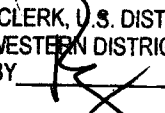


FILED

FEB 28 2019

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY  REEDITY

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

TEXAS LEAGUE OF UNITED LATIN)
AMERICAN CITIZENS, ET AL.,)

Plaintiffs,)

V.)

CIVIL ACTION NO. SA-19-CA-074-FB

DAVID WHITLEY, in his Official Capacity)
as Secretary of State for the State of Texas;)
ET AL.,)

Defendants.)

ORDER REGARDING JOINT ADVISORY FROM COUNTY DEFENDANTS

The county defendants seek clarification of the Order (docket no. 61) issued on February 27, 2018. (Docket no. 62). As noted in the advisory, “all Texas counties routinely receive information from a variety of sources (including the Secretary of State) regarding voters who are deceased, have moved to another county or state, are convicted of a felony, or are not citizens.” *Id.* at page 2. The county defendants inquire whether “the Court’s Order to not remove any voter based on information received from Advisory 2019-02 . . . is broad enough to prohibit the removal of ‘any person from the current voter registration list until authorized by this Court,’ for any reason, based upon information independent of Advisory 2019-02.” *Id.* The Court’s Order is limited to the removal of any person from the current voter registration list based on non-citizenship and does not prohibit the removal of any person based upon information independent of Advisory 2019-02, such as death, relocation or felony conviction.

The county defendants also advise “the Court that they may be unable to avoid communicating directly ‘with any particular individual on the list’ should those voters initiate the contact with a county

elections administrator. However, the county defendants advise the Court that they will not initiate such contact.” *Id.* This is acceptable to the Court.

The advisory also brings to the Court’s attention that the *Garibay* plaintiffs’ motion for leave to file a second amended complaint, which seeks to add as defendants Angelina County, Bandera County, Blanco County, Bosque County, Brazos County, Gregg County, Kerr County, Victoria County and Willacy County, is pending. It is due to an administrative oversight that these counties are not properly before the Court at this time. Accordingly, an order granting the motion shall be issued simultaneously with this response to the joint advisory.

It is so ORDERED.

SIGNED this 28th day of February, 2019.



FRED BIERY
UNITED STATES DISTRICT JUDGE