



## **COMPLAINT**

### **PRELIMINARY STATEMENT**

1. This is a civil rights action for both declaratory and injunctive relief and nominal damages to stop Defendants from closing courtroom doors to members of the public in violation of the United States and Georgia Constitutions.
2. Plaintiffs are members of the public, including family members and loved ones of criminal defendants appearing in both the Ben Hill and Crisp County Superior Courts of the Cordele Judicial Circuit, who have been denied entry to jail courtrooms for no permissible reason. They seek entry to jail courtrooms in the future for proceedings involving their family members or others, and generally to better understand the criminal justice process.
3. Plaintiffs and other similarly situated individuals who attempt to watch Superior Court guilty plea proceedings, sentencing, arraignments, calendar calls, bond hearings, and other criminal proceedings in the Ben Hill and Crisp County jail courtrooms are routinely met by sheriff's deputies who close public hearings for a host of reasons – none of which are legally sufficient. For instance, a

Crisp County deputy told one family member she could not watch arraignments unless her loved one entered a guilty plea; if he pleaded not guilty, she would not be able to enter. The general public – citizens with no relative involved in court proceedings such as Reverend Davis who seeks to minister and comfort members of his congregation – are generally completely barred from attending and observing the proceedings. (*See Ex. 4*).

4. Even when seats are available, people who come, sometimes great distances, to support their loved ones are denied access and told to wait in the lobby. Some are lucky enough to be called into court when their relative or friend's case is called, while many never see their loved one's proceedings – or anyone else's.
5. Despite a previous lawsuit on access to the Ben Hill and Crisp County Jail courtrooms, complaints to a Superior Court judge from a college on behalf of a student who was denied access, and other warnings, these unconstitutional closures of public courtrooms continue. (*See Ex. 7*).
6. Neither the District Attorney's office nor any defendant in a criminal case has moved for closure in *any* case and demonstrated that closure

is (1) essential to preserve higher values than the constitutional interests of Plaintiffs, and (2) narrowly tailored to serve those values as required by *Press-Enterprise Co. v. Superior Court* (Press Enterprise I), 464 U.S. 501, 510 (1984). Nor has any party established by “clear and convincing proof” that closing a proceeding is the only means to avoid a “clear and present danger” to the moving party’s asserted interest. *See R. W. Page Corp. v. Lumpkin*, 249 Ga. 576, 579, 292 S.E.2d 815 (1982). Nor have there been written court findings to support the closing of particular cases. Far from being narrowly tailored, closure is the rule at *all* hearings taking place in courtrooms at the two Law Enforcement Centers.

7. The closing of these courts to members of the public violates the First and Fourteenth Amendment constitutional rights of the general citizenry, the Sixth and Fourteenth Amendment constitutional rights of defendants in the Cordele Judicial Circuit, and the rights guaranteed by Article I, § 1, Paragraphs V and XI of the Georgia Constitution to both the general public and defendants.
8. Plaintiffs bring this action to compel Defendants to allow full access to Superior Court proceedings occurring in the Ben Hill and Crisp

County jail courtrooms or to move all criminal proceedings to the main courthouses in each county to ensure open access to courtroom proceedings as required by the United States and Georgia Constitutions.

### **JURISDICTION AND VENUE**

9. This action is brought to enforce rights conferred by the United States and Georgia Constitutions and other applicable law. It is brought pursuant to the authority vested in this Court by 42 U.S.C. §§ 1983, 1985.
10. Venue is proper in this district under 28 U.S.C. § 1391(b)(1) because at least one Defendant resides in this judicial district. This district is also an appropriate venue for this action under 28 U.S.C. § 1391(b)(2) because all or at least a substantial part of the events or omissions giving rise to the claims asserted herein occurred in this judicial district. Furthermore, both the Ben Hill and Crisp County Law Enforcement Centers are situated within the district and divisional boundaries of the Middle District of Georgia, Albany Division.

## PLAINTIFFS

11. Plaintiff Beverly Fuqua is a resident of Fitzgerald, Georgia, located in Ben Hill County. Plaintiff Fuqua attempted to attend her son's court appearances in the Ben Hill County Law Enforcement Center courtroom on three occasions – January 23, 2012, in February 2012, and March 29, 2012. Each time, a bailiff told her she was not allowed in the courtroom and that she would have to wait outside until her son's case was called. Each time she waited at least two hours in the outside lobby, unable to watch any hearings, because her son entered a not guilty plea.
  
