

February 24, 2005

Chairman Frank Jones  
c/o Diane Smith  
191 Peachtree Street N.E.  
Suite 4900  
Atlanta, Ga. 30303-1763

Reverend O.J. Brown  
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Dear Chairman Jones:

I am the President of the Cobb County Southern Christian Leadership Conference, (Cobb County S.C.L.C.) however, I am writing this letter as a citizen and community leader. It has been brought to my attention that Cobb County Superior Court Judge Mary Staley is seeking to enter the selection process for a Federal Judgeship. I believe such a position requires the highest of jurisprudence, a quality she does not possess based on the following.

While in her position as Chief Judge for the Cobb County Superior Court, Judge Staley denied a well respected 23 year judicial official, with an outstanding employment record, her due process. Wanda Spann served as the Director of Cobb County Pretrial Court Services for 20 years, beginning in 1983 when she was appointed by the Cobb Superior Court Judges. Mrs. Spann was wrongfully terminated by the Chief Magistrate Judge in violation of the Uniform Superior Court Rules of Georgia.

The Uniform Superior Court Rules of Georgia (Rule 27) outline in detail the operation and authority, of Pretrial Services departments in the state of Georgia. These Rules clearly state that the Authority to hire and fire the Director of Pretrial belongs to the board of Superior Court Judges in each Georgia County . Without legal authority Judge Staley allowed the Chief Magistrate Judge to terminate Director Spann in violation of the Uniform Superior Court Rules of Georgia.

Complaints of harassment by the Chief Magistrate were reported to Judge Staley by Mrs. Spann on several occasions leading up to Mrs. Spann's wrongful termination. A charge of racial harassment against the Chief Magistrate had even been filed with the EEOC by one of Mrs. Spann's employees. A number of meetings were scheduled by Judge Staley with Mrs. Spann, but were all abruptly cancelled by Judge Staley without explanation.

Although Judge Staley actions indicated that she was in the position to help Mrs. Spann and would help her, on March 19, 2003 Judge Staley gave a letter to the Chief Magistrate stating that the Cobb County Superior Court Judges had given the Chief Magistrate Judge, "Supervision and Authority" over Pretrial in an Court Order from the Cobb Superior Court Judges in 1985. Although such order is in existence, it was never validated, because it had never been filed with or approved by the Georgia Supreme Court Justices as required by the Uniform Superior Court Rules. Other Superior Court Judges even told Judge Staley that the Chief Magistrate did not have legal authority. This letter written and signed by Judge Staley would later be sent to a Federal Judge as a representation of the truth in a federal lawsuit now pending in the United States District Court. Mrs. Spann said that she has always maintained that only the Superior Court Judges had and has authority over Pretrial. The Chief Magistrate used the false information provided to him by Judge Staley in the March 19, 2003 letter to suspend Mrs. Spann that same day. She was never allowed to return to her office and was unlawfully terminated by him two months later, after his completion of a railroading of Mrs. Spann under the disguise of an "Investigation".

Mrs. Spann sought due process by bringing her termination to the attention of Judge Staley in a letter by dated June 16, 2003. In that letter, Director Spann asked that she be allowed to speak to the Superior Court Judges board about her mistreatment and illegal termination by the Magistrate, because they alone had the authority over her office. Judge Staley responded to Mrs. Spann's letter on June 18, 2003. In that letter, Judge Staley wrote that she would present Mrs. Spann's request to the Council of Superior Court Judges' at their next meeting. She later refused to allow Director Spann her due process by falsely stating she could not bring the issue before the judges, because it was in, "Litigation". This was also untrue. Litigation did not begin until July, 2004 when Mrs. Spann filed a suit in the United States District Court Northern District of Georgia. The lawsuit would not have been filed had Judge Staley protected Ms. Spann from the harassment when it was first reported to her. Judge Staley is named in Mrs. Spann's EEOC complaint, which was accepted by that agency. A subsequent letter of right to sue was issued by the United States Justice Department. Judge Staley is a defendant in Mrs. Spann's federal lawsuit.

Four fellow Cobb Superior Court Judges of Judge Staley have said the Chief Magistrate Judge did not and does not have the authority to fire the Director of Pretrial. One of the four Colleagues is a co-author of Rule 27. This was such an injustice that the Cobb County S.C.L.C., other Community Groups, activist and citizens held a march for Justice on Mrs. Spann's behalf in 2004. The Cobb County S.C.L.C also voted to file a Federal Lawsuit on behalf of Wanda Spann at a recent meeting.



I vehemently oppose any consideration of Judge Staley to the Federal Bench due to her lack of integrity, veracity and her failure to protect the basic human right of due process. Her refusal and/or inability to enforce and interpret basic rules of court also concern me. I pledge to fight any nomination or selection of Judge Staley and any other Judge who brings discredit upon the judiciary and the Constitution of the United States of America.

Sincerely,

A handwritten signature in black ink, appearing to be 'O.J. Brown', with a long horizontal flourish extending to the right.

Reverend O.J. Brown

Distributed to: Honorable Robert Ingram, Jimmy Franklin, Chief Judge Arthur McLane, William U. Norwood, Ronald Carlson