

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

<p>TWANDA MARSHINDA BROWN; SASHA MONIQUE DARBY; CAYESHIA CASHEL JOHNSON; AMY MARIE PALACIOS; NORA ANN CORDER; and XAVIER LARRY GOODWIN and RAYMOND WRIGHT, JR., on behalf of themselves and all others similarly situated,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>LEXINGTON COUNTY, SOUTH CAROLINA; GARY REINHART, in his individual capacity; REBECCA ADAMS, in her official and individual capacities as the Chief Judge for Administrative Purposes of the Summary Courts in Lexington County and in her official capacity as the Judge of the Irmo Magistrate Court; ALBERT JOHN DOOLEY, III, in his official capacity as the Associate Chief Judge for Administrative Purposes of the Summary Courts in Lexington County; BRYAN KOON, in his official capacity as the Lexington County Sheriff; and ROBERT MADSEN, in his official capacity as the Circuit Public Defender for the Eleventh Judicial Circuit of South Carolina,</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: center;">Case No.</p> <p style="text-align: center;">3:17-cv-01426-MBS-SVH</p>
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PLAINTIFFS' AMENDED MOTION FOR CLASS CERTIFICATION

Plaintiffs Xavier Larry Goodwin and Raymond Wright, Jr., bring this motion for class certification in conjunction with the class action Amended Complaint filed on behalf of Mr. Goodwin, Mr. Wright, and the other Plaintiffs. The Amended Complaint seeks to remedy

ongoing violations of the Fourteenth, Sixth, and Fourth Amendments to the United States Constitution. Those violations include lack of due process, denial of equal protection of the law, failure to provide assistance of counsel, and unreasonable seizure.

By this motion, Plaintiffs Goodwin and Wright seek certification of the following proposed Class: “All indigent people who currently owe, or in the future will owe, fines, fees, court costs, assessments, or restitution in cases handled by Lexington County magistrate courts.” Certification of the Class is appropriate under Rule 23(a) and (b)(2) of the Federal Rules of Civil Procedure. The proposed Class is so numerous that joinder of all members is impracticable. There is commonality between the claims of Plaintiffs Goodwin and Wright and the claims of the Class, all of which are based on Defendants’ uniform actions and all of which raise factual and legal issues that can be resolved at once for the entire Class. There is also typicality among the claims because they arise from the same courses of conduct and are based on the same legal and equitable theories. Plaintiffs Goodwin and Wright and their counsel will adequately represent the interests of the Class. Finally, Defendants are acting or refusing to act on grounds that apply generally to the Class, making final declaratory and/or injunctive relief appropriate to the Class as a whole.

For these reasons, and those in the supporting memorandum accompanying this motion, Plaintiffs Goodwin and Wright respectfully ask the Court to certify the proposed Class under Rule 23(b)(2); appoint Xavier Larry Goodwin and Raymond Wright, Jr., as the Class representatives; and appoint the American Civil Liberties Union Foundation, the American Civil

Liberties Union Foundation of South Carolina, and Terrell Marshall Law Group PLLC as Class counsel.

DATED this 21st day of July, 2017.

Respectfully submitted by,

s/ Susan K. Dunn

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