

No. 24-993

IN THE
Supreme Court of the United States

GABRIEL OLIVIER,

Petitioner,

v.

CITY OF BRANDON, ET AL.,

Respondents.

**On Writ Of Certiorari
To The United States Court Of Appeals
For The Fifth Circuit**

SUPPLEMENT TO JOINT APPENDIX

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Petition for a Writ of Certiorari filed March 14, 2025
Petition for a Writ of Certiorari granted July 3, 2025

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Administration Information

Report Number:

Report Date: / / Time:

Address: Apt:

Report Officer 1 - Assign Date: / /

Report Officer 2 - Assign Date: / /

Investigator 1 - Assign Date: / /

Investigator 2 - Assign Date: / /

Assigned By: Review Date: / /

UCR Status: Status Date: / /

Case Status: Status Date: / /

Primary Offense

Offense Type: Attempted Completed

Address:

City: State: Zip: -

District/Zone: Location Type:

Begin Date: / / Time:

End Date: / / Time:

Lighting: Weather: Gang Activity:

Bias Motive: Premises Enter: Force Used Home Inv

Point Entry: Point Exit: Means Entry:

Tools Used: Entry Dir: Exit Dir:

- B-Buying Receiving
- C-Cultivation/Manufacturing/Publishing
- D-Distributing/Selling
- E-Exploiting Children
- O-Operating/Promoting/Assisting
- P-Possessing/Concealing
- T-Transporting/Transmitting/Importing
- U-Using/Consuming
- I-Pos With Intent To Sell
- X-Other

Consumed Alcohol Photo/Video Used Computer Equipment Used Drugs Prints Lifted

Weapons:

Comments:

Report approved by Chris Butts on 05/03/2021

22-60566.357

Person Information

- Victim Complainant Suspect Arrestee Witness Prop/Veh Owner Business
- Financial Government Religious Society Other/Unknown Custodian -

Name, Last: OLIVIER Name, First: GABRIEL MNI #: 21 00000733

Middle Name: DAVID Suffix:

Social Security: [REDACTED]

Date of Birth: [REDACTED] Report Age: 029

Age From: 029 to: 029 Sex: M Race: W Ethnicity: N

Height/From: 5 11 to: 5 11 Weight/From: 180 to: 180 Resident Status: Non-Resident

Eye Color: BRO Hair Color: BRO Birth Place (City): FREDERICK State: M D

Address: [REDACTED] Apt:

Phone: [REDACTED] Hours There/From: to:

City: TERRY State: M S Zip Code: 39170 -

Driver License: [REDACTED] State: M S Exp Year: Juvenile

Comments:

Employer Information

Employer's Name:

Address: Apt:

City: State: Zip Code: -

Phone: () - Hours From: Hours To:

Start Date: / /

Alias Information

Name: Date of Birth: / /

Social Security: - -

Name: Date of Birth: / /

Social Security: - -

Name: Date of Birth: / /

Social Security: - -

Brandon Police Department

Printed by: LD1295 - DUTTON,LISA

21 - 00000648

Suspect

Disposition: H Suspect is Named Count Arrestee Multiple N/A

- None
- Unconscious
- Broken Bones
- Internal Injuries
- Minor Injury
- Lacerations
- Major Injuries
- Loss of Teeth
- Killed

Date: / /

Time: :

Taken Into Custody On View Arrest Summons

Arrest Location: Apt:

Location Remarks:

Orally Auto

Waiver # Auto

Physical Description

Hair Style:	<input type="text"/>	_____	Hair Color #1:	<input type="text"/>
Type Build:	<input type="text"/>	_____	Hair Color #2:	<input type="text"/>
Facial Hair:	<input type="text"/>	_____	Facial Color:	<input type="text"/>
Glasses Type:	<input type="text"/>	_____	Glasses Color:	<input type="text"/>
Coat Type:	<input type="text"/>	_____	Coat Color:	<input type="text"/>
Shirt Type:	<input type="text"/>	_____	Shirt Color:	<input type="text"/>
Pants Type:	<input type="text"/>	_____	Pants Color:	<input type="text"/>
Shoe Type:	<input type="text"/>	_____	Shoe Color:	<input type="text"/>
Voice Type:	<input type="text"/>	_____	Hat/Cap Type:	<input type="text"/>
Demeanor:	<input type="text"/>	_____		
Accent Type:	<input type="text"/>	_____		
Complexion:	<input type="text"/>	_____		

Other Clothing:

Spoken Words:

Person Information

ARR Number: Arrest Time:

Arrest Date: / / MINI #

Name: FBI #

Date of Birth: Age From: to:

Social Security: Sex: Race: Ethnicity:

Height/From: to: Weight/From: to:

Eye Color: Hair Color: Birth Place (City): State:

Address: Apt:

Phone: () - Hours There/From: to:

City: State: Zip Code: -

Driver License: State: Exp Year:

Case Number: Adult Juvenile Type:

Court Docket:

Release Date/Time: / / Bond Amount:

Court Date/Time: / / Bond Type:

Weapons:

Arresting Location: Apt:

Arresting Officers:

Arresting Officers:

Judge:

Rights: Read By: Response: Printed: 10%:

Photo: Bail Date: / / Committed:

Primary Charge Information

Offense Type: Counts: Verdict:

Warrant Number: Warrant Type: A/C:

Sentence:

Brandon Police Department

Printed by: LD1295 - DUTTON,LISA

21 - 00000648

Person Information

- Victim
 Complainant
 Suspect
 Arrestee
 Witness
 Prop/Veh Owner
 Business
 Financial
 Government
 Religious
 Society
 Other/Unknown
 Custodian
 -

Name, Last: Name, First: MNI #:
 Middle Name: Suffix:
 Social Security: - -
 Date of Birth: / / Report Age:
 Age From: to: Sex: Race: Ethnicity:
 Height/From: to: Weight/From: to: Resident Status:
 Eye Color: Hair Color: Birth Place (City): State:
 Address: Apt:
 Phone: Hours There/From: to:
 City: State: Zip Code: -
 Driver License: State: Exp Year: Juvenile
 Comments:

Employer Information

Employer's Name:
 Address: Apt:
 City: State: Zip Code: -
 Phone: Hours From: Hours To:
 Start Date: / /

Alias Information

Name: Date of Birth: / /
 Social Security: - -
 Name: Date of Birth: / /
 Social Security: - -
 Name: Date of Birth: / /
 Social Security: - -

Alias Information

Name: THE CITY OF BRANDON JOAN Date of Birth: 1 2 / 2 6 / 1 9 6 9

Social Security: [REDACTED]

Name: [] Date of Birth: [] / [] / []

Social Security: [] - [] - []

Name: [] Date of Birth: [] / [] / []

Social Security: [] - [] - []

Name: [] Date of Birth: [] / [] / []

Social Security: [] - [] - []

Name: [] Date of Birth: [] / [] / []

Social Security: [] - [] - []

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Social Security: [] - [] - []

Name: [] Date of Birth: [] / [] / []

Social Security: [] - [] - []

Name: [] Date of Birth: [] / [] / []

Social Security: [] - [] - []

Name: [] Date of Birth: [] / [] / []

Social Security: [] - [] - []

Name: [] Date of Birth: [] / [] / []

Social Security: [] - [] - []

Victim Information

Assault/Homicide Cause

- Argument
- Assault on Law Officer
- Drug Dealing
- Gangland
- Other Felony Involved
- Child Playing w/ Weapon
- Gun Cleaning Accident
- Other Negligent Weapon
- Criminal Killed by Citizen
- Criminal Killed by Police Officer
- Criminal Killed in the Commission of a Crime
- Juvenile Gang
- Lovers Quarrel
- Mercy Killing
- Child Abuse
- Other
- Unknown
- Hunting Accident
- Other Negligent Killings
- Negligent Child Abuse

Injury Type

- None
- Broken Bones
- Minor Injury
- Major Injury
- Unconscious
- Internal Injuries
- Lacerations
- Loss of Teeth

Rape Information

- Rape Exam
- Treatment For Rape
- Rape Location

Justifiable Homicide Reason

- Criminal Attacked The Police Officer and the Police Officer Killed Criminal
- Criminal Attacked Police Officer and Criminal Killed by Another Police Officer
- Criminal Attacked a Civilian
- Criminal Attempted Flight From a Crime
- Criminal Killed in the Commission of a Crime
- Criminal Resisted Arrest
- Unable to Determine/Not Enough Information
- N/A

Fill out only if Assault on Law Officer is Checked

- Disturbance Call
- Burglary in Progress
- Robbery in Progress
- Civil Disorder
- Trans Prisoner
- Investigation
- Attempt Other Arrest
- Ambush
- Mentally Deranged
- Traffic Stops
- Other
- Two Officer Vehicle
- One Officer Alone
- Detective Alone
- Detective Assist
- One Officer Assist
- Other Alone
- Other Assist

Narrative

On May 1st, 2021, at approximately 1854 hours, I, Officer Langston, was dispatched to the Brandon Amphitheater in reference to two white males violating the city ordinance.

On May 1st, 2021, at approximately 1854 hours, I, Officer Langston, was dispatched to the Brandon Amphitheater (8190 Rock Way Brandon, MS 39042) in reference to two white males violating the city ordinance.

Upon my arrival, Chief Thompson had already arrested Gabriel David Olivier (001029078) whom violated the city ordinance in his presence. I searched Olivier for weapons and checked his handcuffs to make sure they were double locked. Olivier was transported to the Brandon Police Department for booking.

Olivier was charged with violation of city ordinance (8-3-15) sec. 50-45. An affidavit was signed by Chief Thompson. Judge Adams gave Olivier a court date for Wednesday May 5th, 2021. Olivier was Released on Recognizance bond.

*****End of Report*****

Brandon Police Department

Relationship

Victim / Offender Relationship:

Victim's Name	Suspect's Name	Code	Relationship
<i>THE CITY OF BRANDON,</i>	<i>OLIVIER,GABRIEL D</i>	<i>RU</i>	<i>Relationship Unknown</i>

Victim / Offense Relationship:

Victim's Name	Offense	Description
<i>THE CITY OF BRANDON,</i>	<i>VCO</i>	<i>VIOLATION OF CITY ORDINANCE</i>

Suspect / Offense Relationship:

Suspect's Name	Offense	Description
<i>OLIVIER,GABRIEL D</i>	<i>VCO</i>	<i>VIOLATION OF CITY ORDINANCE</i>

Administration Information

Report Number:

Report Date: / / Time:

Address: Apt:

Report Officer 1 - THOMPSON, WILLIAM Assign Date: / /

Report Officer 2 - Assign Date: / /

Investigator 1 - Assign Date: / /

Investigator 2 - Assign Date: / /

Assigned By: Review Date: / /

UCR Status: CLEARED BY ARREST Status Date: / /

Case Status: CLOSED Status Date: / /

Primary Offense

Offense Type: Attempted Completed

Address:

City: State: Zip: -

District/Zone: Location Type:

Begin Date: / / Time:

End Date: / / Time:

Lighting: Weather: Gang Activity:

Bias Motive: Premises Enter: Force Used Home Inv

Point Entry: Point Exit: Means Entry:

Tools Used: Entry Dir: Exit Dir:

- B-Buying Receiving
- C-Cultivation/Manufacturing/Publishing
- D-Distributing/Selling
- E-Exploiting Children
- O-Operating/Promoting/Assisting
- P-Possessing/Concealing
- T-Transporting/Transmitting/Importing
- U-Using/Consuming
- I-Pos With Intent To Sell
- X-Other

Consumed Alcohol Photo/Video Used Computer Equipment Used Drugs Prints Lifted

Weapons:

Comments:

Report approved by William Thompson on 05/03/2021

J.A.65

22-60566.366

Narrative

On May 1st, 2021, at approximately 1854 hours, I, Officer Langston, was dispatched to the Brandon Amphitheater in reference to two white males violating the city ordinance.

On the evening of May 1, 2021, a live concert event was held at the Brandon Amphitheater featuring Lee Brice and Parmalee. The Event was scheduled to begin at 8:00 p.m. The venue was opened to event attendees at 6:00 .pm. On May 1, 2021 at approximately 6:00 PM, I was advised by police radio that protesters had arrived at the Brandon Amphitheater located at 8190 Rock Way Brandon Mississippi. Lieutenant Beau Edgington and I met with Sergeant Brad Turner at the corner of Boyce Thompson and Rock Way. Sergeant Turner advised that he saw protesters arrive and that the group had parked in the parking lot across from the from the Amphitheater at the Quarry Park baseball fields.

Lieutenant Edgington and I drove across to the Quarry Park baseball fields in a golf cart to meet with the protesters and ensure they were aware of the city of Brandon ordinance Sec. 50-45 entitled "Designating a protest area and related provisions regarding public protests/demonstrations during events at the Brandon Amphitheater."

As we approached the group of would-be protesters, they all stopped what they were doing and waited for us to stop. I advised them that we needed to talk and allowed them time to activate their personal body cameras. I asked them if they were aware of the ordinance which says there was now a designated protest area.

A Caucasian male, Mr. Gabriel Oliver, appeared to be the leader or spokesman for the group. He advised that he was aware of and had read the ordinance. I gave Mr. Oliver a copy of the ordinance in case he and his follow protesters wanted to review it prior to beginning protest activities. While meeting with Mr. Oliver and his group I observed an amplification device as well as a large format picture of an aborted fetus. Lieutenant Edgington and I then left the area and headed back across Boyce Thompson to the amphitheater.

At 6:20 PM Lieutenant Edgington and I were approached by the contract parking attendant supervisor. She advised that the protesters were not happy with where the protest area was located. We then watched from a vantage point as the protesters proceeded from the west on the sidewalk along the south side of Boyce Thompson where the protestors could see their designated protesting area. They paused briefly and had a discussion that I could not hear then turned around and proceeded on the sidewalk to the intersection of Boyce Thompson and western entrance of Rock Way. Sergeant Turner who was busy directing traffic into and out of Rock Way and stopping traffic for the many concert goers who were crossing Boyce Thompson, radioed to us that he needed help with the protesters who were attempting to engage him in conversation. We were able to see from our vantage point that the protesters were in fact interfering with the duties of Sergeant Turner.

Lieutenant Edgington and I again approached the protesters who had crossed Boyce Thompson and were protesting in the northwest corner of Boyce Thompson and Rock Way.

As we approached the group, I observed a protester holding a large poster which had the picture of an aborted fetus on it. This protester also had a tube-shaped personal voice amplification device on a strap over his shoulder and a head set with a boom microphone which allowed him the ability to use both hands. The group was obstructing the sidewalk. Most who would have used the sidewalk avoided the protest group by cutting across the Lot A parking lot onto the sidewalk leading the box office north of the group.

I, William Thompson, again engaged Mr. Gabriel Oliver. He advised that the designated protest area did not allow them the opportunity to hand out literature, talk with patrons walking to the concert, and many would not hear what the protestors were saying. I did observe that I was being recorded from at least two body cameras. Mr. Oliver was advised they would have to move to the designated protest area, or they would have to leave. Mr. Oliver advised they were not protesters but that they were Christians. As indicated earlier, I observed protest material such as large posters of aborted fetuses, voice amplification devices, protest subject matter brochures, and the body cameras or other video recording devices commonly used by protesters.

Mr. Oliver advised that he believed the city of Brandon was violating their right to protest. Mr. Oliver, also, asked if where they were set up was a public sidewalk. I said that it was, but he still needed to go to the designated area or leave. I attempted to reason with Mr. Oliver, but my attempts were unsuccessful. He was advised that I did not make law and that I only enforce it. He was told again he needed to move the group to the protest area or leave. Mr. Oliver said, "is that under threat of arrest." This is a statement commonly used by protesters to bait law enforcement into a verbal confrontation. I replied in the affirmative that yes, they would be arrested if they did not move to the protest area or leave. The protester later identified as a Caucasian male, Mr. Bryan Peden, continued to yell into this boom mic and hold his aborted fetus poster. The other protesters did likewise.

It was at that time I realized that reasoning with Oliver was probably an attempt to bait myself or other officers into a confrontation which they could record and exploit. Mr. Oliver and Mr. Peden were taken into custody at that time. Upon seeing this the other protesters quickly packed up and proceeded across the street.

Officer Paige Ramage and Jarrot Langston arrived at the amphitheater to transport the suspects

Narrative

to the Brandon Police Department for booking. The officers were given instructions, that after the suspects were booked, to release the suspects under their own recognizance.

Affidavits for Sec. 50-45 of Brandon City Ordinance "Designating a protest area and related provisions regarding public protests/demonstrations during events at the Brandon Amphitheater" were signed and sworn at Brandon Court Services.

