

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

NORTH CAROLINA STATE )  
CONFERENCE OF THE NAACP, et al., )  
 )  
Plaintiffs, )  
v. ) Case No.: 1:13-CV-658  
 )

PATRICK LLOYD MCCRORY, in his )  
official capacity as the Governor )  
of North Carolina, et al., )  
 )  
Defendants. )

LEAGUE OF WOMEN VOTERS OF )  
NORTH CAROLINA, et al., )  
 )  
Plaintiffs, )  
v. ) Case No.: 1:13-CV-660  
 )

THE STATE OF NORTH CAROLINA, )  
et al., )  
 )  
Defendants. )

UNITED STATES OF AMERICA, )  
 )  
Plaintiffs, )  
v. ) Case No.: 1:13-CV-861  
 )

THE STATE OF NORTH CAROLINA, )  
et al., )  
 )  
Defendants. )

VIDEOTAPED DEPOSITION OF SYLVIA KENT

---

3:28 P.M.  
FRIDAY, JUNE 5, 2015

---

GLEN, MILLS, FISHER & MAHONEY, P.A.  
404 HUNT STREET, SUITE 100  
DURHAM, NORTH CAROLINA

By: Tammy Johnson, CVR-CM-M

A P P E A R A N C E S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

For the North Carolina State Conference of the NAACP:

ADVANCEMENT PROJECT  
BY: DONITA JUDGE  
CAITLIN SWAIN  
1220 L Street NW, Suite 850  
Washington, D.C. 20005  
(202) 728-9557  
djjudge@advancementproject.org  
cswain@advancementproject.org

NORTH CAROLINA NAACP  
BY: IRVING JOYNER  
Post Office Box 374  
Cary, North Carolina 27512

For the State of North Carolina:

NORTH CAROLINA DEPARTMENT OF JUSTICE  
SPECIAL LITIGATION SECTION  
KATHERINE A. MURPHY  
SPECIAL DEPUTY ATTORNEY GENERAL  
114 W. Edenton Street  
Raleigh, North Carolina 27603  
(919) 716-6900  
kmurphy@ncdoj.gov

Also Present:

Nicole Little  
Stephanie Swieter

The Videographer: Carl Rehl

INDEX OF EXAMINATION

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

| Examinations            | Page |
|-------------------------|------|
| By Ms. Swain . . . . .  | 8    |
| By Ms. Murphy . . . . . | 40   |
| By Ms. Swain . . . . .  | 49   |

## INDEX OF EXHIBITS

| Exhibit | Description   | Page |
|---------|---|------|
| 1       | Esther Margaret Villines<br>Identification Card Photocopy | 21   |
| 2       | Esther Margret Vallines<br>Birth Certificate Photocopy    | 26   |
| 3       | Jadine Vallines Birth<br>Certificate Photocopy            | 29   |
| 4       | Faydeen Villines Voter<br>Registration Card Photocopy     | 30   |
| 5       | Esther M. Villines Medicaid<br>Card Photocopy             | 31   |
| 6       | Faydean Villines Medicare<br>Card Photocopy               | 31   |

## STIPULATIONS

1  
2 It is hereby stipulated and agreed between the  
3 parties to this action, through their respective  
4 counsel of record:

5 1. That the videotaped deposition of  
6 Sylvia Kent may be taken on June 5, 2015, at 3:28  
7 p.m. in Durham, NC before Tammy Johnson, CVR-CM-M.

8 2. That the deposition shall be taken and used  
9 as permitted by the applicable Federal Rules of Civil  
10 Procedure.

11 3. That any objections of any party hereto as  
12 to notice of the taking of said deposition or as to  
13 the time or place thereof, or as to the competency of  
14 the person before whom the same shall be taken, are  
15 deemed to have been met.

16 4. That objections to questions and motions to  
17 strike answers need not be made during the taking of  
18 this deposition, but may be made for the first time  
19 during the progress of the trial of this case, or at  
20 any pretrial hearing held before any judge of  
21 competent jurisdiction for the purpose of ruling  
22 thereon, or any other hearing at which said  
23 deposition shall be used, except that objections to  
24 the form of the question must be made at the time  
25 such question is asked or objection as to the form of

1 the question is waived.

2 5. That the witness reserves the right to read  
3 and sign the transcript prior to it being sealed.

4 6. That the sealed original of the transcript  
5 shall be mailed First Class Postage Paid or  
6 hand-delivered to the party taking the deposition for  
7 preservation and delivery to the Court if and when  
8 necessary.

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 THE VIDEOGRAPHER: We are now on the  
2 record. The time is 3:28. Today's date is June  
3 5th, 2015. This is the video deposition of  
4 Sylvia Kent taken in the matter of North  
5 Carolina State Conference of the NAACP, et al.,  
6 plaintiffs, versus Patrick Lloyd McCrory in his  
7 official capacity as the Governor of North  
8 Carolina, et al., defendant, in the United  
9 States District Court for the Middle District of  
10 North Carolina, civil action number 1:13-CV-658  
11 and all related matters. Would counsel now  
12 please introduce themselves?

13 MS. SWAIN: My name is Caitlin Swain.  
14 I'm with Advancement Project, and I'm counsel  
15 for the NAACP, plaintiffs.

16 MS. JUDGE: Good afternoon.  
17 Donita Judge. I'm with Advancement Project and  
18 counsel for the NAA- -- North Carolina NAACP,  
19 plaintiffs.

20 MS. LITTLE: I am Nicole Little,  
21 intern with Advancement Project that is  
22 representing the North Carolina NAACP, the  
23 plaintiffs.

24 MR. JOYNER: Irving Joyner, counsel  
25 for the North Carolina NAACP.

1 MS. SWIETER: Stephanie Swieter,  
2 Advancement Project intern, which is  
3 representing the North Carolina NAACP,  
4 plaintiffs.

