

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT OF HINDS
COUNTY, MISSISSIPPI

Mississippi Votes

PLAINTIFFS

v.

CAUSE NO. 23-652

Zack Wallace, Circuit Clerk, Hinds
County Election Commissioners

DEFENDANT(S)

REQUEST FOR RECONSIDERATION

COMES NOW, Mississippi Votes by and through undersigned counsel, and files this this Request for Reconsideration re: Plaintiff's Complaint for Declaratory and Injunctive Relief against Defendant(s), Zack Wallace, Hinds Circuit Clerk, and the Hinds County Election Commissioners as follows:

PRELIMINARY STATEMENT

1. The Court filed an order some minutes ago requiring that certain polling locations close at 7:00 a.m.; there is a current Chancery Court order requiring these same polling locations to remain open until 8:00 p.m. We request clarification and, pursuant to our request, attach an affidavit of real time delays due to ballot unavailability.

2. . Plaintiffs have filed this action to respectfully move this Court for emergency injunctive relief to halt the ongoing, irreparable denial of Plaintiffs' right to vote under the laws and constitutions of the United States of America and Mississippi as a result of ballot shortages that have resulted in unreasonably long lines and wait times at polling sites in Hinds County, Mississippi's most populous county, including in the following precincts, as described in the attached affidavit:

- a. **Clinton 5: OLD A E Library**
 - **As of 6:45 p.m. this evening, this site has 14 ballots left, 100 people in line, and 4 express vote cards, and they are saving them for voters with disabilities.**
 - This site has suffered ballot shortages throughout the day.
- b. **Byram 1: Griffith Memorial Baptist**
 - As of 6:45 p.m. this evening, this site has a long line and **only 25-30 ballots left.**
- c. **Old Byram: Byram City Hall**
 - This site was out of ballots for two hours. They also ran out of cards for the Express Voting machine. The precinct manager reported that some voters remained in line **and others left.**
- d. **Raymond 1: United Methodist Church**
 - This location ran out of ballots around 3 p.m. They had a line of 40-50 people that was wrapped around. The poll manager stated that some of the ballots had been spoiled. Hinds Community College gave them 100 ballots to use. Other ballots have now been delivered but the line is long.
- e. **Clinton 3: Northside Baptist Church**
 - This site ran out of ballots **three times today.** They were only given 100 ballots at a time after they ran out. As of the drafting of this filing, the line is growing and ballots have not been delivered.
- f. **Clinton 2: Wildwood Baptist Church**
 - There were ballot shortages all **throughout the day.** This location ran out of cards for the Express Voting machine. Poll monitors reported that some voters left and others chose to wait in line.
- g. **Byrum 3: Trinity Wesleyan Church**
 - This location ran out of ballots this evening. As of the drafting of this filing, there is a line out the door. **Poll workers are advising voters to leave because they will not be getting ballots and they are not letting the cast an affidavit ballot.**
- h. **Clinton 4: Clinton YMCA**
 - This site has suffered ballot shortages. As of the drafting of this filing, the poll manager reported that **there we only 100 ballots left. They did not have an estimated time of arrival for more ballots.**

3. These unreasonably long lines and wait times at polling sites were caused by Defendants' delay in having sufficient ballots for voters and Defendants' failure to correct the lack of ballots for over two hours in certain precincts. There is no adequate justification for such a severe burden on such a fundamental right.

WHEREFORE, Plaintiff(s) respectfully pray that this Court enter an order:

I. Clarifying that the polling locations listed in the Court's order do not close at 7:00 p.m.;

II. Requiring that all precincts in Hinds County be open until 9:00 p.m. or, in the alternative, that the following precincts be open until 9:00 p.m. (and that, in either case, any voter in line by 9:00 p.m. be permitted to cast a ballot);

- a. **Clinton 5: OLD A E Library**
- b. **Byram 1: Griffith Memorial Baptist**
- c. **Old Byram: Byram City Hall**
- d. **Raymond 1: United Methodist Church**
- e. **Clinton 3: Northside Baptist Church**
- f. **Clinton 2: Wildwood Baptist Church**
- g. **Byrum 3: Trinity Wesleyan Church**
- h. **Clinton 4: Clinton YMCA**

III. Directing Defendants to provide immediate notice of this injunction to election officials at relevant polling sites, to provide a written copy of this injunction to election officials at every relevant polling site at the earliest opportunity, and to provide

notice of this injunction to the public through such other means as the Court finds necessary and appropriate to promptly correct the violations of law herein;

IV. Directing Defendants—who alone have the authority and responsibility to print ballots—to use all reasonable means to ensure expeditious printing and delivery of ballots to polling locations.

V. Any other relief deemed appropriate by the Court.

Date: November 7, 2023

Respectfully submitted,

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