

**IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN  
DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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**M. LA-TROY ALEXANDRIA-WILLIAMS**

**Petitioner,**

**Docket No.**

**Vs.**

**MARK GOINS, official capacity  
As Coordinator of Tennessee Elections  
MARY MANCINI, official capacity  
As Chairwoman of the Tennessee Democratic Party  
LINDA PHILLIPS,  
SHELBY COUNTY ELECTION COMMISSIONER,**

**Respondents.**

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**COMPLAINT FOR MONEY DAMAGES ,DECLARATORY JUDGMENT  
AND INJUNCTIVE RELIEF**

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**I Introduction**

**Comes now Plaintiff M. Latroy Williams and brings suit against Defendants  
Tennessee State Democratic Executive committee, Mary Mancini Mark Goins  
and Linda Phillips for wrongful ouster from the 9<sup>th</sup> Congressional District  
race and wrongful termination of his candidacy for the 9<sup>th</sup> congressional Seat  
in West Tennessee in the 2020 election.**

## **II. PARTIES**

- 1. Petitioner M. La-Troy Williams is a resident citizen of Memphis Shelby County , Tennessee.**
- 2. Mark Goins is Coordinator of Tennessee Elections through the Tennessee Division of Elections**
- 3. Mary Mancini is the Chairwoman of the Tennessee Democratic Party**
- 4. Linda Phillips is the Administrator of the Shelby County Election Commission**

## **III. FACTS**

- 1. Petitioner intended to run for election as a Democratic candidate in August 2020 primary election for a seat as a Member of the United States House of Representatives**
- 2. (“U.S. Congress”). Petitioner is qualified to hold a seat in the U.S. Congress.**
- 3. Petitioner met all other qualifying procedures for House of Representatives as set forth by Tennessee Code Annotated title 2, chapter 5.**
- 4. Petitioner’s nominating petition provides that Petitioner seeks to run as a candidate in the Democratic primary election.**
- 5. Tennessee Code Annotated Section 2-5-101 provides that the primary candidates for U.S. Congress “shall qualify by filing all nominating**

- petitions, including any duplicate nominating petition.
- 6. Petitioner qualified by filing all nominating petitions, including any duplicate nominating petitions by the applicable deadlines.**
- 7. Petitioner was informed by the Shelby County Election Commission that he qualified by filing all nominating petitions, including any duplicate nominating petitions by the applicable deadlines.**
- 8. Tennessee Code Annotated Section 2-13-201 sets forth the conditions for names being shown on a ballot and provides as follows:**

**No person's name may be shown on a ballot as the nominee of a political Party for the offices named in § 2-13-202 or for any office to be voted on by the voters of a county, unless the political party:**

- (1) Is a statewide political party or a recognized minor party; and**
- (2) He has nominated the person substantially in compliance with this chapter.**

**Tenn. Code Ann § 2-13-201.**

**9. Tennessee Code Annotated Section 2-13-202 sets forth the mandatory method for how the statewide political party must nominate its candidates in elections for Governor, members of the general assembly, United States Senator and members of the United States House of Representatives.**

**10. Tennessee Code Annotated Section 2-13-202 provides:**

**2-13—202. Office for which candidates are chosen in primary elections.**

**Statewide political parties shall nominate their candidates for the following**

**Offices by vote of the members of the party in primary elections at the regular August election:**

- (1) Governor;**
- (2) Members of the general assembly;**
- (3) United States senator; and**
- (4) Members of the United States house of representative**

**11. Primary candidates who wish to run for any other offices, other than those listed in Tenn. Code Ann. § 2-13-202 may be nominated in other ways, or by “any method authorized under the rules of the party.” See Tenn. Cod Ann. § 2-13-203.**

**12. Tennessee Code Annotated Section 2-13-203 provides in pertinent part:**

**2-13-203. Methods of nomination for other offices.**

- (1) Statewide political parties may nominate their candidates for any office other than those listed in § 2-13-202 by any method authorized under the rules of the party or by primary election under this title.**

