

TO THE MISSISSIPPI DEPARTMENT OF CORRECTIONS:

NOTICE OF CRIMINAL DISPOSITION

You are hereby notified that at the MARCH 2007 Term of the Circuit Court,
Judge Henry Lafayette Lackey presiding, the following disposition was
imposed for the crime(s) hereinafter described:

- I. A. Disposition(s) Reported: Prisoner Commitment ☒ Suspended Sentence/Probation
Revocation ☐ Acquittal ☐ Other ☐
A-1. Provisional Sentence Non-Adjudication ☐ RID ☐ Shock Probation ☐
Bad Check Div. Pgm. ☐ Restituion in CNTY ☐
House Arrest/ISP ☐ Parchman Alcohol & Drug Program ☐
B. Conviction as a Result of: ☒ Guilty Plea ☐ Guilty Plea after days Trial
☐ Jury Verdict after Days in Trial ☐ Rev. Hearing

II. Name MARTHA CAT GARDNERAlias SSN 426271627 Race F Sex B Date of Birth 02/22/1962Last Known Residence 594 W Church StHouston MS 38851Place of Birth MSCountry of Citizenship USAAlien Registration/Immigration # FBI # III. Count 1 Charge VOTER FRAUDSentenced MSCode 23-15-635 & 23-15-753Indicted MS Code 23-15-635 & 23-15-753Count 2 Charge VOTER FRAUDSentenced MSCode 23-15-635 & 23-15-753Indicted MS Code 23-15-635 & 23-15-753Count 3 Charge VOTER FRAUDSentenced MSCode 23-15-635 & 23-15-753Indicted MS Code 23-15-635 & 23-15-753IV. Date of Sentence 03/19/2007 Credit for Time Served (ONLY these charge{s}) daysSentence Imposed by Order: Count 1 5 YEARSCount 2 RETIRED TO FILECount 3 RETIRED TO FILE

	TO BE SERVED	SUSPENDED	PROBATION	METHOD OF DISP.
Count <u>1</u>	<u>5 YEARS</u>	<u>2.5 YEARS</u>	<u>GPA</u>	
Count <u>2</u> <u>RET</u>	<u>RET</u>	<u>RET</u>	<u>GPA</u>	
Count <u>3</u> <u>RET</u>	<u>RET</u>	<u>RET</u>	<u>GPA</u>	

Conc: Cons: Conditions of Sentence: Habitual Psychological/Psychiatric Alcohol/DrugOther: V. Dates Confined to to to
 to to to
 to to to Released on Bond Pending Appeal to Currently Housed In VI. Fine Indigent Fee Restitution Court Costs 281.50
CVC 100.00 BOND 10.00 TOTAL 391.50Conditions of Payment PAY 50.00 MONTHLY TO CIRCUIT CLERK FOR 8 MONTHS

Sandra Willis

Chickasaw County Circuit Court

By: March 21, 2007

Send Prisoner Commitments, Provisional Sentence Orders and Revocation Orders To:
Records Department
MDOC (Fax: 601-973-3879)
P.O. Box 24388
Jackson, Ms 39205
Court Statistics Division
Administrative Office of Courts (AOC)
P.O. Box 117
Jackson, MS 39205-0117

Send Suspended Sentence/Probation Notices, Provisional Sentence Orders and Rev. Orders to:
Data Operations
MDOC (Fax: 601-973-3879)
P.O. Box 24388
Jackson, MS 39205
Court Statistics Division
Administrative Office of Courts (AOC)
P.O. Box 117
Jackson, MS 39205-0117

Send Acquittal/Other Notices to: Court Statistics Division, AOC at its address listed above.

Certified A True Copy
This 21 day of March, 2007
Sandra N. Willis, Circuit Clerk
Chickasaw County, Mississippi
By: D.C.