12. Plaintiff Joyce Scales is a resident of Lithonia, Georgia, located in DeKalb County. On March 15, 2011, Plaintiff Scales and her sister drove over two hours to see her incarcerated nephew, who suffers from schizophrenia and bipolar disorder, appear for arraignments in the Crisp County Jail courtroom. Given her nephew's mental health needs, Ms. Scales wanted to be present at his arraignment to both show support and ensure he was treated fairly. When she and her sister asked to enter the jail courtroom, however, a deputy told them they would have to wait in the lobby. According to the deputy,

Plaintiff Scales and her sister would not be allowed in if their nephew did not plead guilty. Over the course of two hours, Ms. Scales and her sister peeked through the courtroom door whenever it opened to get a glimpse of their nephew. After hours of waiting, a deputy told Ms. Scales that her nephew entered a not guilty plea; as a result, the deputy barred Ms. Scales and her sister from entering the courtroom.

13. Plaintiff Virginia Stillwell Goodman is a resident of Cordele, Georgia, located in Crisp County. Plaintiff Goodman went to the Crisp County Jail on March 13, 2012 to see her jailed nephew's court hearing.

When she asked a deputy if she could enter the courtroom, she was told to wait outside until her nephew's case was called. Though she sought to view other proceedings, she was forced to wait in the hallway for three hours before she was allowed into the courtroom.

14. Plaintiff Reverend James Davis, III, is a resident of Fitzgerald, Georgia, located in Ben Hill County. Plaintiff Davis seeks to provide comfort and minister to members of his congregation who have become involved in the criminal justice system. He serves as pastor of Salem AME Church, and was previously involved in a similar lawsuit against these Defendants over the continued denial of public

access to courtrooms. He joins this lawsuit because violations continue to occur, and he still seeks access to public courtrooms under the Defendants' control.

### **DEFENDANTS**

15. Defendant John Pridgen, a resident of Crisp County, is the Chief Judge of the Cordele Judicial Circuit. Defendant Pridgen presides over proceedings in the Superior Courts of the Cordele Judicial Circuit. In Defendant Pridgen's capacity as Chief Judge, he has authorized, condoned, ratified, approved, and/or knowingly acquiesced in the policy of closing the Ben Hill and Crisp County Law Enforcement Center courtrooms to members of the public, as described in this Complaint. Defendant Pridgen is sued in his official capacity.
16. Defendant Robert Chasteen, Jr., a resident of Ben Hill County, serves as a Judge of the Superior Court in the Cordele Judicial Circuit. Defendant Chasteen presides over proceedings in the Superior Courts of the Cordele Judicial Circuit. In Defendant Chasteen's capacity as Superior Court Judge, he has authorized, condoned, ratified, approved, and/or knowingly acquiesced in the policy of closing the

Ben Hill and Crisp County Law Enforcement Center courtrooms to members of the public, as described in this Complaint. Defendant Chasteen is sued in his official capacity.

17. Defendant T. Christopher Hughes, a resident of Ben Hill County, serves as a Judge of the Superior Court in the Cordele Judicial Circuit. Defendant Hughes presides over proceedings in the Superior Courts of the Cordele Judicial Circuit. In Defendant Hughes's capacity as Superior Court Judge, he has authorized, condoned, ratified, approved, and/or knowingly acquiesced in the policy of closing the Ben Hill and Crisp County Law Enforcement Center courtrooms to members of the public, as described in this Complaint. Defendant Hughes is sued in his official capacity.
18. Defendant Bobby McLemore, a resident of Ben Hill County, is the Sheriff of Ben Hill County. As Sheriff, Defendant McLemore is directly responsible for the daily management, administration, and operation of the Ben Hill County Jail. In Defendant McLemore's capacity as Sheriff, he has caused, created, participated in, authorized, condoned, ratified, approved, and/or knowingly acquiesced in the policy of closing courtrooms, as described in this Complaint. Sheriff

McLemore is sued in his official capacity for equitable relief and his individual capacity for nominal damages.

