

THE CIRCUIT COURT
FOR



THE SEVENTH JUDICIAL CIRCUIT OF MICHIGAN

FLINT, MICH.
48502

515 COURTHOUSE
766-8563

PHILIP C. ELLIOTT
JUDGE

January 9, 1978

Mr. Gregory Greene
P.O. Box E- #150176
Jackson, Mi 49204

Dear Mr. Greene:

Sexual penetration is defined in the first section of the Act and includes fellatio. The plea bargain agreement that the prosecutor would drop other charges did not mean that I could not consider your background when determining sentence.

I have forwarded your letter and a copy of this reply to our prosecutor so that he can take appropriate action to obtain your information concerning a "ring".

As I indicated at the time of your sentence, it is possible that you could be released after ten years, under the "lifer law", if you would be no longer a danger to young men and boys. But I think you should be locked up so long as you might be a risk to repeat the conduct that got you into trouble. I want no other boy to be abused by you, ever. And, regardless of whether you can be rehabilitated, ten years imprisonment is just punishment considering the nature of your behavior here and in California, where you were placed on probation.

Once a valid sentence has been imposed the sentencing judge has no valid power to change it although my consent is needed for your release by the parole board.

I will tell Mr. Wittbrodt that you would like to see the appeal brief and that you may wish to add to it.

Yours truly,

Philip C. Elliott
Circuit Judge

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xc: Robert F. Leonard, Prosecuting Attorney