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BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

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Accepted / Filed

**Federal Communications Commission  
Office of the Secretary**

<sup>1</sup> The June 20, 2018 Letter Order is attached (Attachment C).

S:\#CLIENT MATTERS\WNB\N\FCC\APPLICATION FOR REVIEW.docx

### **Background**

Pursuant to the Letter Ruling of June 20, 2018, the Renewal Application for Station WNBC(AM), filed on February 10, 2012, was dismissed on grounds that the Application was improperly filed because the Application for Renewal of License was filed in Frank Rackley, Jr.'s name over one (1) year after his death without acknowledging his death or otherwise notifying the Commission in an amendment to the Application. Thus, the Commission concluded that the license had expired by its own terms on June 1, 2012. *See* Commission Database Download (Attachment D). Shortly after the issuance of the June 20, 2018 Letter Order, undersigned counsel was retained by Mr. Jimmie L. Hopson, a minority individual residing in Meridian, Mississippi, who, unfamiliar with Commission rules or procedures, had, nevertheless, entered into a transaction to acquire WNBC.<sup>2</sup> Shortly after being retained on behalf of Mr. Hopson, reconsideration was sought with respect to the June 20, 2018 Letter Ruling. In that petition, it was conceded that the Commission was correct that the licensee, Frank Rackley, Jr., had died on January 25, 2011. Moreover, the renewal filed on February 10, 2012 did not reflect his passing. However, the renewal was signed by Eddie Rackley. All of this was done without the benefit of counsel.

On December 7, 2017, an FCC Form 316 Application was filed, seeking the assignment of WNBC from Frank Rackley, Jr. to Eddie Rackley, Administrator. Included with that submission were several testamentary documents: Judgment Approving Final Accounting, Authorizing Sale of Property, and Closing Estate, Bill of Sale. Collectively, these documents would indicate that the Court approved a sale of WNBC to Jimmie L. Hopson.

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<sup>2</sup> Documents pertinent to the transaction are contained in the Petition for Reconsideration (Attachment B).

The Commission, on April 19, 2018, pursuant to FCC Form 732, approved the FCC Form 316 Application, Consent to Assignment from Frank Rackley, Jr. to Eddie L. Rackley, Administrator. However, due to lack of experience with FCC matters and with no assistance of counsel, the consummation of that assignment was never filed with the Commission.

The licensee, Frank Rackley, Jr., died on January 25, 2011. This is undisputed. Despite being unfamiliar with Commission procedures, a renewal was filed. Yes, the renewal was filed in the name of the deceased, but it was signed by the decedent's brother, Eddie Rackley, who would ultimately be approved by the Court as the Administrator of the estate. Thus, there was no attempt to "pull the wool" over the Commission's eyes.

In approving the testamentary papers, the Judge was obviously unaware of the need for FCC approval. Thus, in the Petition for Reconsideration, it was requested that the renewal be reinstated to allow an amendment to reflect the death of Frank Rackley, Jr., the filing of the consummation of BAL-20171207ABE and, finally, allow for the filing of an FCC Form 314 to assign WNBC to Jimmie L. Hopson.

Not so incidentally, because the renewal had been dismissed and the license cancelled, nothing has been able to be filed in CDBS. Thus, in the Petition for Reconsideration, it was requested that an STA be permitted to be filed to permit the continued operation of the station until all these matters are resolved. This latter request, it should be noted, was never addressed in the September 4, 2019 ruling.

### **Miscellaneous Matters**

After the submission of the Petition for Reconsideration, undersigned counsel entered into several discussions and negotiations with various Audio Division counsel. Specifically, Audio Division counsel wished to ascertain the operating status of WNBC and to verify that it

was operating consistent with its obligations. Accordingly, several emails containing pictures were provided. *See* Attachment E.<sup>3</sup> Ultimately, a representative of the Audio Division agreed that a Consent Decree would be an appropriate resolution of the matter. *See* Attachment F.

As the Commission is aware, Consent Decrees essentially consist of stock paragraphs. A Consent Decree is, for all intents and purposes, a contract of adhesion. The only real negotiation are the amounts that would be required to be paid.<sup>4</sup> The issue of a payment plan had been raised and Mr. Hopson determined that he would be able to make the voluntary contribution to pay the requisite amount. Thus, a check for \$12,000 was submitted to undersigned counsel for deposit in counsel's IOLTA Account. *See* Attachment G.

In a conversation with Audio Division counsel virtually concurrent with counsel's receipt of the payment amount, counsel was advised that the Consent Decree had been taken off the table with little explanation as to why. Accordingly, while counsel does not dispute the right of the Bureau to change its mind, it, nevertheless, questions whether in this case it wouldn't be more in the public interest to enter into a Consent Decree than to terminate an AM voice in a community with sparse AM service. In this regard, the Commission should look at the fact that WNBC(AM) is a well-entrenched, long-standing station in Meridian, Mississippi. If its license is cancelled, there will not be another AM station to take its place. Moreover, WNBC will be owed by a minority owner -- something that is clearly in the public interest.<sup>5</sup> Furthermore, Mr. Hopson is an innocent party. In this regard, the Commission has historically bent over backwards in order

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<sup>3</sup> It was counsel's understanding that the Bureau would not consider a settlement if the station was not operating legally.

<sup>4</sup> The Audio Division representative and counsel agreed that \$10,000 to \$12,000 would be appropriate.

<sup>5</sup> *See Prometheus Radio Project v. FCC*, slip opinion, filed September 23, 2019. Therein, the United States Court of Appeals for the Third Circuit expressed concerns with respect to ownership safeguards for minorities. The Court held "...promoting ownership diversity is but one of the policy goals the FCC must consider."

to assist parties who were ignorant of the rules and allowed them to “sort matters out” with Commission assistance. *See* Attachment H.

**Conclusion**

In view of the foregoing, it is submitted that the public interest would be best served by permitting a Consent Decree to be entered and thus allowing the continuation of broadcast service.

Respectfully submitted,

A handwritten signature in black ink that reads "Aaron P. Shainis". The signature is written in a cursive, flowing style.

Aaron P. Shainis  
Counsel for  
Eddie J. Rackley, Administrator  
and Jimmie L. Hopson

Shainis & Peltzman, Chartered  
1850 M Street, N.W.  
Suite 240  
Washington, D.C. 20036  
202-293-0011

Date: October 1, 2019

# ATTACHMENT A



Federal Communications Commission  
Washington, DC 20554

September 4, 2019

*In reply refer to: 1800B3-VM*

Aaron P. Shainis, Esq.  
Shainis & Peltzman, Chartered  
1850 M Street, N.W., Suite 240  
Washington, DC 20036

**In re: DWNBN(AM), Meridian, MS**  
Facility ID No. 22294

Petition for Reconsideration

Dear Mr. Shainis:

This letter concerns the Petition for Reconsideration (Petition) you filed on July 24, 2018 of our June 20, 2018 Letter Order dismissing the pending renewal application (Application)<sup>1</sup> of Station DWNBN(AM), Meridian Mississippi as improperly filed, and finding that the license had expired by its own terms.<sup>2</sup> The Petition asks on reconsideration that the renewal application and the license be reinstated. For the following reasons, we deny reconsideration.

**Background.** The Letter Order dismissed the Application because it was filed on February 10, 2012, and signed by Mr. Eddie Rackley without revealing or ever being amended to show that the licensee, Frank Rackley, Jr., had died on January 25, 2011.<sup>3</sup> The Letter Order also determined that the Station's License expired by its own terms on June 1, 2012, because no valid renewal application was ever filed.

On reconsideration, the Petition argues that the Application should be reinstated because Mr. Eddie Rackley was operating without counsel and was unfamiliar with the Commission's rules (Rules). The Petition cites no rule or precedent in support of its argument.

**Discussion.** The Commission will consider a petition for reconsideration only when the petitioner shows either a material error in the Commission's original order or raises changed circumstances or unknown additional facts not known or existing at the time of petitioner's last opportunity to present such matters.<sup>4</sup> The Petition has failed to meet this burden.

Nothing in the Petition shows a material error in the Bureau's decision or raises facts that were not available at the time the Bureau issued the Letter Order. As stated above, the Petition cites no Rule or precedent in support of its argument that lack of counsel excuses a failure to comply with our Rules. It is well settled that parties that act *pro se* assume the responsibility of complying with the Rules.<sup>5</sup>

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<sup>1</sup> File No. BR-20120210ABF.

<sup>2</sup> Letter Order from Albert Shuldiner, Chief, Audio Division, Media Bureau, FCC to Mr. Eddie J. Rackley, Administrator, and Mr. Jimmie L. Hopson, Ref. No. 1800B3-VM, (June 20, 2018) (Letter Order).

<sup>3</sup> Eddie Rackley filed an assignment application showing his status as administrator of the Frank Rackley, Jr. estate on December 7, 2017. See File No. BAL-20171207ABE.

<sup>4</sup> See 47 CFR § 1.106; *WWIZ, Inc.*, Memorandum Opinion and Order, 37 FCC 685, 686, para. 3 (1964), *aff'd sub nom. Lorain Journal Co. v. FCC*, 351 F.2d 824 (D.C. Cir. 1965), *cert. denied*, 387 U.S. 967 (1966); and *National Ass'n of Broadcasters*, Memorandum Opinion and Order, 18 FCC Rcd 24414, 24415, para. 4 (2003).

<sup>5</sup> See *Eagle Broadcasting Group, Ltd.*, Memorandum Opinion and Order, 23 FCC Rcd 588, 595 (2008) (applicant's *pro se* status did not exempt it from complying with Commission rules or statutory provisions); *Mandeville*

It is undisputed that the Application was signed by Eddie Rackley (in the purported role of "Officer") after the death of the licensee. Section 73.3513(a)(1) of the Rules requires that the individual applicant sign the application "if the application is an individual."<sup>6</sup> Eddie Rackley knew that the licensee was deceased and could not comply with this Rule, but he did not request a Rule waiver and did not disclose the licensee's death. The Letter Order correctly dismissed the Application as a defective application in accordance with Section 73.3566(a) of the Rules.<sup>7</sup>

**Conclusion/Actions.** Accordingly, IT IS ORDERED that the Petition for Reconsideration filed on July 24, 2018, IS DENIED.

Sincerely



Albert Shuldiner  
Chief, Audio Division  
Media Bureau

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*Broadcasting Corp.*, Memorandum Opinion and Order, 2 FCC Rcd 2523, 2524 (1987) ( "[P]ro se parties do assume the responsibility of conforming with the Commission's Rules and policies." (citations omitted)).

<sup>6</sup> 47 CFR §73.3513(a)(1).

<sup>7</sup> 47 CFR §73.3566(a). *See, e.g., Mary Ann Salvatoriello*, Memorandum Opinion and Order, 6 FCC Rcd 4705, 4706 (1991) (the signature requirement "provides assurance that the applicant has personally reviewed the application and can be held responsible for the truth and accuracy of the statements therein").

