

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS**

**BOBBY DWAYNE WILCOX,
an individual,**

Plaintiff,

vs.

**GREGG L. ALEXANDER, in his official
capacity as Sheriff of Marion County,
Arkansas; and DOES 1 THROUGH 10,
inclusive.**

Defendants.

Civil Action:

Case No. 3:24-cv-03008-TLB

VERIFIED COMPLAINT

Plaintiff Bobby Dwayne Wilcox hereby alleges as follows:

1. The Marion County Sheriff’s Office (“**Sheriff**”) is blatantly infringing the First Amendment by forcing certain persons required to register as a sex offender (“**Registrants**”) to display a large, 8.5” x 11” sign on the front door of their private residences for up to 7 days before and after October 31 (Halloween) of each year. (Hereinafter, the “**Sign**” or “**Sign Posting Mandate**”). The Signs are created by the Sheriff’s Office, personally affixed on Registrants’ front doors by employees of the Sheriff’s Office, and bear the imprimatur and sanction of law enforcement by declaring that their source is “The Arkansas Department of Corrections – Division of Community Correction” and “Gregg L. Alexander – Marion County Sheriff.” A smaller version of the Sign appears on the following page (page 2):

SORRY!



NO TRICK OR TREAT

Arkansas Department of Corrections
Division of Community Correction



GREGG L. ★ ALEXANDER

MARION COUNTY SHERIFF



2. Notably, in 2019, the state of Arkansas enacted restrictions for Registrants on Halloween, codified at Section 5-14-135 of the Arkansas Code. Those restrictions apply to “Halloween-related events” and limit trick-or-treating and costume-wearing, but do not require a sign to be posted on or near Halloween, or any other form of compelled speech. A.C.A. § 5-14-135. No provision of A.C.A. section 5-14-135 authorizes local law enforcement to add to these restrictions, such as by requiring that signs be posted on private residences on or near Halloween.

3. As further described below, on or about October 24, 2023, approximately one week prior to Halloween, Deputy Sheriff Danny Burkitt of the Marion County Sheriff’s Department came to Plaintiff’s private residence and knocked on the door. When Plaintiff answered, Deputy Burkitt produced a copy of the above-referenced Sign. Deputy Burkitt informed Plaintiff that he (Deputy Burkitt) would affix the Sign to the front door of Plaintiff’s home, and that Plaintiff must leave the sign in place until Deputy Burkitt returned after Halloween to retrieve it. Deputy Burkitt did not return to retrieve the Sign until approximately one week after Halloween. Upon Deputy Burkitt’s return, Plaintiff asserted his belief that the Sign infringed his First Amendment right against compelled speech. Deputy Burkitt responded that Plaintiff is “welcome to sue us” if he disapproved of the Sheriff’s Sign Posting Mandate.

4. Courts in other jurisdictions have struck down similar Halloween sign posting mandates on the ground that they are “classic” examples of “compelled speech” in violation of the First Amendment. E.g., McClendon v. Long, 22 F.4th 1330, 1337 (11th Cir. 2022). In fact, based upon these precedents, the United States District Court for the Eastern District of Missouri recently issued a Temporary Restraining Order against enforcement of a similar sign posting mandate required by Missouri state law on October 31, 2023. Sanderson v. Bailey, __ F. Supp. 3d __, 2023 WL 7112323 (E.D.Mo. 2023). The Eighth Circuit Court of Appeal denied the

Attorney General of Missouri's emergency application to stay that TRO (Case No. 23-3394, Doc. #34), and the TRO remains in effect throughout Missouri.

5. Further, courts have recognized that sign posting mandates such as that enforced by the Sheriff "pose[] a danger to [Registrants], their families and their property." Doe v. City of Simi Valley, 2012 WL 12507598, at *7-9 (C.D. Cal. Oct. 29, 2012). That is because the sign posting mandate and its association with the requirement to register as a sex offender is highly publicized by state and local government, as well as the media. Further, both the government and the media encourage the public to view the occupants of any house displaying the sign at issue as likely to molest a child. As one United States District Court observed, a Halloween sign's "function and effect is likely to approximate that of Hawthorne's Scarlet Letter – . . . potentially subjecting [Registrants] to dangerous mischief common on Halloween night and to community harassment in the weeks and months following[.]" Id. at 9

6. There is no empirical evidence supporting the assertion that Registrants pose a danger to children on Halloween, nor does empirical evidence support any special regulation of Registrants on Halloween. In fact, the leading association of specialists in the treatment of sexual offenders, the Association for the Treatment of Sexual Abusers (ATSA), affirmatively denounces Halloween restrictions such as A.C.A. section 5-14-135 and the Marion County Sheriff's Sign Posting Mandate because they are grounded in "myth" and "do not make children safer." See Exh. A, ATSA, *Halloween and sexual abuse prevention: The mythical "Halloween effect"* (Oct. 4, 2019).

