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Blake A. Hawthorne
Clerk of the Court
Supreme Court of Texas
201 West 14th Street, Room 104
Austin, Texas 78701

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

Dear Mr. Hawthorne:

We write as counsel for registered voters Helen Zhou, John Branch Jr., Marvin Clede, and Evelyn Lantz, all constituents of Texas House District 137. We submit this amicus letter in support of Governor Abbott's emergency petition for writ of quo warranto against Representative Gene Wu.

Representative Wu has abandoned his constitutional duties by fleeing Texas to break legislative quorum. On August 3, 2025, he boarded a chartered jet to Chicago, publicly declaring that "this corrupt special session is over" and pledging to remain absent indefinitely. This deliberate abandonment of his office has left approximately 195,000 District 137 residents without representation during a constitutionally mandated special session addressing critically important issues such as flood-relief funding, property-tax reduction, and public-school reforms. It has also hamstrung the legislature from fulfilling its constitutional responsibilities in response to Governor Abbott's special-session call. A writ of quo warranto is an appropriate and urgently needed response to Representative Wu's dereliction of duty.

I. LEGAL AUTHORITY FOR QUO WARRANTO

The Texas Constitution expressly provides for original quo warranto proceedings before this Court by the Governor under article V, section 3 of the Texas Constitution, as well as section 22.002(a) of the Texas Government Code. This distinguishes the Governor's authority from standard quo warranto proceedings filed in district courts under chapter 66 of the Texas Civil Practice and Remedies Code.

II. CONSTITUTIONAL VIOLATIONS REQUIRING FORFEITURE

Representative Wu's conduct violates numerous constitutional provisions and warrants forfeiture of his office:

1. **Abandonment of Office.** Article III, section 5 and Article III, section 40 of the Texas Constitution mandate legislative attendance. Representative Wu voted for House rules requiring majority approval for absences, yet he unilaterally abandoned his post without seeking or obtaining the leave required by House rules. *See* House Rules Manual, 89th Legislature, Rule 5, section 3(a) (“No member shall be absent from the sessions of the house without leave, and no member shall be excused on his or her own motion.”).

2. **Acceptance of Valuable Consideration.** Article XVI, section 41 of the Texas Constitution mandates forfeiture when a legislator accepts “any money [or] thing of value . . . for . . . withholding” official action. Representative Wu has accepted chartered jet transportation, fundraising support, and other benefits expressly tied to his and his colleagues' continued absence from the legislative session. This violates Article XVI, section 41 and requires forfeiture of office.

3. **Disenfranchisement.** Article I, Section 2 of the Texas Constitution guarantees that “all political power is inherent in the people.” Wu's absence from the legislative session, and his decision to orchestrate the departure of his fellow House Democrats to deny quorum and thwart the Legislature from fulfilling its constitutional responsibilities, deprives not only his constituents of their representation but strips every voter in the state of their elected representation in the Texas House. It has also stymied the legislature from enacting flood-relief legislation, as well as property-tax relief and school reform, that the voters of this state are demanding.

III. URGENCY OF RELIEF

Quo warranto is the only adequate remedy for Representative Wu's malfeasance in office. The fines imposed by the House of Representatives have been proven inadequate, as they have failed to deter the House Democrats from vamoosing and are being underwritten by third-party donors in any event. The threat of criminal prosecution is likewise inadequate to induce Representative Wu's return, as it will extend well beyond the current special session that expires on August 20, 2025. Each day of Wu's continued absence inflicts irreparable harm on his constituents and the people of Texas, as the legislature is hamstrung from enacting desperately needed legislation such as flood relief and property-tax and school reforms.

IV. PRECEDENT AND PUBLIC INTEREST

This Court has acted expeditiously in analogous emergencies, recognizing that “[t]ime is of the essence” when legislative functions are obstructed. *See State ex rel. Angelini v.*

Hardberger, 932 S.W.2d 489, 490 (Tex. 1996). The same urgency applies here, where legislative paralysis erodes public confidence and leaves critical statewide legislation in the lurch.

V. REQUEST FOR RELIEF

We respectfully urge this Court to:

1. **GRANT** Governor Abbott's emergency petition and issue a writ of quo warranto declaring the office of State Representative for House District 137 vacant; or alternatively,
2. **GRANT** leave to file an information in the nature of quo warranto for expedited proceedings; and
3. **ORDER** any further relief necessary to protect District 137 constituents' constitutional rights.

The people of District 137 elected Representative Wu to serve in Austin, not abandon his post for political theater. They deserve representation, not disenfranchisement. Swift action by this Court can restore their constitutional voice before further irreparable harms are inflicted.

Respectfully submitted.

/s/ John B. Scott

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cc: All counsel (via Texas e-file)