

**U.S. District Court [LIVE]  
Western District of Texas (San Antonio)  
CIVIL DOCKET FOR CASE #: 5:20-cv-00577-OLG**

Lewis et al v. Hughs, Texas Secretary of State  
Assigned to: Chief Judge Orlando L. Garcia  
Related Case: 5:20-cv-00527-OLG  
Cause: 42:1983 Civil Rights Act

Date Filed: 05/11/2020  
Jury Demand: None  
Nature of Suit: 441 Civil Rights: Voting  
Jurisdiction: Federal Question

**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

**Voto Latino**

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**Plaintiff**

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**Plaintiff**

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V.

**Defendant**

**Ruth Hughs, Texas Secretary of State**

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Date Filed	#	Docket Text
05/11/2020	<u>1</u>	COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF ( Filing fee \$ 400 receipt number 0542-13554662), filed by Voto Latino, Ellen Sweets, Texas State Conference of the National Association for the Advancement of Colored People, Madison Lee, Texas Alliance for Retired Americans, Benny Alexander, Linda Jann Lewis, George Morgan. (Attachments: # <u>1</u> Civil Cover Sheet)(Howton, Skyler) (Entered: 05/11/2020)
05/11/2020	<u>2</u>	REQUEST FOR ISSUANCE OF SUMMONS by Benny Alexander, Madison Lee, Linda Jann Lewis, George Morgan, Ellen Sweets, Texas Alliance for Retired Americans, Texas State Conference of the National Association for the Advancement of Colored People, Voto Latino. (Howton, Skyler) (Entered: 05/11/2020)
05/11/2020	<u>3</u>	RULE 7 DISCLOSURE STATEMENT filed by Benny Alexander, Madison Lee, Linda Jann Lewis, George Morgan, Ellen Sweets, Texas Alliance for Retired Americans, Texas State Conference of the National Association for the Advancement of Colored People, Voto Latino. (Howton, Skyler) (Entered: 05/11/2020)
05/11/2020		Case Directly Assigned to Chief Judge Orlando L. Garcia. CM WILL NOW REFLECT THE JUDGE INITIALS AS PART OF THE CASE NUMBER. PLEASE APPEND THESE JUDGE INITIALS TO THE CASE NUMBER ON EACH DOCUMENT THAT YOU FILE IN THIS CASE. (wg) (Entered: 05/11/2020)
05/11/2020		If ordered by the court, all referrals will be assigned to Magistrate Judge Farrer (wg) (Entered: 05/11/2020)

