

STATE OF MISSISSIPPI



JIM HOOD
ATTORNEY GENERAL

Via Hand-delivery

February 1, 2012

Honorable Tomie T. Green
Senior Circuit Court Judge
Hinds County Courthouse
Jackson, MS 39205

RE: Hood v. Epps, Cause No. 251-12-00033

Dear Judge Green:

This Court's January 26, 2012, Order requires the State of Mississippi to "amend the Complaint to add the specific names of Defendants that Plaintiff Attorney General contends have sufficiently complied with the constitutional mandate for publication" and to submit evidence to this Court pertaining to those publications on February 3, 2012. There are 22 people known to date who were pardoned by Governor Haley Barbour and who have satisfied the thirty-day publication requirement contained in Section 124 of the Constitution. We are concerned that by amending the Complaint to add these 22 persons and by submitting evidence pertaining to their pardons on February 3 we will be placing these persons in the position of incurring legal expenses. As an alternative, we would like to respectfully propose that the State file the attached Stipulation which lists the 22 persons, indicates that the State is not contesting the validity of their pardons, and seeks an order of dismissal as to those persons. If this is acceptable, we would be grateful if the Court would clarify its January 26 order to permit the State to submit the attached Stipulation in lieu of the amendment.

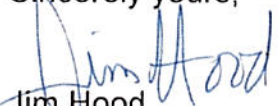
Separately, the State is in the process of preparing an amended complaint consistent with the Court's direction to "amend the Complaint [on or before February 3] to add any identified Doe Defendants that Plaintiff contends failed or inadequately complied with the constitutional mandate for publication."

Finally, this Court has set a hearing on the State's motion for preliminary injunction for February 3. The State seeks preliminary injunctive relief pertaining to the

pardons issued to Nathan Kern, David Gatlin, Charles Hooker, Anthony McCray, Katherine Robertson, Kirby Glenn Tate, Aaron Brown, Joshua L. Howard, Azikiwe Kambule, and Joseph Ozment. The State is not seeking preliminary injunctive relief on February 3 as to pardons issued to any other person.

Thank you for your attention to this matter.

Sincerely yours,



Jim Hood
Attorney General

enclosure

cc: Thomas M. Fortner, Esq.
Richard A. Filce, Esq.
Cynthia Stewart, Esq.
Edward Blackmon, Jr., Esq.
Sylvia Owen, Esq.
David K. Scott, Esq.
Robert G. Waites, Esq.
Jack L. Wilson, Esq.
John M. Colette, Esq.
Charles E. Griffin, Esq.
Luther T. Munford, Esq.
Joshua L. Howard

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

**JIM HOOD, ATTORNEY GENERAL FOR
THE STATE OF MISSISSIPPI, EX REL.
THE STATE OF MISSISSIPPI**

PLAINTIFF

VS.

CAUSE NO. 251-12-00033

**CHRISTOPHER EPPS, IN HIS
OFFICIAL CAPACITY AS COMMISSIONER
OF THE MISSISSIPPI DEPARTMENT OF
CORRECTIONS; ET AL.**

DEFENDANTS

STIPULATION

COMES NOW Jim Hood, Attorney General for the State of Mississippi, ex rel. the State of Mississippi, and files this stipulation.

The Attorney General believes that the thirty-day publication requirement contained in Section 124 of the Mississippi Constitution was satisfied with respect to the pardons issued on January 10, 2012, to the following twenty-two (22) persons:

- | | |
|-----------------------------------|------------------------------------|
| 1. Mark Hubbard Allen | 12. Herbert Lowery |
| 2. Thomas Beasley | 13. Kevin McCullough |
| 3. Bobby Ray Camp | 14. Zachary Kane Polk |
| 4. Ryan Jeremiah "Jeremy" Cooper | 15. Norman Lee Redo |
| 5. Carol Foster (Pinkston) | 16. Barry Sanderson |
| 6. Chris (Mabrie) Gilmer | 17. Dawn Renee (Hewitt) Schaefer |
| 7. John D. Jackson | 18. Jason Shivers |
| 8. Jerome Francis Jackson | 19. Scott McLean Smith |
| 9. Barbara Ann Hamilton | 20. Justin O'Keith (O'Keefe) Smith |
| 10. Emily Rebecca (Whatley) Hentz | 21. Alice Steed Triplett |
| 11. Perry Tyson Owen | 22. Joel Vann |

Therefore, the Attorney General is not contesting the validity of the pardons issued to the aforementioned. The Attorney General hereby stipulates that these persons are excluded from consideration as "John or Jane Doe" defendants in this matter.

In the event that the aforementioned individuals were considered to already be parties to this action, the Attorney General respectfully requests that this Court issue an order dismissing them as defendants in this lawsuit.

RESPECTFULLY SUBMITTED, this the _____ day of _____, 2012.

JIM HOOD, ATTORNEY GENERAL
STATE OF MISSISSIPPI

JIM HOOD, MSB No. 8637
ATTORNEY GENERAL
BRIDGETTE W. WIGGINS, MSB NO. 9676
ALEXANDER KASSOFF, MSB NO. 103581
SPECIAL ASSISTANT ATTORNEYS GENERAL