

IN THE FORREST COUNTY CIRCUIT COURT, HATTIESBURG, MISSISSIPPI

CARTER CARROLL	FILED	PLAINTIFF
KIM BRADLEY	JAN 23 2015	PLAINTIFF
VS.	<i>Sp. Ed. Adam</i>	CAUSE NO. CI14-0212
JOHNNY L. DUPREE	FORREST COUNTY CIRCUIT CLERK	DEFENDANT

REBUTTAL TO, PLAINTIFFS' RESPONSE TO PETITION TO INTERVENE

COMES NOW, SHAWN O'HARA, INTERVENOR, "NEXT FRIEND", TAXPAYER, AND DEFENDANT; AS WELL AS, COMES NOW ELISHA "SARGE" JACKSON, INTERVENOR, "NEXT FRIEND", TAXPAYER, AND DEFENDANT; WHO HAVE BEEN DENIED THEIR LEGAL RIGHT, TO PARTICIPATE IN THIS CIVIL ACTION, ON JANUARY 12, 2015, SINCE JUDGE L. BRELAND HILBURN, DID SERIOUSLY ERR, BY NOT LETTING THE TWO INTERVENORS, PARTICIPATE IN THE LAST COURT HEARING.

1. SAID PETITIONERS HAVE THE RIGHT TO INTERVENE IN THIS CIVIL ACTION. (SEE EXHIBITS A - EXHIBIT F.)

2. BOTH PETITIONERS HAVE A GREATER INTEREST THAN THE "GENERAL PUBLIC", SINCE THE STATE OF MISSISSIPPI, INCLUDING THE CITY OF HATTIESBURG, IS OPERATING WITHOUT A RATIFIED 1890 MISSISSIPPI CONSTITUTION. (SEE EXHIBIT D.) THUS, WITHOUT A RATIFIED 1890 MISSISSIPPI CONSTITUTION, SAID WRIT OF MANDAMUS, IS IMPROPERLY FILED IN THIS COURT.

3. BOTH PETITIONERS HAVE THE RIGHT TO INTERVENE IN SAID CASE, SINCE,

1. THEY ARE TAXPAYERS, ACTING AS INTERVENORS (SEE RULE 24 a AND ACTING AS "NEXT FRIEND". (SEE EXHIBITS B, C, AND D.)

2. PETITIONERS HAVE THE RIGHT TO THEIR GOOD CHIEF OF POLICE, GOOD CITY ATTORNEY, GOOD PRO-TEM CITY COURT JUDGE, AND GOOD CITY PUBLIC DEFENDER, WHICH CONSTITUTES RELIEF.

3. IT IS THE DUTY OF THE PLAINTIFF'S, TO GIVE CITY EMPLOYEES


(THE MAYOR'S CHOICES FOR LEADERSHIP POSITIONS), "DUE PROCESS OF LAW", AND "EQUAL PROTECTION UNDER THE LAW", RATHER THAN ACT, AS IF, THEY ARE NOT QUALIFIED, TO CONTINUE TO WORK FOR THE CITY OF HATTIESBURG.

4. BECAUSE MISSISSIPPI DOES NOT HAVE A RATIFIED 1890 CONSTITUTION, THERE IS AN "ABSENCE OF ANOTHER REMEDY OF LAW."

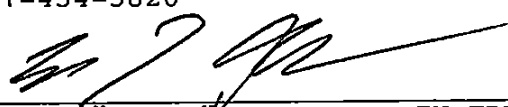
4. PETITIONERS DO HAVE STANDING IN THIS CIVIL ACTION. (SEE EXHIBITS a - EXHIBIT F.) PETITIONERS ARE AUTHORIZED TO INTERVENE IN THIS CASE. WITHOUT A RATIFIED 1890 MISSISSIPPI CONSTITUTION, THIS IS A TAINTED CASE, AND HURTS THE RIGHTS OF THE DEFENDANT, THE INTERVENORS, AND THE FOUR NAMED CITY EMPLOYEES.

5. PETITIONERS HAVE STANDING IN THIS CASE. (SEE EXHIBITS a - EXHIBITS F.)

JANUARY 23, 2015


SHAWN O'HARA - INTERVENOR,
"NEXT FRIEND", TAXPAYER, AND DEFENDANT
P.O. BOX 15275
HATTIESBURG, MISSISSIPPI 39404
601-434-5820

JANUARY 23, 2015


ELISHA "SARGE" JACKSON - INTERVENOR,
"NEXT FRIEND", TAXPAYER, AND DEFENDANT
P.O. BOX 1542
HATTIESBURG, MISSISSIPPI 39403
601-434-5820

CERTIFICATE OF SERVICE

COMES NOW, SHAWN O'HARA, INTERVENOR, AND ELISHA "SARGE" JACKSON, INTERVENOR, STATING, A COPY OF THIS LEGAL DOCUMENT, WILL BE HAND-DELIVERED, OR MAILED, TO THE FOLLOWING THREE CONCERNED PARTIES, ON JANUARY 23, 2015.

WITNESS OUR SIGNATURES, ON JANUARY 23, 2015.



SHAWN O'HARA - INTERVENOR



ELISHA "SARGE" JACKSON - INTERVENOR

HONORABLE CHARLES LAWRENCE, JR.
1105 EDWARDS ST.
HATTIESBURG, MS. 39401

HONORABLE ROBERT D. GHOLSON
HONORABLE KATHERINE B. SUMRALL
P.O. BOX 1289
LAUREL, MS. 39441-1289

HONORABLE JUDGE L. BRELAND HILBURN
P.O. BOX 2114
JACKSON, MS. 39225

EXHIBIT A

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

FILED

JAN 16 2015

Forrest County Clerk
FORREST COUNTY CIRCUIT CLERK

CARTER CARROLL and KIM BRADLEY

PLAINTIFFS

VS

CAUSE NO. CI14-0212

JOHNNY L. DUPREE, Mayor of the City of Hattiesburg

DEFENDANT

ORDER

Plaintiffs Carter Carroll and Kim Bradley are presently serving as members of the Hattiesburg City Council; the defendant, Johnny L. Dupree, is the current Mayor of the City of Hattiesburg. The complaint, filed by the Plaintiffs seeks an Order of Mandamus against the Defendant requiring him to submit the names of certain department heads for confirmation by the City Council.

After consideration of the pleadings, the law and the arguments of counsel, It is the order of the court that a Writ of Mandamus be issued. That Johnny L. Dupree, in his official capacity as Mayor of the City of Hattiesburg; is ordered to appoint and submit to the Hattiesburg City Council for confirmation, the names of legally qualified directors for all city departments which, as of this date, have not been confirmed by the Hattiesburg City Council.

SO ORDERED this 13th day of January, 2015



Circuit Judge

EXHIBIT B

FILED

JAN 12 2015

Forrest County Clerk
FORREST COUNTY CIRCUIT CLERK

IN THE FORREST COUNTY CIRCUIT COURT, HATTIESBURG, MISSISSIPPI	
CARTER CARROLL	PLAINTIFF
KIM BRADLEY	PLAINTIFF
VS.	CAUSE NO. <u>CI14-0212</u>
JOHNNY L. DUPREE	DEFENDANT

PETITION TO INTERVENE

COMES NOW, SHAWN O'HARA, INTERVENOR, "NEXT FRIEND", TAXPAYER, AND DEFENDANT; AS WELL AS, COMES NOW ELISHA JACKSON, INTERVENOR, "NEXT FRIEND", TAXPAYER, AND DEFENDANT; FILING THIS LEGAL DOCUMENT, IN CONJUNCTION WITH RULE 24 (a), WHICH STATES, "... anyone shall be permitted to intervene in an action:". THUS, THE INTERVENORS WILL SHOW, SEVERAL CIVIL RIGHTS OF HATTIESBURG POLICE CHIEF FRAZIER BOLTON; CITY COURT JUDGE CAROL JONES-RUSSELL; CITY PUBLIC DEFENSE ATTORNEY ALETHEA SHAW; AND CITY ATTORNEY CHARLES LAWRENCE, JR.; HAD SEVERAL OF THEIR CIVIL RIGHTS VIOLATED.

1. THE TWO WHITE PLAINTIFFS, WHO ARE ONLY PART-TIME CITY COUNCIL MEMBERS, ARE USING ACTS OF "HATE CRIMES", TO VIOLATE THE CIVIL RIGHTS OF THE FOUR OUTSTANDING CITY EMPLOYEES, WHO DESIRE TO BE APPOINTED, TO SERVE ALL THE RESIDENTS OF HATTIESBURG. HOWEVER, BECAUSE OF THE COLOR OF THEIR SKIN, THE TWO OLD WHITE MEN ON CITY COUNCIL ARE DISCRIMINATING AGAINST THEM.

