

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

**PRATTVILLE PRIDE,
ADAM HUNT,
CARYL LAWSON,
Plaintiffs**

vs.

**The City Of Prattville, Alabama
A political subdivision of the State of
Alabama, and certain members of its
governing body, Bill Gillespie in his
official capacity,
Defendants.**

:
:
:
:
:
:
:
:
:
:
:

Civil Action File No: _____

COMPLAINT

Plaintiffs Prattville Pride, Adam Hunt and Caryl Lawson state their complaint against Defendant as follows:

PARTIES

1. Prattville Pride is a non-profit organization with its place of organization being Prattville, Alabama. Adam Hunt serves as the President of Prattville Pride with Caryl Lawson serving as vice president. Both Hunt and Lawson are citizens of Prattville, Autauga County, Alabama.
2. The City of Prattville, Alabama is a municipal corporation organized under the laws of the State of Alabama and is located within Autauga County and Elmore County, Alabama.
3. Based upon information and Belief, Bill Gillespie is an adult resident of or conducts business in Autauga County and is the Mayor of the City of Prattville, Alabama.

JURISDICTION AND VENUE

4. This is an action for legal and equitable relief to redress Defendant's violations of Plaintiffs' constitutional rights as American Citizens. This suit is brought to secure the protection of and to redress the deprivation of rights guaranteed under the First and Fourteenth

Amendments of the United States Constitution, U.S.C. § 42-1983. Jurisdiction is invoked pursuant to 28 USC §1331 and 1343.

FACTUAL ALLEGATIONS

5. The City of Prattville conducts an annual “Christmas in Prattville Christmas Parade” with entries for the parade being allowed from the general public, subject to certain conditions and restrictions.
6. Plaintiffs submitted application, paid the application fee and were accepted to participate in the parade. In fact, Plaintiffs were the first application received for the parade in 2024.
7. Plaintiffs complied with all conditions imposed by the City of Prattville for participation in the “Christmas in Prattville Christmas Parade.”
8. When it became public knowledge that Prattville Pride and its members were to participate in the “Christmas in Prattville Christmas Parade,” complaints were made from others in the general public to the City of Prattville, City Council, and the Mayor regarding Prattville Pride being allowed to participate in the “Christmas in Prattville Christmas Parade.”
9. In response to these initial complaints, the City Attorney made a statement at the Prattville City Council meeting advising the council and the Mayor that taking action to remove the Prattville Pride group from the “Christmas in Prattville Christmas Parade” would potentially open the City of Prattville up to liability for civil action.
10. On or about December 5, 2024 Prattville Pride contacted the City of Prattville asking if it would be possible for there to be additional police presence at the parade out of concern for the comments and threats being made by certain groups in the public against Prattville Pride.

11. In response to this request, the Mayor of Prattville Bill Gillespie issued a statement removing Prattville Pride from the Christmas Parade stating, “The City will not put the rights of parade participants ahead of the safety of its citizens.” Essentially, the Mayor has taken the request of the Plaintiffs for additional police presence at the parade as an excuse and opportunity to deprive the members of the Prattville Pride community of their right to Freedom of Speech and Equal Protection Under the Law. A copy of the Mayor’s statement is attached hereto as Exhibit A.
12. Plaintiffs believe that the evidence in this action will show that the City of Prattville and Mayor Gillespie had no legitimate concerns or credible evidence of any threats to public safety, that no criminal investigation or charges were brought against any individuals threatening the safety of anyone at the “Christmas in Prattville Christmas Parade,” and that the decision to remove Prattville Pride from the “Christmas in Prattville Christmas Parade” is nothing more than the City of Prattville and Mayor Gillespie bowing to the pressure from extremists and hecklers in the community who oppose the views of Prattville Pride.

CAUSES OF ACTION

COUNT ONE- VIOLATION OF FIRST AMENDMENT GUARANTEES OF FREEDOM OF SPEECH

13. Plaintiffs adopt and re-allege Paragraphs 1-12 above, as if fully set forth herein.
14. Plaintiffs sought to participate in the “Christmas in Prattville Christmas Parade” to engage in the holiday community spirit and join those within the Prattville community who come together to celebrate the holiday season.

15. The right to express the views of Prattville Pride, primarily those of love, acceptance and normalization of members of the LGBTQ+ community are constitutionally protected and not to be limited or infringed upon by any governmental agency absent just cause.
16. The City of Prattville is not permitted to select what views may be presented at the “Christmas in Prattville Christmas Parade” so long as such views are protected under the First Amendment of the United States Constitution.
17. The Defendants owe a duty of protection to all citizens in the exercise of the First Amendment Right to Free Speech, even if those views may be controversial or not accepted by everyone in the community. By conceding to the demands of a loud minority and allowing such individuals to dictate which groups are granted protection of their constitutional rights, the Defendants have violated the First Amendment rights of freedom of speech and to assemble peacefully granted to Prattville Pride.
18. The Defendants have acted under color of state law and have acted with reckless indifference and/or malice toward Plaintiffs and the Plaintiffs constitutional rights.

COUNT TWO

EQUAL PROTECTION UNDER THE LAW

19. The Plaintiffs adopt and reallege Paragraphs 1-18 above as if fully set forth herein.
20. The Defendants’ conduct as outlined in the Complaint has deprived Plaintiffs of their statutory and constitutional rights guaranteed by the Fourteenth Amendment to the United States Constitution and 42 U.S.C. § 1983.
21. Specifically, Defendants’ conduct is depriving Plaintiffs of their right to Equal Protection under the law as provided to the Plaintiffs under the Fourteenth Amendment of the United States Constitution.

