

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

**ROBERT FOSTER; KATIE LIGON;
KIRBY CARTER; JOHN T. WILLIAMS**

PLAINTIFFS

V.

CIVIL ACTION NO. 3:26-CV-181-SA-JMV

**THE STATE OF MISSISSIPPI; THE STATE
BOARD OF ELECTION COMMISSIONERS;
TATE REEVES, in his official capacities as
Governor of the State of Mississippi and a
Member of the State Board of Election
Commissioners; LYNN FITCH, in her official
capacities as the Mississippi Attorney General
and a Member of the State Board of Election
Commissioners; and MICHAEL WATSON, in
his official capacities as the Mississippi Secretary
of State and a Member of the State Board of
Election Commissioners**

DEFENDANTS

MALEND A HARRIS MEACHAM’S POST-HEARING BRIEF

COMES NOW Malenda Harris Meacham (“Meacham”), by and through the undersigned counsel of record, and pursuant to the direction of this Court during the final day of the preliminary injunction hearing, files her *Post-Hearing Brief* in opposition to *Plaintiffs’ Urgent and Necessitous Motion For Preliminary Injunction*, as follows:

I. INTRODUCTION

Plaintiffs filed suit on July 2, 2026 to challenge laws enacted 15 months earlier in April 2025. Some or all of the Plaintiffs knew about the subdistrict created by those laws, as well as its boundaries and racial composition, within months after enactment. Instead of exercising diligence to promptly challenge the laws that they now claim constitute serious miscarriages of justice, they discussed it with their friends in the legislature, criticizing two bills that practically every member of the DeSoto County caucus voted in favor of. After an extended period of inaction while in full

possession of the facts pertaining to the subdistrict, Plaintiffs then hid behind the absence of a map of the subdistrict that others, including Meacham, obtained with minimal effort. Now, after one year of doing nothing, the new excuse is that they waited on the recent *Callais* decision as the impetus to void the subdistrict.

By comparison, Meacham and others within DeSoto County admit, as Plaintiffs should, that they knew about the subdistrict before it even became law. There was discussion in DeSoto County that no lawyers lived within the subdistrict, thus requiring an amendment to allow judicial candidates throughout the county to run for the posts. After the laws passed, Meacham spent time considering the implications of running as a judicial candidate in the subdistrict, reviewing her financial ability, her familial obligations, and the winding down of her successful chancery practice, all so that she could represent DeSoto County, her home for more than 30 years. Meacham requested and received voter information at the end of 2025, qualified to run for the chancery judge position created by the legislature on the very first day of the qualification period, and within days requested and received the “mysterious” map of the subdistrict. She actively campaigned within the subdistrict for more than six months, investing time, money, and opportunities, all things that she cannot replace if Plaintiffs are granted the relief they seek. A large portion of the voter education in which she engaged included chancery court generally and this race, including its boundaries, in particular. She relied upon and followed the rules at every turn.

Granting a preliminary injunction at this late stage of the election process would reward Plaintiffs’ lack of diligence and disregard the serious, irreparable damage from which Meacham would surely suffer. As shown by the rationale of the *Purcell* decision and the cases interpreting it, an injunction at this late stage would result in extreme confusion among voters and severe prejudice to the candidates. Meacham respectfully requests that this Court not disrupt the election

wheels that are already in motion. Plaintiffs have simply not provided this Court with countervailing considerations and proof to overcome the strong preference to allow the election to proceed at this juncture.

II. PROCEDURAL BACKGROUND

Plaintiffs Robert Foster, Katie Ligon, Kirby Carter, and John T. Williams (collectively “Plaintiffs”) filed their *Verified Complaint* on July 2, 2026 against the State of Mississippi, the State Board of Election Commissioners, Governor Tate Reeves, Attorney General Lynn Fitch, and Secretary of State Michael Watson (collectively “State Defendants”). Plaintiffs allege (1) vote denial regardless of race in violation of the Fourteenth Amendment, (2) vote denial based on race in violation of the Fourteenth and Fifteenth Amendments and Section 2 of the Voting Rights Act (“VRA”), and (3) violation of the Mississippi Constitution. *See* Doc. 1. These claims were based on a procedural and factual recitation regarding Mississippi 2025 House Bill 1544 (“HB 1544”) and Senate Bill 2768 (“SB 2768”), which became law in April 2025. The focus of the Plaintiffs’ claims is of course the creation of a judicial subdistrict for the election of Circuit and Chancery Court judges in DeSoto County, Mississippi. *Id.* Plaintiff specifically sought relief in the form of (1) a reopened or new qualifying deadline for the challenged circuit and chancery judicial subdistrict, (2) a special election for the judicial elections, and/or (3) opening up the judicial elections from the subdistrict alone to countywide races. *Id.* at p. 17.¹

On the same day, Plaintiffs filed their *Urgent and Necessitous Motion for Preliminary Injunction* (“*Preliminary Injunction Motion*”) and related briefing. *See* Docs. 3 and 4. The filings

¹ At the injunction hearing, Plaintiffs’ counsel added another potential avenue for relief: reopening the qualifying deadline from August 13-20, 2026, August 20-27, 2026, or August 27-September 3, 2026 before holding a special election countywide or reopening the qualifying deadline and holding a special election countywide in November 2027 for the challenged judicial positions. Plaintiff Robert Foster testified to a fifth option: allow the Governor to appoint a circuit court judge and chancellor for these positions before holding a special election countywide for the positions in November 2027.

requested that this Court enjoin the State of Mississippi and related Defendants from enforcing HB 1544 and SB 2768 “in the upcoming 2026 general election in which the Place Four circuit judge in the Twenty-first Circuit Court District and the Place Three chancellor in the Seventeenth Chancery Court District will be elected to preside over matters in DeSoto County.” Doc. 3 at p. 1. Plaintiffs specifically requested that this Court “expedite” its review of the filing based on the November general election being “just over five months away.” *Id.* at p. 2.

Six days later, Meacham moved to intervene as a defendant pursuant to F.R.C.P. 24, either as of right or with permission of this Court. *See* Docs. 15 and 16. Meacham specifically sought the ability to protect herself against the irreparable harm that would be caused should the qualification period be reopened, if her race became countywide, or in the event she would be forced to run in a special election, in light of Plaintiffs’ inability to prove that such relief was necessary to resolve their alleged injuries. *Id.* On July 16, 2026, the DeSoto County NAACP and Delta Sigma Theta similarly sought intervention to protect the interests of Black residents of DeSoto County. *See* Docs. 32 and 33. Plaintiffs opposed both intervention efforts based on Article III standing, futility, and the inapplicability of F.R.C.P. 24. *See* Docs. 38, 39, 47, and 48.

