

CIVIL CASE COVER SHEET

Check one: ☐ CHANCERY COURT ☒ CIRCUIT COURT Docket NO. _____

Date 7/17/2014 Attorney of Record _____

I. Origin ☒ Original Proceeding ☐ Case Reopened ☐ Counter-Claim ☐ Cross-Claim ☐ 3rd Party Claim ☐ Intervening Claim
☐ Answer/Initial Responsive Pleading ☐ Other (Specify) _____

II. Type of Action (Check one)

Domestic Relations

☐ 361 Paternity ☐ 362 Legitimation ☐ 363 Adoption ☐ 364 Surrender
☐ 371 Divorce with minor children ☐ 372 Divorce without minor children ☐ 381 Order of protection ☐ 391 Interstate Support-Incoming
☐ 401 Other Domestic Relations (Specify) _____ ☐ 392 Interstate Support-Outgoing

General Civil

☐ 461 Contract/Debt ☐ 462 Specific Performance ☐ 471 Damages/Torts ☐ 481 Real Estate Matter
☐ 491 Workers Compensation ☐ 501 Probate ☐ 511 Juvenile Court Appeal ☐ 512 General Sessions Appeal
☐ 513 Appeal from Admin. Hearing ☐ 571 Conservatorship ☐ 572 Guardianship ☐ 573 Trust
☒ 581 Miscellaneous General Civil (Specify) Injunctive Relief and Declaration of Right

Other

☐ 541 Judicial Hospitalization
Petition for: (Reopened Cases) ☐ 381 Order of Protection ☐ 382 Contempt ☐ 383 Residential Parenting/No Child Support
☐ 384 Residential Parenting/Child Support ☐ 385 Child Support ☐ 387 Wage Assignment Hearing
☐ 551 Other _____

III. Total amount sued for \$ N/A Specific type of damages or relief sought DECLARATORY RELIEF
 Statutory authority for suit, if any _____

IV. Check one: ☐ Affidavit to proceed in forma pauperis ☐ Cost Bond Surety _____

V. JURY DEMAND (Check YES only if demand in complaint) ☐ YES ☐ NO

VI. RELATED CASES (if any) Docket NO. _____ Judge _____
 Date filed _____ Status _____

VII. PLAINTIFF/PETITIONER INFORMATION (Listed additional parties on supplemental form.)

1. Name Anderson Chris
 Last First Middle

DOB _____ Driver's License # _____

COMPANY NAME 1605 Madison St.

ADDRESS Chattanooga TN 37408
 CITY STATE ZIP

EMPLOYER _____

ADDRESS _____

CITY STATE ZIP

ATTORNEY _____ BPR# _____

ADDRESS _____

CITY STATE ZIP

PHONE _____

VIII. DEFENDANT/RESPONDENT INFORMATION (List additional parties on supplemental form)

1. Name Hamilton County Election Commission
 Last First Middle

☐ AKA ☐ DBA ☐ BNF

DOB _____ Driver's License # _____

COMPANY NAME 700 River Terminal Road

ADDRESS Chattanooga TN 37406
 CITY STATE ZIP

EMPLOYER _____

ADDRESS _____

CITY STATE ZIP

ATTORNEY _____ BPR# _____

ADDRESS _____

CITY STATE ZIP

PHONE _____

TYPE OF SERVICE REQUIRED

☐ Out of County Sheriff ☐ Publication (Specify) _____
☐ Local Sheriff ☐ Other (Specify) _____
☐ Secretary of State Special Instructions _____
☐ Comm. of Ins. _____

IX. ASSOCIATED PARTY (Uninsured Motorist Carrier) INFORMATION

1. Name _____ Address _____

Type of Service (specify) _____

Are additional plaintiffs or defendants listed on a separate sheet? ☐ YES ☐ NO

**SUPPLEMENTAL
CIVIL CASE COVER SHEET
ADDITIONAL PARTIES INFORMATION**

DOCKET NO. _____

Check One: ☐ Plaintiff/Petitioner
☐ Defendant/Respondent
☐ Associated Party

1. Name _____
LAST FIRST MIDDLE

☐ AKA ☐ DBA ☐ BNF _____

S.S. # _____ DOB _____ Drivers License # _____

COMPANY NAME _____

ADDRESS _____

CITY STATE ZIP

EMPLOYER _____

ADDRESS _____

CITY STATE ZIP

TYPE OF SERVICE REQUIRED (Check One)

☐ Out Of County Sheriff
☐ Local Sheriff
☐ Secretary Of State
☐ Comm. Of Ins.

ATTORNEY _____

ADDRESS _____

CITY STATE ZIP

PHONE _____

BOARD OF PROFESSIONAL RESPONSIBILITY # _____

☐ Publication (specify) _____

☐ Other _____

Special Instructions _____

Check One: ☐ Plaintiff/Petitioner
☐ Defendant/Respondent
☐ Associated Party

1. Name _____
LAST FIRST MIDDLE

☐ AKA ☐ DBA ☐ BNF _____

S.S. # _____ DOB _____ Drivers License # _____

COMPANY NAME _____

ADDRESS _____

CITY STATE ZIP

EMPLOYER _____

ADDRESS _____

CITY STATE ZIP

TYPE OF SERVICE REQUIRED (Check One)

☐ Out Of County Sheriff
☐ Local Sheriff
☐ Secretary Of State
☐ Comm. Of Ins.

ATTORNEY _____

ADDRESS _____

CITY STATE ZIP

PHONE _____

BOARD OF PROFESSIONAL RESPONSIBILITY # _____

☐ Publication (specify) _____

☐ Other _____

Special Instructions _____

Check One: ☐ Plaintiff/Petitioner
☐ Defendant/Respondent
☐ Associated Party

1. Name _____
LAST FIRST MIDDLE

☐ AKA ☐ DBA ☐ BNF _____

S.S. # _____ DOB _____ Drivers License # _____

COMPANY NAME _____

ADDRESS _____

CITY STATE ZIP

EMPLOYER _____

ADDRESS _____

CITY STATE ZIP

TYPE OF SERVICE REQUIRED (Check One)

☐ Out Of County Sheriff
☐ Local Sheriff
☐ Secretary Of State
☐ Comm. Of Ins.

ATTORNEY _____

ADDRESS _____

CITY STATE ZIP

PHONE _____

BOARD OF PROFESSIONAL RESPONSIBILITY # _____

☐ Publication (specify) _____

☐ Other _____

Special Instructions _____

IN THE HAMILTON COUNTY CIRCUIT COURT.

CHRIS ANDERSON

Plaintiff,

vs.

HAMILTON COUNTY ELECTION
COMMISSION, CHARLIE
WYSONG

Defendants.

Docket No: _____

**COMPLAINT FOR INJUNCTIVE RELIEF AND FOR A DECLARATION
OF RIGHTS**

Comes now, Chris Anderson, and for his verified complaint for declaratory and injunctive relief (complaint) and states as follows:

INTRODUCTION

1. Councilman Anderson begs this court for a declaration of rights of the respective parties regarding the legitimacy of the Election Commission's actions, the approval of the petition for recall of Councilman Chris Anderson, and the constitutionality of approving the recall petition which is a pretext for removing an office holder for discriminatory purposes and an order for temporary and permanent injunctive relief from the Hamilton County Election Commission ("Commission") decision to allow a recall petition to move forward contrary to the laws of this state and the Constitution of the United States. The Hamilton County

Election Commission acted contrary to the laws of this state when it conducted business regarding a recall petition and effort with a discriminatory purpose; The Commission further erred when it approved a recall petition that was not in proper form, unconstitutionally discriminatory, and relied on an unconstitutionally vague statutory scheme. Moreover, the Election Commission improperly relied on the actions of the State of Tennessee and the Tennessee Election Commission's approval of the petition which is also improper as described herein. The Election Commission is charged with the duty of insuring a fair and open election for the voters of Hamilton County Tennessee and is charged with taking the necessary actions to insure fair and open elections take place. The Election Commission has an attorney that gives it advise as the the legalities of its actions. Reliance on State Election officials and taking the position that it is a ministerial body governing elections does not comport with the Election Commission's legal duties to insure fair, open and legal elections. In this instance the Election Commission was presented with evidence that the recall is for a discriminatory purpose and by approving the petition presented to it under the factual circumstances of this claim the Commission undertook an official governmental or state action in sanctioning a ballot initiative based upon a discriminatory purpose.

FACTS

2. Chris Anderson is a citizen of the city of Chattanooga and has exercised his right to vote pursuant to Tennessee law in the City elections for the mayor and City Council of Chattanooga Tennessee. He is duly elected to represent District 7 of Chattanooga. He was elected less than one year ago and has served approximately nine months of his four year term. Since that time he has occupied the position of City Council and has duly exercised the duties of his office performing the functions of the office as required by law. At no time has Anderson been accused of or committed any action constituting misfeasance or malfeasance of office.

3. On January 24, 2014, a group of citizens led by local members of the Tea Party filed a recall petition with the Hamilton County Election Commission. See “First Recall Petition” appended as Exhibit 1. The organizer’s statements made it clear that they did not approve of Councilman Anderson’s sexuality a few days later. See, e.g., Embattled Chattanooga Councilman Chris Anderson starts campaign to keep post” Chattanooga Times Free Press, February 1, 2014 (“*Mr. Anderson never said anything whatsoever about pushing for sodomite benefits, and that's just how I'm going to put it.*”).

4. The petition listed the Citizens for Governmental Transparency and Accountability (Tea Party) as the contact for any questions and receiver of

completed petitions. The leaders at the filing press conference were known members of the Tea Party and included Charlie Wysong, a leader of the recall and non-resident of District 7. Subsequent news coverage also identified the Tea Party and Wysong, in particular, as the driving forces behind the recall. See *id.*

3. The Hamilton County Election Commission is the currently serving election commission for Hamilton County Tennessee, appointed pursuant to Tennessee Code Annotated 2-12-101. It is charged with the task of reviewing petitions for recall of election officials. See TCA 2-12-151, *et seq.* . . . The Commission tabled the petition at the first opportunity and delayed a vote until February 13, 2014.

4. On February 6, 2014, a new petition was filed with the Commission which removed references to the Citizens for Government Accountability and Transparency. See “Second Petition” appended as Exhibit 2. The new petition references an internet domain name purchased by a member of Citizens for Government Accountability and Transparency, Matthew Wysong. See, “Who Is domain registration” appended as Exhibit 3. Matthew Wysong is the son of Charlie Wysong, Tea Party leader and outspoken leader of the recall effort. Neither Wysong lives in District 7.5. Charlie Wysong, an outspoken opponent of Councilman Anderson on the issue of his sexual orientation, continues to lead the recall and is responsible for organizing and moving the recall forward.

5. The Commission met on February 13, approved the recall petition. Councilman Anderson filed this action challenging the legitimacy and legality of that decision. Anderson challenges the form of the petition and the decision of the Election Commission to allow the recall to move forward under the factual circumstances as the recall has a primary purpose of recalling Anderson for his sexual orientation and for his passing Chattanooga's Domestic Partner Ordinance, which has been criticized by Wysong and others for giving same sex couples benefits under the law. The Domestic Partner Ordinance was placed on the ballot due to the efforts, in part, of Wysong who has an agenda that is against same sex couples. The efforts related to that ordinance are tainted with a discriminatory purpose as are the efforts led by Wysong in recalling Councilman Anderson.

6. Present at the February 13, 2014 Commission meeting was Charlie Wysong, the leader of the recall and a non-resident of the District. Wysong was also involved with the efforts to place the issue of the Domestic Partner benefits on the August ballot. By pushing the petition drive for that issue in local neighborhoods and churches in the Chattanooga community for the purpose of repealing the ordinance because it gives same sex couples benefits. Moreover, Wysong is actively engaged in managing and pushing the Anderson recall because Anderson voted for the Domestic Partner ordinance giving same sex couples benefits and because Anderson is gay. At the time of its meeting, the Commission

members were aware of the factual circumstances arising from this recall. Commission members commented on the true nature of the recall and commented on Wysong's manipulation of the recall efforts for a discriminatory purpose. Therefore, the Commission at the time the petition was approved was aware that Wysong, the leader of the recall, was actively manipulating the recall for a discriminatory purpose.

7. During the meeting Wysong participated by making comments on the recall, the timing of the recall and signatures to be obtained on the recall petition.

8. Wysong has a long anti LBGT history. He has actively made comments against Councilman Anderson because the Councilman is openly gay.

9. Daniel Wysong has also participated in the anti LBGT commentary and the comments against Councilman Anderson because he is openly gay.

10. Wysong and his son Daniel have repeatedly condemned Councilman Anderson. As reported by the Chattanooga Times Free Press "a Chattanooga man and his son were ordered to sit down during a City Council meeting after they referred to gay rights as sodomy and called a councilman's plans for same-sex benefits "evil and wicked." 'If this council entertains the evil, wicked ideas of Chris Anderson ..., ' local preacher and activist Charlie Wysong began Tuesday night." Councilman Anderson alleges that Wysong's involvement in the Anderson recall is for the purpose of removing Anderson for a discriminatory purpose.

11. Both Wysong and his son have appeared at City Council to protest Councilman Anderson's legislation on same sex partners but have diverted attention away from discussion of that legislation to attacking gay rights and "spewing out numbers on pedophiles and AIDS." Thereafter, both have been involved with the recall effort as described herein.

12. Wysong actively participated in the meeting on February 13, 2014 seeking approval of the recall petition. He actively participated regarding the time of the recall, indicating to the Commission that he would push the recall petitions to insure that the Anderson recall question is on the August ballot.

13. Wysong is an active participant in the recall and is leading the recall effort. He is advising other recall participants and is misguiding them so as to create a pretext for the recall to hide the true intentions of the recall, to remove Councilman Anderson because he is gay and because he is pushing a gay agenda. Wysong and his son have cooperated to acquire the RecallAnderson.com domain. They have also orchestrated the creation of a Facebook page and are active participants in the efforts to recall Councilman Anderson.

