

Serial: 236767

IN THE SUPREME COURT OF MISSISSIPPI

No. 2014-M-00934

RANDY DALE JACKSON
A/K/A RANDY DELL JACKSON

FILED*Petitioner*

MAY 06 2021

v.

OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

STATE OF MISSISSIPPI*Respondent***ORDER**

Before the undersigned Justice is the "Notice of Appeal" filed pro se by Randy Dale Jackson on April 5, 2021. On March 1, 2021, a panel of this Court denied Jackson's motion for post-conviction relief and issued sanctions. Jackson's attempt to appeal that order to this Court is in the nature of a motion for rehearing, to which he is not entitled. M.R.A.P. 27(h). Accordingly, the filing should be dismissed.

IT IS THEREFORE ORDERED that the "Notice of Appeal," which is treated as a motion for rehearing, is dismissed.

SO ORDERED.

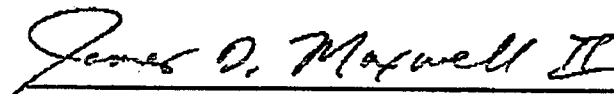
DIGITAL SIGNATURE

Order#: 236767

Sig Serial: 100003710

Org: SC

Date: 05/06/2021


James D. Maxwell II, Justice

APPENDIX-A

Serial: 235874

IN THE SUPREME COURT OF MISSISSIPPI

No. 2014-M-00934

RANDY DALE JACKSON
A/K/A RANDY DELL JACKSON

Petitioner

v.

STATE OF MISSISSIPPI

Respondent

ORDER

Before the panel of Randolph, C.J., Beam and Chamberlin, JJ., is the “Petition for Writ of Habeas Corpus by a Person in State Custody” filed pro se by Randy Dale Jackson. As Jackson seeks to have this Court vacate or set-aside his conviction and sentence or have him resentenced, the petition is in the nature of a motion for post-conviction relief, and it is treated as such.

Jackson’s conviction of murder and sentence of life imprisonment were affirmed by this Court on May 3, 2001, and the mandate issued on May 24, 2001. *Jackson v. State*, 784 So. 2d 180 (Miss. 2001). This is Jackson’s fifth motion for post-conviction relief filed in this Court. We find that the application for leave is barred by time and as a successive application, and it does not meet any of the exception to those bars. Miss. Code Ann. §§ 99-39-5(2), 99-39-27(9) (Rev. 2015). Additionally, each of Jackson’s claims were raised in prior filings, and they are barred by res judicata. Miss. Code Ann. § 99-39-21(3). The panel finds that the instant petition should be denied.

Jackson has been warned that “future filings deemed frivolous may result not only in monetary sanctions, but also in restrictions on filing applications for post-conviction collateral relief (or pleadings in that nature) *in forma pauperis*.” En Banc Order, *Jackson v. State*, No. 2014-M-00934 (Miss. Nov. 29, 2018). We find that the instant filing is frivolous and that Jackson should be restricted from filing further applications for post-conviction collateral relief (or pleadings in that nature) that are related to this conviction

APPENDIX-A

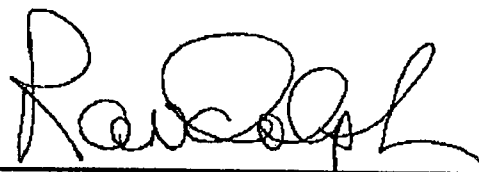
and sentence *in forma pauperis*. See En Banc Order, *Dunn v. State*, No. 2016-M-01514 (Miss. April 11, 2019).

IT IS THEREFORE ORDERED that the "Petition for Writ of Habeas Corpus by a Person in State Custody" is denied.

IT IS FURTHER ORDERED that Randy Dale Jackson is hereby restricted from filing further applications for post-conviction collateral relief (or pleadings in that nature) that are related to this conviction and sentence *in forma pauperis*. The Clerk of this Court shall not accept for filing any further applications for post-conviction collateral relief (or pleadings in that nature) from Barnett that are related to this conviction and sentence unless he pays the applicable docket fee.

SO ORDERED.

DIGITAL SIGNATURE
Order#: 235874
Sig Serial: 100003340
Org: SC
Date: 03/01/2021

A handwritten signature in black ink, appearing to read "Randolph", written over a horizontal line.

