

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

HAROLD HARRIS; PASTOR ROBERT
TIPTON, JR.; DELTA SIGMA THETA
SORORITY, INC.; and DESOTO COUNTY
MS NAACP UNIT 5574

PLAINTIFFS

v.

Civil No. 3:24-cv-00289-GHD-RP

DESOTO COUNTY, MISSISSIPPI; DESOTO
COUNTY BOARD OF SUPERVISORS; and
DESOTO COUNTY ELECTION
COMMISSION

DEFENDANTS

**ORDER DENYING DEFENDANTS' URGENT AND NECESSITOUS MOTION FOR
RECONSIDERATION**

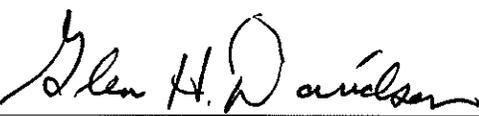
Presently before the Court is Defendants' Urgent and Necessitous Motion [Doc. No. 367] requesting this Court reconsider its October 27, 2025, order [301] denying Defendants' request for a stay of proceedings in this action pending the United States Supreme Court's decision in *Louisiana v. Callais*, No. 24-109 (consolidated with *Robinson v. Callais*, No. 24-110) (collectively "*Callais*"). Based upon the reasoning below, the Court finds the Motion [367] should be denied.

Because no final judgment is entered in this action, Rule 54(b) applies, allowing this Court "to afford such relief from interlocutory judgment as justice requires." *Jehl v. GGNSC Southaven LLC*, No. 3:19-CV-GHD-JMV, 2024 WL 409382, at *2 (N.D. Miss. Feb. 2, 2024) (quoting *Austin v. Kroger Tex., L.P.*, 864 F.3d 326, 336-37 (5th Cir. 2017)). Indeed, this Court "is free to reconsider and reverse its decision for any reason it deems sufficient, even in the absence of new evidence or an intervening change in or clarification of the substantive law." *Id.* (quoting *Lavespere v. Niagara Mach. & Tool Works, Inc.*, 910 F.2d 167, 185 (5th Cir. 1990) (citing FED. R. CIV. P. 54(b))) (internal quotation marks omitted).

Defendants inadvertently place too much emphasis on this Court’s use of the Fifth Circuit’s stay refusal in *Nairne v. Landry*, 151 F.4th 666 (5th Cir. 2025) at Doc. No. 328-2,¹ while ignoring the rest of the Court’s analysis—even calling it “foundational” to this Court’s analysis when the Court’s order describes it only as “persuasive.” As a result of this flawed reasoning and the Fifth Circuit’s subsequent stay in *Nairne*, Defendants now contend this Court should reverse its position and stay the case *sub judice* until the Supreme Court decides *Callais*. While this may provide “sufficient reason to warrant reconsideration,” it does not require this Court reverse its prior decision because as Plaintiffs aptly point out, the *Nairne* stay “does not add any purported hardship or prejudice to Defendants.”

After reviewing its previous ruling and the arguments of both parties, the Court finds Defendants still fail to overcome the equitable analysis necessary for a stay in the proceedings, asserting only the unpersuasive stay in *Nairne* and arguments already addressed in the original order [301]. As such, it is hereby **ORDERED** the Defendants’ Urgent and Necessitous Motion for Reconsideration [367] is **DENIED**. The trial shall commence as scheduled.

SO ORDERED, this, the 12th day of January, 2026.



SENIOR U.S. DISTRICT JUDGE

¹ It is also worth noting the Fifth Circuit panel was not unanimous in opposing the abeyance.