

IN THE CIRCUIT COURT OF LEFLORE COUNTY, MISSISSIPPI

MARION GRANTHAM and  
BARBARA GRANTHAM

PLAINTIFFS

VS.

CIVIL ACTION FILE NO. 2022-0040-CICI

THE CITY OF GREENWOOD MISSISSIPPI  
a MISSISSIPPI MUNICIPAL CORPORATION and

CAROLYN McADAMS, INDIVIDUALLY AND IN HER  
CAPACITY AS MAYOR OF THE CITY OF  
GREENWOOD, MISSISSIPPI and

BETTY STIGLER, INDIVIDUALLY AND IN HER  
CAPACITY AS DIRECTOR OF COMMUNITY DEVELOPMENT  
OF THE CITY OF GREENWOOD, MISSISSIPPI

DEFENDANTS

COMPLAINT

Come now Plaintiff's herein by and through their undersigned attorney and file this their complaint against the above named defendants herein, and in support thereof would show unto the Court the following:

PARTIES TO THIS ACTION

1. Plaintiffs herein, Marion Grantham and Barbara Grantham are each actual adult residents of the State of Mississippi, residing in the First Judicial District of Carroll County, Mississippi. Plaintiff, Barbara Grantham, is the owner of Delta Boutique and Gifts, a retail business located and situated in the City of Greenwood, Leflore County, Mississippi, which is located at the address of 201 Howard Street, Greenwood, MS 38930. The said business has been located at said address since May, 2016.

2. Defendant, City of Greenwood, Mississippi is a Mississippi Municipal Corporation which may be served with process in this cause by service upon defendant, Carolyn McAdams, Mayor of said municipality or upon Linda Osborne, the municipal clerk of the City of Greenwood, Mississippi, both of whom may be found in the City of Greenwood, Leflore County, Mississippi, at the address of the Greenwood City Hall, 101 W. Church St., Greenwood, Mississippi 38930.

3. Defendant, Carolyn McAdams is a resident citizen of Leflore County, Mississippi who may be found in Leflore County, Mississippi at the address of 101 W. Church St., Greenwood, Mississippi 38930, where she may be served with process in this cause.

4. Defendant, Betty Stigler, may be found in Leflore County, Mississippi at the address of 308 Fulton Street, Greenwood, Mississippi 38900 where she may be served with process in this cause.

#### ALLEGATION OF FACTS

5. The Plaintiffs are husband and wife, they have owned and operated a business called Delta Boutique and Gifts, in the City of Greenwood, Leflore County, Mississippi, which has been located at the address of 201 Howard Street, in the City of Greenwood, Mississippi since May, 2016. Barbara Grantham owns said business and Marion (Skipper) is involved in the daily operation and management of the said business.

6. From May, 2016 until March 22, 2021, Plaintiffs operated said business without any complaints from or interference from the City of Greenwood. During this entire five (5) year period, the Plaintiff's consistently displayed some of their retail items on the sidewalk which runs in front of their business premises, which is a common practice of many of the retail businesses operating in within the City of Greenwood.

7. In December, 2019 the Defendant, Greenwood Mayor, Carolyn Adams and the City Counsel appointed Jody Bradley as Greenwood Police Chief, following the retirement of former Police Chief Ray Moore. Defendant Carolyn Adams, prior to her election as Mayor of the City of Greenwood, and Mr. Bradley had worked together, for the Mississippi Department of Corrections, at the Delta Correctional Facility in Greenwood, Mississippi. Jody Bradley was the Warden of said facility and Defendant, McAdams, was employed there as a financial manager.

8. Plaintiff, Marion Grantham, was publicly vocally critical of the appointment of Bradley to the position of Greenwood Chief of Police, because while he had been a Warden

within the Correctional Facility, he had never been a law enforcement officer, and did not meet the Mississippi statutory certification requirements to serve as a Law Enforcement Officer. Mr. Bradley further, failed to obtain the necessary law enforcement certification during a period of nearly a year that he remained in said position before he was removed from the position because of his failure to have the required law enforcement certification.

9. Following Bradley's removal, Defendant McAdams and the Greenwood City Council, then appointed Mr. Bradley to the previously non-existent position of "Executive Director" of the Greenwood Police Department in December, 2020, a move which was also publicly criticized by Plaintiff, Marion Grantham.

10. In February, 2021 Mexican Pottery was added to the line of items sold by Plaintiffs' on the Delta Boutique premises and the pottery items were among items which were displayed on the sidewalk after that time.

11. On March 22, 2021, Defendant, Betty Stigler, the Director of Community Development, for the City of Greenwood, sent one of the employees from her Office to tell the plaintiffs that they could not display their Pottery items on the sidewalk. Plaintiff Marion Grantham called Defendant Stigler to inquire about her messenger's instructions concerning the pottery being displayed. He additionally pointed out businesses all over the City of Greenwood, had similar displays on the sidewalk and none of them were being required to remove them from the sidewalk. He further requested a copy from her of any existing ordinance(s) of the City which prohibited businesses having sidewalk displays.

