

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,
v.

COMMONWEALTH OF PUERTO RICO,
et al.,

Defendants.

CASE NO. 99-1435 (GAG-MEL)

ORDER Re: Institutionalization Order at Docket No. 2900, DSPDI Response at Docket No. 2920, DSPDI New Homes Plan at Docket No. 2961 & USDOJ Informative Motion at Docket No. 3042

The Court has reviewed the motions filed by the parties at Docket Nos. 2920, 2961 and 3042. These stem from the order at Docket No. 2900 prohibiting the institutionalization of any participants except upon prior Court approval, as well as instructing the Commonwealth DSPDI to present a New Homes Plan.

Upon careful review and consideration of the same, the Court entirely agrees with USDOJ's position as to both matters and, thus, adopts as its own and in their entirety the analysis, findings and conclusions therein, summarized as follow:

1. The Commonwealth DSPDI violated court orders in institutionalizing the participant in question;
2. The Commonwealth DSPDI is not complying with Olmstead; and,
3. DSPDI's New Homes Plan is not entirely appropriate and sufficient.

Accordingly, the Court's order at Docket No. 2900 prohibiting institutionalization stands.

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Further, DSPDI shall submit the Court **within 30 days** a revised New Homes Plan consistent with USDOJ's recommendations adopted by the Court. USDOJ will then have 30 days to review the same, and the JCC will review and make final recommendations to the Court.

SO ORDERED.

In San Juan, Puerto Rico this 17th day of August, 2020.

s/ Gustavo A. Gelpi
GUSTAVO A. GELPI
United States District Judge