

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

FILED

2022 SEP 27 P 2:12

U.S. DISTRICT COURT
N.D. OF ALABAMA

GARY WAYNE WRIGHT, II)	
)	
Plaintiff)	
)	
v.)	Civil Case: 4:22-CV-615-RDP
)	
MARSHALL COUNTY, ALABAMA, et al.)	Claim of Unconstitutionality
)	
Defendants)	

PLAINTIFF’S REPLY TO MOTION TO DISMISS

COMES NOW the pro se Plaintiff, Gary Wayne Wright II (“Wright”), proceeding in forma pauperis to reply to the *Defendant’s Motion to Dismiss* (Document #14) and *Brief on Motion to Dismiss* (Document #15):

1. The Plaintiff objects to the dismissal of any of the counts/charges, the release of any defendants from this lawsuit, or the premature granting of any form of immunity to any of the Defendants.
2. If exculpatory evidence is found during legal discovery, the Plaintiff will dismiss charges against Defendants as appropriate.
3. Today a more detailed brief [Document #19] is being submitted to the Court along with this reply that outlines the details of the conspiracy to deprive civil rights actionable under 42 U.S.C. § 1985(3). The brief should not just meet, but exceed the evidentiary requirements as outlined by the Court’s Order (Document #18).
4. This facts of this case and the surrounding events simply boil down to the following: the Defendants created a self-inflicted wound of perpetual controversy by their defense of white supremacy, then they followed up on that initial bad decision and furthered the

initial conspiracy by abusing the legal system via their selective enforcement and misrepresentation of the law. The Plaintiff will prove through the evidence that all current charges and named defendants are both necessary and justified.

5. In this reply, the Plaintiff will first attempt to place the issues before the Court into their proper context, and then will rebut each of reasons given by the Defendants for any possible cause of dismissal.

THE COMPLAINT WAS NOT THE TRIAL

6. The goal of the Complaint was not to present all evidence, legal theories, or hold trial on all matters before the Court. The purpose was to initiate a legal action and to give parties legal notice of that action. The Plaintiffs were already made aware of the charges being made against them through Plaintiff's pre-trial compliance and previous attempts at resolving the case.

7. The Plaintiff alleges the county picketing resolution (the "Resolution") is unconstitutional (Count #1), and the other constitutional violations are the effective result of the Resolution itself (Count #2, 3, & 4). He further alleges the malicious intent in the creation of the Resolution was to frustrate the exercise of rights as part of a conspiracy (Count #5).

8. The Plaintiff will prevail in his legal claims against the Resolution once the evidence is presented because the county Resolution was wholly unnecessary, it places unconstitutional restrictions on location and duration of protests, and fails several other facial tests of constitutionality under the First Amendment of the United States Constitution, and it additionally violates the State of Alabama Constitution and various other state laws.¹

9. The evidence will show: the Resolution was specifically targeted to restrict political speech that the county opposed, the Resolution was crafted with a corrupt intent to

¹In addition to federal and state constitutional violations, the Resolution violates Alabama Code Section 11-3A-2 ¶ c among other laws.

deprive civil rights, that Marshall County has a current background and a long record of racial animus and bigotry, and that Defendants have already abused the enforcement of the Resolution in court since its passage.

10. Any dismissal of these claims before the evidence can be fully presented would be yet another travesty of justice, so the Plaintiff respectfully asks this Court to deny the Defendant's Motions to Dismiss.

THE ALLEGED QUEST

11. As stated in the Complaint², the Plaintiff does protest numerous issues of injustices and could be fairly characterized as on "*a quest for justice in a broad, societal sense.*"³ but the Defendant's analysis thereafter is flawed, especially in their defenses and understanding of the basis of this case. All parties to this lawsuit took the same oath to support and defend the Constitution, and the alleged "quest" by the Plaintiff is to achieve *Equal Justice Under Law*.

12. Our courts can correct injustices and errors after the fact, but it is the duty of lawmakers and those who enforce the laws (such as the Defendants in this lawsuit) to lay and maintain the foundations of justice and equality. Those failures in leadership and the legislative process are the not the basis of this lawsuit, but it is the ultimate outcome of that broken process that is now being challenged in federal court.