Ultimately, this Court entered its *Order and Memorandum Opinion* on June 29, 2026, permitting the requested interventions as of right and providing that they would have been granted by permission as well if necessary. *See* Doc. 57. This Court determined that Plaintiffs’ standing argument was “unpersuasive” and misguided where the intervention was sought for prospective defendants. *Id.*

Meanwhile, the State Defendants filed their opposition to the *Preliminary Injunction Motion*, urging denial of the same based on Plaintiffs’ undue delay, the public interest weighing against an injunction, the harm of an injunction outweighing the harm alleged by Plaintiffs, and

Plaintiffs failure to provide a clear cut showing of success on the merits. *See* Docs. 42 and 43. These arguments in opposition to injunctive relief were later joined and expounded upon by Meacham, the DeSoto County NAACP, and Delta Sigma Theta. *See* Docs. 59, 60, 62, and 63.

This Court expeditiously set a hearing for the *Preliminary Injunction Motion* to start on July 31, 2026, less than a month after Plaintiffs initially sought judicial intervention. *See* Doc. 29. The preliminary injunction hearing took place from July 31, 2026 through August 5, 2026, excluding the weekend.² Eight witnesses testified during the hearing, with more than 50 exhibits entered into the record and another dozen marked for identification purposes only. *See* Docs. 83 and 84. At the conclusion of the hearing, the parties provided closing statements. Meacham now submits her post-hearing briefing requested by this Court.

III. RELEVANT FACTUAL BACKGROUND ESTABLISHED AT HEARING

In the interests of clarity and succinctness, Meacham offers the following recitation of witness testimony from the preliminary injunction hearing,³ in order of witness called, with a focus on those portions of the record relevant to her legal arguments offered in this briefing.

A. STATE REPRESENTATIVE DAN EUBANKS

Representative Dan Eubanks represents Mississippi House of Representatives District 25, which includes DeSoto County and portions of the challenged subdistrict. He knows both Foster (through the DeSoto County Board of Supervisors) and Ligon (politically active) personally.

During the 2025 legislative session, Eubanks voted in favor of the final versions of HB 1544 and SB 2768 without offering any amendments or argument during the related floor debates. *See* P-4, P-5, D-23, D-25, and D-31. He confirmed that all legislative delegates from DeSoto

² The hearing on the *Preliminary Injunction Motion* was initially set for Wednesday, July 22, 2026 before the recusal of District Court Judge Michael P. Mills on July 6, 2026. *See* Docs. 7 and 8. Proofs of service for the State Defendants were filed on July 6, 2026. *See* Docs. 9, 10, 11, 12, and 13.

³ Counsel does not currently have access to the line-by-line transcript for the hearing, and, therefore, recounts testimony without direct reference to a transcript.

County voted in favor of the bills without offering amendments and without any debate from them on the floor of the Mississippi House or Senate. *Id.* It is clear that neither Eubanks nor the remainder of the DeSoto County legislative delegation ever clarified to their respective chairs, or anyone else for that matter, that precincts listed in HB 1544 and SB 2768 did not correspond to the precincts as redistricted by the county in 2022.

Despite this legislative record in support of the bills, Eubanks testified that he “didn’t have a choice” besides voting “all or nothing” to avoid the perceived wrath of his party leadership, all to the detriment of his constituents. Eubanks made a point to testify about his concern regarding the subdistrict as it was being considered, noting that he discussed it with the other members of the DeSoto County caucus as well as the committee chairman, Kevin Horan. He and other members of the county’s delegation were very concerned about the challenged subdistricts.

Eubanks asserted that it was always better for a candidate to have a headstart on campaigning in an election, primarily for name recognition. Eubanks failed to address opponents that had already been campaigning countywide and others that may enter with a wealth of financial resources. Ultimately, he testified that he had never advocated the reopening of the qualifying deadline for judicial elections and agreed that Plaintiffs’ request to reopen qualifying deadlines would be “unfair.”

B. DESOTO COUNTY ELECTION COMMISSIONER SISSIE FERGUSON

Sissie Ferguson has served for 20 years as Election Commissioner for DeSoto County’s District 4, which includes portions of the challenged subdistrict. Much of her direct testimony sought to downplay the time constraints associated with building and printing ballots for the November 3, 2026 election in relation to any decision this Court may make regarding the reopening of a qualifying deadline and the addition of candidates to the ballot. However, Ferguson could only speak to time constraints on in-person ballots and was not competent to testify regarding any

parallel constraints on absentee voting. She was clear that split precincts are common place in DeSoto County elections, including those for state legislators.

In testimony that is extremely concerning to Meacham, Ferguson started her second day of testimony by identifying a photograph of a Meacham campaign sign posted in a yard of a home located in DeSoto County but outside of the challenged subdistrict. *See* P-9. Ferguson took the photograph and sent it to Plaintiffs' counsel between her testimony on Friday and leaving for her Las Vegas vacation that weekend. She could not identify the owner of the home or the impetus for her photographing it. It must be pointed out that Ferguson, who runs for election commissioner on a non-partisan basis, was not present in the courtroom during opening statements or the examination of Eubanks when the issues Meacham focusing her campaign within the subdistrict were discussed. Regardless, she did confirm that the one sign she photographed was the lone Meacham she had seen outside of the challenged subdistrict.

C. PLAINTIFF KATIE LIGON

Ligon, a DeSoto County resident, lives outside of the challenged subdistrict and will not vote for the candidates running therein. She testified that she learned of the subdistrict for the first time after the United States Supreme Court issued its *Callais* decision in April 2026. She states that she learned of the ruling through news articles but could not specify where the news came from or the identity of the news affiliate providing the coverage. She classified *Callais* as important to a review of the challenged subdistrict because it focused on impropriety of using race as the sole basis in redistricting. Ligon, like the other Plaintiffs, is not an attorney so she could not qualify to run for office in the judicial elections at issue.

D. DESOTO COUNTY GIS ANALYST JUDITH WAMMACK

Wammack has been employed with DeSoto County, through its Board of Supervisors, as a GIS Analyst since 2022. Her job responsibilities include generating maps, such as those used for

DeSoto County's elections. She was first alerted to the existence of the challenged subdistrict in January 2026, when she received a call from Meacham requesting a map of the subdistrict. Wammack confirmed the verbal request through an email at 4:38 p.m. on January 5, 2026. *See* P-11. Meacham confirmed the request less than 20 minutes later. *Id.* Wammack then coordinated with Ben Collins and MARIS to receive a copy of the data needed to build the subdistrict map. A completed map was distributed to Meacham less than 24 hours after she confirmed her request for the same. *Id.*; *See also* P-12

During this process, Wammack found it odd that MARIS used the pre-2022 DeSoto County voting precincts to compile the map data. However, this "oddity" did not prevent her from building and transmitting the map. Wammack also created another map for Plaintiffs' counsel in this case. *See* P-14. That map took only a few hours for Wammack to create immediately before she took the stand.