## ATTACHMENT B

# Shainis & Peltzman, Chartered

Counselors at Law

Aaron B. Shainis  
aaron@s-plaw.com

Lee J. Peltzman  
lee@s-plaw.com

2018 JUL 26 PM 1:53

Suite 240

1850 M Street, N.W.  
Washington, D.C. 20036

(202) 293-0011

Fax (202) 293-0810

e-mail: shainispeltzman@s-plaw.com

July 24, 2018

Accepted / Filed

JUL 24 2018

Federal Communications Commission  
Office of the Secretary

**VIA HAND DELIVERY**

Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW.  
Washington DC 20554  
Attn: Thomas Hutton

Re: WBNB(AM)  
Meridian, MS  
Facility ID No. 22294

Dear Mr. Hutton:

The instant submission should be considered as a petition seeking reconsideration of the June 20, 2018 action of the Chief, Audio Division, Media Bureau. Specifically, the letter dismissing the renewal application (File No. BR-20120210ABF) and cancelling the license.<sup>1</sup>

The Commission is correct that the licensee, Frank Rackley, Jr., died on January 25, 2011. The renewal, filed on February 10, 2012, did not reflect his passing.<sup>2</sup> The renewal was signed by Eddie Rackley. It should also be noted that it does not appear that the renewal application was filed through the utilization of communications counsel.

<sup>1</sup> For convenience, a copy of the June 20, 2018 letter is attached (Attachment A).

<sup>2</sup> A copy of the renewal application is attached (Attachment B).

ORIGINAL

# Shainis & Heltzman, Chartered

Thomas Hutton  
July 24, 2018  
Page 2 of 3

On December 7, 2017, an FCC Form 316 application was filed seeking assignment of WNBC from Frank Rackley, Jr. to Eddie J. Rackley, Administrator (Attachment C). The application bears file number BAL-20171207ABE. Included with that submission were several testamentary documents – Judgment Approving Final Accounting, Authorizing Sale of Property, and Closing Estate, Bill of Sale,<sup>3</sup> and Agreed Judgement (sic) Appointing Administrator and Waiving the Requirement of a Bond Pending Inventory.

Attachment D is the April 19, 2018 FCC Form 732 approving the FCC Form 316 application – the consent to assignment from Frank Rackley, Jr. to Eddie J. Rackley, Administrator. Consummation of that assignment was never filed with the Commission. Presumably, the parties were not aware of how to effectuate the consummation notice. Once again, it should be noted that it does not appear that communications counsel was utilized.

Dismissal of the WNBC renewal appeared on Public Notice of June 25, 2018. Thus, the instant request is timely.

It is submitted that reconsideration is appropriate due to the circumstances present.

The licensee, Frank Rackley, Jr., died on January 25, 2011. Unfamiliar with Commission procedures and rules, the renewal was filed. Yes, the renewal was filed in the name of the deceased, but it was signed by the decedent's brother, Eddie Rackley, who would ultimately be approved by the court as the administrator of the estate.

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<sup>3</sup> The Bill of Sale in combination with the other testamentary documents would indicate the court approval of the sale of WNBC to Jimmie Lee Hopson.

# Shainis & Heltzman, Chartered

Thomas Hutton  
July 24, 2018  
Page 3 of 3

In approving the testamentary papers, the Judge was obviously unaware of the need for FCC approval. Furthermore, it appears that, at some point, the need for approval of Eddie Rackley as administrator became known. Unfortunately, the filing of the notice of consummation was not readily apparent.

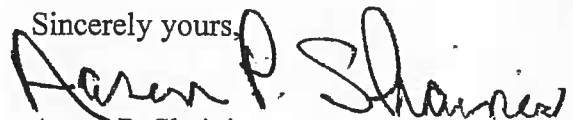
In view of the lack of knowledge of the parties, reconsideration is requested. In this regard, reconsideration should be granted to allow the following:

- (a) Reinstatement of the renewal to allow for its amendment to reflect that Frank Rackley, Jr. is deceased.
- (b) The filing of the consummation of BAL-20171207ABE.
- (c) Allow for the filing of an FCC Form 314 to assign WBNB to Jimmie L. Hopson.

Because the renewal was dismissed and the license cancelled, nothing can be filed in CDBS. It is also requested that an STA be permitted to be filed to permit the continued operation of the station until all of these matters are resolved.

Thank you in advance for your attention to this matter.

Sincerely yours,

  
Aaron P. Shainis  
Counsel for  
Eddie J. Rackley

# ATTACHMENT A



Federal Communications Commission  
Washington, D.C. 20554

June 20, 2018

*In reply refer to: 1800B3-VM*

Mr. Eddie J. Rackley, Administrator  
266 23rd Street  
Meridian MS 39301

Mr. Jimmie L. Hopson  
3815 10<sup>th</sup> Avenue  
Meridian, MS 39305

**In re: WNBC(AM), Meridian, MS**  
Facility ID No. 22294  
File No. BR-20120210ABF

Dear Mr. Rackley and Mr. Hopson:

This is in reference to the application for renewal of license for Station WNBC(AM), Meridian, Mississippi (Station), filed on February 10, 2012, putatively by the licensee, Frank Rackley, Jr. On or about February 29, 2012, the Commission, received information that Mr. Rackley had died. Public records show that Mr. Rackley died on January 25, 2011.<sup>1</sup> We note that the application for renewal of license did not indicate that Mr. Rackley had died, and has not been amended since its filing to update the licensee's status.

We hereby dismiss the application as improperly filed because the application for renewal of license was filed in Mr. Rackley's name over one year after his death without acknowledging his death or otherwise notifying the Commission in an amendment to the application. The Station's license therefore expired by its own terms on June 1, 2012.<sup>2</sup>

Accordingly, File No. BR-20120210ABF IS DISMISSED. The license for Station WNBC IS CANCELED.

Sincerely,

Albert Shuldiner  
Chief, Audio Division  
Media Bureau

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<sup>1</sup> See Social Security Death Index for Frank Rackley, Jr. (<https://www.socialsecuritydeathindex-search.com/>).

<sup>2</sup> 47 CFR § 73.1020(a)(1)(5).

## ATTACHMENT B

Federal Communications Commission Washington, D.C. 20554  <b>FCC 303-S</b>	Approved by OMB 3060-0110 (March 2011)  <b>FOR FCC USE ONLY</b>
<b>APPLICATION FOR RENEWAL OF BROADCAST STATION LICENSE</b>  Read INSTRUCTIONS Before Filling Out Form	<b>FOR COMMISSION USE ONLY</b> FILE NO. BR - 20120210ABF

**Section I - General Information- TO BE COMPLETED BY ALL APPLICANTS**

<b>1. Legal Name of the Licensee</b> FRANK RACKLEY, JR.  <b>Mailing Address</b> 266 23RD STREET  <table border="1"> <tr> <td data-bbox="126 646 768 716">City MERIDIAN</td> <td data-bbox="768 646 1195 716">State or Country (if foreign address) MS</td> <td data-bbox="1195 646 1520 716">ZIP Code 39301 -</td> </tr> <tr> <td data-bbox="126 716 768 785">Telephone Number (include area code) 6012863070</td> <td colspan="2" data-bbox="768 716 1520 785">E-Mail Address (if available)</td> </tr> <tr> <td data-bbox="126 785 768 854">FCC Registration Number: 0010301059</td> <td data-bbox="768 785 1195 854">Facility ID Number 22294</td> <td data-bbox="1195 785 1520 854">Call Sign WNBN</td> </tr> </table>	City MERIDIAN	State or Country (if foreign address) MS	ZIP Code 39301 -	Telephone Number (include area code) 6012863070	E-Mail Address (if available)		FCC Registration Number: 0010301059	Facility ID Number 22294	Call Sign WNBN
City MERIDIAN	State or Country (if foreign address) MS	ZIP Code 39301 -							
Telephone Number (include area code) 6012863070	E-Mail Address (if available)								
FCC Registration Number: 0010301059	Facility ID Number 22294	Call Sign WNBN							
<b>2. Contact Representative</b> FRANK RACKLEY  <b>Mailing Address</b> 266 23RD STREET  <table border="1"> <tr> <td data-bbox="126 1052 768 1121">City MERIDIAN</td> <td data-bbox="768 1052 1195 1121">State or Country (if foreign address) MS</td> <td data-bbox="1195 1052 1520 1121">Zip Code 39301 -</td> </tr> <tr> <td data-bbox="126 1121 768 1190">Telephone Number (include area code) 6012863070</td> <td colspan="2" data-bbox="768 1121 1520 1190">E-Mail Address (if available)</td> </tr> </table>	City MERIDIAN	State or Country (if foreign address) MS	Zip Code 39301 -	Telephone Number (include area code) 6012863070	E-Mail Address (if available)				
City MERIDIAN	State or Country (if foreign address) MS	Zip Code 39301 -							
Telephone Number (include area code) 6012863070	E-Mail Address (if available)								
<b>3. If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114):</b> <input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial Educational Licensee <input type="radio"/> Other <input checked="" type="radio"/> N/A (Fee Required)									
<b>4. Purpose of Application</b>  <input checked="" type="radio"/> Renewal of license <input type="radio"/> Amendment to pending renewal application If an amendment, submit as an exhibit a listing by Section and Item Number the portions of the pending application that are being revised. [Exhibit 1]									
<b>5. Facility Information:</b> <input checked="" type="radio"/> Commercial <input type="radio"/> Noncommercial Educational									
<b>6. Service and Community of License</b> a. <input checked="" type="radio"/> AM <input type="radio"/> FM <input type="radio"/> FM Translator <input type="radio"/> LPFM <input type="radio"/> TV Translator <input type="radio"/> Low Power TV <input type="radio"/> Class A TV <input type="radio"/> Digital TV <input type="radio"/> Digital Translator or Digital LPTV <input type="radio"/> Digital Class A TV <table border="1"> <tr> <td colspan="2">Community of License /Area to be Served</td> </tr> <tr> <td>City: MERIDIAN</td> <td>State : MS</td> </tr> </table> b. Does this application include one or more FM translator station(s), or TV translator station(s), LPTV station(s), in addition to the station listed in Section I question 1? (The call sign(s) of any associated FM translators, TV translators or LPTV stations will be requested in Section V). <input type="radio"/> Yes <input checked="" type="radio"/> No	Community of License /Area to be Served		City: MERIDIAN	State : MS					
Community of License /Area to be Served									
City: MERIDIAN	State : MS								
<b>7. Other Authorizations.</b> List call signs, facility identifiers and location(s) of any FM booster or TV booster station(s) for which renewal of license is also requested. [Exhibit 2] <input checked="" type="checkbox"/> N/A									

