

IN THE JUSTICE COURT OF MONROE COUNTY, STATE OF MISSISSIPPI

STATE OF MISSISSIPPI
VS
LADY B. GARTH

Book# 2200 Page# 6817
Book# 2200 Page# 6818
Book# _____ Page# _____

CRIMINAL SUMMONS TO APPEAR
AND NOTICE TO THE DEFENDANT

TO ANY OFFICER AUTHORIZED BY LAW WITHIN THE STATE OF MISSISSIPPI TO SERVE SUMMONS:

WHEREAS this Court having considered the attached criminal affidavit(s), and any sworn testimony taken, and finding probable cause to believe that a crime has been committed and probable cause to believe that the DEFENDANT in the above-styled case(s) committed it, and also finding that the DEFENDANT is not in custody, that the offense charged is bailable as a matter of right, and that there is no reasonable cause to believe that the DEFENDANT will not obey this summons,

YOU ARE HEREBY COMMANDED:

TO SUMMONS: LADY B. GARTH

to appear before this Court on the 15TH day of NOVEMBER, 2022,
at 9:00 o'clock A.M. at:

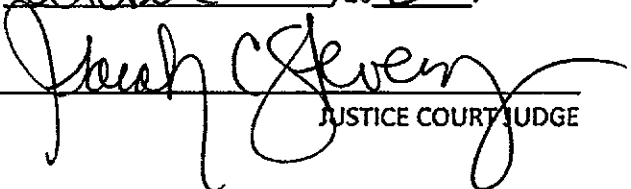
MONROE COUNTY JUSTICE COURT, 1619 Highland Dr., Amory, MS 38821

for a hearing on the charge(s) of:

CONSPIRACY TO PREVENT HOLDING A PUBLIC OFFICE OR DISCHARGING ITS DUTIES 97-7-17
DISTURBANCE IN PUBLIC PLACE 97-35-1

BY PERSONALLY DELIVERING a copy of this summons to the DEFENDANT; and
TO PROMPTLY RETURN the served summons to the MONROE COUNTY JUSTICE COURT.

ORDERED AND ADJUDGED THIS THE 3rd day of October, 2022.


JUSTICE COURT JUDGE

Lady Garth

Notice to the Defendant

YOU ARE TO BRING TO THE HEARING THIS SUMMONS. FAILURE TO APPEAR FOR YOUR SCHEDULED COURT HEARING AS SET FORTH IN THIS SUMMONS MAY RESULT IN A BENCH WARRANT BEING ISSUED FOR YOUR ARREST. YOU ARE REQUIRED TO PROMPTLY NOTIFY THE COURT OF ANY CHANGE OF ADDRESS.

OFFICER'S RETURN:

I HAVE THIS DAY PERSONALLY SERVED THE ABOVE SUMMONS

William Baker

OFFICER

10-3-2022
DATE

Served her by handing it
to the Chief of Police (Sturport)

2200/6817

STATE OF MISSISSIPPI,

COUNTY OF MONROE

BEFORE ME, A JUSTICE COURT CLERK OF MONROE COUNTY

MAYOR CHARLES SCOTT
CITY OF ABERDEEN
ABERDEEN MS 39730

MAKES AFFIDAVIT THAT

LADY B GARTH

On or around the 20TH of September, 2022, did willfully and unlawfully by force, intimidation or threat, conspire to prevent Alderman of Ward I, City of Aberdeen, Robert Devaul, from fulfilling his duties as Alderman by re-directing the sheriff's deputy after the mayor's directive to remove Mr. Nicholas Holliday from the seat of Alderman Ward I.

TO WIT: CONSPIRACY TO PREVENT HOLDING A PUBLIC OFFICE OR DISCHARGING
ITS DUTIES
97-7-17

AFFIANT: Charles Scott

SWORN TO AND SUBSCRIBED BEFORE ME, THIS 29 DAY OF September, 2022.

J. Morrow, etc
JUSTICE COURT CLERK

**Miss. Code § 97-7-17 Conspiracy to prevent holding a public
office or discharging its duties, etc.; by use of force, etc
(Mississippi Code (2022 Edition))**

**§ 97-7-17. Conspiracy to prevent holding a public office or
discharging its duties, etc.; by use of force, etc**

If two (2) or more persons conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the State of Mississippi, or any subdivision thereof, or from discharging any duties thereof, or to induce by like means any officer of the State of Mississippi or subdivision thereof, to leave the place where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties, each of such persons shall be fined upon conviction not more than one thousand dollars (\$1,000.00) or imprisoned for not more than five (5) years, or both.