7. Plaintiff and his family object to and do not wish to post the Sheriff's Sign on their property. In particular, Plaintiff and his family are concerned that the Sign will invite danger and/or damage to Plaintiff, his family, and his property. As more fully pleaded below,

the Sheriff's Sign Posting Mandate violates the First Amendment by forcing Plaintiff to "denunciate" himself, and by forcing Plaintiff to utter speech that is false, political in nature, and that he does not wish to make. Gralike v. Cook, 191 F.3d 911, 917-19 (8th Cir. 1999), aff'd on other grounds Cook v. Gralike, 531 U.S. 510 (2001).

8. Accordingly, Plaintiff seeks a judgment enjoining prospective enforcement of the Sheriff's Sign Posting Mandate, or of any other requirement to post a sign at his residence before, during, or after Halloween.

I. JURISDICTION AND VENUE

9. This court has jurisdiction over this action pursuant to 28 U.S.C. sections 1331, 1343(a), and 2201, as well as 42 U.S.C. section 1983.

10. Venue is proper in the Western District of Arkansas because Defendant resides in that judicial district, in that Defendant maintains an office in that District and performs his official duties in that District. 28 U.S.C. § 1391(b)(1). In addition, venue is proper in the Western District of Arkansas because a substantial part of the events giving rise to the claim has occurred or will occur in that judicial district. 28 U.S.C. § 1391(b)(2). In addition, venue is proper in the Western District of Arkansas because the property that is subject to the Statute, that is, Plaintiff's residence, is located in this judicial district. 28 U.S.C. § 1391(b)(3).

11. Divisional venue is proper in the Harrison Division pursuant to Local Rule 77.1, because at least one Defendant resides in the Harrison Division, and because the claim for relief arises in the Harrison Division.

II. PARTIES

12. Plaintiff Bobby Dwyane Wilcox is an individual residing in Marion County, Arkansas, who was convicted of an offense requiring registration as a sex offender under

Arkansas law. Plaintiff has been assigned to “Level 3” by the Arkansas Sex Offender Assessment Committee. As such, Plaintiff is and has been subject to the unlawful policy challenged in this action.

13. Defendant Gregg L. Alexander is the Sheriff of Marion County, Arkansas, and in that capacity is responsible for the enforcement against Plaintiff of the unlawful policy at issue in this action. Sheriff Alexander is sued in his official capacity.

14. The true names and capacities of Defendants sued as Does 1 through 10 are unknown to Plaintiff, who therefore sues such Defendants by fictitious names. Plaintiff will seek leave to amend this Complaint, if necessary, to reflect the true names once they have been ascertained.

III. FACTS

A. Arkansas State Law Does Not Require Halloween Signs Nor Does it Authorize Local Law Enforcement to Enforce Sign Posting Mandates

15. Arkansas state law does not require Halloween signs, nor does Arkansas state law authorize local law enforcement agencies to impose sign posting mandates.

16. In 2019, the state of Arkansas enacted Section 5-14-135 of the Arkansas Code, entitled “Registered offender prohibited from participating in certain Halloween-related activities.” See A.C.A. § 5-14-135. A.C.A. section 5-14-135 applies only to Registrants “who ha[ve] been assessed as a Level 3 or Level 4 offender” by the Arkansas Sex Offender Assessment Committee.¹ Such Registrants are forbidden, in certain circumstances, from distributing candy or other items, and from wearing masks or costumes, at “Halloween-related

¹ The State of Arkansas maintains a sex offender registration system that is purportedly based upon risk of re-offense. Registrants are assigned to one of four levels corresponding to perceived risk, denominated Level 1 through Level 4. (A.C.A. §§ 12-12-913(c); 12-12-921.)

events during the two weeks before and after Halloween.” A.C.A. § 5-14-135(b). Neither A.C.A. section 5-14-135, nor any other provision of Arkansas law, requires registrants to post signage at their private residences or at any other location before, during, or after Halloween. A.C.A. section 5-14-135 also does not authorize local law enforcement agencies to impose additional restrictions upon Registrants, including sign posting mandates.

