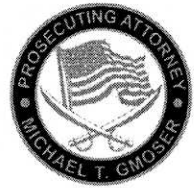


MICHAEL T. GMOSE
BUTLER COUNTY PROSECUTING ATTORNEY

Government Services Center
315 High Street, 10th Floor, Hamilton, OH 45011
Phone (513) 887-3478 - Fax (513) 887-3748



January 6, 2026

United States District Court
Southern District of Ohio
Potter Stewart U.S. Courthouse
100 East Fifth Street
Cincinnati, Ohio 45202

Re: 1:25-cv-943 *Christine Martinez v. Butler County Sheriff Richard K. Jones, et al.*

Dear Judge Cole,

As requested by the Court I inquired of the Butler County Jail about their outgoing mail process. Unfortunately, the jail does not monitor outgoing mail. I have attached an affidavit from a staff member at the jail that relates how outgoing inmate mail is dealt with in the jail's regular course of business. You will find from the affidavit that inmates are able to drop mail at a location within their pod and that mail is then sent to a central location where it is picked up on weekdays by the post office when delivering mail to the jail.

Ms. Martinez gave no indication that any of her mailings had been returned to her, so it is my assumption that her appeals are in transit or have hopefully reached their designation. I am sorry I am unable to provide the Court with more specific information as to Ms. Martinez's appeals. I have made arrangements that Ms. Martinez will be served personally with a copy of this filing. Should the Court require any additional information I will endeavor to provide such as quickly as possible.

Respectfully,

Kevin J. Gerrity
Chief Assistant Prosecuting Attorney
Counsel for Butler County Sheriff Richard K. Jones

AFFIDAVIT

STATE OF OHIO)
)
BUTLER COUNTY)

I, Lieutenant Whitney Tendam, having been first duly sworn and cautioned, hereby state that I have personal knowledge of all facts contained in this affidavit, that I am competent to testify to the matters stated herein, and that the following is true to the best of my knowledge and belief. I hereby swear and state as follows:

1. I am an Acting Lieutenant in the Corrections Division of the Butler County Sheriff's Office and part of my duties within the Butler County Sheriff's Office is overseeing inmate records, which includes inmate mail;
2. Outgoing mail sent from inmates is not tracked or recorded as part of our standard record keeping procedures;
3. When inmates have outgoing mail that they wish to have sent out, inmates place their outgoing mail envelopes into a blue receptacle located within their jail pod;
4. Upon inmates placing the mail in the blue outgoing mail receptacle, the mail is collected from each pod by a corrections officer every evening and placed in the records offices located within the Butler County Sheriff's Office;
5. The outgoing mail is not inspected nor reviewed for postal deficiencies, nor is any record kept of which inmates placed mail in the outgoing mail receptacle and therefore, outgoing mail is not delayed in any way for inspection or record keeping purposes or otherwise;
6. As part of the ordinary course of business, a United States Post Office employee comes to the jail on Monday through Friday and all incoming mail is delivered by the Post Office employee and all outgoing mail is collected by said Post Office employee;
7. If any outgoing mail is returned to the jail due to the mail being undeliverable for any reason, whether due to a mislabeled address, postal defect, etc., the returned mail is copied and delivered to the inmate who had attempted to mail the letter and the original mail is discarded; any returned mail that contains anything other than standard paper letters would be placed in property bin and the inmate would be notified;

8. As part of the ordinary course of business, no inmate returned-mail is documented nor recorded unless the returned mail contained objects considered contraband or items not permitted to be returned to the inmate due to safety and security policy;

Further affiant sayeth naught.

Lt. Whitney Tendani
Lt. Whitney Tendani

NOTARY

Subscribed and sworn to before me this 5th day JANUARY, 2026

[Signature]
Notary Public



JONATHAN E. DAVIDSON, Attorney at Law
In and for the State of Ohio
My Commission has no expiration date.
Section 147.08 O.R.C.