IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI GREENVILLE DIVISION

JAMES W. LOWE PLAINTIFF

VS. CAUSE NO. 4:09-CV-00035-P-S

DEMOCRATIC MUNICIPAL EXECUTIVE COMMITTEE OF THE CITY OF LELAND, MISSISSIPPI

DEFENDANT

DEFENDANT'S SUPPLEMENTAL MEMORANDUM

COMES NOW, the Democratic Municipal Executive Committee of the City of Leland, Mississippi, by and through counsel, and files this Supplemental Memorandum as follows:

I. <u>Defendant May Enforce § 23-15-575 Miss. Code Ann (1972, as amended)</u>
and/or Should Not Be Required To Qualify Lowe In
Violation of Defendant's Constitutional Right To Freedom of Association

As stated below Mississippi law recognizes that municipal executive committees are stand alone entities for purposes of applying Mississippi's election laws. The Democratic Party of the State of Mississippi recognizes that municipal executive committees are stand alone entities of the party for performance of quasi-governmental duties on the municipal level:

The Municipal Executive Committee shall perform the same executive committee duties as are specified by law and this Constitution for other party units. Each Municipal Executive Committee shall be elected in the primary elections held for the nomination of candidates for municipal office and shall

be elected by the same election Districts by which the officers of the municipality are elected. The names of all persons desiring to be a candidate for the nomination in the primary elections shall be furnished to the Municipal Executive Committee at least thirty days prior to the first primary election. The officers shall revise and prepare the poll books and ballots, and the managers and other officials of the primary election committee shall be appointed by the Municipal Executive Committee and the returns of said election shall be made to such Municipal Executive Committee.

Article XI, Section 2 of the Constitution of the Mississippi Democratic Party.¹

The Plaintiff has the burden of proof. He submits that the aforementioned conduct should be disregarded and that he should be able to merely state a hypocritical promise to support Democratic candidates in the future and escape the prohibition of § 23-15-575 Miss. Code Ann (1972, as amended). If the Plaintiff's interpretation of the law is correct, then the protection afforded by § 23-15-575 amounts to no protection at all.

If the Court rules that § 23-15-575, is unenforceable by the Defendant, it means that the statute is unconstitutional:

As should be evident, the matter before the court is on one level quite complicated. However, once the penumbra of arguments is cleared away, the core matter for the court to decide is quite simple: Without regard to who can and should change what, either § 23-15-575's primary system unconstitutionally infringes on Mississippi political parties' First Amendment right to disassociate non-members from their nomination process or it does not. (emphasis added)

The court concludes that the plaintiffs have met their burden in demonstrating that the character and magnitude of their asserted injury rises to the level of an unconstitutional infringement on their First Amendment right to disassociate.

¹The Constitution of the Democratic Party of the State of Mississippi has, for all times relevant, been precleared.

Mississippi State Democratic Party v. Barbour, 2007 WL 2071800, N.D. Miss. (2007), reversed by Mississippi Democratic Party v. Barbour, 529 F.3d 538 (5th Cir. 2008).

II. <u>Lowe's Conduct Irrefutably Evidences That He Will Not Support</u> Democratic Party Nominees.

The Plaintiff, James Lowe, became an appointed member of the Republican Municipal Executive Committee for the City of Leland, Mississippi on February 20, 2005. *See* Exhibit A. On March 4, 2005, Mr. Lowe qualified to run for a full four year term on the committee. *See* Exhibit B. He was elected to serve for a four year term through the end of the municipal primary season in 2009.

While serving as a member of the Republican Executive Committee and presumably preparing to qualify as a candidate in the Democratic primary election, Mr. Lowe signed a qualifying petition for an Independent candidate to run against an incumbent Democratic candidate for alderman in the City of Leland for the general election to be held in June, 2009. See Exhibit C. Mr. Lowe's signature was a necessary requirement for the qualification of the Independent candidate to be able to run against the lone Democratic nominee.

