

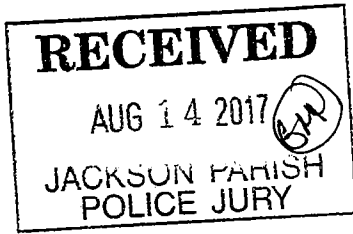
RULE NISI

HEBERT SIMMONS, ET AL
(Plaintiff)

NUMBER C659780 SECTION 22

vs.

STATE OF LOUISIANA
(Defendant)



19th JUDICIAL DISTRICT COURT

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

TO: JACKSON PARISH POLICE JURY
THROUGH ITS PRESIDENT EDDIE LANGSTON
****THROUGH PRIVATE PROCESS SERVER**

The Mover in this case filed a **RULE TO SHOW CAUSE** which the Court granted. Certified copies of this document and the Court's Order are attached.

You **MUST** come to Court at **9:30, AM**, on **AUGUST 21, 2017**, in Room **10-D**, 300 North Boulevard, Baton Rouge, Louisiana, and show cause why:

******* SEE ATTACHED ORDER *******

YOU ARE ORDERED TO APPEAR IN COURT. IF YOU FAIL TO APPEAR, A BENCH WARRANT MAY ISSUE FOR YOUR ARREST.

This Rule was issued by the Clerk of Court for East Baton Rouge Parish on **10-AUG-2017**.



Randy M. Monte
Deputy Clerk of Court for
Doug Welborn, Clerk of Court

Requesting Attorney: ERNEST LLOYD JOHNSON

SERVICE INFORMATION:

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____, served on the above named party as follows:

PERSONAL SERVICE: On the party herein named at _____.

DOMICILIARY SERVICE: On the within named _____, by leaving the same at his domicile in this parish in the hands of _____, a person of suitable age and discretion residing in the said domicile at _____.

DUE AND DILIGENT: After diligent search and inquiry, was unable to find the within named _____ or his domicile, or anyone legally authorized to represent him.

RETURNED: Parish of _____, this _____ day of _____, 20____.

SERVICE: \$ _____
MILEAGE \$ _____
TOTAL: \$ _____
Deputy Sheriff

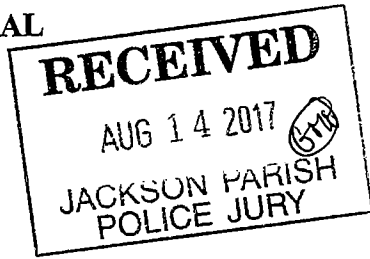


ORIGINAL AND SUPPLEMENTAL AND AMENDED CITATION

HEBERT SIMMONS, ET AL
(Plaintiff)

vs.

STATE OF LOUISIANA
(Defendant)



NUMBER C659780 SECTION 22

19th JUDICIAL DISTRICT COURT

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

TO: **JACKSON PARISH POLICE JURY**
THROUGH ITS PRESIDENT EDDIE LANGSTON
****THROUGH PRIVATE PROCESS SERVER****

Attached to this citation are certified copies of the Original and Supplemental and Amended Petitions*. The petitions tell you what you are being sued for.

You must EITHER do what the petitions asks OR, within fifteen (15) days after you have received these documents, you must file an answer or other legal pleadings in the office of the Clerk of this Court at 300 North Boulevard, Baton Rouge, Louisiana.

If you do not do what the petitions asks, or if you do not file an answer or legal pleading within fifteen (15) days, a judgment may be entered against you without further notice.

This citation was issued by the Clerk of Court for the East Baton Rouge Parish, on 10-AUG-2017.



Randy M. Monte
Deputy Clerk of Court for
Doug Welborn, Clerk of Court

Requesting Attorney: ERNEST LLOYD JOHNSON
*Also attached are the following documents:
MOTION TO APPOINT PRIVATE PROCESS SERVER;
AMENDING PETITION; ORDER; ORIGINAL PETITION

SERVICE INFORMATION:

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____, served on the above named party as follows:

PERSONAL SERVICE: On the party herein named at _____.

DOMICILIARY SERVICE: On the within named _____, by leaving the same at his domicile in this parish in the hands of _____, a person of suitable age and discretion residing in the said domicile at _____.

