

2024-KA-01178-SCT

Carly Madison Gregg v. State of Mississippi

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ORIGINAL

OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

Dear Honorable Justices of the Mississippi Supreme Court,

I respectfully write to ask that Carly Madison Gregg be seen for what she was and remains, a child, and that this Court weigh justice not only through the lens of law, but with humility before God.

From the outset, Carly was denied the protections afforded to children under our laws. In the immediate aftermath of her mother's death and while in the midst of a clear mental health crisis, she was placed directly into the adult criminal justice system rather than being given care, protection, or treatment.

As detailed in the Appellant's Brief, this case raises serious concerns about the adequacy of counsel, the failure to conduct a juvenile-specific sentencing analysis, and the imposition of a sentence that did not meaningfully consider Carly's youth, mental health, and immaturity. The jury was not instructed in a way that fully conveyed the constitutional and moral difference between juvenile and adult responsibility.

Carly had begun taking Lexapro only days before this tragedy. She was fourteen years old and had no history of violence. SSRIs carry FDA black box warnings for youth, including increased risks of suicidality, paranoia, and psychosis. The timing of the prescription, the sudden change in her behavior, and her lack of memory of the event are consistent with a medication-induced psychotic episode. This was not an act of malice or criminal intent, but a family mental health crisis involving a child, a powerful medication, and access to a firearm.

The possible effect of this medication on Carly's mental state was never meaningfully weighed in the charging decision, at trial, or at sentencing. Instead of receiving urgent psychiatric care and the safeguards owed to a child, Carly was pushed into the adult system at the most vulnerable moment of her life.

Anyone who observed the proceedings could see that Carly's defense failed to protect her rights. She was stripped of juvenile protections at the time of her arrest at age fourteen, was not appointed a guardian ad litem, and was kept away from her family during the most critical days following her mother's death.

Her maternal grandfather was prevented from seeing her, despite his urgent wish to tell her he forgave her and his belief that medication played a key role in what happened. Her stepfather, whom Carly was relieved to learn had survived, was also kept away. These separations caused lasting harm to a child already overwhelmed by loss.

Carly is fully supported and forgiven by her maternal family and stepfamily, including her stepfather and surviving victim, Heath Smylie. Carly's maternal grandfather and Mr. Smylie are leading and funding this appeal because they believe justice was neither properly applied nor tempered with mercy, not for their Ashley and not for their Carly.

Ashley was a devoted mother who loved her daughter deeply. I do not believe she would want her child defined forever by the worst moment of her life rather than by who she is, who she has always been, and who she is still becoming.

Carly was also publicly sensationalized by media coverage, turning a grieving child into a symbol instead of recognizing her as a daughter loved by her mother. Ashley had already lost one child. I have no doubt she would have given her life to protect Carly. This public treatment further stripped Carly of her humanity.

The difference between Carly's sentence and those of other juvenile matricide cases in Mississippi is striking. In prior cases, including Tyla Vega in 2011, Amariyona Hall and her younger sister in 2019, and Lydia Flowers in 2023, the defendants were handled as juveniles. Justice should not depend on publicity or charging decisions. Children deserve equal protection under the law.

Despite her incarceration, Carly has shown real growth. She scored highly on her GED, is enrolled in college-level courses, and was named Valedictorian by the Director of Education for the Mississippi Department of Corrections, Ms. Mabry. These achievements show a young person capable of learning and change.

I am one of many who know and love this little girl. She loves her mother deeply and grieves her every day, I can testify to that. She wishes she could change what happened, though she does not remember the event itself. She has never acted this way before or since.

I raised three children in the Commonwealth of Virginia and have seen how other states hold youth accountable without abandoning their humanity. Carly's case should never have been tried as an adult matter. It required a juvenile proceeding focused on responsibility, treatment, and rehabilitation, not a sentence that leaves a child to die in prison for an act committed during a psychotic break she could not control.

Her family continues to suffer. Carly is her grandparents' only living grandchild, and they should not have to spend their remaining years without her. Scripture teaches that justice and mercy belong together, and that we are judged by how we care for the most vulnerable. Her family is not asking this Court to excuse harm, but to act with wisdom and mercy, recognizing the difference between a child in crisis and an irredeemable offender.

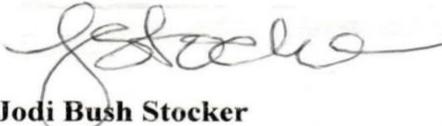
This tragedy happened to Carly and to Ashley's family. It did not happen to the State of Mississippi as a whole. Justice is not owed to public anger, but to truth, to the Constitution, and to a child whose future is in your hands.

I respectfully ask this Court to weigh the law, moral responsibility, and mercy. I would not accept this punishment for my own child, and I do not believe Ashley would want it for hers.

Carly is a young person with the capacity for growth and good. She does not belong incarcerated. I prayerfully ask that she be granted a new, lawful juvenile proceeding, a true restart that reflects who she is and what justice rightly requires. If possible, I urge you to meet her and see the child whose life is before you.

I pray this Court will remember that while laws are written by men, justice is measured by God, and mercy is not weakness when it protects a child and honors a loving mother and her family.

Respectfully,

A handwritten signature in black ink, appearing to read "Jodi Bush Stocker". The signature is fluid and cursive, with a large initial "J" and a long horizontal stroke at the end.

Jodi Bush Stocker

American, Mother, & Advocacy Cofounder