

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

MARK CORBETT,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION FILE
v.	)	No. _____
	)	
CHESTER REGISTER, ROCKY CROSBY,	)	
BO CORBETT, FLORENCE STATEN,	)	
and RICHARD HENDLEY,	)	
	)	
Defendants.	)	

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**NOTICE OF REMOVAL**

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COME NOW, the Defendants Chester Register, Rocky Crosby, Bo Corbett, Florence Staten and Richard Hendley, by and through their undersigned attorneys, (hereinafter referred to as “Defendants”), and pursuant to 28 U.S.C. § 1446, file this Notice of Removal and respectfully show the Court the following:

1.

Plaintiff filed suit against the Defendants in the Superior Court of Echols County, which county is within the Valdosta Division of this Court. This suit is styled as above and is Civil Action No. 16-CV-30 in that court.

2.

Plaintiff's Complaint was filed on June 3, 2016 in the Superior Court of Echols County. It was served on all Defendants at the Echols County Board of Education c/o Mande Davis on June 6, 2016. Defendants show that this notice is filed within 30 days from the date of service of the Summons and Complaint.

3.

As it appears from the copy of Plaintiff's Complaint, Plaintiff seeks recovery from the Defendants for alleged violations of federal law, namely the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. (See Plaintiff's Complaint, ¶¶ 16-18).

4.

Plaintiff's civil action is one over which this Court has original jurisdiction under the provisions of 28 U.S.C. §§ 1331 and 1343, and is one which may be removed to this Court by the Defendants pursuant to the provisions of 28 U.S.C. §§ 1441, 1443 and 1446, and this civil action is one over which this District Court has original jurisdiction because it is founded on a claim arising out of the Constitution and laws of the United States.

5.

Defendants attach hereto as Exhibit 1 a copy of all process and pleadings served upon the Defendants in this referenced action.

6.

Defendants have given written notice to the Clerk of the Superior Court of Echols County of filing this Notice of Removal. A copy of the Notice of Filing the Notice of Removal is attached hereto as Exhibit 2.

7.

The undersigned have read this Notice of Removal, and to the best of the undersigned's knowledge, information and belief, formed after a reasonable inquiry, it is well grounded in fact; is warranted by existing law or an extension or modification of existing law; and is not interposed for any improper purposes such as to harass or cause unnecessary delay or needless increase in the cost of this litigation.

WHEREFORE, Defendants respectfully request that this Court assume full jurisdiction of the controversy now pending between the Plaintiff and the Defendants named in the above-styled case in the Superior Court of Echols County as provided by law.

Respectfully submitted, this 30<sup>th</sup> day of June, 2016.

HARBEN, HARTLEY & HAWKINS, LLP

*s/Brian C. Smith*

Brian C. Smith

Georgia Bar No. 001306

*s/Phillip L. Hartley*

Phillip L. Hartley

Georgia Bar No. 333987

ATTORNEYS FOR DEFENDANTS

Wells Fargo Center, Suite 750  
340 Jesse Jewell Parkway  
Gainesville, Georgia 30501  
Phone: (770) 534-7341  
Fax: (770) 532-0399  
Email: bsmith@hhhlawyers.com  
phartley@hhhlawyers.com

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

MARK CORBETT,	)	
	)	
Plaintiff,	)	CIVIL ACTION FILE
	)	NO. _____
	)	
v.	)	
	)	
CHESTER REGISTER, <i>et al.</i> ,	)	
	)	
Defendants.	)	

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**CERTIFICATE OF SERVICE**

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This is to certify that I have this day served the *Notice of Removal* upon all counsel of record by depositing same in the United States mail in a properly addressed envelope with adequate postage thereon to:

Gregory A. Voyles  
Moore & Voyles, P.C.  
1008 N. Patterson Street  
P. O. Box 1929  
Valdosta, GA 31603-1929

This 30<sup>th</sup> day of June, 2016.

HARBEN, HARTLEY & HAWKINS, LLP

*s/Brian C. Smith*  
Brian C. Smith  
Georgia Bar No. 001306  
ATTORNEY FOR DEFENDANTS

Wells Fargo Center, Suite 750  
340 Jesse Jewell Parkway  
Gainesville, Georgia 30501  
Phone: (770) 534-7341  
Fax: (770) 532-0399  
Email: bsmith@hhhlawyers.com

## **EXHIBIT 1**

IN THE SUPERIOR COURT OF ECHOLS COUNTY  
STATE OF GEORGIA

ECHOLS COUNTY, GEORGIA  
FILED IN OFFICE

2016 JUN -3 PM 12:40

MARK CORBETT

Plaintiff,

vs.

