FILED
APR 24 2023
EDDIE JEAN CARR, CHANCERY CLERK
BY K. Howard D.C.

IN THE CHANCERY COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

ANN SAUNDERS; SABREEN SHARRIEF; and DOROTHY TRIPLETT PLAINTIFFS

v. CIVIL ACTION NO. G2023-421 T/

HONORABLE MICHAEL K. RANDOLPH, in his official capacity as Chief Justice of the Mississippi Supreme Court; ZACK WALLACE, in his official capacity as Circuit Clerk of the Circuit Court of Hinds County, Mississippi; and GREG SNOWDEN, in his official capacity as Director of the Administrative Office of Courts DEFENDANTS

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

INTRODUCTION

1. We have elected our circuit court judges in Mississippi for more than 100 years. The Mississippi Constitution expressly requires us to do so. Article VI, § 153 provides that circuit and chancery court judges "shall be elected by the people."

2. Contrary to the demands of our Constitution, the Mississippi Legislature has created a scheme in House Bill 1020 ("H.B. 1020") that requires the Chief Justice of the Mississippi Supreme Court to appoint four judges to the Circuit Court of Hinds County within 15 days of its passage. Under H.B. 1020's court-packing scheme, the power of the four duly-elected judges on that Court will be diluted. Only half of the judges will be elected by Hinds County voters as required by the Constitution, and citizens of Hinds County will be just as likely

to go before a circuit judge who is not elected—and who may have no connection to the county or its residents—as one who is.

3. Although H.B. 1020 labels these appointed judgeships "temporary," it provides that their terms will last through December 31, 2026, which means they will serve for nearly four years and remain in those positions until the end of the current term for the Court's recently-elected judges. Unlike the Court's elected judges, these appointed judges need not reside in or have any connection to Hinds County.

4. H.B. 1020 provides that these appointed judges will serve in the Seventh Circuit Court District, which is composed only of Hinds County. Thus H.B. 1020 singles out only the circuit in Hinds County—which is nearly 75% Black—for this extraordinary departure from constitutional requirements. It does not require or permit the Chief Justice to appoint a single circuit judge in any of Mississippi's 21 other circuit court districts or 81 other counties.

5. These would not be the first unconstitutional appointments to the Hinds County Circuit Court. Just last year, the Chief Justice appointed four judges to the Hinds County Circuit Court under the putative authority of Miss. Code Ann. § 9-1-105(2). That statute provides that the Chief Justice may "appoint a special judge to serve on a temporary basis in a circuit, chancery or county court in the event of an emergency or overcrowded docket." Three of those appointed judges remain on the Court. H.B. 1020 provides that any of these existing special judges may be reappointed to serve in the positions authorized by H.B. 1020. If that were to happen, the "temporary" term of one of these reappointed judges could last longer than the four-year term of an elected judge under the Constitution.

6. The Constitution allows a circuit judge to be appointed only when, under the terms of Article VI, § 165, an elected circuit judge is "unable or disqualified to preside at any term of court," or in certain situations when an elected circuit judge "is unable or disqualified to

preside . . . in any [particular] case." In those circumstances, the appointment must be made by the Governor. The appointments made by the Chief Justice pursuant to Miss. Code Ann. § 9-1-105(2), as well as the appointments contemplated by H.B. 1020, are thus constitutionally infirm for two independent reasons: None of these appointments were or will be for constitutionally permissible purposes, and none have been or will be made by the Governor.

7. H.B. 1020 also establishes a new court in the City of Jackson—which is nearly 85% Black—to handle preliminary criminal matters and certain misdemeanor cases arising in the Capital Complex Improvement District ("CCID"). The judge for this new CCID court also will be appointed by the Chief Justice. While H.B. 1020 describes this new court as an "inferior court," the legislation provides no right of appeal to any court exercising the judicial power conferred by the Constitution, such as a circuit or chancery court. Consequently, it is not an "inferior court" under Article VI, § 172 of the Mississippi Consitution, and there is no constitutional basis for its creation.

8. H.B. 1020 and § 9-1-105(2) fly in the face of Article VI, § 153 and Article VI, § 172 of the Mississippi Constitution and must be declared unconstitutional.

9. Illegal appointment of judges to the Hinds County Circuit Court and the establishment of an illegitimate state-run court in Jackson cause irreparable injury to Plaintiffs and those similarly situated. The residents of Hinds County will be deprived of their constitutional right to vote for local circuit judges and to have their rights determined by courts legally exercising jurisdiction over them pursuant to the authority of the Mississippi Constitution.

PARTIES

10. Plaintiffs are adult resident citizens of Jackson, Mississippi and registered voters in Hinds County, Mississippi. Plaintiffs also pay income and property taxes in Mississippi and participate in financial transations within the city limits of Jackson that are subject to sales taxes.

11. Plaintiff Ann C. Saunders is a 72-year-old African American resident of Jackson, where she has resided since approximately 2009. She is registered to vote in Hinds County, and she tries to vote in every election, including judicial elections for the Seventh District Circuit Court. Ms. Saunders owns her home in Jackson and pays property taxes on it. In addition, she owns a car, for which she pays an annual vehicle registration fee, and she regularly engages in business transactions in Jackson, on which she pays sales tax.

12. Plaintiff Sabreen Sharrief is a 74-year-old African American resident of Jackson, where she has most recently resided since approximately 2010; she previously lived in and raised her family in Jackson. She is a retired nurse and active local volunteer. She is registered to vote in Hinds County, and she tries to vote in every election, including judicial elections for the Seventh District Circuit Court. Mrs. Sharrief owns her home in Jackson and pays property taxes on it. In addition, she owns a car, for which she pays an annual vehicle registration fee, and she regularly engages in business transactions in Jackson, on which she pays sales tax.

13. Plaintiff Dorothy C. Triplett is an 84-year-old white resident of Jackson, where she has resided since approximately 1987. She is registered to vote in Hinds County, and she tries to vote in every election, including judicial elections for the Seventh District Circuit Court. Ms. Triplett owns her home in Jackson and pays property taxes on it. In addition, she owns a car, for which she pays an annual vehicle registration fee, and she regularly engages in business transactions in Jackson, on which she pays sales tax.

14. Defendant Honorable Michael K. Randolph is the Chief Justice of the Mississippi Supreme Court and an adult resident citizen of Forrest County, Mississippi. He may be served with process at 450 High Street, Jackson, Mississippi 39201. Pursuant to the challenged legislation, Chief Justice Randolph has in the past appointed four judges to the Hinds County Circuit Court and in the future will be required to make four new appointments to that Court. He will also be required to appoint the CCID court judge.

15. Defendant Zack Wallace is the Circuit Clerk of Hinds County and an adult resident citizen of Hinds County, Mississippi. He may be served with process at 316 S. President Street, Jackson, Mississippi 39201. As Circuit Clerk, Mr. Wallace effectuates the assignment of cases to judges on the Hinds County Circuit Court and would be responsible for the ongoing assignment of cases to judges illegally serving on that Court under the challenged legislation.

16. Defendant Greg Snowden is the Director of the Mississippi Administrative Office of Courts ("AOC") and an adult resident citizen of Lauderdale County, Mississippi. He may be served with process at 450 High Street, Jackson, Mississippi 39201. As Director of AOC, Mr. Snowden is required to establish personnel policies to compensate staff members working for judges illegally appointed to the Hinds County Circuit Court, consult with Defendant Randolph regarding the appointment and compensations of a court administrator tasked with managing the caseloads of judges illegally appointed to the Hinds County Circuit Court, and provide compensation for the judge and judge's staff at the new illegitimate CCID court.

JURISDICTION AND VENUE

17. Pursuant to Miss. Code Ann. § 9-5-81 and § 11-45-1 and Miss. Const. article VI, § 159, jurisdiction and venue are proper in this Court because the Complaint challenges the constitutionality of Mississippi state law.

18. Venue is proper in Hinds County because this action is against the State and the seat of government is located in Hinds County.

19. Plaintiffs seek equitable relief over which this Court has jurisdiction pursuant to article VI, § 159 of the Mississippi Consitution.