2. THE TWO WHITE PLAINTIFFS, ARE VIOLATING THE AGE DISCRIMINATION ACT OF 1967, PROHIBITS ALL FORMS OF EMPLOYMENT DISCRIMINATION, ESPECIALLY AGAINST INDIVIDUALS , WHO ARE AT LEAST 40 YEARS OF AGE.

3. THE TWO WHITE PLAINTIFFS, ARE VIOLATING THE CIVIL RIGHTS ACT OF 1964, DISCRIMINATING AGAINST THE "... RACE, COLOR, CREED, SEX,

AND NATIONAL ORIGIN, OF FOUR BLACK CITY EMPLOYEES. ONE OF THOSE EMPLOYEES HAS OVER FORTY YEARS EXPERIENCE IN LAW ENFORCEMENT. THE OTHER THREE OF THOSE EMPLOYEES ARE LAWYERS.

4. THE TWO WHITE PLAINTIFFS ARE VIOLATING SEVERAL OF THE U.S. CONSTITUTIONAL RIGHTS OF THE FOUR MENTIONED BLACK CITY EMPLOYEES, INCLUDING THEIR 1ST AMENDMENT; 4TH AMENDMENT; 5TH AMENDMENT; 7TH AMENDMENT; AND 14TH AMENDMENT, U.S. CONSTITUTIONAL RIGHTS.

CONCLUSION

IT IS DEMANDED, THIS CASE IS IMMEDIATELY TRANSFERRED TO U.S. DISTRICT COURT, AS WELL AS, THE F.B.I. BE CONTACTED, AS WELL AS, THE U.S. DEPARTMENT OF JUSTICE BE CONTACTED, SINCE THE FOUR NAMED BLACK CITY EMPLOYEES, PLUS, SHAWN O'HARA, PLUS, ELISHA JACKSON, PLUS, TENS OF THOUSANDS OF RESIDENTS OF HATTIESBURG, ARE HAVING THEIR CIVIL RIGHTS VIOLATED, BY THE TWO PLAINTIFFS IN THIS CASE. A TRIAL BY JURY IS DEMANDED.

SUBMITTED BY:

JANUARY 11, 2015



SHAWN O'HARA - INTERVENOR,
"NEXT FRIEND", TAXPAYER, AND DEFENDANT
P.O. BOX 15275
HATTIESBURG, MISSISSIPPI 39404
601-434-5820

SUBMITTED BY:

JANUARY 11, 2015



ELISHA JACKSON - INTERVENOR,
"NEXT FRIEND", TAXPAYER, AND DEFENDANT
P.O. BOX 1542
HATTIESBURG, MISSISSIPPI 39403
601-434-5820

CERTIFICATE OF SERVICE

COMES NOW, SHAWN O'HARA, INTERVENOR, AND ELISHA JACKSON, INTERVENOR, STATING, A COPY OF THIS LEGAL DOCUMENT, WILL BE HAND-DELIVERED TO CARTER CARROLL, KIM BRADLEY, JOHNNY L. DUPREE, AND JUDGE L. BRELAND HILBURN, ON MONDAY, JANUARY 12, 2015, AS WELL AS, COPIES WILL BE PROVIDED TO ALL CONCERNED PARTIES. (PRESENTLY, LAWYERS REPRESENTING PLAINTIFFS AND DEFENDANT IS UNKNOWN.)

WITNESS OUR SIGNATURES, ON JANUARY 11, 2015.



SHAWN O'HARA - INTERVENOR

ELISHA JACKSON - INTERVENOR

EXHIBIT C

Serial: 187467

IN THE SUPREME COURT OF MISSISSIPPI

No. 2013-TS-01446

**BARBARA DALE WASHER, JOHNNY L.
DUPREE, AND SHAWN RICHARD
O'HARA**

Appellants

FILED

OCT 17 2013

v.

DAVID WARE

SUPREME COURT CLERK

Appellee

ORDER

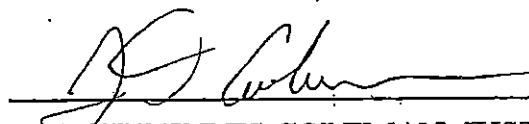
This matter is before the undersigned Justice on the Voluntary Dismissal with Prejudice, and/or, Motion to Dismiss with Prejudice filed by Appellants Barbara Dale Washer and Shawn O'Hara. ✓ The motion provides that Washer and O'Hara do not wish to

pursue this appeal "since it has overwhelmingly been proven, Dr. Johnny Dupree, is mayor."

After due consideration, the undersigned Justice finds that this motion is well-taken and
should be granted.

IT IS THEREFORE ORDERED that the Voluntary Dismissal with Prejudice, and/or, Motion to Dismiss with Prejudice filed by Appellants Barbara Dale Washer and Shawn O'Hara is hereby granted. All costs of this appeal are assessed to Appellants Barbara Dale Washer and Shawn O'Hara.

SO ORDERED, this the 16 day of October, 2013.



JOSIAH DENNIS COLEMAN, JUSTICE

EXHIBIT D

FILED

JUN 03 2013

IN THE CIRCUIT COURT OF FORREST COUNTY
HATTIESBURG, MISSISSIPPI

Sp. Ed. Clerk
FORREST COUNTY CIRCUIT CLERK

JUSTIN HERRINGTON

PETITIONER

VS.

CAUSE NO.

CI13-0126

CITY OF HATTIESBURG

RESPONDENTS

PETRA ARNOLD-WINGO

"

DERRICK WARE

"

KAVAJI S. BEVERLY

"

CHAIRMAN GEORGE DECOUX

"

MARY LEE BOURNE

"

NINA ARRINGTON SMITH

"

CHRISTY THORNTON

"

DAISY LEE WADE

"

JOHN DOE 1 - 10

"

SHAWN O'HARA (BEING JOHN DOE 1, INTERVENOR,
NEXT FRIEND, INDEPENDENT CANDIDATE FOR MAYOR,
AND THE MAY 9, 2013, CHALLENGER TO JUSTIN
HERRINGTON'S IMPROPER ELECTION CHALLENGE,
OF THREE BLACK CANDIDATES)

"

PETITION TO INTERVENE

COMES NOW, SHAWN O'HARA, (BEING JOHN DOE 1, INTERVENOR, BEST
FRIEND, INDEPENDENT CANDIDATE FOR MAYOR, AND THE MAY 9, 2013,
CHALLENGER TO JUSTIN HERRINGTON'S IMPROPER ELECTION CHALLENGE,
OF THREE BLACK CANDIDATES), FILING THIS LEGAL DOCUMENT.

1. SINCE 1998, SHAWN O'HARA HAS INTERVENED, BEEN NEXT FRIEND,
ARGUED, OR BEEN A WITNESS, IN AT LEAST SIXTY-SIX CANDIDATE
CHALLENGES, IN MISSISSIPPI, AND THROUGHOUT THE COUNTRY.

2. SHORTLY AFTER THE MARCH 8, 2013 QUALIFYING DEADLINE, SHAWN O'HARA, WITNESSED JON WITT AND JUSTIN HERRINGTON, QUIT THEIR RACES FOR CITY COUNCIL, IN WARD FOUR, AND WARD ONE. THE LOCAL NEWSPAPER REPORTED THAT INFORMATION. SINCE THE QUALIFYING DEADLINE HAD TAKEN PLACE, JUSTIN HERRINGTON, DID NOT SUBMIT A NEW QUALIFYING INTENT TO AGAIN RUN FOR CITY COUNCIL, AND SHOULD WITHDRAW, AS A CITY COUNCIL CANDIDATE. NEVERTHELESS, ON MAY 9, 2013, HE WAS ONE OF FIFTEEN CANDIDATES, CERTIFIED TO RUN FOR CITY COUNCIL. (SEE EXHIBIT ONE.) PLEASE NOTE, NOBODY HAD OBJECTED TO HIS CANDIDACY.

3. IN 2012, SHAWN O'HARA INTERVENED IN THE MISSISSIPPI SUPREME COURT CASE, STYLED, HOOKE, ET AL. VS. THE STATE OF MISSISSIPPI. (SEE EXHIBIT TWO.) (THE ATTORNEY GENERAL'S OFFICE LOST THAT CASE.)

