

RQ-277



ID# 14516
mJ

Debra Danburg
Chair
Committee on Elections
State Affairs

December 6, 1991

RECEIVED

DEC 20 91

Opinion Committee

Madeleine B. Johnson
Chair, Opinion Committee
Office of the Attorney General
P.O. Box 12548
Austin, TX 78711-2548

Dear Madeleine,

I would like to request an Attorney General Opinion on behalf of one of my constituents, Terry Mays.

Mr. Mays and I are seeking to receive an opinion which outlines the requirements for finality and/or fulfillment of a life sentence for inmates in Texas prisons.

Thank you for your cooperation. If you have any questions, please do not hesitate to contact me.

Sincerely,

Debra Danburg

DD/am

Enclosures

**ACCOMPANIED BY ENCLOSURES --
FILED SEPARATELY**

P.S., I understand that this letter is probably inadequate. My staff member, Diane Stallings, is leaving soon, so the work product is not the best. Sorry, Madeleine! Hopefully my new staff person will respect your procedure.

House of Representatives

P.O. Box 2910, Austin 78768-2910

512-463-0504

713-520-8068

soon - Debra

3-2110

Rt. 5, Box 1500
Angleton, Tx. 77515
November 21, 1941

Enclosure

Hon. Debra Danbury
State Representative
P.O. Box 2910
Austin, Tx 78768-2910

In Re: Request for your assistance.

Dear Representative Danbury:

I am writing this letter, in hope that I might receive the assistance of your office in the matter of securing an Attorney General's Opinion.

You will note from the enclosed letter from the Office of the Attorney General I have previously attempted to secure an opinion relevant to the subject matter of the copy of my enclosed correspondence to the Attorney General.

Hopfully, you can and will secure a definition of a finality on fulfillment of a life sentence as imposed by Texas Courts.

Also, please, note I am sending the only copies of these materials that I have. So, if at all possible, please use and return them when you have received an opinion.

Thank you.

Sincerely,
Terry S. Mayo.

Rt. 5, Box 1500
Poynton, Tx. 77510
October 24, 1991

Mr. Dan Morales,
Attorney General of Texas
Office of Attorney General
T.O. Box 12548
Austin, Tx 78711-2548

In Re: Request for Attorney General's Opinion

Dear Mr. Morales:

I am requesting that the following questions be answered in an opinion. They are as follows:

(1) If a person is tried and convicted and sentenced to a term of life imprisonment; can the obligation of this sentence be fulfilled without dying?

(2) At what point once a person is sentenced to life imprisonment does the state of Texas maintain that it retains further jurisdiction over a person serving this sentence without the person dying?

Hoping you can and will answer these questions.

Thank you.

Sincerely,
Terry L. May
#556506

cc-file



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

November 12, 1991

Mr. Terry L. Mays
#556826
Rt. 5, Box 1500
Angleton, Texas 77515

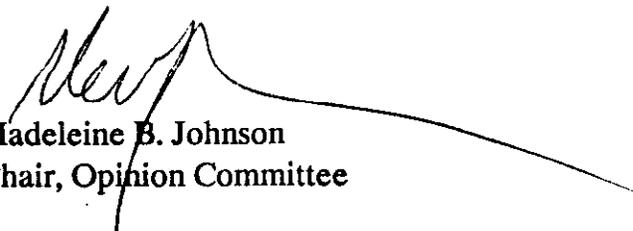
Dear Mr. Mays:

This will acknowledge receipt of your letter of October 24, 1991, asking this office for an opinion.

The Office of the Attorney General derives its authority to issue legal opinions from Chapter 402 of the Government Code. Section 402.042 and 402.043 of the Government Code, which authorize us to issue opinions, set out the public officials who may request opinions. We are prohibited by section 402.045 of the Code from giving legal advice or a written opinion to any other person. The same holds true for a request to clarify a prior opinion.

I regret that we are unable to be of any further assistance at this time.

Very truly yours,


Madeleine B. Johnson
Chair, Opinion Committee

MBJ/cbl