FACTS

A. H.B. 1020 – Appointment of Circuit Court Judges by the Chief Justice

20. H.B. 1020, passed by the Legislature and signed into law by the Governor on April 21, 2023, provides in Section 1 that, "The Chief Justice of the Supreme Court shall appoint four (4) temporary special circuit judges for the Seventh Circuit Court District. No limitation whatsoever shall be placed upon the powers and duties of the judges other than those provided by the Constitution and laws of this state. The term of the temporary special circuit judges shall expire on December 31, 2026." The Hinds County Circuit Court is the only circuit court in Mississippi's Seventh Circuit Court District.

21. H.B. 1020 requires Defendant Randolph to appoint judges to the Hinds County Circuit Court within fifteen days after passage: "The judges shall be appointed no later than fifteen (15) days after the passage of this act according to applicable state laws. The Chief Justice of the Supreme Court may elect to reappoint circuit judges that are serving on a temporary basis as of the effective date of this act in the Seventh Circuit Court District."[1]

22. Section 1 of H.B. 1020 requiring the appointment of judges to the Hinds County Circuit Court remains in effect until December 31, 2026, and the appointed judges will serve

[1] There currently are three "temporary judges" sitting on the Hinds County Circuit Court. In 2022, Defendant Randolph appointed four temporary judges to the Court under the authority of Miss. Code Ann. § 9-1-105(2). One of those judges has since stepped down. The constitutionality of that statute and the appointment of those judges have not been challenged to date, and no court has found § 9-1-105(2) to be constitutional. As set forth herein, Plaintiffs contend that § 9-1-105(2) and H.B. 1020 suffer from the same constitutional infirmities.

until that time, without any further assessment of whether their appointments are productive or necessary.

23. Section 1 of H.B. 1020 provides that "[t]he Administrative Office of Courts shall establish personnel policies to compensate the support staff for each temporary special circuit judge."

24. Section 15 of H.B. 1020 provides that "[t]he Chief Justice of the Supreme Court, in consultation with the Administrative Office of Courts shall appoint a court administrator whose primary duty is to manage the caseload of the special judges appointed in Section 1 of this act. The Chief Justice of the Supreme Court, in consultation with the Administrative Office of Courts, shall set the compensation for the court administrator authorized in this section."

B. H.B. 1020 – New "Inferior Court"

25. Section 4 of H.B. 1020 establishes a new court in the City of Jackson to handle preliminary criminal matters and enforce certain vaguely described city ordinances ("the CCID court").[2] The judge overseeing that court will be appointed by the Chief Justice of the Mississippi Supreme Court.

26. This new CCID court is not a municipal court. It is unique in all of Mississippi.

27. Municipal judges in Jackson as in other cities across Mississippi are appointed by local officials. Those officials are elected by residents of the municipality where the judge will preside. Municipal courts are subject to supervision by county and, ultimately, circuit courts through direct appeals. Accordingly, municipal courts are "inferior courts" authorized by Article VI, § 172 of the Mississippi Constitution.

[2] Indeed, the "crimes" over which the CCID court is given authority include a hodgepodge of misdemeanor offenses different than the full range of authority provided actual municipal courts across Mississippi, including jurisdiction over a vague category of "disturbing the peace" ordinances. There is no Jackson ordinance actually called "disturbing the peace," and it is entirely unclear which ordinances are intended to be included in this indeterminate grant of authority.

28. In contrast, no constitutional court in Mississippi is empowered to review the rulings of the CCID court. H.B. 1020 provides no right of appeal from the CCID court or any other form of supervision by a constitutionally created court.

29. Likewise, the Chief Justice does not currently appoint any Mississippi judges vested with the power granted to the new CCID judge.

30. Further highlighting the unprecedented nature of the CCID court, H.B. 1020 expressly allows people convicted of misdemeanor offenses in the CCID court to be incarcerated in a state prison, the Central Mississippi Correctional Facility, rather than in a jail. In all other Mississippi courts, misdemeanor offenders sentenced to incarceration serve their time in a local county jail.

31. Section 4 of H.B. 1020 requires the AOC to pay the judge for the new CCID court as well as the judge's staff: "The Administrative Office of Courts shall provide compensation for the CCID inferior court judge and the support staff of the judge."

32. Section 6 of H.B. 1020 provides that "[t]he Administrative Office of Courts shall provide support staff and any other staff necessary to carry out the functions and duties for the clerk of the CCID inferior court."

33. Section 6 of H.B. 1020 also requires the AOC to provide compensation to CCID court staff: "The Administrative Office of Courts shall pay the salaries of the clerk and support staff of the CCID, subject to available funds specifically appropriated by the Legislature for such purpose. Such salaries shall not be in amounts less than the salaries paid to the clerk and staff of the municipal courts in the City of Jackson."

34. Because it provides no right of appeal to any constitutionally authorized court and because its sole judge is appoint by the Chief Justice, with no supervision by or accountability to local elected officials, the CCID court is not an "inferior court" under Article VI, § 172 of the

Mississippi Constitution and there is no constitutional basis for its creation or for its exercise of jurisdiction over people, places, or property in Mississippi.

C. Taxes Used for Appointed Judges and the CCID Court

35. Section 9 of H.B. 1020 establishes a regime whereby sales tax revenue from financial transactions conducted within the city limits of Jackson are diverted to the CCID Project Fund: "On or before August 15, 2023, and each succeeding month thereafter, nine percent (9%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215."

36. Upon information and belief, some or all of the funding for compensation of judges appointed to the Hinds County Circuit Court, compensation of staff members working for judges appointed to the Hinds County Circuit Court, compensation of the court administrator tasked with overseeing the caseloads of judges appointed to the Hinds County Circuit Court, general operating funds for the new CCID court, compensation of the judge appointed to the CCID court, compensation of staff members working for the judge appointed to the CCID court, and compensation of the CCID court clerk and personnel will come from the CCID Project Fund.

37. Upon information and belief, some or all of the funding for compensation of judges appointed to the Hinds County Circuit Court, compensation of staff members working for judges appointed to the Hinds County Circuit Court, compensation of the court administrator tasked with overseeing the caseloads of judges appointed to the Hinds County Circuit Court, general operating funds for the new CCID court, compensation of the judge appointed to the CCID court, compensation of staff members working for the judge appointed to the CCID court,

and compensation of the CCID court clerk and personnel will come from money appropriated by the Legislature from Mississippi's general fund.

38. As a result of Plaintiffs' participation in financial transactions within the city limits of Jackson—transactions that are subject to sales taxes—and their payment of Mississippi income and property taxes, money paid by Plaintiffs to the State of Mississippi will be used to fund the costs of illegal judicial appointments to the Hinds County Circuit Court and the operation of an illegitimate CCID court in Jackson.

D. Mississippi Code § 9-1-105(2) and Appointment of Judges by Chief Justice

39. Miss Code. Ann. § 9-1-105(2) grants the Chief Justice of the Mississippi Supreme Court authority to add special judges to a circuit court by temporary appointment: "Upon the request of the Chief Judge of the Court of Appeals or the senior judge of a chancery or circuit court district, or upon his own motion, the Chief Justice of the Mississippi Supreme Court, with the advice and consent of a majority of the justices of the Mississippi Supreme Court, shall have the authority to appoint a special judge to serve on a temporary basis in a circuit or chancery court in the event of an emergency or overcrowded docket. It shall be the duty of any special judge so appointed to assist the court to which he is assigned in the disposition of causes so pending in such court for whatever period of time is designated by the Chief Justice."

40. By order of September 22, 2022, Defendant Randolph appointed the Honorable Frank G. Vollor to the Hinds County Circuit Court. (Order attached hereto as Exhibit A). Judge Vollor continues to serve as a circuit judge on the Hinds County Circuit Court.

41. By order of September 22, 2022, Defendant Randolph appointed the Honorable Betty W. Sanders to the Hinds County Circuit Court. (Order attached hereto as Exhibit B). Judge Sanders continues to serve as a circuit judge on the Hinds County Circuit Court.

42. By order of September 22, 2022, Defendant Randolph appointed the Honorable Stephen B. Simpson to the Hinds County Circuit Court. (Order attached hereto as Exhibit C). Judge Simpson continues to serve as a circuit judge on the Hinds County Circuit Court.

