

Happy Trails to You, and Sorry for the Delay—Michael's Rock and Roll Posse

To my Posse:

I have been reminded by several of you that I have not sent out a Posting for some time, for which I have no good reason, other than the transition to retirement and moving from Houston to Santa Fe, NM, my hometown. We returned to NM just before Christmas, after Tina's successful hip replacement in Houston. She has recovered completely, and we are grateful we have health care and insurance.

The day after New Year's, we went to the annual AALS meeting, in DC, which was more daunting than I had figured, given my pending knee surgery. I had two paper sessions, but it was very difficult to navigate the hotel and related events. I even missed the annual Latina/o Law Professor dinner and program at American U. Upon our return to Santa Fe, we began to unpack our 38+ years together in Houston, in our condo, downsized from our 34 year-home a mile away, which is 4 BR on almost two acres. Downsizing seemed a good idea at the time. I lectured once at UNM, in Albuquerque, 60 miles away, and we attended a Lila Downs concert at the Lensic Theater, one of my childhood movie houses in Santa Fe, now a multi-purpose venue. She was excellent, and it was February 1, the last concert we have seen since all COVID hell broke loose.

As of today, there have been just over 140 COVID deaths in the state. There are many similar rural states with terrible COVID policies & numbers that are much worse, so we feel very fortunate—not one person in Santa Fe has (yet) died from the virus, even with all the retirees, seniors, retirement homes, and poor people here.

Over 40% of the deaths in NM have been Native Americans, although they are only 11% of the population. The County with Gallup (which includes the NM portion of Navajo Nation) has more sick and dead than does the Albuquerque area, with more than half the State's population. The most telling part of this move has been that it would have been impossible to distance ourselves in the UH Lofts where we lived for the last 7 years, with 900 of our closest friends.

We are able to quarantine ourselves pretty easily, and the weather has been wonderful—it even snowed last week—see the attached photos Tina took, as she hiked on the grounds here. (In a separate email.) Of course, it disappeared a day later, but it was welcome in this high-desert climate.

Tina technically retires from UH next month, after consulting on several projects, but we have completed teaching, and hope to settle into better routines. I spent the first two months copyediting and finishing the footnotes to my DREAM Act book, which is now in a race with the SCOTUS decision on DACA. UHLC has set up a national zoom press conference, the

day it is announced (we think within the next 10 days), and then I will move onto the projects I have on hold—my 5th edition of the Higher Education Law casebook, for which I now have a collaborator for my last version, and a novel at which I have poked and prodded for several years. It is called *The Mt Carmel Rd Murders*, and involves a Catholic Seminary and convent, bodies, forged maps, and the Treaty of Guadalupe Hidalgo. I know some of you think my scholarship over the years has been fiction, but this is my first stab (ahem?!) at a novel. I have approached it as if it were a thickly-plotted movie, which has helped me with the narrative flow.

Speaking of movies, one of my earlier books became the basis for a PBS documentary on Hernandez v. Texas (“A Class Apart”), and not only has the original volume been re-issued as a paperback, but a team of young filmmakers have optioned it for a feature film, for which we are seeking funding. (I will serve as an Executive Producer on the project.) They came to NM last summer to discuss the project, and they have just hired counsel, so we are moving ahead.

I have had trouble with my PC screen, so am using a backup portable notebook and cannot print. And Geek Squad is shut down for the time being, so I am making do.

Although all NM surgeries are now being treated as elective, we are being led to believe they will resume in late summer, so I am trying to keep that time open for my knee surgery. I am still

taking the increasing pain like a man—badly, with whining and crying. After all this time, I am looking forward to walking without a cane and a limp, so I can take up marathons at 7,500 ft altitude. (On this last point, I am honing my fictional skills.)

We had tickets for James Taylor & Jackson Browne in Houston and Dylan in Albuquerque, both postponed, so we are anxious to catch up after all the postponed tours start up again. I am on grassy knoll footing here, but Ticket Master and Live Nation have been terrible about refunds, and the Saudis just bought 5% of Live Nation, certainly not a good development (especially for journalists—and law pros—who cover entertainment law). On that front, I am sketching out the 8th year of my NPR show, and plan to expand from 12 classes each year to 18. There is surely enough legal material to increase the number, and this is how I expect to fill my teaching time. I also expect to increase the number of radio stations that carry the show, particularly NPR and Pacifica licensees. As soon as my radio studio at SF Community College re-opens, I will record 9 new ones, with 9 more around Labor Day. (All these years, I have recorded them all in one fell swoop, so this is the best way to add the new shows into the rotation.)

While not exhaustive, I have brought you all up to speed. I hope that the dust has cleared enough that I can more often stay in touch, but don't let that stop you from contacting me, making suggestions, and engaging with me, whether you agree or disagree. We hope travel to Northern NM will be possible for

some of you, and we will likely travel a bit, certainly back to Houston, and in support of book projects we have in the works.

People have asked me how retirement is, and now that a semester has passed, I realize that is not the measure of time any longer. Here's the biggest material difference: **For the first time since I graduated from college seminary in 1972, and started teaching Freshman Composition at Ohio State, I am no longer on a payroll.** I began my career being paid graduate tuition and \$180 per month. By the time the quarter had started, I got a 10% raise to \$198, and thought I had died and gone to Heaven. The work is still the same—writing and re-writing, and for the time being, in quarantine with my best friend and the woman I love, in one of the most livable places anyone could want.

Now that we have moved to this stage, we hope to leave the trails better than we found them. Our love and respect to all of you,

Michael

Santa Fe, NM

May 3, 2020