

FILED

OCT 29 2012

BY *Melody Gates*  
MELODY GATES, CLERK

STATE OF LOUISIANA, THROUGH  
JAMES D. "BUDDY" CALDWELL,  
ATTORNEY GENERAL

NUMBER: 33,052

VS

2<sup>nd</sup> JUDICIAL DISTRICT COURT

PARISH OF JACKSON

TOWN OF JONESBORO

STATE OF LOUISIANA

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**MOTION FOR CONTEMPT AND FOR SANCTIONS**

NOW INTO COURT, through undersigned counsel, comes the State of Louisiana, through James D. "Buddy" Caldwell ("the State"), which moves for an order finding Leslie Thompson, Mayor of the Town of Jonesboro and Alderman LaStevic Cottonham in contempt of court for the following reasons:

1.

The State of Louisiana filed suit against the Town of Jonesboro ("Town") seeking the appointment of an independent fiscal administrator pursuant to La. R.S. 39:1351.

2.

A trial was held on July 16 and 17, 2012, during which the State proved by a preponderance of evidence that the state of the Town's finances required the appointment of an independent fiscal administrator.

3.

This Court entered judgment on July 24, 2012, appointing William J. Ryder, CPA, as the independent fiscal administrator of the Town and establishing his duties and authority.

4.

At all times since his appointment, William J. Ryder has attempted to perform the duties set forth in the July 24, 2012, judgment.

5.

Notwithstanding, since his appointment Mr. Ryder has been continuously and repeatedly obstructed and impaired from performing the duties set forth in the July 24, 2012 judgment. See copy of the Fiscal Administrator's Progress Report for July 25 –August 10, 2012; the Fiscal Administrator's Progress Report for August 11 –August 31, 2012; the Fiscal Administrator's Progress Report for July 25 –October 8, 2012; the Fiscal Administrator's Progress Report for July 25 –October 18, 2012; and the Report to the Fiscal Review Committee of October 2, 2012

attached hereto and made a part hereof as Exhibit "A" *in globo*.

6.

Such actions prevented Mr. Ryder from accomplishing his duties and he could no longer justify the expense of his services. As a result, Mr. Ryder sought permission from the Court to withdraw as fiscal administrator. The Court granted his request effective October 18, 2012, by letter.

7.

Though Mr. Ryder is no longer serving as the appointed independent fiscal administrator, the Town is nonetheless still under the obligation of independent fiscal administration.

8.

The State contends that the Town's actions, and in particular the actions of Thompson and Cottonham, amount to a willful violation of the Court's July 24, 2012 judgment, and as such, Thompson and Cottonham are in contempt of the Court's July 24, 2012 judgment, as more fully described in the memorandum in support of motion filed herewith.

9.

The willful violation of this Court's July 24, 2012 judgment has prevented the fiscal administrator from carrying out his duties and hindered the independent fiscal administration of the Town.

WHEREFORE, the State prays for an order finding Thompson and Cottonham in contempt, and for sanctions.

Respectfully Submitted,

JAMES D. "BUDDY" CALDWELL  
ATTORNEY GENERAL

BY: 

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**PLEASE SERVE:**

**Personal service upon  
Honorable Leslie Thompson, Mayor  
Town of Jonesboro  
1000 7<sup>th</sup> Street  
Jonesboro, LA 71433**

**Personal service upon  
Alderman LaStevic Cottonham  
Town of Jonesboro  
1000 7<sup>th</sup> Street  
Jonesboro, LA 71433**

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that the above and foregoing has this date been transmitted via facsimile or electronic mail and mailed to all parties to this litigation by placing same in the United States Mail, First Class, properly addressed and postage prepaid on this 26<sup>th</sup> day of October, 2012.

  
MICHAEL VALLAN