

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE
DISTRICT OF ALABAMA, NORTHERN DIVISION

FILED

OCT 13 1970

R. C. DOBSON, CLERK

DEPUTY CLERK

CALIPH WASHINGTON, ET AL.,

Plaintiffs,

vs.

CIVIL ACTION NO. 2350-N

FRANK LEE as Commissioner
of Corrections of Alabama,
ET AL.,

Defendants.

Washington v. Lee



PC-AL-020-025

LEE HENRY COMIER,
SAMUEL STREETER, JAMES
R. KINDER, KNOX DICKINSON,
AND OTHERS SIMILARLY
SITUATED,

Petitioners.

ORDER

Petitioners now present to this Court a "Complaint for Citation of Contempt" that asks that the defendants be cited for contempt for violating the order of this Court made and entered December 22, 1966, in the above-styled action. Upon consideration of same, it is ORDERED that said petition be and it is hereby denied.

Done, this the 13th day of October, 1970.

Frank M. Johnson, Jr.

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION.

LEE HENRY COMIER,
SAMUEL STREETER,
JAMES R. KINDER,
ENOCH DICKINSON, AND
OTHERS SIMILARLY
SITUATED,

PLAINTIFFS,

Vs.

WILLIAM M. FONDREN,
JAMES T. HAGAN, JR.,
LYNCHMORE CANTRELL
AND MARION J. ELLIOTT,

DEFENDANTS.

COMPLAINT

FOR A CITATION OF CONTEMPT

JURISDICTION IS CITED PURSUANT
TO WASHINGTON V. LEE, 263
F. SUPP. 327 M.D. ALA. 1966.

CLASS ACTION, UNDER RULE
23, F.R.C.P. — TITLE 42,
SECTION 1983, UNITED STATES
CODE.

CIVIL NUMBER _____

THIS DAY COMES THE PLAINTIFFS AND OTHERS SIMILARLY
SITUATED WHO ARE PRISONERS IN THE HOLMAN PRISON UNIT
IN ATMORE, ALABAMA, CHARGES THE DEFENDANTS WITH
CONTEMPT OF COURT FOR VIOLATION OF THIS COURTS
DECREE HOLDING THAT RACIAL SEGREGATION WAS ILLEGAL
IN THE ALABAMA PENAL INSTITUTIONS.

DURING THE YEAR 1969 AT KILBY STATE PRISON THE
DEFENDANTS WAS PRACTICING RACIAL INTEGRATION IN
COMPLYING WITH THIS COURTS DECREE, BUT AFTER KILBY
STATE PRISON WAS CLOSED AND PRISONERS WAS TRANSFERED
TO HOLMAN PRISON UNIT IN ATMORE, ALABAMA,
THE DEFENDANTS REINSTATED A PRACTICE OF RACIALLY
SEGREGATED PRISON UNITS.

BLACK AND WHITE INMATES ARE RESTRICTED FROM
INTEGRATING THE FOLLOWING CELLS WHERE THE
ENTIRE CAPACITY IS RACIALLY SEGREGATED.

RECEIVED

OCT 12 1970

CLERK
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.
MONTGOMERY, ALA.

RACIALLY SEGREGATED UNITS
EACH UNIT HAVING FOURTEEN CELLS
EACH CELL SEGREGATED

UNIT 1-D	UNIT 1-U	UNIT 2-D	UNIT 2-U
UNIT 3-D	UNIT 3-U	UNIT 4-D	UNIT 4-U
UNIT 5-D	UNIT 5-U	UNIT 6-D	UNIT 6-U
UNIT 7-D	UNIT 7-U	UNIT 8-D	UNIT 8-U

BLACK AND WHITE INMATES ARE RESTRICTED FROM
SHARING THE SAME CELL IN THE ABOVE UNITS IN
VIOLATION OF THIS COURTS DECREE, AND PLAINTIFFS PRAYS
THAT A CITATION OF CONTEMPT ISSUE TO THE DEFENDANTS
AS PRAYED FOR.

Lee Henry Connor

Samuel Stroger

James Kinler

Emat Dufina

EX "B" PAGE 21

C O N C L U S I O N

FOR THE REASONS SET FORTH IN THE ABOVE COMPLAINT, PLAINTIFFS SHOWS THAT THEY HAVE GIVEN SUFFICIENT CAUSE WHY A CITATION OF CONTEMPT SHOULD ISSUE FORTHWITH TO BRING PLAINTIFFS AND SAID DEFENDANTS BEFORE THIS COURT AS SOUGHT HEREWITH.

RESPECTFULLY SUBMITTED

Lee Henry Cornier

Samuel Straeter

James Kinder

Ernest Dickinson

THIS INSTRUMENT ON THE DAY OF THE DATE THEREOF SIGNED, PUBLISHED AND DECLARED BY THE SAID PLAINTIFFS WHO HAVE SUBSCRIBED OUR NAMES THERETO AS WITNESSES THAT THE INFORMATION STATED IN THIS COMPLAINT FOR A CITATION OF CONTEMPT IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

WITNESSED OUR HAND IN EVIDENCE ON THIS
9TH. DAY OF OCTOBER 1970.

Lee Henry Cornier

Samuel Straeter

James Kinder

Ernest Dickinson