CHESTER REGISTER,  
ROCKY CROSBY,  
BO CORBETT,  
FLORENCE STATEN, and  
RICHARD HENDLEY

Defendants.

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CIVIL ACTION FILE  
NO. 16CV30

*Notary Public*  
CLERK SUPERIOR COURT  
ECHOLS COUNTY, GEORGIA

PETITION FOR WRIT OF MANDAMUS

COMES NOW the Plaintiff in the above-styled action and hereby shows the Court the following:

PARTIES, JURISDICTION, AND VENUE

1.

Plaintiff Mark Corbett (hereinafter referred to as "Plaintiff") is a citizen and resident of Echols County, Georgia.

2.

Defendant Chester Register (hereinafter referred to as "Defendant Register") is a resident of Echols County and may be served at his place of residence.

3.

Defendant Rocky Crosby (hereinafter referred to as "Defendant Crosby") is a resident of Echols County and may be served at his place of residence.

PETITION FOR WRIT OF MANDAMUS  
Corbett v. Register, et al.  
Superior Court of Echols County



4.

Defendant Bo Corbett (hereinafter referred to as “Defendant Corbett”) is a resident of Echols County and may be served at his place of residence.

5.

Defendant Florence Staten (hereinafter referred to as “Defendant Staten”) is a resident of Echols County and may be served at her place of residence.

6.

Defendant Richard Hendley (hereinafter referred to as “Defendant Hendley”) is a resident of Echols County and may be served at his place of residence.

7.

Jurisdiction and Venue are proper before this Court.

#### **BACKGROUND**

8.

Plaintiff shows that Defendants are the five members of the Echols County Board of Education.

9.

Plaintiff shows that the voting age populations for the Echols County Board of Education voting districts according to the 2000 Census are as follows: Chapel – 1,403; Statenville – 732; Mayday – 304; Howell – 161; Tarver – 54. See Exhibit A: Minutes and Documents from Board Meetings (attached).

10.

On December 6, 2005, the Echols County Board of Education held a meeting to discuss, among other topics, the Board of Education district lines. Plaintiff shows that the populations of

each district were presented to the Board of Education, and that a plan was proposed to the Board for the voting district lines to be re-drawn. The Board members indicated that they would study the proposal and consider alternatives.

11.

On January 10, 2006, at an Echols County Board of Education meeting, a recommendation by the Echols County Board of Registrars was presented to the Board of Education. The Board of Registrars recommended that the Board of Education re-draw the voting district lines.

12.

On March 8, 2016, Plaintiff spoke at an Echols County Board of Education meeting and proposed that the Board of Education either (1) re-draw the voting district lines so as to eliminate the existing disparities in populations of the voting districts, or (2) have all Board of Education members elected on an "at-large" basis. The Board of Education stated that the matter would be discussed in the April meeting.

13.

Plaintiff shows that he appeared at the April and May meetings requesting that the matter be addressed without success or action being taken by the Defendants.

#### **ISSUE PRESENTED**

14.

Plaintiff alleges that Defendants have failed to maintain equal populations among the Echols County voting districts as required by law. Plaintiff further alleges that voters in a district with a lower population have greater voting power per person than voters in a district with a

higher population.

**LEGAL STANDARD**

15.

Pursuant to Ga. Code Ann., § 20-2-52.1(a), members of a Board of Education are to be elected from districts of "... approximately equal population."

16.

The Defendants' failures to create districts with equal populations are in violation of the "One Person, One Vote" principle, which provides that "... all who participate in the election are to have an equal vote. . ." Reynolds v. Sims, 377 U.S. 533, 557, 558 (1964); Grimes v. Clark, 226 Ga. 195, 201-202 (1970).

17.

Under the "One Person, One Vote" principle, the maximum population deviation from the average that is ordinarily allowed is ten percent. Smith v. Cobb County Bd. Of Elections and Registrations, 314 F.Supp.2d 1274, 1305-1306 (2002). The deviations for the Echols County voting districts are as follows: Chapel – 163%; Statenville – 39%; Mayday – (-43%); Howell – (-70%); Tarver – (-88%).

18.

The Defendants' failures to create districts with equal populations are in violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. Reynolds, 377 U.S. at 558.

19.

Plaintiff shows that he has had to incur unnecessary expenses and attorney fees in bringing this action to enforce and ensure the legal principles established under Reynolds v. Sims and that he should be awarded costs and fees associated with this action.

**PRAYER FOR RELIEF**

20.

