

**IN THE CHANCERY COURT OF TENNESSEE FOR THE  
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY**

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NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE  
TENNESSEE STATE CONFERENCE, GLORIA  
SWEET-LOVE, JESSE CHISM AND DEVANTE HILL,

Petitioners,

v.

THE STATE OF TENNESSEE GOVERNOR and  
THE GENERAL ASSEMBLY OF THE STATE OF  
TENNESSEE, TRE HARGETT, TENNESSEE  
SECRETARY OF STATE AND MARK GOINS,  
TENNESSEE COORDINATOR OF ELECTIONS,

Respondent.

Case No. 26-0591-II

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**AMENDED EMERGENCY PETITION FOR DECLARATORY JUDGMENT AND  
INJUNCTIVE RELIEF**

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**TO THE HONORABLE CHANCELLORS OF DAVIDSON COUNTY CHANCERY COURT:**

**COME NOW** Petitioners, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE TENNESSEE STATE CONFERENCE (“NAACP Tennessee”), GLORIA SWEET-LOVE, REPRESENTATIVE JESSE CHISM, AND CANDIDATE DEVANTE HILL (collectively “Petitioners”) against THE STATE OF TENNESSEE GOVERNOR (the “Governor”), THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE (the “General Assembly”), TRE HARGETT, TENNESSEE SECRETARY OF STATE, AND MARK GOINS, COORDINATOR OF ELECTIONS (collectively, “Respondents”), pursuant to Tennessee Rule of Civil Procedure 65, by and through their attorneys, Isaac Conner, Chudi Echetebe, Van D. Turner, Jr., Kristen Clarke, Myesha Braden, Anthony P. Ashton, for the purpose of respectfully showing the Court the following:

## **INTRODUCTION**

1. This case involves a decision by Respondents to engage in unlawful late-decade congressional redistricting in violation of clear and unambiguous Tennessee statutory law and the mandates of the Tennessee Constitution.

## **PARTIES**

2. Petitioner NAACP Tennessee is a unit of the National Association for the Advancement of Colored People, Inc. (“NAACP”), a national non-profit, non-partisan organization founded in 1909 with more than 2,200 chapters, branches, and units across the United States.

3. Petitioner Gloria Sweet-Love is the President of NAACP Tennessee, a lawful, registered, and active voter.

4. Petitioner Jesse Chism is the Representative for Tennessee District 85, Memphis, part of Shelby County. Rep. Chism is the Chair of the Tennessee Black Caucus of State Legislators. He is a member of the House Calendar and Rules Committee, which schedules bills for consideration on third and final reading and entertains debate on the merits of legislation recommended for passage by the eleven standing committees.

5. Petitioner Devante Hill was a candidate running in Tennessee’s 9<sup>th</sup> Congressional District. Candidate Hill is resident of Tennessee’s former 9<sup>th</sup> Congressional District. Candidate Hill attended American Baptist College and is an honorably discharged veteran of the Tennessee National Guard. After discharge, Candidate Hill completed internships with the late Congressman John Lewis, the Congressional Black Caucus in Washington D.C., and Congressman Steve Cohen of Tennessee’s 9<sup>th</sup> Congressional District in preparation for running for Congress.

6. Respondent the Governor is the chief executive of Tennessee.

7. Respondent the General Assembly is the legislative body of Tennessee.

8. Respondent Tre Hargett serves as the Tennessee Secretary of State and appointed Mark Goins, the Coordinator of Elections in the State of Tennessee.

9. Respondent Mark Goins serves as the Tennessee Coordinator of Elections, acts under the authority of the Tennessee Secretary of State, and is charged with obtaining and maintaining “uniformity in the application, operation and interpretation of the election code.”