Michael K. Randolph, Chief Justice

Serial: 221603

IN THE SUPREME COURT OF MISSISSIPPI

No. 2014-M-00934

FILED

NOV 29 2018

OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

**RANDY DALE JACKSON A/K/A RANDY
DELL JACKSON**

Petitioner

v.

STATE OF MISSISSIPPI

Respondent

EN BANC ORDER

Now before the Court, en banc, comes the Application for Leave to Proceed in the Trial Court and the Motion to Amend Post-Conviction Relief filed pro se by Randy Dale Jackson. Jackson's conviction of murder and sentence of life imprisonment were affirmed by this Court on May 3, 2001, and the mandate issued on May 24, 2001. *Jackson v. State*, 784 So. 2d 180 (Miss. 2001). This is Jackson's fourth application for leave to file a motion for post-conviction relief. We find that the application for leave is barred by time and as a successive application, and it does not meet any of the exception to those bars. Miss. Code Ann. §§ 99-39-5(2), 99-39-27(9) (Rev. 2015). Notwithstanding the bars, we find the claims are without merit. Accordingly, the application for leave should be dismissed.

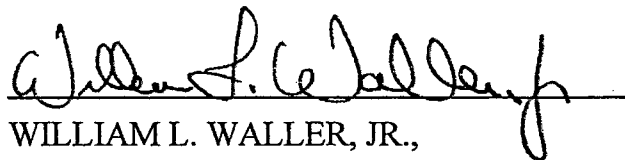
We find the instant filing is also frivolous. Jackson is hereby warned that future filings deemed frivolous may result not only in additional monetary sanctions, but also restrictions on filing applications for post-conviction collateral relief (or pleadings in that nature) in

APPENDIX-A

forma pauperis. See En Banc Order, *Fairley v. State*, 2014-M-01185 (Miss. May 3, 2018) (citing Order, *Bownes v. State*, 2014-M-00478 (Miss. Sept. 20, 2017)).

IT IS THEREFORE ORDERED that the application for post-conviction collateral relief filed by Randy Dale Jackson is dismissed as procedurally barred.

SO ORDERED, this the 27th day of November, 2018.

A handwritten signature in black ink, appearing to read "William L. Waller, Jr.", is written over a horizontal line.

WILLIAM L. WALLER, JR.,
CHIEF JUSTICE
FOR THE COURT

AGREE: WALLER, C.J., RANDOLPH, P.J., COLEMAN, MAXWELL, BEAM, CHAMBERLIN, AND ISHEE, JJ.

KING, J., OBJECTS TO THE ORDER IN PART WITH SEPARATE WRITTEN STATEMENT JOINED BY KITCHENS, P.J.

APPENDIX-A

IN THE SUPREME COURT OF MISSISSIPPI

No. 2014-M-00934

**RANDY DALE JACKSON A/K/A RANDY
DELL JACKSON**

v.

STATE OF MISSISSIPPI

**KING, JUSTICE, OBJECTING TO THE ORDER IN PART WITH SEPARATE
WRITTEN STATEMENT:**

¶1. Although Randy Jackson's application for post-conviction relief does not merit relief, I disagree with the Court's finding that the application is frivolous and with the warning that future filings deemed frivolous may result in monetary sanctions or restrictions on filing applications for post-conviction collateral relief *in forma pauperis*.¹

¶2. This Court previously has defined a frivolous motion to mean one filed in which the movant has "no hope of success." *Roland v. State*, 666 So. 2d 747, 751 (Miss. 1995). However, "though a case may be weak or 'light-headed,' that is not sufficient to label it frivolous." *Calhoun v. State*, 849 So. 2d 892, 897 (Miss. 2003). Jackson made reasonable arguments regarding violations of his fundamental rights. As such, I disagree with the Court's determination that Jackson's application is frivolous.

