

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS,
AUSTIN DIVISION

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY _____ DEPUTY

CAROLE KEETON STRAYHORN,
KIMBLE D. ROSS, DAVID MAYES
MIDDLETON, II, AND
BARBARA RUUD,
PLAINTIFFS,

~~~~~

V.

CAUSE NO. A-06-CA-205-LY

ROGER WILLIAMS, TEXAS  
SECRETARY OF STATE,  
DEFENDANT.

## FINAL JUDGMENT

Before this Court is the above styled and numbered cause of action. By Memorandum Opinion and Order signed this day, this Court concluded that the Texas Election Code's system allowing the Secretary of State discretion to choose among three methods for verifying petitions of individuals seeking access to the general-election ballot as independent candidates passes constitutional muster and that no unreasonable burden is placed on the voters' First and Fourteenth Amendment right to associate for political purposes by the denial of Plaintiffs Carole Keeton Strayhorn, Kimble D. Ross, David Mayes Middleton, II, and Barbara Ruud's (referred to collectively as "Strayhorn") request for a preliminary determination of ballot access using a method different than that chosen by Defendant Roger Williams, Texas Secretary of State. Accordingly, this Court signs the following Final Judgment pursuant to Federal Rule of Civil Procedure 58.

**IT IS HEREBY ORDERED** that Strayhorn's claim that the Secretary of State's choice to review her application and petition for ballot access as an independent candidate in the 2006 general election is unconstitutional is **DENIED**.

**IT IS FURTHER ORDERED** that Strayhorn's request that the Secretary of State

statistically sample an adequate number of petition signatures, at Strayhorn's expense, and make a preliminary announcement, indicating that, within some level of certainty, Strayhorn has adequate valid signatures to be certified as an independent candidate for governor and placed on the ballot for the 2006 Texas general election is **DENIED**.

**IT IS FURTHER ORDERED** that Strayhorn's request for injunctive relief is **DENIED**.

**IT IS FURTHER ORDERED** that Strayhorn's claims for relief pursuant to Texas state law are **DISMISSED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that all other relief not expressly granted is hereby **DENIED**.

**IT IS FINALLY ORDERED** that the case is hereby **CLOSED**.

SIGNED this 10th day of May, 2006.

  
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LEE YEAKEL  
UNITED STATES DISTRICT JUDGE