

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA by
NICHOLAS deB. KATZENBACH,
Attorney General of the
United States,

Plaintiff,

v.

SCHOOL DISTRICT NUMBER 1,
LEXINGTON COUNTY, SOUTH CAROLINA,
a public body corporate; WALTER P.
RAWL, Chairman of the Board of
Trustees of School District Number
1, Lexington County; J. LEON
CORLEY, D. F. SHUMPERT, J. W. DOOLEY,
MAYO HARMON, TALLIE F. RAUCH and
J. H. KEISLER, Members of the
Board of Trustees of School District
Number 1, Lexington County, South
Carolina; and H. ODELLE HARMAN,
Superintendent of School District
Number 1, Lexington County, South
Carolina,

Defendants.

CIVIL ACTION
NO. _____

COMPLAINT

The United States of America alleges that:

1. This action is brought by the Attorney General
on behalf of the United States pursuant to Section 407(a)
and (b) of the Civil Rights Act of 1964.

2. This Court has jurisdiction of this action
under Section 407(a) of the Civil Rights Act of 1964,
and under 28 U. S. C. 1345.

3. The defendant Lexington County School District Number 1 is a public body corporate and supervises the operation of all schools in said school district.

4. Defendant Walter P. Rawl, is chairman of the Board of Trustees of Lexington County School District Number 1; defendants J. Leon Corley, D. F. Shumpert, J. W. Dooley, Mayo Hammon, Tallie F. Ranch and J. H. Keisler are members of the Board of Trustees of Lexington County School District Number 1. They all reside in Lexington County, South Carolina.

5. Defendant H. Odelle Harman is Superintendent of Lexington County School District Number 1. He resides in Lexington County, South Carolina.

6. The defendants operate four schools in Lexington County School District Number 1 which are attended exclusively by white students and are staffed exclusively by white teachers. All white students in Lexington County School District Number 1 are registered by the defendants at one of these schools.

7. The defendants operate one school in Lexington County School District Number 1 which is attended exclusively by Negroes and is staffed exclusively by Negro teachers. All Negro students in Lexington County School District Number 1 are registered by the defendants at this school.

8. The defendants, in operating the public school system in Lexington County School District Number 1, do not provide to Negro students educational opportunities which are made available by defendants to white students in said school district.

9. The Attorney General of the United States has certified that he has received a complaint in writing signed by a parent of a minor Negro child in Lexington County School District Number 1, alleging in effect that said child is being deprived by the defendants of the equal protection of the laws; that he believes the complaint to be meritorious; that the signer of the complaint is unable, in his judgment, to initiate and maintain appropriate legal proceedings for relief; that the Lexington County School District Number 1 Board of Trustees has been notified of the complaint; that he is satisfied that the Board of Trustees has had a reasonable time to adjust the conditions alleged in the complaint; and that in his judgment, the initiation of this action will materially further the orderly achievement of desegregation in public education.

10. Unless restrained by this Court, the defendants will continue to operate the public schools of Lexington County School District Number 1 on a racially segregated basis and will continue to deny to Negro children in Lexington County School District Number 1 educational

opportunities which are available to white children,
in violation of the Fourteenth Amendment to the
Constitution of the United States.

WHEREFORE, plaintiff prays that this Court enter
an order enjoining the defendants, their agents, officers,
employees, successors, and all those in active concert
or participation with them from maintaining a dual
school system based upon race or color; from failing to
provide equal educational opportunities to all students
in all public schools without regard to the students' race
or color; and from otherwise maintaining in the operation
of the public schools of Lexington County School District
Number 1, any distinctions based upon race or color.

Plaintiff further prays that this Court grant
such additional relief as the needs of justice may
require, including the costs and disbursements of this
action.

NICHOLAS deB. KATZENBACH
Attorney General

JOHN DOAR
Assistant Attorney General

TERRELL L. GLENN
United States Attorney

FRANK M. DUNBAUGH
Attorney
Department of Justice
Washington, D. C.

CERTIFICATE OF THE ATTORNEY GENERAL
OF THE UNITED STATES

I, NICHOLAS deB. KATZENBACH, Attorney General of the United States, hereby certify that I have received a complaint in writing signed by a parent of a minor child in Lexington County School District Number 1, alleging in effect that said child is being deprived by the Lexington County School District Number 1 Board of Trustees of the equal protection of the laws; that I believe the complaint to be meritorious; that the signer of the complaint is unable, in my judgment, to initiate and maintain appropriate legal proceedings for relief; that the Board of Trustees was notified of the complaint; that I am satisfied that said Board of Trustees has had a reasonable time to adjust the conditions alleged in the complaint; and that in my judgment, the institution of this action will materially further the orderly achievement of desegregation in public education.

This certificate is made pursuant to the provisions of Section 407(a) of the Civil Rights Act of 1964, in support of the complaint to which it is attached.

Signed this day of February, 1966.

NICHOLAS deB. KATZENBACH
Attorney General