

IN THE CHANCERY COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

FILED
OCT 06 2006

LEOLA STRICKLAND and
MICHAEL JOHNSON,

EDDIE JEAN CARR, CHANCERY CLERK
BY _____ D.C.

Plaintiffs,

v.

CIVIL ACTION
FILE NO. G2006-1753
5/2

HON. ERIC CLARK, in his official capacity
as the Secretary of State of Mississippi; and
HON. JIM HOOD, in his official capacity as the
Attorney General for the State of Mississippi,

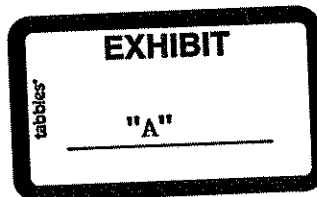
Defendants.

COMPLAINT

COME NOW Plaintiffs, by and through counsel, and hereby show this Honorable Court the following:

INTRODUCTION

1. This case challenges Mississippi's practice of denying suffrage to persons who are eligible to vote, in violation of state and federal law.
2. Article 12, Section 241 of the Mississippi Constitution prohibits individuals who have been convicted of ten (10) enumerated crimes from voting in state and certain federal elections, but affirms the right of such individuals to vote for the President and Vice-President of the United States.
3. The Mississippi voter registration application form lists twenty-one (21) crimes that disqualify a person from registering to vote or voting in all state and federal elections, eleven of which are not enumerated in Article 12, Section 241 of the Mississippi Constitution.



4. The Mississippi voter registration application form does not include a provision which allows individuals convicted of one of the ten (10) crimes listed in the state constitution to vote in federal elections for the President and Vice President of the United States.

5. Defendants are denying individuals who have been convicted of crimes not enumerated in Section 241 of the Constitution the right to vote in state and federal elections, and are denying individuals who have been convicted of one of the ten crimes listed in Section 241 the right to vote for the President and Vice President of the United States.

6. Defendants' actions violate the plain meaning of Article 12, Section 241 of the Mississippi Constitution and Sections 23-15-11 and 23-15-19 of the Mississippi Code. Defendants' actions also contravene the Separation of Powers Doctrine, the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, and 42 U.S.C. § 1973gg, et seq. (the "National Voter Registration Act").

7. Plaintiffs seek declaratory and injunctive relief that will restore their right to vote, as guaranteed by state and federal law.

JURISDICTION AND VENUE

8. This is a civil action arising under Article 12, Section 241 of the Mississippi Constitution, Sections 23-15-11 and 23-15-19 of the Mississippi Code, 42 U.S.C. § 1983, the Fourteenth Amendment to the United States Constitution, and 42 U.S.C. § 1973gg, et seq.

9. Venue in this county is proper under Miss. Code Ann. § 11-5-1 because Defendants reside and may be found in this county.

PARTIES

10. Plaintiffs Leola Strickland and Michael Johnson are residents of Hinds County and have been convicted of a felony within the state of Mississippi.

11. Defendant Eric Clark is the Secretary of State of Mississippi ("Secretary of State") and, as such, is vested with the authority, as Mississippi's "Chief Elections Officer," to execute and enforce the state laws related to the elective franchise to preserve public confidence in the democratic process and to facilitate voter participation in elections. He is sued in his official capacity in connection with actions taken under color of state law, including the promulgation of procedures for and the receipt and administration of applications for voter registration.

12. Defendant Jim Hood is the Attorney General of Mississippi and is responsible for enforcement of Miss. Const. art. 12, § 241 and Miss. Code Ann. §§ 23-15-11 and 23-15-19. He is sued in his official capacity.

RELEVANT CONSTITUTIONAL AND STATUTORY PROVISIONS

13. Article 12, Section 241 of the Mississippi Constitution states that:

Every inhabitant of this state, except idiots and insane persons, who is a citizen of the United States of America, eighteen (18) years old and upward, who has been a resident of this state for one (1) year, and for one (1) year in the county in which he offers to vote, and for six (6) months in the election precinct or in the incorporated city or town in which he offers to vote, and **who is duly registered as provided in this article, and who has never been convicted of murder, rape, bribery, theft, arson, obtaining money or goods under false pretense, perjury, forgery, embezzlement or bigamy, is declared to be a qualified elector, except that he shall be qualified to vote for President and Vice President of the United States if he meets the requirements established by Congress therefore and is otherwise a qualified elector.**" Miss. Const. art. 12, § 241 (emphasis added).