B. The Marion County Sheriff Infringes Plaintiff’s First Amendment Rights by Forcing Him to Post the Sheriff’s Sign for Up to Two Weeks

17. Over 30 years ago, in 1992, while residing in Tennessee, Plaintiff was convicted of an offense requiring registration as a sex offender. In 2015, Plaintiff moved to Marion County, Arkansas. Plaintiff has complied with all sex offender registration laws since residing in Arkansas.

18. Prior to 2023, Plaintiff received no notice of any sign posting mandate related to Halloween or at any other time, and has never been asked or directed to post any sign at his residence.

19. On October 19, 2023, the Marion County Sheriff’s Department posted an image of the Sign on its Facebook page with the following caption:

PLEASE BE ADVISED

Arkansas Code Title 5, Chapter 14, Subchapter 1 prohibits a person who is required to register under the Sex Offender Registration Act of 1997. § 12-12-901 *et seq.* and who has been assessed as a Level 3 or Level 4 offender from any “Halloween-related event” any time during the two (2) weeks before or after October 31 of each year. This includes Trick-or-treating, costume parties, the handing out of candy to children, or wearing a mask or other costume as part of a Halloween-related event if a minor is present.

The Marion County Sheriffs Office will be posting these signs on the doors of Level 3 and 4 Registered Sex Offenders. Please be cautious when trick-or-treating with your children.

Exh. B, emphasis added. The Sheriff’s Facebook post is attached hereto as Exhibit B.

20. On or about October 24, 2023, Deputy Sheriff Danny Burkitt of the Marion County Sheriff's Office personally visited Plaintiff's residence and spoke with Plaintiff. Plaintiff recognized Deputy Burkitt as the official responsible for processing sex offender registration in Marion County. Deputy Burkitt produced an 8.5" x 11" Sign bearing the content reproduced on page 2 of this Complaint. Deputy Burkitt informed Plaintiff for the first time that, pursuant to a policy of the Marion County Sheriff's Office, he (Deputy Burkitt) would affix the sign to Plaintiff's front door that day, and that Plaintiff must leave the sign in place until Deputy Burkitt returned to retrieve the sign sometime after Halloween. Deputy Burkitt then affixed the Sign to Plaintiff's front door with tape, and departed.

21. Deputy Burkitt did not return to remove the sign until approximately one week after Halloween. In other words, it is the policy and practice of the Marion County Sheriff's Office to require Registrants to continually post the Sheriff's signs for approximately two weeks or longer during late October and early November.

22. When Deputy Burkitt returned to collect the sign, Plaintiff asked whether Deputy Burkitt was aware of the decision by the Eleventh Circuit Court of Appeal in McClendon v. Long declaring unconstitutional a local sheriff's department's policy of posting similar Halloween signs on Registrants' front lawns. Plaintiff also asked Deputy Burkitt whether he was aware of the above-referenced Temporary Restraining Order enjoining Halloween signs in the state of Missouri. Deputy Burkitt demurred and said that if Plaintiff "had a problem with the signs, he is welcome to sue is."

23. At no time has Plaintiff been convicted of, investigated for, or otherwise accused of an offense against any person before, during, or after Halloween.

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C. **Halloween Sign Posting Mandates Are Based Upon Myth of “Stranger Danger” and Wholly Lack Empirical or Other Support**

24. Halloween restrictions like those contained in A.C.A. section 5-14-135 and the Marion County Sheriff’s Sign Posting Mandate are based upon a myth of “stranger danger” and other false and emotionally charged beliefs that are consistently refuted by empirical data.

25. In 2019, the prestigious Association for the Treatment of Sexual Abusers (ATSA) published a statement entitled *The Mythical “Halloween Effect”* expressly concluding that “Jurisdictions that ban individuals on sex offender registries from participating in any Halloween activities, require registrants to post signs in their yards during Halloween, or round up registrants for the duration of trick-or-treating do not make children safer.” Exh. A, ATSA, *Halloween and sexual abuse prevention: The mythical “Halloween effect”* (Oct. 4, 2019). ATSA laments that “due to the myths regarding child sexual abuse that focus on ‘stranger danger,’ communities and lawmakers often endorse policies that do little to prevent sexual abuse and instead unnecessarily stretch limited law enforcement resources.” *Ibid.* The entire ATSA Statement is quoted here:

As October arrives and families begin preparing for Halloween, it is always a priority to ensure children’s safety during this holiday. It is important to learn the facts and know the risks to your child during this festive time. A heightened risk of being sexually abused is NOT one of the dangers children face at Halloween.

