Exhibit I

DECLARATION OF NICHOLAS HUDDLESTON

My name is Nicholas Huddleston and I declare as follows:

1. I am over eighteen years old and a resident of the State of Texas. I make this declaration pursuant to Title 6, Section 132.001(d) of the Texas Civil Practice and Remedies Code.

2. I am a U.S. Navy veteran with a degree in electronics aviation.

3. In February 2019, I began serving a sentence in the custody of Texas Department of Criminal Justice ("TDCJ").

4. In the fall of 2020, with the assistance of my wife Amoreena Rose and a private attorney, I submitted a parole application to the Board of Pardons and Parole (the "Board").

5. On November 19, 2020, I was approved for parole with the status of FI-6, meaning I could be released upon completion of a six-month program with TDCJ.

6. While I was in TDCJ custody, I was transferred between the Middle Unit, Gurney Unit, and Hutchins Unit.

7. On or about March 31, 2021, more than four months after I was approved for parole, I was finally transferred to Hamilton Unit. Hamilton Unit offered the programming that I needed to complete in order to be released under my designated FI status.

8. At the Hamilton Unit, I slept in a dormitory that housed sixty-four men. All the men in my dorm were in the same program as me. Most of us started at the same time.

9. At the time of my incarceration in the Hamilton Unit, all program participants were expected to social distance in our dorm. However, social distancing was not possible because all sixty-four men slept in the dorm and beds were only a few feet from each other.

10. I was considered officially enrolled in the program on March 31, 2021.

11. My initial assessment with a counselor was supposed to happen within 24 hours from the date of my enrollment. However, I did not meet with a counselor until April 8, 2021. I met

with a counselor named Premazon. The meeting lasted about ten to twenty minutes. During this meeting, Premazon asked me a series of questions about my family history, substance use, and other general background information.

12. At the conclusion of this meeting, counselor Premazon did not verbally convey any information to me. The assessment form shows, however, that he wrote that I would benefit from the Pre-Release Therapy Community ("PRTC") Chemical Dependency Program.

13. This meeting with Premazon was the only one-on-one meeting I had with a counselor while I was in the program.

14. My first two weeks in the program did not involve any direct or indirect programming. Instead, as part of "Phase I" of the programming, I was asked to perform a self-evaluation by writing about myself, my family at home, and the job I had prior to being incarcerated.

15. After my initial evaluation and orientation, I was moved into Phase II of the program on April 14, 2021 and was assigned a counselor by the name of Hancock.

16. At no point did I have an additional meeting with a counselor prior to leveling up to Phase II of the program. Instead, a counselor came into the dorm and announced the names of the individuals who had "phased up" into a different phase. I was included in that list of names. The counselor then proceeded to hand out cards to those who had "leveled up" to Phase II.

17. On April 14, 2021, my assigned counselor Hancock came into my dorm and set up at a desk. Hancock called out my name in addition to three other men in the dorm. She then handed each of us a pamphlet that supposedly contained our individualized treatment plans. Hancock's progress note from that interaction indicates that the meeting lasted an hour, however, this entire interaction with Hancock lasted no more than a few minutes. That was the first and only time that I met with Hancock. 18. I was told that Phase II would be the cognitive portion of the program and that it involved meeting with a counselor or therapist in the dayroom, group work with others in the program, and written work that we would do on our own. However, the cognitive portion did not involve any meaningful programming. Instead, my dorm of sixty-four people was split up into three groups consisting of about twenty men and each group took turns of going into the dayroom in our dorm for our supposed programming.

19. The dayroom was where we were supposed to receive programming from counselors. However, the counselors rarely showed up. When they did show up, they would spend an hour talking about their weekends. They never used the hour to give us meaningful counseling sessions.

20. Most of the time, we were made to sit in the dayroom without any programming. Instead, we were made to sit in the dayroom and stare at the wall for about an hour until the next group of program participants came into the dayroom. After the next group came in, we would go back to our bunk area in the dorm.

21. When we were given worksheets, the content of the worksheets we were assigned were nearly identical to the content of the Cognitive Intervention 2 program that I completed prior to applying for parole.

