

SUPREME COURT OF MISSISSIPPI
COURT OF APPEALS OF THE STATE OF MISSISSIPPI

CASE NO.: 2010-TS-878

IN THE ESTATE OF GEORGE WILLIAM MACE, DECEASED

PATTY M. MACE STEWART,
LYNETTE WINSTON O'NEAL, ET AL

APPELLANTS

v.

PATRICIA HAYES GARDNER

APPELLEE

CERTIFICATE OF INTERESTED PARTIES

The undersigned Appellants certifies that the following persons have an interest in the outcome of this case. These representations are made in order that the justices of the Supreme Court and/or judges of the Court of Appeals may evaluate possible overturn the memorandum and opinion:

1. Honorable Judge Dewayne Thomas, Hinds County Chancellor, Second Judicial District
2. Mrs. Lynette Winston O'Neal, Appellant
3. Mrs. Patty M. Mace Stewart, Appellant
4. Ms. Patricia Hayes Gardner, Appellee
5. R. Louis Field, Esq., Attorney for Appellee
6. Mrs. Ruth Mace Colbert, Other Party
7. Davey Tucker, Esq., Attorney for Other Party

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STATEMENT OF ISSUES

- I. DID THE COURT ERR BY DISMISSING THE CASE, ON MOTION OF SUMMARY JUDGMENT, WITH PREJUDICE, WHEN LESSER SANCTIONS WERE AVAILABLE AND WARRANTED, SPECIFICALLY A DISMISSAL WITHOUT PREJUDICE?
 - A. WAS IT ERROR FOR THE TRIAL COURT TO NOT HEAR AND GRANT APPELLANT'S MOTION FOR REHEARING?
 - B. SHOULD THE TRIAL COURT HAVE GRANTED APPELLANT A CONTINUANCE ?
- II. DOES EQUITY REQUIRE THE COURT TO INTERVENE AND PREVENT THE CONTINUATION OF FRAUD WHICH IS BEING COMMITTED BY THE DEVISING OF GEORGE WILLIAM MACE'S WILL?
 - A. DOES FRAUD TOLL THE STATUTE OF LIMITATIONS?
 - B. IS APPELLANT AN HEIR/CREDITOR, SEIZED OF AN INTEREST IN THE PROPERTY BEING DEVISED UNDER GEORGE WILLIAM MACE'S WILL?

STATEMENT OF THE CASE

I. The Nature of the Case.

This case involves the probating of the Last Will and Testament of George William Mace, the last living child of George Mace, Sr.

A Petition to Open the Estate and Appointment of Executrix were filed on March 16, 2009, and an Amended Petition to Open the Estate and Appoint Executrix was filed on April 30, 2009. (See exhibit, Hinds County Chancery Court Docket, pages 49 and 55, respectively.) An Order Opening Estate and Appointing Patricia Hayes Gardner Executrix was filed on May 13, 2009 along with the Notice to Creditors, with Affidavit, and the Oath of Executrix and Letters Testamentary. (See exhibit, Hinds County Chancery Court Docket.) The Appellant Lynette O'Neal filed her Petition for Injunction and Restraining Order on March 4, 2009. Exhibit, supra. Executrix Patricia Gardner filed answers and other defenses to said Petition on August 27, 2009. Appellant Patty Mace Stewart filed her similar Petition for Injunction and Restraining Order, along with a Petition Contesting the Will on September 18, 2009. Answer and Other Defenses to Petition Contesting the Will, and also a Motion for Summary Judgment was filed by Executrix Patricia Hayes Gardner on September 24, 2009. Also on September 24, 2009, Executrix filed her Motions for Summary Judgment against both Appellants O'Neal and Stewart. On March 30, 2010, a hearing was held on Executrix' Summary Judgment motions.

IV. The Course of the Proceedings.

George William Mace died testate in Hinds County, Mississippi on February 20, 2009. A Last Will and Testament made and declared by George William Mace was admitted to probate by order of the Hinds County Chancery Court on May 13, 2009, in Chancery Court Cause Number P-2009-21 W/4. Patricia Gardner (Appellee, herein) was nominated by the decedent as his

Executrix and was appointed and issued Letters Testamentary by the Chancery Court. On March 4, 2009, Lynette Winston O'Neal filed her Petition for Injunction or Restraining Order in the Matter of the Estate of George William Mace, which was designated Cause Number 2009-16, but was later consolidated with Chancery Cause Number 2009-21. An Answer and Other Defenses was filed by Appellee on June 29, 2009.

Patty Mace Stewart (Appellant, herein), filed her Petition for Injunction and Restraining Order in the Matter of the Estate of George Mace on September 18, 2009. Appellee filed an Answer to this Petition. On September 18, 2009 Appellant filed her Petition For Contesting the Last Will and Testament of George William Mace, and Appellee filed her Answer on September 24, 2009, along with Motions For Summary Judgment seeking the dismissal of the Petitions filed by both O'Neal and Stewart.

At the hearing on the Summary Judgment motions before Chancellor J. Dewayne Thomas held on March 30, 2010, Appellants's retained counsel, Attorney Gary Silberman, was allowed to withdraw as counsel sua sponte for Patty M. Mace Stewart. Appellant Stewart informed the court that Attorney Silberman held certain documents she would need to prove her status as an heir and potential creditor of the George William Mace estate, and the court gave Appellant Stewart and Attorney Silberman ten (10) days to file evidentiary briefs. Attorney Silberman failed to provide Appellant with any of the documents he still held, and both Appellant O'Neal and Silberman failed to file the court's requested briefs. On May 19, 2010, Chancellor Thomas entered separate Memorandum Opinions and Orders dismissing the Appellant's Petition for Injunction and Restraining Order, and also her Petition to Contest the Will of George William Mace. On May 25, 2010, both Appellant O'Neal and Appellant Stewart filed Notice(s) of Appeal from Chancellor Thomas' Order dismissing their respective Petitions. On June 10, 2010, both

Appellant O'Neal and Appellant Stewart filed Motion(s) to Reconsider, which Chancellor Thomas never conducted a hearing on. On July 30, 2010, Appellant O'Neal and Appellant Stewart filed their respective Appellants' Brief.

II. Disposition.

On May 19, 2010, the Chancellor J. Dewayne Thomas issued his Memorandum Opinion and Order of the Court dismissing the Appellants' Petitions.

III. Statement of Relevant Facts.

George William Mace was born on September 1, 1906, and died on February 20, 2009. George William Mace had seven (7) brothers and sisters. The siblings were Virgie Mace, Atward Mace, Annie Mace Wallace, Pattie Rea Mace, Roosevelt Mace, and, of course, George Mace, Jr. All of his siblings predeceased George William Mace.

The oldest of these siblings was George Mace, Jr., who predeceased George Mace, Sr. George Mace Jr. was married to Esther Mace, who predeceased him. Together, George, Jr. and Esther had eleven (11) children born of this marital union, all of whom were his sole heirs.

George Mace, Sr. died intestate on October 16, 1943. On July 14, 1944, the estate of George Mace, Sr. was opened, with Letters of Administration being filed. Over the course of the next sixty-five (65) years, the seven siblings died, with none of them, save George Mace, Jr., having any children as heirs at the times of their deaths.

As stated earlier, George Mace, Jr. was one of the eight (8) siblings who had children; when he died on January 15, 1939, predeceasing his father George Mace, Sr., who died on October 16, 1943, his one-eighth (1/8th) share of George Mace, Sr.'s estate became immediately vested and seized in his eleven (11) children, his wife Esther Mace having predeceased him, according to Mississippi Code Annotated Section 91-1-3.

TIME LINE LISTING OF THE RELEVANT FACTS:

- (i) Death of George Mace, Jr. who died intestate in January 1939, and left 11 children behind. (A copy of the family's history line is attached along with birth certificates.) Those 11 children are listed as follows: Stanford B. Mace, Velma Mace Burks, Clara Mace Winston, Luevester Mace Hayes, Roscoe Peter Mace, Queen Ester Mace Jackson, Virgil Mace, Mynetta Mace Smith, Alien Mace Moore, Ethel Elaine Mace, Robert Earl Mace, and Huey Prince Mace.
- (ii) Death of George Mace, Sr. who died intestate in October 1943, and left 7 children and several grand children behind.
- (iii) Letters of Administration on the Estate of George Mace, Sr. by: Pattie R. Mace, intentionally leaving out the 11 children of her brother George Mace, Jr., who predeceased his father. Dated March 7th, 1945 and filed July 14, 1944. Marked Exhibit "B".
- (iv) Letters of Administration on the Estate of Illinois Mace, by: Pattie R. Mace, intentionally leaving out the 11 children of their brother, George Mace, Jr., who predeceased his sister. Not dated and filed February 19, 1980, and dated June 23, 1980 and filed June 23, 1980. Marked as Exhibit "C".
- (v) Death of Atwood Mace, who died intestate in April 1985. He left no children behind, but several nieces and nephews and sibling.
- (vi) Death of Pattie R. Mace, who died intestate in January 1993. She had no children, but left behind several nieces and nephews and two sibling.
- (vii) Letters of Administration on the Estate of Pattie R. Mace, by: Roosevelt Mace and George William Mace, intentionally leaving out the 11 children of their oldest

brother, George Mace, Jr., who predeceased his sister. Cause No. P-94-9, Hinds County Chancery Court, Second Judicial District. Dated February 4, 1994, and filed February 25, 1994. (Attached is a copy.)

- (viii) On February 20, 2009, George William Mace, died.
- (ix) With notification from Patricia Hayes Gardner, several family members met at the office of Attorney R. Louis Fields, in Vicksburg, MS, at 2:00 p.m. Where he read a Last Will and Testament of George William Mace. Attorney Fields stated that he was not hired to execute the Will, he was only asked to read it to the family.
- (x) March 4, 2009, Lynette Winston O'Neal, filed her Petition for Injunction or Restraining Order in the Matter of the Estate of George William Mace, et ux to stop Patricia Hayes Gardner from continuing to commit waste, fraud, and theft.
- (xi) Title Abstract of Mace Estate by Peter A. Stewart III, Dated March 14, 2009. Marked as Exhibit "A".
- (xii) Petition to Open Estate and for Appointment of Executrix for George William Mace, by: Patricia Gardner. Filed March 16, 2009.
- (xiii) Amended Petition to Open Estate and for Appointment of Executrix for George William Mace, by: Patricia Gardner. Filed April 30, 2009.
- (xiv) Order Opening Estate and Appointing Executrix for George William Mace, by: Patricia Gardner. Filed May 13, 2009.
- (xv) Notice to Creditor, by Patricia Gardner. Filed June 8, 2009.
- (xvi) June 23, 2009 Correspondence from Nick Clark to R. Louis Field, Atty at Law. Copy attached.
- (xvii) July 29, 2009, Correspondence from Scott & Angie Kelly to R. Louis Field. Copy

attached.

- (xviii) September 10, 2009, Correspondence from R. Louis Field to the eight people listed in George William Mace's Will. Copy attached.
- (xix) Petition for Injunction and Restraining Order In The Matter of the Estate of George Mace, et al. by: Patty Mace Stewart. Filed on September 18, 2009.
- (xx) Petition for Contesting the Last Will and Testament of George W. Mace, by: Patty Mace Stewart. Filed on September 18, 2009.
- (xxi) Letter to Hinds County Chancery Court by: Patty Mace Stewart. Filed on September 18, 2009.
- (xxii) Motion for Summary Judgment by R. Louis Field. Filed September 24, 2009.
- (xxiii) Petition for Consolidating Case # P2009-16 with #P2009-21 by: Patty Mace Stewart. Filed September 25, 2009.
- (xxiv) Answer and Other Defenses to Petition for Contesting the Last Will and Testament of George W. Mace and Answer and Other Defenses to Petition of r Injunction and Restraining Order in the Matter of the Estate of George Mac, et al by: Louis Field. Dated September 22, 2009.
- (xxv) Amended Motion for Summary Judgment on Movant's Petition for Injunction and Restraining Order in The Matter of the Estate of George Mace, et al. Dated October 13, 2009.
- (xxvi) first Set of Interrogatories Request For Production of Documents and Request for Admissions to Patty M. Mace Stewart with Respect to Petition Contesting the Last Will & Testament of George William Mace, dated October 16, 2009.
- (xxvii) Motion for Summary Judgment with Respect to Petitioner's Petition to Contest

the Will of George William Mace. Dated December 29, 2009.

(xxviii) Notice of Hearing. Dated January 4, 2010.

(xxix) Second Notice of Hearing. Dated January 26, 2010.

(xxx) Petition's Brief on the Mace Estate Matter by: Patty Mace Stewart. Filed April 07, 2010.

(xxxi) Respondent's Reply to Brief of Patty M. Mace Stewart. By: R. Louis Field. Dated April 9, 2010. Filed April 14, 2010.

(xxxii) Motion to Reconsider by R. Louis Field. Dated May 24, 2010.

(xxxiii) Judge J. Dewayne Thomas's memorandum opinion and Order on Summary Judgment Motion. Filed May 19, 2010.

(xxxiv) Notice of Appeal, by: Patty M. Mace Stewart, filed May 25, 2010.

(xxxv) Designation of Record, Certificate of Compliance with Rule 11 (b) (1) by: Patty M. Mace Stewart, filed June 03, 2010.

(xxxvi) Notice of Appeal, by: Lynette Winston O'Neal, filed May 25, 2010.

(xxxvii) Designation of Record, Certificate of Compliance with Rule 11 (b) (1) by: Lynette Winston O'Neal, filed June 03, 2010.

(xxxviii) Correspondence Notice from Kathy Gillis (Clerk for Court of Appeal and Supreme Court of Mississippi) Dated June 9, 2010.

(xxxix) Motion to Reconsider by: Patty M. Mace Stewart filed June 10, 2010.

(xxxx) Motion to Reconsider by: Lynette Winston O'Neal filed June 10, 2010.

(xxxxi) Appellants's Brief by: Patty M. Mace and Lynette Winston O'Neal. Filed July 30, 2010.

(xxxxii) Correspondence Notice from Appeals Clerk (Jana Smith) Dated July 30, 2010.

(xxxxiii) Notice of filed transcript by Court Reporter (Toni C. Matlock) Dated July 30, 2010.

(xxxxiv) Certificate of Compliance with Rule 11(d) (2) by Appeals Clerk (Jana Smith)

(xxxxv) Notice of Hearing on Petition for Authority to Sell Real Property by: R. Louis Field. Dated August 11, 2010. (Copy attached.)

(xxxxvi) Order Authorizing Sale of Real Property located in Vicksburg, MS (Atwood Mace's house) by: Chancellor Dewayne Thomas. Filed August 30, 2010. (Copy attached.)

(xxxxvii) Motion for Enlargement of Time filed by: R. Louis Field. Dated September 28, 2010.

(xxxxviii) Motion Objecting to Enlargement of Time filed by: Patty M. Mace Stewart and Lynette Winston O'Neal. Filed October 5, 2010.

(xxxxix) Brief of Appellee by: R. Louis Field. Filed November 5, 2010.

