IN THE CIRCUIT COURT OF DESOTO COUNTY, MISSISSIPPI

MISSISSIPPI DEMOCRATIC PARTY **PLAINTIFF**

v. **CIVIL ACTION NO.** CI2026-0691CTD

DALE THOMPSON, DESOTO COUNTY CIRCUIT CLERK & DESOTO COUNTY ELECTION COMMISSIONERS **DEFENDANTS**

FILED
DESOTO COUNTY, MS
NOV 03 2026
Dale K Thompson
CIRCUIT COURT CLERK

COMPLAINT FOR DECLARATORY RELIEF AND EMERGENCY INJUNCTIVE RELIEF

COMES NOW Plaintiff, MISSISSIPPI DEMOCRATIC PARTY, (the "Party"),by and through undersigned counsel, and bring this Complaint for Declaratory and Emergency Injunctive Relief pursuant to Miss. Code Ann § 23-15-913 and other applicable law, and state as follows:

PRELIMINARY STATEMENT

1. This emergency Election Day proceeding arises from substantial disruptions to voting at multiple polling places in DeSoto County, Mississippi, during the November 3, 2026 General Election.
2. Throughout Election Day, voters have encountered delayed openings of polling places, shortages of official ballots, extraordinary waiting periods, and physical obstructions interfering with access to polling locations.
3. These disruptions have substantially interfered with the ability of qualified electors to exercise their fundamental right to vote during the hours prescribed by Mississippi law.
4. The reported problems have affected multiple precincts and, in some instances, have persisted or recurred throughout Election Day despite efforts to obtain corrective action from election officials.
5. Plaintiff seeks immediate judicial intervention to protect affected voters, remedy ongoing election administration failures, and extend voting hours at affected precincts until 8:00 p.m.

on November 3, 2026, or such other period as the Court determines necessary and appropriate.

6. Given the imminent closing of the polls and the irreparable nature of the threatened injury, Plaintiff requests an immediate emergency hearing and expedited consideration pursuant to Miss. Code Ann. § 23-15-913.

PARTIES, STANDING, JURISDICTION, & VENUE

7. Plaintiff, the Mississippi Democratic Party, is a recognized political party in Mississippi with candidates appearing on the ballot in the November 3, 2026 General Election. The Party has a direct organizational interest in the lawful administration of elections, the ability of qualified electors to cast their ballots, and the fair consideration of votes cast for its candidates.
8. On Election Day, Plaintiff operated a voter protection hotline through which voters, poll watchers, and other individuals reported substantial disruptions to voting in DeSoto County.
9. The reported election administration failures have directly implicated Plaintiff's election protection activities and its interests in ensuring that qualified voters have a meaningful opportunity to participate in the election.
10. Defendant Dale Thompson is identified as the Circuit Clerk of DeSoto County, Mississippi, and is named in his official capacity to the extent necessary to implement the relief requested herein.
11. Defendants, the DeSoto County Election Commissioners, are public officials responsible for the administration and conduct of the November 3, 2026 General Election in DeSoto County, Mississippi, within the scope of their statutory authority.

12. This Court has jurisdiction pursuant to Miss. Code Ann. § 23-15-913, which provides for the immediate hearing and resolution of Election Day disputes by a judge specially designated by the Mississippi Supreme Court.
13. Pursuant to § 23-15-913, the Circuit Clerk shall docket this dispute before the judge designated by the Mississippi Supreme Court to hear Election Day disputes arising in DeSoto County.
14. Venue is proper in DeSoto County because the challenged conduct occurred at polling places within the county and the requested relief concerns the administration of the election in this county.

FACTUAL ALLEGATIONS

15. The November 3, 2026 General Election was scheduled to begin at 7:00 a.m. and continue until 7:00 p.m., subject to the statutory right of qualified voters standing in line at 7:00 p.m. to cast their ballots.
16. Plaintiff received reports that Precincts 104 and 107 failed to admit voters until approximately 8:00 a.m., depriving voters at those locations of approximately one hour of the statutorily prescribed voting period.
17. Plaintiff further received reports that Precinct 107, located at St. Luke Church of Christ, exhausted its supply of official paper ballots at approximately 10:35 a.m.
18. Plaintiff further received reports that Lewisburg and Twin Lakes Baptist precincts ran out of affidavit ballot envelopes, prohibiting the ability for voters to complete an affidavit ballot.
19. Additional reports indicated that multiple precincts throughout DeSoto County experienced shortages of official paper ballots during Election Day.

