

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

CITY OF EL CENIZO, TEXAS, <i>ET AL.</i>	§	
PLAINTIFFS,	§	
	§	
TRAVIS COUNTY,	§	
TRAVIS COUNTY JUDGE SARAH	§	CIVIL CASE NO. 5:17-CV-404-OLG
ECKHARDT, AND	§	
TRAVIS COUNTY SHERIFF	§	
SALLY HERNANDEZ	§	
PLAINTIFF-INTERVENORS,	§	
	§	
V.	§	
	§	
STATE OF TEXAS, <i>ET AL.</i>	§	
DEFENDANTS.	§	

**PLAINTIFF-INTERVENORS TRAVIS COUNTY, TRAVIS COUNTY JUDGE SARAH
ECKHARDT AND TRAVIS COUNTY SHERIFF SALLY HERNANDEZ'S
APPLICATION FOR PRELIMINARY INJUNCTION**

Plaintiff-Intervenors, Travis County, Travis County Judge Sarah Eckhardt (in her official capacity) and Travis County Sheriff Sally Hernandez (in her official capacity) (Hereafter “Travis County Plaintiff-Intervenors”) hereby join the Application for Preliminary Injunction filed in this cause by Plaintiffs City of El Cenizo, *et al.*, and adopt by reference Plaintiffs’ declarations and Memorandum in Support of Plaintiffs’ Application for Preliminary Injunction. [DKT 24].

Travis County Plaintiff-Intervenors offer the additional declaration of Travis County Sheriff Sally Hernandez, attached hereto as Ex. 1, to support Travis County Plaintiff Intervenors Application for Preliminary Injunction. Sheriff Hernandez has provided information about the particular harm she has suffered and her perspective as a target of the State’s legislation, SB 4.

(See attached Declaration. Ex. 1). In her Declaration, Sheriff Hernandez addresses numerous issues related to SB 4 including the effect of SB 4's detainer provision on the Travis County Jail.

As set forth in the Memorandum, [DKT 24] Plaintiffs have established that they and Travis County Plaintiff-Intervenors are likely to succeed on the merits of their claims that SB 4 violates the Constitution; that Plaintiffs and Travis County Plaintiff-Intervenors, will suffer irreparable harm if the Court does not enjoin SB 4; that the Defendants will suffer no harm if the Court preserves the status quo pending adjudication of this matter on the merits; that the balance of hardships tips strongly in favor of Plaintiffs and Travis County Plaintiff-Intervenors and that a preliminary injunction in this case advances the public interest.

So as to not to delay the proceeding, for these reasons, and the reasons detailed in Plaintiffs' Memorandum in Support of Plaintiffs' Application for Preliminary Injunction, Travis County Plaintiff-Intervenors respectfully request that the Court grant the Plaintiff-Intervenors Travis County, Travis County Judge Sarah Eckhardt and Travis County Sheriff Hernandez's Application for Preliminary Injunction.

///

Dated: June 19, 2017

Respectfully Submitted,

DAVID A. ESCAMILLA

TRAVIS COUNTY ATTORNEY

P. O. Box 1748
Austin, Texas 78767
(512) 854-9415
(512) 854-4808 FAX

By: /s/ Sherine E. Thomas

Sherine E. Thomas

Assistant County Attorney

State Bar No. 00794734

sherine.thomas@traviscountytexas.gov

Sharon K. Talley

Assistant County Attorney

State Bar No. 19627575

sharon.talley@traviscountytexas.gov

Anthony J. Nelson

Assistant County Attorney

State Bar No. 14885800

tony.nelson@traviscountytexas.gov

Laurie R. Eiserloh

Assistant County Attorney

State Bar No. 06506270

laurie.eiserloh@traviscountytexas.gov

Tim Labadie

Assistant County Attorney

State Bar No. 11784853

tim.labadie@traviscountytexas.gov

**ATTORNEYS FOR TRAVIS COUNTY
PLAINTIFF-INTERVENOR**

CERTIFICATE OF SERVICE

I hereby certify that on June 19, 2017, the foregoing Plaintiff-Intervenors Travis County, Travis County Judge Sarah Eckhardt and Travis County Sheriff Sally Hernandez's Application for Preliminary Injunction was served on the following attorneys of record in the manner stated, pursuant to Fed. R. Civ. P. 5(b):

