

STATE OF MISSISSIPPI

Office of the Governor



EXECUTIVE ORDER NO. 1591

TO THE COMMISSIONER OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS:

WHEREAS, Article 5, Section 124 of the Mississippi Constitution of 1890 provides in relevant part: "In all criminal and penal cases, excepting those of treason and impeachment, the Governor shall have power to grant reprieves and pardons. . . ." Further, the Mississippi Supreme Court has affirmed: "[T]he power to pardon includes the power to commute sentences in criminal cases." *Whittington v. Stevens*, 73 So.2d 137, 140 (Miss. 1954); and

WHEREAS, on or about July 22, 2014, Maurice Taylor was indicted by the Grand Jury of Choctaw County, Mississippi on three counts: Count 1: Conspiracy to sell a Schedule III controlled substance; Count 2: Conspiracy to sell a Schedule V controlled substance; and Count 3: Breaking and entering into the business known as Ackerman Discount Drugs. Further, Taylor also was indicted as a nonviolent habitual offender; and

WHEREAS, in February 2015, Taylor accepted a plea bargain pursuant to which he would plead guilty to "burglary-business (2 counts)/possession with intent to transfer a controlled substance (conspiracy)", and the State would recommend a sentence of twenty years, with five suspended, in the custody of the Mississippi Department of Corrections ("MDOC"), in addition to the dismissal of "any and all other pharmacy burglaries." The plea petition is inconsistent with the indictment. On February 23, 2015, the Court entered a Judgement accepting Taylor's guilty plea as to Count I of the indictment, conspiracy to sell a Schedule III controlled substance; dismissing Counts II and III; and sentencing Taylor to twenty years in the custody of the MDOC, with five suspended, as a nonviolent habitual offender. The transcript of the February 23, 2015, guilty plea hearing confirms that Taylor pled guilty to one count of conspiracy to sell a Schedule III controlled substance. To date, the Judgement has not been amended or corrected; and

WHEREAS, it is undisputed that at the time of his offense and sentencing, the maximum lawful sentence that could be imposed on Taylor pursuant to Miss. Code § 97-1-1 for the charge of conspiracy to sell a Schedule III controlled substance was five-years. Thus, the imposition of a sentence that exceeds five years for the crime of conspiracy to sell a Schedule III controlled substance plainly is illegal. Further, the maximum sentence that could have been imposed on Taylor for the crime of business burglary (pursuant to Miss. Code § 97-17-33) is seven years; and

WHEREAS, with credit for pre-trial detention, Taylor began serving his sentence for conspiracy to sell a Schedule III controlled substance (nonviolent habitual offender) on or about March 6, 2014. Taylor's estimated release date is March 2, 2029. To date, Taylor has served more than eleven years in custody for the offense to which he pled guilty that carries a maximum sentence of five years. Thus, Taylor's continued service of this illegal sentence in excess of the five-year statutory maximum constitutes a miscarriage of justice.

NOW, THEREFORE, I, Tate Reeves, by the authority vested in me as Governor by Article 5, Section 124 of the Mississippi Constitution of 1890 and laws of the State of Mississippi do hereby grant Maurice Taylor (MDOC Inmate No. 103898) a **COMMUTATION** of his twenty-year sentence (with five years suspended) to time served. I further direct the Commissioner of the MDOC to release Maurice Taylor from custody within five days of the date of this Order.

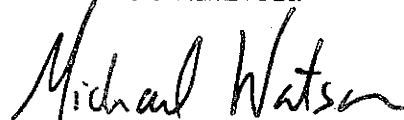


IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed.

DONE at the Capitol in the City of Jackson, the 31st day of December, in the year of our Lord two thousand twenty-five, and of the Independence of the United States of America, the two hundred and fiftieth.


TATE REEVES
GOVERNOR

BY THE GOVERNOR:


MICHAEL WATSON
SECRETARY OF STATE