

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

JERRY YOUNG and CHRISTY COLLEY

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:08cv567 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

ORDER

This matter is before the Court on the Motion of the Plaintiffs for Preliminary Injunction. The issues having been fully briefed, heard and considered by the Court on September 25, 2008, the Court finds, as more fully set forth in this Court's bench opinion which was read into the record, that the Defendants' interpretation of Section 241 of the Mississippi Constitution is correct, thus Plaintiffs are not likely to succeed on the merits of their claims. Accordingly, it is therefore,

ORDERED AND ADJUDGED that Plaintiffs' Motion for Preliminary Injunction be, and is hereby, denied.

SO ORDERED AND ADJUDGED, this the 25th day of September, 2008.

/s/Tom S. Lee
UNITED STATES SENIOR JUDGE TOM S. LEE