IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

FRIENDS OF THE RUIDOSA CHURCH et al.,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	**CAUSE NO. EP-26-CV-1099-KC**
	§	
MARKWAYNE MULLIN et al.,	§	
	§	
Defendants.	§	

ORDER GRANTING PRELIMINARY INJUNCTION

On this day, the Court held an evidentiary hearing on Plaintiffs' Motion for Preliminary Injunction ("Motion"), ECF No. 34. After considering the witnesses' testimony, the parties' exhibits, the pertinent legal authorities, and the arguments of counsel, the Motion is **GRANTED**. The Court finds that Plaintiffs are likely to succeed on the merits of at least one of the claims in suit, that there is a likelihood that they will suffer serious, irreparable harm without an injunction, and that the balance of the equities and the public interest weigh in their favor. *See Nichols v. Alcatel USA, Inc.*, 532 F.3d 364, 372 (5th Cir. 2008) (citing *Planned Parenthood of Hous. & S.E. Tex. v. Sanchez*, 403 F.3d 324, 329 (5th Cir. 2005)); Fed. R. Civ. P. 65. A memorandum opinion will follow, explaining the Court's rationale in greater detail.

The Court **ENJOINS** Defendants as follows: Effective immediately and until the Court orders otherwise, Defendants **SHALL NOT** build border barrier or related infrastructure, or engage in any construction or ground disturbing activities, in the Big Bend Sector until and unless Defendants comply with all applicable laws. Defendants must comply with all applicable laws notwithstanding the "Big Bend Waivers," including the "West Waiver," 91 Fed. Reg. 7297 (Feb. 17, 2026), as amended by 91 Fed. Reg. 40550 (July 2, 2026), the "National Park Waiver,"

91 Fed. Reg. 27969 (May 15, 2026), as amended by 91 Fed. Reg. 34831 (June 9, 2026), and the "Lower Canyons Waiver," 91 Fed. Reg. 46939 (July 27, 2026). The effect of all "Big Bend Waivers" is **STAYED** for the duration of this Injunction.

SO ORDERED.

SIGNED this 2nd day of October, 2026.

KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE