

ALABAMA BOARD OF PARDONS & PAROLES

Open Public Meeting Minutes

August 10, 2023

A. Call to Order:

1. The Alabama Board of Pardons and Paroles called to order its open public meeting on this date at 9:24A.M., 100 Capitol Commerce Blvd., Montgomery, AL 36117 for the purpose of conducting its regular parole/pardon hearings, as prescribed by Alabama Code, Title 15, Chapter 22. Board members present were: Leigh Gwathney, Chairperson and Darryl Littleton, Board Member.
2. The Board met to discuss the attached agenda, with the action taken by the Board recorded by the Board's secretary, Nicole Lewis.

B. Board Business: The Board approved minutes from previous meeting of August 9, 2023, moved by Leigh Gwathney and seconded by Darryl Littleton which was majority vote.

The Board orders that Darrell Edward James, AIS# 160340 parole denial and reset order dated 10/20/21 be vacated and that all proper parties be notified of his correct parole eligibility date. (See Attached Board Order)

C. Daily Pardon/Parole Docket:

1. Foster Daniel Phillips, AIS# 174426: Speaker against parole 1st Daryl Marzenell (victim), 2nd Doris Hancock (VOCAL), 3rd Sarah Deneve VSO (Atty General Office). The Board voted to deny parole with a reset date of 8/2028.
2. Brandon Devonte Harper, AIS# 282830: Speaker on behalf of parole 1st Cora Hicks (aunt), 2nd Evie Harper (mother). Speaker against parole 1st Jane Russell (victim), 2nd Michael Russell (victim's son), 3rd Doris Hancock (VOCAL), 4th Sarah Deneve VSO (Atty General Office). The Board voted to deny parole with a reset date of 8/2028.
3. John Paul Averette, AIS# 221045: Speaker against parole 1st Lester Simmons (victim's son), 2nd Ashley Harris (victim's granddaughter), 3rd Doris Hancock (VOCAL), 4th Sarah Deneve VSO (Atty General Office). The Board voted to deny parole with a reset date of 8/2028.
4. Micah Jael Wall, AIS# 826158: Speaker on behalf of a pardon Micah Jael Wall (self). Speaker against a pardon 1st Doris Hancock (VOCAL), 2nd Sarah Deneve VSO (Atty General Office). The Board voted to deny a pardon.
5. Curtis Cheek, AIS# 826149: Speaker on behalf of a pardon Curtis Cheek (self). The Board voted to deny a pardon.

6. Ronnie Kenneth Marshall, AIS# 145397: Speaker on behalf of a pardon 1st Ronnie Kenneth Marshall (self), 2nd Gary Kennington (friend), 3rd Wylene Kennington (friend). No decision was made because there were insufficient votes. By Board rule, the matter will be set for hearing on 10/26/2023.
7. Thomas Edward Sullivan, AIS# 820398: Speaker on behalf of a pardon 1st Thomas Edward Sullivan (self), 2nd Debra Sullivan (wife), 3rd Kesler Weaver (neighbor). No decision was made because there were insufficient votes. By Board rule, the matter will be set for hearing on 10/26/2023.
8. John Lucas Timmons, AIS# 824558: Speaker on behalf of a pardon 1st John Lucas Timmons (self), 2nd Kelley Timmons (wife). The Board voted to grant a full pardon with the restoration of all civil and political rights.
9. Adam Wesley Smith, AIS# 825936: Speaker on behalf of a pardon 1st Adam Wesley Smith (self), 2nd Kimberly Smith (wife). No decision was made because there were insufficient votes. By Board rule, the matter will be set for hearing on 10/26/2023.

The Board recessed for break from 11:24AM – 11:34M.

10. Nakia Wayne Waits, AIS# 190193: Speaker on behalf of parole Johny Waits (father). The Board voted to grant parole with special condition to complete the Perry Co. Probation/Parole Reentry Education Program (PREP), NA/AA, Moral Reconciliation Therapy (MRT), 200 hours Community Service and Drug Assessment Upon Release.
11. Billy Don Weaver, AIS# 207706: Speaker on behalf of parole Frankie Weaver (uncle). No decision was made because there were insufficient votes. By Board rule, the matter will be set for hearing on 10/31/2023.
12. Patrick O'Neal Seay, AIS# 204876: Speaker on behalf of parole 1st Kathy Seay (mother), 2nd Willie Seay (uncle). The Board voted to deny parole with no reset date.
13. Jacorey Rosezeski Murry, AIS# 825910: Speaker on behalf of a pardon Jacorey Rosezeski Murry (self). The Board voted to grant a full pardon with the restoration of all civil and political rights.
14. Trevin Joshua Capps, AIS# 330134: Speaker on behalf of parole Julie Dennis (mother). No decision was made because there were insufficient votes. By Board rule, the matter will be set for hearing on 10/31/2023.
15. Crystal Kebchi Kilgore, AIS# 826024: Speaker on behalf of a pardon Crystal Kebchi Kilgore (self). The Board voted to grant a pardon with the following restrictions (relief from the habitual offender act and firearms disabilities).

