

EXHIBIT C

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

GARY WAYNE WRIGHT, II)	
)	
Plaintiff)	
)	
v.)	Civil Case No.: 4:22-CV-615-RDP
)	
MARSHALL COUNTY, ALABAMA, et al.)	
)	
Defendant)	

PLAINTIFF’S DISCOVERY RESPONSES

COMES NOW the Plaintiff, Gary Wayne Wright II (“Wright”), and against the Defendant, Marshall County, Alabama (“Marshall County”), their employees, agents, and successors in office, and in support therefor states as follows:

RESTRICTED DOCUMENTS

One document entitled “Legal Strategy” is marked CONFIDENTIAL / WORK PRODUCT. Even though it is moot (it was produced prior to the dismissal of conspiracy counts), it is being withheld.

INTERROGATORY RESPONSES

1. No one has assisted in discovery or in the preparation of this document.
2. The Plaintiff has mentioned the case (a First Amendment lawsuit against Marshall County) to countless people, but did not receive any help in preparing for the case or have any in-depth legal discussions with anyone concerning this case. Plaintiff has directly communicated with the following people regarding the case:

(a) **Marshall County Commissioner James Hutcheson** – In-person meeting on Wednesday, April 27th, 2022 was held with the Plaintiff at the Guntersville courthouse.

(b) **Marshall County Commission** – Speech given on May 11th, 2022 and a Writ to Cure was hand-delivered to each member prior to their monthly meeting. The Plaintiff gave them a chance to repeal the Resolution prior to resorting to litigation.

(c) **Daniel Taylor at The Sand Mountain Reporter** – After hearing the May 11th speech, Mr. Taylor exchanged encrypted text messages via Signal with the Plaintiff regarding the filing status of the case and details for his story. See article for his statement.

(d) **Susan McKenney** – The Plaintiff keeps in touch, as Ms. McKenney is the President of the Marshall County Alabama Democratic Club, and is a personal friend and mentor to the Plaintiff. Ms. McKenney was present for the May 11th speech, and has kept up-to-date throughout the legal process via the Plaintiff's Facebook posts.

(e) **Unique Morgan Dunston** – The Plaintiff has sent Mrs. Dunston links to a case Brief (DOC #22) via Facebook direct message, and the Amended Complaint (DOC #44) via the Plaintiff's public Facebook posting.

(f) **Travis Jackson** – The Plaintiff sent Mr. Jackson a link to a case Brief (DOC #22) which was a cut and paste of the message sent to Mrs. Dunston.

(g) **Marshall County Alabama Democratic Club** – Plaintiff gave a short speech to the club telling them about the picketing resolution and the lawsuit that was filed.

(h) **American Civil Liberties Union (ACLU)** – Plaintiff filed legal intake form on ACLU website. To bring attention to issues, the Plaintiff typically “tags” organizations such as the ACLU and Southern Poverty Law Center (SPLC) on social media posts that are related to their work.

(i) **United States Department of Justice Civil Rights Division** – Plaintiff filed a civil rights complaint and gave them details of the lawsuit.

(j) **Attorneys** – Plaintiff contacted several attorneys via their online contact forms regarding taking the case pro bono publico. An intake interview was held with one attorney (Plaintiff doesn't recall the law firm) who declined to accept the case because in previous similar cases the defendants would amend the law causing a restart in litigation (similar to how the Defendants in this case passed a second picketing resolution after the first Complaint was filed).

(k) **Social Media** – Plaintiff posts regular updates on important court documents on his personal website (<https://Gary-Wright.com>), Facebook (<https://facebook.com/cleverthings>), and Twitter (<https://twitter.com/garywright2>). All posts are made public and are searchable on Facebook with “*Gary Wright II Marshall County*”.

3. Nobody is authorized to act on the Plaintiff's behalf. Some of the Plaintiff's social media and/or personal website may have been reposted/retweeted, but without his knowledge and not by his direction.

4. The following are witnesses:

(a) **James Hutcheson** – Marshall County Chairman

(b) **Susan McKenney** – Ms. McKenney was present both for the Plaintiff's speech and the county meeting on May 11th, 2022.