Source:

Codes, 1942, § 2059.1; Laws, 1968, ch. 344, § 1, eff. 7/30/1968.

2200/6818

STATE OF MISSISSIPPI,

COUNTY OF MONROE

BEFORE ME, A JUSTICE COURT CLERK OF MONROE COUNTY

MAYOR CHARLES SCOTT
CITY OF ABERDEEN
ABERDEEN MS 39730

MAKES AFFIDAVIT THAT

LADY B GARTH

On or around the 20TH of September, 2022, did willfully and unlawfully create a disturbance or a breach of peace of the bi-weekly Board of Alderman meeting for the City of Aberdeen by leaving the meeting, using menacing language directed to the Attorney for the City of Aberdeen and then returned to the meeting pacing around the room and made a veiled threat to the Chief of Police.

TO WIT: DISTURBANCE IN PUBLIC PLACE
97-35-13

AFFIANT:



SWORN TO AND SUBSCRIBED BEFORE ME, THIS 29 DAY OF September, 2022.


JUSTICE COURT CLERK

**Miss. Code § 97-35-13 Disturbance in public place
(Mississippi Code (2022 Edition))**

§ 97-35-13. Disturbance in public place

Any person who shall enter any public place of business of any kind whatsoever, or upon the premises of such public place of business, or any other public place whatsoever, in the State of Mississippi, and while therein or thereon shall create a disturbance, or a breach of the peace, in any way whatsoever, including, but not restricted to, loud and offensive talk, the making of threats or attempting to intimidate, or any other conduct which causes a disturbance or breach of the peace or threatened breach of the peace, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than five hundred dollars (\$500.00) or imprisoned in jail not more than six (6) months, or both such fine and imprisonment.

Source:

Codes, 1942, § 2090.5; Laws, 1956, ch. 256.

Monroe County Sheriff's Office

New Incident Report Template

Incident Details

| | | | |
|-------------------------------|--|--------------------------------|---|
| Incident # : | 2022-00893 | Reporting Officer : | MITCHELL, DAVID |
| Date Entered : | 9/28/2022 5:58:53 PM | Cleared Exceptionally : | No |
| Status : | Open | Location : | 125 WEST COMMERCE ST ABERDEEN MS 39730 |
| Occurence Date : | 9/28/2022 16:15 - 9/28/2022 16:45 | | |
| Incident Description : | DISRUPTION OF A PUBLIC BOARD MEETING IN THE CITY OF ABERDEEN | | |

Offense(s) 4 Results

#1

Offense : 97-7-17 - CONSPIRACY TO PREVENT A PUBLIC OFFICE OR DISCHARGING ITS DUTIES.

| | | | |
|----------------------------|-------|------------------------|----------------------------|
| Premises Entered : | 0 | Completed : | True |
| Forced Entry : | False | Location Type : | Government/Public Building |
| Bias Motivation : | | | |
| Suspect Of Using : | | | |
| Criminal Activity : | | | |
| Weapon Type : | | | |

#2

Offense : 97-35-13 - DISTURBANCE IN PUBLIC PLACE

| | | | |
|----------------------------|-------|------------------------|----------------------------|
| Premises Entered : | 0 | Completed : | True |
| Forced Entry : | False | Location Type : | Government/Public Building |
| Bias Motivation : | | | |
| Suspect Of Using : | | | |
| Criminal Activity : | | | |
| Weapon Type : | | | |

| | |
|--------------------------------------|---------------------------------------|
| Report By: MITCHELL, DAVID | Approved By: DAVID MITCHELL |
|--------------------------------------|---------------------------------------|

Offense(s) 4 Results

#3

Offense : 97-11-41 - OATH OF OFFACE AND BOND; ELECTED OFFICIALS NOT TO EXERCISE DUTIES BEFORE TAKING OATH OR GIVING BOND, AS REQUIRED

Premises Entered : 0 **Completed :** True

Forced Entry : False **Location Type :** Government/Public Building

Bias Motivation :

Suspect Of Using :

Criminal Activity :

Weapon Type :

#4

Offense : 97-7-44 - IMPERSONATING STATE, COUNTY OR MUNICIPAL OFFICER OR EMPLOYEE

Premises Entered : 0 **Completed :** True

Forced Entry : False **Location Type :** Government/Public Building

Bias Motivation :

Suspect Of Using :

Criminal Activity :

Weapon Type :

Property 0 Results

Victim(s) 1 Results

#1

Name : City Of Aberdeen **Type :** Government

Age : Unknown **Sex :** Unknown

Race : Unknown **Ethnicity :**

Home Phone : **Cell Phone :**

Other Phone : **Date of Birth :**

Address : , MS

Report By: **Approved By:**

MITCHELL, DAVID

DAVID MITCHELL

Offender(s) / Suspect(s)