SUMMARY OF ARGUMENT

Appellants' Petitions for Injunction and Restraining Order, and specifically Appellant Patty Mace Stewart's Petitions, alleged that Pattie Rea Mace committed fraud upon the court by intentionally "hiding" the eleven (11) known heirs of George Mace, Jr. from the court when she served as the executrix of George Mace, Sr.'s estate; she knew, or should have known that her nieces and nephews, the sons and daughters of her oldest brother, were entitled to their father's share of the George Mace, Sr. estate. She knew they were entitled to be a part of the court's list of known heirs; they, these then eleven (11) young children, all lived with their seven (7) aunts and uncles on the family's property after their parents' death. This fraud was committed over sixty-five (65) years ago and continued over the years with each successive passing of the seven (7) aunts and uncles, all the way up until the very probating of George William Mace's will. If the Court allows George William Mace's will to be probated as devised, it will sanction the robbing of these legitimate, innocent heirs, a theft by fraud. It is the position and argument of Appellant Patty Mace Stewart's Petitions for Injunction, Restraining Order and Contesting the Will, and now the argument before this Court on appeal, that Patricia Hayes Gardner also is fully and completely aware that these remaining children of George Mace, Jr. are wholly entitled to their share of George Mace Sr.'s estate, which over the years escheated down to George William Mace in total, and that she, Patricia Hayes Gardner, intends to fulfill the original fraud of Pattie Rea Mace by not disclosing these known heirs to the court.

The eleven (11) siblings (children of George Mace, Jr.) were seized in fee simple possession of their father's share of George Mace, Sr.'s estate immediately upon his death. The fraud committed by Pattie R. Mace in "hiding" them from the court tolled the statute of limitations governing their right to contest the probating of their grandfather's estate. Equity

demands that this Court not allow this continuous fraud to be sanctioned by the court through the probating of George William Mace's will. Patty Mace Stewart and Lynette O'Neal were entitled to have their fair day in court. At the least, Appellants' Petitions should have been dismissed without prejudice, a lesser sanction, so that they may have been allowed to retain competent counsel to properly and diligently prosecute their claims.

ARGUMENT

DID THE COURT ERR BY DISMISSING APPELLANT'S CASE, ON MOTION OF SUMMARY JUDGMENT, WITH PREJUDICE, WHEN LESSER SANCTIONS WERE AVAILABLE AND WARRANTED, SPECIFICALLY A DISMISSAL WITHOUT PREJUDICE?

The Supreme Court reviews appeals from summary judgment de novo. MS Comp Choice, SIF v. Clark, Scott & Streetman, 981 So.2d 955 (Miss. 2008) "...standard of review on appeal from a summary judgment was de novo, and that de novo was the strictest standard of review." Id. "This Court conducts a de novo review of a trial court's granting of summary judgment. Mississippi Dep't of Wildlife, Fisheries, & Parks v. Mississippi Wildlife Enforcement Officers' Ass'n, Inc., 740 So. 2d 925, 930 (Miss. 1999); Rush v. Casino Magic Corp., 744 So.2d 761, 763 (Miss. 1999).

On appeal from a summary judgment, "the Supreme Court must view the evidence in the light most favorable to the non-movant." MS Comp Choice, SIF, supra. "This Court, viewing the evidence in a light most favorable to the party against whom the motion has been made, examines all evidentiary matters before it." Mississippi Dept. of Wildlife, supra. The Supreme Court has further stated that "a motion for summary judgment should be denied unless the trial court finds beyond any reasonable doubt that the plaintiff would be unable to prove any facts to support his/her claim." Rush v. Casino Magic, supra. However, if one party swears to one version of events and the other party swears to a different version, summary judgment should be denied. Id. The moving party has the burden of proving that no genuine issue of material fact exists. Id. "A fact is material if it 'tends to resolve any of the issues, properly raised by the

parties.” Webb v. Jackson, 583 So.2d 946, 949 (Miss. 1991), Robinson v. Cobb, 763 So.2d 883, 886. Further, the Supreme Court has said:

All motions for summary judgment should be viewed with great skepticism and if the trial court is to err, it is better to err on the side of denying the motion. When doubt exists whether there is a fact issue, the non-moving party gets its benefit. Indeed, the party against whom the summary judgment is sought should be given the benefit of every reasonable doubt.

Daniels v. GNB, Inc., 629 So.2d 595, 599 (Miss. 1993).

At the hearing for the Motion for Summary Judgment filed by Attorney R. Lois Field on behalf of the Executrix Patricia Hayes Gardner, Appellant Patty Mace Stewart informed the court below that she had a receipt showing that she had paid Attorney Gary Silberman to represent her. Attorney Field stood and reminded the court that Attorney Silberman, without having filed any proper motion to withdraw from representation, had already announced to the court that he would not be representing Mrs. Stewart. Chancellor then asked Mrs. Stewart to state her case, in effect, represent herself, without counsel. Earlier this year, in Sullivan v. Sullivan, 43 So.3d 536 (Miss. Ct. App. 2010), No. 2009-CP-01657-COA, this Court, the Mississippi Court of Appeals, found that where the chancellor there allowed the husband’s attorney to withdraw on August 25, 2009, and the husband did not seek a continuance until the morning of the previously scheduled trial; and where the wife went to great expense to obtain and secure witnesses to testify; and the chancellor denied husband’s request for continuance because the request was made only hours before trial; and even though husband represented himself without counsel, he questioned the wife’s witnesses extensively with help from the chancellor in preventing hearsay, the Court held that it is within the sound discretion of the trial court to grant or deny a motion for continuance and will not be reversed unless the decision results in “manifest injustice.” Citing Moore v. Delta Regional Medical Center, 23 So.3d 541, 549 (Miss.Ct.App.2009) (citing Boone v. State, 973

So.2d 237, 241) (Miss. 2008). “We will not reverse the denial of a continuance unless we are satisfied that prejudice resulted.” Id, citing Cherry v. Hawkins, 243 Miss. 392, 397, 137 So.2d 815, 816 (1962). In this case before the Court instant, the Executrix/Appellee could not have been so prejudiced by the granting of a continuance where they had no witnesses and had not gone through any similar expense to prepare for the hearing. Appellant Stewart’s attorney was allowed to simply withdraw from representation, there, before the Chancellor, without having filed any proper motion to withdraw or notice to Appellant Stewart, which was a clear and blatant violation of the Bar’s Rules of Ethics and Discipline. In Sullivan, supra, the husband’s attorney withdrew as counsel at least two to three weeks before the trial, so the husband knew he had no attorney; yet the chancellor there was recognized by this Court for having helped the husband in preventing any hearsay testimony. No such aid or consideration was given to Mrs. Stewart. She was not given an opportunity to request a continuance. She was required to represent herself, against seasoned counsel for Appellee. Further, Mrs. Stewart made it known to the chancellor below that Attorney Silberman held in his possession certain vital documents that she would need to prosecute her claim. The chancellor failed to direct Attorney Silberman, an officer of the court, to tender copies of those necessary documents to Mrs. Stewart, and he, to this day, never has.

Both Appellant Stewart, now without the aid of counsel, and Attorney Silberman, were given ten (10) days to file briefs to the court. Attorney Silberman never gave Appellant Stewart copies of the documents which Appellant Stewart gave him to represent her. Even after filing a bar complaint against Attorney Silberman, Appellant Stewart comes before this Court of Appeals without the documents held by Attorney Silberman. This is wholly unjust and an embarrassment upon the Mississippi Bar, that a layperson could be required to represent herself after her retained

counsel, fully paid, was allowed to withdraw from representation without any prior notice. The husband in Sullivan, Id, could be distinguished from Appellant Stewart in that the granting of a continuance to him would have been unfair, when he knew weeks before that he did not have counsel; here, Appellant Stewart was expected to retain counsel for preparation of a brief in only ten days, without the necessary documents, after her attorney literally withdrew there in open court on the day of her hearing. There was no prejudice. There was no possible delay to the chancellor's docket either, as the chancellor was to base his decision on the requested briefs. No witnesses, no docket delays, no prejudice. Justice and equity would have supported the chancellor giving Appellant Stewart ample time to retain counsel before deciding to dismiss her case **with** prejudice.

In Wallace v. Jones, 572 So.2d 371 (Miss.1990), No. 07-CA-59154, the Mississippi Supreme Court held that, "Dismissal with prejudice of proceeding to hold former husband in contempt for failure to pay child support was inappropriate and abuse of discretion...." Id. The Court further held that, "...even if the chancellor had a proper basis to dismiss this case under Rule 41(b), we would still have to reverse because a dismissal should be granted only when lesser sanctions would not serve the best interest of justice." Price v. McGlathery, 792 F.2d 472 (5th Cir. 1986). "Lesser sanctions include 'fines, costs, or damages against plaintiff *or his counsel, attorney disciplinary measures*, conditional dismissal, dismissal without prejudice, and *explicit warnings*." Rogers, 669 F.2d at 321 (5th Cir. 1982) (emphasis added).

Moreover, in Hill v. Ramsey, Deviney Equipment and New Holland North America, Inc., No. 2007-CA-00806-SCT, the Mississippi Supreme Court cited Cox v. Cox, 976 So. 2d 869 (Miss. 2008), where the Mississippi Supreme Court specifically stated, "This Court must consider whether lesser sanctions would better serve the interests of justice. Lesser sanctions

include... ‘dismissal without prejudice....’ Id. At 876. Dismissal *without* prejudice is the lesser sanction which the Court has consistently required trial judges to consider. “Thus, the dissent’s claim that this Court “consistently” has required trial judges to consider lesser sanctions on the record before dismissing a case without prejudice is incorrect, as Cox clearly states that dismissal without prejudice *is* a lesser sanction.” Id. at paragraph 13.

It was an abuse of discretion and a deviation from the above-stated standard for Chancellor Thomas to dismiss Appellants’ Petitions *with* prejudice, when lesser sanctions were available and warranted. In Vosbein v. W.E. Bellias, III, 866 So.2d 489 (Miss.Ct.App. 2004), No. 2001-CA-01980-COA, the trial judge considered the plaintiff’s lack of prosecution in an automobile accident case and imposed lesser sanctions before final dismissal of plaintiff’s claim with prejudice. In that case this Court of Appeals reiterated its principle that “Dismissal with prejudice is an extreme and harsh sanction that deprives a litigant of the opportunity to pursue his or her claim and is reserved for the most egregious cases, usually where clear delay and ineffective lesser sanctions are present.” Citing Am. Tel. And Tel. Co. V. Days Inn of Winona, 720 So.2d 178, 180-181(Par. 12). Other factors were identified by this court as aggravating factors, specifically, “the extent to which the plaintiff, as distinguished from his counsel, was personally responsible for the delay, the degree of actual prejudice to the defendant, and whether the delay was the result of intentional conduct.” Citing McGowan v. Faulkner Concrete Pipe Co., 659 F.2d 554, 557-58 (5th Cir. 1981). “To withstand appellate review, the sanction of a dismissal with prejudice ‘is reserved for the most egregious cases, usually cases where the requisite factors of clear delay and ineffective lesser sanctions are bolstered by the presence of at least one of the aggravating factors.’” Again, citing Am. Tel. And Tel. Co, 720 So.2d at 180. Indeed, neither Appellant, because of the dilatory, disrespectful and contumacious conduct of their attorney Gary

Silberman in failing to provide needed documents and filing the brief he said he would, and was asked to file by Chancellor Thomas, could be said to have impugned on the Appellee or prejudiced the Appellee in any way. They came to court, and after the very brief hearing, were asked to submit a brief. After Attorney Silberman wholly failed to file that brief, the Chancellor dismissed their Petitions *with* prejudice. Where was the contumacious conduct deserving this *greater* sanction?

The Mississippi Bar seeks to protect the public from the dilatory actions of negligent attorneys, not penalize them for choosing them. The Chancellor should have disciplined Attorney Silberman or at least reported him to the Bar, when long after the ten (10) days for filing the brief the Chancellor ordered him to produce had passed and he still failed to produce it. This legal malpractice was obvious to the Chancellor and the attorney should have been sanctioned, not the Appellants. The lesser sanction of dismissal without prejudice was required and warranted.

DOES EQUITY REQUIRE THE COURT TO INTERVENE AND PREVENT THE CONTINUATION OF FRAUD WHICH IS BEING COMMITTED BY AND THROUGH THE DEVISING OF GEORGE WILLIAM MACE'S WILL?

Pattie R. Mace intentionally and fraudulently concealed the existence of the eleven (11) heirs of George Mace Sr.'s estate, which over the years now is being devised by the will of George William Mace. Fraud tolls the statute of limitations. In Smith v. Orman, 822 So.2d 975, No. 2001-CA-00252-COA, the Mississippi Court of Appeals found that the Executrix's concealed fraud against the estate, specifically, concealing known heirs, tolled a three-year statute of limitations that applied to fraudulent conveyances. In the case sub judice, Attorney R. Louis Field argued in open court at the hearing before Chancellor Thomas that the Appellants had no standing either as heirs or creditors to contest the will. Because the fraud of Pattie R.

Mace as executrix concealing the eleven heirs existence, Appellants Mrs. Stewart and O'Neal, come before this Court as the rightful co-heirs with George William Mace of the property purported to be devised by his will, and no expanse of time can stop the correction of the injustice committed by Pattie R. Mace over 65 years ago. In Rotenberry v. Hooker, 864 So.2d 266 (Miss. 2004), No. 2002-CA-00096-SCT, the Mississippi Supreme Court stated, "In Mississippi, equity will prevent an intolerable injustice...." and "...equity will interfere, in its discretion, in order to prevent intolerable injustice." Id., at page 7, paragraph 17. It is a fundamental foundation of Chancery Court, Mississippi's court of equity, that it will seek to prevent injustice and surely not allow the courts to be used to effectuate fraud and injustice. In Estate of Pearson v. Stokes, 25 So.3d 392 (Miss.Ct.App. 2009, No. 2008-CA-00160-COA, the Court held that "While a party's nondisclosure may not constitute fraud upon the court, an administratrix is under an affirmative duty to disclose to the court the existence of known potential heirs and claimants." Citing Smith v. Estate of King, 501 So.2d 1120, 1123 (Miss.1987); and on second appeal the Mississippi Supreme Court found fault with the 90 day adjudication requirement from first publication of notice to creditors. This ruling would appear to support the Appellants' position that it is also incumbent upon an Executrix to not only inform the Court of the existence of known heirs, but to also notify those known heirs directly as well. Smith v. Estate of King, 579 So.2d 1250 (Miss. 1991), No. 07-CA-59300.

Pattie Rea Mace had a duty to disclose to the court those known heirs, her nieces and nephews, the sons and daughters of her oldest brother George Mace, Jr., and this act set off a fraud that continued over the years that continues today. Appellants hereby argue that Patricia Hayes Gardner, Executrix in the case sub judice is fully aware, that those remaining "nieces and nephews" are still legitimate owners of George Mace, Jr.'s one-eighth (1/8th) share, which has

grown to one-half (1/2th) share which she hopes to devise and execute under George William Mace's will. This is the fraud sought to be stopped by the injunction. The sale of the land and property is the waste and destruction sought to be enjoined. Equity demands that the Appellants' rights be protected.

Patty Mace Stewart and Lynette O'Neal, grandchildren of George Mace Jr., could first seek their redress through first re-opening the estate of George Mace, Sr., without first enjoining the devising of George William Mace's will. The will seeks to devise all of the heir property in at least eight (8) different hands. If this were to happen first, it would be extremely more difficult to bring into court all of the legatees and devisees under George William Mace's will. By first enjoining the will and obtaining a partition of the land, the Court would provide the best justice by providing the best and most economical remedy. No statute of limitations bars providing this remedy, and equity seeks and demands it.

