

IN THE CHANCERY COURT OF FORREST COUNTY, STATE OF MISSISSIPPI

**JACOB STEVENS &
CHRISTOPHER PUCKETT**

PLAINTIFFS

VS.

18CH1:25-cv-00525-S

**CITY OF HATTIESBURG, MISSISSIPPI;
TOBY BARKER, the mayor of Hattiesburg;
HARDY SIMS, the chief of Hattiesburg Police Department;
DOE OFFICERS 1-25;
ROBERT WAYNE WILKINSON;
ALEXANDER WILKINSON; &
INTELLISAFE, LLC**

DEFENDANTS

**FIRST AMENDED PETITION AND REQUEST FOR INJUNCTIVE AND
DECLARATORY RELIEF
[TEMPORARY RELIEF REQUESTED]**

The Plaintiffs hereby file this action for injunctive and declaratory relief against the city of Hattiesburg and state as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over this matter because the events at issue occurred and are occurring mostly in the city of Hattiesburg in Forrest County.
2. This Court has full jurisdiction to hear claims for “all matters in equity” under the Mississippi Constitution § 159(a) and may hear declaratory actions under Rule 57 of the Miss. Rules of Civil Procedure.
3. Venue is proper because City of Hattiesburg’s City Hall, Police Department and other departmental headquarters are in Forrest County.

PARTIES

4. Plaintiff Jacob Stevens is an adult resident of Forrest County.
5. Plaintiff Christopher Pucket is a resident of Forrest County.

6. Defendant City of Hattiesburg is a municipal corporation established under the laws of the state of Mississippi.

7. Defendant Toby Barker is the mayor of Hattiesburg, Mississippi and may be served with process at his place of employment at 200 Forrest Street, Hattiesburg, MS 30401.

8. Defendant Hardy Sims is the chief of Hattiesburg Police Department and may be served with process at his place of employment at 300 Klondyke Street, Hattiesburg, MS 39401.

9. Defendant Doe Officers 1-25 are police officers who are wrongfully “issuing” fake traffic tickets to people like the Plaintiffs. The identities of these Defendants are not specifically known at this time. Plaintiffs will substitute the Doe Officers with their names as they are discovered.

10. Defendant Intellisafe, LLC is a for-profit company that has been hired by the city of Hattiesburg to implement an unlawful scheme where fake traffic tickets are sent to the addresses of people who own cars that travel in Hattiesburg. It may be served through its registered agent Robert Wayne Wilkinson at 734 Delmas avenue, Pascagoula, MS 39567.

11. Upon information and belief, Robert Wayne Wilkinson is the creator and operator of Intellisafe, and he has apparently convinced the City of Hattiesburg, including and especially its Mayor, to enter into the unlawful scheme described herein.

12. Upon suspicion and belief, Alexander Wilkinson is an employee/director and part owner and operator of Intellisafe, and he may be served at his place of business or wherever he may be found and can be found most likely holding kangaroo court without lawful authority in the lobby of the Hattiesburg Public Safety Complex on any given Monday.

STATEMENT OF FACTS

13. The Plaintiffs received the attached notice letters in the mail. Exhibit “1” – Unlawful Notice Letters. The Notice letters are addressed from the Hattiesburg Police Department, but they are sent from Intellisafe, not the City. The Notice letters purport to be traffic tickets along with other notices and warnings (threats).

- a. Plaintiff Puckett’s purported court date on the threatening notice was February 24, 2025, and he attended the phony court date. In the lobby of the Public Safety Complex, an employee from Intellisafe instructed Puckett that if he wanted a real court date that he had to provide his name, address, and citation number by writing it on a piece of paper. Plaintiff Puckett, familiar with the law, did not write his information down. Many months later, Puckett received a notice dated July 29, 2025 that a court date had been set for September 3, 2025, nearly 9 months after the date of the alleged violation. Puckett appeared with undersigned counsel on September 2, 2025, and the citation was summarily dismissed because there was no evidence of who was driving the vehicle. Therefore, there was no probable cause to ever issue the ticket under state law.
- b. Plaintiff Stevens’ purported court date on the threatening notice was October 6, 2025, but it was not actually a court date to answer the charge as required by law. It was a date to appear in the lobby of the Public Safety Complex in Hattiesburg before the Robert Wilkinson’s son, Alexander Wilkinson. At the kangaroo court, Alexander Wilkinson said that he was “not going to be able to answer any of these questions” and that “[he] just work[s] in the Court as an associate and helps for ‘this’”. He did say that he was accepting pleas on behalf of the City, and that a judge would be provided at the next step in the process, amongst other confusing

statements. He also said if someone ignores the deceitful and illegally issued, served and constructed “tickets” that it would be entered onto their driving record as a regular citation.