5. **Daniel Taylor** at *The Sand Mountain Reporter* took a statement from the Plaintiff for his newspaper article. A newspaper article also appeared in *The Arab Tribune* but the Plaintiff does not recall any conversations or have any record of communicating with that media outlet.

6. No, the Plaintiff's activities are constitutionally protected and no permit is required. Prior to learning about the Picketing Resolution, the Plaintiff has unknowingly protested under the picketing permits obtained by others. The Picketing Resolution is too vague in several ways, including but not limited to, stating that picketing permits may not be obtained for "more than six nonconsecutive days" reads as if that is a per lifetime limit. The usual protest route involved several county properties and the permitting process is too confusing and cumbersome to comply without risking criminal exposure. The Resolutions are so vague and poorly written that they leave too much subjectivity to the authorities in their enforcement. For example, the use of terms such as "*in and around*" and "*near*" is too broad and subjective. The "protest permit" process is unconstitutional under the First Amendment, and it is now too burdensome and risks criminal liability for the Plaintiff (or fellow protesters) to organize a rapid-response protest, much less the prolonged protest required to inform and sway the public opinion. See answer to #7 for more details.

7. The question isn't can a permit be obtained, rather can one be required. In addition to causing a risk of criminal liability, the process serves no valid government purpose, and is over-burdensome. It's perhaps easier to do a before and after comparison of the protest process:

BEFORE PICKETING RESOLUTION:

- a) 10AM Supreme Court releases a controversial opinion. It is not known which opinions will be released for the day until they are actually published.
- b) Within minutes of publication, the Plaintiff posts a link to the Opinion.
- c) Someone else sees the post and quickly organizes a protest by simply creating a Facebook Event. The event is immediately promoted to the public and starts

being shared worldwide. The word quickly gets out, and participants have time to show up for a protest on the same day as the controversy.

- d) 3PM to 8PM – A protest is held within sight/sound of the controversy

AFTER PICKETING RESOLUTION:

- a) 10 AM Supreme Court releases a controversial opinion.
- b) Within minutes, the Plaintiff posts a link to the Opinion.
- c) One first has to know about the Picketing Resolutions, then one has to retrieve the required form before picketing at the two courthouses. The undated original Picketing Resolution is posted on the county website, but the second Resolution (as of November 13th, 2023) has yet to published for public access.
- d) Assuming knowledge of the Second Picketing Resolution, a protest on county property other than the two courthouses would also require going to the Guntersville courthouse to first obtain the permit form. It isn't clear if a permit form is needed for each location on the protest route, and if so does that count towards the six picket limit (also unconstitutional).
- e) Accessibility – The Plaintiff is disabled and there are very few handicapped parking spaces at the Guntersville courthouse. The sidewalks are rough and uneven, where they exist, and wheelchair access to the building is difficult. After breaking normal Rollators trying to “march” at protests around the courthouse and jail, the Veterans Administration finally issued the Plaintiff a heavy duty bariatric Rollator used for the morbidly obese (the Plaintiff is 165 pounds). The bariatric Rollator is very heavy and difficult to maneuver even

in the best of conditions. The Plaintiff is only able to walk without assistance for very short distances.

- f) There is a two hour time limit to parking spaces surrounding the courthouse and the parking spaces are usually full during business hours.
- g) Noon – About the time the Plaintiff makes it to the courthouse, the courthouse staff goes to lunch.
- h) 2PM – Assuming a permit is obtained and everything goes smoothly, there's now not enough time to announce the event, create picket signs, and organize for a 3PM protest. There is a provision in the Picketing Resolution that prohibits scheduling conflicts, which is also unconstitutional as it criminalizes the presence of counter-protesters.

8. See answer to #7.

9. See answer to #7.

10. See answer to #7.

11. No, generally speaking government offices would be nonpublic forums. However, protests are allowed within sight and sound of a controversy, so protests can take place on the exterior grounds of public buildings. For example, if a protester wanted to protest the General Robert E. Lee portrait outside the Defendant's office (Plaintiff Bates # 13), they wouldn't be allowed to interfere in government operations by picketing inside the office, but it would be acceptable to protest within sight and sound of the controversy and for as long as the controversy exists.