**13. Tennessee Code Annotated Section 2-13-203 does not apply to Petitioner’s bid to run for U.S. Congress because he is running for one (1)**

**of the four (4) offices listed in Tennessee Code Annotated Section 2-13-202.**

**14. The Tennessee Democratic Party's own bylaws recognize that it lacks the powers to establish any procedures for selecting a Party nominee for U.S. Congress. Article III, Section 2(b) of the bylaws provides that "the powers and responsibilities of the Executive Committee include (b) Establishing the procedure for selecting Party nominees for the offices for which the procedure is not established by statute (see TCA §§ 2-13-202, 203)."**

**15. Because the procedure for nominating candidates for U.S. Congress is established by statute, the Tennessee Democratic Party lacks the powers and responsibilities to establish any procedure for selecting its nominee, as the nominee is selected through the primary election process.**

**16. The Shelby County Election Commission notified Petitioner that Petitioner's nominating petitions were properly filed, and that Petitioner's name would appear on the primary ballot .(See attached Exhibit A)**

**17 The Tennessee Democratic Party subsequently notified Petitioner that it deemed him disqualified to run as a candidate for the democratic party in the August 2020 primary election in order to become a member of the U.S. Congress and demanded that the Shelby County Election Commission remove Petitioner's name from the ballot. .(See attached**

**Exhibit B)**

**18.The Shelby County Election Commission removed Petitioner's name from the ballot for the August 2020 primary election .**

**19.The Tennessee Democratic Party relied upon Tennessee Code Annotated Section 2-5-204, which provides:**

**Section 2-5-204 - Placing of names on ballots - Withdrawal or disqualification of candidate - Death of candidate(a) Each qualified candidate's name shall be placed on the ballot as it appears on the candidate's nominating petitions unless the candidate dies before the ballots are printed, or unless the candidate requests in writing that the candidate's name not appear on the ballot and files the request with each of the officers with whom the candidate filed nominating petitions or to whom the candidate's nomination was certified as a political party nominee, or unless the executive committee with which a primary candidate filed the original petition determines that the candidate is not qualified under § 2-13-104.(b)(1) A candidate's request to withdraw shall be filed no later than twelve o'clock (12:00) noon prevailing time on the seventh day after the qualifying deadline for the election. A candidate who qualifies pursuant to § 2-5-101(g)(1) or who is nominated pursuant to § 2-13-204(c) must file any request to withdraw no later than twelve o'clock (12:00) noon prevailing time on the third day after the qualifying deadline.(2)(A) An executive committee that determines that a candidate is not qualified under § 2-13-104 shall file the committee's determination with the coordinator of elections no later than twelve o'clock (12:00) noon prevailing time on the seventh day after the qualifying deadline for the election. The coordinator of elections shall notify each county election commission on whose ballots the candidate's name would otherwise appear prior to the election commission printing the ballot.(B) If an executive committee submits a candidate's name to be excluded from the ballot pursuant to subdivision (b)(2)(A), the executive committee shall provide the candidate written notice of the exclusion within two (2) days after submission. The executive committee shall mail the notice by certified mail, return receipt requested, or any form of expedited mail that requires a signature at receipt, to the residential address or the business address of the candidate as listed on the candidate's nominating petition. The executive committee shall retain the return receipts, or other documentation of timely notification, for a period of**

not less than one (1) year from the date the notification was sent. The candidate may appeal the determination in writing and must file the original appeal with the executive committee and a copy of the appeal with the coordinator of elections within two (2) days of receipt of the notice from the executive committee. Unless the coordinator of elections receives a letter from the executive committee withdrawing the committee's determination of the candidate's disqualification no later than the close of business seven (7) days after the original withdrawal deadline, the candidate's name must be excluded from the ballot. The executive committee may file the withdrawal letter with the coordinator of elections by fax, email, hand delivery, or through a priority mail process.(C) The appeal process described in subdivision (b)(2)(B) does not apply to a special primary or special general election to fill the vacancy for members of the general assembly or the office of representatives in congress.(c) If no less than four (4) members of the county election commission vote in the affirmative that a candidate's name on the ballot would be confusing or misleading, the county election commission may require further identifying information or may omit any confusing or misleading portion of the name. In an election where the candidate's name will appear on the ballot in more than one (1) county, this authority shall rest with the state election commission.(d) No titles may be printed with the candidate's name.(e) If a candidate dies within forty (40) days before the election, the decedent's name shall remain on the ballot. If the deceased candidate receives the necessary votes to otherwise be elected, then a vacancy shall exist. The vacancy shall be filled as otherwise provided for by law.