On March 2, 2009, Mr. Lowe purchased an ad in a local newspaper announcing his resignation as a member of the Leland Republican Executive Committee due to the fact that he was a candidate for Mayor. *See* Exhibit D. His announcement did not disavow membership in the Republican Party or profess membership in the Democratic Party. *Id.*On March 6, 2009, the qualifying deadline, Mr. Lowe filed a qualifying statement of intent

to run as a Democratic candidate for Mayor of Leland, Mississippi. See Exhibit E.

The Mississippi yearly political cycle begins on January 1st. *See* Article XIV, Section 257, Mississippi Constitution of 1890. By March 6, 2009, Mr. Lowe had spent almost the entire primary qualifying period as a member of the Leland Republican Executive Committee. It was not until 2:28 p.m. on March 6, 2009 that anyone learned that Mr. Lowe planned to qualify as a Democrat. *Id*.

Since filing the qualifying papers, Mr. Lowe has engaged in a continuous public attack on the Defendant and Democratic elected officials in Leland, Mississippi. *See* Exhibit F. The published views of the Plaintiff leave little doubt that he will ever support certain individuals if they are re-elected as Democratic party nominees.

The provisions of § 23-15-575 Miss. Code Ann (1972, as amended) provide:

No person shall be eligible to participate in any primary election unless he intends to support the nominations made in the primary in which he participates.

§ 23-15-575 Miss. Code Ann (1972, as amended). The Defendant humbly submits that the aforementioned evidence proves that Mr. Lowe has no intention of supporting the Democratic nominees for municipal office in this election cycle and he should be barred from qualifying as a candidate for the Leland, Mississippi May, 2009 Democratic primary election in accordance with § 23-15-575.

The Defendant is a municipal unit of the Democratic Party of the State of Mississippi.

See Exhibit A, Democratic Party Constitution. The Nominations Section of the election code outlines the primary election scheme. Under §23-15-291 Miss. Code Ann. (1972, as

amended):

All nominations for state, district, county and county district officers made by the different parties of this state shall be made by primary elections. All primary elections shall be governed and regulated by the primary election laws of the state in force at the time the primary election is held.

§23-15-291 Miss. Code Ann. (1972, as amended). The Defendant is charged with the responsibility for qualifying Democratic Party candidates for office in the City of Leland, Mississippi. Pursuant to the provisions of § 23-15-299(6) Miss. Code Ann. (1972, as amended):

Upon receipt of the proper fee and all necessary information, the proper executive committee shall then determine whether or not each candidate is a qualified elector, and whether any candidate has been convicted of any crime listed in Section 241, Mississippi Constitution of 1890, or is a fugitive from justice from this state or any other state, and such charge upon which a candidate has fled has not been dismissed. If the proper executive committee finds that a candidate is not a qualified elector or that such candidate has been convicted of any crime listed in Section 241, Mississippi Constitution of 1890, and not pardoned nor has served his sentence, or is a fugitive from justice as aforesaid, then the name of such candidate shall not be placed upon the ballot.

§23-15-299(6) Mississippi Code of 1972, as amended. Section 23-15-309 Mississippi Code of 1972, as amended provides:

Nomination for elective municipal office to be made at primary election; fee requirements; determination of candidate's qualifications.

(1) Nominations for all municipal officers which are elective shall be made at a primary election, or elections, to be held in the manner prescribed by law. All persons desiring to be candidates for the nomination in the primary elections shall first pay Ten Dollars (\$10.00) to the clerk of the municipality, at least sixty (60) days prior to the first primary election, no later than 5:00 p.m. on such deadline day.

