

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

**TUNICA COUNTY, MISSISSIPPI
BRANCH OF THE NAACP and MARILYN
YOUNG, on Behalf of the Themselves and all
Others Similarly Situated,**

PLAINTIFFS,

VS.

CIVIL ACTION NO. 2:11CV041-P-A

**TUNICA COUNTY, MISSISSIPPI
BOARD OF SUPERVISORS; ET AL.,**

DEFENDANTS.

FINAL JUDGMENT

These matters come before the court upon the plaintiffs' motion for a temporary restraining order and preliminary injunction [docket number 2] and Mississippi Attorney General Jim Hood's motion to dismiss [docket number 9]. After due consideration of the motions and the responses filed thereto, the court finds as follows, to-wit:

The facts and issues raised in the instant case are essentially identical to those in *Hancock County Board of Supervisors v. Ruhr, et al.*, Cause No. 1:10CV564-LG-RHW (a consolidation of a total of ten identical cases) pending in the Southern District of Mississippi before U.S. District Judge Louis Guirola, Jr. For the same reasons discussed by Judge Guirola regarding the merits of these lawsuits (without regard, however, to the issue of standing) in his May 16, 2011 Memorandum Opinion and Order of Dismissal, which this court adopts and incorporates herein, the instant matter should be dismissed as premature. *See also Bryant v. Lawrence County, Mississippi*, 814 F.Supp. 1346 (S.D.Miss. 1993); *Fairley v. Forrest County, Mississippi*, 814 F.Suipp. 1327 (S.D.Miss. 1993).

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) The plaintiffs' motions for a temporary restraining order and preliminary injunction [docket number 2] are **DENIED** for failure to demonstrate the elements required by Fed. R. Civ. P.

65;

(2) Mississippi Attorney General Jim Hood's motion to dismiss [docket number 9] is **GRANTED**; accordingly,

(3) The plaintiffs' claims are **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED this the 14th day of September, A.D., 2011.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE