

To:

Warden _____
Name of Correctional Institution _____
Address _____

From:

Name of Incarcerated Person: _____
Inmate Number: _____
Housing Unit: _____

Date: _____

**RE: DEMAND FOR IMMEDIATE RELEASE DUE TO EFFECTIVE EXECUTIVE
COMMUTATION**

Dear Warden _____:

I, _____, respectfully submit this Demand for Immediate Release based upon the Executive Commutation of my sentence granted by:

- ☐ The President of the United States
☐ The Governor of _____
☐ Other Authorized Executive Authority: _____

on the date of _____.

A true and correct copy of the Executive Commutation Order is attached as **Exhibit A**.

I. STATEMENT OF FACTS

1. I am currently confined at _____ Correctional Facility.
2. I was sentenced on _____ in:

Court: _____

Case Number: _____

Original Sentence: _____

3. On _____, an Executive Commutation Order was issued reducing, modifying, or terminating my sentence.
 4. The effective terms of the commutation provide:
-
-

5. The Executive Commutation became effective on:

Date: _____

6. Despite the effective date of the Executive Commutation, I remain incarcerated.

II. DEMAND FOR SENTENCE IMPLEMENTATION

I hereby demand that the Department of Corrections immediately:

1. Review and correctly implement the Executive Commutation Order;
 2. Conduct an immediate sentence computation review;
 3. Provide written confirmation of the legal authority relied upon for my continued confinement;
 4. Release me immediately if no other lawful basis exists for my continued detention.
-

III. NOTICE OF CONTINUED UNLAWFUL CONFINEMENT

The continued confinement of a person whose sentence has been legally reduced, terminated, or otherwise modified by executive authority may constitute unlawful detention.

Correctional officials do not possess authority to disregard, delay, modify, or refuse implementation of a valid Executive Commutation Order.

Every day of confinement beyond the lawful sentence period constitutes a continued deprivation of liberty.

IV. REQUEST FOR WRITTEN RESPONSE

I respectfully request a written response within:

- ☐ 5 business days
- ☐ 10 business days
- ☐ Other: _____ days

The response should include:

1. Whether the Executive Commutation Order has been processed;
 2. The current sentence calculation;
 3. The legal basis for continued confinement;
 4. The expected date of release, if applicable.
-

V. NOTICE OF INTENDED LEGAL ACTION

If this matter is not promptly corrected, I reserve the right to seek all available legal remedies, including but not limited to:

- Petition for Writ of Habeas Corpus;
- Motion for Emergency Release;
- Motion for Expedited Hearing;
- Civil rights remedies for unlawful continued confinement;
- Any other relief available under applicable law.

This notice is provided in good faith in an effort to resolve this matter without further litigation.

Respectfully submitted,

Signature of Incarcerated Person

Printed Name: _____

Inmate Number: _____

Date: _____

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Demand for Immediate Release was provided to:

- ☐ Warden
- ☐ Department of Corrections Legal Division
- ☐ Sentence Computation Department
- ☐ Executive Clemency Office
- ☐ Other: _____

on this _____ day of _____, 20____.

Signature

ATTACHMENTS

Exhibit A — Executive Commutation Order

Exhibit B — Original Judgment and Sentence

Exhibit C — Sentence Calculation Records

Exhibit D — Prior Requests and Responses

Exhibit E — Supporting Documentation