WHEREFORE Plaintiff prays for the following relief:

- (a) For process to issue in accordance with law;
- (b) For an order to issue requiring that the Echols County Board of Education take immediate action to remedy the disparity in voting districts in accordance with the "One Person, One Vote" principle;
- (c) That Plaintiff have and recover attorney's fees and costs of litigation;
- (d) For such further and just relief as this Honorable Court deem proper.

This 2 day of June, 2016.

Respectfully submitted,

**MOORE & VOYLES, P.C.**

By: 

GREGORY A. VOYLES  
Attorney for Plaintiff  
Georgia Bar No.: 729098

Address of Counsel  
1008 North Patterson St.  
P.O Box 1929  
Valdosta, GA 31601  
(229) 244-8830

PETITION FOR WRIT OF MANDAMUS  
Corbett v. Register, et al.  
Superior Court of Echols County

Minutes of Special Called Meeting  
Echols County Board of Education

December 06, 2005  
9:00 PM

Meeting was called to order at 7:55 PM by Mr. Chester Register, Chairman. Other members present were Mr. John Corbett, Mr. Keith Bass, and Mr. Shelby Hill (Mr. Richard Hendley was absent). Mr. Register gave the invocation and opened the meeting with prayer.

The purpose of the Special Called Meeting was to:

- Annual Superintendent's Evaluation
- Personnel Issues
- Conduct a work session to discuss BOE District Lines

Approved the Consent Agenda on a motion by Mr. Corbett, seconded by Mr. Hill

Visitors attending: Mrs. Shannon King, Mrs. Dolores Everette, Mrs. Florence Staten, Ms. Teresa Moreno, Ms. Daisy Moreno, Ms. Mariella Trejo, Mr. Israel Cortez, Mr. Wayne Davis, Mr. Jerry Telft, Ms. Chelle Mahoney, Mr. OC Prince, and Mrs. Dot McLeod.

Mrs. Dolores Everette presented the population of each voting district and asked the Board to consider redrawing the voting district lines to better equalize the number of voters in each district. Mrs. Everette and Mrs. Dot McLeod presented possible changes in the voting district lines that would accomplish this purpose. BOE Members indicated they would study this proposal and consider different alternatives to insure that every section of the county and every voter had representatives on the Echols County Board of Education.

Approved entering into an executive session at 8:15 PM on a motion by Mr. Bass, seconded by Mr. Hill (Unanimous Roll Call Vote – Mr. Richard Hendley was absent).

The purpose of the executive session was to conduct the annual superintendent's evaluation and to deliberate on the hiring and compensation of school personnel.

Approved going back into regular session at 8:40 PM on a motion by Mr. Bass, seconded by Mr. Corbett.

Approved the resignations of Mr. Garvie Nichols and Mrs. Cindy Young on a motion by Mr. Corbett, seconded by Mr. Bass.

Approved Dr. Lerry Allen as the temporary Vocational Agriculture Teacher to replace Mr. Garvie Nichols for the balance of the 2005-2006 school year on a motion by Mr. Corbett, seconded by Mr. Bass.

Approved Miss. Candice Grant as long term substitute on a motion by Mr. Corbett, seconded by Mr. Bass.

Approved a motion to adjourn at 9:57 PM. The motion was made by Mr. Bass, seconded by Mr. Corbett.

*Charles Thompson*  
 Superintendent  
*Cherita Register*  
 Board Chairman



## ECHOLS COUNTY BOARD OF REGISTRARS

Dolores Everette, Chief Registrar  
Chellie Mahoney  
Dot McLeod  
O. C. Prince

P. O. Box 337  
Statesville, GA 31648  
229-559-5253  
229-559-5792 FAX

September 12, 2005

Echols County Commissioners  
Echols County Board of Education Members  
Echols County Concerned Citizens:

In April of 2004 the Board of Registrars began looking at the equity of representation of residents in the Posts represented by the Board of Education Members. Using the 2000 Census figures there appears to be a gross difference in the number of residents represented by each School Board Member with the current posts as established. Attached is a copy of the information received by the Board of Registrars about the population of Echols County as divided in the current Board of Education Posts.

As you can see there are gross differences in the Voting Age Population in each post. Our recommendation is:

Redraw the current lines to combine Posts 3 (Tarver), 4 (Mayday), and 5 (Howell) to create Post 3.  
Change Post 4 to a second representative from the Wright's Chapel District (because the population is twice that of the largest existing post (Staenville).  
Change Post 5 to become an at large Post for the entire County.

We have discussed this proposal with Representative Ellis Black and he is willing to introduce the legislation needed to make this change. We would like your support as we endeavor to make this change that will provide more equity in the representation of the citizens in Echols County on our Echols County Board of Education. We will need to assign a name to Post 3 and your input is requested.

