

No. 26-0843

In the Supreme Court of Texas

In re the Honorable Derreck Rose, Wilma Green, and Diane Merchant,
Relators.

ORIGINAL EMERGENCY PETITION FOR WRIT OF MANDAMUS

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Respondent:

Galveston County, Texas
Galveston County Commissioners Court
Galveston County Judge Mark Henry, in his official capacity
Galveston County Commissioner Darrell Apfell, in his official capacity
Galveston County Commissioner Joe Giusti, in his official capacity
Galveston County Commissioner Hank Dugie, in his official capacity
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Real Parties in Interest

Voters of Galveston County, Texas

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STATEMENT OF THE CASE

Nature of Proceeding:

Direct original mandamus proceeding under Texas Election Code section 273.061.

Respondents:

Galveston County, Texas; the Galveston County Commissioners Court; the Honorable Mark Henry, in his capacity as Galveston County Judge; and the Honorable Darrell Apfell, Joe Giusti, Hank Dugie, and Robin Armstrong, in their official capacity as Galveston County Commissioners; Dwight D. Sullivan, in his official capacity as Galveston County Clerk.

Challenged Action and Relief Sought:

Under Texas law, Galveston has unlawfully enacted a general election map for commissioners' court, justice of the peace, and constable after the primary elections have already occurred, in violation of Art. V, § 18 and the Texas Election Code. With impending deadlines for the 2026 general election, mandamus relief is necessary.

Relators seek a writ of mandamus from this Court (1) declaring that Respondents' attempt to pass new maps in between the primary and general elections was done in violation of the United States and Texas Constitutions and Texas Election Code, and (2) directing Respondents not to implement the

2026 map and instead conduct the 2026 general election for Galveston County's Justices of the Peace and Commissioners Court using the same precinct boundaries that were used for the 2026 primary election.

STATEMENT OF JURISDICTION

The Court has jurisdiction to “issue a writ of mandamus to compel the performance of any duty imposed by law in connection with the holding of an election” under Texas Election Code section 273.061(a). *See, e.g., In re Rogers*, 690 S.W.3d 296, 302 (Tex. 2024) (“The Election Code unquestionably authorizes appellate courts to grant mandamus relief to compel the performance of an election-related duty.”). No genuine issues of material fact exist to divest this Court of mandamus jurisdiction. Mandamus relief is necessary to remedy the violation of law ahead of the November 2026 elections. *See In re Khanoyan*, 637 S.W.3d 762, 764 (Tex. 2022).

ISSUES PRESENTED

(1) Whether it violates equal protection rights guaranteed by the Texas and United States Constitutions for Galveston County to change precinct boundaries between the primary and general election and thus

deny certain voters and potential candidates the opportunity to have participated in the primary election.

(2) Whether it violates the Texas Election Code for Galveston County to redraw precinct boundaries between the primary and general election and thereby conduct the November general election for new Commissioner and Justice of the Peace precincts for which no primary election was held.

(3) Whether it violates equal protection rights guaranteed by the Texas and United States Constitutions to cause voters to experience delayed voting for staggered term offices when the County admits that its purported justification—partisan gain—cannot be realized until the next election cycle in two years and thus it has no rationale whatsoever to support delaying voting rights in the upcoming election.

TO THE HONORABLE SUPREME COURT OF TEXAS:

INTRODUCTION

Texas law requires that general election candidates for county office be nominated in a March primary election. The Texas and United States Constitutions' equal protection guarantees confer upon voters the right to participate in primary elections on an equal basis with other voters. *See Smith v. Allwright*, 321 U.S. 649, 661-62 (1944).

Last week, in a court hearing before United States District Judge Jeffrey Vincent Brown, Galveston County clarified that it intends to hold the November 2026 general election for two County Commissioner precincts and three Justice of the Peace precincts under new boundaries that differ from the boundaries under which the March primary election was conducted. That is, it intends to hold a general election despite holding no corresponding primary election for five different precincts.

The Court should grant relief for any of three reasons.

First, Galveston County's redistricting violates the equal protection guarantees of the United States and Texas Constitutions. It is well established that voters have a constitutional right to participate in primary elections on an equal basis. *See, e.g., Smith v. Allwright*, 321

U.S. 649, 661–62 (1944). But Galveston County’s post-primary redistricting means that some voters, unlike others, had no opportunity to participate as either a voter or a potential candidate in the primary election for their new precinct. Such is the case for Relator Rose, who was moved from Commissioners Precinct 1 (which is not on the ballot this year) to Commissioners Precinct 4 (which is). Holding a general election in which certain voters were excluded from the primary election is unconstitutional.

Second, Galveston County’s redistricting violates the Texas Election Code, which requires there to be a primary election to nominate candidates for the general election. *See* Tex. Elec. Code Ann. § 172.001. By redrawing the precinct boundaries, Galveston County intends to hold a general election in November for county offices for which there was no corresponding primary election.

Third, Galveston County’s redistricting violates the equal protection guarantees of the United States and Texas Constitutions because it imposes a two-year delay on many voters’ ability to cast ballots. This is so because many voters, such as Relators, were scheduled to vote in November but now are moved to precincts voting in 2028.

Unlike in other cases of staggered election redistricting, there is no governmental purpose achieved to counterbalance this constitutional harm.

Mandamus relief is appropriate because the law imposes clear obligations on Galveston County to provide equal access to primary elections, for both voters and potential candidates, and to hold general elections that correspond to the boundaries of the primary elections. There are no disputed facts and while relief is needed urgently, there is time yet to correct the legal violations in advance of the election deadlines. Unlike other cases in which courts are asked to intervene close to an election, granting relief here will ease, rather than cause, disruption in the electoral process. The maps used for the March primary are ready to be used for the November election. Those are the maps with which the County's election staff, the voters, and the candidates are familiar because those were the maps that were used to nominate candidates for the general election.

If this is not stopped, the precedent set will be horribly damaging to democracy. It will make Texas's primary elections an empty exercise. The voters' choices just cast aside on the whim of the government—the

very governmental officials *on the ballot* in the ongoing election. If polling against their general election opponent is looking bad, they can just change the map—up to the very eve of the election—to evade the voters’ judgment. It won’t just be Galveston County. Other counties and political subdivisions will act if the Court does not block this. In fact, that could happen yet in advance of the November election. If the majority of a county’s commissioners court has a disfavored colleague or challenger standing for election this November, inaction from this Court in response to this Petition will greenlight them to redraw their maps prior to November, thwarting the voices of voters—perhaps in a perpetual “post-primary” redistricting scheme.

Texans, who “stand[] pledged to the preservation of a republican form of government” and in whom “[a]ll political power is inherent[,]” Tex. Const. art. I, § 2, will see those fundamental guarantees eviscerated if this Court does not act.

The law forbids Galveston County from changing the electoral system mid-election. The Court must act.

APPENDIX

The appendix to this petition will be cited as “App. [tab].”

STATEMENT OF FACTS

I. Relators and Respondents

Relator Derreck Rose is a resident of Galveston County and a registered voter. He was elected as the Galveston County Constable for Precinct 3 in 2024. Under the maps in place for the March 2026 primary election, Constable Rose was a resident of Justice of the Peace and Constable Precincts 3 and Commissioners Court Precinct 1. Following the June redistricting, he now resides in Precinct 4 for all three maps. Consequently, he was denied the right to cast a ballot (or consider candidacy) for Commissioners Court Precinct 4, which is on the ballot in the November general election. Moreover, if the County conducts the Justice of the Peace general election in the same precinct numbers that were on the ballot in the March primary election (Nos. 1, 2, and 3), he will have no opportunity to cast a general election ballot in the precinct in which the primary election was held and will likewise be subjected to a two-year delay in voting for Justice of the Peace—waiting six rather than four years to cast his ballot—on account of the mid-election redistricting.

Relators Wilma Green and Diane Merchant are each residents of Galveston County and registered voters. At the time of the March 2026 primary election, they were residents of Justice of the Peace and Constable Precincts 3. As a consequence of the mid-election redistricting, they now reside in Precinct 4. If the County conducts the Justice of the Peace general election in the same precinct numbers that were on the ballot in the March primary election (Nos. 1, 2, and 3), they will have no opportunity to cast a general election ballot in the precinct in which the primary election was held and they will likewise be subjected to a two-year delay in voting for Justice of the Peace—waiting six rather than four years to cast her ballot—on account of the mid-election redistricting.

Respondent Galveston County, Texas is a political subdivision of the State of Texas.

Respondent Galveston County Commissioners Court is comprised of a County Judge and four County Commissioners. This body is a constitutional court, created by the Texas Constitution with judicial, administrative, and legislative powers. The Galveston County Commissioners Court is the body directly responsible for passage of redistricting plans for both Commissioners' precincts and for Justice of

the Peace/Constables' precincts. As outlined below, on June 29, 2026, the Commissioners Court passed new, identical redistricting plans for Commissioners' precincts and for Justice of the Peace/Constables' precincts (the "2026 Map").

Respondent Mark Henry is the current and duly elected County Judge for Galveston County. He is named herein in his official capacity only. He voted in favor of the 2026 Map. Respondents Darrell Apffel, Joe Giusti, Hank Dugie, and Robin Armstrong are the current and duly elected Commissioners for Precincts 1, 2, 3, and 4 respectively. They are named herein in their official capacity only. Each of them voted in favor of the 2026 Map.

Respondent Dwight D. Sullivan is the Galveston County Clerk and is responsible for administering elections in Galveston County. He is named in his official capacity only.

II. Galveston County's Commissioners Court and Justices of the Peace/Constables' Precincts

On August 19, 2013, the Galveston County Commissioners Court voted to adopt a redistricting plan for Justices of the Peace/Constables ("2013 Map"). App. L. The Commissioners Court did not adopt a new redistricting plan for Justices of the Peace/Constables following the 2020

census, so every election for Justices of the Peace and Constables since August 19, 2013 has been conducted under the 2013 Map.

On November 12, 2021, the Commissioners Court adopted a new redistricting plan for its own precincts following the 2020 census (“2021 Map”). App. K. The 2021 Map was challenged in federal court pursuant to Section 2 of the Voting Rights Act and the Fourteenth and Fifteenth Amendments of the U.S. Constitution. Second Am. Compl., *Petteway v. Galveston Cnty.*, 3:22-cv-00057, (S.D. Tex. May 25, 2022), ECF No. 42. That case went to trial in August 2023. The federal district court found in favor of the plaintiffs on their Section 2 vote dilution claim but was ultimately reversed by the Fifth Circuit sitting en banc and remanded for the consideration of plaintiffs’ outstanding intentional discrimination and racial gerrymandering claims. *Petteway v. Galveston Cnty.*, 111 F.4th 596, 614 (5th Cir. 2024) (en banc). The federal district court has yet to rule on plaintiffs’ outstanding claims (though has indicated a ruling is imminent), and every election for Commissioners Court since November 12, 2021 has been conducted under the 2021 Map.

III. Galveston County’s adoption of a new 2026 map

The 2026 primary election for Galveston County took place on March 3, 2026, using the 2013 Map for the Justices of the Peace contests and the 2021 Map for the Commissioners Court contests. App. J. The 2026 primary for Justices of the Peace included Republican candidates for Precincts 1 and 2 and a Democratic candidate for Precinct 3. *Id.* The Justice of the Peace for Precinct 4 is up for election this year. The 2026 primary for Commissioners Court included Republican candidates for Precincts 2 and 4. *Id.* Commissioners for Precincts 1 and 3 are not up for election this year.

On April 29, 2026, the United States Supreme Court issued its decision in *Louisiana v. Callais*, a case regarding the federal Voting Rights Act, and, on May 19, 2026, the federal district court hearing the challenge to the 2021 Map issued an Order for Supplemental Briefing on what impact the *Callais* case could have on the pending claims. App. H. The Court ordered that it would hear oral argument on the supplemental briefing on July 28.

On June 8, 2026, the Galveston County Commissioners Court passed a resolution to reexamine the precinct boundaries for Justices of

the Peace, Constables, and County Commissioners. App. G. The resolution contained several “whereas” clauses and a numbered list of the bases for the reexamination, including the *Callais* decision and the improvement of partisan performance for Republican candidates. *Id.* The County Judge and two Commissioners voted in favor of this resolution, with the remaining two commissioners absent. *Id.*

On June 29, 2026, the Galveston County Commissioners Court adopted the 2026 Map, which contained new precinct lines for Justices of the Peace, Constables, and County Commissioners. App. B. The Order contained just two “whereas” clauses providing the bases for the new precincts, but neither mentioned the *Callais* decision or partisan performance. *Id.* Instead, the justification was simply that the Commissioners Court “desire[d]” to divide the boundaries and “determined that the interests of the people of the county are best served by changing the existing Commissioners, Constables, and Justices of the Peace Precinct Boundaries.” *Id.* The entire Commissioners Court, including the County Judge and all four Commissioners, voted in favor of this Order. *Id.* On June 30, 2026, Galveston County filed a Suggestion

of Mootness in the federal case challenging the 2021 Map, citing the newly passed 2026 Map. App. I.

At the July 28, 2026 hearing, both the plaintiffs and Judge Brown expressed the need for clarity on which map Galveston County was intending to implement for the November 2026 election, given that the primary elections resulting in the nominees for Justices of the Peace and Commissioners had been conducted using the 2013 and 2021 Maps respectively. App. A at 6:25-7:3 (Plaintiffs' counsel: "I think we need some clarity from the County about whether [the 2026 Map] is actually governing the November election and they are actually holding an election in which there has not been a primary election?"); *id.* at 7:4-16 (Judge Brown: "Okay. Let's stop there because that's a question I had, too. What is the County's position on that?" . . . Judge Brown: "Okay. So even though the 2026 primary, the candidates – the nominees chosen by the two parties were working under a different map, the primary was held under the 2021 map and the general election is going to be held under the 2026 map? That's the County's position?" Defendants' Counsel: "Yes.").

Galveston County’s counsel further said “Now, two candidates. Basically the JP in 3 is now the JP in 4. And the JP in 4 is now the JP in 3 on the November elections . . . and both are running unopposed.” *Id.* at 7:17-19. But only one of those precincts was on the March primary ballot—Justice of the Peace Precinct 3, which resulted in the nomination of Democrat Billy Williams—and the other officeholder who had been the Justice of the Peace for Precinct 4 (Republican Kathleen McCumber) has two years left in her term, having been last elected in 2024. From the County’s representation to the federal court, it is unclear how they plan to conduct the election. Is the County planning to hold the general election within the boundaries of Precinct 4 under the 2026 Map, to which they have now designated Mr. Williams as the Justice of the Peace? Or is it planning to hold the general election in Precinct 3’s new boundaries, which was the number-designated precinct on the March primary ballot but which now has a Justice of the Peace whose term continues for two more years? Or, as the County’s counsel’s comments seem to reflect, is it planning to hold a general election in both? Either way, no primary election was held within the full territory of *any* precinct slated for the November general election.

When asked by Judge Brown “[a]re y’all aware of an instance when this has happened before when a map has been changed between the primary and the general,” Defendants’ counsel responded “[n]o.” *Id.* at 8:3-6.

Despite offering partisanship as a reason for the mid-election cycle redistricting at the oral argument, Galveston County agreed that, if the 2026 general election were to move forward under the 2026 Map, the “status quo” would be maintained with respect to the breakdown of Democratic and Republican Justices of the Peace. *Id.* at 38. This is because the primary for Justice of the Peace Precinct 3—which has improved Republican performance in the 2026 Map as opposed to a Democratic lean under the 2013 Map—has already been completed with the Democratic candidate running unopposed. *Id.* at 36-37. So, Precinct 3 (perhaps now on the ballot as Precinct 4) will necessarily deliver a Democratic Justice of the Peace absent a successful write-in campaign in opposition. *Id.*

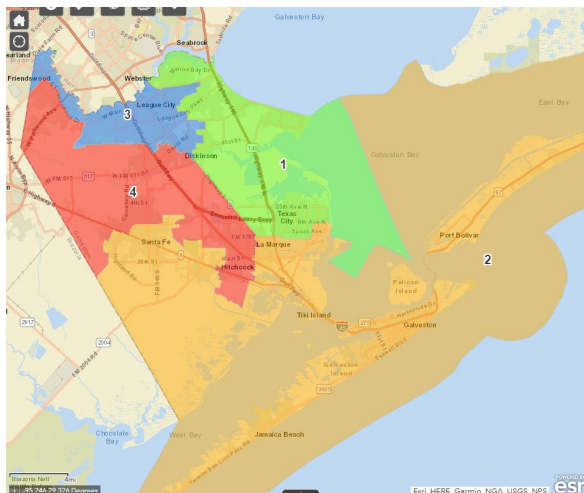
The 2021 Map¹ and the 2026 Map² are shown below. There was a primary election in March 2026 held within the boundaries of Commissioners Court Precincts 2 and 4 under the 2021 Map. The County intends to hold a general election within the boundaries of Precincts 2 and 4 under the 2026 Map. As a consequence, many voters (such as Relator Rose with respect to the Commissioners Court map) who will now participate in the November general election were precluded from participating in the March 2026 primary elections—either as voters or candidates—for the two commissioners court precincts and the three justice of the peace precincts up for election this year. Many voters participated in a primary election for a different precinct than that in which the general election will occur, many others participated in the March 2026 primary election but have been moved to precincts in which there will be no November general election, and people who may have wished to run as a candidate in the March primary were precluded from

¹*Galveston Cnty. Comm'r Precincts* (last viewed Aug. 4, 2026), <https://www.arcgis.com/apps/webappviewer/index.html?id=ffb008277ace4c6b9d9f82c1838ee8a0&extent=-10631799.478%2C3386023.1822%2C-10485040.3837%2C3453211.33%2C102100>.

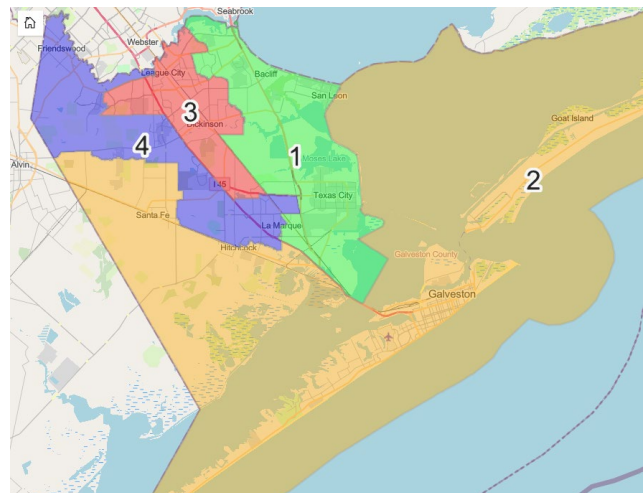
² *Galveston Cnty. JP Precincts* (last viewed Aug. 4, 2026), <https://experience.arcgis.com/experience/9efefdc9ba647f9841d2f530fdcc622?org=galvcountymaps>.

doing so because they were only moved into the new general election precincts after the primary was held. Voters who were in the precincts up for election at the time of the primary election but no longer are (as is the case for all Relators) will see their right to vote for Justice of the Peace delayed two years, resulting in a six-year period between elections. Other Galveston County voters will be able to vote for these offices after either four or even just two years as a result of the latest redistricting.

2021 Map



2026 Map



ARGUMENT

- I. The 2026 Map violates equal protection by denying voters the opportunity to have voted in—or declared candidacy for—the primary election for their new precinct.**

The 2026 Map violates equal protection by denying voters the opportunity to vote in, or declare their candidacy for, the primary election

for the offices up for election in November. The Texas Constitution mandates that “[a]ll freemen, when they form a social compact, have equal rights, and no man, or set of men, is entitled to exclusive separate public emoluments, or privileges, but in consideration of public services.” Art I, § 3. The Fourteenth Amendment to the United States Constitution guarantees equal protection of law. And the United States Supreme Court has long recognized that voters have an equal protection interest in participating in primary elections. *See, e.g., Bullock v. Carter*, 405 U.S. 134, 140–41 (1972) (recognizing that primary elections are “the creature of state legislative choice . . . [that] must be exercised in a manner consistent with” equal protection); *Gray v. Sanders*, 372 U.S. 368, 380 (1963); *see also Smith v. Allwright*, 321 U.S. 649, 661–62 (1944) (“[I]t may now be taken as a postulate that the right to vote in such a primary for the nomination of candidates . . . like the right to vote in a general election, is a right secured by the Constitution.”). Likewise, in *Gray*, the Supreme Court recognized that “the right to have one’s vote counted has the same dignity as the right to put a ballot in a box.” 372 U.S. at 380 (citation modified).

Here, by adopting a new map between the primary election and the general election, Galveston County has (1) denied some voters who will vote in the general election for Commissioners Court and Justice of the Peace the right to participate in the corresponding primary election (or, for some, *any* primary at all), (2) denied anyone newly added to the precincts on the ballot in November the chance to declare their candidacy for the March primaries for those offices, (3) denied some voters who cast ballots in the primary the ability to support their preferred candidate in the general election, and (4) effectively nullified the votes cast in the March primary for all the precincts up for election this year.

By denying some (but not other) voters and potential candidates the right to participate in the primary election, Galveston County has violated the equal protection guarantees of the Texas and United States Constitutions.³

³ Relators' claims are not mooted by the fact that the primary election already occurred. Their injury is being subjected in November to a general election for precinct offices for which they were excluded from participating in the primary and precluded from declaring their candidacy.

II. Galveston County’s redistricting violates the Election Code’s requirement that a primary election be held for each corresponding general election county officer election.

Galveston’s decision to replace the maps governing the 2026 countywide general election after the primary election was already held violates the Texas Constitution and the Texas Election Code. While article V, section 18(a) of the Constitution grants commissioners courts the power to redistrict “from time to time, for the convenience of the people,” like all its powers, they may only be exercised in a manner “as is conferred by this Constitution and the laws of the State, or as may be hereafter prescribed.” *Id.* § 18(b); *accord Williams v. Castleman*, 247 S.W. 263, 266-67 (1922) (recognizing that the Legislature may restrain commissioners’ courts’ power under article V, section 18); *see also* Tex. Elec. Code Ann. § 1.0015.

When the Court interprets statutes, it

discern[s] [its] objectives from its plain text. That text must always be read in context—not isolation. [The Court] give[s] meaning to every word in a statute, harmonizing each provision, while consider[ing] the context and framework of the entire statute, in order to meld its words into a cohesive reflection of legislative intent.

Pub. Util. Comm’n of Tex. v. Luminant Energy Co., 691 S.W.3d 448, 460-61 (Tex. 2024) (quotation marks and citations omitted).

Applying these principles, it is apparent that the Legislature has restricted the power of Commissioners Courts to redistrict precinct boundaries to prevent exactly what Galveston County has done here: holding a general election for a precinct-based county office for which there has been no primary election.

Throughout various provisions of the Election Code, the Legislature exercised its power to require that county officers be elected during a primary election and a general election, within precinct boundaries drawn ahead of the primary. As a threshold matter, the Election Code expressly requires that “a political party’s nominees in the general election for offices of state and county government . . . must be nominated by primary election.” Tex. Elec. Code Ann. § 172.001. The primary must be held on the first Tuesday in March in each even-numbered year. Tex. Elec. Code. Ann. § 41.007.

Accordingly, the boundaries of the precincts from which county officers are elected necessarily cannot change between the March primary election and the November general election. The offices of County Commissioner, Justice of the Peace, and Constable are defined by their boundaries. *See* Tex. Const. art. V, § 18. If a boundary changes

between the March primary election and the November general election, the precinct in which the general election is held will not be the same as the precinct in which the primary was held. That is, contrary to section 172.001's requirement, there will have been *no* primary election for the precinct-based county office on the ballot in November, as that precinct did not exist at the time the primary was held.

Such is the case for the 2026 Map, where the boundaries of Justice of the Peace Precincts 1, 2, and 3 and Commissioners Court Precincts 2 and 4—which are all up for election in November—have had no primary election held within their boundaries. Only some, but not all, of the voters in these newly configured precincts were eligible to vote in the March primary election. Moreover, people who should have been eligible to run as candidates in those primaries were precluded from doing so because the County waited until after the March primary to adjust the boundaries. It does not matter that the primaries for each of the precincts under the 2021 Map featured unopposed candidates. In 2023, the Legislature amended the Election Code to repeal section 2.056, which had allowed unopposed candidates to be declared elected. Tex. Sec'y of State, Election Advisory No. 2023-27 (Dec. 23, 2023),

<https://www.sos.state.tx.us/elections/laws/advisory2023-27.shtml>. And the County's actions thwarted the chance for contested elections in both the primary and general election.

By requiring that county officers be nominated in a primary, the Legislature necessarily precluded any post-primary change to precinct boundaries for those precincts that are up for election in November.

This conclusion is supported by other statutory provisions. The Legislature has specified that county election precincts “are the election precincts” for both the primary *and* general countywide elections. Tex. Elec. Code Ann. § 42.002. The Election Code further specifies that commissioners courts must reevaluate election precincts for compliance with the Election Code every odd-numbered year—*i.e.*, in between election cycles—no later than April or May, Tex. Elec. Code Ann. § 42.031, and “each commissioners court shall order the changes” to election precincts “before October 1 of the year in which the redistricting is done” for state legislative seats—*i.e.*, the calendar year prior to an election year, Tex. Elec. Code Ann. § 42.033.

The Election Code expressly contemplates the need to redraw the maps ahead of the primary, by providing that “[a] change in a county

election precinct boundary may not take effect on a date occurring between the date of the general primary election and the date of the general election for state and county officers[.]” Tex. Elec. Code Ann. § 42.033(c). Although it creates an exception for “a boundary change made under Article V, Section 18, of the Texas Constitution,” *id.* § 42.033(c)(1), that exception must be interpreted in context and harmony with the rest of the Code. The Constitution was amended to require staggered elections for County Commissioners beginning with the November 1956 election, with County Commissioners for Precincts 1 and 3 elected during presidential election cycles and Precincts 2 and 4 elected in midterm election cycles. *See* Tex. Const. art. XVI, § 65 (1999).⁴ Because two of the four Commissioner precincts are *not* up for election each election cycle, boundary changes affecting only those two *off-cycle* Commissioner precincts can occur in the time between a primary and general election for the *on-cycle* precincts without causing any conflict with section 172.001’s requirement that a primary election be held for county office on the general election ballot. Properly construed, section

⁴ Because the staggering was achieved by the earlier amendment, it was later removed from the Constitution. H.R. J. Res. 62, 76th Reg. Sess. (1999).

42.033(c)(1) thus provides an exception allowing alterations to election precinct boundaries in that circumstance. But it cannot be read to greenlight election precinct changes between the primary and general election occasioned by reconfiguring boundaries for Commissioner, Justice of the Peace, or Constable precincts that are being elected that year. Such a reading would conflict directly with section 172.001 by allowing general elections to occur for county offices for which no primary election has been held—exactly the type of interpretation that must be avoided if possible. *See Luminant Energy Co.*, 691 S.W.3d at 460-61.⁵

By setting forth specific deadlines by which boundary changes must occur, all ahead of the primary election, and by requiring that each county office undergo a primary election in March, the Legislature has necessarily prohibited boundary changes to precinct-based county offices

⁵ Similarly, Local Government Code section 81.021's timing provision for changes in precinct boundaries is not to the contrary. It provides that when redistricting occurs, the map must take effect by January 1 following a general election, which aligns with the beginning of the elected commissioners' terms. It merely regulates when terms begin following a lawfully conducted redistricting. It cannot be interpreted to permit redistricting to occur between the primary and general election, as that would directly conflict with the Election Code, which mandates primary elections to occur in the boundaries of precincts being elected at the general election. *See* Tex. Elec. Code Ann. § 172.001; *see also* Tex. Elec. Code Ann. § 1.002 ("This code supersedes a conflicting statute outside this code unless this code or the outside statute expressly provides otherwise.").

in the time period between a primary election and a general election for that office. *See* Tex. Const. art. V, § 18(b) (requiring Commissioners Courts to exercise their power “as is conferred by this Constitution *and the laws of the State, or as may be hereafter prescribed*”) (emphasis added); *Williams v. Castleman*, 247 S.W. at 266-67 (explaining that Commissioners Courts’ power to redistrict “from time to time, for the convenience of the people” under Art. V, § 18 is subject to “reasonable legislative action” restricting it).

This interpretation of the Election Code, which harmoniously gives meaning to all its provisions, is likewise compelled by section 1.0015, which provides that “[i]t is the intent of the legislature that the application of this code and the conduct of elections be uniform and consistent throughout this state to,” *inter alia*, “promote voter access.” Tex. Elec. Code Ann. § 1.0015. The Election Code cannot be interpreted to exempt County Commissioner and Justice of the Peace positions from the requirement that they undergo a primary election in March. It cannot be interpreted to permit Galveston County to hide the ball on its proposed precinct boundary changes until after the primary election, thereby precluding would-be candidates from running in the primary election.

Moreover, this interpretation is compelled by the constitutional avoidance principle to avoid the equal protection violations that result from interpreting the Election Code to permit a boundary change between the primary and general election. *See supra* Part I; *see also Barshop v. Medina Cnty. Underground Water Conservation Dist.*, 925 S.W.2d 618, 629 (Tex. 1996) (“When possible, we are to interpret legislative enactments in a manner to avoid constitutional infirmities.”).

Because Galveston County has failed to hold a primary election for the Commissioners Court and Justice of the Peace precincts set forth in the 2026 Map that are up for election in November 2026, its imposition is prohibited by Texas law and a writ of mandamus should issue to block its implementation and require implementation of the maps that correspond with the March primary election.

III. The 2026 Map delays Relators’ right to vote for two years without any justification in violation of equal protection.

The 2026 Map also violates the equal protection guarantees of the Texas and United States Constitutions because it, without advancing any governmental objective whatsoever, delays Relators’ right to vote for certain offices for two years—a right that would otherwise have arisen in November 2026. Other Galveston County voters will have just voted for

Commissioner two years ago yet will vote again this fall if the 2026 Map is permitted to stand. This denies equal protection under the circumstances of this case.

In *In re Khanoyan*, Harris County voters faced a “redistricting combined with staggered elections” which made it “inevitable that some voters who would have voted in 2022 under an old map will end up voting in 2024 under a new map.” 637 S.W.3d 762, 764 (Tex. 2022). This Court observed that mandamus could be an appropriate vehicle to address the question, but for reasons particular to the posture of that case denied relief. In doing so, the Court noted that the issue raised “a serious question.” *Id.* at 769.

In *Khanoyan*, Harris County explained that the shifting of voters and resulting delayed voting was done in part to unify communities of interest. *Id.* at 764. Here, Galveston County has suggested that partisan improvement for Republicans was its interest, but when pressed by Judge Brown at the recent federal court hearing about how that could be so, the County acknowledged that it could not actually realize that goal

until the November 2028 election. App. A at 36:12-37:24⁶ So the County is left with *nothing* to justify causing Relators and those similarly situated to see their right to vote needlessly delayed two years. Regardless of whether partisan advantage could justify this conduct under different circumstances, when the government admits that its actions will not even achieve that result in the upcoming election it cannot possibly be a sufficient justification to cause voters to suffer delayed voting. Nor can merely seeking to evade a federal court judgment regarding the 2021 Map justify denying voters the right to vote on schedule in the November 2026 election.

As Relators explain below, this case does not feature any of the complexities of *Khanoyan*. A writ of mandamus compelling Respondents not to implement the 2026 Map will automatically revive the maps that were used for the 2026 primary election (or their use can in any event be compelled). There is no population equality problem with those maps as there was with the benchmark map in *Khanoyan*. The Court need not take any remedial steps that caused it concern in *Khanoyan*.

⁶ The County's counsel observed that the 2026 Map would increase the Republican performance of Commissioners precincts up for election this year, but those candidates are unopposed. *Id.*

IV. Relators are entitled to mandamus relief.

This Court has jurisdiction to issue mandamus relief to order Galveston to use the same maps for the 2026 general elections that were used in the primary elections.⁷ “The supreme court [] may issue a writ of mandamus to compel the performance of any duty imposed by law in connection with the holding of an election[.]” Tex. Elec. Code Ann. § 273.061(a); *In re Rogers*, 690 S.W.3d 296, 302 (Tex. 2024) (“The Election Code unquestionably authorizes appellate courts to grant mandamus relief to compel the performance of an election-related duty.”).

“A writ of mandamus will issue to compel a public official to perform a ministerial act.” *Anderson v. City of Seven Points*, 806 S.W.2d 791, 793 (Tex. 1991). “An act is ministerial when the law clearly spells out the duty to be performed by the official with sufficient certainty that nothing is left to the exercise of discretion.” *Anderson*, 806 S.W.2d at 793. Respondents have a clear duty not to violate Relators’ equal protection

⁷ To be clear, Relators also challenge the validity of the 2021 map under federal law, for separate violations of the United States Constitution. See Compl., *Petteway v. Galveston Cnty.*, 3:13-cv-00308, (S.D. Tex. Aug. 26, 2013), ECF No. 1. However, Relators aver that one violation should not beget another; while the legality of the 2021 map is adjudicated in federal court, Galveston should not be allowed to implement a map under which no primary election has been held in clear violation of United States and Texas law.

constitutional rights. Moreover, the Legislature expressed a clear duty to hold a primary election for countywide offices, Tex. Elec. Code Ann. § 172.001, under boundary lines which were established before the primary election, Tex. Elec. Code Ann §§ 42.031-033. The relevant provisions of the Election Code “spell[] out the act to be performed by the mayor with sufficient certainty so that nothing is left to the exercise of discretion.” *Anderson*, 806 S.W.2d at 793.

