

SPEAKS

# STATEVILLE

VOICES FROM INSIDE... A QUARTERLY NEWSLETTER

ISSUE SEVEN

## A Prison Christmas

21 years...

It has been about twenty years since I last celebrated the spirit of Christmas with the decorated tree, lights strung in and out of the house, wrapping all the gifts you are giving, and of course, the smells that accompany such a holiday. Where I have been for the past twenty years has left me with very little of a reminder of what all that once was but I

know it was there at some point and time. There are no lights hung in and out of the cell, decorated trees in the corner, or even gifts to wrap. Just the emptiness and longing for the security of being at home with all your loved ones while being held in check by tall walls and razor wire fences as the media keeps you reminded of it all and lets you know what you are missing, depending on how you look at it.



before anyone could tell him to wait. Of course it was snowing really heavy and I was concerned that the buses would not be running and I would not make it after all, but they were running, just not as fast as I would have liked them to. After what seemed a week of traveling, we made it there all safe and sound. I walked to the house since it was not that far and I wanted to breathe in the air of freedom, take in the sights, and just surprise everyone since I did not tell Continued on Page 3...

### IN THIS *Issue*

- PAGE ONE  
A Prison Christmas
- PAGE TWO  
C#'s Call for Concern
- PAGE FOUR  
The Myth of Leniency
- PAGE SEVEN  
Creative Corner

#### POORMAN'S DINNER

The prison does try to help you celebrate Christmas by offering you a poor man's dinner complete with processed turkey, instant potatoes, and some vending machine pie that, if it is fresh enough, may retain some of its flavor. If you are lucky, you may get to sit next to a couple of friends while you eat this meal and talk about what is going on at your home.

But there was this one year when I went home for Christmas. The first time since I could remember, and I was happy, excited and ready to just be home like a little kid up at dawn to open his presents

*hope / change / redemption*

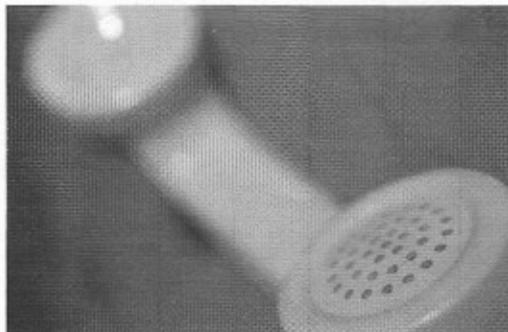
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# Coverage

WHEN YOU NEED IT

INMATES IN EACH DOC PRISON CAN SUBMIT ARTICLES TO  
STATEVILLE SPEAKS

## C#'S Call 4 Concern



### CONSIDERATION AND COMPASSION

Desperately and agonizingly decade after decades and year after years we worry, wonder, worry and wait. We do all that we are able to do to try to maintain constructive communication with our spouses, children, families and friends so that we may stay in sound relational, physical and mental shape.

To keep our spirit and attitude in perspective we meditate and pray. We have done all that's here to do to learn and humbly better ourselves, yes to rehabilitate. Although the tormenting worry and pain compounded with the intense cascading of emotional and psychological strain inflicted by a system that wants to punish, isolate and devastate: it's amazingly God's grace that we haven't become disoriented and deteriorated away.

98:2

98% of Illinois prisoners know specifically their exact closure and out date. Incredibly though, 2% of us called C-Numbers and their families are not afforded automatically that break. We are unjustly held hostage and our release/freedom has become a big controversial political debate.

The majority of us were once young teenagers. Now we're much older, mature, redeemed and restored to useful productive citizenship adults; sorry and remorseful for our youthful errors, willing and ready to reconcile with our families and communities to salvage what's left of our life phase. We have above and beyond paid our debt, surrendered 10,950 long nights and days and even more lamenting in this nightmare, praying someone helps us to awake.

We are caught up between the web of a dual sentencing scheme and a current prison industrial complex craze. Entangled within a myriad of ex-post facto litigation mazes, allowed to exist by a gamut of officials too arrogant to see their mistakes. Our continuous argument is this: What is the differences between the cases that a new law automatically without question releases in groves everyday and our cases? What's this big secret about C-Numbers and forcing us to Wait! Wait! Wait! and refusing to give us an out date, with an entire system ignoring the premises and ethics of its own judicial and legislative mandates and dictates. ■

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them I was coming home for the holiday. I finally got home and saw all the lights lit up outside, all the cars parked up and down the street and smelled that home cooking before I even got to the front porch which let me know that I was at home.

