

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

Mississippi Votes

PLAINTIFFS

v.

CAUSE NO. 23-652

Zack Wallace, Circuit Clerk, Hinds
County Election Commissioners

DEFENDANT(S)

REQUEST FOR RECONSIDERATION

COMES NOW, Mississippi Votes by and through undersigned counsel, and files this this Request for Reconsideration re: Plaintiff's Complaint for Declaratory and Injunctive Relief against Defendant(s), Zack Wallace, Hinds Circuit Clerk, and the Hinds County Election Commissioners as follows:

PRELIMINARY STATEMENT

1. The Court filed an order some minutes ago requiring that certain polling locations close at 7:00 a.m.; there is a current Chancery Court order requiring these same polling locations to remain open until 8:00 p.m. We request clarification and, pursuant to our request, attach an affidavit of real time delays due to ballot unavailability.

2. . Plaintiffs have filed this action to respectfully move this Court for emergency injunctive relief to halt the ongoing, irreparable denial of Plaintiffs' right to vote under the laws and constitutions of the United States of America and Mississippi as a result of ballot shortages that have resulted in unreasonably long lines and wait times at polling sites in Hinds County, Mississippi's most populous county, including in the following precincts, as described in the attached affidavit:

- a. **Clinton 5: OLD A E Library**
 - **As of 6:45 p.m. this evening, this site has 14 ballots left, 100 people in line, and 4 express vote cards, and they are saving them for voters with disabilities.**
 - This site has suffered ballot shortages throughout the day.
- b. **Byram 1: Griffith Memorial Baptist**
 - As of 6:45 p.m. this evening, this site has a long line and **only 25-30 ballots left.**
- c. **Old Byram: Byram City Hall**
 - This site was out of ballots for two hours. They also ran out of cards for the Express Voting machine. The precinct manager reported that some voters remained in line **and others left.**
- d. **Raymond 1: United Methodist Church**
 - This location ran out of ballots around 3 p.m. They had a line of 40-50 people that was wrapped around. The poll manager stated that some of the ballots had been spoiled. Hinds Community College gave them 100 ballots to use. Other ballots have now been delivered but the line is long.
- e. **Clinton 3: Northside Baptist Church**
 - This site ran out of ballots **three times today.** They were only given 100 ballots at a time after they ran out. As of the drafting of this filing, the line is growing and ballots have not been delivered.
- f. **Clinton 2: Wildwood Baptist Church**
 - There were ballot shortages all **throughout the day.** This location ran out of cards for the Express Voting machine. Poll monitors reported that some voters left and others chose to wait in line.
- g. **Byrum 3: Trinity Wesleyan Church**
 - This location ran out of ballots this evening. As of the drafting of this filing, there is a line out the door. **Poll workers are advising voters to leave because they will not be getting ballots and they are not letting them cast an affidavit ballot.**
- h. **Clinton 4: Clinton YMCA**
 - This site has suffered ballot shortages. As of the drafting of this filing, the poll manager reported that **there were only 100 ballots left. They did not have an estimated time of arrival for more ballots.**

3. These unreasonably long lines and wait times at polling sites were caused by Defendants' delay in having sufficient ballots for voters and Defendants' failure to correct the lack of ballots for over two hours in certain precincts. There is no adequate justification for such a severe burden on such a fundamental right.

WHEREFORE, Plaintiff(s) respectfully pray that this Court enter an order:

I. Clarifying that the polling locations listed in the Court's order do not close at 7:00 p.m.;

II. Requiring that all precincts in Hinds County be open until 9:00 p.m. or, in the alternative, that the following precincts be open until 9:00 p.m. (and that, in either case, any voter in line by 9:00 p.m. be permitted to cast a ballot);

a. Clinton 5: OLD A E Library

b. Byram 1: Griffith Memorial Baptist

c. Old Byram: Byram City Hall

d. Raymond 1: United Methodist Church

e. Clinton 3: Northside Baptist Church

f. Clinton 2: Wildwood Baptist Church

g. Byrum 3: Trinity Wesleyan Church

h. Clinton 4: Clinton YMCA

III. Directing Defendants to provide immediate notice of this injunction to election officials at relevant polling sites, to provide a written copy of this injunction to election officials at every relevant polling site at the earliest opportunity, and to provide

notice of this injunction to the public through such other means as the Court finds necessary and appropriate to promptly correct the violations of law herein;

IV. Directing Defendants—who alone have the authority and responsibility to print ballots—to use all reasonable means to ensure expeditious printing and delivery of ballots to polling locations.

V. Any other relief deemed appropriate by the Court.

Date: November 7, 2023

Respectfully submitted,

/s/ Paloma Wu
Mississippi Center for Justice
210 East Capitol Street, Suite 1800
Jackson, MS 39201
pwu@mscenterforjustice.edu
MS Bar No. 105464

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

MISSISSIPPI VOTES

PLAINTIFFS

v.

CIVIL ACTION NO. _____

ZACK WALLACE, in his official capacity as
Circuit Clerk of the Circuit Court of Hinds County,
Mississippi; KIDADA BROWN, RATOYA GILMER,
JERMAL CLARK, YVONNE R. HORTON, and
SHIRLEY VARNADO, in their official capacity as
Elections Commissioners of Hinds County, Mississippi


DEFENDANTS

AFFIDAVIT OF LARNEE SATCHELL

I, Larnee Satchell, being of age and sound mind, do hereby state the following:

1. I am a Voting Rights Field Coordinator with the NAACP Legal Defense Fund.
2. I am working election protection for the November 7, 2023 Mississippi statewide election.
3. The Old Bryam Byram City Hall polling location was out of ballots for 2 hours. This location also ran out of cards for the Express Voting machine. The precinct manager reported that some voters remained in line and others left.
4. The Raymond I United Methodist Church polling location ran out of ballots around 3pm. They had a line of 40-50 people that was wrapped around. The poll manager stated that some of the ballots had been spoiled. Hinds Community College polling location gave them 100 ballots of theirs to use. Other ballots have now been delivered but the line is still long.

5. The Clinton 3 Northside Baptist Church polling site ran out of ballots three times today. They were only given 100 ballots at a time after they ran out. The line continues to grow and ballots have not been delivered.
6. The Clinton 2 Wildwood Baptist Church polling location had ballot shortages all throughout the day. This location ran out of cards for the Express Voting machine. Poll monitors reported that many voters left due to the poll workers' lack of response about when and if ballots would be delivered. Others chose to wait in line and are still waiting.
7. The Byram 3 Trinity Wesleyan Church polling location ran out of ballots. At 6 p.m. poll monitors were still reporting that there were no ballots. There is a long line outside the door. Poll workers are advising voters to leave because they say they would not be getting ballots and they are not letting voters cast an affidavit ballot.
8. The Clinton 5 OLD A E Clinton Public Library has suffered ballot shortages. At the time of the hotline call there were currently 100 people in line with 14 ballots and 4 express vote cards.
9. The Clinton 4 Clinton YMCA polling location has suffered ballot shortages. A poll monitor reported that the poll manager told voters that there were only 100 ballots left. They did not have an estimated time of arrival for more ballots.
10. I declare the foregoing to the best of my personal knowledge and belief, this the 7th day of November, 2023.


LARNEE SATCHELL

STATE OF MISSISSIPPI
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named MIKEL BOLDEN who, after being placed under oath, stated the foregoing on the day and year therein mentioned as and for her voluntary act and deed.

SWORN TO AND SUBSCRIBED BEFORE ME, this the 7th day of November, 2023.



NOTARY PUBLIC

My Commission Expires:

