IN THE CIRCUIT COURT OF COLE COUNTY
STATE OF MISSOURI

MO STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE
111 W HIGH
JEFFERSON CITY, MO 65102

PATRICIA A. JONES MACKLIN
6022 BROOKLYN
KANSAS CITY, MO 64130

TRACI. L. WILSON KLEEKAMP
2905 GREENBRIAR DR.
COLUMBIA, MO 65203

Plaintiff,

v.

MIKE KEHOE in his official capacity as Governor of Missouri

Serve: Office of the Governor
State Capitol, Rm. 216
201 W Capitol Ave.
Jefferson City, MO 65101

ANDREW BAILEY in his official capacity as Attorney General of Missouri
Serve: Office of the Attorney General
227 East High St.
Jefferson City, MO 65102

CINDY O'LAUGHLIN in her official capacity as State Senator and President Pro Tem of the Senate

Serve: Office of the Pro Tem
State Capitol, Rm. 326
201 W Capitol Ave.
Jefferson City, MO 65101

Case No. 25AC-CC06724

REQUEST FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION

JON PATTERSON, in his official capacity as State Representative and Speaker of the House

Serve: Office of the Speaker
State Capitol, Rm. 308
201 W Capitol Ave.
Jefferson City, MO 65101

MOTION FOR TRO AND PRELIMINARY INJUNCTION (EXPEDITED AND EMERGENCY RELIEF REQUESTED)

COMES NOW Plaintiffs the Missouri State Conference of the National Association for the Advancement of Colored People ("MO NAACP") and Patricia A. Jones ("Jones"), and Traci Wilson-Kleekamp ("Wilson-Kleekamp") by and through undersigned counsel, and submit this Brief in support of her Motion for Temporary Restraining Order ("TRO") and Preliminary Injunction pursuant to Missouri Rule of Civil Procedure 92.02(a) and (d). Plaintiff seeks immediate relief to halt the State of Missouri ("State"), Governor Mike Kehoe ("Governor"), Attorney General Andrew Bailey ("Attorney General"), Senator and President Pro Tem of the Senate Cindy O'Laughlin ("Pro Tem"), and Representative and Speaker of the House Jon Patterson ("Speaker") unlawful convening of an extraordinary session and enactment and/or presentation for signature to the Governor, any legislation, acts or rules related to the matters designated in the Governor's Proclamation of August 29, 2025. Unless restrained, Defendants' actions will cause irreparable harm to Plaintiff's rights as voters. As demonstrated below, Plaintiff satisfies all factors required for injunctive relief under Missouri law.

I. INTRODUCTION

Defendant Governor is attempting to convene a special session of the legislature presided over by Defendants Pro Tem and Speaker. Plaintiffs bring this action for Declaratory Judgment

and Injunctive Relief, challenging the constitutionality of the Proclamation issued by the Governor on August 29, 2025 ("Proclamation") convening the legislature for an extraordinary session. (Verified Petition, Ex. A.) The Proclamation was issued under the authority of Art. IV Sec. 9 of the Missouri Constitution and contains two general topic areas of consideration for the General Assembly – a new Congressional Map drafted under Article III Sec. 45 and new laws relating to initiative petitions. The Governor also issued a Press Release to explain his proclamation which included a proposed new Congressional Map. (Id.)

This appears to be a case of first impression in Missouri. Article IV, Section 9 of the Missouri Constitution grants the Governor authority to convene the legislature "on extraordinary occasions." The question of what an "extraordinary occasion" under the Missouri Constitution has not been tested in the Courts.

Neither of the matters designated in the Proclamation reach the level of extraordinary occasion required by Art. IV Sec 9. Additionally, Plaintiffs contends that the Governor has no authority under either Art. IV Sec. 9 or Art. III Sec. 45 to request a new Congressional Map from the General Assembly without action from Congress. And the General Assembly likewise has no authority to enact legislation without action from Congress, and without an additional census, as required by the Missouri constitution.

Allowing an extraordinary session of the legislature, or the enactment of legislation establishing new congressional districts, when the Constitutionality of the Proclamation is in doubt creates irreparable harm in that the additional costs attributable to the legislative session is in excess of $25,000 per day based on the per diem and mileage payments authorized by Sections 21.140 and 21.145. Additional irreparable harms may be created by the necessity for interested parties to travel to Jefferson City for the public hearings and to participate in the legislative process,

uncertainty in the district boundaries both for constituents and anyone interested in filing for office, and the undue burden on legislators created by an early return to Jefferson City.

Plaintiffs respectfully request that this Court issue a TRO to preserve the status quo halt the process of the General Assembly arising from the Governor's Proclamation, enter temporary restraining order and preliminary and permanent injunctions against the convening of the legislature for an extraordinary session based upon said Proclamation.

II. LEGAL STANDARD

A temporary restraining order and preliminary injunction are extraordinary remedies designed to prevent irreparable harm and preserve the status quo until the court can fully resolve the underlying claims. Under Missouri law, a TRO or preliminary injunction may issue where the movant demonstrates:

a) A probability of success on the merits;

b) A threat of irreparable harm absent relief;

c) That the balance of harms favors the movant; and

d) That relief is in the public interest.

State ex rel. Dir. of Revenue v. Gabbert, 925 S.W.2d 838, 839 (Mo. banc 1996).

Missouri courts have emphasized that "the primary purpose of a preliminary injunction is to maintain the status quo until the merits of the case can be determined." *Ste. Genevieve Sch. Dist. R-II v. Bd. of Aldermen*, 66 S.W.3d 6, 11 (Mo. App. E.D. 2001). The status quo, in this context, is for the General Assembly to follow the Constitutionally mandated schedule and remain in recess until September 10, 2025 at which time it may consider matters vetoed by the Governor and then to recess again until January 7, 2025.

Further, Rule 92.02(a) of the Missouri Rules of Civil Procedure authorizes the issuance of a TRO "without written or oral notice to the adverse party or that party's attorney" where "it clearly appears from specific facts shown by affidavit or verified petition that immediate and irreparable injury, loss or damage will result." Because Defendants have set in motion an legislative and executive process, Plaintiffs faces imminent and irreparable harm unless this Court intervenes.

The issuance of an injunction in this case is also consistent with the well-settled principle that when government officials act outside of their lawful authority, courts are empowered to intervene to prevent irreparable harm. As the Missouri Court of Appeals stated: "An injunction is proper where a governmental body acts in excess of its statutory authority ...." *See City of Peculiar v. Hunt Martin Materials, LLC*, 274 S.W.3d 588, 591 (Mo. App. W.D. 2009).

III. ARGUMENT

A. Plaintiff is Likely to Succeed on the Merits.

Plaintiff can demonstrate a likelihood of success on the merits because Defendants' coordinated call for a special session of the general assembly, unlawful convening of an extraordinary session for the enactment and/or presentation for signature to the Governor, violates the separation of powers.

Article II, section 1, of the Missouri Constitution, provides:

> The powers of government shall be divided into three distinct departments—the legislative, executive and judicial—each of which shall be confided to a separate magistracy, *and no person, or collection of persons, charged with the exercise of powers properly belonging to one of those departments, shall exercise any power properly belonging to either of the others, except in the instances in this constitution expressly directed or permitted.*

The governor has the power to execute state laws. Art. IV, §§ 1 and 2. "The legislative power shall be vested in a senate and house of representatives to be styled 'The General Assembly of the State of Missouri." Art. III, §1. Article III, section 21, provides: "No law shall be passed

except by bill, and **no bill shall be so amended in its passage through either house as to change its original purpose**."