### **JURISDICTION AND VENUE**

10. All events which form the basis of this Petition occurred in the State of Tennessee.

11. Venue is properly situated in Davidson County Chancery Court pursuant to Tenn. Code Ann. § 4-4-104.

12. This Court has jurisdiction over this matter pursuant to Tenn. Code Ann. § 16-11-103.

### **BACKGROUND**

13. On May 1, 2026, the Governor called an extraordinary session via a proclamation dated May 1, 2026 (the “Proclamation”). The Proclamation provides, in relevant part:

I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by Article III, Section 9 of the Tennessee Constitution, do hereby call the One Hundred Fourteenth General Assembly of the State of Tennessee to meet and convene in extraordinary session at the Capitol in Nashville on May 5, 2026, at 2:00 p.m., Central Time, to consider and act upon legislation relative to: (1) the composition of Tennessee’s congressional districts; (2) making statutory changes that are necessary to effectuate changes to the composition of Tennessee’s congressional districts and to facilitate 2026 congressional elections; (3) making appropriations sufficient to provide funding for any legislation that receives final passage during the extraordinary session or other appropriations sufficient to facilitate 2026 congressional elections; and (4) making appropriations sufficient to pay the expenses of the extraordinary session, including the expenses of carrying out any actions taken pursuant to this proclamation.

*See Exhibit 1.*

14. On May 5, 2026, at or about 2:00 p.m., Central Time, the General Assembly convened in extraordinary session at the Capitol in Nashville, pursuant to the Proclamation.

15. The timing of drawing Tennessee’s congressional districts is governed by Tennessee law, including Section 2-16-102 of the Tennessee Code, which provides: “The general assembly shall establish the composition of districts for the election of members of the house of representatives in congress after each enumeration and apportionment of representation by the congress of the United States. *The districts may not be changed between apportionments.*” (Emphasis added).

16. The General Assembly established the composition of districts for the election of members of the House of Representatives in Congress after the 2020 enumeration.

17. May 2026 is a time between apportionments. Consequently, Section 2-16-102 bars the General Assembly from changing the congressional districts during the extraordinary session.

18. The Proclamation expressly provides that the May 5, 2026 extraordinary session is being convened “by virtue of the power and authority vested in [the Governor] by Article III, Section 9 of the Tennessee Constitution.” Article III, Section 9 of the Tennessee Constitution provides, in its entirety: “[The Governor] may, on extraordinary occasions, convene the General Assembly by proclamation, in which he shall state *specifically* the purposes for which they are to convene; but they shall enter on *no* legislative business except that for which they were *specifically* called together.” (Emphasis added).

19. The Proclamation does not mention Section 2-16-102 of the Tennessee Code or mention its repeal or suspension or specify a purpose of repealing Section 2-16-102. On May 4, 2026, Mark Goins, the Tennessee Coordinator of Elections, issued a memorandum to All County Election Commissioners (“Memorandum”). See Exhibit 2. Again, this Memorandum does not

mention Section 2-16-102 of the Tennessee Code or mention its repeal of the residency requirement or its suspension.

20. The Memorandum, however, does detail a host of negative effects on voters due to the late-decade redistricting, *e.g.*: “Potential changes to congressional districts could impact voters across multiple counties. Because congressional districts are interrelated, a change to one district may necessitate changes to others. This has the potential to affect ballot styles, over assignments, notices, and election administration across the state.” The Memorandum also explains that the late-decade redistricting may require some counties to adjust their precinct boundaries, “triggering additional notice and publication requirements, including mailing notices to active voters whose polling places have changed.” The Memorandum further details that voters will be negatively affected with regard to the slate of potential candidates from which they may choose: “Due to the proximity of the election, the time period to issue and submit qualifying petitions will be compressed.”

21. Despite Section 2-16-102’s prohibition on late-decade redistricting and the Governor’s decision not to mention Section 2-16-102 in the Proclamation, on May 7, 2026, the General Assembly purported to engage in congressional redistricting.

22. During the extraordinary session, on May 5, 2026, State Senator of District 21 Jeff Yarboro pointed out, on the record, that late-decade redistricting was prohibited by Tennessee law and noted that the Governor’s primary obligation is to ensure that the laws are faithfully executed. He further pointed out that, by being asked to engage in the purported redistricting, the General Assembly was being asked to break the law.

23. In response, the General Assembly did not halt its efforts to engage in the prohibited redistricting. Instead, on May 5, 2026, SB7002 was introduced by Senator Jack Johnson of District

27 and HB7002 was introduced by Representative Cameron Sexton of District 25. The publicly available caption text for SB7002 and HB7002 provides: “Redistricting, Congressional - As introduced, removes prohibition on changing congressional districts between apportionments. - Amends T.C.A. Title 2, Chapter 16.”