14. Section 23-15-11 of the Mississippi Code sets forth the qualifications for voters:

Every inhabitant of this state, except idiots and insane persons, who is a citizen of the United States of America, eighteen (18) years old and upwards, who has resided in this state for thirty (30) days and for thirty (30) days in the county in which he offers to vote, and for thirty (30) days * * * in the incorporated city or town in which he offers to vote, and who shall have been duly registered as an elector pursuant to Section 23-15-33, and who has never been convicted of any crime listed in Section 241, Mississippi Constitution of 1890, shall be a qualified elector in and for the county, municipality and voting precinct of his residence, and shall be entitled to vote at any election. Miss. Code Ann. § 23-15-11.

15. Section 23-15-19 of the Mississippi Code provides that:

Any person who has been convicted of any crime listed in Section 241, Mississippi Constitution of 1890, shall not be registered [to vote], or if registered the name of such person shall be erased from the registration book on which it may be found by the registrar or by the election commissioners. Miss. Code Ann. § 23-15-19.

FACTUAL ALLEGATIONS

16. The State of Mississippi created its first constitution in 1817 and, since then, there have been four state constitutions: the original Constitution of 1817, the Constitution of 1832, the Constitution of 1868, and the present-day Constitution of 1890.

17. The 1817 constitution provided that “laws shall be made to exclude from office, and from suffrage, those who shall thereafter be convicted of bribery, perjury, forgery, or other high crimes or misdemeanors.” Miss. Const. art. VI, § 5 (1817).

18. The 1832 constitution retained all of the disqualifying crimes of the 1817 constitution and added the crime of forgery. Miss. Const. art. VI, § 5 (1832).

19. The 1869 constitution retained all of the disenfranchising crimes of the 1832 constitution. Miss. Const. art. VI, § 5 (1869).

20. The 1890 constitution expanded the list of disfranchising crimes to a total number of ten: murder, rape, bribery, theft, arson, obtaining money or goods under false pretense, perjury, forgery, embezzlement and bigamy. Miss. Const. art. 12, § 241 (1890).

21. In Cotton v. Fordice, the U.S. Court of Appeals for the Fifth Circuit held that, although “armed robbery” was not a crime enumerated in Section 241, the State could deny the vote to someone convicted of that crime. 157 F.3d 388, 390-91 (5th Cir. 1998). The court reasoned that because “there is no crime labeled ‘theft’ in Mississippi, the term in § 241 is only meaningful if it includes the larceny crimes, and thus includes armed robbery.” See id. at 390.

22. Based on the ruling in Cotton, the Attorney General issued an opinion letter on April 23, 2004 listing the following additional crimes as disfranchising: extortion, felony bad check, felony shoplifting, larceny, receiving stolen property, robbery, timber larceny, unlawful taking of a motor vehicle, statutory rape, and carjacking. See Ex. A.

23. The entire state of Mississippi is covered by Section 5 of the Voting Rights Act of 1965 pursuant to Section 4 of that statute and the designation by the U.S. Attorney General.

24. Pursuant to Section 5 of the Voting Rights Act of 1965, as amended by 42 U.S.C. § 1973c, the Secretary of State sought preclearance in January 2005 to revise the mail-in voter registration form to expand the list of disfranchising crimes from ten (10) to twenty-one (21).

25. The U.S. Attorney General precleared the State’s proposed changes to the voter registration form in February 2005.

26. The current voter registration application form in Mississippi prohibits the registration of anyone convicted of: murder, rape, bribery, theft, arson, obtaining money or goods under false pretense, perjury, forgery, embezzlement, bigamy, extortion, felony bad check, felony shoplifting, larceny, receiving stolen property, robbery, timber larceny, unlawful taking of a motor vehicle, statutory rape, and carjacking. See Ex. B.

