

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

DISTRICT COURT OF THE UNITED STATES
FOR THE EASTERN DIVISION OF ARKANSAS

DEC 23 2015

JONESBORO DIVISION

JAMES W. McCORMACK, CLERK

Case: 3:15-cv-00402 JM/JTK

By: [Signature]
DEP. CLERK

We, the People,

Frederick Smith

This case assigned to District Judge MARSHALL

and to Magistrate Judge KEARNEY

VS.

ARKANSAS BOARD OF ELECTION COMMISSIONERS 501 Woodlane Dr., Suite 401 N Little Rock, AR 72201
CROSS COUNTY ELECTIONS COMMISSION 705 East Union Wynne, AR 72396
CRITTENDEN COUNTY 260 Shoppingway Blvd West Memphis, AR 72301

COMES NOW; Fred Smith Citizen of the United States, National of the United States, Free White person, Natural Born Citizen, real hueman, true hueman. Tail estate of the donors body, that has endured the regular order and course of inheritance being the absolute fee simple, beneficiary of the express "Trust" "Preamble" in the Constitution of the United States, posterity, known as We, the People, hereby complains of the actions of defendants Crittenden County Elections; Cross County Elections; and Arkansas Board of Elections in its official capacity, STATE OF ARKANSAS MIKE BEBE in his official capacity, and in their individual capacities, with claim upon their "blanket bond" ARKANSAS FIDELITY BOND TRUST FUND "FBTF13" insurance holding company.

Jurisdiction

Jurisdiction herein is invoked inter alia, 1965 Voting Rights Act; 28 USC 1331, 1333, 1251, 1253; Constitution of the United States Article 4, sec. 2 and Article 3, and 42 USC 1983, 1985.

CAUSE OF ACTION

1 This is an action under 1965 VOTING RIGHTS ACT; 42 USC 1983, 1985 for the deprivation the right to vote and denial of petitioner privileges and immunities afforded from Article 4, sec.2 Constitution of the United States Denied. Plaintiff also claims relief from within *Rules of the Election Commission* and State and Federal Law i.e. 42 USC 1973; *Anderson v. United States* 411 US 211(1974); 18 USC 241, 242; ARA 7-1-103; AR5-53-131; 52 USCA 10301.

2 ~~t. Roger Fisher~~ Pat Henderson, Justin Clay; are residents of Crittenden, Cross counties and Arkansas Board of Elections Commissions Each are being sued separately in their official capacities.

3 Governor was responsible for supervising the training, instruction, discipline, and conduct of CRITTENDEN COUNTY ELCTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS including, but not limited to training, instruction, discipline, control, and conduct concerning jurisdiction, Constitution of Arkansas provisions for denying Citizens right to vote for candidates whose names are on the ballot is clear fraud.

4 CRITTENDEN COUNTY ELCTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS was responsible for instituting policy for the voting polls, which includes, but not limited to, setting policy guidelines for training for allowing Citizens access to vote for candidates of choice who are on the ballot.

5 The established policy has created a custom to deny upon any person or Citizen who is exercising the free enjoyment of right to vote in Arkansas. CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS is responsible for the established climate and custom that allows poll workers to use deliberate unreasonable force in violating the 1965 Voting Rights Act and denying Fred Smith access to vote for the candidate of his choice who was on the ballot, because petitioner is exercising his free enjoyment of the Constitution of the United States privilege, in connection with the Constitution of Arkansas.

6 CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS are political subdivisions of the State of Arkansas.

7 Under 1965 Voting Rights Act; 42 USC 1973; Anderson v. United States 411 US 211(1974); 18 USC 241, 242; ARA 7-1-103; AR5-53-131; 52 USCA 10301, at all times pertinent, was responsible for providing and maintaining advocacy of unlawful acts by groups or individuals against other persons or groups, in this case, the PAT HENDERSON, JUSTIN CLAY, ^{Roger Fisher} directly or indirectly allowed, authorized the provoking and inciting damage, creating VOTER RIGHTS DENIAL to petitioner, which action is not constitutionally protected, poses a threat to public order and Constitution of Arkansas, Constitution of the United States and 1965 Voter Rights Act inter alia, and should be subject to criminal sanctions. Also, the deliberate and willful intention of CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS to conduct behavior by violating the Right To Vote to petitioner.