¶3. Additionally, I disagree with this Court's warning that future filings may result in monetary sanctions or restrictions on filing applications for post-conviction collateral relief *in forma pauperis*. The imposition of monetary sanctions upon a criminal defendant

¹See Order, *Dunn v. State*, 2016-M-01514-SCT (Miss. Nov. 15, 2018).

proceeding *in forma pauperis* only serves to punish or preclude that defendant from his lawful right to appeal. Black's Law Dictionary defines sanction as "[a] provision that gives force to a legal imperative by either rewarding obedience or *punishing disobedience*." *Sanction*, Black's Law Dictionary (10th ed. 2014) (emphasis added). Instead of punishing the defendant for filing a motion, I believe that this Court should simply deny or dismiss motions which lack merit. As Justice Brennan wisely stated,

The Court's order purports to be motivated by this litigant's disproportionate consumption of the Court's time and resources. Yet if his filings are truly as repetitious as it appears, it hardly takes much time to identify them as such. I find it difficult to see how the amount of time and resources required to deal properly with McDonald's petitions could be so great as to justify the step we now take. Indeed, the time that has been consumed in the preparation of the present order barring the door to Mr. McDonald far exceeds that which would have been necessary to process his petitions for the next several years at least. I continue to find puzzling the Court's fervor in ensuring that rights granted to the poor are not abused, even when so doing actually increases the drain on our limited resources.

In re McDonald, 489 U.S. 180, 186–87, 109 S. Ct. 993, 997, 103 L. Ed. 2d 158 (1989) (Brennan, J., dissenting) (per curiam).²

¶4. The same logic applies to the restriction on filing subsequent applications for post-conviction relief. To cut off an indigent defendant's right to proceed *in forma pauperis* is to cut off his access to the courts. This, in itself, violates a defendant's constitutional rights, for

²See also *In re Demos*, 500 U.S. 16, 19, 111 S. Ct. 1569, 1571, 114 L. Ed. 2d 20 (1991) (Marshall, J., dissenting) ("In closing its doors today to another indigent litigant, the Court moves ever closer to the day when it leaves an indigent litigant with a meritorious claim out in the cold. And with each barrier that it places in the way of indigent litigants, and with each instance in which it castigates such litigants for having 'abused the system,' . . . the Court can only reinforce in the hearts and minds of our society's less fortunate members the unsettling message that their pleas are not welcome here.").

Among the rights recognized by the Court as being fundamental are the rights to be free from invidious racial discrimination, to marry, to practice their religion, to communicate with free persons, to have due process in disciplinary proceedings, and to be free from cruel and unusual punishment. As a result of the recognition of these and other rights, the right of access to courts, which is necessary to vindicate all constitutional rights, also became a fundamental right.

Joseph T. Lukens, *The Prison Litigation Reform Act: Three Strikes and You're Out of Court-It May Be Effective, but Is It Constitutional?*, 70 Temp. L. Rev. 471, 474-75 (1997).

This Court must not discourage convicted defendants from exercising their right to appeal.

Wisconsin v. Glick, 782 F.2d 670, 673 (7th Cir. 1986). Novel arguments that might remove a criminal defendant from confinement should not be discouraged by the threat of monetary sanctions and restrictions on filings. *Id.*

¶5. Therefore, although I find no merit in Jackson's application for post-conviction relief and agree it should be denied, I disagree with this Court's contention that the application merits the classification of frivolous and with its warning of future sanctions and restrictions.

KITCHENS, P.J., JOINS THIS SEPARATE WRITTEN STATEMENT.

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 19-90037



In re: RANDY DALE JACKSON,

A True Copy

Certified order issued Dec 03, 2019

Petitioner

John W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit

Motion for Permission to Proceed after Sanction

O R D E R:

Randy Dale Jackson, Mississippi prisoner # R8899, has filed a motion for permission to proceed after having been sanctioned. Jackson seeks again to challenge his conviction for murder through habeas corpus or other collateral proceedings in which he intends to argue that his conviction was rendered unconstitutional by racial bias in the jury selection, ineffective assistance of counsel, and three recent Supreme Court cases.

Jackson fails to sufficiently brief the merits of his claims, offering only conclusory assertions of constitutional violations. *See Gentilello v. Rege*, 627 F.3d 540, 544 (5th Cir. 2010). Moreover, despite Jackson's reliance on dissenting opinions in *In re Demos*, 500 U.S. 16 (1991), and *In re McDonald*, 489 U.S. 180 (1989), the Court's controlling opinions in those cases recognize the appropriateness of sanctions to discourage frivolous and repetitious litigation. Jackson's motion to proceed as a sanctioned litigant is therefore DENIED. *See Gelabert v. Lynaugh*, 894 F.2d 746, 748 (5th Cir. 1990). Additionally, Jackson is again CAUTIONED that the filing of frivolous or repetitive challenges to his convictions in this court or any court subject to this

"APPENDIX-B

court's jurisdiction will subject him to additional and progressively more severe sanctions.

