

~~Sunflower~~
^{HINDS}
In the Circuit Court of ~~Sunflower~~ County, Mississippi

John Peyton Alexander, II

Petitioner

vs.

Cause No. 2010-M-00505

Christopher B. Epps

Respondent

Petition for Writ of Mandamus

COMES NOW the Petitioner, John Peyton Alexander, II, acting *pro se*, and hereby humbly requests that this Honorable Court command the Respondent to honor and enforce the opinion of the November 1975 Term of the Hinds County Grand Jury rendered in its CERTIFICATION OF THE GRAND JURY (Exhibit F); and, in support thereof, would show to the Court the following, to wit:

PARTIES

1. John Peyton Alexander, II (hereafter John) is a prisoner who is in the custody of the Mississippi Department of Corrections (MDOC) at the Mississippi State Penitentiary at Parchman. (Exhibit A)
2. Christopher B. Epps is the Commissioner of the MDOC.

JURISDICTION

3. On March 12, 2010, John exhausted the procedures of the MDOC Administrative Remedy Program. (Exhibit L)
4. The Mississippi State Penitentiary at Parchman is located in Sunflower County. Therefore, this Court has jurisdiction.¹

STATEMENT OF THE CASE

5. On October 4, 1975, John committed a homicide.
6. The November 1975, Term of the Hinds County Grand Jury investigated this homicide; and, acting pursuant to Sec. 99-13-5, Miss. Code Ann. (Exhibit I) issued its CERTIFICATION OF THE GRAND JURY (Exhibit F).
7. This CERTIFICATION OF THE GRAND JURY finds that, as a matter of fact and as a matter of law, John was not responsible for his actions on October 4, 1975 at the time of the homicide. (Exhibit F).
8. NOTICE (Exhibit E) of this CERTIFICATION OF THE GRAND JURY was given by the Hinds County Circuit Court to the Hinds County Chancery Court; and, on November 25, 1975, the Chancellor committed John to the Mississippi State Hospital at Whitfield (hereafter Whitfield) for treatment for 20 days (Exhibit H).
9. Approximately twenty days later, John was discharged from Whitfield into pretrial detention.

¹ ~~If this Honorable Court so finds that it does not have jurisdiction, Petitioner respectfully requests that the Court transfer the case to the court which does have proper jurisdiction.~~

10. John was tried before a petit jury, and on May 7, 1976 (Exhibit A), he was sentenced to the Mississippi State Penitentiary at Parchman (hereafter Parchman).

11. The conclusions and findings of the CERTIFICATION OF THE GRAND JURY (Exhibit F) are in direct conflict with the conclusions and findings of the petit jury verdict (Exhibit A).²

12. Following the verdict of the petit jury, the trial Court sent John back to Whitfield pending the appeal of his case to the Supreme Court of Mississippi (Exhibit B).

13. On July 1, 1976, the Mississippi Department of Corrections was created when statutory legislation went into effect. This Corrections Act provided many previously-unavailable treatment opportunities to prisoners. Sections 47-5-1, *et seq.*, Miss. Code Ann. (Supp. 1976).

14. While he was at Whitfield awaiting the appeal of his case, John's lawyers told him that, because of the CERTIFICATION OF THE GRAND JURY, they could keep him out of the penitentiary indefinitely.

15. During the time John was at Whitfield, John's father, Peyton, was involved in a prison outreach program known as MOVE³

16. Mr. Alexander toured Parchman with the MOVE organization, and advised John that the quality-of-life at Parchman was better than the quality-of-life at Whitfield.

17. John's mother, Elizabeth, also toured the prison and brought back a similar report.

18. Based on the advice of his parents' John chose to receive his treatment at Parchman (Exhibit D)

² The case was prosecuted by Edward J. Peters, who, in 2009, was disbarred by the Supreme Court of Mississippi in connection with a judge-tampering scandal.

³ This is an acronym for Mississippi Offenders Volunteer Effort.

19. After the homicide, John displayed profound remorse and dramatic amendment of life; and, as a result, John was granted parole in 1984.

20. In 1986, John's parole was revoked as a direct result of his mental condition. See *Alexander v. State*, 647 So. 2d 693 (Miss. 1994) and *Alexander v. State*, 667 So. 2d 1 (Miss. 1995).