8 CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS has final policy making authority regarding the provisions on voting for candidates who are on the ballot, voting rights intimidation, Constitutional Voting or Right to Vote inter alia.

9 Defendants PAT HENDERSON, JUSTIN CLAY ^{Roger Fisher} are residents of Crittenden County, Cross County of Arkansas. At all times PAT HENDERSON, JUSTIN CLAY was duly elected and acting directors of CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS.

10 CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS has allowed PAT HENDERSON, JUSTIN CLAY to ^{Roger Fisher} perform the election duties, train workers, set policy, which has established certain customs that violate the Constitution of Arkansas and Constitution of the United States. By creating injury to the 1965 Voting Rights Act; 42 USC 1983, 1985; Article 4, sec. 2 Constitution of the United States inter alia.

11 At all times pertinent, Pat Henderson, Justin Clay ^{Roger Fisher} conspired, as a group, had a meeting of the minds, possessing the power to allow petitioner to vote because the candidate was on the ballot, or stop the established train of abuse committed by poll workers who were suppose to allow any Citizen Registered to vote for a Candidate on the ballot unto petitioner. They carry this authority to make sure all of the orders, rules, instructions, policies and regulations promulgated are with the meaning of 1965 Voting rights Act inter alia. They failed to stop the action that caused this suit of complaint, because they knew

before hand to not let any Citizen vote for "Fred Smith" thus verifying and perpetuating the violations listed and to be discussed or laid out.

VENUE

12 CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS is being sued in its capacity as employer and principal of Justin Clay, Pat Henderson, *Roger Fisher*

13 STATE OF ARKANSAS is being sued in its capacity as a person. [MIKE BEBE] GOVERNOR is responsible for policy of all election commissions in the State of Arkansas as the CEO or manager, Governor who is directly or indirectly involved due to the fact the violations complained of are unreasonable where as Governor, setting adequate policy and training here climate of a custom has been established within the CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS department, that lacks training in denying Citizens rights to vote, and lacks provisions in handling concerned Citizens who enter the polls to vote and are told by poll workers that you cannot vote for "Fred Smith" even though his name is on the ballot violates all law on voting and shows a lack of supervising in Voting Rights of Citizens of Arkansas.

CLAIM FOR RELIEF

14 Fred Smith hereinafter petitioner herein incorporates as reference as if fully set forth herein the allegations of sections 1-13.

15 CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS is a person within the meaning of 42 USC 1983, 1985.

16 CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS is not entitled to 11th amendment immunity because it is local in nature. STATE OF ARKANSAS is not entitled to sovereign immunity because of the purchase of insurance in bond and otherwise.

17 Article 4, section 2 Constitution of the United States provides citizens , including petitioner with a civil right and privilege, to be free to exercise those mentioned by filming officers performing their duties to establish witness of abuse or non-abuse in handling Native American citizens or any other Citizen of the United States.

18 It also provides for, while in government custody, and imposes an affirmative duty, that citizens, including petitioner, be provided with safe facilities in a hospital while being pregnant, also the free exercise of right to film officers without interfering with their duties, which petitioner did.

19 STATE OF ARKANSAS has delegated its voting operations to CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS who has delegated its statutory responsibility for, and final policy making authority regarding the provision of allowing persons to vote at the polls in Arkansas only of persons names who are on the ballot by allowing Justin Clay and Pat Henderson to perform this function of CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS without interference or correction.

20 STATE OF ARKANSAS has delegated its voting operations to CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS who has delegated final policy making authority regarding the voting provision of franchise, to Pat Henderson, Justin Clay, and jurisdictional action, by allowing Justin Clay, Pat Henderson to perform aspects of this function without interference or correction.