Signed: 12-3-2019

/s/ Catharina Haynes

CATHARINA HAYNES
UNITED STATES CIRCUIT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

RANDY DALE JACKSON, #R8899

PETITIONER

VERSUS

CIVIL ACTION NO. 3:18-cv-753-CWR-JCG

COMMISSIONER PELICIA HALL

RESPONDENT

ORDER OF TRANSFER PURSUANT TO 28 U.S.C. § 1631

This matter comes before the Court, sua sponte, for consideration of the transfer of this cause. Petitioner Randy Dale Jackson, an inmate of the Mississippi State Penitentiary, brings this pro se Petition [1] for habeas corpus relief pursuant to 28 U.S.C. § 2254. After reviewing the Petition [1] in conjunction with the relevant legal authority, the Court finds that the Petition constitutes an unauthorized successive petition.

In this Petition [1], Jackson is challenging his conviction for murder and sentence of life imprisonment entered by the Circuit Court of Madison County, Mississippi. *See Jackson v. State*, 784 So.2d 180 (Miss. 2001). Jackson claims he is entitled to habeas relief because: (1) he was tried and convicted without a competency hearing or psychiatric examination; (2) the jury selection process was unconstitutional; (3) he was denied effective assistance of trial counsel; and (4) he was denied effective assistance of appellate counsel. *See* Pet. [1] at 5-14.

Jackson previously filed a federal petition for habeas corpus relief challenging this same conviction and sentence. *See Jackson v. Epps*, No. 3:03-cv-270-WHB (S.D. Miss. Apr. 22, 2004). On April 22, 2004, this Court entered a Final Judgment which dismissed the habeas Petition, with prejudice. The United States Court of Appeals for the Fifth Circuit denied Jackson's request for a certificate of appealability on May 19, 2004, appeal number 04-60422.

APPENDIX - C

A petitioner who files a second or successive motion for habeas relief must first apply to the appropriate court of appeals for an order authorizing the district court to consider the successive motion. 28 U.S.C. § 2244 (b)(3)(A). “Without such authorization, the otherwise-cognizant district court has no jurisdiction to entertain a successive § 2254 petition.” *Garcia v. Quarterman*, 573 F.3d 214, 219 (5th Cir. 2009).

The Fifth Circuit defines a petition as “successive when it: (1) raises a claim challenging the petitioner’s conviction or sentence that was or could have been raised in an earlier petition; or (2) otherwise constitutes an abuse of the writ.” *Sepulvado v. Cain*, 707 F.3d 550, 553 (5th Cir. 2013) (citing *In re Cain*, 137 F.3d 234, 235 (5th Cir. 1998)) (internal quotations omitted). Jackson’s claims in this case were either raised or could have been raised in his earlier federal petition. Therefore, the Court finds the instant petition to be a successive petition within the meaning of 28 U.S.C. § 2244 (b)(3)(A).

Jackson fails to submit any documentation demonstrating that he has obtained the required authorization from the United States Court of Appeals for the Fifth Circuit to file this successive petition. In the interest of justice, pursuant to 28 U.S.C. § 1631, the Court finds that this matter should be transferred to the United States Court of Appeals for the Fifth Circuit for a determination whether this successive petition should be permitted. *See In re Epps*, 127 F.3d 364 (5th Cir. 1997).

IT IS, THEREFORE, ORDERED AND ADJUDGED that this Petition [1] for habeas corpus relief be, and the same hereby is, **TRANSFERRED** to the United States Court of Appeals for the Fifth Circuit.

IT IS, FURTHER, ORDERED, that the Clerk of Court is directed to close this case

pending the decision of the United States Court of Appeals for the Fifth Circuit.