13. The Plaintiff agrees that court is not the preferable venue to settle this controversy, and the Plaintiff regrets it has come to litigation in order to resolve what should be a bright line legal issue. But when a local government intentionally shuts down all viable means of political debate and dissent, the federal courts are the last and only forum left available to achieve justice in a timely manner.

²Document #1 Page 5 ¶ 24 and 25

³Document #15 Page 2 ¶ 2

14. It seems appropriate at this time to remind the Defendants of the speech the Plaintiff gave before the commission prior to filing this lawsuit which made quite clear the boundaries and motivations of this lawsuit and warned them of the illegality of their actions:

Marshall County, Alabama Commission 9AM CT — May 11th, 2022⁴

“Thank you all for your time and attention this morning. My name is Gary Wright. I was born and raised in Alabama, and I’ve been a resident of Marshall County for over a decade. I am not a politician or an attorney. Like most of you here with me today, I am just a regular citizen who is deeply concerned by the recent actions of my government. But I’m also a disabled veteran, and so just like the public officials who are sitting up on the dais in front of us, I’ve taken a similar oath to: *“Protect and defend the United States Constitution against all enemies, both foreign and domestic.”*

So I rise today to speak before all of you, to make one simple request of the Marshall County Commission: I demand a vote today to repeal the unconstitutional county picketing resolution!

Let me begin with the preamble of our United States Constitution, which very first words state: *“We the people of the United States, in order to form a more perfect union...”*

Even back then, our founding fathers knew that our beloved nation was not only still a work in progress, but they also knew we would always be striving towards our ultimate goals of justice and full equality for all. The founding fathers were protesters of a government that restricted their liberty, and a true democratic republic can only exist when there’s freedom to dissent in public from the tyranny of our government.

Our very Declaration of Independence started with the words that I still hold sacred to this very day that say: *“We hold these truths to be self-evident, that all men (I’d say “all living beings” but they said “all men”) are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”*

Because the United States Constitution was still imperfect, and is a “living” document, we later had the Bill of Rights that gave us numerous amendments on our quest for a more perfect union. And it is that very Bill of Rights that Marshall County seems to so often ignore.

⁴The prepared text of the speech is what is provided above to the Court, but video of the actual speech as delivered is also available at: <https://youtu.be/XGAqfzhICYo>

And one doesn't have to read far into the Bill of Rights to see where this county has violated the constitutionally-protected rights of all of its citizens, in its desperate, last-gasp effort to silence the rare voices of dissent that still exist in our county.

The First Amendment clearly states that, "*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.*"

I've read the county Picketing Resolution very closely, and not only is it clearly unconstitutional, but when one delves into the true legislative history and the documented abuse of this resolution in court – the dark past of Alabama's racial animus comes quite clearly into focus.

I don't have time to present that evidence today, but I'm confident enough in the evidence already on record, that in addition to a lawsuit against the county, I've named multiple defendants as individuals for their conspiracy to deprive civil rights and privileges which is enforceable pursuant to 42 U.S.C. § 1985(3).

I hereby state and submit for the record, that the Marshall County Picketing Resolution violates both the First and Fourteenth Amendments to the United States Constitution.

And for those who refuse to acknowledge the Supremacy Clause of the US Constitution, I hereby state and submit for the record, that the Picketing Resolution also violates the State of Alabama Constitution under Article One, Sections Four and Twenty-five:

Article 1 § 4 of the State of Alabama Constitution provides that "*no law shall ever be passed to curtail or restrain the liberty of speech... and any person may speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that liberty.*"

Article 1 § 25 of the State of Alabama Constitution provides that "*citizens have a right, in a peaceable manner, to assemble together for the common good, and to apply to those invested with the power of government for redress of grievances or other purposes, by petition, address, or remonstrance.*"

So, today I argue that regardless of the state laws that are quoted as an authority in the Resolution, that this county resolution is clearly unconstitutional under both the United States Constitution, as well as the Constitution of the State of Alabama.

To paraphrase an amicus curiae, or Friend of the Court brief that was filed in my last civil rights lawsuit against Marshall County, "*There are two paths that lie*

ahead, but the ultimate destination has been predetermined, and it's now your choice which path to take."