21 The policy making decisions of Chief Pat Henderson, Justin Clay with regard to the provision of voting privilege, poll facilities authorization of Citizens to vote for persons on the ballot who are within the jurisdictional bounds of STATE OF ARKANSAS are imputed to PAT HENDERSON, JUSTIN CLAY.

22 The policy making decisions mentioned of PAT HENDERSON, JUSTIN CLAY, including those imputed to Pat Henderson by CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS are imputed to CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS by STATE OF ARKANSAS [indirectly] by Governor MIKE BEBE are imputed and serve to bind both, STATE OF ARKANSAS and CRITTENDEN COUNTY

ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS directly or indirectly.

23 It is the official policy of STATE OF ARKANSAS and CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS to deny citizens the right to vote at the polls who are "registered" or "qualified" to cast a free ballot for the candidate of their choice of whose name is on the ballot is forced slavery, violation of the Constitution of Arkansas, and Constitution of the United States too.

24 In the alternative, the manner in which STATE OF ARKANSAS, CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS, directors, poll workers, State officials are trained, including the design and implementation of training programs and the follow-up supervision of trainees, is a matter of policy.

25 These actions committed have become widespread to recognize the quality of custom or usage. The official duty of final policy makers of STATE OF ARKANSAS and CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS inter alia, to be informed of custom or usage and, such policy makers had manifest opportunities to be informed.

26 The actual or constructive knowledge of the existence of this custom or usage and intentionally or with deliberate indifference, failed to correct or stop the practices and thus condoned it. This condonement may fairly be attributed in part to STATE OF ARKANSAS and CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS, and part to LOCAL GOVERNMENT OFFICIALS.

27 The actions committed deprived petitioner of his Constitutional Privileges and Immunities to adequate allowance of Constitutional Right to vote is furtherance of an official policy, custom or usage of STATE OF ARKANSAS, and CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS, and such official policy, custom, or usage was direct and proximate cause of such deprivation.

28 GOVERNOR is not entitled to qualified, sovereign immunity because of the purchase of "Bond Insurance".

Roger Fisher

29 PAT HENDERSON, JUSTIN CLAY in their official capacity are a person within the meaning of 42 USC 1983.

30 Such conduct poses a pervasive and unreasonable risk of Constitutional violations and injury-such are the violations here; to petitioner. PAT HENDERSON, JUSTIN CLAY had actual constructive knowledge given to them from state officers, who knew or should have known having a meeting of the minds Pat Henderson, Justin Clay, Governor all decided to engage in conduct that posed pervasive and unreasonable risk of Constitutional violations and injury to petitioner.

Roger Fisher

31 The deliberate indifference to, or tacit authorization of, such unconstitutional conduct shows the response of actual or constructive knowledge of this pervasive and unreasonable risk of Constitutional violation and injury to petitioner.

32 A reasonable person in the position of defendants would have known that his or her actions violated petitioner's Article 4, section 2 Constitutional Privileges and immunities along with certain state statutory provisions.

33 GOVERNOR is liable under the law of Arkansas for such actions of Pat Henderson, Justin Clay based on the doctrine of respondent superior.

Roger Fisher

34 Treble damages are entitled to be given to petitioner for such wrong or injury pursuant to Arkansas Law.

35 Petitioner is entitled to recover damages against STATE OF ARKANSAS, CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, ARKANSAS BOARD OF ELECTIONS or PAT HENDERSON, JUSTIN CLAY bonds' pursuant to Arkansas law.

Roger Fisher

36 Defendants' conduct was willful or wanton in that it constituted the conscious and intentional disregard of, and indifference to, the privileges and immunities, VOTING rights, of petitioner, which said defendants knew, or should have known, was reasonably likely to result in injury, damage, or other harm.

FACTS

CONSPIRACY

Claim of RICO, and Sherman Act Violations

37 Petitioners hereby incorporate the factual allegations of all previous paragraphs as though those allegations were fully set forth herein.