14. Mahmood Abdullah is a leader of the recall. He is assisting Wysong and others in the effort to recall Councilman Anderson.

15. Mahmood Abdullah has publicly stated the reason for the recall and is quoted as stating on January 12, 2014 "He doesn't represent what the people want,"

said Mahmood Abdullah, owner of Southside Market. "His only goal is to boost homosexuality."

16. The actions of Wysong, Abdullah and others are designed to remove Anderson because he is gay. Wysong, Abdullah and others have actively engaged in creating pretextual reasons for the recall, the most recent occurring on the 13th of February where Wysong orchestrated the release of an open letter stating:

The recall group released this "OPEN LETTER TO: Mayor Andy Berke and Members of the Chattanooga City Council."

It says:

The Alton Park and Piney Woods Associations along with pastors from the Community and residents of East Lake and St. Elmo have found it necessary to recall Councilman Chris Anderson.

Whereas, this was a very painful decision to make, we have found it necessary due to several reasons.

1. Councilman Chris Anderson has failed to respond to more than 48 phone calls.
2. Chris Anderson has failed to meet his obligations and has neglected the most distressed area of District 7. The Black residents that make up the majority of his district have been very neglected and poorly represented. When he ran for office, he promised the people in District 7 that he would not be a repeat of Manny Rico and that the Community would have leadership that would finally bring help to our Community.

We told him that we would support him, but we would not tolerate another year of neglect from any of our leaders, **but if he did not hold to his words that we would recall him.**

3. Chris Anderson has not fulfilled his promise to the people and has not addressed any of our community concerns: (1) Housing, (2) Economic development, (3) Jobs, (4) Reduction in crime.

Mr. Anderson instead has appeased those who apparently funded his campaign and has catered to special interest groups while neglecting his constituents.

4. Chris Anderson has repeatedly shown disrespect toward the Community Leaders in Alton Park and Piney Woods and has publically humiliated them by making such statements as: "I don't have to meet with you," and "I can't undo years of neglect from my predecessors and it's not my problem." He has also referred to our leaders as being "uncivil," "uneducated," and referring to the people who live in our district as **"those people."**

5. We find it strange that Chris Anderson has always brought a witness to our meetings, and two of our meetings had to be forced upon him by the intervention of Councilman Moses Freeman.

Mr. Anderson was so disrespectful of our Community that he brought Neighborhood Presidents of other Neighborhood Associations to sit in our private meetings without our approval. We will not tolerate this form of bigotry. Chris Anderson has shown that he does not respect us and because of his actions, it has caused us not to trust him.

6. Chris Anderson has failed to show genuine support for Community Projects. He has repeatedly stated that our Community does not have the capacity while ignoring the number of experts within our Community.

7. The people of our Community have lost Community trust in Chris Anderson based upon his lack of communication, disrespect of our leaders, and his display of arrogance and lack of care or concern about the many children and adults dying on our streets. Instead he fights for the rights for chickens to be raised in his backyard and domestic partnership benefits, neither of which were mentioned as his platform.

8. Whereas, we realize that Chris Anderson's predecessors were just as negligent as he is, we the people will not tolerate another year and another leader mistreating our people and showing signs of prejudice and disregard for our people who are suffering daily and whose leader has not addressed one single issue he promised that he would.

This Petition was started by a collaborative effort from the residents across District 7. We requested assistance from some members from the Tea Party in drafting the Recall Petition correctly. After we contacted them, and once they learned that we had no legal support or experience in doing a Recall Petition, they helped us. To our knowledge, this was the first time someone has reached out to our Community to help us and then followed through and kept their word.

Finally, we are demanding that the City government give this Community their fair share of funding from federal and taxpayers' dollars that we are entitled to. We are requesting a full investigation on the past 25 years of funds allocated to this Community.

Gill Schropshire

President

The letter was created to hide the true motivation behind the recall and is a pretext for the recall. Wysong is actively manipulating Gil Shropshire to create a pretext for recalling Anderson, as the release of this open letter after the February 13, 2014 Commission meeting shows. Since the inception of the recall the leaders of the recall have taken every effort possible to create a pretext for the true purpose of the recall, to recall Councilman Anderson because he is gay.

17. Since the time of the approval of the Recall Petition by the Commission growing commentary has been surfacing from local and church leaders. Wysong, and the recall movement, have been engaging churches in making comments on the recall, its purpose, and Councilman Anderson. Churches have been making political public statements regarding the recall despite bans on such activities for any organization that has a 501(3)(c) status. Exhibit 4 contains further evidence of church involvement in a purely political activity and in the recall effort. Additionally, Exhibit 4 contains commentary supporting Councilman Anderson's allegations that the recall is designed to recall Councilman Anderson because he is gay.

18. As Exhibit 4 shows Pastor George Clay, the pastor of New Beginnings Church of East Brainerd is making commentary regarding Councilman Anderson stating "He's openly admitted that he's homosexual and that's fine with me. I'm

not here to choose his lifestyle.’ However, he said, ‘It’s a bad example for children, not only in the 7th District but all over the City of Chattanooga.’ Pastor Clay said, ‘whatever is an abomination to God is an abomination to me. We’re going to have to take a stand...’” Moreover, as Exhibit 4 demonstrates Councilman Anderson is being singled out by impermissible activity in churches in promoting the recall and sending a message that Anderson should be removed because leaders like Gary Hickman, a founder of marriage ministry program called Covenant Keepers believes that Councilman Anderson should be removed because he is gay. Hickman states “our position is that marriage is between a man and woman...and [w]e uphold godly marriage...Mr. Anderson is very bold and has let us know where he stands. We feel like the church has to take a bold stance as well.”

19 Councilman Anderson alleges the New Beginnings Church of East Brainerd is not within District 7. Moreover, Councilman Anderson alleges that Wysong and others, as leaders of the recall are impermissibly engaging Churches outside of his district in an effort to remove him from office because he is gay and an “abomination of God.” Such activity, if any of the Churches are 501(c)(3) tax exempt organizations is impermissible. Additionally, Exhibit 4 clearly shows the message the recall effort, led by Wysong, is trying to deliver throughout the community both in and out of District 7. Councilman Anderson should be recalled as an “abomination of god.”

20. On February 13, 2014 the Hamilton County Election Commission approved the petition with the process of the recall moving forward. Said approval is for an election process that is primarily motivated by a discriminatory purpose as alleged herein. The Commission stated it was a ministerial body and if the State Election Commission provided its approval then the Commission has no choice but to approve the petition.

21. District 7 has approximately 10000 registered voters. Of those voter 5 showed for the Commission meeting. Of these voters two of them have made public comments that are discriminatory in nature and show the true motive of the recall effort, to remove the first openly gay elected official from office. Also present at the Commission hearing was George Goss who has accused Anderson of pushing for sodomite benefits. Goss stated

"Mr. Anderson never said anything whatsoever about pushing for sodomite benefits, and that's just how I'm going to put it. He never said anything about that when he was running to get elected," George Goss,
Chattanooga Times Free Press, February 1, 2014.