**T.C.A. § 2-5-204**

Amended by 2019 Tenn. Acts, ch. 441,s 1, eff. 5/22/2019.Acts 1972, ch. 740, § 1; 1978, ch. 754, § 2; T.C.A., § 2-509; Acts 1988, ch. 933, § 14; 1989, ch. 128, § 2; 1999, ch. 6, § 3; 1999, ch. 197, § 6; 2001, ch. 413, § 2.

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Tenn. Code Ann 2-5-204 allows the Executive committee to determine pursuant to 2-13-104 that a candidate is not qualified but only pursuant to the terms of 2-13-104..Tenn. Code Ann. § 2-13-104. Provides All candidates for state executive committee membership and for

**membership in the general assembly shall be bona fide members of the political party whose election they seek. A party may rule that candidates for its nominations be bona fide members of the party.**

**20/Tennessee Code Annotated Section 2-13-104 has no application to candidates seeking election to U.S. Congress because the party is not making “its nominations” for that office but instead, by statute, the candidates are nominated through the primary election .But even if 2-13-104 applied, Petitioner Williams would not be disqualified because he is a bona fide Democrat.**

**The bylaws of the Tennessee Democratic Party provide in pertinent part:**

- (1)To the maximum extent allowed by law, the Tennessee Democratic Executive Committee shall insure that Party nominees for elected offices are bona fide Democrats. In the event that a county party, in compliance with its Bylaws, challenges a candidate for any office be it local, county, state or federal, against appearing on the ballot as a Democrat for failing to vote in at least three of the immediate prior five Democratic primaries, the challenge shall be referred to the County Party Development Committee which shall by a simple majority vote of the members make a recommendation to the State Party Chair. The Chair shall decide or not the candidate may appear on the ballot as a Democrat. The county party or the candidate has the right to appeal the Chair’s decision to the full Executive Committee which may appear on the ballot as a Democrat. The county party or the candidate has the right to appeal the Chair’s decision to the full Executive Committed which may overturn the Chair’s decision by two-thirds vote of those present. The county party, Party Chair or the Executive Committee shall**

**have the right to waive the foregoing prohibition against a candidate appearing on a ballot as a Democrat for good cause and when justice requires.**

**22. Thus, even in the event that the Tennessee Democratic Executive Committee was entitled to determine whether Petitioner is a bona fide Democrat, the only lawful basis which it could legally deny Petitioner as a bona fide Democrat is if Petitioner failed to vote in at least three (3) of the immediate prior five (5) Democratic primaries, at which point the challenge shall be referred to the County Party Development Committee.**

**23. The Bylaws of the Tennessee Democratic Committee do not contain any other rules by which it could disqualify Petitioner or challenge his standing as a bona fide Democrat.**

**24. Petitioner asserts that he is a Democrat . There was extensive testimony at the hearing in Shelby County Chancery Court Case No. CH-20-0560 held July 29, 2020 to support Petitioner's assertion that he is a bona fide Democrat. Wherein Plaintiff Williams testified extensively about a forty year history working in and through the local and national Democratic party to support and further the efforts of the Shelby County, Tennessee and the National Democratic Party . See the transcript of hearing July 29, 2020 hearing attached hereto as Exhibit C at page 29. Plaintiff Williams testified about having voted in numerous successive**

**Democratic primaries over that forty- year history and extensive efforts on behalf of and in support of the Democratic party on a national state and local level.**

**25. There are no facts or law supporting the Shelby County Election Commission’s decision to omit Petitioner’s name from the ballot, or the Tennessee Democratic Party’s demand that it do so.**