DUE AND DILIGENT: After diligent search and inquiry, was unable to find the within named _____ or his domicile, or anyone legally authorized to represent him.

RETURNED: Parish of _____, this _____ day of _____, 20____.

SERVICE: \$ _____
MILEAGE \$ _____
TOTAL: \$ _____
Deputy Sheriff



STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE
19th JUDICIAL DISTRICT COURT

DR. HERBERT SIMMONS, et al

NUMBER: 659,780 SECT 22

VS.

COST OK \$

JOHN B. EDWARDS, GOVERNOR OF
STATE OF LOUISIANA AND
JACKSON PARISH POLICE JURY

AUG 10 2017

DEPUTY CLERK OF COURT

BY: _____
CLERK OF COURT

MOTION TO APPOINT PRIVATE PROCESS SERVER

On motion of Dr. Herbert Simmons, et al through Ernest L. Johnson, their attorney, and on suggesting to the court that:

Pursuant to a ruling of the court during a hearing held on August 10, 2017 has ordered that a person not a party to these proceedings and over the age of majority and residing in the Parish of Jackson be and he is hereby appointed to make service of process on Eddy Langston, President of the Jackson Parish Policy Jury, defendant in these proceedings, in the same manner as is required of sheriffs.

Baton Rouge, Louisiana this 10 day of August, 2017.



JUDGE

By: 

ERNEST L JOHNSON #02790
ATTORNEY AT LAW
3313 Government Street
Baton Rouge, LA 70806
Tel: (225) 334-7490
Fax (225) 334-7491



EBR4258147

EAST BATON ROUGE PARISH

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DEPUTY CLERK OF COURT

CERTIFIED TRUE AND
CORRECT COPY

AUG 10 2017


East Baton Rouge Parish
Deputy Clerk of Court

4. By amending paragraph 11 to read as follows:

11.

Petitions further contend that Act 171 is unconstitutional and a violation of Louisiana law because it is retroactive in its creation and application resulting in a loss of property interest of Dr. Simmons who was replaced on the Hospital Board by Act 171 qualification.

5. By amending paragraph 15 to read as follows:

15.

Wherefore Petitioners, Dr. Herbert Simmons, et al pray that after due proceeding be had, that there be judgment in their favor and against defendants, State of Louisiana through its Governor Honorable John B. Edwards and the Jackson Parish Police Jury declaring Act 171 unconstitutional and/or null and void as violation of Louisiana law and further why they or anyone acting on their behalf should not be enjoined and prohibited from appointing members to the Jackson Parish Hospital Service District Board pursuant to Act 171. Finally Petitioners pray for the cost of these proceedings and for any and all equitable relief.

WHEREFORE, petitioners, reiterating the prayer of their original petition as though set forth at length herein, pray that their original petition be supplemented and amended in the above particulars that, after due proceedings had, there be judgment herein in favor of the petitioners, Dr. Herbert Simmons, et al and against the defendants, State of Louisiana through Governor John B. Edwards and Jackson Parish Police Jury through its President Eddie Langston, as originally prayed for herein.

By: _____



ERNEST L. JOHNSON #02790
ATTORNEY AT LAW
3313 Government Street
Baton Rouge, LA 70806
Tel: (225) 334-7490
Fax (225) 334-7491

CASILEX

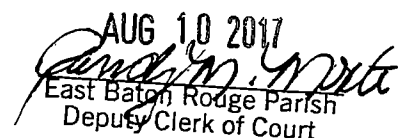
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DEPUTY CLERK OF COURT

PLEASE SERVE:

Honorable John B. Edwards
Governor State of Louisiana
Louisiana State Capitol Building, 4th Floor
Baton Rouge, LA

**CERTIFIED TRUE AND
CORRECT COPY**

AUG 10 2017

East Baton Rouge Parish
Deputy Clerk of Court

STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE
19th JUDICIAL DISTRICT COURT

DR. HERBERT SIMMONS, et al

NUMBER: 659,780 SECT 22

VS.

