

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

**HATTIESBURG DIVISION**

HAROLD J. BLAKELY

PLAINTIFF/PRO SE

VS.

CIVIL ACTION NO.

2:13cv721KS-MTP

CITY OF LAUREL CLERK OFFICE, TERRI M. SMITH, DEPUTY CLERK/REGISTRAR THEIR

ATTORNEYS (DEIDRA J. BASSI), HORTMAN, HARLOW, ROBINSON & MCDANIEL, PLLC

LAUREL MUNICIPAL DEMOCRATIC EXECUTIVE COMMITTEE CHAIRMAN,

JACQUELINE "CHIP" EVANS, JACQUELINE DARBY, BELINDA LASSITER,

BARBARA BRUMFIELD-PRUITT, CHARLOTTE GIBBS-WILLIAMS, ETAL.

DEFENDANTS

**PETITION FOR INJUNCTION JUDICIAL REVIEW**

COMES NOW HAROLD J. BLAKELY, PLAINTIFF A UNITED STATES CITIZEN, QUALIFIED ELECTOR REGISTER VOTER RESIDE IN THE CITY OF LAUREL WARD (5) FOR THIS COURT REVIEW THE PLAINTIFF HAD VOTER REGISTRATION CARD I.D. # 6320315 SAME AS CIRCUIT COURT JUROR DUTY I.D. # 6320315 VOTER REGISTRATION CARD ISSUED DATE MARCH 22, 1989.

**PARTIES**

1. PLAINTIFF HAROLD J. BLAKELY IS AN INDIVIDUAL WHO RESIDES IN LAUREL, MISSISSIPPI.
2. DEFENDANT CITY OF LAUREL, MISSISSIPPI IS A MUNICIPAL CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF MISSISSIPPI HAVING AUTHORITY, DUTIES AND POWERS AS PROVIDED UNDER THE LAWS OF THE STATE OF MISSISSIPPI, AND EXISTING AND OPERATING WITHIN THE JUDICIAL DISTRICT OF THE SOUTHERN DISTRICT OF MISSISSIPPI.
3. DEFENDANT TERRI M. SMITH, CHIEF DEPUTY CLERK REGISTRAR, AN EMPLOYEE OF THE DEFENDANT CITY OF LAUREL IS AN INDIVIDUAL WHO RESIDE IN LAUREL, MISSISSIPPI.
4. DEFENDANT JACQUELINE "CHIP" EVANS, CHAIRMAN (LMDEC) JACQUELINE DARBY,

BELINDA LASSITER, BARBARA BRUMFIELD PRUITT, CHARLOTTE GIBBS WILLIAMS IS AN  
INDIVIDUALS WHO RESIDES IN LAUREL, MISSISSIPPI.

5. HONORABLE DEIDRA J. BASSI, AN ATTORNEY OF LAW FIRM HORTMAN, HARLOW,  
ROBINISON, MCDANIEL, ATTORNEYS LAW FIRM BUSINESS RESIDES IN LAUREL,  
MISSISSIPPI. REPRESENTED DEFENDANTS CITY OF LAUREL, JACQUELINE  
"CHIP" EVANS, CHAIRMAN DEMOCRATIC EXECUTIVE COMMITTEE MEMBERS.

#### **JURISDICTION**

6. THIS COURT HAS ORGINAL JURISDICTION OVER PLAINTIFF CLAIMS PURSUANT TO  
28 U.S.C. STATUTES 1331, 1343 AND 1344.

#### **VENUE**

7. VENUE IS PPROPRIATE IN THIS COURT PURSUANT TO 28 U.S.C. STATUTES 1391(b),  
AS THE ACTIONS ALLEDGE HEREIN OCCURRED IN THE SOUTHERN DISTRICT OF MISSISSIPPI.