**26.. Because of the actions of Defendants Tennessee State Democratic Executive Committee through its Board and its President Mary Mancini and the acquiescence of Defendants Mark Goins and Linda Phillips in the actions of Ms Mancini and the Tennessee State Democratic Executive Committee ,Petitioner’s name did not appear on the ballot for the August 2020 primary election,, he has suffered and will continue to suffer immediate and irreparable injury, loss, and damage.**

**CAUSES OF ACTION**

**COUNT I:  
CIVIL CONSPIRACY  
(AGAINST DEFENDANTS TENNESSEE STATE DEMOCRATIC  
EXECUTIVE COMMITTEE , MARY MANCINI MARK GOINS  
AND LINDA PHILLIPS.)**

**27. Plaintiffs re-allege and incorporate all allegations above and below as if fully set forth verbatim herein. The claims in this**

**Count are alleged in the alternative, and in addition to each other. They are alleged in the alternative, and in addition to the claims in the other Counts. The certain Defendants herein named worked together to violate Tennessee Law and conspired with other Defendants to violate Federal civil rights law.**

**28.. Defendants are reasonably believed to have worked together to accomplish the unlawful purpose of depriving Plaintiffs of constitutional rights held under Tennessee and Federal Law , and/or committing torts under Tennessee law, and/or otherwise causing Plaintiffs losses and damages as more fully described in the other parts of this Complaint. Defendant Mark Goins acquiesced in the wrongful removal and exclusion of Plaintiff Williams from the congressional race. Defendant Linda Phillips acquiesced in the wrongful removal and exclusion of Plaintiff Williams from the congressional race.**

**29. In the alternative and in addition, while named Defendants may claim a lawful purpose, yet they collaborated and worked**

together to unlawfully carry out any alleged lawful purpose. Defendants conspired so as to cause Plaintiffs losses and damages when considering all factors including but not limited to their unlawful exclusion of Petitioner from the ballot for United States Congress

30. As a direct and proximate result of Defendants' conduct towards Plaintiffs, Plaintiff has sustained losses and damages fully described in other parts of this Complaint. The losses and damages suffered as a result of the claims in this Count are meant to include all categories and types of damages otherwise mentioned in this Complaint, as well as otherwise available pursuant to any laws implicated by the facts and allegations of this Complaint.

**COUNT II:  
CLAIMS OF RACE DISCRIMINATION PURSUANT TO 42  
U.S.C. § 1983  
(AGAINST DEFENDANTS TENNESSEE STATE DEMOCRATIC  
EXECUTIVE COMMITTEE , MARY MANCINI MARK GOINS  
AND LINDA PHILLIPS.)**

**31. Plaintiffs herein re-allege and incorporate all allegations above and below as if fully incorporated herein. The claims alleged in the alternative, and in addition to each other. They are alleged in the alternative, and in addition to the claims in the other Counts.**

**32.. Defendants TENNESSEE STATE DEMOCRATIC EXECUTIVE COMMITTEE , MARY MANCINI MARK GOINS AND LINDA PHILLIPS.)**

**knew of or should have known the Plaintiffs Williams as well as many of Mr. Williams supporters were members of the African-American race, and intended to, and were seeking political office in part as a result of attempting to assist one or more African-Americans.**

**33. Defendants, TENNESSEE STATE DEMOCRATIC EXECUTIVE COMMITTEE , MARY MANCINI MARK GOINS AND LINDA PHILLIPS.)**

**While acting under color of state law Defendants Mary Mancini Mark Goins The Tennessee State Democratic Executive committee and Linda Phillips did deprive Plaintiff Williams of his federal constitutional rights under the fifteenth amendment of the United States constitution indicated racial animus by and through their**

statements during the course of the representations, omissions and matters referred to in the facts section above.

**34.. Defendants TENNESSEE STATE DEMOCRATIC EXECUTIVE COMMITTEE , MARY MANCINI MARK GOINS AND LINDA PHILLIPS.)**

operated to discriminate against Plaintiffs Williams, as a result of Plaintiffs' race when they joined together to terminate his candidacy and hindered the free exercise of his constitutional rights under the fifteenth amendment to the United States constitution Said Defendants tortuously and willfully terminated Williams candidacy for United States Congress wrongfully terminated said candidacy therefore causing all Plaintiffs losses and damages.