24. In considering SB7002 and HB7002, the General Assembly violated Article III, Section 9 of the Tennessee Constitution, which provides “they shall enter on *no* legislative business except that for which they were *specifically* called together.” (Emphasis added).

25. Also on May 5, 2026, Senator Jack Johnson and Representative Cameron Sexton introduced SB7001 and HB7001, respectively. The publicly available caption text for SB7001 and HB7001 provides: “Congress - As introduced, suspends application of the requirement that candidates for United States House of Representatives meet the residency requirements for state senators and representatives contained in the Tennessee Constitution for the 2026 election. - Amends T.C.A. Title 2.” The bill summary provides: “In order to qualify as a candidate in a primary election for congress, present law requires, among other things, that the person resided in the county or district for one year immediately preceding the elections. This amendment creates an exception to such present law requirement for the 2026 primary election for the office of United States representative.”

26. Not only is suspension of the residency requirements not mentioned specifically in the Proclamation, such suspension is by no means necessary to draw new district maps. The purpose of the residency requirements is obvious—they ensure a connection between the voters within a district and the person tasked with representing them. The purpose of the suspension appears wholly to allow the election of candidates who have no history of living in the district they seek to represent.

27. In considering SB7001 and HB7001, the General Assembly violated Article III, Section 9 of the Tennessee Constitution, which provides “they shall enter on *no* legislative business except that for which they were *specifically* called together.” (Emphasis added).

28. Section 2-3-105 of the Tennessee Code provides:

Immediately after any alteration of precinct boundaries or change of district, the county election commission shall publish the changed boundaries in a newspaper of general circulation in the county. *The county election commission shall mail to each active voter whose polling place is changed a notice of the voter’s new polling place and precinct number.* Furthermore, immediately after any alteration of precinct boundaries, the county election commission shall give written notification of such changes to the comptroller of the treasury.

(Emphasis added).

29. Section 2-3-105 is mentioned nowhere in the Proclamation. Furthermore, no change to Section 2-3-105 is necessary to effectuate changes in district maps. Despite this, the General Assembly approved removal of the requirement that each county election commission mail to each active voter whose polling place is changed a notice of the voter’s new polling place and precinct number.

30. In considering a change to Section 2-3-105, the General Assembly violated Article III, Section 9 of the Tennessee Constitution, which provides “they shall enter on *no* legislative business except that for which they were *specifically* called together.” (Emphasis added).

31. The purpose of Section 2-3-105’s requirement for actual notice being provided to voters is obvious—it helps prevent voter confusion, chaos, and voter disenfranchisement. Removal of the actual notice requirement threatens to cause a chaotic election day and irreparable harm to Petitioners.

32. Section 2-5-101 of the Tennessee Code provides the candidate qualifying deadline. Section 2-5-101 is mentioned nowhere in the Proclamation. Furthermore, no change to Section 2-

5-101 is necessary to effectuate changes in district maps. To the contrary, the Proclamation provides that action is being taken to “comply with mandatory election qualifying timelines,” rather than changing any deadlines. Despite this, on May 7, 2026, the Tennessee Secretary of State website announced: “The General Assembly has adopted revised congressional districts ***and a special qualifying period for candidates for United States House of Representatives. Additional candidates*** may qualify for the primary or general election between now and noon on Friday, May 15, 2026.” (Emphasis added). See <https://sos.tn.gov/newsroom/press-releases/notice-of-revised-congressional-districts-and-special-qualifying-period>.

33. In considering a change to Section 2-3-105 and any changes to qualifying deadlines for candidates, the General Assembly violated Article III, Section 9 of the Tennessee Constitution, which provides “they shall enter on no legislative business except that for which they were ***specifically*** called together.” (Emphasis added).

34. In April 2022, the Tennessee Supreme Court in *Moore v. Lee*, Case Number: M2022-00434-SC-RDO-CV, opined “a delay in the Senatorial candidate filing deadline from April 7, 2022, to May 5, 2022, will have a significant detrimental impact on the work of our state and county election officials, risks voter confusion, and potentially compromises the integrity of our state’s elections.”

35. Here, as in *Moore v. Lee*, extending the deadline for qualification will have a significant detrimental impact on the work of our state and county election officials, risks voter confusion, and potentially compromises the integrity of Tennessee’s elections. Indeed, the illegitimate changes here include allowing “additional” heretofore unknown candidates to run in the election. Without an injunction, Petitioners will be irreparably harmed. Further, according to

the Tennessee Supreme Court's own analysis in *Moore v. Lee*, not enjoining Defendants would also be harmful to the public and election officials.

36. On May 7, 2026, at about 1:20 p.m., the Assembly passed final legislation that was directed to the Governor. The Governor sought to ratify the illegitimate acts of the General Assembly by purportedly signing them into law.

37. NAACP Tennessee works to help fulfill the NAACP's mission to achieve equity, political rights, and social inclusion by advancing policies and practices that expand human and civil rights, eliminate discrimination, and accelerate the well-being, education, and economic security of Black people and all persons of color across Tennessee.

38. As part of NAACP Tennessee's mission, it engages in voter registration drives, voter education, including educating voters about their voting rights, the state's once-a-decade redistricting process, voter's assigned election precincts, candidates, and get-out-the-vote efforts.

39. NAACP Tennessee is a membership organization with members across Tennessee. The organization's membership includes lawfully registered voters who would necessarily be negatively affected and whose rights would be impaired by the late-decade redistricting in violation of Section 2-16-102 of the Tennessee Code and Article III, Section 9 of the Tennessee Constitution.

40. In addition to Gloria Sweet-Love, a lawful, registered, and active Tennessee voter, who will be affected in her personal capacity as a voter by the unlawful late-decade redistricting, she also oversees the NAACP Tennessee's voter registration drives and voter education efforts, including educating voters about candidates, and get-out-the-vote efforts.

41. Rep. Chism has been elected to his office three times since 2018. As a member of the House of the Tennessee General Assembly, Rep. Chism is familiar with the statutes that govern

elections and redistricting. Rep. Chism read the Proclamation when it was issued by the Governor. The purpose of Rep. Chism reading the Proclamation was to learn the specifically stated purposes for which the extraordinary session was being convened. As a member of the House Calendar and Rules Committee, Rep. Chism knows that the General Assembly was not permitted to enter on any legislative business except that for which they were *specifically* called together.

42. Prior to the convening of the extraordinary session, Rep. Chism was not provided with a copy of HB7001, SB7001, HB7002, SB7002, or any other notification that specifically set forth the statutory sections to be repealed, suspended, or otherwise rendered ineffective by the extraordinary session. Pursuant to the Proclamation, no such legislative business was to be entered on during the extraordinary session.

43. To the best of Rep. Chism's knowledge, information, and belief, prior to the convening of the extraordinary session, no member of the Tennessee Black Caucus of State Legislators was provided with a copy of HB7001, SB7001, HB7002, SB7002, or any other notification that specifically set forth the statutory sections to be repealed, suspended, or otherwise rendered ineffective by the extraordinary session. Pursuant to the Proclamation, no such legislative business was to be entered on during the extraordinary session.

44. Prior to the extraordinary session, Rep. Chism had already qualified as a candidate for election in 2026. Moreover, he had already begun campaigning for office, expending time and financial resources. As a member of the House of the Tennessee General Assembly, and as a candidate who already had qualified to run for re-election, Rep. Chism and his constituents will be irreparably harmed if the illegitimate actions taken by the General Assembly are not enjoined.

45. Candidate Hill is a qualified candidate for the United States House of Representatives. Prior to the passing of the Respondent's redistricting scheme, Candidate Hill had

mounted a substantial, well-funded campaign to represent the citizens of Tennessee's 9th Congressional District. Following the passage of the Respondent's redistricting scheme, Candidate Hill has been required to pivot his campaign to Tennessee's 5<sup>th</sup> Congressional District in the final 100 days prior to the election.

46. In reliance upon the lawfully constituted 9th Congressional District, Candidate Hill invested approximately One Hundred Thousand Dollars and 0/100 (\$100,000.00) in his campaign. These funds were strategically allocated for voter outreach, advertising, and campaign infrastructure specifically targeted to the communities and voters of Tennessee's 9th Congressional District. The Respondent's redistricting scheme has rendered a significant portion of this investment worthless, as many of the voters he paid to reach are now carved out of Tennessee's new 5<sup>th</sup> Congressional District.

47. In furtherance of his 9<sup>th</sup> Congressional District campaign, Candidate Hill entered into, and made payments pursuant to, non-refundable contracts for marketing and advertising services tailored to the former 9th Congressional District, representing a direct and unrecoverable financial loss caused solely by the Respondent's redistricting scheme.

48. Respondent's redistricting scheme has thrown Candidate Hill's campaign into a state of chaos and paralysis. He had meticulously planned over one hundred (100) days of targeted campaign events and initiatives within the 9<sup>th</sup> Congressional District, many of which are now moot.

49. Critically, his efforts to pivot and campaign effectively in the newly gerrymandered 5th Congressional District are also thwarted because of the effects of the Respondent's redistricting scheme. For instance, a time-sensitive contract with a campaign mailer service is at a standstill because updated and accurate voter lists and polling information necessary to target mailers for the correct electorate have not been received. This delay, attributed solely to the Respondent's

eleventh-hour redistricting scheme, creates a significant competitive disadvantage, robbing Candidate Hill of sufficient time to introduce himself to new voters across a sprawling 5<sup>th</sup> Congressional District that spans over two hundred (200) miles.

50. Furthermore, Candidate Hill no longer resides within the boundaries of the district he seeks to represent. Respondent's redistricting scheme has forced Candidate Hill into the untenable position of being disenfranchised in his own election by being unable to cast a ballot for himself—a foundational act of political expression for any candidate.

51. On election day, while Candidate Hill must be present to campaign at polling locations within the 5th Congressional District, which now requires a two-hour-plus commute, his ability to vote for himself, will be severely hindered. This deprives him of the opportunity to cast his own vote on election day, a cornerstone of modern political campaigning and a powerful symbolic moment that connects a candidate to the very democratic process they seek to uphold.

**COUNT I**  
**DECLARATORY JUDGMENT**

52. Petitioners incorporate by reference and re-alleges each and every preceding allegation, as though fully set forth herein.

53. Courts have the power under Tennessee law “to declare rights, status, and other legal relations whether or not further relief is or could be claimed.” Tenn. Code Ann. § 29-14-102(a).

54. Respondents must act pursuant to Respondents' authority under the Tennessee Code and Tennessee Constitution and, but they have violated Section 2-16-102 of the Tennessee Code and Article III, Section 9 of the Tennessee Constitution.

55. Petitioners NAACP Tennessee and Gloria Sweet-Love request that this Court issue a declaratory judgment as to the lawfulness of the Governor's and the General Assembly's actions

in purporting to engage in late-decade redistricting and request that this Court issue an appropriate injunction.

**COUNT II**  
**INJUNCTIVE RELIEF**

56. Petitioners incorporate by reference and re-alleges each and every preceding allegation, as though fully set forth herein.

57. Tennessee Rule of Civil Procedure 65.03(1)(A) states that one must “clearly show that immediate and irreparable injury, loss or damage will result to the applicant before the adverse party can be heard in opposition . . . .” *See* Tenn. R. Civ. P. 65.03(1)(A).

**A. Petitioners Are Likely to Prevail on the Merits**

58. This case is staggeringly easy for this Court to decide. Pursuant to Section 2-16-102, late-decade redistricting is impermissible. Furthermore, there is a one-year district residency requirement for candidates for the House of Representatives.

59. Next, the Proclamation expressly provides that the May 5, 2026, extraordinary session is being convened “by virtue of the power and authority vested in [the Governor] by Article III, Section 9 of the Tennessee Constitution.” *See* Proclamation. Article III, Section 9 of the Tennessee Constitution provides, in its entirety: “[The Governor] may, on extraordinary occasions, convene the General Assembly by proclamation, in which he shall state *specifically* the purposes for which they are to convene; but they shall enter on *no* legislative business except that for which they were *specifically* called together.”

60. Finally, the Proclamation does not specify the purpose of repealing Section 2-16-102, which forbids late-decade redistricting, or suspension of the one-year residency requirement. Indeed, the Proclamation does not even mention Section 2-16-102 or the residency requirement.

Thus, any actions dependent on such repeal or suspension are impermissible and should be enjoined.