E. PLAINTIFF AND DESOTO COUNTY SUPERVISOR ROBERT FOSTER

Foster lives in DeSoto County, outside of the challenged subdistrict. In addition to his farming occupation, Foster serves as Supervisor for DeSoto County's District 5. He testified with certainty that he was aware of the passage of HB 1544 and SB 2768 in July 2025, a year before this suit was filed and a result of conversations with Eubanks and State Senator Michael McLendon.⁴

After this revelation, Foster spent a large portion of his remaining testimony attempting to explain why he did not immediately take action after learning about the subdistrict a year ago. First, he focused on the fact that he did not have a detailed map of the subdistrict so that he could determine where it was and what it contained. However, the proof is clear that the map was not a

⁴ McLendon serves as senator for Mississippi Senate District 1, which encompasses portions of DeSoto County. He is not a party to this suit and was not present during the preliminary injunction hearing.

priority for Foster because he never requested a map from DeSoto County's own map analyst, Wammack, who is known as the "map person" and worked two floors down in the same building where Foster met twice a month for Board of Supervisor meetings. Further, he confirmed that he knew the general location of the subdistrict simply by looking at the challenged legislation and the listed precincts. Finally, Foster had access to lobbyists and legislators serving DeSoto County from 2025 through 2026 and did not press them for more information regarding the geographic content of the subdistrict. *See* DM-1; DM-2; DM-13.

Second, Foster blamed his lack of diligence on the fact that he was too involved in three lawsuits during the summer of 2025 to focus on issues with the challenged subdistrict. The catch: those lawsuits were not unlike the current suit. They were dedicated to redistricting challenges to for seats in the Mississippi State Senate, on the Mississippi Supreme Court, and on the DeSoto County Board of Supervisors.

Next, Foster asserted that his focus regarding the subdistrict was fixing the problem during the 2026 legislative session, putting all of his eggs in the basket that the subdistrict might be legislatively dismantled. This purported shield ended in April 2026 when the legislature departed without legislation altering the subdistrict. He emphasized continued efforts to lobby and plead for assistance from state officials, but he never moved forward with filing suit over the subdistrict in the intervening months.

Foster and others were closely following the *Callais* case, as evidenced by the flurry of activity immediately after it came down. Within days, Foster and the DeSoto County Board of Supervisors wrote a letter to Governor Reeves on May 5, 2026, requesting a remedy for the challenged subdistrict. *See* D-28. Foster hoped that the decision would trigger a special session of the Mississippi legislature for redistricting purposes. He expressed excitement about a

proclamation by Governor Reeves discussing a special session. *See* D-33. However, the proclamation mentioned specific redistricting that excluded the challenged subdistrict. Even though *Callais* became a rallying cry for Foster, his testimony made it clear that he did not read the full *Callais* decision, as he could not identify the factual background regarding race of the parties and the impetus of the challenge to the district at issue. He believed *Callais* to stand only for the proposition that race could not be the only factor used to draw district lines.

Foster's final excuse for failing to file the present action earlier was due to the financial constraints on hiring counsel to represent him. He later agreed that a political action committee has been formed to fund his litigation, with none other than Senator McClendon's wife as the organizer, allowing him to crowdfund the case and removing his alleged financial barrier.

Beginning the month that the challenged legislation was passed into law, Foster sat through numerous Board of Supervisor meetings from April 2025 through August 2025 where the addition of judges as the result of the challenged legislation was discussed at length due to the administrative effects on DeSoto County. *See* DM-4; DM-5; DM-6; DM-7. He testified that he was aware of the subdistrict's creation during this period.

Foster's testimony also included targeted efforts to discredit Meacham and her campaign. *See* P-17 (ID only); P-18. He identified events she attended in DeSoto County outside of the challenged subdistrict.⁵ Foster did not attend these events, does not know who attended them, and was not privy to any of the conversation occurring at the events. Foster echoed Eubanks's "headstart" testimony, but did not address current countywide candidates or those that will enter the race late with extensive financial backing.

⁵ Foster similarly identified events like these for Circuit Court candidates Lucius Edwards and John Hughes and Chancery Court candidate Gwendolyn Baptist. *See* P-20 (ID only); P-21 (ID only); P-22 (ID only).

Making clear that his real issue with this subdistrict is the candidates not the population content, Foster admitted that he has personally called attorneys in DeSoto County to persuade them to enter the subdistrict elections and that each one of them allegedly turned him down. Underscoring the point, he testified that he spoke with current countywide candidates, Jody Neyman and Beth Owens, in an attempt to get them to enter the subdistrict races if the qualifying period is reopened, but that they turned him down too.

F. SENIOR ATTORNEY LAURA HENDERSON-COURTNEY

Courtney serves as a Senior Attorney in the Mississippi Secretary of State's Elections Division. She testified regarding the relevant election deadlines set by the state as it relates to qualification review and finalizing the state ballots. She confirmed that county election commissioners, like Ferguson, run in nonpartisan elections and are charged with administering fair elections. She also confirmed that training provided to county commissioners, like Ferguson, does not include taking photographs of candidate's legally-placed signs to send to outside counsel as proof of campaigning outside of a subdistrict. Finally, Courtney testified that a change to this race would cause her office to expend time and money in changing the state's final ballot.

G. DESOTO COUNTY DEPUTY CIRCUIT CLERK BRANDI JOHNSON

Johnson serves as a DeSoto County Circuit Court Deputy Clerk responsible for "building" elections and assisting with the production of both absentee and in-person ballots. She testified that September 18, 2026 was the latest date she could receive information for inclusion on the absentee ballots. She does not build or operate the DeSoto County official website and could not quantify the work needed to adjust subdistrict related information contained therein.

Johnson became aware of the existence of the subdistrict in December 2025. On December 30, 2025, Meacham contacted her and requested voter information in the subdistrict, which she promptly provided. She provided Meacham with access to a precinct list and voter rolls for the

subdistrict within a few hours of the request. *See* DM-16. She also testified about her communications with Meacham and Wammack, making it clear that it was common knowledge that anyone could contact Wammack for election map needs. When she requested a map from Wammack she was promptly provided one.