12. Ms. Stigler never produced a copy of any ordinance to him, and hung up on him, but about forty-five (45) minutes following his phone conversation with her, multiple Greenwood police units came to the Plaintiffs business premises to inform Mr. Grantham, that the Mayor's office had sent them to write Plaintiff Barbara Grantham a ticket for improper parking. Said officers then proceeded to write only a ticket for Plaintiff Barbara Grantham's vehicle, and completely ignored four (4) other vehicles parked in exactly the same manner as



Plaintiff Barbara Grantham's vehicle. When Mr. Grantham asked why his wife's vehicle was the only one being cited for the alleged improper parking. The police officers told him that they were directed only to write his wife a ticket.

13. Police Chief Terrance Craft was also present while, the ticket was being written for Defendant Barbara Grantham's vehicle. When Plaintiff, Marion Grantham asked him why his wife's vehicle was the only one ticketed, Chief Craft also responded that they were "only called to write her vehicle". Defendant, Marion Grantham then accused Chief Craft, of discrimination against his wife, and at that time one of the other vehicles was ticketed, but the owners of the remaining three (3) vehicles were allowed to drive away without any citation. Chief Craft, then took the ticket written to Barbara Grantham saying "let me see what I can do."

14. At the same time that the ticketing of Barbara's vehicle, Police cruisers continued to drive by the Grantham's business premises for the purpose of insuring that the pottery displays were removed from the sidewalk. Not a single other business in Greenwood was required to move displays inside their respective business premises, on March 22, 2021 and none have been required to do so since.

#### Causes of Action

15. The acts and actions of the Defendants, in limiting enforcement of the purported ordinances banning sidewalk displays and defining improper parking solely to the plaintiff's business premises, constitutes, selective prosecution of the Plaintiffs, for the purpose of punishing plaintiffs for exercising their free speech rights, rather than the legitimate purpose of enforcing the laws.

16. The acts and actions of the defendants' herein were undertaken for the purpose of silencing the Plaintiffs rather than any legitimate law enforcement purpose, and the defendants are therefore guilty of the tort of intentional interference with the plaintiffs business

as a result of such improper and illegal acts. .

17. The acts and actions of the defendants, in selectively choosing and singling out the Plaintiffs for prosecution pursuant to purported ordinances of the City of Greenwood, violates the Plaintiffs' constitutional rights to equal protection under the law and their constitutional rights to freedom of speech and freedom of expression, and the defendants actions were undertaken for that purpose rather than for any legitimate law enforcement purpose.

#### Damages

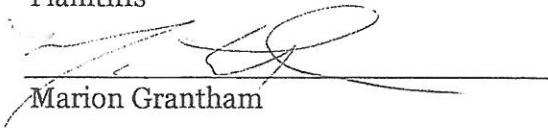
18. The acts and actions of the defendants, in solely enforcing a purported ordinance prohibiting a sidewalk display of retail goods being sold on their business premises, has caused the plaintiffs to suffer a considerable and substantial loss in sales of pottery, since the Defendants have prohibited their business only from such displays, and the result of the improper, illegal and unconstitutional acts of the Defendants as is alleged herein have caused the Plaintiffs to suffer a loss of income in excess of five thousand dollars per month, for every month since the Defendants illegal, and unconstitutional acts as alleged herein on March 22, 2021. The Plaintiffs would further show that they are entitled to recover such lost income jointly and severally from the Defendants herein.

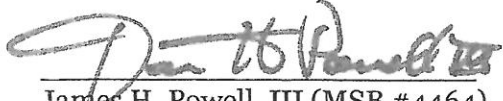
Wherefore, premises considered, the Plaintiffs demand, that upon a hearing of this cause that they will be awarded judgment against the Defendant's in the sum equaling five thousand dollars ( \$5,000.00) per month for each and every month which has occurred from and after March 22, 2021, with such damages to continue to accrue until such time as the Defendants either enforce the purported ordinance in an even handed manner upon all Greenwood business, or repeal the purported ordinance rather than continuing it to be enforced in a manner which punishes only the plaintiffs and their business.

Respectfully submitted, this the 15<sup>th</sup> day of July, 2022.

Marion Grantham and Barbara Grantham  
Plaintiffs

By:

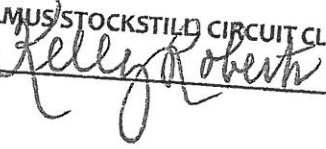
  
Marion Grantham



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**FILED**

**JUL 15 2022**

ELMUS STOCKSTILL CIRCUIT CLERK  
BY  D.C.