## NO HARSH WORDS

I knocked on the door and when it opened, the expressions were priceless. I was hugged by everyone while greeted with a huge smile. There were no harsh words spoken or uncomfortable questions asked. It was a celebration of the family all together in one place for one evening. My parents were there, grandparents, aunts and uncles, cousins and even the neighbors from up and down the street were there helping with the cooking and story telling. I never felt so alive and in a place where I was accepted than I did at that moment in time. All I could do was smile from ear to ear and laugh from the happiness I was in, and then it was time to eat which meant there was everything to eat from turkey, ham, potatoes, stuffing, sweet potatoes, greens, homemade bread, homemade pies, and it was as good as good could get.

## FEELING THE SPIRIT AGAIN

Afterwards we sat around with our bellies full and coffee in hand as the sadness engulfed me because it was time to go as the intercom was blasting out in a nonunderstanding language that we were on stand-by for chow, get up and get ready for chow. I was angry at first for having to have left so soon, but later on as I was getting ready for chow, I smiled because I felt the Christmas spirit again as well as spent time with my family who are no longer with me. So I went to chow, got my tray, sat with some friends, and talked about what would be going on at home with a smile on my face. ■

# The Harmless Constitution

Donald "Talib" McDonald

Once upon a time in a land far, far away, there lived a magical document called the United States Constitution. This document had the power to force large and powerful governments to do justice to all its citizens. Rapped in a red, white, and blue cape, this magical document proclaimed due process and equal protection for all. It turned the powerful into the powerless. It caused the innocent pauper to be released from the vicious and cruel controlling hands of the political.

However, fairy tales do come true. Today, in the United States our Supreme Court one judge opened the way to make the U.S. Constitution "Harmless." This is called the harmless error doctrine used by the courts to deny citizens their rights under the United States Constitution. The judge was the late Chief Justice Rehnquist. The Chief Justice, using the Act of 1919 28 U.S.C.A. §391, a law that was designed to ease the courts' heavy case log, stated that technical errors need not be noticed by the court that do not affect substantial rights. Technical errors were defined as errors like the misspelling of names of the defendants, or a court's failure to state the correct law, but using the right law in its judgment.

Rehnquist, when first appointed to the court by then President Nixon, made a dissent in a case dealing with harmless error, waited until he was Chief Justice, and when harmless error was raised again, he used his dissent to establish today's harmless error doctrine. Today's doctrine is quite a different animal from the original.

Today, harmless error doctrine is minus the word "technical." That one elimination allows the court, any court to step into the shoes of the jury, and determine whether a jury would have found the person guilty of a crime, even though certain evidence has been ruled error. The court can rule that a witness should not have been allowed to testify

before the jury because the testimony was unreliable, or false. But the court steps in and says the jury would have found the defendant guilty regardless of that person's testimony.

Because of that one word, "technical," no citizen has the right to a trial by jury. Because of that one word, no citizen has the right to due process and equal protection of the law. And to those who say, So what, criminals don't need any rights. Use your own head: criminals have no right, citizens do. There is nothing in the Constitution that gives criminal rights. All rights in the fabled document are for citizens.

Those rights were designed to protect the innocent citizens of the United States. They said no CHEATING because you might cheat the innocent. You might cause the innocent to be imprisoned, and the guilty to go free. You might cause the crime rate to go up. You might cause innocent children to become rape victims, and old people to die because you focused on an innocent man or woman and allowed a serial murderer to continue to kill. Is that harmless?

When it's your child, or brother or father in prison for a crime that some other person did, was that harmless to you?

When you are the target of some crime, do you feel safe because the court locked up anyone they could prove the crime against, and not the actual criminal? Will it be harmless when the crook comes back for seconds, mad because you tried to tell on him?

Twelve years I have sat in my prison cell and watched America become a country that loves the lie over the truth because the lie is easier to believe. I've watched as judges became chief prosecutors, and citizens the victims of weak minded men and women searching

*Continued on Page 5...*



# Essays, Letters and Insight

PROPOSALS AND PERSUASIVE EDITORIALS

## The Myth of Leniency

Andre Patterson, NIV

America has more than 2% of its nation behind bars; more than any other developed country in the world. Yet, it remains as one of the most violent nations. The U.S. has relied on the jails and prisons as their first line of defense against offenders, yet still lead the world in violent crime. Politicians, news commentators and voters have called for, still, more prisons to be built; harsher treatment of prisoners and longer sentencing. This incarceration binge has been labeled the "Tough on Crime Campaign." And despite the testimonials of criminologists and statistical findings that tough-on-crime tactics only marginally affect the crime rate, myths of a well functioning prison system are still pumped through the media.