27. The current voter registration application form in Mississippi does not allow an individual who has been convicted of one of the twenty-one (21) crimes listed on the form to vote in federal elections for the President and Vice President of the United States.

28. Upon information and belief, Defendants have directed county registrars not to allow individuals who were convicted of extortion, felony bad check, felony shoplifting, larceny, receiving stolen property, robbery, timber larceny, unlawful taking of a motor vehicle, statutory rape, or carjacking to register to vote in state and federal elections.

29. Upon information and belief, Defendants have instructed county registrars not to allow individuals who were convicted of one of the ten (10) crimes enumerated in Article 12, Section 241 of the Mississippi Constitution to register to vote in federal elections for the President and Vice President of the United States.

30. Upon information and belief, Defendants have instructed county registrars to remove from the voter registration lists the names of individuals who were convicted of one of the twenty-one (21) crimes listed on the voter registration application form.

31. Plaintiff Leola Strickland was convicted of felony bad checks on or about March 2006.

32. Plaintiff Michael Johnson was convicted of forgery on or about December 1998.

FIRST CAUSE OF ACTION

VIOLATION OF STATE CONSTITUTION AND MISSISSIPPI CODE

33. Plaintiffs hereby reallege and incorporate by reference the allegations contained in paragraphs 1 through 32 above.

34. Article 12, Section 241 of the Mississippi Constitution secures the rights of individuals convicted of crimes that are not enumerated in Section 241 to vote in all state and federal elections.

35. Because Plaintiff Leola Strickland was convicted of felony bad checks, a crime not enumerated in Section 241, she retains the right to vote in all state and federal elections.

36. Article 12, Section 241 of the Mississippi Constitution protects the rights of individuals convicted of one of the ten (10) enumerated crimes to vote for President and Vice-President of the United States.

37. Although Plaintiff Michael Johnson was convicted of forgery, a crime listed in Section 241, he retains the right to vote for the President and Vice President of the United States.

38. Defendants' position on the right of certain persons to register and vote has caused state registrars to refuse to register and remove from the voter registration lists eligible persons in the State of Mississippi.

39. Defendants' actions violate the plain meaning of Article 12, Section 241 of the Mississippi Constitution and Sections 23-15-11 and 23-15-19 of the Mississippi Code.

40. Plaintiffs are without an adequate remedy at law and will suffer irreparable harm unless Defendants' actions are enjoined.

SECOND CAUSE OF ACTION

VIOLATION OF SEPARATION OF POWERS DOCTRINE

41. Plaintiffs hereby reallege and incorporate by reference the allegations contained in paragraphs 1 through 40 above.

42. Article 1, Section 1 of the Mississippi Constitution provides that: "[t]he powers of the government of the state of Mississippi shall be divided into three distinct departments, and each of them confided to a separate magistracy, to-wit: those which are legislative to one, those which are judicial to another, and those which are executive to another." Miss. Const. art. 1, § 2.

43. Article 1, Section 2 of the Mississippi Constitution states that "[n]o person or collection of persons, being one or belonging to one of these departments, shall exercise any power properly belonging to either of the others." Miss. Const. art. 1, § 2.

44. Amendments to the Mississippi Constitution "may be proposed by the Legislature or by initiative of the people." Miss. Const. art. 15, § 273.

45. Defendants' position on the right of certain persons to register and vote has caused state registrars to refuse to register and remove from the voter registration lists eligible persons in the State of Mississippi.

46. The Defendants' actions infringe upon a function only reserved to the legislative branch and, consequently, violate the "separation of powers" doctrine.

THIRD CAUSE OF ACTION

**VIOLATION OF THE EQUAL PROTECTION
CLAUSE OF THE UNITED STATES CONSTITUTION**

47. Plaintiffs hereby reallege and incorporate by reference the allegations contained in paragraphs 1 through 46 above.

48. The Equal Protection Clause of the Fourteenth Amendment commands that no State shall "deny to any person within its jurisdiction the equal protection of the laws." U.S. Const. amend. XIV, § 1.

