

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

FILED

NOV 10 2011

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

SHANNON PEREZ; HAROLD )  
DUTTON, JR.; GREGORY TAMEZ; )  
SERGIO SALINAS; CARMEN )  
RODRIGUEZ; RUDOLFO ORTIZ; )  
NANCY HALL and DOROTHY DEBOSE )

Plaintiffs )

-and- )

EDDIE BERNICE JOHNSON, SHEILA )  
JACKSON-LEE, and ALEXANDER )  
GREEN, MEMBERS OF THE UNITED )  
STATES CONGRESS )

-and- )

TEXAS LEGISLATIVE BLACK )  
CAUCUS, TEXAS HOUSE OF )  
REPRESENTATIVES )

-and- )

TEXAS STATE CONFERENCE OF )  
NAACP BRANCHES; HOWARD )  
JEFFERSON, JUANITA WALLACE and )  
REV. BILL LAWSON )

Plaintiff-Intervenors )

v. )

STATE OF TEXAS; RICK PERRY, )  
in his official capacity as Governor of the )  
State of Texas; DAVID DEWHURST, )  
in his official capacity as Lieutenant )  
Governor of the State of Texas; JOE )  
STRAUS, in his official capacity as Speaker )  
of the Texas House of Representatives; )  
HOPE ANDRADE, in her official )  
capacity as Secretary of State of the )  
State of Texas )

Defendants )

CIVIL ACTION NO.  
11-CA-360-OLG-JES-XR  
[Lead case]

MEXICAN AMERICAN LEGISLATIVE )  
CAUCUS, TEXAS HOUSE OF )  
REPRESENTATIVES (MALC) )

Plaintiffs )

-and- )

THE HONORABLE HENRY CUELLAR, )  
Member of Congress, CD 28; THE TEXAS )  
DEMOCRATIC PARTY and BOYD )  
RICHIE, in his official capacity as Chair of )  
the Texas Democratic Party; and LEAGUE )  
OF UNITED LATIN AMERICAN )  
CITIZENS (LULAC) and its individually )  
named members )

Plaintiff-Intervenors )

v. )

STATE OF TEXAS; RICK PERRY, )  
in his official capacity as Governor of the )  
State of Texas; DAVID DEWHURST, )  
in his official capacity as Lieutenant )  
Governor of the State of Texas; JOE )  
STRAUS, in his official capacity as Speaker )  
of the Texas House of Representatives; )

Defendants )

CIVIL ACTION NO.  
SA-11-CA-361-OLG-JES-XR  
[Consolidated case]

TEXAS LATINO REDISTRICTING )  
TASK FORCE, JOEY CARDENAS, )  
ALEX JIMENEZ, EMELDA )  
MENENDEZ, TOMACITA OLIVARES, )  
JOSE OLIVARES, ALEJANDRO ORTIZ, )  
AND REBECCA ORTIZ )

Plaintiffs )

v. )

RICK PERRY, in his official capacity )  
as Governor of the State of Texas )

Defendants )

CIVIL ACTION NO.  
SA-11-CA-490-OLG-JES-XR  
[Consolidated case]

MARGARITA V. QUESADA; ROMEO )  
MUNOZ; MARC VEASEY; JANE )  
HAMILTON; LYMAN KING; and )  
JOHN JENKINS )

Plaintiffs )

v. )

RICK PERRY, in his official capacity )  
as Governor of the State of Texas; and )  
HOPE ANDRADE, in her official )  
capacity as Secretary of State for the )  
State of Texas )

Defendants )

CIVIL ACTION NO.  
SA-11-CA-592-OLG-JES-XR  
[Consolidated case]

JOHN T. MORRIS )

Plaintiff )

v. )

STATE OF TEXAS; RICK PERRY, in his )  
official capacity as Governor of the State )  
of Texas; DAVID DEWHURST, in his )  
official capacity as Lieutenant Governor of )  
the State of Texas; JOE STRAUS, in his )  
official capacity as Speaker of the Texas )  
House of Representatives; and HOPE )  
ANDRADE, in her official capacity as )  
Secretary of State of the State of Texas )

Defendants )

CIVIL ACTION NO.  
SA-11-CA-615-OLG-JES-XR  
[Consolidated case]

EDDIE RODRIGUEZ, MILTON GERARD )  
WASHINGTON, BRUCE ELFANT, )  
ALEX SERNA, SANDRA SERNA, )  
BETTY F. LOPEZ, DAVID GONZALEZ, )  
BEATRICE SALOMA, LIONOR SOROLA- )  
POHLMAN; ELIZA ALVARADO; )  
JUANITA VALDEZ-COX; JOSEY )  
MARTINEZ; NINA JO BAKER; TRAVIS )  
COUNTY and CITY OF AUSTIN )

Plaintiffs )

v. )

RICK PERRY, in his official capacity  
as Governor of the State of Texas;  
DAVID DEWHURST, in his  
official capacity as Lieutenant Governor  
of the State of Texas; JOE STRAUS,  
in his official capacity as Speaker of  
the Texas House of Representatives;  
HOPE ANDRADE, in her official  
capacity as Secretary of State of the  
State of Texas; STATE OF TEXAS;  
BOYD RICHIE, in his official capacity  
as Chair of the Texas Democratic Party;  
and STEVE MUNISTERI, in his official  
capacity as Chair of the Republican  
Party of Texas

Defendants

CIVIL ACTION NO.  
SA-11-CA-635-OLG-JES-XR  
[Consolidated case]

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WENDY DAVIS; MARC VEASEY;  
ROY BROOKS; VICKY BARGAS;  
PAT PANGBURN; FRANCES DELEON;  
DOROTHY DEBOSE; and SARAH  
JOYNER

Plaintiffs

v.

RICK PERRY, in his official capacity  
as Governor of the State of Texas;  
HOPE ANDRADE, in her official  
capacity as Secretary of State of the  
State of Texas; BOYD RICHIE, in his  
official capacity as Chair of the Texas  
Democratic Party; and STEVE MUNISTERI,  
in his official capacity as Chair of the  
Republican Party of Texas

Defendants

CIVIL ACTION NO.  
~~SA-11-CA-788-OLG-JES-XR~~  
[Lead case]

LEAGUE OF UNITED LATIN )  
AMERICAN CITIZENS (LULAC), )  
DOMINGO GARCIA )  
 )  
Plaintiffs )  
 )  
v. )  
 )  
RICK PERRY, et al )

CIVIL ACTION NO.  
SA-11-CA-855-OLG-JES-XR  
[Consolidated case]

**ORDER**

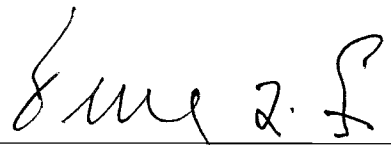
The parties have all filed advisories with the Court indicating that they do not wish to proceed with trial on the merits of the plaintiffs' challenges to the State's enacted Senate plan in Cause No. 11-CA-788. None of the parties deem it necessary at this time, and would prefer that the Court spend its time preparing interim plans so the 2012 elections can move forward in a timely manner.

After considering the parties' advisories and the status of the proceedings in this Court and in the District Court in D.C., the Court agrees with the parties. A trial on the merits of the challenges to the enacted Senate plan should be postponed until such time as it becomes necessary to address the merits of those challenges.

In addition, the Court has determined that a status conference will be more productive if it is postponed for a brief period of time, during which the Court will continue its work on interim plans. The status conference previously scheduled for Monday, November 14, 2011 is cancelled, but the Court will hold a status conference in the very near future.

This decision is based on a majority of the panel. Circuit Judge Jerry Smith dissents from the decision to postpone the trial and status conference.

SIGNED this 10<sup>th</sup> day of November, 2011.



ORLANDO L. GARCIA  
UNITED STATES DISTRICT JUDGE