5 MS. MURPHY: I'm Katherine Murphy with  
6 the North Carolina Department of Justice,  
7 representing the defendants.

8 THE VIDEOGRAPHER: And would the court  
9 reporter please swear in the witness?

10 SYLVIA KENT,  
11 having been first sworn or affirmed by the  
12 Certified Verbatim Reporter and Notary Public to tell  
13 the truth, the whole truth and nothing but the truth,  
14 testified as follows:

15 MS. SWAIN: Thank you.

16 EXAMINATION

17 BY MS. SWAIN:

18 Q. Good afternoon, Mrs. Kent.

19 A. Afternoon.

20 Q. As I have already said, my name is Caitlin  
21 Swain. I work with Advancement Project, and I  
22 represent the North Carolina NAACP, plaintiffs,  
23 in this lawsuit. Mrs. Kent, we're here today to  
24 take your trial deposition because you reside  
25 over 100 miles from Winston-Salem, the location

1 of our July 2015 trial, and have indicated that  
2 you are unable -- unable to attend the trial due  
3 to this distance. If I speak today about a -- a  
4 law called H.B. 589, would you know what I was  
5 speaking about?

6 A. No.

7 Q. Okay. Very good. And do you understand that  
8 you are here today to give testimony under oath?

9 A. Yes.

10 Q. The proc- -- I'm just going to explain this  
11 process. The process will be that I will ask  
12 you questions and you're going to give truthful  
13 answers to the best of your ability. And I'll  
14 just ask that you listen to the full question  
15 before you answer because we have a wonderful  
16 court reporter who is here today, and I want to  
17 make sure that she hears both every word that I  
18 say and every word that you say and also when  
19 Attorney Murphy speaks, you will do the same.  
20 Do you understand that?

21 A. Yes.

22 Q. Thank you. And because we are recording today,  
23 if you could please give a verbal response  
24 rather than nodding your head or shaking your  
25 head, say -- saying aloud a -- a verbal response

1           rather than a nonverbal response.

2       A.    Yes.

3       Q.    Thank you so much.  Very good.  And at -- if at  
4           any time you need a break, just let us know and  
5           we'll be happy to take one.

6       A.    Thank you.

7       Q.    Wonderful.  Ms. Kent, would you please state  
8           your full name for the record?

9       A.    Sylvia Villines Kent.

10      Q.    And how do you -- could you please spell your  
11           name for the record?

12      A.    S-Y-L-V-I-A, V as in victory, I-L-L-I-N-E-S  
13           K-E-N-T.

14      Q.    Thank you.  Have you ever gone by any other  
15           name, Ms. Kent?

16      A.    Yes.

17      Q.    What name is that?

18      A.    Goodman.

19      Q.    And was that your -- a -- a former last name?

20      A.    Yes.

21      Q.    Thank you.  And what is your age, Ms. Kent?

22      A.    Seventy-one.

23      Q.    And what was -- what is your date of birth?

24      A.    ██████████.

25      Q.    Where were you born?

1 A. Person County, North Carolina.

2 Q. And even more specifically, do you -- what was  
3 the address where you were born?

4 A. Route 1 -- we didn't have a box number, but it  
5 was [REDACTED].

6 Q. Okay. And what is your permanent address today?

7 A. My permanent address is [REDACTED]  
8 [REDACTED].

9 Q. And where is Woodsdale in relation to Roxboro?

10 A. It's 501 North. It's about 15, 20 miles outside  
11 of Roxboro going north.

12 Q. Could you describe your educational background?

13 A. I graduated from Person County High School,  
14 attended Barber-Scotia College in Concord, North  
15 Carolina and also Durham Business College in  
16 Durham, North Carolina and Southside Community  
17 College and one other, Keystone Community  
18 College.

19 Q. And what -- what did you major in in college?

20 A. I started out at Barber-Scotia as elementary  
21 education and ended up with business and worked  
22 as a secretary bookkeeper.

23 Q. How long did you work as a secretary bookkeeper?

24 A. Almost 32 and a half years.

25 Q. And are you currently employed?

1 A. No.

2 Q. How did you enjoy the work of being a secretary  
3 bookkeeper?

4 A. It was a very, very interesting position.

5 Q. Have you held any other jobs since you retired,  
6 Ms. Kent?

7 A. I have. I have worked at the Free Clinic of  
8 Central Virginia in Lynchburg as -- I first  
9 started as a -- as a volunteer and then worked  
10 there until June of 2014.

11 Q. And earlier you said what your permanent address  
12 is. Is that where you currently reside at all  
13 times?

14 A. No.

15 Q. Do you spend time in other places?

16 A. I do.

17 Q. And where -- where else do you -- do you spend  
18 time?

19 A. [REDACTED].

20 Q. And do you -- where do you plan to be living as  
21 your permanent place of residence in the coming  
22 year?

23 A. North Carolina.

24 Q. And why are you planning to move full-time to  
25 North Carolina?

1 A. Because I have siblings that are in need of year  
2 round or day-to-day attention.

3 Q. Okay. How many siblings in total do you have,  
4 Ms. Kent?

5 A. It started out fifteen of us and five, six have  
6 deceased, so we have three now at the home  
7 place.

8 Q. And are those three siblings the siblings that  
9 you were speaking of that you are returning to  
10 North Carolina to live with?

11 A. Yes.

12 Q. And can you tell us their names?

13 A. Faydeen Villines, Esther Margret Villines and  
14 Katherine Villines.

15 Q. Would you -- this is not a spelling test, but  
16 would you take a moment and just spell each of  
17 those names so the court reporter gets them?

18 A. F-A-Y-D-E-E-N, Faydeen, V as in victory,  
19 I-L-L-I-N-E-S. E-S-T-H-E-R M-A-R-G-E-R-T  
20 V-I-L-L-I-N-E-S. K-A-T-H-E-R-I-N-E  
21 V-I-L-L-I-N-E-S.

22 Q. Thank you. And how old are each of your  
23 sisters?

24 A. Fay is 70. Esther is 60 -- 68, and Katherine  
25 and 65.

1 Q. What role do you play in your three sisters'  
2 lives?

3 A. They tell me, "You think you're my mother." And  
4 just a support staff to -- because they do not  
5 drive and I'm there to service them to go out to  
6 the doctor's appointment, each doctor's  
7 appointment because they are not able to explain  
8 to the doctor what's going on with them, so.

9 Q. And you -- you have explained some of this, but  
10 why do you play this role with your -- with your  
11 sisters?

12 A. Because my other siblings are all disabled. You  
13 know, they're older and they -- their children  
14 are caring for them. Their older children are  
15 caring for them, so it's no one else but me. My  
16 brother wife is sick and my other brother is --  
17 have Alzheimer's, so it's no one but me. It's  
18 something I've always done.

