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Denver, Colorado 80220
Telephone: 303-321-1993

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

MALACHI Z. YORK, also known as DWIGHT YORK,)

Plaintiff,)

vs.)

FEDERAL BUREAU OF PRISONS,)

Defendant.)

**AFFIDAVIT OF
COUNSEL IN SUPPORT
OF AUTHENTICATION
OF RECORDS**

Civil Action No. 07-cv-01297
)

STATE OF COLORADO)

) ss.

CITY AND COUNTY OF DENVER)

I, Leta R. Holden, being first duly sworn under oath, state the following:

1. I am over the age of eighteen, am of sound mind and body, and am competent to testify under penalties of perjury. The information contained in this Affidavit is true and is based upon my personal knowledge.
2. I am an attorney duly licensed to practice in the State of Colorado, Bar Registration #27118.
3. I am former counsel for Malachi York©™, Consul General Diplomat D/P #003828-04 of the Republic of Liberia, West Africa Citizenship *misnomer* Dwight D. York (Inmate #17911-054) (hereinafter referred to as the "Plaintiff").
4. I was retained on behalf of the Plaintiff and served in the capacity as Attorney of Record in the above-captioned action, from September 6, 2007 to December 19, 2008, whereby I submitted a motion to withdraw. An Order approving said motion to withdraw was subsequently entered by the Honorable Magistrate Mix on January 8, 2009.
5. I hereby certify that on February 27, 2008, the Assistant United States Attorney, Marcy E. Cook, of the U.S. Attorney's Office for the District of Colorado (hereinafter referred to as "Cook"), did prepare the **JOINT MOTION TO**

VACATE AND RESET DISPOSITIVE MOTION DEADLINE in Civil Action No. 07-cv-01297, on behalf of the Federal Bureau of Prisons (“Document No. 42”).

6. I hereby also certify that Cook did confer with me regarding the facts presented in Document 42, on February 27, 2008, which include the jurisdictional and foreign status of one Consul General Malachi York[©]™ as a citizen and Diplomat for the Republic of Liberia West Africa D/P#:003828-04.
7. I hereby also certify that on February 28, 2008, Cook did incorporate the Plaintiff’s jurisdictional and foreign status into Document 42, which specifically states the status of Plaintiff as Consul General Malachi York[©]™ as a citizen and Diplomat for the Republic of Liberia West Africa D/P#:003828-04.
8. I hereby also certify that on March 7, 2008, in her capacity as Counsel of Record for the Department of Justice, Federal Bureau of Prisons, Cook directly caused Document 42 to be electronically filed on March 7, 2008, with the Clerk of Court in the United States District Court for the District of Colorado, using the CM/ECF system,¹ of which I am a party to, which states the status of Plaintiff as Consul General Malachi York[©]™ as a citizen and Diplomat for the Republic of Liberia West Africa D/P#:003828-04.

DATED this 9 day of April, 2009.

Respectfully submitted,

HOLDEN LAW OFFICE, PLLC

By: 

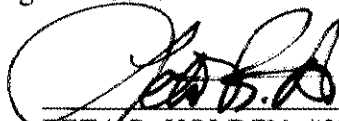
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Former Attorney for Plaintiff, Malachi Z. York,
Consul General Diplomat D/P #003828-04 of the
Republic of Liberia, West Africa Citizenship,
misnomer Dwight D. York (Inmate #17911-054)

¹ CM/ECF system is the federal courts’ case management and electronic case files system.

VERIFICATION

The undersigned being first duly sworn upon oath, deposes and states that the foregoing information is true and correct to her best knowledge and belief.

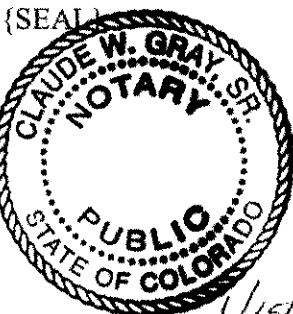


LETA R. HOLDEN, #27118

ACKNOWLEDGEMENT

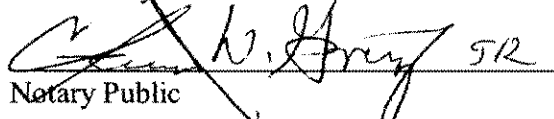
State of Colorado
City and County of Denver

Sworn and signed before me on this 9 day of April, 2009, by Leta R. Holden having personally appeared before me, the undersigned Notary Public, and known to me or satisfactorily proven to be the person whose name is subscribed to the above **AFFIDAVIT OF COUNSEL IN SUPPORT OF AUTHENTICATION OF RECORDS**. I attest that the principal appears to be of sound mind and not under or subject to duress, fraud or undue influence.



My Commission Expires 6/15/09

Witness my hand and official seal.



Notary Public

My commission expires: 6/15/09