14. The purported notice letters do not provide legal notice of anything and are contrary to due process requirements under Mississippi Law. The purported notice letters are actually more similar to demand letters sent by a private collections company to trick people through threats and intimidation into paying a civil damages award that has no basis in law.

15. The scheme and procedures being used by the City and Intellisafe are an aberration standing in direct contradiction to the Miss. Rules of Criminal Procedure and the statutes that govern traffic violations in the state of Mississippi. The alleged “ticket” cannot be handled by an attorney at this time, as the procedures in place deprive the allegedly accused of their right to counsel under Mississippi law. To be clear, Puckett and Stevens have both hired undersigned counsel to deal with these fake citations and the procedures in place deny their counsel involvement in the case until after the phony “court” date. There is no way for the undersigned attorney to enter or to have entered an appearance in any actual court to represent these allegedly accused parties prior to the phony court dates because the tickets have not been filed in any Court prior to those dates. Even then, it is wholly unclear how the phony citations are then handled, seemingly taking months to be filed with the Municipal Clerk. Therefore, no jurisdiction over the Plaintiffs exists for the purported charges that Plaintiffs and others are unlawfully summoned to answer for at the initial date on the fake tickets that commands people to appear. Incredibly, Intellisafe, using the City’s Police Department and with the endorsement and assistance of the Mayor and Chief of Police, is actively perpetuating a fraud on hundreds of people to trick them into paying for fines that do not exist and have no basis in law or fact.

16. This scheme creates a situation where the Plaintiffs and hundreds of other people are threatened with criminal prosecution in exchange for agreeing to pay to settle an invalid civil claim to the City and Intellisafe. The Defendants are using the threat of a criminal action that has not been initiated to extort money from people. And even worse, they lie about the fact that criminal action has not been initiated, instead insisting that a citation has been issued.

17. The notice letters contain an image of what looks to be a normal traffic ticket. However, it is not. The “ticket” is not signed by the officer. The “ticket” is not given to the person accused by the officer. The “ticket” does not summon the person to a court date to answer for the charge in front of a Judge or other court official. Further, although there is no way for a person accused to know this, the “ticket” is also not filed with the Municipal Court Clerk.

18. The notice letters containing the “tickets” allege that the vehicle that is registered to the person the ticket is directed to was filmed going over the speed limit in a school zone at various places in Hattiesburg, here in both cases on Hardy Street near 22nd Avenue. The picture of the “ticket” that is depicted within the notice, however, attests that the individual in whose name the car is registered is guilty of a crime, particularly guilty of the crime of speeding. The place on the “ticket” for the officer to sign states “officer signature on file” and lists a badge number. Further, there has been no ticket filed with the clerk as required under the law at the time that these notice letters are sent out, therefore there is no criminal citation at all.

19. The City’s and Intellisafe’s scheme contradicts how a traffic ticket must be issued in Mississippi.

20. Miss. Code § 63-9 is the “Traffic Violations Procedure” for the state of Mississippi. Under Miss. Code § 63-9-11(a), violations under Miss. Code § 63-3, 5, and 7, including speeding, are misdemeanor criminal offenses. 63-9-11(1). The procedures require that the accused be given

the opportunity for a state-sanctioned diversionary program to avoid having the violation placed on their record, subject to the person meeting the requirements. 63-9-11(3). The requirements to fulfill the state's sanctioned diversion program are CLEARLY defined in 63-9-11(3)(a). Even people convicted after challenging the law are allowed access to the state-sanctioned diversion program if they otherwise qualify (63-9-11(3)(b)(ii)) and out of state residents can take a similar course of action in their own state to qualify. 63-9-11(3)(c). These procedures are exhaustively explained in the Code Sections attached as Exhibit "2". The provisions to enter the state-sanctioned diversion program are not available to the holder of a Commercial Driver's License. (63-9-11(4).

21. The City's and Intellisafe's scheme violates every aspect of Miss. Code § 63-9-11 – "Criminal liability; first time violators", because

- a. It purports to create a civil penalty for an allegedly criminal offense.
- b. It allows all alleged violators the ability to enter a "diversion" program and pay a civil penalty (that is not sanctioned by state law or city ordinance).
- c. It fails to issue a citation to the purported violators, because the "tickets"
 - i. do not summon a person to appear before a court (63-9-21(3)(b),
 - ii. are not sworn to by the officer issuing the ticket constitution a complaint charging the criminal offense nor does the name of the officer appear on the "tickets" (63-9-21(3)(c),
 - iii. are not given to the accused by the issuing officer, and
 - iv. are not filed with the clerk of the court.
- d. The notice letters that Intellisafe sends under the guise of the Hattiesburg Police Department lies to people, telling them on the one hand that they are 1) being

summoned to a court (lie) and 2) that they have been issued a traffic citation (also a lie.)

