

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

ROOSEVELT SIMMONS,

Plaintiff,

v.

MASE and COMPANY, LLC, J. AL
CANNON, JR., SHERIFF OF
CHARLESTON COUNTY and
CHARLESTON COUNTY,

Defendants.

CIVIL ACTION NO.:

2011-CP-10-1084

NOTICE OF REMOVAL

2011 MAR 25 PM 1:15
JULIE J. ARMSTRONG
CLERK OF COURT

FILED

YOU WILL PLEASE TAKE NOTICE that this entitled cause has this date been removed to the United States District Court for the District of South Carolina, Charleston Division, by filing in that Court this Notice and filing in the Court of Common Pleas for Charleston County a copy of this Notice.

This is a civil suit, commenced on February 11, 2011, by the filing of a Summons and Complaint in the Court of Common Pleas for Charleston County. The Summons and Complaint, copies of which are attached, were served on the Defendants on or after February 22, 2011. Undersigned counsel will represent and appear for Defendants J. Al Cannon, Jr., Sheriff of Charleston County and Charleston County. Defendant Mase and Company, LLC, will be proceeding *pro se*; and hereby consents and joins in this removal.

The United States District Court has original jurisdiction over this action pursuant to the provisions of 28 U.S.C. §§ 1331 and 1343, in that the Complaint alleges causes of action under

42 U.S.C. §§ 1981, 1982, 1983, and 1988, and the deprivation of constitutional rights secured by the Constitution and laws of the United States of America.

This suit is one which may be removed to the United States District Court by the Defendants, pursuant to the provisions of 28 U.S.C. Section 1441(b), as one or more of the claims arise under the Constitution and laws of the United States of America.

S/Sandra J. Senn

Sandra J. Senn
Fed. I.D. No: 5761
Senn, McDonald, & Leinbach, LLC
P.O. Box 12279
Charleston, SC 29422
(843) 556-4045

Attorney for Defendants

March 24, 2011
Charleston, South Carolina

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

ROOSEVELT SIMMONS,

Plaintiff,

v.

MASE and COMPANY, LLC, J. AL
CANNON, JR., SHERIFF OF
CHARLESTON COUNTY and
CHARLESTON COUNTY,

Defendants.

CIVIL ACTION NO.:

CERTIFICATE OF SERVICE

FILED
2011 MAR 25 PM 1:15
JULIE J. ARMSTRONG
CLERK OF COURT

The undersigned hereby certifies that true copies of Defendants' Notice of Removal, copy of original Summons and Complaint, Civil Coversheet and Defendants' Responses to the Local Rule 26.01 Interrogatories were served this 24th day of March, 2011, by depositing same in the United States mail, postage pre-paid, and addressed to the following:

Edward A. Bertele, Esquire
1812 Pierce Street
Charleston, SC 29492

and

Mr. Charles E. Masencup
Mase & Company, LLC
138 Broad Street, Unit D
Charleston, SC 29401

BY: s/Sandra J. Senn

Senn, McDonald & Leinbach, LLC.

Attorneys at Law

*3 Wesley Drive
Post Office Box 12279
Charleston, South Carolina 29422-2279
Telephone: (843) 556-4045
Facsimile: (843) 556-4046*

*Sandra J. Senn
Stephanie P. McDonald
Teri J. Leinbach
Robin L. Jackson
(Licensed in SC & OH)*

*Of Counsel
Hon. Jenny A. Horne
(House District 94)
(Licensed in SC & NC)*

March 24, 2011

The Honorable Julie J. Armstrong
Clerk of Court, Charleston County
100 Broad Street, Suite 106
Charleston, SC 29201


RE: Roosevelt Simmons v. Mase and Company, LLC, Et al
Case No.: 2011-CP-10-1084

Dear Julie:

Enclosed for filing, please find Defendants' Notice of Removal in the above referenced case. If you would, please clock-in the additional copies and return them to me in the envelope provided for your convenience. As noted by the enclosed Certificate of Service, opposing counsel is being served by U.S. Mail with a copy of this pleading on today's date.

With kind regards, I am,

Sincerely,


Sandra J. Senn

mbk (8)

Enclosure

cc: Edward A. Bertele, Esquire
Mr. Charles E. Masencup