

**U.S. District Court  
Northern District of Texas (Lubbock)  
CIVIL DOCKET FOR CASE #: 5:06-cv-00043-C**

United States of America v. Hale County, Texas et al  
Assigned to: Judge Sam R Cummings  
Cause: 28:1345 USA Plaintiff

Date Filed: 02/27/2006  
Date Terminated: 04/27/2006  
Jury Demand: None  
Nature of Suit: 441 Civil Rights: Voting  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**United States of America**

represented by **E Scott Frost-DOJ**  
US Attorney's Office  
1205 Texas Ave  
7th Floor  
Lubbock, TX 79401  
806/472-7566  
Fax: 806/472-7324  
Email: [usatxn.ecfbounceback@usdoj.gov](mailto:usatxn.ecfbounceback@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**John Albert Russ**  
US Department of Justice - Civil Rights Div  
- Voting Section  
950 Pennsylvania Ave NW  
Room 7254-NWB  
Washington, DC 20530  
202/353-7738  
Fax: 202/307-3961  
Email: [john.russ@usdoj.gov](mailto:john.russ@usdoj.gov)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Not Admitted*

**Joshua L Rogers**  
US Department of Justice  
1800 G St NW  
Room 7150  
Washington, DC 20005  
202/514-8201  
Email: [joshua.rogers@usdoj.gov](mailto:joshua.rogers@usdoj.gov)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Not Admitted*

**Wan J Kim**  
Kellogg, Hansen, Todd, Figel & Frederick,

P.L.L.C.  
 1615 M Street NW  
 Suite 400  
 Washington, DC 20036  
 202/326-7908  
 Fax: 202/326-7999  
 Email: [wkim@kellogghansen.com](mailto:wkim@kellogghansen.com)  
*Bar Status: Not Admitted*

V.

**Defendant**

**Hale County, Texas**

represented by **James M Tirey**  
 Hale County District Attorney's Office  
 500 Broadway  
 Room 300  
 Plainview, TX 79072  
 806/291-5306  
 Email: [jtirey@halecounty.org](mailto:jtirey@halecounty.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Bar Status: Not Admitted*

**Defendant**

**Diane Williams**

*the County Clerk, in her official capacity*

represented by **James M Tirey**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Bar Status: Not Admitted*

**Defendant**

**Hale County Commissioners Court**

represented by **James M Tirey**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Bar Status: Not Admitted*

**Interested Party**

**Judge Jerry Edwin Smith**

represented by **Jerry Edwin Smith**  
 US Courthouse  
 515 Rusk Ave  
 Room 12621  
 Houston, TX 77002-2698  
 713/250-5101  
 Email: [jerry\\_smith@ca5.uscourts.gov](mailto:jerry_smith@ca5.uscourts.gov)  
**PRO SE**

Date Filed	#	Docket Text
02/27/2006	<a href="#"><u>1</u></a>	COMPLAINT against Hale County, Texas, Diane Williams, and the Hale County Commissioners Court filed by United States of America. (cb, ) (Entered: 02/27/2006)

