

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

JAMES MAYS, III,)	
)	
Petitioner,)	
)	
v.)	No. 2:23-cv-02506-SHL-atc
)	
F. J. BOWERS,)	
)	
Respondent.)	

DECLARATION OF MICHELLE FULGUM

Pursuant to 28 U.S.C. § 1748, I, Michelle Fulgum, declare and state as follows:

1. I am currently the Assistant Sector Administrator for the Reentry Services Division of the Central Sector of the Bureau of Prisons and the Acting Manager of the Nashville Residential Reentry Management Center (“RRM”). I have held these positions since October 2023. Before October 2023, I had been the Manager of the Nashville RRM since March 2022. As Manager of the Nashville RRM, I oversaw the staff in the office and the oversaw the processing of referrals for home confinement under the CARES Act that came into the office (among other tasks). When my staff had questions about how to process referrals for home confinement under the CARES Act, they referred their questions to me. I ensured that all CARES Act referrals for home confinement were processed and placed correctly.

2. Inmates’ CARES Act referrals go to the Residential Reentry Office in the BOP district according to the individual’s court of jurisdiction, unless they have received an approval for relocation. The referral notes the proposed residence to which they are seeking home confinement.

3. At 11:59 p.m. on May 10, 2023, the expanded authority that the CARES Act granted BOP to review inmates and place them on home confinement ended. If an RRM granted a referral for home confinement on or before that date and time, the inmate was still eligible to be released to go to home confinement after 11:59 p.m. on May 10, 2023. Thus, as long as the RRM had made a decision regarding an inmate's home confinement request on or before 11:59 p.m. on May 10, 2023, the BOP could effect that decision and refer the inmate for home confinement after 11:59 p.m. on May 10, 2023.

3. The Nashville RRM approved inmate Kallol Saha's referral for home confinement on May 9, 2023. Thus, the RRM's approval of Saha's home confinement referral occurred before the expanded authority under the CARES Act expired on May 10, 2023. The BOP transferred Saha to home confinement on June 7, 2023, but because the RRM approved his referral for home confinement before May 10, 2023, his later transfer to home confinement after the CARES Act was appropriate.

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

Executed on this 12th day of April 2024.

Michelle Fulgum
Assistant Sector Administrator for the Reentry
Services Division of the Central Sector of the Bureau
of Prisons and the Acting Manager of the Nashville
Residential Reentry Management Center