61. When dealing with statutory interpretation, well-defined precepts apply. A court's chief concern is to carry out legislative intent without broadening or restricting the statute beyond its intended scope. *Houghton v. Aramark Educ. Res., Inc.*, 90 S.W.3d 676, 678 (Tenn. 2002). In construing legislative enactments, a court presumes that every word in a statute has meaning and purpose and should be given full effect if the obvious intention of the General Assembly is not violated by so doing. *In re C.K.G.*, 173 S.W.3d 714, 722 (Tenn. 2005). When a statute is clear, courts apply the plain meaning without complicating the task. *Eastman Chem. Co. v. Johnson*, 151 S.W.3d 503, 507 (Tenn. 2004).

62. The Court's obligation is simply to enforce the written language. *Abels ex rel. Hunt v. Genie Indus. Inc.*, 202 S.W.3d 99, 102 (Tenn. 2006). Indeed, Section 1-3-105(b) of the Tennessee Code provides: "As used in this code, undefined words shall be given their natural and ordinary meaning, without forced or subtle construction that would limit or extend the meaning of the language, except when a contrary intention is clearly manifest."

63. Here, the Court must give effect to Section 2-16-102's prohibition: "The districts may not be changed between apportionments." The language cannot be interpreted in any fashion other than that late-decade redistricting is unlawful. The Court also must give effect to the one-year district residency requirement.

64. Next, as the Tennessee Attorney General has explained:

Courts must presume that the language in the Constitution has been used with sufficient precision to convey the intent of those who framed and adopted the language. *State ex rel. Sonnenburg v. Gaia*, 717 S.W.2d 883, 885 (Tenn. 1986). Since constitutional provisions must be taken literally unless the language is ambiguous, there is no need to resort to other means or rules of interpretation when the words are free from doubt and express plainly and

clearly the sense of the framers. *Shelby County v. Hale*, 200 Tenn. 503, 292 S.W.2d 745, 748 (1956). . . . The common, ordinary meaning of “authorized” is to “empower” or “to give power or permission to” someone, or to “give legal or official approval for something.”

Tenn. Atty. Gen. Op. 15-28 (March 18, 2015) (citing Merriam-Webster Online Dictionary); *see also State v. Deberry*, 651 S.W.3d 918, 925 (Tenn. 2022) (consulting dictionaries to give terms their “natural and ordinary meaning”).

65. Accordingly, this Court must give effect to the plain meaning of Article III, Section 9’s “specifically” language. Merriam-Webster Dictionary defines the adverb “specifically” as “in a specific manner : in a definite and exact way : with precision” and “used to indicate the exact identity, purpose, or use of something.”<sup>1</sup> Merriam-Webster further notes that “specifically” is synonymous with “especially”—“in regard to something mentioned explicitly or in detail.”<sup>2</sup>

66. Because the Proclamation does not specifically mention: (i) Section 2-16-102 or its repeal, (ii) the residency requirement or its suspension, (iii) Section 2-3-105’s actual notice to voters provision or its repeal or waiver, or (iv) the extension of the qualifying deadline and allowance of additional candidates, the General Assembly’s actions with regard to Section 2-16-102, the residency requirement, the actual notice requirement, and the qualifying deadline and allowance of additional candidates are legally void and unenforceable. Consequently, the late-decade redistricting is barred, the suspension of the residency requirement is ineffective, the repeal or waiver of the voter notice requirement is ineffective, and the amendment of the qualifying deadline and allowance of additional candidates is ineffective. Consequently, Petitioners are likely to win on the merits of their claim.

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<sup>1</sup> <https://www.merriam-webster.com/dictionary/specifically#dictionary-entry-1> (last checked 5/4/2026)

<sup>2</sup> <https://www.merriam-webster.com/dictionary/specifically#synonyms> (last checked 5/4/2026).

## **B. Petitioners Will Be Irreparably Harmed Unless Respondents Are Enjoined**

67. Unless Respondents are enjoined, NAACP's members will be subjected to the illegitimate results of the extraordinary session and unlawful redistricting scheme, affecting their voting rights going forward. In general, harm resulting from a denial of injunctive relief "is irreparable if it is not fully compensable by monetary damages." *Overstreet v. Lexington-Fayette Urban Cnty. Gov.*, 305 F.3d 566, 578 (6th Cir. 2002).

