

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

<p>TWANDA MARSHINDA BROWN, SASHA MONIQUE DARBY, CAYESHIA CASHEL JOHNSON, AMY MARIE PALACIOS, XAVIER LARRY GOODWIN, on behalf of himself 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 official and individual capacities as the Chief Judge for Administrative Purposes of the Summary Courts in Lexington County; REBECCA ADAMS, in her official and individual capacities as the Associate 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; 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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PLAINTIFF’S MOTION FOR CLASS CERTIFICATION

Plaintiff Xavier Goodwin brings this motion for class certification in conjunction with the class action complaint filed on behalf of Mr. Goodwin and the other Plaintiffs. The 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 laws, failure to provide assistance of counsel, and unreasonable seizure.

By this motion, Plaintiff Goodwin seeks 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 Plaintiff Goodwin’s claims 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. Plaintiff Goodwin and his 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 or injunctive relief appropriate to the Class as a whole.

For these reasons, and those in the supporting memorandum accompanying this motion, Plaintiff Goodwin respectfully asks the Court to certify the proposed Class under Rule 23(b)(2); appoint Xavier Goodwin as the Class representative; and appoint the ACLU Foundation, the ACLU of South Carolina Foundation, and Terrell Marshall Law Group PLLC as Class counsel.

DATED this this 2nd day of June, 2017.

Respectfully submitted by,

s/ Susan K. Dunn

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*Application for pro hac vice admission to be submitted.