In Missouri Coalition for the Environment v. Joint Committee on Admin. Rules, 948 S.W.2nd 125, 132-133 (Mo. banc 1997), the Missouri Supreme Court held:

> This Court has consistently held that the doctrine of separation of powers, as set forth in Missouri's constitution, is "vital to our form of government," State ex inf. Danforth v. Banks, 454 S.W.2d 498, 500 (Mo. banc 1970), because it "prevent[s] the abuses that can flow from centralization of power." State Tax Comm'n v. Administrative Hearing Comm'n, 641 S.W.2d 69, 73-74 (Mo. banc.1982). While "it was not the purpose [of the Constitution] to make a total separation of these three powers[, each branch of government] ought to be kept as separate from and independent from each other as the nature of free government will admit, or as is consistent with that chain of connection which binds the whole fabric of the Constitution in one indissoluble bond of union and amity." Rhodes v. Bell, 230 Mo. 138, 130 S.W. 465, 468 (1910). (citations omitted). The Missouri Constitution carefully divides the powers of government into three distinct and named departments; sedulously segregates each from the other; confides each to a separate magistracy; and then, not satisfied with such strict demarkation (sic) of the boundaries of their respective jurisdictions, peremptorily forbids either of such departments from passing the prohibitory precincts thus ordained by the exercise of powers properly belonging to either of the others, and then concludes by giving the sole exception to the unbending rule by saying, "except in the instances in this constitution expressly directed or permitted." ... Lacking such express direction or express permission, the act done must incontinently be condemned as unwarranted by the constitution.... Each department of the government is essentially and necessarily distinct from the others, and neither can lawfully trench upon or interfere with the powers of the other; and our safety, both as to national and state governments, is largely dependent upon the preservation of the distribution of power and authority made by the constitution, and the laws made in pursuance thereof.

In Missouri Coalition, the Missouri Supreme Court found that legislation, which had granted a legislative agency to suspend and withdraw regulatory rules promulgated by an agency of the executive branch, violated constitutional provisions of separation of executive and legislative functions by 1) unconstitutionally interfering with the functions of the executive branch, and 2) circumventing the constitution's bill passage and presentment requirements. Id. at 133.

The Missouri Court further held: "Article II, § 1 strictly confines the power of the legislature to enacting laws and **does not permit the legislature to execute laws already enacted.**" Id. (emphasis added). "**Once the legislature "makes its choice in enacting legislation, its participation ends.**" Id. at 134 (emphasis added).

Here, the Governor plainly does not have the constitutional authority to pass legislation, just as the legislature "may not unilaterally control execution of rulemaking authority after its delegation or rulemaking power …" Id.

Article IV, section 9 provides:

> The governor shall, at the commencement of each session of the general assembly, at the close of his term of office, and at such other times as he may deem necessary, give to the general assembly information as to the state of the government, and shall recommend to its consideration such measures as he shall deem necessary and expedient. **On extraordinary occasions he may convene the general assembly by proclamation, wherein he shall state specifically each matter on which action is deemed necessary.**

The legislature has exclusive authority to redistrict voting districts. Art. III, § 3. "Districts shall be **as nearly equal as practicable in population**, and shall be drawn on the basis of one person, one vote." Id., § 3(b)(1). Districts created by the legislature drawn based on population must not deviate by more than one percent from the ideal population of the district. Id. "Districts shall be established in a manner so as to comply with all requirements of the United States Constitution and applicable federal laws, including, but not limited to, the Voting Rights Act of 1965 (as amended)." Id., § 3(b)(2).

Article III, section 45 provides:

> When the number of representatives to which the state is entitled in the House of the Congress of the United States under the census of 1950 and each census thereafter is certified to the governor, the general assembly shall by law divide the state into districts corresponding with the number of representatives to which it is entitled, which districts shall be composed of contiguous territory as compact and as nearly equal in population as may be.

Here, no "extraordinary occasion" has occurred to justify the Governor's call for a special session of the General Assembly, the

In April 2021, the US Census Bureau published the results of the decennial census and its reapportionment calculations starting the process of reapportionment and redistricting in all 50 States.