CONCLUSION

The Chancery Court Chancellor J. Dewayne Thomas erred when he dismissed, with prejudice, the Appellants' Petitions for Injunction and Restraining Order, and Petition to Contest the Last Will and Testament of George William Mace. The lesser sanction of dismissal without prejudice, at the most, was available and should have been so executed; Appellants ask this court to reverse Chancellor Thomas' judgment/order and remand this case back to the Chancellor for a proper hearing on the merits of those Petitions, or rule in their favor.

Appellants have provided to the court in their exhibits (documents) a complete narrative abstract and history of the George Mace, Sr. estate. They now are entitled, collectively, as a group, to one-half (½) of that estate. Equity demands that this Court end the fraud started with the probate of George Mace, Sr.'s estate by enjoining the devise and execution of George William Mace's will and ordering a remand of this matter for a partition of the estate so that the rightful heirs can get their rightful shares, recognizing that any statutes of limitations are tolled due to fraud, and/or that equity demands the correction of all fraud or errors in accordance with the law and principles of equity.

Appellant pray that this Court order Attorney Gary Silberman to return all documentation provided to him in this matter. May the Court also deal with Attorney Silberman's conduct according to the Rules of Discipline and Ethics.

So submitted, this the 19th day of November, 2018.



Appellant Patty Mace Stewart, Pro Se



Appellant Lynette Winston O'Neal, Pro Se

GEORGE MACE, SR.
Birth: 1857-Died 1944

Common Law Wife:
Mollie Prodxie (Doaks)

One Child
George Mace, Jr.
September 7, 1888

Stanford B. Mace

Velma Mace Burks

Clara Mace Winston

Luevesther Mace Hayes

Roscoe P. Mace

Virgil Mace

None

Married: Hattie Ryal

One Child:
Illionis Mace

Married: Pattie Sublett

Virgie Mace

Atward Mace

Annie Mace Wallace

Pattie Rea Mace

Roosevelt Mace

George William Mace

ATTACHED ARE THE CHILDREN OF STANDFORD B. MACE (DECEASED)

STANDFORD MACE'S SON - Andrew George Mace (Deceased)

P. 3

706 327 7791

THE UPS STORE

Nov 15 2010 6:19PM

1. DECEASED NAME
2. COUNTY OF DEATH
3. CITY, TOWN, TWP. OR ROAD DISTRICT AND ZIP CODE

1500

1500

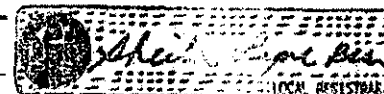
1500

1500

1500

DECEASED NAME 1. ANDREW GEORGE MACE		SEX 2. MALE	DATE OF DEATH (MONTH DAY YEAR) 3. MAY 19, 1998
COUNTY OF DEATH 4. COOK		AGE LAST BIRTHDAY (YRS) 5a. 58	DATE OF BIRTH (MONTH DAY YEAR) 5b. JANUARY 19, 1940
CITY, TOWN, TWP. OR ROAD DISTRICT AND ZIP CODE 6. CHICAGO		HOSPITAL OR OTHER INSTITUTION (NAME, STREET ADDRESS, CITY, STATE AND ZIP CODE) 7. V. A. WESTSIDE MEDICAL CENTER	
BIRTHPLACE (CITY AND STATE OR FOREIGN COUNTRY) 8. EDWARD, MISS.		MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (SPECIFY) 9a. Divorced	NAME OF SURVIVING SPOUSE (BANDEN NAME, IF WIFE) 9b. NONE
SOCIAL SECURITY NUMBER 10. 425-72-9725		USUAL OCCUPATION 11a. Masonry Brick Layer	KIND OF BUSINESS OR INDUSTRY 11b. Self Employed
RESIDENCE (STREET AND NUMBER) 13a. 11525 S. HARVARD		CITY, TOWN, TWP. OR ROAD DISTRICT NO. 13b. CHICAGO	INSIDE CITY (YES/NO) 13c. YES
STATE 13a. ILLINOIS	ZIP CODE 13b. 60628	RACE (WHITE, BLACK, AMERICAN INDIAN, ETC.) (SPECIFY) 14a. BLACK	OF HISPANIC ORIGIN? (SPECIFY YES OR NO) YES-IF YES SPECIFY CUBAN, MEXICAN, PUERTO RICAN, ETC. 14b. NO
FATHER-NAME FIRST MIDDLE LAST 15. STANFORD MACE		MOTHER-NAME FIRST MIDDLE LAST (BANDEN) LAST 16. ARLENE GILMORE	
INFORMANT'S NAME (TYPE OR PRINT) 17a. WANDA SCOTT		RELATIONSHIP 17b. HOSP. REC	MAILING ADDRESS (STREET AND NO. OR R.F.D., CITY OR TOWN, STATE, ZIP) 17c. P. O. BOX 8195 CHGO, IL. 60680
18. PART I. Enter the diseases, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line.			
Immediate Cause (Final disease or condition resulting in death)		(a) METASTATIC LEIOMYOSARCOMA	
CONDITIONS, IF ANY WHICH GIVE RISE TO IMMEDIATE CAUSE (a) STATING THE UNDERLYING CAUSE LAST.		(b) DUE TO, OR AS A CONSEQUENCE OF	
		(c) DUE TO, OR AS A CONSEQUENCE OF	
PART II. Other significant conditions contributing to death but not resulting in the underlying cause as given in PART I.			
DATE OF OPERATION, IF ANY 20a.		MAJOR FINDINGS OF OPERATION 20b.	
(100) (100) ATTEND THE DECEASED AND LAST SAW HIM/HER/LIVE-ON (MONTH DAY YEAR) 21a. 5/19/98		WAS CORONER OR MEDICAL EXAMINER NOTIFIED? (YES/NO) 21b. NO	
TO THE BEST OF MY KNOWLEDGE, DEATH OCCURRED AT THE TIME, DATE AND PLACE AND DUE TO THE CAUSE(S) STATED.		HOUR OF DEATH 21c. 6:10 A. M.	
22a. SIGNATURE NAME AND ADDRESS OF CERTIFIER (TYPE OR PRINT) 22c. DR. AMIT VERMA M. D. *20 S. DAMEN CHGO, IL. 60680		DATE SIGNED (MONTH DAY YEAR) 22b. 5/20/98	
NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (TYPE OR PRINT) 23.		ILLINOIS LICENSE NUMBER 22d. PERMIT	
BURIAL, CREMATION, REMOVAL (SPECIFY) 24a. Burial		CEMETERY OR CREMATORY-NAME 24b. Henry Cemetery	
FURNAL HOME 25a. Gatling's Chapel Inc, 10133 S. Halsted St. Chicago, IL 60628		LOCATION CITY OR TOWN STATE 24c. Edwards, MISSISSIPPI	
FURNAL DIRECTOR'S SIGNATURE 25b. Kourthy J. Dent		DATE (MONTH DAY YEAR) 24d. May 24 1998	
LOCAL REGISTRAR'S SIGNATURE 26a. Sheila L. Lene, RSM		FURNAL DIRECTOR'S ILLINOIS LICENSE NUMBER 25c. 034015309	
		DATE FIED BY LOCAL REGISTRAR (MONTH DAY YEAR) 26b. MAY 22 1998	

I, **SHEILA LYNE, RSM, LOCAL REGISTRAR OF VITAL STATISTICS OF THE CITY OF CHICAGO**, DO HEREBY CERTIFY THAT I AM THE KEEPER OF THE RECORDS OF BIRTHS, STILLBIRTHS AND DEATHS FOR THE CITY OF CHICAGO BY VIRTUE OF THE LAWS OF THE STATE OF ILLINOIS AND THE ORDINANCES OF THE CITY OF CHICAGO, THAT THE ACCOMPANYING CERTIFICATE ON THIS SHEET IS A TRUE COPY OF A RECORD KEPT BY ME IN PURSUANCE OF SAID LAWS AND ORDINANCES.



THIS CERTIFIED COPY VALID WHEN MULTICOLOR OR SIGNATURE SEAL IS AFFIXED.

CITY OF CHICAGO
DEPARTMENT OF PUBLIC HEALTH

CERTIFICATION OF VITAL RECORDS

CERTIFICATION OF BIRTH

BIRTH NUMBER: 112-67-6093008

NAME: ERIC MACE

DATE OF BIRTH: OCTOBER 15, 1967

SEX: MALE

PLACE OF BIRTH: CHICAGO, COOK COUNTY, ILLINOIS

MAIDEN NAME OF MOTHER: MAGGIE L BYRDSOON

PLACE OF BIRTH OF MOTHER: MISSISSIPPI

AGE: 23

NAME OF FATHER: ANDREW G MACE

PLACE OF BIRTH OF FATHER: MISSISSIPPI

AGE: 27

DATE FILED: OCTOBER 19, 1967

DATE ISSUED: AUGUST 5, 2008

This is to certify that this is a true and correct extract from the official records
filed with the Illinois Department of Public Health.



County of Cook
State of Illinois

COUNTY BUILDING
CHICAGO, ILLINOIS 60602-1304

Office of County Clerk
David Orr

David Orr
DAVID ORR, COUNTY CLERK



VOID WITHOUT WATERMARK OR IF ALTERED OR ERASED

DEPARTMENT OF HEALTH - CITY OF CHICAGO

June 26, 1984

STATE OF ILLINOIS
COUNTY OF COOK
CITY OF CHICAGO

I, LOUISE C. EDWARDS M.D. M.P.A.,
LOCAL REGISTRAR OF VITAL STATISTICS
OF THE CITY OF CHICAGO, DO HEREBY
CERTIFY THAT I AM THE KEEPER OF
THE RECORDS OF BIRTHS, STILLBIRTHS
AND DEATHS OF THE CITY OF CHICAGO
BY VIRTUE OF THE LAWS OF THE
STATE OF ILLINOIS AND THE
ORDINANCES OF THE CITY OF CHICAGO;
THAT THE ACCOMPANYING CERTIFICATE
WHICH THIS SHEET IS A TRUE COPY AS A
RECORD KEPT BY ME IN PURSUANCE OF
SAID LAWS AND ORDINANCES.



THIS CERTIFIED COPY VALID
WHEN MULTICOLOR SEAL AND
BLUE SIGNATURE ARE AFFIXED

MATCHING IDC
REGISTRATION
DISTRICT NO. 16.10
REGISTERED
NUMBER

STATE OF ILLINOIS

CHILD'S BIRTH NUMBER

CERTIFICATE OF LIVE BIRTH

111. 69 601

CHILD - NAME FIRST: Angelique MIDDLE: Mace LAST: Mace		DATE OF BIRTH (MONTH, DAY, YEAR) January 12, 1969	
1. SEX Female	2. THIS BIRTH (SINGLE, TWIN, TRIPLET, ETC.) Single	3. IF NOT SINGLE BIRTH - GIVE FIRST, SECOND, THIRD, ETC. (SPECIFY)	
4. CITY, TOWN, TWP. OR ROAD DISTRICT NO. Chicago		5. YES	6. HOSPITAL - NAME Cook County Hospital Wd. 51
7. MOTHER - MAIDEN NAME FIRST: Maggie MIDDLE: Lee LAST: Byrdsong		8. AGE (AT TIME OF THIS BIRTH) 24	9. BIRTHPLACE Mississippi
10. RESIDENCE STATE Illinois		11. COUNTY Cook	12. CITY, TOWN TWP. OR ROAD DISTRICT NO. Chicago
13. MOTHER'S COMPLETE MAILING ADDRESS 7509 S. Peoria		14. CITY OR TOWN Chicago	15. STATE Illinois
16. FATHER - NAME FIRST: Andrew MIDDLE: G. LAST: Mace		17. AGE (AT TIME OF THIS BIRTH) 28	18. BIRTHPLACE Mississippi
19. INFORMANT'S SIGNATURE Maggie Mace		20. RELATION TO CHILD Mother	
21. CERTIFY THAT THE ABOVE NAMED CHILD WAS BORN ALIVE AT THE PLACE AND TIME AND ON THE DATE STATED ABOVE		22. DATE SIGNED (MONTH, DAY, YEAR) January 13, 1969	
23. SIGNATURE M. Berman M.D.		24. ATTENDANT M.D.	
25. CERTIFIER'S COMPLETE MAILING ADDRESS 1835 W. Harrison		26. ILLINOIS LICENSE NUMBER 36-39763	
27. LOCAL REGISTRAR'S SIGNATURE [Signature]		28. DATE RECD BY LOCAL REGISTRAR JAN 14 1969	

VS 100 - (1968)

ILLINOIS DEPARTMENT OF PUBLIC HEALTH - BUREAU OF STATISTICS

STANDFORD MACE'S DAUGHTER - Shirley Mae Mace Delk

COUNTY OF COOK
STATE OF ILLINOIS
OFFICE OF THE COUNTY CLERK
CERTIFICATION OF BIRTH

BIRTH NUMBER: 112-42-6055659

NAME: SHIRLEY MAE MACE

DATE OF BIRTH: NOVEMBER 9, 1942

SEX: FEMALE

PLACE OF BIRTH: CHICAGO, COOK COUNTY, ILLINOIS

MAIDEN NAME OF MOTHER: ARLEAN GILMORE

PLACE OF BIRTH OF MOTHER: MISSISSIPPI

AGE: 29

NAME OF FATHER: STANFORD MACE

PLACE OF BIRTH OF FATHER: MISSISSIPPI

AGE: 33

DATE FILED: NOVEMBER 17, 1942

DATE ISSUED: FEBRUARY 17, 1998

RECORD AMENDED ON: 08/14/84

00893580

This is to certify that this is a true and correct abstract from the official record
filed with the Illinois Department of Public Health.

ISSUED AT: DISTRICT B COURT BUILDING
MARKHAM, ILLINOIS 60426-8509

David D. Orr
DAVID D. ORR
COUNTY CLERK

This copy is not valid unless displaying embossed seals of Cook County and County Clerk signature

THIS DOCUMENT HAS A COLORED BACKGROUND. ANY ALTERATIONS OR ERASURES VOID THIS CERTIFICATE.