12. The Plaintiff is not familiar with all of the locations listed, but the answer to #11 would apply unless that location has previously opened itself up as a designated / limited public forum. Regardless of the forum involved, the right to protest a controversy still exists.

13. The interior of government offices would be nonpublic forums unless previously opened up as a public forum, but the exterior of public buildings (sidewalks, parks) would be considered traditional public forums. Photos and video will be presented as evidence to show the recent construction of the fences and barriers that block off the areas around the courthouse.

14. The county allows some monuments to be placed by private groups and individuals on the courthouse property, but doesn't allow opposing views/monuments which should be given equal prominence (DOC #22). Opening up the forum presents the problem of not having enough real estate to display all of the many parties and viewpoints. There's a monument to the Civil War, but not one for the Gulf War, Afghanistan, Iraqi Freedom, etc. There are too many wars and not enough room on the courthouse squares to honor everyone who has served their country. A new monument (Plaintiff Bates # 25) is being erected by Marshall County Fraternal Order of Police Lodge 18 (<https://facebook.com/mcfop>), so there should also be no issues seeking approval of a monument of equal size and prominence dedicated to those who have died in police custody. The same unequal treatment applies to the picketing permits, as the majority of the permits presented during legal discovery are missing critical information (Defendants Bates # 12 – 14), and had their been a valid government interest they should not have been approved due to their incompleteness of emergency contact information. The unequal treatment also applies to how the Defendants conduct their meetings, as last minute agenda changes are not a problem for their allies, yet those who wish to speak on an issue presented at a meeting must first go through another unnecessary and over-burdensome process to obtain

permission to speak. When there are voices of dissent or an objection is raised, the meetings descend into total chaos. It's impossible to redress grievances under the current way Defendants are conducting the county business. See video (Plaintiff Bates # 11 – 12) of county meeting presented as evidence at trial.

15. Yes. The 2023 Resolution took the original Picketing Resolution and made it even less constitutional. The Defendants have effectively criminalized constitutionally protected activities, as well as created unnecessary administrative obstacles. The government interest, if any, does not outweigh the burden to the citizens trying to exercise their rights. The Resolutions are so vague and poorly worded that they leave too much subjectivity to authorities in their enforcement. For example, the use of terms such as “*in and around*” and “*near*” is too broad and subjective. Every location on the courthouse protest route used by the Plaintiff (such as the county jail and administrative buildings) was covered by the 2023 Resolution. See video (Plaintiff Bates # 74 – 88) of previous protests presented as evidence at trial. It would be irresponsible to risk criminal liability as long as these two Resolutions are still in effect.

16. There are prominent monuments that are symbols of oppression at both Marshall County, Alabama courthouses. Each time the Plaintiff had to go to the Guntersville courthouse to conduct business or to visit his bank in-person (Wells Fargo's only open branch in the area is across the street from the Albertville courthouse) he is re-traumatized and the post traumatic stress disorder (PTSD) created by his military service is worsened. The Plaintiff was discharged under the discriminatory military policy of “*Don't Ask, Don't Tell*” and faced death threats during the seventeen years it took for its repeal. When it came time to marry the person he loved, the Plaintiff had to sue the Marshall County Probate Judge for a marriage license, and the Ku Klux Klan issued a Call to Arms to have the plaintiffs assassinated. The judge and courthouse

staff act in passive-aggressive ways to mentally abuse the Plaintiff. When he complained his Marriage License said “Husband/Wife” instead of “Spouse/Spouse” the probate judge returned it with White-Out and a coffee mug stain on it. When a local elected official with an anti-LGBT (Lesbian, Gay, Bisexual, Transgender) t-shirt was posted to Facebook, the Plaintiff gave a speech to the Guntersville City Council (<https://cleverpeople.com/blog/view/2660/guntersville-city-council-speech-by-gary-wright-ii-march-15th-2021>) and warned how the hateful rhetoric by county leaders was contributing to youth suicides. When the Plaintiff renewed his car registration in October 2022, the clerk made him listen to the *Neena's* (the cafe inside the Guntersville courthouse) menu for the day before she processed his renewal request. The Plaintiff was not a participant in the *Neena's* sit-in protest, or even aware of it until he saw a county clerk assaulting a peaceful protester in a video posted on Facebook. The Plaintiff has to always fear for his safety with each visit, and each encounter with the Defendants furthers his previous traumas. These Resolutions serve no valid government purpose, and this litigation should have been unnecessary. The Plaintiff went to extraordinary measures to avoid this lawsuit (see DOC #44), but the Defendants insisted on either putting him through the distress of litigation or losing his constitutionally protected rights in the county. During this case, the attorney for Marshall County carried out a retaliatory eviction and knowingly filed false defamation charges in Alabama state court against the Plaintiff (DOC #30). The Plaintiff is seeking non-economic compensatory damages in this case in the amount of \$10,000.00 for the emotional distress caused by the actions of the Defendants.

PRODUCTION

1. Speech to Marshall County Alabama Commission on Picketing Resolution (Plaintiff Bates # 26 – 30). Albertville courthouse photos and videos (Plaintiff Bates # 1 – 6).

Commission meeting video and images (Plaintiff Bates # 8 – 14). Gunter'sville courthouse photos and videos (Plaintiff Bates # 32 – 41). Plaintiff's previous protest showing typical route and conditions (Plaintiff Bates #74 – 88).

2. This request is too broad and burdensome. The Plaintiff is in forma pauperis and can't afford the ink and paper required to print out all of the documents from social media. The majority of posts related to the case are just links to the court docket as new entries are made. The Plaintiff's social media posts are public and searchable, so only the private communications will be produced below. For social media, on Facebook search for "*Gary Wright II Marshall*" and on Twitter search for "*@garywright2 Marshall*" to find relevant postings.

3.

a) **Mr. Hutcheson** – Plaintiff took down notes of their conversation (Plaintiff Bates # 42)

b) **County Commission** – See recording of speech listed above in Production Section #1 and the text of the speech was included in previous filings. The Amended Complaint contains the Writ to Cure as Exhibit A (Plaintiff Bates # 19), and the Permission to Speak form as Exhibit C (Plaintiff Bates # 89). The Plaintiff sent emails to try to resolve the issue prior to filing this lawsuit, but messages were not responded to and the final message was returned from a 3rd party as blocked (Plaintiff Bates # 24).

c) **Daniel Taylor** – See newspaper article referenced previously. (Plaintiff Bates # 91)

d) **Ms. McKenney** – Most of my communications took place in-person or on the telephone and there are no records. The Plaintiff asked Ms. McKenney to proofread an advanced copy of the original Complaint where she found three errors which were corrected (two minor spelling errors, and one paragraph where "Plaintiff" and "Defendant" were reversed). Once the

lawsuit was filed, the Plaintiff requested permission to speak to her group (Marshall County Democratic Club) about it. He gave the group a brief overview of the case and asked them to inform him if anything changes. On August 17th, 2022 the following conversation was held on Facebook:

SM: *P.S. I'm glad your friend is alive. And so sorry about the rest of your message. Life sucks.*

GW: *Thanks! I don't mean to relay my drama to you, but it goes to my current state of mind which you should probably be aware of. Rhonda McCoy has requested a jury retrial of Unique's case, and that shitbird has already appealed Rains verdict. Their crimes are on video! Anyways, I'll be ready for a 5PM departure, but as always I'll text or call you before I come. (hugs)*

SM: *We cannot give up. Just keep telling ourselves...*

GW: *McCoy's conviction was already recorded for posterity in my complaint filed for Wright v. Marshall County, et al. I'll attend the trial for Unique's case starting on the 30th, and while they keep furthering their conspiracy local courts, I'll keep documenting it in federal court. The legal discovery and Rule 26(f) meeting of attorneys should be wild! Instead of filing the brief on their conspiracy today as I planned, I'm going to wait for their response to the complaint and see what they do during this trial. Their response won't be due until September, so by having a retrial now just further proves my federal case.*

SM: *I like your plan. [smiling face emoticon]*

On September 2nd, 2022 the conversation continued:

GW: *Yikes! Marshall County just responded to my lawsuit, but I'm gonna wait to read it.*

SM: *[thumbs up emoticon]*

On July 29th, 2023, Ms. McKenney sent an email with the subject line "*New MC Picketing Resolution*" and body that said, "*This was adopted on July 26, 2023. Susan McKenney Chairwoman, Marshall County Democratic Executive Committee President, Marshall County Democratic Club*" and attached was a .PDF file of the 2023 resolution.

e) **Ms. Dunston** - Facebook message on August 29th, 2022:

GW: *If you get a few minutes, can you call me at 256-640-7749? I just want to make sure I show up in the right place tomorrow and we should probably quickly go over the three converging litigation timelines. Some of the questions I planned to ask Marshall Co in my federal*

case may be good to ask in the McCoy trial, so I may have a list of questions to give to your attorney. Thanks!

UD: [heart emoticon] Will do!

Facebook message on September 27th, 2022:

That troublemaker filter wasn't working at Snead the other night! LOL They let both of us in! A quick update: You already know your name doesn't appear in anywhere in it, but the final draft of my Marshall County conspiracy brief was filed in federal court today, so everything the county did is now on their "permanent record" and I'll be taking them to trial to answer for it. I think I will win, but even if I lose the events have been recorded for posterity. Sending my love to you and your entire family! (hugs)

UD: [Thumbs Up emoticon] I'm excited to see how it all turns out!

Facebook message on September 29th, 2022:

I may have signed my death warrant by filing this brief, but I've risked my life for far less noble causes! [link to brief]

f) **Mr. Jackson** - Facebook message on September 29th, 2022:

I may have signed my death warrant by filing this brief, but I've risked my life for far less noble causes! [link to brief]

g) **Democratic Club** – The Plaintiff spoke extemporaneously, and is not aware of any recordings of the short presentation he gave about the Picketing Resolution and the lawsuit.

h) **ACLU** – Filled out legal intake form at: <https://action.aclu.org/legal-intake/al-legal-intake>

i) **DOJ** – Filled out legal intake form (Plaintiff Bates # 17) at: <https://civilrights.justice.gov/report/>

j) **Attorneys** – Plaintiff has no record or recall of which law firm conducted an intake interview, but declined to take the case.

k) **Social Media** – See answer to Production Section #2

4. No one is authorized to act on behalf of the Plaintiff.

5. *The Sand Mountain Reporter* “Marshall County faces lawsuit over picketing resolution” by Daniel Taylor published May 13th, 2022

6. Plaintiff does not contend the specified 2023 locations are traditional public forums, but the Resolution is too poorly written to know what other county properties it intends to include.

7. Plaintiff does not contend the specified 2023 locations are limited public forums, but the Resolution is too poorly written to know what other county properties it intends to include to be covered by the Resolutions.

8. Since this case was initiated, the Plaintiff’s service-connected PTSD has worsened and his disability rating has been increased to 50%. The Plaintiff’s medical records are protected by Health Insurance Portability and Accountability Act (HIPAA). The medical records are kept by the Veterans Administration (VA), but they are a mess and mostly inaccessible (especially in a timely fashion). Because the VA hasn’t been able to provide the mental and medical care required, in December 2023 the Plaintiff was referred to community mental health care providers in order for more guidance in Cognitive Based Therapy (CBT) for his severe PTSD.

9. All applicable discovery materials have been provided as much as reasonably possible:

Bates	Filename
P00001	Albertville-Courthouse-OriginalBuilding.jpg
P00002	Albertville-Courthouse-view-from-air-closeup.png
P00003	Albertville-Courthouse-view-from-air.png
P00004	Albertville-front-20220705.mp4
P00005	Albertville-ViewFromSteps-20220705.jpg
P00006	Albertville-ViewWithoutMonuments.jpg
P00007	Assault-NeenasCafe.mp4
P00008	Commission-20220413_091415980.mp4
P00009	Commission-20220413_095629011.mp4

P00010 Commission-20220413_101802390.mp4
 P00011 Commission-20220413_105209730.mp4
 P00012 Commission-20220413_105828848.mp4
 P00013 Commission-RobertELee.jpg
 P00014 CommissionMeeting-20220413_090002376.jpg
 P00015 ConfederateMonument-20210313.jpg
 P00016 DefendantListRequest.png
 P00017 DOJ-Complaint-20220413.txt
 P00018 EatAtNeeenas-OpColumn2018.jpg
 ExhibitA-MarshallCoPicketingResolution-
 P00019 WritToCure20220407.pdf
 P00020-23 ExhibitB-PicketingResolution.pdf
 P00024 FinalEmail-20220418.png
 P00025 FOP-brick-sale.jpg
 P00026-30 Garys-Marshall-County-Speech-20220511.pdf
 P00031 Gleam-article.jpg
 P00032 Guntersville-Confederate-Memorial-2020514.png
 P00033 Guntersville-Courthouse-1963-cornerstone-20220705.jpg
 P00034 Guntersville-Courthouse-view-from-air-closeup.png
 P00035 Guntersville-Courthouse-view-from-air.png
 P00036 Guntersville-CourthouseMemorial-20220514.mp4
 P00037 Guntersville-CourthouseOffices-1990-20220705.jpg
 P00038 Guntersville-East-SE-views-20220705.mp4
 P00039 Guntersville-NortheastView-20220705.mp4
 P00040 Guntersville-OutdoorMemorials-20220705.mp4
 P00041 Guntersville-SouthernView-20220705.mp4
 P00042 MeetingRecord-20220427.odt
 P00043-45 Minutes-20181212.pdf
 P00046-49 Minutes-20190109.pdf
 P00050-51 Minutes-20190313.pdf
 P00052-59 Minutes-20201209.pdf
 P00060-64 Minutes-20210113.pdf
 P00065-68 Minutes-20211208.pdf
 P00069 Neenas-20220705.mp4
 P00070 PicketingResolution-June262023.pdf
 P00071 PrayForOurNation1-20221107.jpg
 P00072 PrayForOurNation2-20221107.jpg
 P00073 PrayForOurNation3-20221107.jpg
 P00074 Protest-20210313_120816227_HDR.jpg
 P00075 Protest-20210313_123134297_HDR.jpg
 P00076 Protest-20210313_123150526_HDR.jpg
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 P00078 Protest-20210313_123233147_HDR.jpg
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 P00080 Protest-20210313_123242121_HDR.jpg
 P00081 Protest-20210313_133558005.mp4

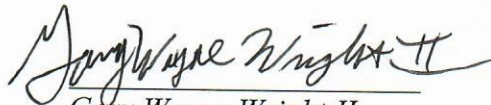
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P00083 Protest-20210313_140504294_HDR.jpg
P00084 Protest-20210813_180211906.mp4
P00085 Protest-20210813_182114527.mp4
P00086 Protest-20210813_182720650.mp4
P00087 Protest-20210813_182951209.mp4
P00088 Protest-20210813_183457596.mp4
P00089 RequestToSpeak-20220428.pdf
P00090 RoadConditions-20220413_141942979.jpg
P00091 SandMtnReporter-cover-20220514.jpg
P00092 Speech-20220511.mp4
P00093 TheArabTribune-20220526.jpg
P00094 website-screenshot-20220416.png
P00095 website-screenshot-20230730.png
P00096 website-screenshot-20230730b.png
P00097 website-screenshot-20231010.png
P00098 WorkSession-2023-July-26.pdf
P00099 WorkSession_20220413.jpg

DiscoveryWright.zip - Size: 5794029323 bytes (5525 MiB)

SHA1: 37bfe7c4c393b61c6e6e09c9175b633a66eae423

SHA256: c6394e0881237e28e9d323baeeb1199216507b6ce0c12aab730d02dbbf4cc03e

Respectfully submitted this 19th day of December, 2023.



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