38 This pattern of Racketeering and Corrupt influence by Defendants is wide spread throughout Arkansas. This complaint also alleges violations under the Organized crime Control Act of 1970, Pub. L. No. 91-452, section 901(a), 84 Stat. 941, Racketeering Influenced and Corrupt Organizations (RICO), Sherman Anti Trust Act, that Petitioner complains – where ARKANSAS BOARD OF ELECTIONS, CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS by and thru the enterprise STATE OF ARKANSAS-Mike Bebe; and by an thru the principal enforcer Mark Martin.

39 With participant, Will Bond, by and thru orders from the affairs of the enterprise "STATE OF ARKANSAS" incorporating ARKANSAS BOARD OF ELECTIONS, CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS with Governor Mike Bebe, influenced acts, and displays of conduct from this pattern of influence and has violated Article 4, Sec. 2 Constitution of the United States, 18 USC 1962(c), (a),(b), and is brought against "ARKANSAS BOARD OF ELECTIONS, CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS" organization, thru Mark Martin, in connection to victim of a monopoly scheme devised, conducted, and/or participated in by Defendants, where each of whom are organizations of the STATE OF ARKANSAS by or associated with STATE OF ARKANSAS.

40 Will Bond participant of STATE OF ARKANSAS, receives income derived from the enterprise, where *It shall be unlawful for any person through a pattern of racketeering activity or through collection of an unlawful debt to acquire or maintain, directly or indirectly, any interest in or control of any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce.* By conduct and participants Mary McGowen, Will Bond, Mark Martin, in the affairs of the enterprise where *It shall be unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity or collection of unlawful debt.*

41 Will Bond conduct or participation, directly or indirectly, in the conduct of the affairs of the ARKANSAS BOARD OF ELECTIONS, CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, through a pattern of racketeering activity, creating, establishing, to monopolize the person, Living Beneficiary where defendants association, participation with the enterprise affairs, who conspired to do so, and to wrongfully and unlawfully divert the right to vote for the candidate of choice thru false claims where petitioner was violated by the being denied the right to exercise his "Constitutional Right To Vote" was told you cannot vote for Fred Smith, without cause, reason for denial.

42 Conspiracy past down to voting poles to systematically in a scheme to defraud petitioner by taken away his right to vote that's guaranteed by Article 4, sec. 2; the 14th amendment of the Constitution of the United States without cause is egregious, absurd, willful, deliberate indifference to the privileges and immunities guaranteed by Article 4 sec. 2 Constitution of the United States.

43 Against defendants, where petitioner has been injured in right to vote. Forced slavery, to not be able to accept a vote, for Fred Smith from a biased & prejudice sent under color of law conducted by willful participant Mark Martin who is chairman for the local Bar Association participated in the affairs of the enterprise- ARKANSAS BOARD OF ELECTIONS, CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS, where if he would devote a significant amount of energy to conspire with others he would be guaranteed income derived from his participation in the scheme to deny, take away Petitioners Constitutional privilege to Vote and seek public office shocks the conscious. To the detriment of Representative Fred Smith, violating, Sherman Anti Trust Act, RICO and Constitution of the United States, 1965 Voting Rights Act inter alia.

FACTS SPECIFIC

1965 Voting Rights Act
Title 42 U.S.C. 1981, Equal Protection under the law,
Title 42 U.S.C 1983, Title 42 U.S.C.1985,
Voting Rights Act codified at Title 42 U.S.C.1973 et. seq.

44 *No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any Citizen of the United States to vote on account*

of race or color herein, petitioner claims "Discrimination" upon him being a "African American" in Arkansas who was denied the right to vote.