Thank you for your help in this matter.

Sincerely,

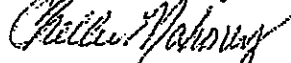


Dolores Everette, Chief Registrar



Dot McLeod

Chellie Mahoney



O. C. Prince



Plan Name: echolssb68 Plan Type: User: staff Administrator:

DISTRICT	POPULATION	DEVIATION	%	BLACK	%	BLACK COMBO	TOTAL BLACK	%TOTAL BLACK	HISP. OR LATINO	%HISP.
001 Wright's Chapel	1,225	163.33%	42	2.13%	1	43	2.18%		581	29.42%
VAP	1,403		23	1.64%	0	23	1.64%		413	29.44%
002 Statenville	299	39.87%	140	13.35%	0	140	13.35%		120	11.44%
VAP	732		98	13.39%	0	98	13.39%		67	9.15%
003 Tarver	-667	-88.93%	5	6.02%	0	5	6.02%		0	0.00%
VAP			2	3.70%	0	2	3.70%		0	0.00%
004 Mayday	-325	-43.33%	38	8.94%	0	38	8.94%		21	4.94%
VAP			23	7.57%	0	23	7.57%		12	3.95%
005 Howell	-528	-70.40%	35	15.77%	0	35	15.77%		17	7.66%
VAP			23	14.29%	0	23	14.29%		9	5.59%

Total Population: 3,754

Ideal Value: 750

Summary Statistics

Population Range: 83 to 1,975

Absolute Range: -667 to 1,225

Absolute Overall Range: -1,892

Relative Range: -88.93% to 163.33%

Relative Overall Range: 252.27%

Combine Posts 3, 4, & 5 to form Post 3

Post 4 *Wright's Chapel* same Area boundaries  
As Post 1

Post 5 At Large

Post 3

130 Pop.

519 VAP

Plan Name: echolssb68

Plan Type:

User: staff

Administrator:

DISTRICT	POPULATION	DEVIATION	% DEVIATION	BLACK	% BLACK	BLACK COMBO	TOTAL BLACK	%TOTAL BLACK	HISP. OR LATINO	%HISP.
001	1,975	1,225	163.33%	42	2.13%	1	43	2.18%	581	29.42%
	VAP 1,403			23	1.64%	0	23	1.64%	413	29.44%
002	1,049	299	39.87%	140	13.35%	0	140	13.35%	120	11.44%
	VAP 732			98	13.39%	0	98	13.39%	67	9.15%
003	83	-667	-88.93%	5	6.02%	0	5	6.02%	0	0.00%
	VAP 54			2	3.70%	0	2	3.70%	0	0.00%
004	425	-325	-43.33%	38	8.94%	0	38	8.94%	21	4.94%
	VAP 304			23	7.57%	0	23	7.57%	12	3.95%
005	222	-528	-70.40%	35	15.77%	0	35	15.77%	17	7.66%
	VAP 161			23	14.29%	0	23	14.29%	9	5.59%

Total Population: 3,754

Ideal Value: 750

Summary Statistics

Population Range: 83 to 1,975

Absolute Range: -667 to 1,225

Absolute Overall Range: 1,892

Relative Range: -88.93% to 163.33%

Relative Overall Range: 252.27%



IN THE SUPERIOR COURT OF ECHOLS COUNTY  
STATE OF GEORGIA

ECHOLS COUNTY, GEORGIA  
FILED IN OFFICE

2016 JUN -3 PM 12:40

MARK CORBETT

Plaintiff,

vs.

CHESTER REGISTER,  
ROCKY CROSBY,  
BO CORBETT,  
FLORENCE STATEN, and  
RICHARD HENDLEY

Defendants.

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CIVIL ACTION FILE  
NO. 16CV30

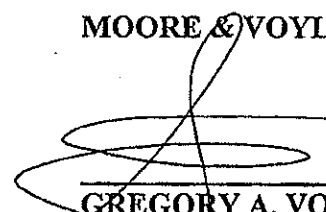
*Gregory A. Voyles*  
CLERK SUPERIOR COURT  
JUN 30 2016

NOTICE OF HEARING

PLEASE TAKE NOTICE that the above-styled case shall come on for a Petition for Writ of Mandamus on the 11th day of July, 2016, at 9:30 a.m., at the Echols County Courthouse, 110 HWY 94 East, Statenville, GA 31648.

This the 2<sup>nd</sup> day of June, 2016.

MOORE & VOYLES, P.C.