## Section II - Legal - TO BE COMPLETED BY ALL APPLICANTS

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47,

## SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

## Section III - TO BE COMPLETED BY AM and FM LICENSEES ONLY

1.	<b>Biennial Ownership Report:</b> Licensee certifies that the station's Biennial Ownership Report (FCC Form 323 or 323-E) has been filed with the Commission as required by 47 C.F.R. Section 73.3615.	<input checked="" type="radio"/> Yes <input type="radio"/> No  See Explanation in [Exhibit 9]
2.	<b>EEO Program:</b> Licensee certifies that:	
	a. The station's Broadcast EEO Program Report (FCC Form 396) has been filed with the Commission, as required by 47 C.F.R. Section 73.2080(f)(1).  Specify FCC Form 396 File Number : B396 - 20120210ABA	<input checked="" type="radio"/> Yes <input type="radio"/> No  See Explanation in [Exhibit 10]
	b. The station has posted its most recent Broadcast EEO Public File Report on the station's website, as required by 47 C.F.R. Section 73.2080(c)(6).	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A  See Explanation in [Exhibit 11]
3.	<b>Local Public File.</b> Licensee certifies that the documentation, required by 47 C.F.R. Section 73.3526 or 73.3527, as applicable, has been placed in the station's public inspection file at the appropriate times.	<input checked="" type="radio"/> Yes <input type="radio"/> No  See Explanation in [Exhibit 12]
4.	<b>Adherence to Minimum Operating Schedule.</b> Licensee certifies that, during the preceding license term, the station has not been silent (or operating for less than its prescribed minimum operating hours) for any period of more than 30 days.  If No, submit an Exhibit specifying the exact dates in the preceding license term on which the station was silent or operating for less than its prescribed minimum hours.	<input checked="" type="radio"/> Yes <input type="radio"/> No  See Explanation in [Exhibit 13]
5.	<b>Discontinued Operations.</b> Licensee certifies that during the preceding license term, the station has not been silent for any consecutive 12-month period.	<input checked="" type="radio"/> Yes <input type="radio"/> No  See Explanation in [Exhibit 14]
6.	<b>Silent Station</b> Licensee certifies that the station is currently on the air broadcasting programming intended to be received by the public.	<input checked="" type="radio"/> Yes <input type="radio"/> No
7.	<b>Environmental Effects.</b> Licensee certifies that the specified facility complies with the maximum permissible radio frequency electromagnetic exposure limits for controlled and uncontrolled environments.  By checking "Yes" above, the licensee also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower, or antenna from radio frequency electromagnetic exposure in excess of FCC guidelines.	<input checked="" type="radio"/> Yes <input type="radio"/> No  See Explanation in [Exhibit 15]
8.	<b>Radio/Newspaper Cross-Ownership.</b> Licensee certifies that neither the applicant nor any party to this application has an attributable interest in a newspaper which: (1) is published four or more days per week, (2) is in the dominant language in the market, and (3) is published in a community entirely encompassed by:	
	a. the 1 mV/m contour of one of the FM station(s)?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
	b. the 2 mV/m contour of one of the AM station(s)?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
	If No to either Question 8.a or 8.b, has the Commission made a finding pursuant to Section 310(d) of the Communications Act that the newspaper/broadcast combination is in the public interest?	<input type="radio"/> Yes <input type="radio"/> No  See Explanation in [Exhibit 16]

## Exhibits

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# ATTACHMENT C

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0009 (June 2010)	FOR FCC USE ONLY
<b>FCC 316</b>		FOR COMMISSION USE ONLY FILE NO. BAL - 20171207ABE
<b>APPLICATION FOR CONSENT TO ASSIGN BROADCAST STATION CONSTRUCTION PERMIT OR LICENSE OR TO TRANSFER CONTROL OF ENTITY HOLDING BROADCAST STATION CONSTRUCTION PERMIT OR LICENSE</b>		
Read INSTRUCTIONS Before Filling Out Form		

**Section I - General Information**

1.	Legal Name of the Licensee/Permittee FRANK RACKLEY, JR.		
	Mailing Address 266 23RD STREET		
	City MERIDIAN	State or Country (if foreign address) MS	Zip Code 39301 -
	Telephone Number (include area code) 2058007191	E-Mail Address (if available) MR.JHOPSON@GMAIL.COM	
	FCC Registration Number: 0027059039	Call Sign WNBW	Facility ID Number 22294
2.	Contact Representative (if other than licensee/permittee) JIMMIE L HOPSON		Firm or Company Name
	Mailing Address 3815 10TH AVENUE		
	City MERIDIAN	State or Country (if foreign address) MS	ZIP Code 39305 -
	Telephone Number (include area code) 6019385879	E-Mail Address (if available) MR.JHOPSON@GMAIL.COM	
3.	If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): <input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial Educational Licensee/Permittee <input type="radio"/> Other <input type="radio"/> N/A (Fee Required)		
4.	a. <input checked="" type="radio"/> Voluntary Assignment or Transfer of Control <input type="radio"/> Involuntary Assignment or Transfer of Control <input checked="" type="radio"/> Amendment to pending application File number of pending application: -  If an amendment, submit as an Exhibit a listing, by Section and Question Number, of the portions of the pending application that are being revised. <span style="float: right;">[Exhibit 1]</span>  b. Applicant certifies that the use of FCC Form 316 is appropriate for this transaction. <span style="float: right;"><input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 2]</span>		
5.	Were any of the authorizations that are the subject of this application obtained through the Commission's competitive bidding procedures (see 47 C.F.R. Sections 1.2111(a) and 73.5000)?  If yes, list pertinent authorizations in an Exhibit.		<input type="radio"/> Yes <input checked="" type="radio"/> No  [Exhibit 3]

**NOTE:** In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

## Section II - Assignor/Transferor

1.	<b>Certification.</b> Assignor/Transferor certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Assignor/Transferor further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.	<input checked="" type="radio"/> Yes <input type="radio"/> No										
2.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; padding: 5px;">Application for (check one):</td> <td style="width: 25%; padding: 5px;"><input type="radio"/> Consent to Assign Construction Permit</td> <td style="width: 25%; padding: 5px;"><input type="radio"/> Consent to Transfer Control of Permittee</td> </tr> <tr> <td style="padding: 5px;"><input type="radio"/></td> <td style="padding: 5px;">Consent to Assign License</td> <td style="padding: 5px;"><input type="radio"/> Consent to Transfer Control of Licensee</td> </tr> <tr> <td style="padding: 5px;"><input checked="" type="radio"/></td> <td colspan="2" style="padding: 5px;">Amendment to pending application</td> </tr> </table>	Application for (check one):	<input type="radio"/> Consent to Assign Construction Permit	<input type="radio"/> Consent to Transfer Control of Permittee	<input type="radio"/>	Consent to Assign License	<input type="radio"/> Consent to Transfer Control of Licensee	<input checked="" type="radio"/>	Amendment to pending application			
Application for (check one):	<input type="radio"/> Consent to Assign Construction Permit	<input type="radio"/> Consent to Transfer Control of Permittee										
<input type="radio"/>	Consent to Assign License	<input type="radio"/> Consent to Transfer Control of Licensee										
<input checked="" type="radio"/>	Amendment to pending application											
3.	<b>Legal Name of the Assignor/Transferor</b> FRANK RACKLEY, JR. <b>Mailing Address</b> 266 23 STREET <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 20%; padding: 5px;">City MERIDIAN</td> <td style="width: 40%; padding: 5px;">State or Country (if foreign address) MS</td> <td style="width: 40%; padding: 5px;">Zip Code 39301 -</td> </tr> <tr> <td colspan="2" style="padding: 5px;">Telephone Number (include area code) 6014830004</td> <td style="padding: 5px;">E-Mail Address (if available) GHOLT4EVR@GMAIL.COM</td> </tr> </table>		City MERIDIAN	State or Country (if foreign address) MS	Zip Code 39301 -	Telephone Number (include area code) 6014830004		E-Mail Address (if available) GHOLT4EVR@GMAIL.COM				
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4.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 65%; padding: 5px;"> <b>Contact Representative (if other than Assignor/Transferor)</b>            JIMMY HOPSON         </td> <td style="width: 35%; padding: 5px;"> <b>Firm or Company Name</b> </td> </tr> <tr> <td colspan="2" style="padding: 5px;"> <b>Mailing Address</b>            3815 10TH AVE         </td> </tr> <tr> <td style="padding: 5px;">           City MERIDIAN         </td> <td style="padding: 5px;">           State or Country (if foreign address) MS         </td> <td style="padding: 5px;">           Zip Code 39305 -         </td> </tr> <tr> <td colspan="2" style="padding: 5px;">           Telephone Number (include area code) 6019385879         </td> <td style="padding: 5px;">           E-Mail Address (if available)         </td> </tr> </table>		<b>Contact Representative (if other than Assignor/Transferor)</b> JIMMY HOPSON	<b>Firm or Company Name</b>	<b>Mailing Address</b> 3815 10TH AVE		City MERIDIAN	State or Country (if foreign address) MS	Zip Code 39305 -	Telephone Number (include area code) 6019385879		E-Mail Address (if available)
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	If more than one Transferor, submit the information requested in Questions 3 and 4 for each transferor. <span style="float: right;">[Exhibit 4]</span>											
5.	<b>Authorizations to be Assigned/Transferred.</b> List the authorized stations and construction permits to be assigned/transferred. Provide the Facility Identification Number and the Call Sign, or the Facility Identification Number and the File Number of the Construction Permit, and the location, for each station to be assigned/transferred. Include main stations, FM and/or TV translator stations, LPTV stations, FM and/or TV booster stations.  [Enter Station Information]											
	List the authorized stations and construction permits to be assigned/transferred. Provide the Facility Identification Number and the Call Sign, or the Facility Identification Number and the File Number of the Construction Permit, and the location, for each station to be assigned/transferred. Include main stations, FM and/or TV translator stations, LPTV stations,, FM and/or TV booster stations.											
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Facility ID Number</th> <th style="width: 40%;">Call Sign or Construction Permit File Number</th> <th style="width: 20%;">City</th> <th style="width: 25%;">State</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">22294</td> <td style="text-align: center;">WNBW -</td> <td style="text-align: center;">MERIDIAN</td> <td style="text-align: center;">MS</td> </tr> </tbody> </table>		Facility ID Number	Call Sign or Construction Permit File Number	City	State	22294	WNBW -	MERIDIAN	MS		
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22294	WNBW -	MERIDIAN	MS									
6.	<b>Agreements for Sale/Transfer of Station.</b> a. If the transaction is voluntary, Assignor/Transferor certifies that: i. it has placed in licensee's/permittee's public inspection file(s) and submitted as an exhibit to this item copies of all agreements for the assignment/transfer of the station(s);	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A  [Exhibit 5]										

ii. these documents embody the complete and final understanding between assignor/transferor and assignee/transferee; and iii. these agreements comply fully with the Commission's rules and policies. b. If the transaction is involuntary, the Assignor/Transferor certifies that court orders or other authorizing documents have been issued and that it has placed in the licensee's/permittee's public inspection file(s) and submitted to the Commission copies of such court orders or other authorizing documents. <b>Exhibit Required</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A  [Exhibit 6]
7. <b>Character Issues.</b> Assignor/Transferor certifies that neither licensee/permittee nor any party to the application has or has had any interest in, or connection with: a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or any party to the application; or b. any pending broadcast application in which character issues have been raised.	<input checked="" type="radio"/> Yes <input type="radio"/> No  See Explanation in [Exhibit 7]
8. <b>Adverse Findings.</b> Assignor/Transferor certifies that, with respect to the assignor/transferor and each party to the application, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 8]
9. <b>Auction Authorization.</b> Assignor/transferor certifies that more than five years have passed since the issuance of the construction permit for the station being assigned, where that permit was acquired in an auction through the use of a bidding credit or other special measure.	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A  See Explanation in [Exhibit 9]
10. <b>Anti-Drug Abuse Act Certification.</b> Assignor/Transferor certifies that neither licensee/permittee nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.	<input checked="" type="radio"/> Yes <input type="radio"/> No

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations.

