



AMINA MATHENY-WILLARD

Attorney & Counselor at Law

AMINA MATHENY-WILLARD, PLLC

Dominion Tower / Bank of America Bldg.
999 Waterside Drive, Suite 2525, Norfolk, VA 23510
Email: amina@aminalaw.com

LAW FIRM CONTACT:

Firm Tel.: ☎ 757.777.3441
Firm Text: 📠 757.239.3961
Firm Fax: 📠 757.282.7808
Firm Website: 🌐:
Website: www.aminalaw.com

AMEERA MATHENY, PARALEGAL - Email: Ameera@AminaLaw.Com

April 30, 2022

**DEMAND TO CEASE AND DESIST and Notice
Pursuant to Va. Code §15.2-209**

Mark Talbot, Chief of Police
Hampton Police Department
40 Lincoln Street
Hampton, VA 23669
Tel.: 757-727-6510
Via Certified Mail
Via Email:
**hamptonpolicechief@hampton.gov*

Cheran Cordell Ivery, City Attorney
City Attorney's Office
22 Lincoln Street, 8th Floor
Hampton, Virginia 23669
Tel.: 757.727.6127; 757.727.6127
Via Certified Mail
Via Facsimile: 757.727.6788
Via Email: cheran.ivery@hampton.gov

Donnie R. Tuck, Mayor
Office of the Mayor
222 Lincoln Street, 8th Floor
Hampton, Virginia 23669
Tel.: 757.727.6315; 757.504.7148
Via Certified Mail
Via Facsimile: 757.728.3037
Via Email: dtuck@hampton.gov

**RE: DEMAND TO CEASE AND DESIST HARRASSMENT, JURY
TAMPERING, AND OBSTRUCTION OF JUSTICE BY A LAW
ENFORCEMENT OFFICER**

Reference: Codi Bigsby Family
Date of Injury: February 25, 2022 Thru April 30, 2022
Firm Case #: 180022022

**POLICE CHIEF MARK TALBOT AND OTHER OFFICIALS HAVE ENGAGED
IN A CONSPIRACY TO HARRASS THE BIGSBY FAMILY AND TO
OBSTRUCT JUSTICE AND TAMPER WITH A JURY IN A CRIMINAL CASE.**

In the midst of this tragedy - this intense and emotional search for Codi Bigsby by his family (*those that love Codi*) and the community at large – Chief Mark Talbot’s accusatory, incendiary and inflammatory comments have brought additional emotional, psychological and physiological injury to some of Codi Bigsby’s family members. Worse, Chief Talbot’s actions are clearly designed to publicly imply blame on Mr. Bigsby and his family. The statements are reckless, dangerous, and create conditions where the Bigsby family could be targeted for more harassment and potentially violence.



AMINA MATHENY-WILLARD, PLLC
Attorney & Counselor at Law



The Chief's comments further attempt to establish a false impression of guilt in the public eye, presumably in order to taint a future jury pool that may one day consider the facts of this case or any future case.

Federal authorities have set an expectation that jury tampering through false activism, driving hecklers to taint a potential judicial action potentially constitutes jury tampering. (United States of America v. Rasmea Odeh, [2014])

My clients, several members of the Codi Bigsby family, came to Virginia from out of town in an attempt to move items from the Bigsby home. They had engaged in this same activity prior to February 25, 2022, without incident. However, on February 28, 2022, several individuals approached these family members and stated, *inter alia*, the following:

Facebook Live Recording, February 28, 2022 (ATTACHED) (emphasis added):

- ... We out here, we out here ... they just left, they just left _____, the old house, now they movin' the stuff into the new house on ____ street;
- ... Can y'all just ans ... do y'all have ... do y'all know where Codi at, do y'all know where Codi at, do any of y'all know where Codi at, where's baby Codi, where's baby Codi?
- ... do y'all know where baby Codi is? This is his dad's family ...
- ... We just want to know where Codi at ...
- ... Come on, hop on my live y'all
- Where is baby Codi?
- ... y'all need help, putting the stuff in the new house, we might come across some of the stuff from your missing nephew that y'all don't give a ^ . . . about
- ... y'all nephew missing but we out here lookin' for him and y'all don't give **two**



AMINA MATHENY-WILLARD, PLLC
Attorney & Counselor at Law



- ... and her right there, she better keep something in her hand ‘cause “Poodie”
(*phonetic spelling*) gone get her ass
- ... Stand back “Poodie” (*phonetic spelling*) stand back, stand back “Poodie”
(*phonetic spelling*)
- ... y’all a part of it, y’all a part of his disappearance!
- ... they don’t give a *κ* about that baby
- ... this *η* right here with this blonde pony ... this *h* right here, I think
that’s the girlfriend
- ... all of ‘em got somethin’ to do with his disappearance, all of them!
- ... (*inaudible in background – sounds like – “we locked and loaded”*)
- ... blond head *h* !
- ... Imma sick my dog on you *h*
- ... he gone be movin’ again, y’all ain’t gone last long ‘round here, y’all ain’t gone
last long ‘round here
- ... they know where he at, they know where he at, he either dead or at
somebody’s *i*’ house ...
- ... we thinkin’ about come to D.C. ...
- ... somebody know somethin’
- ... we ‘bout to meet them right back at the town house so they can get the other
load