SO ORDERED, this the 1st day of November, 2018.

s/ CARLTON W. REEVES
UNITED STATES DISTRICT JUDGE

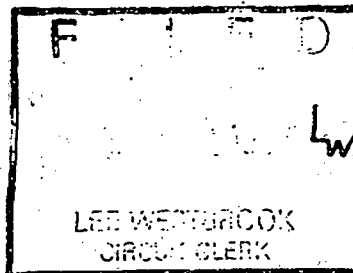
INDICTMENT

STATE OF MISSISSIPPI

VS.

RANDY DALE JACKSON

**INDICTMENT FOR THE OFFENSE OF
MURDER, MISS. CODE ANN. §97-3-19**



CAUSE NO. 3148

DEFENDANT

STATE OF MISSISSIPPI
COUNTY OF MADISON

**IN THE CIRCUIT COURT OF SAID COUNTY, MARCH TERM, 1997
RECALLED MAY 21, 1997**

The Grand Jurors of the State of Mississippi, taken from the body of good and lawful citizens of said county, elected, summoned, empaneled, sworn and charged to inquire in and for the body of the said county aforesaid, at the term aforesaid of the Court aforesaid, in the name and by the authority of the State of Mississippi, upon their oath present that,

RANDY DALE JACKSON

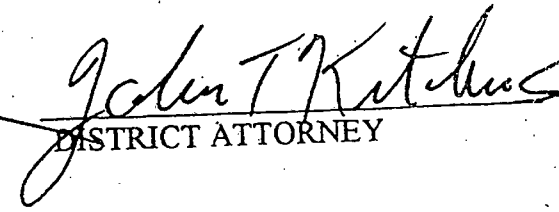
late of the county aforesaid, on or about the 11th day of May, 1997, in the county aforesaid and within the jurisdiction of this court,

did willfully, unlawfully, knowingly and feloniously with deliberate design to cause death to a human being, kill Henry Jackson, a human being, by shooting him with a gun, in Camden, Madison County, Mississippi, in violation of Mississippi Code Annotated § 97-3-19 (1972), as amended,

against the peace and dignity of the State of Mississippi.

Endorsed: A True Bill


FOREMAN OF THE GRAND JURY


DISTRICT ATTORNEY

Appendix-D 000005

IN THE SUPREME COURT OF MISSISSIPPI

NO. 1999-KA-01582

RANDY DALE JACKSON

v.


STATE OF MISSISSIPPI

ORDER

This matter came before the undersigned Justice on Jackson's pro se Motion to Dismiss Counsel and Appeal Brief. The motion is not well taken and will be denied.

IT IS THEREFORE ORDERED that the Motion to Dismiss Counsel and Appeal Brief be and hereby is denied.

SO ORDERED, this, the 9th day of August, 2000.


MICHAEL P. MILLS, JUSTICE

FILED

AUG 10 2000

CHARLOTTE B. WILLIAMS, CLERK
SUPREME COURT
COURT OF APPEALS

Exhibits-2

Appendix-D

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

FILED
THIS DAY

FEB 26 1999

v.

RANDY DELL JACKSON

LEE WESTBROOK
CIRCUIT CLERK

CAUSE NO. 3148

MOTION FOR NEW TRIAL

COMES NOW, Randy Jackson, and files this his Motion for a New Trial. In support hereof, Randy Jackson, set forth the following errors, to wit:

1.

That the verdict was against the overwhelming weight of the evidence.

2.

That the State improperly used its peremptory challenges to strike black jurors from the panel.

3.

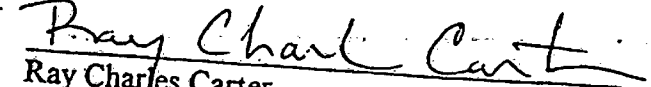
That the jury was improperly instructed as to the meaning of "Deliberate Design, Malice aforethought and Heat of Passion".

4.

That the shotgun and photographs were used to prejudice the jury although objected as having greater prejudicial effect than probative value.

Respectfully submitted this the 26th day of February, 1999.

RANDY DELL JACKSON

BY: 
Ray Charles Carter
745 Highway 51, Ste. M
Madison, MS 39110
898-9700
8926

000042

Appendix-D

EXHIBIT-2

IN THE SUPREME COURT OF MISSISSIPPI

NO. 1999-KA-01582

RANDY DALE JACKSON

v.

STATE OF MISSISSIPPI

ORDER

This matter came before the undersigned Justice on the motion of Randy Dale Jackson to file a pro se. supplemental brief. Jackson's appointed counsel has already filed a brief on behalf of Jackson and the motion will be denied.