TO THE MISSISSIPPI DEPARTMENT OF CORRECTIONS:

NOTICE OF CRIMINAL DISPOSITION

You are hereby notified that at the MARCH 2007 Term of the Circuit Court,
 Judge Henry Lafayette Lackey presiding, the following disposition was
 imposed for the crime(s) hereinafter described:

III. (Continued from III {Previous Page})

Count

4 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
5 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
6 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
7 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
8 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
9 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
10 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
11 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
12 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
13 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
14 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-65-635 & 23-15-753</u>	Indicted MS Code <u>23-65-635 & 23-15-753</u>
15 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
16 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
17 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
18 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>

IV. (Continued from IV {Previous Page})

Count	TO BE SERVED	SUSPENDED	PROBATION	METHOD OF DISP.
4	<u>RET</u>	<u>RET</u>	<u>RET</u>	<u>GPA</u>
5	<u>RET</u>	<u>RET</u>	<u>RET</u>	<u>GPA</u>
6	<u>RET</u>	<u>RET</u>	<u>RET</u>	<u>GPA</u>
7	<u>RET</u>	<u>RET</u>	<u>RET</u>	<u>GPA</u>
8	<u>RET</u>	<u>RET</u>	<u>RET</u>	<u>GPA</u>
9	<u>RET</u>	<u>RET</u>	<u>RET</u>	<u>GPA</u>
10	<u>RET</u>	<u>RET</u>	<u>RET</u>	<u>GPA</u>
11	<u>RET</u>	<u>RET</u>	<u>RET</u>	<u>GPA</u>
12	<u>RET</u>	<u>RET</u>	<u>RET</u>	<u>GPA</u>
13	<u>RET</u>	<u>RET</u>	<u>RET</u>	<u>GPA</u>
14	<u>RET</u>	<u>RET</u>	<u>RET</u>	<u>GPA</u>
15	<u>RET</u>	<u>RET</u>	<u>RET</u>	<u>GPA</u>
16	<u>RET</u>	<u>RET</u>	<u>RET</u>	<u>GPA</u>
17	<u>RET</u>	<u>RET</u>	<u>RET</u>	<u>GPA</u>
18	<u>RET</u>	<u>RET</u>	<u>RET</u>	<u>GPA</u>

In the Circuit Court of CHICKASAWCause/Case No. HK2006-014

TO THE MISSISSIPPI DEPARTMENT OF CORRECTIONS:

NOTICE OF CRIMINAL DISPOSITION

You are hereby notified that at the MARCH 2007 Term of the Circuit Court,
 Judge Henry Lafayette Lackey presiding, the following disposition was
 imposed for the crime(s) hereinafter described:

III. (Continued from III {Previous Page})

Count

19 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
20 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
21 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
22 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
23 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
24 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
25 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
26 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
27 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
28 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
29 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
30 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
31 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
32 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>
33 Charge <u>VOTER FRAUD</u>	
Sentenced MSCode <u>23-15-635 & 23-15-753</u>	Indicted MS Code <u>23-15-635 & 23-15-753</u>

IV. (Continued from IV {Previous Page})

Count	TO BE SERVED	SUSPENDED	PROBATION	METHOD OF DISP.
19	RET	RET	RET	GPA
20	RET	RET	RET	GPA
21	RET	RET	RET	GPA
22	RET	RET	RET	GPA
23	RET	RET	RET	GPA
24	RET	RET	RET	GPA
25	RET	RET	RET	GPA
26	RET	RET	RET	GPA
27	RET	RET	RET	GPA
28	RET	RET	RET	GPA
29	RET	RET	RET	GPA
30	RET	RET	RET	GPA
31	RET	RET	RET	GPA
32	RET	RET	RET	GPA
33	RET	RET	RET	GPA

IN THE CIRCUIT COURT OF CHICKASAW COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

STATE OF MISSISSIPPI

VERSUS

CAUSE NO. HK2006-014

MARTHA GARDNER, DEFENDANT

SENTENCING ORDER
(PROBATION)

This day, March 19, 2007, into open court came the District Attorney and the defendant, who was represented by counsel, Hon. Edward Lancaster. The defendant was lawfully indicted and arraigned on the charge(s) of thirty seven counts of voter fraud. Upon motion of the state, counts two through thirty seven are hereby retired to the files.

The Court hereby finds: (1) that the defendant's petition to plead guilty was entered by the defendant; (2) that (s)he was duly advised of his/her rights by the Court and Counsel; (3) that the defendant has been advised of the minimum and maximum sentence; (4) that the defendant does not have a prior felony conviction; (5) that the defendant is competent to offer said plea of guilty; and (6) that said plea is offered voluntarily, knowingly, deliberately, and intelligently by said defendant. The Court hereby accepts the defendant's petition to plead guilty.