19 Q. Ms. Kent, are you registered to vote?

20 A. I am.

21 Q. And when did you first become registered to  
22 vote?

23 A. At 18 years old.

24 Q. Where was it that you became registered?

25 A. In Woods- -- Woodsdale, North Carolina.

1 Q. And have you changed your registration address  
2 over time?

3 A. Yes.

4 Q. Where are you currently registered to vote?

5 A. In Lynchburg.

6 Q. And did you vote from that address in the 2014  
7 election?

8 A. I did.

9 Q. In future elections, where do you expect to be  
10 registered to vote?

11 A. There until probably I'm closer to my youngest  
12 daughter, and this way I can visit with the --  
13 you know, all.

14 Q. So let me -- I -- I will ask this a -- a -- a  
15 different way because I actually think that my  
16 question wasn't -- probably wasn't very -- very  
17 clear. Do you -- do you expect to register to  
18 vote in North Carolina in the future?

19 A. In the near future? No. Yes, in the future.  
20 Yes.

21 Q. And, Ms. Kent, do you know if your sisters are  
22 registered to vote?

23 A. Yes, they are.

24 Q. And do you remember when your sisters became  
25 registered to vote?

1 A. 1972.

2 Q. Where was it that they became registered to  
3 vote, if you remember?

4 A. At the National Guard Armory on 49 in Roxboro,  
5 North Carolina.

6 Q. And were you with them when they became  
7 registered?

8 A. Yes.

9 Q. And are you familiar with your sisters' voting  
10 histories?

11 A. Yes.

12 Q. How would you describe their histories in  
13 voting?

14 A. They vote in all the local elections, the state  
15 elections and the governor -- the presidential  
16 elections.

17 Q. And how do you know about that registration  
18 history -- I'm sorry -- that voting history?

19 A. The voting history?

20 Q. Uh-huh.

21 A. Because I -- I'm there to carry them there. I  
22 take them.

23 Q. And did you take your sisters on election day of  
24 November 2014?

25 A. Yes.

1 Q. And what polling place did you take your sisters  
2 to?

3 A. The city -- it's not the city. It's called  
4 Person Office Building, I think, there in  
5 Roxboro.

6 Q. Had you and your sisters been to that polling  
7 place before?

8 A. Yes.

9 Q. And what happened when you arrived at the polls?

10 A. When we first got there -- I only take one at a  
11 time. We went in and the lady was there because  
12 there was a board with new information on it,  
13 and she explained the new information, that come  
14 for voting in 2016, that no one could vote  
15 without having a picture i.d.

16 Q. And how did you feel when you learned  
17 this information that photo identification would  
18 be required in 2016?

19 A. I was shocked, so, therefore, once we got  
20 everyone voted, I tried to take care of the  
21 situation.

22 Q. Okay. On the day of the election, how many  
23 officials at the polls did you speak to about  
24 the photo identification requirement?

25 A. Only one.

1 Q. And at any time, did that person that you spoke  
2 to, was that an official poll worker, or who was  
3 that?

4 A. It was one of the registers that comes in to  
5 register you to vote. Not register you to vote,  
6 to check you in through the voting process.

7 Q. Okay. And did that official who spoke to you at  
8 the polls ask you whether your sisters had any  
9 other form -- I'm sorry. What did that -- what  
10 did that official say -- say to you about the  
11 photo identification requirement, if you  
12 remember?

13 A. Yes. She said that this is the last time that  
14 they will be able to vote if they do not have a  
15 picture i.d.

16 Q. And did she ask you whether your sisters had a  
17 picture i.d.?

18 A. No, because they didn't need to show it at that  
19 time, but Katherine would always show hers, but  
20 Esther would not show hers, so, yes.

21 Q. And at any time, did anyone at the precinct give  
22 you any written instructions about what you  
23 could do to get a photo identification?

24 A. No.

25 Q. And did at any time any of the officials at the

1       precinct tell you about a special identification

2       or a free identification?

3       A.    No.

4       Q.    After you learned about the photo identifica- --

5       that photo identification would be required, you

6       said that you did something to try to solve that

7       problem?

8       A.    Yes.

9       Q.    What did you do next?

10      A.    I immediately went to DMV to see about getting

11      the three i.d.'s, and when I got there,

12      Katherine was able to get her i.d., but Esther

13      and Fay were not because they did not have a

14      form of birth date correct and name correct.

15      Q.    Okay. I'm going to -- I'm go- -- I'm going to

16      ask you about Katherine first.

17      A.    Okay.

18      Q.    What did the DMV worker tell you about your

19      sister, Kather- -- Katherine's i.d.?

20      A.    He said that it was a county i.d., a Person

21      County i.d., and that she would need a state

22      i.d. So he went through the process of getting

23      her a state i.d. because all the information of

24      hers was correct.

25      Q.    And did he understand that you were there to get

1 this i.d. becau- -- to be able to vote?

2 A. Yes.

3 Q. How did he understand that?

4 A. Because I told him so. I told him that we  
5 needed i.d.'s in order to vote.

6 Q. And can you describe the process of getting the  
7 state i.d. for Katherine?

8 A. Yes. There was an application process. She  
9 gave him her picture i.d. He transferred that  
10 information from her picture i.d. when I told  
11 him everything was correct, and he then took the  
12 computer and sent it to Raleigh and two weeks  
13 later she had her picture i.d.

14 Q. And was there a cost associated with that i.d.?

15 A. Yes. I'm thinking \$10.

16 Q. And after you were able to get Katherine's i.d.,  
17 what -- did -- did you also attempt to get  
18 Esther an i.d.?

19 A. Yes, I did.

20 Q. What did the DMV worker tell you about your  
21 sister, Esther's i.d.?

22 A. When she looked at her card and wanted to know  
23 her birth date and I told her birth date,  
24 therefore, she could not get one. So she said  
25 you needed to go down to the Deed of Register's

1 Office [sic] and get her birth date corrected.

2 Q. What was the -- what form of i.d. does Esther  
3 have?

4 A. She has a Person Industry i.d., which is a  
5 Person County i.d.

6 Q. And do you -- when did she get that i.d.?

7 A. I think it was back in -- because that's the  
8 second one. The first one was a little  
9 different.

10 Q. Okay.

11 A. But that's -- that's her last one there.

12 MS. SWAIN: I would like to mark this  
13 as Exhibit 1.

14 (WHEREUPON, Plaintiffs' Exhibit 1 was  
15 marked for identification.)