4. IN SEPTEMBER 2010, HALEY BARBOUR, DELBERT HOSEMAN, AND JIM HOOD, REMOVED FOUR FEMALES FROM THE BALLOT, CONCERNING THEIR U.S. CONGRESSIONAL RACES. HOWEVER, SHAWN O'HARA, WHO WAS A MEMBER OF THE DEMOCRATIC PARTY, INTERVENED FOR THOSE FOUR LADIES, ARGUING A REHEARING FOR THEM. THAT DAY HE WON THE RIGHT TO HAVE THREE OF THOSE WOMEN PLACED ON THE BALLOT. BY 1:00 P.M., THE FOLLOWING DAY, HE WON THE RIGHT TO HAVE THE FOURTH WOMAN'S NAME PLACED ON THE BALLOT. LET THE RECORD STATE, THAT WAS THE FIRST TIME IN MISSISSIPPI HISTORY, AND THE FIRST TIME IN U.S. POLITICAL HISTORY, WOMEN RAN IN EVERY U.S. CONGRESSIONAL DISTRICT, DURING THE SAME ELECTION YEAR. THE NAMES ON THOSE LADIES ARE BARBARA DALE WASHER, DISTRICT 1, ASHLEY NORWOOD, DISTRICT 2, TRACELLA LOU O'HARA HILL, DISTRICT 3, AND JEWEL REVIES, DISTRICT 4. (EVEN THOUGH THE NEGATIVE

PUBLICITY HAD HURT THEIR U.S. CONGRESSIONAL CAMPAIGNS, THE FOLLOWING YEAR, IN 2011, ASHLEY NORWOOD RECEIVED OVER 191,000 VOTES IN HER STATE AUDITOR'S RACE, AND TRACELLA LOU O'HARA HILL, RECEIVED NEARLY 158,000 VOTES, IN HER GENERAL ELECTION RACE, FOR LIEUTENANT GOVERNOR, WHEN SHE RAN AGAINST TATE REEVES. PLEASE NOTE, HALEY BARBOUR, DELBERT HOSEMAN, AND JIM HOOD'S 2010 DECISION TO REMOVE THOSE WOMEN, FROM THEIR 2010 RACES WAS OVERTURNED.

5. IN SEPTEMBER 2011, SHAWN O'HARA INTERVENED FOR SEVERAL CANDIDATES, ARGUING BEFORE HALEY BARBOUR, DELBERT HOSEMAN, AND JIM HOOD. (SEE EXHIBIT THREE.) HIS EFFORT WAS VERY SUCCESSFUL.

6. IN SEPTEMBER 2004, SHAWN O'HARA ARGUED BEFORE CHARLIE WILLIAMS, CHIEF OF STAFF FOR HALEY BARBOUR, ERIC CLARK, AND JIM HOOD, TO PLACE RALPH NADER'S NAME ON THE 2004 MISSISSIPPI BALLOT FOR PRESIDENT. HIS EFFORT WAS SUCCESSFUL.

7. ON JUNE 30, 2003, SHAWN O'HARA ACTED AS "NEXT FRIEND", ALONG WITH HIS FOURTEEN YEAR OLD DAUGHTER, DEVON O'HARA, WHO ACTED AS "NEXT FRIEND", WHEN THEY REPRESENTED A DEAD BLACK KOREAN WAR VETERAN, NAME CLYDE KENNARD. (THEY HAVE FILED DEFAULT DOCUMENTS AGAINST THE FORREST COUNTY DISTRICT ATTORNEY'S OFFICE, FOR \$47,000 IN DAMAGES.) (SEE EXHIBIT FOUR.) (SEE EXHIBIT FIVE.) BY THE WAY, CLYDE KENNARD WAS RAILROADED, DURING A TEN MINUTE TRIAL, BEFORE AN ALL WHITE JURY, IN 1960, AT THE FORREST COUNTY CIRCUIT COURT, AND ILLEGALLY SENT TO PRISON FOR SEVEN YEARS. (SEE EXHIBIT FIVE.)

CONCLUSION

SHAWN O'HARA, (BEING JOHN DOE 1, INTERVENOR, BEST FRIEND, INDEPENDENT CANDIDATE FOR MAYOR, AND THE MAY 9, 2013, CHALLENGER TO JUSTIN HERRINGTON'S IMPROPER ELECTION CHALLENGE, OF THREE BLACK CANDIDATES), DEMANDS THE RIGHT TO BE A RESPONDENT IN THIS CASE.

CERTAINLY, IT'S OBVIOUS, JUSTIN HERRINGTON, AFTER THE MAY 9, 2013, CERTIFICATION HEARING OF FIFTEEN CANDIDATES FOR CITY ELECTIONS IN HATTIESBURG, WITHIN TEN DAYS OF THAT MEETING,

- * HE DID NOT FILE A WRITTEN NOTICE FOR REHEARING,
- * HE DID NOT PAY A \$300.00 CASH BOND, AND A FILING FEE TO THE HINDS COUNTY CIRCUIT COURT, FOR AN ELECTION CHALLENGE,
- * HE DID NOT SIGN, DATE, OR NOTARIZE, UNDER PENALTY OF PERJURY, THE INJUNCTION,
- * HIS LAWYER DID NOT EVEN DATE SAID INJUNCTION, MAKING IT A DEFECTIVE INJUNCTION.

THEREFORE, SHAWN O'HARA, DEMANDS HIS RIGHT TO INTERVENE, SO THIS DEFECTIVE INJUNCTION, MAY BE DISMISSED WITH PREJUDICE, AND ALL FIFTEEN CERTIFIED CANDIDATES, MAY RUN FOR SIX POLITICAL OFFICES, DURING THE JUNE 4, 2013, GENERAL ELECTION.

RESPECTFULLY SUBMITTED BY,

JUNE 3, 2013

Shawn O'Hara

SHAWN O'HARA - RESPONDENT
P.O. BOX 15275
Hattiesburg, Mississippi 39404
601-434-5820 (LEAVE MESSAGE)

CERTIFIED A TRUE COPY
Forrest County, Mississippi
Lou Ellen Adams, Circuit Clerk

This the 6 day of January, 2014
By Gary Jamer D.C.

CERTIFICATE OF SERVICE

COMES NOW, SHAWN O'HARA, RESPONDENT, STATING HE HAS MAILED, POSTAGE PREPAID, A TRUE AND ACCURATE COPY OF THIS LEGAL DOCUMENT, TO THE FOLLOWING CONCERNED INDIVIDUALS, OR HAND-DELIVERED A COPY, OR SENT BY FAX A COPY OF THIS INFORMATION.

WITNESS MY SIGNATURE, ON JUNE 3, 2013.



SHAWN O'HARA - RESPONDENT
P.O. BOX 15275
HATTIESBURG, MISSISSIPPI 39404
601-434-5820 (LEAVE MESSAGE)

JUSTIN HERRINGTON
C/O TALMADGE BRADDOCK
201 HARDY ST., SUITE B
HATTIESBURG, MS. 39401

DR. JOHNNY DUPREE - MAYOR
200 FORREST ST.
HATTIESBURG, MS. 39401

PETRA ARNOLD-WINGO
119 DEARBORN AVE.
UNIT B
HATTIESBURG, MS. 39401

DERRICK WARE
520 NORTH 38TH AVE.
APT. 123
HATTIESBURG, MS. 39401

KAVAJI S. BEVERLY
390 EAST FLORENCE ST.
HATTIESBURG, MS. 39401

CHAIRMAN GEORGE DECOUX
710 ADELINE ST.
HATTIESBURG, MS. 39401

MARY LEE BOURNE
503 CYPRESS AVE.
HATTIESBURG, MS. 39401

NINA ARRINGTON SMITH
710 ADELINE ST.
HATTIESBURG, MS. 39401

CHRISTY THORNTON
1074 BRISTOL LANE
HATTIESBURG, MS. 39401

DAISY LEE WADE
216 FREDNA AVE.
HATTIESBURG, MS. 39401

EXHIBIT ONE

A motion to certify the following candidates: Johnny Dupree, Kim Bradley, Debra Delgado, Carter Carroll, Henry Naylor, Nathan Jordan, Shawn O'Hara, Clyde Stewart, Dave Ware, J C Harrington, Derrick Ware, Mary Dryden, Petra Arnold Wingo, Kavaji Beverly, and James Sullivan.

Motion to approve

Second

All in favor raise your hand; all opposed like sign. The motion passes/fails.

Additional business

There being no additional business

Motion to adjourn

Second

All in favor raise your hand; all opposed like sign.

Meeting is adjourned

COPY

EXHIBIT TWO

IN THE SUPREME COURT OF MISSISSIPPI

NO. 2012-IA-166

CHARLES HOUSE
DAVID GATLIN
NATHAN KERN
ANTHONY MCRAE
KIRBY TATE
KATHLEEN ROBERTSON
AARON BROWN
JOSHUA HOWARD
AZKIWE KIMCULE
ET AL. JOHN DOE AND JANE DOE

FILED

FEB 13 2012

OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

APPELLANT
APPELLANT
APPELLANT
APPELLANT
APPELLANT
APPELLANT
APPELLANT
APPELLANT
APPELLANTS

SHAWN O'HARA

INTERVENOR-APPELLANT-(NEXT FRIEND)

VS.

THE STATE OF MISSISSIPPI
C/O HONORABLE JIM HOOD
ATTORNEY GENERAL

APPELLEE

NOTICE OF ENTRY OF APPEARANCE

COMES NOW, SHAWN O'HARA, INTERVENOR-APPELLANT-(NEXT FRIEND),
FILING THIS NOTICE OF ENTRY OF APPEARANCE WITH THIS COURT.