21. During the time-period subsequent to his parole revocation, John has been housed at Parchman, at the Central Mississippi Correctional Facility (CMCF) in Pearl, at the East Mississippi Correctional Facility (EMCF) in Meridian, and at the South Mississippi Correctional Institution (SMCI) in Leakesville. (Exhibit G).

ARGUMENT

22. The CERTIFICATION OF THE GRAND JURY (Exhibit F) is a legally-valid, lawfully-rendered court decision, which is supported by statutory authority (Exhibit I).

23. The CERTIFICATION OF THE GRAND JURY has never been reversed by an appellate court; neither has it been rescinded by any court.

24. Chronologically, the CERTIFICATION OF THE GRAND JURY is the first court decree rendered in John's case.

25. The quality-of-life at Parchman is better than the quality-of-life at CMCF, EMCF and/or SMCI. (Exhibit G)

26. John chose to receive his treatment at Parchman (Exhibit D): he did not choose to be housed at CMCF, EMCF or SMCI.

27. John receives favorable and positive psychiatric and psychological evaluations (Exhibits J, K)
28. Sec. 47-5-110, Miss. Code Ann. (Exhibit C) is an *ex post facto* law, as it applies to the MDOC'S practice of moving John all over the State of Mississippi.

REQUESTED RELIEF

29. Since the CERTIFICATION OF THE GRAND JURY states that John was not responsible for the homicide, John is asking this Honorable Court to order the MDOC Commissioner to discharge him from the custody of the Mississippi Department of Corrections.⁴
30. John is asking for any further relief which this Honorable Court may deem appropriate under the facts and circumstances of the case.

WHEREFORE, PREMISES CONSIDERED, John requests that the Court hold a hearing on his claims.

This, the 17th day of March, in the year of our Lord 2010.

RESPECTFULLY SUBMITTED,



John Peyton Alexander, II
Petitioner, *Pro Se*

⁴ In the alternative, John is asking the Court to order the Respondent to place an "MSP Institutional Hold" in his record, in order that John cannot be transferred by the MDOC away from Parchman.

THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT OF
HINDS COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

CAUSE NO. 0-261

VS.

John Byron Alexander II

JURY VERDICT AND SENTENCING OF THE DEFENDANT BY THE COURT

Now comes the District Attorney who prosecuted for and on behalf of the State of Mississippi and the Defendant, John Byron Alexander II, in his own proper person, in custody and by counsel, being called to answer a charge of Murder, being arraigned upon the charge in the indictment duly entered a plea of Not Guilty thereto.

Thereupon came a Jury of Mr. Paul S. Purvis and eleven other good and lawful citizens who being duly empannelled, sworn and charged to well and truly try the issue joined and a true verdict render according to the law and the evidence. After hearing all the evidence and arguments of counsel, and applying the instructions of the Court, retired and presently returned in open Court the following verdict, to wit:

The Jurors find the defendant guilty as charged.
Therefore ordered and adjudged that the Defendant, John Byron Alexander II, for such his crime of Murder, to which he has been found

guilty as charged, be and hereby is sentenced to serve a term Life in the Mississippi State Penitentiary

SO ORDERED AND ADJUDGED this the 7 day of May

Richard Moon
CIRCUIT JUDGE

707

LEXSTAT

MISSISSIPPI CODE OF 1972 ARCHIVE DIRECTORY
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*** THIS DOCUMENT REFLECTS CHANGES RECEIVED THROUGH THE 2008 REGULAR AND ***
*** 2008 1ST EXTRAORDINARY SESSION ***

*** STATE COURT ANNOTATIONS CURRENT THROUGH NOVEMBER 18, 2008 ***

TITLE 47. PRISONS AND PRISONERS; PROBATION AND PAROLE
CHAPTER 5. CORRECTIONAL SYSTEM
OFFENDERS

GO TO MISSISSIPPI CODE OF 1972 ARCHIVE DIRECTORY

Miss. Code Ann. § 47-5-110 (2008)