On March 1, 2022, House Bill 2909, was introduced to enact in lieu thereof twelve new sections relating to the composition of congressional districts, with an emergency clause. (Verified Petition, Exhibit A.) On May 9, 2022, House Bill 2909 was passed by the Missouri House. On May 11, 2022, House Bill 2909 was Truly Agreed and Finally Passed by the Senate. On May 18, 2022, House Bill 2909 was delivered to the Governor and was signed into law by the Governor on the same day. (Id.)

House Bill 2909 went into effect on May 18, 2022 and applied to the 118th Congress which election was to be held in November 2022.On November 8, 2022 an election for US Representatives was held with the district boundaries being those described in House Bill 2909. On November 5, 2024 an election for US Representatives was held with the district boundaries being those described in House Bill 2909.

There has been no act of the U.S. Congress indicating that Missouri regarding Missouri's number of entitled representative, and there has not since been another census. Accordingly, the Missouri legislature is not authorized under Article III, section 45, of the Missouri Constitution to enact laws relative to the Missouri voting districts.

Nonetheless, on August 29, 2025, the Governor issued a Press Release announcing a Proclamation convening an extraordinary session of the legislature under Art. IV Sec. 9 for the

purpose of enacting legislation establishing updated congressional districts and amending the state's initiative petition process.

The Press Release contained several reasons for the Proclamation including "to ensure our districts and Constitution truly put Missouri values first." The Press Release also contained a proposed "Missouri First Map" outlining a new set of Congressional Districts. The "Missouri First Map" is substantially different than the districts passed into law by House Bill 2909. The Proclamation convening the legislature into an extraordinary session lays out eleven "whereas" statements purporting to justify the reasoning for the Proclamation, including speculation that the current congressional district map may be vulnerable to a legal challenge. (Id.) Together these eleven statements provide the official justification that an extraordinary occasion exists. The Proclamation then convenes the legislature beginning at Noon on Wednesday, September 3, 2025 for two purposes, including "To enact legislation to establish new congressional districts for the State of Missouri," and "To enact legislation to amend the state's initiative petition process…"

The Missouri legislature does not have constitutional authority under the circumstances because, inter alia, (1) he US Census Bureau has not issued new apportionment calculations since the April 2021 publication, and (2) on information and belief, the Governor has not received certified numbers from the House of the Congress of the United State triggering the processes of Art. III Sec. 45 after May 18, 2022 when the current district boundaries when into effect with House Bill 2909. By his Proclamation, the Governor is asking the Missouri legislature to do something that have constitutional authority to do under the circumstances, and which the legislature has previously done.

There apparently no Missouri case law which interprets the meaning of an "extraordinary occasion" regarding the Governor's limited ability to call for a special session under Article IV,

section 9. The Missouri Supreme Court has held that the "primary rule of statutory interpretation is to give effect to legislative intent as reflected in the plain language of the statute at issue." *Ivie v. Smith*, 439 S.W.3d 189, 202 (Mo. 2014). "Courts look elsewhere for interpretation only when the meaning is ambiguous or would lead to an illogical result that defeats the purpose of the legislation." *Id.* "Statutory interpretation should not be hyper-technical, but reasonable and logical and should give meaning to the statute." *Id.* at 203.

Prior proclamations by the Missouri Governor indicated that an "extraordinary occasion" included something like responding to a world-wide pandemic such as COVID-19, giving rise to the need for an expedited legislative session because the General Assembly was unable to meet in time to address such an emergency pertaining to public health. See Governor's Proclamation, July 15, 2020, "due to the COVID-19 outbreak, the General Assembly was unable to meet …" therefore "on the extraordinary occasion that exists in the State of Missouri," See MO Register Vo. 45 No. 16 (pp. 1211-1296), August 17, 2020. The Governor previously indicated "additional immediate legislative measures must be taken to provide for the economic recovery from COVID-19 by providing liability protection … on the extraordinary occasion that exists in the State of Missouri…" And see Executive Order, Governor's Proclamation, Special Message, November 12, 2020, MO Register Vol. 45 No. 24 (pp. 1949-1998), Dec. 15, 2020; and Governor's Proclamation, August 10, 2020, MO Register Vo. 45 No. 18 (p. 1333-1366) (regarding "unprecedented wave of violent crime existing in Missouri's urban areas … on the extraordinary occasion that exists…"). Other states such has Kentucky have concluded that an "extraordinary measure" includes an emergency threating public health and welfare like the pandemic. *Beshear v. Acree*, 615 S.W.3d 780, 807 (Ky. 2020) ("the 'extraordinary occasion" … of a global pandemic gives rise to an obvious emergency".)