I urge this commission today to take the easier, far less-expensive path of a repeal, rather than to force us to pursue this matter in federal court.

Thank you for your time, and as I've now exhausted all other administrative remedies, I ask this commission to please hold an immediate vote today to repeal this resolution."

15. The Supreme Court of the United States (SCOTUS) already gave the prescription for this self-inflicted controversy in *United States v. Alvarez*, 567 U.S. 709, 724 (2012)[emphasis added by Plaintiff]:

*"The remedy for speech that is false is speech that is true. This is the ordinary course in a free society. The response to the unreasoned is the rational; to the uninformed, the enlightened; to the straight-out lie, the simple truth ... If there be time to expose through discussion the falsehood and fallacies, to avert the evil by the processes of education, the remedy to be applied is more speech, not enforced silence. The theory of our Constitution is that the best test of truth is the power of the thought to get itself accepted in the competition of the market . . . *The First Amendment itself ensures the right to respond to speech we do not like, and for good reason. Freedom of speech and thought flows not from the beneficence of the state but from the inalienable rights of the person ... Society has the right and civic duty to engage in open, dynamic, rational discourse.*"*

THE EVIDENCE

16. This Court is already aware⁵ that all court files in the PACER system (even those documents under seal) were already compromised by a hostile foreign nation state using SolarWinds and other vulnerabilities. Before the judicial system data breach, numerous law enforcement files and passwords were hacked and exposed, and were published to the Internet as part of the "Blue Leaks" data trove and other data collections⁶. In addition to having access to all of the hacked data that has been made public and that also resides on the "dark web", the

⁵January 8th, 2021 General Order #2021-001 Re: Procedures for the filing, service, and management of highly sensitive documents

⁶<https://ddosecrets.com>

Plaintiff was the previous operator of PublicCorruption.org and has obtained tips and intelligence on acts of public corruption.

17. The Plaintiff believes he can make his case primarily using public records and Open Source Intelligence (OSINT), but he will make very specific subpoena requests during legal discovery for communications of any Defendants that deny their involvement (if the hacked evidence disputes any of their submissions to this Court).

18. There are three separate and distinct conspiracies by white supremacists to deprive the civil rights of minorities that overlap like a Venn Diagram. While they do have a common set of bad actors, this case only involves the smallest conspiracy of those three. The most violent conspiracy has already been fully adjudicated in *Sines v. Kessler* and there were local co-conspirators in Marshall County, Alabama. The larger conspiracy is being prosecuted by numerous state and federal authorities, and some of those participants are public officials from Marshall County. However, the scope of the case before this Court is quite narrowly focused only on the actions of the public officials in Marshall County, Alabama and the constitutional legality of the county Resolution.

19. As with many conspiracies, some of the actions are clandestine, yet while on the surface the public-facing actions are usually often perfectly legal. The county resolution was carefully crafted legally, but it was created for malicious purposes and enacted out of racial animus. The Plaintiff will pierce the veil of all immunity claims by all Defendants with evidence.

20. The Plaintiff will endeavor to conduct legal discovery in the narrowest and least obtrusive fashion, and will only request evidence he feels is necessary to understand and make his case before this Court.

THE BASIS FOR CONSPIRACY

21. The initial impetus (and the most exculpatory but not legitimate reason) for the passage of the Resolution was budgetary, but the Plaintiff's initial theory of this specific conspiracy to deprive civil rights arose during a private meeting with the County Chairman on April 27th, 2022.

22. As described in the Complaint (Document #1) the Plaintiff has participated in numerous protests on many very contentious issues (marriage equality, public corruption, racial injustice, police brutality, etc.) at both of the county courthouses in question, as well as many others (including the federal and state supreme courts). The protests in Albertville at times did get heated, as first the counter-protesters hurled violent verbal threats and obscenities and then the local police themselves tried to incite violence, but there is/was no need for a new law or resolution to restrict any lawful protests in the county or in the state.

23. The Plaintiff engages only in peaceful and non-violent protests. But he acutely understands that the greatest danger to restricting peaceful protests is the outbreak of violent ones. When people are unable to vent their frustrations, debate the issues important to them, and redress their grievances against their government, political violence is often their next and only seemingly available tool. Today we see those threats have metastasized and escalated into becoming a serious national security issue.

24. To understand the rationale for the county resolution, the Plaintiff investigated and tried to meet with the commission to understand why they took a such unreasonable and unnecessary action as to deprive civil rights and criminalize lawful First Amendment activities.

25. The timeline, facts, and responses by the Defendants point to a conspiracy likely involving parties that are not named in this lawsuit. However, the Plaintiff has named those persons whom he believes are the key players in the local conspiracy. The Plaintiff alleges it is

their actions furthering the conspiracy outside the duties of their official office that make them liable in their personal capacity.

26. The evidence will show two clear purposes for the formation of the conspiracy (political and budgetary reasons), as well as the reason Defendants are apparently so committed to their past mistake. Defendants Maze and Sheriff Sims formed a corrupt intent to achieve an illegal goal to suppress protests. The other named Defendants then also committed acts in furtherance of that conspiracy to deprive civil rights.

27. The Plaintiff reminds the Defendants that it doesn't matter if they may have knowingly or unknowingly taken part in the alleged conspiracy. Anyone who even unknowingly took part in the conspiracy is still liable⁷. Once legal discovery is complete, the Plaintiff may adjust/dismiss the damages being sought based on individual liability (admitting that punitive damages against the county itself are not likely possible).

CRIMINAL CASE RELEVANCE

28. In response to Defendant's Document #14 Page 2 ¶ 2: The Plaintiff does not wish to impede on the rights of any parties of any ongoing cases. However, the outer contours of that criminal case is both relevant to this case as to the legitimate fear of malicious enforcement of the Resolution to criminalize protesters in the future, but it is part of the evidence of the furtherance of the alleged conspiracy.

29. It is regrettable that the party to the criminal case is also a defendant in this civil action and a county employee, but that is through no fault of the Plaintiff. The Plaintiff tried to give only enough details of the criminal case in the complaint so the Defendants could mount a proper defense as to why they immediately abused the county resolution to thwart justice.

⁷Derivative liability from conspiracy

30. The outer contours of the criminal case as described below are relevant because of how the county abused the picketing resolution the very first chance they got in court, and because the criminal case is likely at least a partial motivation for their continued defense of the Resolution, and the way the county abused the legal system over what they refer to as an “ugly incident” by their own employee⁸ is a strong indication of how the Resolution will be abused and maliciously interpreted in the future if the Picketing Resolution is allowed to remain in place.

SELF-INFLICTED WOUNDS

31. The Brief [Document #19] on the alleged conspiracy submitted today will give this Court the historical background of the underlying controversy, as well as how it evolved into the alleged conspiracy to deprive civil rights.

32. Both Marshall County and the State of Alabama have a long history of creating and using laws to suppress minorities and maintain their flawed concept of “white supremacy”, and this county Resolution is just another chapter in that sad history.

33. Marshall County created a public forum outside both of the two courthouses, which has evolved over the years⁹. In the case of the Guntersville courthouse, there is a mixture of legal forums (public, private, and limited) inside and outside the building which makes the county picketing resolution even more problematic. But while the county historically has always let their “favored” speech take place in those public forums, any time voices of dissent “came to town” (as they construe it) their machinery of local government swiftly goes into action to silence those voices.

34. The county has created a never-ending controversy by choosing which controversial monuments they displayed on public property in the public forum. Then whenever

⁸Document #15 Page 2 ¶ 1

⁹This history with photographic evidence will be submitted as part of the Brief on Conspiracy [Document #19]

people got upset about the improper selection of those monuments glorifying white supremacy, and that were erected long after the civil war with a primary purpose of intimidating minorities, the county and state either changes their forum rules, uses police tactics to intimidate those who disagree, or they abuse the legal system to restrict freedoms. In this case, they have done all of the above.

35. As the anger grew against the county, the groups of protesters became more organized and the protests grew in size. Instead of addressing the public concerns and allowing the people to redress their grievances in any meaningful way, the Defendants mismanaged the situation while simultaneously the local police¹⁰ exacerbated the public crisis with tactics of their long history of violence and intimidation. The Marshall County Sheriff's Office is hemorrhaging money due to mismanaged resources, and they do not have enough funds to carry out their duties. To help solve that the problem, the evidence proves the Defendants conspired to shred the constitutional rights of their constituents.