19. Defendant Donnie Haralson, a resident of Crisp County, is the Sheriff of Crisp County. As Sheriff, Defendant Haralson is directly responsible for the daily management, administration, and operation of the Crisp County Jail. In Defendant Haralson's capacity as Sheriff, he has caused, created, participated in, authorized, condoned, ratified, approved, and/or knowingly acquiesced in the policy of closing courtrooms, as described in this Complaint. Sheriff Haralson is sued in his official capacity for equitable relief and his individual capacity for nominal damages.

### **STATEMENT OF FACTS**

20. The Ben Hill County and Crisp County Law Enforcement Centers, which contain the county jails for each county, have courtrooms that hold Superior Court and juvenile hearings. The Superior Courts hear the cases of people detained in the jails in the Law Enforcement Centers and some cases of people who are released on bond. However, for the most part, a criminal defendant's ability to post bond and gain release determines whether the proceedings in his or her case

will be in the public courtroom at the county courthouses or in the closed courtrooms at the Law Enforcement Centers.

21. A large number of cases are resolved with guilty pleas.<sup>1</sup> Defendants who plead guilty are sentenced in the courtrooms. The Courts also hear bond motions, conduct arraignments, calendar calls, and other proceedings in the courtrooms.
22. The Ben Hill County Jail courtroom has approximately thirty seats. Four to six seats are reserved for criminal defendants who appear before the Court. A partition separates them from the remaining twenty-four seats that are purportedly available for the public. However, members of the public are not allowed to enter the courtroom and observe the proceedings.
23. The Crisp County Jail courtroom has approximately twenty-five seats, but deputies fill two rows of seats with pre-trial detainees. A moveable partition divides these seats from five chairs that are purportedly available for the public, according to Colonel Hancock,

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<sup>1</sup> According to data obtained from the Georgia Public Defender Standards Council, 80.9% of felonies and 86.2% of misdemeanor cases handled by the Cordele Judicial Circuit Public Defender Office resulted in guilty pleas prior to trial.

chief deputy of the Crisp County Jail. (*See* Ex. 8). However, members of the public are not allowed to enter the courtroom and observe the proceedings.

24. Both jails have deputies stationed at the courtroom doors. The deputies require each person who attempts to enter the courtroom to explain his or her reason for wanting to enter the courtroom.
25. In 2003, the Ben Hill and Crisp County branches of the National Association for the Advancement of Colored People (NAACP), represented by Plaintiffs' counsel, challenged closed jail courtrooms in the Ben Hill and Crisp County Law Enforcement Centers as part of a civil rights lawsuit addressing the Circuit's inadequate indigent defense system.<sup>2</sup> Following is a non-exhaustive list of the practices that prompted the suit:
  - a. The Ben Hill County Law Enforcement Center routinely displayed a "Closed Hearing – Do Not Enter" sign on its courtroom door.
  - b. Jail staff in both counties routinely closed hearings to members of the public and only allowed individuals in if their loved ones were going before the judge.

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<sup>2</sup> *See Hampton v. Forrester*, Civil Action No. 03V-118 (Crisp County Super. Ct. 2003).

- c. Courtroom doors in both law enforcement centers were locked during criminal proceedings.
26. In August 2004, Plaintiffs' counsel ultimately dismissed the access to court claim because both Ben Hill County and Crisp County Defendants maintained that the public's access to criminal proceedings in jail courtrooms was, and would remain, open and unobstructed.<sup>3</sup>
27. Once the claim was dismissed, closure of the courtrooms was reinstated and continues eight-plus years later. The Ben Hill County and Crisp County Law Enforcement Center courtrooms remain unconstitutionally closed to the public, as evidenced by the following examples:
- a. Ammerine Hall, a 72-year-old grandmother, went to the Ben Hill County Law Enforcement Center to see her grandson's arraignment on January 31, 2012. When she attempted to enter the jail courtroom, a sheriff's deputy told her she could not enter until her grandson's case was called. Despite the many empty seats

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<sup>3</sup> See Notice of Dismissal, *Hampton v. Forrester*, Civil Action No. 03V-118 (Crisp County Super. Ct. Aug. 12, 2004).

available for Ms. Hall and others, she was never allowed into the courtroom to watch *any* hearing. (*See Ex. 5*).