STATE OF MISSISSIPPI

MISSISSIPPI STATE DEPARTMENT OF HEALTH VITAL RECORDS

REGISTERAR'S NUMBER 144				STATE FILE NUMBER 123- 66-006846	
1. CHILD-NAME First Middle Last Patty Marie Mace			2a. DATE OF BIRTH (Month, Day, Year) February 8, 1968		2b. HOUR 12:45 A.M.
3. SEX Female	4a. THIS BIRTH-Single, Twin, Triplet, Etc. (Specify) Single	4b. IF NOT SINGLE BIRTH, Born First, Second, Third, Etc. (Specify) -	5a. COUNTY OF BIRTH Warren		
6a. HOSPITAL OR CLINIC-NAME Mercy Hospital-Street Memorial			6b. CITY, TOWN OR LOCATION OF BIRTH Vicksburg		6c. INSIDE CITY LIMITS Specify Yes or No Yes
7a. FATHER-NAME First Middle Last Stanford Berry Mace			7b. RACE Colored	7c. AGE AT TIME OF THIS BIRTH 56	7d. STATE OF BIRTH (If Not in U.S.A. Name Country) Miss.
8a. MOTHER-NAME First Middle Last (Maiden Name) Janie Mae Flegg			8b. RACE Colored	8c. AGE AT TIME OF THIS BIRTH 33	8d. STATE OF BIRTH (If Not in U.S.A. Name Country) Miss.
9a. RESIDENCE-STATE Mississippi		9b. COUNTY Hinds	9c. CITY OR TOWN Edwards	9d. INSIDE CITY LIMITS Specify Yes or No No	9e. STREET & NUMBER OR RURAL LOCATION Rt. 1, Box 481
10a. MAILING ADDRESS-STREET & NUMBER OR RURAL LOCATION Rt. 1, Box 481			10b. CITY OR TOWN Edwards	10c. STATE Mississippi	10d. ZIP NUMBER 39180
11a. INFORMANT-NAME Mrs. Stanford Berry Mace			11b. RELATION TO CHILD Mother		
12. SIGNATURE OF MOTHER The above record is correct. <i>Mrs. Stanford Berry Mace</i>					
13a. SIGNATURE <i>Dr. G.T. Walker</i>			13b. ATTENDANT-M.D., M.D.Wife, Other N.D.		
14a. CERTIFIER-NAME (Type or Print) Dr. G.T. Walker			14b. MAILING ADDRESS (Street or Route, City or Town, State, Zip) Street Clinic, Vicksburg, Mississippi 39180		
15a. REGISTERAR-SIGNATURE <i>Gladys S. Dykes</i>				15b. DATE RECEIVED BY LOCAL REGISTRAR Month Day Year 2-16-68	

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE

Brian W. Amy, MD, MHA, MPH
STATE HEALTH OFFICER

DEC 18 2006

Judy Moulder
STATE REGISTRAR

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MISSISSIPPI STATE DEPARTMENT OF HEALTH
VITAL RECORDS

09689359

82-04247

REGISTRAR'S
NUMBER

CERTIFICATE OF DEATH

STATE FILE
NUMBER 123

1. DECEASED—NAME First Middle Last Velma Mace Burks			2. SEX Female	3. DATE OF DEATH (Month, Day, Year) MARCH 9, 1982	
4. RACE (Specify White, Black, American Indian, etc.) Black	5a. AGE AT LAST BIRTHDAY 70 Years	ONLY IF UNDER 1 YEAR ONLY IF UNDER 1 DAY 5b. MOS 5c. DAYS 5d. HOURS 5e. MINS June 3, 1911		6. DATE OF BIRTH (Month, Day, Year) June 3, 1911	
7b. CITY OR TOWN OF DEATH Edwards		7c. HOSPITAL OR OTHER INSTITUTION—NAME AND NUMBER (If not in either, give street address, route number, or other location) Rt. 1, Box 386		7d. IF IN HOSP. OR INST. SPECIFY INPT., OUTPT., EMER. RM., OR DOA Hinds	
8. STATE OF BIRTH Miss.	9. CITIZEN OF WHAT COUNTRY USA	10. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify) Widowed	11. SURVIVING SPOUSE (If wife, give maiden name) None		12. WAS DECEASED EVER IN U.S. ARMED FORCES? (Yes or No) NO
13. ORIGIN OR DESCENT (Specify German, Cuban, Afro-American, Mexican, etc.) Afro-American		14. SOCIAL SECURITY NUMBER 426-98-5320	15a. USUAL OCCUPATION (Kind of work done most of working life) Farmer		15b. KIND OF BUSINESS OR INDUSTRY Farming
16a. RESIDENCE—STATE Mississippi	16b. COUNTY Hinds	16c. CITY OR TOWN Edwards	16d. INSIDE CITY LIMITS (Specify: Yes or No) No	16e. STREET AND NUMBER OR RURAL LOCATION Rt. 1, Box 386	
17. FATHER—NAME First Middle Last George Mace		18. MOTHER—NAME First Middle Maiden Esther Lowe			
19a. INFORMANT—NAME (Type or print) Mr. Charles Burks		19b. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) 2027 Military Avenue, Vicksburg, Ms. 39180			
20a. BURIAL, CREMATION, REMOVAL (Specify) Burial	20b. CEMETERY, CREMATORY—NAME Henry	20c. LOCATION (City and State) Hinds Co., Miss.		21. EMBALMER—SIGNATURE AND NUMBER James O. McNeill 778	
21b. FUNERAL HOME—NAME AND MISSISSIPPI I.D. NUMBER Dillon Funeral Home		21c. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) 1711 Court Street, Vicksburg, Ms. 39180			
22a. CERTIFIER—NAME (Type or print) R. J. MARTIN		22b. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP Code) 1516 WINGFIELD DR. W. JACKSON, MS 39204			
This section to be completed by physician if NOT a coroner or medical examiner 23a. To the best of my knowledge, death occurred at the time, date, and place and due to the causes stated. SIGNATURE 23b. DATE SIGNED (Month, Day, Year) 23c. HOUR OF DEATH 23d. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or print)		This section to be completed by coroner or medical examiner ONLY 24a. On the basis of examination and/or investigation, in my opinion death occurred at the time, date, and place and due to the causes stated. SIGNATURE, TITLE 24b. DATE SIGNED (Month, Day, Year) 24c. HOUR OF DEATH 24d. PRONOUNCED DEAD (Month, Day, Year) ON 3-9-82 AT 1 AM. m.		24e. PRONOUNCED DEAD (Hour) MIDNIGHT m.	
25. PART I: DEATH CAUSED BY: (a) CARDIAC ARREST (b) PROB. MYOCARDIAL INFARCTION (c) HCD		Interval between onset and death 10+YES-			
26. PART II: OTHER SIGNIFICANT CONDITIONS—Conditions contributing to death but not related to cause given in PART I (a) NO		27. AUTOPSY (Yes or No) NO			
28. WAS CASE REFERRED TO MEDICAL EXAMINER OR CORONER? YES		29. DATE CERTIFICATE RECEIVED (Month, Day, Year) MAR 22 1982			
30. SIGNATURE Judy Moulder		31. DATE OF SIGNATURE MAR 22 1982			

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE

NOV 12 2010

Judy Moulder
STATE REGISTRAR

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VERIFY PRESENCE OF WATERMARK HOLD TO LIGHT TO VIEW

ATTACHED ARE THE CHILDREN OF VELMA MACE BURK (DECEASED)

VELMA MACE BURKS SON - Ellis Burks



STATE OF MISSISSIPPI
MISSISSIPPI STATE BOARD
OF HEALTH
OFFICE OF PUBLIC HEALTH STATISTICS
VITAL RECORDS

NAME **ELLES** DATE OF BIRTH **Oct. 10, 1943**
BURKS

COUNTY OF BIRTH **Hinds** FILE NO. 123- **40622**

FILING DATE **Within one year of birth** DATE ISSUED **07/23/84**

This is a true copy of facts on the birth certificate filed in this office and
is issued under the authority of Mississippi Code of 1972, Section 41-57-9.

Alton B. Cobb, M.D. *David Lohrlich*
ALTON B. COBB, M.D. DAVID LOHRISCH
STATE HEALTH OFFICER STATE REGISTRAR

CERTIFICATION OF BIRTH

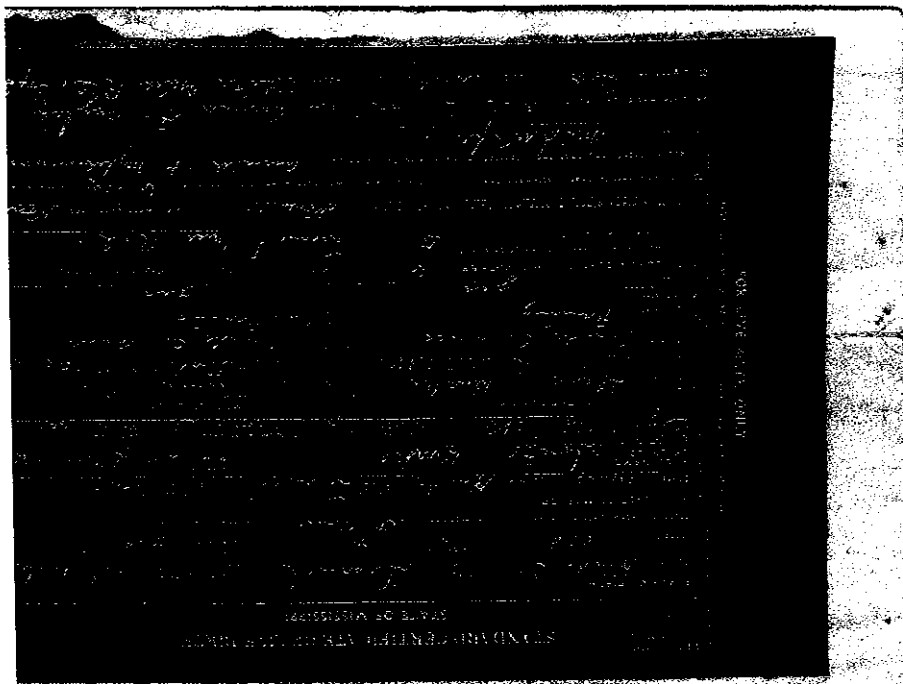
ELLIS BURKS
RT 1 BOX 388F
EDWARDS MS 39066

Received the sum of:

\$5.00 by money order

Thank you,
LINDA PEOPLES
Vital Records

VELMA MACE BURKS SON - Alonzo Burks



VELMA MACE BURKS DAUGHTER - Venetta Elaine Burks Taylor

CERTIFIED COPY OF RECORD OF BIRTH

I, Archie Lee Gray, M.D., State Registrar of Vital Statistics, hereby certify this to be a true and correct copy of the certificate of Birth of the person named therein. The original being on file in this office.

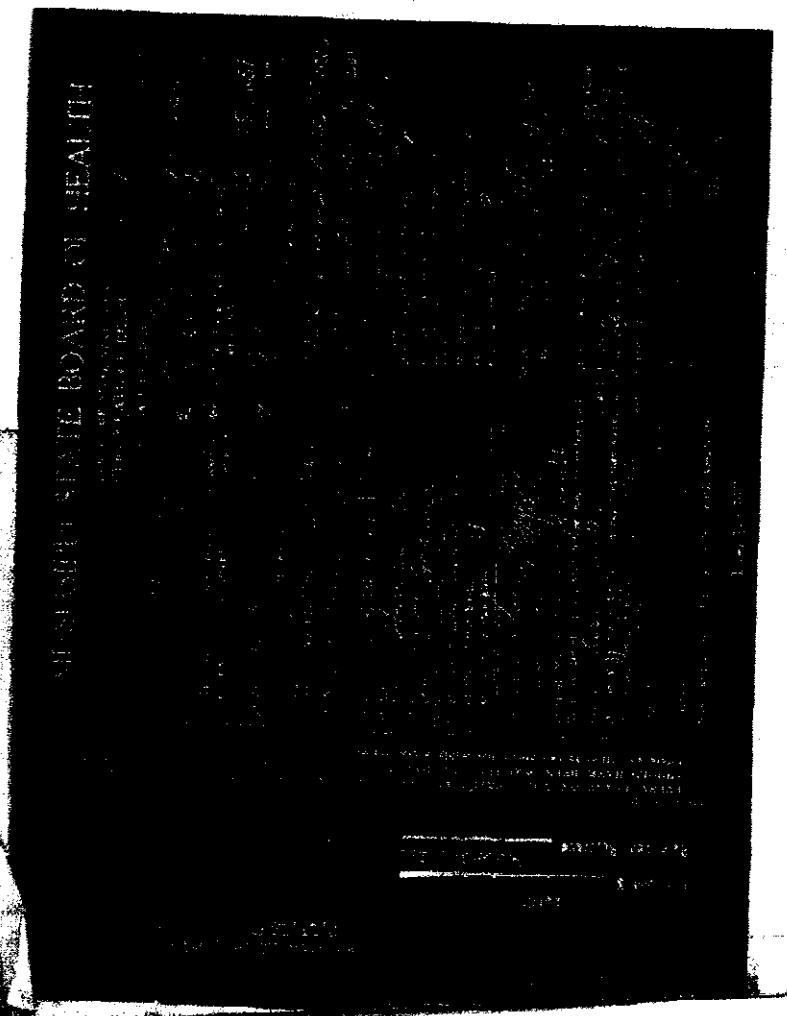
Given at Jackson, Mississippi, over my signature and under the official seal of my office this day

RECORDED - January 1900

ARCHIE LEE GRAY, M.D. State Registrar

By

J. E. Oswalt
Deputy State Registrar



VELMA MACE BURKS SON - Phillip Angelo Burks



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EMBOSSSED SEAL OF THE MISSISSIPPI STATE BOARD OF HEALTH IS PRESENT. IT IS ILLEGAL TO ALTER
OR COUNTERFEIT THIS DOCUMENT.

DATE ISSUED: JAN 06 1954
Edwin W. Army, MD, MPH, MPH
STATE REGISTRAR

STATE REGISTRAR

George W. Anderson

Edwin W. Army

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE

COMPUTER GENERATED COPY OF INFORMATION CONTAINED ON CERTIFICATE OF LIVE BIRTH ON FILE IN THIS OFFICE FOR ABOVE NAMED CHILD

Mother

Name: VELMA WACE
Age: 43
Race: BLACK

Father

Name: STEVE BURKS
Age: 48
Race: BLACK

Child

Name: PHILIP ANGELLO BURKS
Date of Birth: JANUARY 04, 1954
Sex: MALE
County of Birth: HINDS

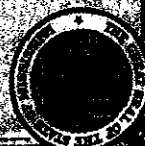
STATE FILE NUMBER: 123-54-001982

ISSUING DATE: JAN 06 1954

MISSISSIPPI STATE DEPARTMENT OF HEALTH

RECORDS

CERTIFICATE OF LIVE BIRTH



**MISSISSIPPI STATE DEPARTMENT OF HEALTH
VITAL RECORDS**

TYPE OR PRINT
WITH BLACK INK

FILING
DATE

FEB 15 2002

**CERTIFICATE OF DEATH
STATE OF MISSISSIPPI**

STATE FILE
NUMBER 123-

DECEASED

1. NAME First Middle Last CLARA M. WINSTON	2. SEX F	3a. HOUR OF DEATH 5:29 a.m.	3b. DATE OF DEATH (Month, Day, Year) 02/08/02
4. RACE (Specify White, Black, American Indian, etc.) BLACK	5a. AGE AT LAST BIRTHDAY 88 Years	5b. MOS 88	5c. DAYS 10/17/1913
6. DATE OF BIRTH (Month, Day, Year) 10/17/1913	7a. COUNTY OF DEATH WARREN	7b. CITY OR TOWN OF DEATH VICKSBURG	
7c. HOSPITAL OR OTHER INSTITUTION NAME AND NUMBER (If not at home, give street address, route number or other location) PARKVIEW REGIONAL MEDICAL CENTER		7d. IF IN HOSP. OR INST. SPECIFY INPT., OUTPT., EMER., AMOR, DOA INPATIENT	8. STATE OF BIRTH MS
9. DECEDENT'S EDUCATION (Specify only highest grade completed) Elementary School, College	10. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify) WIDOWED	11. SURVIVING SPOUSE (If wife, give maiden name) N/A	12. WAS DECEASED EVER IN U.S. ARMED FORCES? (Yes or No) NO
13. ORIGIN OR DESCENT (Specify Cuban, Afro-American, Mexican, etc.) Afro-American	14. SOCIAL SECURITY NUMBER 427-86-7423	15a. USUAL OCCUPATION (Kind of work done most of working life) HOME MAKER	15b. KIND OF BUSINESS OR INDUSTRY N/A
16a. RESIDENCE—STATE MS	16b. COUNTY WARREN	16c. CITY OR TOWN Edwards	16d. INSIDE CITY LIMITS (Specify Yes or No) NO
16e. STREET AND NUMBER OR RURAL LOCATION 3700 Canada Cross Rd		17. MOTHER—NAME First Middle Maiden ESTHER MALE	