Typed or Printed Name of Person Signing EDDIE J RACKLEY	Typed or Printed Title of Person Signing ADMINISTRATOR
Signature	Date 04/13/2018

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

**NOTE:** In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

### Section III - Assignee/Transferee

1. <b>Certification.</b> Assignee/Transferee certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Assignee/Transferee further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.	<input checked="" type="radio"/> Yes <input type="radio"/> No
2. Legal Name of the Assignee/Transferee EDDIE J RACKLEY, ADMINISTRATOR Mailing Address 266 23RD STREET City MERIDIAN State or Country (if foreign address) MS Zip Code 39301 -	

Telephone Number (include area code) 6014920004	E-Mail Address (if available)
--	-------------------------------

3. Contact Representative (if other than Assignee/Transferee) EDDIE HOLT Mailing Address 1618 9TH AVE  City MERIDIAN	Firm or Company Name  State or Country (if foreign address) MS Zip Code 39301 -
Telephone Number (include area code) 2055198066	E-Mail Address (if available)

If more than one Transferee, submit the information requested in Questions 2 and 3 for each transferee. [Exhibit 10]

4. <b>Agreements for Sale/Transfer of Station.</b> Assignee/Transferee certifies that: a. the written agreements in the licensee/permittee's public inspection file embody the complete and final agreement for the sale or transfer of the station(s); and b. these agreements comply fully with the Commission's rules and policies.	<input checked="" type="radio"/> Yes <input type="radio"/> No [Exhibit 11]
--	---

5. <b>Changes in interests as a result of assignment/transfer.</b> a. [Enter Changes in Interests Information]																																									
<b>Changes in Interests as a Result of Assignment/Transfer</b>																																									
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EDDIE J RACKLEY	US	0	0	100	100																																				
or [Exhibit 12]																																									
b. Applicant certifies that equity interests not set forth above are non-attributable.	<input type="radio"/> Yes <input type="radio"/> No  <input checked="" type="radio"/> N/A [Exhibit 13]																																								

6. <b>Other Authorizations.</b> List call signs, locations, and facility identifiers of all other broadcast stations in which assignee/transferee or any party to the application has an attributable interest.	<input checked="" type="checkbox"/> N/A [Exhibit 14]
---	---

7. <b>Acquisition of Control.</b> List the file number and date of grant of FCC Form 301, 314, or 315 application by which the Commission approved the qualifications of the individual or entity with a pre-existing interest in the licensee/permittee that is now acquiring control of the licensee/permittee as a result of the grant of this application.	<input checked="" type="checkbox"/> N/A [Exhibit 15]
--	---

8. <b>Character Issues.</b> Assignee/Transferee certifies that neither assignee/transferee nor any party to the application has or has had any interest in, or connection with:	<input checked="" type="radio"/> Yes <input type="radio"/> No
---	---

	a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or any party to the application; or b. any pending broadcast application in which character issues have been raised.	See Explanation in [Exhibit 16]
9.	<b>Adverse Findings.</b> Assignee/Transferee certifies that, with respect to the assignee/transferee and each party to the application, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 17]
10.	<b>Alien Ownership and Control.</b> Assignee/Transferee certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 18]
11.	<b>Auction Authorization.</b> Assignee/transferee certifies that where less than five years have passed since the issuance of the construction permit and the permit had been acquired in an auction through the use of a bidding credit or other special measure, it would qualify for such credit or other special measure.	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A See Explanation in [Exhibit 19]
12.	<b>Anti-Drug Abuse Act Certification.</b> Assignee/transferee certifies that neither licensee/permittee nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.	<input checked="" type="radio"/> Yes <input type="radio"/> No

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing EDDIE J RACKLEY	Typed or Printed Title of Person Signing ADMINISTRATOR
Signature	Date 04/13/2018

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

## Exhibits

### Exhibit 1

Description: AMENDMENT

AMENDMENT

### Attachment 1

Description
<u>Amendment</u>
<u>Amendment</u>
<u>Amendment</u>

### Attachment 6

Description
<u>Agreed Judgement Appointing Administrator</u>
<u>Agreed Judgement Appointing Administrator</u>



IN THE CHANCERY COURT OF LAUDERDALE COUNTY  
THE STATE OF MISSISSIPPI

THE ESTATE OF FRANK RACKLEY,  
JR., DECEASED

CAUSE NO.14-421-M

EDDIE J. RACKLEY,

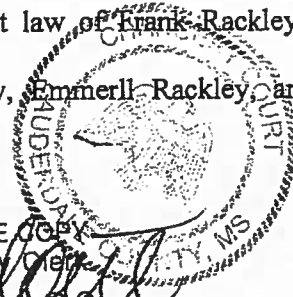
ADMINISTRATOR

JUDGMENT APPROVING FINAL ACCOUNTING, AUTHORIZING SALE OF  
PROPERTY, AND CLOSING ESTATE

This cause came on for hearing on the *Final Accounting, Motion to Authorize Sale of Property, and Petition to Close Estate* filed herein by the Administrator, and the Court having determined that all of the heirs at law have filed a *Waiver and Joinder* to said Final Accounting, and the Court having jurisdiction over the parties herein and subject matter hereof finds as follows:

1. By Judgment dated July 8, 2014, the administrator was appointed by the Court and upon taking the oath of office, *Letters of Administration* were issued by the clerk of the Court. *Notice to Creditors* was published in The Meridian Star as required by law on July 15, 2014, July 22, 2014, and July 29, 2014. The period for probating claims has expired and no claims have been registered against this estate.
2. There are no estate or inheritance taxes due to the United States Treasury Department or to the State of Mississippi.
3. The sole and only heirs at law of Frank Rackley, Jr., were determined by judgment of this Court entered on November 14, 2014, and pursuant to said order the following persons were determined to be the sole and only heirs at law of Frank Rackley, Jr.: Marie Rackley, mother, and Cherry A. Jackson, Myra Ramsey, Emmerll Rackley, and Eddie J. Rackley, all siblings.

STATE OF MISSISSIPPI  
COUNTY OF LAUDERDALE  
I CERTIFY THAT THIS IS A TRUE COPY  
CAROLYN MOONEY, Chancery Clerk  
BY [Signature] CLERK  
TODAY'S DATE: 9-14-17



4. The estate consists of an FCC license and call letters WNBC 12:90 AM, Meridian, Mississippi, and certain equipment and personal property located at 266 23rd Street, Meridian, Mississippi, 39301, which is property owned by Jimmie Lee Hopson.

5. The Honorable Robert M. Dreyfus has rendered valuable legal services in the administration of this estate and your administrator requests that he be authorized to pay him a reasonable fee in the amount of \$5,000.00 for the handling of this estate, together with expenses of \$346.00.

6. Pursuant to that order granting authority to advertise for bids for the sale of FCC license and other property entered on December 12, 2014, the administrator advertised the FCC license for sale to prospective bidders within the east central portion of Mississippi and the west central portion of Alabama. Advertisements for bids were mailed to owners of radio stations in east central Mississippi and west central Alabama and a notice was published in the Meridian Star. Following the advertisement for bids, four bids were procured by the administrator. The highest and best bid presented to the administrator pursuant to said notice was made by Jimmie Lee Hopson in the amount of \$10,000.

Pursuant to the terms of the advertisement for bids, Jimmie Lee Hopson has paid to the estate the sum of \$10,000 for all rights to the FCC license, call letters "WNBN 12:90 AM Meridian, MS", and bear all costs of transfer of the license with the FCC including payment of any back fees and penalties. The Court finds that the bid of Jimmie Lee Hopson is reasonable and in the best interest of the estate, and that the Administrator shall execute any and all documents necessary for the transfer of the license rights and call letters "WNBN 12:90 AM, Meridian, MS" to Jimmie Lee Hopson for purchase price of \$10,000, including, but not limited to the attached Bill of Sale.

7. Upon payment of the above \$10,000, the administrator shall pay the above attorney's fees to Robert M. Dreyfus, Jr., and the net proceeds be distributed to the heirs at law of this estate in equal shares.

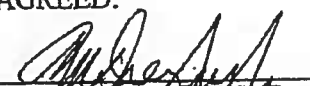
IT IS THEREFORE ORDERED AND ADJUDGED as follows:


1. The final accounting is approved and ratified;
2. The administrator is authorized to pay Robert M. Dreyfus the sum of \$5,346.00 for services rendered and expenses incurred;
3. The administrator is authorized and does hereby sell the FCC license, rights and call letters "WNBH 12:30 AM Meridian, MS" as owned by Frank Rackley, Jr., deceased, to Jimmie Lee Hopson. Furthermore, the administrator be and is hereby authorized to execute a Bill of Sale and any other documents necessary to accomplish the transaction as may be needed to transfer the license rights and call letters of WNBH12:30 AM Meridian, Mississippi to Jimmie Lee Hopson. As Jimmie Lee Hopson has paid and delivered the \$10,000.00 payable to the estate, Jimmie Lee Hopson is hereby declared to be the owner of the FCC license, along with all right to "WNBH 12:30 AM Meridian, MS";
4. Upon receipt of the funds from Jimmie Lee Hopson, the administrator is authorized to pay the above attorney fees and expenses to Robert M. Dreyfus and then disburse the net funds to the heirs at law in equal shares;
5. That upon the net funds being distributed to the heirs, this estate shall be closed and the administrator discharged from further duties.

ORDERED, this the 26<sup>th</sup> day of June, 2015.

  
CHANCELLOR

AGREED:

  
ROBERT M. DREYFUS, JR.,  
ATTORNEY FOR THE ESTATE

  
LEONARD B. COBB, ATTORNEY  
FOR JIMMIE LEE HOPSON

PREPARED BY:  
ROBERT M. DREYFUS, JR. MSB  
NO. 6191  
P O BOX 5847  
MERIDIAN, MS 39302  
601/553-8315  
File Number: 5411

**BILL OF SALE**

For and in consideration of the sum of Ten Thousand Dollars (\$10,000.00) and other good and valuable consideration, I hereby sell, convey and deliver to Jimmie Lee Hopson of 3815 - 10<sup>th</sup> Avenue, Meridian, Mississippi, the following described property, situated in Meridian, County of Lauderdale, State of Mississippi, to-wit:

*fm* ~~Certain personal property including FCC License and Call Letters WNBC 12:90 AM,~~  
*Meridian, Mississippi.*

And by these presents I covenant with the said Grantee that I am seized of the fee to the said property and that I have a perfect right to sell the same; that the said property is free from all encumbrances and liens whatsoever.

This Bill of Sale is authorized by a Judgment of the Chancery Court of Lauderdale County, Mississippi in cause number 14-421-M.

IN TESTIMONY WHEREOF, I have hereunto set my hand, at Meridian, Mississippi, Lauderdale County, this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

THE ESTATE OF FRANK RACKLEY, JR.