22. Councilman Anderson, at the time of the filing of this complaint has served approximately 10 months in office. During that time Councilman Anderson has met with members of his community, including the Alton Park residents who are being used to create a pretext for the recall.

JURISDICTION AND VENUE

23. Councilman Anderson asserts that the Hamilton County Circuit Court has jurisdiction pursuant to Tennessee Code Annotated 27-9-101 et. seq. he has standing to sue in accordance with Tennessee Code Annotated 27-9-101. As such, Anderson states that he is an aggrieved party due to the actions of the Hamilton County Election Commission certifying the petition to recall Councilman Anderson from the office to which he was duly elected. He asserts that his standing is based upon the statutory right to file this complaint to seek review of the decision of the Hamilton County Election Commission and that this court is given concurrent jurisdiction over the issues surrounding the decision of the Hamilton County Election Commission pursuant to Tennessee Code Annotated 27-9-103. Moreover, Councilman Anderson will suffer irreparable harm if the recall moves forward as the Commission's approval and anticipated action on the recall permits a recall to move forward for a discriminatory purpose denying Councilman Anderson his rights under the United States and Tennessee Constitutions. Anderson asserts that the Election Commission's approval of the recall constitutes state action of approving a recall process that has a discriminatory purpose and is, therefore, an illegal and unconstitutional action under the law. Councilman Anderson also asserts that Wysong has undertaken to lead the recall for the purpose of placing a vague and ambiguous question on the ballot as a pretext for hiding the true discriminatory purpose behind the recall. Anderson asserts that

Wysong is knowingly using the recall process to discriminate against Anderson due to his sexual orientation. Therefore, based upon the allegations and factual circumstances presented in this Complaint Anderson alleges he has suffered irreparable harm.

ALLEGATIONS

24. Councilman Anderson begs this court to grant temporary and permanent injunctive relief because of the improper form of the petition, and because the recall effort is unconstitutional directly violating Anderson's constitutional rights under the United States and Tennessee Constitutions as the recall is an impermissible use of a state sanctioned action for the purpose of removing an officeholder from a duly elected position for discriminatory purposes.

25. Councilman Anderson asserts that the decision of the Hamilton County Election Commission will adversely impact him as an officeholder and taxpayer and citizen of Chattanooga due to his potentially facing a petition drive, recall election, and new election less than a year after being elected, the increased costs of conducting an election and due to the possibility that the election will be challenged in subsequent legal challenges that will increase the cost to the taxpayer for electing another Councilmember to the Office of City Council for the City of Chattanooga which he currently occupies. Additionally, his right to have representation in government is adversely affected particularly if an election is

conducted, subsequently challenged, and subsequently set aside. Finally, he asserts that the actions of the Election Commission are in contravention to the law as outlined in this complaint.

Tennessee law provides:

(b) Before a petition may be circulated, at least one (1) registered voter of the city or county shall file with the county election commission:

(1) The proper form of the petition; and

(2) The text of the question posed in the petition.

(c) The county election commission shall certify whether the petition is in proper form within thirty (30) days after the filing of the documentation required by subsection

(b).

TCA 2-5-151.

26. The statute granted the Commission discretion to determine “whether the petition is in proper form” and the Commission failed to properly do that. This court should grant temporary and permanent injunctive relief by striking down the Commission’s decision to approve the recall petition because, 1) the Commission’s action was illegitimate because the Commission’s action was illegal because the recall petition is not in proper form and it is an unconstitutional use of state

sanctioned action, a recall election and approval of recall petition, to further a discriminatory purpose. Moreover, the Commission is charged with the duty of insuring fair and open elections. The approval of the petition is a breach of that duty as the petition is clouded in discrimination.

I. The Election Commission's determination is illegal because the recall petition is not in proper form and it is unconstitutional

27. The Tennessee recall statutory scheme gives the Commission the discretion to deny petitions "not in proper form." TCA 2-5-151. "Proper form" is not defined anywhere in the statute. *See Id.* It thus left to the discretion of the Commission. However, it must be that the Commission can and should deny petitions that are patently illegal. Here, the Commission made the incorrect determination because the petition is "not in proper form" because it is vague, pushed by outside interests, and lacked sufficient notice. Moreover, the Commission's determination is wrong because the petition is an unconstitutional use of state mechanisms for a discriminatory purpose. The Commission cannot rely on the State Election Commission for any of its acts and must act to insure that elections in Hamilton County Tennessee are fair, open and legal. This is one of the reasons why the Election Commission has its own attorney, to advise it on the legalities of its actions.

1. The recall petition is not in proper form because the petition is vague, lacked notice, and is orchestrated by non-residents

28. The Election Commission is under a duty to prevent the abuse of the recall process. The Commission must preserve the vote, the intent of the voter and prevent the abuse of the recall process. Furthermore, the Election Commission has an affirmative duty to protect office holders such as Councilman Anderson, and the voters, from such abuse. Moreover, the Commission cannot approve any petition for the purpose of initiating a recall for discriminatory purposes, i.e. removing an office holder from office because the office holder is black, man, woman, or gay. If any recall petition is clouded in a discriminatory purpose and is created as a pretext for the reason for the recall, as has been done in this case, the Commission has a duty to stop the recall from moving forward.

29. The recall petition states in pertinent part: "Shall Councilman Chris Anderson who represents the Seventh District of The City of Chattanooga be recalled?" The petition not only fails to state sufficient grounds for removal, it fails to state any reasons at all. At a minimum, citizens seeks a recall of an elected official less than a year from the official's swearing in should be required to state particular reasons for the recall. Moreover, the vagueness of the petition is a clear indication of the recall effort's lack of legitimate grounds to remove Councilman Anderson and, therefore, as alleged herein a pretext for removing Councilman Anderson from office because of his sexual orientation.

30. Additionally, there was not proper notice to the citizenry of the recall issue being filed with the Commission. The original petition was deferred to a future Commission meeting, giving citizens and commissioners several weeks to read, research, and consider its merit. The petition approved by the Commission was filed a week ago and there was no official notice of the filing. Given the importance of the petition's ramifications, more transparency and notice should be required.

31. The recall petition is being orchestrated by persons living outside District 7. Charlie Wysong and his son are the principal spokesmen, funders, and organizers of the recall. As can be seen from Exhibit 5, Wysong was at the Commission office submitting the petition for recall for approval. He has been involved since the inception of the recall. He has, moreover, consistently commented on the recall process. See Exhibit 5. Moreover, there are nearly 20,000 residents of District 7 and that this effort must look outward to find leaders and organizers casts grave doubts to its validity thereby supporting Councilman Anderson's allegation that the vagueness of the petition for recall is designed to set up a recall to remove Anderson because he is gay. Moreover, Wysong and the recall have used every effort to hide the true purpose of the recall including but not limited to the open letter the recall issued on February 13, 2014.