IT IS THEREFORE ORDERED AND ADJUDGED that the defendant is hereby sentenced to serve a term of five years in an institution to be designated by the Mississippi Department of Corrections with five years suspended. The five year suspended sentence is conditional upon the defendant's good behavior and strict compliance with all of the conditions given by the Court and/or set forth below under section 47-7-35 of the Mississippi Code Annotated of 1972, as amended. The defendant is placed on 30 months of supervised probation,

pursuant to section 47-7-33 and 37 of the Mississippi Code Annotated of 1972, as amended, and subject to the following rules of probation:

- (a) Commit no offense against the laws of this state or any other state of the United States, or of the United States;
- (b) Avoid injurious or vicious habits;
- (c) Avoid persons or places of disreputable or harmful character;
- (d) Report to the Department of Corrections, as directed by it;
- (e) Permit the probation and parole officer to visit him at home or elsewhere;
- (f) Work faithfully at suitable employment so far as possible;
- (g) Remain within a specified area and/or within the State of Mississippi, unless authorized to leave on proper application therefore;
- (h) Waive extradition to the State of Mississippi from any jurisdiction where he may be found and agree that he will not contest any effort by any jurisdiction to return him to the State of Mississippi;
- (i) Pay his fine, restitution, court costs and all other costs in one (1) or several sums as required by the Court or Probation Officer;
- (j) Pay a monthly supervision fee, pursuant to Miss. Code Ann. § 47-7-49, by certified check or money order until discharged from the supervised probation;
- (k) Submit, as provided in Section 47-5-601, to any type of breath, saliva or urine chemical analysis test, the purpose of which is to detect the possible presence of alcohol or a substance prohibited or controlled by any law of the State of Mississippi or the United States;
- (l) Attend and complete any special programs or counseling as directed by the Court or your Probation Officer and pay any fees as required for services;
- (m) Not own or carry with him/her any weapons;
- (n) Support his dependents; and
- (o) And further _____

Miss. Code Ann. § 47-7-35 (Supp. 1995). The defendant is ordered to pay the following:

- (1) a fine in the amount of N/A to the ~~Sheriff's Special Drug Fund on one count~~ only; (2) \$ 0.00 restitution to the Mississippi Crime Victim's compensation fund; (3) \$251.50 in court costs; (4) 0 for court appointed council fee; (5) two percent (2%) ^{\$10.00} bond fee; (6) \$100 to the Victim's Compensation Fund; (7) NA lab fees, if any; and (8) NA investigative expenses, if any. The defendant is further ordered to _____

IT IS FURTHER ORDERED AND ADJUDGED that a judgment shall be entered upon the judgment rolls against the defendant in the amount of \$ 391.50 in favor of the aforesaid County. Said amount of judgment must be paid within 8mo. @ 50 from the date of this order. If delinquent more than thirty (30) days, the clerk may, with the assistance of the County or District Attorney, institute garnishment proceedings against said defendant in this cause and or move to hold the defendant in contempt or in violation of probation or post-release probation conditions. The judgment shall be satisfied by the clerk when payment in-full has been made into the court. The Circuit Clerk shall pay the aforesaid fees in the following order: (1) restitution; (2) court costs; (3) investigative and lab fees; (4) fines; (5) Victims Compensation Fund; (6) court appointed council fee; and (7) two percent (2%) bond fee. The defendant is given credit for all days served awaiting disposition of this charge.

SO ORDERED AND ADJUDGED, this the 19th day of March, 2007.

Henry L. Lacy
CIRCUIT JUDGE

FILED

MAR 20 2007

SARAH L. WILLIS
CLERK OF COURT
CHICAGO LAW COUNTY
BOOK 39 PAGE 146

Amey
Cunningham

INDICTMENT: VOTER FRAUD - MULTI COUNT

Miss. Code Ann. Sections, 23-15-635 and 23-15-753
(nl than 1 yr. and nm than 5 yrs.)

**STATE OF MISSISSIPPI
COUNTY OF CHICKASAW
SECOND JUDICIAL DISTRICT**

Criminal Case No.: HK2004-014

In the Circuit Court in and for the said Judicial District of said County and State prior to the April, 2006 Term.

