

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

FILED
NOV 07 2023

MISSISSIPPI DEMOCRATIC PARTY

Plaintiff,

v.

HINDS COUNTY ELECTION
COMMISSION AND HINDS COUNTY
CIRCUIT CLERK ZACK WALLACE

Defendants.

EDDIE JEAN CARR, CHANCERY CLERK

BY *[Signature]* D.C.

Civil Action No. *G2023-1247 T/1*

**COMPLAINT AND MOTION FOR
TEMPORARY RESTRAINING ORDER**

Because a large number of precincts in Hinds County ran out of ballots during election day and are continuing to run out of ballots, leading to long lines, extensive delays, and voters leaving the polling places without voting, this Court should issue an order requiring the Defendants Hinds County Election Commission and the Hinds County Circuit Clerk to extend the voting hours from 7 PM to 8 PM in all precincts. Although additional ballots were eventually delivered to the polling places, many voters who left the precincts because they could not vote will not be able to return until after 7 PM.

The shortage of ballots is still a problem. The Byram 1 precinct ran out of ballots mid-afternoon and it is unknown when they can be replaced. Others may run out between now and 7 PM.

The Plaintiff Mississippi Democratic Party includes members and supporters who vote in Hinds County and have been impacted by these delays. Some were deprived of their right to vote

under the Mississippi Constitution and Mississippi's laws when ballots were not available and will not be able exercise that right if the precincts close at 7 PM as planned. This problem affects the rights of all voters not just members and supporters of the Democratic Party.

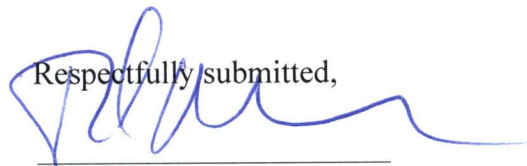
This Complaint raises claims under the laws of the State of Mississippi. The relief sought in this case is a request in equity. Therefore, subject-matter jurisdiction over this suit lies with the Chancery Court. Miss. Const. art. VI, § 159(a). Venue exists because this failure of ballots occurred in Hinds County.

Notice has being given to Tony Gaylor, counsel for the defendants. tgaylor@co.hinds.ms.us, and this complaint is being transmitted to him by email.

Because of these violations, described in the accompanying affidavits, this Court should order the defendants to extend the voting hours for all precincts in Hinds County from 7 to 8 PM.

Dated: November 7, 2023

Respectfully submitted,



Robert B. McDuff
MSB 2532
767 North Congress Street
Jackson, MS 39202
(601) 259-8484

Counsel for Plaintiff

STATE OF MISSISSIPPI
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for the county aforesaid, EUGENE CORBIN who, after being placed under oath, stated the following:

1. I am adult citizen, and competent to testify to the matters stated herein.
2. Throughout the day of November 7, 2023, I have been involved in helping staff a Voter Assistance Hotline, to which voters can call if they need assistance in voting during today's election.
3. Beginning about 12:00 p.m., we began to receive numerous calls from Hinds County voters, reporting difficulties in casting their votes.
4. More specifically, numerous voters in Clinton, Byram, and Raymond reported to me personally, and to others manning our hotline, that they were turned away at the polls solely because the polling stations had run out of ballots.
5. These precincts included, but were not limited to, Byram 1, Wildwood Baptist (Clinton 2), Clinton Fire Station, Raymond 1 (United Methodist Church), and Clinton 5 (Library). These are confirmed, specific complaints from identifiable individuals. There were numerous other complaints from other individuals from many other Hinds County precincts, which we believe to be true but have not had time to confirm.
6. Around 4 p.m., we received notice that Byram 1, Wildwood Baptist (Clinton 2) had run out of ballots while over 50 voters remained online. We have yet to receive notice of ballots being restored.

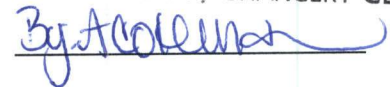
This, the 7th day of November, 2023.


EUGENE CORBIN

Sworn to and subscribed before me, this the 7th day of November, 2023.



EDDIE JEAN CARR, CHANCERY CLERK



My Commission Expires:

My Commission Expires Jan. 1, 2024