- (2) The fee paid pursuant to subsection (1) of this section shall be accompanied by a written statement containing the name and address of the candidate, the party with which he is affiliated, and the office for which he is a candidate.
- (3) The clerk shall promptly receipt the payment, stating the office for which the person making the payment is running and the political party with which such person is affiliated. The clerk shall keep an itemized account in detail showing the time and date of the receipt of such payment received by him, from whom such payment was received, the party with which such person is affiliated and for what office the person paying the fee is a candidate. The clerk shall promptly supply all necessary information and pay over all fees so received to the secretary of the proper municipal executive committee. Such funds may be used and disbursed in the same manner as is allowed in Section 23-15-299 in regard to other executive committees.
- (4) Upon receipt of the above information, the proper municipal executive committee shall then determine whether each candidate is a qualified elector of the municipality, and of the ward if the office sought is a ward office, shall determine whether each candidate either meets all other qualifications to hold the office he is seeking or presents absolute proof that he will, subject to no contingencies, meet all qualifications on or before the date of the general or special election at which he could be elected to office. The executive committee shall determine whether the candidate has taken the steps necessary to qualify for more than one (1) office at the election. The committee also shall determine whether any candidate has been convicted of any felony in a court of this state, or has been convicted on or after December 8, 1992, of any offense in another state which is a felony under the laws of this state, or has been convicted of any felony in a federal court on or after December 8, 1992. Excepted from the above are convictions of manslaughter and violations of the United States Internal Revenue Code or any violations of the tax laws of this state unless such offense also involved misuse or abuse of his office or money coming into his hands by virtue of his office. If the proper municipal executive committee finds that a candidate either (a) does not meet all qualifications to hold the office he seeks and fails to provide absolute proof, subject to no contingencies, that he will meet the qualifications on or before the date of the general or special election at which he could be elected, or (b) has been convicted of a felony as described in this subsection and not pardoned, then the name of such candidate shall not be placed upon the ballot. If the executive

committee determines that the candidate has taken the steps necessary to qualify for more than one (1) office at the election, the action required by Section 23-15-905, shall be taken.

(5) Where there is but one (1) candidate, the proper municipal executive committee when the time has expired within which the names of candidates shall be furnished shall declare such candidate the nominee.

Finally, §23-15-319 Miss. Code Ann. (1972, as amended) is a catch-all statute which provides that all provisions of the election code shall apply to municipal election offices:

All the provisions of this subarticle [Chapter 13, Title 15 (Election Code)] as far as practicable shall apply to and regulate primary elections for the nomination of elective municipal offices. Candidates for the nomination of such municipal offices shall file with the clerk of the city, village or town, the affidavits and reports required of candidates for party nominations to any county or county district office to be filed pursuant to this chapter.

§23-15-319 Miss. Code Ann. (1972, as amended). Finally, municipal and county committees can sue and be sued in connection with their exercise of election related functions. *See Jefferson Davis County Democratic Executive Committee v. Davies*, 912 So.2d 837 (Miss. 2005); *Hinds County Democratic Executive Committee v. Muirhead*, 259 So.2d 692 (Miss. 1972). The Defendant is an organization existing under the laws of the State of Mississippi and should not be prohibited from asserting Constitutional rights on behalf of its members.

WHEREFORE, the Defendant prays that this Honorable Court dismiss the Plaintiff's Complaint, deny the Plaintiff injunctive relief, grant Defendant interim relief, allow the Defendant to enforce its new rule preventing officers of another political party from qualifying as candidates in the Leland, Mississippi Democratic primary until they have

ended their affiliation with the other political party for the proscribed period of time in the new rule. If the Defendant has prayed for wrong or improper relief, the Defendant hereby prays that this Honorable Court grant the Defendant such additional relief as is appropriate based upon the facts and the law applicable to this case.

Submitted this the 8th day of April, 2009.

Respectfully submitted,

MUNICIPAL DEMOCRATIC EXECUTIVE

COMMITTEE OF LELAND, MISSISSIPPI

By: /s/ Charles E. Griffin

Charles E. Griffin, MSB #5015 Howard R.Brown, MSB # 10631 Jedidiah Cochran, MSB # 102846

OF COUNSEL:

GRIFFIN & ASSOCIATES
P.O. BOX 968
JACKSON, MISSISSIPPI 39205-0968
601-354-0603 (telephone)
601-354-0604 (facsimile)

CERTIFICATE OF SERVICE

I hereby certify that I have this day forwarded a true and correct copy of the above and foregoing pleading, via U.S. mail and electronic email to:

Andrew N. Alexander, III, Esq. Lake Tindall, LLP P.O. Box 918 Greenville, MS 38702-0918

This the 8^{th} day of April, 2009.