45 Also, these discriminating actions caused direct immediate damage to petitioner not being allowed to vote for the candidate of his choice was a act of forced slavery in violation of the 14th Amendment of the Constitution of the United States and violated 1965 Voting Rights Act by defendants to deny the petitioner the privilege to choose a candidate of choice. All Defendants violated 42 U.S.C.A. § 1983 failing to provide due process to petitioner in making public false statements to a Citizen of the 50th District who entered the polls to vote for Fred Smith in exercising freedom of right to vote but was defrauded by ARKANSAS BOARD OF ELECTIONS, CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS with defamatory instructional information for defendants own professional gain and Representation to seat another Candidate or keep that nigger out of the 50th district seat even though that district is predominately "African American" because ARKANSAS BOARD OF ELECTIONS, CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS wants a "White Person" in that seat.

SECOND CAUSE OF ACTION

Title 42 U.S.C. 1973 et. seq, &
Violation of the 1965 Voting Rights Act,

46 Plaintiff re-alleges all allegations contained in above Paragraphs, that the Defendants on or about March 13, 2012 through April 13, 2014 committed said acts of the Complaint are incorporated herein as set forth in full and that the Defendants actions violate the Constitution of the United States as well as for the Constitution of the Republic of Arkansas; **Ark. Code Ann. §§ 16-56-105 (5),(6) et seq.**, for, Discrimination and damages to Right to Vote in violation of the 1965 Voting Rights Act denying his right to vote because his name was on the ballot as a Democrat. The Defendants: ARKANSAS BOARD OF ELECTIONS, CRITTENDEN COUNTY ELECTIONS, CROSS COUNTY ELECTIONS is organized as a corporations operating within the State of Arkansas. That these defamatory instructions given by Mark Martin, Candice Martin, and the DPA Chairman, Will Bonds caused direct immediate damage to Mr. Smith's opportunity to Vote and run for the seat which their actions damaged the free exercise of right to vote, of petitioner which caused a great deal of stress and anxiety to the constituents of District 50

economically because specific legislation that could have been brought in favor of the 50th district at least could have been brought up on the concerns of the people that was completely annihilated as a slave.

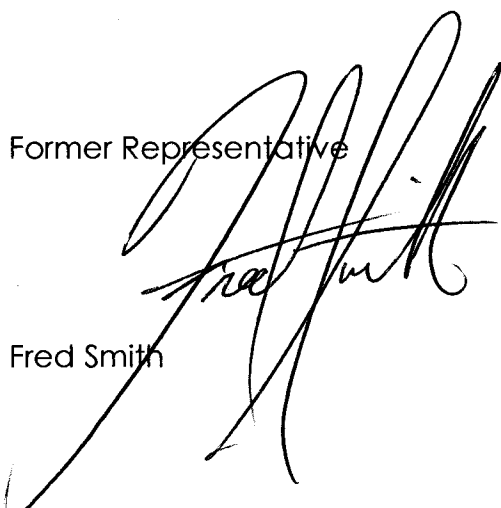
RELIEF SOUGHT

WHEREFORE Petitioner, demands judgment against the defendants, jointly and severally, as follows:

- a.) as compensatory damages, the sum of \$300,000.00 Three Hundred Thousand Dollars;
- b.) as punitive damages to the petitioner's free exercise of right to vote, in the sum of \$300,000.00 Three Hundred Thousand Dollars for the Defendants willful, arbitrary and negligent actions in treble damages;
- c.) Exemplary and emotional damages be imposed for the Petitioner's emotional distress in restitution for his economic losses in the sum of \$300,000.00 Three Hundred Thousand Dollars in that the loss personal representation and undue stress upon our family life;
- d.) Attorneys' fees imposed in prosecuting this action pursuant to the Defendants actions;
- e.) And that other such further relief as to the Court deems proper.

Former Representative

Fred Smith

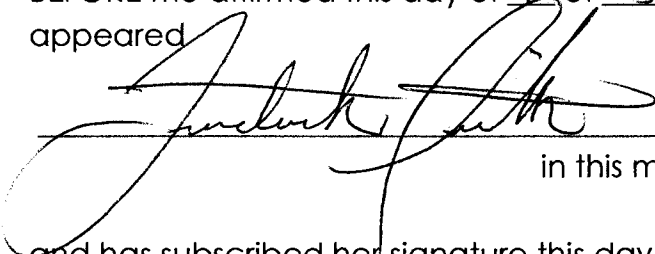
A large, stylized handwritten signature in black ink, appearing to read 'Fred Smith', is written over the printed name and extends upwards into the list area.

