

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

SEP 29 2011

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

SHANNON PEREZ; HAROLD
DUTTON, JR.; GREGORY TAMEZ;
SERGIO SALINAS; CARMEN
RODRIGUEZ; RUDOLFO ORTIZ;
NANCY HALL and DOROTHY DEBOSE

Plaintiffs

-and-

EDDIE BERNICE JOHNSON, SHEILA
JACKSON-LEE, and ALEXANDER
GREEN, MEMBERS OF THE UNITED
STATES CONGRESS

-and-

TEXAS LEGISLATIVE BLACK
CAUCUS, TEXAS HOUSE OF
REPRESENTATIVES

-and-

TEXAS STATE CONFERENCE OF
NAACP BRANCHES; HOWARD
JEFFERSON, JUANITA WALLACE and
REV. BILL LAWSON

Plaintiff-Intervenors

v.

STATE OF TEXAS; RICK PERRY,
in his official capacity as Governor of the
State of Texas; DAVID DEWHURST,
in his official capacity as Lieutenant
Governor of the State of Texas; JOE
STRAUS, in his official capacity as Speaker
of the Texas House of Representatives;
HOPE ANDRADE, in her official
capacity as Secretary of State of the
State of Texas

Defendants

CIVIL ACTION NO.
11-CA-360-OLG-JES-XR
[Lead case]

MEXICAN AMERICAN LEGISLATIVE)
CAUCUS, TEXAS HOUSE OF)
REPRESENTATIVES (MALC))

Plaintiffs)

-and-)

THE HONORABLE HENRY CUELLAR,)
Member of Congress, CD 28; THE TEXAS)
DEMOCRATIC PARTY and BOYD)
RICHIE, in his official capacity as Chair of)
the Texas Democratic Party; and LEAGUE)
OF UNITED LATIN AMERICAN)
CITIZENS (LULAC) and its individually)
named members)

Plaintiff-Intervenors)

v.)

STATE OF TEXAS; RICK PERRY,)
in his official capacity as Governor of the)
State of Texas; DAVID DEWHURST,)
in his official capacity as Lieutenant)
Governor of the State of Texas; JOE)
STRAUS, in his official capacity as Speaker)
of the Texas House of Representatives;)

Defendants)

CIVIL ACTION NO.
SA-11-CA-361-OLG-JES-XR
[Consolidated case]

TEXAS LATINO REDISTRICTING)
TASK FORCE, JOEY CARDENAS,)
ALEX JIMENEZ, EMELDA)
MENENDEZ, TOMACITA OLIVARES,)
JOSE OLIVARES, ALEJANDRO ORTIZ,)
AND REBECCA ORTIZ)

Plaintiffs)

v.)

RICK PERRY, in his official capacity)
as Governor of the State of Texas)

Defendants)

CIVIL ACTION NO.
SA-11-CA-490-OLG-JES-XR
[Consolidated case]

MARGARITA V. QUESADA; ROMEO
MUNOZ; MARC VEASEY; JANE
HAMILTON; LYMAN KING; and
JOHN JENKINS

Plaintiffs

v.

RICK PERRY, in his official capacity
as Governor of the State of Texas; and
HOPE ANDRADE, in her official
capacity as Secretary of State for the
State of Texas

Defendants

CIVIL ACTION NO.
SA-11-CA-592-OLG-JES-XR
[Consolidated case]

JOHN T. MORRIS

Plaintiff

v.

STATE OF TEXAS; RICK PERRY, in his
official capacity as Governor of the State
of Texas; DAVID DEWHURST, in his
official capacity as Lieutenant Governor of
the State of Texas; JOE STRAUS, in his
official capacity as Speaker of the Texas
House of Representatives; and HOPE
ANDRADE, in her official capacity as
Secretary of State of the State of Texas

Defendants

CIVIL ACTION NO.
SA-11-CA-615-OLG-JES-XR
[Consolidated case]

EDDIE RODRIGUEZ, MILTON GERARD
WASHINGTON, BRUCE ELFANT,
ALEX SERNA, SANDRA SERNA,
BETTY F. LOPEZ, DAVID GONZALEZ,
BEATRICE SALOMA, LIONOR SOROLA-
POHLMAN; ELIZA ALVARADO;
JUANITA VALDEZ-COX; JOSEY
MARTINEZ; NINA JO BAKER; TRAVIS
COUNTY and CITY OF AUSTIN

Plaintiffs

v.

RICK PERRY, in his official capacity
as Governor of the State of Texas;
DAVID DEWHURST, in his
official capacity as Lieutenant Governor
of the State of Texas; JOE STRAUS,
in his official capacity as Speaker of
the Texas House of Representatives;
HOPE ANDRADE, in her official
capacity as Secretary of State of the
State of Texas; STATE OF TEXAS;
BOYD RICHIE, in his official capacity
as Chair of the Texas Democratic Party;
and STEVE MUNISTERI, in his official
capacity as Chair of the Republican
Party of Texas

Defendants

CIVIL ACTION NO.
SA-11-CA-635-OLG-JES-XR
[Consolidated case]

ORDER ENJOINING THE IMPLEMENTATION OF VOTING CHANGES

The Court has considered Plaintiffs' Motion for Temporary Restraining Order (Dkt. # 375) and the State's response thereto (Dkt. # 379). After reviewing the motion, response and the applicable law, the Court finds that Plaintiffs' motion should be GRANTED as follows:

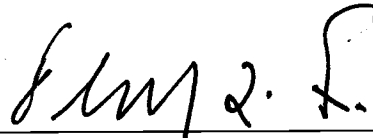
Because the redistricting plans for the Texas House of Representatives (Plan H283) and the United States House of Representatives (Plan C185) have not been precleared pursuant to Section 5 of the Voting Rights Act, the plans may not be implemented. According to the Texas Election Code, any changes that must be made in the county election precinct boundaries "to give effect to a redistricting plan" must be finalized by October 1, 2011. Tex. Elec. Code Ann. § 42.032 (Vernon 2010). Because the redistricting plans have not been precleared pursuant to Section 5 of the Voting Rights Act, all persons or entities that would otherwise have a duty under Section 42.032 of the Texas Election Code are relieved of those duties until further order of the Court. Likewise, Section 14.001 of the Election Code requires that voter registration certificates be issued to each voter in the county. Because the county election precinct boundaries will not be finalized, the persons or entities that would otherwise

have a duty to issue such registration certificates are relieved of those duties until further order of the Court.

The parties have agreed that the relief granted herein will be effective as a permanent injunction, subject to being lifted by order of the Court as appropriate.

It is the responsibility of Defendants to take reasonable measures to ensure that the appropriate elected and administrative officials in the various counties are timely notified of this order. If any persons or entities receiving such notice have questions about the effect of this order, they should contact the Attorney General's Office or the Office of the Secretary of State.

SIGNED this 29 day of September, 2011.



ORLANDO L. GARCIA
UNITED STATES DISTRICT JUDGE

And on behalf of:

Jerry E. Smith
United States Circuit Judge
U.S. Court of Appeals, Fifth Circuit

-and-

Xavier Rodriguez
United States District Judge
Western District of Texas