

House Resolution 1159

By: Representatives Smyre of the 132nd, Hugley of the 133rd, and Buckner of the 130th

A RESOLUTION

1 Compensating Nakiya Jermaine Jackson and providing for a state income tax exclusion with
2 respect to such compensation; and for other purposes.

3 WHEREAS, on July 18, 2001, Nakiya Jermaine Jackson plead guilty to criminal charges for
4 which he was sentenced to 15 years, to serve eight in the custody of the Georgia Department
5 of Corrections; and

6 WHEREAS, subsequently, following the service of 44 months, a habeas corpus proceeding
7 was held challenging the conviction, and on January 23, 2004, Nakiya Jermaine Jackson was
8 ordered released; and

9 WHEREAS, at the habeas proceeding, eye witnesses testified that Mr. Jackson was not
10 present at the time the crime was committed; and

11 WHEREAS, Mr. Jackson was also able to present evidence that his plea of guilty was
12 entered into involuntarily based on threats and coercion; and

13 WHEREAS, in July of 2004, Mr. Jackson was released from prison, and on October 25,
14 2004, the case was ordered dead docketed by order of the Muscogee County Superior Court;
15 and

16 WHEREAS, Mr. Nakiya J. Jackson submitted his claims to the claims advisory board; and

17 WHEREAS, while incarcerated, Mr. Nakiya J. Jackson suffered extensive damages,
18 including extreme emotional distress, embarrassment, and physical assault; and

19 WHEREAS, in addition, Mr. Jackson has suffered personal injury, lost wages, lost property,
20 emotional distress, and other damages as a result of this accident; and

21 WHEREAS, as these damages occurred through no fault or negligence on the part of Mr.
22 Jackson, it is only fitting and proper that he be compensated for his loss.

23 NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL
24 ASSEMBLY OF GEORGIA that the Department of Corrections is authorized and directed
25 to pay the sum of \$200,000.00 to Mr. Nakiya Jermaine Jackson as compensation as provided
26 above. Said sum shall be paid from funds appropriated to or available to the Department of
27 Corrections, shall be in full and complete satisfaction of all claims against the state arising
28 out of said occurrence, and shall be paid subject to the provisions of this resolution.

29 BE IT FURTHER RESOLVED that any amount received by Mr. Nakiya Jermaine Jackson
30 pursuant to this resolution shall be excluded from his taxable net income for state income tax
31 purposes.