

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/JMR)
	)	
	)	
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.	)	
_____	)	

**UNITED STATES' MOTION FOR DEFAULT JUDGMENT AGAINST THE  
DEFENDANTS NOXUBEE COUNTY DEMOCRATIC EXECUTIVE COMMITTEE,  
NOXUBEE COUNTY ELECTION COMMISSION AND IKE BROWN**

Plaintiff United States of America moves, pursuant to Fed. R. Civ. P. 55 and Fed. R. Civ. P. 15(a) and in reliance upon its memorandum in support thereof, for a default judgment against the Defendants Noxubee County Democratic Executive Committee, Noxubee County Election Commission and Ike Brown ("Defendants") on the grounds that they have failed to answer within 10 days after receipt of the First Amended Complaint as required by Rule 15(a).

Plaintiff's First Amended Complaint was filed on August 16, 2005 and received by the Defendants through the Court's ECF system. The Defendants have never filed an answer to the First Amended Complaint and an entry of default pursuant to Fed. R. Civ. P. 55(b)(2) is appropriate.

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  
KAREN L. DITZLER  
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 June 26, 2006 I electronically filed the foregoing Motion for Default Judgment Against the Defendants Noxubee County Democratic Executive Committee, Ike Brown, and the Noxubee County Election Commission using the Court's ECF system which sent notification of such filing to Wilbur O. Colom, Esq. and Edward L. Pleasants, III, Esq., of the Colom Law Firm, LLC, 200 6<sup>th</sup> 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 5<sup>th</sup> 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