16 MS. SWAIN: Katherine, it is this.  
17 I'm sorry that it's not in order.

18 MS. MURPHY: Okay.

19 MS. SWAIN: Thank you.

20 Q. Ms. Kent, can you take a moment to look at this  
21 document? And just let me know when you've had  
22 a chance to review it.

23 A. I'm sorry?

24 Q. Have you had a chance to review this document?

25 A. Yes.

1 Q. Great. Can you identify this document?

2 A. Yes.

3 Q. And what is this document?

4 A. It is photo i.d. of Esther Margaret with her

5 birth date incorrectly, but her address is

6 properly done.

7 Q. And what year was it that this was issued in?

8 A. Let me put my glasses on.

9 Q. No problem.

10 A. I think it's November the 30th, 1995.

11 Q. Okay. And does this identification card have a

12 -- an expiration date?

13 A. It does.

14 Q. And what is that expiration date?

15 A. 10/03/2000.

16 Q. Okay. And was this the identification card that

17 you presented to the worker at the DMV?

18 A. Yes.

19 Q. And can you just describe just to make sure that

20 I'm clear what the problem was with this

21 identification card?

22 A. Her birth date.

23 Q. And what was -- so her birthday was in -- wha-

24 -- what was the problem with her birthday?

25 A. It's [REDACTED].

1 Q. And is that her correct birthday?

2 A. No.

3 Q. Okay. What is her correct birthday?

4 A. [REDACTED].

5 Q. Okay. Thank you. At the conclusion of speaking

6 to the DMV worker, what did you decide to do --

7 or I'm sorry. What did the DMV worker tell you,

8 well, needed to be done in order to get an i.d.

9 for -- a -- a -- a photo identification for your

10 sister?

11 A. She told me to go to the Register of Deeds and

12 get a birth certificate.

13 Q. And did you speak to any DMV workers about your

14 sister, Faydeen's, identification?

15 A. I did not because of her name.

16 Q. And how many -- so how many DMV workers did you

17 speak to in total that day?

18 A. Two.

19 Q. And just -- what -- was this on election day?

20 A. Yes.

21 Q. Okay. And at any time, did anyone you speaked

22 to at the DMV tell you about something -- a

23 special identification card available for

24 voting?

25 A. No.

1 Q. At any time did any of the DMV workers that you  
2 spoke to that day give you any written  
3 instructions on what you could do to fix the  
4 identification problem?

5 A. No.

6 Q. And where is the DMV located?

7 A. On 49 South going towards Burlington, North  
8 Carolina.

9 Q. And how far away is that from the -- the polling  
10 site that you were at that day, if you know?

11 A. Probably about ten -- maybe 10 to 15 miles.

12 Q. And how far away is that DMV site from your  
13 home?

14 A. It's closer to my home than it is from down at  
15 the voting places. Maybe eight miles.

16 Q. Okay. When you left the DMV, what did you do  
17 next to try to help solve your younger sister's  
18 photo identification problem?

19 MS. MURPHY: Objection to form. You  
20 can answer. Ignore me.

21 Q. After you left -- I'll -- I'll actually -- will  
22 just rephrase.

23 MS. MURPHY: Okay.

24 Q. After you left -- when you left the DMV, what  
25 did you do next?

1 A. I went down to the Deed of Register's Office  
2 [sic] to pick up Esther's birth certificate.  
3 Also, she said that Esther's birth date on her  
4 birth certificate was the [REDACTED],  
5 and that was wrong.

6 Q. Okay. So was the first -- when -- when you got  
7 to the Register of Deeds Office, the -- was the  
8 first problem that you worked to solve for your  
9 sister, Esther?

10 A. Uh-huh.

11 MS. MURPHY: Objection to form. You  
12 can answer. I'm going to object occasionally,  
13 and you can go ahead and answer, so you can just  
14 ignore my objection. I'm just putting them on  
15 the record.

16 THE WITNESS: Okay.

17 MS. SWAIN: And I -- I will actually  
18 ask it again.

19 THE WITNESS: Okay. Thank you.

20 Q. What -- what was the problem that you were  
21 trying to solve with Esther's birth certificate  
22 that day?

23 A. It's to get --

24 MS. MURPHY: Objection to form.

25 Q. Okay. Go ahead.

1 A. It's to get her name -- her birth date properly  
2 on her birth certificate.

3 Q. Okay. And I'm -- I'm going to go ahead and  
4 offer another exhibit. Maybe this will help  
5 with this --

6 A. Okay.

7 Q. -- next conversation.

8 MS. SWAIN: I'd like to offer this as  
9 Exhibit Number 2. This one I think I made  
10 copies for everybody.

11 (WHEREUPON, Plaintiff's Exhibit 2 was  
12 marked for identification.)

13 Q. Ms. Kent, can you identify this document?

14 A. Yes.

15 Q. And what is this document?

16 A. A birth certificate.

17 Q. Is this the birth certificate that you received  
18 the day that you went to the Register of Deeds?

19 A. Yes.

20 Q. And who is this birth certificate for?

21 A. Esther Margret Villines.

22 Q. And did you have a concern about this birth  
23 certificate?

24 A. Yes.

25 Q. What was that concern?

1 A. Not only is her birth date, the month and the  
2 day is wrong, but her name is spelled wrong.

3 Q. How is her name spelled wrong?

4 A. They have V-A-L-L-I-N-E-S rather than  
5 V-I-L-L-I-N-E-S.

6 Q. And how is the -- the birth date wrong?

7 A. It is [REDACTED].

8 Q. And what is -- to your knowledge, what is your  
9 sister's correct birth date?

10 A. [REDACTED].

11 Q. And did you explain that to the Register of  
12 Deeds?

13 A. I did. She said she could not do anything about  
14 that.

15 Q. And did -- how -- why did you believe that you  
16 needed to fix this birth certificate in order to  
17 get the photo identification for voting?