#### **FACTS**

THE PLAINTIFF WILL STATE TO THIS COURT ACORDANCE TO MISSISSIPPI ELECTION CODE, 1972 SECTION  
**23-15-19. PERSON CONVICTED OF CERTAIN CRIMES NOT TO BE REGISTERED.**

[EFFECTIVE UNTIL THE DATE LAWS OF 2012, CH. 517, IS EFFECTUATED UNDER SECTION 5 OF THE  
VOTING RIGHTS ACT OF 1965, AS AMENDED AND EXTENDED, THIS SECTION WILL READ:]

ANY PERSON WHO AS BEEN CONVICTED OF ANY CRIME LISTED IN SECTION 241, MISSISSIPPI  
CONSTITUTION OF 1890, SHALL NOT BE REGISTERED, OR IF REGISTERED THE NAME OF SUCH PERSON  
SHALL BE ERASED FROM THE REGISTRATION BOOK ON WHICH IT MAY BE FOUND BY THE REGISTRAR OR  
THE ELECTION COMMISSIONERS. WHENEVER ANY PERSON SHALL BE CONVICTED IN THE CIRCUIT COURT  
OF HIS COUNTY OF ANY SAID CRIMES, THE REGISTRAR SHALL THEREUPON ERASR HIS NAME FROM THE  
REGISTRATION BOOK; AND WHENEVER ANY PERSON SHALL BE CONVICTED OF ANY SAID CRIMES IN ANY  
OTHER COURT OF ANY COUNTY, THE PRESIDING JUDGE THEREOF SHALL, ON DEMAND CERTIFY THE  
FACT IN WRITING TO THE REGISTRAR, WHO SHALL THEREUPON ERASE THE NAME OF SUCH PERSON  
FROM THE REGISTRATION BOOK AND FILE SAID CERTIFICATE AS RECORD OF HIS OFFICE.

ON MARCH 7, 2013 AS A WALKIN I PERSONAL APPEAR BEFORE MRS. TERRI M. SMITH, CHIEF DEPUTY CLERK AND REGISTRAR, EMPLOYEE OF THE CITY OF LAUREL, THEREFORE, I REQUESTED FROM MRS. SMITH MUNICIPAL ELECTION (2013 CANDIDATE QUALIFYING GUIDE/CAMPAIGN FINANCE GUIDE PACKAGES).

ON MARCH 8, 2013 AS A WALKIN I AGAIN APPEAR BEFORE MRS. SMITH AND FILES (1). QUALIFYING STATEMENT OF INTENT FOR A CANDIDATE FOR PARTY NOMINATION FOR THE OFFICE OF COUNCILMAN (FORM INCLUDE THREE BLANK BLOCK), REQUIRED ALL CANDIDATE TO CERTIFY MARK AS APPLICABLE THEREFORE, PLAINTIFF MARK SECOND BLOCK [X] I HAVE NOT BEEN CONVICTED OF A FELONY IN FEDERAL COURT AFTER DECEMBER 8, 1992, NOR OF A CRIME IN THE COURT OF ANOTHER STATE WHICH IS A FELONY IN THIS STATE, AFTER DECEMBER 8, 1992, AS PROVIDED IN SECTION 44 OF MISSISSIPPI CONSTITUTION. PLAINTIFF MARK THIRD BLOCK [X] I MEET ALL CONSTITUTIONAL, STATUTORY AND OTHER LEGAL REQUIREMENTS TO HOLD SAID OFFICE.

(2). CANDIDATE QUALIFYING FEE AMOUNT \$10.00 PAYMENT PERSONAL CHECK.

(3). CLERK ISSUED CANDIDATE CITY OF LAUREL RELEASE FORM FOR BACKGROND SEARCH, DOUBLE STANDARD. **[VIOLATION MISSISSIPPI VOTING RIGHTS ACT LAWS OF 1965 AND MISS CODE 1972, SECTION 23-15-41. VOTER ENDORSEMENT AND REGISTRTRION APPLICATION]**

THE LAUREL CITY CLERK REQUIRED THE ABOVE QUALIFYING INFORMATIONS MENTIONS IN NO. (3) TO DECLARE ALL CANDIDACYS FOR THE DEMOCRATIC PARTY NOMINATION FOR THE OFFICE OF CITY COUNCILMANS AND MAYORS RUN FOR LAUREL MUNICIPAL PRIMARY ELECTION SCHEDULED DAY TO BE HELD ON MAY 7, 2013. SEE QUALIFYING DOCUMENTS EXHIBIT(A).