THE GRAND JURORS of the State of Mississippi, taken from the body of the good and lawful citizens of said Judicial District of said County and State, duly elected, empaneled, sworn and charged to inquire in and for said County and State prior to the April 2006 Term of the Court aforesaid, in the name and by the authority of the State of Mississippi upon their oaths present:

COUNT ONE

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 24th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Pretise Ann Clay Jenkins, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said Pretise Ann Clay Jenkins signed an Official Application for Absent Elector's Ballot which declared her to be eligible to vote by absentee ballot due to being outside the county on Election Day, when in fact she was not going to be outside the county on Election Day, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT TWO

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 24th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously swear falsely to an affidavit provided for in M.C.A. Section 23-15-635(Rev. 2001), in that Pretise Ann Clay Jenkins cast an absentee ballot in the May 3, 2005 Houston Municipal Election, and pursuant to M.C.A. Section 23-15-635 (Rev. 2001) the said Martha Gardner signed the said Jenkins' absentee ballot envelope as the

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person providing assistance to the said Jenkins and by signing the Certificate of Person Providing Voter Assistance, Gardner falsely swore or certified that: 1) Jenkins declared that she was blind, temporarily or permanently physically disabled, or could not read or write; 2) Jenkins requested Gardner's assistance in marking the absentee ballot; 3) the ballot preferences on the ballot were the preferences communicated by Jenkins; and 4) Gardner marked the enclosed ballot, in violation of M.C.A. Section 23-15-753 (REV> 2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT THREE

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 25th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Demetric Smith, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said Demetric Smith signed an Official Application for Absent Elector's Ballot which declared her to be eligible to vote by absentee ballot due to being outside the county on Election Day, when in fact she was not going to be outside the county on Election Day, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT FOUR

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 25th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Jermaine Evans, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said Jermaine Evans signed an Official Application for Absent Elector's Ballot which declared him to be eligible to vote by absentee ballot due to being outside the county on Election Day, when in fact he was not going to be outside the county on Election Day, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period

of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT FIVE

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 26th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Glendora Kendall, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said Glendora Kendall signed an Official Application for Absent Elector's Ballot which declared her to be eligible to vote by absentee ballot due to being 65 years of age or older and having a temporary or permanent disability, when in fact she was not disabled, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT SIX

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 26th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously swear falsely to an affidavit provided for in M.C.A. Section 23-15-635(Rev. 2001), in that Glendora Kendall cast an absentee ballot in the May 3, 2005 Houston Municipal Election, and pursuant to M.C.A. Section 23-15-635 (Rev. 2001) the said Martha Gardner signed the said Kendall's absentee ballot envelope as the person providing assistance to the said Kendall and by signing the Certificate of Person Providing Voter Assistance, Gardner falsely swore or certified that: 1) Kendall declared that she was blind, temporarily or permanently physically disabled, or could not read or write; 2) Kendall requested Gardner's assistance in marking the absentee ballot; and 3) the ballot preferences on the ballot were the preferences communicated by Kendall, in violation of M.C.A. Section 23-15-753 (REV> 2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT SEVEN

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 28th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Lora Weeks, a person completing an Official Application for Absent Elector's Ballot and

voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said Lora Weeks signed an Official Application for Absent Elector's Ballot which declared her to be eligible to vote by absentee ballot due to having a temporary or permanent disability, when in fact she was not disabled, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT EIGHT

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 28th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously swear falsely to an affidavit provided for in M.C.A. Section 23-15-635(Rev. 2001), in that Lora Weeks cast an absentee ballot in the May 3, 2005 Houston Municipal Election, and pursuant to M.C.A. Section 23-15-635 (Rev. 2001) the said Martha Gardner signed the said Weeks' absentee ballot envelope as the person providing assistance to the said Weeks and by signing the Certificate of Person Providing Voter Assistance, Gardner falsely swore or certified that: 1) Weeks declared that she was blind, temporarily or permanently physically disabled, or could not read or write 2) Weeks requested Gardner's assistance in marking the absentee ballot; and 3) the ballot preferences on the ballot were the preferences communicated by Weeks; in violation of M.C.A. Section 23-15-753 (REV> 2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT NINE

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 29th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Bonnie T. West, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said Bonnie T. West signed an Official Application for Absent Elector's Ballot which declared her to be eligible to vote by absentee ballot due to being outside the county on Election Day, when in fact she was not going to be outside the

county on Election Day, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT TEN