18 MS. MURPHY: Objection to leading.

19 Q. Why did you go to the Register of Deeds?

20 A. To get a birth certificate for Esther so that we  
21 could go back to DMV to get a photo i.d., and I  
22 saw this and I saw that that was also misquoted  
23 and I didn't go back to DMV.

24 Q. And did the Register of Deeds tell you what you  
25 would need to do to -- what did the Register of

1 Deed -- of Deeds tell you about this problem?

2 A. She told me that -- to call the Bureau of Vital  
3 Statistics. She gave me the number. And in the  
4 meantime, she was going to check with one of the  
5 lawyers there in Roxboro who at one time worked  
6 in that area, but it didn't materialize.

7 Q. Did you speak to the Register of Deeds about any  
8 other birth certificates on this trip?

9 A. No. But -- no. No, I did not, no.

10 Q. Okay.

11 A. Just Esther's.

12 Q. Okay. And do any of your -- any of your other  
13 sisters have problems with their birth  
14 certificate?

15 A. No. Only my brother, one brother had problems  
16 with his.

17 Q. Okay. Had you at another time worked to get the  
18 birth certificate of -- of a different sister?

19 A. Yes.

20 Q. And who was that?

21 A. Faydeen.

22 Q. And why did you try to get Faydeen's birth  
23 certificate?

24 A. Because I wanted to know for sure what her real  
25 name was, was it Faydeen or Jadine or -- and we

1 found out it was Jadine, but everything had been  
2 in Faydeen.

3 Q. Okay.

4 MS. SWAIN: I'd like to offer another  
5 exhibit, which we will mark as Exhibit 3, I  
6 believe. Great.

7 (WHEREUPON, Plaintiff's Exhibit 3 was  
8 marked for identification.)

9 Q. Ms. Kent, do you recognize this document?

10 A. I do.

11 Q. And can you identify what this document is?

12 A. It's a birth certificate for Jadine Vallines --  
13 Vallines.

14 Q. And who is that?

15 A. She's my sister.

16 Q. And is the name that your sister -- what -- what  
17 -- what is your understanding of what your  
18 sister's name is?

19 A. It's Faydeen.

20 Q. And are there any other spelling discrepancies  
21 in this name?

22 A. Yes. Faydeen is okay. I mean, not Fay- --  
23 Jadine is okay, but the Vallines is not.

24 Q. Has your sister, Faydeen, ever gone by the name  
25 Jadine?

1 A. No.

2 Q. And do you know what name your sister, Faydeen,  
3 is registered to vote under?

4 A. Faydeen Villines.

5 MS. SWAIN: I'm going to offer another  
6 exhibit which should be marked as Exhibit Number  
7 4.

8 (WHEREUPON, Plaintiff's Exhibit 4 was  
9 marked for identification.)

10 MS. SWAIN: Thank you.

11 Q. Ms. Kent, do you recognize this document?

12 A. Yes.

13 Q. Can you identify this document?

14 A. Yes. It's a voting registration, and it was for  
15 Faydeen Villines at [REDACTED],  
16 [REDACTED].

17 Q. And what is the registration date?

18 A. March the 25th, 1972.

19 Q. And, to your knowledge, is this still the same  
20 registration -- has -- to your knowledge, has  
21 your sister ever changed her registration?

22 A. No.

23 Q. To your knowledge, what is your sister,  
24 Esther's, registration under? What name is it  
25 under?

1 A. Esther Margret Villines.

2 Q. And, to your knowledge, what birth date is that  
3 registration under?

4 A. [REDACTED].

5 MS. SWAIN: I have only two more  
6 exhibits which I'd like to just offer now.

7 (WHEREUPON, Plaintiff's Exhibit 5 was  
8 marked for identification.)

9 Q. Ms. Kent -- and, I'm sorry, this is marked as  
10 Exhibit Number 5. Ms. Kent, do you recognize  
11 this document?

12 A. Yes.

13 Q. Can you identify what this document is?

14 A. Yes. It's a Medicaid card for the Division of  
15 Medical Assistance for Esther M. Villines.

16 Q. And what is the birth date?

17 A. [REDACTED].

18 Q. And is -- thank you.

19 MS. SWAIN: I have one more --

20 A. Okay.

21 MS. SWAIN: -- document. We will be  
22 marking this as Exhibit Number 6.

23 (WHEREUPON, Plaintiff's Exhibit 6 was  
24 marked for identification.)

25 Q. Ms. Kent, do you recognize this document?

1 A. I do.

2 Q. And can you identify what this document is?

3 A. It's Faydeen Villines' medical -- Medicare  
4 health insurance.

5 Q. And what is the spelling of the name on this  
6 Medicare card?

7 A. There's a "A" rather than a "E" in Faydeen, but  
8 the last name is proper.

9 Q. Thank you. After you went to the Office of the  
10 Registrar, what did you do after receiving  
11 instructions from the Registrar? I'm sorry. I  
12 should -- I'm going out of order. Let me -- let  
13 me start again.

14 A. Okay.

15 Q. What did the Registrar tell you to do?

16 A. She wrote down the name and number of the Bureau  
17 of Vital Statistics in Raleigh, the telephone  
18 number, and I did not call because I was waiting  
19 for Amanda, the Reg- -- the Register's Office to  
20 call me on the lawyer that they had there in  
21 Roxboro that would do that. And so I went by  
22 her office, and she said that she was not able  
23 to find anyone because he wasn't in that area  
24 anymore, working in that department anymore.

25 Q. Do you remember when it was that you returned to

1 the Register of Deeds Office?

2 A. It was probably the end of the month. Yeah.

3 I'm not sure what month it was, but it was at  
4 the end of the month right during the -- after I  
5 left DMV in October. Then I'm thinking maybe it  
6 was the -- the last week of the month in  
7 October.

8 Q. Okay. So in that -- the month in between going  
9 the first time and the second time to the  
10 Register of Deeds Office, did you do anything to  
11 try to remedy the problems with birth -- the  
12 birth certificates?

13 A. I did. I called the Legal Aid Society of North  
14 Carolina to see if they had a person available  
15 that could do -- work with that. They did not.  
16 And I also called the Association of Lawyers in  
17 Raleigh, and they did not have a lawyer, or no  
18 other lawyer that dealt with issues like this.

