

January 4, 2004

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

Re: Bernard H. Ellis, Jr.

Dear Judge Haynes:

More than 35 years ago as a Navy officer on the USS Randolph (CVS-15), I wrote the dissenting opinion in the case of a sailor apprehended smoking marijuana. I felt the penalty he received was inadequate.

Less than 10 years ago, my late wife was diagnosed with breast cancer. She waged a valiant battle requiring three regimens of chemotherapy, including the most severe: high dose chemo and a stem cell transplant. The legal anti-nausea drugs failed. A single puff of marijuana completely relieved her symptoms.

She chose marijuana after consulting with her oncologist at St. Thomas Hospital and with the knowledge of the hospital's legal counsel. Her doctor could not, of course, provide marijuana. We relied on a compassionate friend—someone exactly like Bernard Ellis.

The idea that such individuals should be punished is abhorrent and I am ashamed of my government's laws on this matter. In honor of my wife's memory and to help other patients in her circumstances, I ask you to show mercy in this case.

Sincerely yours,

Paul H. Kuhn

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