49. Defendants' position on the right of certain persons to register and vote has caused state registrars to refuse to register and remove from the voter registration lists eligible persons in the State of Mississippi.

50. Defendants' refusal to allow Plaintiffs to register and vote in the same manner as other qualified electors violates the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

FOURTH CAUSE OF ACTION

VIOLATION OF THE NATIONAL VOTER REGISTRATION ACT

51. Plaintiffs hereby reallege and incorporate by reference the allegations contained in paragraphs 1 through 50 above.

52. The National Voter Registration Act (the "NVRA") requires each state to establish procedures to increase the number of eligible citizens who register to vote in federal elections. 42 U.S.C. § 1973gg(b).

53. The Act also mandates that states maintain accurate and current voter registration rolls through the use of uniform and non-discriminatory programs and activities. 42 U.S.C. § 1973gg-6(b)(1).

54. The NVRA further requires states to include a voter registration application form for federal elections as part of a state driver's license application. 42 U.S.C. § 1973gg-3.

55. Mississippi's driver's license application form does not include a voter registration form for federal elections. See Exh. C.

56. Because Plaintiff Leola Strickland was convicted of felony bad checks, a crime not enumerated in Article 12, Section 241 of the Mississippi Constitution, she retains the right to vote in all federal elections.

57. Although Plaintiff Michael Johnson was convicted of forgery, a crime enumerated in Section 241, he retains the right to vote for the President and Vice President of the United States.

58. Defendants' position on the right of certain persons to register and vote in federal elections has caused state registrars to refuse to register and remove from the voter registration lists eligible persons in the State of Mississippi.

59. Defendants' refusal to allow Plaintiffs to register and vote in the same manner as other qualified electors violates the NVRA.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully ask this Court to:

(1) Declare that individuals who have been convicted of crimes not listed in Article 12, Section 241 of the Mississippi Constitution retain the right to vote in all state and federal elections;

(2) Declare that individuals who have been convicted of one of the ten (10) crimes enumerated in Section 241 retain the right to vote for the President and Vice President of the United States;

(3) Declare that Defendants' refusal to allow individuals who have been convicted of a crime not listed in Section 241 to register and remain registered to vote violates the plain meaning of Article 12, Section 241 of the Mississippi Constitution, Sections 23-15-11 and 23-15-19 of the Mississippi Code, as well as the Separation of Powers Doctrine, the Equal Protection Clause of the Fourteenth Amendment, and the National Voter Registration Act;

(4) Enter a preliminary and permanent injunction forbidding Defendants, their agents and representatives from discouraging, interfering with, or preventing individuals who have not been convicted of a crime listed in Section 241 from registering to vote and voting, and directing said Defendants to instruct the various persons responsible for supervising voter registration in Mississippi's counties to accept voter registration application forms from such persons;

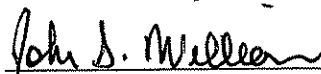
(5) Enter a preliminary and permanent injunction forbidding Defendants, their agents and representatives from refusing to allow individuals who have been convicted of a crime listed in Section 241 from registering to vote and voting for the President and Vice President of the United States, and directing said Defendants to instruct the various

persons responsible for supervising voter registration in Mississippi's counties to accept voter registration application forms from such persons;

(6) Award Plaintiffs their costs and disbursements associated with the filing and maintenance of this action, including an award of reasonable attorneys' fees; and

(7) Award such other equitable relief as the Court deems just and proper.

Respectfully Submitted,



John S. Williams
Miss. Bar Number 102049
ACLU of Mississippi
964 Jefferson Street
Jackson, MS 39202
Tel: (601) 355-6464
Fax: (601) 355-6465
jwilliams@msaclu.org

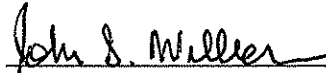
/s/ Nancy Abudu

Nancy G. Abudu*
ACLU Voting Rights Project
Marquis One Tower
2600 Peachtree Center Avenue
Atlanta, Georgia 30303
Tel: (404) 523-2721
Fax: (404) 653-0331
nabudu@aclu.org

*Pro Hac Vice Motion to Follow

CERTIFICATE OF SERVICE

I, John S. Williams, attorney for Plaintiffs, Leola Strickland and Michael Johnson, certify that I have this 16th day of October 2006 served a copy of the foregoing document on the Attorney General of the State of Mississippi at the Carroll Gartin Justice Building, 450 High Street, Jackson, MS 39201. Further, I certify that I have served the Mississippi Secretary of State by way of the Mississippi Attorney General pursuant M.R.C.P. 4(d)(5).



John S. Williams, MS. Bar # 102049

Exhibit A

Westlaw.

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(Cite as: 2004 WL 1171855 (Miss.A.G.))

Office of the Attorney General
State of Mississippi

*1 Opinion No. 2004-0171
April 23, 2004

Re: Voting Rights of Drug Offenders

Councilman Kamal Karrem, Jr.
City of Columbus, Ward 5
Post Office Box 1408
Columbus, Mississippi 39703

Dear Councilman Karrem:

Attorney General Jim Hood has received your letter of request and assigned it to me for research and reply. Your letter states:

Per your speech and our conversation at the Congressional Democratic Convention at Oxford, Mississippi on Saturday April 3rd, I am formally requesting from your office an Attorney General Opinion on the voting rights of drug offenders in the state.

Based on Section 241, Mississippi Constitution of 1890, the Fifth Circuit Court of Appeals ruling in *Cotton v. Fordice*, 157 F.3d 386 (1998), and other legal authorities and principles this office has identified twenty-one crimes that should be considered disqualifying. They are: 1) Arson; 2) Armed Robbery; 3) Bigamy; 4) Bribery; 5) Embezzlement; 6) Extortion; 7) Felony Bad Check; 8) Felony Shoplifting; 9) Forgery; 10) Larceny; 11) Murder; 12) Obtaining Money or Goods under False Pretense; 13) Perjury; 14) Rape; 15) Receiving Stolen Property; 16) Robbery; 17) Theft; 18); Timber Larceny; 19); Unlawful Taking of Motor Vehicle; 20) Statutory Rape; and 21)Carjacking.

We note that there could be additional crimes that are disqualifying, particularly since the Court in *Cotton* ruled that the term "theft" is a general label for statutorily created crimes involving an unlawful taking of property.

In response to your specific question, while you did not ask about specific crimes involving drugs or controlled substances, generally those crimes would not fall under one of the twenty-one (21) crimes listed above and therefore would not be disqualifying. However, we caution that an independent determination would have to be made on each specific crime.

Sincerely,

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(Cite as: 2004 WL 1171855 (Miss.A.G.))

Jim Hood

Attorney General

By: Phil Carter

Special Assistant Attorney General

2004 WL 1171855 (Miss.A.G.)

END OF DOCUMENT

Exhibit B

MISSISSIPPI VOTER REGISTRATION APPLICATION

IMPORTANT!

- If you are not registered to vote where you now live, you can use this form to register to vote or report that your name or address has changed.
- If you have questions call your county Circuit Clerk or call the Secretary of State at 1-800-829-6786.
- Complete all sections of this form, then mail or hand deliver it to your county Circuit Clerk AT LEAST 30 days before the election in which you want to vote.
- If you are qualified and the information on your form is complete, you will be mailed a voter card that tells you where to vote.

Section I. APPLICATION TO REGISTER TO VOTE

Please select one of the following: New Registration Change of Information

- 1) Are you a citizen of the United States of America? Yes No *NOTE: If you checked "No" in response to questions 1 or 2, do not complete this form.*
- 2) Will you be 18 years of age on or before Election Day? Yes No
- 3) Would you like to serve as an Election Day Poll Worker? Yes No

CIRCLE Mr. Mrs. Miss Ms.	Last Name:	First Name:	Middle/Maiden Name:	Suffix: (JR, II)
Physical Home Address (Number & Street/Road/Dorm/Apt. or Lot #):		City:	County:	State: MS Zip:
Mailing Address (if different from above, include zip code):			Date of Birth:	
Mississippi Driver's License Number (If you do not have a driver's license, then list the last 4 digits of your Social Security Number): ***				

*****Identification Requirement:** If you do not have a driver's license or social security number, and this form is submitted by mail, and you have never registered to vote in the county you are now registering in, you must send, with this application, either a) a copy of current and valid photo identification, or b) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. If you do not provide the information requested above, you may be required to provide to election officials either (a) or (b) above the first time you vote after January 1, 2004 at a voting place or by absentee ballot.