RESPECTFULLY SUBMITTED BY:

FEBRUARY 9, 2012

Shawn O'Hara

SHAWN O'HARA
INTERVENOR-APPELLANT-(NEXT FRIEND)
P.O. BOX 15275
HATTIESBURG, MISSISSIPPI 39404
601-620-6919 (LEAVE MESSAGE)

COPY

IN THE SUPREME COURT OF MISSISSIPPI

FILED
NO. 2012-1A-166

FEB 13 2012

OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

APPELLANT
APPELLANT
APPELLANT
APPELLANT
APPELLANT
APPELLANT
APPELLANT
APPELLANT
APPELLANTS

CHARLES HOUSE
DAVID GATLIN
NATHAN KERN
ANTHONY MCRAE
KIRBY TATE
KATHLEEN ROBERTSON
AARON BROWN
JOSHUA HOWARD
AZKIWE KIMCULE
ET AL. JOHN DOE AND JANE DOE

SHAWN O'HARA

INTERVENOR-APPELLANT-(NEXT FRIEND)

VS.

THE STATE OF MISSISSIPPI
C/O HONORABLE JIM HOOD
ATTORNEY GENERAL

APPELLEE

PETITION TO PROTECT THE CIVIL RIGHTS, OF ALL FORMER PRISONERS,

WHO RECEIVED A PARDON, FROM GOVERNOR HALEY BARBOUR

MOTION# 2012-362

COMES NOW, SHAWN O'HARA, INTERVENOR-APPELLANT ("NEXT FRIEND"), (SEE EXHIBIT 1), FILING THIS ACTION, SHOWING THIS COURT, THE STATE OF MISSISSIPPI HAS A CONFLICT OF INTEREST IN THIS CASE, AND DID SERIOUSLY ERR, IN THE HINDS COUNTY CIRCUIT COURT, MISUSING PUBLIC FUNDS, AND PUBLIC PROPERTY, TO VIOLATE THE CIVIL RIGHTS, ESPECIALLY, DENYING "FREEDOM OF SPEECH", "DUE PROCESS OF LAW", AND "EQUAL PROTECTION UNDER THE LAW", CONCERNING MOST, OF THE 198 PEOPLE, OR SO, THAT GOVERNOR HALEY BARBOUR, ACTING AS GOVERNOR, GRANTED PARDONS.

FIRST OF ALL, SHAWN O'HARA STATES, AS INTERVENOR, WHICH MEANS, "A PERSON WHO VOLUNTARY ENTERS (BECOMES A PARTY IN) A LAWSUIT BETWEEN OTHER PERSONS..." OR IN OTHER WORDS, INTERVENTION MEANS "A PROCEEDING BY WHICH A PERSON IS ALLOWED TO BECOME A PARTY TO A LAWSUIT BY JOINING THE DEFENDANTS, OR MAKING SEPARATE CLAIMS.

IN SPECIFIC, IN A U.S. DISTRICT COURT CASE, IN TALLAHASSEE, FLORIDA, STYLED, REFORM PARTY OF THE UNITED STATES OF AMERICA VS. SHAWN O'HARA, ET AL. (2005), CAUSE NUMBER 4:05CV426-RH/WCS, JOHN BLARE ENTERED THAT CASE, AS AN INTERVENOR-DEFENDANT, DURING A FIVE DAY JURY TRIAL. PLEASE NOTE, JOHN BLARE DID NOT ENTER THAT CASE, UNTIL FORTY MINUTES AFTER THE TRIAL HAD BEGUN. DEFINITELY, MR. JOHN BLARE'S HONEST, OUTSTANDING WORK, EFFECTIVELY HELPED ALL DEFENDANTS, WIN A 12 - 0 JURY DECISION, IN THEIR FAVOR, ON JUNE 25, 2007. FURTHERMORE, SENIOR, CHIEF, U.S. DISTRICT JUDGE ROBERT L. HINKLE, ISSUED AN ADDITIONAL EIGHTEEN PAGE COURT ORDER, ON AUGUST 22, 2007, THAT UPHELD THE JURY'S JUNE 25, 2007 DECISION, OF SHAWN O'HARA, AND ALL OTHER DEFENDANTS.

ALSO, IN THE U.S. COURT OF APPEALS, THE SECOND CIRCUIT, FILED IN MANHATTAN, NEW YORK, IN A CASE STYLED MACKAY VS. CREWS, (2010), CAUSE NUMBER 10-293CV, SHAWN O'HARA WAS AN INTERVENOR-PLAINTIFF-APPELLANT.

THEREFORE, FROM FLORIDA TO NEW YORK, FROM U.S. DISTRICT COURT, TO THE U.S. COURT OF APPEALS, CASE LAW HAS BEEN ESTABLISHED, AND HAS CONTINUED TO GIVE INTERVENORS, THE RIGHT TO PARTICIPATE IN MANY COURT CASES, MEANING, SHAWN O'HARA HAS THE AUTHORITY, TO BE AN INTERVENOR IN THIS CIVIL ACTION.

1. LET THE RECORD STATE, THE STATE OF MISSISSIPPI HAS A CONFLICT OF INTEREST HEARING ANY PORTION OF THIS CASE, SINCE THE HINDS COUNTY CIRCUIT COURT'S, HONORABLE JUDGE TOMIE GREEN, HAD IMPROPER -LY PLACED HERSELF IN THIS CASE. IN PARTICULAR, IT IS ASSERTED, SHE HAD IMPROPERLY BUMPED ANOTHER JUDGE OFF OF THIS CASE, AND THEN HAD TAKEN CONTROL OF SAID CASE. HOWEVER, BECAUSE SHE WAS THE TRIAL JUDGE, IN KAREN IRBY'S CASE, AS WELL AS, SAID JUDGE HAD OPENLY, OBVIOUSLY, AND MALICIOUSLY "MANUFACTURED EVIDENCE" IN THE KAREN IRBY CASE, BY IMPROPERLY READING A POEM THAT JUDGE GREEN HAD WRITTEN, IN REFERENCE TO WHAT SHE BELIEVED THE DEAD MEDICAL DOCTORS WOULD HAVE TO SAY ABOUT THEIR UNTIMELY DEATHS, ETC., AS A RESULT OF VEHICULAR HOMICIDE. TRUTHFULLY, SUCH IMPROPER EVIDENCE, SHOULD HAVE BEEN "INADMISSIBLE EVIDENCE", DURING SAID TRIAL, UNLESS JUDGE GREEN, WOULD HAVE PLACED HERSELF ON THE WITNESS SEAT, TO BE QUESTIONED UNDER PENALTY OF PERJURY, ABOUT THE STATEMENTS SHE MADE, CONCERNING THE TWO DEAD DOCTORS. (IN REALITY, AN ACTING JUDGE CANNOT BE A JUDGE AND WITNESS, AT THE SAME TIME.) HER ACTIONS TAINTED THE KAREN IRBY TRIAL. THE HONORABLE JUDGE TOMIE

GREEN HAS A CONFLICT OF INTEREST, IN THIS CASE, SINCE KAREN IRBY WAS PREVIOUSLY CONVICTED, AND SENT TO PRISON, BY JUDGE GREEN, FOR EIGHTEEN YEARS, EVEN THOUGH SOME RELATIVES OF THE DEAD MEDICAL DOCTORS, DID NOT WANT KAREN IRBY TO BE SENTENCED TO A LONG TIME IN PRISON. THE HONORABLE GOVERNOR HALEY BARBOUR HAD PARDONED MISS KAREN IRBY, WITH SEVERAL OTHER PEOPLE.

INDEED, THE STATE OF MISSISSIPPI DID SERIOUSLY ERR, DUE TO A CONFLICT OF INTEREST, BY THE HONORABLE JUDGE TOMIE GREEN, MEANING THIS CASE SHOULD BE DISMISSED WITH PREJUDICE, SINCE ALL THE PEOPLE PARDONED, ARE NO LONGER CRIMINALS.