H. INTERVENOR-DEFENDANT MALENDIA HARRIS MEACHAM

Meacham is a current candidate for the Chancery Court position within the subdistrict. She has lived in Hernando for more than 30 years. She is an attorney with a chancery-based practiced that has thrived in the courts in and around DeSoto County. She previously served as municipal judge for Hernando and worked as a special master for the DeSoto County Chancery Court for nearly two decades.

Prior to SB 2768, DeSoto County was part of Mississippi's Third Chancery Court District. Meacham testified that three chancellors currently serve the district and that only one of the three is elected by citizens of DeSoto County. The remaining two chancellors were elected from the other counties within the Third District. Meacham, who consistently works within the Third District, testified that the case load of DeSoto County alone was large, with a "desperate need" need for more judges.

Meacham first learned of HB 1544 and SB 2768 before the bills passed in the 2025 legislative session because lawyers throughout DeSoto County discussed the impracticality of the initially included residency requirement. No attorneys live within the subdistrict's boundaries, thus negating the efficacy of any requirement that candidates live there to run in the election. After the legislation was passed in April 2025, Meacham discussed the new subdistrict with attorneys, Chancellors Lynchard and Daniels, and friends within the subdistrict who encouraged her to qualify as a candidate. She spent time discussing the opportunity with family, evaluating the

financial ability to run, and the content of the races for other chancellor positions before making the ultimate decision to enter the subdistrict's Chancery Court election.

Meacham testified that she completed the necessary qualification paperwork and drove to Jackson, Mississippi on January 2, 2026, the first day of the qualification period, to qualify in person at the Mississippi Secretary of State's office. Immediately after qualifying, a campaign Facebook post was published for Meacham, identifying the general area within the subdistrict, including Horn Lake and portions of Southaven. She knew where the subdistrict was located based on the description of the subdistrict in the legislation alone, a point with which Foster ultimately agreed.

Within days of qualifying, and after having already received voter rolls and precinct information from Johnson, Meacham worked with Wammack to obtain a map of the subdistrict. The map was provided to her within twenty-four hours of her confirmation of the request. She then turned her attention to campaigning. Within the first few months of her campaign, she completed the required judicial campaign training, certifying the same to the State. *See* DM-28. That training included a review of Mississippi Code of Judicial Conduct Canon 5. *See* DM-29. This particular Canon permits candidates to attend political events to advocate for their campaign, not political parties. *Id.* Further, Meacham found nothing in her training and additional research that prevented her from campaigning outside of the subdistrict even though her primary efforts were within it.

Meacham attended events across DeSoto County and within the subdistrict, noting that subdistricts may have borders, but the people living within them do not. She met her constituents at charity events, political meet-the-candidate opportunities, religious services and brunches, and other events. She has secured endorsements from people within the subdistrict. As of July 2026, Meacham's campaign committee collected more than \$12,000.00 in donations on her behalf,

expending more than \$6,000.00 in furtherance of her election. *See* D-18. Meacham personally expended more than \$14,000.00 as of July 2026 to fund her campaign's needs. *See* D-19.⁶

The expenditures were made on a variety of campaign activities including campaign materials identified during her testimony. *See* D-18; D-19; DM-32. These materials included signs, decals, buttons, rack cards, t-shirts, fans, ChapSticks, and mints, with most of the physical materials including the election date of November 3, 2026. *See* DM-32. The rack cards included the election date, the sub-district map and designation, and information regarding Baptist as Meacham's opponent, in varying degrees. *Id.* Meacham was able to clarify the location of the mysterious sign election commissioner Ferguson felt a need to photograph, allegedly at the direction of no one. *See* P-9. It is placed in the yard of a home owned by Meacham that her daughter Hannah, who is also her campaign committee president, lives in. *See* P-9; D-18.

In addition to the cost of campaigning since January, Meacham testified to the opportunity loss and temporal investment she has incurred because of the campaign to date. She has taken only four new cases this year in order to devote time to the campaign and has limited her chancery practice in the hope of becoming a judge. She has spent innumerable hours campaigning and strategizing for her campaign. Her committee has invested time through door-to-door and person-by-person campaign efforts. These efforts include voter education, which has been especially cumbersome in a year where DeSoto County has a new subdistrict, is electing three chancellors for the first time, and is working through one of the first contested chancery elections in decades. The voter education included use of the subdistrict map and discussions on who can and cannot

⁶ As of July 2026, the following contributions and disbursements have been made for the additional candidates in the subdistrict: Baptist - \$14,849.35 in contributions, \$10,420.65 in distributions (D-20), Hughes - \$8,787.70 in contributions, \$3,441.70 in distributions (D-21), and Edwards - \$3,350.00 in contributions, no distributions (D-22).

vote within its bounds. Meacham testified that her credibility established through these education efforts would be called into question if the subdistrict was enjoined and the election altered.

When asked about the Plaintiffs' requested relief, Meacham was clear: she does not know if she can afford to stay in a countywide race due to the sheer volume of the materials and time needed to make that kind of campaign successful. She was equally skeptical that she could be successful if Plaintiffs were able to insert a candidate in her race already running countywide or one funded by the PAC referenced in Foster's testimony. Further, the replacement of campaign materials that may become inaccurate if Plaintiffs are awarded their requested relief may be an insurmountable cost for Meacham. The same is true regarding the cost needed to duplicate those materials four or fivefold for a countywide race. Meacham was also clear that voters would be confused by changes to the district and the election in general because many have told her about their current preparations to vote.

IV. ARGUMENT AND ANALYSIS

As a general matter, "a preliminary injunction is an extraordinary and drastic remedy which should not be granted unless the movant clearly carries the burden of persuasion." *Canal Auth. of Fla. v. Callaway*, 489 F.2d 567, 573 (5th Cir. 1974). The "traditional standard" for analyzing whether a preliminary injunction is appropriate does not apply to this Court's review of Plaintiffs' request to enjoin HB 1544 and SB 2768 on the eve of November's general election because of the principles outlined in *Purcell v. Gonzalez*, 549 U.S. 1 (2006). *La Union del Pueblo Entero v. Abbott* ("LUPE"), 119 F.4th 404, 407-08 (5th Cir. 2024).

Under *Purcell*, Plaintiffs must overcome their burden by sufficiently proving the following:

- (1) the underlying merits are entirely clearcut in favor of Plaintiffs;
- (2) Plaintiffs would suffer irreparable harm absent the injunction;

(3) Plaintiffs have not unduly delayed bringing their *Verified Complaint* before this Court; and

(4) the changes requested by Plaintiffs are at least feasible before the election without significant cost, confusion, or hardship.

