

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

HILDA GONZALEZ GARZA and	§	
ROSBELL BARRERA	§	
	§	
Plaintiffs,	§	
	§	
v.	§	CIVIL ACTION NO. 7:18-cv-00046
	§	
STARR COUNTY, <i>et al.</i> ,	§	
	§	
Defendants.	§	

**PLAINTIFFS' EMERGENCY APPLICATION FOR TEMPORARY RESTRAINING
ORDER**

Plaintiffs Hilda Gonzalez Garza and Rosbell “Ross” Barrera (“Plaintiffs”) respectfully move for a temporary restraining order pursuant to Fed. R. Civ. P. 65(b) enjoining Starr County and the following Starr County officials (collectively, “Defendants”) and their employees and agents from implementing or enforcing the order adopted by the Starr County Commissioners’ Court on January 8, 2018 banning electioneering on all Starr County properties: Eloy Vera, County Judge for Starr County; Jaime Alvarez, Starr County Commissioner for Precinct 1; Raul Peña, III, Starr County Commissioner for Precinct 2; Eloy Garza, Starr County Commissioner for Precinct 3; Ruben D. Saenz, Starr County Commissioner for Precinct 4; Rene “Orta” Fuentes, Sheriff for Starr County; Victor Canales, Jr., County Attorney for Starr County; and Omar Escobar, Jr., District Attorney for the 229th Judicial District.

Plaintiffs assert: (1) there is a substantial likelihood that Plaintiffs will prevail on the merits of their claims; (2) there is a substantial threat that Plaintiffs will be irreparably harmed if

the injunction is not granted; (3) the threatened injury to Plaintiffs outweighs the threatened harm to Defendants; and (4) granting the preliminary injunction will not disserve the public interest.

In support of this application, Plaintiffs rely upon and incorporate herein their Complaint, their Memorandum of Law in Support of Plaintiffs' Emergency Application for Temporary Restraining Order, including attached declarations and exhibits, and Plaintiffs' proposed order granting the requested relief, which Plaintiffs contemporaneously filed with the Court today.

Dated: February 22, 2018

Respectfully submitted,

**MEXICAN AMERICAN LEGAL DEFENSE
AND EDUCATIONAL FUND**

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**Pro hac vice* application forthcoming

Attorneys for Plaintiffs HILDA GONZALEZ
GARZA and ROSBELL BARRERA

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that she has electronically submitted a true and correct copy of the above and foregoing via the Court's electronic filing system on the 22nd day of February 2018. Pursuant to FRCP 65(b)(1)(B), the undersigned counsel further certifies that she sent a copy of the above and foregoing by electronic mail to all defendants and placed telephone calls to the offices of all defendants to provide notice of the filing.

/s/ Nina Perales
Nina Perales

CERTIFICATE OF CONFERENCE

On this 22nd day of February, 2018, the undersigned counsel for Plaintiffs communicated with Defendants by telephone and email regarding Defendants' position on this motion. Defendants responded that they are opposed to the motion.

/s/ Nina Perales
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