Here, the primary and sole circumstance giving rise to the Governor's call of a special session is the naked political ambitions of U.S. President Donald Trump. Plaintiffs request that this Court take judicial notice numerous press reports, such as KCUR on August 29, 2025, attached hereto as Exhibit A:

> President Trump has been pressuring Gov. Mike Kehoe to call a special session for mid-decade redistricting. Republican lawmakers hope to gerrymander congressional lines around Kansas City, diluting Democratic voting power and making it harder for Rep. Emanuel Cleaver to win in the 2026 midterms.

President Trump is the one who is actually calling for a special session. He does not have authority under the Missouri Constitution to do so. The political goal of a national political party, Republic Party, to sway and win the results of the mid-term elections so that persons, parties and interests outside of Missouri can stay in power, is certainly not an "extraordinary occasion." And that is plainly not a basis for the Missouri General Assembly to enact new legislation, particularly when it is for the benefit of non-Missourian citizens, persons, organizations, and interests.

Moreover, the other stated purposes of the Governor's Proclamation are largely moot, revealing the ulterior motives of these events. On December 1, 2024, then Senator Ben Brown introduced Senate Bill 152 entitled "AN ACT To amend chapter 130, RSMo, by adding thereto six new sections relating to campaign finance." (Verified Petition.) On March 27, 2025, Senate Bill 152 was passed by the Missouri Senate by a vote of 28 Ayes to 2 Noes. On May 15, 2025, Senate Bill 152 was Truly Agreed and Finally Passed by the House by a vote of 94 Ayes to 47 Noes. On July 9, 2025, Senate Bill 152 was signed into law by the Governor. Senate Bill 152 went into effect on August 28, 2025. Senate Bill 152 contained several provisions which restricted donations from foreign nationals and the use of foreign funds for the purposes of ballot measures. Missouri statutes make it a crime to fraudulently gather signatures for an initiative petition under Section 116.090 RSMo. Missouri provides an opportunity for public comment on every initiative

petition filed with the Secretary of State under Section 116.153 and 116.334 RSMo.. Missouri requires copies of the full text of each statewide ballot measure to be made available at each polling place under Section 116.290 RSMo. Thus, all but one of the actions deemed necessary by the Governor in the Proclamation appear to have already occurred.

B. Plaintiff Will Suffer Irreparable Harm Without Injunctive Relief.

The special session and proposed legislation would irreparably harm voting rights. Missouri citizens have a fundamental right to vote, which is established "with unmistakable clarity" by the Missouri Constitution. *Priorities USA v. State*, 591 S.W.3d 448 (Mo banc 2020), citing Art. 1, § 25, and Art. VIII, §2 of the Missouri Constitution. The goal of President Trump, and the Missouri Governor and legislature, is to 'dilute Democratic voting power' and make it harder for Missouri Democrats to win in the 2016 midterms. (New Reports, Exhibit A.) Missouri courts recognize that undermining the will of the electorate causes harm to the public interest and cannot be remedied by damages. *See State ex rel. McClellan v. Kirkpatrick*, 504 S.W.2d 83, 85 (Mo. banc 1974) (protecting the public's interest in fair and lawful elections).

