

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

HILDA GONZALEZ GARZA, *et al*,

Plaintiffs,

VS.

STARR COUNTY, TEXAS, *et al*,

Defendants.

§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION NO. 7:18-CV-46

**JOINT STIPULATION OF DISMISSAL WITHOUT PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), all Plaintiffs and Defendants, by and through their undersigned counsel, hereby stipulate that this action is dismissed without prejudice and in its entirety.

**BACKGROUND**

Plaintiffs brought this action to challenge the constitutionality of an anti-electioneering order and county property use policy adopted by Defendants, alleging violations to the United States Constitution and Section 61.003 of the Texas Election Code. Dkt. No. 1. Both parties filed for summary judgment, and the Court issued an order granting in part and denying in part both motions. Dkt. No. 117. The ruling indicated that some issues remained in the case following that order. In response to that order, the parties entered into extensive settlement negotiations. The parties have reached a settlement of all claims in the case, all parties have executed the settlement, and the Starr County Commissioners' Court has adopted new policies pursuant to the settlement agreement.

### **JOINT STIPULATION OF DISMISSAL**

Under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties may dismiss a suit without an order by filing “a stipulation of dismissal signed by all parties who have appeared.” In light of recent developments and actions by Defendants, including the adoption of new electioneering and use policies pursuant to the settlement agreement, Plaintiffs have concluded that their claims in the case are resolved. Thus, all parties stipulate to the dismissal of this case.

Dated: May 12, 2021

Respectfully submitted,

**MEXICAN AMERICAN LEGAL DEFENSE  
AND EDUCATIONAL FUND**

By: /s/ Nina Perales

Nina Perales

State Bar No. 24005046

SDTX Bar No. 21127

nperales@maldef.org

110 Broadway, Suite 300

San Antonio, TX 78205

Tel: (210) 224-5476

Fax: (210) 224-5382

**TEXAS CIVIL RIGHTS PROJECT**

Emma Hilbert

State Bar No. 24107808

SDTX Bar No. 2942270

[emma@texascivilrightsproject.org](mailto:emma@texascivilrightsproject.org)

1405 Montopolis Dr.

Austin, Texas 78741

Tel: (512) 474-5073

Ricardo. A Garza

State Bar No. 24109912

SDTX Bar No. 3336127

[ricky@texascivilrightsproject.org](mailto:ricky@texascivilrightsproject.org)

1017 W. Hackberry Ave.

Alamo, Texas 78516

Tel: (956) 787-8171 ext. 121

*Attorneys for Plaintiffs*

**GUERRA & SABO, P.L.L.C.**

By: /s/ Joe Hernandez

Joe Hernandez

State Bar No. 09517700

SDTX Bar No. 15146

Email: [jhernandez@guerrasabo.com](mailto:jhernandez@guerrasabo.com)

*Attorney In Charge*

Frank Sabo, Jr.

State Bar No. 17500300

SDTX Bar No. 20213

Email: [fsabo@guerrasabo.com](mailto:fsabo@guerrasabo.com)

*Of Counsel*

GUERRA & SABO, P.L.L.C.

10213 N. 10th Street

McAllen, Texas 78504

Telephone: 956-383-4300

Facsimile: 956-383-4304

*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that, on May 12, 2021, I electronically filed the above and foregoing document using the CM/ECF system, which automatically sends notice and a copy of the filing to all counsel of record.

/s/ Nina Perales

Nina Perales