The myth of leniency has been recycled across the country in recent years. It contends that an overwhelming majority of violent criminals escape the prison system without true punishment and that only 1 in 100 violent crimes results in an arrest and the execution of "justice."

The sheriff of Maricopa County, Arizona, where prisoners are forced to complete ten-hour days of manual labor in sweltering 100+ temperatures states, "Maybe if all prisons were like this one, there would be a lot less crime . . . Criminals should be punished for their crimes, not made to live in luxury until it's time for parole."

Most likely, it is due to the distortion of statistical data, that conclusions, like

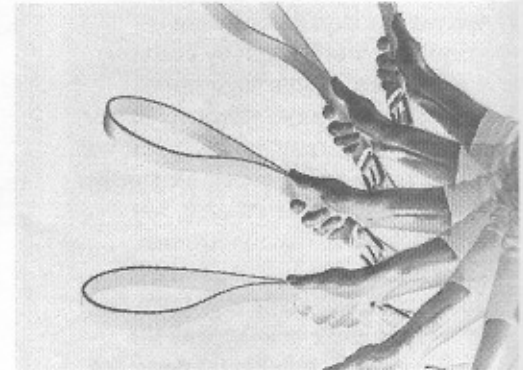
that of Maricopa County, exist.

Take the "1 in 100" rule. Although this statistic is technically acceptable, publishers fail to mention that out of the 10 million crimes reported by the U.S. Bureau of Statistics, the majority of those "violent crimes" are misdemeanors; 6.2 million being simple assaults without injury, such as bar fights or school yard altercations.

Furthermore, of that 6.2 million, only 641,000 result in an arrest and only 165,000 results in a conviction.

Despite popular belief, most prisons are unpleasant places. Prisoners are confined to one demeaning, demoralizing experience after another, many that scar ex-offenders for life. But, what about the lives that they have scarred? Yes. Definitely a fair question. Does an eye for an eye solve a problem or simply satisfy a quest for revenge? Instead of stopping or healing the offense, the prison system is in the practice of passing it forward from system to prisoner, prisoner to prisoner, ex-prisoner to new victim.

Maricopa's sheriff believes that humiliating men by forcing them to wear pink underwear while they work will help them return to society as normal law-abiding citizens. He believes that denying men relief from death-invoking heat while forcing his political views upon them will



eventually cause them to think twice about committing another crime.

So, one might wonder, does the Sheriff's tactics ameliorate or bring healing to the cause that procures crime? Does it rehabilitate them and provoke them to become upright people?

One might wonder whether or not a two-year mandatory sentence in the sheriff's concentration camp would better serve a convicted robber whose actions are motivated by an alcohol or drug addiction rather than seeking to treat his illnesses and integrate him into a program that seeks to heal his afflictions.

Perhaps the sheriff can cure drug addiction by forcing prisoners to vote Republican.

There is no dispute that people must serve a sentence in order to protect the public. However, what we ask is that administrators and legislators be more conscious about the effectiveness of the sentence to be served and whether the prison seeks

*Continued on Page 6 ..*

## Note from Publisher

Bill Ryan

I want to wish everyone peace, love, and joy during this special time of year. I pray the New Year will bring good things to each and every one of us. It is the season of hope as we look forward to new beginnings in 2006!!!

### SUBSCRIPTIONS

As indicated in the last issue, this will be the last free issue for anybody other than inmates. Inmates will continue to be provided issues free of charge but we can no longer afford to provide any other free issues. You can obtain a yearly subscription for \$10 (four issues) by completing the form found in this issue. I hope you will consider supporting *Stateville Speaks*, which is one of the few creative outlets for IDOC prisoners and is a very positive program in a negative environment.

### LITERARY ISSUE

Remember the June issue will be devoted entirely to short stories (no more than 500 words please) and poetry. Please submit material by May 10, 2006. Take pen in hand and write. ■

## A Bird in the Hand

Kevin Gibson

As a kid growing up I was a bit of a brat. I had everything, but was never content. Always I would complain about wanting and needing something else. But my mother would only say, "Some kids don't have anything. So a bird in the hand beats two in the bush." Meaning that I needed to know when I had been blessed.

