



Ex-clerk guilty in voter fraud case

By Jason Morton / Staff Writer

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The voter fraud trial of Gay Nell Tinker ended Tuesday when the former Hale County Circuit Court clerk pleaded guilty to five misdemeanor counts of illegal absentee balloting.

GREENSBORO | The voter fraud trial of Gay Nell Tinker ended Tuesday when the former Hale County Circuit Court clerk pleaded guilty to five misdemeanor counts of illegal absentee balloting.

In exchange, prosecutors dropped 13 felony charges against her related to voter fraud during the November 2004 and May 2005 elections.

The five misdemeanors carry maximum sentences of 12 months in jail and up to a \$2,000 fine. Retired Circuit Judge Howard Bryan said he will decide her sentence before the weekend.

'Regardless of the sentence I impose, it is my firm conviction ... that it is time for Hale County to move on,' Bryan said.

The judge said that his sentencing order will bar Tinker from serving as Hale County's absentee ballot manager for at least six years.

Included in the plea agreement is a stipulation that the misdemeanors will not amount to crimes of moral turpitude, which would require her to step down as the town of Greensboro's municipal court magistrate. She was appointed to that post by outgoing Mayor Johnnie B. Washington in March 2009.

Tinker, who was indicted in March 2008, waived her right to address the court after the plea deal was reached but her attorney, Joe Espy, spoke on her behalf.

'She's a good person. In this case, she stepped across the line, but her intentions were good,' Espy said.

Assistant Attorney General Ben Mark Baxley, who led the prosecution of the case, said the voter fraud investigation in Hale County that led to Tinker's indictment uncovered 'incredibly disturbing' allegations during her tenure as

circuit clerk from January 2001 to December 2007.

He said the probe, led by the Alabama Attorney General's Office, discovered a scheme to orchestrate fraudulent absentee ballots to benefit a number of candidates, including state Sen.

Bobby Singleton, D-Greensboro,
and Circuit Court Judge Marvin Wiggins.

Wiggins is Tinker's brother and the senator is her spouse, although the Singletons have been separated for several years.

Wiggins presided over Tinker's case until he was removed and censured.

Before Bryan, Tinker — through her attorney — admitted to falsely certifying the absentee ballots of five voters. The ballots, her attorney said, were notarized by her despite inconsistencies in signatures and spelling.

That, Baxley said, is enough to incarcerate her for five years.

'She has just stood before this court and said she violated her oath and broke the law,' Baxley said.

A jury for Tinker's trial had been chosen Monday at the Hale County Courthouse. The prosecution and defense were set to deliver their opening statements Tuesday morning before the plea agreement.