

JOHN E. SETTLE, JR.

CASE NO. \_\_\_\_\_

VERSUS

1<sup>ST</sup> JUDICIAL DISTRICT COURT

CHIEF CHARLIE CALDWELL, JR.  
SHREVEPORT CITY MARSHALL  
and CITY OF SHREVEPORT'S  
MARSHALL'S OFFICE

CADDO PARISH, LOUISIANA

PETITION FOR WRIT OF MANDAMUS  
AND ATTORNEYS' FEES  
PURSUANT TO LOUISIANA REVISED STATUTE 44:35

NOW INTO COURT, through undersigned counsel, come Petitioner, JOHN E. SETTLE, JR., a resident of Caddo Parish, Louisiana, respectfully represents:

1.

That made Defendants herein are:

1. CHARLIE CALDWELL, JR., Shreveport City Marshall;
2. CITY OF SHREVEPORT'S MARSHALL'S OFFICE a governmental body in the City of Shreveport;

2.

The CITY OF SHREVEPORT'S MARSHALL'S OFFICE ("MARSHALL") is a "public body", as defined in Louisiana Revised Statutes 44:1(A)(1).

3.

That MARSHALL pays certain expenses on behalf of the employees of the City Marshall's office including the City Marshall, CHARLIE CALDWELL, JR. ("CALDWELL").

4.

That the expenses paid by the MARSHALL is of significant importance to the Citizens of the City of Shreveport.

5.

By letter dated July 10, 2011 (attached as Exhibit "A"), Petitioner, John E. Settle, Jr. addressed a letter to the attention of CALDWELL and Connie Coleman, Chief Financial Officers of the City of Shreveport requesting to review the following records of the MARSHALL:

"Please provide the following in addition to the same:

1. Copies of all documentation of all expenses, listed in your response, including receipts, credit card charges/debits, cash payments, ...."

6.

A second fax was forwarded dated July 10, 2011 (attached as Exhibit "B") Petitioner John E. Settle, Jr. Addressed to the attention of CALDWELL and Connie Coleman, Chief Financial Officer of the City of Shreveport requested the following records of the MARSHALL:

"Provide a list, by month, of all credit/debit card charges on credit cards of the city marshal office since Caldwell was sworn into office...."

7.

That to date MARSHAL has sent only the credit card statements of the MARSHALL for the year 2009.

8.

Louisiana revised Statutes 44:35(B) provides that this Court has jurisdiction to enjoin the custodian from withholding records or to issue a writ of mandamus ordering the production of any records improperly withheld from the person seeking disclosure. The Court may view the sought after records in camera before reaching a decision.

9.

Louisiana Revised Statutes 44:35(C) provides that any suit brought to enforce the provisions of the Public Records Law shall be tried by preference and in a summary manner.

10.

Louisiana Revised Statutes 44:35(D) provides that attorneys fees shall be awarded to the persons seeking public records, if such persons prevail.

11.

The public certainly has the right to know about the expenses paid by MARSHALL.

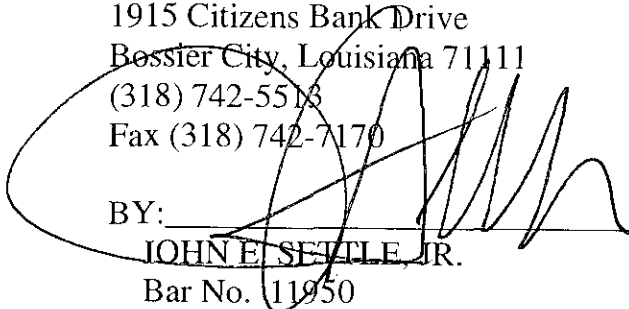
12.

That on June 23, 2011 a similar public records request was sent by Petitioner to MARSHALL. The requested information was not fully complied with under July 26, 2011. This delayed response shows an attitude of indifference toward compliance with the Public Records Law.

WHEREFORE, Petitioner Prays that, after due proceedings had, Defendants be ordered to show cause why at a date and time to be fixed by this Honorable Court why a Writ of Mandamus ordering the production of such records should not be issued, as provided by Louisiana Revised Statutes 44:35; that all records requested by Petitioner be produced to this Court for the Court's in camera inspection, and for all costs, attorney's fees and other damages as provided by law.