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
BY: EDDIE J. RACKLEY  
ADMINISTRATOR

IN THE CHANCERY COURT OF LAUDERDALE COUNTY  
THE STATE OF MISSISSIPPI

THE ESTATE OF FRANK RACKLEY,  
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CAUSE NO.14-421-M

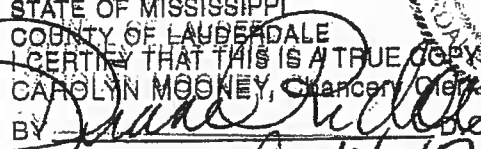
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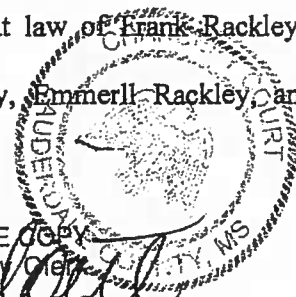
ADMINISTRATOR

JUDGMENT APPROVING FINAL ACCOUNTING, AUTHORIZING SALE OF  
PROPERTY, AND CLOSING ESTATE

This cause came on for hearing on the *Final Accounting, Motion to Authorize Sale of Property, and Petition to Close Estate* filed herein by the Administrator, and the Court having determined that all of the heirs at law have filed a *Waiver and Joinder* to said Final Accounting, and the Court having jurisdiction over the parties herein and subject matter hereof finds as follows:

1. By Judgment dated July 8, 2014, the administrator was appointed by the Court and upon taking the oath of office, *Letters of Administration* were issued by the clerk of the Court. *Notice to Creditors* was published in The Meridian Star as required by law on July 15, 2014, July 22, 2014, and July 29, 2014. The period for probating claims has expired and no claims have been registered against this estate.
2. There are no estate or inheritance taxes due to the United States Treasury Department or to the State of Mississippi.
3. The sole and only heirs at law of Frank Rackley, Jr., were determined by judgment of this Court entered on November 14, 2014, and pursuant to said order the following persons were determined to be the sole and only heirs at law of Frank Rackley, Jr.: Marie Rackley, mother, and Cherry A. Jackson, Myra Ramsey, Emmerill Rackley, and Eddie J. Rackley, all siblings.

STATE OF MISSISSIPPI  
COUNTY OF LAUDERDALE  
I CERTIFY THAT THIS IS A TRUE COPY  
GAYOLYN MOONEY, Chancery Clerk  
BY   
TODAY'S DATE: 9-14-17



4. The estate consists of an FCC license and call letters WNBC 12:90 AM, Meridian, Mississippi, and certain equipment and personal property located at 266 23rd Street, Meridian, Mississippi, 39301, which is property owned by Jimmie Lee Hopson.

5. The Honorable Robert M. Dreyfus has rendered valuable legal services in the administration of this estate and your administrator requests that he be authorized to pay him a reasonable fee in the amount of \$5,000.00 for the handling of this estate, together with expenses of \$346.00.

6. Pursuant to that order granting authority to advertise for bids for the sale of FCC license and other property entered on December 12, 2014, the administrator advertised the FCC license for sale to prospective bidders within the east central portion of Mississippi and the west central portion of Alabama. Advertisements for bids were mailed to owners of radio stations in east central Mississippi and west central Alabama and a notice was published in the Meridian Star. Following the advertisement for bids, four bids were procured by the administrator. The highest and best bid presented to the administrator pursuant to said notice was made by Jimmie Lee Hopson in the amount of \$10,000.

Pursuant to the terms of the advertisement for bids, Jimmie Lee Hopson has paid to the estate the sum of \$10,000 for all rights to the FCC license, call letters "WNBN 12:90 AM Meridian, MS", and bear all costs of transfer of the license with the FCC including payment of any back fees and penalties. The Court finds that the bid of Jimmie Lee Hopson is reasonable and in the best interest of the estate, and that the Administrator shall execute any and all documents necessary for the transfer of the license rights and call letters "WNBN 12:90 AM, Meridian, MS" to Jimmie Lee Hopson for purchase price of \$10,000, including, but not limited to the attached Bill of Sale.

7. Upon payment of the above \$10,000, the administrator shall pay the above attorney's fees to Robert M. Dreyfus, Jr., and the net proceeds be distributed to the heirs at law of this estate in equal shares.

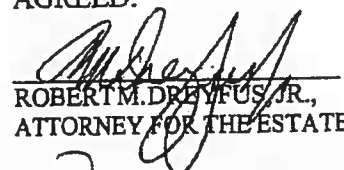
IT IS THEREFORE ORDERED AND ADJUDGED as follows:

1. The final accounting is approved and ratified;
2. The administrator is authorized to pay Robert M. Dreyfus the sum of \$5,346.00 for services rendered and expenses incurred;
3. The administrator is authorized and does hereby sell the FCC license, rights and call letters "WNBH 12:30 AM Meridian, MS" as owned by Frank Rackley, Jr., deceased, to Jimmie Lee Hopson. Furthermore, the administrator be and is hereby authorized to execute a Bill of Sale and any other documents necessary to accomplish the transaction as may be needed to transfer the license rights and call letters of WNBH12:30 AM Meridian, Mississippi to Jimmie Lee Hopson. As Jimmie Lee Hopson has paid and delivered the \$10,000.00 payable to the estate, Jimmie Lee Hopson is hereby declared to be the owner of the FCC license, along with all right to "WNBH 12:30 AM Meridian, MS";
4. Upon receipt of the funds from Jimmie Lee Hopson, the administrator is authorized to pay the above attorney fees and expenses to Robert M. Dreyfus and then disburse the net funds to the heirs at law in equal shares;
5. That upon the net funds being distributed to the heirs, this estate shall be closed and the administrator discharged from further duties.

ORDERED, this the 26<sup>th</sup> day of June, 2015.

  
CHANCELLOR

AGREED:

  
ROBERT M. DREYFUS, JR.,  
ATTORNEY FOR THE ESTATE

  
LEONARD B. COBB, ATTORNEY  
FOR JIMMIE LEE HOPSON

PREPARED BY:  
ROBERT M. DREYFUS, JR. MSB  
NO. 6191  
P O BOX 5847  
MERIDIAN, MS 39302  
601/553-8315  
FileNumber: 5411

**BILL OF SALE**

For and in consideration of the sum of Ten Thousand Dollars (\$10,000.00) and other good and valuable consideration, I hereby sell, convey and deliver to Jimmie Lee Hopson of 3815 – 10<sup>th</sup> Avenue, Meridian, Mississippi, the following described property, situated in Meridian, County of Lauderdale, State of Mississippi, to-wit:

*fm* ~~Certain personal property including FCC License and Call Letters WNBC 12:90 AM,~~  
*Meridian, Mississippi.*

And by these presents I covenant with the said Grantee that I am seized of the fee to the said property and that I have a perfect right to sell the same; that the said property is free from all encumbrances and liens whatsoever.

This Bill of Sale is authorized by a Judgment of the Chancery Court of Lauderdale County, Mississippi in cause number 14-421-M.

IN TESTIMONY WHEREOF, I have hereunto set my hand, at Meridian, Mississippi, Lauderdale County, this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

THE ESTATE OF FRANK RACKLEY, JR.

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
BY: EDDIE J. RACKLEY  
ADMINISTRATOR

IN THE CHANCERY COURT OF LAUDERDALE COUNTY  
THE STATE OF MISSISSIPPI

THE ESTATE OF FRANK RACKLEY,  
JR., DECEASED

CAUSE NO.14-421-M

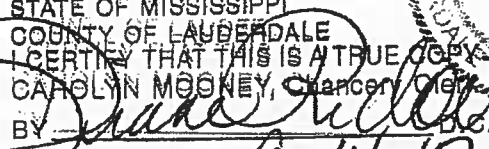
EDDIE J. RACKLEY,

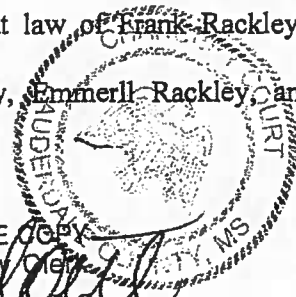
ADMINISTRATOR

JUDGMENT APPROVING FINAL ACCOUNTING, AUTHORIZING SALE OF  
PROPERTY, AND CLOSING ESTATE

This cause came on for hearing on the *Final Accounting, Motion to Authorize Sale of Property, and Petition to Close Estate* filed herein by the Administrator, and the Court having determined that all of the heirs at law have filed a *Waiver and Joinder* to said Final Accounting, and the Court having jurisdiction over the parties herein and subject matter hereof finds as follows:

1. By Judgment dated July 8, 2014, the administrator was appointed by the Court and upon taking the oath of office, *Letters of Administration* were issued by the clerk of the Court. *Notice to Creditors* was published in The Meridian Star as required by law on July 15, 2014, July 22, 2014, and July 29, 2014. The period for probating claims has expired and no claims have been registered against this estate.
2. There are no estate or inheritance taxes due to the United States Treasury Department or to the State of Mississippi.
3. The sole and only heirs at law of Frank Rackley, Jr., were determined by judgment of this Court entered on November 14, 2014, and pursuant to said order the following persons were determined to be the sole and only heirs at law of Frank Rackley, Jr.: Marie Rackley, mother, and Cherry A. Jackson, Myra Ramsey, Emmertl Rackley, and Eddie J. Rackley, all siblings.

STATE OF MISSISSIPPI  
COUNTY OF LAUDERDALE  
I CERTIFY THAT THIS IS A TRUE COPY  
CAROLYN MOONEY, Chancery Clerk  
BY   
TODAY'S DATE: 9-14-17



4. The estate consists of an FCC license and call letters WNBC 12:90 AM, Meridian, Mississippi, and certain equipment and personal property located at 266 23rd Street, Meridian, Mississippi, 39301, which is property owned by Jimmie Lee Hopson.

5. The Honorable Robert M. Dreyfus has rendered valuable legal services in the administration of this estate and your administrator requests that he be authorized to pay him a reasonable fee in the amount of \$5,000.00 for the handling of this estate, together with expenses of \$346.00.

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Pursuant to the terms of the advertisement for bids, Jimmie Lee Hopson has paid to the estate the sum of \$10,000 for all rights to the FCC license, call letters "WNBN 12:90 AM Meridian, MS", and bear all costs of transfer of the license with the FCC including payment of any back fees and penalties. The Court finds that the bid of Jimmie Lee Hopson is reasonable and in the best interest of the estate, and that the Administrator shall execute any and all documents necessary for the transfer of the license rights and call letters "WNBN 12:90 AM, Meridian, MS" to Jimmie Lee Hopson for purchase price of \$10,000, including, but not limited to the attached Bill of Sale.

7. Upon payment of the above \$10,000, the administrator shall pay the above attorney's fees to Robert M. Dreyfus, Jr., and the net proceeds be distributed to the heirs at law of this estate in equal shares.

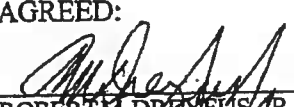
IT IS THEREFORE ORDERED AND ADJUDGED as follows:

1. The final accounting is approved and ratified;
2. The administrator is authorized to pay Robert M. Dreyfus the sum of \$5,346.00 for services rendered and expenses incurred;
3. The administrator is authorized and does hereby sell the FCC license, rights and call letters "WNBK 12:90 AM Meridian, MS" as owned by Frank Rackley, Jr., deceased, to Jimmie Lee Hopson. Furthermore, the administrator be and is hereby authorized to execute a Bill of Sale and any other documents necessary to accomplish the transaction as may be needed to transfer the license rights and call letters of WNBK12:90 AM Meridian, Mississippi to Jimmie Lee Hopson. As Jimmie Lee Hopson has paid and delivered the \$10,000.00 payable to the estate, Jimmie Lee Hopson is hereby declared to be the owner of the FCC license, along with all right to "WNBK 12:90 AM Meridian, MS";
4. Upon receipt of the funds from Jimmie Lee Hopson, the administrator is authorized to pay the above attorney fees and expenses to Robert M. Dreyfus and then disburse the net funds to the heirs at law in equal shares;
5. That upon the net funds being distributed to the heirs, this estate shall be closed and the administrator discharged from further duties.