JURAT

STATE ARKANSAS

COUNTY Crittenden

BEFORE me affirmed this day of 21st of December 2015
appeared



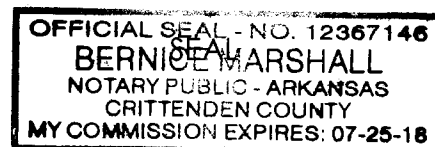
, proving to be the petitioner

in this matter

and has subscribed her signature this day.

Bernice Marshall
NOTARY

My commission expires: 7/25/18





2012 Political Practices Pledge

I, Frederick Smith

a candidate for the office of

State Representative

I hereby state that I am familiar with the requirements of A.C.A. §§ 7-1-103, 7-1-104, 7-3-108, 7-4-101, 7-6-102, 7-6-103, and 7-6-104, known as the Political Practices Provision of the Arkansas Election Code, and that I will in good faith comply with the provisions of the same.

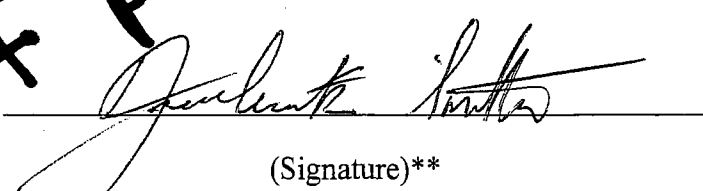
I hereby certify that I have paid all filing fees or have otherwise qualified by an alternate method as provided by the Party and have filed a Candidate Eligibility Application as required by the Democratic Party of Arkansas.

ALL CANDIDATES MUST COMPLETE THE FOLLOWING SECTION:

I hereby certify that I have never been convicted of a felony in the State of Arkansas, or in any other jurisdiction outside of Arkansas.*

Name: Frederick Smith

(Print name exactly as it will appear on the Ballot.)

Address: P.O. Box 283City: Greenwoodville, Ark.Signed this March day of 1, 2012

 (Signature)**

MUST BE SIGNED BY ALL CANDIDATES WHOSE NAME WILL APPEAR ON THE BALLOT

Name as recorded on your voter Registration Records (if different):

* A prospective candidate for state, district, county, municipal or township office who has had a felony conviction expunged in accordance with Ark. Code Ann. Section 16-93-301-303 or similar expunction statute in another state may certify that he or she has never been convicted of a felony, provided the candidate presents a certificate of expunction from the court that convicted the prospective candidate. See Ark. Code Ann. Section 7-6-102(d)

3:16

Mark Martin, Secretary of State

Elections Division, Room 026
 State Capitol
 Little Rock, Arkansas 72201

Political Practices Pledge

I, Frederick Smith a candidate for the Office of State Representative
 (Name of office)

District Number 50, Division Number _____, Position Number _____, hereby state that I am familiar with the requirements of Arkansas Code Annotated §§ 7-1-103, 7-1-104, 7-3-108, 7-6-101, 7-6-102, 7-6-103, and 7-6-104 and that I will in good faith comply with the provisions of the same.

Check all that are applicable:

☒ **CANDIDATE FOR PARTY NOMINATION**

Name of Party

Democratic

☐ **NON-PARTISAN JUDICIAL CANDIDATE**

☐ **INDEPENDENT CANDIDATE**

☐ **WRITE-IN CANDIDATE**

☐ **SCHOOL BOARD CANDIDATE**

FILED

MAR 01 2012

**Arkansas
 Secretary of State**

ALL CANDIDATES MUST COMPLETE THE FOLLOWING SECTION:

I hereby certify that I have never been convicted of a felony in the State of Arkansas, or in any other jurisdiction outside of Arkansas.**