- b. Beverly Fuqua attempted on three occasions in early 2012 to attend the court appearances of her son that were held at the Ben Hill County Jail. On each occasion, she was denied access by the bailiff to the courtroom because her son had entered a not guilty plea or his case was continued. She was not permitted to observe any of the court proceedings. (*See Ex. 1*).
- c. Joyce Scales and her sister drove two and a half hours to see her jailed nephew's arraignment at the Crisp County Jail on March 15, 2011. Her nephew suffers from schizophrenia and bipolar disorder. When they sought entry into the jail courtroom, a deputy told her she would only be allowed in if her nephew entered a guilty plea. Ms. Scales and her sister waited in the lobby over two hours, only to be told at the end of the afternoon that they would not be allowed into the jail courtroom at all because her nephew entered a not guilty plea. (*See Ex. 2*).
- d. On January 31, 2012, Jessica Simonds went to the Ben Hill County Law Enforcement Center to see her brother, Danny Simonds,

appear for arraignments. Mr. Simonds, who was released on bond, appeared in the main courthouse earlier that morning, but was told to report to the Law Enforcement Center to enter a plea. Upon arriving at the jail, a bailiff told Ms. Simonds, her brother, and his girlfriend that “family members would only be allowed in [the jail courtroom] during their loved one’s hearings.” While waiting for her brother’s name to be called, Ms. Simonds heard the bailiff call the name of one of her close family friends, Clifford Jackson. In fact, Ms. Simonds had bailed Mr. Jackson out of jail after his arrest. But Ms. Simonds did not attempt to watch Mr. Jackson’s hearing because of the bailiff’s announcement limiting entry to family members of defendants appearing before the judge. (*See Ex. 6*).

- e. Virginia Stillwell Goodman, along with her daughter and niece, went to the Crisp County Law Enforcement Center on March 13, 2012, to see her incarcerated nephew’s arraignment. She asked if she and her relatives could enter the courtroom to watch court. A deputy told her she would have to wait in the lobby until his case was called. She waited almost three hours, at which point she was

allowed in for her nephew's case. When she entered, she noticed that six of the eight seats reserved for the public were empty that day. (*See* Ex. 3).

e. Reverend James W. Davis sought entry to the Ben Hill County jail courtroom on June 14, 2012 to observe criminal calendar call.

When he told the bailiff that he was there to observe the entire proceedings, the bailiff replied that the seats in the courtroom were reserved for the family members of defendants and he would not be permitted inside. (*See* Ex. 4).

f. On February 25, 2011, Carl Ringgold, a twenty-one year-old Morehouse College senior, visited the Crisp County Law Enforcement Center, to observe criminal calendar call in the jail courtroom. A receptionist told him that prior approval from a "superior officer" was required before he could enter. She further required that the intern turn over his student identification and driver's license. Mr. Ringgold waited in the jail lobby for approximately an hour and a half before his identification documents were returned. A "superior officer" then sought further approval from the presiding Superior Court judge before allowing

Mr. Ringgold into the courtroom. Upon entering the courtroom that day, Mr. Ringgold saw that three of the courtroom's four seats available to the public were empty that day. (*See Ex. 7*).

### **CLASS ACTION ALLEGATIONS**

(Asserted pursuant to 42 U.S.C. § 1983 by all Plaintiffs and all Persons Similarly Situated against all Defendants)

28. Plaintiffs bring this action as class representatives under Fed. R. Civ. P. 23, on behalf of themselves and all persons similarly situated.
29. The class Plaintiffs seek to represent consists of all members of the public who have attempted, or will attempt in the future, to gain entry to adult criminal proceedings occurring in the courtrooms located within the Ben Hill and Crisp County Law Enforcement Centers but who are or will be denied such access in violation of their constitutional rights.
30. Plaintiffs meet the requirements of Fed. R. Civ. P. 23 (a) in that:
  - a. The class is so numerous that joinder of all class members is impracticable. Because the potential class includes *all*

members of the public who have either attempted to enter the jail courtrooms at issue or will in the future, it is impossible to quantify the actual number of putative class members. Plaintiffs nevertheless submit 15 affidavits and declarations of individuals who have been denied access to Superior Court proceedings occurring in the Ben Hill and Crisp County Law Enforcement Centers;

- b. The customs and practices challenged in this action apply equally to Plaintiffs and all members of the proposed class. Accordingly, the claims asserted by the members constituting the proposed class raise common questions of law and fact that will predominate over individual questions of law or fact;
- c. Plaintiffs assert claims which are typical of claims members of the proposed class have against the Defendants; and
- d. Plaintiffs and their counsel will adequately represent the interests of all members of the proposed class. The named Plaintiffs do not have any interests that would conflict with members of the class, and Plaintiffs' counsel have the

experience and resources necessary to adequately represent all members of the proposed class.

