 TRANSACTION SUCCESSFULLY COMPLETED - CONTINUE PROCESSING IF DESIRED

you have 13 points but you are a High Security level inmate solely because you have more than 300 months before your current projected release date. When the months fall to 299, you will become a Medium.

*J. Ashw
7-20-94*

LVNL2 540*23 *
PAGE 003 OF 003 *

SENTENCE MONITORING
COMPUTATION DATA
AS OF 04-12-1994

* 04-12-1994
* 08:56:30

REGNO.: 04565-059 NAME: KAHL, YORI VON

NEXT PAROLE HEARING DATE.....: 12-01-1994
TYPE OF HEARING.....: STATUTORY INTERIM HEARING
PROJECTED SATISFACTION DATE.....: 02-12-2023
PROJECTED SATISFACTION METHOD...: TWO THIRDS

COMPUTED BY [Signature] 4-13-94
AUDITED BY [Signature] 4/14/94

G0000 TRANSACTION SUCCESSFULLY COMPLETED

BP-S148.055 INMATE REQUEST TO STAFF CDFRM

SEP 98

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

TO: (Name and Title of Staff Member) <i>Mr. Lake (Inmate Systems Manager)</i>	DATE: <i>4-25-02</i>
FROM: <i>Kahl, Yorie</i>	REGISTER NO.: <i>04565-059</i>
WORK ASSIGNMENT: <i>East Yard</i>	UNIT: <i>C-206</i>

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)

Upon my transfer from USP Lewisburg to USP Leavenworth in April, 1994, errors occurred in my record that I would like corrected. Most of my good-time (both statutory and earned) disappeared and my projected release date of 2-12-2013 was changed to 2-12-2023. I have a 15-year parole reconsideration hearing scheduled for July 2002 and, thus, would like these errors corrected as soon as possible. The former Records Manager, Mr. McKenna, had made a note of the mistake regarding the projected release date and told me he was going to correct it, but, apparently, he never did.

*Thank you,
Yorie Yorie Kahl*

(Do not write below this line)

DISPOSITION:

See attached.

Signature Staff Member <i>L. Lake - 15m</i>	Date <i>4/26/02</i>
--	------------------------

Record Copy - File; Copy - Inmate
(This form may be replicated via WP)

This form replaces BP-14
and BP-S148.070 APR 94

Exhibit K



INMATE REQUEST TO STAFF MEMBER

KAHL, Yori Von
Reg. No.: 04565-059
Unit: CL1


This is in response to your Inmate Request to Staff Member dated April 25, 2002, in which you request that your release date be corrected.

I have reviewed your sentence computation and found your release date and good time earned to be correct. Your release date was determined to be accurate as outlined in PS 5880.30, Appendix IV, Page 1, chapter 2.a.(1), which states, "Parolable sentence followed by a consecutive parolable sentence: Eligibility is 2/3 of each sentence added together for an aggregate and then computed from the date computation begins (DCB) of the first sentence, minus all presentence time."

2/3 of Life:	30 Years
2/3 of 15 years:	<u>10 Years</u>
	40 Years
DCB:	06-24-1983
+ 2/3 of Sentence	40 Years
- Jail Credit	<u>131 Days</u>
= 2/3 Date	02-12-2023

Your 2/3 date of February 12, 2023, is correct.

As usual, if you have any other concerns, please bring them to my attention.



 Steven T. Lake, Inmate Systems Manager

4/26/02

 Date

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
**General Counsel for the
 Bureau of Prisons
 Bureau of Prisons Central Office
 320 First Street, N.W.
 Washington, D.C. 20534**

COMPLETE THIS SECTION ON DELIVERY

A. Signal Agent *[Signature]*
 B. Restricted Delivery (Extra Fee) *[Signature]*
 C. Delayed Delivery *[Signature]*
 D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

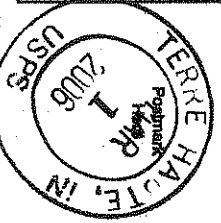
3. Service Type:
 Certified Mail
 Registered
 Insured Mail
 Express Mail
 Return Receipt for Merchandise
 C.O.D.
 4. Restricted Delivery? (Extra Fee) Yes No

2 A 7003 2260 0000 2456 1464
 PS Form 3811, August 2001 Domestic Return Receipt 24CPR-03-2-0993

**U.S. Postal Service™
 CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only. No Insurance Coverage Provided)**

For delivery information visit our website at www.usps.com
Yolanda Hernandez (BIS 420)

Postage	\$ 2.16
Certified Fee	2.40
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.41



Sent To: **General Counsel, B.O.P. / B.O.P. Central Office**
 Street, Apt. No.: **320 First St., N.W.**
 City, State, Zip+4: **Washington, D.C. 20534**
 PS Form 3800, June 2002 See Reverse for Instructions

7003 2260 0000 2456 1464

Exhibit L

(eas/avp) 2002 eunj 008c Form PS D

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.

For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpieces "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.

- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
 - If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.
- IMPORTANT:** Save this receipt and present it when making an inquiry. Internet access to delivery information is not available on mail addressed to APOs and FPOs.

UNITED STATES POSTAL SERVICE

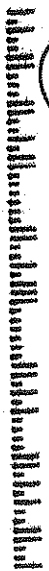


First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Yorie Von Kohl # 04565-059 (B1-120)
 P.O. Box 12015
 Terre Haute, IN. 47801
 (B1)

050



Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-229(13) and BP-230(13), including any attachments must be submitted with this appeal.

From: Kahl, Yorie V. 04565-059 B-1 USP Terre Haute
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL

I mailed my appeal in this case to the Regional Director on January 4, 2006. The Regional office received the same on January 6, 2006. (See Return Receipt, attached). As of the date below, the Regional Director's answer is twentyone (21) days overdue. I have not received such answer nor have I been notified of any extension sought by the Regional Director as mandated by 28 C.F.R. § 542.18, if such extension is intended. Thus, I am considering my appeal to the Regional Director denied pursuant to § 542.18, although I believe it should be considered "waived" as it would be if an inmate failed to comply with the regulations. I adopt my appeal to the Regional Director in full as my appeal herein. The Warden should be ordered to correct my MR/2/3d's date to Feb. 12, 2/28/06 ~~2013~~ immediately.

2/28/06 Yorie Yon Kahl
DATE SIGNATURE OF REQUESTER

Part B - RESPONSE

GENERAL COUNSEL
CASE NUMBER: _____

Part C - RECEIPT

Attachment 2: Page 37

CASE NUMBER: _____

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

SUBJECT: _____

DATE SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL

YORI VON KAHL, 04565-059
TERRE HAUTE USP UNT: B/C QTR: B01-120L
4700 BUREAU ROAD SOUTH
TERRE HAUTE, IN 47802

*Received from
BI Block office
3/14/06 at
7:45 P.M.
Y. V. Kahl*

U.S. Department of Justice
Federal Bureau of Prisons
North Central Regional Office

Regional Administrative Remedy Appeal
Part B - Response

Admin Remedy Number: 396297-R1

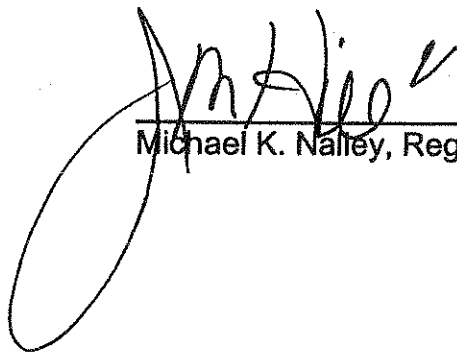
This is in response to your Regional Administrative Remedy Appeal dated January 3, 2006, wherein you claim your projected release date of February 12, 2023, via two-thirds release is miscalculated. For relief, you request the Bureau of Prisons (Bureau) correct your two-thirds date by correctly applying the statute.

We have reviewed your appeal and the response from the Warden dated December 14, 2005. On June 24, 1983, you received a multiple-count conviction and were sentenced to a life term, plus 15 years. Your claim that the Bureau has misapplied Title 18 U.S.C. § 4206(d), since the terms imposed were on one judgment and not on separate judgments is without merit. The Bureau has correctly applied the statute, which requires that two-thirds dates be stacked. Accordingly, the two-thirds/thirty year date of February 12, 2023, is accurate. We find that staff have computed your federal sentence in accordance with all applicable federal statutes and Bureau policy.

Based on the above information, your Regional Administrative Remedy Appeal is denied.

If you are dissatisfied with this response, you may appeal to the Office of General Counsel, Federal Bureau of Prisons, 320 First Street, NW, Washington, D.C. 20534. Your appeal must be received in the Office of General Counsel within 30 days from the date of this response.