19 Q. Did they ex- -- what did -- what -- did they  
20 tell you anything about why they didn't have a  
21 lawyer?

22 A. No. They just said they had no one working in  
23 that area.

24 Q. And how did you feel based on those  
25 conversations?

1 A. Very disappointed because I felt that there  
2 should have been someone who was still  
3 practicing in that area, but everybody's  
4 specialized now.

5 Q. In total, up until this time, how much time  
6 would you estimate you spent on trying to solve  
7 this problem for your sisters?

8 A. A lot of hours. A lot of it's calling lawyers  
9 in Durham every other day, quite a few hours.

10 Q. And how would you des- -- or were you finished?  
11 I'm sorry.

12 A. Yes.

13 Q. Okay. How would you describe the process to try  
14 to get information about how to solve this  
15 problem?

16 A. It was very depressing because there were no one  
17 able to help get the ball rolling with the  
18 situation of getting this done. I talked with  
19 some -- a lawyer from the state who is working  
20 in the state legislature now, and she was not  
21 able to help me either.

22 Q. At any time during this process, did it -- an  
23 official of the state tell you that there could  
24 be a way for your sisters to vote without having  
25 a photo identification --

1 A. No.

2 Q. -- in 2016?

3 A. No.

4 Q. And at any time in this process, did anyone from

5 the state tell you that there was something

6 called a free voter i.d.?

7 A. No.

8 Q. Okay. Thank you, Ms. Kent. I only have a few  
9 more questions, but I just -- are you all right  
10 to continue?

11 A. Yes.

12 Q. Okay. Ms. Kent, earlier you described  
13 discrepancies in your sisters' birth  
14 certificates. Were there discrepancies in any  
15 of your other siblings' birth certificates?

16 A. One brother said he had a discrepancy in his.

17 Q. Why do you think that these discrepancies --

18 MS. MURPHY: Objection to hearsay.

19 Sorry.

20 Q. Why do you think these discrepancies might

21 exist?

22 A. I feel because if you look at the birth

23 certificates, they were not filed until '62.

24 They were born in the '40s, so how are people

25 going to remember information and the doctors or

1 the midwives? I'm not sure when they, you know,  
2 wrote it down.

3 Q. Were some of the children in your family born at  
4 home?

5 A. Yes.

6 Q. And --

7 A. All of us was born at home.

8 Q. And why were you born at home?

9 MS. JUDGE: Objection to -- to the  
10 lack of knowledge.

11 MS. SWAIN: Okay. That's fair.

12 Q. Why were you born at home instead of at a  
13 hospital, if you know?

14 A. Because there were no place to be born in the  
15 hospital for people of color at that time unless  
16 there was a dire emergency, and that's why so  
17 many babies were lost.

18 Q. When you were growing up in Person County, what  
19 were the rules about racial segregation?

20 A. Out in the county it wasn't as bad as it was in  
21 the city. The county people mingled during the  
22 week, but the city people did not, and you would  
23 go to the grocery stores or to the department  
24 stores and you didn't -- no one was friendly.

25 Q. And what were the -- were your -- were the

1 schools that you attended integrated racially?

2 A. No.

3 Q. How would you describe the schools that you and  
4 your siblings went -- attended as children?

5 A. We started out in the children's school. First,  
6 second and third grade and fourth were together.  
7 And fifth, sixth and seventh and eighth grade  
8 were in the other room, so we all were together.

9 Q. And what level of literacy do your sisters have?

10 A. Very little abilities to function literally on  
11 their own.

12 Q. Ms. Kent, why is voting important to you?

13 A. Because it's our right. We fought hard for that  
14 to happen, so that's very important to us.

15 Q. And why do you believe that voting is important  
16 to your sisters?

17 MS. MURPHY: Objection. Foundation.

18 Q. Ms. Kent, do you have knowledge of why your --  
19 how your sisters feel about voting?

20 A. I do. They enjoy voting and going to the polls  
21 at the time and vote because they know quite a  
22 few of the people and -- and they see them, you  
23 know, because they are connected with, you know,  
24 Social Services-type programs, so it's a -- it's  
25 a joy for them to go out to vote. And they have

1        their little piece of paper, the newspaper. We  
2        get the newspaper, so they'll look at the  
3        newspaper and see them on television and they'll  
4        say, "Look at this and tell me is that a good  
5        person to vote for?" So I'll read the article  
6        to them about that person.

7        Q. Thank you, Ms. Kent.

8                    MS. SWAIN: If we can just go off the  
9        record for one moment.

10                   THE VIDEOGRAPHER: Off the record.  
11        The time is 4:15.

12                   (Brief recess: 4:15 p.m. to 4:20 p.m.)

13                   THE VIDEOGRAPHER: Now back on the  
14        record at 4:20.

15        Q. Ms. Kent, what -- what are -- what disabilities  
16        do your sisters have?

17        A. They are retarded.

18        Q. And does your sister, Faydeen, have any forms of  
19        photo identification?

20        A. No.

21        Q. Does -- have your sisters -- to this date, have  
22        you been able to get an identification for your  
23        sister, Faydeen?

24        A. No.

25        Q. To this date, does your sister, Faydeen, have an

1 identification that you believe would allow her

2 to vote in 2016?

3 A. No.

4 Q. To this date, have you been able to get a photo

5 identification for your sister, Esther?

6 A. No.

7 Q. To this date, have you been able to get a photo

8 identification for your sister, Esther, that

9 would allow her to vote in 2014?

10 A. No, not 2014. She voted --

11 Q. I'm sorry. 2016.

12 A. Yes.

13 Q. That's important.

14 A. Yes.

15 Q. Thank you. Though I will just ask it one more

16 time.

17 A. Okay.

18 Q. Did I do that -- well, to this date, have --

19 have you been able to get a photo identification

20 for your sister, Esther, that you believe would

21 allow her to vote in 2016?

22 A. No.

23 Q. Thank you. I have no further questions at this

24 time.

25 MS. MURPHY: Okay. I do have a few

1 questions.

2 EXAMINATION

3 BY MS. MURPHY:

4 Q. Do you know why the various documents reflect an  
5 incorrect birth date for your sister, Esther?

6 A. I do not. The only thing I can think of is it  
7 started with Person Industry. Evidently, they  
8 asked her and she wasn't able to tell them, and  
9 my only thing I can say is that they just put  
10 down a date they think, maybe she's about -- you  
11 know, was born in the '50s. That's the only  
12 thing I can think of.