43. By order of September 22, 2022, Defendant Randolph appointed the Honorable Andrew K. Howorth to the Hinds County Circuit Court. (Order attached hereto as Exhibit D). Judge Howorth no longer serves as a circuit judge on the Hinds County Circuit Court.

E. Assignment of Cases by Defendant Wallace

44. Upon information and belief, Defendant Wallace, as Hinds County Circuit Clerk, is the official who will be responsible for assigning cases to the four judges H.B. 1020 requires Defendant Randolph to appoint to the Hinds County Circuit Court.

45. Upon information and belief, Defendant Wallace, as Hinds County Circuit Clerk, will in the future will be responsible for assigning cases to Judges Vollor, Sanders, and Simpson.

F. The Mississisippi Constitution

46. Article VI, § 153 of the Mississippi Constitution requires that circuit court judges be elected: "The judges of the circuit and chancery courts shall be elected by the people in a manner and at a time to be provided by the legislature and the judges shall hold their office for a term of four years."

47. Article VI, § 165 of the Mississippi Constitution allows for the appointment of temporary judges by the Governor in very limited circumstances: "Whenever any judge of the Supreme Court or the judge or chancellor of any district in this State shall, for any reason, be unable or disqualified to preside at any term of court, or in any case where the attorneys engaged therein shall not agree upon a member of the bar to preside in his place, the Governor may commission another, or others, of law knowledge, to preside at such term or during such disability or disqualification in the place of the judge or judges so disqualified."

48. Article VI, § 144 of the Mississippi Constitution limits judicial power in Mississippi to "a Supreme Court and such other courts as are provided for in this Constitution." No court established, operated, or empowered like the CCID court is provided for in the Mississippi Constitution.

49. Article VI, § 172 of the Mississippi Consitution provides that, "The Legislature shall, from time to time, establish such other inferior courts as may be necessary, and abolish the same whenever deemed expedient."

50. Nowhere in the Mississippi Constitution is the Governor, or any other member of the executive or judicial branch of government, authorized to create new judicial positions, temporary or permanent, in any court.

51. Nowhere in the Mississippi Constitution is the Chief Justice of the Mississippi Supreme Court authorized to appoint any judge to any court for any reason.

52. Nowhere in the Mississippi Constitution is the Legislature authorized to create unelected juidicial positions on circuit or chancery courts.

53. Section 1 of H.B. 1020 requiring Defendant Randolph to appoint four judges to the Hinds County Circuit Court is in direct opposition to article VI, § 153 of the Mississippi Consitution. There is no provision in the Mississippi Constitution that authorizes such appointments by the Chief Justice of the Mississippi Supreme Court.

54. Miss. Code Ann. § 9-1-105(2) grants authority to Defendant Randolph to appoint circuit court judges in contravention of article VI, § 153 of the Mississippi Consitution. There is no provision in the Mississippi Constitution that authorizes the appointment of temporary judges to circuit courts *in addition to* the permanent, elected judges of those courts rather than *in the place of* an elected judge who is unable or unwilling to serve. Moreover, even in the case of

judges appointed to replace a duly elected judge, such appointments must be made by the Governor, and not by the Chief Justice of the Mississippi Supreme Court.

55. The assignment of cases by Defendant Wallace to judges appointed to the Hinds County Circuit Court by Defendant Randolph pursuant to H.B. 1020 would impermissibly empower unconstitutionally appointed judges to preside over cases that must, under the Constitution, be heard by elected judges or judges validly appointed if an elected judge is "unable or disqualified to preside." Article VI, § 165.

56. The continued assignment of cases by Defendant Wallace to Judges Vollor, Sanders, Simpson, and Howorth, or any judge appointed to replace Judge Howorth, who were appointed under the putative authority of Miss. Code Ann. § 9-1-105(2), would impermissibly empower unconstitutionally appointed judges to preside over cases that should be heard by elected judges or judges legally appointed to act in their stead.

57. Section 4 of H.B. 1020 establishing the new CCID court violates article VI, § 172 of the Mississippi Constitution. Under § 172, an inferior court "must be inferior in ultimate authority to the constitutionally created court which exercises the same jurisdiction … by giving the constitutional court controlling authority over the legislative court, by appeal or certiorari…." *Marshall v. State*, 662 So.2d 566, 570-71 (Miss. 1995). H.B. 1020 does not subject CCID court to any supervisory authority of a constitutionally created court. As a result, people with matters before the CCID court will have their rights adjudicated by an illegitimate court that lacks jurisdiction over them and which is operating outside the authority granted to courts by the Mississippi Constitution.

58. Because there is no right of appeal, the CCID court is not an "inferior court" as contemplated by article VI, § 172 and jurisprudence interpreting that constitutional provision.

HARM TO PLAINTIFFS

A. The Unlawful Appointment of Judges Under H.B. 1020 and Miss. Code. Ann § 9-1-105(2) Harms Plaintiffs.

1. The Illegal Appointment of Judges Denies Plaintiffs Their Constitutional Right to Participate in the Election of Their Judges.

59. Plaintiffs are registered voters who reside in Jackson, Mississippi. Plaintiffs endeavor to vote in every election, including judicial elections, and have voted in Hinds County Circuit Court elections in the past. They intend to vote in future elections for Hinds County's circuit court judges. Plaintiffs, like other voters in Jackson and across Mississippi, deeply value their right to vote and participate in the selection of the circuit judges who preside over cases where they live.

60. Should Defendant Randolph be permitted to appoint four judges to the Hinds County Circuit Court pursuant to H.B. 1020, Plaintiffs would be denied their constitutional right to participate in the selection of those new judges added to the Hinds County Circuit Court by voting.

61. Because Judges Vollor, Sanders, Simpson, and Howorth were appointed by Defendant Randolph rather than elected as required by article VI, § 153 of the Mississippi Constitution, Plaintiffs were deprived of their constitutional right to vote for or against them in an election held in accordance with Mississippi law.

62. If Judges Vollor, Sanders, and Simpson are permitted to remain on the Hinds County Circuit Court, Plaintiffs will suffer an ongoing deprivation of their constitutional right to vote for circuit court judges presiding over cases in Hinds County.

63. Should Defendant Wallace assign cases to judges unlawfully appointed to the Hinds County Circuit Court by Defendant Randolph pursuant to H.B. 1020, Plaintiffs would be

deprived of their right to vote for the judges with authority to decide cases in the Hinds County Circuit Court.

2. *The Illegal Appointment of Judges Violates the Right of Plaintiffs to Have Their Tax Dollars Used Only for Lawful Purposes.*

64. Plaintiffs also are taxpayers. They participate in financial transactions within the City of Jackson that are subject to the sales taxes that will be diverted to the CCID Project Fund, and they pay Mississippi property and income taxes. They have an interest in making certain their taxes are not used to fund the illegal appointment of judges to the Hinds County Circuit Court or to establish an unlawful and illegitimate CCID court in Jackson.

65. Should Defendant Randolph be permitted to appoint four judges to the Hinds County Circuit Court pursuant to H.B. 1020, Plaintiffs would be harmed by the misuse of their tax dollars for an illegal purpose.

66. Should Defendant Randolph be permitted to appoint the judge for the illegitimate CCID court, Plaintiffs would be harmed by the misuse of their tax dollars for an illgal purpose.

67. Because Judges Vollor, Sanders, Simpson, and Howorth were appointed by Defendant Randolph rather than elected as required by article VI, § 153 of the Mississippi Constitution, Plaintiffs were harmed by the misuse of their tax dollars for an illegal purpose.

68. If Judges Vollor, Sanders, and Simpson are permitted to remain on the Hinds County Circuit Court, Plaintiffs will suffer the ongoing harm of having their tax dollars misused for an illegal purpose.

69. Should Defendant Wallace assign cases to judges appointed to the Hinds County Circuit Court by Defendant Randolph pursuant to H.B. 1020, Plaintiffs would be harmed by the misuse of their tax dollars for an illegal purpose.

