

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

REPUBLICAN NATIONAL COMMITTEE;
MISSISSIPPI REPUBLICAN PARTY; JAMES
PERRY; and MATTHEW LAMB

PLAINTIFFS

VERSUS

NO. 1:24-cv-00025-LG-RPM
Consolidated with: NO. 1:24cv00037TBM-RPM

JUSTIN WETZEL, *in his official capacity as the clerk and registrar of the Circuit Court of Harrison County*; TONI JO DIAZ, BECKY PAYNE, BARBARA KIMBALL, CHRISTENE BRICE, and CAROLYN HANDLER, *in their official capacities as members of the Harrison County Election Commission*; and MICHAEL WATSON, *in his official Capacity as the Secretary of State of Mississippi*

DEFENDANTS

**MOTION FOR SUMMARY JUDGMENT OF DEFENDANTS,
JUSTIN WETZEL, TONI JO DIAZ, BECKY PAYNE, BARBARA KIMBALL,
CHRISTENE BRICE, and CAROLYN HANDLER**

Comes now the Defendants, JUSTIN WETZEL, in his official capacity as the clerk and registrar of the Circuit Court of Harrison County and TONI JO DIAZ, BECKY PAYNE, BARBARA KIMBALL, CHRISTENE BRICE, and CAROLYN HANDLER, in their official capacities as members of the Harrison County Election Commission (“Defendants”), by and through their counsel of record, Tim C. Holleman, Boyce Holleman & Associates, and files this, MOTION FOR SUMMARY JUDGMENT and, in support thereof, would show unto this Honorable Court the following, to-wit:

I.

These Defendants move for summary judgment on the Complaints filed herein against them as there is no genuine issue of material fact to be decided by the trier of fact, therefore these Defendants are entitled to summary judgment as a matter of law.

II.

In support hereof these Defendants adopt by reference the Motion for Summary Judgment (DKT#51) and Memorandum in Support (DKT#52) filed by Defendant, Michael Watson, Mississippi Secretary of State pursuant to Rule 10(c) of the Federal Rules of Civil Procedure.

WHEREFORE, PREMISES CONSIDERED, these Defendants move for Summary Judgment on the same grounds as set for in Motion for Summary Judgment (DKT#51) and Memorandum in Support (DKT#52) filed by Defendant, Michael Watson, Mississippi Secretary of State adopted herein by reference as if fully set forth herein.

RESPECTFULLY SUBMITTED, this, the 26th day of March, 2024.

JUSTIN WETZEL, in his official capacity as the
clerk and registrar of the Circuit Court of Harrison
County, DEFENDANT

TONI JO DIAZ, BECKY PAYNE, BARBARA
KIMBALL, CHRISTENE BRICE, and CAROLYN
HANDLER, in their official capacities as members
of the Harrison County Election Commission,
DEFENDANTS

BY AND THROUGH THEIR COUNSEL OF
RECORD

BOYCE HOLLEMAN AND ASSOCIATES

By: /s/ Tim C. Holleman

CERTIFICATE OF SERVICE

I, Tim C. Holleman, Boyce Holleman & Associates, do hereby certify that I have this date filed a copy of the above document with the Court's electronic filing system, which sent a notice to all counsel of record.

This the 26th day of March, 2024.

By: /s/ Tim C. Holleman

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