The simple fact is that there are no significant increases in sex crimes on or around Halloween. There is no “Halloween effect.” There is no change in the rate of sexual crimes by non-family members during Halloween. That was true both before and after communities enacted laws to restrict the activities of registrants during Halloween.

The crimes that do increase around Halloween are vandalism and property destruction, as well as theft, assault, and burglary. In addition, according to the Centers for Disease Control, children are four times more likely to be killed by a pedestrian/motor-vehicle accident on Halloween than on any other day of the year.

Fully 93% of sexual assaults on children are perpetrated by someone known to, and trusted by, the child and the child's family. But due to the myths regarding child sexual abuse that focus on "stranger danger," communities and lawmakers often endorse policies that do little to prevent sexual abuse and instead unnecessarily stretch limited law enforcement resources.

Jurisdictions that ban individuals on sex offender registries from participating in any Halloween activities, require registrants to post signs in their yards during Halloween, or round up registrants for the duration of trick-or-treating do not make children safer. Instead, these approaches create a false sense of safety while using law enforcement resources that could be better spent protecting children against the higher risk they do face during Halloween – injury or death from motor vehicles.

Child sexual abuse is a serious public health issue that faces all communities. Although the prevalence of child sexual abuse can be difficult to determine due to under-reporting, researchers estimate that one in four girls and one in six boys will be victims of sexual abuse before age 18.

For concerned parents, the best way to protect children from sexual abuse is to know the facts about sexual offending and take precautions based on facts, not fears. Parents can visit www.atsa.com to learn more about sexual abuse and prevention.

Exh. A.

26. Other subject matter experts have reached the same conclusion. In a recent nine-year study of sex offender behavior led by renowned expert and psychologist Jill Levenson, Ph.D., entitled "*How Safe are Trick-or-Treaters?*", Dr. Levenson and her colleagues determined that threats to children from Registrants on Halloween are virtually non-existent, and that no such case has ever occurred in the jurisdictions studied. Dr. Levenson's findings in fact "suggest that Halloween policies [like Section 589.426] may in fact be targeting a new urban myth similar to past myths warning of tainted treats."² In a related publication, Dr. Levenson explains the methodology underlying this conclusion:

Using national incident-based reporting system (NIBRS) crime report data from 1997 through 2005, we examined 67,045 non-familial sex crimes against children age 12 and younger. Halloween rates were compared to expectations based on time, seasonality and weekday periodicity. There were no significant increases in sex crimes on or around

² See Levenson, et al., *How Safe are Trick-or-Treaters? An Analysis of Child Sex Crime Rates on Halloween* (2009), <http://sax.sagepub.com/content/21/3/363.abstract> (emphasis added).

Halloween, and Halloween incidents did not demonstrate unusual case characteristics. Findings did not vary in the years prior to and after these policies became popular. If these policies were to have an effect on overall Halloween victimization, we would expect that the rates of offenses on Halloween would show a greater decline over time relative to the rates for other days.³

27. Sociologist Emily Horowitz, Ph.D., author of three books studying the efficacy of sex offender laws, likewise surveyed social science evidence and concludes: “There is no research that sex offenses increase on Halloween, no evidence that sex offenders target children on Halloween, and, in fact, no evidence that a child has ever been a victim of sexual abuse by a stranger while out trick-or-treating.”⁴

|CLAIMS FOR RELIEF

First Claim for Relief

(42 U.S.C. § 1983 – First Amendment)

28. Plaintiff re-alleges paragraphs 1 through 27 of this Complaint as though fully set forth herein.

29. The First Amendment to the United States Constitution prohibits government from enacting or enforcing any law “abridging the freedom of speech.” U.S. CONST. Amend. 1. The Freedom of Speech includes the right to avoid being compelled to speak a message that one does not wish to speak, whether false or truthful, accurate or inaccurate. E.g., Wooley v. Maynard, 430 U.S. 705, 714 (1977) (First Amendment protection “includes both the right to speak freely and the right to refrain from speaking at all.”). The “right to refrain from speaking”

³ Levenson, et al., *Halloween & Sex Crime: Myth vs. Reality* (Oct. 24, 2014), <https://blog.atsa.com/2014/10/halloween-sex-crime-myth-vs-reality.html>

⁴ EMILY HOROWITZ, PROTECTING OUR KIDS? HOW SEX OFFENDER LAWS ARE FAILING US 71 (2015) (emphasis added).

includes the right against being required to host a government message, or other “government speech.” Gralike v. Cook, 191 F.3d 911, 917 (8th Cir. 1999), *aff’d*, 531 U.S. 510 (2001).