AMINA MATHENY-WILLARD, PLLC
Attorney & Counselor at Law



- ... ‘er where they go, we gone go ... **they not gone be here without being miserable**
- ... my family in D.C. too, my family in D.C. too, Southeast, Northeast, all that good the ... and I done spread y’all pictures ‘er where I could
- ... these senseless s, they don’t give a c about that baby
- ... boots on the ground ;
- ... let me go post these pictures ...
- ... all y’all gone get somethin’, somethin’ gone happen to y’all, the Lord gone fix y’all

As a result of this verbal attack, one of the family members had a panic attack and some members have had to have subsequent treatment for depression / PTSD.

This incident took place **AFTER Chief of Police Mark Talbot made the following statements on February 25, 2022:**

Lead In: “He (Talbot) says the main road-block in the investigation boils down to one thing.”

Talbot: “The conscious choices of adults to not tell us things.”

Lead In: “For community search teams asking for more direction on where to search, Talbot says that’s up to the people that loved Codi.”

Talbot: “I could give you more direction if the people who said they love Codi Bigsby gave us more direction.”

The above statements from a Public Safety Officer / Chief of Police were reckless, careless and created a dangerous and possibly life-threatening situation for Codi’s family members.

The above statements insinuate that the “people that loved Codi” have something to do with his disappearance and that they are culpable. Making these statements to a community that is deeply vested in locating Codi is tantamount to sending out a lynch



AMINA MATHENY-WILLARD, PLLC
Attorney & Counselor at Law



mob to attack my clients, “the people that loved Codi” These statements, at best were the City / Police Departments efforts to deflect responsibility from themselves, since they have been unable to locate Codi after he has been missing going ON THREE (3) MONTHS and at worst – they fly in the face of public safety by creating a foreseeable life-threatening situation for “the people that loved Codi.”

WE DEMAND THAT MARK TALBOT, CHIEF OF POLICE:

- *Publicly retract his statements (as publicly as he made them);*
- *CEASE AND DESIST MAKING PUBLIC COMMENTS THAT COULD OBSTRUCT JUSTICE OR TAMPER WITH A FUTURE JURY POOL;*
- *Ask the Community NOT to Harass / Threaten the Bigsby Family; and*
- *Issue a Public Apology to the Bigsby Family for making statements that put their lives in danger.*

TIMELINE <i>Hampton Police Departments’ Demonstrated Lack of Concern for Codi Bigsby</i> <i>(Majority of Content of Timeline Provided by Mahogany Via JaPharii Jones / BLM757)</i>	
Jan. 31st	Codi Reported Missing
Jan. 31st to April 30th	Hampton Police Department NEVER Petitioned State Police for an AMBER ALERT.
Jan. 31st to Feb. 4th	Hampton Police Set Up Command Station Where Codi Was Last Seen
Feb. 1st	Hampton Police Created a Link for ONLY 50 Volunteers to Search for Codi and Discouraged Others from Searching
Feb. 1st to Present	BLM757 (Community Leader) Manages and Conducts Community Searches Daily, Then Weekly Without Any Assistance from Law Enforcement
Feb. 3rd	Hampton Police Release Be on The Lookout (BOLO) Flyer for Codi that provides Codi’s incorrect weight and includes Cory’s Mugshot as if Cory is responsible for Codi’s disappearance.
Feb. 3rd	Hampton Police BOLO Flyer “creates confusion and hysteria among the community.”



AMINA MATHENY-WILLARD, PLLC
Attorney & Counselor at Law



Feb. 4 th	Hampton Police Disband Command Station (<i>Less Than a Week!</i>)
Feb. 9 th	Hampton City Council Meeting: Chief Talbot flagrantly disregarded concerns from the citizenry he is entrusted with serving and called the search efforts by BLM757 a “sideshow.”
Feb. 12 th	Jacket Found by community search team in a field in the complex where Codi lived: <ul style="list-style-type: none"> • Hampton Police Took THREE (3) Hours to arrive and collect the jacket; • Hampton Police have YET to inform the community as to whether or not that jacket belonged to Codi
Feb. 23 rd	Bones found by community search team and Hampton Police claimed the bones were animal bones without taking any evidence for testing
Feb. 23 rd	Additional bones found by community search team and Hampton Police didn’t even bother to come out and investigate
Feb. 25 th	Town Hall at Zion Baptist Church in Hampton: <ul style="list-style-type: none"> • Chief Talbot made remarks which suggested the family was not helping despite their continued cooperation with both the police and the FBI; and • Chief Talbot called a community leader a liar and delusional (<i>extremely unprofessional and unbecoming of an officer</i>)
Jan. 31 st to April 30 th	Hampton Police Department NEVER Petitioned State Police for an AMBER ALERT.

