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NEWS RELEASE

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JURY REJECTS FELON'S REQUEST FOR 15 MILLION DOLLARS

Santa Fe – February 10, 2011, a 12-person jury found Plaintiff John Paul, had not been illegally incarcerated 15 years too long. Paul was in and out of the New Mexico State Penitentiary between 1971 and 2004 on three different sentences for armed robbery and burglary. Paul, who was represented by attorneys Sam Bregman and Eric Loman, filed his lawsuit in 2006 against the New Mexico Department of Corrections and Cathy Catanach, the Department's Records Bureau Chief. He alleged that Catanach's wrongful failure to give him credit for all of the good time he earned in prison led her to miscalculate his release date from prison and, therefore, she was responsible for keeping him illegally incarcerated for 15 years. At trial, Mr. Bregman suggested the jury award Paul \$15 million dollars.

At trial, the jury heard evidence that Catanach did not miscalculate Paul's release date. While determining Paul's release date was a complicated process given the various changes in New Mexico law on good time during the last four decades, the fact Paul was serving multiple sentences and the fact Paul engaged in serious misconduct in prison and out of prison on parole, the jury faithfully followed their duties and followed Catanach's testimony regarding her calculations. Catanach told the jury that when configuring his release date, she did properly credit Paul all good time he earned towards his release date but that as a result of Paul's own misconduct, the time Paul was required to stay behind bars increased. While in prison, Paul committed five acts of major misconduct which added to his prison time as did the fact that Paul absconded from parole three out of the four times he was released, one time for as long as 8 years.

The jury's deliberations began in the early afternoon on February 10, 2011, and in a matter of a couple of hours, the jury reached a verdict. The jury found that Paul was not incarcerated in prison longer than his sentences and misconduct allowed and issued a verdict in favor of Catanach.

Catanach, a faithful public servant who has served the State of New Mexico for over thirty years, was immensely grateful for the jury's unwavering dedication to the litigation process and their duties despite the complicated nature of the subject matter it was presented. Catanach was represented by Albuquerque attorneys Mary T. Torres and Gianna M. Mendoza.

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