

IN THE COURT OF APPEALS OF THE STATE OF MISSISSIPPI

NO. 2013-CP-00576-COA

MONROE RANDLE

APPELLANT

v.

MISSISSIPPI PAROLE BOARD

APPELLEE

DATE OF JUDGMENT:	03/15/2013
TRIAL JUDGE:	HON. WILLIAM E. CHAPMAN III
COURT FROM WHICH APPEALED:	RANKIN COUNTY CIRCUIT COURT
ATTORNEY FOR APPELLANT:	MONROE RANDLE (PRO SE)
ATTORNEYS FOR APPELLEE:	ANTHONY LOUIS SCHMIDT JR. JAMES M. NORRIS R. STEWART SMITH JR.
NATURE OF THE CASE:	CIVIL - POST-CONVICTION RELIEF
TRIAL COURT DISPOSITION:	DENIED PETITION FOR POST- CONVICTION RELIEF
DISPOSITION:	APPEAL DISMISSED: 10/15/2013
MOTION FOR REHEARING FILED:	
MANDATE ISSUED:	

BEFORE LEE, C.J., MAXWELL AND FAIR, JJ.

FAIR, J., FOR THE COURT:

¶1. Randle was convicted of murder in 1980 in the Circuit Court of Clay County, Mississippi, and received a life sentence. In February of 2010 he was granted parole by the Mississippi Parole Board, which revoked his parole in July of 2012, when he was arrested for simple assault by threat and firearm possession.

¶2. Randle asserted the Board's revocation of his parole was unlawful and filed a petition for habeas corpus relief seeking that the revocation be set aside. His petition was properly treated as a post-conviction collateral relief (PCR) petition by the Rankin County Circuit

Court, which dismissed it for lack of jurisdiction. He has appealed that dismissal to this Court.

¶3. We concur with the trial court's finding that it did not have jurisdiction to adjudicate Randle's PCR claims. "[A] PCR motion is properly filed in the county where the prisoner was convicted, not where the prisoner is incarcerated." *Nelson v. Bingham*, 116 So. 3d 172, 174 (¶6) (Miss. Ct. App. 2013). Therefore, we affirm the trial court's dismissal for the reasons discussed in detail in *Nelson*.

¶4. **THIS APPEAL IS DISMISSED. ALL COSTS OF THIS APPEAL ARE ASSESSED TO RANKIN COUNTY.**

LEE, C.J., IRVING AND GRIFFIS, P.JJ., BARNES, ISHEE, ROBERTS, CARLTON, MAXWELL AND JAMES, JJ., CONCUR.