68. On May 4, 2026, Mark Goins, the Tennessee Coordinator of Elections, issued a memorandum to All County Election Commissioners ("Memorandum") detailing many of the harms that Petitioners will face if the illegitimate redistricting moves forward. *See* Exhibit 2. According to the Memorandum: "Potential changes to congressional districts could impact voters across multiple counties. Because congressional districts are interrelated, a change to one district may necessitate changes to others. This has the potential to affect ballot styles, over assignments, notices, and election administration across the state."

69. The Memorandum also explains that the late-decade redistricting may require some counties to adjust their precinct boundaries, "triggering additional notice and publication requirements, including mailing notices to active voters whose polling places have changed." The Memorandum further details that voters will be negatively affected with regard to the slate of potential candidates from which they may choose: "Due to the proximity of the election, the time period to issue and submit qualifying petitions will be compressed."

70. Furthermore, because of the illegitimate suspension of the one-year district residency requirement for candidates, voters can expect candidates with little or no ties to the district. Thus, candidates from foreign districts, who do not share the interests of district residents, can affect or even win a district's election.

71. As the Tennessee Supreme Court noted regarding similar proposed actions in *Moore v. Lee*, the proposed actions “will have a significant detrimental impact on the work of our state and county election officials, risks voter confusion, and potentially compromises the integrity of our state’s elections.”

72. By failing to specify the purpose of repealing Tennessee’s long-standing ban on late-decade redistricting, the Respondents deprived Rep. Chism of the ability to meaningfully perform his duties. He and his congressional colleagues were ambushed with a foundational change to Tennessee’s election law without the notice the Constitution demands. This nullification of the duty of informed deliberation is an irreparable injury to Rep. Chism and the constituents he represents.

73. Absent immediate injunctive relief from this Court, Candidate Hill will continue to suffer, immediate, and irreparable harm for which no adequate remedy at law exists. The injuries inflicted by Respondents’ unconstitutional actions are not merely financial; they strike at the heart of the electoral process and Candidate Hill’s fundamental rights as a candidate and citizen.

74. The currency of a political campaign is time. Every day that the Respondent’s newly passed congressional maps remain in effect is a day Candidate Hill is irrevocably harmed. He is being forced to pivot his campaign in a new district, while losing the benefits of time and money spent in the district that he began his campaign in. This lost time and the resulting voter confusion cannot be reclaimed or compensated by monetary damages. The ticking clock of an election cycle means that this injury compounds daily, creating a disadvantage that cannot be undone after the fact. An election lost due to a paralyzed campaign is an injury that can never be redressed.

75. The right to vote and the right to political expression are foundational principles of our democracy. Forcing Candidate Hill to run in a district where he cannot even cast a ballot for himself constitutes a *per se* irreparable injury. This is not a mere inconvenience; it is a profound disenfranchisement and a denial of his ability to fully and equally participate in the democratic process.

76. If an injunction is not granted, Candidate Hill will be forced to continue expending resources and soliciting votes within the framework of an election that is void *ab initio*. The harm is the continued participation in this charade, lending legitimacy to a process that violates the Tennessee Constitution. Forcing a candidate to compete on an unconstitutional playing field is a fundamental corruption of the electoral process itself, an injury not only to the candidate but to the voters he seeks to represent.

77. Because primaries are imminent and the general election is a mere six months away, Petitioners will suffer immediate and irreparable non-monetary harm if Respondents' unlawful actions are not enjoined.

**C. The Balance of the Equities Strongly Favor and Respondents' Actions Do Not Benefit the Public.**

78. Finally, the equities at stake also tip sharply in Petitioners' favor. Any act that violates the Tennessee Constitution is not within "the authority of the state," because "the power of the state is limited by the state and federal constitutions." *Colonial Pipeline Co. v. Morgan*, 263 S.W.3d 827, 850 (Tenn. 2008). Under no circumstances can Respondents' actions, which violate Tennessee statutory and constitutional provisions, be considered a benefit to the public for whom the statutory and constitutional provisions were enacted.