05/11/2020	<u>4</u>	MOTION to Appear Pro Hac Vice by Skyler M. Howton for <i>MARC E. ELIAS</i> ( Filing fee \$ 100 receipt number 0542-13556180) by on behalf of Benny Alexander, Madison Lee, Linda Jann Lewis, George Morgan, Ellen Sweets, Texas Alliance for Retired Americans, Texas State Conference of the National Association for the Advancement of Colored People, Voto Latino. (Attachments: # <u>1</u> Proposed Order)(Howton, Skyler) (Entered: 05/11/2020)
05/11/2020	<u>5</u>	MOTION to Appear Pro Hac Vice by Skyler M. Howton for <i>ARIA C. BRANCH</i> ( Filing fee \$ 100 receipt number 0542-13556225) by on behalf of Benny Alexander, Madison Lee, Linda Jann Lewis, George Morgan, Ellen Sweets, Texas Alliance for Retired Americans, Texas State Conference of the National Association for the Advancement of Colored People, Voto Latino. (Attachments: # <u>1</u> Proposed Order)(Howton, Skyler) (Entered: 05/11/2020)
05/11/2020	<u>6</u>	MOTION to Appear Pro Hac Vice by Skyler M. Howton for <i>KEVIN J. HAMILTON</i> ( Filing fee \$ 100 receipt number 0542-13556300) by on behalf of Benny Alexander, Madison Lee, Linda Jann Lewis, George Morgan, Ellen Sweets, Texas Alliance for Retired Americans, Texas State Conference of the National Association for the Advancement of Colored People, Voto Latino. (Attachments: # <u>1</u> Proposed Order)(Howton, Skyler) (Entered: 05/11/2020)
05/11/2020	<u>7</u>	MOTION to Appear Pro Hac Vice by Skyler M. Howton for <i>WILLIAM B. STAFFORD</i> ( Filing fee \$ 100 receipt number 0542-13556345) by on behalf of Benny Alexander, Madison Lee, Linda Jann Lewis, George Morgan, Ellen Sweets, Texas Alliance for Retired Americans, Texas State Conference of the National Association for the Advancement of Colored People, Voto Latino. (Attachments: # <u>1</u> Proposed Order)(Howton, Skyler) (Entered: 05/11/2020)
05/11/2020	<u>8</u>	MOTION to Appear Pro Hac Vice by Skyler M. Howton for <i>GILLIAN KULHMANN</i> ( Filing fee \$ 100 receipt number 0542-13556375) by on behalf of Benny Alexander, Madison Lee, Linda Jann Lewis, George Morgan, Ellen Sweets, Texas Alliance for Retired Americans, Texas State Conference of the National Association for the Advancement of Colored People, Voto Latino. (Attachments: # <u>1</u> Proposed Order)(Howton, Skyler) (Entered: 05/11/2020)
05/11/2020	<u>9</u>	MOTION to Appear Pro Hac Vice by Skyler M. Howton for <i>SARAH L. SCHIRACK</i> ( Filing fee \$ 100 receipt number 0542-13556406) by on behalf of Benny Alexander, Madison Lee, Linda Jann Lewis, George Morgan, Ellen Sweets, Texas Alliance for Retired Americans, Texas State Conference of the National Association for the Advancement of Colored People, Voto Latino. (Attachments: # <u>1</u> Proposed Order)(Howton, Skyler) (Entered: 05/11/2020)
05/11/2020	<u>10</u>	Pro Hac Vice Letter forwarded to atty: Gillian Kuhlmann. (wg) (Entered: 05/11/2020)
05/11/2020	<u>11</u>	Summons Issued as to Ruth Hughs, Texas Secretary of State. (wg) (Entered: 05/11/2020)
05/11/2020	<u>12</u>	Pro Hac Vice Letter forwarded to attorney: Sarah Langberg Schirack. (wg) (Entered: 05/11/2020)
05/11/2020	<u>13</u>	Pro Hac Vice Letter forwarded to atty: Marc E. Elias & Aria C. Branch. (wg) (Entered: 05/11/2020)
05/11/2020	<u>14</u>	Pro Hac Vice Letter forwarded to atty: Kevin J. Hamilton & William B. Stafford. (wg) (Entered: 05/11/2020)
05/19/2020		Text Order GRANTING <u>4</u> Motion to Appear Pro Hac Vice for <i>MARC E. ELIAS</i> . Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. entered by Chief Judge Orlando L. Garcia. (This is a text-only entry generated by the court. There is no document associated with this entry.) (ju) (Entered: 05/19/2020)
05/19/2020		Text Order GRANTING <u>5</u> Motion to Appear Pro Hac Vice for <i>ARIA C. BRANCH</i> . Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. entered by Chief Judge Orlando L. Garcia. (This is a text-only entry generated by the court. There is no document



		associated with this entry.) (ju) (Entered: 05/19/2020)
05/19/2020		Text Order GRANTING <u>6</u> Motion to Appear Pro Hac Vice for KEVIN J. HAMILTON. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. entered by Chief Judge Orlando L. Garcia. (This is a text-only entry generated by the court. There is no document associated with this entry.) (ju) (Entered: 05/19/2020)
05/19/2020		Text Order GRANTING <u>7</u> Motion to Appear Pro Hac Vice for WILLIAM B. STAFFORD. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. entered by Chief Judge Orlando L. Garcia. (This is a text-only entry generated by the court. There is no document associated with this entry.) (ju) (Entered: 05/19/2020)
05/19/2020		Text Order GRANTING <u>8</u> Motion to Appear Pro Hac Vice for GILLIAN KULHMANN. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. entered by Chief Judge Orlando L. Garcia. (This is a text-only entry generated by the court. There is no document associated with this entry.) (ju) (Entered: 05/19/2020)
05/19/2020		Text Order GRANTING <u>9</u> Motion to Appear Pro Hac Vice for SARAH L. SCHIRACK. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. entered by Chief Judge Orlando L. Garcia. (This is a text-only entry generated by the court. There is no document associated with this entry.) (ju) (Entered: 05/19/2020)
05/20/2020	<u>15</u>	Acknowledgment of Service returned by Voto Latino, Ellen Sweets, Texas State Conference of the National Association for the Advancement of Colored People, Madison Lee, Texas Alliance for Retired Americans, Benny Alexander, Linda Jann Lewis, George Morgan. Ruth Hughs, Texas Secretary of State served on 5/13/2020, answer due 6/12/2020. (Howton, Skyler) (Entered: 05/20/2020)
06/03/2020	<u>16</u>	Unopposed MOTION for Leave to Exceed Page Limitation <i>on Motion to Dismiss</i> by Ruth Hughs, Texas Secretary of State. (Attachments: # <u>1</u> Proposed Order)(Thompson, William) (Entered: 06/03/2020)
06/03/2020	<u>17</u>	MOTION to Dismiss by Ruth Hughs, Texas Secretary of State. (Thompson, William) (Entered: 06/03/2020)
06/04/2020		Text Order GRANTING <u>16</u> Unopposed Motion for Leave to File Excess Pages. IT IS THEREFORE ORDERED that the Secretary may file a motion to dismiss that does not exceed 27 pages entered by Chief Judge Orlando L. Garcia. (This is a text-only entry generated by the court. There is no document associated with this entry.) (ju) (Entered: 06/04/2020)
06/17/2020	<u>18</u>	Plaintiff's Unopposed MOTION for Leave to Exceed Page Limitation by Benny Alexander, Madison Lee, Linda Jann Lewis, George Morgan, Ellen Sweets, Texas Alliance for Retired Americans, Texas State Conference of the National Association for the Advancement of Colored People, Voto Latino. (Attachments: # <u>1</u> Proposed Order)(Howton, Skyler) (Entered: 06/17/2020)
06/17/2020	<u>19</u>	Plaintiff's Memorandum in Opposition to Motion, filed by Benny Alexander, Madison Lee, Linda Jann Lewis, George Morgan, Ellen Sweets, Texas Alliance for Retired Americans, Texas State Conference of the National Association for the Advancement of Colored People, Voto Latino, re <u>17</u> MOTION to Dismiss filed by Defendant Ruth Hughs, Texas Secretary of State (Attachments: # <u>1</u> Appendix)(Howton, Skyler). (Entered: 06/17/2020)
06/18/2020		Text Order GRANTING <u>18</u> Plaintiff's Unopposed Motion for Leave to File Excess Pages. IT IS THEREFORE ORDERED that the Plaintiffs may file an opposition that does not exceed 27 pages entered by Chief Judge Orlando L. Garcia. (This is a text-only entry generated by the court. There is no document associated with this entry.) (ju) (Entered: 06/18/2020)

06/22/2020	<u>20</u>	MOTION for Leave to Exceed Page Limitation <i>for Motion Seeking Preliminary Injunction</i> , by Benny Alexander, Madison Lee, Linda Jann Lewis, George Morgan, Ellen Sweets, Texas Alliance for Retired Americans, Texas State Conference of the National Association for the Advancement of Colored People, Voto Latino. (Attachments: # <u>1</u> – Plaintiffs' Motion for Preliminary Injunction and Memorandum of Law in Support, # <u>2</u> – Proposed Order on Motion for Preliminary Injunction, # <u>3</u> – Proposed Order on Motion for Leave to Exceed Page Limit)(Howton, Skyler) (Entered: 06/22/2020)
06/22/2020	<u>21</u>	APPENDIX by Benny Alexander, Madison Lee, Linda Jann Lewis, George Morgan, Ellen Sweets, Texas Alliance for Retired Americans, Texas State Conference of the National Association for the Advancement of Colored People, Voto Latino. (Attachments: # <u>1</u> Ex 1–Declaration of Aria C. Branch, # <u>2</u> Ex A–Expert Report of Catherine L. Troisi, # <u>3</u> Ex B–Texas Case Counts–COVID–19, # <u>4</u> Ex C–Expert Report of Drs. M. Herron and D. Smith, # <u>5</u> Ex D–Drive–thrus and free pencils: Texas plans for July elections with in–person voting, # <u>6</u> Ex E–Recommendations for Election Polling Locations, # <u>7</u> Ex F–Quick Facts – Texas, # <u>8</u> Ex G–Percent Voting by Age, Gender, Educational Attainment, Race, and Family Income, # <u>9</u> Ex H–NV 2020 Primary Election Turnout, # <u>10</u> Ex I–NV 2016 Primary Election Turnout, # <u>11</u> Ex J–Early Voting – November 2, 2018, # <u>12</u> Ex K–Declaration of Plaintiff Linda Jan Lewis, # <u>13</u> Ex L–Declaration of Plaintiff Madison Lee, # <u>14</u> Ex M–Declaration of Maria Teresa Kumar, # <u>15</u> Ex N–Declaration of Gary Bledsoe, # <u>16</u> Ex O–Declaration of Judy Bryant, # <u>17</u> Ex P–Declaration of Plaintiff George Morgan, # <u>18</u> Ex Q–King County Prepaid Postage Pilot: Summary, # <u>19</u> Ex R–Early Voting by Mail, # <u>20</u> Ex S–These Federal Agencies Have Seen the Most COVID–19 Deaths, # <u>21</u> Ex T–Handbook for Election Judges and Clerks 2020, # <u>22</u> Ex U–Declaration of Daryl Jones, # <u>23</u> Ex V–Declaration of Barbara Rojas, # <u>24</u> Ex W–Expert Report of Dr. Linton A. Mohammed, # <u>25</u> Ex X–Declaration of Plaintiff Ellen Sweets, # <u>26</u> Ex Y–Declaration of Plaintiff Benny Alexander, # <u>27</u> Ex Z–Declaration of Joanna Marie Green, # <u>28</u> Ex AA–Declaration of Terrence William Tull, # <u>29</u> Ex AB–Declaration of Juanita E. McAdoo, # <u>30</u> Ex AC–Declaration of Prentiss Hogan)(Howton, Skyler) (Entered: 06/22/2020)
06/23/2020	<u>22</u>	NOTICE of Attorney Appearance by Patrick K. Sweeten on behalf of Ruth Hughs, Texas Secretary of State. Attorney Patrick K. Sweeten added to party Ruth Hughs, Texas Secretary of State(pty:dft) (Sweeten, Patrick) (Entered: 06/23/2020)
06/23/2020	<u>23</u>	NOTICE of Attorney Appearance by Todd Lawrence Disher on behalf of Ruth Hughs, Texas Secretary of State. Attorney Todd Lawrence Disher added to party Ruth Hughs, Texas Secretary of State(pty:dft) (Disher, Todd) (Entered: 06/23/2020)
06/23/2020	<u>24</u>	NOTICE of Attorney Appearance by Michael Abrams on behalf of Ruth Hughs, Texas Secretary of State. Attorney Michael Abrams added to party Ruth Hughs, Texas Secretary of State(pty:dft) (Abrams, Michael) (Entered: 06/23/2020)
06/23/2020	<u>25</u>	DEFENDANT'S MOTION for Extension of Time to File Response/Reply to <i>Plaintiffs' Motion for Preliminary Injunction</i> by Ruth Hughs, Texas Secretary of State. (Attachments: # <u>1</u> Proposed Order)(Sweeten, Patrick) (Entered: 06/23/2020)
06/24/2020	<u>26</u>	DEFENDANT'S REPLY to Response to Motion, filed by Ruth Hughs, Texas Secretary of State, re <u>17</u> MOTION to Dismiss filed by Defendant Ruth Hughs, Texas Secretary of State (Sweeten, Patrick) (Entered: 06/24/2020)
06/26/2020	<u>27</u>	ORDER That the Court hereby VACATES the June 29, 2020 deadline for the Secretary's response to Plaintiffs' Motion for Preliminary Injunction. The Court ORDERS the parties to confer and submit proposed scheduling orders for discovery and briefing for the Motion for Preliminary Injunction by Thursday, July 2, 2020. The Court will issue a scheduling order, including resetting the Secretary's response deadline, after consideration of the parties' submissions.Signed by Chief Judge Orlando L. Garcia. (wg) (Entered: 06/26/2020)
07/02/2020	<u>28</u>	Scheduling Recommendations -- <i>JOINT SCHEDULING PROPOSAL</i> -- by Benny Alexander, Madison Lee, Linda Jann Lewis, George Morgan, Ellen Sweets, Texas Alliance for Retired Americans, Texas State Conference of the National Association for the Advancement of Colored People, Voto Latino. (Attachments: # <u>1</u> Proposed Order)(Howton, Skyler) (Entered: 07/02/2020)