The Board recessed for lunch from 12:30PM – 1:30PM.

16. Christine Turner, AIS# 825934: The Board voted to grant a pardon with the following restrictions (relief from the habitual offender act and firearms disabilities).
17. Mark Terrell Evans, AIS# 171069: The Board voted to deny a pardon.
18. Isaiah Bates, AIS# 822219: The Board voted to deny a pardon.
19. John Eddie Cole, AIS# 223864: The Board voted to deny a pardon.
20. Marshall Smith, Jr., AIS# 827051: The Board voted to deny a pardon.
21. Adam Eric Richey, AIS# 819608: No decision was made because there were insufficient votes. By Board rule, the matter will be set for hearing on 10/31/2023.
22. Johnny Junior Taylor, AIS# 826006: The Board voted to deny a pardon.
23. Anthony Gerald Ford, AIS# 333020: The Board voted to deny parole with no reset date.
24. Billy Eugene Dixon, AIS# 204418: No decision was made because there were insufficient votes. By Board rule, the matter will be set for hearing on 11/1/2023.
25. Roderick O'Derian Boggan, AIS# 312545: The Board voted to deny parole with no reset date.
26. Dorian Bell, AIS# 208929: The Board voted to deny parole with no reset date.
27. Cleon Nicholas Fields, AIS# 207226: The Board voted to deny parole with a reset date of 8/2025.
28. Ashley Marie Leath, AIS# 332178: The Board voted to deny parole with no reset date.
29. Keeontae Terrell Jones, AIS# 312020: The Board voted to deny parole with no reset date.
30. Antwan L. Jackson, AIS# 328055: The Board voted to deny parole with no reset date.

31. Sammie James Riley, AIS# 164075: The Board voted to deny parole with a reset date of 8/2028.
32. Andrew Lee Mitchell, AIS# 311554: The Board voted to deny parole with a reset date of 8/2028.
33. Shareena Ann Thompson, AIS# 332919: No decision was made because there were insufficient votes. By Board rule, the matter will be set for hearing on 11/1/2023.
34. Holly Waldrep Shempert, AIS# 295117: The Board voted to deny parole with no reset date.
35. Jonathan Michael Richards, AIS# 243025: The Board voted to deny parole with no reset date.
36. Justin Ryan Beck, AIS# 318855: The Board voted to deny parole with no reset date.
37. Frank Alvin Ray, Jr., AIS# 181864: The Board voted to deny parole with no reset date.
38. Londell Ramone Nunn, Jr., AIS# 333708: The Board voted to deny parole with no reset date.
39. Jody Lynn Mikel, AIS# 311797: The Board voted to deny parole with a reset date of 8/2028.

No decision was reached in the following cases:

1. Lonnie Kenneth Marshall, AIS# 145397
2. Thomas Edward Sullivan, AIS# 820398
3. Adam Wesley Smith, AIS# 825936
4. Ricky Russell Walker, AIS# 333499
5. Billy Don Weaver, AIS# 207706
6. Adam Eric Richey, AIS# 819608
7. Billy Eugene Dixon, AIS# 204418

By Board rule, these cases will be reset on the current docket.

D. Files for Review:

1. The Board reviewed the attached list of delinquent files.

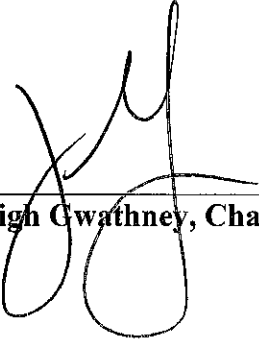
E. Additional Board Business: None.

Adjournment:

- a. The Board adjourned at 2:50pm moved by Leigh Gwathney and seconded by Darryl Littleton with majority vote. The Board's next meeting will be August 15, 2023, at 8:00am at 100 Capitol Commerce Boulevard, Montgomery, AL 36117.

APPROVED:

DISAPPROVED:



Leigh Gwathney, Chairman

Leigh Gwathney, Chairman

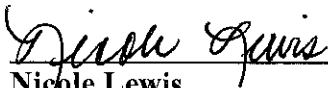


**Darryl Littleton
Board Member**

**Darryl Littleton
Board Member**

Board Member

Board Member



**Nicole Lewis
Board Secretary**

Date: 8/15/23

Alabama Board of Pardons and Paroles
Meeting Agenda

The Alabama Board of Pardons and Paroles will convene
at 100 Capitol Commerce Boulevard, Montgomery, Alabama 36117 at 8:00 AM.

