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Judge rules for new Aberdeen Ward 1 alderman election

By RAY VAN DUSEN Monroe Journal
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ABERDEEN – Special Judge Jeff Weill, Sr. of Jackson signed an order Feb. 26 for a new election for Ward 1’s alderman seat, setting up Aberdeen’s second special election scheduling in approximately a month’s time.

An election contest was filed last July on behalf of Robert Devaull against Nicholas Holliday, who was certified as the winner of the Ward 1 alderman race. Devaull received 44 percent of the vote, compared to Holliday’s 56 percent in the June 16, 2020 Democratic run-off.

Devaull was represented by Starkville attorneys Lydia Quarles and Jim Mozingo in the January court proceedings in Monroe County Circuit Court, while Holliday was represented by Walter Zinn Jr.

As another result, Judge Weill ordered a separate bench warrant and order setting bond at \$500 for Dallas Jones, who notarized absentee ballots for the election. Court documents state she admitted clear violations of notary duties and furthermore state she

assisted a person or persons to vote absentee in violation of Mississippi Code 23-15-753, which pertains to voter fraud.

The filing also stated testimony from a second notary public, Lu Stephens, was not believable.

According to court documents, finding of facts in the case included substantial irregularities occurred in accepting/rejecting absentee ballots, including several that should have been rejected. Findings of fact and conclusion also state errors were made in accepting and rejecting challenged ballots.

The final total of votes was 177 for Holliday and 140 for Devaull, and court documents state, “an election in which 66 ballots have been handled erroneously and in which the winner led by only 37 votes is an election in which these erroneously accepted or rejected ballots could change the results of the election. Since no one knows who those 66 ballots were voted for, it is clear that the will of the voters is impossible to discern, and there can be no confidence in the integrity of the outcome of the vote.”

Other points mentioned in court records include violations of distance rules from the polling place on election day, in addition to disturbances at the precinct and violation of sample ballot law.

As far as polling place irregularities, court documents state former Mayor Maurice Howard, Holliday and Aberdeen Police Chief Henry Randle acted as if they were above the law. Mississippi has several statutes pertaining to intimidating and influencing voters at polling places, along with creating disturbances and conspiring with other to do so, which makes it criminal.

“The court is of the opinion there is probable cause that several individuals involved in the disturbances during election day at the polling precinct ‘willfully and corruptly violated’ one or more of the above criminal statutes,” court filings state. “The court will

leave to the appropriate authorities to determine whether the actions of Maurice Howard, Henry Randle and S. Nicholas Holliday amounted to prosecutable crimes.”

There were other irregularities noted, including the integrity of the ballot box and not certifying the election timely.

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Ray is the managing editor of the Monroe Journal.