These lies, amongst others, have resulted in people paying penalties that they cannot as a matter of law be liable for based on frivolous demands by the City and Intellisafe. This scheme also frustrates the legal process as attorneys are unable to defend clients in these processes, for example by having allegations that cannot be proven dismissed, because the clerks of the court have no say in the handling of the “tickets” until after the phony court dates like the one on February 24, 2025 and October 6, 2025 are held.

22. This malicious scheme is meant to intimidate and harass people into paying, and it directly contradicts the state of Mississippi’s laws.

23. City of Hattiesburg, in participating in this scheme, is failing to issue traffic “tickets”, because what they are issuing does not meet the statutory definition of a traffic ticket, and the city is doing so in clear and knowing contradiction of clearly defined state law. Further, the City has been recently put on notice that it is not allowed to enact laws or schemes that create altered penalties for allegedly criminal offenses, nor can they modify the procedural requirements and protections that the state has mandated related to such offenses. *See Pantry v. City of Hattiesburg*, No. 2:23-CV-96-KS-MTP, 2025 WL 1088082 (S.D. Miss. Apr. 10, 2025) at 7-9. In that case, the City had passed an ordinance that purported to make a misdemeanor offense for possession of paraphernalia a civil infraction and create a penalty that was different from the state paraphernalia statute. Remarkably, here there is not even an ordinance authorizing any such scheme for the illegal diversion program for speeding tickets nor for creating unauthorized civil penalties for allegedly criminal infractions. But the unauthorized scheme shares one common theme with the paraphernalia ordinance: it contradicts procedural requirements for issuing,

prosecuting, noticing, and authorizing criminal charges in the state of Mississippi. Therefore, the City and other defendants may not take refuge in the “home rule” in defending this scheme, because it directly contradicts the law.

24. The Plaintiffs anticipate that the City will argue that because the Miss. Code does not expressly ban them from instituting civil penalties and a fraud scheme to collect revenue from fake traffic tickets that they are free to do so. That is contrary to well established law. The state Legislature has defined traffic violation enforcement and the powers that Municipalities have to act under it. Where those powers are not set forth, they do not exist. In fact, Miss. Code § 63-9-21(7), it is a misdemeanor for officials to not follow the procedures set forth in § 63-9-21 – “Uniform traffic ticket law”.

25. There is no discretion in implementing procedures for the issuance of traffic citations in the state of Mississippi, with few narrow exceptions where discretion is expressly authorized in other parts of the Miss. Code. For example municipalities and other governmental units are allowed to set school zone speed limits under

The boards of supervisors of counties and the governing authorities of municipalities are hereby authorized to adopt by order or resolution and to enforce within their respective territorial boundaries the maximum legal rate of speed at which a motor vehicle may be run or operated along any public street, road, highway (except state-maintained highways), or portion thereof in the vicinity of schools and churches, upon levees and causeways and in other special zones which the board or governing authorities may designate. The rate of speed so established shall be determined upon the basis of an engineering and traffic study. The order or resolution setting such speed limits may provide that such limits are only effective during specified times of the day, days of the week and months of the year.

None of the discretionary powers that are bestowed upon municipalities through express language by the legislature apply here. In fact, it is a misdemeanor criminal offense to fail to abide by the traffic ticket procedures that are mandated in Miss. Code § 63-9-21.

26. Miss. Code § 63-9-21 states, in full, as follows:

- (1) This section shall be known as the Uniform Traffic Ticket Law.
- (2) All traffic tickets, except traffic tickets filed electronically as provided under subsection (8) of this section, shall be printed in the original and at least two (2) copies and such other copies as may be prescribed by the Commissioner of Public Safety. All traffic tickets shall be uniform as prescribed by the Commissioner of Public Safety and the Attorney General, except as otherwise provided in subsection (3)(b) and except that the Commissioner of Public Safety and the Attorney General may alter the form and content of traffic tickets to meet the varying requirements of the different law enforcement agencies. The Commissioner of Public Safety and the Attorney General shall prescribe a separate traffic ticket, consistent with the provisions of subsection (3)(b) of this section, to be used exclusively for violations of the Mississippi Implied Consent Law.
- (3)
- (a) Every traffic ticket issued by any sheriff, deputy sheriff, constable, county patrol officer, municipal police officer or State Highway Patrol officer for any violation of traffic or motor vehicle laws shall be issued on the uniform traffic ticket or uniform implied consent violation ticket consisting of an original and at least two (2) copies and such other copies as may be prescribed by the Commissioner of Public Safety.
- (b) The traffic ticket, citation or affidavit issued to a person arrested for a violation of the Mississippi Implied Consent Law shall contain a place for the trial judge hearing the case or accepting the guilty plea, as the case may be, to sign, stating that the person arrested either employed an attorney or waived his right to an attorney after having been properly advised of his right to have an attorney. If the person arrested employed an attorney, the name, address and telephone number of the attorney shall be entered or written on the ticket, citation or affidavit.
- (c) Every traffic ticket shall show, among other necessary information, the name of the issuing officer, the name of the court in which the cause is to be heard, and the date and time the person is to appear to answer the charge. The ticket shall include information that will constitute a complaint charging the offense for which the ticket was issued, and when duly sworn to and filed with a court of competent jurisdiction, prosecution may proceed thereunder.
- (d) The traffic ticket shall contain a space to include the current address and current telephone number of the person being charged. It shall not contain a space to include the social security number of the person being charged.
- (4) All traffic tickets, except traffic tickets filed electronically under subsection (8) of this section, shall be bound in book form, shall be consecutively numbered and each traffic ticket shall be accounted for to the officer issuing such book. The traffic ticket books shall be issued to sheriffs, deputy sheriffs, constables and county patrol officers by the chancery clerk of their respective counties, to each municipal police officer by the clerk of the municipal court, and to each State Highway Patrol officer by the Commissioner of Public Safety.

- (5) The chancery clerk, clerk of the municipal court and the Commissioner of Public Safety shall keep a record of all traffic ticket books issued and to whom issued, accounting for all books printed and issued. All traffic tickets submitted electronically shall be filed automatically with the Commissioner of Public Safety and either the clerk of the municipal court or clerk of the justice court using the system of electronic submission for the purpose of maintaining a record of account as prescribed by this subsection (5).
- (6) The original traffic ticket, unless the traffic ticket is filed electronically as provided under subsection (8) of this section, shall be delivered by the officer issuing the traffic ticket to the clerk of the court to which it is returnable to be retained in that court's records and the number noted on the docket. However, if a ticket is issued and the person is incarcerated based upon the conduct for which the ticket was issued, the ticket shall be filed with the clerk of the court to which it is returnable no later than 5:00 p.m. on the next business day, excluding weekends and holidays, after the date and time of the person's incarceration; however, failure to timely file the traffic ticket shall not be grounds for dismissal of the traffic ticket and shall not prevent the person's release from incarceration. The officer issuing the traffic ticket shall also give the accused a copy of the traffic ticket. The clerk of the court shall file a copy with the Commissioner of Public Safety within forty-five (45) days after judgment is rendered showing such information about the judgment as may be required by the commissioner or, in cases in which no judgment has been rendered, within one hundred twenty (120) days after issuance of the ticket. Other copies that are prescribed by the commissioner pursuant to this section shall be filed or retained as may be designated by the commissioner. All copies shall be retained for at least two (2) years.
- (7) Failure to comply with the provisions of this section shall constitute a misdemeanor and, upon conviction, shall be punishable by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00).
- (8)
- (a) Law enforcement officers and agencies may file traffic tickets, including tickets issued for a violation of the Mississippi Implied Consent Law and general misdemeanor affidavits, by computer or electronic means if the ticket or affidavit conforms in all substantive respects, including layout and content, as provided under subsections (2) or (3)(b) of this section. The provisions of subsection (4) of this section requiring tickets bound in book form do not apply to a ticket that is produced by computer or electronic means. Information concerning tickets produced by computer or electronic means shall be available for public inspection in substantially the same manner as provided for the uniform tickets described in subsection (2) of this section.
- (b) The defendant shall be provided with a paper copy of the ticket. A law enforcement officer who files a ticket or misdemeanor affidavit electronically shall be considered to have certified, signed and sworn to the ticket or misdemeanor affidavit and has the same rights, responsibilities and liabilities as with all other tickets or affidavits issued pursuant to this section.

27. The City's and Intellisafe's illegal scheme fails to comply with the Uniform Traffic Ticket Law in the following ways:

- a. Subsection 2 limits the discretion to alter tickets and their form and content to the Attorney General and the Commissioner of Public Safety. Here, the mayor, chief of police, police officers, and a private company have altered the required form and content of traffic tickets, notices, and procedures.
- b. Subsection 3(a) requires that every traffic ticket be issued on the uniform traffic ticket form by a law enforcement officer. Here, the ticket is not issued at all. Instead, a depiction of a traffic ticket is imposed on a demand letter from a private company posing as the police department.
- c. Subsection 3(b) requires that every traffic ticket show, *inter alia*, "the name of the issuing officer, the name of the court in which the cause is to be heard, and the date and time the person is to appear to answer the charge." The section also requires that the ticket "be a criminal complaint against the accused and that prosecution may only begin after being filed in a Court of competent jurisdiction." Here, the demand letters sent by Intellisafe do not contain an affidavit making out a criminal complaint by a law enforcement officer, the name of the officer, the name of any court where the cause will be heard, nor a time and date to answer the charge. They also are not filed with the clerk of any court of competent jurisdiction.
- d. Subsections 4 and 5 deal with traffic books and the requirement of filing and keeping records with the court of competent jurisdiction for the particular law enforcement agencies. While it is not known at this time who exactly the officers are or whether they have ticket books or are merely making electronic filings, what

is clear is that the Defendants are not keeping a full accounting of tickets issued from books and that, if they are filing electronic tickets, they are not being filed “automatically” with the Hattiesburg Municipal Court.

- e. Subsection 6 requires that “[t]he original traffic ticket”, if not filed electronically, “shall be delivered by the officer issuing the traffic ticket to the clerk of the court to which it is returnable to be retained in that court's records and the number noted on the docket.” This section also requires that “the officer issuing the traffic ticket shall give a copy of the ticket to the accused.” It also mandates that all tickets issued, whether judgments rendered or not, be reported to the Commissioner of Public Safety within 120 days. Here, the tickets are not filed with the Clerk at all, instead they are withheld and transferred to the possession and control of a third-party for-profit company for the purpose of running the illegal scheme described herein. They are not given to the person accused. Given that cases seem to drag on for over six months, there is no report being sent about them to the Commissioner of Public Safety within 120 days of their issuance either.
- f. Subsection 7 makes failing to follow the other procedures in the chapter a crime.
- g. Subsection 8 makes clear tickets that electronically filed tickets must conform in all respects to those filed manually. Electronically filed tickets are automatically filed with the clerk. Further, the accused “shall be provided with a paper copy of the ticket.” A law enforcement officer who files a ticket or misdemeanor affidavit electronically shall further be considered to have certified, signed and sworn to the ticket or misdemeanor affidavit and has the same rights, responsibilities and liabilities as with all other tickets or affidavits issued pursuant to this section.

Whatever potential electronic filing scheme the Defendants have devised, it does not conform to the requirements of this section.

28. The illegal ticket fraud scheme, and all those persons directing and perpetuating its operation, systemically and deliberately fail to comply with the provisions of Miss. Code § 63-9-21, violating §§ (7). The scheme is an abject and clear violation of Mississippi law.

29. Mayor Toby Barker is ultimately responsible for the implementation of this scheme in Hattiesburg and has been a major proponent of the scheme and the money that it is bringing in. Mayor Barker is the driving force behind the scheme being implemented despite no ordinance passing to authorize it and despite the fact that it contradicts clearly established law.

30. Chief Hardy Sims is directly responsible for the scheme and its implementation as the chief policy maker and director of operations for the Hattiesburg Police Department.

31. Each of the officers who participate in the illegal issuing of these fake “tickets” (Doe Officers 1-25) are in violation of clearly established law and are liable for such in accordance with the Miss. Code as described and cited herein.

32. City of Hattiesburg is participating in this scheme with a third-party for-profit company called Intellisafe, LLC, and particularly with the creator of this scheme, Intellisafe’s founder Robert Wayne Wilkinson and his son, Alexander Wilkinson.

33. Robert Wayne Wilkinson has sold and otherwise promoted this illegal scheme to the City, and he has profited financially from doing so.

34. The requirements for traffic ticket issuance that are not being met by the City’s and Intellisafe’s scheme are expressly mandated by Mississippi Code, therefore the “tickets” that people like the Plaintiffs receive in the mail are not tickets at all. They are an abuse of the legal system to derive money from fines that do not exist and cannot be enforced.

35. Both the City and Intellisafe have through various agents and filings claimed that the “tickets” that they are issuing are civil infractions. Civil fines and penalties are not authorized under Mississippi law and are, in fact, forbidden penalties for the traffic violations found in Miss. Code § 63-9-3, 5, & 7.

36. The City and Intellisafe, by and through the individual Defendants, have coerced, extorted, and/or induced and tricked many people through fraud into paying invalid fines and/or fees, stating that the tickets convert into criminal infractions if people do not pay them the requested money. This is a direct contradiction of clearly established Mississippi law.

37. Traffic infractions in the state of Mississippi are criminal offenses, with few exceptions. Those exceptions are expressly defined in the Mississippi Code. There is no civil infraction for speeding in the state of Mississippi the same way there is no civil infraction for assault, possession of cocaine, or murder in Mississippi. Municipalities cannot just mandate civil penalties where the legislature has unequivocally stated that criminal penalties and consequences are in force. They similarly cannot alter the requirements of the Mississippi Constitution and Mississippi Code defining due process or the expressly enumerated procedures for issuing traffic tickets. However, that is exactly what the Defendants have done here.

38. Here’s generally what happens when a person shows up to the court on the return date on the “ticket” that is sent with a threatening notice from Intellisafe: dozens of people wait in the lobby of the Public Safety Complex for an employee from Intellisafe. The employee from Intellisafe, who arrived nearly 20 minutes late on Monday, October 6, 2025 when Plaintiff Stevens was allegedly “summoned” to appear, tells the people gathered there that they can either pay or arranged to pay the civil fines (unlawfully applied fines) for the “tickets” or sign a list (a blank piece of paper) with their name, address and citation number on there. They may be informed that

the “tickets” they received have not been filed with the clerk if they ask. This is an admission by Intellisafe that they are, in collusion with the City and other Defendants, failing to meet the requirements of the Traffic Violations Procedures Chapter of the Miss. Code. The employee might say that the people who put their name on the list will be contacted in the future by the clerk and that the “tickets” would go to the next stage in the process (a process unrecognizable and plainly illegal under Mississippi law). The citation number people are told to write down is not the citation number on the fake ticket depicted on the notice/demand letters, rather a generic number apparently generated by Intellisafe that begins with HAT. Those who do nothing at the kangaroo court are told that the citations, regardless of their illegality, will be entered into the system and onto the person’s record “just like” a “normal” ticket. This is another acknowledgment that these are not actually citations, because traffic citations must follow the procedural laws clearly mandated by the legislature.

39. Remarkably, Hattiesburg city ordinances contain no provisions for the issuance or enforcement of civil penalties in lieu of actual traffic tickets. If the Hattiesburg ordinances did contain such provisions, they would be illegal. Again, traffic infractions are crimes, not civil infractions, as defined under state law. There is no discretion for the City, and certainly not Intellisafe, to otherwise define traffic citations.

40. Instead of the “tickets” summoning someone to “answer the charge”, people are “summoned” by a private company to appear and pay the fine or be “moved on to the next stage.” To be clear, an employee from a private company acting in the scope and course of the employment for the private company cannot make a person answer for any charge in this state. Only a judge of a court of appropriate jurisdiction can do that. This is simply not a function a private company can undertake in Mississippi, but that is exactly what happens under this illegal scheme.

41. This illegal ticket fraud scheme is not intended to reduce speeding in school zones. Instead, it is intended merely to raise money for the City and to make profits for Intellisafe.

42. People from other states who own cars that travel in Hattiesburg are receiving these tickets across state lines without ever having stepped foot in Mississippi.

43. Intellisafe has argued in federal court that, “No prosecution of the citations is undertaken by Intellisafe as this process can only be initiated by the City Prosecutor if and when an individual elects to challenge the citation in court.” This is an admission that the notice/demand letters that have the fake “tickets” on them are not actual citations and have no weight as a matter of law even though that is exactly the opposite of what the notice/demand letters claim.

44. Intellisafe and the City have argued in federal court that no probable cause is required to issue a traffic ticket in the state of Mississippi. This is absurd because probable cause is required for any citation or arrest for a criminal offense in the entire country.

45. Intellisafe has argued in federal court that they are allowed to lie to people promote and enforce this illegal scheme, which is promulgated through intimidation and harassment.

46. Incredibly, Miss. Code § 63-9-21(7) states that “Failure to comply with the provisions of this section shall constitute a misdemeanor and, upon conviction, shall be punishable by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00).” The scheme by the named defendants flaunts this law and the named defendants, Intellisafe employees, and the members of the police department and the municipal court departments at the City of Hattiesburg regularly fail to comply with the provisions of that statute as mandated despite the threat of criminal sanctions.