**Defendants TENNESSEE STATE DEMOCRATIC EXECUTIVE COMMITTEE , MARY MANCINI MARK GOINS AND LINDA PHILLIPS.) are liable for federal law violations as a result of depriving Plaintiffs of the enjoyment and protection of his rights**

**under the fifteenth amendment to the United States constitution.**

**property as is enjoyed by white citizens.**

**35. As a direct and proximate result of Defendants' conduct towards Plaintiffs, Plaintiff has sustained losses and damages, as fully described in other parts of this Complaint. The losses and damages suffered as a result of the claims in this Count are meant to include all categories and types of damages otherwise mentioned in this Complaint, as well as otherwise available pursuant to any laws implicated by the facts and allegations of this Complaint.**

**36.. Plaintiffs herein re-allege and incorporate all allegations above and below as if fully incorporated herein. The claims alleged in the alternative, and in addition to each other. They are alleged in the alternative, and in addition to the claims in the other Counts.**

**37. Defendants operated to discriminate against Plaintiffs, as a result of Plaintiffs' race when they assisted and otherwise cooperated in terminating Plaintiff's candidacy for United States**

**Congress and otherwise hindered African American citizens from voting for Plaintiff Williams.**

**38. As a direct and proximate result of Defendants conduct towards Plaintiffs, they sustained losses and damages, as fully described in other parts of this Complaint. The losses and damages suffered as a result of the claims in this Count are meant to include all categories and types of damages otherwise mentioned in this Complaint, as well as otherwise available pursuant to any laws implicated by the facts and allegations of this Complaint.**

**COUNT III:  
CLAIMS OF RACE DISCRIMINATION PURSUANT TO 42  
U.S.C. § 1985  
(AGAINST DEFENDANTS TENNESSEE STATE DEMOCRATIC  
EXECUTIVE COMMITTEE , MARY MANCINI MARK GOINS  
AND LINDA PHILLIPS.)**

**There exists a conspiracy in fact to deprive Plaintiff Williams of his personal rights and privileges. Linda Phillips and Mark Goins have knowledge of “wrongs visited upon persons (Plaintiff Williams) and although aware of the wrong took no action. Thomas V. News**

**World Communications 681 F. supp. 56,72 (D.D.C. 1988). The parties Defendant herein have carried out (1) a conspiracy (2) with intent to deprives a person or class of persons of equal protection of the laws ,or of equal privileges and immunities under the laws with (3) an invidious class-based animus (4) an act in furtherance of the conspiracy and (5) an injury . All the requisite elements were of the 1985 conspiracy were performed by the Tennessee Democratic Party Mark Goins and Linda Phillips. as set forth in the statute below.**

**.See 42 U.S.C. § 1985(3) (2012) (—If two or more persons in any State or Territory conspire . . . for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws . . . [and] if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the**

conspirators.)).12.Griffin v. Breckenridge, 403 U.S. 88, 102  
(1971).13.Seesup

**COUNT IV:  
CLAIMS OF RACE DISCRIMINATION PURSUANT TO 42  
U.S.C. § 1986  
(AGAINST DEFENDANTS , MARY MANCINI MARK GOINS  
AND LINDA PHILLIPS.)**

**Plaintiff asserts that Mark Goins and Linda Phillips are direct participants in the conspiracy; however should the court find that Mark Goins and Linda Phillips are not direct participants in the conspiracy perpetrated against Plaintiff Williams by the Tennessee Democratic Party, Mark Goins and Linda Phillips had knowledge of conspiracy perpetrated against the Plaintiff Williams and Defendants Goines and Phillips had a corresponding duty to protect in which they failed to intervene in the conspiracy to prevent injury to the Plaintiff. The Defendants Mark Goins and Linda Phillips had actual knowledge of the discriminatory conspiracy against Plaintiff Williams . Mark Goines and Linda Phillips had power to prevent or aid in preventing the commission of the violation and the**