LUPE, 119 F.4th at 409 (quoting *Merrill v. Milligan*, 142 S. Ct. 879, 881 (2022) (Kavanaugh, J., concurring)). Plaintiffs have failed to carry this burden on multiple fronts.

A. THE UNDERLYING MERITS OF PLAINTIFFS’ CLAIMS ARE ANYTHING BUT CLEARCUT.

Plaintiffs’ *Verified Complaint* includes three separate causes of action: alleging (1) vote denial regardless of race in violation of the Fourteenth Amendment, (2) vote denial based on race in violation of the Fourteenth and Fifteenth Amendments and Section 2 of the VRA, and (3) violation of the Mississippi Constitution. *See* Doc. 1. To satisfy the first *Purcell*-based injunction factor, Plaintiffs must show that a likelihood of success on the merits on each of these claims.

1. One-Person, One-Vote Claim

Plaintiffs’ first claim equates to a typical one-person, one-vote claim brought pursuant to the Equal Protection Clause of the Fourteenth Amendment. The problem: “the one-person, one-vote rule [is] inapplicable to judicial elections.” *Chisom v. Roemer*, 501 U.S. 380, 402 (1991) (citing *Wells v. Edwards*, 409 U.S. 1095 (1973)).

Plaintiffs’ first claim is without a doubt related to state judicial elections based on the content of HB 1544 and SB 2768 and the exhaustive testimony at the injunction hearing. This Court asked for authority contrary to the *Chisom* holding at the conclusion of the hearing. Plaintiffs could not provide a response at that time and are unlikely to find authority contrary to that position. For these reasons, Plaintiffs cannot make a clearcut showing of success on the merits of their first claim.

2. Alleged VRA Violation

Plaintiffs' second claim focuses on an alleged violation of Section 2 of the VRA through the use of race as the only criteria in drawing the challenged subdistrict. Doc. 1 at pp. 13-15. Compliance with Section 2 of the VRA can provide a compelling reason for race-based districting. *Louisiana v. Callais*, 146 S. Ct. 1131, 1143 (Apr. 29, 2026). As this Court already recognized, Voting Rights ACT cases are "fact-intensive cases typically requiring a full trial, rather than summary resolution." Doc. 57 at p. 10.

To prove a Section 2 vote dilution claim, as the Plaintiffs pursue here, they must provide specific proof regarding compactness, district configuration through race-blind mapping techniques comporting with Mississippi's legitimate districting criteria, "racial bloc voting that cannot be explained by partisan affiliation," and minority voters not being able to select their candidates of choice on an equal basis with their majority counterparts. *Callais*, 146 S. Ct. at 1159-60; *Allen v. Milligan*, 599 U.S. 1, 18-19 (2023); *Thornburg v. Gingles*, 478 U.S. 30, 50-51 (1986). This Court has recognized that a review of the Section 2 factors requires a "practical evaluation" and an "intensely local appraisal" that most plaintiffs prove through expert testimony and use of detailed, supported maps. *White v. State Bd. of Election Comm'rs*, 795 F. Supp. 3d 794, 831 (N.D. Miss. 2025) (quoting *Miss. State Conf. of NAACP*, 739 F. Supp. 3d at 442), *vacated and remanded*, No. 25-60506, 2026 WL 1340213 (5th Cir. May 11, 2026).

Plaintiffs failed to offer sufficient proof of any of these items in briefing or during the injunction hearing. In fact, the evidence is that the challenged subdistrict is compact and contiguous. Plaintiffs provided no showing that racial data alone was used to configure the subdistrict. The floor debate entered into the record discussed several other criteria for the creation of the subdistrict, including population growth, the need for more judges, and the overwhelming

judicial backlog in DeSoto County.⁷ Plaintiffs provided no proof of racial bloc voting unexplained by partisan affiliation, emphasizing only the existence of single Black-countywide official.⁸

3. Mississippi Constitutional Claim

In their third claim, Plaintiffs alleged that HB 1544 and SB 2768 are unconstitutional because the Mississippi Legislature exceeded its authority relative to special or local laws. Doc. 1 at pp. 15-16. Plaintiffs provided no authority and no support at the injunction hearing for this position, focusing solely on their Section 2 VRA claim above.

The State Defendants have pointed out in their initial injunction briefing that this claim is likely barred by sovereign immunity, because “this request impermissibly asks a federal court to ‘instruct state officials on how to conform their conduct to state law.’” *Williams ex re J.E. v. Reeves*, 954 F.3d 729, 739 (5th Cir. 2020) (quoting *Pennhurst v. State Sch. & Hosp. v. Halderman*, 465 U.S. 89, 106 (1984)). Additionally, individual statutes defining the number and manner of elections related to circuit and chancery judges (those involved in HB 1544 and SB 2768) have been passed by Mississippi for more than a century. *See* MISS. CODE ANN. §9-5-1, *et seq.*; MISS. CODE ANN. §9-7-1, *et seq.* Further, the legislature is **required** to divide these court districts, determine the number of judges assigned to each district, and redistrict the same within five years after the publication of the federal decennial census. MISS. CONST. ANN., Art. 6, §152. Classifying the challenged law as prohibited local and private law is an impermissible stretch that Plaintiffs failed to support with sufficient testimony and/or evidence at the injunction hearing. Therefore, this state constitutional claim falls below the “likelihood of success on the merits” benchmark.

⁷ Plaintiffs provided the floor debate for HB 1544 alone. They failed to provide any separate proof whatsoever that the motivations behind the chancery subdistrict created by SB 2768 were solely race-based.

⁸ Testimony from Foster, Ferguson, Meacham, and others focused on the fact that only once in the recent history of DeSoto County has a Black countywide official been elected.

B. PLAINTIFFS FAILED TO PROVE IRREPARABLE HARM ABSENT AN INJUNCTION.

Next, Plaintiffs must establish that, but for entry of an injunction in their favor, they will experience irreparable harm. This Court should first consider the obvious: Plaintiffs Kirby Carter and John Williams did not testify during the preliminary injunction hearing to prove the harm they would suffer if the subdistrict remains. Plaintiffs will likely allege that Williams falls into the same harm testified to by Foster and Ligon. However, Carter lives within the subdistrict. She gets to vote for two more judges than her Plaintiff-counterparts, meaning she will experience no harm as far as her vote. In the *Verified Complaint*, Plaintiffs allege only that Carter will have her vote diluted as a White voter in a majority-minority subdistrict. Doc. 1 at p. 4, ¶13. Plaintiffs provided no proof of vote dilution in briefing or at the recent hearing and no proof that Carter being White will prevent her from electing a candidate of her choice. Carter failed to prove her unique alleged harm.