ATTORNEYS FOR THE (CONSOLIDATED) PLAINTIFFS:

Via CM/ECF

Lee Gelernt
Spencer Amdur
Andre I. Segura
Omar C. Jadwat
American Civil Liberties Union
125 Broad Street
New York, NY 10004
lgelernt@aclu.org
samdur@aclu.org
asegura@aclu.org
ojadwat@aclu.org

Via CM/ECF

Cecillia D. Wang
Cody H. Wofsy
American Civil Liberties Union Foundation
39 Drumm Street
San Francisco, CA 94111
cwang@aclu.org
cwofsy@aclu.org

Via CM/ECF

Edgar Saldivar
American Civil Liberties Union Foundation
of Texas
1500 McGowen Street, Suite 250
Houston, TX 77004
esaldivar@aclutx.org

Via CM/ECF

Jo Anne Bernal
El Paso County Attorney
500 E. San Antonio
5th Floor, Suite 503
El Paso, TX 79901
joanne.bernal@ca.epcounty.com

Via CM/ECF

Nina Perales
Marisa Bono
Celina Y. Moreno
Jack Salmon
MALDEF
110 Broadway Street #300
San Antonio, TX 78205
nperales@maldef.org
mbono@maldef.org
cmoreno@maldef.org
jsalmon@maldef.org

Via CM/ECF

Tanya G. Pellegrini
Law Office of Tanya G. Pellegrini
1512 14th Street
Sacramento, CA 95814
tpellegrini@maldef.org

Via CM/ECF

Jose Garza
Michael Moran
Garza, Golando, Moran, PLLC.
115 E. Travis St., Ste. 1235
San Antonio, TX 78205
garzpalm@aol.com
michael@ggmtx.com

Via CM/ECF

Luis Roberto Vera, Jr.
LULAC National General Counsel
The Law Office of Luis Roberto Vera, Jr. &
Associates
1325 Riverview Towers
111 Soledad
San Antonio, TX 78205-2260
lrvlaw@sbcglobal.net

Via CM/ECF

Max Renea Hicks
Law Office of Max Renea Hicks
P.O. Box 303187
Austin, TX 78703
Phone: (512) 480-8231
rhicks@renea-hicks.com

Via CM/ECF

Mimi Marziani
Texas Civil Rights Project
1405 Montopolis Dr.
Austin, TX 78741
mimi@texascivilrightsproject.org

ATTORNEYS FOR INTERVENORS CITY OF AUSTIN:

Via EM/ECF

Michael Siegel
Christopher Coppola
Assistant City Attorneys
City of Austin-Law Department
P.O. Box 1546
Austin, TX 78767-1546
Michael.seigel@austintexas.gov
Christopher.coppola@austintexas.gov

Via CM/ECF

Efren Carlos Olivares
Texas Civil Rights Project
1017 W. Hackberry
Alamo, TX 78516
efren@texascivilrightsproject.org

Via CM/ECF

Andrea E. Senteno
Law Office of Andrea E. Senteno
1016 16th Street, NW, Suite 100
Washington, DC 20036
asenteno@maldef.org

Via CM/ECF

Deborah Lynne Klein
Office of the City Attorney, Litigation
Division
Frost Bank Tower
100 West Houston Street, 18th Floor
San Antonio, TX 78205-3966
Deborah.klein@sanantonio.gov

ATTORNEYS FOR THE DEFENDANTS:

Via CM/ECF

Darren L. McCarty
David Jonathan Hacker
Joel Stonedale
Andrew Drake Leonie, III
David Austin Robert Nimocks
Office of the Attorney General of Texas
P.O. Box 12548, Mail Code 009
Austin, TX 78711
Darren.mccarty@oag.texas.gov
David.hacker@oag.texas.gov
Joel.stonedale@oag.texas.gov
Andrew.leonie@texasattorneygeneral.gov
Austin.nimocks@oag.texas.gov

And I hereby certify that a true and correct copy of the foregoing has been sent by other means, on the 19th day of June, 2017, to the following:

Stephen Kang
American Civil Liberties Union Foundation
39 Drumm Street
San Francisco, CA 94111
skang@aclu.org

/s/ Sherine E. Thomas
Sherine E. Thomas
Assist. County Attorney