2-28-06
Date



Michael K. Nalley, Regional Director

Received from
BI Block Officer
3/14/06 at
7:45 P.M.
y.j. Kuhl

U.S. Department of Justice

Regional Administrative Remedy Appeal

Federal Bureau of Prisons

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

From: Kahl, Yorie V. 04565-059 B-1 Terre Haute USP
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A—REASON FOR APPEAL

Reliance on B.O.P. Program Statement 5880.30, Sentence Computation Manual, July 16, 1993, Appendix IV, p. 1, para. 3, subsection (a)(1) is error. That section applies only to "Parolable sentence followed by a consecutive parolable sentence." It refers to "each sentence." I have one sentence/judgment which includes multiple consecutive "terms." Such sentence including the multiple "consecutive... terms of more than forty-five years" specifically requires that I "shall be released... after serving thirty years." 18 U.S.C. § 4206 (d). "Terms," as used by Congress in the statute, is plural. The B.O.P. is evading the statutory language. I do not have any "sentence followed by a consecutive... sentence." I received the response on January 3, 2006.

1/3/06
DATE

Yorie Von Kahl
SIGNATURE OF REQUESTER

Part B—RESPONSE

... - 6 2006

MAR 2 2006

Received from
B1 Block Office
3/14/06 at
7:45 P.M.
YVKahl

SEE ATTACHED RESPONSE

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 396297-R1

Part C—RECEIPT

Attachment 2: Page 40

CASE NUMBER: _____

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

SUBJECT: _____

REMEDY #396297-F1

PART B - RESPONSE

This is in response to your Request for Administrative Remedy received November 29, 2005, in which you contend that the Two-Thirds date reflected on your sentence computation is in error.

A review of your Judgement and Commitment Order reveals that on June 24, 1983, you were sentenced to a term of LIFE as to Counts 1 & 2, to run concurrently, 10 years as to Counts 5,6,7,8, to run concurrently, but **consecutively** to the LIFE sentence on Counts 1 and 2; 5 years as to Count 9, to run **consecutively to the LIFE sentence imposed on Counts 1 and 2 and the ten year sentence imposed on Counts 5,6,7 and 8**; 5 years as to Count 11, to run concurrently with the sentences imposed on Counts 1,2,5,6,7,8 and 9. Your aggregated term in effect is LIFE plus 15 years.

Title 18 USC 4206(d), states, "Any prisoner, serving a sentence of five years or longer, who is not earlier released under this section or any other applicable provision of law, shall be released on parole after having served two-thirds of each consecutive term or terms, or after serving thirty years of each consecutive term or terms of more than forty-five years including any life term, whichever is earlier: Provided, however, That the Parole Commission shall not release such prisoner if it determines that he has seriously or frequently violated institution rules and regulations or that there is a reasonable probability that he will commit any Federal, State or Local law."

Bureau of Prisons Program Statement 5880.30, Sentence Computation Manual, ("Old Law"-Pre-CCCA-1984), dated July 16, 1993, Appendix IV, page 1, paragraph 3, 2/3 Date Calculation rules, subsection (a)(1), Parolable sentence followed by a consecutive parolable sentence: states, "Eligibility is 2/3 of each sentence added together for an aggregate and then computed from the Date Computation Began(DCB)of the first sentence, minus all presentence time."

Your aggregated term in effect is LIFE plus 15 years. 2/3rds of the LIFE term is 30 years. 2/3rds of the 15 year consecutive term is 10 years, for an aggregated term of 40 years.

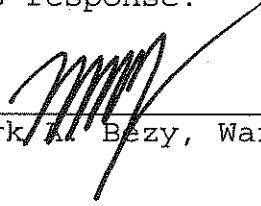
Your Two-Thirds date (February 12, 2023), has been computed correctly and in accordance applicable statutes and Bureau of Prisons Program Statements.

Accordingly, your Request for Administrative Remedy is denied.

If you are dissatisfied with this response, you may appeal to the Regional Director, Federal Bureau of Prisons, Gateway Complex, Tower II, 8th Floor, 4th & State Avenue, Kansas City, Kansas 66101. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

12-14-08

Date



Mark A. Bezy, Warden

RECEIPT - ADMINISTRATIVE REMEDY

DATE: NOVEMBER 30, 2005

FROM: ADMINISTRATIVE REMEDY COORDINATOR
TERRE HAUTE USP

TO: YORI VON KAHL, 04565-059

TERRE HAUTE USP UNIT: D/E

QTR: E02-210L

THIS ACKNOWLEDGES THE RECEIPT OF THE ADMINISTRATIVE REMEDY REQUEST IDENTIFIED BELOW:

REMEDY ID : 396297-F1
DATE RECEIVED : NOVEMBER 29, 2005
RESPONSE DUE : DECEMBER 19, 2005
SUBJECT 1 : OTHER SENTENCE COMPUTATION
SUBJECT 2 :
INCIDENT RPT NO:

U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons

REQUEST FOR ADMINISTRATIVE REMEDY

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: Kahl, Yorie Von 04565-059 E-2 Terre Haute U.S.P.
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

That the erroneous 2/3- mandatory release date of 2/12/2023 placed into my B.O.P. Sentence Computation in April of 1994 be corrected to reflect a 2/3- mandatory release date of 2/12/2013 (i.e., the correct date) pursuant to 18 U.S.C. § 4206 (d). See Cop-Out of 8/30/2005 with documentation attached (26 pages). I have sought correction of this record repeatedly since 1994 when it first appeared. It remains uncorrected and I request it be corrected immediately. Copy of BP-8 (informal resolution) also attached. Thank you.

11/17/2005
DATE

Yorie Von Kahl
SIGNATURE OF REQUESTER

Part B- RESPONSE

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

Attachment 2: Page 44

SE NUMBER: _____

CASE NUMBER: _____

Part C- RECEIPT

Return to: _____

U. S. PENITENTIARY/FEDERAL PRISON CAMP

Terre Haute, Indiana

INFORMAL RESOLUTION FORM

Bureau of Prisons Program Statement 1330.13, Administrative Remedy Procedure for Inmates, states "Inmates shall informally present their complaints to staff, and staff attempt to informally resolve any issue before an inmate files a request for Administrative Remedy."

In keeping with the spirit and intent of Bureau of Prisons Program Statement 1330.13, the following form shall be utilized by staff in attempting to informally resolve an inmate's complaint.

ONLY ONE (1) COMPLAINT SHALL BE PLACED ON EACH FORM

INMATE'S NAME: Yorie Von Kahl REG. NO.: 04565-059 UNIT: E-2

DATE/TIME COMPLAINT RECEIVED FROM INMATE: 11-16-05 1300

NATURE OF COMPLAINT: Repeated attempts to compel B.O.P. staff to correct incorrect mandatory release date calculation pursuant to 18 U.S.C. § 4206(d) is unavailing. See Cop-Out & documents attached. (26 pages).

ACTION TAKEN TO INFORMALLY RESOLVE COMPLAINT: Repeated requests by cop-outs to staff and discussion of problem. Most recent attempts have not resulted in a direct answer in writing.

THE APPLICABLE PROGRAM STATEMENT USED IN THIS INFORMAL RESOLUTION ATTEMPT: _____

INFORMAL RESOLUTION WAS ACCOMPLISHED: _____

INMATE'S SIGNATURE: _____

DATE _____

SIGNATURE INDICATES INMATE'S ACCEPTANCE OF RESOLUTION

SECTION III. (UNIT TEAM REVIEW)

INFORMAL RESOLUTION WAS NOT ACCOMPLISHED: () CHECK BOX

EXPLANATION FOR NON-RESOLUTION: TO BE COMPLETED BY COUNSELOR

This is a repeat filing.

Unable to resolve at this level.