Section II. IF YOU WERE PREVIOUSLY REGISTERED UNDER A DIFFERENT NAME OR ADDRESS, LIST THAT NAME OR ADDRESS

CIRCLE Mr. Mrs. Miss Ms.	Last Name:	First Name:	Middle/Maiden Name:	Suffix: (JR, II)
Previous Address (Number & Street/Road/Dorm/Apt. or Lot #):				
Previous City:		Previous County:	Previous State:	Previous Zip:

Section III. VOTER DECLARATION- Read and Sign

I swear/affirm that: I am a U.S. citizen. I will have lived in this state and county for at least 30 days before voting, and if a resident of a municipality, I will have lived in the municipality for at least 30 days before voting. I have never been convicted of murder, arson, armed robbery, bigamy, bribery, embezzlement, extortion, felony bad check, felony shoplifting, forgery, larceny, obtaining money or goods under false pretense, perjury, rape, receiving stolen property, robbery, theft, timber larceny, unlawful taking of a motor vehicle, statutory rape, or carjacking, or I have had my rights restored as required by law. I have not been declared mentally incompetent by a court. Furthermore, I certify that I am at least eighteen (18) years old (or I will be before the next general election), the information given by me is true and correct and that I have truly answered all questions on this application for registration, and that I will faithfully support the Constitution of the United States and of the State of Mississippi, and will bear true faith and allegiance to the same.

X _____
Signature (or mark) of applicant

Date: _____

X _____
If applicant is unable to sign, the person who assisted the applicant must sign above

Date: _____

Daytime phone number(s) where applicant can be reached _____

WARNING: False registration is a felony. The penalty for conviction of false registration is imprisonment for not more than five (5) years or a fine of not more than five thousand dollars (\$5000), or both.

Exhibit C

**BUCKLE - UP ! IT'S THE LAW !
SAFETY BELTS SAVE LIVES**



**WELCOME TO
YOUR DEPARTMENT OF PUBLIC SAFETY
DRIVER SERVICES BUREAU**

Please fill out this application if you wish to:

- Obtain an Operator's License (Class R)
- Obtain a Learner's Permit (17 or Over)
- Obtain a Commercial Driver License (CDL)
- Obtain a Class "D" Comm. License (non-CDL)
- Obtain an Identification Card (ID Card)
- Change your Address
- Change your Name
- Register to Vote *
(Section 4 of Application must be completed)
- To indicate your desire to have Organ Donor denoted on your License.

STATE LAW REQUIRES THIS DEPARTMENT TO PROVIDE YOU WITH THE FOLLOWING LEGAL NOTICE:
The State of Mississippi requires any person residing in this state who has been convicted of a specified sex offense to notify the Department of Public Safety 10 days before moving to this state and to register with the sheriff of the county of residence within 10 days of establishing residence, or if a current resident, within 3 days of release of confinement or within 3 days of date of judgment, if not immediately confined. Failure to register shall result in a fine of not more than \$5,000 or imprisonment in the state penitentiary for not more than 5 years, or both fine and imprisonment.

Driver's License Application Statement:

By submitting this application, I am consenting to registration with the Selective Service System, if so required by federal law.

CAREFULLY READ INSTRUCTIONS ON REVERSE SIDE

SECTION 1. CHECK THE PROPER BOX FOR YOUR APPLICATION AND FILL

Operator's License
 Other State Surrender
 Learner's Permit
 CDL

PRINT IN BLACK INK
 Full Name of Applicant (Last Name) (First Name) (Middle)
 Home Address (Use 911 Address)
 City State Zip County

SECTION 2. MAILING ADDRESS (If Different from Home Address)

Mailing Address
 City State Zip

SECTION 3. ANSWER THE FOLLOWING QUESTIONS

- YES NO
- () () Have you ever held a driver's license in any state? What state? _____ When? _____
 - () () Has your license or driving privilege ever been suspended, revoked or cancelled? When? _____ For what reason? _____
 - () () Have you ever been denied a license? Why? _____
 - () () Do you have any physical defects which would interfere with your ability to operate a motor vehicle? _____

I DO SOLEMNLY SWEAR / AFFIRM THAT I AM THE PERSON NAMED AND DESCRIBED HEREIN AND THE INFORMATION ON THIS APPLICATION ARE TRUE AND CORRECT.

