

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:

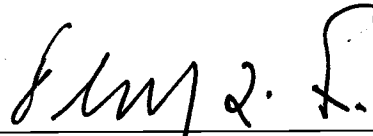
Because the redistricting plans for the Texas House of Representatives (Plan H283) and the United States House of Representatives (Plan C185) have not been precleared pursuant to Section 5 of the Voting Rights Act, the plans may not be implemented. According to the Texas Election Code, any changes that 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