

FILED

NOV - 8 2011

SAM ABRAHAM, CHANCERY CLERK

BY Stray D.

IN THE CHANCERY COURT OF LEFLORE COUNTY, MISSISSIPPI

**ALIX SANDERS AS FATHER AND
NEXT FRIEND OF NEYSHA SANDERS**

PLAINTIFFS

VS.

CIVIL ACTION NO: G11-043

**GREENWOOD POLICE DEPARTMENT AND
MISSISSIPPI STATE CRIME LAB**

DEFENDANTS

MOTION FOR TEMPORARY AND PRELIMINARY INJUNCTION

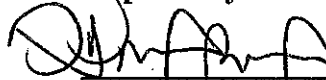
COMES Now Plaintiffs, by and through undersigned counsel, pursuant to Rule 65 of the Mississippi Rules of Civil Procedure, and move this Court for a Temporary and Preliminary Injunction and for cause would show the following facts, to wit:

- 1. That Plaintiffs have filed a Verified Complaint in the Chancery Court of Leflore Mississippi which set out Plaintiffs cause of action against these Defendants.**
- 2. That the Greenwood Police Department currently has an office in route to the Mississippi Crime Lab with the content of Plaintiff's purse for the purpose of getting it analysed by the Crime Lab.**
- 3. The Complaint filed herein sets out the facts and circumstance of their complaint against these Defendants and alleges that Defendants action will violate Plaintiff's constitutional right to privacy and against illegal search and seizure .**
- 4. The threaten injury to the Plaintiffs outweighs the harm the injunction might do to Defendants; and the granting of this injunction is consistent with the public interest.**
- 5. Plaintiffs would suffer immediate and irreparable harm in that her right to privacy and her right against illegal search and seizure would have been violated.**

6. That Plaintiff is likely to prevail on the merits and the violation will already have occurred unless this Court intervenes in this matter. Plaintiffs have no other remedy at law.

WHEREFORE, premises considered, the Plaintiffs move the Court for a Temporary Restraining Order and a Temporary Injunction and other related relief enjoining, preventing and restraining Defendants, or anyone acting on their behalf from having the content of Plaintiff's purse from being analyzed by the Mississippi Crime Lab. Further, Plaintiffs move this Court to grant a Temporary Injunction without notice in light of the immediate and irreparable harm which will result to the Plaintiffs. Plaintiffs prays for such other general and additional relief as the deems just and equitable.

Respectfully Submitted,



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IN THE CHANCERY COURT OF LEFLORE COUNTY, MISSISSIPPI

**ALIX SANDERS AS FATHER AND
NEXT FRIEND OF NEYSHA SANDERS**

PLAINTIFFS

VS.

CIVIL ACTION NO: 911-0143

**GREENWOOD POLICE DEPARTMENT AND
MISSISSIPPI STATE CRIME LAB**

DEFENDANTS

AFFIDAVIT OF FREDRICK B. CLARK

STATE OF MISSISSIPPI

COUNTY OF LEFLORE

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BY Gray D.C.

Personally appeared before me the undersigned authority, in and for the aforesaid county and state, Fredrick B. Clark, who after first being duly sworn states on his oath that the following is true and correct to the best of his knowledge and belief.

1. That I am counsel for Plaintiffs in the above styled and numbered cause and that before filing this case, no attempts were made to contact Defendants' to find out who their counsel would be in this litigation.

2. Because of the urgency of this matter, and the fact that an officer had been

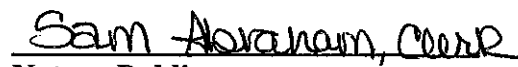
dispatched to the crime lab with the content of Plaintiff's purse, there was not time to consult with anyone on behalf of Defendants.

SO CERTIFIED, this the 8th day of November, 2011.



Fredrick B. Clark

SWORN TO AND SUBSCRIBED before me this the 8th day of November, 2011.



Notary Public

My Commission Expires:

11/12/2012



By: 