Further, this Court has jurisdiction to issue a writ of mandamus where the facts are undisputed, *Dick v. Kazen*, 292 S.W.2d 913, 915 (Tex. 1956), or where any questions of fact that exist are “wholly irrelevant to any issue before this court.” *Jones v. Robison*, 133 S.W. 879, 881 (Tex. 1911). Here, the relevant facts—that the 2026 primary election was conducted under one set of maps and that Galveston County now seeks to conduct the 2026 general election under a different set of maps—are undisputed. There are no relevant fact questions in dispute. Therefore, Relators are entitled to mandamus relief to prevent Galveston from using the 2026 Map in the upcoming general elections.

V. Relators' petition is timely, requests precise relief, and should be addressed promptly.

Relators have appropriately brought this petition before this Court, seeking relief that is precise and administrable. While it is possible for Relators to receive their requested relief without causing any disruption or delay to the election calendar, rapid adjudication is necessary to ensure that Galveston County's general election is conducted in the same districts as the primary election as guaranteed by the United States and Texas Constitutions and the election code.

Relators filed this mandamus petition as soon as possible following the July 28, 2026 representation of Galveston County in federal court that it intended to carry out the 2026 general election using different districts than it used for the corresponding 2026 primary election. App. A at 6-7. Given the impending electoral deadlines for the 2026 general election, Relators have filed this mandamus petition invoking this Court's original jurisdiction. This is necessary, because "urgency makes proceeding in a district court impracticable." *In re Khanoyan*, 637 S.W.3d 762, 766 (Tex. 2022); see *Love v. Wilcox*, 28 S.W.2d 515, 521 (Tex. 1930) ("[T]he remedy of mandamus must be pursued in the lower courts unless

it is made plain that urgent necessity calls for the exercise of the original jurisdiction of the Supreme Court.”).

Granting Relators’ requested relief, however, need not cause any disruption or delay to the election calendar in Galveston County. The first relevant deadline related to the 2026 general election, the last day for candidates for county office to file as a write-in candidate for the November general election, is not until August 17, 2026.⁸ This is also the date by which the Texas Secretary of State recommends that “[t]he political subdivision should confirm that the most recent maps or boundary changes have been provided to the voter registrar.”⁹ Accordingly, granting relief by this date would ensure there is no disruption whatsoever to the election calendar. And, even if relief from this Court were to come after that date, the deadline for a declaration of write-in candidacy could be extended with relatively little burden. The next relevant deadlines are not until August 28 (deadline for the county judge to certify names of independent and declared write-in candidates

⁸ Tex. Sec’y of State, *November 3, 2026 Election Law Calendar* (last visited Aug 4, 2026), <https://www.sos.state.tx.us/elections/laws/advisory2026-21-november-3-election-law-calendar.shtml>.

⁹ *Id.*

to county election officer for placement on the general election ballot) and September 19 (deadline to mail ballots to military or overseas voters who already submitted ballot requests).¹⁰ There is, therefore, sufficient time for this Court to act without providing any significant disruption and with no delay whatsoever for the 2026 general election.

The timing of Relators’ petition and nature of the relief requested make it possible for this Court “to order relief that would not disrupt the larger election.” *In re Khanoyan*, 637 S.W.3d at 764. Unlike in the recent case considered by this Court, *In re Khanoyan*, here there is “precision about the requested relief.” *Id.* at 769. Relators do not seek the imposition of any novel map nor is there a question as to the process by which relief could be afforded. Relators merely request that this Court order that Galveston County use for the 2026 general election *the very maps* that were used in the 2026 primary. This relief would alleviate, rather than impose, burdens on Galveston’s election officials who are now being asked to conduct a general election under novel maps for Galveston’s Justices of the Peace and Commissioners Court, setting aside the plans that have been utilized in every election since they first passed in 2013 and 2021

¹⁰ *Id.*

respectively. Likewise, the relief sought by Relators would alleviate, rather than impose, the burden of electoral confusion on Galveston's voters, many of whom are currently set to arrive at the polls for the general election to discover candidates and positions entirely different than the ones they expected to see based on the votes they cast in the primary mere months prior. *Cf. id.* at 765.

PRAYER

Relators request that the Court grant the petition and issue a writ of mandamus ordering Respondents not to implement the 2026 Map.

August 4, 2026

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

In compliance with Tex. R. App. P. 9.4(i)(3), I certify that this brief was prepared with Century Schoolbook typefaces, in 14-point height for body text and 12-point text for footnotes. I further certify that this document contain 6,494 words, excluding the portions of the document exempted by Rule 9.4(i)(1).

/s/ Chad W. Dunn
Chad W. Dunn

APPELLATE RULES 52.3(J), 52.3(K)(1)(A), and 52.7(A) CERTIFICATION

My name is Chad Dunn. I am over the age of 18, and I am fully competent to execute this Certification. I am counsel for Relators in this case. I am the person filing the Petition.

I have reviewed the foregoing Petition and concluded that every factual statement in the Petition is supported by competent evidence included in the Appendix or Record.

The Record contains a true and correct copy of every document that is material to the Relators' claim for relief.

/s/ Chad W. Dunn
Chad W. Dunn

CERTIFICATE OF SERVICE

I certify that on August 4, 2026, a true and correct copy of the foregoing document has been served via the Court's e-filing system on the below parties:

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In the Supreme Court of Texas

In re Rose et al,
Relators.

APPENDIX TO PETITION FOR REVIEW

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Tab A:

**July 28, 2026 Petteway Hearing
Transcript**

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

HONORABLE TERRY	§	3:22-CV-00057
PETTEWAY, ET AL	§	
	§	
V.	§	10:01 A.M. TO 11:59 A.M.
	§	
GALVESTON COUNTY, TEXAS,	§	
ET AL	§	JULY 28, 2026

FINAL HEARING
BEFORE THE HONORABLE JEFFREY V. BROWN
Day 1 of 1 Day

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Proceedings recorded by mechanical stenography.
Transcript produced by computer-assisted transcription.

1 (Call to order of the Court.)

2 THE COURT: Good morning. You may all take your
3 seats.

4 All right. There is one case on the Court's docket.
10:01:55 5 Just one case on the Court's docket this morning; and that
6 is in Cause Number 3:22-CV-57, the Honorable Terry
7 Petteway and others v. Galveston County and others.

8 Would the attorneys make their appearances, please.

9 MR. GABER: Good morning, Your Honor. Mark Gaber
10:02:21 10 for the Petteway plaintiffs; and I have with me
11 Ms. Richardson, Mr. Dunn, Ms. Leeper, Mr. Baron, and
12 Ms. Reyes.

13 THE COURT: All right. Great. Good to see y'all
14 again.

10:02:31 15 Yes.

16 MS. CHEN: Good morning. Sarah Chen for the
17 NAACP/LULAC plaintiffs; and I'm joined by Hilary Klein,
18 Joaquin Gonzales, Miranda Catlin van Dijk, Kathryn
19 Garrett, Andrianne Spoto, and Nina Oishi.

10:02:46 20 THE COURT: Great. Good to have you, too.

21 All right, Mr. Nixon.

22 MR. NIXON: Good morning, Judge. Joe Nixon for
23 the defendants, Joe Russo, Angela Olalde, Paul Ready for
24 the County, Christian Adams, Jewel Lightfoot, and Kaylan
10:03:00 25 Phillips.

1 THE COURT: All right. Great. Good to have
2 y'all here this morning, too.

3 MR. VOILAND: Judge, may I? Joe Voiland for the
4 United States.

10:03:08 5 THE COURT: Oh, great. Okay. Good. Welcome.

6 So what I was originally thinking was I wanted
7 to -- so that you -- I asked for this hearing, to begin
8 with, to cover, you know, how the Supreme Court's decision
9 in *Callais* and maybe some other decisions, too, might have
10 affected the remaining -- the claims that are leftover in
11 this case.

12 And then a new issue got introduced when the County
13 passed a new map earlier this summer.

14 And so -- and the defense made a suggestion of
10:03:53 15 mootness. So we have mootness as an issue, as well.

16 And the plaintiffs have asked to amend their pleadings
17 to assert a claim under Section 3(c). So we need to cover
18 that as well.

19 What I originally was going to do is have the defense
10:04:13 20 get us started on mootness since that's their -- they're
21 pushing for that and then let the -- get that covered and
22 then let the plaintiffs get us started on the original
23 purpose of the hearing, what the Supreme Court -- what the
24 Supreme Court rulings may have done to the constitutional
10:04:34 25 claims in this case.

1 And we're going to do that; but before we do that, I
2 think I want to hear from the plaintiffs first on kind of
3 what you see as the lay of the land, what you -- what
4 relief are you seeking at this point in the case,
5 especially in light of the new map the County has passed.

10:04:49

6 So I'll hear from whoever wants to -- whoever wants to
7 address that.

8 MR. GABER: Thank you, Your Honor. I'll start.
9 Mark Gaber for the Petteway plaintiffs; and Ms. Chen can
10 speak, as well, for the NAACP plaintiffs.

10:05:04

11 I think we need a little bit of clarity from the
12 County as to whether or not the new map that was enacted
13 in June is actually governing the November election.
14 There were primary elections that were held under the map
15 that existed, under the 2021 map in March. Candidates
16 could have ran for office, been involved in that primary;
17 and Texas law requires that there be primaries for these
18 offices.

10:05:25

19 And now, purportedly, there is a map that's been
20 passed that is to take effect immediately. It's not
21 clear -- I don't think it's entirely clear whether or not
22 that map will actually govern the 2026 election because it
23 is being held under lines for which there was no primary
24 election.

10:05:42

25 And so I think we need some clarity from the County

10:05:56

1 about whether that map is actually governing the November
2 election and they are actually holding an election in
3 which there has not been a primary election.

10:06:08 4 THE COURT: Okay. Let's stop there because
5 that's a question I had, too.

6 What is the County's position on that?

7 MR. NIXON: The map is -- the 2026 map is the
8 legal map that's now in effect and the elections in
9 November are being held under the 2026 map lines.

10:06:21 10 THE COURT: Okay. So even though the 2026
11 primary, the candidates -- the nominees chosen by the two
12 parties were working under a different map, the primary
13 was held under the 2021 map and the general election is
14 going to be held under the 2026 map? That's the County's
10:06:38 15 position?

16 MR. NIXON: Yes.

17 Now, two candidates. Basically, the JP in 3 is now
18 the JP in 4. And the JP in 4 is now the JP in 3 on the
19 November elections.

10:06:51 20 THE COURT: Okay.

21 MR. NIXON: And both are running unopposed.

22 THE COURT: Okay. That cleans it up a little,
23 doesn't it?

24 MR. NIXON: Yes. I believe all the JPs are
10:07:02 25 running unopposed. Those that are running are running

1 unopposed. And the constables are not up for election
2 this cycle.

10:07:16

3 THE COURT: Okay. All right. Are y'all aware of
4 an instance when this has happened before when a map has
5 been changed between the primary and the general?

6 MR. NIXON: No.

7 THE COURT: Okay.

10:07:28

8 MR. NIXON: Well, I think we researched that. We
9 researched the law. The law is that the two candidates
10 just they flip numbers. They remain in their
11 current -- they remain JPs in their current offices until
12 the end of the year, in which case the election takes
13 place. And then they basically flip numbers. One is a 3,
14 and the other is a 4.

10:07:46

15 THE COURT: Okay. The Constable for Precinct 3
16 becomes the Constable for 4 and vice versa?

17 MR. NIXON: JP.

18 THE COURT: JP. Yes. The constables aren't up.
19 You said that. Yeah, the JPs. Okay. All right.

10:07:59

20 Mr. Gaber, that's the County's position.

21 MR. GABER: Okay. I think Texas Election Law
22 might have something to say about that, whether there can
23 be a general election for which there has been no primary
24 in the district at question.

10:08:13

25 So the plaintiffs' position, obviously, is that the

1 case is not moot. And so, therefore, our position is that
2 the Court should issue its judgment with respect to the
3 trial that we have had on the 2021 map, issue declaratory
4 judgment, issue injunctive relief with respect to the 2021
5 map and the practice of racial gerrymandering and
6 intentional discrimination with respect to redistricting.

7 There is some discussion, you know, about the 2021 map
8 being the only thing at issue. At issue is the fact that
9 the plaintiffs have alleged that they were subject to
10 racial gerrymandering and intentional discrimination; and
11 that is the conduct that the Court can enjoin, as well as
12 the implementation of the map that was at issue at trial.

13 So we think we are entitled to that judgment and
14 entitled to that injunction. And as we said in our
15 pleadings or in the papers that we filed, that is also
16 relevant to any claims against the 2026 map because it's
17 part of the *Arlington Heights* analysis. So, therefore,
18 you know, it would also be part of the Court's
19 consideration of that map.

20 And then there is also the issue of amending the 3(c)
21 relief, as Your Honor mentioned.

22 THE COURT: Okay. All right. So the -- if I
23 were to decide that the -- if I were to decide that the
24 plaintiffs are entitled to relief, I guess y'all's
25 position is that regardless of what the County

1 said -- tell me if I'm right about this.

2 It sounds like your position is regardless of what the
3 County says, you think the 2026 general election needs to
4 be held under the 2021 map, which means that I can still
10:09:53 5 do something about that between now and then.

6 MR. GABER: I think that that is right. I do not
7 think that the County can hold a general election for
8 which they have not held a primary for the office that is
9 at issue, which is the office defined by the boundaries of
10:10:10 10 its precinct.

11 Regardless of that, the Court can issue a declaratory
12 judgment and an injunction with respect to the 2021 map
13 and the practice of racial gerrymandering and intentional
14 discrimination because they don't satisfy their burden to
10:10:28 15 prove that the case is moot. And the case law on that is
16 clear that the voluntary cessation, even if you believe
17 that they have ceased, the case is not moot. And,
18 therefore, the Court can issue its injunction and issue
19 its declaratory relief.

10:10:43 20 That's precisely what happened in the 2011 and the
21 2013 state-wide case in *Perez v. Perry*. At the end of
22 that case, you know, in 2017 the Court issued a final
23 judgment -- or 2018, after it came back down from the
24 Supreme Court, the Court issued a final judgment that
10:10:58 25 enjoined the operation of the 2011 lines in addition to

1 the narrow relief that was left with respect to the 2013
2 lines coming out of the House District 90 in Tarrant
3 County.

4 And so at the end of that case there was a final
10:11:13 5 judgment, a declaratory judgment, and an injunction
6 against the operation of the 2011 map that the Court had
7 found to be intentionally discriminatory. And that's just
8 following the case law that it is the general rule that
9 voluntary cessation does not moot the case even in cases
10:11:31 10 where injunctive relief is requested.

11 And so, yes, I believe that the County cannot conduct
12 its election under a map for which there has not been a
13 primary election; but also, even if they can, this Court
14 still can issue the relief that we've requested because
10:11:48 15 they haven't met their burden under the mootness
16 exception.

17 THE COURT: Okay. And so what would the --
18 Go ahead, Ms. Chen.

19 MS. CHEN: I would just like to add for the NAACP
10:11:57 20 and LULAC plaintiffs that our understanding is that the JP
21 Precinct 4 isn't even on the ballot this year. And so I
22 have some issue with their characterization of what can
23 occur.

24 But we also think that the 2026 lines, our claims are
10:12:10 25 not about those lines. We do not need to get into exactly

1 what to do about those lines in order to justify immediate
2 declaratory and injunctive relief against, as Mr. Gaber
3 said, the use of the 2021 lines at any point in the future
4 because there is nothing the defendants have said to
5 indicate they could never just return to those
6 discriminatory 2021 lines, as well as enjoining any lines
7 that perpetuate that same racial gerrymandering and
8 intentional discrimination, depending specifically on Your
9 Honor's fact finding on that judgment.

10 So, again, I just want to reiterate we do not need to
11 litigate exactly what is going on in 2026, exactly what
12 those claims are, exactly what is in place in November,
13 except to say our plaintiffs, our clients, have suffered
14 racial harms and intentional discrimination for over five
15 years. They have had to vote under at least two election
16 cycles under this discriminatory map.

17 They deserve a declaration that the County has
18 discriminated against them. That declaration can be used
19 in future proceedings and is also essential just to
20 vindicating their constitutional right and defendants
21 actions have not mooted those claims.

22 And injunctive relief against the 2021 map is still
23 proper because it is -- it is the defendants burden to
24 show it is impossible for this Court to provide any
25 relief. But while enjoining the 2021 map will still have

1 some effect and some teeth for the fact that defendants
2 can never return to that map, we believe that injunction
3 will still validate that.

4 THE COURT: All right. I think I understand now.

10:13:41

5 MS. CHEN: And then do you mind if I add one more
6 thing to that --

7 THE COURT: Yeah.

10:13:49

8 MS. CHEN: -- which is if the Court does have any
9 questions about mootness and does think that litigating
10 about the 2026 map is relevant or having more fact finding
11 on the '26 map is relevant, we do not think it is
12 relevant; but that's why we are seeking, as sort of a
13 second priority, supplementation to add claims on the 2026
14 map.

10:14:04

15 We think that we do not need to go there in order to
16 get final judgment, which is our top priority; but if
17 needed, we are not seeking amendment. We think our
18 complaint should stand, the claim should stand, it should
19 not be amended in any way, but would seek to supplement to
20 add new claims against the 2026 map that we will get into
21 more of these details that the defendants are trying to
22 raise.

10:14:17

23 THE COURT: Okay. And so I guess that's what
24 makes this situation different from LULAC last year when
25 the legislature passed a new congressional map is that the

10:14:30

1 plaintiffs did amend their claims in that case and that's
2 when we went forward with the injunction on the
3 congressional map. And that's not happening here.

10:14:44 4 MR. GABER: We -- all of the plaintiffs
5 supplemented their complaints to be about the new event
6 that had occurred.

7 THE COURT: Okay.

8 MR. GABER: I don't think there was an amendment
9 because nothing had changed in the past about, you know.

10:14:55 10 THE COURT: Okay. It was a supplement. I'm
11 sorry.

12 MR. GABER: Right. Yeah. And so I think that is
13 what would happen here, as well, is there would be a
14 supplement -- a supplemental claim and, as we say in the
10:15:06 15 papers, supplemental relief with respect to 3(c) based
16 upon the 2011 finding, if the Court issues it in our
17 favor, justified in part by the repeated conduct that has
18 now occurred in 2026 as we allege.

19 And so that together -- and that shows why there can
10:15:26 20 be additional teeth to the Court's injunction and its
21 declaration because there is still relief that can accord
22 based upon that finding.

23 THE COURT: Okay. And as far as -- let's say the
24 County intends to run the 2028 elections based on the 2026
10:15:44 25 map, that's new litigation to deal with that, if y'all

1 decide to challenge that?

2 MR. GABER: Yes. I believe that is correct.

3 THE COURT: Okay. All right. Before we get neck
4 deep into mootness, do the defendants have any response to
5 everything you just heard from them just now?

10:16:02

6 MR. NIXON: Yes, of course. The Texas Election
7 Code actually speaks to this situation as to what happens
8 when lines change. And so that's why I told you that the
9 JP from 3 becomes 4 and 4 becomes 3 in the November

10:16:20

10 election.

11 The Court knows that primaries are run not by the
12 County but by the parties. The County -- the State runs
13 the November general election. So the County has the
14 authority to change lines as it relates to the November
15 general election, which it has exercised proper authority
16 under Texas Election Code to do so and in compliance with
17 the Texas Constitution.

10:16:40

18 So the candidate -- the parties choose the candidates
19 who are on the ballot. Everybody remains the same except
20 the JP for 2 -- or for 3 and 4 flip on the November
21 election. So just to clarify that for the Court.

10:16:59

22 And then I think the other comments I can address in
23 substance as the Court chooses.

24 THE COURT: All right. Well then y'all have
25 already heard and you have seen in the briefing, too, that

10:17:19

1 the plaintiffs do not think that their claims against the
2 2021 -- their constitutional claims against the 2021 map
3 are moot. Y'all have filed a suggestion of mootness.
4 Let's hear your argument.

10:17:34

5 MR. NIXON: Okay. Thank you, Judge. If I may.

6 THE COURT: Sure.

10:17:46

7 MR. NIXON: The case is moot. The 2021 map
8 doesn't exist. It's not something that can be
9 adjudicated, and the relief sought as it relates to the
10 plaintiffs regarding the 2021 map is no longer before the
11 Court.

10:18:02

12 When the case becomes moot, the Court only has
13 jurisdiction to determine what its jurisdiction is. It
14 does not have jurisdiction to allow for amendments of
15 pleadings on other claims or even if they relate back. If
16 the case is now moot, the case is moot. This map, the
17 2021 map no longer exists.

10:18:24

18 What exists is the 2026 map, and it became effective
19 immediately. Now, I will tell you that despite their
20 earlier protestations the Court heard the plaintiffs
21 actually agree the case is moot in their response because
22 they asked the Court to consider an exception to mootness.
23 Well, exception to mootness would only apply if there is
24 moot. The exception they ask the Court to apply is
25 capable of repetition but escaping review. That's what

10:18:44

1 they wrote. To which I have the rhetorical question:
2 What is capable of repetition?

10:19:12

3 We have a coalition district that was drawn as a
4 racial coalition district in 1991, again in 2001, and
5 again in 2011, which the Fifth Circuit in the en banc
6 decision in *Petteway*, in this case, said is not protected
7 under Section 2.

10:19:34

8 And I don't want to get too far ahead and talk about
9 *Callais*, but I have to in regard to the mootness because
10 *Callais* is an intervening superseding event. *Callais* said
11 jurisdictions may not use race to draw districts. So even
12 if the County wanted to draw a district that coalesced
13 Black and Latino voters and said that's what it intended
14 to do in order to protect the voice and the historical
15 district that was created in 1991, it could not do so. It
16 could not constitutionally do so.

10:19:58

17 So what is it that's capable of repetition? Nothing.
18 There is nothing that the County can repeat. And escaping
19 review, plaintiffs have had five years with this case.

10:20:22

20 This case was litigated. This case went to two -- heard
21 on the Fifth Circuit twice, and they applied for stays for
22 the Fifth Circuit's issuance orders to the Supreme Court.
23 This case has had plenty of review, and there has been
24 plenty of time.

10:20:40

25 But what has happened is that the en banc decision

1 that reversed *Campos*; the *Tarrant County v. Jackson* case,
2 which basically eliminated the evidence that they claim
3 has -- the circumstantial evidence of the claim as has
4 relevance to intent; and then, of course, the *Callais*
5 decision that said jurisdictions may not use race and to
6 separate people on the basis of their ancestry is odious
7 to a free people. It cannot do it.

8 And the *Callais* court went even further and said there
9 has to be present-day voting problems, which this Court
10 has not found any, and there was no evidence submitted by
11 the plaintiffs with regard to present-day voting problems.
12 And, in fact, the Court found that it was easier to
13 register and easier to vote for everybody in Galveston
14 County than it ever has been.

15 So what is it that is incapable of repetition? There
16 is no legally protected interest that is being violated
17 that could be -- for which a violation could be repeated.
18 With that -- and it's -- that's all very clear that if
19 it's -- if there is nothing that can be repeated, there is
20 nothing escaping review. So the exception to mootness
21 doesn't apply.

22 The other reason why the plaintiffs admitted the case
23 is moot is because they have asked to amend their
24 pleadings to seek relief that they did not originally seek
25 and to assert that somehow their rights are being violated

1 again in the application of the 2026 map.

2 The two maps are different things. They are different
3 legislative enactments by different Commissioners Courts.

4 The Commissioners Court today is different than the one

10:22:53

5 that existed in 2021. And the basis of this Commissioners

6 Court was very clear that it adopted the map, as it said

7 in its October 8th, because of compliance with applicable

8 law. It had read *Callais*. It said we have read *Callais*.

9 So we're making changes based upon applicable law, the

10:23:18

10 2020 Census, and improving partisan performance in favor
11 of Republican candidates.

12 THE COURT: You said October 8th, but I think you
13 meant July 8th.

14 MR. NIXON: Yeah, I did. I meant June 8th is

10:23:31

15 what I meant.

16 THE COURT: June 8th. Okay.

17 MR. NIXON: Yes, you are right. June 8th.

18 So it's not complicated. The case is moot. The only

19 jurisdiction you have is to determine whether you have

10:23:38

20 jurisdiction. Once you make the decision that the case is
21 moot, that ends it.

22 As the Court implied, if there is a different cause of
23 action they want or complaint they want to bring against

24 the 2026 map, that's for a different time and place; but

10:23:55

25 it is not in this case.

1 THE COURT: Okay. All right. Thank you,
2 Mr. Nixon.

3 MR. NIXON: Thank you.

4 THE COURT: All right. Response from the
10:24:01 5 plaintiffs. You can argue from there or from here,
6 wherever you want to.

7 MR. GABER: I will avoid spit coming toward the
8 Court's staff, Your Honor.

9 I guess I'm a little surprised because, as I
10:24:15 10 understand the case law, the case is not moot when there
11 is voluntary cessation unless the government carries its
12 heavy burden to show that there is absolutely no way in
13 which the challenged conduct, here racial gerrymandering
14 and intentional discrimination, can recur.

10:24:32 15 We raised the capable of repetition yet evading review
16 exception as a secondary argument in the event that the
17 Court disagreed with us that the government has not
18 carried its burden with respect to voluntary cessation.
19 And the Supreme Court said in the *City of Mesquite* case
10:24:49 20 that this isn't a question of the Court's power. It is
21 the general rule that a case does not become moot when
22 there has been a voluntary cessation by the government or
23 by the defendant.

24 And the question of whether or not the Court decides
10:25:04 25 to issue its judgment or declaration or injunction is a

1 question of the Court's discretion and not a question of
2 the Court's power because that is the general rule. The
3 case does not become moot based upon the mere voluntary
4 cessation.

10:25:20

5 And the Fifth Circuit in the first -- in the *Speech*
6 *First* case set out three factors the Court is to consider
7 in whether or not the government has carried that burden.
8 And, specifically, the Court in that case acknowledged
9 that government defendants have some solicitude in the
10 voluntary cessation space; and then it defined what the
11 government would have to do to satisfy its burden.

10:25:38

12 And in the reply brief, Galveston County says, no, no,
13 that is just about public universities. But the Fifth
14 Circuit has subsequently applied that to government
15 officials. And I'll give the Court one cite. In *Netflix*
16 *Incorporated v. Babin*, and this is 88 F.4th 1080 at 1089
17 through -90, the Fifth Circuit said the following, "We
18 have said before that the voluntary cessation by a
19 governmental official like Babin," who was the District
20 Attorney in the case, "is given some solicitude, but the
21 presumption of good faith cessation is defeated when, as
22 here, there is no controlling statement of future
23 intention, the change in conduct is suspiciously timed,
24 and the defendant continues to defend the challenged
25 behavior."

10:26:14

10:26:31

1 Now -- and then, if you will just click on the citing
2 references for *Speech First*, you'll see that district
3 courts in the Fifth Circuit have continued to apply this
4 doctrine to show when the presumption of good faith is
5 overcome.

10:26:44

6 In case after case against government officials,
7 against jurisdictions, against the federal government,
8 against the EPA, against President Biden in the *Trump v.*
9 *Biden* case, the Fifth Circuit again said this is the three
10 test -- the three-part test that we're going to apply.

10:26:58

11 The County doesn't even mention that test in its
12 suggestion of mootness and doesn't in its reply attempt to
13 meet it, and that's because it can't.

14 With respect to the first factor, there has been no
15 controlling statement that the County will not return not
16 only to the 2021 map but the conduct that was at
17 challenge, racial gerrymandering and intentional
18 discrimination. In the *Speech First* case the Fifth
19 Circuit noted that there hadn't been a declaration from
20 the relevant government decision-maker and that a mere
21 statement in the brief by the lawyers is insufficient to
22 show that.

10:27:13

10:27:31

23 With respect to the suspicious timing, I think that,
24 first, the answer to Your Honor's question at the
25 beginning of this hearing from the County that they are

10:27:45

1 unaware of a single instance in which a Texas jurisdiction
2 has changed the map between the primary election and the
3 general election is, you know, evidence number one of the
4 suspicious timing. I'm unaware of an example in the
10:28:06 5 country of a jurisdiction having a primary election and
6 then jettisoning that map and purporting to then hold a
7 general election with candidates who ran in that primary
8 with people who might have chosen to run in the primary
9 had they known they resided in the new district for which
10:28:23 10 the general election would be held. I'm unaware of a
11 single example of that happening anywhere.

12 There are some cases right now, in light of *Callais*,
13 where primaries were underway in Alabama -- I think in
14 Alabama --

10:28:38 15 MS. RICHARDSON: And Louisiana.

16 MR. GABER: -- and Louisiana. Alabama responded
17 to that by canceling the ongoing primary and rescheduling
18 it for the specific districts that were affected by the
19 map change so that every voter who was in the map in the
10:28:53 20 boundaries of that district for the general election
21 would, one, have the opportunity to run in that primary if
22 they chose to do so and, two, participate in the election
23 in that primary.

24 And so I'm still a little unclear because -- and this
10:29:07 25 is getting aside from mootness for a moment -- because I

1 heard that there were two candidates that are just
2 flipping their precinct numbers, apparently, and that both
3 were unopposed. Only one precinct, as I understand it, is
4 up for election in 2026. That's Precinct 3. And so I
5 don't understand how candidate McCumber could be unopposed
6 if that office -- if her term is not even up.

7 And I think the County needs to state its position
8 with respect to the ability of candidates to serve
9 regardless of where they have placed them in the map.

10 But with respect to suspicious timing in addition to
11 the fact that this has never happened before, that they
12 would make this change, it occurred three weeks before the
13 Court's hearing on the issue of intentional discrimination
14 and racial gerrymandering. And if you just look at the
15 papers that were filed, the mootness suggestion attaches
16 the order adopting the new maps. And the rationale that
17 we're given in the papers is something like the County
18 Commissioners have determined that this is in the best
19 interest and so, therefore, it's moot.

20 And then the reply brief comes along and they find,
21 apparently they forgot, that they had adopted an order
22 earlier in June when three -- two members -- two
23 commissioners and the county judge were present and the
24 two other commissioners were absent, suggesting that
25 partisan reasons might be something they are interested

1 in.

2 Didn't include that in their suggestion of mootness,
3 only apparently remembered it when the reply brief came
4 around to attach it, and those justifications apparently
10:30:50 5 were rejected by the majority that voted because they were
6 not adopted in the order adopting the map.

7 And the contention that this would be for partisan
8 reasons that they would wait until the primary was done,
9 there is only one office up for election for the JP and
10:31:07 10 constables, which is Precinct 3, which had been the
11 Democratic majority precinct, the idea that it was to
12 benefit Republicans to wait until the primary was over and
13 there was only one candidate, a Democrat, on the ballot
14 and then change the map just belies common sense. How
10:31:26 15 would that benefit the Republicans who were precluded from
16 running in the district that they say they have drawn to
17 benefit Republicans?

18 So I think the Court, while there is presumptions of
19 good faith when there are inferences that go in either
10:31:40 20 direction, I think the Court -- no doctrine says the Court
21 needs to suspend disbelief of the justifications that have
22 been offered.

23 And so I think I have not seen a case where the timing
24 was more suspicious as to the reason for the change, which
10:31:53 25 quite evidently here is to try to evade having this Court

1 issue a judgment with respect to the trial that it had.

2 And then finally, with respect to the continued
3 defense prong, obviously the County continues to file
4 pleadings. After they filed the suggestion of mootness,
10:32:12 5 they filed a response to the *Callais* briefing saying all
6 the reasons why they think the 2021 map is lawful.

7 So not one of the three factors that the Fifth Circuit
8 has set out for when the presumption of faith applies and
9 when it can be overcome have been established by the
10:32:31 10 County. They don't even mention it in their briefing or
11 engage with it in any way. And for that reason they have
12 not come close to satisfying their heavy burden to show
13 that their purported cessation has caused the case to
14 become moot.

10:32:47 15 And as a consequence of that, the Court doesn't even
16 need to reach the capable of repetition yet evading review
17 doctrine because that only applies when the Court finds
18 that the case would otherwise be moot; and they have not
19 even attempted to satisfy their burden to show that that's
10:33:03 20 the case.

21 And I think with that I will let Ms. Chen speak.

22 THE COURT: All right.

23 MS. CHEN: Thank you.

24 We completely agree with that argument about voluntary
10:33:17 25 cessation, the defendants not meeting their burden. We

1 would also just add defendants have not engaged Supreme
2 Court precedent in redistricting cases, right, in
3 *Covington v. North Carolina* finding that a map adopted in
4 2011 was not moot even after the adoption of a later -- of
10:33:35 5 a later map, despite the North Carolina legislature
6 arguing that their adoption of a superseding map did moot
7 original claims. That is because the Supreme Court was
8 very clear to say it is not the specific line drawing. It
9 is the racial intent and the racial harm that created
10:33:51 10 standing and created the issue, and that could not be
11 mooted simply by additional line drawing around that same
12 core of racial harm. So defendants have not engaged that
13 Supreme Court precedent at all.

