



AlaFile E-Notice

03-CV-2008-900749.00

To: NEAL ALLISON EICHENFED
anaclual@bellsouth.net

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

DONNA BAKER ET AL v. BETH CHAPMAN ET AL
03-CV-2008-900749.00

The following complaint was FILED on 10/6/2008 3:06:49 PM

Notice Date: 10/6/2008 3:06:49 PM

MELISSA RITTENOUR
CIRCUIT COURT CLERK
MONTGOMERY COUNTY, ALABAMA
251 S. LAWRENCE STREET
MONTGOMERY, AL 36102

334-832-4950



IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

DONNA BAKER, KRISTEN HALL, and)
ANNETTE McWASHINGTON, on behalf)
of themselves and all others similarly situated,)

Plaintiffs,)

v.)

BETH CHAPMAN, in her official capacity as)
Alabama Secretary of State, NELL CARTER,)
in her official capacity as Jefferson County)
Registrar and on behalf of a class of all voter)
Registrars in the State of Alabama, JEAN)
KIRKLAND, in her official capacity as Monroe)
County Registrar and on behalf of a class of all)
voter registrars in the State of Alabama, and)
DONNA JORDAN, in her official capacity as)
Monroe County Registrar and on behalf of a)
class of all voter registrars in the State of)
Alabama,)

Civil Action No.
03-CV-2008-900749.00

AMENDMENT TO COMPLAINT

Come now the Plaintiffs in the above styled case and amend their complaint as follows:

1. By adding Cynthia S. Dillard, the Executive Director of the Alabama Board of Pardons and Paroles, as a defendant in this case;
2. By adding the following Count to the complaint:

COUNT 6

103. Plaintiffs adopt by reference and incorporate herein the allegations of the preceding counts of the complaint.

104. Under Alabama law, every citizen of the United States over the age of 18 years has the right to register to vote and to vote, provided they have not been convicted of a felony involving moral turpitude. Ala. Const. art. VIII, § 177.

105. Plaintiffs and those similarly situated have not been convicted of a felony involving moral turpitude, but have nevertheless been wrongfully denied the right to register and/or to vote on the groundless basis that they have been convicted of a felony involving moral turpitude.

106. The said denial has resulted either intentionally, recklessly and wantonly, or negligently from the improper use of lists of felonies by defendants and others, which lists were improperly disseminated to registrars by the State or by a contract consultant employed by the State for assistance on voting matters. The said denial has also resulted from other improper and unlawful conduct by defendants and by the State of Alabama.

107. Defendants have wrongfully failed to correct the State's voting rolls to cure the unlawful denial of the right to register and/or to vote, and as a result, Plaintiffs and those similarly situated have been irreparably injured.

3. By amending their request for preliminary relief to include an injunction mandating an immediate return to the voting rolls of all people wrongfully excluded; personal notification and wide spread media notification informing people of their return to the voting roles and informing those who were wrongly denied the right to register of their right to register; an extension of the time in which people may register to vote in the upcoming election to be held on November 4, 2008; and such other, further and different

relief, preliminary and permanent, as the Court may determine to be just and proper under the circumstances presented.

Date: October 6, 2008

Respectfully submitted,

s/Robert D. Segall

Robert D. Segall

Copeland, Franco, Screws & Gill P.A.

Cooperating Counsel of the American Civil

Liberties Union of Alabama Foundation

444 South Perry Street

P.O. Box 347

Montgomery, Alabama 36101-0347

Tel: 334-834-1180

Fax: 334-834-3172

Email: segall@copelandfranco.com

Allison Neal

Staff Attorney

American Civil Liberties Union

Of Alabama Foundation

207 Montgomery Street, Suite 910

Montgomery, Alabama 36104

Tel: 334-265-2754 x203

Fax: 334-269-5666

Email: anaclual@bellsouth.net

Laughlin McDonald*

Neil Bradley*

Nancy G. Abudu*

AMERICAN CIVIL LIBERTIES UNION

VOTING RIGHTS PROJECT

230 Peachtree Street, N.W.

Suite 1440

Atlanta, Georgia 30303-1513

Tel: (404) 523-2721

Fax: (404) 653-0331

lmcdonald@aclu.org

nbradley@aclu.org

nabudu@aclu.org

**Admitted pro hac vice*

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I certify that on this the 6th day of October, 2008, I electronically filed the foregoing with the Clerk of the Court using the Alafile system which will send notification of such filing to the following attorneys:

James W. Davis
Misty S. Fairbanks

JimDavis@ago.state.al.us
mfairbanks@ago.state.al.us

s/Robert D. Segall
Of Counsel