**corresponding injuries to Plaintiff. Mark Goins and Linda Phillips refused to prevent the 1985 conspiracy and a wrongful act was committed by the conspirators with resulting injury.**

**COUNT V:  
VIOLATION OF RACKETEER INFLUENCED AND  
CORRUPT  
ORGANIZATIONS ACT (RICO), 18 U.S.C. § 1962 (b).**

**44. Plaintiffs re-allege and incorporate all of the above allegations as if fully stated verbatim herein.**

**ACTIVITIES GEARED TOWARD GAINING CONTROL OF  
THE ENTERPRISE**

**45. Plaintiffs allege a violation of § 1962(b), as well as , in that all Defendants were resolute on engaging in criminal activity and seizing control of otherwise legitimate Democratic party entities and used the enterprise , the Tennessee State Democratic Executive committee entities' resources to commit crimes they otherwise could not do. Plaintiff has shown these Defendants through the enterprise**

**of the Tennessee State Executive committee acquired and or maintained control over the Tennessee State Executive committee through racketeering activity and then sought control over state Democratic party activities. And used the enterprise to exclude Plaintiff Williams from participation in election activities and Democratic party activities.**

**46. Defendants exerted that control to defraud Plaintiffs of their success in the Tennessee Democratic party based on a pattern of racketeering activities .This last time marks the second time in as many years that these three Defendants have banded together to exclude Plaintiff from candidacy for United States Congress. The same act occurred in 2018 wherein Plaintiff Williams prevailed in the chancery court under docket Number 18-0571 which was appealed and from which Plaintiff Williams prevailed on appeal after preparing a record to be submitted to the appellate court . (The appeals court at Jackson sent the matter back to the trial court for preparation of a record for which an order was prepared submitted and entered by the trial court. Defendant Mary Mancini and the**

**Tennessee Democratic Executive committee have ousted Plaintiff's children from duly elected representative offices because of the children's connections to Plaintiff causing great stress and mental anguish to Plaintiff's spouse and children.**

**COUNT IV:**

**VIOLATION OF RACKETEER INFLUENCED AND  
CORRUPT  
ORGANIZATIONS ACT (RICO), 18 U.S.C. § 1962(c)**

**58. Plaintiffs re-allege and incorporate all above allegations as if fully stated verbatim herein.**

**THE TENNESSEE DEMOCRATIC PARTY AS A RICO  
ORGANIZATION**

**59. Plaintiffs aver that Defendants Mary Mancini as chairwoman of the Tennessee Democratic party , Mark Goins as coordinator of State elections ,Linda Phillips as administrator of Shelby county election commission and the Tennessee State Democratic Executive committee organization, used that organization and its resources to commit crimes that they could not have perpetrated on their own.**

## **AN ASSOCIATION -IN-FACT CRIMINAL ENTERPRISE**

**60. Alternatively and in addition, these Defendants constituted an association-in-fact criminal enterprise (open ended) and participated in the conduct and affairs of the enterprise through a pattern of racketeering activity, contrary to § 1962(c) and MS Code 97-43-3 et seq. Moreover, Plaintiffs aver that all of the predicate acts referenced herein above had a relationship to each other or to some external organizing principle that renders them "ordered" or "arranged." This was the common purpose.**

**61. These factors of continuity of conduct plus relationship combine to produce a pattern that embraces criminal acts that have the same or similar purposes, results, participants, victims, or methods of commission, or otherwise are interrelated by distinguishing characteristics, and are not isolated events. In fact, the events were in no way isolated, but are related in the sense that they all occurred or commenced during or grew out of the same scheme. This scheme was in part to This common purpose was the central theme and regular way of doing business for the conspirators.**

## **THE OBJECTIVE OF THE CRIMINAL ENTERPRISES**

**63. The objectives of Tennessee Democratic Committee enterprise were to Force Plaintiff Williams out of the US congressional race and even the Tennessee Democratic party .This series of acts in the fraudulent scheme shows that forcing Plaintiff out of the United States congressional race and indeed effectively out of the Democratic party was not just incidental but was the object of the collaboration among all Defendants and one in which all Defendants expressly agreed or acquiesced.**