EXTENSION GRANTED ON:

EXTENSION GRANTED BY: _____ NAME AND TITLE

CORRECTIONAL COUNSELOR'S SIGNATURE: *S. Larson, CCC #2* DATE: *11-16-05*

UNIT MANAGER'S COMMENTS, ASSISTANCE, AND REVIEW:

UNIT MANAGER'S SIGNATURE: _____ DATE: _____

DATE ADMINISTRATIVE REMEDY ISSUED: _____

DATE ADMINISTRATIVE REMEDY RECEIVED BACK FROM INMATE: _____

IS DISTRIBUTION:

1. IF COMPLAINT IS INFORMALLY RESOLVED BEFORE BEING RECEIPTED, CORRECTIONAL COUNSELORS SHALL MAINTAIN INFORMAL RESOLUTION FORM FOR FUTURE REFERENCE.
2. IF COMPLAINT IS NOT INFORMALLY RESOLVED, FORWARD ORIGINAL INFORMAL RESOLUTION FORM, ATTACHED TO ADMINISTRATIVE REMEDY, TO

SEP 98

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

TO: (Name and Title of Staff Member) <i>Mr. Barnett/Inmate Systems Manager</i>	DATE: <i>8/30/05</i>
FROM: <i>Yorie Von Kahl</i>	REGISTER NO.: <i>04565-059</i>
WORK ASSIGNMENT: <i>Red Corridor</i>	UNIT: <i>E-2</i>

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)

On 7/28/05 I submitted a cop-out to you requesting (1) a correction respecting my two-thirds/mandatory release date and (2) records stating I am an associate of Posse Comitatus. You answered my request on 8/4/05 and I received a copy thereof on 8/10/05. I felt you misconstrued part of my request and re-submitted a more detailed request to the Warden on 8/13/05. My 8/13/05 request apparently has bounced back and forth between you and my Unit Team. After personal discussion with my Unit Manager, Mr. Ramer, I agreed to terminate that request and seek independent correction of the inaccuracies I am alleging in my B.O.P. records. Mr. Ramer advised that any error alleged regarding my two-thirds/mandatory release date

(continued on separate page)

(Do not write below this line)

DISPOSITION:

Signature Staff Member	Date
------------------------	------

Record Copy - File; Copy - Inmate
(This form may be replicated via

Attachment 2: Page 47

es BP-148.070 dated Oct 86
APR 94



(continued)

should be addressed to you.

My two-thirds/mandatory release date is 2/12/2013. B.O.P. records beginning in April of 1994 show my two-thirds/mandatory release date as 2/12/2023.

You previously noted in your response to my initial request (signed by Warden Bezy on 8/4/05) (copy attached) that I

currently have a Public Safety factor of Sentence length applied due to your sentence length.

Thereafter, you stated:

Your Two Thirds Date has been calculated correctly as you were sentenced to a Life Sentence and Two Thirds of Life is 30 Years. You were also sentenced to a 15 Year Consecutive Sentence and Two Thirds of 15 Years is 10 Years. This gives you a total of 40 years.

This statement does not resolve my complaint. My complaint is that a total of 40 years (to borrow your language) resulting in a two-thirds/mandatory release date of 2/12/2024 (a date altered and adding 10 years to my release date in April of 1994 is inaccurate and simply wrong).

I am submitting certified copies of various B.O.P. and U.S. Parole Commission records which were filed in the U.S. District Court for the District of Kansas on June 7, 2005 in Case No. 5:04-cv-03418-RDR by and on behalf of the United States and the United States Attorney General. Specifically, the caption and signature pages of the responsive pleading, Multiple Document listing page, Attachment A pp. 1-4, 6-10, 13-14, 17-18 and 20 of 22 (Part 1); 1-2 of 20 (Part 2) are attached herewith.

You will notice that the B.O.P.'s Sentence Computation Data read-out of 9/19/1983 expressly shows my two-thirds mandatory release date to be 2/12/2013. See Attachment A, supra, p. 6 of 22.

Inmate Request to Staff, to Mr. Barnett, ISM, 8/30/05, page 3
(continued)

Also, attached herewith you will find the B.O.P.'s Custody Classification Form read-out of 2/25/1993. It clearly shows 249 months remaining on my sentence length.

Attached herewith you will find the B.O.P.'s Custody Classification Form read-out of 7/20/1994 showing a 10-year increase in my sentence length to release, namely, 346 months remaining to release.

This alteration in my sentence length (two-thirds/mandatory release) occurred in April of 1994 following an administrative transfer from Lewisburg USP (Lewisburg, Pa.) to Leavenworth USP (Leavenworth, Ks.). I complained at the time to the then-records officer at Leavenworth USP, who admitted an error occurred, but have been unable to get the matter corrected.

You will notice in the Attachment A documents filed by the United States and the United States Attorney General, supra, that the U.S. Parole Commission has consistently calculated my two-thirds/mandatory release date as 2/12/2013. See id., pp. 9, 13, 17, 18, 20 of 22 (Part 1) and p. 1 of 20 (Part 2).

At my parole hearing of 6/22/88, I expressly requested the parole examiners to calculate my mandatory release date, which they did. They personally told me (after calculation in my presence) that I would be released in the worst case scenario after serving 30 years. They also recorded the calculation in writing, which stated:

On [Kahl's] life plus 15 year sentence, subject will serve at most 30 years, the two-thirds point of the aggregate term.

Id., p. 18 of 22 (Part 1).

It appears to me that whoever has calculated my two-thirds/mandatory release date for the B.O.P. since April of 1994 has unaggregated the terms of my sentence.

Title 18 U.S.C. § 4206(d) applies a 30-year two-thirds/mandatory release date to any sentence involving a consecutive term or terms of 45 years or more.

Inmate Request to Staff, To Mr. Barrett, ISM, 8/30/05, page 4

Title 18 U.S.C. § 4161 requires aggregation for good-time credits and Title 28 C.F.R. requires the same aggregation for administration determination's. See 28 C.F.R. § 2.5 (1995 ed.).

Clearly then, current B.O.P. records reflecting my two-thirds/mandatory release date as 2/12/2023 are in error. The correct date is 2/12/2013.

Please correct this error promptly. And, please return a copy of this cap-out with your response.

Thank you,

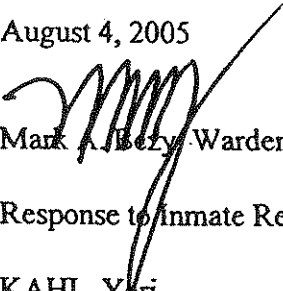
Yvonne Kahl



U.S. Department of Justice

Federal Bureau of Prisons

United States Penitentiary
Terre Haute, Indiana

Date: August 4, 2005
Reply To: 
Attn Of: Mark A. Bezy, Warden
Subject: Response to Inmate Request
To: KAHL, Yori
Reg. No. 04565-059

This is in response to your letter dated July 28, 2005, in which you state that you have been incorrectly classified due to your Two Thirds Release Date has been miscalculated and due to the courts believing that you are a member of the Posse Comitatus.

A review of your case has been conducted. You are correctly classified as a High security level inmate with MAX. You currently have a Public Safety Factor of Sentence Length applied due to your sentence length. Your Two Thirds Date has been calculated correctly as you were sentenced to a Life Sentence and Two Thirds of Life is 30 Years. You were also sentenced to a 15 Year Consecutive Sentence and Two Thirds of 15 Years is 10 Years. This gives you a total of 40 Years. You have continuously been in custody since February 13, 1983. If you add 40 years to this date, it gives you a Two Thirds date of February 12, 2023.

Additionally, you will need to contact the United States District Court of North Dakota to contest the statement that you are a member of the Posse Comitatus as the Bureau of Prisons is not authorized to strike this from your court records.

Received in
institution mail
@ 3:45 P.M.
8/10/05
Yori Kahl

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

YORIE VON KAHL and
LEONARD PELTIER,

Petitioners,

vs.

UNITED STATES and the
UNITED STATES ATTORNEY GENERAL,

Respondents.

)
)
)
)
)
)
)
)
)
)

Case No. 04-3418-RDR

**OPPOSITION TO
PETITION FOR WRIT OF HABEAS CORPUS**

The respondents, the United States and the United States Attorney General, by and through Eric F. Melgren, United States Attorney for the District of Kansas, and Jackie A. Rapstine, Assistant United States Attorney, in Opposition to the Petition For Writ of Habeas Corpus, state as follows:

1. Respondents deny each and every material allegation contained in the Petition, except as hereinafter may be expressly and specifically admitted.

2. Respondents admit petitioners are incarcerated at the United States Penitentiary, Leavenworth, Kansas ("USP Leavenworth"), but deny that such incarceration is unlawful or unjust.

3. In support of the factual allegations contained herein, respondents incorporate the following attachments:

Attachment A: Certificate of Pamela A. Posch, Attorney, U.S. Parole Commission, with Exhibits 1 and 2 attached thereto.

Attachment B: Letters to Congress from the Department of Justice.

WHEREFORE, for the foregoing reasons, petitioners' application for a writ of habeas corpus must be denied.

Respectfully submitted,

THOMAS F. MELGREN
United States Attorney

s/ Jackie A. Rapstine

JACKIE A. RAPSTINE # 11625
Assistant United States Attorney
444 S.E. Quincy, Suite 290
Topeka, Kansas 66683-3592
Tele: 785/295-2850
Fax: 785/295-2853
E-mail: Jackie.Rapstine@usdoj.gov
For the Respondents

CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of June, 2005, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to the following ECF participants in this case:

B. Kay Huff
khuff@1040nh.com

Barry A. Bachrach
bbachrach@dowditch.com

Attorneys for Petitioners

s/ Jackie A. Rapstine

JACKIE A. RAPSTINE # 11625
Assistant United States Attorney

Document Selection Menu

Multiple Documents

Select the document you wish to view.

Part	Description	
1	Main Document	14 pages
2	Attachment A, Exhibit 1, Part 1	22 pages
3	Attachment A, Exhibit 1, Part 2	20 pages
4	Attachment A, Exhibit 2, Part 1	18 pages
5	Attachment A, Exhibit 2, Part 2	24 pages
6	Attachment A, Exhibit 2, Part 3	34 pages
7	Attachment B	9 pages

ATTACHMENT A

CERTIFICATE

I, Pamela A. Posch, Attorney in the Office of the General Counsel for the United States Parole Commission, with offices at 5550 Friendship Boulevard, Chevy Chase, Maryland 20815, hereby certify that the attached exhibits are true and accurate copies of the documents found in the parole files of Yorie Von Kahl, Reg. No. 04565-059 and Leonard Peltier, Reg. No. 89637-132, reviewed by me on the date noted below.

IN WITNESS WHEREOF, I have signed this the 2nd day of June 2005, and have affixed the seal of the United States Parole Commission.



A handwritten signature in cursive script that reads "Pamela A. Posch".

PAMELA A. POSCH

Attorney

U.S. Parole Commission

Exhibit 1

YORIE VON KAHL
REG. NO. 04565-059

REPORT PAGE 002 OF 002 *

EXPERIENCE COMPUTATION DATA

* 09-19-1984
* 11-19-15

REGISTER NO: 04565-059 NAME: KAHL YORI VON

REMARKS: 10 YRS EA ON CTS 5,6,7,8 CONC BUT CONSEC TO CTS 1&2; 5 YRS EA ON CTS 9&11 CONC BUT CONSEC TO CTS 1,2,5,6,7,8 FOR A TOTAL OF LIFE + 15 YRS UNDER 4205(B)(2).

JUDGMENT/OBLIGATIONS USED IN THE FOLLOWING COMPUTATION ARE: 010 010; 010 020;

TOTAL TERM NOW IN EFFECT.....	: LIFE	TOTAL JAIL CREDIT..	: 131
TOTAL TERM IN EFFECT CONVERTED....	: LIFE	TOTAL INOP TIME....	: 0
AGGREGATED MINIMUM TERM.....	: N/A	PAROLE ELIGIBILITY:	: COMM DISCR
AGGREGATED SPECIAL PAROLE TERM....	: N/A	STATUTORY RELEASE..	: N/A
STATUTORY GOOD TIME RATE.....	: N/A	EXPIRES FULL TERM..	: LIFE
STATUTORY GOOD TIME TOTAL.....	: 0		
SENTENCE BEGAN OR WARRANT EXECUTED:	: 06-24-1983		
TWO THIRDS OR THIRTY YEARS.....	: 02-12-2013		
EXPIRES FULL TERM LESS 180 DAYS...	: N/A		

*two-thirds mandatory release date 2/12/2013
as of 9/19/1983
gV Kahl 8/29/05*

60000

TRANSACTION SUCCESSFULLY COMPLETED

of

INITIAL HEARING SUMMARY

Cassette No. _____

Name: KAHL, Yorie Severity Category: Eight SFS: 9

Reg. No.: 04565-059 Guideline Range: 100 + months

Institution: Bastrop Recommended release: 10 year reconsideration hearing

Hearing Date: 6-19-84 after service of _____ months.

Hearing Panel: MOSS/SLAUGHTER

I. The panel has discussed the prisoner's severity rating, salient factor score, and the guidelines with the prisoner. The subject admitted the factual basis of these items.

Mr. Kahl did indicate that he has his conviction on appeal and questioned some of the information as outlined in the pre-assessment. He indicated that the warrant the U. S. Marshal's had in hand for his father allegedly was questionable in that the Marshal stated at the trial the warrant had been issued because the father had failed to make a specific report to a probation officer.

He further indicated that at the time the incident at the roadblock occurred that the United States Marshals did not properly identify themselves and he and the group with which he was associated felt that they had to defend themselves against these individuals. He stated the Marshals were not in uniform, they were not driving marked vehicles and did not properly identify themselves.

Concerning specific questions asked by the panel members Mr. Kahl indicated that he did not desire to answer them based on the fact that his case is on appeal and only applied for parole at this time because he did receive a (B)(2) sentence.

It was explained to Mr. Kahl that any erroneous information in the presentence report would have to be corrected through court order and he indicated that he was working on that situation also.

II. Modifications/Additions/Corrections from Prehearing Assessment: None

III. INSTITUTIONAL FACTORS:

(a) Discipline: Mr. Kahl has not been involved in any misconduct reports during his 16 month period of incarceration.

(b) Program Achievements: He is employed as a food preparer in the Food Service Department at this institution.

IV. FINES/RESTITUTIONS: None

V. RELEASE PLANS: Due to the length of his sentence, life plus 15 years, this individual has not formalized any release plans at this point.

VI. REPRESENTATIVE: Waived

B

KAHL, Yorle

Reg. No. 04565-059

Page 2.

VII. EVALUATION:

The applicable guideline range is 100 plus months. The panel notes this subject, his father and other were involved directly in the deaths of two United States Marshals and the wounding of three others. He is identified as the individual firing the first shot that fatally wounded one of the Marshals. Although convicted by jury trial on all counts of this indictment, Mr. Kahl indicates it was more a set of circumstances involving self defense than murder. When asked how he could explain his involvement in this behavior, he said that was like asking how are you involved in an automobile accident, it just happened.

Subject indicated he understood the offense severity, Category eight and the rationale thereof. He does have his conviction on appeal at this time and did not want to answer specific questions. His rationale for applying for parole at this time was because he received a (B)(2) sentence.

The panel view subject's behavior as very grave and since his sentence exceeds a 45 year period, it will be referred for Regional Jurisdiction consideration.

VIII. PANEL RECOMMENDATION:

1. Refer to Regional Commissioner for Regional Jurisdiction consideration.
2. Continue to a ten year reconsideration hearing.

TM:rb 6/25/84

PRE-HEARING ASSESSMENT

Institution: _____

Name: KAHL, Yorie Reg. No. 04565-059

Date of Birth: _____59 Months in Custody: 16 as of 6-1-84

Sentences(s) Length/Type: Life Parole Eligibility Date: (b)(2)

[XX Two-Thirds] [Stat. MR] Date: 2-12-2013

Detainer: [No] [Yes]

Fines/Restitution: [No] [Yes] Reviewer: WIGGINS Date: 6-6-84

I. PRESENT OFFENSE:

(a) The prisoner was convicted by jury trial of: Murder of Federal Officers, Aiding and Abetting; Assault & Impede Federal Officers and Law Enforcement Officers, Aiding and Abetting; Harbor/Concealing a Fugitive, Aiding and Abetting; and Conspiracy to Assault.

(b) File material indicates that as of February 13, 1983, a Federal probation violation warrant was outstanding for subject's father, Gordon Kahl, a tax protestor. Gordon Kahl at the time was a member of the Posse Comitatus, a militant anti-tax group with strong political/religious/racial beliefs. A portion of these beliefs stressed that the graduated Federal Income Tax was the second plank of the Communist Manifesto, et cetera. On February 13, 1983, a County Deputy Sheriff named Bradley Kapp spotted a vehicle believed to be utilized by Gordon Kahl and established surveillance outside a medical clinic at Medina, North Dakota. A meeting was apparently conducted during the afternoon of February 13, 1983 in the clinic attended by numerous individuals with tax persuasions similar to those of Gordon Kahl.

After Officer Kapp established surveillance he contacted U. S. Marshals for back-up. Ultimately Deputy U. S. Marshals Chesire and Hopson arrived from Bismarck, North Dakota and grouped with Deputy Sheriff Kapp in maintaining surveillance. U. S. Marshal Muir and Deputy U. S. Marshal Wigglesworth arrived on the scene from Fargo, North Dakota and were joined by Medina Police Officer Schnabel approximately one mile north of Medina where a roadblock was established. Ultimately the Gordon Kahl group left the meeting at the medical center in two vehicles travelling north. Individuals in the Gordon Kahl group included subject, Kahl's wife Joan, and codefendants Eaul, Broer, and Wegner. Apparently, when the Kahl group noticed the road block, they turned into the driveway of a farm in an attempt to reverse the direction of their travel. At about the same time, a dodge charger truck occupied by Deputy U. S. Marshals Chesire and Hopson, as well as Deputy Sheriff Kapp, arrived at the scene and blocked the road. Apparently U. S. Marshal Muir, Deputy U. S. Marshal Wigglesworth and Medina Police Officer Schnabel then converged on the scene.