§ 47-5-110. Commitments to be to department and not to particular institutions or facilities; transfers of offenders; community prerelease program; conditions; immunity for commissioner of corrections; regimented inmate discipline programs. [Repealed effective July 1, 2011]

(1) Commitment to any institution or facility within the jurisdiction of the department shall be to the department, not to a particular institution or facility. The commissioner shall assign a newly committed offender to an appropriate facility consistent with public safety; provided, however, that any offender who, in the opinion of the sentencing judge, requires confinement in a maximum security unit shall be assigned, upon initial commitment, to the Parchman facility. The commissioner may extend the place of confinement of eligible offenders as provided under subsection (2) of this section. He may transfer an offender from one institution to another, consistent with the commitment and in accordance with treatment, training and security needs. The commissioner shall have the authority to transfer inmates from the various correctional facilities of the department to restitution centers if such inmates meet the qualifications prescribed in Section 99-37-19. The commissioner shall prepare appropriate standards of eligibility for such transfers of offenders from one institution to another institution and transfers of offenders who meet the qualifications for placement in restitution centers. The commissioner shall have the authority to remove the offenders from restitution centers and to transfer them to other facilities of the department. The commissioner shall obtain the approval of the sentencing court before transferring an offender committed to the department to a restitution center. On the request of the chief executive officer of the affected unit of local government, the commissioner may transfer a person detained in a local facility to a state facility. The commissioner shall determine the cost of care for that person to be borne by the unit of local government. The commissioner may assign to a community work center, any offender who is convicted under the Mississippi Implied Consent Law and who is sentenced to the custody of the Department of Corrections, except that if a death or a serious maiming has occurred during the commission of the violation of the Mississippi Implied Consent Law, then the offender so convicted may not be assigned to a community work center.

(2) The department may establish by rule or policy and procedure a community prerelease program which shall be subject to the following requirements:

(a) The commissioner may extend the limits of confinement of offenders serving sentences for violent or nonviolent crimes who have six (6) months or less remaining before release on parole, conditional release or discharge to participate in the program. Parole violators may be allowed to participate in the program.

(b) Any offender who is referred to the program shall remain an offender of the department and shall be subject to rules and regulations of the department pertaining to offenders of the department until discharged or released on parole or conditional release by the State Parole Board.

(c) The department shall require the offender to participate in work or educational or vocational programs and other activities that may be necessary for the supervision and treatment of the offender.

(d) An offender assigned to the program shall be authorized to leave a community prerelease center only for the purpose and time necessary to participate in the program and activities authorized in paragraph (c) of this subsection.

(3) The commissioner shall have absolute immunity from liability for any injury resulting from a determination by the commissioner that an offender shall be allowed to participate in the community prerelease program.

(4) (a) The department may by rule or policy and procedure provide the regimented inmate discipline program and prerelease service for offenders at each of its major correctional facilities: Mississippi State Penitentiary, Central Mississippi Correctional Institution and South Mississippi Correctional Institution.

(b) The commissioner may establish regimented inmate discipline and prerelease programs at the South Mississippi Correctional Institution. Offenders assigned to this facility may receive the services provided by the regimented inmate discipline program. The prerelease program may be located on the grounds of this facility or another facility designated by the commissioner.

(5) This section shall stand repealed on July 1, 2011.

HISTORY: SOURCES: Laws, 1976, ch. 440, § 16; reenacted, 1981, ch. 465, § 57; reenacted, 1984, ch. 471, § 53; reenacted, 1986, ch. 413, § 53; Laws, 1986, ch. 428, § 1; Laws, 1993, ch. 578, § 1; Laws, 1997, ch. 371, § 1; Laws, 2003, ch. 552, § 2; Laws, 2005, ch. 505, § 1; Laws, 2007, ch. 353, § 1, eff from and after passage (approved Mar. 15, 2007.)

NOTES:

AMENDMENT NOTES. --The 2003 amendment rewrote the fifth and sixth sentences of (1); and added (5) containing a repealer of July 1, 2005.

The 2005 amendment extended the date of the repealer in (5) from "July 1, 2005" until "July 1, 2007."

The 2007 amendment extended the date of the repealer in (5) from "July 1, 2007" to "July 1, 2011."