/s/ Charles E. Griffin

CHARLES E. GRIFFIN

Mar 26 09 11:46a

Mayor Office

662-686-4570

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Minutes From Meeting on February 20, 2005 of the Executive Committee of Leland, MS.

Present were as follows:

Perrin Grissom, Jr. Richard Cousino Trudy Tubertini Amy Taylor (absent- out of town) Charles Lillo (absent)

Meeting Purpose: To Elect New Members to the Committee

Minutes: Perrin Grissom, Jr. resigned today because of duties of the Election Commission. New members were elected to take the place of members who have stepped down from their duties on this committee. Newly elected Members as follows:

> Bart Freeland Don Hubbard James Lowe

Minutes recorded by Trudy Tubertini, Secretary

Judy Lubertine 2/20/05

EXHIBIT A

Received Fax : Mar 26 2009 11:3LAM Fax Station : GRIFFIN & ASSOCIAT

Mar 26 09 11:45a

Mayor Office

662-686-4570

p.3

QUALIFYING STATEMENT OF INTENT FOR REPUBLICAN MUNICIPAL EXECUTIVE COMMITTEE

I,	vames W. Lowe
	(Name, as it will appear on the ballot)
. //	5 Tucker St
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	(Street address)
,	leland MS 38756
	(City) (State) (Zip code)
	662-686-4868 james whowe (bel) South, net (Home telephone) (Email Address)
(Work telephor	(Home telephone) (Email Address)
a qualified ele	ector of the municipality of Leland,
State of Missi	ssippi, do hereby declare my candidacy for the Republican Party for
nomination fo	or the office of Executive Committee Member at the primary election
scheduled to t	oe held on May 3, 2005.
I bereby cert	ify that: (mark as applicable)
	I have never been convicted of a crime punishable by confinement in the Penitentiary.
	I have never been convicted of a follow in federal access on fi
<u></u>	I have never been convicted of a felony in federal court, or of a felony in the court of another state, as provided in Section 44 of the
•	Mississippi Constitution.
(III	
ت	I meet all constitutional, statutory and other legal requirements to a hold said office.
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Leland City Election Commission Allen Amos 3-4-09 Mary Newson Marion Sims Clamica Sandice

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SS09-M-06(b)

QUALIFYING STATEMENT OF INTENT INDEPENDENT CANDIDATE FOR THE OFFICE OF ALDERMAN



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	(N	ame, as it will appear on the	ballot)	
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662-3	(City) 47—5168	(State) 612-686-7753	(Zip cod	e)
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a qualified (elector of the municipa	lity of <u>Lieland</u>	,Ward No	1.
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2009 Candidate Qualifying Guide

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Revision 7/2008





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2009 Candidate Qualifying Guide	22	Revision 7/2008	

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2009 Candidate Qualifying Guide

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TO: ELECTION COMMISSION of	hole to
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2009 Candidate Qualifying Guide

Revision 7/2008





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SIGNATURE MINANDER STONE	Precinct
Address // a was first	Printed Name Miranda Crady OR
SIGNATURE MINICIPAL STANDS Address 1075+911ing St 1911	Precinct
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The opening paragraph of each page of signatures MUST include: (1) The name of the candidate, (2) office sought, and (3) date of the election, 2009 Candidate Qualifying Guide