30. Halloween sign posting mandates are “classic examples” of unconstitutional compelled government speech and have been struck down in every jurisdiction to consider them. McClendon v. Long, 22 F.4th 1330, 1337 (11th Cir. 2022).

31. In Doe v. City of Simi Valley, 2012 WL 12507598, at *7-9 (C.D. Cal. Oct. 29, 2012), the United States District Court for the Central District of California enjoined enforcement of a similar sign posting mandate imposed by a local city. The ordinance in question required Registrants to post signs on their front doors that read “No Candy or Treats at this Residence.” Id. at *1. The District Court issued a temporary restraining order against the sign posting mandate on the grounds that the sign “compels sex offenders to speak.” Id. at *7. The Simi Valley court further found that Halloween signs

pose[] a danger to sex offenders, their families and their property. . . . [I]ts function and effect is likely to approximate that of Hawthorne’s *Scarlet Letter* – . . . potentially subjecting them to dangerous mischief common on Halloween night and to community harassment in the weeks and months following[.]

City of Simi Valley, *supra*, 2012 WL 12507598, at *9.

32. In 2022, the United States Court of Appeals for the Eleventh Circuit reversed the District Court’s denial of an injunction against a sign posting made on First Amendment grounds. McClendon v. Long, 22 F.4th 1330 (11th Cir. 2022). McClendon v. Long concerned a local Sheriff’s department practice of placing signs on the front lawns of Registrants’ homes stating “Stop – Warning! NO TRICK-OR-TREAT AT THIS ADDRESS! A COMMUNITY SAFETY MESSAGE FROM BUTTS COUNTY SHERIFF GARY LONG.” Id. at 1333. The Eleventh Circuit held that “The Sheriff’s warning signs are a classic example of compelled government speech.” Id. at 1337. The Eleventh Circuit further held that the signs failed strict

scrutiny review, and were therefore unconstitutional, because “the Sheriff has not met his burden to show the yard signs were narrowly tailored, [] because he has not offered evidence that any of the yard signs would accomplish the compelling purpose of protecting children from sexual abuse.” Id. at 1338.

33. Following these precedents, in October 2023, the United States District Court for the Eastern District of Missouri enjoined enforcement of provision of Missouri law mandating that Registrants post a sign “at their residence” stating “No candy or treats as this residence.” Sanderson v. Bailey, _ F. Supp. 3d. _, 2023 WL 7112323, at *1 (E.D.Mo. 2023). The District Court ruled that “The Halloween Statute's sign posting requirement . . . is government speech. . . [and] compelled speech. . . . [that] is not narrowly tailored to achieve a compelling government interest.” Id. at *4-*5.

34. Additional Eighth Circuit precedent supports Plaintiff’s First Amendment claim. The Eighth Circuit has held that a law “impermissibly compels speech” when it forces a party to accept and publish “official denunciations” of themselves. Gralike v. Cook, 191 F.3d 911, 917-19 (8th Cir. 1999), aff’d on other grounds Cook v. Gralike, 531 U.S. 510 (2001).

35. The same reasoning applies to the Sheriff’s Sign Posting Mandate challenged in this action, in that the Sheriff’s Sign Posting Mandate compels Plaintiff, his family, and all Registrants to use their own property as billboards for the government’s false message that they pose a current risk to children on Halloween. The Sheriff’s Sign at issue in this action is government speech because it is created by agents of the government, and bears the imprimatur and sanction of law enforcement by declaring that its source is “The Arkansas Department of Corrections – Division of Community Correction” and “Gregg L. Alexander – Marion County Sheriff.”