2. LET THE RECORD STATE, THE STATE OF MISSISSIPPI HAS A CONFLICT OF INTEREST HEARING THIS CASE, SINCE IT DOES NOT HAVE A LEGAL, RATIFIED 1890 STATE CONSTITUTION. IN MISSISSIPPI, JUDICIAL AND POLITICAL IGNORANCE, IS NO EXCUSE, TO DENY THE FORMER CONVICTED CRIMINALS, THEIR PARDONS. IN SHORT, THE MISSISSIPPI SUPREME COURT NEEDS TO BE HONEST WITH ALL PARTIES, IN THIS CIVIL ACTION, AND ADMIT MISSISSIPPI DOES NOT HAVE A RATIFIED, 1890 STATE CONSTITUTION, MEANING THE STATE OF MISSISSIPPI HAS A CONFLICT OF INTEREST IN THIS CASE, SINCE LAWYERS KEEP REFERRING TO THE STATE'S 1890 CONSTITUTION, AGAIN AND AGAIN, AND CLAIM IT GIVES THEM THE RIGHT TO EVEN HOLD THIS COURT HEARING. WAKE-UP MISSISSIPPI! THERE IS NO RATIFIED 1890 STATE CONSTITUTION. IN THE ALTERNATIVE, THE MISSISSIPPI SUPREME COURT, NEEDS TO USE THE "BILL OF RIGHTS", BEING THE FIRST, TEN AMENDMENTS OF THE U.S. CONSTITUTION, AS THEIR LEGAL STATE CONSTITUTION, UNTIL MISSISSIPPIANS, HAVE THE RIGHT TO VOTE TO RATIFY, OR REJECT, A NEW PROPOSED STATE CONSTITUTION.

INDEED, THIS COURT HAS COVERED-UP THE FACT, THE 1890 MISSISSIPPI CONSTITUTION IS NOT A LEGAL STATE CONSTITUTION, SINCE IT WAS NOT RATIFIED THROUGH A POPULAR VOTE, BY RESIDENTS. ALSO, the 1817, AND 1832 STATE CONSTITUTIONS IN MISSISSIPPI, WERE NEVER RATIFIED THROUGH A POPULAR VOTE, BY THE RESIDENTS, AS WELL AS, THE 1869 STATE CONSTITUTION IN MISSISSIPPI, DID NOT HAVE QUORUM, DURING THE TIME PEOPLE HAD VOTED ON IT. NEVERTHELESS, SHAWN O'HARA'S GREAT-GREAT-GREAT UNCLE, ULYSSES S. GRANT, WHO WAS PRESIDENT OF THE UNITED STATES, ORDERED GENERAL ORD, TO USE BAYONETS, TO FORCE WHITE MISSISSIPPIANS, TO VOTE FOR THE 1869 "YANKEE PROPOSED CONSTITUTION". OR IN OTHER WORDS, MISSISSIPPI NEVER HAD A RATIFIED STATE CONSTITUTION. THEREFORE, BECAUSE OF THAT CONFLICT OF INTEREST, THIS CASE SHOULD BE DISMISSED WITH PREJUDICE. THE PARDONS ARE LEGAL, AND SHOULD BE RECOGNIZED AS BEING VALID.

3. LET THE RECORD STATE, ALL MEN AND WOMEN, WHO RECEIVED A PARDON, WERE NOT ORIGINALLY GIVEN FAIR TRIALS, SINCE MISSISSIPPI DOES NOT HAVE A RATIFIED 1890 STATE CONSTITUTION, AND SINCE IT DENIES 18, 19, AND 20 YEAR OLD MEN AND WOMEN, THE RIGHT TO BE SELECTED AS JURORS. TRUTHFULLY, FORMERLY CONVICTED, AND NOW PARDONED, MEN AND WOMEN, WHO HAVE BEEN GIVEN A SECOND CHANCE, PEOPLE LIKE ROGER FAVRE AND OTHERS, THEY SHOULD BE RECOGNIZED, AS NOT BEING CRIMINALS, RATHER THAN CONVICTED PUPPETS, IN THE STATE OF MISSISSIPPI. THIS CASE SHOULD BE DISMISSED WITH PREJUDICE. THE PARDONS ARE VALID.

4. LET THE RECORD STATE, WITHOUT A RATIFIED 1890 STATE

CONSTITUTION, THIS COURT HAS NO RIGHT TO DEAL WITH THE QUESTION ABOUT A THIRTY DAY NOTICE REQUIREMENT. HOWEVER, IF THIS COURT, BECAUSE OF "UNCONSTITUTIONAL CURIOSITY", DECIDES TO EXPLORE THAT TOPIC, THEN, SHAWN O'HARA STATES, A TWENTY-EIGHT DAY NOTICE, IS ALWAYS A THIRTY DAY PUBLISHED NOTICE. FOR EXAMPLE, IF A SUNDAY ADD IS PURCHASED IN THE CLARION-LEDGER, AND IF IT IS RUN, (FOR EXAMPLE), ON SUNDAY, FEBRUARY 5, 2012, AND IT IS RUN FOR TWENTY-EIGHT DAYS, IT STILL WILL BE PUBLISHED LONGER THAN THIRTY DAYS.

A. FOR INSTANCE, TO PURCHASE A SUNDAY ADD, IT MUST BE PURCHASED NO LATER THAN EARLY FRIDAY AFTERNOON, THE FRIDAY BEFORE THE ADD APPEARS, IN A SUNDAY NEWSPAPER. PLEASE NOTE, SAID NOTICE IS PLACED IN PRINT, MEANING THE PERSON WHO HAD SOLD THE ADD, AND THE PERSON WHO PRINTED THE ADD, AND/OR THE PERSON WHO DOES THE LAYOUT ADD WORK FOR SAID ARE SOME OF THE PEOPLE, WHO HAD NOTICE OF SAID PUBLISHED ADD.

B. THEN THE SUNDAY NEWSPAPER IS SOLD TO THE PUBLIC, MEANING ONLY A LIMITED AUDIENCE OF PEOPLE, READS SAID NEWSPAPER. THEN AFTER TWENTY-EIGHT DAYS SAID ADD IS RUN, IN SAID NEWSPAPER, THE NEWSPAPER IS STILL OFFERED FOR SALE, AT ALL, OR NEARLY ALL NEWSPAPER OFFICES IN MISSISSIPPI, SINCE PAST ISSUES ARE SOLD, UNTIL THEY ARE GONE.

C. PLEASE NOTE, ALL PUBLISHED NEWSPAPERS, LIKE THE CLARION-LEDGER, ARE NOT FREE NEWSPAPERS, AND ARE NOT FREELY OFFERED TO THE GENERAL PUBLIC. OR IN OTHER WORDS, THE MAJORITY OF ANY GIVEN POPULATION, PROBABLY DOES NOT READ PUBLIC NOTICES, UNLESS THEY PAY FOR A PARTICULAR NEWSPAPER.

AGAIN IT IS STATED, MISSISSIPPI DOES NOT HAVE A RATIFIED 1890 CONSTITUTION. HENCE, A THIRTY DAY PUBLICATION NOTICE SHOULD NOT BE REQUIRED.

IN ALL HONESTY, THIS CASE SHOULD BE DISMISSED WITH PREJUDICE. THE PARDONS SHOULD BE RECOGNIZED AS VALID.

5. LET THE RECORD STATE, SHAWN O'HARA LIKES THE HONORABLE JIM HOOD, AND HAS VOTED FOR HIM SEVERAL TIMES, PLUS, HE ENJOYS RECEIVING ORIGINAL, BEAUTIFUL CHRISTMAS CARDS, FROM JIM AND HIS FAMILY. HE HOPES THEY WILL CONTINUE TO SEND CHRISTMAS CARDS.

BY THE WAY, SHAWN O'HARA KNOWS A LOT ABOUT THE DUTIES OF A GOVERNOR. HE HAS RUN FOR THE OFFICE OF GOVERNOR, SIX TIMES, IN MISSISSIPPI, COMPLETING HIS 1991 RACE, RUNNING AS AN INDEPENDENT. DURING THAT RACE, EVEN THOUGH HE WAS ONE OF THREE GENERAL ELECTION CANDIDATES, TWO DAYS BEFORE THE GENERAL ELECTION, HE HAD ENDORSED KIRK FORDICE, WHO BARELY WON THAT ELECTION, BECOMING MISSISSIPPI'S FIRST REPUBLICAN GOVERNOR, IN 117 YEARS. (SEE EXHIBIT 2, AND EXHIBIT 3.)

IN 1995, SHAWN O'HARA RAN FOR GOVERNOR, AS A DEMOCRAT.

IN 1999, SHAWN O'HARA HAD RUN FOR GOVERNOR, AS A REPUBLICAN.

IN 2003, SHAWN O'HARA HAD RUN FOR GOVERNOR, AS A REFORM PARTY CANDIDATE.

IN 2007, SHAWN O'HARA HAD RUN FOR GOVERNOR, AS A DEMOCRAT. ALTHOUGH, HE WAS REMOVED FROM THAT RACE, AND PLACED IN THE STATE TREASURER'S RACE, IN WHICH, HE RECEIVED NEARLY 285,000 VOTES, INCLUDING, RECEIVING NEARLY 31,000 VOTES IN HINDS COUNTY, WHICH WAS MORE VOTES THAN HALEY BARBOUR, PHIL BRYANT, OR TATE REEVES INDIVIDUALLY RECEIVED, IN HINDS COUNTY. (SHAWN WON HINDS COUNTY.)