There are two case numbers for this incident. Case number 210647 is for Bryan Peeden and 210648 is for Gabriel Oliver

EXPLANATORY STATEMENT OF PUBLIC MEASURE OR
AMENDMENT THERETO OF THE CITY OF BRANDON, MISSISSIPPI
PURSUANT TO MISS. CODE ANN. SECTION 21-17-19
(1972 AS AMENDED)

1. Name of Public Measure or Amendment thereto:

ORDINANCE AMENDING CHAPTER 50, ARTICLE II OF THE CODE OF
ORDINANCES OF THE CITY OF BRANDON, MISSISSIPPI, TO INCLUDE
SECTION 50-45 DESIGNATING A PROTEST AREA AND RELATED PROVISIONS
REGARDING PUBLIC PROTESTS/DEMONSTRATIONS DURING EVENTS AT
THE BRANDON AMPHITHEATER

2. Date of Adoption: December 2, 2019.

3. Explanatory Statement summarizing the full text of the Public Measure or Amendment
thereto including the chief purpose thereto:

The purpose of this Ordinance is designate a protest/demonstration area relating events at
the Brandon Amphitheater and to include related provisions and penalties for violations
thereof.

4. A copy of the full text of the Ordinance, during the entire time of publication of this
Explanatory Statement, shall be posted by the City Clerk for the City of Brandon at: (1)
the Brandon City Hall, (2) the Brandon Public Library, and (3) the Brandon Police
Station.

5. The City Clerk will furnish any resident of the City of Brandon, a copy of the full text of
this Public Measure or Amendment thereto upon request.

THIS, the 2nd day of December 2019.



Angela Bean

Angela Bean, City Clerk

I certify this to be a true and
correct copy as recorded in M.B. 289
Angela Bean

City Clerk

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ORDINANCE AMENDING CHAPTER 50, ARTICLE II OF THE CODE OF ORDINANCES
OF THE CITY OF BRANDON, MISSISSIPPI, TO INCLUDE SECTION 50-45
DESIGNATING A PROTEST AREA AND RELATED PROVISIONS REGARDING PUBLIC
PROTESTS/DEMONSTRATIONS DURING EVENTS AT THE BRANDON
AMPHITHEATER

WHEREAS, the City of Brandon ("City") owns and operates the Brandon Amphitheater ("Venue") which is located within Quarry Park, a public park within the corporate limits of the City; and

WHEREAS, the Venue is an open air outdoor amphitheater which is primarily used for live ticketed concert events ("Event" or "Events" as the context requires); and

WHEREAS, the capacity of the Venue depending the seating/standing room configuration for an Event can exceed 8,500; and

WHEREAS, the City began hosting Events at the Venue in 2018; and

WHEREAS, from and after the opening of the Venue, the City has engaged in a continuous review process and has made necessary adjustments to better provide for the efficient and safe flow of vehicular traffic and the safety of pedestrians and event attendees;

WHEREAS, as part of this review and adjustment process, the City finds and determines that on the day of an Event, approximately three (3) hours before the Venue is opened to the public and one (1) hour after an Event is concluded, vehicular and pedestrian traffic at, near and within the Restricted Area as shown on Exhibit "A" attached hereto and along Boyce Thompson Drive is significant and requires the active participation of traffic control officers and other venue personnel to insure, as reasonably practical, the safety of event attendees and the general public; and

WHEREAS, on days of an Event and during the times referenced herein-above, the governing authorities of the City of Brandon have observed public protests and demonstrations that have occurred within the Restricted Area which have caused and created an unreasonable distraction to event attendees and to the general public traveling along Boyce Thompson Drive; and

WHEREAS, the governing authorities of the City of Brandon find that in order to protect the health, safety and welfare of the public at, near and within the Restricted Area during the times referenced herein-above, the following restrictions, prohibitions and provisions are reasonably required and necessary with respect to public protests and demonstrations; and now therefore.

BE IT ORDAINED that Chapter 50, Article II of the Code of Ordinances of the City of Brandon is amended to include Section 50-45 Designating A Protest Area and Related

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Provisions Regarding Public Protests/Demonstrations During Events at the Brandon Amphitheater, to read in full as follows, to-wit:

Sec. 50-45 Designating a Protest Area and Related Provisions Regarding Public Protests/Demonstrations During Events at the Brandon Amphitheater.

1. Three (3) hours prior to the opening of the Brandon Amphitheater to event attendees for a live ticket concert event ("Event") and one (1) hour after the conclusion of the Event, individuals and/or groups engaging in public protests and/or demonstrations, regardless of the content and/or expression thereof, are prohibited within the Restricted Area shown in Exhibit "A" attached hereto, except in the designated Protest Area as shown on Exhibit "A" attached hereto.

2. The Protest Area is available to individuals and/or groups during the time specified in Section 1 above, without the necessity of pre-notice or permit, subject to the following terms and conditions:

- (a) All individuals and/or groups shall be and remain wholly within the Protest Area while actively engaged in public protests and/or demonstrations. Vehicles are prohibited in the Protest Area;
- (b) The use of lasers, blinking or blinding lights, electric drums, or other amplified percussion or musical instruments, or equipment except as provided herein-below, is prohibited;
- (c) The use of a megaphone and/or loudspeaker which is clearly audible more than 100 feet from where the Protest Area is located is prohibited;
- (d) Libel, slander, obscenities, and/or speech that incites imminent violence or law breaking is prohibited;
- (e) The use of ladders, step stools, tables, chairs, buckets and/or any other object or thing that is customarily used to heighten an individual from the ground is prohibited;
- (f) Temporary signs are permitted; however, wooden, or metal signs or sign stakes made from hard material that may be used as a weapon are prohibited. All signs must be hand-held and shall not be affixed to anything in the Protest Area or otherwise affixed to the Protest Area. The top of any sign may not be elevated more than 4 feet beyond the height of its holder.
- (g) Anything brought onto the Protest Area shall be removed within 75 minutes of the conclusion of an Event.
- (h) Each group shall have a representative who shall be present at all times while the group is, in whole or in part, within the Protest Area. The representative shall, when reasonably requested by the Chief of Police and/or his designee, provide photo identification.

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Individuals who are engaged in a demonstration and/or protest shall maintain on their possession while in the Protest Area photo identification and provide the same to the Chief of Police and/or his designee as and when reasonably requested. Requests for identification by the Chief of Police and/or his designee shall only be made in the event of a credible complaint and/or an observed violation of the provisions herein or other applicable federal or state law or municipal ordinance.

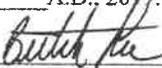
3. In the event of a violation of the provisions herein, in addition to the general fines and penalties provided in Section 1-12 of the Code of Ordinances of the City of Brandon, the offending individual will be removed from the Protest Area and is not be permitted to return to the Protest Area during the Event on the day of the violation and if the same individual violates the provisions herein again during an Event in the same calendar year, the individual shall be removed from the Protest Area and is not be permitted to return to the Protest Area during any Event for the remainder of that calendar year.

This Ordinance shall go into effect thirty (30) days after the adoption hereof.