Foster and Ligon testified that they were harmed by the loss of vote, meaning that they would not get to vote for the additional two judges being elected by residents of the subdistrict alone. While loss of a vote can be harmful, these Plaintiffs did not carry the burden in showing that this Court would likely deem them entitled to that vote in the first place, as outlined above in the sections related to their likelihood of success on the merits. As a result, this theoretical harm cannot qualify as irreparable.

The current status of DeSoto County's Chancery Court makes it clear that Plaintiffs do not deem the alleged harms to be as egregious as they would have this Court believe. Until January 1, 2027, DeSoto County remains a part of Mississippi's Third Chancery Court District, along with Grenada, Montgomery, Panola, Tate, and Yalobusha Counties. MISS. CODE ANN. §9-5-13. The Third Chancery Court District is split into two subdistricts, with the first comprised solely of DeSoto County and the second comprised of the remaining counties. *Id.* DeSoto County elects

only one of the three chancellors currently serving the district, while the remaining counties elect the other two chancellors. *Id.* All of these chancellors hear cases in DeSoto County. *Id.*

Plaintiffs never brought suit to challenge this current Third Chancery Court District, one where they are not able to vote for two judges that could potentially hear their chancery court matters. If this suit is really about the ability to vote for every chancellor hearing cases in DeSoto County, Plaintiffs seemingly waived this issue by failing to challenge the current system of which they are a part.

Even if Plaintiffs showed they would suffer harm, such harm is not irreparable. None of the Plaintiffs are attorneys and cannot qualify to run in judicial elections. Moreover, Plaintiffs clearly believe that the Mississippi Legislature can remedy the subdistrict, as they repeatedly blamed their delay in acting upon their hopes of a remedy during 2026 regular and potential special sessions. This remedy remains open to them for the 2027 legislative session and beyond, as the legislature could very well repair their harm. Plaintiffs can also pursue this fact-intensive case to final judgment, serving as another means to repair their alleged harms. Plaintiffs are certainly not without recourse.

C. PLAINTIFFS' DELAY IN FILING SUIT WAS UNREASONABLE.

Plaintiffs' undue delay in bringing suit is an insurmountable hurdle to success at this juncture. Federal courts consistently decline to enjoin or rewrite state election procedures as an election draws near, because doing so may “confuse voters, unduly burden election administrators, or otherwise sow chaos or distrust in the electoral process.” *LUPE*, 119 F.4th at 408 (citing *Robinson v. Ardoin*, 37 F.4th 208, 228 (5th Cir. 2022)); *see also Purcell*, 549 U.S. at 4-5; *Democratic Nat'l Comm. v. Wis. State Legis.*, 592 U.S. 1039, 1044 (2020) (“judicial restraint not only prevents voter confusion but also prevents election administrator confusion—and thereby protects the State’s interest in running an orderly, efficient election”). The Supreme Court has often

stayed lower court injunctions that contravene the principle that federal courts ordinarily should not enjoin a state's election laws in the period close to an election.⁹ *Republican Nat'l Comm. v. Democratic Nat'l Comm.*, 589 U.S. 423 (2020); *Purcell*, 549 U.S. 1; *see also Veasey v. Perry*, 769 F.3d 890, 893 (5th Cir. 2014) (citing *Reynolds v. Sims*, 377 U.S. 533, 585 (1964)) (“[i]n awarding or withholding immediate relief, a court is entitled to and should consider the proximity of a forthcoming election and the mechanics and complexities of state election laws, and should act and rely upon general equitable principles.”).

Independent of *Purcell*, a party seeking the extraordinary remedy of a preliminary injunction must act with diligence in bringing forth their claim as an unreasonable delay defeats any chance at equitable relief. *See Benisek v. Lamone*, 585 U.S. 155 (2018) (affirming denial of preliminary injunction where the plaintiffs delayed in seeking relief after electoral redistricting). The doctrine of laches bars this very strategy. As this Court has previously declared when reviewing a late requested preliminary injunction, “[i]t is well established that in election-related matters, extreme diligence and promptness are required.” *Justice v. Hosemann*, 829 F.Supp.2d 504, 521 (N.D. Miss. 2011).

HB 1544 and SB 2768 became law in April 2025, 15 months before Plaintiffs filed their *Verified Complaint*. Foster admitted that he knew about both bills by July 2025, although the proof was clear that as a member of the DeSoto County Board of Supervisors he should have known

⁹ *Democratic Nat'l Comm.*, 592 U.S. 1039 (*Purcell* applied to deny application to vacate stay six weeks before election); *Abbott v. League of United Latin Am. Citizens*, 146 S. Ct. 418 (2025) (*Purcell* applied to stay injunction 11 months before election); *Andino v. Middleton*, 592 U.S. 906 (2020) (same, but 46 days before election); *Disability Rights Louisiana v. Landry*, 2024 U.S. Dist. LEXIS 133213 (M.D. La. July 29, 2024) (same, but 99 days before election); *LUPE*, 119 F.4th 404 (same, but three weeks before election); *Merrill*, 142 S. Ct. 879 (same, but 120 days before election); *Moore v. Harper*, 142 S. Ct. 1089 (2022) (same, but 92 days before election); *Petteway v. Galveston Cty.*, 87 F.4th 721 (5th Cir. 2023) (same, but four months before election); *Singleton v. East Baton Rouge Parish School Board*, 621 F.Supp.3d 618 (M.D. La. 2022) (same, but 83 days before election); *Tex. All. v. Hughs*, 976 F.3d 564 (5th Cir. 2020) (same. But 18 days before early voting and 1.5 months before election).

even earlier. That information alone shows that Plaintiffs delayed at least one year before filing suit, which is inexcusable under *Purcell*.

