



**OFFICIAL RECEIPT
RICHMOND CITY CIRCUIT COURT
CIVIL**

DATE : 01/16/2026

TIME : 13:47:59

CASE # : 760CL2600034900

RECEIPT # : 26000001739 **TRANSACTION # :** 26011600139

CASHIER : CMH **REGISTER # :** G654

FILING TYPE : WM

PAYMENT : FULL PAYMENT

CASE COMMENTS : PRINCE, BRIAN v. RICHMOND CITY OF

SUIT AMOUNT : \$0.00

ACCOUNT OF : PRINCE, BRIAN

PAID BY : PRINCE, BRIAN

CREDIT/DEBIT CARD : \$105.06

DESCRIPTION 1 : WM:MANDAMUS

2 : PLAINTIFF/PETITIONER: PRINCE, BRIAN

3 : NO HEARING SCHEDULED

ACCOUNT CODE	DESCRIPTION	PAID
049	WRIT TAX (CIVIL)	\$5.00
106	TECHNOLOGY TRST FND	\$5.00
123	LEGAL AID SERVICES	\$9.00
147	INDIGENT ASSISTANCE (INA)	\$1.00
170	COURT TECHNOLOGY FUND	\$10.00
206	SHERIFF FEES	\$12.00

ACCOUNT CODE	DESCRIPTION	PAID
219	LAW LIBRARY	\$4.00
229	COURTHOUSE MAINTENANCE FEE (CHMF)	\$2.00
304	CIVIL FILING FEE (LAW & EQUITY)	\$50.00
426	PAPER SUBMISSION/COPY FEE	\$5.00
407	CONVENIENCE FEE	\$2.06

TENDERED : \$ 105.06

AMOUNT PAID : \$ 105.06

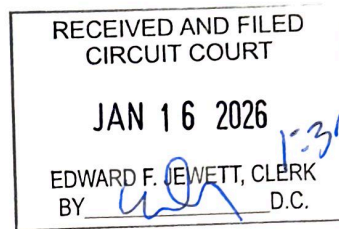
v.

City of Richmond,

Office of Elections, and

Department of Information Technology,

Respondents.



PETITION FOR WRIT OF MANDAMUS

(Va. Code § 2.2-3713)

I. JURISDICTION AND VENUE

1. This Court has jurisdiction pursuant to Virginia Code § 2.2-3713, which authorizes any person denied rights under the Virginia Freedom of Information Act ("FOIA") to seek enforcement by petition for writ of mandamus.
2. Venue is proper in the Circuit Court of the City of Richmond because the Respondents are public bodies located in Richmond, Virginia, and the records at issue concern the conduct of public business within the City.

II. PARTIES

3. Petitioner, Brian Prince, is a resident of Virginia and the founder of CorruptionFreeRVA. He is a "citizen of the Commonwealth" entitled to invoke FOIA.
4. Respondent City of Richmond is a public body subject to FOIA.

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of January, 2026, a true and correct copy of the foregoing Petition for Writ of Mandamus was filed with the Clerk of the Circuit Court of the City of Richmond, Virginia, and that service was requested to be effected by the Clerk upon the Respondents as follows:

Served via Clerk of Court:

City of Richmond

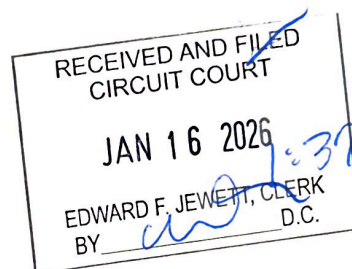
Office of Elections

Department of Information Technology

c/o City Attorney's Office, Civil Litigation Division

900 East Broad Street

Richmond, VA 23219



I further certify that courtesy copies of the file-stamped Petition will be transmitted electronically to the following individuals in their official capacities as FOIA officers:

- Nicole Hicks, FOIA Officer, Office of Elections
- Doug Gernat, FOIA Officer, Department of Information Technology

Stamped courtesy copies will be provided for notice only.

Brian Prince


Petitioner, pro se

Date: 1/16/26

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900 East Broad Street

Richmond, VA 23219

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Date: _____

IN THE CIRCUIT COURT OF THE CITY OF RICHMOND, VIRGINIA

Brian Prince,

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v.

