

**Commissioners Appeal Small
Claim Lawsuit to Federal
Court –Turn Maximum award
of \$10,000 into \$Millions if
they lose! –May Go to
Supreme Court before it is
over? –City of Shelby and
School Board may soon find
themselves in a similar
situation!!! –Report,
comparison and arguendo by
Robert A, Williams**

Folks, there is a saying that “you can’t fight City Hall.” That little ditty comes from the fact that anybody that sues a governmental agency usually has to pay for their own lawyer while the governmental agency finances their legal defense with tax dollars. Also, governmental agency personnel usually have an immunity from prosecution if their actions are within reason. It is only when the agency personnel act with malicious and criminal intent does their immunity go away. And that is often hard to prove and it is always expensive to prove. Therefore, obvious corruption in governmental agencies very, very, very often goes unpunished. And whatever punishment there might be usually comes out of the tax payer’s pocket and not the governmental agency perpetrator’s pocket.

A good example of this is the City of Shelby's clearly apparent racial discrimination and retaliation against Mr. Willie Green for Mr. Green's insistence that he be able to do business in Cleveland County just like the white folks do. Something the City of Shelby refuses to allow. Something all these protesters who want to take down the Confederate Soldiers Memorial seem to forget.

The protesters seem to want to complain about offenses hundreds of years ago and forget what is going on today. Somebody please tell the protesters that the Statute of Limitations has run out on slavery and there are no persons alive today that can sue anybody else alive today over slavery. Also remind the protesters that any former slaves and their ancestors have had freedom now from 5 to more than 8 generations now. A long way to gain an education and a job sufficient to minimize any inequities and inequalities that may come their way. At least the reality should have sunk in by now that the same ladder to prosperity is available to all-Black or White. That ladder, in general terms is to get as much education as you can. Find a job-any job, work hard to find better job, get married and then have children. (Editor's Note: That is not my original thoughts, but my experience is that it works more often than not.)

That being said, the protesters are missing the point in their support of issues. Nowhere have I seen or read of black leaders and black protesters coming out in any meaningful way to support Mr. Willie Green, a black man, in his legitimate efforts to do business on an equal basis in Shelby and Cleveland County. I have written about corruption in county agencies for years and all the protesters and their leadership

want to talk about is racism. Racism is not a crime in and of itself unless it is acted upon in a corrupt manner. Corrupt manners being illegal acts. It just seems to me that a logical thinking person would realize that if all of us would unite to fight corruption-then racism or the effects of racism would soon disappear. Then, why re-fight the battles of 400 years ago or 155 years ago and surrender the battles of today???

Of course, the protestors might have a socialist agenda-or worse and are only interested in tearing down America just for the sake of tearing down America. Something Communists, Socialists, Fascists ANTIFA have been trying to do for years now. Only to have failed.

Right now, the Protestors want the Confederate Soldier Memorial to be torn down. But what is the victory in doing so? Just an illusion that something has been won! When, in fact, nothing has been won.

But a support of the battle against corruption being fought by Mr. Willie Green-with my support and just a few others, could be the beginning of the start of actually tearing down the inequities and inequalities. Let me explain the ways.

Right now, as we speak, Mr. Willie Green has won a major legal battle. In his lawsuit against Shelby City Manager Rick Howell, Mr. Green has a judge's ruling that Mr. Howell did certain things in a malicious and criminal manner. Thus, Rick Howell's claims of immunity are torn down in such a way that removing all Confederate Memorials everywhere cannot come close to that victory.

Of course, Rick Howell has appealed this victory ruling for Mr. Green to the NC Court of Appeals using every dirty trick that his lawyers have thought of. Lawyers that have billed the City of Shelby over \$52,000 in tax dollars although City Manager Rick Howell was sued in his individual capacity. A win for Mr. Green in Appeals Court or even in the NC Supreme Court would land the case back into a trial court where Rick Howell and the City of Shelby will be taught a lesson they will not forget. A Lesson that would result in a victory for Mr. Green, but for all-Red and Yellow, Black AND White. A priority and goal that the protestors somehow have seen fit to ignore in their rhetoric and actions.

Then, there is the small claims court lawsuit Mr. Green has brought against Shelby Mayor Stan Anthony and Council member Violet Dukes. Small Claims are limited to a \$10,000 award. Anthony and Violet got their high dollar lawyer, same lawyer as Rick Howell has at Shelby Taxpayer's expense to get the Small Claims Magistrate to rule the case was too complicated for her.

So, what did Mr. Green do? He upped his ante and took his case all the way to Superior Court where a winning award could reach into the \$Millions. This case is proceeding with the Mayor claiming immunity, just like Rick Howell. But something strange happened. Mr. Green dropped his lawsuit against Councilman Violet Dukes. A move that is often associated with a case when a defendant, like Violet, decides to finally tell the truth and testify FOR Mr. Green. And perhaps testify against City Manager Rick Howell, the Mayor and perhaps even the other Shelby City Council members when it is their turn to face the music.

These are the battles against corruption that will end up diminishing racism to pretty close to nothing. Yet, here I am supporting Mr. Green and the Black Leadership has thrown Mr. Green under the bus. I don't understand such hypocrisy and the proverbial shooting oneself in the foot from the black community and their so-called leadership.

And now, another twist to the crooks who do the corruption in governmental agencies and to the lengths they will go to preserve their illicit cash flow.

Rev. Dante Murphy, presently in the Pender and New Hanover County area has taken his legal activism partly from here in Cleveland County to down there in his fight against corruption. The New Hanover County Commissioners have retaliated against Rev. Murphy and Rev. Murphy filed a Small Claims Court lawsuit against two of the NHC Commissioners. And guess what the Commissioners did in their desperation to keep their corruption as quiet as possible? Without even making one trip to the Small Claims Court, the NHC Commissioners case was moved STRAIGHT to Federal Court. From a Court here the maximum award was \$10,000 to a Court where the award could be in the \$Millions.

This is the old lawyer trick where the average citizen could not afford the attorney bills for a case that might last for years and would just have to drop the charges. And, I am sure the City of Shelby so-called leadership will soon be taking up this tactic soon enough. But the risks for Shelby and New

Hanover County are high. If Rick Howell, Mayor Anthony and others lose their bet, they may also lose their house, car(s), bank accounts and more to Mr. Green. When that happens, the corruption will stop and the racists will be living under a bridge somewhere.

I say to the protestors and the Black Preachers that are climbing on like Al Sharpton and Jesse Jackson, pick your battles that are worth the effort to win. Gaining legal victories that enhance your equity, equality and economy are worth the battles. Rioting, looting, shootings, crime and violence in the course of just fighting for symbols and symbolic "Optics" in an Election Year gains you nothing. Except for the stigma of being stupid and used.

Editor's Note: After the Cleveland County School Board's Special Called Meeting this past Thursday, some legal actions may be forthcoming. And remember, the foolish school board's recent \$3 Million lawsuit against Sheriff Alan Norman? A lawsuit that was taken out and voluntarily dismissed within hours? Don't be surprised to see what the "systemic corruption" in Cleveland County governmental agencies will do in this Election Year. My time and efforts will be toward Good Government and maintaining MY teachings of fighting for what is right today and tomorrow. And not being a Monday Morning Quarterback on what happened hundreds of years ago, Things that cannot be changed no matter how loud you holler and how violent your acts.