

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

JERRY YOUNG and CHRISTY COLLEY

PLAINITFFS

VS.

CIVIL ACTION NO. 3:08cv 567 TSL-JCS

DELBERT HOSEMANN, in his official capacity as the Secretary of State of Mississippi; KRISTIN BUSE, DEBBY McCAFFERTY, JOHN M. WAGES, HARRY GRAYSON, JR., and JOHN H. EDWARDS, in their official capacities as Election Commissioners of Lee County; and VIVIAN BURKLEY, JULIUS HARRIS, JIMMY HERRON, BONNIE G. LAND, and RONALD McMINN, in their official capacities as Election Commissioners in Panola County

DEFENDANTS

**JOINDER IN MOTION OF DEFENDANT SECRETARY OF STATE
DELBERT HOSEMANN TO DISMISS**

COME NOW, Kristin Buse, Debby McCafferty, John M. Wages, Harry Grayson, Jr., and John H. Edwards in their official capacities as Election Commissioners of Lee County, Mississippi and join in the motion of Defendant Secretary of State Delbert Hosemann to dismiss this action pursuant to Rules 12(b)(1) and (6) of the Federal Rules of Civil Procedure. Further, these Defendants join in the memorandum of authorities filed by Secretary of State Delbert Hosemann and along with Secretary of State Delbert Hosemann request that the Court grant this motion to dismiss.

Respectfully submitted, this the 7th day of November, 2008.

**KRISTIN BUSE, DEBBY McCAFFERTY,
JOHN M. WAGES, HARRY GRAYSON, JR.,
and JOHN H. EDWARDS, in their official
capacities as Election Commissioners of Lee
County**

**BY: /s/ William C. Murphree
WILLIAM C. MURPHREE, MSB #3661
GARY L. CARNATHAN, MSB #5878**

OF COUNSEL:

**MITCHELL, MCNUTT & SAMS, P.A.
P.O. BOX 7120
105 S. FRONT STREET
TUPELO, MISSISSIPPI 38802
662-842-3871
662-842-8450 FAX
bmurphree@mitchellmcnutt.com**

**CARNATHAN & MCAULEY
P.O. DRAWER 70
TUPELO, MISSISSIPPI 38802
662-842-3321
662-842-3324 FAX
carnathanlaw@redmagnet.com**

