

EXHIBIT A

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

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

Plaintiffs,

vs.

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.

**CIVIL ACTION NO.
3:26-CV-00181-SA-JMV**

**[PROPOSED] INTERVENOR-DEFENDANTS DESOTO COUNTY NAACP AND
DELTA SIGMA THETA'S ANSWER TO PLAINTIFFS' VERIFIED COMPLAINT**

The DeSoto County Branch of the National Association for the Advanced of Colored People (DeSoto County NAACP) and Delta Sigma Theta Sorority, Inc. (Delta Sigma Theta) (collectively, Proposed Intervenors) answer Plaintiffs' Verified Complaint, Dkt. No. 1, as follows:

RESPONSE TO INTRODUCTION

1. Paragraph 1 contains statements of law and legal conclusions to which no response is required.

2. Admitted that H.B. 1544 and S.B. 2768 were enacted in April 2025 and contain provisions concerning DeSoto County's circuit and chancery court districts. H.B. 1544 and S.B. 2768 speak for themselves as to their contents, effective dates, and legal effect.
3. Admitted that H.B. 1544 and S.B. 2768 were enacted and contain provisions concerning DeSoto County's circuit and chancery court districts. H.B. 1544 and S.B. 2768 speak for themselves as to the number of judicial positions, the manner of election, and their legal effect. Proposed Intervenor deny any remaining allegations to the extent they are inconsistent with the text of the legislation.
4. Denied.
5. Denied.
6. Denied.
7. Paragraph 7 contains legal conclusions to which no response is required. To the extent a response is required, denied.
8. Denied.
9. Denied.
10. Paragraph 10 contains legal conclusions to which no response is required. To the extent a response is required, denied.

RESPONSE TO PARTIES

11. Proposed Intervenor lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 11, and therefore deny them.
12. Proposed Intervenor lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 12, and therefore deny them.
13. Proposed Intervenor lack knowledge or information sufficient to form a belief as to the

truth of the allegations contained in Paragraph 13, and therefore deny them.

14. Proposed Intervenor lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 14, and therefore deny them.

15. Admitted that the State of Mississippi is one of the fifty states making up the United States of America. The remainder of Paragraph 15 contains legal conclusions to which no response is required.

16. Admitted that the State Board of Election Commissioners is a defendant. The remainder of Paragraph 16 contains legal conclusions to which no response is required. To the extent a response is required, the quoted statute speaks for itself.

17. Admitted that Tate Reeves is a defendant. The remainder of Paragraph 17 contains legal conclusions to which no response is required. To the extent a response is required, the Mississippi Constitution speaks for itself.

18. Admitted that Lynn Fitch is a defendant. The remainder of Paragraph 18 contains legal conclusions to which no response is required. To the extent a response is required, the quoted statute and cases speak for themselves.

19. Admitted that Michael Watson is a defendant. The remainder of Paragraph 19 contains legal conclusions to which no response is required. To the extent a response is required, the Mississippi Constitution speaks for itself.

RESPONSE TO JURISDICTION AND VENUE

20. Paragraph 20 contains legal conclusions to which no response is required.

21. Paragraph 21 contains legal conclusions to which no response is required.

22. Paragraph 22 contains legal conclusions to which no response is required.

23. Paragraph 23 contains legal conclusions to which no response is required.

24. Paragraph 24 contains legal conclusions to which no response is required.

RESPONSE TO STATEMENT OF FACTS

25. Proposed Intervenor states that Paragraph 25 contains a quotation from the Mississippi Constitution, which speaks for itself.

26. Admitted that H.B. 1544 and S.B. 2768 were enacted during the 2025 Regular Session after the 2020 Census. Otherwise, denied.

27. Admitted.

28. Denied. H.B. 1544 and S.B. 2768 speak for themselves as to their contents, effective dates, and legal effect.

29. Denied. H.B. 1544 speaks for itself as to its content and legal effect.

30. Denied. S.B. 2768 speaks for itself as to its content and legal effect.

31. Admitted that DeSoto County has experienced substantial population growth. Otherwise, denied.

32. Denied. H.B. 1544 and S.B. 2768 speak for themselves as to their contents and legal effect.

33. Denied. H.B. 1544 and S.B. 2768 speak for themselves as to their contents and legal effect.

34. Admitted that H.B. 1544 contains provisions concerning the designation of the circuit court district consisting of DeSoto County. H.B. 1544 speaks for itself as to its content and legal effect.

35. Denied. H.B. 1544 speaks for itself as to its content and legal effect.

36. Denied. H.B. 1544 speaks for itself as to its content and legal effect.

37. Denied. S.B. 2768 speaks for itself as to its content and legal effect.

38. Denied. S.B. 2768 speaks for itself as to its content and legal effect.
39. Denied. H.B. 1544 and S.B. 2768 speak for themselves as to their contents, effective dates, and legal effect.
40. Proposed Intervenor lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 40, and therefore deny them.
41. Denied. H.B. 1544 and S.B. 2768 speak for themselves as to their contents and legal effect.
42. Proposed Intervenor lack knowledge or information sufficient to form a belief as to the truth of the allegations concerning Plaintiffs' past voting history and intent to vote in future elections, and therefore deny those allegations. Proposed Intervenor deny the remaining allegations in Paragraph 42. H.B. 1544 and S.B. 2768 speak for themselves as to their contents and legal effect.
43. Denied. To the extent the allegations concern the future effects on Plaintiffs of elections conducted pursuant to H.B. 1544 and S.B. 2768, Proposed Intervenor lack knowledge or information sufficient to form a belief as to those allegations and therefore deny them. H.B. 1544 and S.B. 2768 speak for themselves as to their contents and legal effect.