LAUREL CITY CLERK MARY ANN HESS ON MARCH 10, 2013 REPORTER TO THE CHRONICLE NEWSPAPER STAFF WRITER, MRS. ELOIA NEWELL JAMES " THE PARTY EXECUTIVE COMMITTEES WILL VERIFY CANDIDATES' RESIDENCIES AND OTHER THINGS CONNECTED WITH THOSE QUALIFIED TO RUN," HESS SAID. "THE EXECUTIVE COMMITTEES ARE ALSO RESPONSIBLE FOR GETTING POLL WORKERS FOR THE PRIMARY AND RUNOFF ELECTIONS." PLAINTIFF WILL STATED THE REGISTRA CLERK IS UNDER OATH AND HAD THE AUTHORITY TO DISQUALIFY CANDIDATE THAT HAVE DISQUALIFIED CRIMES BEEN CONVICTED, (DISQUAILIFIED ELECTOR). PLAINTIFF, BLAKELY IS A QUALIFIED ELECTOR THE CLERK MUST PUBLISH ALL QUALIFIED ELECTOR CANDIDATES OF THE MUNICIPALITY PRIMARY ELECTION THEIR NAMES PLACED IN THE LOCAL NEWSPAPERS.

MARY ANN HESS AND TERRI M. SMITH OF KNOWLEDGE MISS. CODE ANN SECTION 23-15-17. WARNING:FALSE REGISTRATION IS A FELONY. THE PENALTY FOR CONVICTION OF FALSE REGISTRATION IS IMPRISONMENT FOR NOT MORE THAN (5) YEARS OR FINE OF NOT MORE THAN FIVE THOUSAND DOLLARS (\$5000), OR BOTH.

ON MARCH 16, 2013 PLAINTIFF RECEIVED CITY OF LAUREL BUSINESS ENVELOPE U.S. POSTAL CERTIFIED MAIL NO. 7012 2210 0001 6284 0035 DEFENDANTS ENCLOSED LETTER DATE MARCH 13, 2013 FROM THE DEMOCRATIC CHAIRMAN, JACQUELINE"CHIP" EVANS, JACQUELINE DARBY, BELINDA LASSITER, AND

BARBARA (BRUMFIELD) PRUITT, CHARLOTTE (GIBBS) WILLIAMS STATING THE LMDEC DISQUALIFIED HAROLD J. BLAKELY [BASED UPON THE STATE OF MISSISSIPPI FELONY CONVICTIONS YOU STILL HAVE ON YOUR RECORD]. THEREFORE, ON MARCH 14, 2013 PLAINTIFF SEND DEFENDANTS A U.S. POSTAL CERTIFIED LETTER REQUESTED A COPY THEIR BACKGROUND SEARCH FOUND SAID DEFENDANTS FAILURE TO RESPONSE.

THE PLAINTIFF WILL STATED TO THIS COURT THAT HE PLEA OF GUILTY AND WAS SENTENCE TO THREE (3) YEARS & SIX MONTHS TO MISSISSIPPI PENITENTIARY IN NOVEMBER 22, 1977 CONVICTED OF MISDEMEANOR CHARGES OF UTTERING A FORGED INSTRUMENT CHECK AMOUNT \$80.00 , AND SALE OF MARIJUANA, (NOT A FELONY). NOV 22, 1977 NOW APRIL 3, 2013 (36 YEARS AGO).

THEREFORE, ON JANUARY 17, 1980 THE PLAINTIFF WAS RELEASED BY MISSISSIPPI PENITENTIARY TO SERVE HIS REMAIN SENTENCE ON PAROLE IN THE STATE OF LOUISIANA.

PLAINTIFF STATED IN ACCORDANCE TO MISSISSIPPI CODE ANNOTATED (1972),

**SECTION 47-7-41. DISCHARGE FROM PROBATION OR PAROLE.**

**WHEN A PROBATIONER SHALL BE DISCHARGED FROM PROBATION BY THE COURT OF ORGINAL JURISDICTION, THE FIELD SUPERVISOR, UPON RECEIVEING A WRITTEN REQUEST FROM THE PROBATIONER, SHALL FORWARD A WRITTEN REPORT OF THE RECORD OF THE PROBATIONER TO THE DIVISION OF COMMUNITY SERVICES OF THE DEPARTMENT, WHICH SHALL PRESENT A COPY OF THIS REPORT TO THE GOVERNOR. THE GOVERNOR MAY IN, HIS DISCRETION, AT ANY TIME THEREAFTER BY APPROPRIATE EXECUTIVE ORDER RESTORE ANY CIVIL RIGHTS LOST BY THE PROBATIONER BY VIRTUE OF HIS CONVICTIONS OR PLEA OF GUILTY IN THE COURT OF THE ORGINAL JURISDICTION.**