70. Should Defendant Wallace assign future cases to Judges Vollor, Sanders, and Simpson, Platintiffs would be deprived of their right to vote for the judges with authority to decide cases in the Hinds County Circuit Court.

71. Should Defendant Wallace assign future cases to Judges Vollor, Sanders, and Simpson, Platintiffs would be harmed by the misuse of their tax dollars for an illegal purpose.

72. Should Defendant Snowden be permitted to participate in the funding and compensation of judicial staff for illegally appointed judges on the Hinds County Circuit Court and a court administrator to oversee their caseloads, Plaintiffs would be harmed by the misuse of their tax dollars for an illegal purpose.

3. *The Injury Suffered by Plaintiffs is Permanent and Irreparable and Outweighs any Potential Injury to Defendants.*

73. The injury suffered by Plaintiffs as a result of the appointment of judges under H.B. 1020 will be permanent and irreparable. The injury that Plaintiffs would suffer should those judges be appointed outweighs any injury that Defendants might suffer should injunctive relief be granted.

74. The injury Plaintiffs would suffer as a result of the continued presence of Judges Vollor, Sanders, and Simpson, or any alternate judges appointed by Defendant Randolph pursuant to Miss. Code Ann. § 9-1-105(2), on the Hinds County Circuit Court will be permanent and irreparable. The injury that Plaintiffs would suffer should these judges remain on the Court outweighs any injury Defendants might suffer should injunctive relief be granted.

B. The Creation of the Illegitimate CCID Court Harms Plaintiffs.

75. If the CCID is established on January 1, 2024, as contemplated by Section 4 of H.B. 1020, Plaintiffs will be harmed by the misuse of their tax dollars for an illegal purpose.

76. The Mississippi Consitution does not permit the Chief Justice to appoint any judge to any court for any reason. Should the Chief Justice be permitted to appoint the judge for the CCID court, Platiniffs will be harmed by the misuse of their tax dollars for an illegal purpose.

77. Should Defendant Snowden be permitted to provide compensation to the CCID court judge, the judge's staff, and court personnel as provided under Sections 4 and 6 of H.B. 1020, Plaintiffs will be harmed by the misuse of their tax dollars for an illegal purpose.

78. The injury suffered by Plaintiffs as a result of the creation of the CCID court and appointment of its judge pursuant to H.B. 1020 will be permanent and irreparable. Plaintiffs' injury would outweigh any injury that might be suffered by Defendants should injunctive relief be granted.

CAUSES OF ACTION

COUNT I
H.B. 1020's Judicial Appointment Scheme is Unconstitutional.

79. Plaintiff repeats and realleges the preceding paragraphs as if fully set forth herein.

80. The Mississippi Consitution requires that circuit court judges be elected.

81. The Mississippi Constitution does not authorize the Chief Justice of the Mississippi Supreme Court to appoint any judge to any court for any reason.

82. Seection 1 of H.B. 1020 requires the Chief Justice of the Mississippi Supreme Court to appoint four judges to the Hinds County Circuit Court. In so doing, H.B. 1020 violates the rights of Hinds County residents, including Plaintiffs, to vote for the judges on the Hinds County Circuit Court. H.B. 1020 also harms Plaintiffs by misusing their tax dollars for an illegal purpose.

COUNT II
The New Court Created by H.B. 1020 is Unconstitutional.

83. Plaintiff repeats and realleges the preceding paragraphs as if fully set forth herein.

84. The Mississippi Consitution allows the Legislature to create new courts only when they are "inferior courts." Section 4 of H.B. 1020 creates a new court not provided for under the Mississippi Constitution and that is not an "inferior court," including because it has no right of appeal to any court expressly granted jurisdiction and authority by the Mississippi Constitution. The Mississippi Constitution does not authorize the Chief Justice of the Mississippi Supreme Court to appoint any judge to any court for any reason. However, Section 4 of H.B. 1020 requires the Chief Justice to appoint the judge providing over the CCID court.

85. Accordingly, Plaintiffs will be harmed by the misuse of their tax dollars for an illegal purpose should the CCID court be established and funded.

COUNT III
Miss. Code Ann. § 9-1-105(2) is Unconstitutional.

86. Plaintiff repeats and realleges the preceding paragraphs as if fully set forth herein.

87. The Mississippi Consitution requires that circuit court judges be elected.

88. The Mississippi Constitution does not authorize the Chief Justice of the Mississippi Supreme Court to appoint any judge to any court for any reason.

89. Miss. Code Ann. § 93-1-105(2) grants the Chief Justice of the Mississippi Supreme Court authority to add special judges to a circuit court by temporary appointment. In so doing, it violates the rights of Hinds County residents, including Plaintiffs, to vote for the judges on the Hinds County Circuit Court. § 93-1-105(2) also harms Plaintiffs by misusing their tax dollars for an illegal purpose.

RELIEF REQUESTED

Based on the foregoing, Plaintiffs respectfully request that this Court:

A. Declare unconstitutional Section 1 of H.B. 1020 requiring Defendant Randolph to appoint judges to the Hinds County Circuit Court;

B. Declare unconstitutional Section 4 of H.B. 1020 establishing the new CCID court;

C. Declare unconstitutional Miss. Code Ann. § 9-1-105(2);

D. Issue a preliminary and permanent injunction that enjoins Defendant Randolph from appointing judges to the Hinds County Circuit Court pursuant to H.B. 1020 or Miss. Code Ann.§ 9-1-105(2);

E. Issue a preliminary and permanent injunction that enjoins Defendant Randolph from appointing a judge to the CCID court;

F. Issue a preliminary and permanent injunction that enjoins Defendant Wallace from assigning cases to any judges appointed under the authority of H.B. 1020 or Miss. Code Ann. § 9-1-105(2);

G. Issue a preliminary and permanent injunction requiring the termination of all judges appointed to the Hinds County Circuit Court pursuant to Miss. Code Ann. § 9-1-105(2);

H. Issue a preliminary and permanent injunction enjoining the creation of the new CCID court;

I. Issue a preliminary and permanent injunction enjoining Defendant Snowden from providing funding for any judge, clerk, judge's staff member, court administrator, or operating expenses associated with or arising from the appointment of judges to the Hinds County Circuit Court under Section 1 of H.B. 1020 or the creation of the CCID court;

J. Award attorneys' fees to counsel for Plaintiffs;

K. Award Plaintiffs their costs of suit; and

L. Grant such other relief that is just and equitable.

Dated April 24, 2023

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Exhibit A

Serial: **243618**

FILED
SEP 22 2022
OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

IN THE SUPREME COURT OF MISSISSIPPI

In Re Judicial Appointment Related to Coronavirus (COVID-19): Hon. Frank G. Vollor Appointed as Special Judge for The Circuit Court of Hinds County, Mississippi

No. 2022-AP-00849

ORDER APPOINTING SPECIAL JUDGE

Mississippi Code Section 9-1-105(2) grants the Chief Justice of the Mississippi Supreme Court, with the advice and consent of a majority of the justices, the authority to appoint special judges to serve on a temporary basis to assist, preside, and enter judgment in cases in the event of an emergency or overcrowded dockets. Both events of Section 9-1-105(2) exist in the Seventh Circuit Court District of Mississippi. The cases listed on Exhibit A, which is attached to this order and incorporated herein, are currently pending in the Circuit Court of Hinds County, Mississippi. These appointments are made to alleviate the strain on the Hinds County courts caused or exacerbated by the COVID-19 pandemic, in the interest of public safety and to timely provide access to justice to victims and accused alike in these unique times. The Mississippi Legislature has appropriated funding via HB 1628, Section 30, 2022 Regular Session, for the appointment of these special judges.

Pursuant to the authority granted under Mississippi Code Section 9-1-105(2), I appoint Honorable Frank G. Vollor, Senior Status Judge, as a Special Judge of the Seventh Circuit

Court District of Mississippi. This appointment is allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

IT IS, THEREFORE, ORDERED AND ADJUDGED that Honorable Frank G. Vollor, Senior Status Judge, is hereby appointed as a Special Judge of the Seventh Circuit Court District of Mississippi to preside and enter judgment in the cases listed on Exhibit A to this order and currently pending in the Circuit Court of Hinds County, Mississippi.

