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|---------------------------------|---|-------------------------|
| JOHN T. MORRIS                  | § |                         |
| <i>Plaintiff</i>                | § |                         |
|                                 | § | CIVIL ACTION NO.        |
| v.                              | § | SA-11-CA-615-OLG-JES-XR |
|                                 | § | [Consolidated Case]     |
| STATE OF TEXAS, et al.          | § |                         |
| <i>Defendants</i>               | § |                         |
| <hr/>                           |   |                         |
| EDDIE RODRIGUEZ, MILTON GERARD  | § |                         |
| WASHINGTON, BRUCE ELFANT, ALEX  | § |                         |
| SERNA, SANDRA SERNA, BETTY F.   | § |                         |
| LOPEZ, DAVID GONZALEZ, BEATRICE | § |                         |
| SALOMA, LIONOR SOROLA-          | § |                         |
| POHLMAN; ELIZA ALVARADO;        | § | CIVIL ACTION NO.        |
| JUANITA VALDEZ-COX; JOSEY       | § | SA-11-CA-635-OLG-JES-XR |
| MARTINEZ; NINA JO BAKER; TRAVIS | § | [Consolidated case]     |
| COUNTY and CITY OF AUSTIN,      | § |                         |
| <i>Plaintiffs</i>               | § |                         |
|                                 | § |                         |
| v.                              | § |                         |
|                                 | § |                         |
| STATE OF TEXAS, et al           | § |                         |
| <i>Defendants</i>               | § |                         |

**PEREZ PLAINTIFFS’ ADVISORY REGARDING  
STATE DEFENDANTS’ ADVISORY ON HOUSE REDISTRICTING**

1. By now, the parties have inundated the Court with a warehouse of filings. Nonetheless, with some trepidation, we tender two brief comments with respect to the State’s 30 page plus Advisory on House Redistricting.
2. Bell County – The State’s filing confirms exactly what we have claimed – significant minority population was removed from District 54 to prevent it from remaining a majority minority district. Thus, the State’s filing admits that under existing law, District 54 contained 99% of the City of Killeen, while in H283, only 74% of Killeen remains in District 54. (State’s Advisory at 27.) The portion of Killeen removed is heavily minority. (Exhibits 50-51, Perez Ex. Book 2/14/12.) The removal of this minority population and fracturing of the City of Killeen

demonstrably dilutes the voting strength of the minority community in violation of the principles of *White v. Regester*, compare, *Robinson v. Commissioner's Court, Anderson County*, 505 F.2d 674 (5th Cir. 1974), and was done for the purpose of protecting an Anglo incumbent. (Martin Ex. 5, Bell County.)

3. The State's filing threw in, somewhat belatedly, a claim that we lack standing to question the Harris County redistricting scheme. (Advisory at 30.) By a series of orders beginning in July 2011, the Court consolidated all of Plaintiffs' claims "for all purposes." (Clerk's Doc. Nos. 23, 63, 72, and 76.) The effect of these orders was to create a "single judicial unit." See, *Ringwald v Harris*, 675 F.2d 768, 771 (5<sup>th</sup> Cir. 1982). Obviously, standing when issues of mal-apportionment and discrimination exist has been broadly read. See, *United States v. SCRAP*, 412 U.S. 669, fn. 14 (1973). "We have allowed important interests to be vindicated by plaintiffs with no more at stake in the outcome of an action than a fraction of a vote, see Baker v. Carr, 369 U.S. 186..." Given the orders of consolidation, the standing doctrine, the plethora of Plaintiffs, the late blooming standing claim should not give the Court pause.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

I hereby certify that on the 22<sup>nd</sup> day of February, 2012, I served all counsel of record/parties as indicated below:

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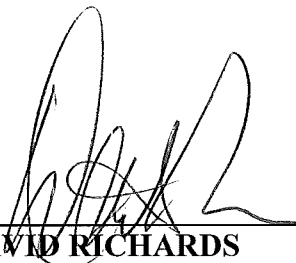
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