

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

MICHAEL AMOS, PITRELL BRISTER,
ANTONIO DAVIS, WILLIE FRIEND, CHARLES
GAYLES, DANIEL GUTHRIE, JONATHAN J.
HAM, DESMOND HARDY, BILLY JAMES, JR.,
JUSTIN JAMES, QUENTEN JOHNSON,
CHALLIS LEWIS, DEAUNTE LEWIS, LARRY
MAXWELL, TERRANCE MCKINNEY,
DERRICK PAN, BRANDON ROBERTSON,
KURIAKI RILEY, DERRICK ROGERS, TYREE
ROSS, H.D. ALEXANDER SCOTT, DEANGELO
TAYLOR, LEMARTINE TAYLOR, CONTI
TILLIS, DEMARCUS TIMMONS, CARLOS
VARNADO, PHILLIP DECARLOS WEBSTER,
ADRIAN WILLARD, and CURTIS WILSON,

Plaintiffs,

v.

PELICIA E. HALL, in her official capacity as the
Commissioner of the Mississippi Department of
Corrections, and MARSHAL TURNER, in his
official capacity as the Superintendent of the
Mississippi State Penitentiary,

Defendants.

Case No. 4:20-CV-007-DMB-JMV

**PLAINTIFFS' EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION**

COMES NOW Michael Amos, Pitrell Brister, Antonio Davis, Willie Friend, Charles Gayles, Daniel Guthrie, Jonathan J. Ham, Desmond Hardy, Billy James, Jr., Justin James, Quenten Johnson, Challis Lewis, Deaunte Lewis, Larry Maxwell, Terrance McKinney, Derrick Pan, Brandon Robertson, Kuriaki Riley, Derrick Rogers, Tyree Ross, H.D. Alexander Scott, Deangelo Taylor, Lemartine Taylor, Conti Tillis, Demarcus Timmons, Carlos Varnado, Phillip DeCarlos Webster, Adrian Willard, and Curtis Wilson, plaintiffs herein, by and through the

undersigned counsel, and pursuant to Rule 65 of the Federal Rules of Civil Procedure, respectfully request that this Court grant a temporary restraining order directing the holding of an evidentiary hearing at the Mississippi State Penitentiary and the appointment of a special master to administer appropriate relief to Plaintiffs, and, pending such notice and opportunity to be heard as the Court deems appropriate, a preliminary injunction granting the same.

In support of its motion, Plaintiffs respectfully submit their accompanying Memorandum Brief and the following exhibits:

EXHIBIT A: Redacted Affirmations of Parchman Inmates

EXHIBIT B: Transcript of Evidentiary Hearing held by the Hon. District Judge Analisa Torres of the Southern District of New York on February 5, 2019, in the matter *U.S. v. Segura-Genao*, Case No. 18-CR-219.

EXHIBIT C: Declaration of Debra Graham.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully request that this Court grant their Emergency Motion for Temporary Restraining Order and Preliminary Injunction. Plaintiffs further request any other relief to which they may be entitled.

Date: January 24, 2020

Respectfully submitted,

/s/ Marcy B. Croft

Marcy B. Croft (MS Bar #10864)

Carson Thurman (MS Bar #104871)

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ATTORNEY FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 24, 2020, a copy of the foregoing pleading was filed electronically with the Clerk of the Court using the CM/ECF system. Defendants have not yet filed responsive pleadings in this matter. Therefore, Plaintiffs are undertaking the following steps to effect service: (1) contemporaneous with filing, Plaintiffs will transmit the motion papers to counsel for Defendants, Lynn Fitch, the Attorney General for the State of Mississippi, via electronic mail at her official email address; and, (2) Plaintiffs will attempt to personally serve Attorney General Fitch with true and correct copies of the motion papers at both her workplace and her home. In order to comply with the Court's Order dated January 24, 2020 (ECF No. 12), upon completion of service, Plaintiffs will file a supplemental certificate of service detailing their efforts and confirming the time at which service was effected.

/s/ Marcy B. Croft
Marcy B. Croft (MS Bar #10864)