JOHN B. EDWARDS, GOVERNOR OF
STATE OF LOUISIANA AND
JACKSON PARISH POLICE JURY

BY: _____
CLERK OF COURT

ORDER

It is ordered that the State of Louisiana through its Governor the Honorable John B. Edwards and the Jackson Parish Police Jury show cause on the 21st day of August 2017 at 9:30 o'clock a.m. in Judge Kelly's courtroom in the 19th Judicial District Courthouse, why Act 171 of the 2017 Regular Louisiana Legislative Session should not be declared unconstitutional and/or a violation of Louisiana law and further why they or anyone acting on their behalf should not be enjoined and prohibited from appointing members to the Jackson Parish Hospital Service District Board pursuant to Act 171.

Signed on this 10 day of August, 2017 in Baton Rouge, Louisiana.

EAST BATON ROUGE PARISH
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Clerk of Court
DEPUTY CLERK OF COURT



JUDGE

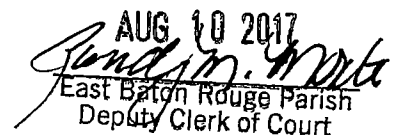
PLEASE SERVE:

Honorable John B. Edwards
Governor State of Louisiana
Louisiana State Capitol Building, 4th Floor
Baton Rouge, LA

Honorable Jeff Landry
Louisiana Attorney General
1885 North Third Street
Baton Rouge, LA 70802

**That a private process server be appointed to serve
Original Petition, Amended Petition, Rule and Order on
Jackson Parish Police Jury
through its President Eddie Langston**
500 East Court St., Room 301 or
at his residence 770 Taylor Rd.
Jonesboro, LA 71251

CERTIFIED TRUE AND
CORRECT COPY

AUG 10 2017

East Baton Rouge Parish
Deputy Clerk of Court

**Serve Original Petition and Rule with this Amendment
and Order on the Honorable Jeff Landry
Louisiana Attorney General
1885 North Third Street
Baton Rouge, LA 70802**

**That a private process server be appointed to serve
Original Petition, Amended Petition, Rule and Order on
Jackson Parish Police Jury through its President Eddie Langston
500 East Court St., Room 301 or
at his residence 770 Taylor Rd.
Jonesboro, LA 71251**

SEC. 22

STATE OF LOUISIANA
PARISH OF JACKSON
19TH JUDICIAL DISTRICT COURT

DR. HERBERT SIMMONS
JACKSON PARISH BRANCH (JPB) NAACP
through its' President, Windy Calahan
MAXIE MONROE, JOHN MCCARTY,
ET AL

FILED: 659780-22

VS.

COST OK \$ 970⁰⁰
Rept # 146753
JUL 21 2017

JOHN B. EDWARDS, GOVERNOR OF
STATE OF LOUISIANA,


DEPUTY CLERK OF COURT

BY: _____
CLERK OF COURT

RULE FOR PRELIMINARY INJUNCTION

NOW INTO COURT, comes Dr. Herbert Simmons, JPB NAACP through its President Windy Calahan, Maxie Monroe, John McCarty, et al., pro se, herein after referred to as petitioners, who moves for a Preliminary Injunction and Permanent Injunction as follows:

1

Movers have filed a petition attached hereto and made a part hereof.

2

Movers fear that before this matter can be heard that upon the ratification of Act 171 becoming an enforceable statute of Louisiana State Law that the Jackson Parish Police Jury may feel compelled to comply with the provisions of the statute thereby causing a restructuring of membership of the Jackson Parish Hospital Board and as a result causing irreparable harm to the hospital, the present hospital board members and the community in which it serves.

3

Movers fear that a legislative restructuring of the Hospital Board with such rigid stipulations and criteria for consideration as promulgated by Act 171 violates the citizen's rights of Jackson Parish and any other parish that fall within the population range as prescribed by the language of the Bill and to be deprived of equal right to serve and to represent the community in the capacity of hospital board member.

REC'D C.P.

JUL 24 2017 **REC'D C.P.**

JUL 25 2017
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Certified True and
Correct Copy
eCertID: 000323114

Randy M. Monte
East Baton Rouge Parish
Deputy Clerk of Court

4

The Jackson Parish Police Jury met in regular session and voted against a measure that would have reduced and or modified the make-up of the Jackson Parish Hospital board.

5

The Movers believe that Jackson Parish has less than the population specified by this Bill and should therefore not be affected (impacted) by the Bill.

6

The Movers believe that Act 171 violates the Louisiana and United States Constitution because it denies the citizens of certain parishes as identified by Act of equal protection of the law.