22 Revision 7/2008



TO: ELECTION COMMISSION of _	hieland 18
We, the undersigned qualified electors of	We Cand Name of Municipality
s libeli !	Name of Municipality
Dill Din Stat	te of Mississippi, hereby petition that the name of
scheduled to be held Suno 2,2009	be placed upon the ballot of the General Election
No.	, 20, as a candidate for the office of Alderman, Ward
In compliance with Mier Code Ann. 822 to 201 (1)	
election commissioner devices of the formally election, and that the person whose	c name is presented by him was nominated by make clocked who will make onth
later than 5.00 mm, make came need by the bear requested (to be a candidate for any office by a prairies Classic to name of any candidate who,
population of one thousand (1 000) or many not leave to a control of qualified circu	tors: (a) For an office elected by the qualified electors of a musicipation to the section 23.
pojnelation of less than one thousand (1,000), not less than fifeee (15) goal	to electors. (b) For an office elected by the qualified electors of a manicipality having a
SIGNATURE Desan Culturell	Printed Name Bessie Coldwoll
Address f32 apt @ Stallfur 3	Printed Name BLSSie Palduell Precinct Wald
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Address \$30 apti Stallings	Printed Name Johnny Caldwell JR OF
SIGNATURE Patakk Hence	7
Address 136 F Fillian	Printed Name Patrick Hamphra OK
SIGNATURE () WILLIAM THE AND AND	A
Address 140 Stalling St. Abt. A	Printed Name UMIKUSW M. Jack Brown Precinct Willed and Market Mikus M.
SIGNATURE PRESIDENCE WIND AS THE CO	7
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Address 130 Stallang H	Printed Name Bill X Marshall
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SIGNATURE Kermy Hardson	Treesing 11
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SIGNATURE / Carrie Mister.	Commercial
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Core this form	Precinct W-/
opening paragraph of each page of signatures MITET includes (1)	The name of the candidate, (2) office sought, and (3) date of the election.
OC Candidate Others to the second second intellige; (1)	on name or the candidate, (2) office sought, and (3) date of the election.

2009 Candidate Qualifying Guide 22 Revision 7/2008



TO: ELECTION COMMISSION of heland /kg
We, the undersigned qualified electors of
Mame of Municipality
of, State of Mississippi, hereby petition that the name of
be placed upon the ballot of the General Election
scheduled to be neld

In compliance with Miss. Code Ann. § 23-15-361: (1) The municipal general election ballot shall contain the names of all candidates who have been put in nomination by the municipal primary election of any political party. There shall be printed on the ballots she names of all persons to nominated, whether the combination be otherwise known or not, upon the written request of one or more of the candidates so nominated, or of any qualified elector who will make out the third was a participant in the primary election, and that the person whose name is presented by him was nominated by such primary election. The municipal election commissioner designated to have the ballots printed shall also have printed on the ballot in any municipal general election the name of any candidate who, not having been nominated by a political party, shall have been requested to be a candidate for any office by a petition filed with the clerk of the municipality no later than 5:00 p.m. on the same data by which candidates for nomination in the municipal primary elections are required to pay the fee provided for in Section 21-209, and signed by not less than the following number of qualified electors: (a) For an office elected by the qualified electors of a municipality having a population of less than one thousand (1,000), not less than fifteen (15) qualified electors.
Address 2/2 select prop benefits Printed Name Clorica Thomas O
SIGNATURE Pasie Parkins Printed Name Posie Perkins C
SIGNATURE Printed Name NOU Paylin Of Address Precinct W-
Address 121-Robb-Leland more Printed Name Turking Printed Name Turking
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Copy this form for succeeding pages, the opening paragraph of each page of signatures MUST include: (1) The name of the candidate, (2) office sought, and (3) date of the election.