  
\_\_\_\_\_  
GREGORY A. VOYLES  
Attorney for Plaintiff  
State Bar No. 729098

Address of Counsel:  
1008 N. Patterson Street  
P.O. Box 1929  
Valdosta, GA 31603-1929  
(229) 244-8830

IN THE SUPERIOR COURT OF ECHOLS COUNTY, GEORGIA  
STATE OF GEORGIA

2016 JUN -3 PM 12:39

MARK CORBETT

Plaintiff,

vs.

CHESTER REGISTER,  
ROCKY CROSBY,  
BO CORBETT,  
FLORENCE STATEN, and  
RICHARD HENDLEY

Defendants.

CIVIL ACTION FILE  
NO. 16CV30

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said Court and serve upon GREGORY A. VOYLES, Plaintiff's attorney, whose address is P. O. Box 1929, Valdosta, Georgia 31603-1929, an answer to the Petition of Writ of Mandamus which is hereby served upon you within thirty (30) days, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

This 3rd day of June, 2016.

Gabriela Gallegos Deputy  
DEPUTY CLERK  
Superior Court of Echols County

SHERIFF'S ENTRY OF SERVICE

REORDER #15-0810

CLYDE CASTLEBERRY CO., COVINGTON, GA 30015

Civil Action #: 16CV30Superior Court ☒  
State Court ☐Date Filed: 6/10/2016

Georgia, LOWNDES COUNTY

Attorney's Address

GREGORY A. VOYLES  
ATTORNEY AT LAW  
1008 N PATTERSON ST  
VALDOSTA, GA 31603

MARK CORBETT

Plaintiff

VS.

Name and Address of Party to be Served.

CHESTER REGISTER  
ECHOLS COUNTY

REGISTER, ET AL.

Defendant

Garnishee

## SHERIFF'S ENTRY OF SERVICE

PERSONAL

☐ I have this day served the defendant \_\_\_\_\_ personally with a copy of the within action and summons.

NOTORIOUS

☐ I have this day served the defendant \_\_\_\_\_ by leaving a copy of the action and summons at his most notorious place of abode in this County.☐ Delivered same into hands of \_\_\_\_\_ described as follows:  
age, about \_\_\_\_\_ years; weight \_\_\_\_\_ pounds; height, about \_\_\_\_\_ feet and \_\_\_\_\_ inches, domiciled at the residence of defendant.

CORPORATION

☒ Served the defendant Chester Register a corporation  
by leaving a copy of the within action and summons with Board of Education (Michael Davis) in charge of the office and place of doing business of said Corporation in this County.

TACK &amp; MAIL

☐ I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by deposition a true copy of same in the United States Mail, First Class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.

NON EST

☐ Diligent search made and defendant \_\_\_\_\_ not to be found in the jurisdiction of this Court.This 1<sup>st</sup> day of June, 2016.

SHERIFF DOCKET \_\_\_\_\_ PAGE \_\_\_\_\_

WHITE - CLERK CANARY - PLAINTIFF PINK - DEFENDANT

Deputy

IN THE SUPERIOR COURT OF ECHOLS COUNTY  
STATE OF GEORGIA

ECHOLS COUNTY, GEORGIA  
FILED IN OFFICE

2016 JUN -3 PM 12:40

MARK CORBETT

Plaintiff,

vs.

CHESTER REGISTER,  
ROCKY CROSBY,  
BO CORBETT,  
FLORENCE STATEN, and  
RICHARD HENDLEY

Defendants.

CIVIL ACTION FILE  
NO. 16CV30

*Naphtali Roays*  
CLERK SUPERIOR COURT  
JUN 30 2016

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said Court and serve upon GREGORY A. VOYLES, Plaintiff's attorney, whose address is P. O. Box 1929, Valdosta, Georgia 31603-1929, an answer to the Petition of Writ of Mandamus which is hereby served upon you within thirty (30) days, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

This 3rd day of June, 2016.

*Gabriela Gallegos Deputy*  
DEPUTY CLERK  
Superior Court of Echols County

SHERIFF'S ENTRY OF SERVICE

REORDER #15-0810

CLYDE CASTLEBERRY CO., COVINGTON, GA 30015

Civil Action #: 1101 V 30  
Date Filed: 06/01/2016Superior Court ☒  
State Court ☐

Georgia, LOWNDES COUNTY

Attorney's Address

GREGORY A. VOYLES  
ATTORNEY AT LAW  
1008 N PATTERSON ST.  
VALDOSTA, GA 31603

MARK CORBETT

Plaintiff

VS.

REESTER, ET AL.

Defendant

Name and Address of Party to be Served.