The presentence report indicates that in the context described above, the Marshals identified themselves as law enforcement officers and advised all parties that they had a warrant for the arrest of Gordon Kahl. At the time it appears that most, if not all, members of the Gordon Kahl group were armed, many with mini-rifles containing military-type ammunition. After approximately nine minutes it is indicated that subject fired the first shot fatally wounding U. S. Deputy Marshal Chesire. After a few seconds of no action, a gun battle took place. Deputy U. S. Marshall Hopson was wounded in the head and Deputy Sheriff Kapp was shot in the right hand. U. S. Marshal Muir was killed, apparently from shots fired by codefendant Faul and subject. Medina Police Office Schnabel received a flesh wound to the thigh. Subject was the only perpetrator shot and he received an abdominal wound. Apparently, the Kahl party after

KAHL, Yorie
Reg. No. 04565-059

Pre-Hearing Assessment
Page 2.

the gun battle regrouped themselves and left the scene in vehicles, including Police Officer Schnabel's police cruiser. The presentence report indicates that as the group was leaving the scene, Gordon Kahl executed Deputy U. S. Marshal Chesire by shooting an additional round into his body.

Available reports indicates that codefendant Wegner and subject's mother Joan Kahl remained in a car during the shooting, apparently in an attempt to avoid being shot themselves.

After the above described gun fight, subject was taken to a local hospital for treatment. He was arrested the following day. His father managed to successfully escape from the area and was later killed during a shootout at Walnut Ridge, Arkansas on June 3, 1983.

In terms of victim impact it is recognized that two individuals were killed in the above described gun battle. Deputy U. S. Marshal Hopson sustained a bullet wound to the right side of his head which impacted upon his coordination muscular movement. As of the summer of 1983 he was described as not fully recovered from injuries, as having complete hearing loss in the right ear, continuing to suffer blurred vision, speech imbalance difficulties, and inability to fully coordinate the use of his right arm and hand. It is indicated that treatment therapy will continue for an indefinite period. Deputy Sheriff Kapp lost the index finger of his right hand as a result of his wound. Police Officer Schnabel's injury was a superficial flesh wound to the thigh.

(c) The offense behavior is rated as Category eight severity because it involved murder.

The number of victims involved in the instant offense behavior, and the nature of injuries sustained, are aggravating factors.

II.. SALIENT FACTOR SCORE:

- A=(3) Subject has no prior convictions.
- B=(2) Subject has no prior commitments of more than 30 days that were imposed prior to the last overt act of the current offense.
- C=(1) Subject was 23 years old at the commencement of the current offense and does not have five or more prior commitments.
- D=(1) Subject has no prior commitments.
- E=(1) Subject is not a Probation/Parole/Confinement/Escape Status violator.
- F=(1) Subject does not have a history of Opiate Dependence.

(10) = Total Score

REVIEW SUMMARY

CASSETTE NUMBER: 41821P

NAME: Kahl, Yorie Von HEARING TYPE: Statutory Interim
REGISTER NO: 04565-059 (TWO-THIRDS) OR STATUTORY MR DATE: 2-12-2013
INSTITUTION: Lewisburg FULL TERM DATE: life
HEARING DATE: 6-18-86 PANEL: Kruger/Weeks

PREVIOUS COMMISSION ACTION:

Subject is serving an indeterminate life plus 15 years for murder or manslaughter of US official. He has now been in custody 40 months. He had his initial hearing at Bastrop in late June, 1984 because of the length of term (life) and because of the unusual national notoriety of his offense, his case was referred for original jurisdiction treatment. By notice of action dated July 20, 1984, the National Commissioners continued to a 10 year reconsideration hearing in June, 1994 based on category eight severity, salient factor 9, in custody then 10 months, adult guidelines of 100 plus months and the decision rendered was not outside the guidelines but included a statutory interim hearing during June, 1986 which the instant hearing represents.

Because of changes in the Commission's regulations, he was informed that today's hearing would result in either a presumptive date falling within the next 15 years or a 15 year reconsideration hearing in June, 2001. Although subject was not aware of that change in the regulations, he elected to proceed with the review hearing today. He had previously waived both disclosure and representation.

Reviewing authorities are referred to an excellent prehearing assessment by Examiner Wiggins of June 6, 1984 which describes an armed confrontation between a group of tax protesters led by subject's father, Gordon Kahl, and a group of law enforcement officers including US Marshals on the afternoon of February 13, 1983 in a rural area in the state of North Dakota. During this confrontation, two US Marshals were killed and several others were wounded, one receiving injury to his coordination of muscular movement. Subject was the only one of the tax protester group that was injured, receiving serious wounds to his abdomen which resulted in the loss of a kidney and gall bladder and some other internal injuries.

During today's hearing, subject did not accept responsibility for any role in the death of law enforcement officials claiming that he has thought over this issue many times previously. He expressed that the Marshals and other law enforcement officials hinted that there be an armed confrontation as they came after subject's father with "swat teams" and being heavily armed. He also quarrels with the term "peers" when it was suggested to him that he was convicted of this crime in a courtroom by a jury of his peers. He states that the dictionary definition of "peers" is like-minded people and it was obvious to him that the jurors did not maintain views similar to that of the tax protesting group.

D

KARL, Yorie Von
Reg. No. 04565-059
Page 2

The panel finds no change in the guideline framework which attached to this case at the initial hearing in June, 1984. This is a category eight offense because it involved murder and subject has a salient factor score of 9 point with a minimum guideline of 100 plus months.

CODEFENDANTS:

No new information.

INSTITUTIONAL ADJUSTMENT AND RELEASE PLANS:

According to the progress report of May 29, 1986, subject has made a very good institutional adjustment, including clear conduct, first pay grade status in the tool and dye apprenticeship program for the past 22 months, through action in a mature and positive manner in all phases of institutional life the unusual wrinkle that subject refused to apply for a social security number that being against his tax protesting philosophy. He has no release plans presently formulated, considering that to be premature. He has requested that his wife be removed from his visiting list. They are divorced and subject is receiving visits from a female pen pal living in California. No particular aftercare services seem required.

REPRESENTATIVE:

Waived.

EVALUATION:

At the age of 26, Kahl is serving his first conviction and commitment for his role in an armed confrontation with law enforcement officials in February, 1983, those officials attempting to apprehend his father who led a tax protesting group in North Dakota. This group was known as the Posse Comitatus and was a militant anti-tax group with strong political/religious/racial beliefs, which subject appears to maintain. During the interview, he stated that he adhered to most of his father's tax philosophy. During the armed confrontation, two US Marshals were killed and other law enforcement officials were shot and seriously injured, sustaining permanent damage. On his life plus 15 year sentence, Kahl can serve at most 30 years which the Bureau computes to be the two-thirds point of his aggregate term.

First, the panel refers to the Regional Commissioner for original jurisdiction consideration on the basis of notoriety and length of sentence. Second, the panel reaches the ultimate recommendation to continue for a 15 year reconsideration hearing because in June, 2001, Kahl will have served about 18 years 4 months and the panel does not feel that is an excessive sanction for the instant very serious and aggressive offense behavior.

RECOMMENDATION:

Refer to Regional Commissioner for original jurisdiction consideration.
Continue to a 15 year reconsideration hearing in June, 2001.

Shilo Brewer
6/7/86

REVIEW SUMMARY

CASSETTE NUMBER: 49838

NAME: KAHL, YORI VON HEARING TYPE: STATUTORY INTERIM
REGISTER NO: 04565-059 TWO-THIRDS OR STATUTORY MR DATE: 2/12/2013
(AFTER THE SERVICE OF 30 YEARS)
INSTITUTION: LEWISBURG FULL TERM DATE: LIFE
HEARING DATE: 6/22/88 PANEL: KRUGER/LINDSEY
DISCLOSURE DATE: WAIVED

PREVIOUS COMMISSION ACTION:

Subject is serving an indeterminate sentence of life plus 15 years for Murder or Manslaughter of U.S. Officials. He has been in custody 64 months and about 10 days. He had two previous hearings, each time being considered under original jurisdiction with the last decision dated July 17, 1986, to continue for a 15 year Reconsideration Hearing in June, 2001. The salient factor score was nine, the severity rating was eight and the original guideline range was 100 plus months. Subject was never advised of a reason why the original decision was more than 48 months above the floor of 100 plus months and that language is included on today's parole/reparole guideline worksheet. The last ~~decision included a Statutory Interim Hearing during June, 1988, which the~~ instant hearing represents.

Reviewing Authorities are referred to an excellent Prehearing Assessment by Examiner Wiggins, dated June 6, 1984, and a Statutory Interim Hearing Summary by Examiner Kruger, dated June 18, 1986, both of which describe an armed confrontation between a group of tax protesters led by subject's father and a group of law enforcement officers on the afternoon of February 13, 1983, in a rural area in North Dakota. During this confrontation, two U.S. Marshals were killed and several others were wounded, one receiving injury to his coordination of muscular movement.