22. The worksheets were packets of about three to five pages stapled together, some of which were just short answer questions. These worksheets were often made available in the dayroom of our dorm. These worksheets typically took about five to ten minutes to complete and were completed independently. These worksheets were from a Minnesota Department of Corrections workbook called "A New Direction: Introduction to Treatment Workbook."

23. At times, program participants purposely wrote sarcastic and ridiculous responses on the worksheets to check whether counselors were reviewing our work. The counselors never once approached us about the purposefully ridiculous responses.

24. When we completed the written work, we were instructed to leave the completed material in a folder on a desk in the dorm. The folders were assigned to our respective counselors, with whom we rarely, if ever, met.

25. When I first began the program, we were given daily assignments. We stopped receiving daily assignments in April of 2021 and then only had packets of worksheets to complete on a monthly basis.

26. The program director of our unit said that we were expected to take one day to discuss our daily assignments and provide each other with feedback. Before they stopped providing us with daily assignments, these meetings seldom happened and were almost never overseen by any therapist or counselor. Once the daily assignments stopped, we could no longer meet to discuss our assignments.

27. On June 1, 2021, I was transferred from counselor Hancock to counselor Premazon.

28. On June 2, 2021, I was transferred from counselor Premazon to another counselor named Gardner. I never met with Gardner for counseling.

29. In July 2021, I moved into Phase III of the program. Once again, I was not provided with a meeting to discuss my leveling up from Phase II to Phase III of the program. Everyone in my program who started at the same time as me leveled up, including those who never completed a single assignment.

30. I was told that Phase III would prepare us for re-entry into society by identifying relapsing triggers and warning signs. Instead, we rarely, if ever, met with counselors and continued to complete worksheets.

31. I recall completing a form entitled I-60 numerous times to request to meet individually with my counselors to discuss my progress. However, I never heard back from any of my assigned counselors and they never met with me to discuss my progress in the program.

32. About halfway through the program, we were required to attend weekend "classes" for the "Alternative Treatment" component of the program. These weekend classes consisted of us going into the dayroom and sitting there for about an hour. We never had counselors during these weekend classes. Instead, the prison guards were in control of the session. I recorded these weekend "classes" on my timesheet. While the recorded timesheet shows that these weekend classes lasted 2.5 hours on Saturday and Sunday, they only lasted an hour each day.

33. While I was in the program, I was asked to complete a timesheet each week. The purpose of these timesheets was to track the number of hours that I received in counseling, direct programming, and indirect programming.

34. The timesheets were always placed on a desk in the dayroom. In the same dayroom, there was a chart on the wall with instructions on how to fill out the timesheets. I always filled out the timesheets in five minutes.

35. None of the numbers on our timesheets accurately reflected the hours of programming we actually received. Instead, we were instructed to record having received 20 hours of direct programming and 16 hours of indirect programming on our timesheets. I recorded my entries on my timesheets according to these instructions.

36. We were instructed to report one hour of sitting in the dayroom with a counselor as four hours of counseling and that the group sessions in which we discuss the daily assignments as "direct programming." Even though those sessions with worksheet assignments only lasted an hour and happened about twenty-five percent of the time, we were nonetheless instructed to fill out the timesheet to state that we had received four hours of "direct programming."

37. We were instructed to report written assignments as "indirect programming," and to report that we received four hours of "indirect programming" a day. Even when we received daily assignments, it did not take more than a few minutes to finish them, but we were still told to report that we had received four hours of "indirect programming."

38. Every week, all program participants turned in their timesheets documenting the number of hours we received in direct and indirect programming. These sheets do not accurately reflect the actual number of hours we spent on direct and indirect programming.

39. If we did not fill out the timesheets as directed, we would receive threats that they would extend our time of incarceration.

40. On August 9, 2021, I was transferred from counselor Gardner to another counselor named Robertson. I never met with Robertson for individual counseling.

41. I completed the program on or around August 24, 2021. The discharge summary, dated September 3, 2021, demonstrates that I met all my goals and that my treatment was complete. Despite my completion of the program, I was told that I could not leave the facility and had to stay in my dorm.