2009 Candidate Qualifying Guide 22 Revision 7/2008



TO: ELECTION COMMISSION of	Lieland Ms
We, the undersigned qualified electors of	Mame of Municipality And MS, County
	Name of Municipality
I Mashington , State of Mis	sissippi, hereby petition that the name of
	ced upon the ballot of the General Election
	a candidate for the office of Alderman, Ward
ło	
compliance with Miss. Code Ann. § 23-15-361; (1) The municipal general election or mination by the municipal primary election of any political party. There shall be pomitted in the primary election of any political party. There shall be pomitted in the primary election, and that the person whose name is prection commissioner designated to have the ballots printed shall also have printed on the thing been nequested to be a candidate the person of the primary election commissioner designated by a political party, shall have been requested to be a candidate than 3:00 p.m. on the same date by which candidates for normalism in the munity of the primary of the pri	rinted on the ballots the names of all persons so nominated, whether the sead dates so nominated, or of any qualified elector who will make outh researched by him was nominated by such primary election. The municipal stress election the name of any candidate who, lidate for any office by a petition filed with the clerk of the municipality no cipal primary elections are required to pay the fee provided for in Section 23 or an office elected by the qualified electors of a municipality having a . (b) For an office elected by the municipality having a
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DI + DT	Precinct 12 (PODB20 54
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SIGNATURE BOLLY TOO BELLY TOO Address The Stalling Off U	Printed Name Britis Fox OK
SIGNATURE CHANGE JONE Address 2 0 6 th 26	Printed Name Carria Some
SIGNATURE PLANTY Land Address 36 Romain St.	Printed Name Doot hy Jaxvie Precinct CA OV J
SIGNATURE MAN I Williams Address Low Statlery Street apt A	Printed Name Corine 24/1/1/ams
SIGNATURE PROMOCHY STOCKS AND Address 192 Stocking The TOPA	Printed Name Precinct
Address 140 B. Stalling Stape	Printed Name Martha Wright I ware Procince A Scattering Kel
SIGNATURE TAMULA CACASON TAINLE V Address 132 Stalling St.	Printed Name Hampla Jackson Parts Precinci Wand
SIGNATURE Sallahy B. Cal Que	Printed Name Johnny BCAldwell

The opening paragraph of each page of signatures MUST include: (1) The name of the candidate, (2) office sought, and (3) date of the election.

2009 Candidate Qualifying Guide

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Revision 7/2008

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TO: ELECTION COMMISSION of Liele ~ q





We the understaned qualified electors of	Name of Municipality Name of Municipality Name of Municipality
	Name of Municipality
of Mashine + an State	of Mississippi, hereby petition that the name of
Allew Hmos	be placed upon the ballot of the General Election
scheduled to be held Sung 2,2009.	20. as a candidate for the office of Alderman, Ward
No	
communition by the municipal primary election of any political party. There is commission be otherwise known or not, upon the written request of one or no that he was a participant in the primary election, and that the person whose nelection commissioner designated to have the ballots printed shall also have the ballots printed shall also have not having been nominated by a political party, shall have been requested to aske then 5:00 p.m. on the same date by which candidates for nomination in 15-309, and signed by not less than the following number of qualified electors.	I election ballot shall contain the names of all candidates who have been put in that be printed on the ballots the names of all persons so nominated, whether the ore of the candidates so nominated, or of any qualified elector who will make both latter is presented by him was nominated by such primary election. The municipal printed on the ballot in any municipal general election the name of any candidate who, be a candidate for any office by a petition filed with the clerk of the municipality no the municipal primary elections are required to pay the fee provided for in Section 23-01; (a) For an office elected by the qualified electors of a municipality having a field electors.
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2009 Candidate Qualifying Guide	22 Revision 7/2008.

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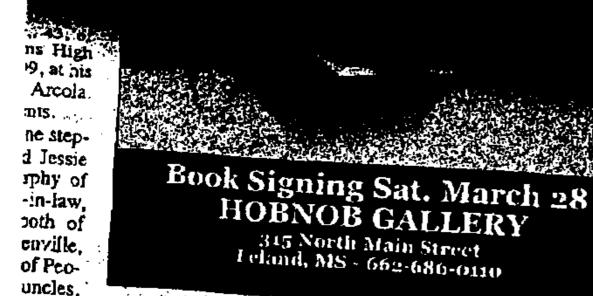
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Mayor Office

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Delta native's memoir offers inside look at Delta School Desegregation

The experience of a young college graduate who helped pioneer school desegregation in Lefand in 1969 will be University of Alabama Press.

Greenville native David Beckwith's memoir, "A New Day in the Delta," concentrates on his experience as a young college graduate who helped pioneer the 1969 Leland. As the Vietnam War was reaching its zenith, Beckwith graduated from the University of Mississippi and was accepted for a teaching posiassigned to Lincoln Atten-public education system." dance Center, an all-black The book is a fascinating school, just as Mississippi's "separate but equal" school system was being mandated to end.