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 29th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause William Turman, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said William Turman signed an Official Application for Absent Elector's Ballot which declared him to be eligible to vote by absentee ballot due to having a temporary or permanent disability, when in fact he was not disabled, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT ELEVEN

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 29th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously swear falsely to an affidavit provided for in M.C.A. Section 23-15-635 (Rev. 2001), in that William Turman cast an absentee ballot in the May 3, 2005 Houston Municipal Election, and pursuant to M.C.A. Section 23-15-635 (Rev. 2001) the said Martha Gardner signed the said Turman's absentee ballot envelope as the person providing assistance to the said Turman and by signing the Certificate of Person Providing Voter Assistance, Gardner falsely swore or certified that: 1) Turman declared that he was blind, temporarily or permanently physically disabled, or could not read or write 2) Turman requested Gardner's assistance in marking the absentee ballot; and 3) the ballot preferences on the ballot were the preferences communicated by Turman; in violation of M.C.A. Section 23-15-753 (REV> 2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT TWELVE

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 30th day of March, 2005, in the County and State and Judicial District aforesaid, and within the

jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Rebecca Elmore, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said Rebecca Elmore signed an Official Application for Absent Elector's Ballot which declared her to be eligible to vote by absentee ballot due to being outside the county on Election Day, when in fact she was not going to be outside the county on Election Day, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT THIRTEEN

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 30th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously swear falsely to an affidavit provided for in M.C.A. Section 23-15-635 (Rev. 2001), in that Rebecca Elmore cast an absentee ballot in the May 3, 2005 Houston Municipal Election, and pursuant to M.C.A. Section 23-15-635 (Rev. 2001) the said Martha Gardner signed the said Elmore's absentee ballot envelope as the person providing assistance to the said Elmore and by signing the Certificate of Person Providing Voter Assistance, Gardner falsely swore or certified that: 1) Elmore declared that she was blind, temporarily or permanently physically disabled, or could not read or write; 2) Elmore requested Gardner's assistance in marking the absentee ballot; and 3) the ballot preferences on the ballot were the preferences communicated by Elmore; in violation of M.C.A. Section 23-15-753 (REV> 2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT FOURTEEN

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 30th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Jason Wright, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or

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her eligible to vote by absentee ballot), in that said Jason Wright signed an Official Application for Absent Elector's Ballot which declared him to be eligible to vote by absentee ballot due to being outside the county on Election Day, when in fact he was not going to be outside the county on Election Day, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT FIFTEEN

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 30th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously swear falsely to an affidavit provided for in M.C.A. Section 23-15-635 (Rev. 2001), in that Jason Wright cast an absentee ballot in the May 3, 2005 Houston Municipal Election, and pursuant to M.C.A. Section 23-15-635 (Rev. 2001) the said Martha Gardner signed the said Wright's absentee ballot envelope as the person providing assistance to the said Wright and by signing the Certificate of Person Providing Voter Assistance, Gardner falsely swore or certified that: 1) Wright declared that he was blind, temporarily or permanently physically disabled, or could not read or write; 2) Wright requested Gardner's assistance in marking the absentee ballot; and 3) the ballot preferences on the ballot were the preferences communicated by Wright; in violation of MCA Section 23-15-753 (REV> 2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT SIXTEEN

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 30th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Joyce Hill, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said Joyce Hill signed an Official Application for Absent Elector's Ballot which declared her to be eligible to vote by absentee ballot due to being outside the county on Election Day, when in fact she was not going to be outside the county on Election Day, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT SEVENTEEN

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 30th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously swear falsely to an affidavit provided for in M.C.A. Section 23-15-635(Rev. 2001), in that Joyce Hill cast an absentee ballot in the May 3, 2005 Houston Municipal Election, and pursuant to M.C.A. Section 23-15-635 (Rev. 2001) the said Martha Gardner signed the said Hill's absentee ballot envelope as the person providing assistance to the said Hill and by signing the Certificate of Person Providing Voter Assistance, Gardner falsely swore or certified that: 1) Hill declared that she was blind, temporarily or permanently physically disabled, or could not read or write; 2) Hill requested Gardner's assistance in marking the absentee ballot; 3) the ballot preferences on the ballot were the preferences communicated by Hill; and 4) Gardner marked the enclosed ballot, in violation of M.C.A. Section 23-15-753 (REV> 2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT EIGHTEEN