PARENTS

17. FATHER—NAME First Middle Last George MALE	18. MOTHER—NAME First Middle Maiden ESTHER MALE
--	--

INFORMANT

19a. INFORMANT—NAME (Type or print) LYNNE O'NEAL	19b. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) 3700 Canada Cross Rd Vicksburg MS 39183
--	---

DISPOSITION

20a. BURIAL, CREMATION, REMOVAL (Specify) BURIAL	20b. CEMETERY, CREMATORY—NAME Cedar Hill Cemetery	20c. LOCATION (City and State) Vicksburg MS
21a. FUNERAL HOME—NAME AND MISSISSIPPI I.D. NUMBER Williams Funeral Home 754	21b. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) 3700 Washington Street Vicksburg MS 39183	

PRONOUNCEMENT

22a. PERSON WHO PRONOUNCED DEATH—NAME AND TITLE (Type or print) BRIAN D HUDSON, M.D.	22b. PRONOUNCED DEAD (Month, Day, Year) ON 020802	22c. PRONOUNCED DEAD (Hour) AT 0529 m.
--	---	--

CERTIFIER

23a. CERTIFIER—NAME (Type or print) Wm Wooten	23b. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) 104 McAuley DR. Vicksburg MS 39183
24a. To the best of my knowledge, death occurred due to the cause(s) and manner as stated. SIGNATURE Wm Wooten MD 24b. DATE SIGNED (Month, Day, Year) 2/8/02 24c. STATE LICENSE NUMBER 13924	24d. On the basis of examination and/or investigation, in my opinion, death occurred due to the cause(s) and manner as stated. SIGNATURE Judy Moulder 24e. TITLE STATE REGISTRAR 24f. DATE SIGNED (Month, Day, Year) FEB 15 2002

CAUSE OF DEATH

25. PART I: DEATH CAUSED BY: (a) Aspiration Pneumonia (b) DUE TO, OR AS A CONSEQUENCE OF (Enter one cause only): (c) DUE TO, OR AS A CONSEQUENCE OF (Enter one cause only):	Interval between onset and death 6 days Interval between onset and death Interval between onset and death
26. PART II: OTHER SIGNIFICANT CONDITIONS—Conditions contributing to death but not resulting in the underlying cause given in PART I	27. AUTOPSY (Yes or No)
28. WAS CASE REFERRED TO MEDICAL EXAMINER? (Yes or No) 	
29a. ACCIDENT, SUICIDE, HOMICIDE, PENDING INVESTIGATION, OR UNDETERMINED (Specify) 	29b. DATE OF INJURY (Month, Day, Year)
29c. HOUR OF INJURY 	29d. DESCRIBE HOW OR BY WHAT MEANS INJURY OCCURRED
29e. INJURY AT WORK (Yes or No) 	29f. PLACE OF INJURY (Specify Home, Farm, Street, Factory, Office building, etc.)
29g. LOCATION Street or route number City or town State 	

Conditions, if any, which gave rise to immediate cause stating the underlying cause last

Had Decedent been Pregnant Within 90 Days Prior to Death?
☐ Yes ☐ No

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE

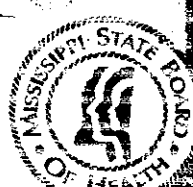
F. E. Thompson Jr. MD
F. E. Thompson, Jr., M.D., M.P.H.
STATE HEALTH OFFICER

Judy Moulder
Judy Moulder
STATE REGISTRAR

FEB 15 2002

WARNING:

A REPRODUCTION OF THIS DOCUMENT RENDERS IT VOID AND INVALID. DO NOT ACCEPT UNLESS EMBOSSED SEAL OF THE MISSISSIPPI STATE BOARD OF HEALTH IS PRESENT. IT IS ILLEGAL TO ALTER OR COUNTERFEIT THIS DOCUMENT.



ATTACHED ARE THE CHILDREN OF CLARA MACE WINSTON - (Deceased)

CLARA MACE WINSTON'S DAUGHTER - Lynette Winston O'Neal



WARNING:

A REPRODUCTION OF THIS DOCUMENT...
STATE HEALTH OFFICER
F. E. THOMPSON, JR., M.D., M.P.H.

MAY 11 2000

Miss. Comp. Health

J. E. Thompson Jr. MD

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE.

RECEIVED 9-1-58

I hereby certify that this child was born alive on the date stated above.

This the 24 day of February 19 67

by Arthur B. Bennett Deputy State Registrar

10. Occupation T.C. Railroad	9. Birthplace Harris Co., Mississippi	16. Occupation Maid	15. Birthplace Sharkey Co., Mississippi
7. Race Negro	6. Address Jackson, Mississippi	13. Race Negro	12. Address Jackson, Mississippi
5. Full name Jim Winston	11. Full name Clara Renda Mace	4. Date of birth March 18, 1958	3. Sex Female
2. Full name of child Lynette Winston	1. Place of birth a. County b. City, town or location Jackson		

CERTIFICATE OF BIRTH

STATE OF MISSISSIPPI

STATE FILE NUMBER

10797

MISSISSIPPI STATE BOARD OF HEALTH



MISSISSIPPI STATE DEPARTMENT OF HEALTH
VITAL RECORDS

DECEASED UNATTENDED BY A PHYSICIAN, OR IF WAS ANY SUSPICIOUS OR UNUSUAL MANNER ASSOCIATED WITH THIS DEATH? ☐ YES ☒ NO
IF "YES" TO EITHER 1, 2, 3, OR 4, PLEASE NOTIFY THE CORONER IN THE COUNTY WHERE THE BODY WAS FOUND OR THE DEATH OCCURRED.

CERTIFICATE OF DEATH STATE OF GEORGIA		05588	05588
DECEASED'S NAME (First, Middle, Last)		DATE OF DEATH (Mo., Day, Year)	
Roscoe Peter Mace		12-25-2002	
RACE (White, Black, Amer. Indian, etc.)	ORIGIN OF DECEASED (Foreign, Mex., French, English, etc.)	DATE OF BIRTH (Mo., Day, Year)	AGE-Last Birthday (Years)
Black	American	06-11-1918	84
CITY, TOWN, OR LOCATION OF DEATH	HOSPITAL OR OTHER INSTITUTION NAME (If not in either, give street and No.)	IF HOSPITAL OR INST. (Indicate DOA, OPERED, etc., as appropriate) (Specify)	
Decatur	Decatur Hospital	Inpatient	
STATE AND COUNTY OF BIRTH (If not in U.S.A., name Country)	CITIZEN OF WHAT COUNTRY	MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify)	WAS DECEASED EVER IN U.S. ARMED FORCES (Yes or No)
MS-Washington	USA	Widowed	No
SOCIAL SECURITY NUMBER	USUAL OCCUPATION (Give kind of work done during most of working life, even if retired)	KIND OF INDUSTRY OR BUSINESS	
428-50-8582	Security Guard	Medical Clinic	
RESIDENCE - STATE	COUNTY	CITY, TOWN OR LOCATION	STREET AND NUMBER AND ZIP CODE
GA	DeKalb	Stone Mountain	5177 McCarter St. 30088
FATHER'S NAME	MOTHER'S MARRIAGE NAME	RELATIONSHIP	
George Mace	Esther Lowe	Dtr	
INFORMANT'S NAME	MAILING ADDRESS (Street, R.F.D. No., City or Town, State, Zip)	RELATIONSHIP	
Betty Mace Godbolt	5177 McCarter St. Stone Mountain GA 30088	Dtr	
BURIAL, CREMATION, REMOVAL (Specify)	DISPOSITION DATE (Mo., Day, Year)	CEMETERY OR CREMATORY NAME	LOCATION (City or Town, State, Zip, Country)
Burial	12-29-02	Henry Cemetery	Edwards, MS Hinds
FUNERAL DIRECTOR (Signature)	FUN. DIR. LICENSE NO.	NAME AND ADDRESS OF FACILITY (Street, R.F.D. No., City or Town, State, Zip)	EST. LICENSE NO.
Ariel Y. Sullivan	4246	Young Funeral Home, Inc.	561
EMBALMER (Signature)	EMBALMER LICENSE NO.	P. O. Box 486 Covington, GA 30015	
Charles Menendez	2892		
23. IMMEDIATE CAUSE: (Enter only one cause per line for A, B, and C)			
A. Aspiration Pneumonia		Approximate interval between onset and death	
B. Recurrent Cerebrovascular Events Stroke		Approximate interval between onset and death	
C. Atherosclerosis		Approximate interval between onset and death	
24. OTHER SIGNIFICANT CONDITIONS - conditions contributing to death but not related to those given in Part 1A. (If fatal, indicate if probable or birth occurred within 90 days of death)		AUTOPSY (Yes or No)	
Urinary Tract Infection Congestive Failure No		IF YES, WERE FINDINGS CONSIDERED IN DETERMINING CAUSE OF DEATH? (Yes or No)	
WAS OPERATION PERFORMED? (Yes or No)	DATE OF OPERATION (Mo., Day, Year)	CONDITIONS FOR WHICH OPERATION WAS PERFORMED (Specify)	
Yes	12/13/02	FOR ANTIBIOTICS Central Line Placement	
ACCIDENT, SUICIDE, HOMICIDE, UNDETERMINED (Specify)	DATE OF INJURY (Mo., Day, Year)	DESCRIBE HOW INJURY OCCURRED	HOUR OF INJURY
INJURY AT WORK? (Yes or No)	PLACE OF INJURY (Home, Farm, Street, Factory, Office, Etc.) (Specify)	LOCATION (Street, R.F.D. No., City or Town, State, Zip, Country)	
25a. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated. (Signature and Title)		25b. On the basis of examination and/or investigation, in my opinion death occurred at the time, date and place and due to the cause(s) stated. (Signature and Title)	
DATE SIGNED (Mo., Day, Year)		DATE SIGNED (Mo., Day, Year)	
12/26/02		9:59 A M	
NAME OF ATTENDING PHYSICIAN (If other than certifier)		DATE PRONOUNCED DEAD (Mo., Day, Year)	
NAME, TITLE, AND LICENSE NO. OF CERTIFIER (Physician, Medical Examiner, or Coroner)		ADDRESS OF CERTIFIER (Street, R.F.D. No., City or Town, State, Zip)	
Monica W. Parker, MD		1891 Clifton Rd. Atlanta GA	
REGISTRAR (Signature)		DATE RECEIVED BY REGISTRAR (Mo., Day, Year)	
7. Daniel Carson		DEC 27 2002	

Form 3903 (Rev. 9-00)

GEORGIA DEPARTMENT OF HEALTH AND HUMAN SERVICES

DO NOT FOLD THIS CERTIFICATE

Certificate of Record

This is an exact copy of the death certificate received for filing in DeKalb County.

County custodian

Issued by

Date 12-27-2002

ATTACHED ARE THE CHILDREN OF ROSCOE PETER MACE - DECEASED

ROSCOE PETER MACE'S SON - ROY PETER MACE (DECEASED)



WARNING

A REPRODUCTION OF THIS DOCUMENT IS PROHIBITED WITHOUT THE WRITTEN PERMISSION OF THE MISSISSIPPI STATE BOARD OF HEALTH. ANY REPRODUCTION OF THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF THE MISSISSIPPI STATE BOARD OF HEALTH IS A VIOLATION OF THE MISSISSIPPI STATE BOARD OF HEALTH ACT AND IS SUBJECT TO PROSECUTION.

NOV 28 1981

W. E. Thompson Jr. MD

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AS KEPT IN THE OFFICE OF THE MISSISSIPPI STATE BOARD OF HEALTH.

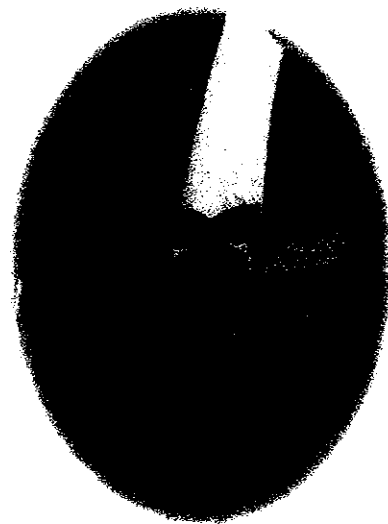
22a. PERSON WHO PROCLAIMED DEATH—NAME AND TITLE (Type in plain)		22b. CERTIFICATE NUMBER (Type in plain)	
Walter Kappert, MD		1010	
22c. PROCLAIMED DEAD (Month, day, year)		22d. PROCLAIMED DEAD (Time of day)	
November 3, 2001		11:40	
23. DEATH INFORMATION			
23a. DEATH INFORMATION (Type in plain)		23b. DEATH INFORMATION (Type in plain)	
Roscoe Mace		11/03/81	
23c. DEATH INFORMATION (Type in plain)		23d. DEATH INFORMATION (Type in plain)	
Roscoe Mace		11/03/81	
24. DEATH INFORMATION (Type in plain)			
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100. DEATH INFORMATION (Type in plain)			
Roscoe Mace			

Roy Peter Mae

Thursday, November 8, 2001
1:00 P.M.

New Oak Ridge Missionary Baptist Church
Edwards, Mississippi

Reverend Phillip Burks
Officiating



Homegoing Celebration
For
The Late

ROY PETER MACE'S SON - ALLEN NICHOLSON

Obituary

Roy Peter Mace was born on April 7, 1949 to Roscoe and Elnora Mace in Vicksburg, MS.

Roy graduated from Mt. Moriah Elementary School in 1964. He graduated from Hinds Agricultural High School in 1968. He was employed at Jackson State University as a carpenter until his health failed him. Some of his carpentry work can be seen on the beautiful communion table and the three podiums in the alter area of this church.

He served in the U.S. Army during the Vietnam War from 1969-1971, with an honorable discharge.

Roy confessed Christ at an early age at New Oak Ridge M. B. Church under the leadership of Reverend W. R. Griffin.

He departed this life on Saturday, November 03, 2001, at G. V. (Sonny) Montgomery Veterans Hospital. One brother, Roscoe Mace, Jr., preceded him in death.

Roy united in holy matrimony to the late Margaret Broome.

~~Roy leaves three children: one son, Allen Nicholson, of Vicksburg, MS; two stepdaughters: Tracey (James) Purvis, and Felecia Broome of Jackson, MS; his parents, Roscoe and Elnora Mace of Stone Mountain, GA; one brother, Donald Mace, Sr. of Edwards, MS; three sisters: Gloria Mace Morrison of Memphis, TN, Betty (James) Mace Godbolt, and Regina (Rafael) Mace Crowder of Stone Mountain, GA; and his grandmother, Pearl Ann Fields of Jackson, MS.~~

Also left to cherish his memories are five grandchildren, eight nieces and nephews, a multitude of aunts, uncles, cousins, and friends.

