

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

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| THE HONORABLE TERRY PETTEWAY, <i>et al</i> , | § | |
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| Plaintiffs, | § | |
| VS. | § | CIVIL ACTION NO. G-11-511 |
| | § | |
| THE HONORABLE MARK HENRY, <i>et al</i> , | § | |
| | § | |
| Defendants. | § | |

ORDER ENJOINING THE IMPLEMENTATION OF VOTING CHANGES

The Court has considered the plaintiffs' application for temporary restraining order and responses thereto. After reviewing the motion, response and the applicable law, the Court finds that the plaintiffs' motion should be GRANTED as follows:

Because the redistricting plans for Galveston County Constables and Justices of the Peace precincts 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).

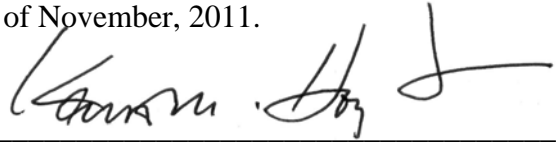
Because the redistricting plans have not been precleared pursuant to Section 5 of the Voting Rights Act, all persons or entities that would otherwise have a duty under Section 42.032 of the Texas Election Code are relieved of those duties until further order of the Court. Likewise, Section 14.001 of the Election Code requires that voter registration certificates be issued to each voter in the county. Because the county election precinct boundaries for the offices of Constables and Justices of the Peace 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.

This order is subject to being lifted by order of the Court as appropriate.

It is the responsibility of the defendants to take reasonable measures to ensure that the appropriate elected and administrative officials in the county as well as affected political parties and entities 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 Galveston County Attorney or his designee.

SIGNED at Houston, Texas this 21st day of November, 2011.

A handwritten signature in black ink, appearing to read "Kenneth M. Hoyt", written over a horizontal line.

Kenneth M. Hoyt
United States District Judge