

**IN THE COURT OF APPEALS
OF THE
STATE OF MISSISSIPPI
NO. 96-CA-00902 COA**

MICHAEL ETHRIDGE

APPELLANT

v.

**JAMES ANDERSON, SUPERINTENDENT OF
MISSISSIPPI DEPARTMENT OF CORRECTIONS**

APPELLEE

PER CURIAM AFFIRMANCE MEMORANDUM OPINION

THIS OPINION IS NOT DESIGNATED FOR PUBLICATION AND MAY NOT BE CITED,
PURSUANT TO M.R.A.P. 35-B

DATE OF JUDGMENT:	07/31/96
TRIAL JUDGE:	HON. GRAY EVANS
COURT FROM WHICH APPEALED:	SUNFLOWER COUNTY CIRCUIT COURT
ATTORNEY FOR APPELLANT:	PRO SE
ATTORNEYS FOR APPELLEES:	JAMES M. NORRIS JANE LANIER MAPP
NATURE OF THE CASE:	CIVIL - OTHER
TRIAL COURT DISPOSITION:	HABEAS PETITION DISMISSED
DISPOSITION:	AFFIRMED - 2/24/98
MOTION FOR REHEARING FILED:	
CERTIORARI FILED:	
MANDATE ISSUED:	4/7/98

BEFORE McMILLIN, P.J., HERRING, AND HINKEBEIN, JJ.

PER CURIAM:

Michael Ethridge, an inmate within the Mississippi Department of Corrections, filed suit in the Circuit Court of Sunflower County. The circuit court dismissed Ethridge's petition, holding that it had no jurisdiction over the matter and could grant Ethridge no relief. Ethridge filed this appeal. We affirm the judgment of the circuit court.

According to Ethridge's complaint, in November 1985 he was serving a sentence in the Florida Department of Corrections when he was temporarily released to the State of Arizona for purposes of

standing trial in that state on charges of armed robbery, kidnaping, aggravated assault and sexual assault. Ethridge was convicted in Arizona of the crimes and sentenced to thirty six years in prison. In July 1986, Ethridge was released back to the State of Florida to complete his sentence in that state. After serving his Florida sentence, Ethridge was released to the State of Mississippi to serve a thirty year sentence for armed robbery and kidnaping.

Ethridge argues that when the State of Arizona released him back to the State of Florida that it was in essence a commutation of his sentence under the provisions of the Interstate Agreement on Detainers. Ethridge sought to have the State of Arizona dismiss its detainer against him and have the Department of Corrections remove this detainer from his record. Ethridge named as defendants in his complaint James Anderson, a warden at the Mississippi State Penitentiary, and the Attorney General of the State of Arizona.

The circuit court dismissed Ethridge's petition, holding that Ethridge had no grounds for relief under the laws of this State and that the court had no jurisdiction over the proceedings in the State of Arizona.

On appeal, this Court considers questions of law de novo. *Peterson v. State*, 671 So. 2d 647, 652 (Miss. 1996). Ethridge cites no authority and we have found none showing that Ethridge stated a claim against Anderson for which relief could be granted or that a Mississippi court has jurisdiction over a sentence imposed by the State of Arizona. We find that the court properly dismissed the complaint and affirm the judgment of the court.

**THE JUDGMENT OF THE CIRCUIT COURT OF SUNFLOWER COUNTY IS AFFIRMED.
COSTS OF APPEAL ARE ASSESSED AGAINST THE SUNFLOWER COUNTY.**

**BRIDGES, C.J., McMILLIN AND THOMAS, P.JJ., COLEMAN, DIAZ, HERRING,
HINKEBEIN, KING, PAYNE, AND SOUTHWICK, JJ., CONCUR.**