ROCKY CROSBY  
ECHOLS COUNTY

Garnishee

## SHERIFF'S ENTRY OF SERVICE

PERSONAL

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NOTORIOUS

☐ I have this day served the defendant \_\_\_\_\_ by leaving a copy of the action and summons at his most notorious place of abode in this County.☐ Delivered same into hands of \_\_\_\_\_ described as follows:  
age, about \_\_\_\_\_ years; weight \_\_\_\_\_ pounds; height, about \_\_\_\_\_ feet and \_\_\_\_\_ inches, domiciled at the residence of defendant.

NON EST TACK &amp; MAIL CORPORATION

☒ Served the defendant Rocky Crosby a corporation  
by leaving a copy of the within action and summons with David W. Robinson (Manager Davis)  
in charge of the office and place of doing business of said Corporation in this County.☐ I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by deposition a true copy of same in the United States Mail, First Class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.☐ Diligent search made and defendant \_\_\_\_\_  
not to be found in the jurisdiction of this Court.This 1<sup>st</sup> day of June, 2016.SHERIFF DOCKET \_\_\_\_\_ PAGE \_\_\_\_\_  
WHITE - CLERK CANARY - PLAINTIFF PINK - DEFENDANT

Deputy

IN THE SUPERIOR COURT OF ECHOLS COUNTY  
STATE OF GEORGIA

ECHOLS COUNTY, GEORGIA  
FILED IN OFFICE

2016 JUN -3 PM 12:40

MARK CORBETT

Plaintiff,

vs.

CHESTER REGISTER,  
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CIVIL ACTION FILE  
NO. 16CV30

*Norfolk Ross*  
CLERK SUPERIOR COURT  
JUNE 14 2016

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said Court and serve upon GREGORY A. VOYLES, Plaintiff's attorney, whose address is P. O. Box 1929, Valdosta, Georgia 31603-1929, an answer to the Petition of Writ of Mandamus which is hereby served upon you within thirty (30) days, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

This 3rd day of June, 2016.

*Gabriela Gallegos Deputy*  
DEPUTY CLERK

Superior Court of Echols County

SHERIFF'S ENTRY OF SERVICE

REORDER #15-0810

CLYDE CASTLEBERRY CO., COVINGTON, GA 30015

Civil Action #:

160130

Superior Court ☒State Court ☐

Date Filed:

06/10/16

Georgia, LOWNDES COUNTY

Attorney's Address

GREGORY A. VOYLES  
ATTORNEY AT LAW  
1008 N. PATTERSON ST.  
VALDOSTA, GA 31603

MARK CORBETT

Plaintiff

VS.

REGISTER, ET AL.

Defendant

Name and Address of Party to be Served.

BO CORBETT

ECHOLS COUNTY

Garnishee

## SHERIFF'S ENTRY OF SERVICE

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☐ I have this day served the defendant \_\_\_\_\_ personally with a copy of the within action and summons.

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☐ Delivered same into hands of \_\_\_\_\_ described as follows:  
age, about \_\_\_\_\_ years; weight \_\_\_\_\_ pounds; height, about \_\_\_\_\_ feet and \_\_\_\_\_ inches, domiciled at the residence of defendant.

CORPORATION

☒ Served the defendant Bo Corbett a corporation by leaving a copy of the within action and summons with Brook S. Reddick (Manager) in charge of the office and place of doing business of said Corporation in this County.

TACK &amp; MAIL

☐ I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by deposition a true copy of same in the United States Mail, First Class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.

NON EST

☐ Diligent search made and defendant not to be found in the jurisdiction of this Court.

This 10<sup>th</sup> day of June, 2016.

SHERIFF DOCKET \_\_\_\_\_ PAGE \_\_\_\_\_

WHITE - CLERK CANARY - PLAINTIFF PINK - DEFENDANT

Deputy

IN THE SUPERIOR COURT OF ECHOLS COUNTY  
STATE OF GEORGIA

2016 JUN -3 PM 12:41

MARK CORBETT

Plaintiff,

vs.

CHESTER REGISTER,  
ROCKY CROSBY,  
BO CORBETT,  
FLORENCE STATEN, and  
RICHARD HENDLEY

Defendants.

CIVIL ACTION FILE  
NO. 16CV30

*Neg. Rogers*  
CLERK SUPERIOR COURT  
ECHOLS COUNTY, GA

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said Court and serve upon GREGORY A. VOYLES, Plaintiff's attorney, whose address is P. O. Box 1929, Valdosta, Georgia 31603-1929, an answer to the Petition of Writ of Mandamus which is hereby served upon you within thirty (30) days, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

This 3rd day of June, 2016.