Plaintiffs' efforts to explain away the delay are unpersuasive. First, Plaintiffs' provided case law does not support disregarding *Purcell*. In some cases, *Purcell* or the question of delay were not considered or otherwise analyzed by the issuing court.¹⁰ Others focused on time periods more extensive than the less than three months before the general election here.¹¹ Other cases cited by Plaintiffs reach outside of the Fifth Circuit to provide authority not binding on this Court, which was odd based on the wealth of binding *Purcell*-based Fifth Circuit and Supreme Court decisions.¹² Finally, some cases addressed *Purcell* on the eve of elections, but addressed relief wholly different than that requested by Plaintiffs herein.¹³

¹⁰ See *Louisiana v. Callais*, 146 S. Ct. 1131 (2026); *Reynolds v. Sims*, 377 U.S. 533 (1964) (issued before *Purcell*); *California v. Trump*, 2026 U.S. App. LEXIS 22115 (1st Cir. July 25, 2026) (*Purcell* cited only for the fundamental political right to vote)

¹¹ *Malliotakis v. Williams*, 146 S. Ct. 809 (2026) (general election eight months away and primary four months away when decision issued); *Robinson v. Ardoin*, 37 F.4th 208 (5th Cir. 2022) (election five months away)

¹² See *Ga. Muslim Voter Project v. Kemp*, 918 F.3d 1262 (11th Cir. 2019); *Singleton v. Allen*, 2026 U.S. Dist. LEXIS 118435 (N.D. Ala. 2026) (The *Singleton* injunction was later stayed in *Allen v. Milligan*, 146 S. Ct. 1377 (June 2, 2026)); *Democratic Congressional Candidate Committee v. Kosinski*, 614 F. Supp. 3d 20, 58-61 (S.D. N.Y. 2022); *Harris v. McCrory*, 159 F. Supp. 3d 600 (M.D.N.C. 2016); *Yang v. Kosinski*, 805 F. App'x 63 (2d Cir. 2020); *Jones v. United States Postal Service*, 488 F. Supp. 3d 103 (S.D. N.Y. 2020); *Democracy North Carolina v. N.C. State Bd. of Elections*, 476 F. Supp. 3d 158, 239 (M.D. N.C. 2020); *Count U.S. in v. Morales*, 2026 U.S. Dist. LEXIS 81944 (S.D. Ind. Apr. 14, 2026) (The *Morales* injunction was later stayed in *Count U.S. in v. Morales*, 172 F.4th 974 (7th Cir. 2026)); *N.H. Youth Movement v. Scanlan*, 2026 U.S. Dist. LEXIS 118323 (D. N.H. May 28, 2026); *Am. Council of Blind Indiana v. Indiana Election Comm'n*, 2022 U.S. Dist. LEXIS 41558 (S.D. Ind. Mar. 9, 2022); *One Wisconsin Institute, Inc. v. Thomsen*, 490 F. Supp. 3d 1338 (W.D. Wis. 2020); *Carey v. Wisconsin Elections Comm'n*, 624 F. Supp. 3d 1020 (W.D. Wis. 2022); *LULAC v. Exec. Off. of the President*, 818 F.Supp.3d 34 (D.D.C. 2026).

¹³ *Harding v. Edwards*, 487 F.Supp.3d 498 (M.D. La. 2020) (subsequent history on case cited by Plaintiffs) (permitted extension of early voting period within two months of an election, but not to the content of the races or candidates); *LULAC v. Abbott*, 809 F.Supp.3d 502 (W.D. Tex. 2025) (permitted injunction four months before primary, but injunction was stayed in *Abbott v. LULAC*, 146 S. Ct. 418 (2025) and later reversed in *Abbott v. LULAC*, 2026 U.S. LEXIS 1937 (Apr. 27, 2026)); *LUPE v. Abbott*, 754 F.Supp.3d 720 (W.D. Tex. 2024) (stay was granted for an injunction).

Plaintiffs then rely on the strange concept that HB 1544 and SB 2768 were passed in secret and thus unknown to their legislators and the general population. Doc. 50 at p. 7, fn. 11.¹⁴ The testimony elicited from Eubanks eviscerates this position, where he emphasized the concern all members of the DeSoto County caucus had over HB 1544 and SB 2768. The same is true regarding the testimony of Meacham, who was clear that the DeSoto County bar knew about the legislation in detail before it was passed on April 2025. This knowledge continued after its passage, as members of the bar contemplated running and made recommendations for their colleagues to do the same.

In light of his actual knowledge of the subdistrict in the summer of 2025, Foster pivots to the lack of a map of the subdistrict as an excuse for his lack of knowledge regarding the content of the legislation and the subdistrict itself. The testimony is clear that the only reason he did not have a map is because he failed to exercise reasonable diligence in simply asking for a copy of the map from the person who worked in the same building where he and his supervisor colleagues met twice a month. By comparison Meacham, who had never run for political office and certainly never been involved in lawsuits involving redistricting, asked for a map of the subdistrict within days of qualifying and received one from Wammack within 24 hours. Regardless, the testimony was clear from several individuals that anyone reviewing the language HB 1544 and SB 2768 would know the location of the subdistrict alone based on the precinct names alone.¹⁵ The map excuse is a red herring.

¹⁴ The link in this footnote leads to an article on this suit. It quotes McLendon's believe that he was misled about the inclusion of the subdistrict. McLendon has now reversed course. *See Exhibit A – McLendon Facebook Post*. McLendon now claims he was threatened into voting for the legislation, continuing his campaign to deflect from the fact that he voted in favor of HB 1544 and SB 2768. *Id.*

¹⁵ Meacham recognizes that there was confusion over the use of pre-2022 precinct names in HB 1544 and SB 2768 which differ from the current precinct names in DeSoto County. However, this issue does not change the content of the subdistrict. Further, the issue was caused by the same DeSoto County legislators that voted for the challenged subdistrict without alerting anyone to the 2022 precinct changes.

With full knowledge of the subdistrict, Plaintiffs ostensibly put all of their eggs into a single basket by focusing on the ability to fix the subdistrict during the 2026 legislative session. This effort had clearly failed when the legislature recessed in April 2026, meaning that they could have filed suit months before they did in July 2026. The same is true regarding their focus on Governor Reeves's proclamation regarding a potential special session for redistricting efforts post-*Callais*. However, as admitted by Plaintiffs, this proclamation did not address the subdistrict, only other statewide elections. Plaintiffs had actual knowledge by May 2026 that none of these other efforts to address the subdistrict would bear fruit. Meanwhile the candidates in the subdistrict were actively campaigning as Plaintiffs sat on their hands.

As a final excuse for the undue delay, Foster alleges that he could not afford to file suit and that he needed time to find the financial resources. Time after what? The 2025 legislative session? The absence of a special session in 2025? The 2026 legislative session? The absence of a special session in 2026? *Callais*? No proof of financial inability was presented at the injunction hearing. Instead, it was established that the Defending DeSoto PAC was not formed until shortly before Plaintiffs filed suit to assist in paying their legal bills, removing the absence of finances as a barrier to filing this action.