13 Q. Okay. And what is Person Industry?

14 A. It's a program that help disabled, mentally  
15 disabled, visually disabled any other  
16 disabilities a person could have -- disa- --  
17 disabilities. It started at three county  
18 levels, Person, Orange and -- I still haven't  
19 been able to come up with that other county.  
20 It's another county.

21 Q. Okay. And do you know why the -- or let me ask  
22 how do you know that the date recorded on  
23 Esther's birth certificate is the correct date?

24 A. Because my 83-year-old sister and my 76-year-old  
25 brother say it's the wrong date.

1 Q. And they were alive when she was born?

2 A. Yes.

3 Q. And their memory of her birth is inconsistent  
4 with what's recorded on the birth certificate?

5 A. Yes. No. Inconsistent, yes.

6 Q. Do you know who filed the birth certificates for  
7 your two sisters?

8 A. Pardon me?

9 Q. Do you know who filed the birth certificates for  
10 your sisters, Esther and Faydeen?

11 A. Yes. Dr. Bryce did one and Dr. Nichols did the  
12 other.

13 Q. Okay. And is that reflected on --

14 A. I think it's --

15 Q. -- Exhibit --

16 A. -- at the bottom.

17 Q. -- 2 and 3?

18 A. Uh-huh. Yes. For Faydeen it's Dr. Bryce. And  
19 my --

20 Q. Are you reading Exhibit 3?

21 A. Uh-huh. Yes.

22 Q. Okay. And you have the attendant's name there  
23 at -- near the bottom. Is that where you're  
24 looking?

25 A. Yes.

1 Q. In number -- near number 24 --

2 A. Yes.

3 Q. -- and 25?

4 A. Yes.

5 Q. And do you see number 25 says, "Filed January  
6 4th, 1945"?

7 A. Number 4?

8 Q. Number 25 on the exhibit. It indicates file  
9 date is January 4th, 1945.

10 A. Okay.

11 Q. Do you have any knowledge about when this was  
12 filed, any personal knowledge?

13 A. No.

14 Q. Okay. If we look now at Exhibit 2, I believe  
15 this is the birth certificate for your sister,  
16 Esther.

17 A. Okay.

18 Q. And we were just looking at the one that's in  
19 the name of Jadine. Do you see a box 25 that  
20 says this was filed on September 30th, 1946?

21 A. Yes.

22 Q. Okay. What do you believe was the birth date  
23 for your sister, this sister?

24 A. [REDACTED].

25 Q. Okay.

1 A. I mean [REDACTED].

2 Q. Okay. Have you ever contacted either the Person  
3 County Board of Elections or the State Board of  
4 Elections to ask about any of these things  
5 you've you talked about here today?

6 A. No.

7 Q. Okay. And how did you -- well, have -- have you  
8 ever had contact with the Advancement Project  
9 prior to the filing of this lawsuit? Let me ask  
10 -- let me strike that question and ask a  
11 different one.

12 When was the first time you had any contact  
13 with the Advancement Project who's being  
14 represented by the attorneys here today?

15 A. Back I guess maybe January of this year.

16 Q. Have you talked to them about how you might get  
17 an attorney to help you with your attempts to  
18 get photo i.d. for your sisters?

19 A. Now, that process, talking with them here, the  
20 ones that -- that's here, that was in March.

21 Q. March of 2015?

22 A. 2015.

23 Q. Who did you speak with in January of 2015?

24 A. The Person County NAACP. I don't know what to  
25 call -- Mr. Lester, is it --

1 Q. And -- and you don't need to -- I'm -- I'm just  
2 asking what your knowledge is, and if you don't  
3 recall, that's fine.

4 A. Okay.

5 Q. Did you speak with the NAACP about helping you  
6 find an attorney who could get you a photo i.d.?

7 A. I did.

8 Q. And were they able to provide you with  
9 assistance?

10 A. Yes, he did refer me to a lawyer that he thought  
11 that could help me.

12 Q. Okay. And have you taken further steps, then,  
13 to obtain photo i.d. -- well, before I ask that,  
14 I'll just apologize. Has anyone told you that  
15 there is a free i.d. to be used for voting?

16 A. I did not know about that until I talked over  
17 the phone with Attorney Swain.

18 Q. Okay. So when you spoke with the NAACP in  
19 January, they didn't tell you that?

20 A. No.

21 Q. Okay. What have -- what have you done since you  
22 found an attorney through the NAACP to get i.d.  
23 for your sisters?

24 A. Well, I've been working basically with Attorney  
25 Swain.

1 Q. Okay. And what has she done to help you get  
2 i.d.'s for your sisters?

3 A. To go through this process that we're going  
4 through now.

5 Q. Okay. So this deposition is going to help you  
6 get the i.d. you need for your sisters?

7 A. Hopefully, yes.

8 Q. Okay. What is your understanding of what you  
9 need to take to the DMV in order to get  
10 identification for your sisters?

11 A. A correct birth certificate.

12 Q. And who's told you that you needed a -- that you  
13 had to have a corrected birth certificate?

14 A. This is what the DMV said, that you need to go  
15 and get the birth certificate from the Register  
16 of Deeds in Person County.

17 Q. And did you call the DMV when you discovered  
18 that the birth certificate had error -- the two  
19 birth certificates had errors to find out if  
20 there was an alternative to the birth  
21 certificate?

22 A. No, I didn't because I felt I needed to correct  
23 the issues first before going back.

24 Q. What if there is an i.d. other than a birth  
25 certificate that you could use to get the voter

1 i.d.?

2 A. But no one told me that.

3 Q. The NAACP didn't tell you that?

4 A. I only talked with the NAACP for a while.

5 Q. Okay.

6 A. But, yes, she did.

7 Q. She's told you that you could use something  
8 other than the birth certificate?

9 A. Uh-huh.

10 Q. Okay. So will you go back to the DMV with --  
11 with -- does -- do your sisters have Social  
12 Security cards?

13 A. They do.

14 Q. Do they -- and I think they both have Medicare  
15 or Medicaid?

16 A. The -- this card on the Medicaid is for their  
17 father because they're disabled, so they're  
18 drawing his Social Security. So, therefore, the  
19 medical care card would have his Social Security  
20 number.