*Gabriela Gallegos Deputy*  
DEPUTY CLERK  
Superior Court of Echols County



SHERIFF'S ENTRY OF SERVICE

REORDER #15-0810

CLYDE CASTLEBERRY CO., COVINGTON, GA 30015

Civil Action #: 16CV30  
Date Filed: 06/03/16Superior Court ☒  
State Court ☐

Georgia, LOWNDES COUNTY

Attorney's Address

GREGORY A. VOYLES  
ATTORNEY AT LAW  
1008 N. PATTERSON ST.  
VALDOSTA, GA 31003MARK CORBETT

Plaintiff

VS.

REGISTER, ET AL.

Defendant

Name and Address of Party to be Served.

FLORENCE STATEN  
ECHOLS COUNTY

Garnishee

## SHERIFF'S ENTRY OF SERVICE

PERSONAL

☐ I have this day served the defendant \_\_\_\_\_ personally with a copy of the within action and summons.

NOTORIOUS

I have this day served the defendant \_\_\_\_\_ by leaving a copy of the action and summons at his most notorious place of abode in this County.

☐ Delivered same into hands of \_\_\_\_\_ described as follows:  
age, about \_\_\_\_\_ years; weight \_\_\_\_\_ pounds; height, about \_\_\_\_\_ feet and \_\_\_\_\_ inches, domiciled at the residence of defendant.

CORPORATION

☒ Served the defendant Florence Staten a corporation  
by leaving a copy of the within action and summons with Carol of Education (Pamdee Mills) in charge of the office and place of doing business of said Corporation in this County.

TACK &amp; MAIL

☐ I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by deposition a true copy of same in the United States Mail, First Class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.

NON EST

☐ Diligent search made and defendant \_\_\_\_\_ not to be found in the jurisdiction of this Court.This 1<sup>st</sup> day of June, 2016.

SHERIFF DOCKET \_\_\_\_\_ PAGE \_\_\_\_\_

WHITE - CLERK CANARY - PLAINTIFF PINK - DEFENDANT

Deputy

IN THE SUPERIOR COURT OF ECHOLS COUNTY  
STATE OF GEORGIA

ECHOLS COUNTY, GEORGIA  
FILED IN OFFICE  
2016 JUN -3 PM 12:41

MARK CORBETT

Plaintiff,

vs.

CHESTER REGISTER,  
ROCKY CROSBY,  
BO CORBETT,  
FLORENCE STATEN, and  
RICHARD HENDLEY

Defendants.

CIVIL ACTION FILE  
NO. 16CV30

*Nancy Rogers*  
CLERK SUPERIOR  
COURT ECHOLS COUNTY

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said Court and serve upon GREGORY A. VOYLES, Plaintiff's attorney, whose address is P. O. Box 1929, Valdosta, Georgia 31603-1929, an answer to the Petition of Writ of Mandamus which is hereby served upon you within thirty (30) days, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

This 30<sup>th</sup> day of June, 2016.

*Gabriela Gallegos*  
DEPUTY CLERK  
Superior Court of Echols County

SHERIFF'S ENTRY OF SERVICE

REORDER #15-0810

CLYDE CASTLEBERRY CO., COVINGTON, GA 30015

Civil Action #: 116CV30  
Date Filed: 06/03/2016Superior Court ☒  
State Court ☐

Georgia, LOWNDES COUNTY

Attorney's Address

GREGORY A. VOYLES  
ATTORNEY AT LAW  
1008 N. PATTERSON ST.  
VALDOSTA, GA 31602

MARK CORBETT

Plaintiff

VS.

REGISTER, ET AL.

Defendant

Name and Address of Party to be Served.

RICHARD HENDLEY  
ECHOLS COUNTY

Garnishee

## SHERIFF'S ENTRY OF SERVICE

PERSONAL

☐ I have this day served the defendant \_\_\_\_\_ personally with a copy of the within action and summons.

NOTORIOUS

I have this day served the defendant \_\_\_\_\_ by leaving a copy of the action and summons at his most notorious place of abode in this County.

☐ Delivered same into hands of \_\_\_\_\_ described as follows:  
age, about \_\_\_\_\_ years; weight \_\_\_\_\_ pounds; height, about \_\_\_\_\_ feet and \_\_\_\_\_ inches, domiciled at the residence of \_\_\_\_\_

CORPORATION

☒ Served the defendant Richard Hendley a corporation by leaving a copy of the within action and summons with Board of Education (Mandate Nov. 1) in charge of the office and place of doing business of said Corporation in this County.

TACK &amp; MAIL

☐ I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by deposition a true copy of same in the United States Mail, First Class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.

NON EST

☐ Diligent search made and defendant \_\_\_\_\_ not to be found in the jurisdiction of this Court.This 1<sup>st</sup> day of June, 20 16.