47. This Court is bound to recognize that this scheme is unlawful and contrary to Mississippi law and seek any and all penalties available under the law against person’s who have

violated that provision of the statute, without exception. Those persons include Robert Wilkinson, Toby Barker, Hardy Sims, Alexander Wilkinson, police officers, and unknown Hattiesburg City employees.

CAUSES OF ACTION

48. Fraud: the City of Hattiesburg and Intellisafe, at the direction of and/or with full knowledge and endorsement of Toby Barker, Hardy Sims, and Robert and Alexander Wilkinson are sending out fraudulent notice letters to people whose vehicles are allegedly filmed speeding in school zones.

- a. Through these notice letters, the City and Intellisafe make various false representations that are intended to and do induce people to believe that they are being accused of a crime and that they can avoid paying for that crime if they enter into a diversion program.
- b. The false representations in the notice letters include:
 - i. The addressor is listed as the Hattiesburg Police Department, but the letters are sent by Intellisafe.
 - ii. “Participation in the Diversion Program, including the reduced \$230 payment results in a dismissal of any further action. Failure to deal with this citation may result in this being forwarded to a collections company, which could result in additional penalties.” This statement is false and/or completely misleading in various ways.
 1. There is no valid action to be dismissed.
 2. There is no citation to deal with as no citation has been validly issued.

3. There is no penalty or valid fine or fee to be sent to a collections company.

4. Failure to deal with the notice letters actually will not result in any negative consequences.

iii. “Three options to address this citation:

1. Complete a diversion program by paying a reduced fee of \$230 and watching a short video online at www.CourtPayOnline.com. By completing the diversion program and paying the reduced fee, this ticket will not go on your driving record.” This is a complete misrepresentation of the truth, because no valid ticket actually exists. While many people who have gotten these notice letters have apparently paid, they are under no legal obligation to do so even though the letters threaten otherwise. The “tickets” will not go on anyone’s driving record because they do not exist.

“2. Contest this citation by visiting www.CourtPayOnline.com or calling (855) 910-1558 to schedule your date to appear in Court.” This is legally absurd. It is instructing people to call or contact a private company to challenge an alleged criminal citation. Further, the fake ticket that is on the notice letter states that “You are hereby notified to appear before the Court (JUSTICE/MUNICIPAL) to answer the charge on” a date and time certain. While the date that is listed on the fake ticket is not actually a Court date, this company via the city of Hattiesburg has no authority to take pleas or to set court dates. The procedure required to issue and have traffic citations heard is clearly and wholly established by the Mississippi Code.

These fraudulent procedures that do the opposite of providing notice and a court date are not present nor are they authorized in that code. Of note, the legal phrase “to answer the charge”

“3. Pay the citation in full. By doing so, this ticket will go on your driving record. You may instead choose the diversion program mentioned above.” Again, there is no citation to pay. There has been no citation issued. There is nothing to go onto anyone’s driving record. There is no choice in Mississippi Law to complete this unsanctioned and fraudulent diversion program.

These false representations are being made by the defendants, in their names and/or on behalf of their offices, and/or at their approval and directions with the intent to mislead people who receive the fake traffic “tickets” for the purpose of collecting money to which they are not entitled. This deceptive practice is being done with full knowledge of the Defendants, and insodoing, the Defendants, including Mayor Barker, Chief Sims, Robert Wilkinson, and Alexander Wilkinson are committing a misdemeanor under Miss. Code § 63-9-21(7) by adopting and perpetuating the known false statements in the notice letters that violate the law and by promulgating, implementing, and authorizing the systemic and consistent violation of Miss. Code § 63-9-21, writ large, under this unlawful scheme. No reasonable person would ignore these illegal threats and false representations purportedly sent from a public body. As a result of these systemic lies and threats that are themselves violations of the law, Plaintiffs have suffered damages, including being forced to hire an attorney to defend themselves against this illegal ticket scheme.

40. Declaratory Judgment and Injunctive Relief

Plaintiffs request the following declaratory and equitable relief:

A. A declaration from this Court that the scheme that has been devised and implemented by the City and Intellisafe is utterly contrary to state law and cannot continue.

B. A declaration from this Court that the notice/demand letters from Intellisafe do not constitute traffic tickets under Mississippi Law.

C. A declaration from this Court that the notice/demand letters from Intellisafe do not constitute valid citations or any other type of legal charge against the accused.

D. A declaration from this Court that employees from Intellisafe are not authorized to conduct or oversee a lawful court in the state of Mississippi.