## **STRUCTURE OF THE CRIMINAL ENTERPRISE**

**66. Plaintiffs have established the requisite structural features of (1) a criminal enterprise operated by Defendants – - and (2) an association-in-fact enterprise by demonstrating that Defendants had (a) a purpose, (b) relationships among those associated with the enterprise, and (c) longevity of conduct and relationship sufficient to permit these Defendants to pursue the enterprises' purposes.**

**67. As a direct and proximate result caused by all Defendants' conduct toward Plaintiffs, all Plaintiffs sustained losses and damages as set forth in Paragraph 71 *supra*.**

**COUNT V:**

**VIOLATION OF RACKETEER INFLUENCED CORRUPT ORGANIZATION (RICO), 18 U.S.C. § 1962 (d) and et seq.**

**68. Plaintiffs re-allege and incorporate all above allegations as if fully stated verbatim herein.**

**CONSPIRACY**

**69. Defendants worked together to accomplish the unlawful purpose of depriving Plaintiffs of their constitutional interests in the political franchise. Defendants worked together to carry out an unlawful purpose. Defendants conspired so as to cause Plaintiffs losses and damages when considering all factors including but not limited to their misrepresentations, false pretenses, and/or omissions. All Defendants manifested a willingness, directly or indirectly, to**

**participate in the frauds herein alleged and conspired together to do so with full knowledge that Plaintiffs would suffer the loss of fundamental constitutional rights. Moreover, these acts done by all Defendants were done to further the object of their conspiracy in direct violation of 18 U.S.C. §§ 1962, (b), and (c), thereby violating § 1962(d), .**

**70. As a direct and proximate result caused by all Defendants' conduct toward Plaintiffs, all Plaintiffs sustained losses and damages as set forth in Paragraph *supra*.**

### **DAMAGES**

**71. As a direct and proximate result caused by Defendants, Mary Mancini as chairwoman of the Tennessee Democratic party , Mark Goins as coordinator of State elections ,Linda Phillips as administrator of Shelby County election commission and the Tennessee State Democratic Executive committee conduct toward Plaintiffs, the Plaintiffs sustained losses to their assets, properties, and business, as itemized below. Plaintiffs have shown not only that the Defendants' efforts to defraud Plaintiffs are not only the “but for”**

**cause of Plaintiffs' injuries and damages, but also that Defendants' schemes to defraud Plaintiffs are also the "proximate cause" of Plaintiffs' injuries and damages and are directly caused by Defendants' alleged violations of federal and Tennessee RICO. Moreover, Plaintiffs have shown that no other factors — other than the alleged RICO type conduct — contributed to Plaintiffs' injuries. Plaintiffs have demonstrated that they are the parties best situated to redress the alleged injuries and that no other statutory scheme in place is designed to address the injuries at issue. The losses and damages suffered as a result of the claims in these Counts are meant to include all categories and types of damages otherwise mentioned in the Complaint, as well as otherwise available pursuant to any laws implicated by the facts and allegations of this Complaint.**

### **INTENTIONAL ACTS**

**72. Defendants' acts were intentional and willful and Defendants actions were calculated to cause damage to Plaintiffs and were done with the unlawful purpose of obtaining wrongfully control of the enterprise, the State Democratic party such that actual**

**damages have resulted to Plaintiffs in their interests both business interests and political interests. The conduct of Defendants was to further their schemes to acquire wrongfully control of the state Democratic party without right or justification on the part of Defendants.**

**COUNT VI**

**VIOLATION OF VOTING RIGHTS ACT OF 1965, 52 U.S.C. § 10301).**

**73. Plaintiffs re-allege and incorporate all of the above allegations as if fully stated verbatim herein.**

**Through the actions of Defendants Mary Mancini as chairwoman of the Tennessee Democratic party , Mark Goins as coordinator of State elections ,Linda Phillips as administrator of Shelby County election commission and the Tennessee State Democratic Executive committee A voter or group of voters have been prevented from voting for Plaintiff Williams. See attached Exhibit D identifying**