ORDERED, this the 26<sup>th</sup> day of June, 2015.

  
CHANCELLOR

AGREED:

  
ROBERT M. DREYFUS, JR.,  
ATTORNEY FOR THE ESTATE

  
LEONARD B. COBB, ATTORNEY  
FOR JIMMIE LEE HOPSON

PREPARED BY:  
ROBERT M. DREYFUS, JR. MSB  
NO. 6191  
P O BOX 5847  
MERIDIAN, MS 39302  
601/553-8315  
File Number: 5411

**BILL OF SALE**

For and in consideration of the sum of Ten Thousand Dollars (\$10,000.00) and other good and valuable consideration, I hereby sell, convey and deliver to Jimmie Lee Hopson of 3815 - 10<sup>th</sup> Avenue, Meridian, Mississippi, the following described property, situated in Meridian, County of Lauderdale, State of Mississippi, to-wit:

*fm* ~~Certain personal property including~~ FCC License and Call Letters WNBC 12:90 AM,  
Meridian, Mississippi.

And by these presents I covenant with the said Grantee that I am seized of the fee to the said property and that I have a perfect right to sell the same; that the said property is free from all encumbrances and liens whatsoever.

This Bill of Sale is authorized by a Judgment of the Chancery Court of Lauderdale County, Mississippi in cause number 14-421-M.

IN TESTIMONY WHEREOF, I have hereunto set my hand, at Meridian, Mississippi, Lauderdale County, this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

THE ESTATE OF FRANK RACKLEY, JR.

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
BY: EDDIE J. RACKLEY  
ADMINISTRATOR

IN THE CHANCERY COURT OF LAUDERDALE COUNTY  
THE STATE OF MISSISSIPPI

THE ESTATE OF FRANK RACKLEY, JR.  
DECEASED

CAUSE NO. 14-421-M

EDDIE J. RACKLEY,

CROSS-PETITIONER

AGREED JUDGEMENT APPOINTING ADMINISTRATOR  
AND WAIVING THE REQUIREMENT OF A BOND PENDING INVENTORY

This Cause came on for hearing on the *Counter-Complaint to Appoint an Administrator and Waive the Requirement of a Bond*, filed herein by EDDIE J. RACKLEY, and the Court having been advised that the parties have reached an agreement herein, finds as follows:

I.

That the Court has jurisdiction over the parties herein and the subject matter thereto.

II.

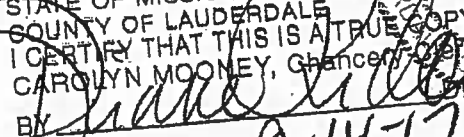
That FRANK RACKLEY, JR., deceased, died intestate on January 25, 2011, in Lauderdale County, Mississippi, being seized and possessed of an FCC license and frequency call number WNBC 12:90 AM in Meridian, Mississippi, together with other personal property.

III.

That EDDIE J. RACKLEY is a proper person to be appointed as Administrator of the Estate of FRANK RACKLEY, JR., deceased, and that he is ready, willing and able to accept the office of Administrator and perform the duties required by law.

IV.

The requirement of bond is hereby waived, pending filing of an inventory which shall be filed within forty-five (45) days from the date of this Judgment. Upon filing of the inventory or upon Petitioner notifying the Court of the existence of assets, the Court will determine the

STATE OF MISSISSIPPI  
COUNTY OF LAUDERDALE  
I CERTIFY THAT THIS IS A TRUE COPY  
CAROLYN MOONEY, Chancery Clerk  
BY 

TODAY'S DATE: 9-14-17

necessity and amount of bond. Jimmy Lee Hopson shall cooperate and give EDDIE J. RACKLEY access to the personal property so that he can conduct a proper inventory of same. Additionally, EDDIE J. RACKLEY shall be and is hereby enjoined and precluded from assigning, transferring, or selling the FCC radio frequency license owned by the Deceased, or taking any action that may affect the value of same, without prior approval of the Court.

IT IS THEREFORE ORDERED AND ADJUDGED that EDDIE J. RACKLEY be, and he is hereby appointed Administrator of the Estate of FRANK RACKLEY, JR., deceased, and that the requirement of bond is hereby waived, pending filing of an inventory. Upon filing of the inventory or upon Petitioner notifying the Court of the existence of assets, the Court will determine the necessity and amount of bond.

IT IS FURTHER ORDERED AND ADJUDGED that EDDIE J. RACKLEY shall be and is hereby enjoined and precluded from assigning, transferring, or selling the FCC radio frequency license owned by the Deceased, or taking any action that may affect the value of same, without prior approval of the Court.

IT IS FURTHER ORDERED AND ADJUDGED that the Clerk of this Court shall issue Letters of Administration to EDDIE J. RACKLEY upon his taking the oath of office as required by law.

IT IS FURTHER ORDERED AND ADJUDGED that if the fiduciary has failed to qualify by posting the required bond, if any, taking the oath, and having appropriate Letters issued as required by this order and the laws of the State of Mississippi within thirty (30) days of entry of this order, then the Chancery Clerk is hereby ordered and directed to notify the court immediately of such failure, and the court shall enter an order dismissing this civil action without

prejudice without further notice to the fiduciary, or attorney of record for the fiduciary, or any other parties who have entered an appearance in this civil action.


IT IS FURTHER ORDERED AND ADJUDGED THAT THIS ORDER DOES NOT AUTHORIZE EDDIE J. RACKLEY TO ACT AS THE FIDUCIARY FOR FRANK RACKLEY, JR. UNLESS VALID LETTERS OF ADMINISTRATION ARE ATTACHED HERETO.


IT IS FURTHER ORDERED AND ADJUDGED that persons who use or accept this order without the attached Letters as court authority to act or conduct the affairs of the decedent shall be subject to sanctions by this court.

ORDERED, this the 8th day of July, 2014

  
CHANCELLOR

APPROVED AS TO FORM:

  
Robert M. Dreyfus, Jr. Attorney  
For Eddie J. Rackley

  
Leonard B. Cobb, Attorney  
For Jimmie Lee Hopson

Prepared By:  
ROBERT M. DREYFUS, JR.  
P. O. BOX 5847  
MERIDIAN, MS 39302  
601/553-8315  
MSB NO. 6191  
OUR FILE NO. 5411

IN THE CHANCERY COURT OF LAUDERDALE COUNTY  
THE STATE OF MISSISSIPPI

THE ESTATE OF FRANK RACKLEY, JR.  
DECEASED

CAUSE NO. 14-421-M

EDDIE J. RACKLEY,

CROSS-PETITIONER

AGREED JUDGEMENT APPOINTING ADMINISTRATOR  
AND WAIVING THE REQUIREMENT OF A BOND PENDING INVENTORY

This Cause came on for hearing on the *Counter-Complaint to Appoint an Administrator and Waive the Requirement of a Bond*, filed herein by EDDIE J. RACKLEY, and the Court having been advised that the parties have reached an agreement herein, finds as follows:

I.

That the Court has jurisdiction over the parties herein and the subject matter thereto.

II.

That FRANK RACKLEY, JR., deceased, died intestate on January 25, 2011, in Lauderdale County, Mississippi, being seized and possessed of an FCC license and frequency call number WBNB 12:90 AM in Meridian, Mississippi, together with other personal property.

III.

That EDDIE J. RACKLEY is a proper person to be appointed as Administrator of the Estate of FRANK RACKLEY, JR., deceased, and that he is ready, willing and able to accept the office of Administrator and perform the duties required by law.

IV.

The requirement of bond is hereby waived, pending filing of an inventory which shall be filed within forty-five (45) days from the date of this Judgment. Upon filing of the inventory or upon Petitioner notifying the Court of the existence of assets, the Court will determine the

STATE OF MISSISSIPPI

COUNTY OF LAUDERDALE

I CERTIFY THAT THIS IS A TRUE COPY

CAROLYN MOONEY, Chancery Clerk

BY 

TODAY'S DATE: 9-14-17

necessity and amount of bond. Jimmy Lee Hopson shall cooperate and give EDDIE J. RACKLEY access to the personal property so that he can conduct a proper inventory of same. Additionally, EDDIE J. RACKLEY shall be and is hereby enjoined and precluded from assigning, transferring, or selling the FCC radio frequency license owned by the Deceased, or taking any action that may affect the value of same, without prior approval of the Court.

IT IS THEREFORE ORDERED AND ADJUDGED that EDDIE J. RACKLEY be, and he is hereby appointed Administrator of the Estate of FRANK RACKLEY, JR., deceased, and that the requirement of bond is hereby waived, pending filing of an inventory. Upon filing of the inventory or upon Petitioner notifying the Court of the existence of assets, the Court will determine the necessity and amount of bond.

IT IS FURTHER ORDERED AND ADJUDGED that EDDIE J. RACKLEY shall be and is hereby enjoined and precluded from assigning, transferring, or selling the FCC radio frequency license owned by the Deceased, or taking any action that may affect the value of same, without prior approval of the Court.

IT IS FURTHER ORDERED AND ADJUDGED that the Clerk of this Court shall issue Letters of Administration to EDDIE J. RACKLEY upon his taking the oath of office as required by law.

IT IS FURTHER ORDERED AND ADJUDGED that if the fiduciary has failed to qualify by posting the required bond, if any, taking the oath, and having appropriate Letters issued as required by this order and the laws of the State of Mississippi within thirty (30) days of entry of this order, then the Chancery Clerk is hereby ordered and directed to notify the court immediately of such failure, and the court shall enter an order dismissing this civil action without

prejudice without further notice to the fiduciary, or attorney of record for the fiduciary, or any other parties who have entered an appearance in this civil action.

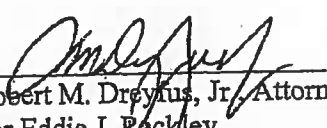
IT IS FURTHER ORDERED AND ADJUDGED THAT THIS ORDER DOES NOT AUTHORIZE EDDIE J. RACKLEY TO ACT AS THE FIDUCIARY FOR FRANK RACKLEY, JR. UNLESS VALID LETTERS OF ADMINISTRATION ARE ATTACHED HERETO.

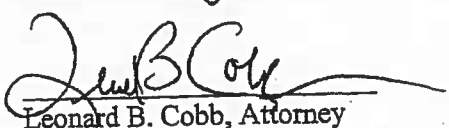
IT IS FURTHER ORDERED AND ADJUDGED that persons who use or accept this order without the attached Letters as court authority to act or conduct the affairs of the decedent shall be subject to sanctions by this court.

ORDERED, this the 8th day of July, 2014.

  
CHANCELLOR

APPROVED AS TO FORM:

  
Robert M. Dreyfus, Jr. Attorney  
For Eddie J. Rackley

  
Leonard B. Cobb, Attorney  
For Jimmie Lee Hopson

Prepared By:  
ROBERT M. DREYFUS, JR.  
P. O. BOX 5847  
MERIDIAN, MS 39302  
601/553-8315  
MSB NO. 6191  
OUR FILE NO. 5411

# ATTACHMENT D



UNITED STATES OF AMERICA  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

(FOR CHIEF, AUDIO DIVISION, MEDIA BUREAU)

DATE: 04/19/2018

<input checked="checked" type="checkbox"/> CONSENT TO ASSIGNMENT:	FROM: FRANK RACKLEY, JR.
<input type="checkbox"/> CONSENT TO TRANSFER:	TO: EDDIE J RACKLEY, ADMINISTRATOR
Licensee/Permittee: (for transfer only)	

CLASS	CALL SIGN	FACILITY ID	FILE#	STATION LOCATION	AUXILIARY STATIONS
AM	DWNB	22294	BAL-20171207ABE	MERIDIAN, MS	ALL CURRENTLY AUTHORIZED AUXILIARY STATIONS

Under authority of the Communications Act of 1934, as amended, the consent of the Federal Communications Commission is hereby granted to the transaction indicated above.

The Commission's consent to the above is based on the representations made by the applicants that the statements contained in, or made in connection with, the application are true and that the undertakings of the parties upon which this transaction is authorized will be carried out in good faith.

The actual consummation of voluntary transactions shall be completed within 90 days from the date hereof, and notice in letter form thereof shall promptly be furnished to the Commission by the seller or buyer showing the date the acts necessary to effect the transaction were completed. Upon furnishing the Commission with such written notice, this transaction will be considered completed for all purposes related to the above described station(s).

FCC Form 323, Ownership Report, must be filed within 30 days after consummation, by the licensee/permittee or assignee.

ADDITIONAL REQUIREMENTS FOR ASSIGNMENTS ONLY:

Upon consummation the assignor must deliver the permit/license, including any modifications thereof to the assignee.

It is hereby directed that, upon consummation, a copy of this consent be posted with the station authorization(s) as required by the Commission's Rules and Regulations.

The assignee is not authorized to construct nor operate said station(s) unless and until notification of consummation in letter form has been forwarded to the Commission.

# ATTACHMENT C



Federal Communications Commission  
Washington, D.C. 20554

June 20, 2018

*In reply refer to: 1800B3-VM*

Mr. Eddie J. Rackley, Administrator  
266 23rd Street  
Meridian MS 39301

Mr. Jimmie L. Hopson  
3815 10<sup>th</sup> Avenue  
Meridian, MS 39305

**In re: WNBC(AM), Meridian, MS**  
Facility ID No. 22294  
File No. BR-20120210ABF

Dear Mr. Rackley and Mr. Hopson:

This is in reference to the application for renewal of license for Station WNBC(AM), Meridian, Mississippi (Station), filed on February 10, 2012, putatively by the licensee, Frank Rackley, Jr. On or about February 29, 2012, the Commission, received information that Mr. Rackley had died. Public records show that Mr. Rackley died on January 25, 2011.<sup>1</sup> We note that the application for renewal of license did not indicate that Mr. Rackley had died, and has not been amended since its filing to update the licensee's status.

We hereby dismiss the application as improperly filed because the application for renewal of license was filed in Mr. Rackley's name over one year after his death without acknowledging his death or otherwise notifying the Commission in an amendment to the application. The Station's license therefore expired by its own terms on June 1, 2012.<sup>2</sup>

Accordingly, File No. BR-20120210ABF IS DISMISSED. The license for Station WNBC IS CANCELED.

Sincerely,

*Albert Shuldiner* TH  
Albert Shuldiner  
Chief, Audio Division  
Media Bureau

---

<sup>1</sup> See Social Security Death Index for Frank Rackley, Jr. (<https://www.socialsecuritydeathindex-search.com/>).

<sup>2</sup> 47 CFR § 73.1020(a)(1)(5).

# ATTACHMENT D



## Station Search Details

[FCC](#) > [Media Bureau](#) > [MB-CDBS](#) > [CDBS Public Access](#) > [Station Search](#)

[Help](#) [site map](#)

## Station Search Details

Call Sign:	DWNBN
Facility Id:	22294
Primary Station Call Sign:	
Community of License:	MERIDIAN, MS
Service:	AM
Fac Type:	
Status:	LICENSE CANCELLED
Status Date:	06/20/2018
Frequency:	1290
Channel:	
Digital Status:	
Lic Expir:	06/01/2012
Licensee:	FRANK RACKLEY, JR.
Address:	266 23RD STREET
Address 2:	
City:	MERIDIAN
State:	MS
Zip Code:	39301 -
Phone Number:	
Call Sign History	<a href="#">View Call Sign History</a>
FRN History	<a href="#">View FRN History</a>
Correspondence Folder	<a href="#">View Correspondence Folder</a>

---

[FCC Home](#) | [Search](#) | [Updates](#) | [E-Filing](#) | [Initiatives](#) | [For Consumers](#) | [Find People](#)

---

Please send comments via standard mail to the Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street, S.W., Washington, D.C., 20554. Questions can also be answered by calling the FCC's National Call Center, toll free, at 1-888-Call FCC (1-888-225-5322).

---

Federal Communications  
Commission  
445 12th Street SW  
Washington, DC 20554  
[More FCC Contact Information...](#)

Phone: 1-888-CALL-FCC (1-888-225-5322)  
TTY: 1-888-TELL-FCC (1-888-835-5322)  
Fax: 1-866-418-0232  
E- [fccinfo@fcc.gov](mailto:fccinfo@fcc.gov)  
mail:

- [Privacy Policy](#)
- [Website Policies & Notices](#)
- [Required Browser Plug-ins](#)
- [Freedom of Information Act](#)

# ATTACHMENT E

## Aaron Shainis

---

**From:** Aaron Shainis  
**Sent:** Wednesday, August 15, 2018 10:23 AM  
**To:** victoria.mccauley@fcc.gov  
**Subject:** WNBN

Victoria, I was advised that the EAS equipment that is at the station is the "old version". Replacement EAS equipment is being ordered this week. Let me know if you have any further questions. Best, Aaron

## Aaron Shainis

---

**From:** Aaron Shainis  
**Sent:** Friday, November 02, 2018 10:14 AM  
**To:** victoria.mccauley@fcc.gov  
**Cc:** Tom Hutton  
**Subject:** FW: Pics of fence..... WNBN  
**Attachments:** IMG\_0318.jpg; ATT00001.txt

Vicky, please see the attached. If you have any questions please call me. I am also sending you in a separate e-mail a picture of the EAS equipment. Best , Aaron

-----Original Message-----

**From:** Steve Gray <stevesmoothgray@icloud.com>  
**Sent:** Thursday, September 13, 2018 4:48 PM  
**To:** Aaron Shainis <aaron@s-plaw.com>  
**Subject:** Pics of fence