FURTHER PRAYS for all orders and decrees necessary; for general and equitable relief.

JOHN E. SETTLE, JR., Attorney at  
Law (A Professional Corporation)  
1915 Citizens Bank Drive  
Bossier City, Louisiana 71111  
(318) 742-5513  
Fax (318) 742-7170

BY:   
JOHN E. SETTLE, JR.  
Bar No. 11950

SERVICE INFORMATION:

Chief Charlie Caldwell, Jr.  
City of Shreveport Marshall  
1244 Texas Avenue  
Shreveport, Louisiana 71101

City of Shreveport Marshall's Office  
through it's Marshall  
Chief Charlie Caldwell, Jr.  
1244 Texas Avenue  
Shreveport, Louisiana 71101

# JOHN E. SETTLE, JR.

ATTORNEY AT LAW (A PROFESSIONAL CORPORATION)

## TELEFAX FOR IMMEDIATE DELIVERY

10 July 2011

TO: MARSHALL CADWELL  
TELEFAX NO: CONNIE COLEMAN  
FROM: 673-6816  
RE: SUPPLEMENTAL PRR

thank you for your Travel Expense report forwarded under cover letter of 6 July

Pl provide the following in addition to the same:

1. Copies of all documentation of all expenses listed in your response, including receipts, credit card charges/debits, cash payments, etc
2. Identification of ALL persons for whom moneys expended , including any non-personnel of the City Marshall office, for each travel/trip/meeting/convention
3. Dates of the actual meetings/conventions and dates for which expenses incurred for each entry for travel/trip/meeting/convention

PLEASE PROVIDE NLT 21 JULY -

Total Number of Pages Including This Cover Page: 1

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THANKS

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TRANSMISSION VERIFICATION REPORT

TIME : 07/10/2011 14:53  
NAME :  
FAX : 5491231  
TEL :  
SER.# : BROE8J813688

DATE, TIME	07/10 14:52
FAX NO./NAME	6736816
DURATION	00:00:25
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

**JOHN E. SETTLE, JR.**

ATTORNEY AT LAW (A PROFESSIONAL CORPORATION)

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# JOHN E. SETTLE, JR.

ATTORNEY AT LAW (A PROFESSIONAL CORPORATION)

## TELEFAX FOR IMMEDIATE DELIVERY

10 July, 2011

TO: MARSHALL CALDWELL  
TELEFAX NO: CONNIE COLEMAN  
FROM: 673-6811  
RE: 2ND PRR

MESSAGE:

Provide a list, by month, of all credit/debit card charges <sup>ON CREDIT CARDS</sup> by ~~all personnel~~ of the city marshall office since Caldwell was sworn into office

Provide documentation of all of said credit/debit charges

PLEASE PROVIDE WLT 21 JULY

J. Hanks

Total Number of Pages Including This Cover Page: 1

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PAGE(S)	01
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MODE	STANDARD
	ECM

**JOHN E. SETTLE, JR.**  
ATTORNEY AT LAW (A PROFESSIONAL CORPORATION)

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FROM: 673-6811  
RE: 2ND PRR

◆ MESSAGE:

*ON CREDIT CARDS*  
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Provide documentation of all of said credit/debit charges

PLEASE PROVIDE BY 21 JULY



JOHN E. SETTLE, JR.

CASE NO. \_\_\_\_\_

VERSUS

1<sup>ST</sup> JUDICIAL DISTRICT COURT

CHARLIE CALDWELL, JR.  
SHREVEPORT CITY MARSHALL  
and CITY OF SHREVEPORT'S  
MARSHALL'S OFFICE

CADDO PARISH, LOUISIANA

## ORDER

Considering the foregoing Petition:

IT IS ORDERED that Defendants show cause on the \_\_\_\_\_ day of \_\_\_\_\_, 2011 at \_\_\_\_\_ o'clock a.m. why:

(a) A Writ of Mandamus should not be issued directing production to Petitioner the following records, to-wit:

1. Copies of all documentation of all expenses, listed in your response, including receipts, credit card charges/debits, cash payments, ...."

"Provide a list, by month, of all credit/debit card charges on credit cards of the city marshal office since Caldwell was sworn into office...."

(b) All costs of these proceedings should not be directed against Defendants.

Shreveport, Caddo Parish, Louisiana this the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
DISTRICT JUDGE