**those voters who will attest to the impact of the interference in their exercise of their voting rights as to Plaintiff Williams. There exists a close nexus between the government and Defendants' conduct.**

**Defendants TENNESSEE STATE DEMOCRATIC EXECUTIVE COMMITTEE , MARY MANCINI MARK GOINS AND LINDA PHILLIPS.)**

**knew of or should have known the Plaintiffs Williams as well as many of Mr. Williams supporters were members of the African-American race, and intended to, and were seeking political office in part as a result of attempting to assist one or more African-Americans.**

**74. Defendants, TENNESSEE STATE DEMOCRATIC EXECUTIVE COMMITTEE , MARY MANCINI MARK GOINS AND LINDA PHILLIPS.)**

**While acting under color of state law Defendants Mary Mancini Mark Goins The Tennessee State Democratic Executive committee and Linda Phillips did deprive Plaintiff Williams of his federal constitutional rights under the fifteenth amendment of the United**

**States constitution indicated racial animus by and through their statements during the course of the representations, omissions and matters referred to in the facts section above.**

**75. Defendants TENNESSEE STATE DEMOCRATIC EXECUTIVE COMMITTEE , MARY MANCINI MARK GOINS AND LINDA PHILLIPS.)**

**operated to discriminate against Plaintiffs Williams, as a result of Plaintiffs' race when they joined together to terminate his candidacy and hindered the free exercise of his constitutional rights under the fifteenth amendment to the United States constitution Said Defendants tortuously and willfully terminated Williams candidacy for United States Congress wrongfully terminated said candidacy therefore causing all Plaintiffs losses and damages.**

**WHEREFORE, PREMISES CONSIDERED, PLAINTIFFS RESPECTFULLY PRAY that the Court cause service to issue upon the Defendants and that this matter be set for trial on each separate claim(s) in each separate Count. Upon trial by jury, Plaintiffs pray**

**that the following relief be granted separately for each Count, claim, or cause of action against each Defendant:**

**1. All pecuniary losses proximately caused by Defendants' unlawful conduct, as well as all other fair compensation for the acts and omissions alleged;**

**2. Damages against Defendants in an amount to be determined by the court for losses and damages described above and herein. Those damages include but are not limited to recovery for the following categories of damages, which are sought in the alternative and in addition to each other:**

**(a) compensation for past, present, and future emotional distress or non-economic losses;**

**(b) past, present, and future out of pocket costs and attorney's fees incurred in this litigation;**

**(c) treble damages for economic injuries suffered as a result of the prohibited RICO conduct;**

**(d) forfeiture of all monies obtained by Defendants through or as a result of the prohibited conduct.**

**(e.) Pas present and future loss of enjoyment of life**

**(f.) Past Pas present and future pain and suffering.**

**(g.) Past present and future costs of medical and mental health  
treatmen**

**3. Any other damages allowed under actions brought pursuant to all above alleged laws, under which Plaintiffs specifically bring this Complaint. Recovery is sought to be calculated based on each separate claim and cause of action individually to the fullest extent possible.**

**4. Plaintiffs each pray for punitive damages in the maximum amount allowed by law.**

**5. Plaintiffs each also claim all costs, pre-judgment interest, post-judgment interest, expenses of this action, expert witness fees, and reasonable attorney's fees.**

**6. Such further relief as the court deems just and proper.**

### **JURY TRIAL DEMAND**

**Plaintiff demands a jury trial on all matters raised by the Complaint herein pursuant to the U.S. Constitution.**

**RESPECTFULLY SUBMITTED, this the 23<sup>rd</sup> day of  
September 2020.**

**/s Paul A. Robinson Jr.  
Paul A. Robinson Jr. 014464  
Law Office of Paul Robinson  
5865 Ridgeway Center Parkway Ste. 300  
Memphis, Tennessee 38120  
901-649-4053  
Problaw937@hotmail.com**