War and evolving racial relations were transforming the nation and Mississippi alike. Beckwith found himself on the cutting edge of the transformation of American education and society in one of the most resistant corners of the country. Beckwith's memoir tells the revealing and year of incomprehension Little Torch Key, FL. between an inexperienced

white leacher and a classroom of black children who had had minimal contact with any whites. This is history as released March 1, 2009 by those who were thrust into another sort of "front line" experienced it.

"The key to this story is the fact that Beckwith is one of the first white teachers to beassigned to an all-black school in the Mississippi Delta. school desegregation in Beckwith's detailed account of his experience will be valuable to the history of this time," said Dr. Andrew Mullins, Assistant to the Chancellor at Ole Miss. "A tion with the Leland Public New Day in the Delta" makes Schools despite his total lack a significant and interesting of credentials. Only later did contribution to the history of he learn that he had been desegregation in Mississippi's

combination of Happy Days meets Blackboard Jungle, with more than a little Mississippi: The Closed Society added," according to Delta Magazine Contributing Editor Nocl Workman. "The well intenlioned rookie often trod where angels feared to go."

Beckwith has spent most of his working career in the securities industry and is currently a Vice President and Financial Advisor with Morgan Stanley. often amusing story of the He lives in Vero Beach and

element transfer as the experiencing layoffs of thou sands of employees nationwide but Leland Manufactur-

Walk-In Baths

*American Made • Mississippi Owned and Operated Hydrotherapy Body Massage We Deliver & Install Our Tubs

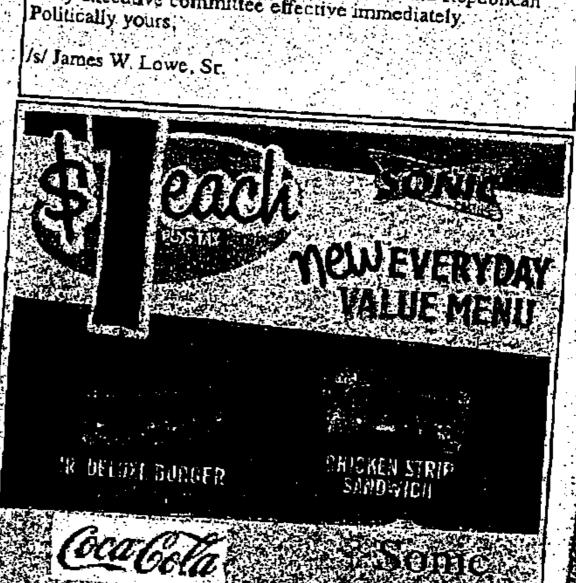
We also sell just the walk-in tubs!

AMERICAN BATHCRAFT 1-888-817-2576

A State Licensed Company

03/02/2009 Dear Sir/Madam:

Due to the fact that I am a candidate for the office of Mayor of the City of Leland, I feel that it would be appropriate to resign my position as a member of the Leland Republican Party executive committee effective immediately. Politically yours.



Drive-In

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EXHIBIT E

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QUALIFYING STATEMENT OF INTENT FOR A CANDIDATE FOR PARTY NOMINATION FOR THE OFFICE OF MAYOR



	I, James W	LOWE	
		vill appear on the ballot)	
		Street	
	126 Robbs	iling Address) Street	· · · · · · · · · · · · · · · · · · ·
	Leland Mi	reet Address) 551551 PPI	38756
2	(City) le le 2	(State) 86 - 48 68	p code)
	(Work telephone) (Hor	ne telephone)	(Elmail Address)
	a qualified elector of the municipality of	Leland	*
	State of Mississippi, do hereby declare my ca	ndidacy for the <u>Dem</u>	ocratic
	Party nomination for the office of Mayor at the	e Primary Election scheduled to	o be held
	<u>95-05-</u> 2009		•
	I hereby certify that: (mark as applicable)		
	I have never been convicted of	a crime punishable by confinen	nent in the Penitentiary.
		a felony in federal court, or of a cuion 44 of the Mississippi Con	
	Timeet all constitutional, status	ory and other legal requirements	s to hold said office.
-	James In	Dowe	$\frac{3-e-b9}{\text{(Date)}}$
	(Signature of candidate)	_	(Date)
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2009 (Candidate Qualifying Guide	15	Revision 7/2008