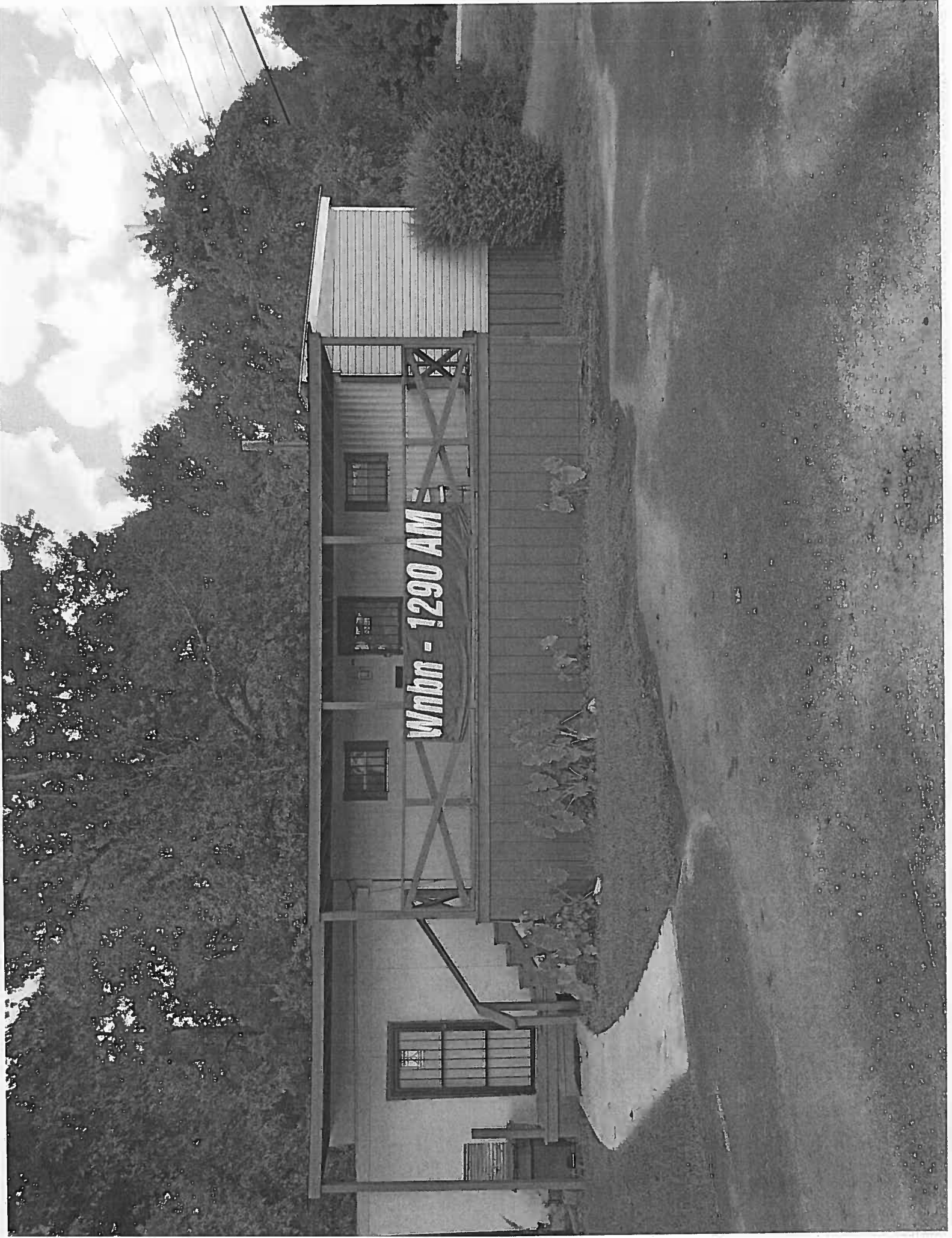
## Aaron Shainis

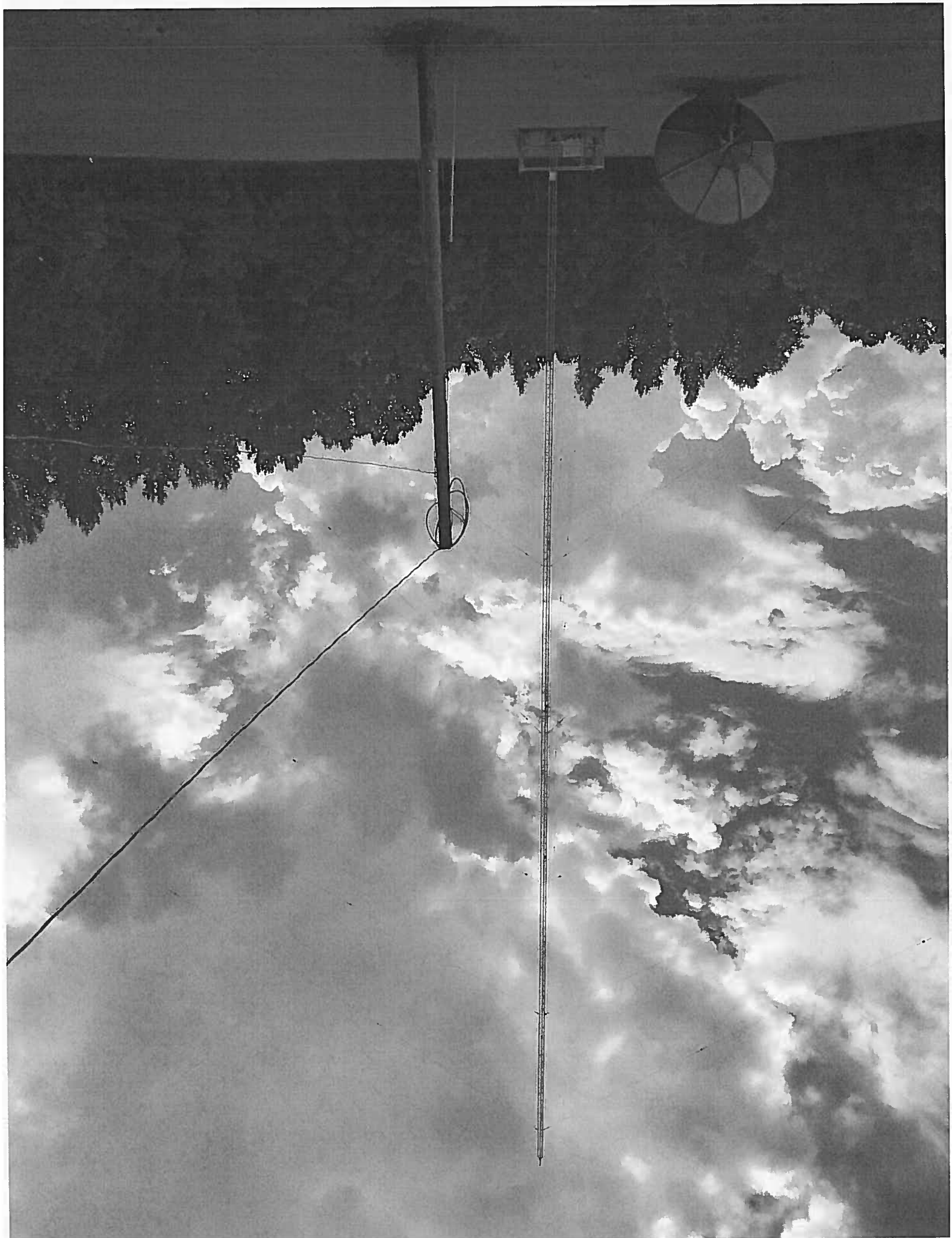
---

**From:** Aaron Shainis  
**Sent:** Friday, November 02, 2018 10:16 AM  
**To:** victoria.mccauley@fcc.gov  
**Cc:** Tom Hutton  
**Subject:** FW: WNBN  
**Attachments:** IMG\_0311.jpg; ATT00001.txt; IMG\_0314.jpg; ATT00002.txt; IMG\_0315.jpg; ATT00003.txt; IMG\_0317.jpg; ATT00004.txt; IMG\_0318.jpg; ATT00005.txt

Other pictures. Best, Aaron

-----Original Message-----





LEGENDARY  
WYBY  
1290 AM  
601-938-5879  
601-482-0004

Wybny - 1290 AM

WYBY



LEGENDARY  
WYBY  
1290 AM  
601-938-5873  
601-482-0004

WYBY - 1290 AM

WYBY

## Aaron Shainis

---

**From:** Aaron Shainis  
**Sent:** Friday, November 02, 2018 10:18 AM  
**To:** victoria.mccauley@fcc.gov  
**Cc:** Tom Hutton  
**Subject:** FW: Eas system  
**Attachments:** IMG\_0852.JPG; ATT00001.txt

Vicky, picture of WNBC EAS equipment attached. Best, Aaron

-----Original Mess



# ATTACHMENT F

## Aaron Shainis

---

**From:** Tom Hutton <Tom.Hutton@fcc.gov>  
**Sent:** Friday, June 28, 2019 4:02 PM  
**To:** Aaron Shainis  
**Subject:** FW: AM station payment plan question

Aaron, see below re the payment plan issue.

Tom

---

**From:** Sarah Stone  
**Sent:** Thursday, June 6, 2019 4:33 PM  
**To:** Tom Hutton <Tom.Hutton@fcc.gov>; Victoria McCauley <Victoria.McCauley@fcc.gov>  
**Subject:** RE: AM station payment plan question

Tom and Victoria: I've just learned that even for small companies we ask for financial statements, current within 90 days of the ask, to include a balance sheet; profit and loss and cash flow statements for the past 12 months; and revenue and cash flow projections for the next 12 months. However, when working with the smaller concerns, we don't always get what we ask for, and can still do a deal if what the company provides shows that it doesn't have the financial wherewithal to make a lump sum payment, but is sufficiently afloat to make the installment payments (this is where CF projections come into play). Obviously, our preference is to get as complete of a financial picture as possible though. I hope that helps. Please call me with questions, etc. Thanks. Sally

---

**From:** Tom Hutton  
**Sent:** Friday, May 24, 2019 12:18 PM  
**To:** Sarah Stone <[Sarah.Stone@fcc.gov](mailto:Sarah.Stone@fcc.gov)>  
**Cc:** Victoria McCauley <[Victoria.McCauley@fcc.gov](mailto:Victoria.McCauley@fcc.gov)>  
**Subject:** AM station payment plan question

Sally, we are negotiating a consent decree with a troubled AM station in Mississippi. The consent decree will call for a payment in the range of \$10-12K. They have asked if they can make monthly \$500 payments. Would that work, and who is the best person to send that to once we reach a deal?

Thanks,

Tom

# ATTACHMENT G



Sandy Spring Bank

## Activity - Deposit Accounts

Report created: 09/05/2019 12:21:03 PM (ET)  
Account: 055001096 • \*1748 • Checking • IOLTA ACCOUNT  
Date range: 9/5/2019 to 9/5/2019  
Transaction types: Selected transactions  
Detail option: Includes transaction detail

### 055001096 • \*1748 • Checking • IOLTA ACCOUNT

<i>Post Date</i>	<i>Reference</i>	<i>Additional Reference</i>	<i>Description</i>	<i>Debit</i>	<i>Credit</i>	
09/05/2019 12:20 PM (ET)			DEPOSIT TLR 5662 BR 560		\$12,000.00	
09/05/2019	Totals			\$0.00	\$12,000.00	



Sandy Spring  
Bank

(Hopson  
WNB)

# Acknowledgement

ALL TRANSACTIONS ARE SUBJECT TO THE AGREEMENT AS SET FORTH  
FOR EACH TYPE OF ACCOUNT.

TP:24 560-5662 09/05/19 12:17 PM  
XXXXX1748 Ck Deposit \$12,000.00  
WNB  
Thank you for banking with us.

MEMBER FDIC • SSB-1056-B

000000

THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK PRINTED ON THE BACK.  
THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT SIGNATURE LINE.  
ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

Great Southern National Bank

0653

4217795648

5-709  
110

08/24/19

JIMMIE L HOPSON

PAY TO THE ORDER OF Shainis & Peltzman Chartered

\$ 12,000.00  
DOLLARS

Twelve Thousand Dollars AND 00 Cents

WNBEN RADIO

AUTHORIZED SIGNATURE

OFFICIAL CHECK

PAYABLE THROUGH  
THE BANK OF NEW YORK MELLON  
EVERETT, MA

101100709200421 779564811

# ATTACHMENT H

# Broadcasters Received Documents FCC Says It Never Issued

BILL MCCLOSKEY May 5, 1985



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## RELATED TOPICS

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WASHINGTON (AP) — Broadcasters have moved towers, signed on stations, increased transmitter power and in one case transferred ownership of a station on the authority of government documents that the Federal Communications Commission says it never issued.

A former FCC attorney, Clifford Bond, has been indicted in Atlanta on charges he issued the licenses, permits and approvals over an eight-year period after he left the agency.

As prosecutors prepare for a trial scheduled to begin July 8, FCC officials in Washington are working out the details of providing the approval that the station operators thought they had.

James C. McKinney, chief of the commission's mass media bureau, said it appeared Bond's clients were receiving pre-printed authorization forms bearing the signature of the former FCC secretary Ben F. Waple. Some of the papers with Waple's signature were issued to Bond's clients after Waple retired, according to McKinney.

It was obvious someone was "taking pads of paper and issuing licenses" he said. People were "putting stations on the air that we didn't even know about,"

Station owners generally agreed the FCC did everything it could to help the stations get things sorted out, once the problems were discovered.

Julia and John Frew, who built a new tower in Cartersville, Ga., and moved the antenna of WYXC-FM to it said they eventually got proper approval.

At High Point College in High Point, N.C. student-operated WYTH was running tests of its new

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## RELATED TOPICS

Archive

100-watt transmitter from a new higher tower in March of 1983 when the FCC called and told station operators to shut it down because it was not properly licensed.

"There were a lot of tears around here," said Ethylene R. Charnock, one of the people at the college who dealt with Bond. "The document we received, we assumed to be a true and valid document, wherein it was not," she said.

"The FCC has been most helpful and most cooperative," she said. "We are now in the process of getting our 100-watt license."

It's clear Bond's clients "didn't know any better," McKinney said.

A number of telephone companies in the Southeast also fell victim to the alleged scheme.

Attorney Charles Smith said his client, Camden Telephone and Telegraph Co., of St. Mary's, Ga., applied for and appeared to obtain a construction permit for a paging system, but it "turned out to be a false permit."

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The 30-count indictment listed a number of Bond's clients who it says were defrauded, including WSDC-AM, Hartsville, S.C.; Northeast Florida Telephone Co., Inc., Macclenny, Fla.; WAGQ-FM, Athens, Ga.; WLAQ-AM, Rome, Ga.; Spacefone Corp., Newnan, Ga.; WGAT and WNGC, Athens, Ga.

The penalty on each of the 28 counts of wire fraud with which Bond is charged is five years in jail and a \$10,000 fine.

There was no answer at the phone number listed for Bond in Winston-Salem area of North Carolina.

His attorney, Fred Harwell, said Bond entered a plea of not guilty on all charges.

# Broadcasters Received Documents FCC Says It Never Issued



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Harwell said a motion has been filed to use expert witnesses to testify on Bond's mental or emotional condition "that may have affected the defendant's culpability."

He refused to elaborate or comment further.

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**CERTIFICATE OF SERVICE**

I, Malinda Markland, certify that on this 1<sup>st</sup> day of October, 2019, I caused to be sent, via electronic mail, copies of the foregoing APPLICATION FOR REVIEW to the following:

Albert Shuldiner, Esq.  
Chief, Audio Division, Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554  
<albert.shuldiner@fcc.gov>

Victoria McCauley, Esq.  
Audio Division, Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554  
<victoria.mccauley@fcc.gov>

Tom Hutton, Esq.  
Audio Division, Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554  
<tom.hutton@fcc.gov>

  
\_\_\_\_\_  
Malinda Markland