Sign your name

Frederick Smith

Date Signed

March 1, 2012

Print your name as it is to appear on ballot.
 (See Below, AR Code Annotated § 7-7-305(c))

PO Box 233/106 Green St
 Address

Crawfordsville Arkansas
 City, State & Zip Code

****A prospective candidate for state, district, county, municipal or township office who has had a felony conviction expunged in accordance with Ark. Code Ann. Section 16-93-301 to 303 or similar expunction statute in another state may certify that he or she has never been convicted of a felony, provided the candidate presents a certificate of expunction from the court that convicted the prospective candidate. See Ark. Code Ann. Section 7-6-102(d)**

7-7-305. Printing of ballots - Form.

(c)(1)(A) Any person who shall file for any elective office in this state may use not more than three (3) given names, one (1) of which may be a nickname or any other word used for the purpose of identifying the person to the voters, and may add as a prefix to his or her name the title or an abbreviation of an elective public office the person currently holds.

(B) A person may use as the prefix the title of a judicial office in an election for a judgeship only if the person is currently serving in a judicial position to which the person has been elected.

(C) A nickname shall not include a professional or honorary title.

(2) The names and titles as proposed to be used by each candidate on the political practice pledge or, if the political practice pledge is not filed by the filing deadline, then the names and titles that appear on the party certificate shall be reviewed no later than one (1) business day after the filing deadline by the Secretary of State for state and district offices and by the county board of election commissioners for county, township, school, and municipal offices.

(3)(A) The name of every candidate shall be printed on the ballot in the form as certified by either the Secretary of State or the county board.

(B) However, the county board of election commissioners may substitute an abbreviated title if the ballot lacks space for the title requested by a candidate.

(C) The county board of election commissioners shall immediately notify a candidate whose requested title is abbreviated by the county board of election commissioners.

(4) A candidate shall not be permitted to change the form in which his or her name will be printed on the ballot after the deadline for filing the political practices pledge.

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TOP PICKS

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June 1

MOST DISCUSSED STORIES

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Preliminary injunction ordered in abortion-ban case (21 comments)

Gavel falls on '13 legislative session (1 comment)

Obama tries to regain control amid controversies (33 comments)

Judge blocks 12-week limit for abortions (2 comments)

Records set as winterlike conditions hit state (104 comments)

TOP JOBS

Democratic Party sues to get Smith off ballot

By [Name] [Date]
This article was published March 1, 2012 at 10:00 a.m.

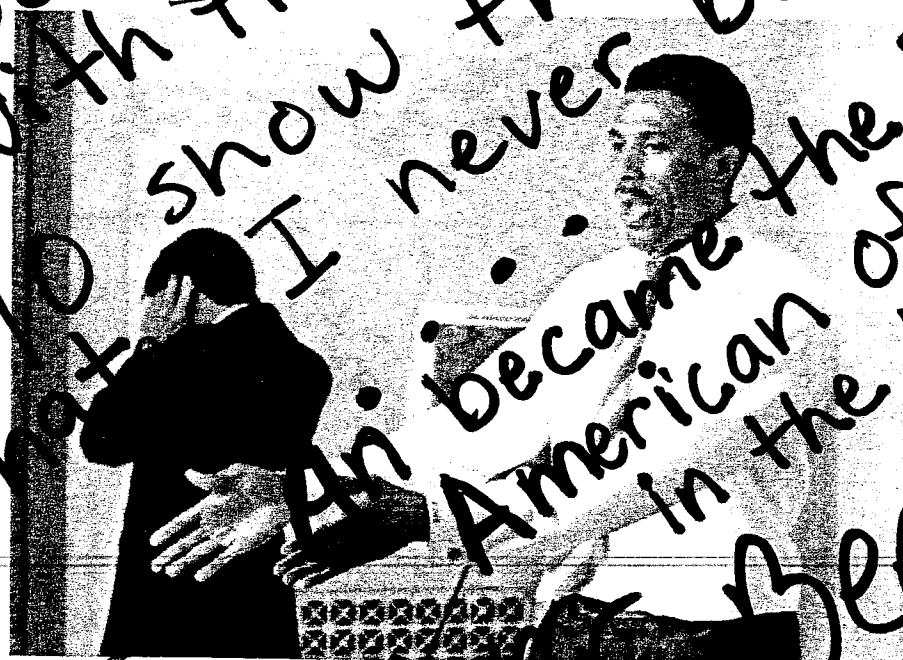


PHOTO BY [Name] FOR [Publication]
Former Arkansas Rep. Fred Smith of Clarksburg, Ark., is seen here with a woman at the state House of Representatives. Smith was expelled from the House in January 2011 after being found guilty of felony theft of property delivered by mistake.

LITTLE ROCK — The Democratic Party of Arkansas has filed a lawsuit to prevent former Rep. Fred Smith, D-Clarksburg, from running for the post in the state's May 22 primary.

Smith resigned from the House in January 2011 after being found guilty of felony theft of property delivered by mistake. But in the waning minutes of the filing period on March 1, Smith refiled for the position, not directly answering questions about whether his criminal record had been expunged.

Candace Martin, a spokesman for the Democratic party, said its officials have verified Smith's theft conviction has not been expunged. The party requested the Secretary of State remove Smith's name from the ballot, but that agency said it was not authorized to do so.

"Unfortunately we did not reach a workable solution in that situation," Martin said. "So legal action was the last order available to make sure the law is upheld."

After being denied by SP
Democratic Party, I sign and WON.
With the Green Party and
TO show the Democratic Party
That I never been convicted
An American of First African
I never been convicted
in the United States American

3:16
22

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Judge: Former Rep. Smith can't run in primary

By Dawn Eshnick

This article was originally published April 9, 2012 at 2:00 p.m. Updated April 9, 2012 at 2:15 p.m.



PHOTO BY [unclear]
Former Rep. Fred Smith, right, leaves court after a hearing over his eligibility to run in the upcoming Democratic primary.

PHOTO BY [unclear]

Print Size

LITTLE ROCK — A Pulaski County judge ruled Monday that former state representative who resigned after being convicted of a felony charge cannot run again for the post in the upcoming primary election.

Former Rep. Fred Smith, D-Crawfordsville, resigned from the House in January 2011 after being found guilty of felony theft of property delivered by mistake. But in the closing minutes of the filing period on March 1, Smith renounced the position, not directly answering questions about whether his criminal record had been expunged.

Party officials filed a lawsuit to have Smith removed from the ballot and Pulaski County Circuit Judge Mary McGowan heard arguments from the two sides at a hearing last week.

MOST DISCUSSED STORIES

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Benghazi depositions to examine Clinton's role (9 comments)

Anatomy of a scandal (10 comments)

TOP JOBS

3:16
24

STATE OF ARKANSAS

To All to Whom These Presents Shall Come-Greeting:

Know Ye, That Whereas, It appears that

Fred Smith

was duly elected State Representative District 50 in and for the State of Arkansas, at an election held on the sixth day of November, Two Thousand Twelve.

Therefore, I, Mike Beebe, Governor of the State of Arkansas, in the name and by the authority of the people of the State of Arkansas, vested in me by the Constitution and the laws of said State do hereby commission the person named to the office of

State Representative District 50 in and for the State of Arkansas for and during the term prescribed by the laws of the State.

Fred Smith is therefore, hereby authorized to do and perform all and singular the duties incumbent upon the office of

State Representative District 50 in and for the State of Arkansas, according to law and the trust reposed in said office.

In Testimony Whereof, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed at Little Rock, this fourteenth day of January, in the year of Our Lord, Two Thousand Thirteen.

Mike Beebe, Governor

Mark Martin

Mark Martin, Secretary of State



After denied by the Democrat Party,
an denied by the Judge, Mary McGowan,
after my name was printed on the
an violated by the ARK. Board of State
I still became State Representative
the same year someone
drop the "BALL"
can service office
convicted felony...
That is GOD
power!
3:16