

**IN THE CIRCUIT COURT OF JACKSON COUNTY
STATE OF MISSOURI**

TERRENCE WISE, *et al.*,

Plaintiffs,

v.

STATE OF MISSOURI, *et al.*,

Defendants.

Case No.

Division:

**PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION AND CONSOLIDATION
OF TRIAL ON COUNT 1 WITH PRELIMINARY INJUNCTION HEARING**

Come now Plaintiffs, pursuant to Missouri Supreme Court Rule 92.02, and move this Court for entry of a preliminary injunction prohibiting Defendants and anyone acting in concert with them from enforcing H.B. 1 (to be codified as §§ 128.345, 128.346, 128.348, 128.471, 128.472, 128.473, 128.474, 128.475, 128.476, 128.477, 128.478, and 128.479, RSMo), 103rd Gen. Assemb., 2nd Extraordinary Sess. (2025) ("H.B. 1"). Plaintiffs are requesting a hearing on this Motion for Preliminary Injunction and Consolidation of Trial on Count 1 with Preliminary Injunction Motion.

As described in the accompanying suggestions in support, entry of a preliminary injunction is appropriate in this case because Plaintiffs are likely to succeed on the merits of Count 1, they face irreparable harm in the absence of injunctive relief, the harm to Plaintiffs absent an injunction outweighs any potential harm an injunction would cause to Defendants, and the issuance of an injunction is in the public interest.

Indeed, Count 1 of Plaintiffs' complaint raises a pure question of law—whether Article III, Section 45 of the Missouri Constitution permits mid-decade congressional redistricting. For this reason, and to promote judicial economy, Plaintiffs respectfully move pursuant to Rule 92.02(c)(3)

for the Court to “order the trial of the action on the merits to be advanced and consolidated with the hearing of the application for a preliminary injunction.” There are no evidentiary issues with respect to Count 1, and it can be finally resolved such that the Court enters a permanent injunction and judgment.

Bond should be waived or set at a nominal amount because there will be no demonstrable harm to Defendants if H.B. 1 is enjoined.

WHEREFORE, Plaintiffs request this Court:

- A. Waive bond or set bond in a nominal amount;
- B. Establish an expedited schedule for briefing and hearing;
- C. Advance and consolidate the trial on Count 1 with the preliminary injunction motion hearing and enter a permanent injunction against enforcement of H.B. 1, or failing that, enter a preliminary injunction against enforcement of H.B. 1; and
- D. Allow to Plaintiffs such other and further relief as this Court deems just and equitable.

September 12, 2025

Respectfully submitted,

/s/ Gillian R. Wilcox

Gillian R. Wilcox, MO #61278

Jason Orr, MO # 56607

ACLU of Missouri Foundation

406 W. 34th Street, Suite 420

Kansas City, MO 64111

Phone: (816) 470-9938

gwilcox@aclu-mo.org

Jorr@aclu-mo.org

Kristin M. Mulvey, MO # 76060

Jonathan D. Schmid, MO # 74360

906 Olive Street, Suite 1130

St. Louis, MO 63101

Telephone: (314) 652-3114
kmulvey@aclu-mo.org
jschmid@aclu-mo.org

Mark P. Gaber*
Aseem Mulji*
Benjamin Phillips*
Isaac DeSanto*
Campaign Legal Center
1101 14th St NW Suite 400
Washington, DC 20005
Phone: (202) 736-2200
mgaber@campaignlegalcenter.org
amulji@campaignlegalcenter.org
bphillips@campaignlegalcenter.org
idesanto@campaignlegalcenter.org

ACLU FOUNDATION
Ming Cheung*
Dayton Campbell-Harris*
Sophia Lin Lakin*
125 Broad Street, 18th Floor
New York, New York 10004
(212) 549-2500
mcheung@aclu.org
dcampbell-harris@aclu.org
slakin@aclu.org

*pro hac vice motion forthcoming

Certificate of Service

I certify that a copy of the foregoing was served by email on September 12, 2025, to the following and will also be served by process server:

STATE OF MISSOURI, MICHAEL KEHOE, in his official capacity as Governor of Missouri,
DENNY HOSKINS, in his official capacity as Missouri Secretary of State,
Missouri Attorney General's Office

Supreme Court Building
207 West High Street

Jefferson City, Missouri 65102

Louis.Capozzi@ago.mo.gov

Peter.Donohue@ago.mo.gov

JACKSON COUNTY BOARD OF ELECTION COMMISSIONERS; MICHAEL K.
WHITEHEAD, HENRY R. CARNER, COLLEEN M. SCOTT, and LYLE K. QUERRY, in their
official capacities as commissioners of the Jackson County Board of Election Commissioners;
TAMMY BROWN and SARAH ZORICH, in their official capacities as directors of the Jackson
County Board of Election Commissioners

bconstance@sccmlaw.com

jdwilliamson@comcast.net

KANSAS CITY BOARD OF ELECTION COMMISSIONERS; SARAH (SALLY) MILLER,
SHARON TURNER BUIE, and RALPH F. MUNYAN II, in their official capacities as
commissioners of the Kansas City Board of Election Commissioners; and SHAWN KIEFFER
and LAURI EALOM, in their official capacities as directors of the Kansas City Board of
Election Commissioners,

charles.renner@huschblackwell.com

david.raymond@huschblackwell.com

/s/ Gillian R. Wilcox