EXHIBIT F

The Eyes and Ears of Leland

Wednesday | March 25, 2009

LELAND'S MAYOR WILL STOOP TO ANY LEVEL

Mayor Barbara Brooks wasted little or no time in creating the illegal Leland Democratic Executive Committee to impose her underhanded illegal tactics to keep my name off the ballot for the up coming Leland Mayoral primary election to be held on May 5th, 2009. She will stoop to any level, and stop at nothing in order to keep her hands in the till and continue to do the illegal things that she is so noted for. She hand picked her cronies to makeup the illegal Leland Executive Democratic Committee who was not only incapable of conducting a meeting, but did not have a clue as to what an Attorney Generals Opinion was. After learning that they were trying to remove my name from the ballot, we obtained an opinion from the Attorney Generals Office that came during the illegal meeting held by her cronies. After obtaining the Attorneys Generals Opinion which was very clear, I read it to the committee very slowly to make sure that they would understand the well written, word friendly, clear, and precise document. I also gave them a copy so that they could go back and review it again. Apparently the document was beyond their grasp, even our brilliant Mayors understanding of the document came into play when she stated to the committee that that was the Attorney Generals personal opinion, and he can have one like anybody else. It is with this kind of mentality, and leadership that has found its way into our local government that keeps the board argumentive, polarized, frustrated, and struggling to stay afloat. If you would like to review the Attorney General's Opinion you will be able to find it in last weeks Leland Progress dated Tuesday, March 19, 2009 on page four. It is sad that the Mayor who has very little understanding use people like those on the so called illegal Leland Democratic Executive Committee who do not have any inkling as to what they are doing, to do her dirty illegal, underhanded work. What they do not understand about me is that I am two steps ahead of them at all times and, I say to those who serve on her illegal Committee. I can't perceive you with such a tool, but a mind is a terrible thing to

Posted by Watch Dog at 15:17:02 | Permanent Link | Comments (0) |

Wednesday | March 11, 2009

MAYOR ALLEGEDLY CAUGHT WITH HAND IN COOKIE JAR

It is a sad fact, and a disgrace that the Board of Aldermen would see fit to allow Mayor Barbara Brooks to run for public office with the cloud of alleged unauthorized check writing that number into the thousands of dollars hanging over her head without being resolved. It is alleged that Mayor Brooks, Alderwoman Brooks, and other senior staff members, and/or department heads took trips to the Gulf Coast, and other places, lived in luxury hotels without the knowledge, or permission of the Board. It is mystifying to me that the Board would allow these wrong doings to continue without rectifying the situation. I think that it is incumbent upon this Board to take immediate action to rectify these atrocities before moving forward. Leland has had too many things swept under the rug, or just blatantly disregarded by this administration. I can assure you that this is not a witch hunt, but Leland deserves better and there have been too many irregularities committed by this administration without answers, and/or corrections. If Mayor Brooks has nothing to hide she should come forward and demand an audit to clear her of the accusation of alleged fraud without delay. I as a citizen along with many others that I have spoken with plead to you as our elected representatives to do the right think by correcting these problems, and putting them to rest ounce and for all.

James W. Lowe, Sr.

Posted by Watch Dog at 07:40:58 | Permanent Link | Comments (0) |

Monday | March 09, 2009

CANDIDATE FOR MAYOR OF LELAND

This is to announce my candidacy for the office of Mayor of the city of Leland. I cannot begin to tell you the importance of this action; we have seen our community deteriate at a rapid pace because of poor leadership. It's time to stop this cancer that plagues our community. I need your support to help turn Leland around. Together we can do it. Please support