36. Further, the Marion County Sheriff's Sign Posting Mandate requires Plaintiff and other Registrants – as well as their family members – to engage in speech with which they disagree, speech on a politically incendiary topic, speech that is false, speech that they do not wish to make, and speech that invites a serious risk of harm to themselves and to their families. This speech is compelled by requiring Registrants to post a specific sign on their residences, the content of which is prescribed by the government and publicized by state and local government in Arkansas, in a manner that advertises the Registrants' status as sex offenders to all neighbors and passersby. In fact, the Sheriff's Sign Posting Mandate is publicized throughout Marion County, including on the Sheriff's Facebook page. See Exh. B. This Sign effectively forces Registrants to communicate to the public the government's view that they and the other occupants of their residences are immediate threats to public safety, despite the complete absence of any evidence for this assertion. This false message encourages private individuals to confront, bully, harass, intimidate, and to otherwise take vigilante action against Registrants, who are generally forbidden to possess any means of self-defense (such as firearms) by virtue of their convictions, and their families.

37. The threats to Plaintiff and others imposed by the Sheriff's Sign Posting Mandate are enhanced by the fact that Halloween evening is traditionally a time when significant numbers of people engage in mischievous and/or unlawful activity throughout the neighborhood, including acts of vandalism (i.e., "tricks") against the inhabitants of residences that decline to participate in trick-or-treating, as Arkansas law already requires of Registrants.

38. The threats to Plaintiff and others imposed by the Sheriff's Sign Posting Mandate are further enhanced by the media coverage that routinely accompanies the enactment and enforcement of Halloween restrictions for sex offenders, which serves to inform the public that

sign posting requirements are required only of Registrants, and that such signs are tantamount to declarations by the Registrant and by the government that the occupants of the residence are Registrants who pose a current risk to public safety.

39. Plaintiff objects to and would not post the Sheriff's Sign, but for the Sheriff's requirement that Plaintiff do so.

40. Upon information and belief, the Sheriff intends to enforce the Sign Posting Mandate during October 2024 and November 2024.

41. Defendant lacks a sufficiently strong interest in compelling the speech of Plaintiff through the Sign Posting Mandate.

42. The Halloween Sign Posting Mandate is not sufficiently related to achieving any legitimate interest that the Marion County Sheriff's Office purports to achieve by enforcing it.

43. The Halloween Sign Posting Mandate is not sufficiently tailored to achieve any legitimate interest that the Marion County Sheriff's Office purports to achieve by enforcing the Statute.

44. The Halloween Sign Posting Mandate is not the least restrictive means of achieving any legitimate interest that the Marion County Sheriff's Office purports to achieve by enforcing the Statute.

45. The Halloween Sign Posting Mandate is an arbitrary, politically motivated act imposed by a state government in response to popular sentiments, based upon misinformation, which imposes undeserved and unjustifiable harm upon a socially outcast minority.

46. The Halloween Sign Posting Mandate is therefore unconstitutional on First Amendment grounds.

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Second Claim for Relief

(28 U.S.C. § 2201 – Declaratory Relief)

47. Plaintiff re-alleges paragraphs 1 through 46 of this Complaint as though fully set forth herein.

48. An actual controversy exists between Plaintiff and Defendants regarding the constitutionality and enforceability of the Sheriff's Sign Posting Mandate.

49. Plaintiff is entitled to a declaration of rights regarding the legality of the Sheriff's policy requiring him to post signage related to Halloween at his residence.

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PRAYER FOR RELIEF

- A. That Defendants be enjoined in perpetuity from enforcing any mandate or requirement that Plaintiff post a sign at his residence concerning Halloween;
- B. That Plaintiff recovers from the Defendants, under 42 U.S.C. Section 1988, all of Plaintiff's reasonable attorney's fees, costs and expenses of this litigation; and
- C. That Plaintiff recover such other relief as the Court deems just and proper.

Dated: January 12, 2024

/s/ Janice M. Bellucci
Janice Madelyn Bellucci #108911 (CA)
Pending Admission Pro Hac Vice
Law Office of Janice M. Bellucci
2110 K Street
Sacramento, CA 95816
Telephone: (805) 896-7854
Email: jmbellucci@aol.com

Dated: January 12, 2024

/s/ Michael Kiel Kaiser
Michael Kiel Kaiser #2015001 (AR)
Attorney for Plaintiff
Lassiter & Cassinelli
1218 West Sixth Street
Little Rock, AK 72201
Telephone: 501-370-9300
Email: Michael@LCArkLaw.com

VERIFICATION

I am the plaintiff in this action. The matters stated in the foregoing Complaint are true to my own knowledge, except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

Executed on 13/01/2024, in Marion County, Arkansas. I declare under the penalty of perjury under the laws of the State of Arkansas that the foregoing is true and correct.

 (Jan 13, 2024 04:12 CST)

Bobby Dwayne Wilcox