

THE STATE OF TEXAS

To:

TOM LEPPERT
DBA MAYOR OF DALLAS
DALLAS CITY HALL
1500 MARILLA
DALLAS, TX 75201

THIS PROCESS WAS DELIVERED

AT 10 O'CLOCK A M

2009 NOV 24

THIS DAY OF November, 2009

DALLAS COUNTY, TEXAS

GREETINGS:
You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 68th District Court at 600 Commerce Street, Dallas, Texas 75202.
Said Plaintiff being MARVIN E. CRENSHAW

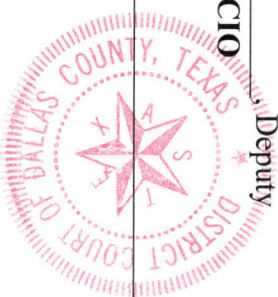
Filed in said Court 18th day of November, 2009 against

TOM LEPPERT

For suit, said suit being numbered DC-09-15564-C, the nature of which demand is as follows:
Suit On OTHER (CIVIL) etc. as shown on said petition, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.
WITNESS: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas.
Given under my name and the Seal of said Court on this 19th day of November, 2009

ATTEST: GARY FITZSIMMONS
Clerk of the District Courts of Dallas, County, Texas

By Edith Ciuccio
EDITH CIUCCIO, Deputy



PCT 1

RECEIVED

CITATION

ATT: 22

No.: DC-09-15564-C

MARVIN CRENSHAW
vs.
TOM LEPPERT

ISSUED
on this 19th day of November,
2009

GARY FITZSIMMONS
Clerk District Courts,
Dallas County, Texas

By EDITH CIUCCIO, Deputy

Attorney for Plaintiff
MARVIN E. CRENSHAW
5134 MALCOLM X BLVD.
DALLAS, TEXAS 75215
972-708-2174

09-15564

Cause No. _____

FILED
09 NOV 18 PM 4:52
DARY FITZSIMMONS
DISTRICT CLERK
DALLAS CO TEXAS
DEPUTY

Marvin E. Crenshaw

Plaintiff

IN THE DISTRICT COURT

OF DALLAS COUNTY _____

JUDICIAL DISTRICT

Tom Leppert

Individually and DBA

Mayor of DALLAS

Defendant

ORIGINAL PETITION

TO THE HONORABLE COURT:

PLAINTIFF MARVIN E. CRENSHAW COMPLAINS OF DEFENDANT TOM LEPPERT

AND FOR CAUSE OF ACTION

I

PARTIES

1. Plaintiff Marvin E. Crenshaw is a prominent activist in Dallas, Texas and plaintiff in the historic voting rights lawsuit known as 14-1. (~~see exhibit A~~)

Marvin E. Crenshaw is a resident of Dallas County Texas and resides at 5134

Malcolm X Blvd. Dallas, Texas 75215

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2. Defendant Tom Leppert is the former CEO of Turner Construction Company and presently serves as the Mayor of Dallas, Texas. Tom Leppert will herein after be referred to as Mayor Tom Leppert or "TL" (Tom the Liar). Mayor Tom Leppert can be served at Dallas City Hall 1500 Marilla Dallas, Texas 75201. ~~see exhibit B)~~

3. Plaintiff intend to conduct discovery under level 2 in accordance with Rule of Procedure 190.3.

II

NATURE OF ACTION

4. Plaintiff Marvin E. Crenshaw files this complaint against Mayor Tom Leppert and states the following;

"In his zest to be the first strong arm dictator Mayor of Dallas, Texas in the 21st Century and to be the chief flunky for the Dallas Citizens Council "TL" violated the City Charter, corrupted the City Council, intimidated the City Manager and staff, stole from the budget, lied and betrayed the citizens of Dallas, Texas."

III

VENUE

5. Venue is proper pursuant to section 15.001 et. seq of the Texas Civil Practice and Remedies Code because one or more of the parties reside in Dallas County Texas and because of all or part of plaintiffs cause arose in Dallas County Texas.

IV.

FACTS

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9
6. CHAPTER 3 Section ~~10~~ of the Dallas City Charter titled CITY COUNCIL QUORUM reads as follows:

"A quorum shall consist of nine members, except when the number of City Council members, due to vacancies, is reduced to less than nine,

in which event a quorum shall consist of all the remaining City Council members; but a less number may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance." In his desire to be the strong arm dictator and chief flunky for the Dallas Citizens Council "TL" required the attendance of all

City Council members, city manager and staff to attend a private city council meeting under the disguise of a Xmas party at the home of developer and business man Ross Perot, Jr. which was not open to the public or press. Two council members Angela Hunt in District 14 and Mitchell Rasansky in District 13 did not attend stating it did not pass the smell test. A quorum of 12 Dallas City Council members, The City Manager and staff followed the direction of "TL" to have a private City council meeting for the Dallas Citizens Council. James Ragland, a columnist for the Dallas Morning News quoted John Scovell chairman of the Dallas Citizens Council shouting the "good old days are back". (see exhibit~~A~~)

7. The private city council meeting at the home of Ross Perot, Jr. violated CHAPTER 3 section 8 of the Dallas City Charter which states that all official meetings of the City Council and of all City Council committees must be open as provided by state law.(see exhibit~~A~~)

8. The question that must be asked and answered is were gifts given to the council members and city staff who were present. What was discussed and what promises were made.