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 30th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Brandy Doss, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said Brandy Doss signed an Official Application for Absent Elector's Ballot which declared her to be eligible to vote by absentee ballot due to being outside the county on Election Day, when in fact she was not going to be outside the county on Election Day, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT NINETEEN

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 30th day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously swear falsely to an affidavit provided for in M.C.A. Section 23-15-635(Rev. 2001), in that Brandy Doss cast an absentee ballot in the May 3, 2005 Houston Municipal Election, and pursuant to M.C.A. Section 23-15-635 (Rev. 2001) the said Martha Gardner signed the said Doss's absentee ballot envelope as the person

providing assistance to the said Doss and by signing the Certificate of Person Providing Voter Assistance, Gardner falsely swore or certified that: 1) Doss declared that she was blind, temporarily or permanently physically disabled, or could not read or write; 2) Doss requested Gardner's assistance in marking the absentee ballot; and 3) the ballot preferences on the ballot were the preferences communicated by Doss; in violation of M.C.A. Section 23-15-753 (REV> 2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT TWENTY

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 31st day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause James Russell Turman, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said James Russell Turman signed an Official Application for Absent Elector's Ballot which declared him to be eligible to vote by absentee ballot due to having a temporary or permanent disability, when in fact he was not disabled, in violation of M.C.A. Section 23-15-753 (Rev. 2001); which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT TWENTY ONE

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 31st day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously swear falsely to an affidavit provided for in M.C.A. Section 23-15-635 (Rev. 2001), in that James Russell Turman cast an absentee ballot in the May 3, 2005 Houston Municipal Election, and pursuant to M.C.A. Section 23-15-635 (Rev. 2001) the said Martha Gardner signed the said Turman's absentee ballot envelope as the person providing assistance to the said Turman and by signing the Certificate of Person Providing Voter Assistance, Gardner falsely swore or certified that: 1) Turman declared that he was blind, temporarily or permanently physically disabled, or could not read or write 2) Turman requested Gardner's assistance in marking the absentee ballot; 3) the ballot preferences on the ballot were the preferences communicated by Turman; and 4) Gardner marked the enclosed ballot, in violation of M.C.A. Section 23-15-753 (REV> 2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT TWENTY TWO

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 31st day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Debra Wright, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said Debra Wright signed an Official Application for Absent Elector's Ballot which declared her to be eligible to vote by absentee ballot due to being outside the county on Election Day, when in fact she was not going to be outside the county on Election Day, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT TWENTY THREE

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 31st day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously swear falsely to an affidavit provided for in M.C.A. Section 23-15-635 (Rev. 2001), in that Debra Wright cast an absentee ballot in the May 3, 2005 Houston Municipal Election, and pursuant to M.C.A. Section 23-15-635 (Rev. 2001) the said Martha Gardner signed the said Wright's absentee ballot envelope as the person providing assistance to the said Wright and by signing the Certificate of Person Providing Voter Assistance, Gardner falsely swore or certified that: 1) Wright declared that she was blind, temporarily or permanently physically disabled, or could not read or write; 2) Wright requested Gardner's assistance in marking the absentee ballot; and 3) the ballot preferences on the ballot were the preferences communicated by Wright; in violation of M.C.A. Section 23-15-753 (REV> 2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT TWENTY FOUR

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 31st day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Troy Brassfield, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet

one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said Troy Brassfield signed an Official Application for Absent Elector's Ballot which declared him to be eligible to vote by absentee ballot due to having a temporary or permanent disability, when in fact he was not disabled, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT TWENTY FIVE

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 31st day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously swear falsely to an affidavit provided for in M.C.A. Section 23-15-635 (Rev. 2001), in that Troy Brassfield cast an absentee ballot in the May 3, 2005 Houston Municipal Election, and pursuant to M.C.A. Section 23-15-635 (Rev. 2001) the said Martha Gardner signed the said Brassfield's absentee ballot envelope as the person providing assistance to the said Brassfield and by signing the Certificate of Person Providing Voter Assistance, Gardner falsely swore or certified that: 1) Brassfield declared that he was blind, temporarily or permanently physically disabled, or could not read or write 2) Brassfield requested Gardner's assistance in marking the absentee ballot; and 3) the ballot preferences on the ballot were the preferences communicated by Brassfield; in violation of M.C.A. Section 23-15-753 (REV> 2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT TWENTY SIX