2 Results

#1

Name :

Nicholas Holliday

Appearance

| | | | | | | | |
|------------|------------------------------|-------------|---------|---------------|----------------|------------|-------|
| Sex : | Male | Age : | Unknown | Hair Color : | Other | Mustache : | No |
| Race : | Black | Ethnicity : | | Hair Length : | Above Shoulder | Beard : | No |
| Weight : | 0 | Height : | 0ft 0in | Glasses : | No | Goatee : | No |
| Skintone : | Other | Eye Color : | Other | Contacts : | No | Build : | Other |
| Marks : | Additional Appearance Info : | | | | | | |

Background

| | | | | | |
|------------------------|----------|-------------------|-------|---------------|-----|
| Birthdate : | 1/1/0001 | Education Level : | Other | Occupation : | |
| Place of Birth : | MS | Religion : | | US Citizen : | Yes |
| Nationality : | | Marital Status : | Other | Emp. Phone : | |
| Home Phone : | | Cell Phone : | | Other Phone : | |
| Employer's Addresses : | | | | | |
| Offender's Addresses : | | | | | |
| Notes : | | | | | |

#2

Name :

LADY B GARTH

Appearance

| | | | | | | | |
|------------|------------------------------|-------------|---------|---------------|----------------|------------|--------|
| Sex : | Female | Age : | 62 | Hair Color : | Black | Mustache : | No |
| Race : | Black | Ethnicity : | | Hair Length : | Above Shoulder | Beard : | No |
| Weight : | 160 | Height : | 5ft 5in | Glasses : | No | Goatee : | No |
| Skintone : | Light | Eye Color : | Brown | Contacts : | No | Build : | Medium |
| Marks : | Additional Appearance Info : | | | | | | |

| | |
|------------|-------------|
| Report By: | Approved By |
|------------|-------------|

MITCHELL, DAVID

DAVID MITCHELL

Background

| | | | | | |
|------------------------|---|-------------------|---------|---------------|---|
| Birthdate : | 10/12/1959 | Education Level : | Other | Occupation : | ABERDEEN SCHOOL DIST - TEACHERTEACHER |
| Place of Birth : | ABERDEEN, MS | Religion : | | US Citizen : | Yes |
| Nationality : | UNITED STATES | Marital Status : | Married | Emp. Phone : | |
| Home Phone: | (662)-369-5734 | Cell Phone : | | Other Phone : | |
| Employer's Addresses : | | | | | |
| Offender's Addresses : | 310 S JAMES ST ABERDEEN, MS 39730 Updated: 03/27/17 | | | | |
| Notes : | | | | | |

| | |
|-------------------------|-----------|
| Other Entities | 0 Results |
| Attached File(s) | 0 Results |
| Narrative(s) | 1 Results |

#1

| | |
|---------|----------------------|
| Title : | 2022-00693 |
| Date : | 9/28/2022 4:36:00 PM |
| Name : | DAVID MITCHELL |

On September 28, 2022, at approximately 1615 hours, I, Lt. David Mitchell, took a report at the Monroe County Sheriff Office from Aberdeen Mayor Charles Scott

Mayor Scott stated on September 20, 2022, former alderman Nicholas Holliday entered city board meeting and was in the seat of the ward one alderman. He had placed his name plate in the place of the current alderman. Mayor Scott advised he confronted Mr. Holliday and advised him he wasn't allowed to be in the seat. He stated Mr. Holliday asked, "are you the mayor of Aberdeen and was he representing the city."

Mayor Scott advised he informed Mr. Holliday there was mandate from the Supreme Court where he had to wait 21 days. He stated that Mr. Holliday asked him if he superseding the Supreme Court. Mr. Scott stated at this point he asked for the sheriff department to intervene.

He stated that Chief Shumpert asked Mr. Holliday to leave, and the alderwoman Lady B Garth tried to intervene, she told Chief Shumpert that Alderman Robert Devaul leave. He stated that when Deputy Randal arrived that Mr. Holiday finally went outside where he continued to video on face book live.

Mayor Scott advised that Lady B Garth came back to the meeting after previously leaving, walking around the table on both sides of the table like she was looking for something, making various comments, at one point she purposely bumped in the city attorney. She then left the meeting and returned a couple more times attempting to disrupt the meeting.

Lt. David Mitchell M-5

| | |
|-----------------|----------------|
| Report By | Approved By |
| MITCHELL, DAVID | DAVID MITCHELL |