X _____
Usual Signature of Applicant

SECTION 4. DO YOU WISH TO REGISTER TO VOTE () YES () NO IF YES

Receipt No.				CI
L.P. Receipt No.				Er
Application Fee				Rt
End. Receipt				ID
Gen. Knowledge				Ac
Signs				Ac
Air Brakes				Dr
Combination				Rt
Motorcycle				St
Double/Triples				
Tanker				Es
Passenger				I
Hazmat				a
Pre-Trip				d
Basic Control				
Road Test				

SECTION 5. VOTER DECLARATION - Read and Sign

SECTION 1. CHECK THE PROPER BOX FOR YOUR APPLICATION AND FILL IN COMPLETELY

- Operator's License
 Other State Surrender
 Learner's Permit
 CDL
 Class D Comm. Lic.
 ID Card

PRINT IN BLACK INK

Full Name of Applicant: _____ (Last Name) _____ (First Name) _____ (Middle/Maiden) _____ (Circle if Appropriate)
 Jr. Sr. II
 III IV _____

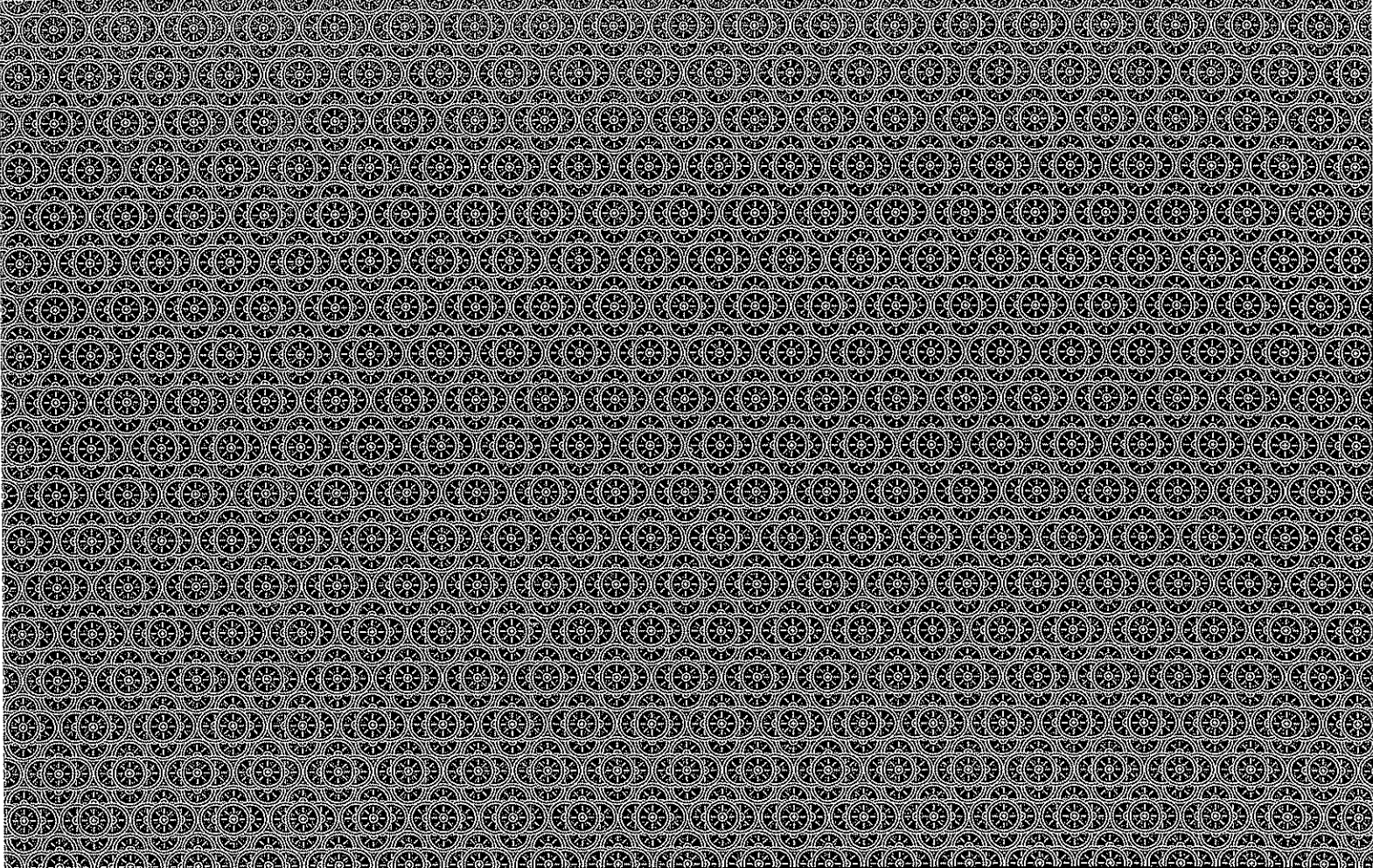
Home Address (Use 911 Address): _____ Social Security Number: _____