Ultimately, Foster's testimony suggests that the alleged unconstitutional nature of HB 1544 and SB 2768 became more and more egregious the longer he looked at it and the more he heard about it. Under those circumstances, as the alleged egregiousness of the legislation grew, so too did the unreasonable nature of Plaintiffs' delay in filing suit. Stated differently, as the law became more glaringly unconstitutional to him, the absence of any action became more unreasonable under *Purcell*. The timing of this lawsuit is truly an emergency of Plaintiffs' own making.

This Court has agreed that Voting Rights cases are “fact-intensive cases typically requiring a full trial, rather than summary resolution.” Doc. 57 at p. 10. Likewise, this Court recognized that Plaintiffs’ alleged reasons excusing their delay in bringing this suit are “precisely the type of matters that warrant further exploration—not summary disposition.” *Id.* at p. 11. Where no binding case law would support court intervention at this juncture, less than three months before the general election, this Court should allow discovery to fully evaluate the reasonableness of Plaintiffs’ delay in filing suit.

D. PLAINTIFFS’ INJUNCTION COMES WITH SIGNIFICANT COST, CONFUSION, AND HARDSHIP.

This final injunction factor cannot be overcome by Plaintiffs. Johnson was clear that she would need time to adjust election system inputs and the county would need time to adjust its website to correct information regarding the subdistrict. Wammack would be required to void the map of the subdistrict and contact every person to whom she sent a copy of the map. The State will still have burdens related changes to its sample ballots and the time associated with making last-minute changes to its process.

Perhaps more importantly, the voting population within the subdistrict will likely be confused by the change. As confirmed by Meacham, the citizens with whom she has talked on the campaign trail are already making plans to vote. Some of them have been educated about their ability to elect an additional circuit and chancery court judge, which would change if the Plaintiffs receive the relief they seek. Voters outside of the subdistrict are sure to be confused if they see an additional race on their ballot, especially when the DeSoto County website specifically informed them they were not included in that race. *See* D-7.

If the Plaintiffs receive relief in the form a special election some time in 2027, DeSoto County would be harmed by a continued backlog of cases which could be addressed by the extra circuit court and chancery court judges provided to them by the Mississippi Legislature. Even

worse, if those judicial positions are filled by appointments, no DeSoto County voters will be involved in the election of two judges overseeing matters in their county.

While these harms alone are enough for this Court to deny injunctive relief, the harm to Meacham is worst of all. The time and money Meacham has put into her campaign to date cannot be replaced if Plaintiffs are granted injunctive relief. Between herself and her campaign committee, nearly \$30,000 dollars have been contributed to Meacham's election. Most of the money expended on tangible election materials would need to be incurred a second time in the event of an additional opponent, elimination of the subdistrict, or a new election date. *See* DM-32. Meacham has diligently followed the law, spending the past seven months working to wind down her law practice, taking only four new cases and working to resolve the remainder of her docket, to ensure that she can leave her clients whole in the event she takes the bench. The harm to her business, should this race open up and cause her to loose, is irreparable.

There would also be substantial harm to Meacham's credibility as a candidate within the subdistrict. She spent the last seven months meeting the people of the subdistrict where they live, work, and participate in events in their county. She has educated them not only on the subdistrict, emphasizing their ability to elect her, but on the workings of chancery court and the reality of DeSoto County being able to elect multiple chancellors for the first time. All of these efforts would have been in vain.

As Meacham testified, the challenges of opening up her race countywide are likely insurmountable. The cost alone of generating enough campaign materials would require additional fundraising when doing so in a judicial race has been difficult. In the event the qualifying deadline is reopened to allow new candidates to enter the race, Meacham is now especially wary of her chances for success, as Foster made it clear on the stand that he is actively searching for candidates

to run against her, including those that are already running countywide. She testified to her fear that even if the opponent was new to the campaign, it is possible if not likely they would come in with the advantage of PAC money from Foster and others.

The potential for a multi-candidate race could result in a runoff, and thus another election, an expense which Meacham does not currently have to face and which she may not be able to afford. The potential for a runoff is another cost of both time and money that Meacham could not have anticipated with the qualifying deadline closed in February with a single opponent. She would also be subject to multiple elections administered by an election commissioner that made her bias against Meacham clear through photographic evidence and her related testimony. *See* P-9.

The time, money and opportunity cost invested by Meacham, her committee, her family, and her supporters, will be erased if Plaintiffs are awarded their requested relief. Meacham would return to the starting block from the sight of the finish line with less resources, an expanded race, and additional roadblocks. Unlike at least some of the Plaintiffs, and certainly their witnesses, Meacham was a neophyte to political campaigns. She believed that she could rely on the bills enacted by her legislators regarding her county, as well as maps and voter data provided to her by that same county, to run a fair race and let the chips fall where they may in November. She followed all of the rules in doing so. To take that away now would be a crushing blow to her and the other candidates who have campaigned for two judicial posts since February. This verifiable hardship stands in stark contrast to the delay and theoretical problems complained of by the Plaintiffs.

V. CONCLUSION

While interwoven with the intricacies of the VRA and *Callais*, this case is quite simple. Plaintiffs waited too long and provided too little proof to receive injunctive relief on the eve of an election. Whether that changes in the future is not currently before the Court, as Plaintiffs will have an opportunity to prove their case. On the other hand, and to borrow the words of this Court, it has

now been proven that granting Plaintiffs' request for injunctive relief will "have an **immediate and drastic** effect" on Meacham's campaign and ultimate election in the form of "additional financial and temporal expenses." Doc. 57 at pp. 13-14 (emphasis added). Such relief would create insurmountable and, quite frankly, unfair obstacles in Meacham's path, despite the fact that she has done everything asked of her as a judicial candidate. For these reasons, Meacham urges this Court to deny Plaintiffs' request for a preliminary injunction and allow the November 3, 2026 general election to proceed as planned for the challenged subdistrict.

RESPECTFULLY SUBMITTED, this the 8th day of August, 2026.

MALEND A HARRIS MEACHAM

By: /s/ Wilton V. Byars, III
OF COUNSEL

Wilton V. Byars, III – MS Bar No. 9335

wbyars@danielcoker.com

Lauren E. Ward – MS Bar No. 105019

lward@danielcoker.com

DANIEL COKER HORTON & BELL, P.A.

265 North Lamar Boulevard, Suite R

Post Office Box 1396

Oxford, Mississippi 38655

Phone: (662) 232-8979

Fax: (662) 232-8940

CERTIFICATE OF SERVICE

I, the undersigned counsel of record for Malenda Harris Meacham, hereby certify that I electronically filed the following pleading or other document with the Clerk of the Court using the ECF system, which sent notification of such filing to all counsel of record.

THIS, the 8th day of August, 2026.

By: /s/ Wilton V. Byars, III
OF COUNSEL