

Shelby City Council and Rick Howell Heading for Jail??? Contempt of Court in Willie Green's Federal Lawsuit?? Discrimination and Defamation—Old Time Shelby Favorite Dirty Trick!! Updated report by Robert A. Williams

If you scroll on back to my April 12, 2019 article about the Federal Lawsuit filed by Mr. Willie Green against the City of Shelby and Rick Howell individually, you will find the Feral Court Order that required and compelled the City of Shelby and Rick Howell to do only two things.

1. File their responses (Answer to Mr. Green's Complaint), And,
2. Keep their responses within the page limits of the Federal Rules of Civil Procedure.

This order came about due to multiple frivolous motions to dismiss Mr. Green's lawsuit, requests for delays, and requests to file extra-ordinarily long responses without any justification. The Federal Judge was clearly PO'd at Shelby and Howell's futile search for a loophole to get themselves out of what they had done to Mr. Green. The Judge gave Shelby and Howell until April 12, 2019, close of business, to do their filings. Otherwise face contempt charges.

So, what does the City of Shelby and Rick Howell do? Instead

of doing what the judge ordered them to do, Shelby and Howell stupidly filed another frivolous "Motion to Dismiss" that was almost identical to the several previous frivolous Motions to Dismiss Mr. Green's lawsuit that had previously been thrown out by this same judge. Essentially daring the judge to find them in contempt of court. And throwing them in jail until their lawyers came up with the proper documents and filed them with the Clerk of Federal Court in Asheville.

As it stands right now, there will be another hearing scheduled to allow Mr. Green's attorney to answer this new Motion and set a date for a hearing (probably in another 30 days) on the new motion. All this extra delay that could still throw the Shelby City Council and Rick Howell in jail for contempt of court.

All this delay makes one ask the question, why are Shelby and Rick Howell acting so foolishly? But the answer is simple. Because they have to. Shelby and Rick Howell, by their own doings, have placed themselves, legally and politically, between a rock and a hard place. They did wrong and tried to lie out of it. Only to get caught. They might find themselves in prison anyway. Or face more serious criminal felony charges of perjury (lying under oath). Let me explain.

The documents Shelby and Howell are so terrified of are called an "Answer" to Mr. Green's lawsuit "Complaint." In simple terms, Mr. Green has properly filed his Complaint with the federal courts. Mr. Green's Complaint lays out every aspect required by the Federal Rules of Civil Procedure and arranges each allegation of the Complaint into a numbered document. Now, the defendants, Shelby and Howell, are supposed to file their Answer. According to the Federal Rules of Civil Procedure this Answer will address every numbered allegation of the Complaint and either state "denied" for the specific numbered allegation or state "admitted" for that particular numbered allegation.

For instance, Mr. Green has to identify himself in the complaint. Mr. Green might state in the Complaint "Plaintiff is Mr. Willie A. Green." In the defendant's Answer, they would state "admitted". Further down in the Complaint the Plaintiff might allege "Mr. Rick Howell knowingly defamed Plaintiff" to which Rick Howell might answer "Denied."

But here is the rub. Rick Howell DID defame Mr. Green, in writing, that Mr. Green has a copy of. And so do I, as it now a public record. Which I attached to a previous article that YOU can also read if you scroll back to my previous articles. But since Howell's Answer is made under oath, if Howell answers "Admitted," he has admitted his own guilt and may end up sleeping under a bridge in a cardboard box. Or, if he falsely enters "Denied" and the truth is proven, Rick Howell has knowingly lied under oath. Such a thing is called Perjury and Perjury is a felony crime. Which could result in Rick Howell sleeping in a prison cell for a very long time. Rick Howell is between a rock and a hard place of his own making.

It is much the same with the Shelby City Council. They are charged with discrimination. If they admit to the discrimination, Mr. Green wins a ton of money in damages. If they deny the allegation and it is proven true, Mr. Green rightly wins a ton of money and the City Council gets thrown out of office and perhaps join Rick Howell in a prison cell.

Therefore, the Shelby City Council as well as Rick Howell would rather go to jail for a little while on a Contempt of Court charge rather than go to prison for a long time on a criminal perjury charge. That is why they have so far refused to submit their answer to Mr. Green's complaint. Hoping instead to find some kind of loophole that, like a pack of rats, they can crawl into. And hide like the rats that they are. Having never thought of doing the right thing to begin with, they deserve no mercy.

These are the desperate acts of desperate people. Unless they

find that magical rathole soon, the courts will make these rats file their paperwork properly, and soon. Or just find in Mr. Green's favor and award Mr. Green some big bucks that will come out of the Shelby taxpayer's pockets. Perhaps that is what Shelby and Howell hope will happen. And they can just lie out of it to the taxpayers who will end up footing the bill. Or maybe they still think they can pay off and still get out of their mess because they can depend on the Shelby Star to keep quiet about all of this. Like the Star does for CCC, CCS and the Commissioners too. Note that CCC has a Federal Lawsuit against them that will be scheduled for trial very soon. The Federal Judges in Asheville will soon get the well-founded notion that Cleveland County is way out of control and has to be fixed-and fixed good. Another bad circumstance for Shelby and Rick Howell. And the Shelby taxpayers too for letting this go on for so long.

All I can say to that is those days of discrimination and defamation, an old timey Shelby dirty tricks-often assisted by the Shelby Star, are over. My readers will know because I will tell them exactly what happens in this case. And other cases too-like the CCC Board of Trustee trial. One way or another the Rats in Cleveland County are going to get caught and exposed for the wrongs that they have committed. The rest of what happens is up to the readers when they go to vote on Election day.

For now, all I can say is stay tuned for the rest of this seemingly never-ending story.