20. Although additional ballot supplies were reportedly delivered intermittently, the recurring shortages disrupted the orderly administration of voting and contributed to significant delays.
21. At Minor Memorial United Methodist Church, voters reportedly experienced extraordinary waiting periods exceeding two hours in some instances.
22. Plaintiff further received a report that one individual waiting in line at Minor Memorial United Methodist Church lost consciousness and was transported to a hospital for medical attention.
23. At that same location, a vehicle reportedly obstructed access to the polling place parking lot for a substantial period, causing traffic congestion and preventing or delaying voters attempting to reach the polling location.
24. Plaintiff also received reports that law enforcement personnel were checking the identification of individuals entering certain polling locations, creating additional delays and potential barriers to access.
25. The cumulative effect of these conditions was to impose substantial and unreasonable delays upon qualified electors attempting to exercise their right to vote.
26. Plaintiff, through its voter protection operation, made repeated efforts to communicate these concerns to the DeSoto County Election Commissioners and the Mississippi Secretary of State's Office and to secure corrective action.
27. Despite those efforts, Plaintiff continued to receive reports of substantial delays and impediments to voting.
28. The foregoing allegations are based upon reports received by Plaintiff's voter protection operation. Plaintiff requests that the Court receive available sworn testimony, affidavits,

declarations, and other evidence on an expedited basis and permit supplementation of the record as necessary.

29. Absent immediate judicial intervention, qualified voters affected by these disruptions face a substantial risk of being denied a meaningful opportunity to cast their ballots.

REQUEST FOR IMMEDIATE RELIEF

30. Plaintiff incorporates by reference the preceding paragraphs as though fully set forth herein.
31. Miss. Code Ann. § 23-15-541(1) requires polling places to open promptly at 7:00 a.m. and remain open until 7:00 p.m. or until the last qualified voter standing in line at 7:00 p.m. has voted, whichever is later.
32. The statutory right of qualified voters standing in line at 7:00 p.m. to cast their ballots exists independently of any judicial extension of voting hours.
33. Miss. Code Ann. § 23-15-913 authorizes the immediate judicial resolution of Election Day disputes and expressly provides for relaxed pleading requirements to effectuate that purpose.
34. The reported failure to open polling places at the required time, together with recurring ballot shortages and substantial impediments to physical access, constitutes a serious disruption to the orderly administration of the election and the opportunity of qualified electors to vote.
35. The deprivation of a meaningful opportunity to vote constitutes irreparable injury for which subsequent monetary relief would be inadequate.
36. Plaintiff seeks relief tailored to the nature, duration, and geographic scope of the established disruptions, including an extension of voting hours where necessary to remedy the loss of meaningful voting opportunities.

37. The balance of equities and the public interest favor ensuring that qualified electors are not deprived of their opportunity to vote because of failures in election administration beyond their control.

38. Any judicial extension of voting hours must comply with Miss. Code Ann. § 23-15-573(8) and 52 U.S.C. § 21082(c), including the use and segregation of affidavit ballots cast solely by virtue of the extension.

39. Plaintiff therefore requests immediate judicial intervention to protect qualified voters, correct ongoing impediments, and preserve the integrity of the election.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests that this Court:

A. Immediately hear and determine this Election Day dispute pursuant to Miss. Code Ann. § 23-15-913;

B. Declare the rights and obligations of the parties concerning the timely opening of polling places, availability of official ballots, accessibility of polling locations, and right of qualified voters to cast their ballots;

C. Order Defendants to immediately correct any continuing shortages of official ballots, physical obstructions, or other election administration failures interfering with the ability of qualified voters to vote;

D. Upon sufficient evidentiary showing, extend voting hours at the affected precincts in DeSoto County until 8:00 p.m. on November 3, 2026, or such other time as the Court determines necessary to remedy the established disruptions;

E. Extend the relief to additional precincts, up to and including countywide relief, upon a finding that the evidence establishes sufficiently widespread disruptions warranting such relief;

F. Expressly preserve the right of every qualified voter who was standing in line at 7:00 p.m. to cast a ballot, regardless of whether an extension is ordered;

G. Direct election officials to provide affidavit ballots to voters entitled to vote solely by virtue of any court-ordered extension and to maintain those ballots separately from other affidavit ballots in accordance with applicable state and federal law;

H. Require election officials to maintain an accurate accounting of all ballots cast solely pursuant to the judicial extension and preserve all related records;

I. Direct immediate communication of the Court's order to the DeSoto County Election Commissioners, Circuit Clerk, affected poll managers, and the public by the most expeditious available means;

J. Direct Defendants to preserve all records relating to the reported disruptions, including ballot supply records, incident reports, communications, poll books, and records reflecting polling place opening and closing times; and

K. Grant such other and further relief as the Court deems just, equitable, and appropriate.

DATED: November 3, 2026

Respectfully Submitted,

/S/ Greta K. Martin

GRETA KEMP MARTIN, MSB#103672
ATTORNEY
MISSISSIPPI DEMOCRATIC PARTY