31. Plaintiffs meet the requirements of Fed. R. Civ. P. 23 (b)(2) in that: A class action is a superior and necessary form for resolving the issues raised by this Complaint because the Defendants' actions have resulted in courtrooms being unconstitutionally closed to members of the proposed class, making appropriate declaratory and prospective injunctive relief against Defendants with respect to all members of the class.

## **CLAIMS FOR RELIEF**

### **COUNT I:**

#### **EXCLUSION OF THE PUBLIC IN VIOLATION OF THE FIRST AMENDMENT TO THE U.S. CONSTITUTION**

32. Each and every allegation of the complaint is incorporated herein as if set forth in full.
33. The First Amendment of the United States Constitution guarantees that courtrooms be open to members of the public. *Richmond Newspapers, Inc. v. Virginia*, 448 U.S. 555, 580 (1980) (plurality opinion) (holding that media was improperly denied access to state trial), *id.* at 582 (White, J., concurring), *id.* at 584 (Stevens, J.,

concurring), *id.* at 598 (Brennan, J., joined by Marshall, J., concurring), *id.* at 599 (Stewart, J., concurring), *id.* at 604 (Blackmun, J., concurring). This includes pre- and post-trial proceedings. See *Press-Enterprise Co. Superior Court (Press Enterprise II)*, 478 U.S. 1, 10 (1986) (holding the media and the public have a First Amendment right to attend preliminary hearings in state court); *Press-Enterprise Co. v. Superior Court (Press Enterprise I)*, 464 U.S. 501, 505 (1984) (holding the media and the public have a First Amendment right to attend *voir dire* proceedings in state criminal cases).

34. Because the vast majority of criminal cases in Ben Hill and Crisp Counties end in guilty pleas prior to trial, these pretrial hearings, like preliminary hearings, provide “the sole occasion for public observation of the criminal justice system.” *Press-Enterprise II*, 478 U.S. at 12 (quoting *San Jose Mercury-News v. Municipal Court*, 30 Cal.3d 498, 511 (1982)). Moreover, the absence of a jury in these proceedings “makes the importance of public access . . . even more significant.” *Id.* at 13.
35. Criminal hearings carry with them a presumption of openness that can only be overcome “by an overriding interest based on findings that

closure is essential to preserve higher values and is narrowly tailored to serve that interest.” *Press-Enterprise I*, 464 U.S. at 510. Yet Defendants have failed to make *any* judicial findings justifying the closed courtrooms or particular cases in the Ben Hill and Crisp County Jails. Rather, jail staff has routinely and consistently denied members of the public access to criminal proceedings with the rare exception of allowing family members of a criminal defendant to sometimes see proceedings involving that defendant.

36. By their actions, inactions, customs, and practices alleged herein, Defendants, acting under color of state law, have failed to ensure that Plaintiffs and similarly situated persons are able to observe criminal proceedings in violation of the right to public trials as guaranteed by the First Amendment of the United States Constitution, as enforced through 42 U.S.C. § 1983 and other applicable law.
37. Before a trial court may prevent the public from attending a criminal proceeding:

[T]he party seeking to close the hearing must advance an overriding interest that is likely to be prejudiced, the closure must be no broader than necessary to protect that interest, the trial court must consider reasonable alternatives to closing the proceeding, and it must make findings adequate to support the closure.

*Presley*, 130 S. Ct. at 724 (quoting *Waller*, 467 U.S. at 48). Thus, these cases do not allow the routine closing of judicial proceedings to the public, but allow closure only in the exceptional case where there are compelling case-specific reasons for closure in that particular case.

38. Trial courts “are obligated to take every reasonable measure to accommodate public attendance” at criminal proceedings. The trial courts in the Cordele Judicial Circuit regularly violate this constitutional command. Hearings are routinely and regularly closed to the public with the only exceptions being made arbitrarily by courtroom deputies in allowing in certain relatives for the single proceeding involving their family member.
39. The ongoing closure of *all* proceedings in the jail courtrooms is a broad and blatant violation of the Sixth, as well as the First and Fourteenth Amendments.

## **COUNT II**

### **EXCLUSION OF THE PUBLIC FROM COURTROOMS IN VIOLATION OF ARTICLE I, § 1, PARAGRAPH XI OF THE GEORGIA STATE CONSTITUTION**

40. Each and every allegation of the Complaint is incorporated herein as if set forth in full.

41. Independent of the protections of the federal constitution, Article I, § 1, Paragraphs V and XI of the Georgia Constitution provides additional grounds compelling the opening of the doors of the Ben Hill and Crisp County Jail courtrooms.
42. The Georgia Supreme Court has determined that “Georgia law . . . regarding the public aspects of hearings in criminal cases is more protective of the concept of open courtrooms than federal law.” *R. W. Page Corp.*, 249 Ga. at 578, 292 S.E.2d at 819. The Court pointedly noted that although the federal constitution provides a defendant with a right to a public trial, “our state constitution point-blankly states that criminal trials *shall* be public.” *Id.*, 292 S.E.2d at 819 (emphasis in original) (citing Art. I, Sec. I, Para. XI of the Georgia Constitution). Absent “clear and convincing proof” that closing a hearing or trial to the public is the only means to avoid a “clear and present danger” to the moving party’s asserted constitutional rights, the courtroom doors are to be open. *Id.* at 579, 292 S.E.2d at 820.
43. By their actions, inactions, customs, and practices alleged herein, Defendants, acting under color of state law, have failed to ensure that Plaintiffs and similarly situated persons are able to attend criminal

proceedings in violation of the right to public trials as guaranteed by the First, Sixth, and Fourteenth Amendments to the United States Constitution, and Article I, Section I, Paragraph XI of the Georgia Constitution.

### **LITIGATION EXPENSES**

(Asserted by All Plaintiffs and Class members against all Defendants)

44. Each and every allegation of the Complaint is incorporated herein as if fully set forth.
45. Plaintiffs are entitled to recover their expenses of litigation, including reasonable attorneys' fees, pursuant to 42 U.S.C. § 1988.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs respectfully pray that this Court:

1. Assume jurisdiction over this action;
2. Determine by Order pursuant to Rule 23 of the Federal Rules of Civil Procedure that this action be maintained as a class action;
3. Order trial by jury on all claims so triable;
4. Enter judgment in favor of Plaintiffs;
5. Enter a preliminary injunction and permanent injunction enjoining Defendants from barring members of the public from Ben Hill and

Crisp County Superior Court hearings held in each county's respective law enforcement center absent case-specific, documented findings of fact justifying a compelling interest in the public's exclusion in a particular case and the consideration of narrowly tailored alternatives to closure;

6. Declare that:

- a. Defendants have violated the First Amendment rights of Plaintiffs and similarly situated individuals to attend Superior Court hearings in the Ben Hill and Crisp County jail courtrooms;
- b. Defendants have failed to make any findings justifying the closure of the Ben Hill and Crisp County jail courtrooms;
- c. The denial of constitutional access to Superior Court hearings in the Ben Hill and Crisp County jail courtrooms has caused Plaintiffs and similarly situated individuals to suffer irreparable harm; and
- d. To comply with First, Sixth, and Fourteenth Amendment mandates, Defendants must allow members of the public to attend Superior Court hearings in the Ben Hill and Crisp

County jails, irrespective of whether their relatives are appearing before the court. If Defendants do not open the jail courtrooms to the public, they must be ordered to move hearings that would otherwise take place in the jail courtrooms to the main courthouse;

7. Award Plaintiffs the costs of this lawsuit and reasonable attorneys' fees pursuant to 42 U.S.C. § 1988;
8. Award nominal damages against Defendants McLemore and Haralson; and
9. Grant other such relief as this Court may deem just, necessary, and proper.

Respectfully submitted this 21st day of June, 2012.

/s Gerald Weber

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Counsel for *Plaintiffs*

**CERTIFICATE OF SERVICE**

I have this day served by United States Mail this Complaint, Motion for Preliminary Injunction, Brief in Support, and Waiver of Service forms upon each party (or counsel).

Chief Judge John C. Pridgen  
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Sheriff Donnie Haralson  
Crisp County Sheriff's Office  
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This 21st day of June 2012.

/s Gerald Weber

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Gerald Weber  
Georgia Bar No. 744878