

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 4:05-cv-33 (TSL/LRA)
)	
)	
IKE BROWN, individually, and in his)	
official capacities as Chairman of Noxubee)	
County Democratic Executive Committee)	
and Superintendent of Democratic Primary)	
Elections; NOXUBEE COUNTY)	
DEMOCRATIC EXECUTIVE)	
COMMITTEE; CARL MICKENS,)	
individually, and in his official capacities)	
as the Circuit Clerk of Noxubee County,)	
Superintendent of Elections, Administrator)	
of absentee ballots and Registrar of voters;)	
the NOXUBEE COUNTY ELECTION)	
COMMISSION; NOXUBEE COUNTY,)	
MISSISSIPPI; and those acting in concert,)	
)	
Defendants.)	
_____)	

**NOTICE OF OPPOSITION OF THE UNITED STATES TO DEFENDANTS’
OBJECTION TO MAGISTRATE JUDGE’S ORDER AND MOTION FOR
REVIEW BY DISTRICT JUDGE**

COMES NOW THE PLAINTIFF, the United States, and notes its opposition to the Defendants Ike Brown’s and Noxubee County Democratic Executive Committee’s Objection To Magistrate Judge’s Order and Motion For Review by District Judge. In opposition to the Objection and Motion, the United States offers the following grounds to deny the Motion, as well as those in an accompanying Memorandum:

1. The Magistrate's Order should not be disturbed because it is not contrary to law and was properly within the discretion vested over discovery matters in the Magistrate.

2. The Magistrate's Order should not be disturbed because nothing in the Magistrate's Order is clearly erroneous.

WHEREFORE, for these reasons and those in the accompanying Memorandum, the United States seeks an Order from this Court DENYING

Respectfully Submitted,

DUNN O. LAMPTON
United States Attorney
Southern District of
Mississippi

JOHN K. TANNER
Chief, Voting Section

S/J. Christian Adams

CHRISTOPHER COATES
Principal Deputy Chief, Voting Section
J. CHRISTIAN ADAMS
JOSHUA L. ROGERS
Attorneys, Voting Section
Department of Justice
Civil Rights Division
Voting Section
950 Pennsylvania Ave. NW
Room 7255 - NWB
Washington, D.C. 20530
(202) 307-2932

CERTIFICATE OF SERVICE

I hereby certify that on December 8, 2006 I electronically filed the foregoing Notice of Opposition to Defendants' Objection To Magistrate Judge's Order and Motion For Review by District Judge using the Court's ECF system which sent notification of such filing to Wilbur O. Colom, Esq. and Edward L. Pleasants, III, of the Colom Law Firm, LLC, 200 6th Street, North, Suite 102, Columbus, Mississippi, 39701, Ellis Turnage, Esq., Post Office Box 216, 108 North Pearman Avenue, Cleveland, Mississippi, 38732, and, Christopher D. Hemphill, Esq., Dunn, Webb and Hemphill, P.A., 214 5th

Street South, Columbus, Mississippi, 39701. With notice to be delivered by other means to:

Dunn Lampton
U. S. ATTORNEY'S OFFICE
188 E. Capitol St., Suite 500
Jackson, MS 39201

S/J. Christian Adams

J. Christian Adams