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II. PARTIES

3. Petitioner, Brian Prince, is a resident of Virginia and the founder of CorruptionFreeRVA. He is a “citizen of the Commonwealth” entitled to invoke FOIA.
4. Respondent City of Richmond is a public body subject to FOIA.

5. Respondent Office of Elections is a department of the City responsible for election administration.
6. Respondent Department of Information Technology (DIT) is a department of the City responsible for records retention, data systems, and information governance.

III. STATEMENT OF FACTS

A. The FOIA Request

7. On or about December 23rd, 2025 Petitioner submitted a written FOIA request to the City of Richmond seeking communications involving identified custodians related to City and Office of Elections business for the period January 1, 2024 through May 31, 2025.
8. The request expressly stated, in relevant part:

“This request includes records stored on City systems, personal devices, personal email accounts, or third-party platforms if such systems or accounts were used by the listed custodians to conduct public business.”

9. The request further sought metadata and included an explicit preservation notice, directing the City to preserve all potentially responsive records, including records held by individual custodians, DIT, vendors, contractors, or third parties acting on behalf of the City.

B. Accommodation of Election Administration

10. Following receipt of initial responses, Petitioner voluntarily refrained from immediate enforcement action and afforded Respondents additional time to comply in light of the proximity of scheduled election activity and the public importance of uninterrupted election administration.
11. This accommodation was provided in good faith and was not required under FOIA.

C. Records Produced by the City

12. Respondents produced a limited set of records, many of which were administrative in nature, such as weather notices.
13. Among the records produced was at least one substantive email sent by Starlet Stevens, former Chair of the Richmond Electoral Board, from a personal AOL email account, concerning personnel compensation matters within the Office of Elections.
14. That email:
 - originated from a personal account,
 - concerned City business,
 - was received and retained by City systems, and
 - was relied upon in the conduct of official duties.
15. This production establishes that City business was conducted using personal accounts during the relevant period.

D. Volume Deficiencies – Starlet Stevens

16. The volume of records attributed to Ms. Stevens is inconsistent with her publicly documented level of activity.
17. Ms. Stevens made repeated internal and public statements indicating that she engaged in conversations with other public officials, including the Inspector General and the City's Director of Human Resources, and that she contacted multiple City departments during efforts to confiscate Office of Elections equipment she personally deemed wasteful.
 - a. Ms. Stevens was also a long time, well known associate of Kirk Showalter.
 - b. According to an October 30, 2025 article by Keyris Manzanares, Ms. Stevens had extensive conversation with reporters regarding her "...more hands-on approach with Richmond's elections office, saying she was frequently on-site and had daily calls with Crump."
 - c. Stevens confirmed to VPN in this same article that "Richmond's elections staff also turned to former longtime registrar Kirk Showalter...for help,...".
18. The limited number of records produced does not reasonably reflect the volume of communications that would ordinarily be generated by such activities and associations.

E. Volume Deficiencies – Tina Crump

19. Respondents produced only a small number of emails attributed to Tina Crump, who served as Voter Services Manager and later as Acting General Registrar.
20. The majority of these emails consist of routine notices, such as weather-related closures.
21. Given Ms. Crump's responsibilities for daily personnel supervision, operational coordination, and her expanded authority during her tenure as Acting General Registrar, the production does not reasonably reflect the full universe of responsive records.
 - a. There should be extensive communications with HR Director Alexander Tyrome.
 - b. There should be extensive communications with Kirk Showalter.
 - c. There should be extensive communications with Starlet Stevens.

F. Leadership Transition and Showalter Communications

22. During the leadership transition period from December 2024 into early 2025, multiple references were made to Ms. Crump contacting and messaging former General Registrar Kirk Showalter for operational guidance.
23. Between approximately March and May 2025, Ms. Showalter was reported to be regularly present in the Office of Elections building, allegedly assisting with budget matters and City equipment. This was later alluded to in a news article in 2025 as previously mentioned.
24. This period coincided with a reported incident involving the removal of a USB device from the premises, which prompted a complaint and resulted in the City's Security Manager being tasked with retrieving the device.
25. Despite the operational sensitivity of these events, Respondents produced only partial and truncated messages referencing Ms. Showalter:
 - a. A text dated March 7th, 2025 was for emailing the GREB Handbook of which is available to the public online via the VA Dept. of Elections website. That email nor any other was produced.
 - b. Three texts dated May 2nd, 2025 stating "Hi kirk can you call me when you get a chance", "i have a quick question", "please"
 - c. A truncated message dated November 3rd, 2025 about a phone call and a call back.

G. Final Denial

26. After Petitioner requested a supplemental search consistent with the original scope, Respondents issued a final written denial stating, in substance, that:

- personal email accounts and personal cellular devices would not be searched,
- third-party platforms would not be searched,
- FOIA obligations extend only to systems owned or controlled by the City, and
- the response was “complete.”

27. Petitioner acknowledged the denial in writing. No further administrative remedy exists.

IV. FOIA VIOLATIONS

A. Improper Restriction of “Public Records”

28. FOIA defines public records by their content and use in the transaction of public business, not by device ownership or account type.

29. Respondents impermissibly narrowed FOIA by refusing to search personal accounts and personal devices used to conduct City business.

B. Failure to Conduct an Adequate Search

30. Once a requester raises a good-faith challenge to completeness supported by evidence, a public body must conduct a search reasonably calculated to locate responsive records or explain with particularity why it cannot.

31. Respondents acknowledged personal-account use, produced evidence of such use, yet categorically refused to search those channels and failed to identify custodians or systems searched.

C. Independent Adequacy Failures

32. Respondents failed to conduct adequate searches with respect to:

- communications attributable to Starlet Stevens,
- communications attributable to Tina Crump, and
- communications during the December 2024–May 2025 leadership transition involving Kirk Showalter.

D. Preservation Concerns

33. Respondents' refusal to search known repositories of responsive records following receipt of a clear preservation notice raises concerns regarding compliance with FOIA's obligation to preserve existing public records.

V. RELIEF REQUESTED

Petitioner respectfully requests that the Court:

1. Issue a Writ of Mandamus compelling Respondents to comply with Virginia FOIA;
2. Order Respondents to conduct a supplemental search reasonably calculated to locate responsive records, including records created or used on personal email accounts, personal cellular devices, and third-party platforms when used to conduct City business;
3. Order Respondents to search records associated with Starlet Stevens, Tina Crump, and communications involving former Inspector General James Osuna, former Human Resources Director Alexander Tyrome, and former General Registrar Kirk Showalter during the relevant period;
4. Require Respondents to describe with particularity the custodians and systems searched;
5. Order Respondents to preserve all potentially responsive records pending resolution of this matter; and
6. Grant such other and further relief as the Court deems just and proper.

VI. VERIFICATION

I, Brian Prince, verify under oath that the factual statements contained in this Petition are true and correct to the best of my knowledge and belief.

Brian Prince

Date: _____

Exhibit A: Initial FOIA Request for Data Preservation 12.23.25

From: Brian Prince [REDACTED]
Sent: Tuesday, December 23, 2025 9:27 AM
To: Hicks, Nicole M. - OOE [REDACTED] DIT FOIA [REDACTED]
Subject: Data Preservation Request FOIA Elections: Starlet Stevens; Tina Crump

CAUTION: This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Dear Ms. Hicks,

Pursuant to the Virginia Freedom of Information Act, Va. Code § 2.2-3700 et seq., I respectfully request access to and copies of the public records described below. This correspondence also serves as a formal preservation notice for all potentially responsive data.

Doug Gernat (Department of Information Technology) is copied solely for purposes of data preservation and technical retention compliance. The Office of Elections designated FOIA officer remains the primary processor of this request.

Records Requested

This request seeks all communications (including but not limited to emails, text messages, SMS/MMS, iMessages, WhatsApp, Signal, Microsoft Teams, Slack, social media direct messages, call logs, voicemails, attachments, drafts, deleted or archived messages, and associated metadata) sent or received by the custodians listed below, when acting in an official or de facto capacity involving City business.

1. Starlet Stevens

All communications between Starlet Stevens and:

- Tyrome Alexander
- James Osuna
- Kirk Showalter

Known phone number associated with Ms. Stevens (identifier only):

[REDACTED]

2. Tina Crump

All communications between Tina Crump and:

- Tyrome Alexander
- Kirk Showalter

Known phone numbers associated with Ms. Crump (identifiers only):

- [REDACTED]
- [REDACTED]

3. Kirk Showalter (Counterparty Reference Only)

Kirk Showalter is referenced solely as a counterparty to communications sent or received by the above City custodians.

For clarity, this request does not seek records from devices, accounts, or storage controlled by Kirk Showalter. Their inclusion is limited to identifying communications held by City custodians.

Known phone number associated with Ms. Showalter (identifier only):

[REDACTED]

Date Range

January 1, 2024 through May 31, 2025, inclusive.

Scope Clarifications

- This request includes records stored on City systems, personal devices, personal email accounts, or third-party platforms if such systems or accounts were used by the listed custodians to conduct public business.
- Records are requested regardless of whether communications occurred during or outside normal business hours.
- Please include metadata sufficient to identify date, time, sender, recipient(s), and method of transmission.

Preservation Notice

Effective immediately upon receipt of this request, please preserve all records, data, backups, logs, and electronically stored information that may be responsive. This includes data held by individual custodians, the Department of Information Technology, vendors, contractors, or any third party acting on behalf of the City.

Deletion, alteration, overwriting, or failure to preserve responsive records after receipt of this notice may constitute a violation of Virginia law.

Fees

As these records concern the conduct of public officials acting on behalf of the public, and disclosure is in the public interest, I request that all fees be waived pursuant to Va. Code § 2.2-3704(F). Please also confirm whether responsive records exist, regardless of whether any fees are assessed. If any portion of this request is deemed chargeable, please provide an advance written cost estimate and itemized list before processing.

Exemptions

If any records or portions thereof are withheld or redacted, please:

- Cite the specific statutory exemption relied upon, and
- Release all reasonably segregable, non-exempt portions of the records.

Format

Records may be provided electronically in native format where available.

If any portion of this request is unclear or could be refined for efficiency without limiting scope or substance, please advise prior to denying or restricting the request.

Thank you for your attention and cooperation.

Respectfully,

Brian L. Prince

Founder & Investigative Lead

Corruption Free RVA (501(c)(3) Nonprofit Organization)

Post-Graduate Member, Society of Professional Journalists

Credential ID: 100080258

Exhibit B: Denial of Data Preservation FOIA 1.15.26

From: Hicks, Nicole M. - OOE [REDACTED]
Sent: Thursday, January 15, 2026 12:50:26 PM
To: Brian Prince [REDACTED]; DIT FOIA [REDACTED]
Subject: Re: FOIA Follow-Up – Clarification Based on Original Request Scope and Preservation Notice

Dear Brian,

Thank you for your continued correspondence. The Office of Elections has carefully reviewed your most recent message and the portions of your original request you reference.

As an initial matter, a requester's description of scope does not expand or alter a public body's obligations under the Virginia Freedom of Information Act. The Office of Election's duty under FOIA is to conduct a reasonable search for existing public records within the custody or control of the City and to produce those records if they are maintained by the public body in the course of official business.

With respect to the email you reference, the record was produced because it was received and retained within City-maintained systems, placing it squarely within the City's custody and control. The production of that record does not confer authority or obligation upon the City to access, search, or retrieve records from personal email accounts, personal cellular devices, or third-party platforms that are not owned, maintained, or accessible by the City.

Virginia FOIA does not require a public body to compel employees to surrender personal devices, to access private email accounts, or to conduct searches of systems over which the Office of Elections has no custody or control, even where public business may have been discussed. Similarly, a preservation notice included in a request does not create new retention obligations or investigative authority beyond what is required by law.

The Office of Elections conducted a search reasonably calculated to locate responsive records within City-maintained systems for the identified custodians and date range. All responsive records located through that process have been produced. No additional responsive records were identified.

The Office of Elections therefore declines to conduct searches of personal email accounts or personal devices, as such materials are not within the City's custody or control and are not subject to compelled search or production under FOIA. The City considers its response to your request complete.

Any further correspondence regarding the additional records you request may be directed through the City's HR Department.

Sincerely,

Nicole Hicks

Communications & Outreach Coordinator

← Reply All

Richmond, Virginia 23227
Phone: [REDACTED]