42. On August 31, 2021, I was transferred to a new counselor, Luz Bashaw.

43. From August to October 14, 2021, I remained in my dorm and received no news about my release. My counselor, Luz Bashaw, entered a progress note on December 23, 2021 stating that I had completed the program on October 14, 2021, even though I had actually completed the program in August of 2021.

44. On October 14, 2021, I was released from the facility, more than a month after I had completed the program. I did not receive any news regarding my release from the prison staff. I was not aware of my date of release until my wife used an online inmate locator system and discovered

that I was going to be released on October 14, 2021. My wife discovered and conveyed my release date to me on or about October 12, 2021.

Pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 2022 - lo

Nicholas Huddleston

Exhibit I-1

Substance Abuse Treatment Program Master Treatment Record Document Checklist PRTC/PRSAP

Section III

Treatment Plan

phase or more

often as needed

Individualized

from program

Orientation Test

HIV Certificate or

Completed Pre &

Post Test

TC Mastery

enrollment

1

Treatment Plan -

Established 10 days

Review - Once per

Offender: Hueld Legiton, Nicholas Date of Entry/Enrollment (Phase I): 3.31.21 Proj Rel Date: ______ Actual Rel Date: _____

Section II :

Complete ASI

Prior to

Program

Enrollment

Section [

24 hours

from Date of

Enrollment

Master

Record

Treatment

Document

Checklist

Master

Record

Treatment

Review Log

Consent for

Release of SAT Info & Records Criminal Justice System

General

Consent for

SAT Info & Records

Disclosure of

Section IV

Weekly Progress

Additional Progress

Behavior Contracts

Treatment Team

Meeting Form

Autobiography

(Chronological

Intake Note

(day 1)

Order)

Reports

Notes

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Section V

SAMPIMS

30-Day

Tracking Sheet(s)

Extension/Program

Removal Request

Offender Health

Status Form (if

applicable)

Legal

Misc.

(if applicable)

TDCJ#: 22449944

MTCP.0075 (Rev. 05/2012)

Section VI

10 days from

PRD Ensure the

following is in

the MTR

Continuum of

within 30 days

Discharge

Summary

(Initiated

of release

Relapse

Prevention

Care

date)

Plan

HSN-5

HSN-18

Inquiry

Medical Profile

(HIV Testing Verification) MEDI Screen Print-out

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Page 10

How would you rate the inmate's need for Psychiatric/ Psychological treatment? (0-Not at all to 9- Treatment need to intervene in life- threatening situation)

Is the Psychiatric Status information significantly distorted by? Inmate's misrepresentation: Yes 🗆 No 🛱 Inmates' inability to understand: Yes 🗆 No 🔊

~~Counselor Comments Psychological Status~~

Vo Psyche Issues of Mel

INTERVIEWER'S ASSESSMENT

Interviewer's Assessment Comments:

Client's Strength: Work athor, family Values, Bolief System Client's Weaknesses: Addi et. on, too trusting, blatanthy hourst

Recommendation for Treatment

Client's Needs:

Client will benefit from the PRTC Chemical Dependency Program

Hump 20DL Counselor/Intern Signature:

Date: 04/04/2021

Date: QCC Signature:

Format Revised: 11/09/2017

J.S. 3/28/12

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Texas Department of Criminal Justice みしゆイ Rehabilitation Programs Division Location: <u>Hamilton</u>
Therapeutic Team Meeting
Offender's Name: Huddleston Nicholds TDCJ #: 2204990 SID #: 10715853 Today's Date: $04/14/21$ Time: Discharge: $04/14/21$ Time: Discharge: $04/14/21$
Was offender present for TTM? Xes No Offender's Signature Counselor Signature
Purpose of TTM:
Phasing Approved Yes No From: I To: II Date Effective: 41472 Structure changes (G L) Add to: Remove from: Privileges Add: Remove:
Return to Treatment
Extension for 30 days
Removal (list reasons below)
Evaluation of progress; participation, attitude, compliance, program completion (summarize below)
Send Copy to Parole Officer/CSCD
Intervention (specify)
Comments, Explanation, Summary: Client has met the requirements of orientation program by completing his
autobiography and passing the HIV/Orientation test with an above 75% or better. He has become familiar with the PRTC
rules and tools of the program. Treatment team recommends client to phase II to focus on main treatment.
Offender's Affect/ Expression (check all that apply)
 Appropriate: responsive, consistency between behaviors Blunted: non-spontaneous, detached, uninvolved Constricted: muted, subdued, apathetic Flat: bland, expressionless, remote Labile: rapid shifts in mood, feelings, expressions Happy
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Texas Department of Criminal Justice みしゅイ Rehabilitation Programs Division Location: <u>Hamilton</u>
Therapeutic Team Meeting
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Was offender present for TTM? Xes No Offender's Signature: Counselor Signature
Purpose of TTM:
Phasing Approved Yes No From: I To: II Date Effective: 41472
Structure changes (G L) Add to: Remove from:
Privileges Add: Remove:
Delayed
Return to Treatment
Extension for 30 days
Removal (list reasons below)
 Evaluation of progress; participation, attitude, compliance, program completion (summarize below) Send Copy to Parole Officer/CSCD
Intervention (specify) Comments, Explanation, Summary: <u>Client has met the requirements of orientation program by completing his</u>
autobiography and passing the HIV/Orientation test with an above 75% or better. He has become familiar with the PRTC
rules and tools of the program. Treatment team recommends client to phase II to focus on main treatment.
Offender's Affect/ Expression (check all that apply)
Appropriate: responsive, consistency between behaviors
Blunted: non-spontaneous, detached, uninvolved
Constricted: muted, subdued, apathetic
Flat: bland, expressionless, remote
Labile: rapid shifts in mood, feelings, expressions
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2. Murte ace 5. 4
3. Juliab cmtt 6.
Page 4 of 27

J. W. Hamilton Unit 200 Lee Morrison Lane Bryan, Texas 77807 (979) 779-1633

Progress Note

Client Name: Huddleston, Nicholas

Client ID: 02264996

DateType of Session04.14.2021ITP

Note: D. Client met with writer to develop and review his treatment plan. Client will focus on three major areas for these six months. 303.40 Meth Use Disorder: Client reported taking meth over a long period of time which resulted in failure to fulfill major roles obligations, social and recreational activities have been lessched or given up, operating heavy machinery while under the influence, and has continued use despite knowledge of having a persistent or recurrent physical or psychological problem that is likely to be made worse. The goal is to learn about addiction, its symptoms, and process of recovery. Legal: Client is incarcerated for two charges of Possession of Controlled Substance and is mandated to attend treatment. His goal is to learn how addictive patterns are related to legal conflicts. Discharge plan: Client lacks awareness on the effects of addictive behavior on achieving values and goals prior to incarceration. His goal is to increase clarification and prioritize life values and goals for a successful reentry. Client was provided with worksheets, a copy of his ITP, and loose paper. Counselor also reviewed expectations of the program and current Orientation phase.

A. Client was in agreement of his ITP by being cooperative and respectful during session.

P. Client will begin to work on Mäster Treatment Plan. Client will also work towards completing orientation phase requirements and increase full participation in all groups.

Page 5 of 27

Client Signature Counselor Signature 246.50 (23)**Counselor Supervisor Signature** VUL COL 102

Date

<u>Time of Session</u>

12pm-1pm thr

	PRTC Hamilton Unit Chart Transfer Note	
		Date: 6012
Offender's Name:	Huddleston, Nichors Print Last Name, First	TDCJ #: 2264994
Transfer From Counselor:	(Print)	Housing: <u>AL-64</u>
Transfer To Counselor:	(Print) (Print)	Housing: $A - 64$. (Init
QA or Senior:	(Sigtiatute)	Audit Date:

The QA or Senior is responsible for auditing the chart within 3 days.