2. The Election Commission's determination is wrong because the recall effort unconstitutionally uses the state and, therefore, a state sanctioned action to discriminate

32. The Fourteenth Amendment of the U.S. Constitution provides that no state "shall deprive citizens the equal protection of the laws." U.S. Const. Amend 14. Classifications based on sexuality are treated just as classifications based on sex or race. *U.S. v. Windsor*, 133 S. Ct. 2675 (2013). The Equal Protection clause applies to actions taken by the state, but that includes actions by citizens through ballot initiatives. *Hunter v. Erikson*. 393 U.S. 385 (1969). Actions that are discriminatory in nature cannot be upheld simply because they arose from a citizen initiated election or recall. *Washington v. Seattle School District*, 458 U.S. 457 (1982). Even under a rational basis analysis, actions which single out homosexuals-even by popular election-are invalid. *Romer v. Evans*, 517 U.S. 620 (1996). Actions by private citizens done through the democratic mechanisms of the state receive the same scrutiny under the Equal Protection clause as if they were done directly by the state itself. *Batson v. Kentucky*, 476 U.S. 79 (1986). Therefore, the Commission approval of the petition under the factual circumstances at the time of approval constitutes an unconstitutional act, approving a recall motivated by a discriminatory purpose. The form of the petition cannot be considered in a vacuum, it must be considered in the context it was brought forth to the Commission.

33. The Supreme Court laid the groundwork by finding discriminatory citizen action unconstitutional in *Hunter v. Erikson*. 393 U.S. 385. A city of Akron initiative was ruled unconstitutional under the Fourteenth Amendment because the charter provision prevented the city council from passing laws banning discrimination without a citizen referendum. A group of citizens petitioned the charter provision to force any non-discrimination ordinance to be placed on the ballot, their proposal was placed on the ballot, and passed by a majority vote. The court said, “By adding [the provision] to its Charter, the City of Akron. . . not only suspended the operation of the existing ordinance forbidding housing discrimination, but also required the approval of the electors before any future ordinance could take effect. . . . [The provision] place[d] special burdens on racial minorities within the governmental process.” The court concluded, “The sovereignty of the people is itself subject to those constitutional limitations which have been duly adopted and remain unrepealed.”

34. Basically, the court in *Hunter* found unconstitutional a group of citizens making citizens in different classifications play by different rules. Justice Powell, writing for the court in *Crawford v. Board of Education*, wrote that *Hunter* “involved more than a mere repeal of the fair housing ordinance; personas seeking antidiscrimination housing laws-presumptively racial minorities-were singled out

for mandatory referendums while no other group . . . [faced] that obstacle.” 458 U.S. 527, 535.

35. Two years later, in *Washington v. Seattle School District*, the court clarified that *Hunter* stood for the proposition that “[State action that] explicitly us [es] the racial nature of a decision to determine the decision-making process . . . places special burdens on racial minorities within the governmental process, thereby making it more difficult for certain racial and religious minorities [than for other members of the community] to achieve legislation that is in their interest.” 458 U.S. 457.

36. That is, essentially, what Councilman Anderson alleges is going on here in Chattanooga, now with the recall effort initiated against Councilman Anderson. The Commission was asked to make it more difficult for a group of people to get elected by allowing a recall a mere nine months after the general election when the recall is based simply on the elected official’s sexual orientation. Simply put, this is no different than a recall of a black elected official in the 1960s because the official was black. It is no different than the recall of a woman because she is woman, a Muslim because they are Muslim, an older elected official because they or old, or a Christian because they are Christian.

37. The leaders of this recall have submitted a vaguely worded petition to accomplish their goal of removing an officeholder for a discriminatory purpose.

The recall has issued an open letter to accomplish their goal of removing an officeholder for a discriminatory purpose. Unfortunately, the discrimination bad apple spoils the whole bunch. It also spoils the recall process, which if properly done is an important aspect of our republican form of government. It must be rarely used instead placing confidence in the voters at each regularly scheduled election.

38. The issues being raised in this recall are is similar to the United States Supreme Court's reasoning in *Batson v. Kentucky* where the Supreme Court ruled that when a private attorney strikes a juror with a peremptory challenge for a racially motivated purpose, it is unconstitutional because the court sanctions the discrimination by simply allowing it to happen. The Supreme Court extended *Batson* to protect jurors from gender discrimination in *J.E.B. v. Alabama*, 511 U.S. 127, 128-129. Last month, Councilman Anderson alleges the Ninth Circuit held that in light of recent Supreme Court rulings, gays and lesbians are now afforded the same protections. *Smithkline Beecham Corp. v. Abbott Laboratories*, Slip Op. (Ninth Cir. Jan. 21, 2014).

http://www.ca9.uscourts.gov/content/view.php?pk_id=0000000692.

39. Councilman Anderson asserts he is a member of a protected class under the United States and Tennessee Constitutions. By way of example, Councilman Anderson asserts courts have found “Gays and lesbians have been systematically

excluded from the most important institutions of self-governance,” Judge Reinhardt wrote for a unanimous panel. “Strikes exercised on the basis of sexual orientation continue this deplorable tradition of treating gays and lesbians as undeserving of participation in our nation’s most cherished rites and rituals.” Councilman Anderson asserts that running for, holding and being elected to office is also a cherished ritual to which the citizens of this country hold in high regard. Moreover, the vote is also a cherished right and the recall in this instance uses the vote to remove an officeholder because he is gay.

40. Here, Councilman Anderson alleges the Commission was asked to place the State’s imprimatur on a recall that is motivated purely by discrimination against Councilman Anderson. The simple question the Election Commission should have asked is whether the recall would be legitimate if it was based on race? If the answer to that question is no it would not, then the recall petition is unconstitutional. Councilman Anderson alleges that the recall was motivated by a discriminatory purpose, to remove Councilman Anderson from office because of his sexual orientation. Moreover, The Election Commission is given authority by state law with the duty of carrying out steps to insure that the voters of Hamilton County Tennessee have the opportunity to have fair and open elections. The Commission has taken the position that it cannot make decision regarding the validity or invalidity of matters that have been properly stated in questions that are

to be on the ballot. Such a position, if correct, does not insure that the voters have an open and fair election, particularly since recall elections based on the petition in this case may have a discriminatory purpose requiring the Commission to take steps to insure the recall is an open and fair process. If the statutory scheme hinders this ability than it is improper as alleged herein.

III. The recall statutory scheme is unconstitutionally vague and is against public policy.

41. The recall statute and Chattanooga Charter Section 3.18 regarding dictates recall petitions are filed and approved by the Election Commission. See TCA 2-5-151. While the statute gives the Election Commission discretion, there is no authority guiding that discretion. *See Id.* Commissioners are therefor in a predicament where they are asked to “determine” something without knowing what to determine. *Id.* The Due Process Clause of the Constitution requires that laws and their consequences be sufficiently apparent to those they affect. *Connally v. General Construction Co.*, 269 U.S. 385, 391 (1926). Laws that fail to do so are unconstitutionally vague. *See Id.*

42. The statutory scheme is unconstitutionally vague. It provides the opportunity for voters and elected officials to be denied due process under the law

because a single citizen can attempt a recall of a politician for any reason at any time. An officeholder has no notice of what conduct may or may not result in a recall. Moreover, there is nothing – without a court setting reasonable guidelines – preventing the Commission from approving recall after recall regardless of merit or validity or whether the recall is advanced for an unconstitutional or discriminatory purpose.

