

United States Senate

WASHINGTON, DC 20510-4305

August 8, 2025

Via Electronic Filing

Mr. Blake A. Hawthorne, Clerk
Supreme Court of Texas

Re: *In re Abbott*, No. 25-0674

Dear Mr. Hawthorne:

I write in support of Governor Abbott’s emergency petition for writ of quo warranto. Having fled the state to prevent a quorum in the Texas Legislature, Respondent and other absconding legislators are blocking official legislative business. Under this Court’s precedent, an original writ of quo warranto to the Texas Supreme Court is an appropriate remedy, and Governor Abbott is a proper petitioner.

First, the Texas Supreme Court is the appropriate court to hear this emergency petition pursuant to Article V, Section 3 of the Texas Constitution and Section 22.002(a) of the Texas Government Code. There is no conflict with Chapter 66 of the Texas Civil Practice as Governor Abbott is seeking relief under separate constitutional authority. *See* Tex.Gov’t Code § 22.002(a); Tex. Const. art. V, § 3. *See State ex. Rel. Angelini v. Hardberger*, 932 S.W.2d 489 (Tex. 1996).

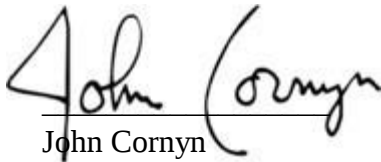
Second, Governor Abbott is a proper petitioner. This Court has stated that “information by quo warranto could be filed in this State on application by a private person” when challenging a “public inquiry.” *Banton v. Wilson*, 4 Tex. 407 (1849). These types of proceedings may be initiated by persons other than the Texas Attorney General. If even a private person can bring a writ of quo warranto, then Governor Abbott acting in his official capacity is surely a proper petitioner.

Governor Abbott filed this petition for writ of quo warranto after the Texas Attorney General delayed taking action to remove the absconding legislators. Initially, the Attorney General filed a pleading in this Court seeking to undercut efforts to bring legislators back to Texas. Next, the Texas Attorney General filed a Hail Mary proceeding out of state—with Illinois’ 8th Judicial Circuit Court, seeking “enforcement of the rule of law in Illinois” and “the assistance of Illinois law enforcement officials . . .” but ultimately praying only that the court “initiat[e] contempt proceedings” and “set[] a hearing” to consider evidence. Finally, after further delay, the Attorney General today duplicated the Governor’s petition in this Court—in some instances word for word—but then sought an individualized writ on behalf of a purported class of respondents. Surprisingly, the Attorney General again invites delay by suggesting this

Court should give absconded Democrats more time—"48 hours" after issuance of any decision—to consider their options.

The Texas legislators who have absconded to other states must be held accountable and a quorum restored so that official government business can proceed. The Supreme Court of Texas is a superior forum to expeditiously resolve the issues surrounding these absconding legislators now, and this Court should do so pursuant to the Governor's request. Therefore, I urge the Court to grant Governor Abbott's emergency petition of writ of quo warranto to that end.

Sincerely,

A handwritten signature in black ink that reads "John Cornyn". The signature is written in a cursive, flowing style. The first name "John" is written with a large, stylized "J" and "h". The last name "Cornyn" is written with a large, stylized "C" and "n". The signature is positioned above a horizontal line.

John Cornyn
United States Senate