Allowing an extraordinary session of the legislature when the Constitutionality of the Proclamation is in doubt also creates irreparable harm in that the additional costs attributable to the legislative session is in excess of $25,000 per day based on the per diem and mileage payments authorized by Sections 21.140 and 21.145. Additional irreparable harms may be created by the necessity for interested parties to travel to Jefferson City for the public hearings and to participate in the legislative process, uncertainty in the district boundaries both for constituents and anyone interested in filing for office, and the undue burden on legislators created by an early return to Jefferson City.

Monetary damages cannot restore Plaintiff's voting rights and the public in a fair and just democracy. The only adequate relief is to enjoin the special session until a full hearing on the merits is conducted. As noted by the Missouri Supreme Court in *City of Kansas City v. New Power Co.*, 947 S.W.2d 877, 881 (Mo. App. W.D. 1997): "The inadequacy of a legal remedy and the need to prevent irreparable harm are the very foundation of equitable jurisdiction."

C. The Balance of Equities Favors Plaintiff.

The balance of equities, also referred to as the balancing of hardships, strongly favors granting injunctive relief because the harm to Plaintiffs and the public far outweighs any inconvenience or burden on Defendants, much less President Trump and the national Republican Party.

1. Defendants Suffer No Legitimate Harm by Following the Law

Missouri courts have emphasized that when defendants have no legal right to engage in the conduct sought to be enjoined, the balance of equities inherently favors the plaintiff. In *State ex rel. Reed v. Reardo*n, 41 S.W.3d 470, 473 (Mo. banc 2001), the Missouri Supreme Court noted: "[e]quity will not permit a defendant to complain of harm resulting from being restrained from that which the law does not allow him to do."

Here, Defendants, who are actually motivated by the pollical will of non-Missourians such as President Trump, have no lawful right to demand a special session in Missouri for their own personal political fortunes. Enjoining the unlawful call for a special session, and the session itself, merely compels Defendants to adhere to the law, for the interest of Missouri voters and the Missouri Constitution itself, a burden they cannot claim as a harm.

2. Plaintiff Faces Severe and Irreversible Harm if No Injunction is Issued

If the TRO is denied, Plaintiffs will suffer irreparable injury through the loss of the elected office of Democrats, which Defendants publicly acknowledge is their goal. (Reports, Exhibit A.) As established in *Brown v. Weir*, 675 S.W.2d 135, 140 (Mo. App. W.D. 1984), the wrongful deprivation of an elected position is a "serious and irreparable" harm. The personal, professional, and political consequences for Plaintiffs are far more severe than any temporary administrative delay for Defendants.

3. Protecting the Status Quo Favors Plaintiff

The primary purpose of a TRO or preliminary injunction is to preserve the status quo pending a full trial on the merits. *State ex rel. Dir. of Revenue v. Gabbert*, 925 S.W.2d 838, 839 (Mo. banc 1996). Here, the status quo is maintaining the current voting map, previously presented to, and signed by, the Governor. Maintaining that status until the legality of the call for special session, the special session itself, and any resulting legislation, can be fully litigated prevents unnecessary disruption to voting rights.

4. Defendants' Alleged "Harm" is Self-Inflicted

Defendants cannot claim hardship from being temporarily restrained because any claimed urgency or need for redistricting is non-existent, of their own making. The aforementioned Proclamation of the Governor imagines that "State of Missouri's current congressional district map **may be** vulnerable to a legal challenge under the Voting Rights Act and the Fourteenth Amendment." Defendants do not point to any actual legal challenge. Their own actions, arising solely out of the political ambitious of a U.S. President, are what gave rise to this litigation. Missouri courts routinely reject claims of hardship when the defendant's predicament is self-inflicted. *See City of Kansas City v. New Power Co.*, 947 S.W.2d 877, 881 (Mo. App. W.D. 1997) (equity favors the party who "seeks to prevent unlawful conduct, rather than the one attempting to

justify it").