02/27/2006	<a href="#"><u>2</u></a>	CERTIFICATE OF INTERESTED PERSONS by United States of America. (cb, ) (Entered: 02/27/2006)
02/27/2006	<a href="#"><u>3</u></a>	Summons Issued as to Hale County, Texas, Diane Williams, and the Hale County Commissioners Court c/o James M. Tirey, Hale County Attorney. (cb, ) (Entered: 02/27/2006)
02/27/2006	<a href="#"><u>4</u></a>	APPLICATION FOR DESIGNATION OF A DISTRICT COURT OF THREE JUDGES by United States of America (cb, ) (Entered: 02/27/2006)
02/27/2006	<a href="#"><u>5</u></a>	ORDER DESIGNATING CASE FOR ECF - see order for specifics. (Signed by Judge Sam R Cummings on 1/3/2006) (cb, ) (Entered: 02/27/2006)
03/02/2006	<a href="#"><u>6</u></a>	Application and Order for Admission Pro Hac Vice by James M Tirey for Hale County, Texas, Hale County Commissioners Court and Diane Williams. (Signed by Judge Sam R Cummings on 03/02/06) (bdg, ) (Entered: 03/02/2006)
03/02/2006	<a href="#"><u>7</u></a>	ORDER granting <a href="#"><u>4</u></a> Motion FOR DESIGNATION OF A DISTRICT COURT OF THREE JUDGES. On February 27, 2006, the United States of America filed this action against Hale County Texas, et al., alleging, inter alia, violations of Section 203 of the Voting Right Acts of 1965. The United States filed an application for designation of a district court of three judges. Pursuant to 42 U.S.C 1973aa-2 and 28 U.S.C 2284, the Court requests that Cheif Judge Edith H. Jones, Fifth Circuit Court of Appeals, designate a three-judge panel to hear and determine this case. cc: Chief Judge Edith H. Jones - certified copy. (Signed by Judge Sam R Cummings on 03/02/06) (bdg, ) (Entered: 03/02/2006)
03/09/2006	<a href="#"><u>8</u></a>	WAIVER OF SERVICE Returned Executed as to Hale County, Texas. Waiver sent on 2/27/2006, answer due 4/28/2006; Diane Williams. Waiver sent on 2/27/2006, answer due 4/28/2006; Hale County Commissioners Court. Waiver sent on 2/27/2006, answer due 4/28/2006. (Frost, E) (Entered: 03/09/2006)
03/16/2006	<a href="#"><u>9</u></a>	ORDER CONSTITUTING THREE-JUDGE COURT: Having been informed by the above identified requesting district judge that this action, which has been presented to hi, is required to be heard and determined by a court composed of three judges, pursuant to the provisions of 28 U.S.C. 2284, as Chief Judge of the United States Court of Appeals for the Fifth Circuit, I hereby designate the United States circuit and district judges - Jerry E. Smith and Mary Lou Robinson as the members of the three-judge district court that is to hear and resolve this matter. This Order is not to be taken as a pre-judgment, express or implied, that this is an action to be heard exclusively by a three-judge court. That question is best answered by a three-judge court. The parties will be afforded the opportunity to brief and argue all questions as may appropriately be presented to the three-judge panel, either preliminarily or on the trial of the merits, as the court deems appropriate. (Signed by Judge Edith H Jones on 03/16/06) (bdg, ) (Entered: 03/16/2006)
03/23/2006	<a href="#"><u>10</u></a>	ORDER MODIFYING ECF STANDING ORDER: see order for specifics. (Signed by Judge Sam R Cummings on 03/22/06) (bdg, ) (Entered: 03/23/2006)
04/27/2006	<a href="#"><u>11</u></a>	JUDGMENT : This Court, having considered the United States' claim under Sections 208 and 203 of the Voting Rights Act of 1965, as amended, 42 U.S.C. 1973aa-6 and 42 U.S.C. 1973aa-1a, and having determined that it has jurisdiction over this claim, has considered the terms of the Consent Decree as modified by the Court, hereby enters the relief set forth above and incorporates those terms herein. Each party shall bear its own costs and fees. (Signed by Judge Sam R Cummings, Judge Mary Lou Robinson and Judge Jerry E. Smith on 04/27/06) (bdg, ) Additional attachment(s) added on 5/5/2006 (egb, ). (Entered: 04/27/2006)
05/05/2006	<a href="#"><u>12</u></a>	ORDER: Plaintiff has requested that the page containing the signatures of all counsel of record (dated February 27, 2006 and submitted with the parties' Proposed Consent Decree,

		Judgment, and Order) be substituted in place of page 13 of the Consent Decree (Modified), Judgment, and Order filed April 27, 2006. Plaintiff has indicated that no party is opposed to the substitution. IT IS, THEREFORE, ORDERED that the page containing the signatures of all counsel of record shall be substituted as page 13 of the Consent Decree (Modified), Judgment, and Order filed April 27, 2006. (Signed by Judge Sam R Cummings on 5/5/06) (egb, ) (Entered: 05/05/2006)
05/05/2006		Document Number Reset To 12 (egb, ) (Entered: 05/05/2006)
12/17/2009	<a href="#">13</a>	NOTICE of Attorney Appearance by John Albert Russ on behalf of United States of America. (Russ, John) (Entered: 12/17/2009)
12/17/2009	<a href="#">14</a>	NOTICE of Expiration of Consent Decree filed by United States of America (Russ, John) (Entered: 12/17/2009)

PACER Service Center			
Transaction Receipt			
12/24/2024 07:07:38			
PACER Login:	spb00035	Client Code:	990065.00888
Description:	Docket Report	Search Criteria:	5:06-cv-00043-C
Billable Pages:	3	Cost:	0.30