22. Plaintiffs have found no evidence that any threat was made that was somehow more credible than those made prior to the Mayor issuing his statement, nor that anything occurred that resulted in threats being anything beyond speculation or conjecture, contrary to what the Mayor has stated.
23. Plaintiffs have found no indication that the City of Prattville nor the Mayor of Prattville have done anything or taken any action to engage in investigation of any alleged threats that the Mayor now deems credible enough to justify the constitutional rights of Prattville Pride and the members therein being trampled on by the City of Prattville.
24. Defendants have chosen to withdraw the protection of law from the Plaintiffs and from those community members who share the views of the Plaintiffs.
25. By virtue of the above, the Defendants have further stigmatized LGBTQ residents and subjugated those persons to positions as second class citizens who are not worthy of the protection provided to them under the United States Constitution and have unjustly promoted the views of the extremist fringe in the City of Prattville who seek to silence and erase LGBTQ representation in public spaces.
26. Defendants conduct was engaged in with reckless indifference and/or actual malice for the Plaintiffs' protected rights.

COUNT THREE

INJUNCTIVE RELIEF

27. Plaintiffs' First Amendment right to freedom of speech will be violated if the Plaintiffs' participation in the "Christmas in Prattville Christmas Parade" is not allowed.

28. Plaintiffs' remedy at law is insufficient because if the Plaintiffs' participation in "Christmas in Prattville Christmas Parade" does not take place as scheduled, the opportunity and moment will pass.
29. Plaintiffs face immediate and irreparable injury by the Defendants' last minute withdraw of Plaintiffs' participation in the "Christmas in Prattville Christmas Parade" unless the Court protects their immediate rights.
30. Plaintiffs are filing a Motion for an Emergency Restraining Order simultaneously with the filing of the Petition.
31. Plaintiffs counsel has complied with the requirements of Rule 65 of the Federal Rules of Civil Procedure by providing notice to the Defendants through their counsel, Andrew Odom, Attorney at Law.

PRAYERS FOR RELIEF

WHEREFORE, Plaintiffs respectfully pray that this Honorable Court will assume jurisdiction and grant unto the Plaintiffs the following relief:

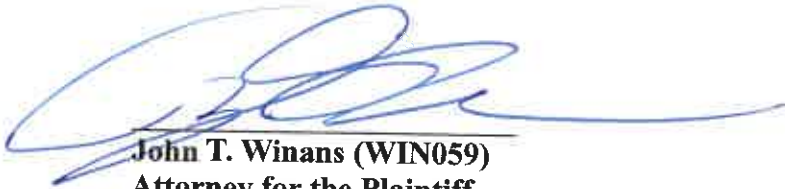
1. Determine that the Defendants have violated Plaintiffs' rights to Freedom of Speech and to peaceably assemble to petition the government for redress of grievances guaranteed to Plaintiffs by the First Amendment of the Constitution;
2. Issue a temporary restraining order directing the Defendants, their officers, agents, servants, employees and attorneys and those acting in concert with the Defendants to comply with the agreement for Prattville Pride to participate in the "Christmas in Prattville Christmas Parade" and to cease and desist from any further unlawful interference with the same;
3. Issue a temporary restraining order directing the Defendants, their officers, agents, servants, employees and attorneys and those acting in concert with the Defendants them to

afford the Plaintiffs and those attending the “Christmas in Prattville Christmas Parade” police protection in the event that there should be an actual attempt to violently and/or unlawfully to impede the participation of Prattville Pride in the “Christmas in Prattville Christmas Parade.”;

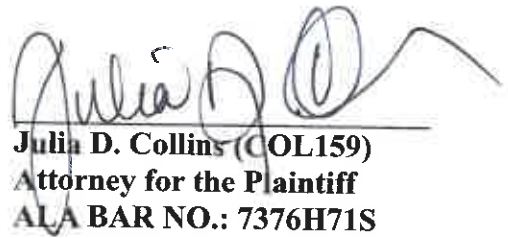
4. Grant judgment for the Plaintiffs against the Defendants jointly and severally for liquidated damages, punitive damages; compensatory damages and/or nominal damages;
5. Plaintiffs further pray for such other relief and benefits as shall be appropriate under the law and the evidence including but not limited to an award of costs, attorney’s fees and expenses.

PLAINTIFF DEMANDS TRIAL BY JURY.

Respectfully submitted this 5th day of December 2024.



John T. Winans (WIN059)
Attorney for the Plaintiff
ALA BAR NO: 3456E13A



Julia D. Collins (COL159)
Attorney for the Plaintiff
ALA BAR NO.: 7376H71S

OF COUNSEL:

The Harris Firm LLC
60 Commerce Street, Ste 370
Montgomery, AL 36104
itwinans@theharrisfirmllc.com
juliacollins@theharrisfirmllc.com

SERVE DEFENDANTS AT:

City Of Prattville
c/o Paula Barlow, City Clerk
101 W Main Street
Prattville, Alabama 36067

Mayor Bill Gillespie
Mayor of Prattville
101 W Main Street
Prattville, Alabama 36067

The mayor's statement is below

"This morning, it was brought to the City's attention from Prattville Pride that there are serious safety concerns regarding Prattville Pride's participation in the Christmas parade. Until today, there has only been conjecture and speculation regarding potential safety concerns that Prattville Pride's participation in the parade may cause. The City will not put the rights of parade participants ahead of the safety of its citizens. Because of the safety concerns for Prattville Pride, other parade participants, as well as parade bystanders, the City has made the decision to remove Prattville Pride from the Christmas parade. This decision was made with careful thought and consideration while balancing the rights of parade participants against the overall safety of everyone involved at the parade. The City will always respect freedoms and rights of expression. However, as in this instance, it must put the overall safety of its citizens first." Mayor Bill Gillespie, Jr.