

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

October 25, 2024

Lyle W. Cayce
Clerk

No. 24-60395

REPUBLICAN NATIONAL COMMITTEE; MISSISSIPPI REPUBLICAN
PARTY; JAMES PERRY; MATTHEW LAMB,

Plaintiffs—Appellants,

versus

JUSTIN WETZEL, *in his official capacity as the clerk and registrar of the
Circuit Court of Harrison County*; TONI JO DIAZ, *in their official capacities
as members of the Harrison County Election Commission*; BECKY PAYNE, *in
their official capacities as members of the Harrison County Election Commission*;
BARBARA KIMBALL, *in their official capacities as members of the Harrison
County Election Commission*; CHRISTENE BRICE, *in their official capacities
as members of the Harrison County Election Commission*; CAROLYN
HANDLER, *in their official capacities as members of the Harrison County
Election Commission*; MICHAEL WATSON, *in his official capacity as the
Secretary of State of Mississippi,*

Defendants—Appellees,

VET VOICE FOUNDATION; MISSISSIPPI ALLIANCE FOR RETIRED
AMERICANS,

Intervenor Defendants—Appellees,

LIBERTARIAN PARTY OF MISSISSIPPI,

Plaintiff—Appellant,

versus

JUSTIN WETZEL, *in his official capacity as the clerk and registrar of the Circuit Court of Harrison County*; TONI JO DIAZ *in their official capacities as members of the Harrison County Election Commission*; BECKY PAYNE, *in their official capacities as members of the Harrison County Election Commission*; BARBARA KIMBALL, *in their official capacities as members of the Harrison County Election Commission*; CRISTENE BRICE, *in their official capacities as members of the Harrison County Election Commission*; CAROLYN HANDLER, *IN THEIR OFFICIAL CAPACITIES AS MEMBERS OF THE HARRISON COUNTY ELECTION COMMISSION*; MICHAEL WATSON, *in his official capacity as the Secretary of State of Mississippi*,

Defendants—Appellees.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 1:24-CV-25, USDC No. 1:24-CV-37

Before HO, DUNCAN, and OLDHAM, *Circuit Judges*.

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

IT IS ORDERED and ADJUDGED that the judgment of the District Court is REVERSED in part AND VACATED in part, and the cause is REMANDED to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that appellees pay to appellants the costs on appeal to be taxed by the Clerk of this Court.

The judgment or mandate of this court shall issue 7 days after the time to file a petition for rehearing expires, or 7 days after entry of an order denying a timely petition for panel rehearing, petition for rehearing en banc, or motion for stay of mandate, whichever is later. See Fed. R. App. P. 41(b). The court may shorten or extend the time by order. See 5th Cir. R. 41 I.O.P.