IN 2011, SHAWN O'HARA HAD RUN FOR GOVERNOR, AS A REFORM PARTY CANDIDATE. HE MADE IT TO THE FINAL THREE CANDIDATES FOR GOVERNOR. THEN HE WAS REMOVED FROM THE GOVERNOR'S RACE, AND AGAIN PLACED IN THE STATE TREASURER'S RACE.

CERTAINLY, IF SHAWN O'HARA WOULD HAVE BEEN ELECTED GOVERNOR, HE WOULD HAVE GIVEN MURDERERS, RAPISTS, CHILD MOLESTERS, THOSE WHO COMMIT AGGRAVATED ASSAULT, DRUG DEALERS, GRAVE ROBBERS, ABORTION DOCTORS WHO KILL UNBORN BABIES, ABORTION NURSES WHO KILL UNBORN BABIES, AND OTHER PEOPLE WHO KILL UNBORN CHILDREN, SHAWN O'HARA WOULD HAVE ORDERED THOSE PEOPLE TO BE GIVEN THE DEATH SENTENCE. OR IN OTHER WORDS, CRIMINALS SHOULD BE GLAD, SHAWN O'HARA WAS NEVER ELECTED GOVERNOR OF MISSISSIPPI. BECAUSE AT THE LEAST, SHAWN O'HARA WOULD HAVE EXECUTED, THE FIFTY-FIVE MEN (OR MORE), AND THE TWO WOMEN, WHO ARE PRESENTLY ON DEATH ROW, IN MISSISSIPPI. (TAXPAYERS DO NOT NEED TO WASTE THEIR MONEY, TAKING CARE OF DEATH ROW INMATES.)

INSTEAD, CRIMINALS RECEIVED A BREAK, WHEN PEOPLE WHO WERE "SOFT ON CRIME", WERE ELECTED GOVERNOR OF MISSISSIPPI, RATHER THAN SHAWN O'HARA. AT ANY RATE, CONTRARY TO SHAWN O'HARA'S PERSONAL BELIEFS, THE HONORABLE GOVERNOR HALEY BARBOUR, IN ACCORDANCE WITH HIS POWER OF GOVERNOR, LEGALLY ISSUED VALID PARDONS, FOR 198 (OR MORE) PEOPLE. THE GOVERNOR DID NOTHING ILLEGAL, CONCERNING SAID PARDONS.

6. LET THE RECORD STATE, IF THE STATE OF MISSISSIPPI WANTS TO PROSECUTE CRIMINAL ACTIVITY, THEN SHAWN O'HARA ASKS THEM TO PROSECUTE A JUDGE, WHO GOVERNOR HALEY BARBOUR APPOINTED TO THE MISSISSIPPI COURT OF APPEALS, NAMED GENE FAIR. IN SHORT, AS FORMER

FORREST COUNTY CHANCERY COURT JUDGE, GENE FAIR FALSIFIED A NOVEMBER 19, 2007 COURT ORDER, TO BEGIN AN EXTORTION SCHEME, VIOLATION OF CIVIL RIGHTS SCHEME, AND INVASION OF PRIVACY SCHEME; ILLEGALLY OPENING THE DOOR FOR THREATS, INTIMIDATION, AND COERCION TO TAKE PLACE; ALONG WITH THE MISUSE OF PUBLIC PROPERTY AND PUBLIC MONEY, NOW GOING ON OVER SIX CALENDARS. AGAIN, IT IS STATED, JUDGE GENE FAIR FALSIFIED A NOVEMBER 19, 2007 COURT ORDER. PLEASE NOTE, THOUSANDS OF PAGES HAVE BEEN FILED, UNDER TWO DIFFERENT CAUSE NUMBERS. THE SECOND CASE WAS FILED PAST THE THREE YEAR STATUTE OF LIMITATIONS, FILED IN THE WRONG COURT, THE ORIGINAL COMPLAINT WAS NOT EVEN SIGNED, OR NOTARIZED, UNDER PENALTY OF PERJURY, BY THE PLAINTIFF. BELIEVE IT OR NOT, THE SECOND CASE NOW HAS ITS THIRTEENTH JUDGE WORKING ON IT. (THAT INCLUDES AT LEAST FIVE MISSISSIPPI SUPREME COURT JUSTICES, WHO HAVE AGREED TO SOME RECUSAL, AND/OR REASSIGNMENT ORDERS FOR NEW JUDGES, TO WORK ON THE SECOND CASE.) ON THE WHOLE, THE FALSIFIED NOVEMBER 19, 2007 COURT ORDER, WAS NOT FOUND, UNTIL MAY 25, 2011. THE CRIMINAL ACTIONS OF JUDGE GENE FAIR, MAKES THE ATTORNEY DICKIE SCRUGGS' CASE, LOOK LIKE KIDS STUFF. OR IN OTHER WORDS, AS A RESULT OF JUDGE GENE FAIR FALSIFYING A COURT ORDER, EXTORTION OF PROPERTY, AS WELL AS, EXTORTION OF A LARGE INSURANCE POLICY, AN ATTEMPT TO EXTORT THOSE ITEMS, IS STILL TAKING PLACE, THROUGH IMPROPER AND ILLEGAL LITIGATION. IT'S TIME TO PROSECUTE THE CRIMINAL ACTIVITY OF JUDGE GENE FAIR, WHO FALSIFIED A COURT ORDER, ON NOVEMBER 19, 2007. (HE WAS RECENTLY APPOINTED TO THE MISSISSIPPI COURT OF APPEALS BY GOVERNOR HALEY BARBOUR.) JUDGE FAIR IS A TAINTED JUDGE. HOPEFULLY, THE SEVERAL COURT FILES, WILL NOT DISAPPEAR .

IN CONTRAST, HALEY BARBOUR ISSUED VALID PARDONS, TO SEVERAL MEN AND WOMEN. THOSE INDIVIDUALS ARE NO LONGER CONVICTED CRIMINALS. HALEY BARBOUR DID NOT IMPROPERLY, AND DID NOT ILLEGALLY GRANT THOSE PARDONS.

7. LET THE RECORD STATE, SHAWN O'HARA HAS THE ABILITY TO OFFER MANY OF THOSE INDIVIDUALS, OR ALL OF THOSE INDIVIDUALS, WHO WERE PARDONED, THE OPPORTUNITY TO EARN MONEY. BUT THE STATE OF MISSISSIPPI, IS IMPROPERLY INTERFERING WITH SAID BUSINESS OPPORTUNITIES (PLEASE NOTE, NEARLY ALL PEOPLE WHO ARE SENT TO PRISON, NEARLY ALL OF THEM ARE EVENTUALLY PAROLED.) (SEE EXHIBIT 3.)

CONCLUSION

THIS COURT NEEDS TO DISMISS WITH PREJUDICE, ALL CLAIMS THE STATE OF MISSISSIPPI, HAS IMPROPERLY AND ILLEGALLY ASSERTED AGAINST THE MEN AND WOMEN, PARDONED BY GOVERNOR HALEY BARBOUR. ALL PARDONS WERE PROPERLY ISSUED AND GRANTED.

RESPECTFULLY SUBMITTED BY:

FEBRUARY 8, 2012

Shawn O'Hara

SHAWN O'HARA - INTERVENOR - APPELLANT
P.O. BOX 15275
HATTIESBURG, MISSISSIPPI 39404
601-620-6919 (LEAVE MESSAGE)

STATE OF MISSISSIPPI
COUNTY OF FORREST

THIS DAY CAME AND PERSONALLY APPEARED BEFORE ME, THE UNDER-SIGNED AUTHORITY IN AND FOR SAID JURISDICTION, THE WITHIN NAMED SHAWN O'HARA, WHO, BEING SWORN BY ME, STATING UPON HIS OATH, THAT HE SWEARS AND AFFIRMS ALL OF THIS LEGAL DOCUMENT IS TRUE, ACCURATE, AND CORRECT, SIGNING THIS LEGAL DOCUMENT UNDER PENALTY OF PERJURY.

SWORN TO AND SUBSCRIBED BEFORE ME, ON FEBRUARY 8, 2012.



NOTARY PUBLIC

MY COMMISSION EXPIRES:

12/27/14



EXHIBIT 1

Do you acknowledge that the United States Supreme Court recognized the right of laymen to prepare petitions for filing in the courts in Johnson v. Avery, Commissioner of Corrections, et al., 393 U.S. 483, 498 (1969), as follows:

"... the preparation of these endless petitions within the prisons is a useful form of therapy. Apart from that, their preparation must never be considered the exclusive prerogative of the lawyer. Laymen---in and out of prison---should be allowed to act as 'next friend' to any person in the preparation of any paper or document or claim, so long as he does not hold himself out as practicing law or as being a member of the Bar."