7

The Movers believes that Act 171 violates the citizen's privileges under the Fourteenth Amendment of the U.S. Constitution by depriving the citizens of parishes defined by the statute from serving in the capacity of representative of the Hospital Board.

Wherefore, Movers pray that because a constitutional violation is alleged by Movers a temporary restraining order be issued herein according to law, restraining, enjoining and prohibiting the State of Louisiana from enforcing Act 171 and all others acting on behalf of the State including the Parish Police Juries from taking any actions conforming or complying with said Act.

That the defendant be duly ordered to show cause on a day and at an hour fixed by the court, why a preliminary injunction in the form and substance of the preliminary injunction prayed for above should not be issued.

That the defendant be duly cited to appear and answer this petition and after due proceeding had that judgment be rendered here in favor of the plaintiffs, Dr. Herbert Simmons, JPB NAACP, Maxie Monroe, John McCarty, Gussie McConnell, et al., and against the defendants, John B. Edwards, Governor of Louisiana, restraining, enjoining and prohibiting the defendant and all other persons acting on their behalf or purporting to act on behalf of the state from enforcing and complying with any actions prescribed in the wording and framework of Act 171.



Certified True and Correct Copy
eCertID: 000323114

Randy M. Monte
East Baton Rouge Parish
Deputy Clerk of Court

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Respectfully Submitted,

Dr. Herbert Simmons
242 Dogwood Drive
Jonesboro, LA 71251
318-259-7872
318-533-7811

Jackson Parish Branch NAACP
Windy L. Calahan, President
P. O. Box 1697
Hodge, LA 71247
318-259-2736

Maxie Monroe
802 Leon Drive
Jonesboro, LA 71251
318-259-7949

John McCarty
2766 Hwy. 155
Quitman, LA 71268
318-259-9694

PLEASE SERVE:

Honorable John B. Edwards
Governor State of Louisiana
Louisiana State Capitol Building
Governor's Office
Baton Rouge, LA 70802

CIVIL

- 1- CONTRACT
- 2- PRISONER SUIT
- 3- EXECUTORY PROCESS
- 4- EJECTMENT
- 5- WORKMENS COMPENSATION
- 6- APPEAL REVIEW
- 7- PROPERTY RIGHTS
- 8- INJUNCTION MANDAMUS
- 11- COMM. PROP. PARTITIONS
- 12- PUBLIC SERV. COMM.
- 13- OTHER PARTITIONS
- 14- OTHER
- 15- D.E.Q.
- 16-
- 17-
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- 20-

FILED
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CLERK OF COURT



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Randy M. Monte
East Baton Rouge Parish
Deputy Clerk of Court

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STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE
19th JUDICIAL DISTRICT COURT

DR. HERBERT SIMMONS, et al

NUMBER: 659,780 SECT 22

VS.

COST OK \$ ✓

JOHN B. EDWARDS, GOVERNOR OF
STATE OF LOUISIANA AND
JACKSON PARISH POLICE JURY

AUG 10 2017

M
DEPUTY CLERK OF COURT

BY: _____
CLERK OF COURT

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MOTION TO APPOINT PRIVATE PROCESS SERVER

On motion of Dr. Herbert Simmons, et al through Ernest L. Johnson, their attorney, and on suggesting to the court that:

Pursuant to a ruling of the court during a hearing held on August 10, 2017 has ordered that a person not a party to these proceedings and over the age of majority and residing in the Parish of Jackson be and he is hereby appointed to make service of process on Eddy Langston, President of the Jackson Parish Policy Jury, defendant in these proceedings, in the same manner as is required of sheriffs.

Baton Rouge, Louisiana this 10 day of August, 2017.

[Signature]
JUDGE

By: [Signature]

ERNEST L JOHNSON #02790
ATTORNEY AT LAW
3313 Government Street
Baton Rouge, LA 70806
Tel: (225) 334-7490
Fax (225) 334-7491



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EAST BATON ROUGE PARISH

2017 AUG 10 PM 2:52

[Signature]
DEPUTY CLERK OF COURT

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CORRECT COPY

AUG 10 2017
[Signature]
East Baton Rouge Parish
Deputy Clerk of Court