36. There was also a larger concerted effort of elected leaders at the local, county, and state level to stop the self-created crisis, and now all sides have lost confidence in the police, the judiciary, and the government at every level.

37. Unless the judiciary quickly reverses its current course and confidence is restored in our democracy, another violent civil war is very likely now imminent in this country, and the unnecessary restrictions on freedoms through actions like the Resolution prevent activists who believe in social change through non-violence (such as the Plaintiff) from defusing the increasingly volatile situation.

THE "UGLY INCIDENT"

¹⁰This is why Sheriff Sims is named as a defendant in both his official capacity and as an individual.

38. A peaceful sit-in was organized in the atrium of the courthouse which was a public forum at the time (and arguably still is despite the Resolution). Protesters were participating in peaceful and lawful First Amendment activities, and chanting similar to a 1960's era lunch counter sit-in for racial equality and justice. Thankfully the protesters were filming all of their protest activities as they are trained to do, because the video is shocking:

39. A county employee (Defendant McCoy) became upset at being filmed in public on her lunch break. She charged at the person holding the camera and pushed the camera away to stop the filming. It was an assault caught on video, but because the protester was not injured, only a harassment charge was filed against the county employee. It was truly by any measure a dumb action committed by a grown adult, and it should have ended there. Instead, the Defendants committed acts in furtherance of the initial conspiracy.

40. The Plaintiff submits what was presented as defenses and legal strategy in that criminal case was the first known documented abuse of the county picketing resolution in court. The abuse of the resolution in the criminal case is absolutely relevant to this case and in understanding the motivations of the Defendants in being so committed to their conspiracy, and is also a strong indication of how the county will continue to abuse the resolution in the future in their efforts to criminalize constitutionally protected activities whenever they disagree with the message (which is the ultimate goal of these resolutions that are being introduced across the county and country by certain groups).

41. The members of the county commission were all present at the first trial when the picketing resolution they crafted was misrepresented to the court. The Plaintiff was confused as to why the defense counsel was using a jury methodology of presentation in front of a judge, but it turned out to be a dress rehearsal for their further abuse of the legal system. The Chairman was

in the courtroom for the second trial, and their personal involvement and interest in the case further points to conspiracy in their individual capacities. This “ugly incident” should have ended in a guilty plea, an apology, and a hug/handshake, and then the entire commission should have condemned the act of violence by their employee.

42. But instead, during the first criminal trial the county tried to present the undated resolution as being in effect at the time of the incident. It was not in effect, and it further indicated the reason for the resolution being signed but not dated.

43. The first trial ended in a conviction because the judge ignored all of the grandstanding, the racial incitement, and irrelevant evidence that was presented to her by defense counsel. The incident is captured clearly on video, the law is quite clear, and there is no question what the outcome should be. But the Defendants further manipulated the legal system in furtherance of the conspiracy to silence protesters.

44. The case again could have ended there, but instead the county was determined to reap the fruits of their conspiracy. They demanded a retrial (which was their legal right) but again they had no viable legal defense, and they had no real interest in seeking equal justice under the law. The appeal was frivolous based on the evidence, but they had an ulterior goal that they were determined to reach (there were public demands for the firing of McCoy, and the Defendants are abusing the legal system in an attempt to “run out the clock” so the Defendant can receive her full retirement benefits).

45. During voir dire, the very first questions asked by defense counsel were so racially inflammatory that one of the spectators in the gallery had an emotional outburst and left the court room. The judge ordered the members of the jury pool to ignore what had transpired, but the “well” of justice had already been intentionally poisoned. The county intentionally and

methodically chose an all-White jury from a representative jury pool, and then defense counsel immediately further poisoned the jury with racial animus, and so the outcome of a mistrial (hung-jury) was the predictable result. Even though the judge repeatedly sustained the objections (and even at one point called a sidebar to admonish defense counsel for ignoring her previous orders), the jury still heard those triggering racial statements and the damage to justice was already permanently done. Using those disgusting tactics, the criminal case could be tried ad nauseam and a hung jury will always likely be the result.