43. Moreover, the current statutory scheme is unconstitutionally vague because it deprives voters of equal protection under the law because one citizen can attempt a recall of a politician for any reason at any time, giving greater electoral weight to one voter over another contrary to the Supreme Court decision in *Bush v. Gore*. See 531 U.S. 98 (2000). The Supreme Court stated in no uncertain terms that voters should be treated equally during elections. The recall statute here gives enormous power to those who may feel a recall is necessary. Moreover, the statutory scheme for recall elections, including the approval of petitions, allows citizens to submit recall petitions regardless of the purpose of the recall thereby, as in this case, using the state to initiate recalls for any purpose including a discriminatory purpose as is demonstrated in the efforts to remove Councilman Anderson because of his sexual orientation.

44. Councilman Anderson alleges that the acts of the Commission are unconstitutional under the Tennessee and United States Constitution and that this

Court should declare the petition and the acts of the Commission unconstitutional striking down the actions of the commission and permanently enjoining the recall. The Commission by acting under the recall statute in the method and manner it did caused a recall to move forward for discriminatory purposes and in violation of the rights given individuals such as Councilman Anderson under the Tennessee and United States Constitution. The actions of the Commission are, consequently, an unconstitutional deprivation of Anderson's rights.

Wherefore, Councilman Anderson respectfully prays this court to issue a declaratory judgment and injunctive relief making a determination as to:

(A) to the issues raised in the herein.

(B) that the Court declare the recall statutes and ordinances unconstitutional as they are impermissibly vague and allow citizen recalls for any purposes including discriminatory purposes prohibited by the United States and Tennessee Constitutions.

(C) that the Court enjoin Wysong and the Recall Anderson organization from gathering signatures for the purposes of moving forward with the recall initiative as the recall initiative is based upon a discriminatory purpose and based upon a vague and ambiguous statute and City Code Ordinance of the City of Chattanooga. Furthermore that the Court enjoin the Election Commission from counting signatures or taking such other action in the furtherance of conducting a

recall or certifying the recall of Councilman Anderson. Councilman Anderson asserts that this Court has authority to grant such injunctive relief pursuant to Tennessee Rules of Civil Procedure 65.01, 65.03 and 65.04. Councilman Anderson further alleges that Under Tenn. R. Civ. P. 65.04(2), the following standards apply with respect to temporary injunctions: “A temporary injunction may be granted during the pendency of an action if it is clearly shown by verified complaint, affidavit or other evidence that the movant's rights are being or will be violated by an adverse party and the movant will suffer immediate and irreparable injury, loss or damage pending a final judgment in the action, or that the acts or omissions of the adverse party will tend to render such final judgment ineffectual.

“Pursuant to case law, there are four factors to be considered by a trial court in deciding whether to issue a temporary injunction: the threat of irreparable harm, the balance between the harm to be prevented and the injury to be inflicted if the injunction issues, the probability that the applicant will succeed on the merits, and the public interest.” *Curb Records, Inc. v. McGraw* (Tenn. App., 2012) (citing *Moody v. Hutchison*, 247 S.W.3d 187, 199-200 (Tenn. Ct. App. 2007)). Anderson asserts that the allegations of this complaint entitle him to the temporary injunctive relief he is seeking in this complaint as the factual circumstances surrounding the allegations of the complaint demonstrate that he has been irreparably harmed by the actions of the defendants herein.

(D) that the court make a determination of the rights and responsibilities of the parties herein and determine whether the recall and approval of the recall petition is legal and valid under the laws of the State of Tennessee, the United States and Tennessee Constitutions and to review the actions of the Election Commission making a determination as to whether the commission's actions are legal and as to whether the Election Commission acted appropriately under Tennessee law, the United States and Tennessee Constitutions in approving the recall petition presented to it regarding the recall of Councilman Anderson and permitting the recall to move forward by gathering signatures in the furtherance of conducting a recall based upon discriminatory purposes.

(E) That the Court declare the method and manner of approving recall petitions under the City Code of Chattanooga and the Tennessee Code vague, ambiguous and that the Court further declare that the laws as written impermissibly allow recalls to be certified when carrying out a discriminatory purpose as outlined herein thereby declaring the certification of the recall petition invalid by the Hamilton County Election Commission.

(F) and, that the Court enter an order granting such other relief that it deems appropriate.

Chris Anderson

Witness my hand and seal, at office, on this

_____ day of _____ 2014

Notary Public

My Commission Expires: _____

Respectfully submitted,
JAMES, GOINS & CARPENTER

STUART F. JAMES BPR# 013841
BILLY JOYNER
W. Gerald Tidwell, of Counsel in this claim
735 Broad Street, Suite 908
Chattanooga, TN 37402
(423) 756-3646

IN THE CIRCUIT COURT OF HAMILTON COUNTY, TENNESSEE

CHRIS ANDERSON,

Plaintiff,

DOCKET NO. _____

vs.

HAMILTON COUNTY ELECTION
COMMISSION, CHARLIE WYSONG

Defendants.

COST BOND

I hereby acknowledge and bind myself for the prosecution of this action and payment of all non-discretionary costs in this Court which may at any time be adjudged against the Plaintiff in the event said Plaintiff shall not pay the same.

Witness my hand this ____ day of _____, 2014.

Chris M. Anderson

Principal

Surety

735 Broad Street, Suite 908

Address

Chattanooga, TN 37402

City, State, Zip

423-756-3646

Telephone

CITIZENS' PETITION TO RECALL COUNCILMAN CHRIS ANDERSON

Pursuant to Tennessee Code Annotated §2-5-151 and Chattanooga City Charter §3.18 we the undersigned registered voters of the Seventh District of the City of Chattanooga state that we have not been properly represented by Councilman Chris Anderson and do wish to recall him.

If this Petition is determined to have the sufficient number of valid signatures, then the Board of Election Commissioners shall place the following question on the ballot at the next general election.

Shall Councilman Chris Anderson who represents the Seventh District of the City of Chattanooga be recalled?
For the removal of Chris Anderson as the councilman of the Seventh District of the City of Chattanooga
Against the removal of Chris Anderson as the councilman of the Seventh District of the City of Chattanooga

SIGNATURES OF REGISTERED VOTERS

(Must be a registered voter within the Seventh Council District of the City of Chattanooga)

Date	(Cannot sign for another and no ditto marks)	(Address as listed on registration – no P.O. Boxes)
1. _____	Sign here _____ Print here _____	Street address _____ City/state/zip _____
2. _____	Sign here _____ Print here _____	Street address _____ City/state/zip _____
3. _____	Sign here _____ Print here _____	Street address _____ City/state/zip _____
4. _____	Sign here _____ Print here _____	Street address _____ City/state/zip _____
5. _____	Sign here _____ Print here _____	Street address _____ City/state/zip _____
6. _____	Sign here _____ Print here _____	Street address _____ City/state/zip _____
7. _____	Sign here _____ Print here _____	Street address _____ City/state/zip _____

Mail petitions to: Citizens for Government Accountability and Transparency, P.O. Box 2134, Hixson, TN37343
For quicker results, email mark@cgatpac.com to arrange for the pick up of the Petition. More info www.cgatpac.com.