IT IS THEREFORE ORDERED that the Motion to Supplement Appeal Brief be and hereby is denied.

SO ORDERED, this, the 3rd day of October, 2000.


JAMES W. SMITH, JR., JUSTICE

FILED

OCT 04 2000

OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

EXHIBITS-2

Appendix-D

STATE OF Mississippi
COUNTY OF Winston) SS.

AFFIDAVIT OF OATH

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the aforesaid jurisdiction, Winston-Cheslow who, after first being duly sworn, did state under oath as follows:

I, Randy D. Jackson do solemnly swear that I am a citizen of the state of Mississippi, and do hereby state that the below is true and correct.

The issue of conspiracy in case No. - USDC 3:07-CV-625.

Facts: My homicide charge likely was brought about from a part I played in a movie in 1995, A Time to Kill film in Madison County Canton, Ms. The part I played was extra as a militia teen, as me being seen throwing and falling on the grand wizard, the leader of the Ku Klux Klan. This can be proved at the Canton Convention Center and Visitors Bureau along with the 1995-96 TV footage news 48 Hours by Dan Rather interview. The reason why I have not come forward with this terrorism conspiracy of hit is because I was afraid that my family member's would be harmed or killed. The guy I shot told me that somebody had paid him to kill me. The only thing I spoke about at trial was he told me that somebody had paid him to kill me (see Tr. 167) because I was afraid.

Furthermore, I wrote the FBI in Jackson, Ms in 1998 before I went to trial about the Court Judge treating me unfair regarding my civil rights of receiving fair Justices in court of law after the revoking of my bond, due to my paid attorney's fault by misinforming me of my court date. Therefore I would kindly ask for an investigation by the FBI, into this matter of conspiracy hit by the Ku Klux Klan.

SWORN TO SUBSCRIBED BEFORE ME, this the 01st day of Feb, 2008.

Gymn Alexander
NOTARY PUBLIC

Gymn Alexander (LA)
MY COMMISSION
EXPIRES

MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES JUNE 12, 2009
BONDED THRU STEGALL NOTARY SERVICE

Appendix-D



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

100 West Capitol, Suite 1056
Jackson, Mississippi 39269

Mr. Randy Jackson
2935 Highway 51 South
Canton, MS 39046

RE: Your letter of October 28, 1998.

Dear Mr. Jackson:

I have completed my review of your letter. While the Federal Bureau of Investigation (FBI) does investigate alleged violations of an incarcerated person's civil rights under the Color of Law statutes, your case does not meet the criteria for which the FBI is able to initiate an investigation.

Your needs would better be served by retaining the services of another attorney and pursuing this matter on a civil or administrative level.

Sincerely,

Stephen W. Dillard

Appendix-D

1 incident supposedly occurred?

2 A. Yes, sir.

3 Q. Okay. Now, can you tell us what happened on that day
4 from the time you got to the store until the incident
5 occurred?

6 A. Well, on May 11th, I came to Camden Supermarket
7 because I had a low tire. And I got out of the car and asked
8 this guy Billy Brown would he fix the tire for me, and he said
9 he would fix it later on.

10 So I seen this guy Mojo I had owed \$10 for some
11 liquor I had got from him, so I went in the store and got
12 change for a \$20, and I came back out and gave Mojo \$10 that I
13 owed. And Mojo had some Couvoisier. I got half a pint of
14 Couvoisier from Mojo. And then I went back in the store.

15 When I came back in the store, Henry Jackson going to
16 tell me that he was in a meeting last night and somebody was
17 trying to pay him to kill me. I said, "Man, I don't want to
18 hear that shit." And then I went on back around where I sit
19 at in the kitchen. And I was sitting up there.

20 And then I came back up to the counter. I got me a
21 foam cup and put me some ice in it. I waste a couple cubes on
22 the floor. Henry Jackson started going off on me about that.
23 And so I got the ice up and put it in the garbage. And then I
24 bent over to the box and got me a Coke, and I went up to the
25 counter and paid for it. And I went --

26 Q. Let me stop you one second so the jury can be clear
27 on something. Now, why did you go back in -- was the -- isn't
28 the kitchen off limits to you?