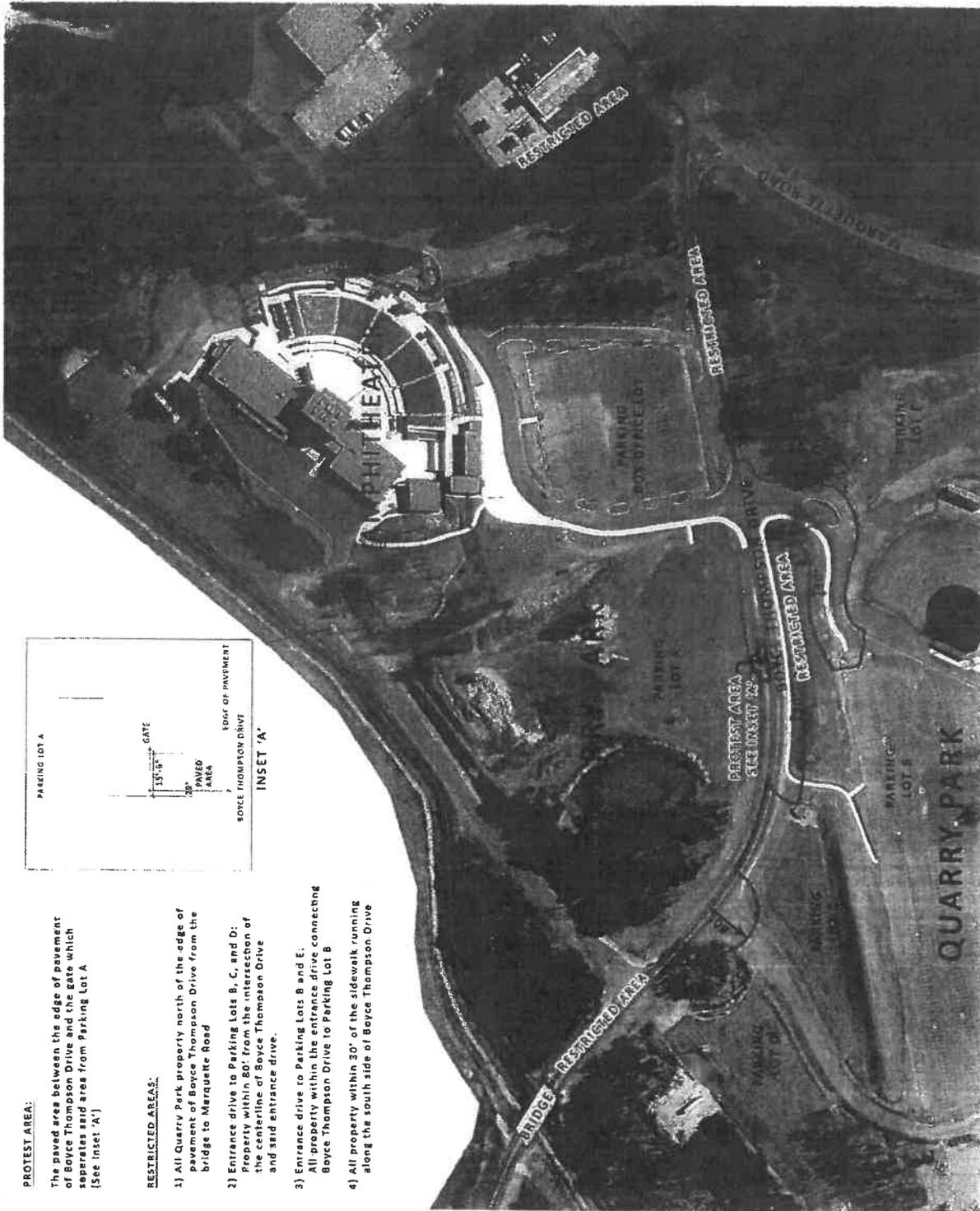
This Ordinance having been reduced to writing and no request for the same to be read by the Clerk having been made, the same was introduced by Alderman CORLEY, seconded by Alderman VINSON and was adopted by the following vote, to wit:

James Morris, Alderman At Large	<u>AYE</u>
Monica Corley, Alderman Ward 1	<u>AYE</u>
Cris Vinson, Alderman Ward 2	<u>AYE</u>
Harry Williams, Alderman Ward 3	<u>AYE</u>
Lu Coker, Alderman Ward 4	<u>AYE</u>
Dwight Middleton, Alderman Ward 5	<u>AYE</u>
Tahya Dobbs, Alderman Ward 6	<u>AYE</u>

The Mayor thereby declared the Motion carried and the Ordinance adopted and approved on this the 2ND day of DECEMBER A.D., 2019.


BUTCH LEE, MAYOR

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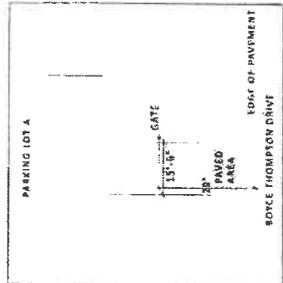


PROTEST AREA:

The paved area between the edge of pavement of Boyce Thompson Drive and the gate which separates said area from Parking Lot A (See Inset 'A')

RESTRICTED AREAS:

- 1) All Quarry Park property north of the edge of pavement of Boyce Thompson Drive from the bridge to Marquette Road
- 2) Entrance drive to Parking Lots B, C, and D; Property within 80' from the intersection of the centerline of Boyce Thompson Drive and said entrance drive.
- 3) Entrance drive to Parking Lots B and E; All property within the entrance drive connecting Boyce Thompson Drive to Parking Lot B
- 4) All property within 30' of the sidewalk running along the south side of Boyce Thompson Drive



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AFFIDAVIT

PROOF OF PUBLICATION

RANKIN COUNTY NEWS • P.O. BOX 107 • BRANDON, MS 39043

STATE OF MISSISSIPPI
COUNTY OF RANKIN

THIS 11TH DAY OF DECEMBER, 2019, personally came Marcus Bowers, publisher of the Rankin County News,

a weekly newspaper printed and published in the City of Brandon, in the County of Rankin and State aforesaid, before me the undersigned officer in and to said County and State, who being duly sworn, deposes and says that said newspaper has been published for more than 12 months prior to the first publication of the attached notice and is qualified under Chapter 13-3-31 Laws of Mississippi, 1936, and laws supplementary and amendatory thereto, and that a certain

EXPLANATORY STATEMENT OF PUBLIC MEASURE OR AMENDMENT THEREOF OF THE CITY OF BRANDON, MISSISSIPPI PURSUANT TO MISS. CODE ANN. SECTION 21-37-15 (1971 AS AMENDED)

1. Name of Public Measure or Amendment thereon: ORDINANCE AMENDING CHAPTER 50, ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF BRANDON, MISSISSIPPI TO INCLUDE SECTION 50-43 DESIGNATING A FREEZING AREA AND RELATED PROVISIONS REGARDING PUBLIC PROTESTS/ DEMONSTRATIONS/ BURNING EVENTS AT THE BRANDON AMPHITHEATER.

2. Date of Adoption: December 2, 2019.

3. Explanatory Statement summarizing the full text of the Public Measure or Amendment thereon including the chief purpose thereof: The purpose of this Ordinance is designate a protest/ demonstration zone during events at the Brandon Amphitheater and to include related provisions and penalties for violations thereof.

4. A copy of the full text of the Ordinance, during the entire time of publication of this Explanatory Statement, shall be posted by the City Clerk for the City of Brandon at (1) the Brandon City Hall, (2) the Brandon Public Library, and (3) the Brandon Police Station.

5. The City Clerk will furnish and remove of the City of Brandon a copy of the full text of this Public Measure or Amendment thereon upon request.

THIS 11th Day of December 2019
Angela Bean, City Clerk
December 11, 2019
2147

EXPLANATORY STATEMENT

ORDINANCE AMENDING CHAPTER 50, ARTICLE II

PUBLIC PROTESTS/ DEMONSTRATIONS

A copy of which is hereto attached, was published in said newspaper (1) week, as follows, to-wit:

Vol. 122 No. 22 on the 11th day of December, 2019

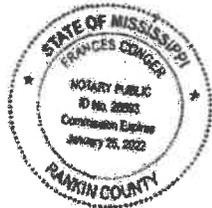
Marcus Bowers
MARCUS BOWERS, Publisher

Sworn to and subscribed before me by the aforesaid
Marcus Bowers this 11th day of December, 2019.

Frances Conger Notary Public
FRANCES CONGER
My Commission Expires January 25, 2022

PRINTERS: 11 02 cents per word for first insertion and 10 cents per word for each subsequent insertion

213 words at 12 each	\$25.56
Proof of Publication	3.00
TOTAL	\$28.56



M.B. 289
PAGE 279A

~~6/16/2021 2pm~~

Lisa Dutton

From: Kelly Law Office <klolawyer@gmail.com>
Sent: Tuesday, May 18, 2021 12:50 PM
To: Lisa Dutton
Subject: Gabriel Oliver

23 ✓
30

CAUTION: This email originated from outside of the company. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Lisa,
Please accept this email as Mr. James Kelly's entry of appearance on behalf of the above name defendant, Gabriel Oliver.
Mr. Oliver hereby enters a plea of not guilty on the charge of violating city ordinance. Please send discovery to this office, as well as provide a couple of trial dates so that we may agree on one.
Thank you for your assistance in this matter.
Morgan Harrell
Legal Assistant

Kelly Law Office, P.C.
202 East Government Street
Brandon, Mississippi 39042
Telephone: 601-825-6455
Facsimile: 601-825-6552
www.kellylawofficepc.com

This message is the property of Kelly Law Office, P.C., contains confidential communications, and is intended for the originally addressed recipient(s) only. If you are not the originally addressed recipient, then by law, you must delete this transmission immediately, without opening any attachment thereto. Thank you.

This email message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message

Order of Court Appearance

Name: GABRIEL DAVID OLIVIER
 Court Date: 05/19/2021
 Court Time: 9:00 AM
 Docket Number: BRPD CTY 210000000543
 Citation Number: 2100000152
 Amt Owed: \$ 274.50
 Date of this Notice: 05/04/2021 12:50 PM

Charge: VCO VIOLATION OF CITY ORDINANCE

Sign: G. Olivier Phone: _____ Date: 5-4-21

If you have any questions, contact the Brandon Municipal Court.

Judge: Whitney M. Adams Date: 5/4/2021
By: Melissa Geter

Municipal Court Clerk: _____ Date: _____

Deputy Court Clerk: Miss Geter Date: 5/4/2021

1455 West Government Street, Brandon, MS 39042 Phone:(601)825-7226 Fax:601-825-8595 www.brandonms.org

IN THE MUNICIPAL COURT OF THE CITY OF BRANDON, MISSISSIPPI
RELEASE ON RECOGNIZANCE BOND

City of Brandon



Case #: 21-0648

v.

Gabriel David Olivier
DEFENDANT

You have been arrest for the following Offense (s):

Violation of City Ordinance 8-3-15
Sec. 50-45

YOU ARE BEING RELEASED ON YOUR PROMISE TO COMPLY WITH THE FOLLOWING CONDITIONS:

1. You must appear before the Brandon Municipal Court of Brandon, MS at 1455 West Government Street on May 5, 2021, at 9AM.
2. You must also appear for any subsequent hearing ordered by the court.
3. Your Mailing Address: 14885 I-55
City: Terry State: MS Zip: 39170
4. You must as soon as reasonably possible, advise the Brandon Municipal Court in writing of any change in your mailing address either by hand delivery or by U.S. Mail to *Brandon Municipal Court Clerk at P.O. Box 790, Brandon, Mississippi 39043.*
5. If you were arrested for simple assault, domestic violence or trespassing, you shall have **NO CONTACT** with the alleged victim(s). It also means you must not call, text, email, or otherwise contact the alleged victim(s).
6. You must **STAY AWAY** from any place of business where you were arrested for shoplifting or any other crime.

Your failure to follow the conditions set forth above may result in your arrest and temporary detention. Within 48 hours of being detained for an alleged failure to comply with the conditions set forth, you shall be offered an opportunity to rebut the allegations or to demonstrate good cause for your non-compliance at the hearing before the Court. If no hearing is held within 48 hours of your detention, you shall be released with instructions to appear before the Court on a specified date. If the Court finds by a preponderance of the evidence that you willfully violated one or more of the conditions set forth above, without good cause, your release on recognizance bond may be revoked and you may be detained until your case reaches disposition. At any time, you may request a hearing to modify the above-listed conditions by contacting Court Services in writing at *P.O. Box 790, Brandon, Mississippi 39043* or in person at *1455 West Government Street Brandon, Mississippi 39042.*

ACKNOWLEDGEMENT OF BOND CONDITIONS

I, Gabriel Olivier, the Defendant, hereby acknowledge that the conditions set forth above have been explained to me and I agree to abide by them. I understand that any violation of the conditions set forth above may result in my bond being revoked and my detention until the next court date following my arrest.

[Signature]
Witness/Title

[Signature]
Defendant

5/1/21
Date

STATE OF MISSISSIPPI
COUNTY OF RANKIN
BRANDON MUNICIPAL COURT

CASE # 21-0648

DATE: 05-01-2021

NOTICE OF COURT APPEARANCE

I, THE UNDERSIGNED DEFENDANT, UNDERSTAND THAT I HAVE BEEN ARRESTED ON THE BELOW LISTED CHARGE(S); AND THAT I AM TO APPEAR BEFORE THE BRANDON MUNICIPAL COURT ON THE BELOW LISTED DATE AND TIME TO ANSWER UNTO THE STATE OF MISSISSIPPI ON SAID CHARGE(S) FOR WHICH, IF CONVICTED, I MAY BE SENTENCED TO A FINE AND/OR IMPRISONMENT ACCORDING TO LAW.

I, FURTHER UNDERSTAND THAT MY FAILURE TO APPEAR IN SAID COURT AS HEREIN PROVIDED WILL RESULT IN A BENCH WARRANT BEING ISSUED FOR MY ARREST ON A CHARGE OF CONTEMPT OF COURT IN ADDITION TO THE BELOW LISTED CHARGE(S).

CHARGE(S): Violation of City Ordinance 50-45

COURT APPEARANCE DATE: 5th DAY OF May 20 21
TIME: 9AM HOURS

DEFENDANT NAME: Gabriel David Olivier

ADDRESS: [REDACTED]
(City/State/Zip)

HOME PHONE #: _____ OTHER #: [REDACTED]

SEX: M RACE: W SSN: [REDACTED] DOB: [REDACTED]

RECEIPT OF A COPY OF MY RIGHTS AND RESPONSIBILITIES AS LISTED ON THE REVERSE SIDE IS HEREBY ACKNOWLEDGED.

[Signature]
DEFENDANTS SIGNATURE

[Signature]
OFFICERS SIGNATURE

FORM BMC 01

ORIGINAL - COURT
COPY - DEFENDANT

BRANDON MUNICIPAL COURT
1455 WEST GOVERNMENT ST.
BRANDON, MS 39042
(601) 825-7225

Incarcerated: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Brandon Police Department				Case Number: 210648			
NAME Last: Olivier First: Gabriel M. Int. D					S.S. NUMBER: [REDACTED]		DATE: 3/8/2021		TIME 19:00 Hrs.
ADDRESS: [REDACTED]				CITY: Terry		STATE: MS	ZIP CODE 39170	D.L. Number: [REDACTED]	D.L. State MS
Age 29	Race White	Sex Male	Eyes Brown	Hair Brown	Height 511	Weight 180	Complexion: white	A.K.A.	
Date of Birth: [REDACTED]		Place of Birth (City/State): Frederick, Maryland				Scars or Marks:			
Occupation: Public School District Clinton			Home Phone #		Work Phone #	Cell Phone # [REDACTED]		Complainant:	
Behavior: cooperative			Court: Brandon Municipal		Court Date: 5/5/2021		Hold For:		
Charge 1: Violation of City Ordinance [50-45-] Misdemeanor					8-3-15				
Charge 2: [- -] -----									
Charge 3: [- -] -----									
Charge 4: [- -] -----									
Charge 5: [- -] -----					Charge 7: [- -] -----				
Charge 6: [- -] -----					Charge 8: [- -] -----				
Total Misdemeanor Bond: \$ See Remarks					Total Felony Bond: \$ -----				
How Released: RCJ		Releasing Officer: J. Langston B-22		Date Released 5/1/2021		Time Released 19:30 Hrs.		Vehicle Stored:	
Spouse:				Address:					
Father:				Address:					
Mother:				Address:					
OTHER/REMARKS SEE JUDGE ON WEDNESDAY 5/5/2021									

Incarcerated: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Brandon Police Department				Case Number: 210648		
NAME Last: Olivier First: Gabriel M. Int. D					S.S. NUMBER: [REDACTED]		DATE: 3/8/2021	TIME 19:00 Hrs.
ADDRESS: [REDACTED]			CITY: Terry	STATE: MS	ZIP CODE 39170	D.L. Number: [REDACTED]	D.L. State MS	
Age 29	Race White	Sex Male	Eyes Brown	Hair Brown	Height 511	Weight 180	Complexion: white	A.K.A.
Date of Birth: [REDACTED]	Place of Birth (City/State): Frederick, Maryland				Scars or Marks:			
Occupation: Public School District Clinton		Home Phone #	Work Phone #	Cell Phone # [REDACTED]	Complainant:			
Behavior: cooperative		Court: Brandon Municipal	Court Date: 5/5/2021	Hold For:				
Charge 1: Violation of City Ordinance [50-45-] Misdemeanor <i>8-3-15</i>								
Charge 2: [- -]								
Charge 3: [- -]								
Charge 4: [- -]								
Charge 5: [- -]				Charge 7: [- -]				
Charge 6: [- -]				Charge 8: [- -]				
Total Misdemeanor Bond: \$ See Remarks				Total Felony Bond: \$				
How Released: RCJ	Releasing Officer: J. Langston B-22		Date Released 5/1/2021	Time Released 19:30 Hrs.	Vehicle Stored:			
Spouse:				Address:				
Father:				Address:				
Mother:				Address:				
OTHER/REMARKS SEE JUDGE ON WEDNESDAY 5/5/2021								

CHIEF OF POLICE
William A. Thompson

BRANDON MAYOR
Butch Lee

ADS*i*

Incident Report Cover Sheet

Case Number: 21-0648 Date: 5/1/2021 Inv / Date Assigned by CID: _____

Offense(s): Violation of the City Ordinance

Officer: Ofc. Jarrot Langston B-22 Victim/Business (or Compl/RP): City of Brandon

Suspect Name(s): Gabriel David Olivier

Use of Force Blood Draw Sex Assault Kit Evidence Dropped NCIC Entry

Youth Court Complaint Video Surveillance Available Photos/Videos Uploaded

Describe Scanned Documents Uploaded: ROR, finger prints, notice of court appearance, booking card, 27, Triple III

