

## Voice and Recommendations

Written by Robert ID498

Thursday, 02 December 2004 23:18 -

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If you are one of those who feel channels like BET and MTV show the real things going on in the society and that the rap and hip hop videos of today are an interpretation of what is going on in the streets; think again.

The following is just an example of the true life struggles that are faced everyday by real people in the USA. This sort of 'incident' need to be looked at, acknowledged and acted upon. It is not all party's, hoochies and Crystal out here. Please read on:

We, the UNITY COUNCIL of the African Community Centers for Unity and Self-Determination/Atlanta, support the efforts of Atty. Chokwe Lumumba and the Black Community of Jackson MS to stop the Supreme Court of the State of Mississippi from taking away the right of Atty. Lumumba to practice law in the State of Mississippi. - We view this effort as positive for our community and our people for the following reasons:

1. Atty. Lumumba has already been punished by the local court. The action of the Bar Association to have the Supreme Court disbar Atty. Lumumba is over-kill. Its widely know that Atty. Lumumba is one of a handful of Black lawyers committed to the struggle of Black people for Self-Determination. This is simply another attempt by the power structure to "put a Brother in his place".
2. This effort is a clear demonstration of a community standing up for a professional who has shown his commitment to stand with his people

We, the Unity Council of the African Community Centers for Unity and Self-Determination/Atlanta recommend and strongly encourage that you as an individual or organization do the following in support of the efforts of Atty. Lumumba and the Black Community of Jackson Mississippi:

1. At once, send an e-mail letter in support of Atty. Chokwe Lumumba to the Mississippi Supreme Court at [sctclerk@mssc.state.ms.us](mailto:sctclerk@mssc.state.ms.us) . Type "State of MS v. Atty. Chokwe Lumumba" in the subject box. Then forward a copy of your e-mail letter to supporters of Atty. Lumumba at [freelumumba@aol.com](mailto:freelumumba@aol.com).
2. Forward this entire document to everyone on your contact list
3. Read information below to learn the details

We, the UNITY COUNCIL of the African Community Centers for Unity and

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Self-Determination/Atlanta thank you in advance for your cooperation and support of this worthwhile effort. Together we will always win.

Unity, Self-Determination and love for our people,

Unity Council Members:

- Dr. Kweku Andoh
- Bro. Peter Brown
- Iya Fulani Suni Ali
- Bro. Kenneth Zakee

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Critical Point: Voice and Recommendations are always in recognition and response to specific work or actions by an organization or individual, and never in support or opposition to an organization or individual themselves.

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### **Background Information:**

Hearing before Mississippi Supreme Court set for December 7, 2004: we are asking for your support for Attorney Chokwe Lumumba and for the right of all lawyers to zealously advocate for their clients.

On October 17, 2001, Attorney Chokwe Lumumba argued a Motion for New Trial before Judge Marcus Gordon. As a part of his Motion, Chokwe exposed the bias and vindictiveness of the judge towards the defendant by focusing on the excessive and illegal sentence of 48 years that the judge had imposed. The injustice was so clear, and the sentence so extreme, that the Prosecutor for the State of Mississippi agreed that the sentence was illegal. And this had not been the first instance of this judge showing his prejudice and bias towards Attorney Lumumba's client because the same judge had presided over the previous trial of the same defendant involving the same charges and the verdict and the decisions of the judge in that case were overturned and vacated by the Appeals Court.

Attorney Lumumba also raised the fact that extraneous material, information that had not been put into evidence, had been introduced into jury deliberations. Lumumba had the jury members in the courtroom to testify as to the improper influence.

The judge refused to hear from the members of the jury about the unlawful actions that occurred during jury deliberations, declared that Lumumba's effort to zealously advocate for his client was a mere fishing expedition, and overruled the Motion for New Trial.

In response, Lumumba stated that the judge's ruling was not unexpected given his demeanor during the entire trial. When the judge asked Chokwe what he meant by his statement, Chokwe explained that the judge had not handled the trial fairly and was not handling the motion fairly.

The judge then counterpunched retorting that Lumumba made himself very difficult to work with.

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When Lumumba attempted to respond, the judge declared, arrogantly and vociferously, "I'm the judge of this court! I want you to know this hearing is now over with and there will be nothing else made of record!"

Lumumba then insisted the judge allow him to address a different issue and the judge complied. Lumumba then told the judge he was raising his new point so that the judge could hopefully get along better with lawyers in the future. The judge then completely exploded, replying angrily:

"Well, don't you worry about how I get along with lawyers. You worry about how you get along with the Courts."

And when Lumumba requested that the court allow him to finish, the judge said no and asked law enforcement officers to forcibly remove Chokwe from his courtroom. Attorney Lumumba, taking offense to the judge's order, responded by saying that he was proud to be thrown out of the courtroom given the way the judge handled his court. The judge then fined Lumumba three hundred dollars for the comment, causing Lumumba to become even more incensed.

When Lumumba responded, with anger, that he would gladly pay the fine if that's what it took to get some justice, the judge threatened Lumumba saying: "Now, if you want to continue, I will exercise my discretion regarding a jail sentence."

Lumumba responded that he had made sacrifices of this nature to get justice from judges in the past, and that he was willing to make the same sacrifice before this judge if that was necessary.

The judge increased Chokwe's fine from three hundred dollars to five hundred dollars and sentenced him to three days in jail after this comment. But the judge was only authorized by law to fine Chokwe up to one hundred dollars in the first place.

The Mississippi Bar now seeks to have Chokwe Lumumba disbarred. And the Mississippi Bar is trying to use the conservative Mississippi Supreme Court to accomplish its objective.

The Mississippi Bar has already brought bar charges against Attorney Lumumba for this incident. The Mississippi Bar has already chosen a tribunal of three legal professionals to prosecute Attorney Lumumba for his conduct. The Mississippi Bar has already put all its evidence before its tribunal. The Mississippi Bar has already made all of its arguments to its tribunal. The Mississippi Bar has already demanded that the tribunal take away Chokwe Lumumba's license to practice law in the State of Mississippi and require that Attorney Lumumba retake the bar exam to be admitted back into practice.

And the Mississippi Bar Tribunal determined that the most Attorney Lumumba should be subjected to for his conduct would be a reprimand. This was not enough punishment for the Mississippi Bar.

Attorney Lumumba has been thrown out of court, fined, put in jail, and reprimanded. And this is not enough punishment for the Mississippi Bar.

The Mississippi Bar has appealed its own process, its own tribunal, and taken its case for the

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disbarment of Chokwe Lumumba to the Mississippi Supreme Court.

Whether or not we agree with the way the judge conducted himself, or with Chokwe's conduct, this is not a case for the Mississippi Bar to use to make a statement to lawyers about what the Mississippi Bar will or will not tolerate!

All lawyers should stand together to stop this effort by the Mississippi Bar to use Attorney Chokwe Lumumba to set an example.

All lawyers should stand together to stop this effort by the Mississippi Bar to dictate to lawyers the proper way to defend or advocate for their clients.

All lawyers should stand together and send a clear message to the Mississippi Supreme Court that the Mississippi Bar does not have our support on this matter and a decision by the Court supporting the Mississippi Bar in its efforts would do a disservice to clients and legal professionals alike.