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 31st day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Michael Sanders, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said Michael Sanders signed an Official Application for Absent Elector's Ballot which declared him to be eligible to vote by absentee ballot due to being outside the county on Election Day, when in fact he was not going to be outside the county on Election Day, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such

cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT TWENTY SEVEN

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 31st day of March, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously swear falsely to an affidavit provided for in M.C.A. Section 23-15-635(Rev. 2001), in that Michael Sanders cast an absentee ballot in the May 3, 2005 Houston Municipal Election, and pursuant to M.C.A. Section 23-15-635 (Rev. 2001) the said Martha Gardner signed the said Sanders's absentee ballot envelope as the person providing assistance to the said Sanders and by signing the Certificate of Person Providing Voter Assistance, Gardner falsely swore or certified that: 1) Sanders declared that he was blind, temporarily or permanently physically disabled, or could not read or write; 2) Sanders requested Gardner's assistance in marking the absentee ballot; and 3) the ballot preferences on the ballot were the preferences communicated by Sanders; in violation of M.C.A. Section 23-15-753 (REV. 2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT TWENTY EIGHT

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 1st day of April, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Johnny Graham, a person allegedly completing an Official Application for Absent Elector's Ballot and allegedly voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely; MCA §§23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in §23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in §23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said Gardner caused an Official Application for Absent Elector's Ballot in the name of Johnny Graham to be submitted to the City Clerk by instructing Helen Shoemaker to sign Johnny Graham's Application, without the permission of Johnny Graham, and which said Application declared him to be eligible to vote by absentee ballot due to having a temporary or permanent physical disability, when in fact he was not disabled, in violation of M.C.A. Section 23-15-753 (REV. 2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT TWENTY NINE

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 1st day of April, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this court, did wilfully swear falsely to an affidavit provided for in M.C.A. §23-15-

635 (Rev. 2001), in that said Gardner caused an absentee ballot in the name of Johnny Graham to be submitted to the City Clerk in the May 3, 2005 Houston Municipal Election, and pursuant to M.C.A. §23-15-635 (Rev. 2001) the said Martha Gardner signed the said Johnny Graham's absentee ballot envelope as the attesting witness and by signing the Attesting Witness Certificate falsely swore or certified that Johnny Graham voted the absentee ballot out of Gardner's presence and that Johnny Graham signed the Elector's Certificate contained on the ballot envelope, when in fact Graham did not vote the ballot nor did he sign the Elector's Certificate, in violation of M.C.A. §23-15-753 (REV. 2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT THIRTY

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 5th day of April, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Linda Dye, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said Linda Dye signed an Official Application for Absent Elector's Ballot which declared her to be eligible to vote by absentee ballot due to being outside the county on Election Day, when in fact she was not going to be outside the county on Election Day, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT THIRTY ONE

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 5th day of April, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously swear falsely to an affidavit provided for in M.C.A. Section 23-15-635 (Rev. 2001), in that Linda Dye cast an absentee ballot in the May 3, 2005 Houston Municipal Election, and pursuant to M.C.A. Section 23-15-635 (Rev. 2001) the said Martha Gardner signed the said Dye's absentee ballot envelope as the person providing assistance to the said Dye and by signing the Certificate of Person Providing Voter Assistance, Gardner falsely swore or certified that: 1) Dye declared that she was blind, temporarily or permanently physically disabled, or could not read or write; 2) Dye requested Gardner's assistance in marking the absentee ballot; and 3) the ballot preferences on the ballot were the preferences communicated by Dye; in violation of M.C.A. Section 23-15-753 (REV. 2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such

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cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT THIRTY TWO

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 14th day of April, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Kendal Nickles, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said Kendal Nickles signed an Official Application for Absent Elector's Ballot which declared her to be eligible to vote by absentee ballot due to being outside the county on Election Day, when in fact she was not going to be outside the county on Election Day, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT THIRTY THREE

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 21st day of April, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Christine Contrell, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said Christine Contrell signed an Official Application for Absent Elector's Ballot which declared her to be eligible to vote by absentee ballot due to having a temporary or permanent disability. when in fact she was not disabled, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT THIRTY FOUR