E. A declaration from this Court that instructs that a person may only be summoned to appear to answer for a criminal charge before a court with competent jurisdiction.

F. A declaration from this Court that law enforcement officers are required to personally identify the person accused of a traffic crime before issuing that person a ticket in the state of Mississippi.

G. A declaration that law enforcement officers in the state of Mississippi are not authorized to issue tickets to registered vehicle owners who they have not personally identified as having committed a traffic violation.

H. A declaration that law enforcement officers are required to personally give the accused a traffic ticket after issuing it except for in very limited circumstances, none of which apply here.

I. A declaration that it is unlawful for Intellisafe and/or City of Hattiesburg to report anyone to collections companies, credit bureaus, and/or any third party for failure to

pay the illegal fines and fees that are being levied and/or collected from the illegal scheme described herein.

J. A declaration of the rights of the Plaintiffs with regards to the notice/demand letters and the erroneous tickets that they were sent.

K. A declaration as to the legal rights of the Defendants responsible for implementing and overseeing the unlawful scheme described herein.

L. A declaration of the legal duties of each of the parties regarding the unlawful scheme described herein.

M. A declaration of the responsibilities and liabilities of the parties in regards to the unlawful action described herein.

N. An injunction barring Intellisafe and City of Hattiesburg (by and through their principle agents Robert Wayne Wilkinson and Alexander Wilkinson and Toby Barker and Hardy Sims, respectively) from continuing to issue unlawful tickets to people through notice/demand letters that do not conform to the requirements of the laws of the state of Mississippi.

O. An injunction barring Intellisafe from colluding with the City of Hattiesburg in perpetuating the scheme described herein in any form going forward.

P. An injunction barring Intellisafe from holding a kangaroo court in the lobby of the Public Safety Complex or anywhere else within the jurisdiction of this Court.

Q. IN THE ALTERNATIVE, and only in the event that the Court finds that the City's egregious scheme may continue in some legal form, an injunction requiring that Intellisafe include on the notice letters that are being unlawfully sent to people accused of speeding that states in red, boldface, times new roman, 20-point font placed .5 inches from

the top and bottom of the notice/demand letters that they are sending out (or something similar to) the following:

**THIS IS NOT A REAL TRAFFIC TICKET
THIS “TICKET” IS NOT ENFORCEABLE
THIS IS NOT A SUMMONS TO A COURT**

R. An injunction barring enforcement of the purported traffic ticket against Plaintiff Stevens.

S. A declaration of the rights of Plaintiff Stevens with regard to how to deal with the fake ticket that he received.

T. A declaration of the rights of Plaintiff Puckett regarding the unlawful procedures that were taken against Plaintiff Puckett, including his right to seek criminal sanctions against those responsible for failing to follow the traffic ticket laws.

U. Injunctive relief as this Court deems appropriate under the facts and law as presented at hearing and trial in this matter.

41. Abuse of Process: Individual Defendants Toby Barker, Hardy Sims, and the Wilkinsons have knowingly and unlawfully abused legal processes mandated for traffic violations and the issuance of tickets by sending fake tickets and notice letters with myriad false representations. They have done so for an ulterior motive: to make money for themselves and the City.

42. Extortion: Individual Defendants Toby Barker, Hardy Sims, and the Wilkinsons have engaged in a scheme wherein they threaten criminal charges to extort money from the Plaintiffs and other citizens. It is clearly unlawful to threaten to withhold criminal charges in exchange for the payment of money in the state of Mississippi. This form of extortion is commonly referred to as blackmail.

43. Miss. Code § 63-9-21(7): Defendants have engaged in misdemeanor in violations of Miss. Code § 63-9-21(7) and are subject to the fine that is set forth in that code. Any order of this Court must address those violations and implement the appropriate fines for each violation found. In the alternative, the Court must address the rights of the parties to seek criminal sanctions for violations.

The Plaintiffs further request all relief to which they are entitled in equity, including costs, expenses and attorney's fees associated with filing of this suit and of defending themselves against this illegal, fraudulent, and wholly deceptive scheme.

The Plaintiffs hereby specify that no damages are being sought in this case outside of those costs, expenses, and attorney's fees that may be awarded alongside equitable remedies. Plaintiff hereby reserve the right to bring a separate suit for damages in the proper jurisdiction and venue.

Respectfully submitted, October 10, 2025.

JACOB STEVENS &
CHRISTOPHER PUCKETT
– *Plaintiffs*

Submitted by:

/s/Matthew W. Lawrence

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