EXHIBIT

tabbles

1

CITIZENS' PETITION TO RECALL COUNCILMAN CHRIS ANDERSON

Pursuant to Tennessee Code Annotated § 2-5-151 and Chattanooga City Charter § 3.18 we the undersigned registered voters of the Seventh District of the City of Chattanooga state that Councilman Chris Anderson has failed to properly represent our district, and we do wish to recall him.

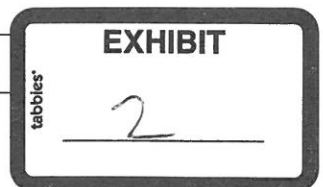
If this Petition is determined to have the sufficient number of valid signatures, then the Board of Election Commissioners shall place the following question on the ballot at the next general election.

Shall Councilman Chris Anderson who represents the Seventh District of the City of Chattanooga be recalled?
Yes No

SIGNATURES OF REGISTERED VOTERS

(Must be a registered voter in the Seventh Council District of the City of Chattanooga)

Date	(Cannot sign for another and no ditto marks)	(Address as listed on registration – no P.O. Boxes)
1. _____	Sign here _____ Print name _____	Street Address _____ City/State/ZIP _____
2. _____	Sign here _____ Print name _____	Street Address _____ City/State/ZIP _____
3. _____	Sign here _____ Print name _____	Street Address _____ City/State/ZIP _____
4. _____	Sign here _____ Print name _____	Street Address _____ City/State/ZIP _____
5. _____	Sign here _____ Print name _____	Street Address _____ City/State/ZIP _____
6. _____	Sign here _____ Print name _____	Street Address _____ City/State/ZIP _____
7. _____	Sign here _____ Print name _____	Street Address _____ City/State/ZIP _____



Drop-off or mail petitions to: Citizens to Recall Chris Anderson, 202 W. 38th St., Chattanooga, TN 37410
To download a copy of this Petition go to www.RecallAnderson.com • Email: RecallAnderson@gmail.com
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 Name Server: NS1.NETSQL.COM
 Name Server: NS2.NETSQL.COM
 Status: ok
 Updated Date: 15-may-2012
 Creation Date: 15-may-2012
 Expiration Date: 15-may-2013

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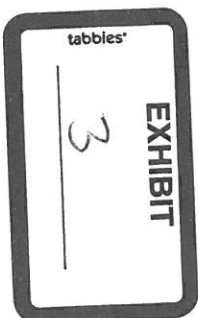
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 US

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 Phone Number: (555)232-2322

Administrative Contact

Name: I L OC
 Address: 343 Anaheim
 Anaheim, CA 95956
 US

Email Address: **OC@ILOVEOC.com**
 Phone Number: (555)232-2322

Technical Contact

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Several Church Leaders Give Views On Anderson Recall

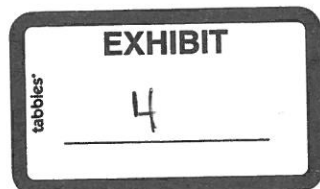
Monday, February 17, 2014 - by Hollie Webb



- photo by Hollie Webb

Youth Minister Jonathan Johnson of Church of the First Born in St. Elmo addressed the media Monday afternoon, saying, "We are here to show our moral stance against Councilman Chris Anderson." He spoke for his father, Pastor Alfred Johnson, in a news conference of several District 7 church leaders discussing their support for the recall of Chris Anderson.

George Clay, the pastor of New Beginnings Church of East Brainerd, said, "I don't know him personally and I'm not here to criticize him personally."



He said, "It doesn't only affect people of the 7th District, it affects all of us as Christians and as children of God. It seems like Mr. Anderson is more concerned about chickens in the backyard than he is about our children being shot in the backyards."

Pastor Clay continued, "He's openly admitted that he's homosexual and that's fine with me. I'm not here to choose his lifestyle." However, he said, "It's a bad example for children, not only in the 7th District but all over the city of Chattanooga."

Pastor Clay said, "Whatever is an abomination to God is an abomination to me. We're going to have to take a stand. Our children are being shot down; they don't have a chance."

He said, "We need to be concerned with more important things than chickens. We have children that need our protection."

Pastor Clay said, "The reason why we want to recall Mr. Chris Anderson is we're trying to do preventative maintenance. We're trying to stop something before it gets started. If you stop a leak, it will never start to run. If we stop Mr. Anderson, it won't be widespread. If we stop it right here and nip it in the bud, we won't have to worry about it later."

Another member of a local church said, "As a church, we want to stand in unison to protect the ordinance of marriage to preserve our society."

Gary Hickman and his wife Rosalyn, the founders of a marriage ministry program called Covenant Keyper, also spoke. Mr. Hickman said their ministry included four churches within District 7.

He said, "Our position is that marriage is between a man and woman," and "We uphold godly marriage."

Rosalyn Hickman said, "Mr. Anderson is very bold and has let us know where he stands. We feel like the church has to take a bold stance as well."

She also said, "This is not an opportunity to hate on people, but an opportunity to have our voices be heard."

Mrs. Hickman emphasized that whatever happened in District 7 would also affect the rest of Chattanooga.

Mr. Johnson was asked, "if the ballot initiative to reverse the City Council's vote on giving benefits to unmarried couples of whatever sex, if that initiative passes when everybody votes on it in August, would that not make recalling Chris Anderson, based on this issue, a moot point?"

Mr. Johnson replied, "There are some other issues that will surface. Seeing our faith background, this is our stance that this is one of our main problems, his moral agenda. His moral agenda is really going to affect us and our faith."

He said, "He has the right to believe what he believes, he has the right to say what he wants to say. But we also have the right to believe what we believe and stand where we stand."

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2



February 18, 2014

Latest Hamilton County Jail Booking Report - With Mug Shots

Here is the latest jail booking report from Hamilton County: BATES, PERRY LEN 4624 PAW TRAIL CHATTANOOGA, 37416 25 Chattanooga CONTEMPT OF COURT BAUGUS, CHICO DWIGHT ... (click for more)

February 17, 2014

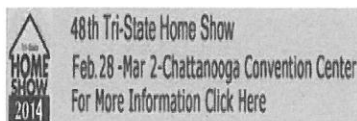
Police Blotter: Officers Track Down Snowball Threats

City Police dealt with several snowball issues during the recent storm. A female reported three black male teens throwing snowballs at vehicles on Dodson Avenue. Police could not locate ... (click for more)

February 17, 2014

Trenton Man Hangs Himself At The Walker County Jail

A 38-year-old man housed at the Walker County Detention Facility was found hanging in his cell at approximately 7:07 Monday morning, according to Walker County Sheriff Steve Wilson. The inmate ... (click for more)