IT IS FURTHER ORDERED AND ADJUDGED that all compensation and necessary expenses incurred by the Special Judge and approved by the Administrative Office of the Courts will be paid by the Supreme Court pursuant to HB 1628, Section 30, 2022 Regular Session, any later similar appropriation bills, or any other available funds appropriated for the appointment of special judges.

IT IS FURTHER ORDERED that the Clerk of this Court shall transmit copies of this order to Honorable Frank G. Vollor, Special Judge; Honorable Tomie Green, Honorable Winston Kidd, Honorable Adrienne Wooten, and Honorable Faye Peterson, Circuit Judges of the Seventh Circuit Court District; Hinds County District Attorney Jody Owens; Hinds County Public Defender Gail Wright Lowery; the State Public Defender Andre de Gruy; Carol Allgood, Finance Director of the Supreme Court of Mississippi; Jennifer Parish, Assistant Finance Director; and Lisa Counts, Deputy Director of the Administrative Office of the Courts.

IT IS FURTHER ORDERED that the Clerk of this Court shall transmit a copy of this order to Zack Wallace, the Hinds County Circuit Clerk, who shall file it in each of the cases listed on Exhibit A and send copies to all counsel of record in those cases and to all parties who are not represented by counsel.

IT IS FURTHER ORDERED that upon the conclusion of each case in the trial court the Special Judge shall promptly forward a copy of the final judgment or other order of final disposition by mail or email to the Court Administrator, Supreme Court of Mississippi, Post Office Box 117, Jackson, MS 39205, hsaunders@courts.ms.gov.

SO ORDERED, this the 22 day of September, 2022.

MICHAEL K. RANDOLPH
CHIEF JUSTICE

Supreme Court No. 2022-AP-849

EXHIBIT A

CAUSE NUMBER	STATE OF MISSISSIPPI	VS.	DEFENDANT
21-526	STATE OF MISSISSIPPI	VS.	KERSTIN ADAMS
20-773	STATE OF MISSISSIPPI	VS.	ALFRED TRONELL
20-139	STATE OF MISSISSIPPI	VS.	KAREEM BALL
20-0064	STATE OF MISSISSIPPI	VS.	CORNELIUS BREWSTER
19-533	STATE OF MISSISSIPPI	VS.	COREY BRIDGES
20-894	STATE OF MISSISSIPPI	VS.	COREY BRIDGES
21-545	STATE OF MISSISSIPPI	VS.	JOE BROWN
19-411	STATE OF MISSISSIPPI	VS.	CATHERINE CATCHINGS
19-557	STATE OF MISSISSIPPI	VS.	STEFAN CHAMPION
20-673	STATE OF MISSISSIPPI	VS.	STEFAN D. CHAMPION
19-778	STATE OF MISSISSIPPI	VS.	DARREN CLARK
19-782	STATE OF MISSISSIPPI	VS.	DARREN CLARK
19-791	STATE OF MISSISSIPPI	VS.	DARREN CLARK
20-354	STATE OF MISSISSIPPI	VS.	DARREN CLARK
19-899	STATE OF MISSISSIPPI	VS.	MONTEZ FLEMING
20-422	STATE OF MISSISSIPPI	VS.	BILLY GIBSON
20-706	STATE OF MISSISSIPPI	VS.	JERRICK GOWANS
16-130	STATE OF MISSISSIPPI	VS.	ANTHONY HARRIS
16-1076	STATE OF MISSISSIPPI	VS.	ANTHONY HARRIS
17-067	STATE OF MISSISSIPPI	VS.	ANTHONY HARRIS
21-415	STATE OF MISSISSIPPI	VS.	ANTHONY HARRIS aka JUVIE
20-015	STATE OF MISSISSIPPI	VS.	ANTHONY J HARRIS
17-0029	STATE OF MISSISSIPPI	VS.	ANTHONY JERMAINE HARRIS
20-976	STATE OF MISSISSIPPI	VS.	LADELL HARRIS
20-251	STATE OF MISSISSIPPI	VS.	RYAN CHRISTOPHER HOPKINS
19-210	STATE OF MISSISSIPPI	VS.	TABREY HUGHES
20-800	STATE OF MISSISSIPPI	VS.	JOHNNY LEWIS
19-773	STATE OF MISSISSIPPI	VS.	VELTONE MCGRUDER
18-362	STATE OF MISSISSIPPI	VS.	11TIMOTHY MCHULEY
18-710	STATE OF MISSISSIPPI	VS.	ALVIN MCINTOSH
21-472	STATE OF MISSISSIPPI	VS.	BRANDEN MCLAURIN
19-726	STATE OF MISSISSIPPI	VS.	BRIAN B MILLER
20-434	STATE OF MISSISSIPPI	VS.	JERMARCUS MORGAN
20-449	STATE OF MISSISSIPPI	VS.	JERMARCUS D. MORGAN
18-309	STATE OF MISSISSIPPI	VS.	BARACK MALIK PATTON
18-310	STATE OF MISSISSIPPI	VS.	BARACK MALIK PATTON
20-483	STATE OF MISSISSIPPI	VS.	BARAK PATTON

Supreme Court No. 2022-AP-849

20-484	**STATE OF MISSISSIPPI**	**VS.**	BARAK PATTON
20-485	**STATE OF MISSISSIPPI**	**VS.**	BARAK PATTON
20-486	**STATE OF MISSISSIPPI**	**VS.**	BARAK PATTON
19-950	**STATE OF MISSISSIPPI**	**VS.**	ELIJAH MALIK RICHEY
21-250	**STATE OF MISSISSIPPI**	**VS.**	TEONA ROCKINGHAM
18-605	**STATE OF MISSISSIPPI**	**VS.**	CHRISTOPHER ROSELL
21-604	**STATE OF MISSISSIPPI**	**VS.**	CURTIS RYALS
17-024	**STATE OF MISSISSIPPI**	**VS.**	CURTIS VON RYALS
19-813	**STATE OF MISSISSIPPI**	**VS.**	SEBASTIAN SHORT
18-392	**STATE OF MISSISSIPPI**	**VS.**	JIMMIE SIMMONS
21-822	**STATE OF MISSISSIPPI**	**VS.**	JIMEL SMITH
18-501	**STATE OF MISSISSIPPI**	**VS.**	SHAKARRI DEAIRA SMITH
18-502	**STATE OF MISSISSIPPI**	**VS.**	SHAKARRI DEAIRA SMITH
19-961	**STATE OF MISSISSIPPI**	**VS.**	DAVID STEVENSON
20-510	**STATE OF MISSISSIPPI**	**VS.**	DAVID STEVENSON
22-053	**STATE OF MISSISSIPPI**	**VS.**	ANTONIO TERRY
20-334	**STATE OF MISSISSIPPI**	**VS.**	ANTONIO L. TERRY
19-973	**STATE OF MISSISSIPPI**	**VS.**	CHARLES THOMAS
19-975	**STATE OF MISSISSIPPI**	**VS.**	CHARLES THOMAS
20-124	**STATE OF MISSISSIPPI**	**VS.**	CHARLES THOMAS
17-167	**STATE OF MISSISSIPPI**	**VS.**	MARCUS THOMPSON
20-751	**STATE OF MISSISSIPPI**	**VS.**	MARCUS THOMPSON
21-488	**STATE OF MISSISSIPPI**	**VS.**	MARCUS THOMPSON
19-044	**STATE OF MISSISSIPPI**	**VS.**	MARCUS KENYATAL THOMPSON, JR.
21-725	**STATE OF MISSISSIPPI**	**VS.**	JOHN TURNER
18-748	**STATE OF MISSISSIPPI**	**VS.**	CHRISTOPHER VARNELL
19-833	**STATE OF MISSISSIPPI**	**VS.**	CHRISTOPHER WILLIAM VARNELL
19-513	**STATE OF MISSISSIPPI**	**VS.**	ETHEL WALES
20-607	**STATE OF MISSISSIPPI**	**VS.**	HAROLD WALKER, JR.
20-527	**STATE OF MISSISSIPPI**	**VS.**	JOSHUA WATSON
21-151	**STATE OF MISSISSIPPI**	**VS.**	KOURTNEY WEBB
18-753	**STATE OF MISSISSIPPI**	**VS.**	RODERICK WEST
19-981	**STATE OF MISSISSIPPI**	**VS.**	CARR M WILLIAMS
21-873	**STATE OF MISSISSIPPI**	**VS.**	DEDERICO WILSON
21-489	**STATE OF MISSISSIPPI**	**VS.**	VICTORIA WOODRUFF
20-047	**STATE OF MISSISSIPPI**	**VS.**	TERRANCE YOUNG
22-541	**STATE OF MISSISSIPPI**	**VS.**	TERRANCE YOUNG

