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U.S. DISTRICT COURT
N.D. OF ALABAMA

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA

DENIED
8/17/05
U.S. DISTRICT JUDGE

LINDA STOUT, et al.,	]	
	]	
Plaintiffs,	]	
	]	
v.	]	CIVIL ACTION NO.
	]	
JEFFERSON COUNTY BOARD OF EDUCATION, et al.,	]	CV 65-J-396-S
	]	
Defendents	]	

MOTION FOR COURT APPROVAL TO ALLOW HAYDEN WILLCUTT TO COMPLETE HIS EDUCATION AT BRAGG MIDDLE SCHOOL AND GARDENDALE HIGH SCHOOL

I would like to respectfully request the Federal Court System to consider hearing my plea regarding the continuation and completion of Hayden Willcutt's education at Bragg Middle School and Gardendale High School in the Jefferson County Educational System.

On August 4, 2001 I filed a motion to have my children grandfathered into the Gardendale School System. On August 21st my motion was granted. Since that time I have had one child Brandon Willcutt to graduate from Gardendale High School. I have Tyler Willcutt who is a junior this year and his transfer was approved. I now have Hayden Willcutt who is entering the sixth grade and after being at Gardendale Elementary for five years his transfer was denied. I only found this out the day of registration (July 18) when I called after not receiving a response to my transfer request. That day an envelope arrived in my mailbox with no postage marks whatsoever. My son who obtained an approval of his transfer received his letter postmarked on July 14th on July 15th. On the morning of July 18th after calling the Board of Education and finding out that Hayden's transfer had been denied, Hayden and I moved out of our home and into the Gardendale School zone so that he can continue to attend the only school that he has ever gone to with the friends he has always had.

Judge Johnson, I know in your transcript that you stated that you considered that a hardship. You stated "I do think that a compelling hardship is socially disturbing a child for not continuing school with children that he's gone to school with for a long time. I think that it is very disturbing to a child. I don't think that it takes a parent to figure that out. I don't think that it takes an educational professional to figure that out. I think we have all been children, and some of us have