29 A. No, sir, because I've been working around the store

2011/10/19 e
1 ever since I was like the of 14.

2 Q. Okay. I'm sorry to stop you. Continue.

3 A. And after I got the Coke and the ice, I went back and
4 sat in the kitchen. And I poured me a drink. I poured me
5 some Coke in the cup with the ice and a little taste of
6 Couvoisier. And then I got a sandwich. I went up there and
7 paid Val for a sandwich.

8 I was sitting up there and Henry Jackson, he went on
9 outside to blow a blunt with these two guys named Calvin and
10 ~~beat~~ while I was sitting in the store. He went to the back door
11 and smoked a blunt with these guys.

12 And when he came back, he got on the telephone. He
13 was talking on the telephone. I was still sitting in the
14 kitchen on the counter. And Henry Jackson, when he got off
15 the telephone, he told me he was going to whoop my ass, like
16 that.

17 I said, "What's wrong with you, man?" And so I
18 started getting up. I put the whiskey bottle in my back
19 pocket and got the foam cup in my hand and the sandwich. So
20 I'm trying to leave out the store. Henry Jackson wouldn't let
21 me leave out the store. *

22 Henry Jackson came from around the counter talking
23 about, "Let's do this, mother fucker. Let's do this, mother
24 fucker," pushing on me and pushing on me. He slapped the cup
25 out of my hand. He slapped the sandwich out of my hand. And
26 then, when he did that, he jabbed. And then, when he slapped
27 the cup out of my hand, I had on some rubber boots. I had
28 wasted ^{ice in} my rubber boots so I pulled my boots off. I was fixing
29 to get ready to, you know, fight with him. *

1 And then, Henry Jackson went behind the counter and
2 got a pistol, and he came back. When he came back, he pushed
3 me again and then had the pistol, talking about, "I'll kill
4 you, mother fucker. I'll kill you."

5 And so, you know, I was ready to -- then Henry
6 Jackson raised down and got my boot and hit me in the face
7 where my face was cracked right across here from an accident.
8 He hit me in the face. And when he hit me in the face, I just
9 went into another world. I just snapped out of it.

10 Q. Let me stop you one second right there. Now, you
11 said he hit you with his hand first; is that correct?

12 A. Yes, sir.

13 Q. Was it a closed fist or open fist?

14 A. It was a closed fist.

15 Q. Okay. And where did he hit you with his hand?

16 A. Sir?

17 Q. Where did he hit you with his hand?

18 A. In the face.

19 Q. Where?

20 A. Right there (indicating).

21 Q. Okay. And I believe you also testified he hit you
22 with your boots. What kind of boots were those?

23 A. Yes, sir. I had on some rubber boots, and he grabbed
24 the rubber boots up off the floor and hit me in the face right
25 there. I said, "What's wrong with you? What's wrong with
26 you?" He was hollering, "Let's do this, mother fucker. Let's
27 do this." I said, "What's wrong with you?"

28 And this guy Joe Ross came up. He acted like he was
29 trying to stop him, but he seen he couldn't stop him. And

December 18, 2018

FROM: Mr. Randy Dale Jackson #R8899

MSP- Unit 30- C Building

HWY 49 West

Parchman, Mississippi 38738

TO: U.S. House Judiciary Committee/ Sub-committee

2138 Rayburn House Office Building

Washington D.C., 20515

RE: Oversight Hearing on the Federal Court System/ Mississippi Supreme Court;

Dear Judiciary Committee/ Sub- Committee;

I'm writing for oversight review of the Federal Courts system/ Mississippi Supreme Court; for injustice cause of being denied Equal Justice under Rule of Law. Pursuant to the Constitution of the United States Article III. Section 1, 2, Article VI. c 1, 2, and the U.S. Constitutional Amendment(s) 5th, 6th, 8th, and 14th. (See enclosed Federal Court's opinions/ orders and Mississippi Supreme Court orders).

Thank you....

Sincerely;

Mr. Randy Dale Jackson

CC: Ford Staff Office

189 Ford House Office Building

441 D. Street SW

Washington, D.C. 20002

The Honorable Jerrold Jerry Nadler/

Judiciary Chairman Bob Goodlatte

2142 Rayburn Staff Office

Washington, D.C. 20515

Appendix-8