ROSCOE PETER MACE'S DAUGHTER - GLORIA JEAN MACE MORRISON

STATE OF MISSISSIPPI

MISSISSIPPI STATE DEPARTMENT OF HEALTH VITAL RECORDS

✓ SHOWN ON HOSPITAL REPORT

CERTIFICATE OF LIVE BIRTH STATE OF MISSISSIPPI

Federal Security Agency
Public Health Service

STATE FILE NUMBER **123-**
REGISTRAR'S NUMBER **998**
50 12343

1. PLACE OF BIRTH a. County <u>Blount</u> b. City or Town <u>Jackson</u> c. Hospital <u>State Charity</u> d. [With "RURAL" if not in Town] <u>SR</u>		2. USUAL RESIDENCE OF MOTHER (Where Does Mother Live?) a. State <u>Mississippi</u> b. County <u>Yazoo</u> c. City or Town <u>Leona Ward</u> d. If Rural Give Location <u>Rt. 1</u>	
3. CHILD'S NAME (Type or Print) a. First <u>Flora</u> b. Middle <u>Jean</u> c. Last <u>Mace</u>			
4. SEX OF CHILD a. Male <input checked="" type="checkbox"/> b. Female <input checked="" type="checkbox"/>			
5. TYPE BIRTH a. SINGLE <input checked="" type="checkbox"/> b. TWIN <input type="checkbox"/> c. TRIPLET <input type="checkbox"/>			
6. DATE OF BIRTH (Month) (Day) (Year) <u>9</u> - <u>4</u> - <u>1950</u>			
FATHER OF CHILD			
7. FULL NAME a. (First) <u>Rosecoe</u> b. (Middle) <u>Mace</u> c. (Last) <u>Mace</u>		d. COLOR OR RACE <u>Negro</u>	
8. AGE (At time of this birth) <u>30</u> YEARS		9. BIRTHPLACE (State or foreign country) <u>Miss</u>	
10. OCCUPATION <u>Learning</u>		11. KIND OF BUSINESS OR INDUSTRY <u>Learning</u>	
MOTHER OF CHILD			
12. FULL MAIDEN NAME a. (First) <u>Flora</u> b. (Middle) <u>Jean</u> c. (Last) <u>Fields</u>		d. COLOR OR RACE <u>Negro</u>	
13. AGE (At time of this birth) <u>21</u> YEARS		14. BIRTHPLACE (State or foreign country) <u>Miss</u>	
15. CHILDREN PREVIOUSLY BORN TO THIS MOTHER (Do NOT include this child) a. How many OTHER children are now living? <u>1</u> b. How many OTHER children were born alive but are now dead? <u>0</u> c. How many children were still born (born dead after 28 weeks pregnancy)? <u>0</u>		16. INFORMATION GIVEN BY <u>mother</u>	
17. I hereby certify that this child was born on the date stated above.			
18. SIGNATURE OF REGISTRAR <u>Alton B. Cobb</u>		19. DATE WHEN GIVEN NAME ADDED <u>March 11-1950</u>	
FOR MEDICAL AND HEALTH USE ONLY (This section MUST be filled out)			
20. LENGTH OF PREGNANCY <u>42</u> WEEKS		21. WEIGHT AT BIRTH <u>8</u> LB. <u>0</u> OZ.	
22. IS MOTHER MARRIED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		23. SIGNATURE OF MOTHER <u>Edna Mace</u>	

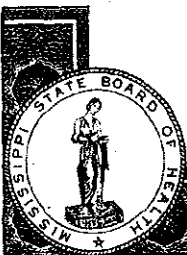
THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE.

Alton B. Cobb, M.D.
Alton B. Cobb, M.D.
STATE HEALTH OFFICER

June 29, 1990

David Lohrlich
David Lohrlich
STATE REGISTRAR

WARNING: It is illegal to alter or counterfeit this copy.



ROSCOE PETER MACE'S SON - DONALD EDWARD MACE

31451

CERTIFICATE OF LIVE BIRTH
STATE OF MISSISSIPPI

Federal Security Agency
Public Health Service

STATE FILE NUMBER 123-
REGISTRAR'S NUMBER 568

1. PLACE OF BIRTH

2. SEX ☒ Male ☐ Female

3. USUAL RESIDENCE OF MOTHER
State Mississippi
County DeSoto
City or Town Brandon
U.S. Post Office Brandon

4. CHILD'S NAME
First Name EDWARD
Middle Name SWART
Last Name MACE

5. DATE OF BIRTH
Month June Day 10 Year 1951

6. FATHER OF CHILD
Full Name LODGE PETER MACE
Age 30 Birth Date June 10, 1921
Occupation Farmer
Color or Race White

7. MOTHER OF CHILD
Full Name LEORA DEAN FIELDS
Age 25 Birth Date June 10, 1926
Occupation Homemaker
Color or Race White

8. CHILDREN PREVIOUSLY BORN TO THIS MOTHER
Number 2

9. INFORMATION GIVEN BY
Name Leora Mace
Address Brandon, Miss.
Signature [Signature]
Date Signed 6/12/51

10. FOR MEDICAL AND HEALTH USE ONLY
21. LENGTH OF PREGNANCY (Weeks) 38
22. WEIGHT AT BIRTH (Pounds) 7
23. LENGTH OF BIRTH (Inches) 19
24. HEAD CIRCUMFERENCE (Inches) 13
25. HEART RATE (Per Minute) 120
26. RESPIRATORY RATE (Per Minute) 30
27. BLOOD PRESSURE (Systolic/Diastolic) 90/60
28. TEMPERATURE (Fahrenheit) 98.6
29. OTHER NOTES [Blank]

CERTIFIED COPY OF RECORD OF BIRTH

I, Archie Lee Gray, M.D., State Registrar of Vital Statistics, hereby certify this to be a true and correct copy of the certificate of birth of the person named therein, the original being on file in this office.

Given at Jackson, Mississippi, over my signature and under the official seal of my office, this the 21st day of August, 1967.

[Signature]
Archie Lee Gray, M.D., State Registrar

ROSCOE PETER MACE'S DAUGHTER - BETTY JEAN MACE BIAS

ROSCOE PETER MACE'S DAUGHTER - REGINA MACE CROWDER



MISSISSIPPI STATE DEPARTMENT OF HEALTH
VITAL RECORDS



CERTIFICATE OF LIVE BIRTH
STATE OF MISSISSIPPI

STATE
FILE
NUMBER

123-

69-042309

REGISTRAR'S
NUMBER

1352

CHILD-NAME First Middle Last 1. Regina (NMN) Mace			DATE OF BIRTH (Month, Day, Year) 2a. November 14, 1969		HOUR 2b. 3:00 P. M.
SEX 3. Female	THIS BIRTH-Single, Twin, Triplet, Etc. (Specify) 4a. Single	IF NOT SINGLE BIRTH, Born First, Second, Third, Etc. (Specify) 4b. -	COUNTY OF BIRTH 5a. Warren		
HOSPITAL OR CLINIC-NAME 5b. Mercy Hospital-Street Memorial		CITY, TOWN OR LOCATION OF BIRTH 5c. Vicksburg		INSIDE CITY LIMITS (Specify Yes or No) 5d. Yes	
FATHER-NAME First Middle Last 6a. Roscoe Peter Mace			RACE 6b. Colored	AGE AT TIME OF THIS BIRTH 6c. 53	STATE OF BIRTH (If Not in U.S.A., Name Country) 6d. Miss.
MOTHER-NAME First Middle Last (Maiden Name) 7a. Elnora (NMN) Fields			RACE 7b. Colored	AGE AT TIME OF THIS BIRTH 7c. 40	STATE OF BIRTH (If Not in U.S.A., Name Country) 7d. Miss.
RESIDENCE-STATE 8a. Mississippi	COUNTY 8b. Hinds	CITY OR TOWN 8c. Edwards	INSIDE CITY LIMITS (Specify Yes or No) 8d. No	STREET & NUMBER OR RURAL LOCATION 8e. Route 1, Box 480	
MAILING ADDRESS-STREET & NUMBER OR RURAL LOCATION 9a. Route 1, Box 480			CITY OR TOWN 9b. Edwards	STATE 9c. Mississippi	ZIP NUMBER 9d. 39066
INFORMANT-NAME 10a. Mrs. Roscoe Peter Mace				RELATION TO CHILD 10b. Mother	
SIGNATURE OF MOTHER The above record is correct <i>Roscoe Peter Mace</i>					
I certify that the above named child was born alive at the place & time & on the date stated above			ATTENDANT-M.D., Midwife, Other (Specify) 11b. M.D.	DATE SIGNED (Month, Day, Year) 11c. 11/19/69	
11a. SIGNATURE <i>J. P. Guerriero</i>					
CERTIFIER-NAME (Type or Print) 11d. Dr. J. P. Guerriero			MAILING ADDRESS (Street or Route, City or Town, State, Zip) 11e. Street Clinic, Vicksburg, Mississippi 39180		
REGISTRAR-SIGNATURE 12a. <i>Bladys S. Lyles</i>				DATE RECEIVED BY LOCAL REGISTRAR Month Day Year 12b. Dec. 5, 1969	

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE

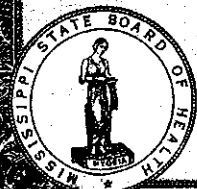
F. E. Thompson Jr. M.D.
F. E. Thompson, Jr., M.D., M.P.H.
STATE HEALTH OFFICER

Nita Cox Gunter
Nita Cox Gunter
STATE REGISTRAR

APR 13 2000

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HINDS COUNTY PUBLIC SCHOOLS
W. M. MOSS, SUPERINTENDENT
RAYMOND, MISSISSIPPI

September 21, 1983
Date

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY THAT ACCORDING TO THE LIST OF EDUCABLE CHILDREN OF

1929 THAT WE HAVE LISTED ONE Queen Ester
(Year of Book) (Name of Child)

AGE 7 YEARS, BIRTHDAY _____, SEX Female

AND PARENTS AS George efface

YOURS VERY TRULY,

W. M. Moss
W. M. MOSS, SUPERINTENDENT
Hinds County Public Schools

WMM: jh



UNITED STATES DEPARTMENT OF COMMERCE
Bureau of the Census
Washington, D.C. 20233

March 7, 1983

OFFICE OF THE DIRECTOR

sc 420-510

Re:

Queen Esther Mace Jackson
506 Roosevelt St.
Indianola, MS 38751

The following information, including spelling of name, relationship, age, etc., is an EXACT COPY of the census record as reported by the census taker on the original schedule.

Census of 1930, taken as of April 1

County Hinds State Mississippi

Name	Relationship	Age	Place of birth	Citizenship
Mace, Queen E. enumerated in the family of George, Jr. and Esther Mace	Daughter	8	Mississippi	

☐ If checked, refer to footnote(s) _____ on reverse side of form.



Bureau of the Census

The above information is furnished in accordance with title 13, United States Code, section 8.

The Bureau of the Census does not issue birth certificates, but this record is often accepted in place of one.

STATE OF MISSISSIPPI

MISSISSIPPI STATE DEPARTMENT OF HEALTH VITAL RECORDS

MISSISSIPPI STATE BOARD OF HEALTH — DIVISION OF VITAL STATISTICS DELAYED CERTIFICATE OF BIRTH 54291

Full Name at birth Mynetta Mace Sex F Color Negro
County of Birth Hinds STATE OF MISSISSIPPI Date of Birth 11/22/28

THE FATHER	THE MOTHER
Full Name <u>George Mace Jr</u>	Full Name Before Marriage <u>Queen Esther Low</u>
Where Born? <u>Hinds County</u>	Where Born? <u>Hinds County</u>

AFFIDAVIT By Applicant — I hereby declare upon oath that the above statements are true and correct.
(Signed) Mynetta Mace Smith Full Address: P. O. Box 156 Edwards
Sworn to and Subscribed before me this the 26 day of June, 1957
(Seal) My Commission Expires July 1, 1958 For State of Miss County of Hinds
Miss Esther Pickett Notary Public

AFFIDAVIT By Close Relative (or other person) I hereby declare upon oath that the above Statements are true and correct to the best of my knowledge and belief - for the following reasons:
This is my sister, and I have been with her
(Signed) Roscoe Mace Full Address: P. O. Box 156 Edwards
Sworn to and Subscribed before me this the 26 day of June, 1957
(Seal) My Commission Expires July 1, 1958 For State of Miss County of Hinds
Miss Esther Pickett Notary Public

(Do Not Write Below This Line)
PARENTAGE, AGE AND MISSISSIPPI BIRTH VERIFIED BY U S CENSUS OF
OTHER SUPPORTING EVIDENCE
1. Application Mississippi Driver's License #1090004 dated- 3-6-1954 shows birthdate- 11-22-1928.
2. National Bankers Life Insurance Co pol #392232 dated- 5-17-1954, shows age 25 years.
3. Mississippi birth record of child of applicant# 14974 dated- 3-1-1955, shows age 26 years and Mississippi birth.
Margaret E. Rice
State Director Vital Statistics By David Lohrlich Authorized Clerk in the Department

Form V.S.—511-A NAME AND ADDRESS OF PERSON SENDING IN THIS CERTIFICATE

Name

Address

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE.

Alton B. Cobb, M.D.
Alton B. Cobb, M.D.
STATE HEALTH OFFICER

May 31, 1990

David Lohrlich
David Lohrlich
STATE REGISTRAR

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STATE OF MISSISSIPPI

MISSISSIPPI STATE BOARD
OF HEALTH
OFFICE OF PUBLIC HEALTH STATISTICS
VITAL RECORDS

NAME MYNETTA ALICIA

DATE OF BIRTH Nov. 22, 1928

MACE

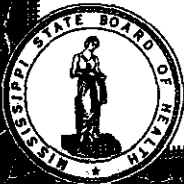
COUNTY OF BIRTH Hinds

FILE NO. 123- 54291

FILING DATE Within one year of birth

DATE ISSUED 12/05/89

This is a true copy of facts on the birth certificate filed in this office and
is issued under the authority of Mississippi Code of 1972, Section 41-57-9.



Alton B. Cobb, M.D.
ALTON B. COBB, M.D.
STATE HEALTH OFFICER

David Lohrisch
DAVID LOHRISCH
STATE REGISTRAR



CERTIFICATION OF BIRTH

MYNETTA M SMITH

Received the sum of:
\$6.00 in cash
\$5.00 Certificate
\$1.00 Trust Fund

THANK YOU,
SABRINA ODOM-BAYLIS
VITAL RECORDS

STATE OF MISSISSIPPI

MISSISSIPPI STATE DEPARTMENT OF HEALTH VITAL RECORDS

PLACE OF BIRTH County of <u>Hinds</u> Voting Precinct <u>Cuburn</u> Inc. Town or Village of _____ City _____ (No. _____ St., _____ Ward)		STATE OF MISSISSIPPI STATE BOARD OF HEALTH BUREAU OF VITAL STATISTICS		CERTIFICATE OF BIRTH 28487 File No. _____ Registered No. _____	
2. FULL NAME OF CHILD <u>Aileen Mae</u>		If child is not yet named, make supplemental report as directed.			
3. Sex of Child <u>Female</u>	4. Twin, triplet, or other? <u>No</u> <small>(To be answered only in event of plural births.)</small>	5. Legitimate? <u>Yes</u>	6. Date of birth <u>June 13, 1927</u> <small>(Month) Day Year</small>		
FATHER 7. FULL NAME <u>Les Mass Jr</u> 8. RESIDENCE <u>Learned Miss</u> 9. COLOR <u>Black</u> 10. AGE AT LAST BIRTHDAY <u>25</u> Years 11. BIRTHPLACE <u>Hinds Co</u> 12. OCCUPATION <u>Farmer</u> 19. Number of children born to this mother including present birth <u>2</u>			MOTHER 13. FULL MAIDEN NAME <u>Ester Lowe</u> 14. RESIDENCE <u>Learned Miss</u> 15. COLOR <u>Black</u> 16. AGE AT LAST BIRTHDAY <u>23</u> Years 17. BIRTHPLACE <u>Hinds Co</u> 18. OCCUPATION <u>House wife</u> 20. Number of children of this mother now living <u>2</u>		
21. CERTIFICATE OF ATTENDING PHYSICIAN OR MIDWIFE I hereby certify that I attended the birth of this child, who was <u>Alive</u> at _____ M. <small>Born alive or stillborn</small> (Signature) <u>Rella Olfers</u> Address <u>Learned Miss</u> 22. Filed <u>July 28, 1927</u> Registrar. <u>David Lohrich</u>					
<small>*When there was no attending physician or midwife, then the father, householder, etc., should make this return. A stillborn child is one that neither breathes nor shows other evidence of life after birth.</small> Given name added from a supplemental report _____, 192____ Registrar. _____ Form V. S., No. 1A. 2-24-100m-D.P.					