This came to my mind after I found out that Dee Battaglia has become the warden at Stateville CC. It didn't really surprise me though because Miss Dee has demonstrated nothing short of righteous leadership ability ever since I've known her. What actually surprised me was the fact that Miss Dee was being honored by the Department of Corrections! When I was at Stateville I was one of a few who was determined to bring rehabilitation back into the Illinois prison system. On many levels

*Continued on Page 8...*

to make a name for themselves at our expense and sense of false security.

And even now, as my heart longs to be with my children, I wonder, Am I better off in prison because the society that I left is not worth going back to. The *country* that I once loved is no more. It's become a fairy tale, a dream that never will come true. Not because the government is bad, or won't do their job. Not because thousands of people were left to die in New Orleans, or because we went to war in a country that couldn't protect itself, but because, "We the people of the United States are HARMLESS." ■

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## Education, Meditation, Prayer

Ted Williams, Jr.

If you spend countless days in your cell, the most effective way to exercise the mind is through Education, Meditation and Prayer. These three rituals will prove to be totally uplifting and will demand your complete concentration:

### EDUCATION:

In most prisons, you will find a library where you can request books. Also, you can order or your family can send you books from the outside. Mystery, drama, novels are cool, sometimes for entertainment, but you should also request books of greater value. Knowledge is information and information is power. Try to find books about law, history, math and business. Find books about yourself because we need to know what makes us tick and most of all what makes us click. Spend at least three hours of your day reading something constructive. A healthy mind needs to stay well informed.

### MEDITATION:

Whenever you are angry or upset you should try to meditate.

Meditation calms you down and allows you the opportunity to focus toward a more peaceful resolution.

Continued on Page 6...

## Foot Notes

A new program for Stateville, sponsored by Kairos Prison Ministry International, is set to begin around April, 2006. After personally visiting and witnessing the effect of the Kairos program on inmates and staff at the correctional facilities in Marion, Ohio and Westville, Indiana, Warden Dee Battaglia approved the program. She said, "I want this program for Stateville."

The four day program is led by over 50 Kairos lay and clergy volunteers. While presented from a Christian perspective, inmates of different religious backgrounds will be invited to attend. The interdenominational Christian ministry is an ongoing program, following with monthly meetings to form strong Christian communities. The word "Kairos", originating from the Greek, means "God's Special Time". This program offers an opportunity to share in that "Special Time." Kairos Prison Ministry has been in existence for over 25 years. It operates in 7 countries, in 32 states in the U.S. and in over 360 institutions. Kairos Prison Ministry is about proclaiming the love and forgiveness of Jesus Christ through our experiences and actions.

This personal development opportunity is said to have a profound effect on the participants. As one Kairos graduate from Texas put it, "I've been locked up for 18 years and Kairos is the most positive experience I've had in all that time. I've had a lot of experience with hate, but this is the first experience I've ever had with love."

## The Law Page

### The Legal Trap

Stanley J. Howard

I spend a lot of time trying to make a difference in the battle against this racist, corrupt, unjust and unmerciful criminal justice system by advising, teaching, and assisting prisoners in their legal fight on many different levels.

Over the years I have encountered a disturbing number of guys who are suffering behind these walls due to procedurally defaulting on filing a timely post-conviction petition. (see: Post-Conviction Hearing Act, 725 ILCS 5/122.1)

P.C. is one of the most important appeals in the entire appeal process, and a mistake or default at this crucial juncture could be fatal and prevent a prisoner from ever having his/her issues reviewed by any court.

Most prisoners are minorities, poor and high school dropouts, and knowing this to be a fact, the system is intentionally designed to keep prisoners trapped by acquiring us to file P.C. petitions without the assistance of an attorney.

I don't know how they expect a high school dropout with limited reading and writing skills (who cannot afford an attorney) to be able to file a complicated, or even a closely adequate legal document suitable to be considered properly filed. And to make this elaborate scheme work more efficient, they designed the P.C. rules to be so confusing that only a skilled attorney would be able to understand it and stay within its strict filing deadlines. I really don't know how they expect our Latino brothers and sisters, some of whom can barely speak English to be able to comply with such complex rules.

It pains me to see so many guys with legitimate legal issues entangled in this widespread legal trap. And regardless of how many times I've done it before in the past, it is never easy and always heartbreaking to tell a guy serving an extremely long or natural life sentence

exactly what a procedural default means. A large number of prisoners fall victim to this trap each year, and we desperately need to convince Illinois legislators that this major problem is not compatible with fairness and justice. They need to reform the P.C. Hearing Act to guarantee all prisoners the right to an attorney—like it's guaranteed for Death Row prisoners. Until then, I advise all prisoners who are expecting to file for P.C. relief to immediately start learning everything possible about filing a proper and timely petition, and what it means to state the gist of a constitutional claim.