RESPONSE TO CLAIMS FOR RELIEF

RESPONSE TO COUNT I

44. Proposed Intervenor incorporate the above paragraphs.
45. Proposed Intervenor state that Paragraph 45 contains a quotation from the Fourteenth Amendment to the U.S. Constitution, which speaks for itself.
46. Denied. H.B. 1544 and S.B. 2768 speak for themselves as to their contents and legal effect.

47. Denied. H.B. 1544 and S.B. 2768, and the applicable laws governing judicial elections prior to their enactment, speak for themselves as to their contents and legal effect.

48. Denied. H.B. 1544 and S.B. 2768 speak for themselves as to their contents and legal effect.

49. Denied.

50. Denied.

51. Denied.

52. Denied.

53. Denied.

RESPONSE TO COUNT II

54. Proposed Intervenors incorporate the above paragraphs.

55. Denied.

56. Denied.

57. Denied. The legislative record, including any floor debates, speaks for itself as to its contents and meaning.

58. Admitted that Representative Kevin Horan made statements during legislative proceedings concerning population shifts and the consolidation of districts. The legislative record speaks for itself as to the content and context of those statements. Proposed Intervenors deny any remaining allegations, including any characterization of the meaning or significance of those statements.

59. Admitted that Representative Kevin Horan made the quoted statement during legislative proceedings concerning H.B. 1544. Proposed Intervenors deny any characterization of the statement or the legislative purpose, intent, or effects of H.B. 1544. The legislative

record speaks for itself as to its contents and meaning.

60. Admitted that Representative Kevin Horan made the quoted statement during legislative proceedings concerning H.B. 1544. Proposed Intervenor deny any characterization of the statement or the legislative purpose, intent, or effects of H.B. 1544. The legislative record speaks for itself as to its contents and meaning.

61. Admitted that the House amended S.B. 2768 during the legislative process. The legislative record speaks for itself as to the amendments adopted, the content of any statements made during legislative proceedings, and the context and meaning of those statements. Proposed Intervenor deny any remaining allegations, including any characterization of the purpose or intent of the amendments.

62. Admitted that Senator Brice Wiggins made statements during legislative proceedings concerning S.B. 2768. Proposed Intervenor deny any characterization of those statements or the legislative purpose, intent, or effects of S.B. 2768. The legislative record speaks for itself as to its contents and meaning.

63. Admitted that Exhibit C to the Verified Complaint contains the demographic statistics referenced in Paragraph 63. Proposed Intervenor lack knowledge or information sufficient to form a belief as to the accuracy of the statistics or the conclusions drawn therefrom and therefore deny the remaining allegations.

64. Denied.

65. Denied.

66. Denied.

67. Denied.

68. Denied.

RESPONSE TO COUNT III

69. Proposed Intervenorors incorporate the above paragraphs.

70. Proposed Intervenorors state that Paragraph 70 contains a quotation from Section 87 of the Mississippi Constitution, which speaks for itself.

71. Proposed Intervenorors state Paragraph 71 contains quotations from Section 90 of the Mississippi Constitution, which speaks for itself.

72. Denied.

73. Denied.

74. Denied.

GENERAL DENIAL

Proposed Intervenorors deny every allegation in Plaintiffs' Verified Complaint that is not expressly admitted herein.

AFFIRMATIVE DEFENSES

Without admitting any of the allegations of the Verified Complaint and without assuming any burden not imposed by law, Proposed Intervenorors assert the following affirmative defenses:

1. Plaintiffs have failed to state a claim upon which relief can be granted.
2. Plaintiffs lack standing because they have not alleged an injury in fact that is concrete, particularized, and actual or imminent; fairly traceable to Defendants' conduct; and redressable by the requested relief.
3. Plaintiffs' claims are barred, in whole or in part, by principles of sovereign immunity, legislative immunity, and/or other applicable immunities.
4. Plaintiffs' requested relief is barred or limited by principles governing judicial intervention in ongoing election processes, including the *Purcell* principle and other

principles of equity.

5. Plaintiffs' requested relief is barred or limited by the doctrine of *laches*.
6. Plaintiffs' requested relief is overbroad and exceeds the scope of any alleged injury or violation.

PRAYER FOR RELIEF

WHEREFORE, having fully answered Plaintiffs' Verified Complaint, Proposed

Intervenors pray for judgment as follows:

- A. That the Court dismiss the Verified Complaint with prejudice;
- B. That judgment be entered in favor of Proposed Intervenors and against Plaintiffs on Plaintiffs' Verified Complaint and that Plaintiffs take nothing thereby;
- C. That Proposed Intervenors be awarded reasonable attorneys' fees and costs under any applicable statute or equitable doctrine; and
- D. For such other and further relief as the Court deems appropriate.

Respectfully submitted,

Dated this 16th day of July 2026.

/s/ Joshua Tom

AMERICAN CIVIL LIBERTIES UNION
OF MISSISSIPPI FOUNDATION

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