August 10, 2023

1. Call to Order
2. Board Business
3. Files for Review
4. Daily Case Docket
5. Additional Board Business
6. Adjournment

**STATE OF ALABAMA
BOARD OF PARDONS AND PAROLES**

**MINUTE ENTRY
&
BOARD ORDER**

PAROLEE: Darrell Edward James

AIS # 160340

The Alabama Board of Pardons and Paroles met on this **10th day of August 2023**, in open public meeting, at which time the following Board Members were present: Leigh Gwathney, Chair, and Darryl Littleton, Associate Member.

Darrell Edward James, AIS# 160340, was convicted in Montgomery County Circuit Court (CC2017-000439) of Violation of Sex Offender Registration Law. He was sentenced on 2/14/18 to 20-years, split to serve 3-years, followed by 5-years probation. The court approved Mr. James serving his split sentence with the Montgomery County Community Corrections Program (MCCP).

Mr. James was not eligible for parole consideration because his original sentence was a split followed by probation. On 5/18/21 Mr. James was revoked from his original sentence and his 20-year sentence was implemented, along with approximately 3-years jail credit. This made Mr. James parole eligible upon serving 1/3 of his sentence or 10-years, whichever is less. *See Ala. Code §15-22-28.*

An error in communication between the Montgomery County Circuit Clerk's Office and the Alabama Department of Corrections resulted in the Bureau of Pardons and Paroles incorrectly calculating Mr. James' parole eligibility by using the original sentencing date of 2/14/18 instead of the resentencing date of 5/18/21. This led to Mr. James having a parole consideration hearing on 10/20/21. The Board denied parole and reset Mr. James for further consideration in October 2023. This action is void because the Board lacked jurisdiction to act in Mr. James case.

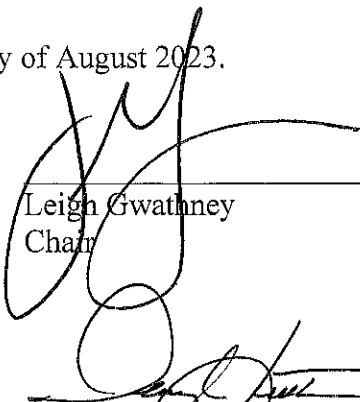
The error was discovered when Mr. James' case was reviewed for consideration recently. The Bureau recalculated his parole eligibility using the resentencing date of 5/18/21. When using the resentencing date, applying jail credit, and calculating 1/3 of the sentence, Mr. James eligibility for parole consideration was determined to be December 2024. This is the earliest date the Board has statutory authority to consider Mr. James for parole. Any prior parole consideration is void by law. *See Ala. Code §15-22-40.*

Considering the above, the Board ORDERS that Mr. James' parole denial and reset order dated 10/20/21 be vacated and that all proper parties be notified of his correct parole eligibility date.

Done this the 10th day of August 2023.

Distribution Date _____:

Original Board File
DOC
Inmate
Control Book



Leigh Gwathney
Chair




Darryl Littleton
Associate Member


PAROLEES DECLARED DELINQUENT
08/10/2023

NAME	NUMBER	ACTION
1. Brown, Kadeem	297339	<u>DD</u>
2. Majors, Truvell	194187S	<u>DD</u>
3. Shaw, Martin	257052B	<u>DD</u>

HEARINGS BEGIN AT 8:00 A.M. ON 08-10-2023
100 CAPITOL COMMERCE BLVD
MONTGOMERY AL 36117
PAROLE DOCKET

SD	CLASS	NAME	AMS #	ACTION
		RAY FRANK ALVIN JR	181864	DENIED - EDS
		WAITS NAKIA WAYNE	190193	GRANTED - PP
		DIXON BILLY EUGENE	204418	CONTINUED TO 11/1/23
		SEAY PATRICK O'NEAL	204876	DENIED - EDS
		FIELDS CLEON NICHOLAS	207226	DENIED - 8/25
		WEAVER BILLY DON	207706	CONTINUED TO 10/31/23
		BELL DORIAN L	208929	DENIED - EDS
		RICHARDS JONATHAN MICHAEL	243025	DENIED - EDS
		HARPER BRANDON DEONTE	282830	DENIED - 8/28
		SHEMPERT HOLLY WALDREP	295117	DENIED - NONE
		MITCHELL ANDREW LEE	311554	DENIED - 8/28
		MIKEL JODY LYNN	311797	DENIED - 8/28
		JONES KEEONTAE TERRELL	312020	DENIED - EDS
		BOGGAN RODERICK ODERIAN	312545	DENIED - EDS
		BECK JUSTIN RYAN	318855	DENIED - EDS
		JACKSON ANTWAN L	328055	DENIED - EDS
		CAPPS TREVIN JOSHUA	330134	CONTINUED 10/31/23
		BOLTON KIMBERLY PAIGE	331042	DENIED - EDS
		LEATH ASHLEY MARIE	332178	DENIED - EDS
		THOMPSON SHAREENA ANN	332919	CONTINUED TO 11/1/23
		FORD ANTHONY GERALD	333020	DENIED - EDS
		NUNN LONDELL RAMONE JR	333708	DENIED - NONE


J. Lewis
8/10/23



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100 CAPITOL COMMERCE BLVD
MONTGOMERY AL 36117
PAROLE DOCKET

SD CLASS NAME AIS # ACTION


***** TOTAL RECORDS WRITTEN 22

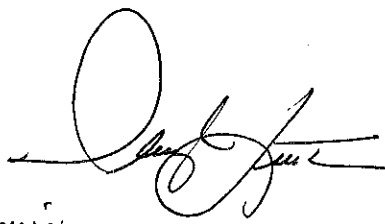
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BUREAU OF PARDONS AND PAROLES
CLASS 'A' DOCKET
HEARINGS BEGIN AT 8:00 A.M. ON 08-10-2023
100 CAPITOL COMMERCE BLVD
MONTGOMERY AL 36117
PAROLE DOCKET

SD	CLASS	NAME	AS #	ACTION
A		RILEY SAMMIE JAMES	164075	DENIED - 8/28
A		PHILLIPS FOSTER DANIEL	174426	DENIED - 8/28
A		AVERETTE JOHN PAUL	221045	DENIED - 8/28


J. Lewis
9/10/23

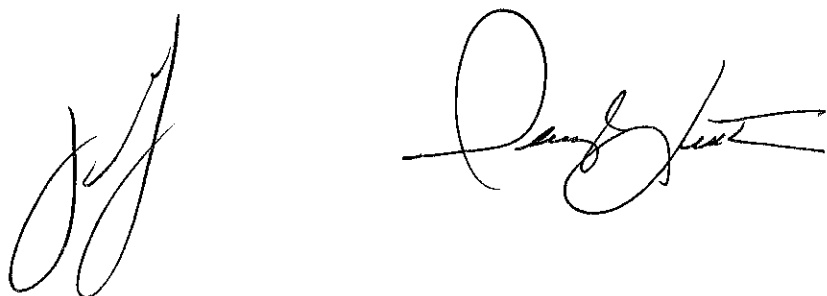


BUREAU OF PARDONS AND PAROLES
CLASS 'A' DOCKET
HEARINGS BEGIN AT 8:00 A.M. ON 08-10-2023
100 CAPITOL COMMERCE BLVD
MONTGOMERY AL 36117
PAROLE DOCKET

SD CLASS NAME AIS # ACTION

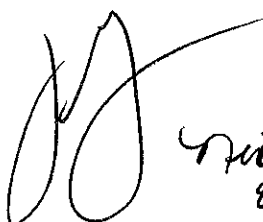
***** TOTAL RECORDS WRITTEN 3


**** SPECIAL DOCKET TOTALS... 0 MALES 0 FEMALES 0

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HEARINGS BEGIN AT 8:00 A.M. ON 08-10-2023
100 CAPITOL COMMERCE BLVD
MONTGOMERY AL 36117
PARDON DOCKET

SD	CLASS	NAME	AVIS #	ACTION
		MARSHALL RONNIE KENNETH	145397	CONTINUED 10/26/23
		EVANS MARK TERRELL	171069	DENIED
		COLE JOHN EDDIE	223864	DENIED
		RICHEY ADAM ERIC	819608	CONTINUED TO 10/31/23
		SULLIVAN THOMAS EDWARD	820398	CONTINUED TO 10/26/23
		BATES ISAIAH	822219	DENIED
		TIMMONS JOHN LUCAS	824558	GRANTED
		MURRY JACOREY ROSEZESKI	825910	GRANTED
		TURNER CHRISTINE	825934	GRANTED
		SMITH ADAM WESLEY	825936	CONTINUED TO 10/26/23
		TAYLOR JOHNNY JUNIOR	826006	DENIED
		KILGORE CRYSTAL KEBCHI	826024	GRANTED
		CHEEK CURTIS	826149	DENIED
		WALL MICAH JAEL	826158	DENIED
		SMITH MARSHALL JR	827051	DENIED


Mike Lewis
8/10/23



HEARINGS BEGIN AT 8:00 A.M. ON 08-10-2023
100 CAPITOL COMMERCE BLVD
MONTGOMERY AL 36117
PARDON DOCKET

SD	CLASS	NAME	AIS #	ACTION
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***** TOTAL RECORDS WRITTEN 15

**** SPECIAL DOCKET TOTALS... 0 MALES 0 FEMALES 0