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9. On October 28, 2009, the city council approved a construction contract with Turner Construction Company for \$3,898,838. "TL" did not vote because of a conflict of interest. At the same time "TL" was aware he was leaving the city council to run for the US Senate. "TL" was aware of budget restraints, closing the library early, laying off city workers, closing swimming pools. Yet, "TL" by his actions confirms former Councilman Mitchell Rasansky statement that "TL" "DOESN'T GIVE A DAMN ABOUT THE CITIZENS OF DALLAS". Plaintiff Marvin E. Crenshaw questions his ethics and request that the contract with Turner Construction Company be voided.

10. On November 9, 2009 following the dictates of "TL" 12 members of the Dallas City Council voted to cast a shadow over the city of Dallas in the words of District 5 Council member Vonciel Jones Hill in a "rush to judgement to violate the spirit of 14-1 in an effort to implement the goal of a strong -mayor in Dallas, Texas. What did "TL" promise the 11 council members who voted for the so- called Ethics Reform and in the words of District 5 Council member cast a shadow over Dallas. Three Council members voted against the Ordinance- Councilmembers Vonciel Jones Hill, Tennell Akins and Steve Salazar.

11. Plaintiff Marvin E. Crenshaw furthers states that the goal of the so-called Ethics Reform called for by "TL" not only was an attempt to violate the spirit of 14-1, began the process for a strong mayor but to provide cannon fodder for his cohorts in the Allen Group by casting a dark shadow of" you can talk to them, pretend to be their friends but remember districts 4, 5, 7, and 8 are corrupt." The above mention council districts are all represented by African-Americans.

11. Plaintiff Marvin Crenshaw further states the so-called Ethics Reform were created for "TL" to have an issue in his run for US Senate.

v
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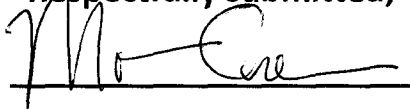
RELIEF SOUGHT

PLAINTIFF Marvin E. Crenshaw has been an observer/participant to insure the democratic process at Dallas City Hall served not only the African-American community but all the citizens of Dallas since 1979. Plaintiff Marvin E. Crenshaw has been a candidate for Dallas City Council beginning in 1983 until 2007,- despite the fact that Plaintiff Marvin E. Crenshaw brought 14-1 he has never been elected or as one newspaper stated in 1991 after Plaintiff Crenshaw was defeated in a run-off in the first council election under 14-1- Marvin Crenshaw was not allowed to participate in the structure he created. Plaintiff Marvin E. Crenshaw has suffered in ways that is difficult for some to imagine from character assassination to not being able to make a living financially to a physical assassination attempt. It is painful to see the struggle and sacrifice of so many destroyed by someone who in words of former Councilman Mitchell Rasansky "DOES NOT GIVE A DAMN ABOUT THE CITIZENS OF DALLAS". However Plaintiff Marvin E. Crenshaw is a true believer in "A LUTA CONTINUA" THE STRUGGLE CONTINUES. Plaintiff Marvin E. Crenshaw respectfully request that the court find Mayor Tom Leppert violated the Dallas City Charter Chapter 3 Section 10 by having 13 members which according to the city charter constituted a city council quorum at the home of businessman and developer Ross Perot, Jr. and Chapter 3 Section 8 concerning open meetings. Plaintiff Marvin E. Crenshaw respectfully request a hearing on the Oct. 28, 2009 contract awarded to Turner Construction Company. Plaintiff Marvin E. Crenshaw respectfully request that section 16 of the Ordinance on Ethic Reforms is in violation of the spirit of 14-1, that council districts 4, 5, 7, and 8 are not corrupt and the reforms were a "rush to judgement " by a madman who will resign in the next 30-60 days months to run for the US Senate.

WHEREFORE, PREMISES CONSIDERED, Plaintiff Marvin E. Crenshaw prays that after service of this complaint and summons that this court try this matter and grant both preliminary and permanent injunctive relief and award Plaintiff Marvin E. Crenshaw the sum of \$75,000.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Marvin E. Crenshaw', written over a horizontal line.

- Marvin E. Crenshaw

Pro Se

5134 Malcolm X Blvd.

Dallas, Texas 75215

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SEE EXHIBIT A

SEC. 8. OPEN MEETINGS; SPEAKERS.

(a) All official meetings of the city council and of all city council committees must be open to the public as provided by state law. Those meetings involving an attorney and client relationship, or other matters authorized by law to be deliberated in closed session, need not be open to the public.

(b) The city council shall adopt rules of procedure that provide reasonable opportunity for citizens to be heard by the city council. (Amend. of 5-1-93, Prop. No. 5)

SEC. 9. CITY COUNCIL QUORUM.

A quorum shall consist of nine members, except when the number of city council members, due to vacancies, is reduced to less than nine, in which event a quorum shall consist of all of the remaining city council members; but a less number than a quorum may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. (Amend. of 8-12-89, Prop. No. 1)

SEC. 10. COUNCIL VOTE.

No member shall be excused from voting except on matters involving the consideration of his own official conduct, or where his financial interests are involved, and in these instances, he shall not vote. The council shall determine its own rules of procedure, and may punish its members for misconduct, and may compel the attendance of absent members.

SEC. 11. MAYOR PRO TEM, DEPUTY MAYOR PRO TEM; DUTIES OF.

The city council shall elect one of its members as mayor pro tem, who shall perform the duties of mayor in the case of the absence or inability of the mayor to perform the duties of his office, who shall, during that time, be vested with all the powers belonging to the mayor. The council shall also elect one of its members as deputy mayor pro tem to act in the absence of both the mayor and the mayor pro tem and to exercise the powers of the mayor during that time.