DEFENDANTS CHANGES, MISSISSIPPI VOTER REGISTRATION APPLICATION PROCESS NOW DEFENDANTS REQUESTED REGISTER VOTER CANDIDATES TO RELIEF THEIR SOCIAL SECURITY NUMBER & DATE OF BIRTH, AND SIGNATURE, FOR PROCESS [THE CITY OF LAUREL RELEASE FORM FOR BACKGROUND SEARCH].

**VIOLATION DEPARTMENT OF JUSTICE SECTION 5 VOTING RIGHT ACT LAW OF 1965,**

**SECTION 51.7 POLITICAL PARTIES.**

**CERTAIN ACTIVITIES OF POLITICAL PARTIES ARE SUBJECT TO THE PRECLEARANCE REQUIREMENT OF SECTION 5. A CHANGE AFFECTING VOTING EFFECTED BY A POLITICAL PARTY IS SUBJECT TO THE PRECLEARANCE REQUIREMENT:**

**SECTION 51.13 EXAMPLES OF CHANGES.**

**CHANGES AFFECTING VOTING INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING EXAMPLES:**

**[A]**

ANY CHANGE IN QUALIFICATIONS OR ELIGIBILITY FOR VOTING.

**[B]**

ANY CHANGES EFFECTING THE ELIGIBILITY OF PERSONS TO BECOME OR REMAIN CANDIDATES, TO OBTAIN A POSITION ON THE BALLOT IN PRIMARY OR GENERAL ELECTIONS, OR BECOME OR REMAIN HOLDERS OF ELECTIVE OFFICES.

DEFENDANTS VIOLATED MISSISSIPPI VOTER RIGHTS ACT LAW OF 1965, VIOLATED THEIR OATH AS CITY CLERKS REGISTRAR, EXECUTIVE COMMITTEES ELECTIVE OFFICIALS, AND OFFICERS OF THE COURT PURSUANT TO MISSISSIPPI CONSTITUTION AND UNITED STATES CONSTITUTIONS.

DEFENDANTS WAS OF KNOWLEDGE THAT PLAINTIFF REGISTER VOTER MEET ALL CONSTITUTIONAL, STATUTORY AND OTHER LEGAL REQUIREMENTS TO HOLD SAID OFFICE OF COUNCILMAN WARD 5 AND PROCEED TO DISCRIMINATED AGAINST PLAINTIFF FOR SEEKING GAINFUL EMPLOYMENT WITH THE CITY OF LAUREL TO BECOME A ELECTED OFFICIAL.

THERAGAIN, ACCORDANCE TO JONES COUNTY CIRCUIT COURT CLERK REGISTRAR VOTER RECORDS PLAINTIFF REGISTERED VOTER NO FELONY CONVICTED. HAROLD J. BLAKELY A QUALIFIED ELECTOR DEFENDANTS CLERKS AND LAUREL DEMOCRATIC EXECUTIVE COMMITTEES CHAIRMAN SURE BE ENFORCE BY THIS HONORABLE COURT TO PLACED BLAKELY NAME ON MAY 7, 2013 LAUREL PRIMARY ELECTION BALLOT ALONE WITH OTHER QUALIFIED ELECTOR CANDIDATES.

**CONFLICT OF INTEREST**

DEFENDANTS CITY OF LAUREL MUNICIPAL CLERKS AND REGISTRAR IS AN CORPORATION GOVERNMENT AGENCY REPRESENT BY LAW FIRM PARTNERS HORTMAN HARLOW ROBINSON BASSI & McDANIEL, PLLC. [DEFENDANTS NOT ABOVE THE LAW.] THE LAW FIRM SURE HAVE REQUESTED TO WITHDRAW AND ADVISED THE CITY OF LAUREL TO RETAINED ANOTHER LAW FIRM PRACTICE IN ANOTHER JURISDICTION. DUE TO THEIR EMPLOYMENT RETAINED CONTRACT TERM END THIS YEAR PRIMARY ELECTION 2013.