46. The facts of that criminal case have not changed and neither should the outcome, but it is beyond clear now how the Defendants will abuse the Resolution in the future if it is allowed to stand.

47. A legal case can and should be won on the facts and evidence, and a vigorous legal defense can always be given without attorneys (or judges) without demonstrating racism or bigotry as officers of the court, and without employing shady tactics to get a hung jury in order to thwart justice. A competent jurist would argue their case using the principles of rhetoric such as Aristotle's Logos, Ethos, and Pathos, but instead we got an embarrassment to the citizens of Marshall County, a waste of court resources, the wasted time of a jury for two days, and a truly pathetic display of local governance. The video evidence, the court transcripts, and the racist statements presented by the county speaks for themselves, they violate professional and ethical standards, and it needs no further analysis from the Plaintiff.

48. If Defendants want to falsely represent any claim of innocence to this Court regarding the criminal case, the Plaintiff will submit as evidence in this civil case the seven seconds of video of the "ugly incident" that is required to fully refute any such false claims.

49. The contours of the criminal case is not being used as the grounds for any legal standing of this lawsuit, but is submitted as evidence of the alleged conspiracy and proof of how the county Resolution has *already* been abused against minorities and voices of dissent. The irreparable harm the Plaintiff warned about in the Complaint is no longer theoretical.

DUE PROCESS CLAIMS

50. The Plaintiff is not claiming due process violations arising from the county process *prior* to the legislative enactment of the picketing resolution, as is stated in Defendant's *Motion to Dismiss* (Document #14 Page 2 ¶ 4). Those claims arise from his interactions with the county government after they passed the resolution. Paragraph four is entirely irrelevant to this case. The evidence will show that at best, the county legislative process is completely dysfunctional when operating outside the realm of public corruption, but the Plaintiff is alleging the inconveniences and inefficiencies are by their very design of process, and that the alleged due process violations came after the conspiracy or what Defendants claim to have been a "legislative process" and not before it.

51. There can be a lack of due process in the traditional sense, but this case is about being denied due process and the inability to redress grievances against the government by over burdensome laws and regulations such as the Resolution.

52. The Plaintiff was not aware of the passage of the Resolution or any county legislative process taking place regarding restricting protests until he noticed the signed but undated Resolution posted on the county website.

REBUTTALS TO MOTIONS TO DISMISS

53. Page 2 of Document #15, the narrative being presented to this court is false. As noted in paragraph six, the Complaint was constructed to give notice and the Brief [Document

#19] being submitted will detail the supporting evidence. There are no “extraneous allegations” being made and the “quest for justice” remarks were dealt with earlier in this document. Page 2 is false and irrelevant.

54. The Brief [Document #19] being submitted today should adequately address the *Twombly* plausibility standard and the standard of review concerns on Page 3 and 4 of Document #15.

55. Argument made by Defendants on Page 4 of Document #15 is irrelevant to this case, as the criminal case proceedings is not used as any basis for legal standing in this civil case, but is submitted as clear evidence of the racial animus and the now fully documented abuse of the Resolution by county officials. Therefore, the evidence of abuse of the system gives us probable cause for further investigation into public corruption and possible criminal charges. If this Court doesn’t want to deal with the obvious corruption in this case, it will be dealt with in other venues. The Plaintiff believes this matter is properly before the Court.

56. Page 7 of Document #15 is just a plain wrong interpretation of the intercorporate conspiracy doctrine. First is the claim that employees can not conspire among themselves, which is why all Defendants have been sued in both their individual and official capacities. The Defendants have pierced their own veil of all immunity claims through their actions in a private capacity. Marshall County itself is liable for the actions of their employees and is a named Defendant.

57. Assuming we could apply the intercorporate conspiracy doctrine, the Defendants fail two of the three tests of that doctrine. The Defendants had an independent personal stake in the conspiracy, and the Defendants engaged in a series of actions in furtherance of the conspiracy. That doctrine does not apply in this case.