5. Equities Also Favor the Voters and Public Confidence

The voters of Missouri have a vested interest in the continuity and integrity of their elected offices. Enjoining an unlawful call for special session, and the special session itself, protects both Plaintiffs and the democratic process. In *State ex rel. McClellan v. Kirkpatrick*, 504 S.W.2d 83, 85 (Mo. banc 1974), the Court recognized that equity must weigh not only the individual rights at stake but also the public's interest in fair governance. Here, the balance strongly tips toward preserving the will of the electorate.

D. The Public Interest Supports Injunctive Relief.

The public interest factor overwhelmingly supports granting a TRO and preliminary injunction because preventing an unlawful special session, and unlawful redistricting, preserves democratic governance, the integrity of elections, and the public's trust in government institutions.

1. Protecting the Will of the Voters

The Missouri Constitution guarantees that "all political power is vested in and derived from the people" (Mo. Const. art. I, § 2) and that elections "shall be free and open" (art. I, § 25). Courts recognize that undermining the will of the voters is contrary to the public interest unless done strictly according to law. In *Halderman v. City of Sturgeon*, 670 S.W.3d 193, 199 (Mo. App. W.D. 2023), the court held that elected officials cannot be removed except by strict adherence to statutory requirements. Here, the brazen purpose of the call for a special session, and the special session itself, is to exclude previously elected officials and dilute the voting power of Missourians. Enjoining Defendants' unlawful actions and plans protects this fundamental democratic choice.

2. Upholding Constitutional Protections Enhances Public Confidence

Missouri courts have long recognized that when government bodies act outside the scope of their authority, public trust erodes. As the court noted in *State ex rel. Ellis v. Brown*, 326 S.W.2d 752, 754 (Mo. App. 1959), courts must act to "restrain unlawful acts of municipal officials which affect the rights of the public." By issuing a TRO, this Court will reinforce the principle that government actions must comply with the rule of law.

3. No Harm to Public Administration by Granting Relief

The requested injunction does not impede governmental operations. Rather, it enforces the limitations placed on the legislature and executive branches by the Missouri Constitution. Defendants suffer no harm by temporarily halting the call for special session and special session until the merits can be fully adjudicated. Conversely, allowing a procedurally them to proceed would cause confusion, instability, and litigation costs, undermining the public's interest in orderly and lawful government.

IV. CONCLUSION AND PRAYER FOR RELIEF

For the reasons set forth above, Plaintiffs have demonstrated a clear and compelling likelihood of success on the merits of their claims and their constitutional rights under the Missouri Constitution. Defendants' actions and plans are unconstitutional and procedurally defective, undertaken in open disregard of established statutory mandates and due process protections. Without immediate injunctive relief, Plaintiffs will suffer irreparable harm, including the unlawful injuries to their voting rights, and the disenfranchisement of Missouri citizens. The balance of equities and the public interest weigh heavily in favor of preserving the status quo, ensuring compliance with Missouri law, and upholding the voters' will and the democratic process.

WHEREFORE, Plaintiffs respectfully requests that this Court issue a Temporary Restraining Order pursuant to Rule 92.02(a) enjoining Defendants from proceeding with the

unlawful call for a special session of the general assembly, unlawful convening of an extraordinary session and unlawful enactment and/or presentation for signature to the Governor, any legislation, acts or rules related to the redistricting of the Missouri's Congressional districts. Plaintiffs request and that the Court set this matter for an expedited hearing on her request for a Preliminary Injunction under Rule 92.02(d), maintaining the TRO in effect until the legality of Defendants' actions can be adjudicated. Plaintiffs further request that the Court declare Defendants' call for special session, any special session and legislation arising therefrom or presented to the Governor, void and unconstitutional, and violative of Plaintiffs constitutional rights. Finally, Plaintiff prays that this Court grant such other and further relief as it deems just, equitable, and proper under the circumstances.

Respectfully submitted,

/s/ Nimrod Chapel, Jr.
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 4th day of September 2025, the foregoing was filed via the Missouri eFiling System and that a copy of the same was thus served via the electronic filing system in accordance with Supreme Court Rules.

/s/Nimrod T. Chapel, Jr.