## PRAYER FOR RELIEF

**WHEREFORE, THE AFORE-DESCRIBED PREMISES CONSIDERED**, Petitioners National Association for the Advancement of Colored People Tennessee State Conference and Gloria Sweet-Love pray:

A. That its Petition be received and filed and that process issue to Respondent according to law, to appear before this Honorable Court within the time prescribed by law, and to then and there plead, answer, or otherwise defend this Petition;

B. For a declaration that, during the extraordinary session that was convened on May 5, 2026, at or about 2:00 p.m., Central Time, the General Assembly violated Article III, Section 9 of the Tennessee Constitution by entering on legislative business for which they were not specifically called together;

C. For a declaration that Section 2-16-102 of the Tennessee Code prohibits the late-decade redistricting that the General Assembly purported to engage in during the extraordinary session;

D. For a declaration that the purported repeal of Section 2-16-102 of the Tennessee Code as set forth in SB7002 and HB7002 is void *ab initio*.

E. For a declaration that the purported suspension of residency requirements as set forth in SB7001 and HB7001 is void *ab initio*.

F. For a declaration that the purported repeal or waiver of any part of Section 2-3-105 of the Tennessee Code and/or other requirement that “[t]he county election commission shall mail to each active voter whose polling place is changed a notice of the voter’s new polling place and precinct number” is void *ab initio*.

G. For a declaration that the purported repeal or waiver of any part of Section 2-5-101 of the Tennessee Code and/or other extension or other change to the qualifying period for candidates for United States House of Representatives or allowance of additional candidates is void *ab initio*.

H. For a declaration that any purported redistricting arising out of the extraordinary session is void;

I. For an injunction barring the Governor, the General Assembly, the Secretary of State, the Coordinator of Elections, and anyone acting at their direction or on their behalf from taking any step in furtherance of any purported redistricting arising out of the extraordinary session, including, but not limited to, sending notices to voters based upon the illegitimately derived congressional district boundaries arising out of the extraordinary session, or conducting any elections, including primaries, using the illegitimately derived congressional district boundaries arising out of the extraordinary session;

J. For costs of this cause; and

K. For other such general relief to which National Association for the Advancement of Colored People Tennessee State Conference and Gloria Sweet-Love may be entitled under the facts and circumstances of this case.

**DECLARATION**

I, GLORIA SWEET-LOVE, PRESIDENT of THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE TENNESSEE STATE CONFERENCE, pursuant to Tennessee Rule of Civil Procedure 72, do declare under penalty of perjury that the foregoing statements and allegations contained herein are true, correct and accurate to the best of my knowledge, information, and belief:

NAACP TN STATE CONFERENCE

/s/ Gloria Sweet-Love  
GLORIA SWEET-LOVE

ITS PRESIDENT

DATE: May 11, 2026

**DECLARATION**

I, JESSE CHISM, TENNESSEE STATE REPRESENTATIVE FOR DISTRICT 85 and CHAIRMAN FOR THE TENNESSEE GENERAL ASSEMBLY BLACK CAUCUS, pursuant to Tennessee Rule of Civil Procedure 72, do declare under penalty of perjury that the foregoing statements and allegations contained herein are true, correct and accurate to the best of my knowledge, information, and belief:

TENN. BLACK CAUCUS

/s/ Jesse Chism

HON. JESSE CHISM

ITS CHAIRMAN

DATE: May 11, 2026

**DECLARATION**

I, DEVANTE HILL, pursuant to Tennessee Rule of Civil Procedure 72, do declare under penalty of perjury that the foregoing statements and allegations contained herein are true, correct and accurate to the best of my knowledge, information, and belief:

DEVANTE HILL

*/s/ DeVante Hill* \_\_\_\_\_

DATE: May 11, 2026 \_\_\_\_\_

May 11, 2026

Respectfully submitted,

**MANSON JOHNSON CONNER, PLLC**

/s/ ISAAC THOMAS CONNER

Isaac Thomas Conner (TN Bar No. 022736)

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**TURNER FIELD, PLLC**

/s/VAN D. TURNER, JR.

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**NATIONAL ASSOCIATION FOR THE  
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\*Pro hac vice motions to be filed

**CERTIFICATE OF SERVICE**

I, Chudi Echetebe, do hereby certify that by operation of the Court's electronic filing system and email, all counsel and parties of record have been served with the following pleading on or about May 11, 2026.

/s/ Chudi Echetebe  
CHUDI ECHETEBU