

**IN THE SUPREME COURT OF THE STATE OF MISSISSIPPI
No. 2024-KA-01178-SCT**

**CARLY MADISON GREGG
a/k/a CARLEY MADISON GREGG**

APPELLANT

V.

STATE OF MISSISSIPPI

APPELLEE

AFFIDAVIT AND DECLARATION OF TECHNICAL DIFFICULTIES

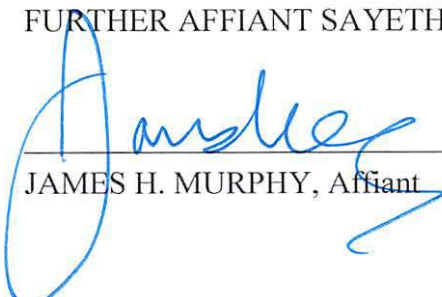
**STATE OF MISSISSIPPI
COUNTY OF LEAKE**

PERSONALLY APPEARED BEFORE ME, the undersigned authority, James H. Murphy, who, after being first duly sworn, stated upon personal knowledge as follows:

- 1 My name is James H. Murphy. I am an attorney licensed to practice law in Mississippi, Mississippi Bar No. 102223, and lead counsel of record for Appellant Carly Madison Gregg a/k/a Carley Madison Gregg in this appeal.
- 2 The Court handed down its written opinion and decision in this case on August 20, 2026. Pursuant to Mississippi Rule of Appellate Procedure 40(a), Appellant's motion for rehearing was due on September 3, 2026.
- 3 On September 3, 2026, I completed a Motion for Enlargement of Time to File Motion for Rehearing requesting an enlargement of fourteen days, through and including September 17, 2026. Before the filing deadline, I served a true and correct copy of that motion by electronic mail upon all counsel of record at the addresses identified in the motion's certificate of service.
- 4 Before midnight Central Daylight Time on September 3, 2026, I attempted in good faith to file the motion through the Court's appellate e-filing system, beginning at approximately 9:30 p.m..
- 5 At approximately 10:48 p.m., after selecting the option to e-file in this case from the appellate docket for Case No. 2024-KA-01178-SCT, the system displayed a red notice stating: "E-filing is currently unavailable due to maintenance. Please try again later."

- 6 I continued making good-faith attempts to access and use the appellate e-filing system before the deadline expired.
- 7 I continued making good-faith attempts to access and use the appellate e-filing system before the deadline expired.
- 8 At approximately 11:11 p.m., the direct e-filing page failed to load and displayed: "This page isn't working right now," "courts.ms.gov didn't send any data," and "ERR_EMPTY_RESPONSE."
- 9 At approximately 11:12 p.m., the appellate docket for this case continued to display the same maintenance notice and would not permit an electronic filing.
- 10 Because I could access the public docket while the direct filing page would not load, I determined that the difficulty was with the Court's system rather than my computer or Internet connection.
- 11 The Court's system would not accept the motion, so I could neither complete transmission nor receive a Notice of Electronic Filing before the deadline. The missed deadline resulted solely from the maintenance and technical failure, not intentional delay or lack of diligence.
- 12 I am submitting the Motion for Enlargement of Time and this Affidavit and Declaration on September 4, 2026, the next business day and as soon as reasonably practicable.
- 13 Attached as Composite Exhibit A are four pages of screenshots and photographs made contemporaneously on September 3, 2026. They are true and correct depictions of the notices and errors I observed while attempting to file the motion.
- 14 I submit this Affidavit and Declaration pursuant to Section 5(A) of the Mississippi Appellate E-Filing Administrative Procedures, in support of accepting the filing and granting the requested enlargement.

FURTHER AFFIANT SAYETH NOT.



JAMES H. MURPHY, Affiant

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 4th
day of September, 2026.

Kayla Murphy

NOTARY PUBLIC



My Commission Expires: 10/18/2026

CERTIFICATE OF SERVICE

I, James H. Murphy, hereby Certify that I have filed the above and foregoing Affidavit using the MEC filing system, which has caused notice of same to be delivered to all counsel of record.

SO CERTIFIED, this the 4th day of September, 2026.

/s/ James H. Murphy