

American Prison Writing Archive

Hamilton College

198 College Hill Road

Clinton, New York

13323-1218

In February 20, 2020, the Arkansas Supreme Court took a very surprising turn in its course of Hill v Kelley et al, No. CV-19-261... it granted certain relief that gave me access to the records which Lincoln County circuit court judge and clerk had initiated methods to prevent me from having the merits of my habeas corpus appeal heard, inter alia. I was given a March 23, 2020 due date - slash - deadline. Needless to say, I had my argument and brief completed before that date - twice. Unfortunately, I was unable to obtain a notary public's signature and seal or to obtain copies of the petition before the March 23<sup>rd</sup> due date despite my best efforts. Every single day, on every single shift, I would request of every officer from a corporal to a sergeant and above, even a mental health worker or a chaplain volunteer - if they walked passed the cell door I would ask that they inform a notary public officer that I needed my appeal brief and other papers notarized before the March 23<sup>rd</sup> due date and show them the paperwork specifically showing this deadline.

The treatment coordinator is supposed to make these rounds in the cell-block twice a week. I honestly cannot remember when this has been done with my consistency prior to February 20<sup>th</sup>, 2020.

I'm forever mindful that prison industry is a multi-million dollar

business, corporation, franchise, or industrial enterprise, and that my habeas corpus collateral attack post-conviction proceedings threatens the financial security of each trial judge, prosecution administration, public defender, police agency, prison administrator, warden, and/or attorney general, agent, employee, or official whose interest is vested in the stocks of the modern day slave trade that is the involuntary servitude-slavery for which I am imprisoned and being punished, the mere proximity or accessibility of a freedom or deadly weapon in connection to a homicide offense is a non-existence offense. And what I am effectively initiating will cause a decline in their revenue. In short, I'm messing with their money pursuing my freedom so diligently with my meritorious claims, grounds, defenses, or complaints.

In my efforts to resolve the matter, I submitted an informal resolution on the issue of not being afforded notary public services. Among those mentioned was the treatment coordinator, whom processed the informal resolution. When I took the informal resolution to the formal grievance level known as "Step #2", the treatment coordinator stated to me that if I ever put her name in another grievance "we gave fill out" quote, unquote. Here, I must state with affirmance, it is no way possible here and I could be of any "cool" standing if she would intentionally act to interfere with my efforts of having my meritorious claims heard after the numerous times I have complained to her of the decades I've spent trying to get the courts to hear and determine the merits of my claim, and now the decision of U.S. v Davis, 139 S.Ct. 2319 (6/24/19) and Johnson v. U.S., 135 S.Ct. (2015) have finally hit my claims head on, leaving no wiggle room for any local, state, or federal court to ignore my claim whatsoever.

I continue to reiterate to these "inmates" that these oppressors, no matter how friendly they are towards them, their interest is still towards their paycheck, those who sign their paychecks. Those of us in white, with division correction numbers whom are locked in at night, whom do not clock in and clock out, are only of highly esteemed significant material relevance when one civil judge in habeas corpus proceedings brings forth nonfelony, maintenance claims. To the prison administrator, warden, agents, employees, officials, attorney general's officials, et al, it comes easy to tell a lie in official court records or state documents that will become official court records despite the contradiction of preexisting court records and/or the potential testimony to be elicited from state officials on the matter.

Creating additional delays, unnecessarily, only emphasizes the admittance of their guilt of knowingly having my person in custody illegally from the onset of receiving the judgment and commitment orders of my person from Grant County and Ouchitua County trial courts.

The biggest error most of us make is assuming that the courts do not want to hear that the prison officials interfaced with our filing deadlines. When prison officials are to blame, do not assume blame for their actions. Just as you are not to assume blame for the actions of others that result in your being in prison. My life has been put in power long enough in behalf of others not taking responsibility for their own actions. When I filed my first motion for extension of time in Hill v Kelley et al, No. CV-19-261 following the Feb. 20, 2020 motion of the court, I came close to making such an error. So I filed an amended motion, and a supplemental motion or motion to treat letter of communication to the

court as a supplemental motion. By any measure, I refuse to bear the burden when wrong is not mine to bear. It's not as if I can push the button to open the cell door, notate my own papers, make my own copies, and get said copies in the mailing system of my own accord. My best efforts were made before the due date and deliberately interposed with by the deliberate indifference of those I was reliant upon for the notice services and copies needed not provided in a timely manner. When I attempted to show the treatment coordinator the correspondence from the court with the due date emboldened, her response was that she did not want to see it, i.e., "deniability" if or when pointedly questioned, unless pointedly questioned on the matter as I have outlined above.

I would much rather the courts tell me they do not recognize the truth as opposed to them not even hearing the truth. At least, then, a higher court would know my claim is preserved and reversible. Denying me access to the courts and due process of law is the methods of circuit courts judges, clerks, and some state court justices, and prison officials, in the excess of unconstitutionally suspending the writ of habeas corpus, in violation of Ax Const. Art. 2, §§§§ 11, 12, 13, 15 and §18 and USCA Const. Amend Fourteenth, Eighth, First, Thirteenth and USCA Const. Art. 1, §9 ch. 2.

I was quarantined, April 13<sup>th</sup> thru April 19<sup>th</sup>, 2020, due to a high fever and other COVID-19-like symptoms. Only twice -- on "OD-Shift" -- and on that shift alone, since, have I heard anyone make any announcement for notice call or legal mail call. Yet, it is certain that there have been daily or nightly records falsified claiming that "legal mail" and/or "notice call" has been announced in each cellblock for those who are in need to

utilize such needed or necessary state resources required for access to the courts and to be afforded aid of due process of law in pursuit thereof.

Especially enough, after I wrote that sentence, a female sergeant came through announcing "notary call" and "legal mail" call -- something she, very specifically, rarely ever does. Could be coincidental that this shift ("BB") has decided to start doing its duties once again. Could be... and it possibly is not.

In August 2003, I was transferred from Cummins Unit to the Tucker Maximum Security Unit after submitting my critical physical documents and petition for copies of two (2) separate ACA §16-112-101-127 DNA/protein innocence known as Act 1780 of 2001 briefs to Ouachita County and Grant County trial courts, respectively. I was told that those documents would be sent to me by the Cummins Unit treatment Coordinator. I have never received them; those critical physical documents were not among those provided to me in the 2012 FCAs copies received from the Ouachita County prosecutor, nor 2012 Grant County trial counsel's copy of prosecutor's file, nor 2016 copy of state crime lab's copy of each lab's analysis test results affidavits reports, records, files, or other documents. Prison officials deliberately interfered with my habeas corpus collateral attack postconviction proceedings in 2003 as they have in 2020. Interference is interference. These are not the only two instances we see they isolated instances. I have chosen to highlight these particular instances for their similarities, e.g. prison officials taking deliberate actions to interfere with my obtaining entitled habeas corpus relief, in such a manner as to make it appear that noncompliance is my fault, when fault lays

completely with prison officials.

It is brought in good faith, that every prisoner does diligently pursue his or her rights without failure.

It is sworn under penalty of perjury.

Dated this 26<sup>th</sup> day of April, 2020.

Respectfully submitted by,  
Mr. Jessie Hill

Mr. Jessie Hill, #104136

WVA P.O. Box 400

Greedy, Arkansas 71644-0400

STATE OF ARKANSAS }  
COUNTY OF LINCOLN }

SUBSCRIBED AND SWORN TO BEFORE me, a Notary Public  
on this 27 date of April, 2020.

MY COMMISSION EXPIRES:

3-16-25

Scott A Taylor  
NOTARY PUBLIC

CERTIFICATE OF SERVICE

I, Jessie Hill, #104136, do hereby certify that a true and accurate copy of the above foregoing has been mailed via U.S. mail, postage prepaid, to: American Prison Writing Archive, Hamilton College, 198 College Hill Road, Clinton, New York, 13323-1218 dated this 27 day of April, 2020

Scott A Taylor 4-27-20

Mr. Jessie Hill  
PLAINT

SCOTT A TAYLOR  
NOTARY PUBLIC-STATE OF ARKANSAS  
LINCOLN COUNTY  
My Commission Expires 03-16-2025  
Commission # 12403819