Today, subject stated on the record that he was still of the same tax protesting frame of mind that produced the deadly confrontation between the group known as the Posse Comitatus and the government agents on February 12, 1983.

F-1

CODEPENDANTS:

Scott Faul is serving life plus 15 years at Leavenworth and reportedly has not appeared before the Parole Commission yet.

David Brouer is serving 10 years reportedly at the Medical Center for Federal Prisoners in Springfield, Missouri.

Vernon Wegner reportedly received probation.

INSTITUTIONAL ADJUSTMENT AND RELEASE PLANS:

According to the Progress Report of June 20, 1988, subject has made a very good institutional adjustment including clear conduct, assignment to inside sanitation after outstanding performance in the tool and dye program, positive interaction with unit team, work supervisors and quarters officers, and no current formal educational programming. Subject has not formulated any release plans but expects that he will locate in the mid-West somewhere and seek suitable employment. No particular aftercare services seem required.

Subject asked two questions, number one, regarding the significance of an indeterminate or b-2 sentence and number two, whether the panel members were "Masons". He implied that he may have experienced prejudice from the sentencing judge who was a Mason because one of the U.S. Marshals slaughtered in this confrontation was a Mason. The panel members declined to answer such a personal question.

REPRESENTATIVE:

Waived.

EVALUATION:

At the age of 28, Kahl continues serving his first conviction/commitment for his role in an armed confrontation with law enforcement officials in February, 1983, those officials attempting to apprehend his father, Gordon, who led a tax protesting group in North Dakota. On his life plus 15 year sentence, subject will serve at most 30 years, the two-thirds point of the aggregate term.

The panel again refers for original jurisdiction consideration on the basis of notoriety and length of sentence (life plus 15 years). Second, despite a very good institutional adjustment, the panel sees no current justification for improving on the last official decision of this case, noting that subject will have served about 18 years and four months at the scheduled Reconsideration Hearing in June, 2001. The panel does not feel that amount of custody is an excessive sanction for the instant very serious and aggressive crime.

RECOMMENDATION:

Refer to Regional Commissioner for Original Jurisdiction Consideration.

No Change in Continuance for a 15 Year Reconsideration Hearing in June, 2001.

I hereby certify the foregoing to be a true and correct transcript of the recording made of the interview at the time, place and on the occasion indicated.

NO INFORMATION REGARDING THIS PRISONER WILL BE DISCUSSED WITH ANY PERSON OTHER THAN AUTHORIZED REPRESENTATIVES OF THE DEPARTMENT OF JUSTICE.

Angela Mastalaki June 30, 1988

CASSETTE NUMBER: _____

NAME: Kahl, Yorie HEARING TYPE: SIH
REGISTER NO: 04565-059 TWO-THIRDS OR STATUTORY MR DATE: 2/12/2013
INSTITUTION: Lewisburg FULL TERM DATE: Life
HEARING DATE: 6/20/90 PANEL: Johnston/Newman

PREVIOUS COMMISSION ACTION:

By notice of action dated 7/28/88 the decision in subject's case was that there be no change in continuance for a 15 year reconsideration hearing in June of 2001. The reasons therefore was category eight severity because it involved murder. The salient factor score was 9. Subject had been in custody at that time for a period of 64 months. The guidelines established of 100 + months to be served for cases of good institutional adjustment and program achievement plus months to be served for cases of good institutional adjustment and program achievement. After review of all relevant factors and information presented, the decision outside the guidelines at this consideration is not found warranted. A decision more then 48 months above the minimum guideline range is warranted because it involved murder of 2 government agents and crippling injuries to other government agents. As required by law, he also had been scheduled for a SIH hearing during 6/90. That brings us up to date.

CODEFENDANTS:

See PSI.

INSTITUTIONAL ADJUSTMENT AND RELEASE PLANS:

Subject has been confined for 85 months on his life plus 15 year term. He has remained free of any type of misconduct all during the 7 years of incarceration and has compiled a generally satisfactory work reports first from UNICOR and more recently from his yard detail position. Subject states that after 3 years in UNICOR he began to feel the stress of continuing to that type of employment and asked to be relieved from UNICOR and was then placed on the yard detail as described above.

There are no release plans made in this case as it is clearly evident that subject will serve a considerable period of time.

FINES AND RESTITUTION:

None.

REPRESENTATIVE:

Subject had representation in the person of Gerald Maxem McLamb. Mr. McLamb is a retired training officer of the City of Phoenix Arizona Police

6-1

REVIEW SUMMARY

NAME: KAHL, Yori Von
REG. NO.: 04565-059
INSTITUTION: USP Lewisburg
DATE: 12/1/92

HEARING TYPE: S.I.H.
2/3 or STAT MR DATE: 2/12/2013
(whichever comes first)
FULL-TERM DATE: Life
PANEL: Essex/Tenney

I. PREVIOUS COMMISSION ACTION: Please refer to the pre-hearing assessment dated 5/27/92 prepared by Examiner Chait for that information.

II. CODEFENDANTS: Scott Faul - Life; per subject, he his at Oxford. David Broer - per subject, 10 year sentence; continue to expiration. Vernon Wagner - per subject, received probation.

III. INSTITUTIONAL ADJUSTMENT AND RELEASE PLANS: The progress report dated November 1992 reflects an overall positive adjustment throughout subject's period of incarceration which is now 118 months. The progress reports shows that he has not received any misconduct reports. The file/progress report information shows that subject participated in ABE, vocational training, the GED Program and a group correctional counseling program. It shows that he withdrew from the GED Program after having been credited with 92 hours of study because he did not complete social security information. Subject is described as not being a management problem and his mental and physical health are described as being good.

Subject is currently assigned to a Yard Detail where he polices the outside yard areas of the institution. Previous job assignments include being an orderly and also working in the Unicorn Tool and Dye Program where he received average to better than average work reports. He also worked in Food Services while at FCI Bastrop.

Subject participated in the basic apprenticeship training program in the Tool and Dye Department completing several thousand hours of experience. He received a certificate of completion of his many hours as a machinist. The file shows that he received his GED Diploma in November 1990. Subject's relationship with staff is described as being positive. This is evidenced by the fact that he has no misconduct reports.

IV. FINES/RESTITUTION/COURT ASSESSMENT: N/A

V. REPRESENTATIVE: Waived.

VI. EVALUATION: Guidelines computed at the most recent hearing were 100 plus months based upon a SPS of 9 and offense severity of Category Eight involving aiding and abetting 2 murders. Guidelines were re-computed at today's hearing and they are unchanged. Therefore, the major issue at today's hearing becomes whether or not there is justification for an earlier recommendation based upon new information or information developed at today's hearing. Subject admitted that he had no new information that would cause his guidelines to change.

117

KAHL, Yori Von

Superior Program Achievement (SPA) guidelines are 0-18 months. The panel has reviewed all available information in this case and it finds that there is none that would mitigate subject's involvement in the crimes. Specifically, he was involved in the murders of 2 U. S. Marshals Deputies. Additionally, at least 2 other law enforcement employees were injured during the confrontation that resulted in the death of the 2 Deputy U. S. Marshals. In view of the fact that 2 law enforcement authorities were murdered, the panel is of the opinion that no relief should be granted at today's hearing. The panel is well aware of the fact that subject has been in continuous custody for 118 months.

Panel members note that subject was very cordial and cooperative at today's hearing. However, because of the seriousness of the base behavior, the panel recommends no change in the decision to continue for a 15 year reconsideration hearing in June 2001.

VII. RECOMMENDATION:

- (1) Refer to the Regional Commissioner for original jurisdiction consideration;
- (2) No change in 15 year reconsideration date (6/2001).