21 Q. Okay.

22 A. And that's why we see a AOB.

23 Q. And -- and I -- I may not --

24 A. Okay.

25 Q. -- need to know that, but do they individually

1 have Social Security numbers?

2 A. Yes, they do.

3 Q. Okay. And they also have applied -- have --  
4 have they had to apply for Medicaid even if it  
5 comes through your -- their father?

6 A. Medicare comes through the father.

7 Q. I apologize.

8 A. Okay.

9 Q. Do they have both Medicaid and Medicare --

10 A. They do.

11 Q. -- or just Medicare? Okay. And have they had  
12 to apply for it on their own basis, perhaps,  
13 with assistance for these -- for either Medicaid  
14 or Medicare?

15 MS. SWAIN: Objection to form.

16 Q. You can answer if you understand the question.

17 A. Yeah. They applied back in the '70s for the  
18 Medicaid, yes.

19 Q. Okay. And -- and did they have someone helping  
20 them when they applied for Medicaid?

21 A. Yes.

22 Q. Who helped them?

23 A. Their mother.

24 Q. Okay. And so now they've been on Medicaid since  
25 the '60s, did you say, or the '70s?

1 A. The '70s.

2 Q. Just the '70s, okay. Do you believe that you  
3 will be able to get photo i.d.'s acceptable for  
4 voting for your two sisters?

5 A. Of course.

6 Q. And so do you anticipate that all three of your  
7 sisters will be able to vote in --

8 MS. SWAIN: Objection.

9 MS. JUDGE: Speculation.

10 MS. SWAIN: Speculation.

11 Q. You can answer if you understand the question,  
12 and let me go ahead and finish it.

13 A. Uh-huh.

14 Q. Do you believe that all three of your sisters  
15 will be able to vote in the 2016 election?

16 A. That's my plan.

17 Q. Okay. Do you anticipate not being able to get  
18 the photo i.d.'s for your --

19 A. I do not --

20 Q. -- two sisters?

21 A. -- anticipate that.

22 Q. You anticipate being able to get the two --

23 A. That's right.

24 Q. Okay. I have no further questions.

25 MS. MURPHY: I do want the record to

1 reflect that Exhibits 1 through 6 were given to  
2 me just minutes before the deposition began, and  
3 I believe they are responsive to discovery  
4 requests, so it's a belated -- belated  
5 production, but we do have them.

6 MS. SWAIN: Thank you. If we can go  
7 off the record for one more moment.

8 THE VIDEOGRAPHER: We're off the  
9 record. The time is 4:32.

10 (Brief recess: 4:32 p.m. to 4:44 p.m.)

11 THE VIDEOGRAPHER: We're back on the  
12 record at 4:44.

13 MS. SWAIN: Ms. Kent, I just have a  
14 few more questions for you.

15 THE WITNESS: All right.

16 EXAMINATION

17 BY MS. SWAIN:

18 Q. Ms. Kent, did your family record birth dates in  
19 any way?

20 A. They did, in the family Bible.

21 Q. And did your family record all of your siblings'  
22 birth dates in the family Bible, to your  
23 knowledge?

24 A. I'm thinking most of them. I'll have to check  
25 that.

1 Q. To your knowledge, is your sister, Esther's,  
2 birth date recorded in the family Bible?

3 A. Yes.

4 Q. And what is it recorded as?

5 A. [REDACTED].

6 Q. And, Ms. Kent, what is your birth date?

7 A. [REDACTED].

8 Q. And if you could look with me very quickly at  
9 the birth certificate of your sister, Esther,  
10 which, I'm sorry, I'm not sure of the exhibit  
11 number.

12 MS. MURPHY: It's Number 2.

13 MS. SWAIN: Thank you. Exhibit Number  
14 2.

15 MS. MURPHY: You said Esther, right?

16 MS. SWAIN: Esther, uh-huh.

17 Q. Can you tell me again what the birth date is?

18 A. [REDACTED].

19 Q. Thank you. Ms. Kent, do you understand that you  
20 are testifying today in a lawsuit to challenge  
21 the necessity of having a photo identification  
22 in order to vote?

23 A. Yes.

24 Q. And are you pursuing a separate process in order  
25 to get i.d. -- photo identifications to vote for

1           your sisters?

2       A.    Yes.

3       Q.    Ms. Kent, are you hopeful that you will be able  
4           to get photo identifications for your sisters  
5           that will allow them to vote in 2016?

6       A.    Yes.

7       Q.    Do you know for certain that you will be able to  
8           get photo identifications for your sisters in  
9           2016?

10      A.    Yes.  I -- I do believe I will.  I do believe.

11      Q.    Why?

12      A.    Because there's some lawyer out here that will  
13           help get the -- the process in place so that it  
14           will happen before the election.

15      Q.    Thank you.  I have no further questions at this  
16           time.  Thank you very much, Ms. Kent.

17      A.    Thank you.

18                   MS. MURPHY:  And I have noth- -- no  
19           follow-up.  Thank you.

20                   THE VIDEOGRAPHER:  This concludes this  
21           deposition.

22                   MS. SWAIN:  I am so sorry.  I just  
23           wanted to make sure that I properly moved all of  
24           the exhibits into the record.  Thank you.

25                   THE VIDEOGRAPHER:  This concludes this

1 deposition. The time is 4:45.

2 [SIGNATURE RESERVED]

3 [DEPOSITION CONCLUDED AT 4:45 P.M.]

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 A C K N O W L E D G E M E N T O F D E P O N E N T

2

3 I, SYLVIA KENT, declare under the penalties  
4 of perjury under the State of North Carolina that I  
5 have read the foregoing 52 pages, which contain a  
6 correct transcription of answers made by me to the  
7 questions therein recorded, with the exception(s)  
8 and/or addition(s) reflected on the correction sheet  
9 attached hereto, if any.

10 Signed this the day of , 2015.

11

12

13 SYLVIA KENT

14

15 State of:

16 County of:

17 Subscribed and sworn to before me this  
18 day of , 2015.

19

20

21 Notary Public

22 My commission expires:

23

24

25