"The cooperation and help of laymen, as well as of lawyers, is necessary if the right of '[r]easonable access to the courts' is to be available to the indigents among us." ("Reasonable access to the courts is * * * a right [secured by the Constitution and laws of the United States], being guaranteed as against state action by the due process clause of the Fourteenth Amendment. . . .)"

EXHIBIT

2

O'Hara throws support to GOP opponent Fordice

■ Election early turnout, 1A

By KELLY CARSON

AMERICAN Staff Writer

Independent gubernatorial candidate Shawn O'Hara said he wants his supporters to vote for his Republican opponent in today's general election.

O'Hara has not withdrawn as a candidate but said when he goes to the polls he plans to cast his vote for Republican Kirk Fordice.

"In order to stop political corruption and to stop the murder of unborn children, I am asking that the 60,000 voters that George 'Wagonwheel' Blair gave me to vote for Kirk Fordice," O'Hara said at a Monday news conference in his hometown of Hattiesburg.

Blair, an unsuccessful candidate for the GOP gubernatorial nomination,

threw his support to O'Hara after the Sept. 17 primary.

Fordice faces Democrat Gov. Ray Mabus, who is trying to become the first Mississippi governor this century to serve two consecutive terms.

O'Hara, a Southern Baptist evangelist and writer, said he wants the state's black voters and Catholic voters to cast ballots for Fordice because of the Republican's anti-abortion stand.

"I am asking you to say (today) good-bye to Ray Mabus," O'Hara said. "Kirk Fordice is a good man with a well-balanced agenda for Mississippi."

Fordice's campaign coordinator, Jan Rasch, said the Republican candidate welcomes the support.

"We welcome anyone's support," Rasch said.

Wednesday

HATTIESBURG AMERICAN

35c SOUTH MISSISSIPPI'S MOST EXCITING NEWSPAPER

Election '91 At-a-Glance

WEDNESDAY, NOV. 6, 1991

GOVERNOR

*Kirk Fordice (R)	358,967
Ray Mabus (D)	335,228
Shawn O'Hara (I)	11,839

99 percent of precincts reporting.

LIEUTENANT GOVERNOR

Eddie Briggs (R)	339,014
Brad Dye (D)	285,792
Henry Kirksey (I)	62,436

Fordice GOP leads sta



Mabus



Fordice



O'Hara

EXHIBIT 3

SHAWN RICHARD O'HARA
P.O. BOX 15275
HATTIESBURG, MISSISSIPPI 39404

RE: 300 WORD ESSAY ABOUT SHAWN O'HARA

IN FLORIDA, SHAWN O'HARA WROTE, "I LOVE OLIVIA", "ANGIE GAL",
AND FOUR OTHER BOOKS, PLUS 100 SONGS, AND EARNED A PRE-LAW DEGREE.

HE LOVED LEARNING ABOUT GOD, JESUS, THE HOLY SPIRIT, AND THE
BIBLE, PLUS, POLITICS AND LAW.

HE LEFT HIS FT. MYERS BEACH HOME, TO ATTEND WILLIAM CAREY,
IN HATTIESBURG, MISSISSIPPI.

HE EARNED A/B.S. DEGREE IN ADMINISTRATION OF JUSTICE; B.A.
IN SOCIAL SCIENCE; MASTER IN SECONDARY EDUCATION; AND MASTER IN
ELEMENTARY EDUCATION. (HIS MOTHER, BETTY LOU, ENCOURAGED HIM TO
ATTEND COLLEGE.)

HE COMPLETED FOUR GOVERNOR'S RACES; FIVE U.S. SENATE RACES;
AND TWO STATE TREASURER RACES; (PLUS OTHER RACES). HE EVEN RAN
AGAINST HIS DAD, RICHARD O'HARA, FOR U.S. SENATE, AND GOVERNOR.
LAST YEAR, HIS SISTER, TRACELLA LOU, RAN FOR LIEUTENANT GOVERNOR. SHAWN
RAN FOR ANOTHER STATEWIDE OFFICE. IN 2012, HE IS RUNNING AGAIN,
FOR U.S. SENATE. SHAWN WAS EVEN REFORM PARTY U.S.A.,
NATIONAL CHAIRMAN.

SOON, SHAWN WILL SET TWO LITERARY WORLD RECORDS, ONE FOR
MOST BOOKS PUBLISHED BY A SINGLE AUTHOR (1,125 BOOKS), AND MOST
BOOKS IN A SERIES (700 BOOKS). SOME OF HIS BOOKS INCLUDE 130
STORIES FOR MOVIES, THIRTY-THREE MUSICALS, AND OVER 4,500 SONGS.

SOON, SHAWN PLANS TO PRODUCE HIS THIRD MOTION PICTURE, "DIXIE LADY". PREVIOUSLY, HE PRODUCED "REBEL LADY", AND "LUCKY LADY".

THIS YEAR, SHAWN WILL ARGUE SEVERAL TRIALS. IN 1998, HE WORKED ON THE BIGGEST CRIMINAL TRIAL, IN AMERICA, SITTING FIVE DAYS IN COURT, NEXT TO A MAN, WHOM THE F.B.I. LINKED TO ELEVEN CIVIL RIGHTS MURDERS, 300 BOMBINGS, BEATINGS, AND BURNINGS.

SHAWN'S WIFE IS AMANDA, HIS DAUGHTER IS DEVON, AND HIS GRANDSONS ARE ERIC AND CHRISTOPHER.

MOST IMPORTANTLY, SHAWN ENCOURAGES EVERYONE, TO BELIEVE IN JESUS. ROMANS 10:13 SAYS, "FOR WHOSOEVER SHALL CALL UPON THE NAME OF THE LORD SHALL BE SAVED."

Ballots: Residency issue involving GOP Senate candidate unresolved

Tom 1A
Incumbent Democrat state senator in north Mississippi. In local races, the commission paved the way for the Indian County Republican Party to name a new GOP candidate to take on incumbent District 1 Supervisor Robert Graham, following the withdrawal of Roger Davis. Davis, a partner at Ridgeand-based Woodridge Capital Portfolio Management, said he is leaving the race so that he can focus on his business. A family member of one of his partners has been diagnosed with a serious illness, and that "will require him to be out a lot," he said. "My responsibility at our small investment company now is more than it was in March," Davis said, referring to the month in which candidates qualified. Hinds GOP chairman Pete Perry said the party officially will select a replacement on Monday, but the leading candidate at this point is former

restaurateur John Dennerly. "We have interviewed several, and right now the indication is that it will likely be John (Dennerly)," Perry said. Graham could not be reached for comment Friday. The commission discussed at length its requirement to review residency issues. Barbour said his interpretation was the commission should only review if residency or other issues have been challenged. Hosemann said his office routinely checks candidates to make sure they are in compliance with residency and voting requirements. An issue left unresolved Friday is the candidacy of Todd Wade, a Republican candidate slated to face Sen. Gray Tollison, D-Oxford, in November. Wade, a former Rankin County resident who played high school football at Jackson Prep, retired from the NFL in 2008. The board questioned whether he has been a quali-



Rogelio V. Solte/The Associated Press

David Collison (standing left), national chairman of the Reform Party, and Shawn O'Hara (standing right) of the Reform Party of Mississippi listen as members of the state Election Commission, Attorney General Jim Hood (left), Secretary of State Delbert Hosemann (center) and Gov. Haley Barbour (right) discuss the merits of arguments between feuding slates of Reform Party candidates on Friday.

fied elector for four years, because records available to the secretary of state's office

only show him registering in 2010. Wade said he registered to

vote 15 years ago in Rankin County, though his attorneys have not been able to locate

the records. "I do remember in high school, as a class, we all voted," he said. He said he did not vote after that, and no other record has been found to indicate he was registered before 2010. His attorney, Bridgforth Rutledge, argued the documentation could have been lost in the transition from hard-copy to digital records. "It's not beyond reason to think that," he said. He also argued Barbour's position that the commission should not review the issue unless it is challenged. "Shouldn't we err on the side of letting the voters choose?" Rutledge said. The issue is expected to be resolved Tuesday.

Staff writer Ruth Ingram contributed to this report. To comment on this story, call Elizabeth Crisp at (601) 961-7303. Follow on Twitter at twitter.com/elizabethcrisp.

9/11 EVENTS

■ The Brain Injury Association of Mississippi invites Mississippians to a Patriot Day Prayer Service Sunday at Trustmark Park in Pearl. Patriot Guard Riders will enter the field at 6:55 a.m. fol-



Clinic: Patient screenings advised

EXHIBIT FOUR

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CLYDE KENNARD
C/O SHAWN O'HARA
(NEXT FRIEND)

FILED

JUN 3 0 2003

Forrest County
FORREST COUNTY CIRCUIT CLERK

PLAINTIFF

CLYDE KENNARD
C/O DEVON O'HARA
(NEXT FRIEND)

PLAINTIFF

VS.