CROSS REFERENCES. --Provisions relative to prison system overcrowding and the exercise of powers which tend to reduce prison system population or expand operating capacity during states of emergency, see §§ 47-5-701 et seq.

Restitution centers generally, see § 99-37-19.

LexisNexis 50 State Surveys, Legislation & Regulations

Boot Camps and Prison Farms

JUDICIAL DECISIONS

I. IN GENERAL.

Without waiving the procedural bar to the inmate's claim that his sentence was unconstitutional, the court held that the inmate was properly charged under Miss. Code Ann. § 97-9-45 and entered a plea of guilty to the escape; the sentence of three years was well within the maximum prescribed by the statute, which referred to prisoners sentenced to the Mississippi Department of Corrections and allowed a maximum sentence of five years, and thus the inmate was not

~~XXXXXXXXXX~~

I wanted to go ahead and begin accepting my responsibility and doing my time. That is why I signed this waiver in order to get to Parchman

STATE OF MISSISSIPPI
COUNTY OF HINDS

TO WHOM IT MAY CONCERN:

I, John P. Alexander, having been convicted of the crime of murder in the Circuit Court of the First Judicial District of Hinds County, Mississippi do hereby certify that I have been fully advised of my right to remain in the Hinds County Detention Center pending my appeal of said conviction to the Supreme Court of the State of Mississippi.

I hereby waive my right to remain in the Hinds County Detention Center pending appeal of my conviction to the Supreme Court of the State of Mississippi and request that I be transferred to the Mississippi State Penitentiary at Parchman, Mississippi.

Witness my signature this the 7th day of August, 1977.

John P. Alexander
John P. Alexander

Witness:

[Signature]
Attorney for Defendant

S. J. Collins Jr.

Original to Parchman

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT
OF HINDS COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

VS.

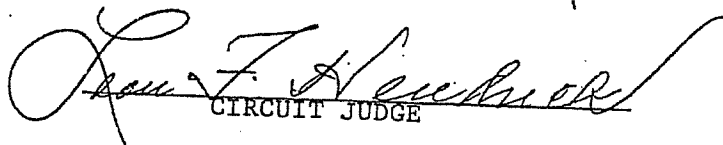
JOHN PEYTON ALEXANDER, II

NOTICE

TO THE CHANCERY COURT OF THE
FIRST JUDICIAL DISTRICT OF
HINDS COUNTY, MISSISSIPPI:

Please take notice of the action of the Grand Jury
for the First Judicial District of Hinds County, Mississippi, in
State of Mississippi vs. John Peyton Alexander, II, as contained
in the attached "Certification of the Grand Jury."

Dated this 25th day of November, 1975.

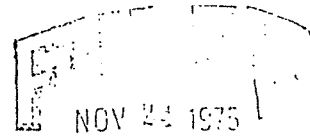

CIRCUIT JUDGE

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT
OF HINDS COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

VS.

JOHN PEYTON ALEXANDER, II



WM. E. "TRIP" HENNINGLEY
CLERK OF COURT
By Deane G. Smith, Jr. C.

CERTIFICATION OF THE GRAND JURY

The Grand Jury for the First Judicial District of Hinds County, Mississippi, impaneled and acting for the regular November, 1975, term, acting by and through its Foreman, certifies unto the Court as follows:

The Grand Jury has investigated the homicide of Harriet Robinson which occurred on or about October 4, 1975, at Parham Bridges Park in the City of Jackson, Mississippi. John Peyton Alexander, II, has been charged with the murder of Harriet Robinson by officials of the police department of the City of Jackson, Mississippi, and is now being held without bond in the jail at the Municipal Court Building in the City of Jackson, Mississippi.

This Grand Jury does not find a true bill against John Peyton Alexander, II, by reason of his insanity, which this grand jury adjudges to be such that he was not, on October 4, 1975, at Parham Bridges Park in the City of Jackson, Mississippi, when the homicide occurred, responsible for his acts at the time the acts were committed and made, and this grand jury does hereby certify such facts to the Circuit Court of the First Judicial District of Hinds County, Mississippi, and further certifies that John Peyton Alexander, II, is a present danger to the security of persons and property, and the peace and safety of the community.