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The Intake Coordinator and the PRTC Clerks will make changes to their caseload document then initial and date the form acknowledging the changes. The clerks will make copies: Place the copies in the chart transfer binder and place the originals in the administrative assistant's box.

When the client will remain on the same building, the Administrative Assistant will sign the chart transfer note in the Chart Transfer Note Binder and file the original note in the chart.

When the client is transferred to another building, the chart will be signed in the new chart transfer binder and place in the new chart file cabinet to be signed out by the receiving building's administrative assistant.

Date: _6/ Intake Coordinator Initial) i ay *PRTC_Clerks must sign and date form after counselor has been changed on client list. Signature Date Signature : }-Signature Date

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	PRTC Hamilton Unit Chart Transfer Note	
		Date: $\frac{\lfloor 2 \rfloor 2 \rfloor}{}$
Offender's Name	Huddleston Nicholas Print Last Name, First	TDCJ#: <u>2264996</u>
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Transfer To Counselot:	<u>d Gurdner</u> 6 (Print)	Housing: Al-164 (Initial)
QA or Senior:	Sur ASIM (Signature)	Audit Date: 06 07 2001

The QA or Senior is responsible for auditing the chart within 3 days.

The Intake Coordinator and the PRTC Clerks will make changes to their caseload document then initial and date the form acknowledging the changes. The clerks will make copies: Place the copies in the chart transfer binder and place the originals in the administrative assistant's box.

When the client will remain on the same building, the Administrative Assistant will sign the chart transfer note in the Chart Transfer Note Binder and file the original note in the chart.

When the client is transferred to another building, the chatt will be signed in the new chart transfer binder and place in the new chart file cabinet to be signed out by the receiving building's administrative assistant.

Intake Coordinator (Initial)

Date: 6/2/2/

*PRTC Clerks must sign and date form after counselor has been changed on client list.

Signature

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Signature

6/2/2/ Date

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The APD or Senior is responsible for auditing the chart within 3 days. The intake Coordinator or PRTC Clerk will initial and date the form showing that it has been received and make copies. The APD or Senior will sign-in the chart transfer note in the Chart Transfer Note Binder and return the original to the building. This form and the chart will be given to the Senior of the building.

Intake Coordinator Date PRTC Clerks must sign and date form after counselor has been changed on client list. (Signature) 18 (Signature) (Date) (Signature) (Date) Page 23 of 27

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' J. W. Hamilton 200 Lee Morrison Lane Bryan, Texas 77807 (979) 779-1633

Discharge Summary MailBOLL

Client Name: Huddleston, Nicholas

Summary Date: 8/24/2)

2264996 **Client ID:** Problem:

Client has reported a substance use history of using Meth during his lifetime. Client has reported a current charge of Possession of controlled substance and has current sentence of 8 years.

Goals Attempted During Treatment:

Client seems to be gaining knowledge and appears to be practicing new behaviors, which will help him to live and a Crime free lifestyle. Client seems to recognize and correct negative thinking patterns as well as criminal behavioral. Client seems to have basic Life Skills knowledge to help him function socially and economically in his community. Client appears to be identifying his rules, program principles, and regulations of the PRSTP. Client appears to identify his 4 categories of rules. Client seems to know his group rules, house rules, cardinal rules, and Major rules.

Goals Met During Treatment:

1 1

Client scems to have developed skills to assist him with becoming an asset to his community and has internalized and verbalized the need to live Crime free. Client seems to have exhibited some socialization skills that will enable him to reintegrate back into society. Client appears to be develop positive thinking habits in his life and he has been think about the situation before he acts out. 141

Summary:

Huddleston, Nicholas (TDC 2264996) is a 49 year old, male who entered the program on 3/31/21. Client's projected completion date is 10/1/21. Client seems to be staying focus on his goals as well as react positively to warning signs and relapse triggers. Client appears continuous progress to complete his goals and objectives of his Master Treatment Plan. In Phase I Orientation, client seems to learn how to use rules/tools, client has taken HIV and Orientation test in addition his Autobiography which would help him throughout the PRSTP. Client seems to be able to identified goals that he wants to do with his life. In Phase II Behavior change solutions, client appear how to recognize and correct his criminal thinking errors and he seems to know how to treat people with respect and how to correct his behavior. Client appears that he was able to understand his behavior and his roadblocks that will prevent him from changing for the better. In Phase III Transitional, client appears to learn how to develop problem-solving skills, and he seems to be identify his downfalls, his relapse thinking patterns, and how not to be around negative people, that would allow him to fall back into old habits, client has understand that life is all about making choices and working and learning how to become productive. Client must follow know develop an application and how to develop responsibility in his life. Client seems to identify his thinking patterns that could lead to relapsing and develop coping skill by develop positive thinking habits. Client has learned how to hold himself accountable for his actions and developed responsibility and learn from other experiences. Client appears been able to identify how to say focus on himself. Signs which could cause him to put himself at risk for relapse and identify his high risk situations. Client has seem to identify how to develop a resume and understanding his time history. Client seems to know how to use basic Life Skills such as: Money Management, Anger Management, Healthy Communications and Good Listening Skills. Client successfully completed all three Phases of his Master Treatment Plan. Successful completion of (PC) status is contingent on the continued display of appropriate behaviors, as well as a successful Page 24 of 27

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level of participation until the date of _____ release. Prognosis for this client is gc ____ as long as he continues to adhere to the stipulations of his Parole.

Aftercare Plan:

Client is expected report to Parole officer within 24 hours of release from TDCJ. Client is expected to obtain legal full-time employment to help subsidize his monthly income. Recommendation for the client are as follows: Individual counseling for Peer Support and attend Supportive Outpatient. Client is expected to utilize his family as his support system. Client is expected to attend support groups regularly, obtain a sponsor and develop a support system to help him maintain a drug, alcohol and a crime free life style.

Reason for Termination:

Treatment Complete. All goals successfully completed. fact deather state

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		, 	PRTC Ham Chart Tran		\bigcirc \bigcirc	
		:		Date:	08/31/2021	
Offend	er's Nam	e: <u>Huddles</u>	ton, Nichol	as TDCJ≠	#: <u>2264996</u>	
	ounselor:	Robertson	(Print)	Housing:	A	(Initial)
Transfer To Cour	nselor:	Bashaw	(Print)	Housing _	<u>A</u>	(Initial)
APD or	Senior: _	Sunga	(Signaturc)	<u> </u>	Audit Date: 08/31/	21

The APD or Senior is responsible for auditing the chart within 3 days. The Intake Coordinator or PRTC Clerk will initial and date the form showing that it has been received and make copies. The APD or Senior will sign-in the chart transfer note in the Chart Transfer Note Binder and return the original to the building. This form and the chart will be given to the Senior of the building.

Intake Coordinator (Inifial)

Date.

PRTC Clerks must sign and date form after counselor has been changed on client list.

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Date

Date

J. W. Hamilton Unit 200 Lee Morrison Lane Bryan, Texas 77807 (979) 779-1633

Final Progress Note

Client Name: Huddleston, Nicholas

Client ID: 2264996

<u>Date</u>	<u>Type of Session</u>
12/23/2021	Final Counselor Note

Time of Session

NOTE:

D. Client began the PRTC Program on 03/31/2021). He completed the program on (10/14/2021). Client completed all Phases in a timely manner. Client to actively seek employment and attend self-help programs such as AA, NA and Celebrate Recovery that can support him in his efforts to live a sober and responsible life. It is recommended that client continue to work in is Relapse Prevention Plan and update it regularly. Client to seek out healthy social activities that will assist him in developing a positive framework of friends to encourage his personal growth. Prognosis is good as long as client follows the guidelines outlined before him and continues to utilize what he has learned.

A. Client appears to be in the Contemplation Stage of Change evidenced by him reporting that he has turned in all of the assignments asked of him on his Master Treatment Plan and that he successfully completed the PRTC program.

P. Client will meet with his Parole Officer within 24 hours of his release and follow his stipulations. Client to update his short and long term goals as needed.

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Counselor Signature 10 A Counselor Signature

'Date