This is the only way to insure that your case will be properly litigated throughout the entire appeal process, and that you do not fall victim to this unjust and racist legal trap. ■

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## Hello to the Brothers In Stateville & IDOC

Mychal Thompson

My name is MYCHAL THOMPSON. A lot of you know me from when I was at Stateville, working in the barber shop. I am writing you all to impress upon you to support *STATEVILLE SPEAKS*. Various people have allowed us a voice so in essence this newspaper is us speaking to those inside and those outside. This is also something positive and constructive as well as informational. It is imperative that we help support this project by getting our family on the outside to help us be heard by subscribing to the newsletter. Also by telling their friends and family about it so that they may subscribe or even to make a small donation on your behalf. Also, we on the inside can do our part as we move

on throughout the Illinois Department of Corrections by informing the men in the new temporary places of confinement about the newsletter and how it's been expanded to include our voices from any institution in IDOC. I'd also like to thank the warden of Stateville, MS DEE BATTAGLIA, and our publisher, MR BILL RYAN, for their help and support in allowing us to be heard. ■

### Education Meditation and Prayer Cont...

There are many types of meditative techniques. Meditation is a mental form of power and it will help you find your center. Once you know how to find your center you will appreciate the calmness and peaceful feelings of tranquility.

#### PRAYER:

This is a personal goal or achievement. When offering prayer you must be totally committed. This is a private time to pay homage to whoever or whatever makes you strong. The religion you practice and whichever way you pray is totally up to you. Prayer should be performed in accordance with that religion.

Prayer is also a time to pay respect to yourself, family, friends and the world. Don't use prayer to ask for miracles or special favors because prayer doesn't work that way. When you want things to happen through prayer you must put forth a diligent effort to assist in securing whatever you are praying for. Don't put faith in the unknown.

Remember prayer without action is just worthless attraction. ■

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#### *The Myth of Leniency Continued...*

to resolve the issues that generate criminal activity. If sensible policies against the origins of crime are to be developed, questions need to be answered. What can be said about a country that imprisons citizens at a rate 6 to 10 times higher than other advanced societies?

What can be said about a country whose people believe that the best way to resolve societal issues is by sweeping them under a rug, or in this case: locking them up in a 12 by 7 cell and throwing away the key?

Perhaps it says that America relies too much on a penal system to maintain social order rather than prevent social decay. The myth of leniency attempts to justify a one-sided reliance on incarceration. Yet, this reliance on incarceration requires an immense manipulation of the facts. ■



# Resource Corner

CONTACTS AND RESOURCES

## Joe Dole

Listed below are numerous resources for prisoners--related and legal information. Most are free or low-cost. If you know of any others that you believe are beneficial to inmates, please send the contact information to the *Stateville Speaks* publisher, Bill Ryan, 2237 Sunnyside, Westchester, IL, 60154.

Coalition for Prisoners; Rights  
Newsletter  
P.O.Box1911

Santa Fe, NM  
87504  
(Free monthly  
newsletter)

## ACLU

### National Prison Project

733 15th St., NW Suite 620  
Washington, DC 2005  
(semiannual newsletter summarizing  
latest ruling in civil cases affecting  
right of prisoners: \$2/yr for prisoners)

Legislative Information System  
705 Stratton Bldg  
Springfield, Il, 62706  
(info on bill, public acts, etc. for the  
Illinois  
Legislature: free)

Public Information Office  
U.S. Supreme Court  
Washington, D.C. 20543 or  
[www.supremecourtus.gov](http://www.supremecourtus.gov)  
(free copies of recent Supreme  
Court decisions, limit 5 copies)

Prison Legal News  
2400 NW 80th St. PMB #148  
Seattle, WA, 98117  
(Monthly prison-related journal covers

court decisions affecting prisoners and  
provides info. to help navigate the judicial  
system. \$18/yr for prisoners)

Center for Constitutional Rights  
666 Broadway  
New York, NY 10012  
(will send prisoners the Jailhouse Lawyers  
Handbook at no charge)

Bureau of Justice Statistics  
810 Seventh St. NW  
Washington, DC 20531  
(one of the best sources in the country  
for prison and law enforcement statistical  
data. Write for free catalogue of available  
documents)

Fortune News  
39 W. 19th St 8th floor  
New York, NY 10011  
(free quarterly newsletter)

