

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/AGN)
)	
)	
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 DEFENDANT’S MOTION TO VACATE THE DEFAULT JUDGMENT**

COMES NOW the United States, Plaintiff in this case and notes opposition to the Defendant Noxubee County Election Commission’s Motion to Vacate the Default Judgment. The United States opposes the Motion to Vacate the Default Judgment and requests an Order denying the Defendant’s motion and offers in support a Memorandum in Opposition to the Defendant’s Motion to Vacate the Default Judgment. The United States offers the following grounds for denying Defendant’s motion:

1. That service on the Noxubee County Election Commission was proper;
and,
2. That the United States satisfied all procedural prerequisites for obtaining a default judgment and the Defendant has failed to offer good cause why the default judgment should be set aside.

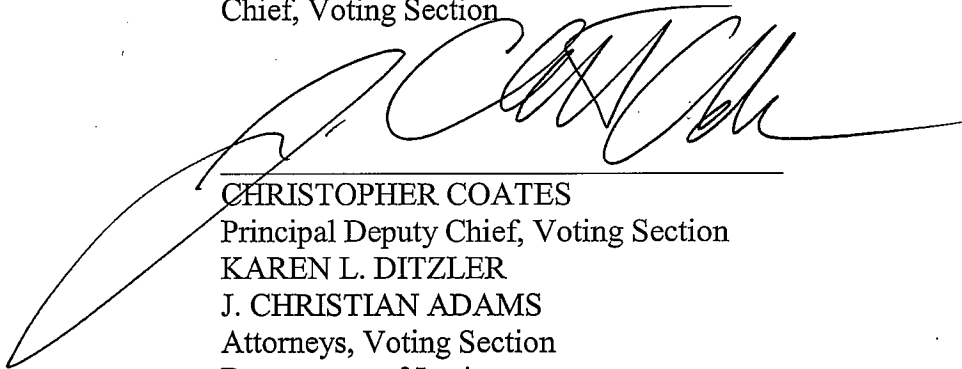
Respectfully Submitted,

ALBERTO R. GONZALES
Attorney General

BRADLEY J. SCHLOZMAN
Acting Assistant Attorney General
Civil Rights Division

DUNN O. LAMPTON
United States Attorney,
Southern District of
Mississippi

JOHN K. TANNER
Chief, Voting Section



CHRISTOPHER COATES
Principal Deputy Chief, Voting Section
KAREN L. DITZLER
J. CHRISTIAN ADAMS
Attorneys, Voting Section
Department of Justice
Civil Rights Division
Voting Section
950 Pennsylvania Ave. NW
Room 7255 - NWB
Washington, D.C. 20530
(202) 616-4227
(202) 307-2932 fax

CERTIFICATE OF SERVICE

I hereby certify that on August 29, 2005, I electronically filed the foregoing Notice of Opposition of The United States to Defendant's Motion to Vacate the Default

Judgment using the ECF system which sent notification of such filing to Wilbur O. Colom, Esq. 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.



Christian Adams