City: _____ State: _____ Zip: _____ County: _____

SECTION 2. MAILING ADDRESS (If Different from Home Address)

Mailing Address: _____ Date of Birth: _____ Age: _____ Race: _____
 Mo. Day Year

City: _____ State: _____ Zip: _____



SECTION 5. VOTER DECLARATION - Read and Sign

I swear / affirm that: I am a U.S. citizen. I will have lived in this state and county for at least 30 days before the election, and if a resident of a municipality, I will have lived in the municipality for at least 30 days before the election. I have never been convicted of murder, rape, bribery, theft, arson, obtaining money or goods under false pretense, perjury, forgery, embezzlement, or bigamy, or I have had my rights restored as required by law. I have not been declared mentally incompetent by a court. Furthermore, I certify that I am at least eighteen (18) years old (or I will be before the next general election), the information given by me is true and correct and that I have truly answered all questions on the foregoing application for registration, and that I will faithfully support the Constitution of the United States and the State of Mississippi, and will bear true faith and allegiance to the same.

X _____ Date _____ Daytime Telephone Number _____
 Signature (or mark) of applicant

X _____
 If applicant is unable to sign, provide signature of person who signed for applicant.

WARNING: The penalty for conviction of false registration is a felony punishable by a fine of not more than Five (5) Thousand Dollars (5,000) or imprisonment for not more than five (5) years, or both.

If you were previously registered to vote under a different name or address, please give that name or address.

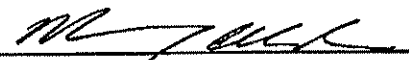
Last Name	First Name	Middle / Maiden
City / Town	County	State Zip Code

On February 11, 2008, Plaintiffs filed a motion for leave to amend the complaint to add Jerry Young and Christy Colley as plaintiffs, and to remove Linda Strickland and Michael Johnson as plaintiffs. This Court has yet to rule on Plaintiffs' motion for leave to amend the complaint to substitute the plaintiffs.

Mr. Young and Ms. Colley would like to maintain their claims challenging Defendants' expansion of disfranchising crimes before this Court. However, Plaintiffs move to withdraw, without prejudice, the claims regarding the rights of Mr. Young and Ms. Colley to vote in the presidential and vice presidential elections.

Respectfully Submitted,

By:


Nancy G. Abudu*
AMERICAN CIVIL LIBERTIES UNION
VOTING RIGHTS PROJECT
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245 Peachtree Center Ave. NE
Atlanta, GA 30303-1227
Tel: (404) 523-2721
Fax: (404) 653-0331
nabudu@aclu.org
*Admitted pro hac vice