List any Officers with Supplemental Info: N/A

Notes, Investigative Leads Pending, Additional Info Needing Follow-up:

Solvability Factors -- / 100

- Eye Witness to Crime w/ Statement: 20 Knowledge of Suspect(s) Name Only: 10
- Suspect(s) Location Known: 5 Suspect(s)' Physical Description: 10
- Suspect(s) Positively Identified: 15 Evidence of a Significant MO: 5
- Positive Results from a Crime Scene / Evidence Search: 10
- Description Which Identifies a Suspect Vehicle Used in the Crime: 7
- Opportunity for Only One Person to have Committed the Crime: 3
- Property with Identifiable Characteristics, Marks, or Numbers That Can Be Traced: 10
- Crime may be Solved with Publicity and/or Reasonable Additional Investigative Effort: 5

Dispo Type: _____ Closed by Inv: _____ Closed Date: _____



Brandon Municipal Court
1455 West Government Street
Brandon, MS 39042
(601)825-7226 Fax: 601-825-8595
ABSTRACT OF COURT RECORD

Page: 1
Run Date: 06/25/2021

Name(L,F,M): OLIVIER, GABRIEL DAVID
Address.....: [REDACTED]
City/St/Zip....: TERRY, MS 39170

Citation Num....: 21-00000152
Docket Number: 21-0000000543
Date of Birth.....: [REDACTED]

Officer: JL6664
SSN: [REDACTED]
Gender: M Race: W

License.....: [REDACTED] Issuance St: MS CDL:
Status.....: TRIAL DOCKET

Date of Viol...: 05/02/2021 Viol Code:
Viol Desc.....: VCO - VIOLATION OF CITY ORDINANCE
Hearing Date: 06/23/2021
Disposition...: G - GUILTY Plea: NOLO

Fine: \$ 139.75 Cost: \$ 32.50 Other: \$ 131.75 Total: \$ 304.00

VERDICT...: G ON VIOLATION OF CITY ORDINANCE
ATTY KELLY REPRESENTED. STATE MOTION TO SUSPEND 10 DAYS OF JAIL TIME UPON NO FURTHER VIOLATION OF THIS
ORDINANCE, PLED NOLO FOR PURPOSES OF APPEAL.

Paid in Full: NO
License Surrendered to Court: NO

Brandon Municipal Court
1455 West Government Street
Brandon, MS 39042
(601)825-7226 Fax: 601-825-8595

Court ID: 6101

Court Clerk:
Tara Yates
County: Rankin
Judge: Whitney
Adams

Agency Code: 6101
Def Attorney:

Remarks of Court:

Bail Forfeited [] Appealed [] Fine Paid []

I certify that this is a true and correct copy of my court record as recorded

Case : _____ Page: _____

Docket Number: 21-0000000543

Signed: *Tara Yates*



Municipal Court Clerk

VS.
Gabriel David Olivier

CASE # 21-0648

ORDER

This cause came on to be heard on the charge(s) shown below. The Court finds that it has jurisdiction over the parties and the subject matter. On 6/23/2021, the Court conducted an inquiry into the Defendant's ability to pay and determined the Defendant is not indigent as he has a job, car, bank account, and testified he is not indigent. ~~The Defendant declined representation by the public defender. The Defendant requested a payment plan.~~

- On 6/23/2021 at arraignment/trial/hearing, the Defendant was:
- Represented by Jim Kelly, who was retained by the Defendant.
 - Represented by the Public Defender _____, who was appointed by this Court.
 - Represented himself, *pro se*.
 - Accompanied by _____, who is related to the Defendant.

And on said date the following occurred:

- The Defendant pled guilty after waiving his rights and the plea colloquy.
- The Defendant pled guilty with the assistance of counsel.
- The Defendant pled guilty and moved for non-adjudication by separate written petition.
- Defendant pled no contest for purposes of appeal with the assistance of counsel.
- A trial was held wherein the State and the Defendant introduced sworn testimony.
- The Defendant testified.
- The Defendant did not appear despite notice. After finding that the Defendant had previously waived his rights, a trial was held and the State introduced sworn testimony.

IT IS THEREFORE, ORDERED AND ADJUDGED that the following disposition is made regarding the charges against the Defendant as follows:

1.	<u>Violation of City Ordinance (Ordinance 50-45)</u>	\$ <u>274.50</u>
2.	<u>ABF-</u>	\$ <u>20.00</u>
3.	<u>VBF-</u>	\$ <u>10.00</u>
4.	<u>Guilty</u>	\$ _____
5.	_____	\$ _____
6.	_____	\$ _____
RESTITUTION to _____		\$ _____
TOTAL		\$ <u>304.50</u>

The Defendant is hereby sentenced to immediately pay the fine plus assessments indicated above. The Defendant shall pay \$ 304.50 today and \$ _____ per month until paid in full, beginning _____. The Defendant may participate in a Court approved Voluntary Work Program and receive \$60.00 credit toward outstanding fines for each day of Court approved voluntary community service.

BRANDON POLICE DEPARTMENT

1455 West Government Street, Brandon, MS 39042

AFFIDAVIT

CASE NUMBER- 210648

STATE OF MISSISSIPPI
COUNTY OF RANKIN
CITY OF BRANDON

Personally appeared before me, the undersigned authority, in and for the CITY OF BRANDON, Chief William Thompson who being duly sworn, deposes and says that in the said CITY OF BRANDON on the 1st day of May, 2021, one Gabriel Oliver

Did willfully and unlawfully violate City Ordinance 50-45 within the corporate limits of the City of Brandon, Mississippi by engaging in a public protest/demonstration during the restricted time period within the restricted area near the Brandon Amphitheater, in violation of the peace, dignity and laws of the STATE OF MISSISSIPPI, and/or the ordinances of said city within the corporate limits of BRANDON, MISSISSIPPI.

Violation City Ordinance
§ Ordinance 50-45

AFFIANT: [Signature]

Sworn and subscribed before me this 31st day of MAY, 20 21

DEPUTY COURT CLERK: [Signature]

I certify this document to be a true and correct copy as it appears in our records at the Brandon Police Department

[Signature]
City of Brandon, Municipal Judge

[Signature]

IN THE MUNICIPAL COURT OF THE CITY OF BRANDON, MISSISSIPPI
RELEASE ON RECOGNIZANCE BOND

City of Brandon

v.

Gabriel David Olivier
DEFENDANT



Case #: 21-0648

You have been arrest for the following Offense (s):

Violation of City Ordinance P-3-15
Sec. 50-45

YOU ARE BEING RELEASED ON YOUR PROMISE TO COMPLY WITH THE FOLLOWING CONDITIONS:

1. You must appear before the Brandon Municipal Court of Brandon, MS at 1455 West Government Street on May 5, 2021, at 9AM.
2. You must also appear for any subsequent hearing ordered by the court.
3. Your Mailing Address: [REDACTED]
City: Terry State: MS Zip: 39170
4. You must as soon as reasonably possible, advise the Brandon Municipal Court in writing of any change in your mailing address either by hand delivery or by U.S. Mail to *Brandon Municipal Court Clerk at P.O. Box 790, Brandon, Mississippi 39043.*
5. If you were arrested for simple assault, domestic violence or trespassing, you shall have **NO CONTACT** with the alleged victim(s). It also means you must not call, text, email, or otherwise contact the alleged victim(s).
6. You must **STAY AWAY** from any place of business where you were arrested for shoplifting or any other crime.

Your failure to follow the conditions set forth above may result in your arrest and temporary detention. Within 48 hours of being detained for an alleged failure to comply with the conditions set forth, you shall be offered an opportunity to rebut the allegations or to demonstrate good cause for your non-compliance at the hearing before the Court. If no hearing is held within 48 hours of your detention, you shall be released with instructions to appear before the Court on a specified date. If the Court finds by a preponderance of the evidence that you willfully violated one or more of the conditions set forth above, without good cause, your release on recognizance bond may be revoked and you may be detained until your case reaches disposition. At any time, you may request a hearing to modify the above-listed conditions by contacting Court Services in writing at *P.O. Box 790, Brandon, Mississippi 39043* or in person at *1455 West Government Street Brandon, Mississippi 39042.*

ACKNOWLEDGEMENT OF BOND CONDITIONS

I, Gabriel Olivier, the Defendant, hereby acknowledge that the conditions set forth above have been explained to me and I agree to abide by them. I understand that any violation of the conditions set forth above may result in my bond being revoked and my detention until the next court date following my arrest.

[Signature]
Witness/Title

[Signature]
Defendant

5/1/21
Date

STATE OF MISSISSIPPI
COUNTY OF RANKIN
BRANDON MUNICIPAL COURT

CASE # 21-0048

DATE: 05-01-2021

NOTICE OF COURT APPEARANCE

I, THE UNDERSIGNED DEFENDANT, UNDERSTAND THAT I HAVE BEEN ARRESTED ON THE BELOW LISTED CHARGE(S); AND THAT I AM TO APPEAR BEFORE THE BRANDON MUNICIPAL COURT ON THE BELOW LISTED DATE AND TIME TO ANSWER UNTO THE STATE OF MISSISSIPPI ON SAID CHARGE(S) FOR WHICH, IF CONVICTED, I MAY BE SENTENCED TO A FINE AND/OR IMPRISONMENT ACCORDING TO LAW.

I, FURTHER UNDERSTAND THAT MY FAILURE TO APPEAR IN SAID COURT AS HEREIN PROVIDED WILL RESULT IN A BENCH WARRANT BEING ISSUED FOR MY ARREST ON A CHARGE OF CONTEMPT OF COURT IN ADDITION TO THE BELOW LISTED CHARGE(S).

CHARGE(S): Violation of City Ordinance 50-45

COURT APPEARANCE DATE: 5TH DAY OF May 20 21
TIME: 9AM HOURS

DEFENDANT NAME: Gabriel David Olivier

ADDRESS: [REDACTED] Terry, Ms 39170
(City/State/Zip)

HOME PHONE #: _____ OTHER #: [REDACTED]

SEX: M RACE: W SSN: [REDACTED] DOB: [REDACTED]

RECEIPT OF A COPY OF MY RIGHTS AND RESPONSIBILITIES AS LISTED ON THE REVERSE SIDE IS HEREBY ACKNOWLEDGED.

[Signature]
DEFENDANTS SIGNATURE

[Signature]
OFFICERS SIGNATURE

I certify this document to be a true and correct copy as it appears in our records at the
Brandon Police Department

FORM BMC 01

ORIGINAL - COURT
COPY - DEFENDANT

[Signature]

BRANDON MUNICIPAL COURT
1455 WEST GOVERNMENT ST.
BRANDON, MS 39042
(601) 825-7225

Order of Court Appearance

Name: GABRIEL DAVID OLIVIER
 Court Date: 05/19/2021
 Court Time: 9:00 AM
 Docket Number: BRPD CTY 210000000543
 Citation Number: 2100000152
 Amt Owed: \$ 274.50
 Date of this Notice: 05/04/2021 12:50 PM
 Charge: VCO VIOLATION OF CITY ORDINANCE

Sign: G. Olivier Phone: _____ Date: 5-4-21

If you have any questions, contact the Brandon Municipal Court.

Judge: Whitney M. Adams Date: 5/4/2021
By: Melissa Geter

Municipal Court Clerk: _____ Date: _____

Deputy Court Clerk: Miss Geter Date: 5/4/2021

1455 West Government Street, Brandon, MS 39042 Phone:(601)825-7226 Fax:601-825-8595 www.brandonms.org



Mayor
Butch Lee

Chief of Police
William A. Thompson

May 18, 2021

Kelly Law Office, P.C.
202 East Government Street
Brandon, Ms. 39042

RE: City of Brandon v. Gabriel Olivier

Dear Mr. Kelly:

This is to confirm the trial date of Wednesday, June 23, 2021 at 2:00PM for the above Defendant on the charge(s) of:

Violation of City Ordinance

Please find enclosed a copy of the discovery material as it relates to this case:

- Officer(s) Narrative(s);
- Citation(s) and/or Affidavit(s);
- MS Crime Lab Submission and results, if available; and
- Evidence sheet, if available.

This information is being forwarded to your office via e-mail/regular mail.

Also, please be advised that any name listed in the report could possibly be called as a witness.

If there is a video of this charge and if you wish to obtain a copy of the same, there is a fee of \$25.00 that must be paid prior to preparing the video to be produced or you may call the Clerk's office to set up an appointment to view any video if the same exists.

If this is not your understanding, please contact me at 601-825-7226.

ON TRIAL CASES, IT IS PREFERRED THAT PLEA AGREEMENTS ARE FINALIZED WITH THE CITY PROSECUTOR NO LATER THAN 5:00 P.M. THE FRIDAY PRIOR TO THE TRIAL DATE.

Also, please be aware that the Court expects payment of any and all fines on the day of Court, if found guilty.

Thank you.

Lisa A. Dutton DIC
Lisa Dutton

Brandon Municipal Court

Deputy Clerk

Lisa Dutton

From: Lisa Dutton
Sent: Tuesday, May 18, 2021 2:24 PM
To: Kelly Law Office
Subject: Olivier Discovery
Attachments: SPolice Dep21051813330.pdf

As per your request, attached is the Discovery on Mr. Olivier. This case has been set for Wednesday, June 23, 2021 at 2:00pm for Trial.

If this is not your understanding, please notify me ASAP.

Kindest Regards,

Lisa Dutton



Lisa Dutton | Deputy Court Clerk
Brandon Police Department City of Brandon, MS

BRANDON
MISSISSIPPI

1455 West Government Street
BRANDON, MS 39043 P:601-825-7226 • brandonms.org

From: pdadmincopier@brandonms.org <pdadmincopier@brandonms.org>
Sent: Tuesday, May 18, 2021 2:34 PM
To: Lisa Dutton <ldutton@brandonms.org>
Subject: Message from Police Department Admin

0024704830

STATE OF MISSISSIPPI FINGERPRINT CARD



1. R. THUMB



2. R. INDEX



3. R. MIDDLE



4. R. RING



5. R. LITTLE



6. L. THUMB



7. L. INDEX



8. L. MIDDLE



9. L. RING



10. L. LITTLE



LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY



L. THUMB



R. THUMB



RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY

MISSISSIPPI CRIMINAL HISTORY SYSTEM

		115. RECEIVED AT STATE BUREAU		
116. BOOKED BY (ORI, AGENCY NAME) MS0610100 Brandon Police Dept		117. OFFICIAL TAKING FINGERPRINTS (NAME AND NUMBER) P. Ramage B33		
118. PLACE OF BIRTH (STATE OR COUNTRY) Jackson MS		119. COUNTRY OF CITIZENSHIP		
120. EMPLOYER AND OCCUPATION Clinton Public School District				
121. PHOTO TAKEN? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N		122. PALMPRINTS TAKEN? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N		123. DNA SAMPLE TAKEN? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
124. STATE STATUTE 8-3-15	125. CHARGE DESCRIPTION Violation of City Ordinance	126. SEVERITY M	127. COUNTS 1	128. DATE OF OFFENSE (MM DD YYYY) 05-01-20
129. STATE STATUTE	130. CHARGE DESCRIPTION	131. SEVERITY	132. COUNTS	133. DATE OF OFFENSE (MM DD YYYY)
134. STATE STATUTE	135. CHARGE DESCRIPTION	136. SEVERITY	137. COUNTS	138. DATE OF OFFENSE (MM DD YYYY)
139. STATE STATUTE	140. CHARGE DESCRIPTION	141. SEVERITY	142. COUNTS	143. DATE OF OFFENSE (MM DD YYYY)
144. ADDITIONAL INFORMATION / BASIS FOR CAUTION				