The fact that our law firm has to address this issue in the midst of the tragic disappearance of Codi Bigsby, is deeply, deeply concerning. We expect our leaders to have foresight and be able to anticipate the foreseeable consequences of their public statements and actions. Particularly when Chief Talbot’s job is to seek justice, not pervert



AMINA MATHENY-WILLARD, PLLC
Attorney & Counselor at Law



it. The Chief simply can't scapegoat an innocent family or an innocent father to cover up his inaction or dilatory conduct.

Chief Talbot's comments, and his dilatory course of conduct in any legitimate investigation to find Codi, constitute a pattern of conduct that could violate Virginia Code §18.2-460. Chief Talbot's comments effectively took the focus off of finding Codi and were designed to divert public rage away from his failures and onto "the people that loved Codi".

Please accept this as Notice pursuant to Virginia Code §15.2-209 former Virginia Code §8.01-222.

Given Chief Talbot's incendiary and potentially illegal conduct, be noticed that the City and the Department will be held liable for harm that has come to the Bigsby family and any future harm that may come as a result of the Chief's efforts to deflect from his own failures and/or corruption.

May I make the strong suggestion that the City police focus on finding Codi Bigsby, instead of scapegoating "the people who loved" him.

Sincerely,

Amina Matheny-Willard
Attorney and Counselor at Law

AMW/amw

cc: **Bigsby Family**

Jimmy Gray, Vice Mayor
Office of the Vice Mayor
22 Lincoln Street, 8th Floor
Hampton, Virginia 23669
Tel.: 757.727.6315
Via Facsimile: 757.728.3037
Via Email: jgray@hampton.gov

Mary Bunting, City Manager
City Manager's Office
22 Lincoln Street, 8th Floor
Hampton, Virginia 23669
Tel.: 757.727.6392
Via Facsimile: 757.
Via Email: mbunting@hampton.gov

"Billy" H. Hobbs, Councilman
City Hall Building
22 Lincoln Street, 8th Floor

Chris Bowman, Councilman
City Hall Building
22 Lincoln Street, 8th Floor



AMINA MATHENY-WILLARD, PLLC
Attorney & Counselor at Law



Hampton, Virginia 23669
Tel.: 757.727.6315; 757.766.1787
Via Facsimile: 757.728.3037
Via Email: bhobbs@hampton.gov

Hampton, Virginia 23669
Tel.: 757.727.6315
Via Facsimile: 757.728.3037
Via Email: chris.bowman@hampton.gov

Eleanor W. Brown, Councilwoman
City Hall Building
22 Lincoln Street, 8th Floor
Hampton, Virginia 23669
Tel.: 757.727.6315
Via Facsimile: 757.728.3037
Via Email: eleanor.brown@hampton.gov

Michelle Ferebee, Councilwoman
City Hall Building
22 Lincoln Street, 8th Floor
Hampton, Virginia 23669
Tel.: 757.727.6315
Via Facsimile: 757.728.3037
Via Email: michelle.ferebee@hampton.gov

Steven L. Brown, Councilman
City Hall Building
22 Lincoln Street, 8th Floor
Hampton, Virginia 23669
Tel.: 757.727.6315; 757.797.4932
Via Facsimile: 757.728.3037
Via Email: steven.brown@hampton.gov

P.S. *By Copy of This Correspondence to the Following Agencies, We Are Requesting an Investigation (Criminal, Civil, Customs, Patterns and Practices, etc.):*

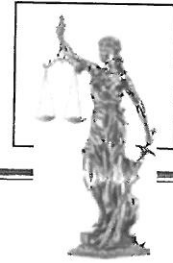
Jason Miyares, Attorney General
Office of the Attorney General
202 North Ninth Street
Richmond, Virginia 23219
Tel.: 804.786.2071
Via First Class Mail
Via Email: mailoag@oag.state.va.us

United States Department of Justice
ATTN: Investigations Division
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001, Tel.: 202.616.4760
Via First Class Mail
Via Facsimile: 202.616.9881; Via First Class Mail, Postage Pre-Paid

The Honorable Merrick Garland, Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001



AMINA MATHENY-WILLARD, PLLC
Attorney & Counselor at Law



Tel.: 202.616.4760
Via First Class Mail
Via Facsimile: 202.616.9881

The Honorable Kristen Clark, Assistant Attorney General
Office of the Assistant Attorney General
ATTN: Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001
Tel.: 202.616.4760
Via First Class Mail
Via Facsimile: 202.616.9881

The Honorable Michael E. Horowitz
Office of Inspector General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001
Tel.: 202.616.4760
Via First Class Mail
Via Facsimile: 202.616.9881