58. Immunity is designed to protect officials when carrying out the official duties of their office. This conspiracy was built behind the using the legal facade of a legislative act, but with multiple corrupt intentions. Those illegal acts of corruption were not part of any official duties, and if the Defendants claim it was an official act, then the Plaintiff will make a referral for those claims to be properly adjudicated in separate criminal cases of public corruption.

59. There is no form of immunity claimed nor applicable that protects those who hide behind their actions using the color of law, who have corrupt and/or malicious intent, and show a complete disregard for federally protected rights.

60. As stated by the Plaintiff in Document #12, the concept of stare decisis is now officially dead due to SCOTUS partisans wearing robes. The Plaintiff is arguing this case based on constitutional grounds, and reminds the Defendants that the claims of immunity were created by a broken court system in order to give protection to white supremacists (such as slave patrols). It is utterly offensive for any of these Defendants to make any claim for any form of immunity for a conspiracy to deprive civil rights, and so those claims must be denied by this Court even if it requires a new legal precedent to abolish immunity itself.

61. The due process portion (Section III) of Document #15 is moot, as those issues were covered previously in this reply. The claim before the Court is that the Resolution was crafted with the illegal intention and with the end result of denying due process and redress of grievances.

62. The Crime Fraud exception claim applies to Defendant Maze (and to parties yet to be named) to address any potential attorney-client privilege, work product, or immunity claims. There are specific communications Maze had that raise Equal Protection and other claims relevant to this case. The county attorney was responsible for crafting and reviewing the county

resolution that met the illegal goals of denying constitutional rights (as was requested by one or more of the other Defendants and was the target offense of the conspiracy). Attorneys may not assist their clients in committing crimes or the furtherance of crimes, and so the Plaintiff intends to subpoena all communications and evidence related to the crafting of this Resolution. If the evidence produced confirms the already publicly available hacked evidence¹¹, the Plaintiff may add additional Defendants to this case, and may make criminal referrals as appropriate based on what the evidence reveals.

63. The claims of any legislative immunity as stated by Defendants in Document #15 page 9 do not apply, as their entire “legislative act” and process in this case was not based on advice they received from others. They were also warned on multiple occasions by the Plaintiff that their actions were illegal. The entire “legislative act” in question was just a thin facade for their illegal conspiracy to deprive civil rights, and it is truly offensive for the Defendants as government officials to claim any form of immunity to avoid liability for their egregious actions.

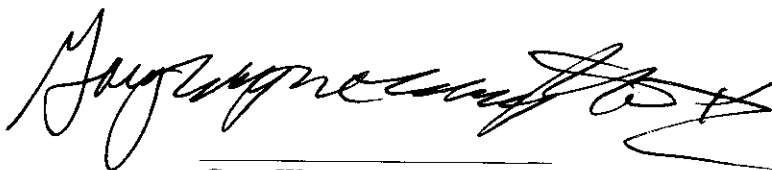
64. Immunity was created to give officials a shield of protection, but the Defendants are again abusing the system and making multiple baseless claims of immunity to prevent consequences of their conspiracy. Because stare decisis no longer exists, the Plaintiff sees no need to address any of the previous case law as supplied by the Defendants. Unless it pleases the Court, the Plaintiff sees no need to address the case law, because it seems the primary defense of the Defendants and claims of immunity is that their actions were within the scope of their duties and employment. All of those defenses fail under 42 U.S.C. § 1985(3), because violating constitutional rights clearly exceeds their scope of employment. The Defendants are entitled to no form or claim of immunity or protections from liability from the conspiracy. There is no valid

¹¹<https://ddosecrets.com>

claim of immunity that would apply to this case, and that should ever put public officials out of reach of the law or shield them from the consequences of any such illegal actions.

65. For the reasons above, the Plaintiff respectfully asks that this Court to carefully consider the Brief on 42 U.S.C. § 1985(3) [Document #19] submitted along with this reply, and then accordingly DENY all of the Defendant's Motions to Dismiss.

Respectfully submitted this 27th day of September, 2022.

A handwritten signature in black ink, appearing to read "Gary Wayne Wright II", written in a cursive style.

Gary Wayne Wright II
Plaintiff, Pro Se
103 Mayberry Lane
Arab, AL 35016
Telephone: (256) 640-7749
Email: Gary@Gary-Wright.com
Dated: