

Town of Tylertown
Election Commission
P O Box 191
308 Beulah Ave
Tylertown, MS 39667
(601) 876-4011

The Election Commission met in a regular meeting on May 3, 2021 at 3:00 pm in Tylertown City Hall. Members present included Donis Smith, Alicia Ginn, Molly Lee, and City Clerk Lori Hawn.

In accordance with Mississippi Code Ann. §23-15-361, we the Election Commission of the Town of Tylertown dispense with the June 8, 2021 General Election as there was only one (1) person duly qualified for each office. We find that each candidate meets the minimum qualifications to hold the office sought, and we declare the following persons to be elected without opposition:

Edward Hughes – Mayor (D)
Mary Lib Duncan – Alderwoman at Large (D)
Doug Walker – Alderman Ward 1 (D)
Stormy Jefferson – Alderwoman Ward 2 (D)
Fred Lambert – Alderman Ward 3 (D)
Vacant – Alderman Ward 4

Donis Smith made a motion to dispense with the General Election pursuant to Miss. Code Ann. §23-15-361 and declare each candidate to be elected without opposition as all candidates meet all the qualifications to hold the office sought. The motion was duly seconded by Molly Lee; all in favor and the motion carried.

Signed this the 3 day of May, 2021.

Donis Smith
Alicia Ginn
Molly Lee

Donis Smith
Alicia Ginn
Molly Lee

Attested: Lori Hawn
City Clerk – Lori Hawn



BEFORE THE MUNICIPAL ELECTION COMMISSION OF 4-21-2021
THE TOWN OF TYLERTOWN, MISSISSIPPI

ORDER

A meeting of the Election Commission of The Town of Tylertown, Mississippi (Election Commission) was called to order and held April 13, 2021, and an additional meeting of the Election Meeting was called to order and held April 21, 2021. All members of the Commission were present at each meeting.

At its April 13 meeting, the Election Commission took up the matter of the certificate by the Democratic Executive Committee of the Town of Tylertown (Executive Committee) of the candidates receiving the highest number of vote cast in the Democratic Party primary election held April 6, 2021 as follows:

<u>Office</u>	<u>Candidate</u>	<u>Total Votes</u>
Mayor	Jasper Howard	101
	Edward Hughes	337
Alderman at Large	Mary Lib Duncan	294
	Frederick Magee, Jr.	142
Alderman Ward 1	Jonathan McEwen	46
	Doug Walker	99
Alderman Ward 2	Stormy Jefferson	103
Alderman Ward 3	Fred Lambert	81
Alderman Ward 4	Carolyn Magee	30
	Curtis Hart Magee	58



The Election Commission has the authority and the obligation under *Miss. Code Ann., Sec. 23-15-361 (1972)*, to determine whether each party candidate nominated by a political party is qualified to have his or her name placed on the ballot in the general

election.

The municipal election commission shall determine whether each party candidate in the municipal general election is a qualified elector of the municipality, and of the ward if the office sought is a ward office and shall determine whether each candidate either meets all other qualifications to hold the office he or she is seeking or presents absolute proof that he or she will, subject to no contingencies, meet all qualifications on or before the date of the general or special election at which he or she could be elected to office. The municipal election commission also shall determine whether any candidate has been convicted of any felony in a court of this state . . . If the municipal election commission finds that a candidate either (a) . . . , (b) . . . , or (c) has been convicted of a felony as described above and not pardoned, then the election commission shall notify the candidate and give the candidate an opportunity to be heard. . . . If the candidate fails to appear at the hearing or to prove he or she meets all qualifications to hold the office subject to no contingencies, then the name of the candidate shall not be placed upon the ballot.” *Sec. 23-15-361* (Emphasis added).

At its April 13, 2021 meeting, the Election Commission was not presented anything challenging the qualifications of the Nominees Edward Hughes for Mayor, Mary Lib Duncan for Alderman at Large, Doug Walker for Alderman Ward 1, Stormy Jefferson for Alderman Ward 2 or Fred Lambert for Alderman Ward 3, but was presented the following documents pertaining to Curtis Hart Magee, nominee of the Democratic Party for the office of Alderman - Ward 4:

1. A copy of a Sentence order dated October 8, 2007 and filed October 15, 2007 in Cause No. 2006-70 T in the Circuit Court of Walthall County, Mississippi, styled, “The State of Mississippi vs. Curtis Hart, Jr.,” showing that, on October 8, 2007, Curtis Hart, Jr., entered a plea of guilty to a charge against him of the crime of Conspiracy to Commit the Crime of Unlawful Sale of Cocaine and was sentenced to serve a term of ten years in the custody of the Mississippi Department of Corrections, with that sentence suspended for five years

probation, and he was ordered to undergo alcohol and drug treatment as recommended by MDOC and to pay a fine of \$2,000.00, attorney fees of \$750.00 and court costs, with that sentence to run concurrently with the sentence in Cause No. 2006-71 T;

2. A copy of a Sentence order dated October 8, 2007 and filed October 15, 2007 in Cause No. 2006-71 T in the Circuit Court of Walthall County, Mississippi, styled, "The State of Mississippi vs. Curtis Hart, Jr.," showing that, on October 8, 2007, Curtis Hart, Jr., entered a plea of guilty to a charge against him of the crime of Conspiracy to Commit the Crime of Unlawful Sale of Cocaine and was sentenced to serve a term of ten years in the custody of the Mississippi Department of Corrections, with that sentence suspended for five years probation, and he was ordered to undergo alcohol and drug treatment as recommended by MDOC and to pay a fine of \$2,000.00, attorney fees of \$750.00 and court costs, with that sentence to run concurrently with the sentence in Cause No. 2006-70 T; and

3. A copy of a probation order dated October 9, 2007 and filed November 5, 2007 in Causes No. 2006-70 & 71 in the Circuit Court of Walthall County, Mississippi styled, "The State of Mississippi v. Curtis Hart" showing that the defendant, having been arraigned on an indictment lawfully returned by the Grand Jury of Walthall County charging him with the crimes of "Conspiracy to Sell Cocaine X 2", entered his plea of guilty to that indictment, was sentenced to serve a term of ten years in the custody of the Mississippi Department of Corrections, with the Court suspending the execution of that sentence for a

period of five years and placing the defendant on probation under the supervision of the Mississippi Department of Corrections.

Curtis Hart Magee, the nominee of the Democratic Party for the office of Ward 4, was present at the April 13, 2021 meeting of the Election Commission and admitted that he is the person who was called Curtis Hart, Jr. and Curtis Hart in the orders of the Circuit Court of Walthall County, and that he has been convicted of two counts of the crime of Conspiracy to Commit the Crime of Unlawful Sale of Cocaine and sentenced to serve a term in the custody of the Mississippi Department of Corrections, with the execution of that sentence suspended with him placed on probation. He admitted that he has not been pardoned. He appeared, therefore, to the Election Commission to have been convicted of a felony and to be disqualified under the provisions of Section 44 of the Constitution of Mississippi from holding the office of Alderman Ward 4 of the Town of Tylertown, Mississippi, the office which he seeks, however, the Election Commission had a duty under *Miss. Code Ann., Sec. 23-15-361 (1972)*, to give Curtis Hart Magee an opportunity to be heard after three days' notice. At its April 13 meeting with Curtis Hart Magee present and expressing his agreement, the Election Commission set April 21, 2021 at 4:30 P.M. as the date and time, and the meeting room at the City Hall at 308 Beulah Avenue, Tylertown, Mississippi, as the place, for a hearing to be conducted to determine whether Curtis Hart Magee meets all qualifications to hold the office of Alderman Ward 4 of the Town of Tylertown, Mississippi or can present absolute proof that he will, subject to no contingences, meet all qualifications on or before the date of the general election.

On April 14, 2021, more than three business days before the date of the April 21,

2021 hearing, a Notice of Hearing was mailed by the Municipal Clerk of Tylertown to Curtis Hart Magee at the address provided by him on his qualifying forms and, on April 18, 2021 at approximately 8:30 A.M., Donis Smith, Chairperson of the Election Commission, spoke with Curtis Hart Magee by telephone and he confirmed that he had received the written notice and that he planned to attend the hearing.

A meeting of the Municipal Election Commission was held April 21, 2021, for the purpose of reviewing the qualifications of each person certified by the Municipal Democratic Executive Committee on April 13, 2021 as a nominee of the Democratic Party for an office of the Town of Tylertown to be elected at the June 8 General Election, and for the purpose of giving each candidate whose qualifications were unproven or challenged, the opportunity to prove that he or she meets, subject to no contingencies, all qualifications to hold the office for which he or she has been nominated.

No person raised any question as to the qualifications of Edward Hughes, nominee for the office of Mayor, Mary Lib Duncan, nominee for the office of Alderman at Large, Doug Walker, nominee for the office of Alderman Ward One, Stormy Jefferson, nominee for the office of Alderman Ward Two, or Fred Lambert, nominee for the office of Alderman Ward Three.

On motion duly made, seconded and carried, the Election Commission finds and determines that each of the nominees, Edward Hughes, nominee for the office of Mayor, Mary Lib Duncan, nominee for the office of Alderman at Large, Doug Walker, nominee for the office of Alderman Ward One, Stormy Jefferson, nominee for the office of Alderman Ward Two, and Fred Lambert, nominee for the office of Alderman Ward

Three, is a qualified candidate for the office which he or she seeks, and that the name of each shall be placed on the ballot for the June 8, 2021 general election should such election be necessary.

The matter of the qualifications of Curtis Hart Magee, nominee for the office of Alderman Ward 4, came on for consideration.

Curtis Hart Magee was given an opportunity to participate fully in the hearing, including the right to be present throughout the hearing, to hear the testimony of all the witnesses, to ask questions of those witnesses, to see all exhibits introduced, to testify, to call witnesses to testify on his behalf, to introduce exhibits and other evidence in his favor, and to speak to the Election Commissioners, and he did participate to the extent he desired.

The Election Commission heard the testimony of the witnesses who were called and sworn:

Vernon Alford, Circuit Clerk of Walthall County,

Curtis Hart Magee, the nominee,

Joseph Jefferson

Lashane Lewis

Dinella Magee

heard the statements made by Curtis Hart Magee, and received and considered all the documentary evidence produced.

At the conclusion of the hearing, the record was closed and, on motion duly made, seconded and carried, the Election Commission does hereby find and determine that Curtis Hart Magee was convicted by guilty pleas of two counts of the crime of Conspiracy to Commit the Crime of Unlawful Sale of Cocaine, a felony under

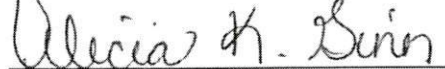
Mississippi law, in the Circuit Court of Walthall County, Mississippi on April 8, 2007, that he has not been pardoned and that the record of those convictions has not been expunged, and that, therefore, he is not a qualified candidate for the office of Alderman Ward 4 of the Town of Tylertown which he seeks, and that his name shall not be placed on the ballot for the June 8, 2021 general election.

On motion made, seconded and passed, the meeting adjourned.

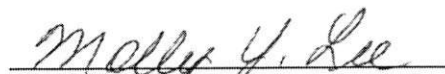
So ordered this 21st day of April, 2021.



Election Commissioner



Election Commissioner



Election Commissioner

The Municipal Democratic Party Executive Committee for the Town of Tylertown, Mississippi met at the call of the Chairman on April 27, 2021 at 3:45 P.M.

The Chairman reported to the Executive Committee that the Municipal Election Commission of the Town of Tylertown met April 21, 2021 for the purpose of reviewing the qualifications of each person certified by the Municipal Democratic Executive Committee on April 13, 2021 as a nominee of the Democratic Party for an office of the Town of Tylertown to be elected at the June 8 General Election, and for the purpose of giving each candidate whose qualifications were unproven or challenged, the opportunity to prove that he or she meets, subject to no contingencies, all qualifications to hold the office for which he or she has been nominated.

The qualifications of Edward Hughes, nominee for the office of Mayor, Mary Lib Duncan, nominee for the office of Alderman at Large, Doug Walker, nominee for the office of Alderman Ward One, Stormy Jefferson, nominee for the office of Alderman Ward Two, and Fred Lambert, nominee for the office of Alderman Ward Three were not questioned or challenged and the Election Commission determined that each of:

Edward Hughes, nominee for the office of Mayor,
Mary Lib Duncan, nominee for the office of Alderman at Large,
Doug Walker, nominee for the office of Alderman Ward One,
Stormy Jefferson, nominee for the office of Alderman Ward Two, and
Fred Lambert, nominee for the office of Alderman Ward Three,

is a qualified candidate for the office which he or she seeks, and that the name of each shall be placed on the ballot for the June 8, 2021 General Election should such election be necessary.

The matter of the qualifications of Curtis Hart Magee, nominee for the office of Alderman Ward 4, were considered by the Election Commission, which afforded Curtis Hart Magee an opportunity to participate fully in the hearing, including the right to be present throughout the hearing, to hear the testimony of all the witnesses, to ask questions of those witnesses, to see all exhibits introduced, to testify, to call witnesses to testify on his behalf, to introduce exhibits and other evidence in his favor, and to speak to the Election Commissioners, and he did participate to the extent he desired. The Election Commission heard the testimony of the witnesses who were called and sworn, including Vernon Alford, Circuit Clerk of Walthall County, Curtis Hart Magee, the nominee, Joseph Jefferson, LaShane Lewis, and Dinella Magee, and at the conclusion of the hearing, the record was closed and the Election Commission determined that Curtis Hart Magee was convicted by guilty pleas of two counts of the crime of Conspiracy to Commit the Crime of Unlawful Sale of Cocaine, a felony under Mississippi law, in the Circuit Court of Walthall County, Mississippi on April 8, 2007, that he has not been pardoned and that the record of those convictions has not been expunged, and that, therefore, he is not a qualified candidate for the office of Alderman Ward 4 of the Town of Tylertown which he sought, and that his name will not be placed on the ballot for the June 8, 2021 General Election.

The Chairman reported that the Executive Committee has an opportunity under Section 12-15-317 of the Mississippi Code, to nominate a substitute nominee for the office of Alderman Ward 4.

On motion duly made S. Stevenson, seconded D. Harvey and carried, the Executive Committee determined that it will not nominate a substitute nominee of the Democratic Party for the office of Alderman Ward 4 in the General election to be held June 8, 2021.

So ordered this 27th day of April, 2021.

Municipal Democratic Party
Executive Committee of
The Town of Tylertown, Mississippi

Robert O. Jones
CHAIRMAN

Dana Wainwright

Catherine Walker

Sharon Stevenson

Becky Dyson - speaker phone