AMERICAN MUNICIPAL COURT
COURT FEE RECEIPT

DEBITED DAVID GILBERT

AMOUNT \$ 304.00

DATE: 10/25 / 11:50 AM

CREDIT: 2100000152

ACCOUNT # 2100000152

ISSUE BY: 09/02/2021

NOTE: 000

TRANSACTION PAYMENT

BY TYPE: CA

Paid Amount: \$ 304.00

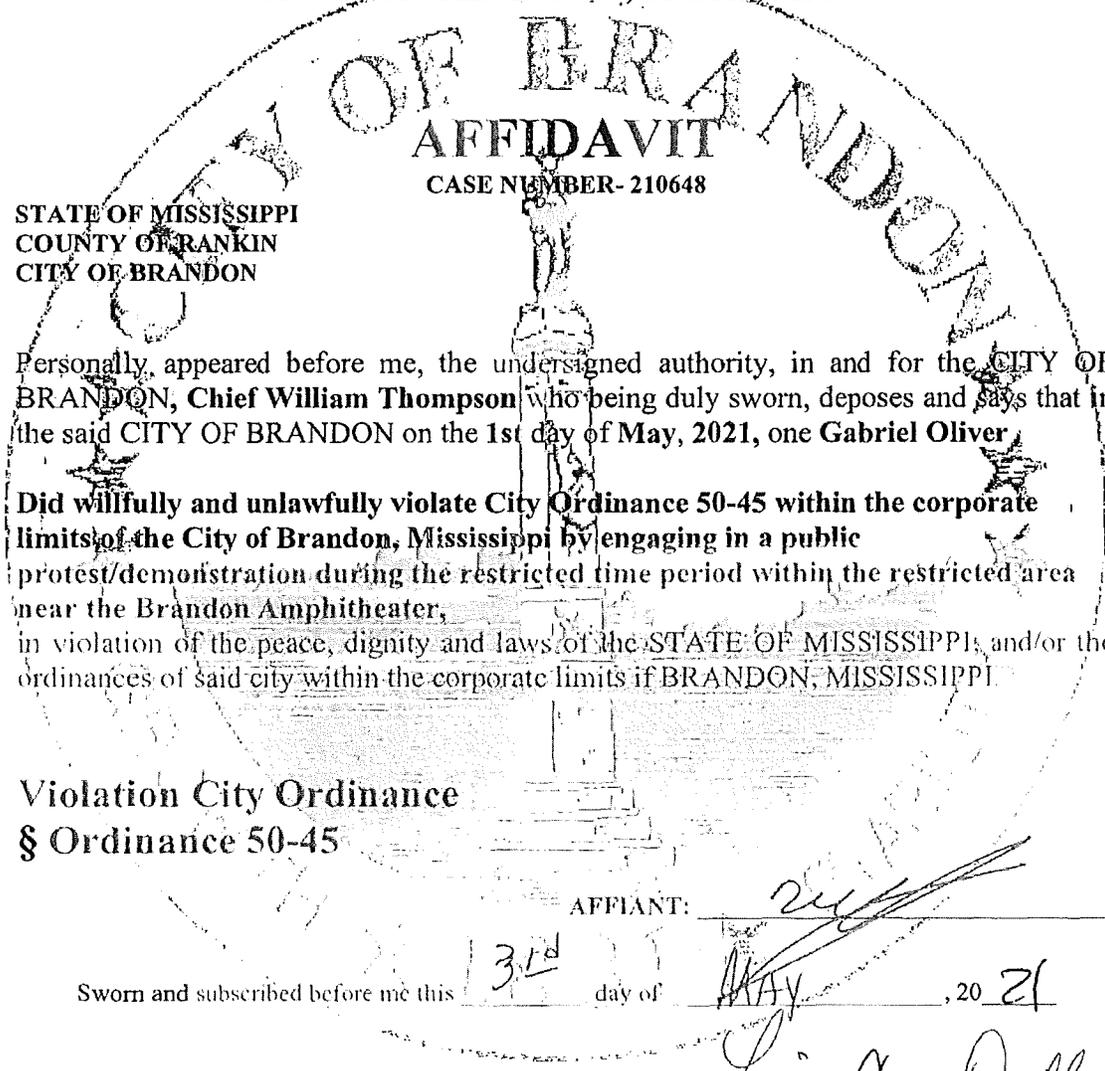
TOT. PAID AMT \$ 304.00

TOT. PAID AMT \$ 304.00

Balance Due \$ 0.00

BRANDON POLICE DEPARTMENT

1455 West Government Street, Brandon, MS 39042



AFFIDAVIT

CASE NUMBER- 210648

STATE OF MISSISSIPPI
COUNTY OF RANKIN
CITY OF BRANDON

Personally, appeared before me, the undersigned authority, in and for the CITY OF BRANDON, Chief William Thompson who being duly sworn, deposes and says that in the said CITY OF BRANDON on the 1st day of May, 2021, one Gabriel Oliver

Did willfully and unlawfully violate City Ordinance 50-45 within the corporate limits of the City of Brandon, Mississippi by engaging in a public protest/demonstration during the restricted time period within the restricted area near the Brandon Amphitheater, in violation of the peace, dignity and laws of the STATE OF MISSISSIPPI, and/or the ordinances of said city within the corporate limits of BRANDON, MISSISSIPPI.

Violation City Ordinance
§ Ordinance 50-45

AFFIANT: _____

Sworn and subscribed before me this 3rd day of MAY, 20 21

DEPUTY COURT CLERK: _____

I certify this document to be a true and correct copy as it appears in our records at the Brandon Police Department

Brandon Police Department

City of Brandon, Municipal Judge

[Handwritten signature]

CITY OF BRANDON

vs.
Gabriel David Olivier

CASE # 21-0648

ORDER

This cause came on to be heard on the charge(s) shown below. The Court finds that it has jurisdiction over the parties and the subject matter. On 6/23/2021, the Court conducted an inquiry into the Defendant's ability to pay and determined the Defendant is not indigent as he has a job, car, bank account, and testified he is not indigent. ~~The Defendant declined representation by the public defender. The Defendant requested a payment plan.~~

- On 6/23/2021, at arraignment/trial/hearing, the Defendant was:
- Represented by Jim Kelly, who was retained by the Defendant.
 - ~~Represented by the Public Defender~~, who was appointed by this Court.
 - ~~Represented himself, pro se.~~
 - ~~Accompanied by~~, who is related to the Defendant.

And on said date the following occurred:

- ~~The Defendant pled guilty after waiving his rights and the plea colloquy.~~
- ~~The Defendant pled guilty with the assistance of counsel.~~
- ~~The Defendant pled guilty and moved for non-adjudication by separate written petition.~~
- Defendant pled no contest for purposes of appeal with the assistance of counsel.
- ~~A trial was held wherein the State and the Defendant introduced sworn testimony.~~
- ~~The Defendant testified.~~
- ~~The Defendant did not appear despite notice. After finding that the Defendant had previously waived his rights, a trial was held and the State introduced sworn testimony.~~

IT IS THEREFORE, ORDERED AND ADJUDGED that the following disposition is made regarding the charges against the Defendant as follows:

1.	<u>Violation of City Ordinance (Ordinance 50 #15)</u>	\$ <u>274.50</u>
2.	<u>ABF-</u>	\$ <u>20.00</u>
3.	<u>VBF-</u>	\$ <u>10.00</u>
4.	<u>Guilty</u>	\$ _____
5.	_____	\$ _____
6.	_____	\$ _____

RESTITUTION to _____ \$ _____

TOTAL \$ 304.50

The Defendant is hereby sentenced to immediately pay the fine plus assessments indicated above. The Defendant shall pay \$ 304.50 today and \$ _____ per month until paid in full, beginning _____. The Defendant ~~may participate in a Court approved Voluntary Work Program and receive \$50.00 credit toward outstanding fines for each day of Court approved voluntary community service.~~

Considering the Prosecutor's recommendation, argument by Defendant and/or Counsel for Defendant, and any testimony, if any, the Court hereby finds substantial and compelling reasons why the Defendant cannot be safely and effectively supervised in the community. The Court finds that the Defendant is not amenable to community-based treatment, that an appropriate community based treatment is not available, and that the Defendant poses a significant risk to public safety and therefore sentences the Defendant to the following:

- Charge: City Ordinance Violation 50-45
- Jail: ~~___~~ hours/days/months to serve with 10 hours/days/months suspended.
 - MASEP, Victims Impact Panel, Domestic Violence Class; Something for Nothing Class; First Time Drug Offender Class. Said class shall be completed on or before 2.
 - Submit to random drug and alcohol tests with no positive results. 2
 - 12 month(s) Court supervised probation and ~~___~~ month(s) unsupervised probation. 2
 - No contact with 2
 - Jail time shall remain suspended conditioned on one-year of no

- Charge: violators of City ordinance 50-45
- Jail: ___ hours/days/months to serve with ___ hours/days/months suspended.
 - Domestic Violence Class; Something for Nothing Class; First Time Drug Offender Class. Said class shall be completed on or before _____.
 - Submit to random drug and alcohol tests with no positive results.
 - ___ month(s) Court supervised probation and ___ month(s) unsupervised probation.
 - No contact with _____.
 - _____.

Any suspended sentences shall be conditioned upon full compliance with all provisions of this order and good conduct.

IT IS FURTHER ORDERED AND ADJUDGED that the Defendant shall appear in Court on the third Wednesday of each month at 2:00 p.m. for a review hearing until all fines and costs are paid in full and until all conditions of the original sentence are complied with, beginning on July 28, 2021 at 2 PM

This Order shall be stayed for thirty (30) days.

Whitney M. Adams
MUNICIPAL COURT JUDGE
6/23/2021
DATE

J. Olin
DEFENDANT

Defendant appeared via FaceTime from Rankin County Jail

[Signature]
DEFENDANT'S ATTORNEY

[Signature]
CITY PROSECUTOR

