

FILED

October 30, 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

BY: NM
DEPUTY

ROXANNE CRIBBS RINGER, on behalf of herself
and on behalf of her minor child, E.R. *et al.*,

Plaintiffs,

v.

COMAL INDEPENDENT SCHOOL DISTRICT *et al.*,

Defendants.

CIVIL ACTION NO. 5:25-cv-1181

ORDER

Pending before the Court is the Joint Motion To Dismiss Claims Against Defendant McAllen Independent School District Without Prejudice (the “Motion”) (Dkt. No. 49). Upon consideration, the Motion (Dkt. No. 49) is **GRANTED**.

Texas Senate Bill No. 10 requires that Texas “public elementary or secondary school[s] . . . accept any offer of a privately donated poster or framed copy of the Ten Commandments” and that the schools “shall display [those materials] in a conspicuous place in each classroom.” Tex. Educ. Code § 1.0041(a), (d) (“S.B. 10”). McAllen Independent School District (“McAllen ISD” or the “District”) acknowledges that it has posted the Ten Commandments as specified in S.B. 10 in McAllen ISD classrooms. The District recognizes, however, that the Supreme Court held a substantively similar law to be unconstitutional in *Stone v. Graham*, 449 U.S. 39 (1980), and that a federal court in the Western District of Texas recently followed *Stone* and related precedents in holding that S.B. 10’s public-display requirement similarly conflicts with federal law and violates the First Amendment. *See Nathan v. Alamo Heights Indep. Sch. Dist.*, No. 25-cv-756, 2025 WL 2417589 (W.D. Tex. Aug. 20, 2025).

McAllen ISD believes that the federal courts ultimately must resolve the conflict between federal and state law posed by S.B. 10. It accordingly does not wish to actively participate as a litigant in this proceeding and has agreed to adhere to *Stone* pending the final adjudication of this case or other intervening controlling authority. The District agrees to follow any rulings entered by this Court in this case regarding the constitutionality of S.B. 10, including any injunction that this Court may enter that prohibits S.B. 10 from being applied and enforced in any school district.

IT IS THEREFORE ORDERED that Plaintiffs' claims against Defendant McAllen ISD are DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that McAllen ISD shall be subject to and bound by any order or injunction issued by this Court or any appellate or other court enjoining the implementation of S.B. 10, as if McAllen ISD was still a defendant in this matter.

IT IS FURTHER ORDERED that the schools in McAllen ISD shall not post the Ten Commandments as specified in S.B. 10 while this litigation is pending in any form (be it before this Court, the Fifth Circuit, or the Supreme Court) and until it is finally adjudicated.

IT IS FURTHER ORDERED that McAllen ISD will take all necessary actions to ensure that each school within the District abides by this Order, including the immediate removal of any S.B. 10 displays already present in any schools within the District, and any final result in this case concerning the constitutionality of S.B. 10.

IT IS FURTHER ORDERED that the Court retains jurisdiction to enforce this Order, including by orders of contempt or otherwise.

SIGNED this 20 day of October, 2025.

A handwritten signature in blue ink, appearing to read "Orlando L. Garcia", written over a horizontal line.

JUDGE ORLANDO L. GARCIA
UNITED STATES DISTRICT JUDGE