

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

AMERICAN CIVIL LIBERTIES UNION
OF MISSISSIPPI, ET AL.

PLAINTIFFS

VS.

NO. 3:77cv47B

KIRK FORDICE, ET AL.

DEFENDANTS

MOTION FOR COURT APPROVAL OF NOTICE
TO PERSONS REQUESTING REDACTION
OF SOVEREIGNTY COMMISSION FILES AND
FOR ENLARGEMENT OF TIME TO SERVE
OBJECTIONS TO REDACTION REQUESTS

COME NOW the access/publication plaintiffs and move this Court for approval of the proposed form of Notice to Persons requesting redaction of Sovereignty Commission files, Exhibit "A" annexed hereto. To aid in the orderly transition of this case, Access plaintiffs request an enlargement of fifteen (15) days from the date of the Court's ruling on this motion in which to serve their objections to redaction requests.

Respectfully submitted,



SHIRLEY PAYNE

SHIRLEY PAYNE
MSB #4071
HORN & PAYNE
P. O. Box 1725
Jackson, MS 39215-1725
(601) 373-0170

NOTICE OF MOTION

Please take notice that the undersigned will bring on for hearing the above and foregoing Motion for Court Approval of Notice to Persons Requesting Redaction of Sovereignty Commission Files and for Enlargement of Time to Serve Objections to Redaction Requests before the Honorable William H. Barbour, Jr., United States District Judge, United States District Courthouse, Jackson, Mississippi, as soon as counsel can be heard.

Respectfully submitted,



SHIRLEY PAYNE

CERTIFICATE OF SERVICE

I, Shirley Payne, hereby certify that I have this date mailed, postage prepaid, a true and correct copy of the above and foregoing Motion for Court Approval of Notice to Persons Requesting Redaction of Sovereignty Commission Files and for Enlargement of Time to Serve Objections to Redaction Requests to Hon. Luke Dove, Dove, Chill & Calhoun, 1142 Deposit Guaranty Plaza, Jackson, MS 39201 and Hon. Dave Scott, Special Assistant Attorney General, P. O. Box 220, Jackson, MS 39205-0220.

This the 3rd day of December, 1997.



SHIRLEY PAYNE

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RE: _____

NOTICE - FILED UNDER SEAL

The Plaintiffs representing the public access interests have challenged your redaction request. Their reasons are enclosed in the pleadings and brief you will find annexed. You must make a response to preserve your interest.

The Court intends to rule on the issues presented as questions of law based on the documents collected. There will not be a hearing. You will not have to be present in Court. You may make your response yourself or you may have representation of a lawyer.

The following is a suggested method of formulating your response. You have thirty (30) days, or until January _____, 1998 in which to answer.

_____ I believe I have a reasonable expectation of
privacy with regard to my redaction request because

(Please attach additional pages as needed)

EXHIBIT "A"

_____ I should not be classified as a state actor inasmuch as my status does not meet the Court's definition as being ". . . any member, employee or informant (paid or otherwise) of the Commission and any person who requested information from the Commission during its existence" because _____

(Please attach additional pages as needed)

_____ I should not be classified as a victim under the Court's definition of ". . . any person who was subject to investigation, surveillance, intrusions or the dissemination of false and misleading information by the Sovereignty Commission of the State of Mississippi or those acting in conjunction with that agency" because _____

(Please attach additional pages as needed)

Please identify yourself as requesting information about the Sovereignty Commission files in any communication you have with the Court. Your response must be mailed to United States District

Judge William H. Barbour, Jr., 245 East Capitol Street, Suite 400,
Jackson, MS 39201 and to the United States District Court,
Southern District of Mississippi, 245 East Capitol Street, Suite
316, Jackson, MS 39201. Please mark the outside of the envelope
"SOVEREIGNTY COMMISSION". Your response must be post-marked no
later than January _____, 1998.