

September 15, 2017

Scott S. Harris
Clerk, United States Supreme Court
1 First Street NE
Washington, DC 20543

Re: *Abbott, et al. v. Perez, et al.*, Nos. 17A225, 17A245

VIA ELECTRONIC MAIL & USPS

Dear Mr. Harris:

On September 12, 2017, the Supreme Court granted Texas’s applications for a stay in *Abbott v. Perez*, Nos. 17A225 and 17A245, “pending the timely filing and disposition of an appeal to this Court.” 582 U.S. ___ (U.S. Sept. 12, 2017). In both Applications, Texas requested that “after granting a stay or an injunction, the Court should convert this application into a jurisdictional statement”¹

Appellees ask that this Court grant Texas’s request and convert the stay applications into jurisdictional statements. This Court’s disposition of these cases will determine the district boundaries for the 2018 Texas congressional and state house elections. Should Appellees prevail, remedial proceedings will be required on remand, and the State will be required to conduct primary elections under the district lines that result from those proceedings. To minimize the disruption those proceedings may have on the 2018 Texas election calendar, Appellees agree with the State that the Court’s consideration of these appeals should be expedited.

In particular, Appellees request that the Court treat Texas’s stay applications as jurisdictional statements and set a briefing schedule providing that (1) Appellees’ Motions to Dismiss or Affirm, along with any Cross-Appeal Jurisdictional Statements, be filed by October 12, 2017 (which is 30 days after this Court’s order granting Texas’s stay applications); (2) Texas’s Motions to Dismiss or Affirm regarding any Cross-Appeal Jurisdictional Statements be filed by November 13, 2017, and (3) those briefs, plus any reply briefs, be distributed to the Court November 29, 2017 for consideration at the Court’s January 5, 2017 Conference. Appellees further request that these deadlines not be subject to any extensions. This Court has followed a similar approach in this case before, treating Texas’s request for a stay as a jurisdictional statement. *See Perry v. Perez*, 565 U.S. 1090 (2011).

Thank you for your consideration of this matter.

¹ Emergency Application for Stay or Injunctive Relief Pending Appeal to the Supreme Court of the United States at 43, *Abbott v. Perez*, No. 17A225 (Aug. 25, 2017); Emergency Application for Stay or Injunctive Relief Pending Appeal to the Supreme Court of the United States at 44, *Abbott v. Perez*, No. 17A245 (Aug. 31, 2017).

Sincerely,

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