Exhibit B

Serial: **243620**

IN THE SUPREME COURT OF MISSISSIPPI

FILED
SEP 22 2022
OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

In Re Judicial Appointment Related to Coronavirus (COVID-19): Hon. Betty W. Sanders Appointed as Special Judge for The Circuit Court of Hinds County, Mississippi

No. 2022-AP-00970

ORDER APPOINTING SPECIAL JUDGE

Mississippi Code Section 9-1-105(2) grants the Chief Justice of the Mississippi Supreme Court, with the advice and consent of a majority of the justices, the authority to appoint special judges to serve on a temporary basis to assist, preside, and enter judgment in cases in the event of an emergency or overcrowded dockets. Both events of Section 9-1-105(2) exist in the Seventh Circuit Court District of Mississippi. The cases listed on Exhibit A, which is attached to this order and incorporated herein, are currently pending in the Circuit Court of Hinds County, Mississippi. These appointments are made to alleviate the strain on the Hinds County courts caused or exacerbated by the COVID-19 pandemic, in the interest of public safety and to timely provide access to justice to victims and accused alike in these unique times. The Mississippi Legislature has appropriated funding via HB 1628, Section 30, 2022 Regular Session, for the appointment of these special judges.

Pursuant to the authority granted under Mississippi Code Section 9-1-105(2), I appoint Honorable Betty W. Sanders, Senior Status Judge, as a Special Judge of the Seventh Circuit

Court District of Mississippi. This appointment is allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

IT IS, THEREFORE, ORDERED AND ADJUDGED that Honorable Betty W. Sanders, Senior Status Judge, is hereby appointed as a Special Judge of the Seventh Circuit Court District of Mississippi to preside and enter judgment in the cases listed on Exhibit A to this order and currently pending in the Circuit Court of Hinds County, Mississippi.

IT IS FURTHER ORDERED AND ADJUDGED that all compensation and necessary expenses incurred by the Special Judge and approved by the Administrative Office of the Courts will be paid by the Supreme Court pursuant to HB 1628, Section 30, 2022 Regular Session, any later similar appropriation bills, or any other available funds appropriated for the appointment of special judges.

IT IS FURTHER ORDERED that the Clerk of this Court shall transmit copies of this order to Honorable Betty W. Sanders, Special Judge; Honorable Tomie Green, Honorable Winston Kidd, Honorable Adrienne Wooten, and Honorable Faye Peterson, Circuit Judges of the Seventh Circuit Court District; Hinds County District Attorney Jody Owens; Hinds County Public Defender Gail Wright Lowery; the State Public Defender Andre de Gruy; Carol Allgood, Finance Director of the Supreme Court of Mississippi; Jennifer Parish, Assistant Finance Director; and Lisa Counts, Deputy Director of the Administrative Office of the Courts.

IT IS FURTHER ORDERED that the Clerk of this Court shall transmit a copy of this order to Zack Wallace, the Hinds County Circuit Clerk, who shall file it in each of the cases listed on Exhibit A and send copies to all counsel of record in those cases and to all parties who are not represented by counsel.

IT IS FURTHER ORDERED that upon the conclusion of each case in the trial court the Special Judge shall promptly forward a copy of the final judgment or other order of final disposition by mail or email to the Court Administrator, Supreme Court of Mississippi, Post Office Box 117, Jackson, MS 39205, hsaunders@courts.ms.gov.

SO ORDERED, this the 22 day of September, 2022.

MICHAEL K. RANDOLPH
CHIEF JUSTICE

Supreme Court No. 20222-AP-970

EXHIBIT A

CAUSE NUMBER	STATE OF MISSISSIPPI		DEFENDANT
19-760	STATE OF MISSISSIPPI	VS.	ALISHA D. ANDERSON
20-539	STATE OF MISSISSIPPI	VS.	DERION ANDERSON
20-1001	STATE OF MISSISSIPPI	VS.	RICHARD BONNER
19-120	STATE OF MISSISSIPPI	VS.	DON KENYATTA BROWN
18-668	STATE OF MISSISSIPPI	VS.	ALONZO BUTLER
20-150	STATE OF MISSISSIPPI	VS.	BRITTANY CARTER
21-836	STATE OF MISSISSIPPI	VS.	BRITTANY CARTER
20-362	STATE OF MISSISSIPPI	VS.	BRITTANY CARTER
20-638	STATE OF MISSISSIPPI	VS.	PETIE CARTER
20-921	STATE OF MISSISSIPPI	VS.	TERETHNE CHAMBERS
19-647	STATE OF MISSISSIPPI	VS.	CURTIS CLARK
17-770	STATE OF MISSISSIPPI	VS.	CHESTER CLAYTON
20-677	STATE OF MISSISSIPPI	VS.	TERRY COLEMAN
20-949	STATE OF MISSISSIPPI	VS.	JOHN ERIC COUSIN
21-008	STATE OF MISSISSIPPI	VS.	JOHN COUSIN
17-120	STATE OF MISSISSIPPI	VS.	MITCHELL DRAKE
19-807	STATE OF MISSISSIPPI	VS.	CHRISTIAN DYRE
20-1056	STATE OF MISSISSIPPI	VS.	CHRISTIAN DYRE
19-651	STATE OF MISSISSIPPI	VS.	MARCUS T. EDWARDS
20-403	STATE OF MISSISSIPPI	VS.	BRANDON FLOWERS
20-437	STATE OF MISSISSIPPI	VS.	DEDGRICK GREEN
19-504	STATE OF MISSISSIPPI	VS.	BYRON GREENWOOD
18-684	STATE OF MISSISSIPPI	VS.	JESSE GRESHAM
13-1085	STATE OF MISSISSIPPI	VS.	LARRY RUSSELL GRIFFIN
18-008	STATE OF MISSISSIPPI	VS.	CHRISTOPHER GUNN
17-138	STATE OF MISSISSIPPI	VS.	CHRISTOPHER GUNN
17-541	STATE OF MISSISSIPPI	VS.	CHARLIE HILL, III
19-384	STATE OF MISSISSIPPI	VS.	DARIUS HOBSON
19-905	STATE OF MISSISSIPPI	VS.	DARIUS HOBSON
19-851	STATE OF MISSISSIPPI	VS.	DARIUS HOBSON
18-121	STATE OF MISSISSIPPI	VS.	DARIUS HOBSON
20-980	STATE OF MISSISSIPPI	VS.	CLARENCE BENJAMIN HONER
19-262	STATE OF MISSISSIPPI	VS.	ELVIN HORTON
19-844	STATE OF MISSISSIPPI	VS.	ELVIN HORTON
19-704	STATE OF MISSISSIPPI	VS.	ANTONIO JACKSON

Supreme Court No. 20222-AP-970

18-145	STATE OF MISSISSIPPI	VS.	ALLEN JOHNSON
20-177	STATE OF MISSISSIPPI	VS.	JACARIA LUCKETT
20-680	STATE OF MISSISSIPPI	VS.	JEREMY MCSWAIN
20-1020	STATE OF MISSISSIPPI	VS.	FRED JEREMY MOORE
20-1031	STATE OF MISSISSIPPI	VS.	FRED JEREMY MOORE
20-1147	STATE OF MISSISSIPPI	VS.	ROGER MORRISON
20-026	STATE OF MISSISSIPPI	VS.	JAVARCA MYERS aka JAVERCEA MYERS
20-681	STATE OF MISSISSIPPI	VS.	KEITH CODERO NUTALL
20-033	STATE OF MISSISSIPPI	VS.	KENDRICK PALMER
20-712	STATE OF MISSISSIPPI	VS.	FREDRICK SANDERS
20-507	STATE OF MISSISSIPPI	VS.	JOHNNY LEE SMITH
20-586	STATE OF MISSISSIPPI	VS.	MICHAEL SMITH aka MICHAEL BLAKE SMITH
20-447	STATE OF MISSISSIPPI	VS.	THOMAS STEVENS
19-586	STATE OF MISSISSIPPI	VS.	MACKENZIE STUCKEY
18-508	STATE OF MISSISSIPPI	VS.	KANIQUA THOMPSON
20-945	STATE OF MISSISSIPPI	VS.	LARRY D. WALTER, JR. aka LARRY D. WALKER
20-864	STATE OF MISSISSIPPI	VS.	BILLY WANSLEY
16-370	STATE OF MISSISSIPPI	VS.	JEREMY WARE
18-251	STATE OF MISSISSIPPI	VS.	LATOYA WASH-SANCHEZ aka LATOYA SANCH
22-414	STATE OF MISSISSIPPI	VS.	RICO WATTS
20-1131	STATE OF MISSISSIPPI	VS.	MICHAEL WILLIAMS
18-265	STATE OF MISSISSIPPI	VS.	MARVIN WILLOUGHBY
22-587	STATE OF MISSISSIPPI	VS.	THOMAS SPELLS
20-1073	STATE OF MISSISSIPPI	VS.	TOMMY SPELLS
19-354	STATE OF MISSISSIPPI	VS.	RAMEON STEWART

Exhibit C

FILED
SEP 22 2022
OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

Serial: **243625**

IN THE SUPREME COURT OF MISSISSIPPI

In Re Judicial Appointment Related to Coronavirus (COVID-19): Hon. Stephen B. Simpson Appointed as Special Judge for The Circuit Court of Hinds County, Mississippi

No. 2022-AP-00972

ORDER APPOINTING SPECIAL JUDGE

Mississippi Code Section 9-1-105(2) grants the Chief Justice of the Mississippi Supreme Court, with the advice and consent of a majority of the justices, the authority to appoint special judges to serve on a temporary basis to assist, preside, and enter judgment in cases in the event of an emergency or overcrowded dockets. Both events of Section 9-1-105(2) exist in the Seventh Circuit Court District of Mississippi. The cases listed on Exhibit A, which is attached to this order and incorporated herein, are currently pending in the Circuit Court of Hinds County, Mississippi. These appointments are made to alleviate the strain on the Hinds County courts caused or exacerbated by the COVID-19 pandemic, in the interest of public safety and to timely provide access to justice to victims and accused alike in these unique times. The Mississippi Legislature has appropriated funding via HB 1628, Section 30, 2022 Regular Session, for the appointment of these special judges.

Pursuant to the authority granted under Mississippi Code Section 9-1-105(2), I appoint Honorable Stephen B. Simpson, Senior Status Judge, as a Special Judge of the Seventh Circuit Court District of Mississippi. This appointment is allowable under Section 9901 of

the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

IT IS, THEREFORE, ORDERED AND ADJUDGED that Honorable Stephen B. Simpson, Senior Status Judge, is hereby appointed as a Special Judge of the Seventh Circuit Court District of Mississippi to preside and enter judgment in the cases listed on Exhibit A to this order and currently pending in the Circuit Court of Hinds County, Mississippi.

IT IS FURTHER ORDERED AND ADJUDGED that all compensation and necessary expenses incurred by the Special Judge and approved by the Administrative Office of the Courts will be paid by the Supreme Court pursuant to HB 1628, Section 30, 2022 Regular Session, any later similar appropriation bills, or any other available funds appropriated for the appointment of special judges.

IT IS FURTHER ORDERED that the Clerk of this Court shall transmit copies of this order to Honorable Stephen B. Simpson, Special Judge; Honorable Tomie Green, Honorable Winston Kidd, Honorable Adrienne Wooten, and Honorable Faye Peterson, Circuit Judges of the Seventh Circuit Court District; Hinds County District Attorney Jody Owens; Hinds County Public Defender Gail Wright Lowery; the State Public Defender Andre de Gruy; Carol Allgood, Finance Director of the Supreme Court of Mississippi; Jennifer Parish, Assistant Finance Director; and Lisa Counts, Deputy Director of the Administrative Office of the Courts.

IT IS FURTHER ORDERED that the Clerk of this Court shall transmit a copy of this order to Zack Wallace, the Hinds County Circuit Clerk, who shall file it in each of the cases listed on Exhibit A and send copies to all counsel of record in those cases and to all parties who are not represented by counsel.

IT IS FURTHER ORDERED that upon the conclusion of each case in the trial court the Special Judge shall promptly forward a copy of the final judgment or other order of final disposition by mail or email to the Court Administrator, Supreme Court of Mississippi, Post Office Box 117, Jackson, MS 39205, hsaunders@courts.ms.gov.

SO ORDERED, this the 22 day of September, 2022.

MICHAEL K. RANDOLPH
CHIEF JUSTICE

Supreme Court No. 2022-AP-972

EXHIBIT A

CAUSE NUMBER	STATE OF MISSISSIPPI	VS.	DEFENDANT
08-558	STATE OF MISSISSIPPI	VS.	REGINALD ROSHAD JACKSON
11-492	STATE OF MISSISSIPPI	VS.	TRENT WEATHERSBY
11-739	STATE OF MISSISSIPPI	VS.	RICKEY L. WOODARD
12-046	STATE OF MISSISSIPPI	VS.	ANDREW LAWSON
12-573	STATE OF MISSISSIPPI	VS.	KEITH WHITE
14-513	STATE OF MISSISSIPPI	VS.	RAHMEEK MARQUIS WALKER
14-462	STATE OF MISSISSIPPI	VS.	CASSANDRA JOHNSON
14-091	STATE OF MISSISSIPPI	VS.	KENDRICK CHATMAN
15-262	STATE OF MISSISSIPPI	VS.	HENRY LEE ODOM
15-680	STATE OF MISSISSIPPI	VS.	KELSEY MCINNIS
15-900	STATE OF MISSISSIPPI	VS.	KELSEY MCINNIS
15-388	STATE OF MISSISSIPPI	VS.	JOSEPH FRANKLIN
15-269	STATE OF MISSISSIPPI	VS.	DOUGLAS EUGENE JOINER
15-390	STATE OF MISSISSIPPI	VS.	SHARON ROBINSON
15-718	STATE OF MISSISSIPPI	VS.	TRAVIS THOMPSON
16-052	STATE OF MISSISSIPPI	VS.	ALEXIA SMITH
16-154	STATE OF MISSISSIPPI	VS.	TONY COURSE
16-139	STATE OF MISSISSIPPI	VS.	RAMONE HOLLINS
16-1086	STATE OF MISSISSIPPI	VS.	ELLIOTT SHOWERS
16-441	STATE OF MISSISSIPPI	VS.	PAMELA ALLEN YOUNG
16-919	STATE OF MISSISSIPPI	VS.	CHRISTIAN MCDONALD
16-916	STATE OF MISSISSIPPI	VS.	BRANDON MAY
16-1013	STATE OF MISSISSIPPI	VS.	LEONARD DISHMON
17-013	STATE OF MISSISSIPPI	VS.	LEONARD DISHMON
17-653	STATE OF MISSISSIPPI	VS.	WARDELL GREENLEE
17-695	STATE OF MISSISSIPPI	VS.	MICHAEL ANDERSON
17-967	STATE OF MISSISSIPPI	VS.	TRACY GRAHAM
17-513	STATE OF MISSISSIPPI	VS.	DASHMUND DAVIS
17-207	STATE OF MISSISSIPPI	VS.	CLARENCE ATKINSON
17-125	STATE OF MISSISSIPPI	VS.	LAQUINN PITTMAN
17-802	STATE OF MISSISSIPPI	VS.	BRIAN STEWART
17-897	STATE OF MISSISSIPPI	VS.	KITO SMITH
17-448	STATE OF MISSISSIPPI	VS.	WILLIAM THOMAS LEWIS
16-135	STATE OF MISSISSIPPI	VS.	NAKIAH KIERRA BUTLER
18-350	STATE OF MISSISSIPPI	VS.	NAKIAH KIERRA BUTLER
18-249	STATE OF MISSISSIPPI	VS.	DEBRECO LAMONE TIMS

Supreme Court No. 2022-AP-972

18-281	STATE OF MISSISSIPPI	VS.	KENKALELUS ALDRIDGE
18-632	STATE OF MISSISSIPPI	VS.	EZEKIEL HUTTON
19-040	STATE OF MISSISSIPPI	VS.	EZEKIEL L. HUTTON
19-306	STATE OF MISSISSIPPI	VS.	WESLEY J. TATE, JR.
19-036	STATE OF MISSISSIPPI	VS.	JAMAL HEARD
19-086	STATE OF MISSISSIPPI	VS.	MARKEY SMITH
19-462	STATE OF MISSISSIPPI	VS.	PATRICK BROWN
19-567	STATE OF MISSISSIPPI	VS.	BRODERICK HOWARD
19-606	STATE OF MISSISSIPPI	VS.	CLEVELAND ALLISON
19-218	STATE OF MISSISSIPPI	VS.	MICHAEL MCGLOTHIN
19-516	STATE OF MISSISSIPPI	VS.	EDDIE HAYES, JR.

Exhibit D

Serial: **243622**

IN THE SUPREME COURT OF MISSISSIPPI

FILED
SEP 22 2022
OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

In Re Judicial Appointment Related to Coronavirus (COVID-19): Hon. Andrew K. Howorth Appointed as Special Judge for The Circuit Court of Hinds County, Mississippi

No. 2022-AP-00971

ORDER APPOINTING SPECIAL JUDGE

Mississippi Code Section 9-1-105(2) grants the Chief Justice of the Mississippi Supreme Court, with the advice and consent of a majority of the justices, the authority to appoint special judges to serve on a temporary basis to assist, preside, and enter judgment in cases in the event of an emergency or overcrowded dockets. Both events of Section 9-1-105(2) exist in the Seventh Circuit Court District of Mississippi. The cases listed on Exhibit A, which is attached to this order and incorporated herein, are currently pending in the Circuit Court of Hinds County, Mississippi. These appointments are made to alleviate the strain on the Hinds County courts caused or exacerbated by the COVID-19 pandemic, in the interest of public safety and to timely provide access to justice to victims and accused alike in these unique times. The Mississippi Legislature has appropriated funding via HB 1628, Section 30, 2022 Regular Session, for the appointment of these special judges.

Pursuant to the authority granted under Mississippi Code Section 9-1-105(2), I appoint Honorable Andrew K. Howorth, Senior Status Judge, as a Special Judge of the Seventh Circuit Court District of Mississippi. This appointment is allowable under Section 9901 of

the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

IT IS, THEREFORE, ORDERED AND ADJUDGED that Honorable Andrew K. Howorth, Senior Status Judge, is hereby appointed as a Special Judge of the Seventh Circuit Court District of Mississippi to preside and enter judgment in the cases listed on Exhibit A to this order and currently pending in the Circuit Court of Hinds County, Mississippi.

IT IS FURTHER ORDERED AND ADJUDGED that all compensation and necessary expenses incurred by the Special Judge and approved by the Administrative Office of the Courts will be paid by the Supreme Court pursuant to HB 1628, Section 30, 2022 Regular Session, any later similar appropriation bills, or any other available funds appropriated for the appointment of special judges.

IT IS FURTHER ORDERED that the Clerk of this Court shall transmit copies of this order to Honorable Andrew K. Howorth, Special Judge; Honorable Tomie Green, Honorable Winston Kidd, Honorable Adrienne Wooten, and Honorable Faye Peterson, Circuit Judges of the Seventh Circuit Court District; Hinds County District Attorney Jody Owens; Hinds County Public Defender Gail Wright Lowery; the State Public Defender Andre de Gruy; Carol Allgood, Finance Director of the Supreme Court of Mississippi; Jennifer Parish, Assistant Finance Director; and Lisa Counts, Deputy Director of the Administrative Office of the Courts.

IT IS FURTHER ORDERED that the Clerk of this Court shall transmit a copy of this order to Zack Wallace, the Hinds County Circuit Clerk, who shall file it in each of the cases listed on Exhibit A and send copies to all counsel of record in those cases and to all parties who are not represented by counsel.

IT IS FURTHER ORDERED that upon the conclusion of each case in the trial court the Special Judge shall promptly forward a copy of the final judgment or other order of final disposition by mail or email to the Court Administrator, Supreme Court of Mississippi, Post Office Box 117, Jackson, MS 39205, hsaunders@courts.ms.gov.

SO ORDERED, this the 22 day of September, 2022.

MICHAEL K. RANDOLPH
CHIEF JUSTICE

Supreme Court No. 2022-AP-971

EXHIBIT A

CAUSE NUMBER	STATE OF MISSISSIPPI	VS.	DEFENDANT
22-175	STATE OF MISSISSIPPI	VS.	MARQUAVIOUS ADAMS
14-002	STATE OF MISSISSIPPI	VS.	DEMARIA ALLEN
20-881	STATE OF MISSISSIPPI	VS.	JEREMIAH BLOUGH
21-796	STATE OF MISSISSIPPI	VS.	JONATHAN DEWAYNE BOYETTE
22-202	STATE OF MISSISSIPPI	VS.	JAMES CORNEL CHRISTMAS
22-300	STATE OF MISSISSIPPI	VS.	JOHNNY COLLINS
20-473	STATE OF MISSISSIPPI	VS.	JORDAN COLLINS
21-583	STATE OF MISSISSIPPI	VS.	EDDIE DANIELS
22-105	STATE OF MISSISSIPPI	VS.	JAYDEN DAVIS
20-399	STATE OF MISSISSIPPI	VS.	TYRONE DAVIS
20-358	STATE OF MISSISSIPPI	VS.	WILLIAM HAMPTON
21-510	STATE OF MISSISSIPPI	VS.	AARON HUDSON
21-292	STATE OF MISSISSIPPI	VS.	JAYCOB HUDSON
18-139	STATE OF MISSISSIPPI	VS.	KENDRICK JACKSON
20-419	STATE OF MISSISSIPPI	VS.	CHRISTOPHER JENKINS
20-646	STATE OF MISSISSIPPI	VS.	CHRISTOPHER JENKINS
20-985	STATE OF MISSISSIPPI	VS.	CHRISTOPHER JENKINS
20-393	STATE OF MISSISSIPPI	VS.	ANTWON JOHNSON
20-624	STATE OF MISSISSIPPI	VS.	JACQUEZ JOHNSON
20-1144	STATE OF MISSISSIPPI	VS.	KESHON M LEWIS
20-353	STATE OF MISSISSIPPI	VS.	LUCAS HOWARD
20-904	STATE OF MISSISSIPPI	VS.	AMENI OLUGBALA
21-476	STATE OF MISSISSIPPI	VS.	RANDY PUGH
20-450	STATE OF MISSISSIPPI	VS.	CHRISTOPHER SAMUELS
20-503	STATE OF MISSISSIPPI	VS.	EMONYAE STEFON SANDERS
20-1074	STATE OF MISSISSIPPI	VS.	BRANDON SMITH
20-117	STATE OF MISSISSIPPI	VS.	DEMARIO SNELL
21-203	STATE OF MISSISSIPPI	VS.	DEMARIO SNELL
20-518	STATE OF MISSISSIPPI	VS.	BRANDON JACE SUMERALL
21-829	STATE OF MISSISSIPPI	VS.	MILLIAN TATE
21-768	STATE OF MISSISSIPPI	VS.	ASHLEY E. TAYLOR
20-606	STATE OF MISSISSIPPI	VS.	KEITH WARFIELD, JR.
20-752	STATE OF MISSISSIPPI	VS.	KASWELLO WILLIAMS
20-1129	STATE OF MISSISSIPPI	VS.	DENNIS WONSLEY