

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ONE WISCONSIN INSTITUTE, INC., *et al.*,

Plaintiffs,

v.

Case No. 15-CV-324

GERALD C. NICHOL, *et al.*,

Defendants.

DECLARATION OF JODY J. SCHMELZER

I, **JODY J. SCHMELZER**, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an attorney licensed to practice law within the State of Wisconsin and am employed by the Wisconsin Department of Justice as an Assistant Attorney General.

2. I am one of the attorneys of record for the defendants in the above-captioned matter.

3. The Wisconsin Department of Justice administers WILEnet, which is the Wisconsin Law Enforcement Network. One of the resources available on WILEnet is the Department of Corrections Locator program,

which provides access to information on both present and past offenders in the Wisconsin Department of Corrections.

4. Attached as **Exhibit A** is a true and accurate copy of David L. Walker's DOC Locator record accessed through DOJ's WILEnet (the day of Mr. Walker's birth date is redacted for privacy reasons). It indicates that Mr. Walker was released from confinement on January 24, 2006. It also indicates that his maximum discharge date was December 28, 2007, which is the date he would have completed his period of parole.

5. Attached as **Exhibit B** is a true and accurate copy of David Aponte's DOC Locator record accessed through DOJ's WILEnet (the day of Mr. Aponte's birth date is redacted for privacy reasons). It indicates that Mr. Aponte was released from confinement on September 25, 2000. It also indicates that his maximum discharge date was March 25, 2002, which is the date he would have completed his period of parole.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 2nd day of May, 2016.

/s/ Jody J. Schmelzer
JODY J. SCHMELZER