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE.

Allen B. Cobb, M.D.
Allen B. Cobb, M.D.

July 28, 1986

David Lohrich
David Lohrich
REGISTRAR



STATE OF MISSISSIPPI

MISSISSIPPI STATE DEPARTMENT OF HEALTH VITAL RECORDS

CORRECTED UNDER HB 1174 MAY 11 1964
MISS. LEGISLATURE, 1962

CERTIFICATE OF BIRTH STATE BOARD OF HEALTH — BUREAU OF VITAL STATISTICS

Jackson, Mississippi
U. S. CWA Project, Year 1934

STATE FILE NO. 9641

Full Name of Child Ethel Elaine Mace
Where Born—County Hinds Voting Precinct Newman
Male or Female? Female Parents Married? yes Date of Birth Apr. 22-1934

FATHER

Full Name George Mace
Age at the Time of This Birth 44 yrs.
Color dark
Where Born Hinds

MOTHER

Full Name Before Marriage Ethel Rowe
Age at the Time of This Birth 38 yrs.
Color dark
Where Born Hinds

Counting this child, how many children born to this mother to the date of this birth? 10
How many of that number living at the time of this birth? 10

THIS CERTIFIES That the Above Statements are True and Correct.

(To be signed by one parent and doctor
(or midwife)—or by both parents if
doctor or midwife is not available.)

See 11 case of Father
Ethel Mace Mother

THIS CERTIFIES That I Attended Above Birth on Date Named

Signature of CWA Worker

Form V. S. 213

Ruth Roach
Learned Mace

Address

1934

Has mother received a certificate showing this birth was registered? no
If not, does Local Registrar's record book show the birth was registered?

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE.

Alton B. Cobb, M.D.
Alton B. Cobb, M.D.
STATE HEALTH OFFICER

December 18, 1989

David Lohrlich
David Lohrlich
STATE REGISTRAR

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STATE OF MISSISSIPPI

MISSISSIPPI STATE DEPARTMENT OF HEALTH VITAL RECORDS



09707231

BUREAU OF VITAL STATISTICS STANDARD CERTIFICATE OF BIRTH

1. PLACE OF BIRTH—MISSISSIPPI STATE BOARD OF HEALTH
County Greene Dist. No. 202 Reg. No. 160
Voting Precinct _____ or Village _____
or City _____ (Hospital) _____

2. Full name of child Robert Mace

3. Sex Male 4. If plural births No 5. Twin or triplet No 6. Premature No 7. Legitimate? Yes 8. Date of birth Oct 27 1931
(Month, day, year)

9. Full name of father George Mace 10. Full name of mother Cather Lowry
11. Full P. O. address of father Lionel Mace 12. Full P. O. address of mother Lionel Mace

13. Color B 14. Age at last birthday 47 (Years) 15. Sex M 16. Age at last birthday 38 (Years)

17. Birthplace (city or county) Greene Co Miss 18. Birthplace (city or county) Greene Co Miss
(State or country) (State or country)

19. Trade, profession, or particular kind of work done, as spinner, weaver, bookkeeper, etc. Farmer 20. Trade, profession, or particular kind of work done, as spinner, weaver, bookkeeper, etc. Farmer

21. Industry or business in which work was done, as silk mill, sawmill, bank, etc. _____ 22. Industry or business in which work was done, as own home, lawyer's office, silk mill, etc. _____

23. Date (month and year) last engaged in this work _____ 24. Total time (years) spent in this work _____
19 _____ 25. Date (month and year) last engaged in this work _____ 26. Total time (years) spent in this work _____
19 _____

27. Number of children of this mother (at time of this birth and including this child) 11 (a) Born alive and now living 11 (b) Born alive but now dead _____ (c) Stillborn _____

28. If stillborn, * Period of gestation _____ months _____ or weeks _____ 29. Cause of stillbirth _____
*See other side. _____ Before labor _____ During Labor _____

CERTIFICATE OF ATTENDING PHYSICIAN OR MIDWIFE

I hereby certify that I attended the birth of this child who was born alive at 10 A.M. on the date above stated.
(Born alive or stillborn)

When there was no attending physician or midwife, then the father, householder, etc., should make this return.

Signed Julia Allen M.D.
Filed Oct 30 1931 or Lionel Mace Midwife
J.B. Patrick M.D. Registrar

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE

11/18/2010

MISSISSIPPI STATE DEPARTMENT OF HEALTH
STATE REGISTRAR

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VERIFY PRESENCE OF WATERMARK HOLD TO LIGHT TO VIEW

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHICH THIS IS WATERMARKED PAPER. DO NOT ACCEPT WITHOUT FIRST HOLDING TO LIGHT TO VERIFY WATERMARK.

MISSISSIPPI STATE DEPARTMENT OF HEALTH
VITAL RECORDS

CERTIFICATE OF DEATH

STATE FILE NUMBER 123-79-21873

REGISTRAR'S NUMBER 590	DECEASED - NAME First Middle Last Illinois Mace		SEX female	DATE OF DEATH (Month, Day, Year) Dec. 25, 1979
4. RACE (Specify White, Black, American Indian, etc.) Black	5a. AGE AT LAST BIRTHDAY 89 Years	ONLY IF UNDER 1 YEAR 5b. MOS. 5c. DAYS 5d. HOURS 5e. MINS.	6. DATE OF BIRTH (Month, Day, Year) Oct. 25, 1890	7a. COUNTY OF DEATH Warren
7b. CITY OR TOWN OF DEATH Vicksburg	7c. HOSPITAL OR OTHER INSTITUTION - NAME (If not in either, give street address, route number, or other location) Trace Haven Nursing Home		7d. IF IN HOSP OR INST, SPECIFY INPT, OUTPT, EMER RM, OR DOA	
8. STATE OF BIRTH MS	9. CITIZEN OF WHAT COUNTRY USA	10. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify) never married	11. SURVIVING SPOUSE (If wife, give maiden name)	12. WAS DECEASED EVER IN U.S. ARMED FORCES? (Yes or No) no
13. ORIGIN OR DESCENT (Specify German, Cuban, Afro-American, Mexican, etc.) Afro-American	14. SOCIAL SECURITY NUMBER 427-78-0753T	15a. USUAL OCCUPATION (Kind of work done most of working life) housework	15b. KIND OF BUSINESS OR INDUSTRY	
16a. RESIDENCE - STATE MS	16b. COUNTY Warren	16c. CITY OR TOWN Vicksburg	16d. INSIDE CITY LIMITS (Specify Yes or No) no	16e. STREET AND NUMBER OR RURAL LOCATION 40 Porter's Chapel
17. FATHER - NAME First Middle Last George Mace, Sr.	18. MOTHER - NAME First Middle Maiden Battie Sublett			
19a. INFORMANT - NAME (Type or print) Patty Mace	19b. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) Rt. 1 Box 517 Edwards, MS			
20a. BURIAL, CREMATION, REMOVAL (Specify) Burial	20b. CEMETERY, CREMATORY - NAME Henry Cemetery	20c. LOCATION (City and State) Edwards, MS	20d. EMBALMER - NAME, TITLE AND NUMBER James A. Stewart III #1275	
21a. FUNERAL HOME - NAME Peoples Funeral Home, Inc.	21c. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) 886 N. Farish Street Jackson, MS 39202			
22a. CERTIFIER - NAME (Type or print) James W. Allison, M.D.	22b. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) I-20 Frontage Road, Vicksburg, Mississippi 39180			
23a. SIGNATURE [Signature]	23b. DATE SIGNED (Month, Day, Year) 11/4/80	23c. HOUR OF DEATH m.	24a. SIGNATURE, TITLE [Signature]	24b. DATE SIGNED (Month, Day, Year)
23d. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or print)	23e. HOUR OF DEATH m.	24c. PRONOUNCED DEAD (Month, Day, Year) ON	24d. PRONOUNCED DEAD (Month, Day, Year) AT	24e. PRONOUNCED DEAD (Month, Day, Year) m.
25. PART I: IMMEDIATE CAUSE (Enter one cause only) (a) ACUTE INTESTINAL OBSTRUCTION DUE TO, OR AS A CONSEQUENCE OF (Enter one cause only): (b) INTESTINAL ADHESIONS "SEE SLIP ATTACHED" DUE TO, OR AS A CONSEQUENCE OF (Enter one cause only): (c) PREVIOUS ABDOMINAL SURGERY	Interval between onset and death 2 DAYS YEARS YEARS			
26. PART II: OTHER SIGNIFICANT CONDITIONS TUBE FED QUADRIPLEGIA FROM SEVERE STROKE 34 YEARS AGO	27. AUTOPSY (Yes or No) NO			
28a. ACCIDENT, SUICIDE, HOMICIDE, PENDING INVESTIGATION, OR UNDETERMINED (Specify) 28b. DATE OF INJURY (Month, Day, Year) 28c. HOUR OF INJURY 28d. DESCRIBE HOW OR BY WHAT MEANS INJURY OCCURRED	29. INJURY AT WORK (Yes or No) 29a. PLACE OF INJURY (Specify Home, Farm, Street, Factory, Office building, etc.) 29b. LOCATION Street or route number City or town State			
30a. REGISTRAR SIGNATURE [Signature]	30b. DATE CERTIFICATE RECEIVED (Month, Day, Year) Jan 10, 1980			

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE

F. E. Thompson Jr. M.D.
F. E. Thompson, Jr. M.D., M.P.H.
STATE HEALTH OFFICER

Nita Cox Hunter
Nita Cox Gunter
STATE REGISTRAR

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IN THE CHANCERY COURT OF THE SECOND JUDICIAL DISTRICT OF
HINDS COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF
PATTIE R. MACE, DECEASED

CAUSE NO.

P-94-9

ROOSEVELT MACE AND GEORGE W. MACE, CO-ADMINISTRATORS

W/4

PETITION FOR LETTERS OF ADMINISTRATION

COME NOW petitioners, Roosevelt Mace and George Mace, adult, bonafide resident citizens of the City of Edwards, Hinds County, Mississippi, actually residing at 3815 Newman Road, Edwards, Mississippi, hereinafter referred to as petitioners, and would show unto the Court the following matters and facts:

1.

On or about the 2nd day of January, 1993, Pattie R. Mace, hereinafter referred to as the "deceased", departed this life intestate. That at the time of her death, she had a fixed place of residence in the Second Judicial District of Hinds County, Mississippi. The deceased did not leave any will or testamentary writing insofar as your petitioners know and believe after a diligent search and inquiry and this Honorable Court has full and complete jurisdiction of the property, effects and estate of the decedent and an administration should be opened on said estate and Letters of Administration issued to the petitioners as the Co-Administrators of the estate of Pattie R. Mace.

2.

Petitioners charges upon information and belief that the

personal estate of the deceased consists of her clothes and personal effects and primarily of valuable assets consisting of real estate that are of a value of approximately \$ _____. All creditors of the deceased, if any, should be protected under the Court's jurisdiction to order the performance and duties of the co-administrators. Petitioners ask the Court to waive bond, appraisal and inventory in this matter.

The deceased owned an interest in the following real property, to-wit:

- (1) an undivided one-third (1/3) interest in her residence located in the City of Edwards, Second Judicial District of Hinds County, Mississippi, at 3815 Newman Road, Edwards, Mississippi;
- (2) fee simple interest in a house located in the City of Vicksburg, Warren County, Mississippi at 1206 Crawford Street, Vicksburg, Mississippi.

3.

Petitioners would show that the deceased died on January 2, 1993 in Vicksburg, Warren County, Mississippi as a result of cancer. Petitioners verily believes that the estate of the deceased should be administered and that this Court grant unto them Letters of Administration upon their compliance with the requirements of law; that they are competent, and are qualified in all other respects to serve as co-administrators of said deceased's Estate.

That said deceased left surviving her as heirs at law under the descent and distribution laws of the State of Mississippi her whole-blooded natural brothers, the following:

Roosevelt Mace
(brother)
3815 Newman Road
Edwards, MS 39066

George W. Mace
(brother)
3815 Newman Road
Edwards, MS 39066

WHEREFORE, PREMISES CONSIDERED, petitioners pray that this petition be received and filed and that, upon a hearing hereof, this Court enter a decree appointing petitioners, Roosevelt Mace and George W. Mace, as co-administrators of the estate of Patty R. Mace, deceased, and that Letters of Administration be issued to them as such co-administrators upon their qualifying, taking the oath of office and posting bond in such amount as shall be set by the Court.

Petitioners pray for general relief, as in duty bound she will ever pray.

Roosevelt Mace
ROOSEVELT MACE, PETITIONER

George W. Mace
GEORGE W. MACE, PETITIONER

Larry Stamps
LARRY STAMPS, ATTORNEY FOR
PETITIONERS
MSB #7773
STAMPS & STAMPS
ATTORNEYS AT LAW
POST OFFICE BOX 2916
455-A E. CAPITOL STREET
JACKSON, MISSISSIPPI 39207-2916
TELEPHONE: (601) 354-4747

STATE OF MISSISSIPPI

COUNTY OF HINDS.....

PERSONALLY came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named, Roosevelt Mace and George W. Mace, who having duly sworn, depose and say that the facts set forth in the foregoing Petition are true and correct as therein stated and those set forth on information and belief, he believes to be true.

Roosevelt Mace
ROOSEVELT MACE, PETITIONER

George W. Mace
GEORGE W. MACE, PETITIONER

SWORN TO AND SUBSCRIBED BEFORE ME, this the 4th day of February, 1994.

Deborah Woodall Brown
NOTARY PUBLIC

My Commission Expires:

7-7-97

IN THE CHANCERY COURT OF THE SECOND JUDICIAL DISTRICT OF

HINDS COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF
PATTIE R. MACE, DECEASED

CAUSE NO. P-94-9

ROOSEVELT MACE AND GEORGE W. MACE, CO-ADMINISTRATORS

NOTICE TO CREDITORS

Letters of Administration having been granted on the 25th
day of February, 1994, by the Chancery Court
of Hinds County, Mississippi in the Cause No. P-94-9 to the
undersigned on the Estate of Pattie R. Mace, deceased, notice is
hereby given to all persons having claims against the estate of
Pattie R. Mace, deceased, to present the same to the Clerk of the
said Court of probate and registration, according to law, within
ninety (90) days from the first publication of this Notice or
they will be forever barred.

THIS, 25th day of February, 1994.

Roosevelt Mace
ROOSEVELT MACE, CO-ADMINISTRATOR
OF THE ESTATE OF PATTIE R. MACE,
DECEASED

George W. Mace
GEORGE W. MACE, CO-ADMINISTRATOR
OF THE ESTATE OF PATTIE R. MACE,
DECEASED

LARRY STAMPS, ESQUIRE
ATTORNEY FOR CO-ADMINISTRATORS
MSB #7773
STAMPS & STAMPS
ATTORNEYS AT LAW
POST OFFICE BOX 2916
455-A E. CAPITOL STREET
JACKSON, MISSISSIPPI 39207-2916
TELEPHONE: (601) 354-4747

IN THE CHANCERY COURT OF THE SECOND JUDICIAL DISTRICT OF
HINDS COUNTY, MISSISSIPPI

FILED
FEB 28 94
Chancery Clerk
[Signature]

IN THE MATTER OF THE ESTATE OF
PATTIE R. MACE, DECEASED

CAUSE NO.

P-94-9

W/A

ROOSEVELT MACE AND GEORGE W. MACE, CO-ADMINISTRATORS

AFFIDAVIT

STATE OF MISSISSIPPI

COUNTY OF HINDS.....

We, Roosevelt Mace and George W. Mace, co-administrators,
being first sworn, depose and say:

That we have reasonably diligent effort to identify persons
having claims against the estate and can state to this Court that
no person or persons can be identified as creditors for the
estate.

Further, affiant sayeth not.

Roosevelt Mace
ROOSEVELT MACE, CO-ADMINISTRATOR
OF THE ESTATE OF PATTIE R. MACE,
DECEASED

George W. Mace
GEORGE W. MACE, CO-ADMINISTRATOR
OF THE ESTATE OF PATTIE R. MACE,
DECEASED

SWORN TO AND SUBSCRIBED BEFORE ME, this the 4th day of
February, 1994.

Deborah Woodall Brown
NOTARY PUBLIC

My Commission Expires:

7-7-97

IN THE CHANCERY COURT OF THE SECOND JUDICIAL DISTRICT OF

HINDS COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF
PATTIE R. MACE, DECEASED

CAUSE NO. P-94-9

ROOSEVELT MACE AND GEORGE W. MACE, CO-ADMINISTRATORS

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said Court of probate and registration, according to law, within
ninety (90) days from the first publication of this Notice or
they will be forever barred.

THIS, 25th day of February, 1994.

Roosevelt Mace
ROOSEVELT MACE, CO-ADMINISTRATOR
OF THE ESTATE OF PATTIE R. MACE,
DECEASED

George W. Mace
GEORGE W. MACE, CO-ADMINISTRATOR
OF THE ESTATE OF PATTIE R. MACE,
DECEASED

LARRY STAMPS, ESQUIRE
ATTORNEY FOR CO-ADMINISTRATORS
MSB #7773
STAMPS & STAMPS
ATTORNEYS AT LAW
POST OFFICE BOX 2916
455-A E. CAPITOL STREET
JACKSON, MISSISSIPPI 39207-2916
TELEPHONE: (601) 354-4747

IN THE MATTER OF THE ESTATE OF
PATTIE R. MACE, DECEASED

CAUSE NO.

P-949

ROOSEVELT MACE AND GEORGE W. MACE, CO-ADMINISTRATORS

w/4

ORDER APPOINTING ADMINISTRATOR

THIS CAUSE came on this date for hearing on the petition of Roosevelt Mace and George W. Mace, adult, bona fide resident citizens of the City of Edwards, Hinds County, Mississippi, for the appointment of co-administrators of the Estate of Pattie R. Mace, deceased, and the Court having heard and considered said petition and being fully advised in the premises, finds as follows, to-wit:

1.

On or about the 2nd day of January, 1993, Pattie R. Mace, hereinafter referred to as the "deceased", departed this life intestate. That at the time of her death, she had a fixed place of residence in the Second Judicial District of Hinds County, Mississippi. The deceased did not leave any will or testamentary writing insofar as your petitioners know and believe after a diligent search and inquiry and this Honorable Court has full and complete jurisdiction of the property, effects and estate of the decedent and an administration should be opened on said estate and Letters of Administration issued to the petitioners as the Co-Administrators of the estate of Pattie R. Mace.

Vicksburg, Warren County, Mississippi at 1206 Crawford

FEB 28 94

IN THE CHANCERY COURT OF THE SECOND JUDICIAL DISTRICT

HINDS COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF
PATTIE R. MACE, DECEASED

CAUSE NO.

P-94-9

ROOSEVELT MACE AND GEORGE W. MACE, CO-ADMINISTRATORS

w/h

OATH

STATE OF MISSISSIPPI

COUNTY OF HINDS.....

We, Roosevelt Mace and George W. Mace, do solemnly swear that Pattie R. Mace, deceased, died without any will, as far as we know or believe, and that we will well and truly administer all the goods, chattels, and credits of the deceased, and her debts as far as her goods, chattels, and credits, and a just account, when thereto required. So help me God.

Roosevelt Mace

ROOSEVELT MACE, CO-ADMINISTRATOR
OF THE ESTATE OF PATTIE R. MACE,
DECEASED

George W. Mace

GEORGE W. MACE, CO-ADMINISTRATOR
OF THE ESTATE OF PATTIE R. MACE,
DECEASED

SWORN TO AND SUBSCRIBED BEFORE ME, this the 4th day of
February, 1994.

Deborah Woodall Brown
NOTARY PUBLIC

My Commission Expires:

7-7-97

LETTERS OF ADMINISTRATION

THE STATE OF MISSISSIPPI }
COUNTY OF Hinds } SS.

P-94-9

w/4

TO ALL TO WHOM THESE PRESENTS SHALL COME — GREETINGS:

WHEREAS Pattie R. Mace, deceased, late of said county, died intestate, and had at her death, credits and property in said State.

WE THEREFORE, by these Letters authorize Roosevelt Mace and George W. Mace

as administrators of the goods and chattels, rights and credits of said decedent faithfully, truly and promptly to perform and discharge all the duties required of them by law, or by the order of this Court

WITNESS the Honorable W. O. Dillard, Chancellor of the Chancery Court, at the Courtroom thereof, at Jackson, Mississippi on the 25th day of February, A. D., 1994, and seal of said Court.

ISSUED this 28th day of February, 1994

(SEAL)

By: [Signature], D. C.

I, Alice James of the Chancery Court in and for the County of Hinds and State of Mississippi, certify that the above is a true copy of the Letters of Administration upon the estate of Pattie R. Mace, deceased, granted and issued to Roosevelt Mace and George W. Mace administrators, on the 28th day of February, 1994, as the same appears on file and of record in my office, in in said County and State.

Given under my hand and seal of said Court at in said County and State, this the day of , 19

(SEAL)

By: , D. C.

IN THE CHANCERY COURT OF THE SECOND JUDICIAL DISTRICT OF
HINDS COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF
PATTIE R. MACE, DECEASED

FILED
JAN 18 1995
Alice James, Chancery Clerk
By *[Signature]* D.C.

NO. P-94-9 W/4

ROOSEVELT MACE AND GEORGE W. MACE, CO-ADMINISTRATORS

PETITION TO WAIVE FIRST AND FINAL
ACCOUNTING AND TO DISCHARGE ADMINISTRATORS

COME NOW, Roosevelt Mace and George W. Mace, co-administrators of the Estate of Pattie R. Mace, deceased, and respectfully petition this Court to waive the first and final accounting and for approval of the final distribution of assets of this estate and for final discharge of the co-administrators after distribution has been made and in support thereof would show unto the Court the following, to-wit:

1.

Pattie R. Mace, died intestate on January 2, 1993. At the time of her death, the decedent had a fixed place of residence in, and was an adult resident citizen of, the Second Judicial District of Hinds County, Mississippi.

2.

Petitioners, Roosevelt Mace and George Mace, are the co-administrators of the Estate of Pattie R. Mace, deceased, having been appointed by decree of this Court dated February 25, 1994, and Letters of Administration having been issued by the Clerk of this Court on February 28, 1994. Copies of the decree and of the

Letters of Administration are attached hereto as Exhibits "A" and "B", respectively.

3.

In accordance with the law, notice to creditors was published by the co-administrators in the Hinds County Gazette. A copy of the Proof of Publication is attached hereto as Exhibit "C".

4.

There exists no claims of creditors that have been filed, and there remain outstanding no unpaid claims against this estate except the court costs. The co-administrators have specifically waived any fee for serving. No estate tax returns were due to have been filed with the State Tax Commission for the State of Mississippi or with the Internal Revenue Service for the United States of America.

5.

At the time of her death, the deceased owned a one-third (1/3) undivided interest in her residence located in the City of Edwards, Second Judicial District of Hinds County, Mississippi at 3815 Newman Road, Edwards, Mississippi; and fee simple interest in a house located in the City of Vicksburg, Warren County, Mississippi at 1206 Crawford Street, Vicksburg, Mississippi.

6.

Petitioners, Roosevelt Mace and George W. Mace, have completed the administration of the estate, and the estate should now be closed with distribution of the assets hereof to be made

Petitioners further pray that they be authorized to pay all accrued court costs and any other unpaid incidental expenses of administration.

Petitioners further pray that they be authorized, after the payment of administration expenses, to distribute the assets of this estate to the sole heirs of the Estate of Pattie R. Mace on an equal basis after incidental administration expenses have been paid, and when they have distributed the remaining assets of this estate as herein provided for, Roosevelt Mace and George W. Mace, co-administrators of the Estate of Pattie R. Mace, deceased, shall stand finally discharged in the premises without the entry of any other or further orders or decrees in this cause.

Petitioners further prays for such other relief, either general or specific, to which they might be entitled in the premises.

Respectfully submitted,

ROOSEVELT MACE AND GEORGE W. MACE,
CO-ADMINISTRATORS OF THE ESTATE OF
PATTIE R. MACE, DECEASED

BY: 

ANITA MATHEWS STAMPS, ATTORNEY
FOR PETITIONERS
MSB #7769

OF COUNSEL:

STAMPS & STAMPS
ATTORNEYS AT LAW
POST OFFICE BOX 2916
455-A E. CAPITOL STREET
JACKSON, MISSISSIPPI 39207-2916
TELEPHONE: (601) 354-4747

STATE OF MISSISSIPPI

COUNTY OF HINDS

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named, Roosevelt Mace and George W. Mace, as Co-Administrators of the estate of Pattie R. Mace, deceased, being first duly sworn by me, stated on their oath that they executed the above and foregoing petition and that the matters and things contained therein are true and correct as therein stated.

Roosevelt Mace
ROOSEVELT MACE

George W. Mace
GEORGE W. MACE

SWORN TO AND SUBSCRIBED BEFORE ME, this the 4th day of January, 1995.

Deborah Woodall Brown
NOTARY PUBLIC

My Commission Expires:
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES JULY 7, 1997
~~BONDED THRU SPECIAL NOTARY SERVICE~~

IN THE CHANCERY COURT OF HINDS COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

IN RE: THE ESTATE OF
GEORGE WILLIAM MACE, DECEASED

NO. P-2009-21

PATRICIA GARDNER

MOVANT

PATTY M. MACE STEWART

RESPONDENT

Patty M. Mace Stewart
3591 Canada Cross Road
Edwards, Mississippi 39066

NOTICE OF HEARING

PLEASE TAKE NOTICE that the Petition For Authority To Sell Real Property filed in the above styled and numbered cause by Patricia Gardner has been set for hearing before the Honorable Dewayne Thomas, Hinds County Chancellor, at the Hinds County Courthouse, in the City of Jackson, Mississippi at 9:40 a.m. on August 30, 2010, or as soon thereafter as counsel may be heard. This the 11th day of August, 2010.

By: 

R. LOUIS FIELD, MSB#5192
Attorney for Patricia Gardner

CERTIFICATE OF SERVICE

I, R. LOUIS FIELD, Attorney for Patricia Gardner, do hereby certify that I have this day sent by U.S. Mail, postage prepaid, a true and correct copy of the above and foregoing Notice of Hearing to Patty M. Mace Stewart, 3591 Canada Cross Road, Edwards, Mississippi 39066

THIS the 11th day of August, 2010.


R. LOUIS FIELD



IN THE CHANCERY COURT OF HINDS COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

ATTEST A TRUE COPY
FILED

AUG 30 2010

EDDIE JEAN CARR, CHANCERY CLERK
BY EJC

IN RE: THE ESTATE OF
GEORGE WILLIAM MACE, DECEASED

CAUSE NO. P2009-21

ORDER AUTHORIZING SALE OF REAL PROPERTY

THIS CAUSE having come on to be heard this day on Petition of Patricia Gardner, Executrix of the Estate of George William Mace, deceased, praying that this Court approve the sale of certain land owned by George William Mace, deceased, and the Court having heard and considered said Petition and being fully advised in the premises finds that:

1. There may be sufficient personal property to pay all debts and taxes of the Estate but that a parcel of real property owned by the decedent is rental property which will depreciate rapidly and require extensive management and Petitioner desires to sell said real property by executing and delivering a good and valid warranty deed conveying the land described therein. All devisees and legatees under the Last Will and Testament of the decedent have executed Waivers entering their appearance and consenting to the relief sought herein. Other interested parties namely, Lynette Winston O'Neal, Patty M. Mace Stewart, and Ruth Colbert, were given notice of this hearing as required by law and all interested parties are properly before the Court.

2. In accordance with law, Notice to Creditors was published in the Hinds County Gazette newspaper on May 21, 2009, May 28, 2009 and June 4, 2009, and the time within which claims may be probated against the estate of said decedent has expired and all claims probated have been paid. Further, Petitioner requests pursuant to Section 91-7-205 of the Mississippi Code that the Court waive the necessity of posting bond conditioned for the faithful application of the proceeds of the sale of the land described herein and direct that said funds be held in an Estate account not to be

disbursed until further order of the Court.

3. Perry D. Huell, as purchaser, executed a contract agreeing to purchase said real property for Fifteen Thousand Dollars (\$15,000.00), in cash. A copy of said contract is attached to the Petition filed herein as Exhibit "A". The land to be sold is situated in Warren County, Mississippi, and is more particularly described as follows:

Lot 7 of Polk's Subdivision of Lot 259 in Square 49 of Vicksburg Proper,
a plat of which is of record in Book 69 at Page 127 of the Land Records of
Warren County, Mississippi.

Petitioner desires to sell said property by having the Court authorize Patricia Gardner, Executrix, to sign, execute and deliver the original of a warranty deed, a copy of which is attached to the Petition as Exhibit "B", and that the cost associated with the sale and the proceeds realized from the sale be distributed in accordance with the closing statement attached to the Petition as Exhibit "C".

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Patricia Gardner, Executrix of the Estate of George William Mace, deceased, be and she is hereby authorized to sign, execute and deliver the original of a warranty deed, a copy of which is exhibited with the Petition filed herein as Exhibit "B" upon receipt from Perry D. Huell of the sum of \$15,000.00 in cash, and that the Petitioner be further authorized to pay the cost of closing as set forth in the closing statement which is attached to the Petition as Exhibit "C". Further, the posting of bond conditioned for the faithful application of the proceeds of the sale is hereby waived and said funds are to be deposited into the Estate account to be disbursed pursuant to Court order.

IT IS FURTHER ORDERED that upon the execution and delivery of the warranty deed exhibited with the Petition filed therein as Exhibit "B" that the sale will become effective immediately without further confirmation by this Court.

SO ORDERED, ADJUDGED AND DECREED this the 30th day of August, 2010.


CHANCELLOR