Legal In USA Newsletter  
at [legalinusa1@aol.com](mailto:legalinusa1@aol.com)  
(anyone who has email can sign up to have  
this  
newsletter emailed to them monthly.  
Newsletter  
cites recent death penalty cases and news)

Illinois Secretary of State Office  
Publication and Public Information Office  
Michael Howlett Bldg Room 474  
Springfield, Il 62756  
(free copy of the Illinois State Handbook)

The Flinn Report  
Joint Committee on Administrative Rules  
700 Stratton Bldg  
Springfield, Il 62706  
(Free weekly newsletter detailing  
proposed and  
new regulations enacted by the Illinois  
General  
Assembly)

## Help Stateville Speaks Grow



### EACH ONE GET ONE

In order to keep Stateville Speaks going, we are asking all Illinois DOC inmates to encourage their family, or at least one family member or friend to purchase one yearly subscription of Stateville Speaks Magazine for \$10. (Use the subscription form on page 2.)

In future issues we will report on how many subscriptions we receive.

Special thanks to Ken Sive for a very generous donation!!!

# Creative Corner

WHEN INSPIRATION HITS... POEMS, WRITINGS, CONNOTATIONS...

## Paint a Picture

--Lloyd Saterfield

If I could paint a picture  
I would paint a certain picture  
It wouldn't be a perfect picture  
I wish I could paint this picture  
But if I paint this picture  
How I would like to paint a picture  
You would see yourself in this picture  
and think that it is a perfect picture  
But if it was a perfect picture

Why am I painting this picture  
So we can see our life in this picture  
If our life was in this picture  
It would make this a vicious picture  
So to keep this from being a vicious  
picture  
I'm not going to paint this picture  
So when you see me again don't ask me  
to

PAINT THIS PICTURE

## Weak and Strong at Heart

--Anonymous

She's not my first love  
But she is my true love  
Ten years have passed  
Still, my heart beats fast  
I long for the day  
I can finally say  
I love you  
And not be afraid  
My mind is weak  
Yet my heart is strong  
How much longer  
Must this go on  
Await the day  
For the weakness in my mind  
To fade away  
for my heart to subside  
and tell  
her I'll love you  
for all eternity

## Burned Alive

--Anonymous

Just bury me alive  
Momma please  
Don't you cry  
For I'm not gone  
I did not die  
I've been seen  
By the devil's eye  
He will trick you  
He will lie  
I'm still alive  
Yet I have died  
My casket is  
An empty shell  
For I've been taken  
Straight to hell  
The things I've done  
and the things I've seen  
Have become my darkest dream

*A Bird in the hand Continued...*

there was a victory. But I will never forget the demand that we faced and battled on many fronts.

While we were focusing on bringing in programs and volunteers, the administration was focusing on a more aggressive approach, one that had nothing to do with education or life skill management. The place was a madhouse. Prisoners weren't listening to the staff and staff wasn't listening to the prisoners. That is unless your name was Miss Dee!

At first, I thought Miss Dee was just another token playing both sides out of fear for her life. But I couldn't have been further from the truth. Miss Dee is genuinely a people's person, with the heart of a lion. However, I can only imagine the struggle that she faces. In a society that not long ago honored neither one, Miss Dee is both an African-American and a woman!!

Therefore there must be numerous insidious campaigns to not only undermine her authority but to get rid of her as well. Such a thing would be devastating to the idea of rehabilitation in prisons all over the United States. Because at a time when society has basically turned its back on rehabilitation, Miss Dee is interested in doing just the opposite. Therefore it is up to the prisoners to protect that interest.

I've been in Tamms supermax for nearly 7 years, where there are no educational programs or real social services. I know what it's like to be under anti-programs conditions. Therefore the prisoners at Stateville need to give Miss Dee all the support that she needs to work her magic. Never mind the naysayers. Surrender your hearts and minds over to the process of rehabilitation and make it happen.

With Miss Dee we have a bird in our hands and like it was once said: "A bird in the hand beats a bird in the bush."

## Love Unforgotten

--anonymous

Just this morning  
I woke with a grin  
I had a dream  
that you were in  
We strolled along  
remembering the past  
You were in my arms  
again at last  
We danced on the beach  
Beneath the moon light  
As we held  
each other tight  
We watched the rays  
as they danced on the waves  
Sitting in silence  
Remembering the days  
We gazed at the sun  
As it rose with grace  
I can't wait to sleep tonight where again I can see  
Your Beautiful face.