CAUSE NUMBER

CI03-0140

FORREST COUNTY DISTRICT ATTORNEY'S OFFICE
C/O DISTRICT ATTORNEY LINDSAY CARTER

DEFENDANT

EXHIBIT FOUR

DEMAND FOR TRIAL BY JURY

COMES NOW THE PLAINTIFF, CLYDE KENNARD (NOW DECEASED) C/O SHAWN O'HARA (NEXT FRIEND) AND CLYDE KENNARD (NOW DECEASED) C/O DEVON O'HARA (NEXT FRIEND) REQUESTING AND DEMANDING A TRIAL BY JURY. (JOHNSON V. AVERY, COMMISSIONER OF CORRECTIONS, ET AL., 393 U.S. 483, 498 (1969).), ALSO, SHAWN O'HARA AND DEVON O'HARA ARE TAXPAYERS.

FILED

JUN 30 2003

COMPLAINT

Forrest County
FORREST COUNTY CIRCUIT CLERK

COMES NOW THE PLAINTIFF, CLYDE KENNARD (NOW DECEASED) C/O SHAWN O'HARA (NEXT FRIEND) AND ^{CLYDE KENNARD} C/O DEVON O'HARA (NEXT FRIEND) WHO FILES THIS LAWSUIT AGAINST FORREST COUNTY DISTRICT ATTORNEY'S OFFICE C/O DISTRICT ATTORNEY LINDSAY CARTER.

JURISDICTIONAL ALLEGATION

THE DEFENDANT VIOLATED SEVERAL U.S. CONSTITUTIONAL RIGHTS OF THE PLAINTIFF, BY MISUSING GOVERNMENTAL MONEY AND AGENCIES. IN SHORT \$47,000 IN PUNITIVE DAMAGES IS BEING SOUGHT TO BUILD A MONUMENT FOR THE PLAINTIFF AS WELL AS, COURT COST, ATTORNEY FEES, AND IT IS DEMANDED CLYDE KENNARD'S ILLEGAL CRIMINAL RECORD BE MADE 100% CLEAR OF THE FALSE CONVICTIONS AGAINST HIM.

PLAINTIFF CLYDE KENNARD (NOW DECEASED), C/O SHAWN O'HARA

months of talks between the sheriff, U.S. Attorney Dunn, Hampton and McGee's attorney, Jim Dukes. The plea will not prevent him from keeping his position as sheriff or from running for election in the future, he said.

"I think it's pretty cheesy," said Jim McNeill, a Lamar

■ See McGEE, 6A

5418.



Crusaders play at 5 p.m., followed by the men at 7 p.m.

■ **IN THE DIRT:** The Forrest County Multi Purpose Center will echo the sounds of Xtreme World Arenacross Racing today and Saturday. The dirt-bike competition begins at 7 both nights. For information call 601-583-7500.

■ **FULL SPEED:** If you like a little more horsepower,

2006 Gulf Coast Garden and Patio Show continues until 6 p.m. today at the Hattiesburg Lake Terrace Convention Center on U.S. 49. It continues from 9 a.m.-5 p.m. Saturday and 10 a.m.-4 p.m. Sunday.

■ **KICK IT:** The annual Cellular South Classic soccer tournament, set for Saturday and Sunday, will feature 84



High court rejects attempt to clear Kennard

By Rachel Leifer

American Staff Writer

leifer@hattiesburgamerican.com

The Mississippi Supreme Court has rejected an attempt to clear the name of the man who tried to integrate the University of Southern Mississippi more than 40 years ago.

Clyde Kennard, a decorated Korean War veteran, was convicted in 1960 on charges of

accessory to burglary. His arrest came after he tried to become the first black person to enroll Southern Mississippi.

Interest in the case was rekindled in December when witness Johnny Lee Roberts admitted to the Clarion-Ledger he lied in testimony during Kennard's 10-minute trial before an all-white jury.

After Roberts' recantation, former Hinds County Chancery Court Judge Chet

Dillard filed a friend-of-the-court brief in January asking that Kennard's conviction be vacated.

In the Supreme Court's 8-0 ruling, dated Feb. 17 and released Thursday, Chief Justice James W. Smith Jr. wrote that Dillard "lacks standing to seek relief on behalf of Kennard."

Smith also wrote that



Kennard

Dillard did not follow legal protocols in filing his brief.

Furthermore, Smith wrote that "the Mississippi Uniform Post-Conviction Collateral Relief Act only provides relief for prisoners current-

ly in custody." Because Kennard died in 1963 after serving three years of a seven-year sentence at the

state penitentiary in Parchman, "the Post-Conviction Relief statutes provide no remedy."

But Dillard said he believes the court had the authority to issue a one-sentence statement clearing Kennard's name. In the end, he said, the court missed the target in its ruling.

"The whole point was that this was not a post-conviction

■ See KENNARD, 3A

EXHIBIT

FIVE

The Associated Press
ultrasimilis, a docodont
ssic period. It is characterized by
beaver-like" tail. Some of its
vertebrates are similar to that of

The researchers found imprints
of the fur, both guard hairs and
short, dense under fur that would
have kept water from the skin.

Weighing in at between 1.1 and
1.7 pounds, about the size of a
small female platypus,
Castorocauda is also the largest
known Jurassic early mammal.

The research was funded by the
U.S. National Science Foundation,
National Natural Science
Foundation of China, Ministry of
Science and Technology of China,
Chinese Ministry of Land
Resources, National Geographic
Society and Carnegie Museum.

a sizable percentage. I'm honoring
those people who voted for
the team to come back and I'm
honoring those directors who
have worked so hard over the past
months."

He also said he is not going to

ple hostage. One female captive
later escaped and another was al-

off, and the man had been in touch
with members of his family.

Kennard

■ FROM page 1A

relief case," he said. "It's not a criminal case because he never was guilty. He was framed."

Dillard balked at the court's assertion he had no legal standing to file on behalf of Kennard.

"Who has standing for a person who is deceased?" he said, adding that he is a party of interest as a 1953 graduate of Southern Miss. "I think this would clear the record not only of Kennard but also of the University of Southern Mississippi and the whole state of Mississippi."

Adding their voices to the call to clear Kennard, Southern Miss students have launched a petition campaign urging Gov. Haley Barbour to pardon Kennard and state Attorney General Jim Hood to exonerate him.

Neither Barbour nor Hood returned phone calls seeking their comment.

So far, the petitions boast more than 1,500 signatures, said

LaKeisha Bryant, president of the Southern Miss Afro-American Student Organization.

"I'm nervous now about where the case is going to end up," said Bryant, whose group is one of four on campus leading the petition drive. "But I'm so appreciative that (Dillard) took it upon himself to take a proper stand."

Still pending in Forrest County Circuit Court is a December 2003 lawsuit filed by Hattiesburg attorney Shawn O'Hara.

The suit charges the county with violating Kennard's constitutional rights and demanding that Kennard's "illegal criminal record be made 100 percent clear of the false convictions against him."

Dillard said he plans to appeal the case to the U.S. Supreme Court.

"There cannot be a wrong without a remedy," he said. "As far as I'm concerned, if the Mississippi Supreme Court can't correct this, maybe the U.S. Supreme Court can."

RODGERS FAMILY PHARMACY
130 W. Central Avenue

EXHIBIT E

West Hunter Street Baptist Church

1040 GORDON STREET, S. W.

ATLANTA, GEORGIA 30310

PASTOR'S STUDY
(404) 755-8300

Ralph David Abernathy, Pastor

TELEPHONES: (404) 758-5563
(404) 758-5564

August 31, 1978

Mr. Shawn R. O'Hara
Riverside Drive
211 La Belle
Ft. Myers, Florida 33905

Dear Mr. O'Hara:

Please accept my apologies for not having acknowledged your letter of June 28, 1978 regarding gerrymandering in Fort Myers earlier, but for some reason my mail was held at the S.C.I.C. office and I am just now seeing your letter for the first time.

May I suggest that you get in touch with Mr. James Washington and Rev. Gooden of our Florida chapters. Please let Mr. Washington know what is going on with regard to gerrymandering in Ft. Myers. Perhaps he and Rev. Gooden will be able to assist you in correcting this injustice. Mr. Washington can be reached c/o Ms. Dorothy E. Anderson, 3833 N. Pearl St., Jacksonville, Florida 32206. I do not have Rev. Gooden's correct address at hand; he resides in Tallahassee and Mr. Washington can supply you with that address.

✓ Thank you for keeping on the case and helping to root up injustice wherever it is found. You have my best regards for your efforts. With best wishes for a just remedy to the problem in Ft. Myers, I remain

Sincerely,

Ralph David Abernathy

RDA/rds
cc

✓ Please note that I receive my mail at the address printed above.

EXHIBIT F

JANUARY 14, 2015, KIM BRADLEY, ON 98.1 F.M. RADIO