Breaking News

Latest Hamilton County Jail Booking Report - With Mug Shots

Here is the latest jail booking report from Hamilton County: BATES, PERRY LEN 4624 PAW TRAIL CHATTANOOGA, 37416 25 Chattanooga CONTEMPT OF COURT BAUGUS, CHICO DWIGHT 1185 MTN CREEK RD APT. 911 CHATTANOOGA, 37405 23 Hamilton County AGGRAVATED ROBBERY BELCHER, RANDY NELSON 2108 A JENKINS ROAD CHATTANOOGA, 37421 39 Chattanooga ... (click for more)

Police Blotter: Officers Track Down Snowball Threats

City Police dealt with several snowball issues during the recent storm. A female reported three black male teens throwing snowballs at vehicles on Dodson Avenue. Police could not locate the miscreants. * * * On Union Avenue, a man called police to report that youths threw snowballs at his vehicle. When police arrived, most of the suspects had vanished. However, ... (click for more)

Trenton Man Hangs Himself At The Walker County Jail

Opinion

Thank You, Senator Corker And Todd Womack

Thank you, Senator Corker, and especially your staff member Todd Womack, for your determination and courage in facing down the UAW and their efforts to organize the VW plant. It's tough when the cards are all stacked in the opposition's favor...and in this case the entire deck was in the UAW's hands. But through yours and other government leaders, who are all locals ... (click for more)

Roy Exum: Obama's 'Outside Influence'

The obituary notices for the United Auto Workers Union continued to stack up on Monday after the UAW was voted down at Chattanooga's Volkswagen assembly plant Friday night, but what is interesting to ponder is what unexpected role a markedly unpopular Barack Obama may have played in the stunning defeat. You'll recall Mr. Obama made the snide observation that Tennessee politicians ... (click for more)

Stop The Trans-Pacific Agreement

Sports

Bradley Central Routs McMinn County, 62-38, For Fourth Straight 5-AAA Tourney Title

Four-peat. Senior Brooke Copeland registered an impressive double-double, Bradley Central's zone defense stymied McMinn County in the second half and the Bearettes posted a dominating 62-38 victory Monday to capture their fourth consecutive District 5-AAA basketball tournament championship at East Hamilton High School. "We realized McMinn would come at ... (click for more)

Brainerd Girls Nip Hixson In 6-AA Thriller, 36-35

The first game of the day at Howard's Henry Bowles Gymnasium was the best as action in the District 6-AA tournament moved to a central location for the final two days. The last three games were blowouts, but both of the top seeded teams advanced for both the boys and girls. Second-seeded Brainerd nipped third-seed Hixson in the first girls game by a 36-35 final. Top-seeded ... (click for more)

**Several Church Leaders Give Views
On Anderson Recall**

**2 Men Charged In Hixson Home
Invasion**

**District 7 County Commission
Contenders Give Positions At
Pachyderm Club**

**Superbowl Coke Commercial Was
Very Well Done**

Thanks To The Linemen

**Labor Unions Are A Godsend For The
American Worker - And Response (3)**

**Higher Seeds All Advance In 5-A
Basketball Semifinals**

**Rhea County Girls Fall To Cumberland
County, 74-70, In 6-AAA**

**Bledsoe County Claims 7-AA Girls
Championship**

**Hall Leads Lady Mocs To 64-48 Win
At Wofford**

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Happenings

**Citizens' Police Academy Begins
March 6**

**Artist Books Discussion And Book
Making Set For March 14-15**

**Ringgold Councilman Crawford
Receives Certificate Of Excellence**

**Friends Of The Library Book Sale
Kicks Off This Weekend**

**New Nonprofit Offers Classes That
Stimulate Both Left And Right Brain**

All Happenings Articles

Dining

Charles Siskin: Half Time

El Meson Hits A Sour Note

**212 Market Restaurant Celebrates Its
22nd Birthday**

**Janet Wilson: The Kitchen At Union
Square Is Worth Several Visits**

**Local IHOP Crowns Inaugural
Pancake Bowl Champion**

All Dining Articles

Business

**Satellite Property Tax Collection
Locations Announced In Bradley
County**

**Georgia Department Of Labor Helps
Mattex USA Recruit Employees**

All Business Articles

Student Scene

**Georgia Northwestern Nursing
Program Announces Pass Rate For
2013 Graduates**

**UTC's Department Of Music Hosts 4th
UTC Spring Piano Festival**

**Rainbow Day Care Has Black History
Program Feb. 28**

All Student Scene Articles

Church

**Bob Tamasy: When Role Models Roll
Wrong**

**A Long Partnership Between First
Alliance And Hilger Higher Learning**

All Church Articles

Memories

Real Estate

**Habitat For Humanity Hosts Raise
The Roof April 11**

**CNE Director Outlines Goals To
Civilians**

All Real Estate Articles

Living Well

**Tiger Flight Flies For Kids Fighting
Cancer**

**Erlanger Director Earns Top Health
Care Management Credential**

**Erlanger Offers Classes And Events
For Feb. 24-27**

All Living Well Articles

Outdoors

**Southeast Youth Corps To Host
Fundraiser To Recognize
Chattanooga Enthusiasts**

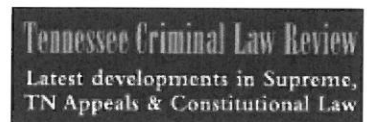
**Tennessee Fish And Wildlife
Commission Hears TWRA's Strategic
Plan**

All Outdoors Articles

**They Could Have Debated Until the
Cows Came Home**

**Kiwanis Club of Fort Oglethorpe
Makes Plans for 60th Anniversary
Celebration**

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Residents voted then to make recall rules match state standards, which require signatures from 15 percent of the city's registered voters. The change came after a failed two-year battle to recall former Mayor Ron Littlefield.

Under the new rules, Littlefield's opponents would have been required to collect 6,000 more signatures.

Wysong said 15 percent of the registered voters in District 7 amounts to 1,800 signatures. He believes recall backers have 75 days to collect the signatures from the time the petition is validated.

Hamilton County Elections Administrator Charlotte Mullis-Morgan was out of the office Friday and none of her staff could answer questions about the accuracy of those statements.



In March, Anderson unseated two-term Councilman Manny Rico with 56 percent of the votes, or 801.

Alfred Johnson, pastor of Church of the First Born off St. Elmo Avenue, said he is leading the recall effort and that the opposition isn't just about domestic partner benefits. He said he doesn't believe Anderson has addressed the needs of the community. Alton Park Neighborhood Association President Gill Shropshire agreed.

Shropshire said he's tried to meet with Anderson several times to talk about his ideas to better the community and even went before the City Council to confront Anderson

about it.

But Anderson said he has met with Shropshire several times and believes he and other leaders are retaliating against him because he didn't go along with a project that he thought was unstable. He didn't say what the project was.

"These organizations have both a political and personal vendetta against me because I refuse to engage in the quid-pro-quo, business-as-usual brand of politics," Anderson said. "And frankly, that's not my problem."

Contact staff writer Joy Lukachick at jlukachick@timesfreepress.com or 423-757-6659.