EXHIBIT F

page 1

Minute Book 64
@ p. 52-53

This Grand Jury further reports of such insanity of John Peyton Alexander, II, and such danger, to the Circuit Court of the First Judicial District of Hinds County, Mississippi, and requests of the Court that notice of the case be given to the Chancery Court of the First Judicial District of Hinds County in Jackson, Mississippi, or to the clerk of said court, with a request that the Chancery Court proceed with John Peyton Alexander, II, according to the law provided in the case of persons of unsound mind.

The Grand Jury further recommends that John Peyton Alexander, II, remain in the custody of the Jackson Police Department in the jail at the Municipal Court Building in Jackson, Mississippi, until such time as the Chancery Court has an opportunity to complete its proceedings according to law.

Dated this 24th day of November, 1975.


FOREMAN OF THE GRAND JURY


DISTRICT ATTORNEY

minute Book 64
@ p. 52-53

This Order Taken to
Chancery Court 11/25/75

Back-to-School Meditation: 2009

I am now housed at the South Mississippi Correctional Institution (SMCI) in Leakesville. Prisoners who are educated and who also have good institutional records often are "rewarded" by being shipped to facilities all throughout the Mississippi Department of Corrections. The upper management of the MDOC does this with the knowledge that we can do our small part to make these trouble-spots better for everyone: staff and prisoners alike.

Most people in the Free World think that Parchman is the worst prison in the state. While Parchman has earned its reputation as one of the world's most brutal prisons, actually it is the best prison in Mississippi: as far as overall quality-of-life issues.

Most of the staff members at Parchman have been about the corrections business longer, and Parchman is under so many court orders to do better; whereas, in these other facilities the court orders have been adopted into "policy and procedure" and do not have the weight of the law behind them!

The problem I had at Parchman is that a staff member from SMCI was promoted to Warden and transferred to Parchman. As part of her on-the-job-training, she was in charge of visitation one Sunday, and she mistreated my mother, who had driven 230 miles one-way to visit me. Mom was standing in line with a piece of paper in her hand which had talking-points notes on it for our visit. The warden labeled these notes "unreadable contraband." Mom was turned around at the front gate and had to drive home without getting to visit me. To add insult to injury, Warden Jones suspended Mom's visiting privileges for six months.

While being transferred to SMCI from Parchman, I spent about a week in a transit building in the prison in Pearl. It was during this time that Hinds County Circuit Court Judge Bobby DeLaughter was convicted in connection with a judicial bribery scandal. I watched the breaking news reports on the Jackson television stations.

Ed Peters, who was the prosecuting attorney in my case, made a deal to snitch on DeLaughter (who had been Peters' protégé). DeLaughter accepted the promise of an appointment to the Federal bench in exchange for a favorable ruling in a dispute over legal fees in a tobacco litigation case (Peters brokered the bribe).

Peters was disbarred but did not get jail time. However, Edward J. Peters will forever be remembered as a corrupt politician; he will not be remembered for any of the people he put in prison!

(If I am remembered at all 200 years from now, I believe the fact that I have spent over 30 years in prison will be a little-known detail that someone like the late Paul Harvey would highlight in a "Rest of the Story" broadcast.)

If justice was for sale in one Mississippi court case, who is to say that justice was not for sale in my parole revocation case as well?

In the meantime, life goes on: one-day-at-a-time!

However, in the big picture, I derive a great deal of solace, comfort, and consolation in the belief that when I die, I'm going straight to Heaven: I've already spent my time in Purgatory! (God is not a double-jeopardy god).

In the name of the Father, and of the Son, and of the Holy Spirit. Amen!

John P. Alexander, MDOC #30021
SMCI Area 2, Bldg. A-1, A-Zone, Bed 82
P. O. Box 1419
Leakesville, MS 39451-1419

aka
John Apple

EXHIBIT G

IN THE CHANCERY COURT OF THE FIRST JUDICIAL DISTRICT
OF HINDS COUNTY, MISSISSIPPI

IN RE: MATTER OF JOHN PEYTON ALEXANDER, II #MSH-76

FILED
NOV 25 1975

ORDER OF ADMITTANCE AFTER HEARING

MRS. [Name] [Title]
By: *J. [Name]* J. C.

F

This matter having come on for hearing according to law and the Court having heard the reading of the various documents and pleadings and heard the evidence offered in open Court, finds as follows, to-wit:

I

The Respondent was present at the hearing and was represented by counsel.

II

The Respondent testified personally, but all other oral testimony was waived by the defendant and his attorney. Testimony of two examining psychiatrists, copies of said reports being made a part of the records in this cause, were considered in lieu of their personal appearance, this also with the consent and waiver of the defendant and his attorney.

III

The Court has jurisdiction of the subject matter and of all necessary parties.

IV

The Respondent was properly represented by competent counsel and was provided ample opportunity to acquire and present witnesses, testimony and evidence.

V

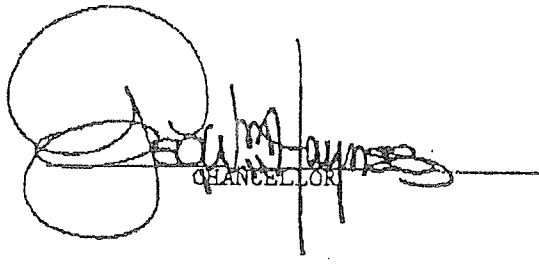
By a preponderance of the evidence it has been shown that the Respondent is in need of mental treatment.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that

John Peyton Alexander, II, Respondent, be admitted forthwith to Mississippi State Hospital at Whitfield, Mississippi, for treatment for twenty days and the Hinds County Sheriff and his deputies are hereby appointed, authorized and directed to immediately deliver Respondent to the Director of said institution.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Court retains jurisdiction of this matter for the purpose of determination and allowance of all costs and fees in connection herewith.

ORDERED, ADJUDGED AND DECREED on this, the 25th day of November, 1975.


CHANCELLOR

MISSISSIPPI CODE of 1972 ANNOTATED
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*** CURRENT THROUGH THE 2005 REGULAR SESSION ***
*** AND 1ST THROUGH 5TH EXTRAORDINARY SESSIONS ***
*** STATE COURT ANNOTATIONS CURRENT THROUGH NOVEMBER 29, 2005 ***

TITLE 99. CRIMINAL PROCEDURE
CHAPTER 13. INSANITY PROCEEDINGS

GO TO MISSISSIPPI CODE OF 1972 ARCHIVE DIRECTORY

Miss. Code Ann. § 99-13-5 (2005)

§ 99-13-5. Disposition of accused when grand jury finds him to be insane or feeble-minded

When any person is held in prison, or on bail, charged with an offense, and the grand jury shall not find a true bill for reason of insanity of the accused, or for reason of feeble-mindedness of the accused, which they judge to be such that he or she was not responsible for his acts or omissions at the time when the act or omission charged was committed or made, the grand jury shall certify the fact to the circuit court, and shall state whether or not such insane or feeble-minded person is a danger to the security of persons and property, and the peace and safety of the community, and if the grand jury report such insanity or feeble-mindedness, and such danger, the court shall forthwith give notice of the case to the chancellor, or to the clerk of the chancery court, whose duty it shall be to proceed with such insane person and his estate, or such feeble-minded person, according to the law provided in the case of persons of unsound mind or feeble-minded persons.

HISTORY: SOURCES: Codes, 1871, § 2878; 1880, § 3140; 1892, § 1467; Laws, 1906, § 1539; Hemingway's 1917, § 1301; Hemingway's 1921 Supp, § 5728x; Laws, 1930, §§ 1326, 7287; Laws, 1942, § § 2574, 6777; Laws, 1920, ch. 210.

NOTES:

CROSS REFERENCES. --Effect of insanity on motion under Mississippi Uniform Post-Conviction Collateral Relief Act, see § § 99-39-23, 99-39-27.

Procedures regarding prisoner sentenced to death who becomes insane after judgment of court is rendered, see § 99-19-57.

JUDICIAL DECISIONS

1. IN GENERAL.

The grand jury is not required by this section to delay acting on any case to await the outcome of the mental examination of an accused. *Williamson v. State*, 330 So. 2d 272 (Miss. 1976).