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 26th day of April, 2005, in the County and State and Judicial District aforesaid, and within the

jurisdiction of this Court, did wilfully, unlawfully and feloniously aid, abet, assist, encourage, help and cause Terry Beaty, a person completing an Official Application for Absent Elector's Ballot and voting an absentee ballot in the May 3, 2005 Houston Municipal Election, to violate a provision of the law pertaining to absentee voting, namely: MCA Sections 23-15-627, 23-15-713, and 23-15-717 (Rev. 2001) which provides that duly qualified electors may vote by absentee ballot if they meet one of the eligibility criteria set forth in section 23-15-713, and that such duly qualified elector meeting said eligibility criteria shall complete and sign an Absentee Ballot Application as set forth in Section 23-15-627 (in which the duly qualified elector declares the reason or criteria which makes him or her eligible to vote by absentee ballot), in that said Terry Beaty signed an Official Application for Absent Elector's Ballot which declared him to be eligible to vote by absentee ballot due to being outside the county on Election Day, when in fact he was not going to be outside the county on Election Day, in violation of M.C.A. Section 23-15-753 (Rev.2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT THIRTY FIVE

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 26th day of April, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously swear falsely to an affidavit provided for in M.C.A. Section 23-15-635(Rev. 2001), in that Terry Beaty cast an absentee ballot in the May 3, 2005 Houston Municipal Election, and pursuant to M.C.A. Section 23-15-635 (Rev. 2001) the said Martha Gardner signed the said Beaty's absentee ballot envelope as the person providing assistance to the said Beaty and by signing the Certificate of Person Providing Voter Assistance, Gardner falsely swore or certified that: 1) Beaty declared that he was blind, temporarily or permanently physically disabled, or could not read or write; 2) Beaty requested Gardner's assistance in marking the absentee ballot; and 3) the ballot preferences on the ballot were the preferences communicated by Beaty; in violation of M.C.A. Section 23-15-753 (REV> 2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT THIRTY SIX

That **Martha Gardner, aka Cat Gardner**, late of the County and State aforesaid, on or about the 26th day of April, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously swear falsely to an affidavit provided for in M.C.A. Section 23-15-635(Rev. 2001), in that James Antion Hatchett cast an absentee ballot in the May 3, 2005 Houston Municipal Election, and pursuant to M.C.A. Section 23-15-635 (Rev. 2001) the said Martha Gardner signed the said Hatchett's absentee ballot envelope as the person providing assistance to the said Hatchett and by signing the Certificate of Person Providing Voter Assistance, Gardner falsely swore or certified that: 1) Hatchett declared that he was blind, temporarily or permanently physically disabled, or could not read or write; 2) Hatchett requested Gardner's assistance in marking the absentee ballot; and 3) the ballot preferences on the ballot were the preferences communicated by Hatchett; in violation of M.C.A. Section 23-15-753 (REV> 2001), which offense is punishable by imprisonment in the custody of the Mississippi

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Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

COUNT THIRTY SEVEN

That Martha Gardner, aka Cat Gardner, late of the County and State aforesaid, on or about the 1st day of April, 2005, in the County and State and Judicial District aforesaid, and within the jurisdiction of this court, did wilfully swear falsely to an affidavit provided for in M.C.A. §23-15-627 (Rev. 2001), in that an Official Application for Absent Elector's Ballot in the name of Johnny Graham was submitted to the City Clerk for the May 3, 2005 Houston Municipal Election, and pursuant to M.C.A. §23-15-627 (Rev. 2001) the said Gardner signed the said Application as the attesting witness thereby falsely certifying that Johnny Graham's signature had been lawfully witnessed when in fact Johnny Graham did not sign the said Application, in violation of M.C.A. §23-15-753 (REV. 2001), which offense is punishable by imprisonment in the custody of the Mississippi Department of Corrections for a period of not less than one (1) year nor more than five (5) years, contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Mississippi.

A TRUE BILL

Jerry L. Stallings
Jerry Lon Stallings
Assistant District Attorney
Mississippi Bar Number 7766

Wanda Frank
Foreman of the Grand Jury

WITNESSES:

Reece Critch
Filed: *2/9*, 2005 *Sandra N. Willis*, Clerk
Recorded: *2/14*, 2005 *Sandra N. Willis*, Clerk
by: Linda Deller