SHERIFF DOCKET \_\_\_\_\_ PAGE \_\_\_\_\_

WHITE - CLERK CANARY - PLAINTIFF PINK - DEFENDANT

Deputy \_\_\_\_\_

## **EXHIBIT 2**

**IN THE SUPERIOR COURT OF ECHOLS COUNTY  
STATE OF GEORGIA**

MARK CORBETT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 16-CV-30
	)	
CHESTER REGISTER, ROCKY CROSBY,	)	
BO CORBETT, FLORENCE STATEN, and	)	
RICHARD HENDLEY,	)	
	)	
Defendants.	)	

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**DEFENDANTS' NOTICE OF FILING NOTICE OF REMOVAL**

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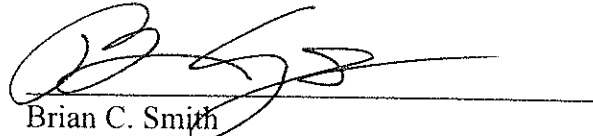
TO: Nora L. Rogers  
Echols County Superior Court Clerk  
Echols County Courthouse  
110 Highway 94 East  
Statenville, Georgia 31648

Gregory A. Voyles  
Moore & Voyles, P.C.  
1008 N. Patterson Street  
P. O. Box 1929  
Valdosta, GA 31603-1929

YOU ARE HEREBY NOTIFIED that the Defendants Chester Register, Rocky Crosby, Bo Corbett, Florence Staten, and Richard Hendley (hereinafter referred to as "Defendants") in the above-styled lawsuit filed in the Superior Court of Echols County, State of Georgia, denominated with Civil Action No. 16-CV-30, have this day filed a Notice of Removal in the United States District Court for the Middle District of Georgia, Valdosta Division, together with a copy of all process and pleadings served upon the Defendants in this case. A copy of the Notice of Removal is attached hereto and marked Exhibit "A".

This 30<sup>th</sup> day of June, 2016.

**HARBEN, HARTLEY & HAWKINS, LLP**

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

Brian C. Smith  
Georgia Bar No. 001306

Phillip L. Hartley  
Georgia Bar No. 333987

ATTORNEYS FOR DEFENDANTS

Wells Fargo Center, Suite 750  
340 Jesse Jewell Parkway  
Gainesville, Georgia 30501  
Telephone: (770) 534-7341  
Fax: (770) 532-0399

IN THE SUPERIOR COURT OF ECHOLS COUNTY  
STATE OF GEORGIA

MARK CORBETT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 16-CV-30
	)	
CHESTER REGISTER, <i>et al.</i> ,	)	
	)	
Defendants.	)	

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CERTIFICATE OF SERVICE


---

This is to certify that I have this day served a copy of the *Defendants' Notice of Filing Notice of Removal* upon all parties by placing same in a properly addressed envelope with adequate postage thereon and deposited in the U.S. Mail to the following:

Gregory A. Voyles  
Moore & Voyles, P.C.  
1008 N. Patterson Street  
P. O. Box 1929  
Valdosta, GA 31603-1929

This 30<sup>th</sup> day of June, 2016.

**HARBEN, HARTLEY & HAWKINS, LLP**

  
\_\_\_\_\_  
Brian C. Smith  
Georgia Bar No. 001306  
ATTORNEY FOR DEFENDANTS

Wells Fargo Center, Suite 750  
340 Jesse Jewell Parkway  
Gainesville, Georgia 30501  
Telephone: (770) 534-7341  
Facsimile: (770) 532-0399

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

(b) County of Residence of First Listed Plaintiff \_\_\_\_\_  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) \_\_\_\_\_

**DEFENDANTS**

County of Residence of First Listed Defendant \_\_\_\_\_  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known) \_\_\_\_\_

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question  
(U.S. Government Not a Party)
- ☐ 4 Diversity  
(Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding    ☐ 2 Removed from State Court    ☐ 3 Remanded from Appellate Court    ☐ 4 Reinstated or Reopened    ☐ 5 Transferred from Another District (specify)    ☐ 6 Multidistrict Litigation

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.    DEMAND \$

CHECK YES only if demanded in complaint:

**JURY DEMAND:**    ☐ Yes    ☐ No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

DATE

SIGNATURE OF ATTORNEY OF RECORD

**FOR OFFICE USE ONLY**

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_



**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**

## Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.  
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.  
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.  
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.  
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the six boxes.  
 Original Proceedings. (1) Cases which originate in the United States district courts.  
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.  
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.  
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.  
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.  
 Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.  
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.  
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.