DEFENDANTS LAUREL MUNICIPAL DEMOCRATIC EXECUTIVE COMMITTEE AND CHAIRMAN IS AN MEMBER OF THE MISSISSIPPI DEMOCRATIC PARTY A PRIVATE POLITICAL ORGANIZATION NOT A CITY OR STATE OF MISSISSIPPI GOVERNMENT AGENCY. [DEFENDANTS NOT ABOVE THE LAW]

DEFENDANTS CITY OF LAUREL CLERKS/REGISTRAR AND LAUREL MUNICIPAL DEMOCRATIC EXECUTIVE COMMITTEE AND CHAIRMAN WAS REPRESENT BY CITY OF LAUREL ATTORNEYS BASSI HORTMAN HARLOW & McDANIEL. CONFLICT OF INTEREST. [DEFENDANT NOT ABOVE THE LAW]

PLAINTIFF HAVE A FEDERAL LAWSUIT FILES PENDED AGAINST DEFENDANTS CITY OF LAUREL MUNICIPAL COURT CLERKS AND LAUREL POLICE OFFICERS IN THE UNITED STATES SOUTHERN DISTRICT COURT HATTIESBURG,MISSISSIPPI DIVISION CIVIL ACTION NO. 2:11CV148-KS-MTP BOTH CASES SIMILAR CHARGES RELATING TO PAST RECORDS, ETC. [RACE PROFILING]

PLAINTIFF ATTORNEY NAME HONORABLE STEVE C. THORNTON, JACKSON, MS. AND DEFENDANTS ATTORNEY NAME HONORABLE VARDAMAN K. SMITH, III BRYAN NELSON PA HATTIESBURG, MS.

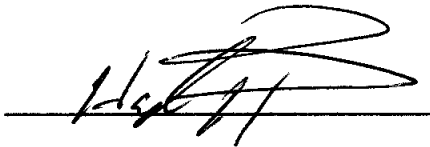
**DAMAGES**

PLAINTIFF ENTITLED TO BE AWARDED DOUBLE DAMAGES AMOUNT \$500.000 FIVE HUNDRED THOUSAND DOLLARS FROM DEFENDANTS. DEFENDANTS ENACTED **JIM CROW LAWS ARE UNCONSTITUTIONAL UNDER THE 14<sup>TH</sup> AMENDMENT. DEFENDANTS VIOLATES U.S. DEPARTMENT OF JUSTICE AND MISSISSIPPI VOTING RIGHTS ACT LAWS OF 1965 THE VOTING RIGHTS ACT LAWS SURE STAY ENFORCE ANOTHER 100 YEARS .** PLAINTIFF NAME PUBLIC SLANDER, CIVIL RIGHTS VIOLATIONS, MISSISSIPPI CONSTITUTIONS AND UNITED STATES CONSTITUTIONS VIOLATIONS. PLAINTIFF PRAY THIS HONORABLE COURT RULING AGAINT DEFENDANTS CIVIL PENALTY AND STATUTORY PENALTY LIABILITY FOR THEIR WRONGDOERS.

LAUREL DEMOCRATIC EXECUTIVE COMMITTEES THE COURT SURE REMOVED THE ELECTIVE OFFICIALS FROM THEIR PUBLIC OFFICE FOR DISCRIMINATED AGAINST U.S. CITIZENS REGISTERED VOTER THAT IS NOT A CONVICTED FELONY, BECAUSE THE DEMOCRATIC COMMITTEES HAVE BEGIN A NEW MOVEMENT TO EFFECTED THE STATE OF MISSISSIPPI (82) COUNTYS ELECTIONS.

**WHEREFORE, PREMISES CONSIDERED. I HAROLD J. BLAKELY, PLAINTIFF CANDIDATE PRAY THIS HONORABLE COURT GRANTED HIS PLEADING PETITION FOR INJUNCTION JUDICIAL REVIEW.**

REPECTFULLY SUBMITTED, THIS 8<sup>TH</sup> , DAY OF APRIL, 2013.

A handwritten signature in black ink, appearing to read 'H. Blakely', is written over a horizontal line.

HAROLD J. BLAKELY

CANDIDATE FOR WARD 5

259 SOUTH 4<sup>TH</sup> AVENUE

LAUREL, MS 39440

601/342-9979