REE:LRW
12/15/92

LEWK2 606.00 *
PAGE 001 OF 001

CUSTODY CLASSIFICATION FORM

* 02-25-1993
13:25:37

A) REG NO.: 04565-0
NAME: KAHL, YORZ VON
SEN LIMT: NONE
PUB SFTY: GRT SVRTRY.FIREARMS,SENT LSTH
MTH DATE: 08-23-1992
ORG: NER
MGMT VARIABLE: SECURITY

B) DETAINER: (0) NONE
LENGTH: (5) 84 PLUS M (MOS) 249
ESCAPES: (0) NONE
PRECOMMT: (0) N/A
SEVERITY: (7) GREATEST
PRIOR: (0) NONE
VIOLENCE: (0) NONE

C) TIME SERVED: (4) 26-75%
MENTAL STABILITY: (4) FAVORABLE
FREQ DISCIP RPT: (3) NONE
FAMILY/COMMUN: (4) GOOD
DRUG/ALC INVOLV: (4) NEVER
TYPE DISCIP RPT: (5) NONE
RESPONSIBILITY: (4) GOOD

--- LEVEL AND CUSTODY SUMMARY ---

BASE SCORE	CUST SCORE	VARIANCE	SEC TOTAL	SEC LEVEL	CUSTODY	CONSIDER
+12	+28	-4	+8	MEDIUM	IN	DECREASE

0005 TRANSACTION SUCCESSFULLY COMPLETED - CONTINUE PROCESSING IF DESIRED

*Months remaining to mandatory release
date of 2/12/2013 as of
2/25/1993*

*YJ Kahl
8/29/05*

LVNF6 606.00 *
PAGE 001 OF 001

CUSTODY CLASSIFICATION FORM

07-20-1994
13:53:02

(A) REG NO.: 04565-059 FORM DATE: 04-26-1994 DRG: LVN
NAME: KAHL, YORI VON
SEN LIMIT: NONE MGMT VARIABLE: NONE
SUB SFTY: GRT SVRTY, SENT LBTH

B) DETAINER: (0) NONE SEVERITY: (7) GREATEST
LENGTH: (5) 94 PLUS M (MOS) 346 PRIOR: (0) NONE
ESCAPES: (0) NONE VIOLENCE: (0) NONE
PRECOMNT: (0) N/A

(C) TIME SERVED: (4) 26-75% DRUG/ALC INVOLV: (4) NEVER
MENTAL STABILITY: (4) FAVORABLE TYPE DISCIP RPT: (0) GREATEST
FREQ DISCIP RPT: (3) NONE RESPONSIBILITY: (0) POOR
FAMILY/COMMUN: (4) GOOD

--- LEVEL AND CUSTODY SUMMARY ---

BASE SCORE	CUST SCORE	VARIANCE	SEC TOTAL	SEC LEVEL	CUSTODY	CONSIDER
+12	+9	+1	+13	HIGH	IN	INCREASE

00005 TRANSACTION SUCCESSFULLY COMPLETED - CONTINUE PROCESSING IF DESIRE

you have 13 points, but you are a High Security level inmate solely because you have more than 300 months before your current projected release date. When the months fall to 299, you will become a Medium.

*J. Ashu
7-20-94*



**U.S. Department of Justice
Federal Bureau of Prisons**

North Central Regional Office

Office of the Regional Director

*400 State Avenue
Tower II, Suite 800
Kansas City, KS 66101*

January 24, 2006

Mr. Barry A. Bachrach
Bowditch & Dewey Attorneys
311 Main Street
P. O. Box 15156
Worcester, MA 01615

RE: KAHL, Yori Von
Reg. No. 04565-059

Dear Mr. Bachrach:

This is in response to your letter dated November 4, 2005, in which you state the letter is being submitted as an administrative appeal on behalf of Mr. Kahl, for the erroneous calculation of his two-thirds date, as well as his inappropriate placement in a maximum security penitentiary.

Be advised that the purpose of the Administrative Remedy Program is to allow an inmate to seek formal review of an issue relating to any aspect of their confinement. An inmate may obtain assistance from outside sources, such as attorneys, however, no person may submit a Request or Appeal for the inmate. Therefore, the correspondence which may have occurred regarding this issue has not been properly filed as an Administrative Remedy.

To file a proper Administrative Remedy, an inmate shall first present an issue of concern informally to staff by requesting and submitting an Informal Resolution (BP-8) form, and staff shall attempt to informally resolve the issue. If the inmate is not satisfied with the BP-8 response, he may proceed with the three tier Administrative Remedy Program initiated at the institution.

Public information available regarding your client reflects the following information:

Yori Kahl was sentenced on June 24, 1983, for Second Degree Murder of Federal Officers, Aiding and Abetting, Forcibly Assaulting and Impeding Federal Officers with a Deadly Weapon, and Harboring and Concealment of a Fugitive, in violation of Title 18 U.S.C. § 1114. Mr. Kahl received a sentence of life on counts one and two, and 15

Attachment 2: Page 73

Exhibit M

years on counts five through nine, and eleven, all pursuant to Title 18 U.S.C. § 4205(b)(2). The 15 year sentence was ordered to run consecutively to the life sentence.

As Mr. Kahl's sentence computation reflects, his sentences were imposed pursuant to section 4205(b)(2). Accordingly, Mr. Kahl was immediately eligible for parole consideration at the U.S. Parole Commission's discretion. The two-thirds/thirty year date is controlled by Title 18 U.S.C. § 4206(d), which in pertinent part states, "Any prisoner, serving a sentence of five years or longer, who is not earlier released under this section . . . shall be released on parole after having served two-thirds of each consecutive term or terms . . ." (emphasis added). Accordingly, this section of statute directs the Bureau to "stack" two-thirds dates of consecutive sentences to arrive at one two-thirds/thirty year date for the computation. We regret the error that existed in Mr. Kahl's sentence computation prior to his arrival at USP Leavenworth, however, the current two-thirds/thirty year date of February 12, 2023, is accurate.

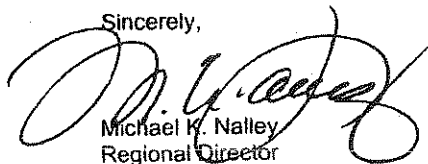
It should be noted that the U.S. Parole Commission bases their statements and parole decisions on information provided to them by the Bureau of Prisons. When their records indicated a two-thirds/thirty year date of February 12, 2013, it was based on the Bureau's erroneous calculation of Mr. Kahl's sentence.

Finally, we would like to inform you and your client that a Mandatory Release (MR) date and a two-thirds/thirty year date are not the same. A two-thirds/thirty year date is simply the calculation of two-thirds of a given sentence or sentences, calculated from the date the sentence was imposed. A mandatory release date is the accumulation of more than 180 days of statutory and/or extra good time, as authorized in Title 18 U.S.C. §§ 4161 and 4162.

If your client still believes his sentence computation is incorrect, he will first need to exhaust his Administrative Remedy Appeals within the Bureau of Prisons. We trust this correspondence has been responsive to your questions and concerns.

Also, for your perusal, the procedures for filing an Administrative Remedy are outlined in Program Statement 1330.13, entitled, Administrative Remedy Program, which can be accessed on the Bureau of Prisons' website at www.bop.gov.

Sincerely,

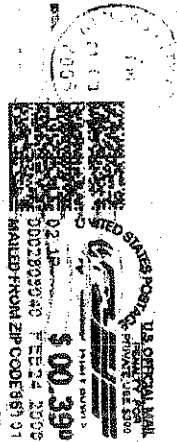


Michael K. Nalley
Regional Director

U.S. Department of Justice
Federal Bureau of Prisons
North Central Regional Office
400 State Avenue, Gateway Tower II, 8th Floor
Kansas City, Kansas 66101-2421
Official Business



Mr. Barry A. Bachrach
Bowditch & Dewey Attorneys
311 Main Street
Post Office Box 15156
Worcester, MA 01615



61457447424

From: Tim R. Barnett
To: Evans, Jon B.
Date: 8/17/2005 11:36:33 AM
Subject: Kahl, Yori, 04565-069- RE: Director Lappin's Correspondence

Jon,

When I checked this inmate's file, it appears that at some point LVN had computed his 2/3rds date in error. This inmate is serving a LIFE sentence followed by a consecutive 15 year sentence. 2/3rds of LIFE is 30 years. 2/3rds of 15 years is 10 years.

2/3rds date is $30 + 10$ for a total of 40 years. It appears LVN had computed it as only 30 years and subsequently corrected the error. The inmate produced progress reports showing his 2/3rds date as 2013, when in fact it should have been 2023.

Keep in mind, [and the inmate should be aware of this as well], the 2/3rds date is **NOT** a release date. It is a mandatory parole hearing date.

Please call me if you need additional information.

T.R. Barnett, Inmate Systems Mgr.
USP, Terre Haute
812-238-1531, Ext. 3415
Fax: 812-238-3316
trbarnett@bop.gov

>>> Jon B. Evans 8/17/2005 8:42:51 AM >>>

We have to respond to a complaint regarding this individual's 2/3rds date for Director Lappin. Among many other things he says his date should be 2013 and was wrongly changed to 2023. Please let us know the story at your earliest convenience so it maybe included in the response. Thanks, Jon

CC: Revell, Robert; Sykes, Shawn M.



SAVE

ATTACHMENT 3

ATTACHMENT 3



Samuel, Jr.