RESEARCH REFERENCES

ALR. Modern status of test of criminal responsibility--States cases. 45 *A.L.R.2d* 1447.

Necessity or propriety of bifurcated criminal trial on issue of insanity defense. 1 *A.L.R.4th* 884.

Competency to stand trial of criminal defendant diagnosed as "mentally retarded"--modern cases. 23 *A.L.R.4th* 493.

Competency to stand trial of criminal defendant diagnosed as "schizophrenic"--modern state cases. 33 *A.L.R.4th* 1062.

Mississippi Department of Corrections

Parchman, Mississippi 38738



(601) 745-6611

January 27, 1997

To Whom It May Concern:

Re: John P. Alexander, #30021 - Unit 23

John has been under my care since I came to the Department as the Mississippi Department of Corrections Psychiatrist in July, 1989. Prior to his entry into the system John had been diagnosed as suffering from a schizophrenia disorder and had been under treatment for that during his entire stay here in the prison. For several years now John has been treated with monthly injections of Haldol Decanoate. This is a long acting form of Haldol which is an anti-psychotic medication. The medication is suspended in oil which means that it is slowly absorbed and provides a therapeutic level of Haldol for a month at a time. John has been very faithful in taking his medication as ordered. He has done extremely well on this medication and as long as he continues to take his medicine I would anticipate that he will do fine wherever he is. One potential consequence of the medication is some possible liver damage however, we have monitored John for this problem and he has no evidence of liver damage up to this point. He is comfortable taking the medicine and I feel certain that he would continue to take the medication if he were back in the community.

If I can provide any additional information concerning inmate Alexander's condition or questions concerning the medication that he is taking, I will be glad to do so.

Sincerely,

A handwritten signature in cursive script that reads "Stanley C. Russell". To the right of the signature is a small circular stamp containing the letters "M.D.".

Stanley C. Russell, M.D.

Staff Psychiatrist & MDOC Medical Director

SCR:dct

EXHIBIT J

pc: file

MISSISSIPPI DEPARTMENT OF CORRECTIONS

NUMBER ASP - 09 - 3070

OFFENDER'S RELIEF REQUEST FORM

Type or use ball-point pen.

TO: Annita Robinson Director
First Step Respondent

Attorney Services
Location

FROM: John Alexander #30021
Offender's Name and Number

26-B
Housing Unit

Date of Incident

- ACCEPTED. This request comes to you from the Legal Claims Adjudicator. See the attached request from the offender. Please return your response to this office within 10 days of this date.
- REJECTED. Your request has been rejected for the following reason(s):

10.9.09
Date

[Signature]
Legal Claims Adjudicator

SECOND STEP (Pink Copies)

On N/A (date), I received a written response to my First Step request. I am not satisfied with this response because The CERTIFICATION OF THE GRAND JURY (Ex. F) is a lawfully rendered, legally-valid court decision which is supported by statutory authority, Sec. 99-13-5, MA (1972) (See Enclosed Ex. I). The findings in this Nov. 24, 1975 court ruling are in direct conflict with the May 7, 1976 sentencing order (Ex. A) which the MDOC is using to keep me incarcerated. I am asking the MDOC to enforce the CERTIFICATION OF THE GRAND JURY (Ex. F), since (chronologically) it is the first decision which was rendered in the homicide case. (I already have been through the chancery court. (See enclosed Ex. H). i.e.) I want to the MDOC to release me from custody.

Therefore, I am commencing the Second Step by sending the pink copy of this form (ARP-1), the pink copy of the First Step response (ARP-2), to the Superintendent. This request must reach the Superintendent's office within 5 days of my receiving the First Step response.

N/A
Date

N/A
Signature

THIRD STEP (Light Yellow Copies)

On 12-08-2009 (date), I received a written response to my Second Step request. I am not satisfied with this response because I am asking the MDOC Commissioner to order the MDOC Records Office to release me from custody. (See above-typed text of my argument).

I am commencing the Third Step by sending the light yellow copy of this form and the light yellow copies of my First and Second responses, to the Commissioner. This request must be sent within 5 days of my receiving the Second Step response.

12-08-2009
Date

[Signature]
Signature

INSTRUCTIONS TO OFFENDER:

keep.