

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
ET AL.,

Plaintiffs,

v.

TATE REEVES, in his official capacity
as Governor of the State of Mississippi,
ET AL.,

Defendants.

Case No. 3:23-cv-272-HTW-LGI

**PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION RE
APPOINTMENT OF JUDGES**

HEARING REQUESTED

Pursuant to Fed. R. Civ. P. 65, Plaintiffs respectfully move this Court for a preliminary injunction enjoining Defendant Randolph from appointing judges to the Hinds County Circuit Court pursuant to H.B. 1020 § 1.

This motion is supported by Plaintiffs' Memorandum in Support of Motion for a Preliminary Injunction, the prior record cited therein, the Second Declaration of Charles Taylor (attached as Exhibit 1), the Second Declaration of Nsombi Lambright-Haynes (attached as Exhibit 2), the Declaration of the Hon. Tomie Green (attached as Exhibit 3), the Declaration of Professor Jed Handelsman Shugerman (attached as Exhibit 4), and the Declaration of Representative Edward Blackmon, Jr. (attached as Exhibit 5). Plaintiffs will notify the Court if they expect to call witnesses at the hearing on the Motion.

As set out in the accompanying memorandum, Plaintiffs have shown that they are likely to succeed on the merits of their equal protection challenge to H.B. 1020's judicial

appointment provision. Plaintiffs have also shown a threat of irreparable injury, for which there is no adequate remedy at law, if H.B. 1020 § 1 is not enjoined before the Circuit Court is packed. Further, vacating these state-court appointments after the fact would be more disruptive to the Hinds County Circuit Court and litigants before it than temporarily enjoining the appointments while the parties litigate this case. Accordingly, Plaintiffs respectfully request that the Court grant the Motion.

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Respectfully submitted this 24th day of May, 2023.

/s/ Eric H. Holder, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2023, I electronically filed the foregoing Plaintiffs' Motion for Preliminary Injunction re Appointment of Judges with the Clerk of the Court by using the Court's CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Mark H. Lynch
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