Bureau of Prisons

%
General Counsel for the
Bureau of Prisons
320 First Street, N.W.
Washington, D.C. 20534

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W. Samuels/Dic. BOP % Gen. Counsel BOP
Street, Apt. No.
320 First St., N.W.
City, State, ZIP+4
Washington, D.C. 20534
PS Form 3800, AUGUST 2005 See Reverse for Instructions

Yorie Von Kahl
#04565-059
U.S. Penitentiary
P.O. Box 33
Terre Haute, IN
47808

Legal Mail

Certified

Return Receipt Requested

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YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
70123056000110015802		Delivered	July 24, 2013, 10:45 am	WASHINGTON, DC 20534	Certified Mail™
		Arrival at Unit	July 24, 2013, 9:17 am	WASHINGTON, DC 20018	
		Processed through USPS Sort Facility	July 20, 2013, 12:32 am	INDIANAPOLIS, IN 46206	
		Depart USPS Sort Facility	July 19, 2013	INDIANAPOLIS, IN 46206	
		Processed through USPS Sort Facility	July 19, 2013, 10:15 pm	INDIANAPOLIS, IN 46206	

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Restricted Delivery Fee (Endorsement Required)			
Total Postage & Fees	\$		

Not in B-1 AZ11

Sent To
G. Samuels/Dic. BOP % Gen. Counsel. BOP

Street, Apt. No.
320 No. First St. N.W.

City, State, ZIP+4
Washington, D.C. 20534

PS Form 3800, August 2006

See Reverse for Instructions



Request for Delivery Information/ Return Receipt After Mailing

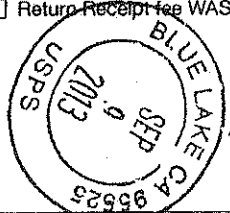
Instructions for Use:

Accepting Office

1. *Internal Use Only:* Help the customer complete Section 2 of this form and carefully compare it to the customer's receipt. Complete the shaded portions in Section 1.
2. Collect fees if required.
3. Select **ONE** of the following two options:
 - A. If the item was mailed to an office using a product tracking system (all offices in the U.S., including Alaska, Puerto Rico, and the Virgin Islands), choose one of the following two options:
 - If your office has Intranet access, use the Intranet to generate the request via e-mail. If e-mail is not provided in Section 2, item D., manually complete Section 3 and mail to the customer.
 - If your office does not have Intranet access, send this entire form, with Sections 1 and 2 completed, to a designated inquiry location. If the electronic record is found, request record electronically and discard this form. If the electronic record is not found, manually complete Section 3 and mail to the customer.
 - B. If the item was mailed to an office using manual record management (refer to the Postal Operations Manual, Section 619 for full listing), send this entire form, with Sections 1 and 2 completed, to the delivery office.

Delivery Office - Use Only for Manually Filed Delivery Record Inquiries (3B checked above)

1. If the fee is not attached or the form is not postmarked to show that the fee was paid at the time of the mailing, return this form to the accepting office.
2. Complete the items in Section 3 below. Enter the delivery information or indicate the reason for no information.
3. After completion, detach and insert the bottom portion of this document in an envelope addressed to the requestor and deposit it in the mailstream. Discard the remaining portion.

SECTION 1	Accepting Office: Postmark if Return Receipt fee was paid at time of mailing.	<input checked="" type="checkbox"/> Return Receipt fee WAS paid at time of mailing. (Customer has provided receipt. Postmark where indicated at left.) <input type="checkbox"/> Return Receipt fee WAS NOT paid at time of mailing. (Attach fee below.)
	Accepting Office City/State/ZIP Code™: <u>95525</u>	 <p>Attach fee here if applicable</p>

Acceptance/Delivery Office/Manual Inquiries: Detach at dotted line and return bottom portion to customer when the inquiry is resolved. Discard remainder of form.

Electronic Inquiries: Generate request from Intranet and discard the entire form if record is found.

SECTION 2	A. TYPE OF SERVICE	C. ARTICLE INFORMATION	
	<input checked="" type="checkbox"/> Certified Mail™ <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Numbered Insured <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Return Receipt for Merchandise	Article Number <u>7012 3050 0001 1001 5802</u> Mailing Date (mm/dd/yy) <u>07/19/13</u>	
	B. ARTICLE ADDRESSED TO	D. REQUESTOR	
	Addressee Name <u>C. Samuels/Dir. BOP 90 Gen. Counsel BOP</u> Addressee Address <u>320 First St., N.W.</u> (No., street, apt./ste. no.) <u>Washington D.C. 20534</u> (City, state, ZIP Code)	Requestor Name <u>Donna R. Evans</u> Requestor Address <u>245 Licom Hill Rd. / PO. Box 752</u> (No., street, apt./ste. no.) <u>McKinleyville, CA / Blue Lake, CA</u> (City, state, ZIP Code) <u>95519 / 95525</u> E-mail address (Complete ONLY if an electronic inquiry)	
SECTION 3	For Accepting or Delivery Office Use Only Postal Service™ records show no delivery information because: <input type="checkbox"/> Record not found <input type="checkbox"/> Forwarded (date _____) <input type="checkbox"/> Returned (date _____)	Delivered to the following individual, company or organization _____ Delivery Address (if different from address in section 2B) _____ Delivery Date _____	Delivery Office Postmark _____



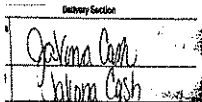
Date: 10/29/2013

Dear Postal Customer:

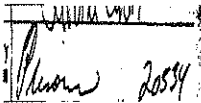
The following is in response to your 10/29/2013 request for delivery information on your Certified Mail™ item number 7012 3050 0001 1001 5802. The delivery record shows that this item was delivered on 07/24/2013 at 10:45:40 AM in WASHINGTON, DC 20534. The scanned image of the recipient information is provided below.

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Signature of Recipient:



Address of Recipient:



Sincerely,

United States Postal Service

Attachment 3: Page 4





Date: October 29, 2013

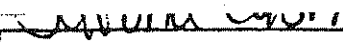
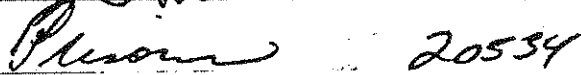
Robin Meyer:

The following is in response to your October 29, 2013 request for delivery information on your Certified Mail™ item number 70123050000110015802. The delivery record shows that this item was delivered on July 24, 2013 at 10:45 am in WASHINGTON, DC 20534. The scanned image of the recipient information is provided below.

Signature of Recipient :

Delivery Section	
0	
1	

Address of Recipient :

	
y is	

Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,
United States Postal Service

Product Tracking System



Home Search Reports Manual Entry Rates/Commitments PTS/EDW USPS Corporate Accounts October 29, 2013

Track & Confirm Intranet Delivery Signature and Address

Tracking Number: 7012 3050 0001 1001 5802

This item was delivered on 07/24/2013 at 10:45:00

[< Return to Tracking Number View](#)

Delivery Section	
Signature	Jalona Cash
	Jalona Cash
Address	Person 20534

Enter up to 10 items separated by commas.

Select Search Type:

Product Tracking System, All Rights Reserved
Version: 1.5.0.16

Yorie Von Kahl #04565-059
F.C.I. Pekin
P.O. BOX 5000
Pekin, IL. 61555-5000

Clerk of the Court
U.S. District Court
for the Central District of Illinois
100 N.E. Monroe Street
Peoria, IL. 61602

June 29, 2018

Dear Clerk,

Enclosed are a petition for a writ of habeas corpus and memorandum of law for filing. My fiancée' Donna R. Evans has already contacted your office and will be in contact again very soon to pay the filing fee per the clerk's instructions. Please file (or hold until the fee is paid) these documents.
Thank You.

Sincerely,

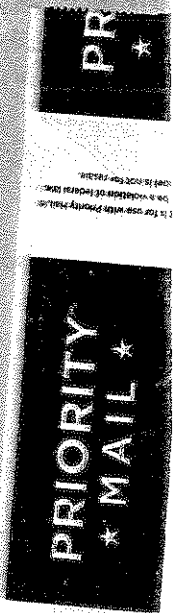
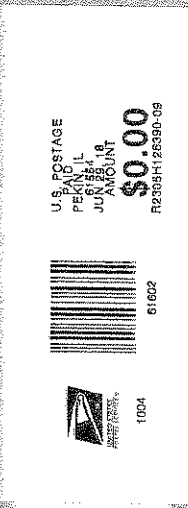
A handwritten signature in cursive script that reads "Yorie Von Kahl". The signature is written in dark ink and is positioned to the right of the typed name "Yorie Von Kahl".

Yorie Von Kahl
#04565-059
Federal Correctional
Institution, Peoria
P.O. Box 5000
Peoria, IL 61655

Legal Mail
Certified



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U.S. Courthouse
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Peoria, IL 61602
United States



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