

February 16, 2004

The Honorable William J. Haynes, Jr.
U.S. District Judge
c/o Peter J. Strianse, Esq.
Tune, Entrekin and White, PC
Suite 2100, AmSouth Center
315 Deaderick Street
Nashville, TN 37238-2100

Dear Judge Haynes,

I am writing to you to request leniency in the sentencing of my friend, Bernard H. Ellis, Jr. With Bernie's direct assistance, I am proud to say that I am a nine year survivor of ovarian cancer. Without Bernie's help, I might not be here today to ask you for mercy in his case.

I am happily married and the mother of a 31 year old son. I was raised in an "all American" way, attending church regularly, walking to school, learning from the same English teacher who taught my mom. My son attended private schools and graduated with top grades. I am a business owner and have been in the same profession for over 30 years. I vote regularly and have never been in trouble with the law.

I first met Bernie through a co-worker. We worked together in a small office so we often got a chance to meet each other's clients. From the first time I met Bernie, he impressed me by the kind and caring interest that he shows to everyone he meets. He also exuded a "safe" presence which, as a woman, is very important to me. Bernie had such a positive attitude about everything that he left me with a good feeling about him. In today's world, he struck me as a rare gem.

In 1995, I lost my mother to stomach cancer after caring for her myself for 28 months. I witnessed the pain that this disease, and the medical therapies used to treat the disease, brought into the life of someone I loved dearly. (I am an only child.) My mother had almost no appetite during her last months of life and she was often nauseous, which the medicines prescribed for her did not help. At the same time my mother was sick, I had a close friend dying from AIDS, whose prescription medications kept him constantly sick and who got some relief from using marijuana before he died.

While my mother was dying with cancer, I was diagnosed with ovarian cancer. Soon after my diagnosis, my co-worker told Bernie about my illness. Bernie approached me to ask if he could help me through the chemotherapy by providing me with marijuana. I accepted his offer, and received marijuana (without charge) from Bernie several times during my treatment. As the

result of my cancer, I lost my job of 22 years. While I was going in and out of the hospital, my son (also an only child) stayed with my mother so I would not have to deal with that stress while getting my own treatment. There were a number of nights when I wasn't sure I would pull through my cancer. But the marijuana that Bernie provided helped me deal with the awful nausea that came with the cancer treatments, and it also helped me sleep when I was uncomfortable and in pain. With the love, the prayers and the help from people like Bernie, I was able to survive my cancer and to be here today.

I believe that to stifle Bernie's spirit and enthusiasm to help other people, and to prevent him from providing God's gift of marijuana to help people heal in a more natural way, is such a loss to our society and to the future of our children and our children's children. Rarely do you find a person these days who has a one track mind-set that is focused on helping others, but that describes Bernie. Bernie has always meant well with everything that he has done with his life, and helping others seems to be the most important reward that he has worked for. I know that Bernie has used marijuana to deal with his own pain, and he should not be punished so severely for helping himself and others

As a woman with Cherokee ancestors, I know that my tribal people have viewed marijuana as a healing herb for many centuries. In our tribe (and in many others), Bernie would be viewed as a shaman and a healer, not as a criminal. It is so sad that marijuana was legal and widely used around the world for medical purposes throughout recorded history, until the last half century. We really need to return to a time when this herb can be used for medicine, something which is going on now in many other countries, but not in this country. Instead, we lock up people and take their homes for using something that God gave us all.

In closing, I would ask you, Judge Haynes, to please look closely at Bernie's record of achievement and his lifetime of helping others. Please focus on his value to his friends and family, his community, and to tribal people in need throughout this country. He is worth so much more to our country by being able to continue to model his spirit and morals for our young people, and by using his education to continue to help us overcome serious health problems, than he would be as a lost soul locked up for the rest of his life with real criminals. Bernie may have stepped out of line and broken the law, but please measure him by his good works and his good intentions, not by his mistake. Before you pass judgement, please consider how you would feel if your own parents or children (or you yourself) were dying from a disease and could be helped to live longer or in less pain by using marijuana. How would you view Bernie Ellis then?

Please be as lenient with Bernie as is possible. I owe him my life and I know that many others also owe him a debt of gratitude for his hard work, his caring and the risks he has taken to help others. Please allow him to continue to be of service to all of us. As a mother, a voter, a law-abiding citizen and a cancer survivor, I pray for your mercy for my friend.

Sincerely,

Margie Aderhold