

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

**ROBERT FOSTER; KATIE LIGON; KIRBY CARTER;
and JOHN WILLIAMS**

PLAINTIFFS

VS.

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

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

DEFENDANTS

**PLAINTIFFS' URGENT AND NECESSITOUS
MOTION FOR PRELIMINARY INJUNCTION**

Plaintiffs Robert Foster, Katie Ligon, Kirby Carter, and John Williams (together, “Plaintiffs”) move for a preliminary injunction, pursuant to Rule 65 of the Federal Rules of Civil Procedure, enjoining Defendants the State of Mississippi, the State Board of Election Commissioners, Governor Tate Reeves, Attorney General Lynn Fitch, and Secretary of State Michael Watson (“Defendants”) from enforcing H.B. 1544 and S.B. 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. The contemporaneously filed memorandum in support explains the reasons for the requested relief, including that both laws unconstitutionally deprive 77.4% of DeSoto County citizens the right to vote for the two judgeships at issue, instead giving a majority-minority subdistrict in DeSoto County the exclusive franchise to select both judges, while also allowing voters living within the subdistrict to vote for every other circuit and chancery

court judgeship, particularly those elected countywide. The only stated reason, the only statistical reason, and the only contextual reason for vesting in the majority-minority subdistrict that exclusive franchise related to the fourth circuit court judgeship and the third chancery court judgeship is race, and thus, both laws violate the United States and Mississippi Constitutions, as well as the Voting Rights Act.

In addition to the contemporaneously filed memorandum, Plaintiffs offer the following exhibits in support of this motion:

Exhibit “A” – House Bill 1544 (2025 Regular Session, H.B. 1544)

Exhibit “B” – Senate Bill 2768 (2025 Regular Session, S.B. 2768)

Exhibit “C” – Conference Report for House Bill 1544 and Senate Bill 2768

Exhibit “D” – Video of Senate Floor Debates on February 10, 2025 (to be conventionally filed)

Exhibit “E” – Video of House Floor Debates on February 6, 2025 (to be conventionally filed)

Due to the nature of the relief requested and that the November general election is just over five months away, Plaintiffs captioned their motion as an urgent and necessitous matter as contemplated under the Local Rules, and the Court should expedite review of this motion.

For the reasons articulated in the supporting memorandum, Plaintiffs request that this Court enjoin Defendants from enforcing H.B. 1544 and S.B. 2768 in the upcoming elections in any manner that gives the subdistrict at issue the exclusive franchise to select those two judges—the Place Four circuit court judge and the Place Three chancery court judge—and denies every DeSoto Countian living outside the subdistrict the right to vote on those two judgeships.

Dated: July 2, 2026.

Respectfully submitted,

PHELPS DUNBAR LLP

BY: /s/ Channing J. Curtis

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on this date I electronically filed the foregoing *Motion* with the Clerk of the Court using the ECF system, which sent notification of such filing to all counsel of record. The foregoing has also been physically served upon the Mississippi Attorney General, who is authorized under Mississippi law to accept service of process for all Defendants.

This, the 2nd day of July 2026.

/s/ Channing J. Curtis