## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS EL PASO DIVISION

LEAGUE OF UNITED LATIN	§	
AMERICAN CITIZENS, et al.,	§	
	§	
Plaintiffs,	§	
ALEXANDER GREEN, et al.,	§ § §	EP-21-CV-00259-DCG-JES-JVB [Lead Case]
Plaintiff-Intervenors,	§	&
<b>v.</b>	§	<b>a</b>
GREG ABBOTT, in his official capacity as	§ §	All Consolidated Cases
Governor of the State of Texas, et al.,	§	
Defendants.	§ §	

## ORDER GRANTING MOTION FOR PARTIAL FINAL JUDGMENT

The Gonzales Plaintiffs claim that Texas's 2025 congressional map is unconstitutionally malapportioned because it relies on the decennial census's population figures without accounting for intervening population changes.<sup>1</sup> The Court previously granted the State Defendants' motion to dismiss that claim.<sup>2</sup> On October 9, 2025, the Gonzales Plaintiffs moved pursuant to Federal Rule of Civil Procedure 54(b) for a partial final judgment on their malapportionment claim.<sup>3</sup> For the following reasons, the Court **GRANTS** the Motion.

<sup>3</sup> See generally Mot., ECF No. 1265.

See also FED. R. CIV. P. 54(b) ("When an action presents more than one claim for relief—whether as a claim, counterclaim, crossclaim, or third-party claim—or when multiple parties are involved, the court may direct entry of a final judgment as to one or more, but fewer than all, claims or parties only if the court expressly determines that there is no just reason for delay.").

<sup>&</sup>lt;sup>1</sup> See Gonzales Pls.' 2d Suppl. Compl., ECF No. 1147, at 62–64.

 $<sup>^{2}</sup>$  See generally Mem. Op. & Order, ECF No. 1226.

The Gonzales Plaintiffs conferred with the State Defendants in accordance with Western District of Texas Local Rule CV-7(G) before filing their Motion.<sup>4</sup> The State Defendants "indicated that they oppose" the Motion.<sup>5</sup> However, the State Defendants never filed a formal response to the Motion, and their time to do so has expired.<sup>6</sup> Thus, under the Local Rules, the Court may grant the Motion as unopposed.<sup>7</sup>

In any event, the Court independently concludes that it's proper to enter a partial final judgment on the malapportionment claim. Because the Gonzales Plaintiffs and the other Plaintiff Groups still have live claims in this case, the Court's order dismissing the malapportionment claim "is an ultimate disposition of an individual claim entered in the course of a multiple claims action." The Court also "expressly determines," for the reasons stated in the Gonzales Plaintiffs' Motion, "that there is no just reason for delay here."

Accordingly, the Court **GRANTS** the "Gonzales Plaintiffs' Motion for Rule 54(b) Entry of Final Judgment as to Count IV of their Second Supplemental Complaint" (ECF No. 1265).

The Court will issue the partial final judgment separately.

<sup>6</sup> See W.D. TEX. L.R. CV-7(D)(2) (providing, with various exceptions, that a response to a motion "shall be filed not later than 14 days after the filing of the motion").

<sup>&</sup>lt;sup>4</sup> See Mot. at 2; see also W.D. TEX. L.R. CV-7(G).

<sup>&</sup>lt;sup>5</sup> See Mot. at 2.

<sup>&</sup>lt;sup>7</sup> See id. ("If there is no response filed within the time period prescribed by this rule, the court may grant the motion as unopposed.").

 $<sup>^8</sup>$  See, e.g., Briargrove Shopping Ctr. Joint Venture v. Pilgrim Enters., Inc., 170 F.3d 536, 539 (5th Cir. 1999).

<sup>&</sup>lt;sup>9</sup> See FED. R. CIV. P. 54(b); see generally Mot.

So ORDERED and SIGNED this 21st day of November 2025.

DAVID C. GUADERRAMA SENIOR U.S. DISTRICT JUDGE

And on behalf of:

Jerry E. Smith United States Circuit Judge U.S. Court of Appeals, Fifth Circuit

-and-

Jeffrey V. Brown United States District Judge Southern District of Texas