

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

CITY OF EL CENIZO, TEXAS; MAYOR)
RAUL L. REYES, CITY OF EL CENIZO;)
MAVERICK COUNTY; MAVERICK)
COUNTY SHERIFF TOM SCHMERBER;)
MAVERICK COUNTY CONSTABLE)
PRECINCT 3-1 MARIO A. HERNANDEZ;)
and LEAGUE OF UNITED LATIN)
AMERICAN CITIZENS,)
Plaintiffs)

v.)

STATE OF TEXAS; GOVERNOR)
GREG ABBOTT, in his official capacity;)
and TEXAS ATTORNEY GENERAL)
KEN PAXTON, in his official capacity)
Defendants)

Civil Action No. 5:17-CV-404-OG
[Lead Case]

EL PASO COUNTY; RICHARD WILES,)
SHERIFF OF EL PASO COUNTY, in his)
official capacity; and the TEXAS)
ORGANIZING PROJECT)
EDUCATION FUND)
Plaintiffs)

v.)

STATE OF TEXAS; GOVERNOR)
GREG ABBOTT; ATTORNEY GENERAL)
KEN PAXTON; and DIRECTOR STEVE)
MCCRAW, TEXAS DEPARTMENT OF)
PUBLIC SAFETY – in their official)
capacities)
Defendants)

Civil Action No. 5:17-CV-459-OG
[Consolidated Case]

CITY OF SAN ANTONIO, TEXAS;)
 REY A. SALDANA, in his official capacity)
 as San Antonio City Councilmember;)
 TEXAS ASSOCIATION OF CHICANOS)
 IN HIGHER EDUCATION; LA UNION)
 DEL PUEBLO ENTERO; and WORKERS)
 DEFENSE PROJECT)
Plaintiffs)
)
 v.)
)
 STATE OF TEXAS; GREG ABBOTT, in)
 his official capacity as Governor of the)
 State of Texas; KEN PAXTON, in his)
 official capacity as Attorney General of)
 Texas)
Defendants)

Civil Action No. 5:17-CV-489-OG
 [Consolidated Case]

APPLICATION FOR PRELIMINARY INJUNCTION
BY CITY OF SAN ANTONIO, TEXAS, REY A. SALDANA, TEXAS ASSOCIATION OF
CHICANOS IN HIGHER EDUCATION, LA UNION DEL PUEBLO ENTERO,
AND WORKERS DEFENSE PROJECT

The City of San Antonio, Texas, Rey A. Saldaña, Texas Association of Chicanos in Higher Education, La Union del Pueblo Entero, and Workers Defense Project (“Plaintiffs”) move for a preliminary injunction under Fed. R. Civ. Proc. 65(a) restraining the State of Texas, Greg Abbott, and Ken Paxton (“Defendants”) and their officials, employees and agents from implementing or enforcing Texas Senate Bill 4, 85th Legislature, Regular Session, 2017 (“SB 4”) in its entirety.

Plaintiffs assert: (1) there is a substantial likelihood that Plaintiffs will prevail on the merits; (2) there is a substantial threat that irreparable injury will result if the injunction is not granted; (3) the threatened injury to Plaintiffs outweighs the threatened harm to Defendants; and (4) granting the preliminary injunction will not disserve the public interest.

In support of this Motion, Plaintiffs rely on and incorporate herein their Complaint and their Brief in Support of Application for Preliminary Injunction, which Plaintiffs traditionally filed with the Court today.

Dated: June 19, 2017

Respectfully submitted,

**MEXICAN AMERICAN LEGAL DEFENSE
AND EDUCATIONAL FUND**

By /s/ Nina Perales

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Attorneys for Plaintiffs City of San Antonio, Rey A.

Saldaña, Texas Association of Chicanos in Higher

Education, La Union del Pueblo Entero, and

Workers Defense Project

CITY OF SAN ANTONIO

Deborah Lynne Klein

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Attorney for Plaintiff CITY OF SAN ANTONIO
and REY A. SALDANA

CERTIFICATE OF CONFERENCE

On this 19th day of June, 2017, the undersigned counsel for Plaintiffs communicated with counsel for Defendants and counsel for plaintiffs in all of the consolidated cases by electronic mail regarding the Defendants' and the other plaintiffs' positions on this Application. This Application is opposed by Defendants and not opposed by other plaintiffs in the consolidated cases.

/s/ Nina Perales
Nina Perales

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of June, 2017, I served a copy of the foregoing document on all counsel registered to receive NEFs through this Court's CM/ECF system. All attorneys who are not registered to receive NEFs have been served via email.

/s/ Jack Salmon
Jack Salmon

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TEXAS ASSOCIATION OF CHICANOS)
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official capacity as Attorney General of)
Texas)

Defendants

ORDER

Pending before the Court is Application for Preliminary Injunction by City of San Antonio, Texas, Rey A. Saldaña, Texas Association of Chicanos in Higher Education, La Union del Pueblo Entero, and Workers Defense Project, which is supported by, among other things, the Brief in Support of Application for Preliminary Injunction and incorporated exhibits. The Court considered all documents on file in this matter, the arguments of the parties, and applicable law.

The Court, having considered the Application, finds that it should be **GRANTED**.

IT IS THEREFORE ORDERED:

Defendants, and their officials, employees and agents, shall not, either directly or indirectly, take action to enforce Texas Senate Bill 4, 85th Legislature, Regular Session, 2017.

It is so **ORDERED**

SIGNED this ____ day of _____, 2017.

HON. ORLANDO L. GARCIA
UNITED STATES DISTRICT JUDGE