14 They also have not engaged significantly the Texas
10:34:08 15 2011 redistricting cycle where the three-judge panel there
16 also found that an earlier map was not mooted by the
17 adoption of a later map, even adopting some of this
18 reasoning from the more recent *Speech First* cases about
19 voluntary cessation saying that, you know, the defendants
10:34:29 20 had never conceded the illegality of any of their conduct
21 and had steadfastly maintained that the 2011 plans
22 contained no legal deficiencies. That was part of the
23 reasoning that the Court used in *Perez v. Perry* about the
24 Texas statewide maps.

10:34:45 25 And so again here, defendants are similarly doubling

1 down, refusing to admit any illegality. And if a
2 voluntary cessation doctrine can't apply here, when can it
3 apply? It will always -- if defendants are allowed to
4 succeed here on this mootness argument, it will result in
5 governmental defendants, maybe any defendants, being able
6 to continually evade any responsibility for constitutional
7 violations simply by taking these voluntary actions.

8 In this case, our clients and the community have
9 suffered these racial harms for the last five years.

10 There will absolutely be another round of redistricting
11 after the 2030 Census. There may be more redistricting
12 next year, since defendants have shown themselves
13 interested in and capable of redistricting at any time,
14 including in this unprecedented post-primary period. And
15 we also are not aware of any other examples in history in
16 the country of this timing for redistricting.

17 And so we do fear that any agreement on their
18 expansive mootness argument would do incredible damage to
19 the ability to seek -- to hold anyone accountable for
20 constitutional violations.

21 THE COURT: Real quick, before we turn back to
22 the defendants. Just to be clear, none of the plaintiffs
23 in this case are seeking any relief against the use of the
24 2026 map as of right now?

25 MR. GABER: In this case, that is correct --

1 THE COURT: Okay.

2 MR. GABER: -- as of right now. That is a true
3 statement.

10:36:23

4 THE COURT: Okay. All right. And what y'all are
5 seeking is declaratory relief and injunctive relief on the
6 2021 map?

7 MR. GABER: Yes.

8 MS. CHEN: That is correct.

10:36:35

9 THE COURT: All right. And is there any
10 difference between the relief that the Petteway plaintiffs
11 are seeking and the LULAC and NAACP plaintiffs are
12 seeking? Are y'all completely lined up?

13 MR. GABER: I believe so.

14 MS. CHEN: We are aligned.

10:36:47

15 I did just want to present one option for the Court
16 that I completely recognize may not be the option that you
17 wish to take, right, which is that an injunction against
18 the 2021 map and the racial gerrymandering or intentional
19 discrimination that created the 2021 map could result in a
20 remedial phase where defendants have the first opportunity
21 to present what a remedial map would look like. And they
22 could then have the opportunity to argue why the 2026
23 lines actually remedy the harms that the Court finds in
24 its judgment.

10:37:09

10:37:26

25 At that stage, the Court has the duty to assess those

1 lines to say whether or not they actually constitute a
2 sufficient remedy. And so at that point that is an
3 opportunity for the Court to evaluate the 2026 lines and
4 their constitutionality.

10:37:43

5 However, we recognize it is challenging to argue for
6 an immediate remedial process, to argue for a new map
7 before the November election. We are arguing that
8 defendants should not have been able to change their -- to
9 change the lines post-primary and, if so, are not
10 currently specifically asking the Court to enter that
11 immediate remedial phase.

10:38:00

12 But we believe it is absolutely within the Court's
13 duty to ensure that defendants do act constitutionally in
14 any redistricting that they undertake and that a finding
15 relating to the 2021 maps does have bearing on the 2026
16 maps because everything before the Court right now does
17 show the 2026 maps continue the harm from 2021.

10:38:18

18 So, again, it's not necessary. And so we are totally
19 aligned in that we can -- declaratory injunctive relief on
20 2021 is all that we are presently seeking. I just wanted
21 to present that option for the Court, but that is well
22 within the Court's authority and duty.

10:38:36

23 MR. GABER: I guess I would just add that, you
24 know, under Rule 65, which sets out what the Court has to
25 do in an injunction, it talks about stating the conduct

10:38:50

1 that is being enjoined. Here it's not just the particular
2 map. It is the conduct of racially gerrymandering and
3 intentionally discriminating, if the Court finds in that
4 manner.

10:39:06

5 And in that sense, you know, it would be our position
6 that the 2026 map would be violating that injunction, you
7 know, on a prospective basis. And so there is that to
8 consider, as well.

10:39:23

9 THE COURT: Okay. Well, that sounds like you are
10 seeking relief against the 2026 map.

10:39:37

11 MR. GABER: I think that that -- I think the
12 cleanest way that that is addressed is through whatever
13 future proceedings happen with respect to it, and there
14 would be evidence and whatnot. But I think it just sort
15 of dovetails on the suggestion that that could be part of
16 the remedial process, that it actually would be an
17 enforcement proceeding, in some respect, with respect to
18 the Court's injunction for the conduct that we have
19 already adjudicated.

10:39:50

20 THE COURT: Okay. And any remedial effort that
21 the Court might undertake with regard to the 2026 general
22 election we are -- we are real short on time.

10:40:11

23 MR. GABER: I think that that is correct. And I
24 think, you know, perhaps we will find out soon whether or
25 not this can even be the map that the County purports to

1 put forward for this election; and that could affect the
2 analysis, as well.

3 THE COURT: Okay. Are you saying there may be
4 some other litigation against the use of the 2026 map
10:40:26 5 because of the whole 2021 map in the primary and the 2026
6 in the term?

7 MR. GABER: Right. Right. Yeah.

8 THE COURT: Okay.

9 MR. GABER: I think that's certainly possible.

10:40:34 10 THE COURT: Mr. Nixon.

11 MR. NIXON: Thank you, Judge. Yeah. There are a
12 couple of things that I would like to clear up.

13 First of all, the government is afforded the
14 presumption of good faith even with regard to voluntary
10:40:45 15 cessation. It's not a private corporation. So when the
16 government alters something with regard to voluntary
17 cessation, it's presumed good faith. Okay. So doubt,
18 fear that they have articulated, no place in this
19 courtroom.

10:41:02 20 But more importantly, what is being cessated is -- is
21 it cessated? What?

22 THE COURT: Ceased.

23 MR. NIXON: I went to A&M.

24 What is being ceased? We have a map that was of
10:41:22 25 racial draw, that race was used to draw in '91, 2001,

1 2011. Now the -- which would be proscribed today. It's a
2 very interesting situation. If the County had drawn
3 Precinct 3 and kept Precinct 3 in place, today a litigant
4 could come in and say you County used race and it must be
5 ended. It has to be redrawn.

10:41:53

6 And they would be right under *Callais*. That's exactly
7 what happened in *Callais*. The Louisiana legislature drew,
8 used race to draw a second majority-minority district.
9 Even that was the least defensible because it was a single
10 minority. Here it's a coalition district, which is not
11 protected as a matter of law.

10:42:15

12 The County -- so what is being ceased? The County --
13 if the County drew a map, the 2026 map, and reconstituted
14 Precinct 3, you could argue voluntary cessation because
15 they put 3 back together. And they could say, well, you
16 could undo it the next time.

10:42:37

17 But the County didn't put the old historic Precinct 3
18 back together. It didn't cease. Voluntary cessation
19 doesn't apply because the County didn't redo a map that
20 would have violated *Callais* and, two, the County is
21 presumed to be good faith -- to have good faith.

10:42:58

22 And with regard to the situation of you can't change
23 lines after the primary, well, there is no law where they
24 decided it. The Constitution of Texas allows for it. The
25 election code allows for it. And, quite frankly, these

10:43:19

1 plaintiffs have no standing as candidates to challenge the
2 new map on that basis by saying, well, candidates could
3 have run in this. They don't have standing to make that
4 argument.

10:43:40

5 So this case is moot. And everything else based upon
6 -- all of their other arguments are based upon they want
7 something more that they have not yet pled. So that's
8 where we are.

9 THE COURT: Okay. All right. I understand.

10:43:57

10 MR. VOILAND: Judge, may I briefly?

11 THE COURT: Yes.

12 MR. VOILAND: So I -- Joe Voiland for the United
13 States.

10:44:08

14 And in terms of matters of Texas state law or Texas
15 constitution primary elections and so forth, the United
16 States intended to have nothing to say on this. The
17 United States' claim was resolved against it in -- by the
18 Fifth Circuit. The United States has not been dismissed
19 as a party yet, but it won't have a Section 2 claim going
20 forward.

10:44:26

21 I would be remiss if I didn't point out in terms of
22 the discussion here about whether or not there is going to
23 be some type of relief at this time against the 2026 map.

24 And the question about whether this has come up

10:44:39

25 anywhere else, I think, as the two plaintiffs

1 acknowledged, it has come up in Louisiana. It's come up
2 in Tennessee. It's come up in Alabama. And the
3 consideration that is for the Court I think is *Purcell*,
4 *Purcell v. Gonzalez*.

10:44:58

5 And I didn't want to sit here and not say hold on a
6 second. The election it sounds like it's in November.
7 Again, not my issue about when there is a primary or
8 general. But I do think that action at this point in time
9 -- I haven't seen what it's going to be. I don't know
10 what it's going to look like. But *Purcell* is absolutely
11 the only thing the United States would have a concern on
12 that issue.

10:45:14

13 THE COURT: Okay. And I didn't say *Purcell*, but
14 I did -- I was talking about *Purcell* when I said that
15 we're short on -- when I said we're short on time when it
16 comes to any kind of relief like that, *Purcell* was the
17 word in my mind, of course. But I appreciate that.

10:45:28

18 Okay. Let me quickly consult my prehearing notes on
19 -- okay. I'll tell you what. Have we really been going
20 for an hour and 45 minutes already? Let's take a quick
21 break and start back at -- start back at 11:00. And I may
22 have some questions about mootness and Section 3(c) to
23 start off at 11:00. But then we'll try to get into the
24 *Callais* stuff pretty quickly after that. Okay. So if you
25 need to run down the hall or anything, feel free.

10:47:01

10:47:27

1 (Recess from 10:47 a.m. to 11:03 a.m.)

2 THE COURT: All right. Thank you very much. You
3 may take your seats.

4 I do have a couple of questions before we get on to
11:03:29 5 *Callais* stuff. First of all, let me say when I was so
6 amazed that it was already a quarter to 11:00, I was
7 imagining that we had started at 9:00 and I was, like,
8 wow, that hour and 45 minutes sure went by fast. We
9 started at 10:00. So it had only been 45 minutes, which
11:03:51 10 means y'all are being very efficient in your arguments,
11 which the Court appreciates.

12 Okay. My first question is for Mr. Nixon and the
13 defendants. The 2026 Commissioners Court has said that
14 one of the reasons for the 2026 map was to enhance
11:04:06 15 Republican performance, and I guess I don't understand how
16 it's going -- maybe it would enhance Republican -- maybe
17 there is an argument it would enhance Republican
18 performance in 2028. But in 2026 it sounds like it -- I
19 mean it -- the JP who is running unopposed in 2026 is a
11:04:37 20 Democrat and it sounds like is going to become the JP of a
21 precinct that should elect a Republican in future
22 elections.

23 MR. NIXON: Yes.

24 THE COURT: Okay. How does that enhance
11:04:49 25 Republican performance in 2026? It sounds like it gives a

1 Republican precinct to a Democrat officeholder.

2 MR. NIXON: Well, the way -- so they aligned
3 commissioners, JPs, and constables all together.

4 THE COURT: Yes.

11:05:03

5 MR. NIXON: So they are all one now, where they
6 were mixed before.

7 The JP in 3, Williams, was running unopposed. So when
8 they drew the lines, I mean, he was going to win.

9 THE COURT: Right.

11:05:23

10 MR. NIXON: Okay. So the constables are not up
11 this time. So they will be up in two years. So when they
12 redrew it, he was in Precinct 4 running unopposed. So it
13 did not change that in order -- so there wouldn't be a
14 problem as it related to a specific candidate.

11:05:46

15 But it does enhance partisan performance in each of
16 the Commissioners Court precincts, the four. And I think
17 if the Court were to examine the nature of those
18 precincts, that the partisan improvement in each of those
19 precincts is better.

11:06:08

20 So understanding that the one JP did not alter -- he
21 did not alter his ability to be re-elected. We didn't
22 take it away from him in the middle of an election year.
23 But that JPs 4 and 3 are going to -- are improved in
24 partisan performance.

11:06:32

25 Does that answer the Court's question? And so the

1 constables will --

2 THE COURT: It was an answer to the Court's
3 question, yes.

4 MR. NIXON: It was an answer. Did --

11:06:40

5 THE COURT: Yes.

6 MR. NIXON: Was -- well, did I answer the
7 question? Did I give the Court enough facts and answer
8 the question? I don't want to leave it -- I don't want to
9 have it to be an answer. I want the Court to be satisfied
10 with what the answer is. So it --

11:06:53

11 THE COURT: It still sounds -- it sounds like the
12 net effect, at least after the 2026 election, is
13 everything is the status quo as far as how many Democrat
14 JPs there are and how many Republican JPs there are.

11:07:12

15 MR. NIXON: That's -- yes, that's the status quo;
16 but the constable I believe in Precinct 3, the next
17 election, will most likely become a Republican.

18 THE COURT: Yeah. Yeah. I understand that.

19 MR. NIXON: And so -- and the Republican
20 performance in each of the commissioners precincts is
21 enhanced in the meantime.

11:07:28

22 THE COURT: All right. So in the 2026 general
23 election the commissioners precincts are a little more
24 strongly Republican; and in the 2028 constable elections
25 it sounds like, the way things are, there probably won't

11:07:45

1 be any Democrat.

2 MR. NIXON: That was the intent.

3 THE COURT: And so it will certainly enhance
4 Republican performance in 2028 in the constable races.

11:07:57 5 MR. NIXON: That's the intent of the County, and
6 I think that's what the partisan information on the map
7 will indicate.

8 THE COURT: Yeah. Okay. All right. Do you all
9 have anything on that before we move on?

11:08:07 10 MS. CHEN: First, I would urge the Court to take
11 judicial notice of the Galveston County website which
12 indicates that the last Precinct 4 JP election took place
13 in 2024. And so that term for four years will go until
14 2028. And we do not understand what provision the
11:08:23 15 election code would allow the Galveston County
16 commissioners to simply swap in somebody for a term that
17 has not yet expired in Precinct 4.

18 And so I just think the factual inconsistencies and
19 the legal inconsistencies indicate how partisanship is
11:08:41 20 just a pretext here even in the 2026 lines.

21 We would also note that there is no evidence before
22 you about any partisan performance for commissioners
23 precincts; and again, there was no -- the past elections,
24 as we have cited in our brief, have been electing five
11:08:58 25 members of the Commissioners Court who are Republican in

1 the last couple of elections after the 2021 map was
2 enacted. It is absolutely unclear what it means to have a
3 better partisan performance than 5:0 Republican. And the
4 way that *Callais* even talks about partisan targets, it
5 does require specific partisan targets and -- or
6 demographics. And again, there is just no record of what
7 Mr. Nixon is discussing here.

8 THE COURT: Okay. All right.

9 MR. GABER: Just to add, Your Honor, I think that
10 the question identified that what the County has done by
11 waiting until the primary was done to create a Republican
12 seat that only a Democrat ran for does the opposite of
13 helping Republicans. It handed a JP seat to a Democrat
14 that they otherwise could have had an election, could have
15 had primary candidates, could have had a Republican. And
16 I think that again shows the pretext and shows why the
17 timing is so suspicious.

18 But I also would emphasize again that this reference
19 to partisan Republican performance appears only once.

20 It's in an early June order, which itself is a bit
21 confusing because the top of it says that all members of
22 the commission are present. And then the bottom says that
23 two of them are absent. And then when the court -- when
24 the Commissioners Court actually adopted the new map with
25 all members of the commission voting, they jettisoned the

1 partisan performance rationale and had the same "whereas"
2 clauses, got rid of the partisan performance one, and
3 simply said they deemed it in the best interest of the
4 County.

11:10:47

5 So normally when we interpret things, legal documents,
6 and something is there and it's removed, that is
7 intentional. And that is not the justification that,
8 particularly the two absent members who did not sign on to
9 the first order but did the second, there is no indication
10 that that would be their view.

11:11:00

11 And so I would just add that I think it's pretext, it
12 doesn't help Republicans, it actually harms them, and it
13 goes to show why the case is not moot.

11:11:18

14 THE COURT: Okay. I'm ready to move on from that
15 particular question unless Mr. Nixon has anything he wants
16 to say.

17 MR. NIXON: No, Your Honor. Thank you.

18 THE COURT: Appreciate that.

11:11:27

19 Okay. I think the rest of what I wanted to ask y'all
20 about is kind of Section 3(c) related. First of all, are
21 y'all seeking to amend or supplement your pleadings to
22 assert anything other than your request for Section 3(c)
23 relief?

11:11:58

24 MR. GABER: This question is with respect to the
25 existing pleadings about the 2021 map and the alleged

1 conduct.

2 I think the way that we had envisioned it would be
3 that the -- whatever supplemental complaint happens with
4 respect to the new claims about the 2026 map would include
11:12:18 5 requested 3(c) relief based upon this kind of series of
6 conduct. They did what we alleged to have been
7 discriminatory and racial gerrymandering in violation of
8 the Fourteenth Amendment for the 2021 map. We have
9 alleged they have now done it again. We will include in
11:12:35 10 that the request for 3(c) relief.

11 And the possibility of that relief, based upon the
12 Fourteenth Amendment violation with respect to the 2021
13 map, was part of our argument for why the case would not
14 be moot; but at least I have not -- and I haven't had a
11:12:52 15 chance to confer about this, but I had not conceived of it
16 as a change to the complaint with respect to -- that
17 currently exists with respect to the relief and injunction
18 and declaration about the 2021 map. It's simply that
19 there has been a -- there will have been, we hope, a
11:13:10 20 finding of a Fourteenth Amendment violation that would
21 justify the 3(c) relief at the end of the next proceeding.

22 Does that make sense?

23 THE COURT: Okay. All right. Yeah.

24 So you -- it doesn't sound like you -- it doesn't
11:13:25 25 sound like you need to amend your pleadings to assert a

1 claim for Section 3(c) relief before the general election
2 this year. Is that right? Did I say that correctly?

3 MS. CHEN: That is correct.

4 MR. GABER: I think so, yes.

11:13:37

5 MS. CHEN: We are not seeking to amend our 2022
6 pleadings in any way at any time and only in a supplement
7 asserting new claims would we then add a new request for
8 3(c) relief and that would be at, you know, whatever
9 timing that we can -- that, you know, counsel can confer
10 on, a timeline for supplementation or the Court can order
11 a timeline if it deems it necessary.

11:13:55

12 Again, our first ask, though, is we do not even think
13 it's necessary to supplement our complaint at this stage
14 in order to just rule on the pending claims; and those
15 claims will not be disturbed or we do not intend to
16 disturb them by amendment to add any additional relief.

11:14:12

17 THE COURT: Okay. All right. Okay. I think I
18 understand now much better.

19 So it's not like this is -- you are not asking for
20 3(c) relief as an alternative to a finding of no mootness,
21 and it sounds like that's all a little bit down the road
22 kind of stuff.

11:14:33

23 MS. CHEN: That is correct.

24 THE COURT: All right. To be technical about it,
25 "down the road kind of stuff."

11:14:44

1 Okay. Well, in light of that, I'll hear from the
2 plaintiffs on how they believe *Callais* may or may not have
3 altered the legal standard for their constitutional
4 intentional discrimination claims and anything else they
5 think that *Callais* or any other thing that the Supreme
6 Court did since the last time we spoke has any effect on
7 the claims here. And then I'll hear from the defense in
8 response.

9 MR. GABER: Thank you, Your Honor.

10 So as we say in our papers, *Callais* is a case about
11 the statutory Section 2 claim that was the basis of the
12 redraw in Louisiana. The Supreme Court interpreted the
13 text of Section 2, updated the *Gingles* preconditions, and
14 updated the emphasis that a Court should have in the
15 totality of circumstances analysis for a Section 2 case,
16 for a Section 2 discriminatory effects case.

17 We don't see that decision as altering the intentional
18 discrimination analysis or the racial gerrymandering
19 analysis that would be before the Court on our claims.

20 The *Callais* decision itself cites to the *Village of*
21 *Arlington Heights* standard when it discusses the
22 intentional discrimination standard. It does not alter
23 the *Arlington Heights* framework in any way.

24 And to the extent it talks about intentional
25 discrimination, everything that the *Callais* Court found

1 lacking with respect to Louisiana and then in the
2 subsequent *Milligan* stay decision that the Court issued
3 that it found lacking with respect to the plaintiffs'
4 claim in Alabama, which did have an intent claim, are all
5 the things that are present in this case, which is
6 alternative maps that show that adhering to the criteria,
7 the redistricting criteria that the government sets forth,
8 would not result in the racially imbalanced result of the
9 challenged map.

10 And so -- and the Court emphasizes repeatedly that
11 with respect to the disentangling of partisanship and
12 race, that obligation occurs when the government actually
13 openly asserts that it has engaged in partisan
14 gerrymandering.

15 Here, every witness who testified about it disclaimed
16 that. This Court has made a finding that they had
17 disclaimed partisanship as the predominant purpose; and
18 thus, we don't even face the obligation to disentangle
19 race and partisanship. Their testimony did that. There
20 is no -- you know, when someone testifies that they have
21 not engaged in partisan gerrymandering, the plaintiffs
22 don't have an obligation to go prove that they were right
23 about that. In fact, that would be applying a presumption
24 of bad faith to the testimony they gave that we don't
25 believe them. They said what they said under oath; and

1 that can't be changed simply because the Supreme Court, in
2 counsel's view, has subsequently made it easier in court
3 if the partisanship happened to have been the primary aim.
4 That is not what the testimony is in this case.

11:18:15

5 And the Supreme Court in *Callais* is clear in
6 distinguishing between Louisiana's goals and aims and the
7 goals and aims that Alabama had set forth in the *Milligan*
8 case and explained that that was not something Alabama had
9 said they were doing. That was something Louisiana has

11:18:33

10 said from the beginning was its goal, and that was
11 actually disclaimed in this case to the extent to which
12 Judge Henry suggested that he wanted Commissioner Holmes
13 to remain on the Court because he agreed with him more
14 than he agreed with the other commissioners. So you can't
15 have that testimony and then say that the predominant aim
16 was partisanship.

11:18:49

17 And so -- and there has been no claim that there is
18 anything with respect to the alternative maps that didn't
19 satisfy their objectives. The testimony was to the
20 contrary.

11:19:06

21 And so whatever *Callais* did with respect to intent,
22 which I don't think was much, it was a -- it was a
23 statutory claim before it, it just bolsters the evidence
24 that's already in this case.

11:19:18

25 And the same is true with respect to the *Allen v.*

1 *Milligan* stay decision that came from the Supreme Court
2 shortly after *Callais*. And there again, Alabama had not
3 put forward a partisanship defense. But what they did say
4 is we had this goal of ironically creating a coastal
5 district in the congressional map of Alabama keeping the
6 southeastern counties of Alabama together. And what the
7 Supreme Court said that the plaintiffs had failed to do
8 there was put forward alternative maps that did that, that
9 had that southeastern Gulf Coast congressional district.

10 Well, that's precisely what the alternative maps in
11 this case do with respect to Galveston's assertion of
12 having its primary objective be to have a coastal
13 precinct. All of those alternative maps have that coastal
14 precinct. I believe some of them have the precise coastal
15 precinct that Galveston enacted.

16 And so to the extent the *Milligan* case, *Callais*, or
17 *Alexander*, which also happened, you know, I believe in
18 between the Court's first judgment in this case and today,
19 all just bolster the evidence that plaintiffs adduced in
20 this case with respect to those alternative maps.

21 I want to talk a little bit about -- and we covered
22 this extensively in the briefing. But this argument that
23 because *Petteway* at the Fifth Circuit found that coalition
24 districts are not required under Section 2 that that means
25 that there can't be a discriminatory effect in this case

1 on these constitutional claims.

2 And there is just no support in the case law,
3 certainly, for that proposition but it just doesn't make
4 any doctrinal sense to suggest that a statute -- a
11:21:15 5 statutory standard that was adopted in 1982 for Section 2
6 discriminatory effects claims somehow dictates the
7 contours of relief that's available for violations of the
8 Fourteenth and Fifteenth Amendment.

9 That was Congress's negotiation and determination for
11:21:37 10 the burden a plaintiff would have to show discriminatory
11 effects under that statute; and it's based upon, as the
12 Supreme Court said in *Bartlett* and I think again talked
13 about in *Callais*, that phrase "to elect" that's in the
14 statutory text. In order to elect a candidate, the Court
11:21:56 15 has concluded that Congress meant that you have to be able
16 to with your own votes of that class, your own votes
17 alone, elect that candidate.

18 And so this whole argument derives from the 50 percent
19 plus one requirement that the Supreme Court has found in
11:22:12 20 the text of Section 2 and there is -- the phrase "to
21 elect" doesn't appear in the Fourteenth or Fifteenth
22 Amendment.

23 There is no requirement under the Fourteenth or
24 Fifteenth Amendment that in order to show that you have
11:22:26 25 been injured as a result of intentional discrimination

1 that you otherwise could have had a majority district of
2 members of your same racial group. That is not what
3 defines an injury in the constitutional context.

11:22:43

4 And we say in our papers that the requirement that you
5 have a discriminatory effect that corresponds with the
6 discriminatory intent that's found is simply to show that
7 you have suffered an injury, that you have that
8 Article III injury in fact that you can get into the
9 courthouse door. Otherwise, you can imagine a situation
10 where a government might intend to discriminate and then
11 do a really bad job and not actually get rid of the
12 district or, you know, draw the map wrong or whatever.
13 But you have to have some harm.

11:23:01

11:23:15

14 And *Arlington Heights* has addressed that through its
15 standard by saying it has to bear more heavily on one race
16 rather than another. And the evidence in this case shows
17 that it bears more heavily against both Black voters,
18 Latino voters, independently, alone, together, however you
19 want to consider them. It bears more heavily against the
20 plaintiffs in this case because of the way the map was
21 redrawn. And so that's the -- that's the standard. It's
22 not showing that Section 2 would be violated in addition
23 to the Constitution. That would make no sense.

11:23:36

11:23:50

24 THE COURT: Okay. And everything you just said
25 is in response to Footnote 13 in the *Petteway* en banc

1 opinion?

2 MR. GABER: I think so, yes.

3 THE COURT: Yeah.

4 MR. GABER: And as you said, I'm unsure why that
11:24:01 5 decision cited to the *Perez* case. That footnote cites to
6 the *Perez* case about what the right standard is. That
7 discussion in *Perez* is about the statutory intent claims
8 under Section 2. So that's my best guess as to what the
9 Fifth Circuit was trying to say there.

11:24:20 10 Obviously, there has been some disagreement about
11 whether those claims continue. We believe they do. The
12 Supreme Court said that it was remanding for determination
13 of our intent claims. That's one of the intent claims.

14 But given the opaqueness of what the Fifth Circuit
11:24:40 15 said and then its subsequent rejection of the United
16 States' request, though without any real binding rationale
17 for why it was rejecting that, we think the Court has to
18 decide the constitutional claims here.

19 It can't, you know, apply constitutional avoidance and
11:24:59 20 decide the Section 2 intent claim and then -- that's not
21 what we're asking the Court to do, and I don't think
22 that's what the Court can do. It has to decide the
23 Fourteenth and Fifteenth Amendment claims and, in the
24 process, our Section 2 intent claim, as well.

11:25:13 25 THE COURT: Okay. And that answers another

1 question I was going to ask. So y'all are not asking me
2 to look differently at your Section 2 at whether there --
3 if there is a Section 2 intentional discrimination claim
4 left in the case, you think it's going to line right up
5 with the constitutional claim?

11:25:27

6 MR. GABER: I think there is nothing different
7 about it. It uses -- the Section 2 uses the "on account
8 of race" language, which we believe is a but-for causation
9 standard based on the Supreme Court's precedent in
10 *Bostock*.

11:25:38

11 And the Fifteenth Amendment uses that same "on account
12 of" language. And this gets to, like, who has to have
13 held the discriminatory intent. The text of the Fifteenth
14 Amendment makes it a but-for causation standard.

11:25:57

15 And the Supreme Court in -- I am blanking on the name
16 of the case. It is the Alabama felony disenfranchisement
17 case from 1985. Someone might -- *Hunter, Hunter v.*
18 *Underwood* sets a but-for causation standard for the
19 Fourteenth Amendment, as well.

11:26:11

20 And so all of those sources of law use that standard.

21 THE COURT: So you either win on both or you lose
22 on both?

23 MR. GABER: Yes.

24 THE COURT: Okay. And you mentioned alternative
25 maps. Let me ask you this real quick. Of course,

11:26:20

1 Ms. Chen is going to get to chime in on all of this, as
2 well as all of the defendants.

3 While I've got you standing up and talking, would any
4 of your alternative maps have elected four Republican
11:26:35 5 commissioners?

6 MR. GABER: I am not certain.

7 THE COURT: And I'm not even saying they have to.
8 I'm just asking the question.

9 MR. GABER: Right. Right. I don't have that off
11:26:45 10 the top of my head what the answer to that is. I'm not
11 sure whether that's in the record or not because
12 partisanship wasn't at issue.

13 THE COURT: Right. I understand your position.

14 MR. GABER: And I'm not sure that we have -- I
11:26:57 15 would have to look to see if there is election results in
16 the exhibit that corresponds with the maps. And so I
17 really can't. But it could be that there is -- it could
18 be that that is one of the reports. I just -- I don't
19 know.

11:27:09 20 MR. DUNN: It's in the TLC report.

21 MR. GABER: Is it in the TLC report?

22 So the reconstituted election results may be in that
23 Texas Legislative Council exhibit that's, I think,
24 attached to Dr. Burch's report.

11:27:27 25 THE COURT: Okay. All right. Thank you.

1 Ms. Chen, on this issue, on this broad issue, please.

2 MS. CHEN: I agree with Mr. Gaber and would just
3 add, based off of defendants' briefing and Mr. Nixon's
4 discussion just now about trying to address what they
11:27:48 5 perceived as race-based redistricting in the past with
6 their 2021 redistricting and also their 2026 redistricting
7 that there is no finding of any past constitutional
8 violation. There is nothing in *Callais* that would require
9 any finding that Precinct 3 -- the benchmark Precinct 3
11:28:08 10 that the Court found represented an historic core of
11 communities of interest was drawn on the basis of race and
12 thus constituted any sort of legal violation that needed
13 to be redressed, and that cannot be the rationale that
14 satisfies strict scrutiny for why race predominated in
11:28:26 15 their 2021 redistricting.

16 Their experts, Judge Henry, the other commissioners
17 all also testified that they believed a least-changed
18 Map 1 that maintained the core of Precinct 3 would still
19 be legal. They had no issues with its legality.

11:28:43 20 And so what does that leave for what caused them to
21 dismantle this historic Black and Latino community? They
22 disclaimed partisanship. It can't be a coastal precinct
23 because alternative maps could create that coastal
24 precinct. It wasn't avoiding confusion or maintaining
11:29:00 25 incumbent addresses or equalizing population.

1 That really leaves that overriding goal of moving
2 Black and Latino voters on the basis of race essentially
3 to create a majority Anglo district, and that's what makes
4 this case actually a mere image of *Callais* and why
5 *Callais'* holding -- why *Callais'* discussion of the
6 Fifteenth Amendment and a racial gerrymandering supports a
7 finding for us in this case because none of the record can
8 support any of this partisan intent and instead just shows
9 that overriding rationale of dismantling an existing Black
10 and Latino district rather than what is at issue -- what
11 was factually ultimately at issue in *Callais*, the creation
12 of an additional district based off of new racial
13 demographics.

14 So I would just also add that to the point on
15 coalition districts and what is needed to -- whether that
16 affects our Fourteenth or Fifteenth Amendment claims at
17 all, the Fourteenth and Fifteenth Amendments do protect
18 individual rights and protect against those individual
19 harms for similar reasons as discussed in our mootness
20 argument, the reasons that the *Covington v. North Carolina*
21 Supreme Court decision recognized that it is the racial
22 gerrymandering harm of being sorted on the basis of race
23 as an individual harm, and that our Black clients or
24 Latino clients have all faced that individual harm
25 regardless of whether they could meet some, you know,

1 statutory case law created actually a numerical majority
2 requirement for a Voting Rights Act Section 2 claim.

11:30:45

3 So for those reasons we also agree that the *Callais*
4 decision and any subsequent case law only support entering
5 judgment on our remaining constitutional claims.

11:31:02

6 As for the Voting Rights Act Section 2 intent claim,
7 we have not dismissed that claim. We also have not been
8 pressing it because of that uncertain status after the
9 Fifth Circuit remand and discussion in this case. And so
10 we're not -- we can't say right now that we would agree
11 that resolution of the Fourteenth Amendment or Fifteenth
12 Amendment claims would also resolve our VAR Section 2
13 intent claim, but I just wanted to note that for the
14 Court.

11:31:17

15 THE COURT: All right. Appreciate that.

16 Mr. Nixon.

17 MR. NIXON: Thankfully for the Court, *Callais*
18 answers your legal questions and precludes the remedies
19 sought by the plaintiffs.

11:31:40

20 The Court in *Callais* said we start with the general
21 rule that the Constitution almost never permits the State
22 to discriminate on the basis of race. So what would be
23 the basis for the plaintiffs to have a district drawn for
24 their benefit on the basis of race? It is legally
25 precluded.

11:32:07

1 The one case that I have not heard the plaintiffs talk
2 about, and it's very helpful for the Court, is *Jackson v.*
3 *Tarrant County*. When these same claims were made against
4 Tarrant County, the Fifth Circuit dismissed them as being
5 not evidence of racial intent. So let's start basically
6 that there is no direct evidence of racial intent. Nobody
7 said -- nobody -- there is no evidence that said it is our
8 intent to dismantle a performing district that elects a
9 minority. Nobody said that. There is no direct evidence
10 of that. So they are trying to cobble together an intent
11 claim based upon circumstantial evidence.

12 And, of course, the Supreme Court in *Alexander* said,
13 well, we're not going to say it can't be done but it's
14 never been done. And the things that we look at have
15 altered -- have been altered in *Callais* but most
16 importantly in *Jackson v. Tarrant County*. The fact that
17 the County did things differently than they did in other
18 years is of no evidence. Other departures are just as
19 easily explained by partisan efforts.

20 And so while -- they took all that same kind of
21 things, and the Fifth Circuit said none of those matter.
22 They are not evidence. They don't fit in *Arlington*
23 *Heights*. They don't fit the factors, and we're not going
24 to legally, as a matter of law, all those complaints.

25 So what I heard is, well, I don't understand why they

1 did it. Well, that's not evidence. Why did they
2 dismantle Precinct 3? They could have kept it together
3 and still had a coastal district. That's not evidence.

11:34:20

4 In fact, the Court in *Callais* was very clear to say
5 alternative maps alone are not enough to prove intent.
6 They prove only that a State could create an additional
7 majority-minority district -- in this case they can't
8 because it's a coalition district -- not that the State's
9 failure to do so violated Section 2 of the Voting Rights
10 Act.

11:34:40

11 So you asked the question did any of the maps produce
12 a four R and the answer to that question is no because the
13 purpose of the alternative maps was to elect a Democrat.

11:35:00

14 You remember Penny Pope, Justice Pope's testimony. I
15 asked her: "Is your candidate of choice a Black person?"

16 And she said, "Yes."

17 "Is your candidate of choice a Latino person?"

18 She thought and she said, "Could."

19 "Is a candidate of choice ever an Anglo person?"

11:35:17

20 And she said, "Yes."

21 And then I asked her, "Under any circumstance could
22 your candidate of choice be a Republican?"

23 And she said, "Don't make me answer that question."

24 THE COURT: I remember.

11:35:35

25 MR. NIXON: Yeah. And then I said, "Please."

1 And she said, "No."

2 Now what did the Court in *Callais* say about that? You
3 can't re-engineer using race to create a partisan result.
4 And that's when they said the alternative maps -- and
11:36:08 5 let's be clear. "Alternative" and "illustrative" are
6 synonyms. The Court in *Callais* said, "Drawing
7 illustrative maps, plaintiffs cannot use race as a
8 districting criterion."

9 And in *Allen II*, just a few weeks later, they said a
11:36:34 10 plaintiff also cannot use race as a districting criterion
11 in preparing an alternative map.

12 So the Supreme Court used "alternative" and
13 "illustrative" as synonyms.

14 So where are we here? We have people who say, well, I
11:36:51 15 just disagree with the outcome. You could have voted for
16 Map 1 or you could have voted for Map 2. The County is
17 given the presumption of good faith. The burden to
18 overcome that presumption is not met with the statement of
19 I don't understand why you did it. You actually have to
11:37:17 20 have evidence.

21 And all of the evidence that this Court found that
22 we've all been over about 100 million times, you know, in
23 the last several weeks, does not have any evidence of
24 intent. In fact, the Court made specific findings that I
11:37:43 25 think preclude the Court -- not I think. Do in fact

1 preclude the Court from finding intent.

2 You found, first of all, that the Black and Hispanic
3 can't make a single race district. We all agree to that.

11:38:04

4 You also found that plaintiffs admitted that race and
5 politics are inextricably intertwined.

11:38:33

6 So it's interesting that while the County didn't rely
7 on a political defense, the plaintiffs interjected
8 politics into their own case and said that race and
9 politics are inextricably intertwined. That's your
10 paragraph 144, and you agreed with that.

11:38:55

11 You found that the commission -- that Bryan, the
12 County's mapmaker, didn't use race in drawing maps. After
13 he drew the map, he then put together spreadsheets that
14 included racial demographics. And then you found
15 that -- you found -- the Court finds that the
16 commissioners never expressly considered the spreadsheet
17 information.

11:39:13

18 You also found that Judge Henry, based upon Oldham's
19 advice, believed both maps were legally compliant. And
20 then you also found that Commissioner Apffel said he never
21 witnessed anyone instruct Oldham or Bryan to consider
22 racial data or race. And Apffel testified he did not
23 recall seeing, reviewing, evaluating, or using racial
24 demographics when considering race.

11:39:32

25 Those are your fact findings. So that's where we come

1 today in light of *Callais*, which says that the County, the
2 State can't use race except very rarely in order to
3 resolve a current ongoing problem, and then it has to be
4 narrowly tailored to address that problem.

11:40:02

5 But in this case you found that it was easier to
6 register and to vote in Galveston County than it ever has
7 been. And nobody was complaining about the ease of
8 voting. That's in your paragraph 164.

11:40:32

9 So let us talk about *Callais*. Very specifically, a
10 law that seeks to enforce the Fifteenth Amendment by
11 prohibiting mere disparate impact would fail to enforce a
12 right that the amendment secures. That Precinct 3 was
13 altered so that it no longer elected a Democrat or a
14 candidate of choice doesn't -- is not a violation of the
15 Fifteenth Amendment because the Fifteenth Amendment
16 doesn't secure that right.

11:41:01

17 So -- but it goes beyond Footnote 13 in the *Petteway*
18 decision. Plaintiffs have said there has to be intent and
19 effect. They have admitted that in their pleadings. I
20 can show you that. The *Petteway* en banc decision says
21 there has to be intent and effect. And they cite to
22 *Underwood*.

11:41:28

23 But more importantly, the Fifth Circuit admonished all
24 of the courts in its districts that "This Court will not
25 remain in the forefront of authorizing litigation, not

11:41:51

1 compelled by law or Supreme Court, whose principal effects
2 are to supplant legislative redistricting by elected
3 representatives with judicial fiat," which is what the
4 plaintiffs are asking, "encourage divisively counting
5 citizens by race or ethnicity," which is what the
6 plaintiffs are asking, and "displace the fundamental
7 principal of democratic rule by the majority with
8 balkanized interest," which is what the plaintiffs are
9 asking.

10 So the Court found exactly what the plaintiffs were
11 pleading for, a declaratory judgment that the enacted plan
12 violates the law. Well, what law does it violate? It
13 doesn't violate Section 2. The Fifth Circuit already held
14 that. It doesn't violate the Fifteenth and -- Fourteenth
15 and Fifteenth Amendments. *Callais, Jackson, and Allen II*
16 have decided that.

17 A preliminary and permanent injunction preventing the
18 defendants from calling, holding, supervising, or
19 certifying elections. They are not entitled to that,
20 assuming that the case is not moot. Now, our position, of
21 course, is that that map doesn't exist anymore. So the
22 Court can't order any of the relief.

23 That's it. So the other two things that they ask for,
24 procedures on how to adopt a new map to remedy the '21 map
25 and attorneys' fees are not before the Court anymore.

1 So the -- *Callais* altered the landscape. And we
2 understand that this Court was following *Campos v. Bay*
3 *City*, but that law got changed. And then the Supreme
4 Court altered the *Gingles* analysis in *Callais* and made
5 very specific pronouncements about what must be proved, a
6 current ongoing. So all of the historical information
7 that they wanted and put into evidence doesn't matter.
8 *Jackson v. Tarrant County* took care of that and said that
9 stuff doesn't matter.

10 So the only other thing I want to address in response
11 is that there is no legal or factual framework that the
12 Court can provide remedy and that the presumption of good
13 faith is not overcome. That -- but the last thing I want
14 to say is that plaintiffs make a res ipsa argument. You
15 have eliminated a performing district, therefore, there
16 must be a violation is not legally sufficient for this
17 Court to grant the relief the plaintiffs have requested.

18 And *Callais* was very clear [as read:] Section 2 does
19 not intrude on a State's prerogative to draw districts
20 based upon nonracial factors. States are free to draw
21 districts as they please. We have held that they may use
22 traditional districting factors such as compactness,
23 contiguity, maintaining integrity of political
24 subdivisions, preserving the core of existing districts,
25 and protecting incumbents. Nothing in the Constitution

1 requires States to heed these criteria, of course, and the
2 desirability of some of these criteria might be disputed.
3 But because they are not forbidden by the Constitution, it
4 is up to each State to decide what weight, if any, they
5 warrant.

11:46:05

6 The Supreme Court has mandated that courts give great
7 deference to whatever decisions State makes. There is a
8 reason for that. It's called federalism. You have to
9 show a specific violation of the Constitution, not that
10 they would draw a district better than they liked, not
11 that the Court could draw a district better than it might
12 like, not that we have to -- the County has to draw a
13 district that they understand or agree with or makes sense
14 to anybody but them.

11:46:34

15 The commissioners are elected to exercise their
16 judgment. They take the same oath to defend the
17 Constitution as does any other public official. That is
18 why that they are given great deference. And if the Court
19 is not sure why they picked the particular district they
20 did, that's not enough evidence for the Court to impose an
21 injunction or finding that it violated the Constitution.

11:46:54

11:47:18

22 The burden is on the plaintiffs to prove their case.
23 They have to prove intent and effect, and they have not
24 done so. This Court's hands are tied.

11:47:46

25 This case is moot. There is no evidence. There is no

1 legal basis for any injunction against the defendants.

2 Thank you.

3 THE COURT: All right. Thank you, Mr. Nixon.

11:47:59

4 All right. Mr. Nixon is correct that the burden is on
5 the plaintiffs. And since the burden is on the
6 plaintiffs, they get the last words.

7 MR. VOILAND: Judge, may the United States be
8 heard in between?

9 THE COURT: Yes.

11:48:05

10 MR. VOILAND: Because I think it would be fair to
11 the plaintiffs because we may have something to say that
12 the plaintiffs may want to respond to.

13 THE COURT: Sure. Go right ahead.

11:48:15

14 MR. VOILAND: So I have to say it surprised me
15 somewhat to hear the plaintiffs unable to identify who the
16 elected under the map whether it would be -- how many
17 Republicans or Democrats it would be.

11:48:35

18 In addition, I'm surprised somewhat at the plaintiffs'
19 disagreement with what motivations or what criteria -- I
20 shouldn't say motivations. I should say what criteria the
21 County used in creating its map.

11:48:56

22 The legal reason that I say that is because *Callais*
23 says plaintiffs must present a map, an alternative map or
24 an illustrative map, and that map must satisfy all of the
25 criteria that the government used to the same level that

1 the government used it. It must satisfy all of those same
2 criteria and then add in race as a factor.

3 Now, to satisfy all of the government's criteria and
4 then add in an additional criteria of race, it's a heavy
11:49:17 5 lift; and it's such a heavy lift that the dissent in
6 *Callais* says three times -- three times the dissent in
7 *Callais* says that's impossible.

8 So I do think the plaintiffs are left with the
9 impossible in what they would ask the Court for,
11:49:37 10 particularly admitting that they are not exactly aligned
11 with what districting criteria the County would use. And
12 that's really all I'll have to say.

13 THE COURT: All right. Appreciate that.

14 MR. VOILAND: Thank you, Judge.

11:49:54 15 THE COURT: Mr. Gaber.

16 MR. GABER: Thank you, Your Honor.

17 I'll start there. And I don't have the paragraph from
18 the Court's decision, but my recollection is that the
19 Court found that the alternative maps that the plaintiffs
11:50:12 20 put into evidence satisfied all of the criteria that the
21 Court found were the legitimate criteria that the County
22 -- or the purported criteria that the County had set
23 forth. They maintained that coastal precinct. They
24 adhered to precinct -- voting precinct boundaries. They
11:50:32 25 were compact. They were contiguous. They protected

1 incumbents or all of the six or seven criteria that the
2 Court went through, found that the alternative maps
3 satisfied those criteria.

11:50:47

4 And so this is not the *Callais* case. One, it's not a
5 Section 2 case anymore. But that comment that counsel
6 from the United States mentioned in *Callais* just doesn't
7 apply here because these maps satisfy all those criteria
8 and there has not been a partisan defense. And counsel
9 just said it again that there was no political defense
10 raised for the reason the map was -- or why the map was
11 drawn the way it was.

11:51:06

12 And so whatever commentary there is in *Callais* between
13 the majority and the dissent about the difficulty of the
14 burden, that the new update to the *Gingles* prongs, how
15 hard or not hard that is for a plaintiff to meet, is just
16 simply irrelevant to this case because we are talking
17 about the Fourteenth and Fifteenth Amendments.

11:51:24

18 Now, there were a couple of discussions from Mr. Nixon
19 about *Callais* that I just wanted to address specifically.
20 It seemed to me like there may have been the suggestion
21 that a Court cannot remedy a finding of intentional
22 discrimination because that might entail looking at race.

11:51:44

11:52:04

23 One, those alternative maps I just discussed all were
24 drawn without using any racial information, and the Court
25 has made an express finding in that regard. So to the

1 extent those might be remedial, that is just simply not
2 relevant.

3 But in *Callais* -- and this is page 1152 to 1153 of the
4 *Callais* decision -- the Court talks about instances in
11:52:24 5 which it would find consideration of race to be a
6 compelling justification to satisfy strict scrutiny. And
7 it says, quote, [as read:] To rise to the level of
8 compelling State interest, an effort to remediate past
9 discrimination must satisfy two conditions. First, the
11:52:41 10 discrimination must be identified discrimination. In
11 other words, the State or Federal government must identify
12 the specific instances of past discrimination that it aims
13 to remediate and, in light of that specification, must
14 determine the precise scope of the injury it seeks to
11:52:56 15 remedy.

16 And then it goes on to say [as read:] Second, that it
17 has to have a strong basis in evidence to conclude the
18 remedial action is necessary.

19 So I think it just is contrary to *Callais* itself to
11:53:05 20 suggest that if there is a finding of intentional
21 discrimination that the prohibition on Section 2
22 plaintiffs from using race in an illustrative map would
23 somehow prevent remedying a finding of intentional
24 discrimination because the Court will, of course, have
11:53:23 25 made that intent finding specifically.

1 The next thing, Mr. Nixon discussed how the fact that
2 we have satisfied *Alexander's*, *Callais'*, and *Milligan's*
3 discussion -- the last *Milligan's* discussion of
4 alternative maps is somehow insufficient. I don't know
11:53:43 5 how to read Justice Alito's discussion of alternative maps
6 to suggest that they are not in evidence, you know, not
7 key evidence. *Cooper* called it key evidence even when it
8 wasn't required. *Alexander* said that a weak case could be
9 won on the basis of these alternative maps. They doubled
11:54:04 10 down on it in the discussion in *Callais* and again in the
11 subsequent *Milligan* case.

12 And I just wanted to read from *Callais* again. This is
13 at page 1156 in the majority opinion, and it is in the
14 section where they are talking about how the statutory
11:54:19 15 test is being modified or updated to account for
16 enforcement of intent requirements.

17 And the Court says, quote, [as read:] Suppose, for
18 example, that the application of a State's districting
19 algorithm yields numerous maps with districts in which
11:54:36 20 members of a minority group constitute a majority and
21 suppose that the State cannot provide a legitimate reason
22 for rejecting all those maps and eliminating all
23 majority-minority districts. In such a situation, the
24 inference of racial motivation is strong.

11:54:51 25 And so the Supreme Court disagrees with *Galveston's*

1 characterization of the strength of alternative map
2 evidence and finds that it could support a strong
3 inference and in the *Alexander* case and in the *Cooper* case
4 that it could be the key evidence that wins the day for a
5 plaintiff who has no direct evidence.

11:55:10

6 And I disagree strongly with the County's suggestion
7 that there was not evidence -- direct evidence in this
8 case. I'm not going to characterize the Court's findings.
9 The Court is familiar with its own findings and what they
10 mean or what the Court has or has not found. But my own
11 view of it is that the Court's opinion laid out in
12 paragraph after paragraph the evidence that would support
13 a finding of intentional discrimination and racial
14 gerrymandering.

11:55:25

15 And then one last point -- or maybe two last points --
16 there was the discussion of, well, we had said that
17 politics and race are intertwined. That was in the
18 context of testimony discussing the *Gingles II* and *III*
19 condition prongs. And under the existing case law at the
20 time, that was not in the context of the intent claim.

11:55:42

11:56:03

21 But in any event, it is irrelevant to the standard that
22 the Supreme Court has set forth with respect to when you
23 have to disentangle what otherwise might be entangled.
24 And that standard is simply not relevant here because they
25 disclaimed the partisan defense.

11:56:23

1 And then there was a statement, I think in the reply
2 brief that the County filed on the *Callais* issue, that
3 suggested that the Court had found that race was not used
4 in this case; and they cited to the paragraph where the
5 Court discussed -- discusses Mr. Bryan's spreadsheets.
6 That, of course, is one piece of evidence in the case.
7 The Court made no finding that race was not used by the
8 County in its map drawing. I just wanted to make sure the
9 record was clear on that.

10 And with that, I will pass it to Ms. Chen.

11 MS. CHEN: Thank you.

12 And we agree and believe that the various
13 mischaracterizations by the defendants in their oral
14 presentation are all addressed in our papers with
15 citations to the cases, with citations to the record
16 showing contemporaneous discrimination and voting showing
17 that direct evidence of racial predominance.

18 And just to directly respond to this characterization
19 of our claims as saying -- as some sort of *res ipsa* theory
20 that a government could never dismantle an existing Black
21 and Latino majority district, that is not what we're
22 arguing.

23 As you see in our papers, we are arguing to look at
24 the totality of all of the evidence and the specific case
25 to see that based on the Court's already voluminous

1 findings, based off of the testimony of the defendants, we
2 do have evidence of racial predominance here, and that is
3 well-established law. That is not disturbed in any way by
4 *Callais* or *Milligan*. And I think it's emphasized by the
5 *Jackson v. Tarrant County* case which we describe and
6 distinguish at length in our papers.

7 So we would just direct the Court to those specific
8 citations that can belie the various mischaracterizations
9 you have heard today.

10 THE COURT: All right. Thank you, Ms. Chen.

11 All right. If y'all can believe it, the impression
12 I'm taking -- one of the impressions I'm taking away from
13 the arguments today, which were very helpful to the Court,
14 in addition to your very good briefing on both sides, is
15 that this is actually a little bit simpler than I thought
16 it was. I thought it was more complicated. So the
17 hearing was very valuable to me, and you have really
18 clarified some things for me.

19 And so we're going to get to work on getting a ruling
20 out on this. It's been sitting for a while since
21 *Petteway*. We were waiting for what the Supreme Court had
22 to say and they have said it now and we're ready to move
23 on and resolve what is still pending in this litigation.
24 We'll get to that as quickly as we can.

25 We appreciate your arguments. I am glad that we had a

Tab B:

**June 29 Order Establishing New
Precincts**



**GALVESTON COUNTY COMMISSIONERS COURT
ORDER ESTABLISHING NEW COMMISSIONER, CONSTABLES, AND JUSTICES OF
THE PEACE PRECINCT BOUNDARIES**

On this, the 29th day of June 2026, the Commissioners Court of Galveston County, Texas, convened a specially scheduled meeting with the following members thereof present

Mark A. Henry, County Judge
Darrell Apffel, County Commissioner, Precinct No. 1
Joe Giusti, County Commissioner, Precinct No. 2
Hank Dugie, County Commissioner, Precinct No. 3
Robin Armstrong, MD, County Commissioner, Precinct No. 4

When the following proceedings were had, to wit:

An Order approving a redistricting plan for Galveston County Commissioners' Court Precincts (Districts)

WHEREAS, pursuant to the Constitution and Laws of the State of Texas, and other laws, the Galveston County Commissioners' Court desires to divide the Commissioners, Constables, and Justices of the Peace Precinct Boundaries; and,

WHEREAS, the Galveston County Commissioners' Court has determined that the interests of the people of the county are best served by changing the existing Commissioners, Constables, and Justices of the Peace Precinct Boundaries; and,

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS' COURT OF GALVESTON COUNTY, TEXAS, that Commissioners, Constables, and Justices of the Peace Precincts are hereby composed as depicted on the attached map, affixed hereto as "Exhibit A," and fully adopted and incorporated in this Order. It is further ordered by the Court that this Redistricting Order shall take effect immediately.

Upon the Motion of County Judge Henry and Seconded by Commissioner Dugie the above Redistricting Plan, passed with 5 votes in favor thereof and 0 votes against.

Passed and approved this 29th day of June, 2026

Galveston County

A handwritten signature in blue ink, appearing to read "Mark Henry", written over a horizontal line.

Mark Henry, County Judge



Attest

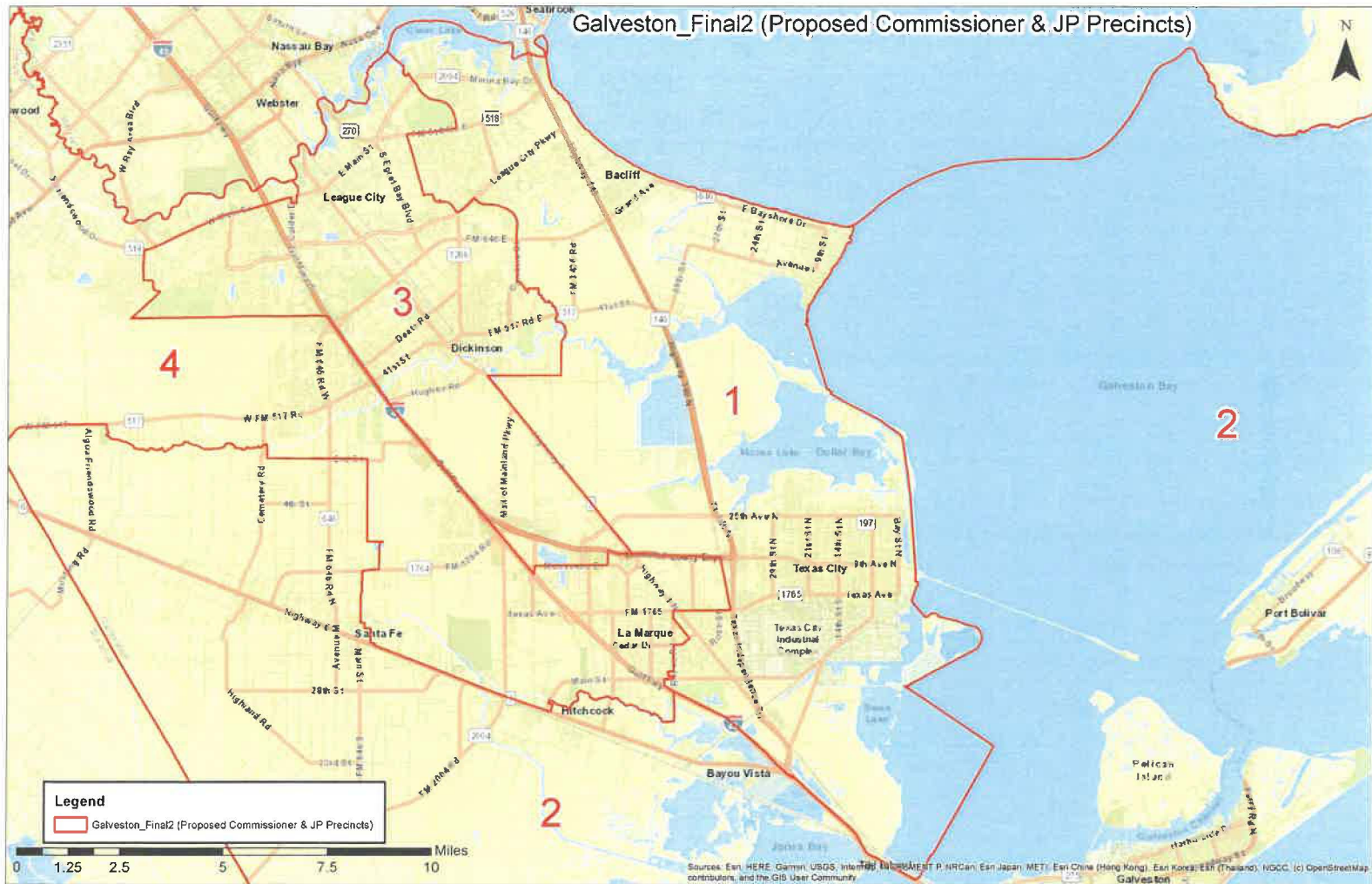
Dwight D. Sullivan, County Clerk

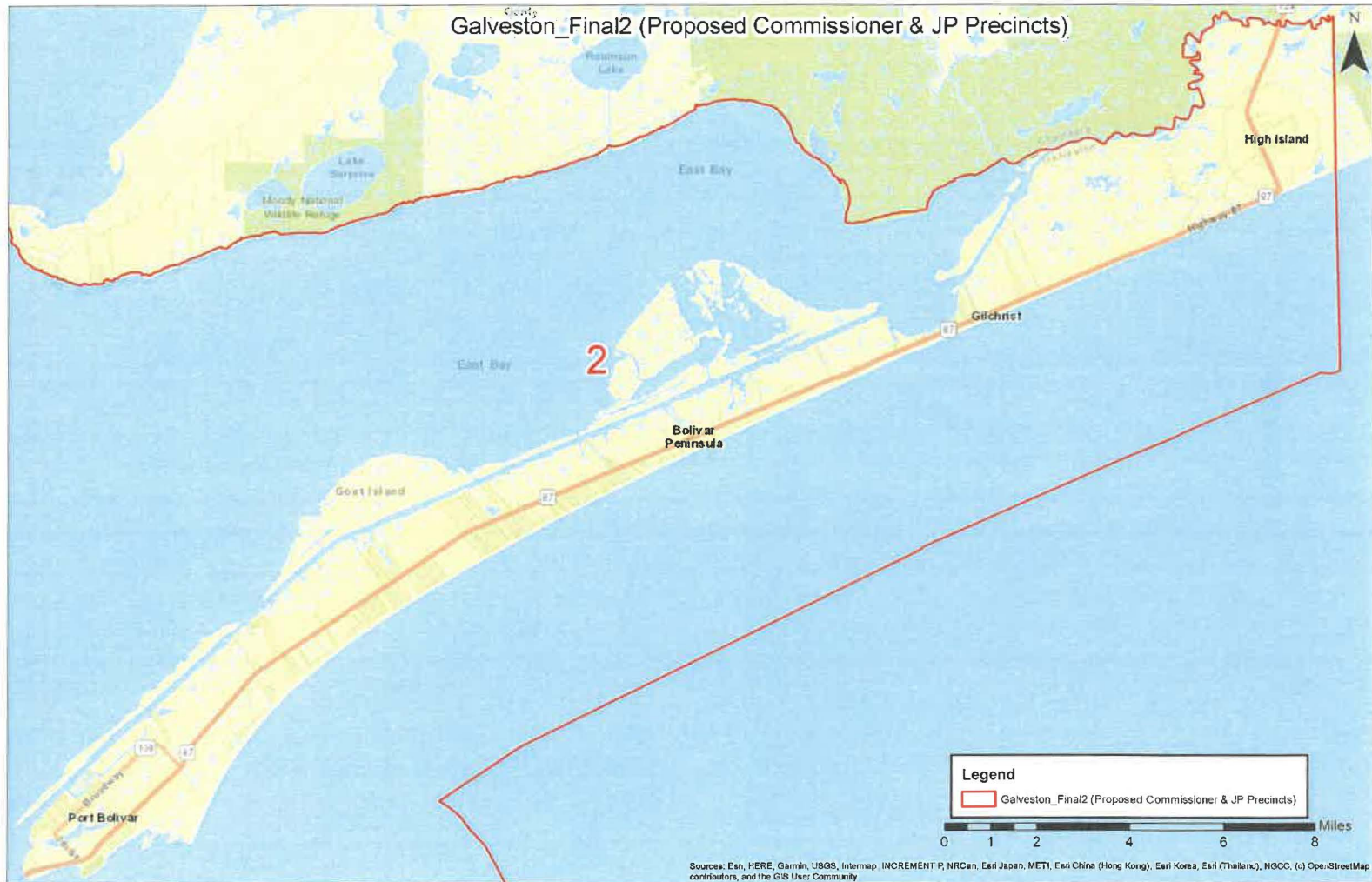
By

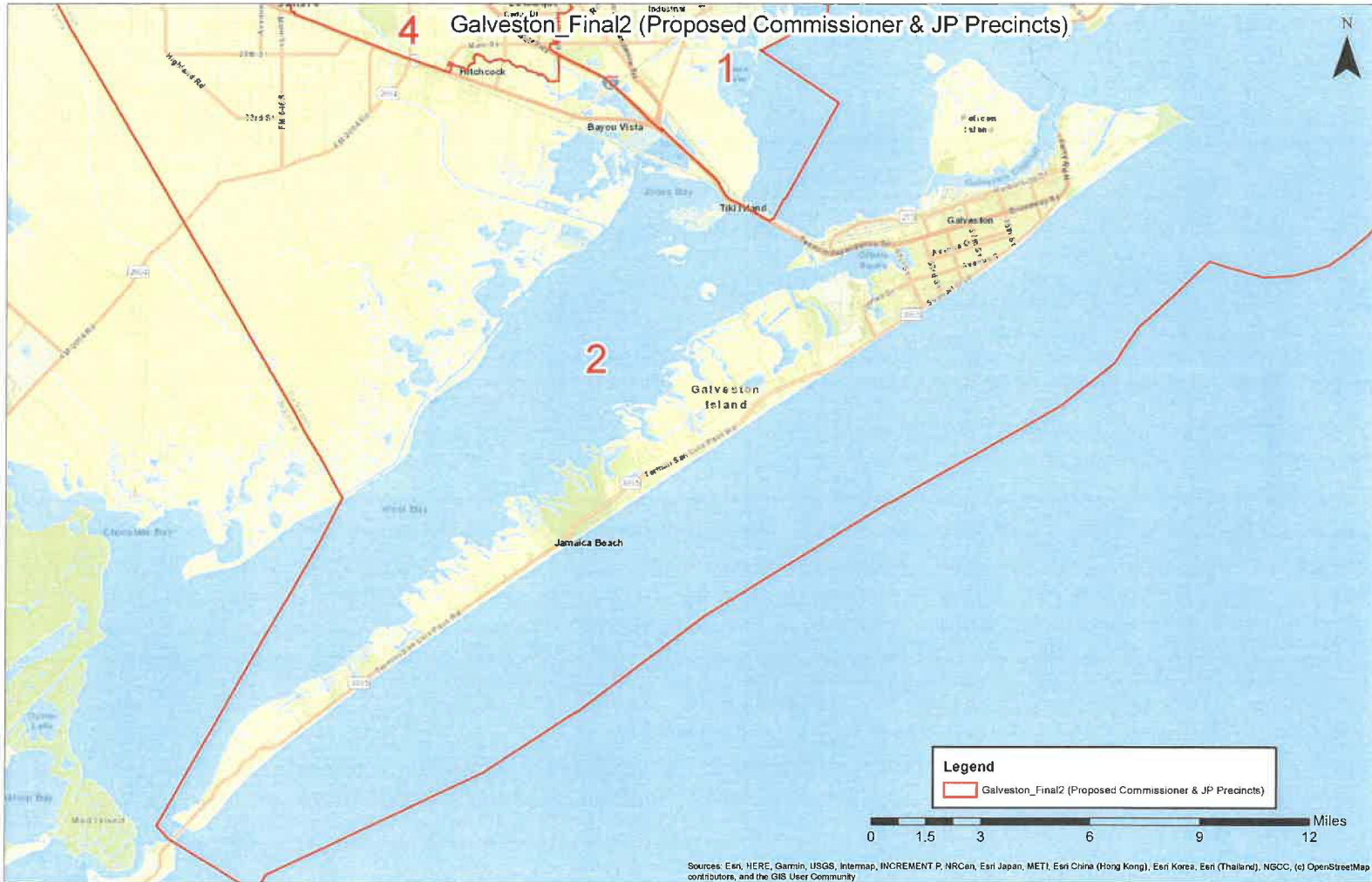
Melissa Childs

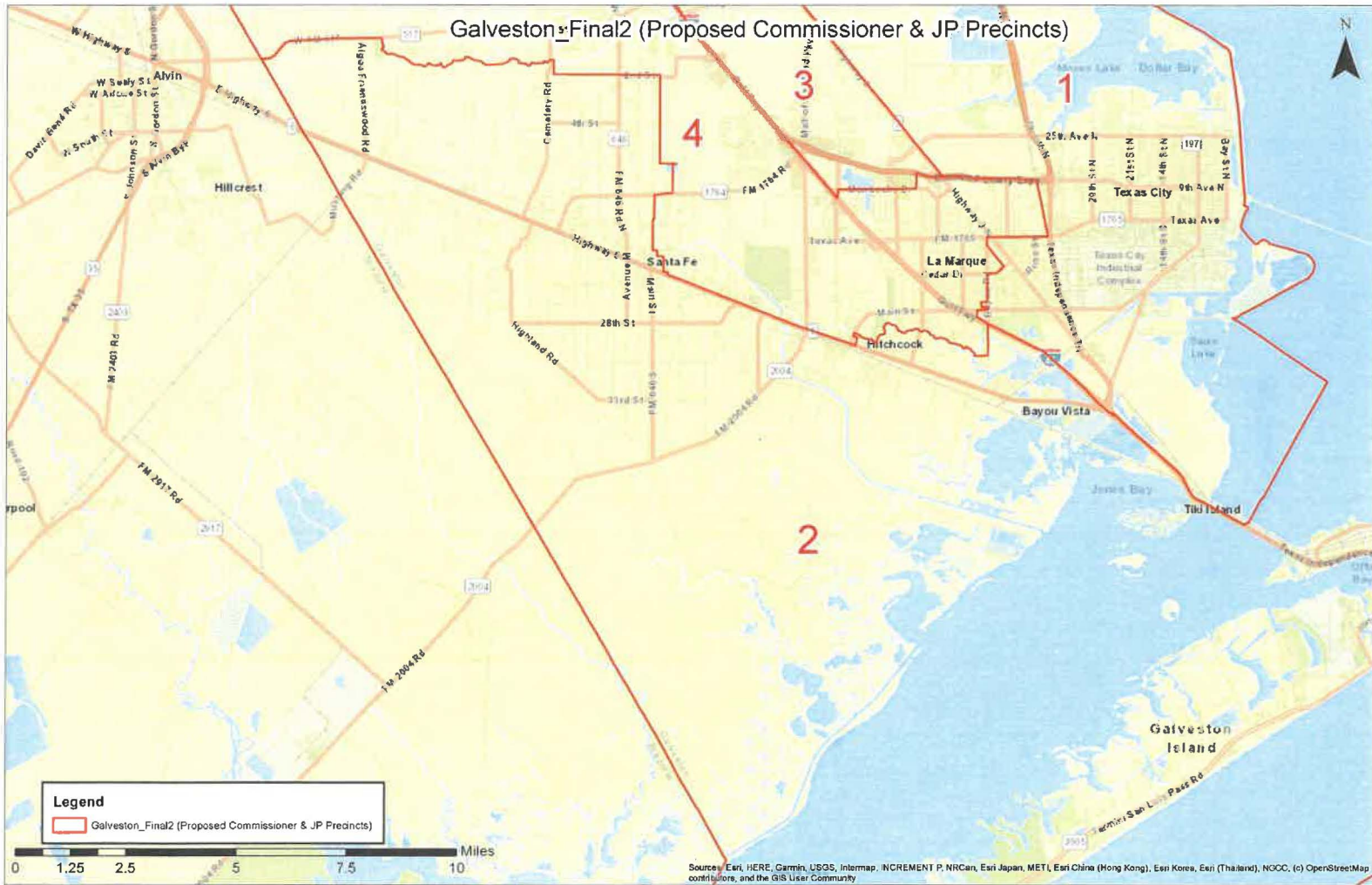
Deputy

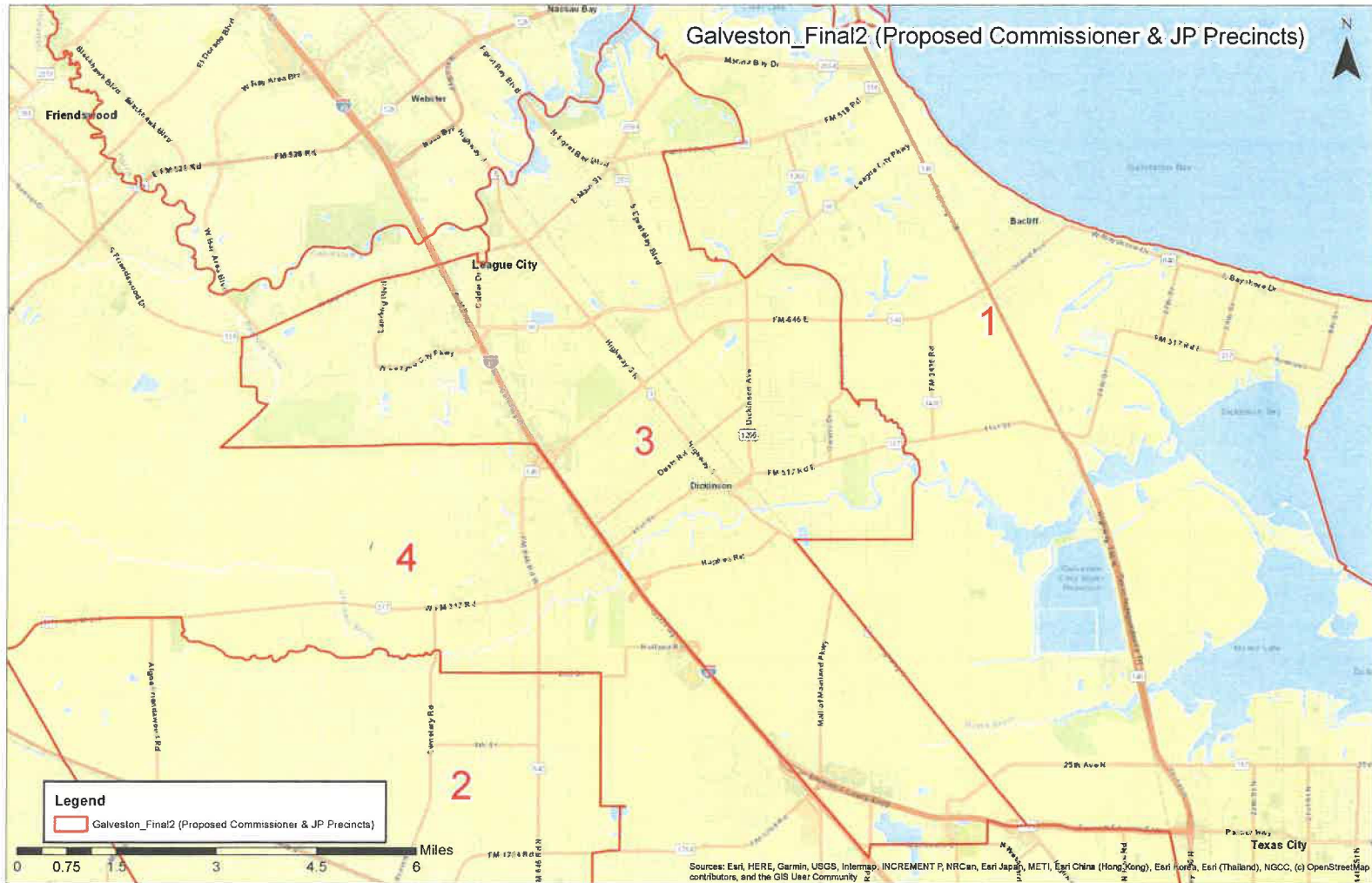


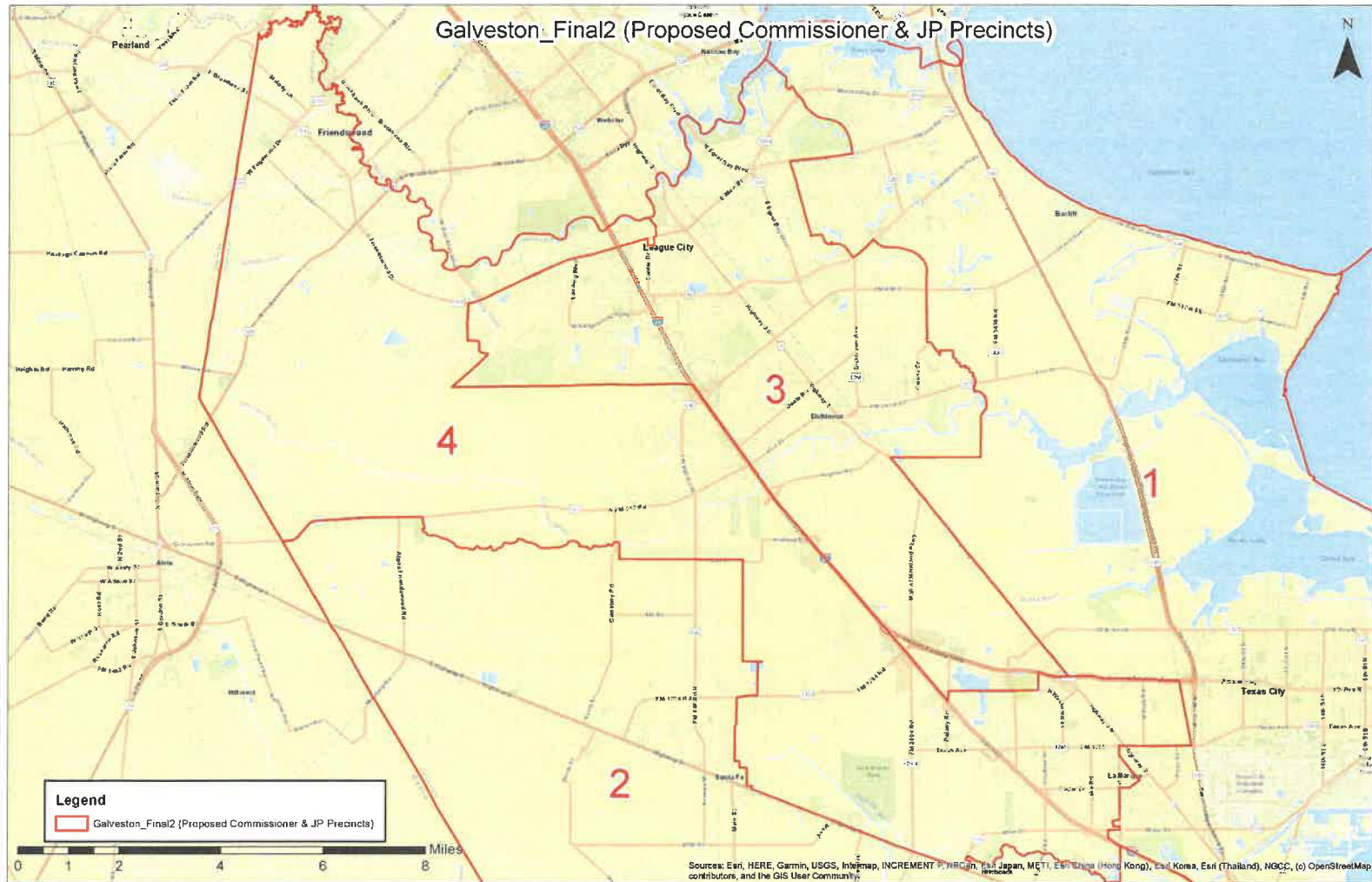






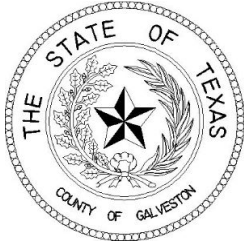






Tab C:

**June 29 Commissioners Court
Meeting Agenda**



GALVESTON COUNTY, TEXAS

COMMISSIONERS COURT

SPECIAL MEETING

AGENDA

722 Moody
County Courthouse
Galveston, TX 77550
(409) 766-2244

Mark Henry
County Judge

Darrell Apffel
Commissioner, Precinct 1

Joe Giusti
Commissioner, Precinct 2

Hank Dugie
Commissioner, Precinct 3

Robin Armstrong, MD
Commissioner, Precinct 4

Monday, June 29, 2026

9:30 AM

CALDER MEETING LOCATION

174 Calder Rd., Room 100
League City, Texas 77573
SPECIAL MEETING

CONSENT AGENDA: ALL ITEMS MARKED WITH A SINGLE ASTERISK (*) ARE PART OF THE CONSENT AGENDA AND REQUIRE NO DELIBERATION BY THE COMMISSIONERS COURT. ANY COMMISSIONERS COURT MEMBER MAY REMOVE AN ITEM FROM THIS AGENDA TO BE CONSIDERED SEPARATELY.

In accordance with the provisions of the Americans with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall, within three (3) days prior to any proceeding contact the County Judge's office at 722 Moody, Galveston, Texas 77550 (409) 766-2244.

Call to Order

Public Comment

Action Agenda

County Judge

1. Consideration of an order establishing new commissioners, constables, and justices of the peace precinct boundaries

Adjourn

Appearances before Commissioners Court

A speaker whose subject matter as submitted relates to an identifiable item of business on this agenda will be requested by the County Judge or other presiding court members to come to the podium where they will be limited to three minutes (3). A speaker whose subject matter as submitted does not relate to an identifiable item of business on this agenda will be limited to three minutes (3) and will be allowed to speak before the meeting is adjourned. Please arrive prior to the meeting and sign in with the County Clerk.

Executive Sessions

The Galveston County Commissioners Court may recess into closed meeting (Executive Session) on any item listed on this agenda if the Executive Session is authorized under the Open Meetings Act pursuant to one or more the following exceptions: Tex. Gov't Code §§ 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding a prospective gift or donation), 551.074 (personnel matters), 551.0745 (personnel matters affecting County advisory body), 551.076 (deliberation regarding security devices or security audits), and/or 551.087 (deliberations regarding economic development negotiations). The Presiding Officer of the Commissioners Court shall announce the basis for the Executive Session prior to recessing into Executive Session. However, the Commissioners Court may only enter into the Executive Session on any agenda item for which a separate Executive Session has not been separately posted if, prior to conducting the Executive Session, a majority of the Commissioners Court votes to go into Executive Session. This motion requirement does not apply to any agenda item that has been previously noticed to constitute or include an Executive Session.

Tab D:

**June 29 Commissioners Court
Meeting Minutes**

MINUTES

BE IT REMEMBERED, That on June 29, 2026, Commissioners Court of Galveston County, Texas, met at a special meeting with the following present:

Mark Henry, County Judge

Darrell A. Apffel, Commissioner Precinct 1

Joe Giusti, Commissioner Precinct 2

Hank Dugie, Commissioner Precinct 3

Robin Armstrong, MD, Commissioner Precinct 4

Dwight D. Sullivan, County Clerk by Melissa Childs, Deputy

CALL TO ORDER

Call to Order by Judge Henry at 9:30 A.M. at the Calder Annex.

PUBLIC COMMENT

Mae Francis, Maleia Brooks, Rev. William Randall, Jr., Diane Merchant, Minister Kathy Bell, Deborah Warren, Robert R. A. Maddox, Sr., Judy Brown, Gretchen L. Mason, Linda Cobbs, Lisa Brown, Tierrishia Bell, William Sowell, Pastor Bradley Hale, Sr., Dr. W. H. King III, Winifred Gilmore, Frances King, Brittany Payne, Imran Kasam, Maria Tripovich (departed prior to the conclusion of public comment), Barbara Rice Anders, Lucille McGaskey, Rev. Timothy Allen, Jeanne Reed, Rev. Mark Davis, Dr. Edna Courville, Elizabeth Lewis, Gerald Wilson, Linda Alexander, Elizabeth Protas, Shannon Dickey, Sharon B. Lewis, Callie Liles, Sarah Ditgen, Kathleen Buckley, Tamy Gary, Roderick Cunningham, Barbara Meeks, Phil Mercado, Maryanne Delgado, Lucretia Henderson-Lofton, Ursula Burns, W. Brad Boney, Sade Williams, Leah Fanuiel, Chad Rankin, Samuel Collins III, Robert Quintero, Tracie Steans, Nakisha Paul, and Billy A. Williams, Jr. addressed the Court.

Additionally, written public comments were submitted via email by Bridget Duran, Dede Griffin, and Marica.

ACTION AGENDA

County Judge

1. Consideration of an order establishing new commissioners, constables, and justices of the peace precinct boundaries

Attachments: [1](#)

Motion to approve by County Judge Henry, seconded by Commissioner Dugie that the above action be taken by the Court.

Passed: 5-0

Aye: County Judge Henry, Commissioner Apffel, Commissioner Giusti, Commissioner Dugie,
Commissioner Armstrong

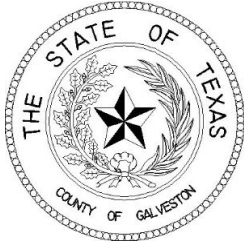
Nay: None

ADJOURN

Commissioners Court adjourned at 11:36 A.M. on Monday, June 29, 2026.

Tab E:

**June 8 Commissioners Court
Meeting Agenda**



GALVESTON COUNTY, TEXAS

COMMISSIONERS COURT

AGENDA

722 Moody
County Courthouse
Galveston, TX 77550
(409) 766-2244

Mark Henry
County Judge

Darrell Apffel
Commissioner, Precinct 1

Joe Giusti
Commissioner, Precinct 2

Hank Dugie
Commissioner, Precinct 3

Robin Armstrong, MD
Commissioner, Precinct 4

Monday, June 8, 2026

9:30 AM

Galveston County Courthouse

REGULAR MEETING

CONSENT AGENDA: ALL ITEMS MARKED WITH A SINGLE ASTERISK (*) ARE PART OF THE CONSENT AGENDA AND REQUIRE NO DELIBERATION BY THE COMMISSIONERS COURT. ANY COMMISSIONERS COURT MEMBER MAY REMOVE AN ITEM FROM THIS AGENDA TO BE CONSIDERED SEPARATELY.

In accordance with the provisions of the Americans with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall, within three (3) days prior to any proceeding contact the County Judge's office at 722 Moody, Galveston, Texas 77550 (409) 766-2244.

Call to Order

Invocation and Pledge of Allegiance

Public Comment

Consent Agenda

Submitted by the Auditor's Office:

- *1. Approval of the accounts payable checks dated 6/8/2026
- *2. Order for payroll ending 6/3/2026 bi-weekly #12
- *3. Order for supplemental payroll period ending 6/3/2026 bi-weekly #12
- *4. Internal audit report of the District Attorney's Office Petty Cash Funds with response letter from Honorable Kenneth Cusick, dated 5/19/2026
- *5. Internal audit report of the Sheriff's Office Commissary and Inmate Property accounts for period of 4/1/2025 - 3/31/2026 with response letter from Sheriff Jimmy Fullen
- *6. Internal audit report of the agreement between Galveston County and Friends for Life Guardianship Services for period of 3/1/2025 - 2/28/2026 with response letter from Diana Huallpa, Chief Financial Officer, dated 5/19/2026
- *7. Consideration of approval of Change Order to authorize additional funding of Workday support, for a Foundation Data Model (FDM) review, with Guidehouse submitted by County Auditor

- *8. Approval of the Certification of Revenue for Constable Precinct 2 in the amount of \$122,500 for the DHS ICE 287 (g) Task Force and appropriation of funds
- *9. Receive and file refund check list from Odyssey submitted by the District Clerk
- *10. Receive and file restitution checklist from Odyssey submitted by Personal Bond/Collections
- *11. Receive and file Galveston County Emergency Services District No. 2 Annual Financial Report for Fiscal Year Ended September 30, 2025 submitted by the County Judge
- *12. Receive and file Galveston County Emergency Communication (911) District Annual Audit for Year Ended December 31, 2024 submitted by the County Judge
- *13. Receive and file Galveston County Community Supervision and Corrections Department financial statements and supplementary information with independent financial audit report for year ending August 31, 2025, submitted by Adult Probation
- *14. Consideration for approval to partner with Sarah Glaser with Lloyd Gosselink, Rochelle & Townsend, P.C. ("Lloyd Gosselink") to conduct two half-day training sessions on employment law topics submitted by Human Resources
- *15. Consideration of approval of renewal of a memorandum of understanding (MOU) between Gulf Coast Monitoring Specialists (GCMS) and Galveston County to provide various alcohol and drug monitoring services for participants in the Galveston County Veterans Treatment Court (GCVTC) program submitted by County Judge
- *16. Consideration of approval of granting a reduction of a permit fee (Facility Permitting Policy, Section 5.1.2 and 5.1.3) to Loving the Mama Postpartum Services & Black Chamber Foundation Brazoria County for use of the banquet hall, South Ground and North Grounds at Walter Hall Park for their Fed with Love 5K and resource fair on Saturday, August 15th, 2026, presented by the Parks & Cultural Services Department
- *17. Consideration of approval of Interlocal Cooperative Agreement for Galveston County Public Safety Consortium On-Premise and Cloud-Based Motorola PremierOne CAD/RMS System with Tiki Island submitted by Information Technology
- *18. Consideration of approval of Interlocal Cooperative Agreement for Galveston County Public Safety Consortium On-Premise and Cloud-Based Motorola PremierOne CAD/RMS system with Port of Galveston submitted by Information Technology
- *19. Consideration of a Resolution as required by the grant application, affirming that Galveston County has not and will not reduce the amount of County funds provided to the Galveston County Sheriff's Office because of grant funds provided under Senate Bill 8 (SB 8) submitted by Sheriff's Office
- *20. Consideration of approval of an order granting various residence homestead exemptions from the 2026 Tax Levy pursuant to V.T.C.A., Tax Code §11.13 and §11.131 submitted by Legal Services Manager

- *21. Consideration of approval of an order authorizing the split payment of 2026 ad valorem taxes pursuant to V.T.C.A, tax code §31.03 submitted by Legal Services Manager
- *22. Consideration of a Resolution in support of re-examining precinct lines for Justices of the Peace, Constables, and County Commissioners submitted by Legal Services Manager
- *23. Consideration of the release and settlement agreement with Alicia Monroe arising from an incident that occurred on or about May 10, 2024, in the matter of 25-CV-1967 Alicia Monroe v William T. Lambert and Galveston County Sheriff's Office, submitted by Legal Services Manager
- *24. Consideration of renewal Agreement for lodging/sleep accommodations between Galveston County and Hampton Inn and Suites during emergency disaster operations submitted by Legal Services Manager
- *25. Consideration of full and final waiver, release, and settlement agreement with Juan Alberto Alamo Gomez arising from an incident that occurred on or about February 13, 2026, submitted by Legal Services Manager
- *26. Consideration of approval to authorize the County Judge to sign the Authorization to Act as an Agent form from the U.S. Army Corps of Engineers (USACE) to allow Balcones Field Services to act on the County's behalf for the Frenchtown Road Expansion Project in Port Bolivar, submitted by Road & Bridge
- *27. Consideration of approval to authorize the County Judge to sign the Nationwide Permit Pre-Construction Notification (PCN) form and Request for Jurisdictional Determination form from the U.S. Corps of Engineers for the Frenchtown Road Expansion Project in Port Bolivar, submitted by Road & Bridge
- *28. Consideration of authorizing the abatement of a public nuisance located at 15325 Cedar St., Santa Fe, TX 77510, submitted by Nuisance Abatement
- *29. Consideration of authorizing the abatement of a public nuisance located at 918 20th St., San Leon, TX 77539, submitted by Nuisance Abatement
- *30. Consideration of authorizing the abatement of a public nuisance located at 6714 Ave. O, Santa Fe, TX 77510, submitted by Nuisance Abatement
- *31. Consideration of authorizing the abatement of a public nuisance located at 13529 Montgomery Rd., Santa Fe, TX 77510, submitted by Nuisance Abatement
- *32. Consideration for authorization to extend the contracts for ITB 25-042, Inmate Clothing and Supplies submitted by the Purchasing Agent
- *33. Consideration for authorization to dispose of salvage or surplus property submitted by the Purchasing Agent

- *34. Consideration of acknowledging receipt of a sand pit permit application from Brad Ballard at 687 State Highway No 87 on Bolivar Peninsula and authorizing the County Engineer to run the required newspaper notice submitted by the County Engineer
- *35. Consideration of approval of permit number HB 26-43 to install one 20" liquid natural gas pipeline under the Highland Bayou Diversion Channel submitted by the County Engineer
- *36. Consideration of approval of a Texas City Hurricane Levee permit number TCSW-26-386 to install one 24" pipeline to transport liquid petroleum gas, submitted by the County Engineer
- *37. Consideration of approval of a Texas City Hurricane Levee permit number TCSW-26-385 to install one 12" natural gas pipeline over the Texas City Hurricane Levee near Dike Rd submitted by the County Engineer
- *38. Consideration of approval of a Texas City Hurricane Levee permit number TCSW-26-3857 to proceed with Marathon MPLX project consisting of the installation of pipelines in the vicinity of the Texas City Hurricane Levee submitted by the County Engineer
- *39. Consideration of approval of application from Ramjit Patel and Nita Patel for a partial replat of Moore's Addition subdivision submitted by Platting & Right-of-Way
- *40. Consideration of authorizing the County Judge to execute a pipeline easement agreement to BANGL, LLC submitted by Platting & Right-of-Way
- *41. Consideration of authorizing the County Judge to execute a pipeline easement agreement under Highland Bayou Diversion Channel to BANGL, LLC submitted by Platting & Right-of-Way
- *42. Consideration of authorizing the County Judge to execute an easement to TxDOT for the SH 146 project submitted by Platting & Right-of-Way
- *43. Consideration of approval of a road opening request from Clint Hardy for Nichols Ave., Dickinson and acceptance of the approx. 310 LF into the county road maintenance system submitted by Platting & Right-of-Way
- *44. Consideration of approval of application from Kevin and Kelli Roberts for a partial replat of Alta Loma Outlots subdivision submitted by Platting & Right-of-Way
- *45. Consideration of authorization for County Judge to accept additional funding for FY2026 Houston-Galveston Area Council (H-GAC) Congregate Senior Meals & Transportation Grant-Amendment #1, on behalf of Galveston Countys Parks & Cultural Services Department submitted by Grants Administration
- *46. Consideration of authorization to submit the FY2027 Texas General Land Office (GLO) Beach Maintenance Reimbursement (BMR) Program grant application on behalf of Galveston County's Road and Bridge Department submitted by Grants Administration
- *47. Receive and file AFFH Certification form for the Texas General Land Office Community Development Block Grant, Regional Mitigation Program - Method of Distribution as approved on May 11, 2026, Item #45 submitted by Grants Administration

- * Consideration of approval of the following budget amendments submitted by Professional Services:
- *48. 26-123-0608-A
Information Technology- Request transfer within IT - Other Contract Services to Radio Expenditures to fund N70 Radio subscription renewal
- *49. 26-124-0608-B
Sheriff's Office - Request transfer within Sheriff Administration - Training Services to Training Supplies to fund the purchase of ammunition
- *50. 26-125-0608-C
Sheriff's Office - Request Transfer from General Fund - Budgeted Reserves to Identification Division - Extraordinary Supplies to fund purchase of storage containers
- *51. 26-126-0608-D
Adult Probation- Request transfer from General Fund - Budgeted Reserves to Mental Health Court Program - Software Maintenance to fund CSS annual invoice
- *52. 26-127-0608-E
Auditor- Request transfer from General Fund - Budgeted Reserves to IT - Other Contract Services to fund Guidehouse review of the Foundation Data Model
- *53. 26-128-0608-F
District Attorney- Request transfer from General Fund - Budgeted Reserves to District Attorney's - Various Spend Categories to fund personnel adjustments
- *54. 26-129-0608-G
General Government- Request to transfer funds from Capital Project Funds to General Fund and to transfer from the General Fund - Transfers and Reserves and Self Insurance Reserve Fund - General Self Insurance - Liability Premiums to the Self Insurance Reserve Fund - General Self Insurance - Claims Paid Liability to fund settlement payment, and request rescission of BA 26-109-0511A
- *55. 26-130-0608-H
Sheriff's Office - Request transfer within Criminal Investigation - Furniture and Fixtures to Extraordinary Supplies to fund the purchase of office furniture

Action Agenda

Purchasing

- 56. Consideration to award RFQ 25-082, Galveston County Flood Mitigation Assistance (FMA) Elevation Engineering Services
- 57. Consideration to award RFP 26-086, Local Trucking Services
- 58. Consideration of resultant contract from RFP #26-086, Local Trucking Service with J R Contreras Trucking submitted by the Road & Bridge Department

Adjourn**Appearances before Commissioners Court**

A speaker whose subject matter as submitted relates to an identifiable item of business on this agenda will be requested by the County Judge or other presiding court members to come to the podium where they will be limited to three minutes (3). A speaker whose subject matter as submitted does not relate to an identifiable item of business on this agenda will be limited to three minutes (3) and will be allowed to speak before the meeting is adjourned. Please arrive prior to the meeting and sign in with the County Clerk.

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Tab F:

**June 8 Commissioners Court
Meeting Minutes**

MINUTES

BE IT REMEMBERED, That on June 8, 2026, Commissioners Court of Galveston County, Texas, met at a regular meeting with the following present:

Mark Henry, County Judge

Darrell A. Apffel, Commissioner Precinct 1

Joe Giusti, Commissioner Precinct 2

Hank Dugie, Commissioner Precinct 3

Robin Armstrong, MD, Commissioner Precinct 4

Dwight D. Sullivan, County Clerk

CALL TO ORDER

Call to Order by Judge Henry at 9:31 A.M. at the Galveston County Courthouse.

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Hank Dugie led the Court in the Pledge of Allegiance.

The Invocation was given by Commissioner Darrell Apffel.

PUBLIC COMMENT

No public comment.

CONSENT AGENDA

Submitted by the Auditor's Office:

- *1. Approval of the accounts payable checks dated 6/8/2026

Attachments: [1](#)

- *2. Order for payroll ending 6/3/2026 bi-weekly #12

Attachments: [2](#)

- *3. Order for supplemental payroll period ending 6/3/2026 bi-weekly #12

- *4. Internal audit report of the District Attorney's Office Petty Cash Funds with response letter from Honorable Kenneth Cusick, dated 5/19/2026

Attachments: [DA Petty Cash Funds CC Audit Packet for 6.8.26](#)

- *5. Internal audit report of the Sheriff's Office Commissary and Inmate Property accounts for period

of 4/1/2025 - 3/31/2026 with response letter from Sheriff Jimmy Fullen

Attachments: [SO Commissary & Inmate Property Audit for CC date 6.8.26](#)

- *6. Internal audit report of the agreement between Galveston County and Friends for Life Guardianship Services for period of 3/1/2025 - 2/28/2026 with response letter from Diana Hualipa, Chief Financial Officer, dated 5/19/2026

Attachments: [Guardianship F4L Audit Agenda Packet for 6.8.26](#)

- *7. Consideration of approval of Change Order to authorize additional funding of Workday support, for a Foundation Data Model (FDM) review, with Guidehouse submitted by County Auditor

Attachments: [7](#)

- *8. Approval of the Certification of Revenue for Constable Precinct 2 in the amount of \$122,500 for the DHS ICE 287 (g) Task Force and appropriation of funds

Attachments: [Certification of Revenue-06.08.26 DHS ICE 287\(g\) Task Force Constable Pct 2 & Related BA](#)

- *9. Receive and file refund check list from Odyssey submitted by the District Clerk

Attachments: [SR-387 DC.pdf](#)
[SR-394 DC.pdf](#)

- *10. Receive and file restitution checklist from Odyssey submitted by Personal Bond/Collections

Attachments: [SR-387 Collections](#)
[SR-394 Collections](#)

- *11. Receive and file Galveston County Emergency Services District No. 2 Annual Financial Report for Fiscal Year Ended September 30, 2025 submitted by the County Judge

Attachments: [GCESD No. 2--2025.05.28--Letter to Galveston Co. Commissioners](#)
[Court fwding FY 2024-25 Audit Report](#)
[GCESD No. 2--2026.05.19--FY 2024-25 Audit Report](#)

- *12. Receive and file Galveston County Emergency Communication (911) District Annual Audit for Year Ended December 31, 2024 submitted by the County Judge

Attachments: [GCECD](#)

- *13. Receive and file Galveston County Community Supervision and Corrections Department financial statements and supplementary information with independent financial audit report for year ending August 31, 2025, submitted by Adult Probation

Attachments: [Annual Financial Report 2025 - CSCD](#)

- *14. Consideration for approval to partner with Sarah Glaser with Lloyd Gosselink, Rochelle & Townsend, P.C. ("Lloyd Gosselink") to conduct two half-day training sessions on employment law topics submitted by Human Resources

Attachments: [14](#)

- *15. Consideration of approval of renewal of a memorandum of understanding (MOU) between Gulf Coast Monitoring Specialists (GCMS) and Galveston County to provide various alcohol and

drug monitoring services for participants in the Galveston County Veterans Treatment Court (GCVTC) program submitted by County Judge

Attachments: [15](#)

- *16. Consideration of approval of granting a reduction of a permit fee (Facility Permitting Policy, Section 5.1.2 and 5.1.3) to Loving the Mama Postpartum Services & Black Chamber Foundation Brazoria County for use of the banquet hall, South Ground and North Grounds at Walter Hall Park for their Fed with Love 5K and resource fair on Saturday, August 15th, 2026, presented by the Parks & Cultural Services Department

Attachments: [Solomon Fee Reduction 2026](#)

- *17. Consideration of approval of Interlocal Cooperative Agreement for Galveston County Public Safety Consortium On-Premise and Cloud-Based Motorola PremierOne CAD/RMS System with Tiki Island submitted by Information Technology

Attachments: [17](#)

- *18. Consideration of approval of Interlocal Cooperative Agreement for Galveston County Public Safety Consortium On-Premise and Cloud-Based Motorola PremierOne CAD/RMS system with Port of Galveston submitted by Information Technology

Attachments: [18](#)

- *19. Consideration of a Resolution as required by the grant application, affirming that Galveston County has not and will not reduce the amount of County funds provided to the Galveston County Sheriff's Office because of grant funds provided under Senate Bill 8 (SB 8) submitted by Sheriff's Office

Attachments: [19](#)

- *20. Consideration of approval of an order granting various residence homestead exemptions from the 2026 Tax Levy pursuant to V.T.C.A., Tax Code §11.13 and §11.131 submitted by Legal Services Manager

Attachments: [20](#)

- *21. Consideration of approval of an order authorizing the split payment of 2026 ad valorem taxes pursuant to V.T.C.A, tax code §31.03 submitted by Legal Services Manager

Attachments: [21](#)

- *22. Consideration of a Resolution in support of re-examining precinct lines for Justices of the Peace, Constables, and County Commissioners submitted by Legal Services Manager

Attachments: [22](#)

- *23. Consideration of the release and settlement agreement with Alicia Monroe arising from an incident that occurred on or about May 10, 2024, in the matter of 25-CV-1967 Alicia Monroe v William T. Lambert and Galveston County Sheriff's Office, submitted by Legal Services Manager

Attachments: [Monroe Release and Settlement Agreement](#)

- *24. Consideration of renewal Agreement for lodging/sleep accommodations between Galveston County and Hampton Inn and Suites during emergency disaster operations submitted by Legal Services Manager
Attachments: [24](#)
- *25. Consideration of full and final waiver, release, and settlement agreement with Juan Alberto Alamo Gomez arising from an incident that occurred on or about February 13, 2026, submitted by Legal Services Manager
Attachments: [Alamo Gomez Property Release](#)
- *26. Consideration of approval to authorize the County Judge to sign the Authorization to Act as an Agent form from the U.S. Army Corps of Engineers (USACE) to allow Balcones Field Services to act on the County's behalf for the Frenchtown Road Expansion Project in Port Bolivar, submitted by Road & Bridge
Attachments: [26](#)
- *27. Consideration of approval to authorize the County Judge to sign the Nationwide Permit Pre-Construction Notification (PCN) form and Request for Jurisdictional Determination form from the U.S. Corps of Engineers for the Frenchtown Road Expansion Project in Port Bolivar, submitted by Road & Bridge
Attachments: [27](#)
- *28. Consideration of authorizing the abatement of a public nuisance located at 15325 Cedar St., Santa Fe, TX 77510, submitted by Nuisance Abatement
Attachments: [15325 Cedar_Redacted](#)
- *29. Consideration of authorizing the abatement of a public nuisance located at 918 20th St., San Leon, TX 77539, submitted by Nuisance Abatement
Attachments: [918 20th St - Louise](#)
- *30. Consideration of authorizing the abatement of a public nuisance located at 6714 Ave. O, Santa Fe, TX 77510, submitted by Nuisance Abatement
Attachments: [6714 Ave O_Redacted](#)
- *31. Consideration of authorizing the abatement of a public nuisance located at 13529 Montgomery Rd., Santa Fe, TX 77510, submitted by Nuisance Abatement
Attachments: [13529 Montgomery Rd - Perroncel](#)
- *32. Consideration for authorization to extend the contracts for ITB 25-042, Inmate Clothing and Supplies submitted by the Purchasing Agent
Attachments: [inmate clothing](#)
- *33. Consideration for authorization to dispose of salvage or surplus property submitted by the Purchasing Agent
Attachments: [surplus](#)

- *34. Consideration of acknowledging receipt of a sand pit permit application from Brad Ballard at 687 State Highway No 87 on Bolivar Peninsula and authorizing the County Engineer to run the required newspaper notice submitted by the County Engineer
Attachments: [Sand-24-2_Bradb\(2026\)](#)
- *35. Consideration of approval of permit number HB 26-43 to install one 20” liquid natural gas pipeline under the Highland Bayou Diversion Channel submitted by the County Engineer
Attachments: [35](#)
- *36. Consideration of approval of a Texas City Hurricane Levee permit number TCSW-26-386 to install one 24” pipeline to transport liquid petroleum gas, submitted by the County Engineer
Attachments: [36](#)
- *37. Consideration of approval of a Texas City Hurricane Levee permit number TCSW-26-385 to install one 12” natural gas pipeline over the Texas City Hurricane Levee near Dike Rd submitted by the County Engineer
Attachments: [37](#)
- *38. Consideration of approval of a Texas City Hurricane Levee permit number TCSW-26-3857 to proceed with Marathon MPLX project consisting of the installation of pipelines in the vicinity of the Texas City Hurricane Levee submitted by the County Engineer
Attachments: [38](#)

Motion to approve an amendment to the Texas City Hurricane Levee Permit to TSCW-26-387, allowing the Marathon MPLX project to proceed with the installation of pipelines in the vicinity of the Texas City Hurricane Levee. Motion made by County Judge Henry and seconded by Commissioner Apffel that the above action be approved by the Court.

Passed: 3-0

Aye: County Judge Henry, Commissioner Apffel, Commissioner Dugie
Nay: None
Absent: Commissioner Giusti, Commissioner Armstrong

- *39. Consideration of approval of application from Ramjit Patel and Nita Patel for a partial replat of Moore’s Addition subdivision submitted by Platting & Right-of-Way
Attachments: [39](#)
- *40. Consideration of authorizing the County Judge to execute a pipeline easement agreement to BANGL, LLC submitted by Platting & Right-of-Way
Attachments: [40](#)
- *41. Consideration of authorizing the County Judge to execute a pipeline easement agreement under Highland Bayou Diversion Channel to BANGL, LLC submitted by Platting & Right-of-Way
Attachments: [41](#)

- *42. Consideration of authorizing the County Judge to execute an easement to TxDOT for the SH 146 project submitted by Platting & Right-of-Way

Attachments: [RCSJ 0389-06-092, Parcel P00071640 Easement- To be Signed](#)
[RCSJ 0389-06-092, Parcel P00071640 MOA - To be Signed](#)
[RCSJ 0389-06-092, Parcel P00071640 Property Description Final](#)

(NO ACTION TAKEN)

- *43. Consideration of approval of a road opening request from Clint Hardy for Nichols Ave., Dickinson and acceptance of the approx. 310 LF into the county road maintenance system submitted by Platting & Right-of-Way

Attachments: [CC Letter Nichols Ave](#)

- *44. Consideration of approval of application from Kevin and Kelli Roberts for a partial replat of Alta Loma Outlots subdivision submitted by Platting & Right-of-Way

Attachments: [44](#)

- *45. Consideration of authorization for County Judge to accept additional funding for FY2026 Houston-Galveston Area Council (H-GAC) Congregate Senior Meals & Transportation Grant-Amendment #1, on behalf of Galveston County's Parks & Cultural Services Department submitted by Grants Administration

Attachments: [2026-05-27 FY26 HGAC A1 SR](#)
[Program LegistarMemo MM revised](#)

- *46. Consideration of authorization to submit the FY2027 Texas General Land Office (GLO) Beach Maintenance Reimbursement (BMR) Program grant application on behalf of Galveston County's Road and Bridge Department submitted by Grants Administration

Attachments: [46](#)

- *47. Receive and file AFFH Certification form for the Texas General Land Office Community Development Block Grant, Regional Mitigation Program - Method of Distribution as approved on May 11, 2026, Item #45 submitted by Grants Administration

Attachments: [GLO CDBG RMP AFFH CERTIFICATION](#)

- * Consideration of approval of the following budget amendments submitted by Professional Services:

- *48. 26-123-0608-A
Information Technology- Request transfer within IT - Other Contract Services to Radio Expenditures to fund N70 Radio subscription renewal

Attachments: [BA 26-123-0608-A](#)

- *49. 26-124-0608-B
Sheriff's Office - Request transfer within Sheriff Administration - Training Services to Training Supplies to fund the purchase of ammunition

Attachments: [BA 26-124-0608-B](#)

- *50.** 26-125-0608-C
Sheriff's Office - Request Transfer from General Fund - Budgeted Reserves to Identification Division - Extraordinary Supplies to fund purchase of storage containers
Attachments: [BA 26-125-0608-C](#)
- *51.** 26-126-0608-D
Adult Probation- Request transfer from General Fund - Budgeted Reserves to Mental Health Court Program - Software Maintenance to fund CSS annual invoice
Attachments: [BA 26-126-0608-D](#)
- *52.** 26-127-0608-E
Auditor- Request transfer from General Fund - Budgeted Reserves to IT - Other Contract Services to fund Guidehouse review of the Foundation Data Model
Attachments: [BA 26-127-0608-E](#)
- *53.** 26-128-0608-F
District Attorney- Request transfer from General Fund - Budgeted Reserves to District Attorney's - Various Spend Categories to fund personnel adjustments
Attachments: [BA 26-128-0608-F](#)
- *54.** 26-129-0608-G
General Government- Request to transfer funds from Capital Project Funds to General Fund and to transfer from the General Fund - Transfers and Reserves and Self Insurance Reserve Fund - General Self Insurance - Liability Premiums to the Self Insurance Reserve Fund - General Self Insurance - Claims Paid Liability to fund settlement payment, and request rescission of BA 26-109-0511A
Attachments: [BA 26-129-0608-G](#)
[Project BA 26-129-0608-G](#)
- *55.** 26-130-0608-H
Sheriff's Office - Request transfer within Criminal Investigation - Furniture and Fixtures to Extraordinary Supplies to fund the purchase of office furniture
Attachments: [BA 26-130-0608-H](#)

Motion to approve consent agenda items 1-55 with the exception of item(s): #38 and #42. (Agenda Item #38 was amended, and Agenda Item #42 was deferred. Item #38 was voted on separately.)

Passed: 3-0

Aye: County Judge Henry, Commissioner Apffel, Commissioner Dugie

Nay: None

Absent: Commissioner Giusti, Commissioner Armstrong

ACTION AGENDA

Purchasing

- 56.** Consideration to award RFQ 25-082, Galveston County Flood Mitigation Assistance (FMA) Elevation Engineering Services

Attachments: [Flood Mitigation](#)

Motion to approve by County Judge Henry, seconded by Commissioner Apffel that contract be awarded to Comal Design Group, as recommended.

Passed: 3-0

Aye: County Judge Henry, Commissioner Apffel, Commissioner Dugie

Nay: None

Absent: Commissioner Giusti, Commissioner Armstrong

- 57.** Consideration to award RFP 26-086, Local Trucking Services

Attachments: [LOCAL TRUCKING \(002\)](#)

Motion to approve by County Judge Henry, seconded by Commissioner Apffel that contract be awarded to J R Contreras Trucking, LLC, as recommended.

Passed: 3-0

Aye: County Judge Henry, Commissioner Apffel, Commissioner Dugie

Nay: None

Absent: Commissioner Giusti, Commissioner Armstrong

- 58.** Consideration of resultant contract from RFP #26-086, Local Trucking Service with J R Contreras Trucking submitted by the Road & Bridge Department

Attachments: [58](#)

Motion to approve by County Judge Henry, seconded by Commissioner Dugie that the above action be taken by the Court.

Passed: 3-0

Aye: County Judge Henry, Commissioner Apffel, Commissioner Dugie

Nay: None

Absent: Commissioner Giusti, Commissioner Armstrong

ADJOURN

Commissioners Court adjourned at 9:36 A.M. on Monday, June 8, 2026.

Tab G:

**June 8 Resolution to Reexamine
Precinct Boundaries**



COUNTY OF GALVESTON

On this the 8th day of June, 2026, the **Commissioners' Court of Galveston County, Texas** convened in a regularly scheduled meeting with the following members thereof present:

Mark Henry, County Judge
Darrell A. Apffel, Commissioner, Precinct No. 1
Joe Giusti, Commissioner, Precinct No. 2
Hank Dugie, Commissioner, Precinct No. 3
Robin Armstrong, MD, Commissioner, Precinct No. 4; and
Dwight D. Sullivan, County Clerk

when the following proceedings, among others, were had, to-wit:

Whereas, the Commissioners Court has the lawful responsibility under Tex. Const. Art. V, § 18 to draw precinct boundaries for each Justice of the Peace, Constable, and County Commissioner; and

Whereas, after the publication of the 2020 census, on November 12, 2021, Galveston County redrew County Commissioner precincts; and

Whereas, Galveston County never revised its Justice of the Peace and Constable precinct boundaries based on the 2020 census; and

Whereas, redistricting litigation has been pervasive in Galveston County and nationwide following the 2020 census; and

Whereas, in *Louisiana v. Callais*, No. 24-109, 608 U.S. ____ (2026), the Supreme Court of the United States recently clarified applicable federal redistricting law, and

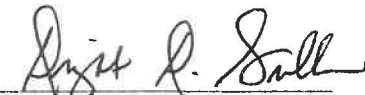
Whereas, partisan election results across Galveston County have continued to evolve since 2021.

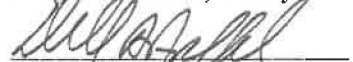
Now, Therefore, Be It Resolved, that the **Commissioners' Court of Galveston County, Texas** intends to reexamine precinct boundaries for Justices of the Peace, Constables, and County Commissioners on the basis of:

1. Compliance with applicable law; and
2. The 2020 census results; and
3. Improving partisan performance in favor of Republican candidates.

Upon Motion Duly Made and Seconded

Attest:


Dwight D. Sullivan, County Clerk


Darrell A. Apffel, Comm., Pct. #1

Absent

Joe Giusti, Comm., Pct. #2

County of Galveston, Texas

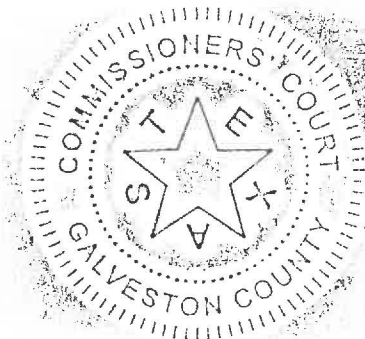
By:


Mark A. Henry, County Judge


Hank Dugie, Comm., Pct. #3

Absent

Robin Armstrong, MD, Comm., Pct. #4



Tab H:
**May 19 Order for Supplemental
Briefing**

ENTERED

May 19, 2026

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISIONTERRY PETTEWAY, *et al.*,

Plaintiffs,

VS.

GALVESTON COUNTY, TEXAS, *et al.*,

Defendants.

§
§
§
§
§
§
§
§

3:22-CV-57

ORDER FOR SUPPLEMENTAL BRIEFING

Before the court is the Petteway and NAACP/LULAC plaintiffs' motion for entry of judgment on their intentional-discrimination and racial-gerrymandering claims. Dkt. 288. The plaintiffs' intentional-discrimination and racial-gerrymandering claims are ripe for the court to consider on remand from the Fifth Circuit. *Id.* at 5; *see Petteway v. Galveston Cnty.*, 111 F.4th 596, 614, n.13 (5th Cir. 2024) (en banc).

On April 29, 2026, the United States Supreme Court issued its opinion in *Louisiana v. Callais*, in which the Court "update[d] the *Gingles* framework" under § 2 of the Voting Rights Act and held that Louisiana's congressional map was an unconstitutional racial gerrymander. 608 U.S. ---, --- S.Ct. ---, --- L.Ed.2d ---, 2026 WL 1153054, at *4, 15 (2026). A few days later, the NAACP/LULAC plaintiffs notified the court of ways in which they believe *Callais* "is relevant to [their]

pending claim of racial gerrymandering.” Dkt. 304 at 1.

Because issues related to those in *Callais* are before the court in *Petteway*, it is hereby ordered that the parties submit supplemental briefing on the following issues:

- (1) How *Callais* applies to the issues in *Petteway* pending before the court;
- (2) Whether *Callais* changes the “appropriate analytical framework to apply to Plaintiffs’ constitutional claims,” *Petteway*, 111 F.4th at 614, n.13, and if so, what the new analytical framework is; and
- (3) Any other updates to the parties’ previously-filed briefing on the plaintiffs’ intentional-discrimination and racial-gerrymandering claims, including other new case law, that the parties believe would assist the court in its decision-making.

The court hereby orders the following briefing and hearing schedule:

The plaintiffs’ supplemental briefing is due **Tuesday, June 16, 2026**. The defendants’ supplemental briefing is due **Tuesday, July 14, 2026**. The plaintiffs’ reply supplemental briefing is due **Tuesday, July 21, 2026**.

The court will hear oral argument on the supplemental briefing on **Tuesday, July 28, 2026, at 10:00 a.m.** in the 6th floor courtroom at 601 Rosenberg Ave. in Galveston, TX.

Signed on Galveston Island this 19th day of May, 2026.



JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE

Tab I:
June 30 Suggestion of Mootness
Filing

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

TERRY PETTEWAY, et al.	§	
Plaintiffs,	§	
v.	§	Civil Action No. 3:22-CV-00057
	§	(consolidated)
GALVESTON COUNTY, TEXAS, et al.	§	
Defendants.	§	
	§	
DICKINSON BAY AREA BRANCH	§	
NAACP, et al.	§	
Plaintiffs,	§	Civil Action No. 3:22-CV-00117
v.	§	
GALVESTON COUNTY, TEXAS, et al.	§	
Defendants.	§	

DEFENDANTS’ SUGGESTION OF MOOTNESS

TO THE HONORABLE JUDGE OF THIS COURT:

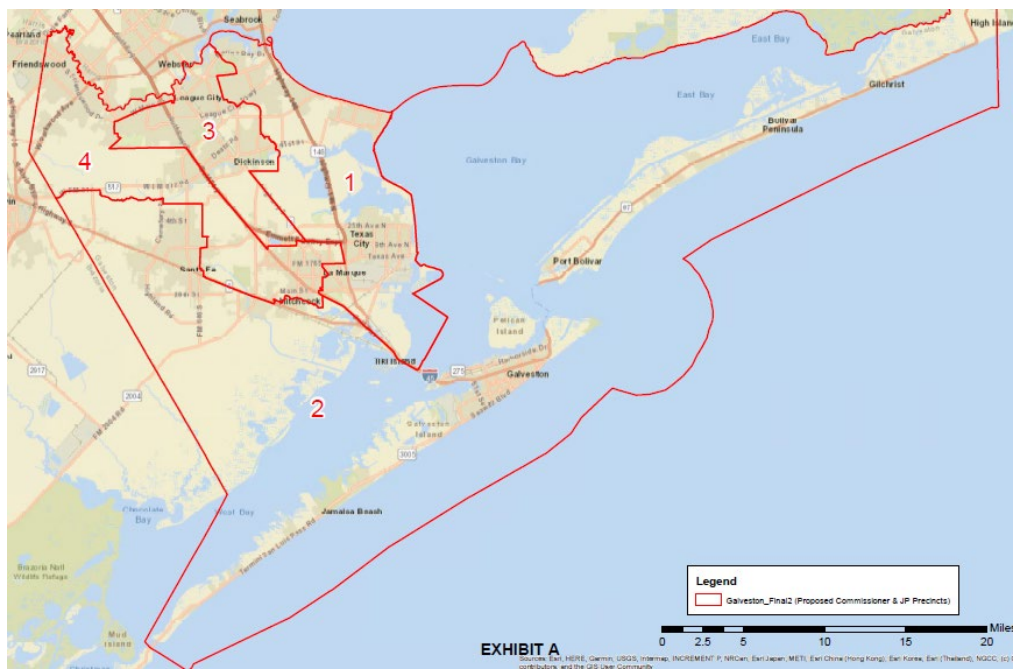
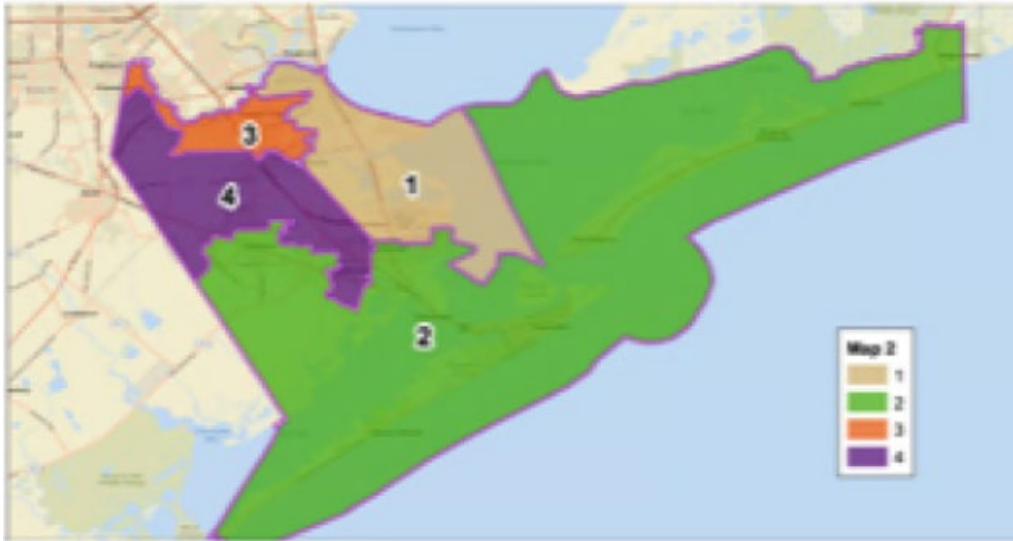
Defendants Galveston County, Texas, the Hon. Mark Henry as Galveston County Judge, and Dwight D. Sullivan as Galveston County Clerk (collectively, “Defendants” or “County”) file this suggestion of mootness to inform the Court of the County’s recent adoption of new County Commissioners, Constables, and Justices of the Peace (JP) precinct boundaries. *See* Exhibit A (June 29, 2026 Order establishing new precinct boundaries). The adoption of new precinct boundaries renders Plaintiffs’ remaining claims moot.¹

¹ Plaintiffs are Dickinson Bay Area Branch NAACP, Galveston Branch NAACP, Mainland Branch NAACP, Galveston League of United Latin American Citizens Council 151, Edna Courville, and Joe A. Compian, and Plaintiffs Terry Petteway, Constable Derrick Rose, and the Hon. Penny Pope (collectively, “Plaintiffs”).

BACKGROUND

Plaintiffs challenged the County’s 2021 County Court Commissioner’s precinct map (2021 Map), asking the Court to enjoin the County from using the 2021 Map. Their requested declaratory and injunctive relief relates solely to the 2021 Map. *See* ECF 42 at 32-34 (Petteway Plaintiffs’ Second Amended Complaint); ECF 38 at 38-39 (NAACP Plaintiffs’ First Amended Complaint). The Petteway Plaintiffs asked that the Court retain jurisdiction until the Defendants “have complied with all orders and mandates of this Court” and other relief the Court deems proper. *Id.*

Following the Court’s preliminary injunction in October 2023 and the Fifth Circuit’s stay orders and September 2024 judgment, elections under the 2021 Map were held in November 2024. The County has now enacted a new plan which replaces the 2021 Map and aligns the County’s Commissioner, Constable, and JP precinct boundaries; the change was made by the Galveston County Commissioners' Court because it “determined that the interests of the people of the county are best served by changing the existing Commissioners, Constables, and Justices of the Peace Precinct Boundaries.” Exhibit A. The vote was unanimous. *Id.* The changed boundaries are not minor—they constitute a significant change to the Commissioners’ Court precincts drawn in the 2021 Map:



2021 Map & Exhibit A, new precinct boundaries.

ARGUMENT

I. The Plaintiffs’ challenges to the 2021 Map are moot.

The Article III case-or-controversy requirement is a fundamental principle of “the judiciary’s proper role in our system of government.” *Raines v. Byrd*, 521 U.S. 811, 818 (1997) (quotation omitted). To invoke federal court jurisdiction, plaintiffs “must have suffered, or be threatened with, an actual injury traceable to the defendant and likely to be redressed by a favorable judicial decision.” *Lewis v. Continental Bank Corp.*, 494 U.S. 472, 477 (1990). Cases become moot when the issues they present are no longer live, or when plaintiffs lack a legally cognizable interest in the outcome. *Cnty of Los Angeles v. Davis*, 440 U.S. 625, 631 (1979). Without a case or controversy, federal courts have nothing to decide, rendering any decision they issue an impermissible advisory opinion. *DaimlerChrysler Corp. v. Cuno*, 547 U.S. 332, 341 (2006).

This Article III requirement persists throughout a case’s life, not only when it is first filed. *Thomas v. Bryant*, 938 F.3d 134, 143-44 (5th Cir. 2019). New legislation that alters a challenged law can moot a case, “because courts can no longer enjoin the enforcement of a repealed law that has no effect.” *Id.* Cases become moot when there is no “reasonable expectation” the violation will recur, and interim events “completely and irrevocably eradicated the effects of the alleged violation.” *Id.* If at any point a case becomes moot, it must be dismissed. *Lewis*, 494 U.S. at 477-78.²

² Cases may become moot at any time, even on appeal. *See Pugh v. Rainwater*, 572 F.2d 1053 (5th Cir. 1978) (en banc) (new bail legislation enacted while case was on appeal so that plaintiffs’ as-applied challenge was based on evidence predating new law, and any attack on procedures in place at the time of trial was no longer a present, live controversy); *see also U.S. Dep’t of Justice v. Provenzano*, 469 U.S. 14, 15-16 (1984) (per curiam) (case became moot when Freedom of Information Act was amended); *United*

Here, the challenged 2021 Map has been replaced, there is no remaining controversy over its application, and no declaratory relief or injunction regarding its impact or enforcement can provide any relief. In these circumstances, a ruling on the repealed 2021 Map would be an impermissible advisory opinion. *See McCorvey v. Hill*, 385 F.3d 846, 849 (5th Cir. 2004) (“Suits regarding the constitutionality of statutes become moot once the statute is repealed”). Plaintiffs lack grounds to litigate a request for declaratory or injunctive relief for enactment of repealed and replaced boundaries. *See Abbott v. Perez*, 585 U.S. 579, 590-91 (2018) (district court allowed plaintiffs to litigate challenges to replaced districting plan, and erred in holding the amended plans were not shown to be cured of the “taint” of the old plans); *see also Holloway v. City of Va. Beach*, 42 F.4th 266, 270 (4th Cir. 2022) (holding case mooted after challenged at-large districts were repealed and reversing district court’s holding that old at-large system violated Section 2 and granting injunctive relief to remedy that violation going forward).

Though Plaintiffs will undoubtedly cast aspersions in response to this suggestion of mootness, they cannot overcome the fact that courts “presume that public officials act in good faith and without invidious bias in formulating policy.” *Abbott v. Anti-Defamation League*, 610 S.W.3d 911, 923 (Tex. 2020) (citing *Miller v. Johnson*, 515 U.S. 900, 915 (1995)); *see also Abbott*, 585 U.S. at 603 (2018) (discussing presumption of legislative good faith in redistricting matter); *see also, Jackson v. Tarrant Cnty.*, 158 F.4th 571, 590

Bldg. & Constr. Trades Council v. Mayor and Council of Camden, 465 U.S. 208, 213-14 (1984) (repeal of municipal residency requirement “moot[ed] appellant’s equal protection challenge” to that requirement); *Diffenderfer v. Cent. Baptist Church*, 404 U.S. 412, 414 (1972) (per curiam) (claim for injunctive relief moot when new legislation enacted because relief sought is based on the “law as it now stands”).

(5th Cir. 2025). While private parties may easily switch courses, governmental action is of a different character. Where a new law is enacted or ordinance adopted, courts presume that action was made in good faith, that government officials have “properly discharged their official duties,” and unless there is a clear intent to revert to prior law, courts presume there is no such intent. *See Nat’l Archives & Records Admin. v. Favish*, 541 U.S. 157, 174 (2004) (“The presumption of regularity supports the official acts of public officers and, in the absence of clear evidence to the contrary, courts presume that they have properly discharged their official duties”).

In *Miller*, the Supreme Court made clear that the “good faith of a state legislature must be presumed” and courts “must be sensitive to the complex interplay of forces that enter a legislature's redistricting calculus.” *Miller*, 515 U.S. at 915. This presumption extends to local government officials. *See Jackson*, 158 F.4th at 589-90; *Kimbrough v. Walling*, 371 S.W.2d 691, 692 (Tex. 1963) (“[t]he law presumes that officers of municipal corporations act within the limits of their authority; that they act in good faith; and that they act in the best interests of the municipality they represent”); *Melton v. Wichita Falls*, 799 S.W.2d 778, 780 (Tex. App.—Fort Worth 1990, no writ) (“[t]he law presumes that city officials act within the limits of their authority, in good faith, and in the best interest of the city they serve”). Therefore, “Texas courts afford state statutes a strong presumption of constitutionality under the Texas Constitution.” *Miller v. Raytheon Co.*, 716 F.3d 138, 148 (5th Cir. 2013). This is because courts must presume “the Legislature ‘understands and correctly appreciates the needs of its own people’” and therefore directs its laws “to problems made manifest by experience, and that its discriminations are based upon

adequate grounds.” *Enron Corp. v. Spring Indep. Sch. Dist.*, 922 S.W.2d 931, 934 (Tex. 1996).

No injury can flow from the repealed 2021 Map, and the Court cannot provide Plaintiffs with the relief they have requested with respect to that map. The case is now moot, and the Court lacks subject matter jurisdiction and must dismiss.³ Because the new plan has been adopted, this Court no longer has jurisdiction to consider declaratory or injunctive relief relating to implementation of the 2021 Map. *See Davis v. Abbott*, 781 F.3d 207, 215 (5th Cir. 2015).

There is no threat that the 2021 map will be reinstated, such as might exist if the County had implemented an interim plan. Nor is there any theoretical possibility of a future reversion to the 2021 Map. Federal courts do not maintain jurisdiction over cases on the off chance of a potential future action. They certainly do not in the face of government conduct. Rather, courts presume that government enactments are not made with the intent to revert to prior laws. *Fed’n of Adver. Indus. Representatives, Inc. v. City of Chi.*, 326 F.3d 924, 930 (7th Cir. 2003). It is only when legislatures make clear that they intend to revert to prior plans in certain circumstances, such as a court win, that a case or controversy remains. *See Hunt v. Cromartie*, 526 U.S. 541, 545 n.1 (1999) (“[b]ecause the State's 1998 law provides that the State will revert to the 1997 districting plan upon a favorable decision of this Court...this case is not moot”). When it is clear that a change in law is temporary or contingent, a concern over evading review might arise. *See City News & Novelty v. City*

³ a request for fees and costs is “insufficient to create an Article III case or controversy where none exists on the merits of the underlying claim.” *Lewis v. Cont’l Bank Corp.*, 494 U.S. 472, 480 (1990)

of *Waukesha*, 531 U.S. 278, 284 n.1 (2001). For example, in *Thomas v. Bryant*, the case was *not* moot where the legislature adopted new district boundaries but explicitly stated that “it will restore the challenged boundaries if it ‘prevails’” on appeal. *Thomas*, 938 F.3d at 144. That is not the case here, where the County Commissioners’ Court has expressly found that the best interests of the people of Galveston County are served by the new boundaries. *See* Exhibit A. Therefore, under the new map, there is no “capable of repetition, yet evading review” concern. *See Preiser v. Newkirk*, 422 U.S. 395, 403 (1975) (after inmate was transferred to minimum security facility, there was “no reasonable expectation that the wrong will be repeated”).

II. Standing

Plaintiffs have no standing to challenge the new precinct boundaries.⁴

Article III standing requires the plaintiff to identify a concrete and imminent intrusion upon a legally protected interest, one that is not conjectural or hypothetical. *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560 (1992). In *Daves v. Dallas County*, the Fifth Circuit held that Texas’ new bail-reform legislation mooted the plaintiffs’ case, which was brought to challenge old Texas procedures. *Daves v. Dallas Cty.*, 64 F.4th 616, 625 (5th Cir. 2023) (en banc). The Court held that ruling on the new law based on evidence generated from pre-amendment procedures “would constitute no more than an advisory opinion.” *Id.* The plaintiffs in *Daves* had not been subject to those new procedures, so that “their ability to pursue th[e] litigation for ongoing injunctive relief as injured parties, much

⁴ Defendants previously briefed that the Plaintiffs lack standing because they only sought relief for a political coalition. ECF 289 at 7-9.

less class representatives” was called into question. *Id.* The case was moot, because there was no longer a live issue to resolve, “or the parties lack a legally cognizable interest in the outcome.” *Id.* (quotation omitted).

Because Plaintiffs’ challenge is to a now-replaced 2021 Map, the matter is moot, and should be dismissed.

Respectfully Submitted,

PUBLIC INTEREST LEGAL
FOUNDATION

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Federal Bar No. 1319
Tex. Bar No. 15244800
J. Christian Adams
South Carolina Bar No. 7136
Virginia Bar No. 42543
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GREER, HERZ & ADAMS, L.L.P.

By: /s/ Angie Olalde

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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2026, I served the foregoing via email on all counsel of record in this case.

/s/ Angie Olalde

Tab J:

**March 2026 Galveston Election
Results**

Cumulative Results Report

Election Night Results

Run Time 1:58 PM
Run Date 03/12/2026

Galveston County

2026 Primary Election

3/3/2026
Page 1

Official Results

Registered Voters
58399 of 0 = 0.00%

Precincts Reporting
91 of 91 = 100.00%

United States Senator - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Anna Bender		9	1.10%	318	1.41%	156	1.60%	483	1.46%
Gulrez "Gus" Khan		5	0.61%	114	0.50%	42	0.43%	161	0.49%
Ken Paxton		230	28.12%	9,894	43.77%	4,357	44.72%	14,481	43.66%
John O. Adefope		1	0.12%	52	0.23%	35	0.36%	88	0.27%
Virgil John Bierschwale		1	0.12%	65	0.29%	23	0.24%	89	0.27%
John Cornyn		476	58.19%	8,626	38.16%	3,457	35.48%	12,559	37.87%
Sara Canady		14	1.71%	229	1.01%	126	1.29%	369	1.11%
Wesley Hunt		82	10.02%	3,305	14.62%	1,547	15.88%	4,934	14.88%
Cast Votes:		818	100.00%	22,603	100.00%	9,743	100.00%	33,164	100.00%
Overvotes:		3		0		0		3	

United States Representative, District 14 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Jessica Forgy		82	10.21%	2,458	11.07%	1,392	14.77%	3,932	12.13%
Randy Weber		721	89.79%	19,743	88.93%	8,032	85.23%	28,496	87.87%
Cast Votes:		803	100.00%	22,201	100.00%	9,424	100.00%	32,428	100.00%
Overvotes:		1		0		0		1	

Governor - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Stephen Samuelson		2	0.24%	229	1.02%	128	1.32%	359	1.09%
Arturo Espinosa		2	0.24%	212	0.94%	103	1.06%	317	0.96%
Kenneth Hyde		5	0.60%	180	0.80%	83	0.86%	268	0.81%
Greg Abbott		749	89.49%	18,642	82.76%	7,886	81.34%	27,277	82.51%
Nathaniel Welch		3	0.36%	179	0.79%	82	0.85%	264	0.80%
R.F. "Bob" Achgill		5	0.60%	111	0.49%	52	0.54%	168	0.51%
Ronnie Tullos		2	0.24%	98	0.44%	56	0.58%	156	0.47%
Charles Andrew Crouch		3	0.36%	169	0.75%	87	0.90%	259	0.78%
Pete "Doc" Chambers		31	3.70%	2,352	10.44%	1,060	10.93%	3,443	10.42%
Mark V. Goloby		5	0.60%	33	0.15%	15	0.15%	53	0.16%
Evelyn Brooks		30	3.58%	321	1.43%	143	1.47%	494	1.49%
Cast Votes:		837	100.00%	22,526	100.00%	9,695	100.00%	33,058	100.00%
Overvotes:		0		0		0		0	

Cumulative Results Report

Election Night Results

Run Time 1:58 PM

Run Date 03/12/2026

Galveston County

2026 Primary Election

3/3/2026

Page 2

Official Results**Registered Voters**

58399 of 0 = 0.00%

Precincts Reporting

91 of 91 = 100.00%

Lieutenant Governor - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Perla Muñoz Hopkins		30	3.60%	1,038	4.67%	531	5.58%	1,599	4.91%
Esala Wueschner		10	1.20%	198	0.89%	105	1.10%	313	0.96%
Timothy Mabry		65	7.80%	1,919	8.63%	952	10.00%	2,936	9.01%
Dan Patrick		728	87.39%	19,087	85.82%	7,930	83.32%	27,745	85.13%
Cast Votes:		833	100.00%	22,242	100.00%	9,518	100.00%	32,593	100.00%
Overvotes:		1		0		0		1	

Attorney General - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Mayes Middleton		547	65.82%	14,144	63.11%	5,337	56.00%	20,028	61.11%
Chip Roy		155	18.65%	3,554	15.86%	2,103	22.06%	5,812	17.73%
Aaron Reitz		60	7.22%	2,860	12.76%	1,026	10.76%	3,946	12.04%
Joan Huffman		69	8.30%	1,854	8.27%	1,065	11.17%	2,988	9.12%
Cast Votes:		831	100.00%	22,412	100.00%	9,531	100.00%	32,774	100.00%
Overvotes:		3		0		0		3	

Comptroller of Public Accounts - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Christi Craddick		170	20.83%	2,965	13.54%	1,310	14.16%	4,445	13.91%
Michael Berlanga		21	2.57%	557	2.54%	391	4.23%	969	3.03%
Don Huffines		449	55.02%	14,602	66.71%	5,514	59.59%	20,565	64.35%
Kelly Hancock		176	21.57%	3,766	17.20%	2,038	22.03%	5,980	18.71%
Cast Votes:		816	100.00%	21,890	100.00%	9,253	100.00%	31,959	100.00%
Overvotes:		0		0		0		0	

Commissioner of the General Land Office - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Dawn Buckingham		668	100.00%	19,489	100.00%	8,409	100.00%	28,566	100.00%
Cast Votes:		668	100.00%	19,489	100.00%	8,409	100.00%	28,566	100.00%
Overvotes:		0		0		0		0	

Commissioner of Agriculture - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Nate Sheets		421	54.04%	12,398	59.23%	4,861	55.62%	17,680	58.06%
Sid Miller		358	45.96%	8,534	40.77%	3,879	44.38%	12,771	41.94%
Cast Votes:		779	100.00%	20,932	100.00%	8,740	100.00%	30,451	100.00%
Overvotes:		1		0		0		1	

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Railroad Commissioner - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Katherine Culbert		60	7.66%	2,303	11.15%	1,315	15.33%	3,678	12.26%
Jim Wright		260	33.21%	4,947	23.96%	2,349	27.39%	7,556	25.18%
Hawk Dunlap		40	5.11%	1,067	5.17%	575	6.70%	1,682	5.60%
Bo French		331	42.27%	8,844	42.83%	2,482	28.94%	11,657	38.84%
James (Jim) Matlock		92	11.75%	3,489	16.90%	1,856	21.64%	5,437	18.12%
Cast Votes:		783	100.00%	20,650	100.00%	8,577	100.00%	30,010	100.00%
Overvotes:		0		0		0		0	

Chief Justice, Supreme Court - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Jimmy Blacklock		659	100.00%	19,108	100.00%	8,233	100.00%	28,000	100.00%
Cast Votes:		659	100.00%	19,108	100.00%	8,233	100.00%	28,000	100.00%
Overvotes:		0		0		0		0	

Justice, Supreme Court, Place 2, Unexpired Term - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
James P. Sullivan		656	100.00%	19,075	100.00%	8,207	100.00%	27,938	100.00%
Cast Votes:		656	100.00%	19,075	100.00%	8,207	100.00%	27,938	100.00%
Overvotes:		0		0		0		0	

Justice, Supreme Court, Place 7 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Kyle Hawkins		652	100.00%	18,931	100.00%	8,156	100.00%	27,739	100.00%
Cast Votes:		652	100.00%	18,931	100.00%	8,156	100.00%	27,739	100.00%
Overvotes:		0		0		0		0	

Justice, Supreme Court, Place 8 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Brett Busby		652	100.00%	18,894	100.00%	8,126	100.00%	27,672	100.00%
Cast Votes:		652	100.00%	18,894	100.00%	8,126	100.00%	27,672	100.00%
Overvotes:		0		0		0		0	

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Judge, Court of Criminal Appeals, Place 3 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Brent Coffee		98	13.10%	2,824	14.34%	1,533	18.86%	4,455	15.59%
Thomas Smith		225	30.08%	5,324	27.04%	2,172	26.72%	7,721	27.03%
Lesli Fitzpatrick		97	12.97%	2,851	14.48%	1,636	20.12%	4,584	16.05%
Alison Fox		328	43.85%	8,691	44.14%	2,789	34.31%	11,808	41.33%
Cast Votes:		748	100.00%	19,690	100.00%	8,130	100.00%	28,568	100.00%
Overvotes:		2		0		0		2	

Judge, Court of Criminal Appeals, Place 4 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Kevin Patrick Yeary		648	100.00%	18,566	100.00%	7,900	100.00%	27,114	100.00%
Cast Votes:		648	100.00%	18,566	100.00%	7,900	100.00%	27,114	100.00%
Overvotes:		0		0		0		0	

Judge, Court of Criminal Appeals, Place 9 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Jennifer Balido		246	33.38%	5,861	29.65%	2,560	31.35%	8,667	30.23%
John Messinger		491	66.62%	13,905	70.35%	5,607	68.65%	20,003	69.77%
Cast Votes:		737	100.00%	19,766	100.00%	8,167	100.00%	28,670	100.00%
Overvotes:		13		0		0		13	

Member, State Board of Education, District 7 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Julie Pickren		568	100.00%	16,952	100.00%	7,210	100.00%	24,730	100.00%
Cast Votes:		568	100.00%	16,952	100.00%	7,210	100.00%	24,730	100.00%
Overvotes:		0		0		0		0	

Member, State Board of Education, District 8 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
George Brian Vachris		2	5.71%	141	23.42%	78	30.59%	221	24.78%
Audrey G. Young		33	94.29%	461	76.58%	177	69.41%	671	75.22%
Cast Votes:		35	100.00%	602	100.00%	255	100.00%	892	100.00%
Overvotes:		0		0		0		0	

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State Senator, District 4 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Charlie Miller		0	0.00%	191	45.05%	86	47.51%	277	45.56%
Brett W. Ligon		3	100.00%	233	54.95%	95	52.49%	331	54.44%
Cast Votes:		3	100.00%	424	100.00%	181	100.00%	608	100.00%
Overvotes:		0		0		0		0	

State Senator, District 11 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Dennis Paul		634	100.00%	18,523	100.00%	7,901	100.00%	27,058	100.00%
Cast Votes:		634	100.00%	18,523	100.00%	7,901	100.00%	27,058	100.00%
Overvotes:		0		0		0		0	

State Representative, District 23 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Terri Leo Wilson		185	78.39%	5,200	69.52%	2,033	64.66%	7,418	68.31%
Nathan Watkins		51	21.61%	2,280	30.48%	1,111	35.34%	3,442	31.69%
Cast Votes:		236	100.00%	7,480	100.00%	3,144	100.00%	10,860	100.00%
Overvotes:		0		0		0		0	

State Representative, District 24 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Greg Bonnen		447	100.00%	12,630	100.00%	5,362	100.00%	18,439	100.00%
Cast Votes:		447	100.00%	12,630	100.00%	5,362	100.00%	18,439	100.00%
Overvotes:		0		0		0		0	

Chief Justice, 15th Court of Appeals District - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Scott Brister		625	100.00%	18,509	100.00%	7,886	100.00%	27,020	100.00%
Cast Votes:		625	100.00%	18,509	100.00%	7,886	100.00%	27,020	100.00%
Overvotes:		0		0		0		0	

Justice, 15th Court of Appeals District, Place 2 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Scott K. Field		620	100.00%	18,402	100.00%	7,848	100.00%	26,870	100.00%
Cast Votes:		620	100.00%	18,402	100.00%	7,848	100.00%	26,870	100.00%
Overvotes:		0		0		0		0	

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Justice, 15th Court of Appeals District, Place 3 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
April Farris		622	100.00%	18,308	100.00%	7,799	100.00%	26,729	100.00%
	Cast Votes:	622	100.00%	18,308	100.00%	7,799	100.00%	26,729	100.00%
	Overvotes:	0		0		0		0	

Justice, 1st Court of Appeals District, Place 3 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Malcolm E. Whittaker		139	18.89%	4,294	22.41%	2,194	27.76%	6,627	23.84%
Todd Frankfort		412	55.98%	8,996	46.96%	2,804	35.48%	12,212	43.93%
Elizabeth Ling Urrego		58	7.88%	1,865	9.74%	929	11.75%	2,852	10.26%
Zach Gibson		127	17.26%	4,002	20.89%	1,977	25.01%	6,106	21.97%
	Cast Votes:	736	100.00%	19,157	100.00%	7,904	100.00%	27,797	100.00%
	Overvotes:	1		0		0		1	

Justice, 1st Court of Appeals District, Place 4 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
David Gunn		621	100.00%	18,246	100.00%	7,770	100.00%	26,637	100.00%
	Cast Votes:	621	100.00%	18,246	100.00%	7,770	100.00%	26,637	100.00%
	Overvotes:	0		0		0		0	

Justice, 1st Court of Appeals District, Place 5 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Jessica Caird		614	100.00%	18,116	100.00%	7,706	100.00%	26,436	100.00%
	Cast Votes:	614	100.00%	18,116	100.00%	7,706	100.00%	26,436	100.00%
	Overvotes:	0		0		0		0	

Chief Justice, 14th Court of Appeals District - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Kevin Jewell		612	100.00%	18,103	100.00%	7,713	100.00%	26,428	100.00%
	Cast Votes:	612	100.00%	18,103	100.00%	7,713	100.00%	26,428	100.00%
	Overvotes:	0		0		0		0	

Justice, 14th Court of Appeals District, Place 7 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Ken Wise		611	100.00%	18,227	100.00%	7,764	100.00%	26,602	100.00%
	Cast Votes:	611	100.00%	18,227	100.00%	7,764	100.00%	26,602	100.00%
	Overvotes:	0		0		0		0	

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District Judge, 122nd Judicial District - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Jeth Jones		595	100.00%	18,408	100.00%	7,813	100.00%	26,816	100.00%
	Cast Votes:	595	100.00%	18,408	100.00%	7,813	100.00%	26,816	100.00%
	Overvotes:	0		0		0		0	

District Judge, 212th Judicial District - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Patricia Grady		602	100.00%	18,415	100.00%	7,763	100.00%	26,780	100.00%
	Cast Votes:	602	100.00%	18,415	100.00%	7,763	100.00%	26,780	100.00%
	Overvotes:	0		0		0		0	

District Judge, 306th Judicial District - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Emily A. Fisher		601	100.00%	18,297	100.00%	7,713	100.00%	26,611	100.00%
	Cast Votes:	601	100.00%	18,297	100.00%	7,713	100.00%	26,611	100.00%
	Overvotes:	0		0		0		0	

Criminal District Attorney Galveston County - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Jennifer Ott		270	35.29%	8,619	39.57%	4,265	46.95%	13,154	41.58%
Kenneth Cusick		495	64.71%	13,165	60.43%	4,820	53.05%	18,480	58.42%
	Cast Votes:	765	100.00%	21,784	100.00%	9,085	100.00%	31,634	100.00%
	Overvotes:	2		0		0		2	

County Judge - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Chris Kinard		166	21.81%	7,067	32.57%	3,658	40.63%	10,891	34.62%
Mark Henry		595	78.19%	14,628	67.43%	5,345	59.37%	20,568	65.38%
	Cast Votes:	761	100.00%	21,695	100.00%	9,003	100.00%	31,459	100.00%
	Overvotes:	2		0		0		2	

Judge, County Court at Law No. 1 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
John Grady		596	100.00%	18,546	100.00%	7,860	100.00%	27,002	100.00%
	Cast Votes:	596	100.00%	18,546	100.00%	7,860	100.00%	27,002	100.00%
	Overvotes:	0		0		0		0	

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Judge, County Court at Law No. 2 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Kerri Foley		597	100.00%	18,353	100.00%	7,770	100.00%	26,720	100.00%
	Cast Votes:	597	100.00%	18,353	100.00%	7,770	100.00%	26,720	100.00%
	Overvotes:	0		0		0		0	

Judge, County Court at Law No. 3 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Jack Ewing		598	100.00%	18,418	100.00%	7,773	100.00%	26,789	100.00%
	Cast Votes:	598	100.00%	18,418	100.00%	7,773	100.00%	26,789	100.00%
	Overvotes:	0		0		0		0	

Judge, County Probate Court - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Kim Sullivan		602	100.00%	18,410	100.00%	7,793	100.00%	26,805	100.00%
	Cast Votes:	602	100.00%	18,410	100.00%	7,793	100.00%	26,805	100.00%
	Overvotes:	0		0		0		0	

District Clerk - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Samantha Morris		466	62.30%	11,728	55.18%	4,221	47.84%	16,415	53.25%
John D. Kinard		282	37.70%	9,527	44.82%	4,602	52.16%	14,411	46.75%
	Cast Votes:	748	100.00%	21,255	100.00%	8,823	100.00%	30,826	100.00%
	Overvotes:	2		0		0		2	

County Clerk - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Dwight Sullivan		623	100.00%	18,588	100.00%	7,875	100.00%	27,086	100.00%
	Cast Votes:	623	100.00%	18,588	100.00%	7,875	100.00%	27,086	100.00%
	Overvotes:	0		0		0		0	

County Commissioner, Precinct No. 2 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Joe Giusti		144	100.00%	4,960	100.00%	1,901	100.00%	7,005	100.00%
	Cast Votes:	144	100.00%	4,960	100.00%	1,901	100.00%	7,005	100.00%
	Overvotes:	0		0		0		0	

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County Commissioner, Precinct No. 4 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Robin Armstrong		124	100.00%	4,838	100.00%	2,152	100.00%	7,114	100.00%
	Cast Votes:	124	100.00%	4,838	100.00%	2,152	100.00%	7,114	100.00%
	Overvotes:	0		0		0		0	

Justice of the Peace, Precinct No. 1 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Greg Rikard		177	100.00%	4,732	100.00%	2,089	100.00%	6,998	100.00%
	Cast Votes:	177	100.00%	4,732	100.00%	2,089	100.00%	6,998	100.00%
	Overvotes:	0		0		0		0	

Justice of the Peace, Precinct No. 2 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
D. Blake Apffel		212	100.00%	7,166	100.00%	2,842	100.00%	10,220	100.00%
	Cast Votes:	212	100.00%	7,166	100.00%	2,842	100.00%	10,220	100.00%
	Overvotes:	0		0		0		0	

County Chair - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
W. Brad Boney		603	100.00%	18,257	100.00%	7,741	100.00%	26,601	100.00%
	Cast Votes:	603	100.00%	18,257	100.00%	7,741	100.00%	26,601	100.00%
	Overvotes:	0		0		0		0	

Precinct Chair, Precinct 166 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Kurt Otten		5	38.46%	167	49.85%	78	50.32%	250	49.70%
Alison L. Putman		8	61.54%	168	50.15%	77	49.68%	253	50.30%
	Cast Votes:	13	100.00%	335	100.00%	155	100.00%	503	100.00%
	Overvotes:	0		0		0		0	

Precinct Chair, Precinct 204 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Danny Kitchens		3	100.00%	143	80.34%	65	81.25%	211	80.84%
Donald G. Floyd		0	0.00%	35	19.66%	15	18.75%	50	19.16%
	Cast Votes:	3	100.00%	178	100.00%	80	100.00%	261	100.00%
	Overvotes:	0		0		0		0	

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Precinct Chair, Precinct 276 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Sandra Jones Tetley		4	33.33%	109	40.67%	36	40.45%	149	40.38%
Keven Healy		8	66.67%	159	59.33%	53	59.55%	220	59.62%
Cast Votes:		12	100.00%	268	100.00%	89	100.00%	369	100.00%
Overvotes:		0		0		0		0	

Precinct Chair, Precinct 356 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Kathy Rogers		14	73.68%	281	65.81%	97	58.79%	392	64.16%
Santos Venegas		5	26.32%	146	34.19%	68	41.21%	219	35.84%
Cast Votes:		19	100.00%	427	100.00%	165	100.00%	611	100.00%
Overvotes:		0		0		0		0	

Precinct Chair, Precinct 363 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Lanette Lashway		9	47.37%	101	33.89%	31	27.93%	141	32.94%
Jason Long		10	52.63%	197	66.11%	80	72.07%	287	67.06%
Cast Votes:		19	100.00%	298	100.00%	111	100.00%	428	100.00%
Overvotes:		0		0		0		0	

Precinct Chair, Precinct 419 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Jeff Summers		0	0.00%	134	72.83%	63	57.27%	197	66.55%
Nicholas Roque		2	100.00%	50	27.17%	47	42.73%	99	33.45%
Cast Votes:		2	100.00%	184	100.00%	110	100.00%	296	100.00%
Overvotes:		0		0		0		0	

Precinct Chair, Precinct 428 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Brad Bricker		10	71.43%	405	77.88%	136	80.00%	551	78.27%
Melencio Villarreal		4	28.57%	115	22.12%	34	20.00%	153	21.73%
Cast Votes:		14	100.00%	520	100.00%	170	100.00%	704	100.00%
Overvotes:		0		0		0		0	

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Precinct Chair, Precinct 483 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Carol K. Dean		3	37.50%	109	41.44%	39	30.23%	151	37.75%
Bruce Henderson		5	62.50%	154	58.56%	90	69.77%	249	62.25%
Cast Votes:		8	100.00%	263	100.00%	129	100.00%	400	100.00%
Overvotes:		0		0		0		0	

Precinct Chair, Precinct 495 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Dave Smith		6	46.15%	76	33.63%	46	38.98%	128	35.85%
Michael P. Ross		7	53.85%	150	66.37%	72	61.02%	229	64.15%
Cast Votes:		13	100.00%	226	100.00%	118	100.00%	357	100.00%
Overvotes:		0		0		0		0	

Proposition 1 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		647	80.47%	19,785	88.83%	8,665	90.28%	29,097	89.05%
NO		157	19.53%	2,489	11.17%	933	9.72%	3,579	10.95%
Cast Votes:		804	100.00%	22,274	100.00%	9,598	100.00%	32,676	100.00%
Overvotes:		2		0		0		2	

Proposition 2 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		756	91.30%	21,320	94.40%	9,237	94.84%	31,313	94.45%
NO		72	8.70%	1,264	5.60%	503	5.16%	1,839	5.55%
Cast Votes:		828	100.00%	22,584	100.00%	9,740	100.00%	33,152	100.00%
Overvotes:		2		0		0		2	

Proposition 3 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		540	65.93%	16,755	74.60%	6,965	71.76%	24,260	73.55%
NO		279	34.07%	5,705	25.40%	2,741	28.24%	8,725	26.45%
Cast Votes:		819	100.00%	22,460	100.00%	9,706	100.00%	32,985	100.00%
Overvotes:		7		0		0		7	

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Proposition 4 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		652	79.51%	18,528	83.11%	8,076	83.87%	27,256	83.24%
NO		168	20.49%	3,765	16.89%	1,553	16.13%	5,486	16.76%
Cast Votes:		820	100.00%	22,293	100.00%	9,629	100.00%	32,742	100.00%
Overvotes:		1		0		0		1	

Proposition 5 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		737	88.90%	20,208	89.80%	8,679	89.31%	29,624	89.63%
NO		92	11.10%	2,295	10.20%	1,039	10.69%	3,426	10.37%
Cast Votes:		829	100.00%	22,503	100.00%	9,718	100.00%	33,050	100.00%
Overvotes:		0		0		0		0	

Proposition 6 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		699	84.42%	20,440	90.81%	8,927	92.04%	30,066	91.01%
NO		129	15.58%	2,069	9.19%	772	7.96%	2,970	8.99%
Cast Votes:		828	100.00%	22,509	100.00%	9,699	100.00%	33,036	100.00%
Overvotes:		1		0		0		1	

Proposition 7 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		742	90.71%	20,415	92.54%	8,726	92.81%	29,883	92.57%
NO		76	9.29%	1,646	7.46%	676	7.19%	2,398	7.43%
Cast Votes:		818	100.00%	22,061	100.00%	9,402	100.00%	32,281	100.00%
Overvotes:		0		0		0		0	

Proposition 8 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		748	90.45%	20,996	93.48%	9,030	93.06%	30,774	93.28%
NO		79	9.55%	1,465	6.52%	673	6.94%	2,217	6.72%
Cast Votes:		827	100.00%	22,461	100.00%	9,703	100.00%	32,991	100.00%
Overvotes:		0		0		0		0	

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Proposition 9 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		605	73.51%	17,979	81.07%	7,645	80.10%	26,229	80.60%
NO		218	26.49%	4,197	18.93%	1,899	19.90%	6,314	19.40%
Cast Votes:		823	100.00%	22,176	100.00%	9,544	100.00%	32,543	100.00%
Overvotes:		0		0		0		0	

Proposition 10 - Republican Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
YES		771	93.45%	20,935	95.04%	8,936	94.84%	30,642	94.94%
NO		54	6.55%	1,093	4.96%	486	5.16%	1,633	5.06%
Cast Votes:		825	100.00%	22,028	100.00%	9,422	100.00%	32,275	100.00%
Overvotes:		0		0		0		0	

United States Senator - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Ahmad R. Hassan		14	1.45%	185	1.17%	123	1.61%	322	1.31%
Jasmine Crockett		510	52.85%	7,705	48.53%	3,672	47.97%	11,887	48.53%
James Talarico		441	45.70%	7,986	50.30%	3,859	50.42%	12,286	50.16%
Cast Votes:		965	100.00%	15,876	100.00%	7,654	100.00%	24,495	100.00%
Overvotes:		2		0		0		2	

United States Representative, District 14 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Thurman Bill Bartie		214	24.51%	3,303	22.84%	1,552	22.84%	5,069	22.91%
Richard H. Davis		387	44.33%	6,630	45.84%	3,344	49.22%	10,361	46.82%
Konstantinos Vogiatzis		272	31.16%	4,529	31.32%	1,898	27.94%	6,699	30.27%
Cast Votes:		873	100.00%	14,462	100.00%	6,794	100.00%	22,129	100.00%
Overvotes:		1		0		0		1	

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Governor - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Gina Hinojosa		533	56.11%	9,152	60.07%	3,884	54.03%	13,569	58.05%
Angela "TíaAngie" Villescaz		26	2.74%	758	4.98%	546	7.59%	1,330	5.69%
Carlton W. Hart		19	2.00%	346	2.27%	213	2.96%	578	2.47%
Patricia Abrego		33	3.47%	707	4.64%	433	6.02%	1,173	5.02%
Andrew White		66	6.95%	616	4.04%	308	4.28%	990	4.24%
Jose Navarro Balbuena		12	1.26%	242	1.59%	196	2.73%	450	1.93%
Chris Bell		220	23.16%	2,671	17.53%	1,234	17.17%	4,125	17.65%
Bobby Cole		32	3.37%	674	4.42%	323	4.49%	1,029	4.40%
Zach Vance		9	0.95%	69	0.45%	52	0.72%	130	0.56%
Cast Votes:		950	100.00%	15,235	100.00%	7,189	100.00%	23,374	100.00%
Overvotes:		3		0		0		3	

Lieutenant Governor - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Courtney Head		182	19.61%	3,435	23.33%	1,942	28.17%	5,559	24.66%
Vikki Goodwin		544	58.62%	8,023	54.49%	3,295	47.80%	11,862	52.62%
Marcos Isaias Velez		202	21.77%	3,265	22.18%	1,656	24.02%	5,123	22.72%
Cast Votes:		928	100.00%	14,723	100.00%	6,893	100.00%	22,544	100.00%
Overvotes:		0		0		0		0	

Attorney General - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Anthony "Tony" Box		144	15.05%	2,665	17.82%	1,649	23.77%	4,458	19.51%
Nathan Johnson		281	29.36%	4,730	31.62%	2,470	35.61%	7,481	32.74%
Joe Jaworski		532	55.59%	7,562	50.56%	2,817	40.61%	10,911	47.75%
Cast Votes:		957	100.00%	14,957	100.00%	6,936	100.00%	22,850	100.00%
Overvotes:		3		0		0		3	

Comptroller of Public Accounts - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Savant Moore		201	21.99%	3,372	23.49%	1,542	23.18%	5,115	23.33%
Sarah Eckhardt		582	63.68%	8,605	59.94%	4,031	60.59%	13,218	60.29%
Michael Lange		131	14.33%	2,379	16.57%	1,080	16.23%	3,590	16.38%
Cast Votes:		914	100.00%	14,356	100.00%	6,653	100.00%	21,923	100.00%
Overvotes:		1		0		0		1	

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Commissioner of General Land Office - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Jose Loya		435	48.55%	6,501	45.68%	3,141	47.65%	10,077	46.40%
Benjamin Flores		461	51.45%	7,730	54.32%	3,451	52.35%	11,642	53.60%
Cast Votes:		896	100.00%	14,231	100.00%	6,592	100.00%	21,719	100.00%
Overvotes:		1		0		0		1	

Commissioner of Agriculture - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Clayton Tucker		850	100.00%	13,847	100.00%	6,480	100.00%	21,177	100.00%
Cast Votes:		850	100.00%	13,847	100.00%	6,480	100.00%	21,177	100.00%
Overvotes:		0		0		0		0	

Railroad Commissioner - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Jon Rosenthal		844	100.00%	13,650	100.00%	6,387	100.00%	20,881	100.00%
Cast Votes:		844	100.00%	13,650	100.00%	6,387	100.00%	20,881	100.00%
Overvotes:		0		0		0		0	

Chief Justice, Supreme Court - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Cory L. Carlyle		208	22.83%	3,081	21.24%	1,496	22.16%	4,785	21.58%
Maggie Ellis		703	77.17%	11,427	78.76%	5,256	77.84%	17,386	78.42%
Cast Votes:		911	100.00%	14,508	100.00%	6,752	100.00%	22,171	100.00%
Overvotes:		0		0		0		0	

Justice, Supreme Court, Place 2, Unexpired Term - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Chari Kelly		845	100.00%	13,770	100.00%	6,426	100.00%	21,041	100.00%
Cast Votes:		845	100.00%	13,770	100.00%	6,426	100.00%	21,041	100.00%
Overvotes:		0		0		0		0	

Justice, Supreme Court, Place 7 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Gordon Goodman		197	21.74%	3,200	22.29%	1,592	23.92%	4,989	22.77%
Kristen Hawkins		709	78.26%	11,153	77.71%	5,063	76.08%	16,925	77.23%
Cast Votes:		906	100.00%	14,353	100.00%	6,655	100.00%	21,914	100.00%
Overvotes:		0		0		0		0	

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Justice, Supreme Court, Place 8 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Gisela D. Triana		833	100.00%	13,766	100.00%	6,382	100.00%	20,981	100.00%
	Cast Votes:	833	100.00%	13,766	100.00%	6,382	100.00%	20,981	100.00%
	Overvotes:	0		0		0		0	

Judge, Court of Criminal Appeals, Place 3 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Okey Anyiam		833	100.00%	13,622	100.00%	6,318	100.00%	20,773	100.00%
	Cast Votes:	833	100.00%	13,622	100.00%	6,318	100.00%	20,773	100.00%
	Overvotes:	0		0		0		0	

Judge, Court of Criminal Appeals, Place 4 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Audra Riley		838	100.00%	13,658	100.00%	6,353	100.00%	20,849	100.00%
	Cast Votes:	838	100.00%	13,658	100.00%	6,353	100.00%	20,849	100.00%
	Overvotes:	0		0		0		0	

Judge, Court of Criminal Appeals, Place 9 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Holly Taylor		839	100.00%	13,675	100.00%	6,353	100.00%	20,867	100.00%
	Cast Votes:	839	100.00%	13,675	100.00%	6,353	100.00%	20,867	100.00%
	Overvotes:	0		0		0		0	

Member, State Board of Education, District 7 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Ben Estrada		164	20.22%	2,798	20.73%	1,444	23.16%	4,406	21.45%
Debra Drake Ambroise		161	19.85%	3,531	26.17%	1,515	24.29%	5,207	25.35%
Janell Burse		102	12.58%	1,593	11.80%	857	13.74%	2,552	12.42%
Tiffany Perkinz		297	36.62%	4,493	33.29%	1,887	30.26%	6,677	32.50%
Adam Khan		87	10.73%	1,080	8.00%	533	8.55%	1,700	8.28%
	Cast Votes:	811	100.00%	13,495	100.00%	6,236	100.00%	20,542	100.00%
	Overvotes:	2		0		0		2	

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Member, State Board of Education, District 8 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Shahzeb Meghani		2	20.00%	66	24.81%	33	24.63%	101	24.63%
Dana Van De Walker		8	80.00%	200	75.19%	101	75.37%	309	75.37%
Cast Votes:		10	100.00%	266	100.00%	134	100.00%	410	100.00%
Overvotes:		0		0		0		0	

State Senator, District 4 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Ron C. Angeletti		3	100.00%	81	100.00%	20	100.00%	104	100.00%
Cast Votes:		3	100.00%	81	100.00%	20	100.00%	104	100.00%
Overvotes:		0		0		0		0	

State Senator, District 11 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Cameron A. Rollwitz		239	27.50%	3,793	27.05%	2,003	30.89%	6,035	28.23%
Shannon Dicely		630	72.50%	10,231	72.95%	4,482	69.11%	15,343	71.77%
Cast Votes:		869	100.00%	14,024	100.00%	6,485	100.00%	21,378	100.00%
Overvotes:		0		0		0		0	

State Representative, District 23 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Cheryl Lynn Clark		223	59.15%	4,124	65.49%	2,124	71.39%	6,471	67.06%
Sean Foley		154	40.85%	2,173	34.51%	851	28.61%	3,178	32.94%
Cast Votes:		377	100.00%	6,297	100.00%	2,975	100.00%	9,649	100.00%
Overvotes:		0		0		0		0	

State Representative, District 24 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Frank N Carr		456	100.00%	7,511	100.00%	3,395	100.00%	11,362	100.00%
Cast Votes:		456	100.00%	7,511	100.00%	3,395	100.00%	11,362	100.00%
Overvotes:		0		0		0		0	

Chief Justice, 15th Court of Appeals District - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Jerry Zimmerer		819	100.00%	13,358	100.00%	6,169	100.00%	20,346	100.00%
Cast Votes:		819	100.00%	13,358	100.00%	6,169	100.00%	20,346	100.00%
Overvotes:		0		0		0		0	

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Justice, 15th Court of Appeals District, Place 2 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Tom Baker		818	100.00%	13,345	100.00%	6,159	100.00%	20,322	100.00%
	Cast Votes:	818	100.00%	13,345	100.00%	6,159	100.00%	20,322	100.00%
	Overvotes:	0		0		0		0	

Justice, 15th Court of Appeals District, Place 3 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Marc M. Meyer		812	100.00%	13,318	100.00%	6,130	100.00%	20,260	100.00%
	Cast Votes:	812	100.00%	13,318	100.00%	6,130	100.00%	20,260	100.00%
	Overvotes:	0		0		0		0	

Justice, 1st Court of Appeals District, Place 3 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Veronica Rivas-Molloy		813	100.00%	13,479	100.00%	6,231	100.00%	20,523	100.00%
	Cast Votes:	813	100.00%	13,479	100.00%	6,231	100.00%	20,523	100.00%
	Overvotes:	0		0		0		0	

Justice, 1st Court of Appeals District, Place 4 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Julie Countiss		811	100.00%	13,364	100.00%	6,173	100.00%	20,348	100.00%
	Cast Votes:	811	100.00%	13,364	100.00%	6,173	100.00%	20,348	100.00%
	Overvotes:	0		0		0		0	

Justice, 1st Court of Appeals District, Place 5 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Amy Guerra		813	100.00%	13,455	100.00%	6,225	100.00%	20,493	100.00%
	Cast Votes:	813	100.00%	13,455	100.00%	6,225	100.00%	20,493	100.00%
	Overvotes:	0		0		0		0	

Chief Justice, 14th Court of Appeals District - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Connie Gonzales		345	39.70%	7,077	50.65%	3,504	54.41%	10,926	51.34%
Sarah Beth Landau		524	60.30%	6,895	49.35%	2,936	45.59%	10,355	48.66%
	Cast Votes:	869	100.00%	13,972	100.00%	6,440	100.00%	21,281	100.00%
	Overvotes:	2		0		0		2	

Cumulative Results Report

Election Night Results

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Run Date 03/12/2026

Galveston County

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Official Results

Registered Voters
58399 of 0 = 0.00%

Precincts Reporting
91 of 91 = 100.00%

Justice, 14th Court of Appeals District, Place 7 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
William Demond		460	54.12%	6,003	44.36%	2,598	41.90%	9,061	44.02%
Michael Adams-Hurta		251	29.53%	4,827	35.67%	2,290	36.94%	7,368	35.80%
Derek Obialo		139	16.35%	2,702	19.97%	1,312	21.16%	4,153	20.18%
Cast Votes:		850	100.00%	13,532	100.00%	6,200	100.00%	20,582	100.00%
Overvotes:		3		0		0		3	

County Judge - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Albert Al Smith		788	100.00%	13,394	100.00%	6,209	100.00%	20,391	100.00%
Cast Votes:		788	100.00%	13,394	100.00%	6,209	100.00%	20,391	100.00%
Overvotes:		0		0		0		0	

Justice of the Peace, Precinct No. 3 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Billy A. Williams, Jr		215	100.00%	2,462	100.00%	1,118	100.00%	3,795	100.00%
Cast Votes:		215	100.00%	2,462	100.00%	1,118	100.00%	3,795	100.00%
Overvotes:		0		0		0		0	

County Chair - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
CJ Beard		374	45.01%	5,099	36.49%	2,212	34.11%	7,685	36.10%
Tierr'ishia W. Bell		457	54.99%	8,874	63.51%	4,272	65.89%	13,603	63.90%
Cast Votes:		831	100.00%	13,973	100.00%	6,484	100.00%	21,288	100.00%
Overvotes:		1		0		0		1	

Proposition 1 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		965	97.97%	15,387	98.24%	7,370	97.75%	23,722	98.07%
No		20	2.03%	276	1.76%	170	2.25%	466	1.93%
Cast Votes:		985	100.00%	15,663	100.00%	7,540	100.00%	24,188	100.00%
Overvotes:		0		0		0		0	

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Registered Voters

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Precincts Reporting

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Proposition 2 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		955	97.25%	15,346	97.93%	7,348	97.62%	23,649	97.81%
No		27	2.75%	324	2.07%	179	2.38%	530	2.19%
Cast Votes:		982	100.00%	15,670	100.00%	7,527	100.00%	24,179	100.00%
Overvotes:		0		0		0		0	

Proposition 3 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		958	97.46%	15,317	97.60%	7,362	97.45%	23,637	97.54%
No		25	2.54%	377	2.40%	193	2.55%	595	2.46%
Cast Votes:		983	100.00%	15,694	100.00%	7,555	100.00%	24,232	100.00%
Overvotes:		2		0		0		2	

Proposition 4 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		954	97.85%	15,278	97.86%	7,315	97.51%	23,547	97.75%
No		21	2.15%	334	2.14%	187	2.49%	542	2.25%
Cast Votes:		975	100.00%	15,612	100.00%	7,502	100.00%	24,089	100.00%
Overvotes:		0		0		0		0	

Proposition 5 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		948	97.33%	14,997	96.46%	7,144	95.83%	23,089	96.30%
No		26	2.67%	551	3.54%	311	4.17%	888	3.70%
Cast Votes:		974	100.00%	15,548	100.00%	7,455	100.00%	23,977	100.00%
Overvotes:		2		0		0		2	

Proposition 6 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		918	93.77%	15,054	96.48%	7,155	95.36%	23,127	96.02%
No		61	6.23%	550	3.52%	348	4.64%	959	3.98%
Cast Votes:		979	100.00%	15,604	100.00%	7,503	100.00%	24,086	100.00%
Overvotes:		0		0		0		0	

Cumulative Results Report

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Official Results

Registered Voters
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Proposition 7 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		979	99.80%	15,637	99.67%	7,520	99.59%	24,136	99.65%
No		2	0.20%	51	0.33%	31	0.41%	84	0.35%
Cast Votes:		981	100.00%	15,688	100.00%	7,551	100.00%	24,220	100.00%
Overvotes:		0		0		0		0	

Proposition 8 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		685	72.03%	12,862	83.57%	6,093	82.23%	19,640	82.69%
No		266	27.97%	2,529	16.43%	1,317	17.77%	4,112	17.31%
Cast Votes:		951	100.00%	15,391	100.00%	7,410	100.00%	23,752	100.00%
Overvotes:		1		0		0		1	

Proposition 9 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		950	97.34%	15,071	96.73%	7,217	96.29%	23,238	96.62%
No		26	2.66%	509	3.27%	278	3.71%	813	3.38%
Cast Votes:		976	100.00%	15,580	100.00%	7,495	100.00%	24,051	100.00%
Overvotes:		0		0		0		0	

Proposition 10 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		929	96.07%	15,070	97.18%	7,166	96.86%	23,165	97.03%
No		38	3.93%	438	2.82%	232	3.14%	708	2.97%
Cast Votes:		967	100.00%	15,508	100.00%	7,398	100.00%	23,873	100.00%
Overvotes:		0		0		0		0	

Proposition 11 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		920	94.85%	14,913	96.21%	7,089	95.28%	22,922	95.86%
No		50	5.15%	588	3.79%	351	4.72%	989	4.14%
Cast Votes:		970	100.00%	15,501	100.00%	7,440	100.00%	23,911	100.00%
Overvotes:		1		0		0		1	

Cumulative Results Report

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Official Results

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Proposition 12 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		948	97.13%	15,105	97.09%	7,212	96.75%	23,265	96.99%
No		28	2.87%	453	2.91%	242	3.25%	723	3.01%
Cast Votes:		976	100.00%	15,558	100.00%	7,454	100.00%	23,988	100.00%
Overvotes:		1		0		0		1	

Proposition 13 - Democratic Party

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		953	98.25%	15,234	97.46%	7,240	96.73%	23,427	97.26%
No		17	1.75%	397	2.54%	245	3.27%	659	2.74%
Cast Votes:		970	100.00%	15,631	100.00%	7,485	100.00%	24,086	100.00%
Overvotes:		0		0		0		0	

*** End of report ***

Tab K:

**November 12, 2021 Commissioners
Court Order Establishing New
Commissioner Precinct
Boundaries**

MINUTES

BE IT REMEMBERED, That on November 12, 2021, Commissioners Court of Galveston County, Texas, met at a special meeting with the following present:

Mark Henry, County Judge

Darrell A. Apffel, Commissioner Precinct 1

Joe Giusti, Commissioner Precinct 2

Stephen D. Holmes, Commissioner Precinct 3

Kenneth Clark, Commissioner Precinct 4 (Absent)

Dwight D. Sullivan, County Clerk by Brandy Chapman, Chief Deputy

CALL TO ORDER

Call to Order by Judge Henry at 1:30 P.M. at the Calder Annex.

PUBLIC COMMENT

No public comment.

CONSENT AGENDA

- *1. Consideration of *approval of cloud-based budget book and capital budgeting services with ClearGov* submitted by the County's Office
- *2. Consideration of *approval of the following budget amendment* submitted by the Auditor's Office:
 - a. 22-038-1109-A
Professional Services - Request increase to Professional Services Cloud Subscription Services for ClearGov subscription funded by General Fund interest revenue received through the American Rescue Plan Stimulus funding. The interest earned on the ARP funds can be used at the County's discretion.

Motion to approve consent agenda items 1-2a by County Judge Henry, seconded by Commissioner Apffel.

Passed: 4-0

Aye: County Judge Henry, Commissioner Apffel, Commissioner Giusti, Commissioner Holmes

Nay: (None)

Absent: Commissioner Clark

ACTION AGENDA

3. County Judge

- a. Consideration of an order establishing new commissioners precinct boundaries

Public Comments: (See Video for comments)

Tom Watkins addressed the Court.

Corlie Jackson addressed the Court.

Rev. Elias D. Bohnse addressed the Court.

Evelyn McDaniel addressed the Court.

Winifred Gilmore addressed the Court.

Deborah Jones addressed the Court.

Amber Ratisseau addressed the Court.

Lillian McGrew addressed the Court.

Barbara Anders addressed the Court.

Dr. Annette Jenkins addressed the Court.

Norman Pappous addressed the Court.

Hannah Melcer addressed the Court.

Edna Courville addressed the Court.

Pastor Jerry Lee addressed the Court.

Henry Gomez addressed the Court.

Wendy Langham addressed the Court.

Nakisha Paul addressed the Court.

Pastor W.H. King, III addressed the Court.

Judith P. Oppenheim addressed the Court.

Mayor Dedrick Johnson addressed the Court.

Heidi Gordon addressed the Court.

Brandon Wyt addressed the Court.

Lucretia Lofton addressed the Court.

Roxy D. Hall Williamson addressed the Court.

Stephanie Swanson addressed the Court.

Rev. D. H. Buford addressed the Court.

Deborah H. Warren addressed the Court.

Mary Stidham addressed the Court.

Tierrishia B. Gibson addressed the Court.

Leon Phillips addressed the Court.

Keith Henry addressed the Court.

Rev. William Randall addressed the Court.

Rev. Timmy L. Sykes addressed the Court.

Linda Alcorn-Arceneaux addressed the Court.

Sharron Lewis addressed the Court.

Ann Willis addressed the Court.

Motion to approve by County Judge Henry, seconded by Commissioner Apffel Order for Map No. 2.

Passed: 3-1

Aye: County Judge Henry, Commissioner Apffel, Commissioner Giusti

Nay: Commissioner Holmes

Absent: Commissioner Clark

ADJOURN

Commissioners Court adjourned at 2:29 P.M. on Friday, November 12, 2021.

AGENDA ITEM #1.



GALVESTON COUNTY, TEXAS COMMISSIONERS COURT Contract Approval Request

To Be Completed By Department							
1. Date of Request: 10/27/2021		2. Contract Type: Expense			3. Renewal Contract: Yes ☒ No ☐		
4. Department Name: County Auditor's Office				5. Department Contact: Madeline Walker, First Assistant			
6. Description: ClearGov offers cloud based Budget Book and Capital Budgeting services.							
7. IFAS PEID No:		8. IFAS Req No:		9. Orgkey: 1101151400		10. Object Code: 5414300	
11. Vendor: ClearGov				12. Vendor Contract No: CM21338			
13. Requested Legal Review: Yes ☒ No ☐ (Explain if No)							
Expenditure Budget / Revenue Projections							
14. Fund Name	15. Fund #	16. Current Year Budgeted	17. Current Year Projected	18. Year 2 Projected	19. Year 3 Projected	20. Year 4 Projected	21. Year 5 Projected
Cloud Based Subscription Services	1101-151400-5414300		21,266.67				
22. Totals:			21,266.67				
To Be Completed By Purchasing Department							
Contract Start Date: 12/1/2021		Auto Renewal Contract: Yes ☐ No ☒		Bid No:			
Contract End Date: 09/30/2022		Contract # Issued By Purchasing: CM21338					

NOTES

Budget Amendment will be on 11/9 agenda.

Approved By:	Digital Signature		
Department Head:	Madeline Walker Digitally signed by Madeline Walker DN: cn=Madeline Walker, o=Galveston County Auditor's Office, ou, email=Madeline.Walker@gco.galveston.tx.us, c=US Date: 2021.08.27 05:31:44 -0500		
Purchasing Agent:	Rufus Crowder Digitally signed by Rufus Crowder Date: 2021.10.27 17:06:35 -0500		
Legal:	Veronica Van Horn Digitally signed by Veronica Van Horn Date: 2021.11.04 14:51:29 -0500		
County Budget Office:	Madeline Walker Contract listed in Budget Documentation: YES ☐ NO ☐ Digitally signed by Madeline Walker DN: cn=Madeline Walker, o=Galveston County Auditor's Office, ou, email=Madeline.Walker@gco.galveston.tx.us, c=US Date: 2021.11.04 14:57:35 -0500		
County Auditor:	Madeline Walker Budget Available and Funds are/will be Available: YES ☒ NO ☐ Digitally signed by Madeline Walker DN: cn=Madeline Walker, o=Galveston County Auditor's Office, ou, email=Madeline.Walker@gco.galveston.tx.us, c=US Date: 2021.11.04 14:57:55 -0500		



2 Mill & Main; Suite 630; Maynard, MA 01754

Service Order

Created by	Kristin Fine
Contact Phone	972-948-2999
Contact Email	kfine@cleargov.com

Order Date	Oct 27, 2021
Order valid if signed by	Nov 16, 2021

Customer Information					
Customer	Galveston County, TX	Contact	Mark Henry	Billing Contact	
Address	722 Moody, 4th Floor	Title	Galveston County Judge	Title	
City, St, Zip	Galveston, Texas, 77550	Email	Mark.Henry@galvestoncountytx.gov	Email	
Phone	409-770-5300			PO # (If any)	

To be clear, you will be billed as follows...

Billing Date(s)	Amount(s)	Notes
Dec 1, 2021	\$ 21,266.67	10 Month Pro-Rata Subscription Fee + Setup Fee
Oct 1, 2022	\$ 20,960.00	Annual Subscription Fee

Additional subscription years and/or renewals will be billed annually in accordance with pricing and terms set forth herein.

ClearGov will provide your Services according to this schedule...

Period	Start Date	End Date	Description
Setup	Dec 1, 2021	Dec 1, 2021	ClearGov Setup Services
Pro-Rata	Dec 1, 2021	Sep 30, 2022	ClearGov Subscription Services
Initial	Oct 1, 2022	Sep 30, 2025	ClearGov Subscription Services

The Services you will receive and the Fees for those Services are...

Set up Services		Tier/Rate	Service Fees
ClearGov Setup: Includes activation, onboarding and training for ClearGov solutions.		Tier 4	\$ 6,000.00
ClearGov Onboarding Discount: Valid only if signed by 11/16/21		Tier 4	\$ (2,200.00)
Total ClearGov Setup Service Fee - Billed ONE-TIME			\$ 3,800.00
Subscription Services		Tier	Service Fees
ClearGov Capital Budgeting - Civic Edition		Tier 4	\$ 13,100.00
ClearGov Digital Budget Book - Civic Edition		Tier 4	\$ 13,100.00
ClearGov Budget Cycle Management Bundle Discount: Discount for bundled solutions.		Tier 4	\$ (5,240.00)
Total ClearGov Subscription Service Fee - Billed ANNUALLY IN ADVANCE			\$ 20,960.00
Billing Terms and Conditions			
Valid Until	Nov 16, 2021	Pricing set forth herein is valid only if ClearGov Service Order is executed on or before this date.	
Payment	Net 30	All invoices are due Net 30 days from the date of invoice.	
Rate Increase	3% per annum	After the Initial Service Period, the Annual Subscription Service Fee shall automatically increase by this amount.	

General Terms & Conditions

Customer Satisfaction Guarantee	During the first thirty (30) days of the Service, Customer shall have the option to terminate the Service, by providing written notice. In the event that Customer exercises this customer satisfaction guarantee option, such termination shall become effective immediately and Customer shall be eligible for a full refund of the applicable Service Fees.
Statement of Work	ClearGov and Customer mutually agree to the ClearGov Service activation and onboarding process set forth in the attached Statement of Work.
Taxes	The Service Fees and Billing amounts set forth above in this ClearGov Service Order DO NOT include applicable taxes. In accordance with the laws of the applicable state, in the event that sales, use or other taxes apply to this transaction, ClearGov shall include such taxes on applicable invoices and Customer is solely responsible for such taxes, unless documentation is provided to ClearGov demonstrating Customer's exemption from such taxes.

Term & Termination	Subject to the termination rights and obligations set forth in the ClearGov Service Agreement, this ClearGov Service Order commences upon the Order Date set forth herein and shall continue until the completion of the Service Period(s) for the Service(s) set forth herein. Each Service shall commence upon the Start Date set forth herein and shall continue until the completion of the applicable Service Period.
Auto-Renewal	After the Initial Period, the Service Period for any ClearGov Annual Subscription Services shall automatically renew for successive annual periods (each an "Annual Term"), unless either Party provides written notice of its desire not to renew at least sixty (60) days prior to the end of the then current Annual Term.
Agreement	This ClearGov Service Order shall become binding upon execution by both Parties. The signature herein affirms your commitment to pay for the Service(s) ordered in accordance with the terms set forth in this ClearGov Service Order and also acknowledges that you have read and agree to the terms and conditions set forth in the ClearGov Service Agreement found at the following URL: http://www.ClearGov.com/terms-and-conditions . This Service Order incorporates by reference the terms of such ClearGov Service Agreement.

Customer	
Signature	
Name	Mark Henry
	Galveston County Judge

ClearGov, Inc.	
Signature	
Name	Bryan A. Burdick
Title	President

Please e-mail signed Service Order to Orders@ClearGov.com or Fax to (774) 759-3045

Statement of Work

This Statement of Work outlines the roles and responsibilities by both ClearGov and Customer required for the activation and onboarding of the ClearGov Service. ClearGov will begin this onboarding process upon execution of this Service Order. All onboarding services and communications will be provided through remote methods - email, phone and web conferencing.

ClearGov Responsibilities

- ClearGov will activate ClearGov Service subscription(s) as of the applicable Start Date(s). ClearGov will create the initial Admin User account, and the Customer Admin User will be responsible for creating additional User accounts.
- ClearGov will assign a Client Success Manager (CSM) responsible for managing the activation and onboarding process. ClearGov CSM will coordinate with other ClearGov resources, as necessary.
- ClearGov CSM will provide a Kickoff Call schedule to Customer's Primary Contact - to be scheduled within two weeks after the Service Order has been executed.
- ClearGov will provide Customer with financial data requirements and instructions, based on the ClearGov Service subscription(s). If necessary, ClearGov will set up a Data Discovery call to assist with such requirements/instructions.
- ClearGov will review financial data files and confirm that data is complete, or request additional information, if necessary. Once complete financial data files have been received, ClearGov will format the data, upload it to the ClearGov platform and complete an initial mapping of the data.
- After Initial mapping, ClearGov will schedule a Data Review call with a ClearGov Data Onboarding Consultant (DOC), who will present how the data was mapped, ask for feedback and get answers to open questions. Depending upon Customer feedback and the complexity of data mapping requests, there may be additional follow up calls or emails required to complete the data onboarding process.
- ClearGov will make Customer aware of all training, learning and support options. ClearGov recommends all Users attend training sessions and/or read Support Center articles before using the ClearGov Service to ensure a quick ramp and success. As needed, ClearGov will design and deliver one customized remote training session for Admins and one for End Users - via video conference - and these sessions will be recorded for future reference.
- ClearGov will make commercially reasonable efforts to complete the onboarding process in a timely fashion, provided Customer submits financial data files and responds to review and approval requests by ClearGov in a similarly timely fashion. Any delay by Customer in meeting these deliverable requirements may result in a delayed data onboarding process. Any such delay shall not affect or change the Service Period(s) as set forth in the applicable Service Order.

Customer Responsibilities

- Customer's Primary Contact will coordinate the necessary personnel to attend Kickoff Call within two weeks after the Service Order has been executed. If Customer needs to change the date/time of the Kickoff Call, the Primary Contact will notify the ClearGov CSM at least one business day in advance.
- Customer will provide requested financial data files (revenue, expense, chart of accounts, etc.) to ClearGov in accordance with the requirements provided by ClearGov.
- Customer's Primary Contact will coordinate the necessary personnel to attend the Data Review call. It is recommended that all stakeholders with input on how data should be mapped should attend. Based on the Data Review call and any subsequent internal review, Customer shall provide a detailed list of requested changes in a timely manner, and Customer will approve the final data mapping, once completed to Customer's satisfaction.
- Customer shall be solely responsible for inputting applicable text narrative, custom graphics, performance metrics, capital requests and personnel data and other such information for budget books, projects, dashboards, etc.

AGENDA ITEM #2.a.

**COUNTY OF GALVESTON
REQUEST FOR BUDGET AMENDMENT/TRANSFER**

Department:	Professional Services	22-038-1109-A
Date Submitted:	November 4, 2021	(Assigned by County Auditor's Office)

COMMISSIONER'S COURT ACTION:

Please complete the following form in its entirety and submit to the Budget Office at least eleven (11) days prior to the first regularly scheduled Tuesday Commissioners Court meeting date each month. Emergency amendments will be processed at the earliest available Court meeting date. If information on this form is incomplete, the amendment will be returned to your office for completion. It is suggested that the department requesting the amendment be present on the date of its submittal to the Court for action.

GENERAL EXPLANATION:

Request increase to Professional Services Cloud Subscription Services for ClearGov subscription funded by General Fund interest revenue received through the American Rescue Plan Stimulus funding. The interest earned on the ARP funds can be used at the County's discretion.

This budget amendment does not increase the budget for FY 2022

TRANSFER FROM				Auditor Use Only Account Balance Sufficient (Y/N)
Fund	Department	Line Item:	Amount	
1101-General Fund	151400-Professional Services	4811010-Interest Revenue	21,266.67	
TOTAL - Transfer From			21,266.67	
TRANSFER TO				Auditor Use Only Account Balance Sufficient (Y/N)
Fund	Department	Line Item:	Amount	
1101-General Fund	151400-Professional Services	5414300-Cloud Subscription Services	21,266.67	
TOTAL - Transfer To			21,266.67	

ADDITIONAL COMMENTS:

11/4/2021	
Budget Office Authorization	Date

AUDITOR'S REVIEW

This budget amendment has been reviewed for validity of accounts and sufficiency of account balances used for budget transfer.

Reviewed by: _____

Date: _____

Auditor's Remarks:

COMMISSIONERS COURT APPROVAL

Date Submitted: _____

Date Approved: 11/12/2021

AGENDA ITEM #3.a.

**GALVESTON COUNTY COMMISSIONERS COURT ORDER ESTABLISHING NEW
COMMISSIONER PRECINCT BOUNDARIES**

On this the 12th day of November 2021, the Commissioners Court of Galveston County, Texas convened a regularly scheduled meeting with the following members thereof present

Mark A. Henry, County Judge
Darrell Apffel, County Commissioner, Precinct No. 1
Joe Giusti, County Commissioner, Precinct No. 2
Stephen D. Holmes, County Commissioner, Precinct No. 3
Ken Clark, County Commissioner, Precinct No. 4

When the following proceedings were had, to wit:

An Order approving a redistricting plan for Galveston County Commissioners Court
Precincts (Districts)

WHEREAS, pursuant to the Constitution and Laws of the State of Texas, and other laws, the Galveston County Commissioners Court desires to divide the Commissioner Precinct Boundaries; and,

WHEREAS, the Galveston County Commissioners Court has determined that the interests of the people of the county are best served by changing the existing Commissioner Precinct Boundaries, and,

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF GALVESTON COUNTY, TEXAS, that Commissioners Precincts are hereby composed as depicted on the attached map, affixed hereto as "Exhibit A," labeled "Map 2" and fully adopted and incorporated in this Order. It is further ordered by the Court that this Redistricting Order shall take effect immediately.

Upon the Motion of Henry and Seconded by Apffel the above Redistricting Plan passed with 3 votes in favor thereof and 1 votes against.

Passed and approved this 12 day of November, 2021

County of Galveston

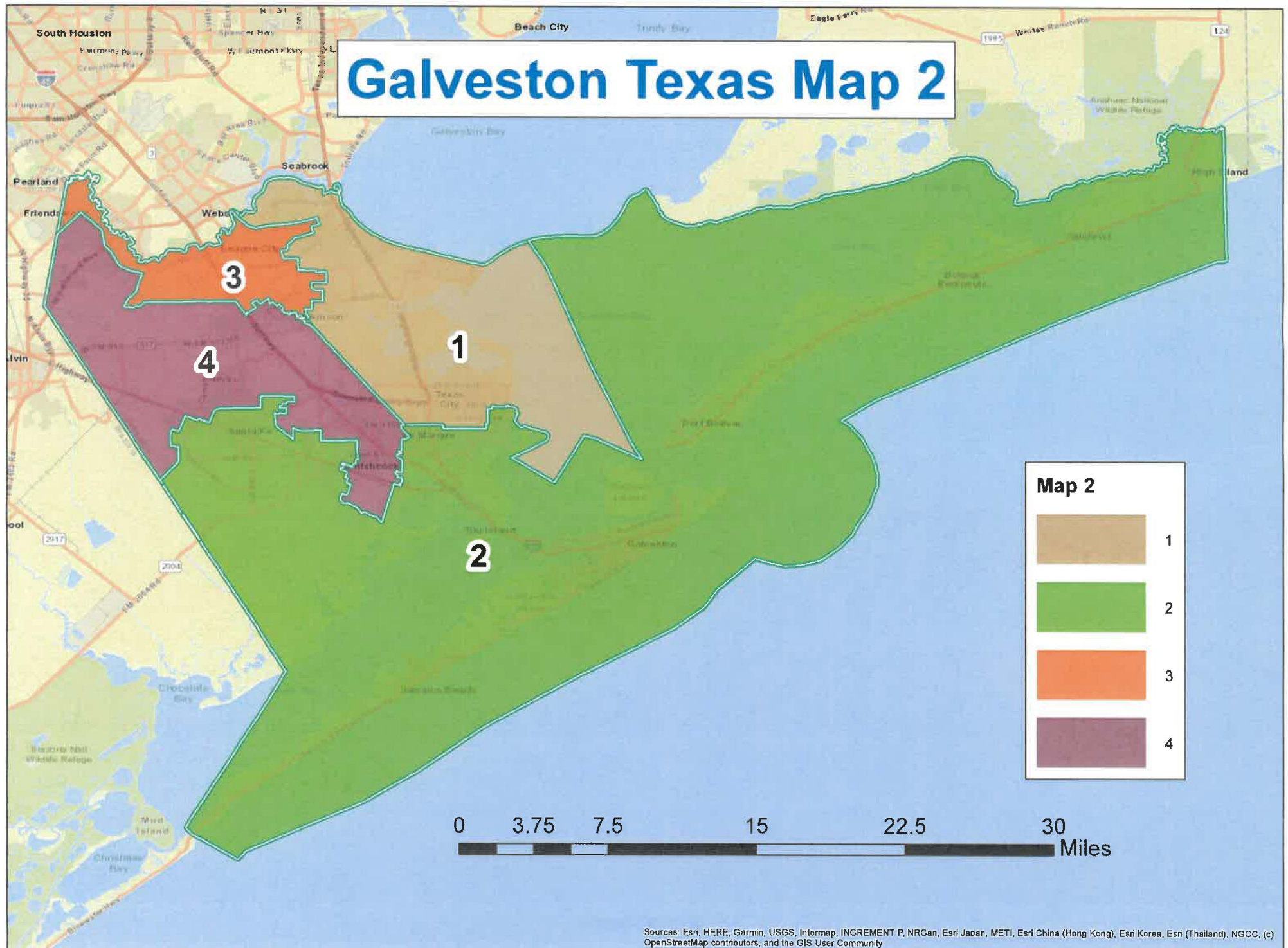



Mark Henry, County Judge

Dwight Sullivan
County Clerk

By: Brandy Chapman Deputy
Brandy Chapman

Galveston Texas Map 2



Tab L:

**August 19, 2013 Commissioners
Court Redistricting Order
Establishing Justice of the Peace
Precinct Boundaries**

MINUTES

BE IT REMEMBERED, That on August 19, 2013, Commissioners Court of Galveston County, Texas, met at a special meeting with the following present:

Mark Henry, County Judge

Ryan Dennard, Commissioner Precinct 1

Kevin D. O'Brien, Commissioner Precinct 2

Stephen D. Holmes, Commissioner Precinct 3

Kenneth D. Clark, Commissioner Precinct 4

Dwight D. Sullivan, County Clerk by Brandy Chapman, Chief Deputy

CALL TO ORDER

Call to order by Judge Henry at 10:30 A.M. at the Galveston County Courthouse.

MOTION TO TESTIFY UNDER OATH

Motion by Commissioner Dennard, seconded by Commissioner Clark that those addressing the court shall testify under oath.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner O'Brien, Commissioner Holmes, Commissioner Clark

Nay: (None)

ACTION AGENDA

1. County Judge
 - a. Consideration of adopting new Justice of the Peace Precinct Maps.

Robert Morgan addressed the Court.

Richard Batie addressed the Court.

Mac McDonald addressed the Court.

Anne Willis addressed the Court.

Lloyd Criss addressed the Court.

Judge Penny Pope addressed the Court.

Constable William Comeaux addressed the Court.

Henry Gomez addressed the Court.

Motion to approve by County Judge Henry, seconded by Commissioner Dennard that the above action be taken by the Court.

Passed: 4-1

Aye: County Judge Henry, Commissioner Dennard, Commissioner O'Brien, Commissioner Clark

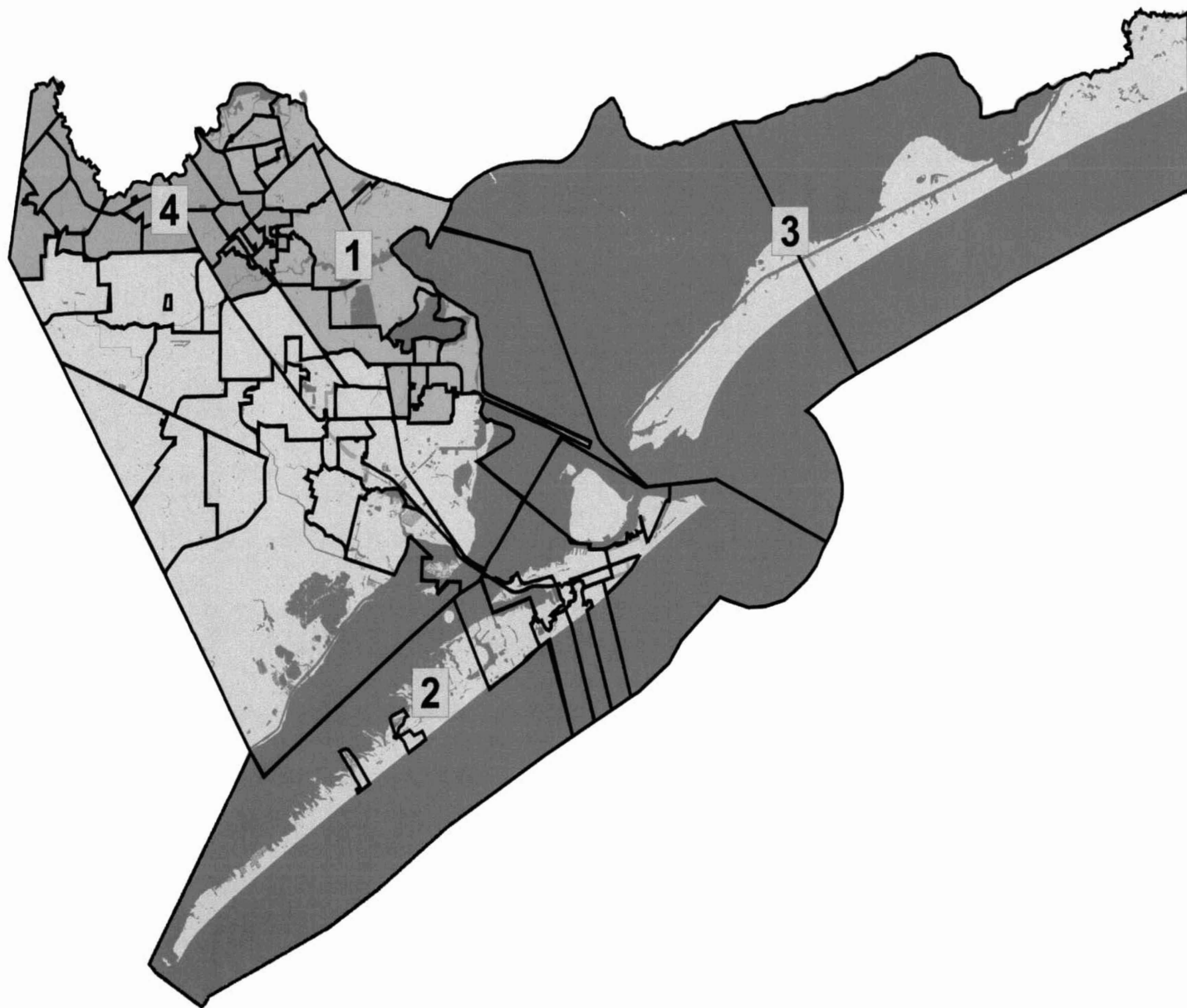
Nay: Commissioner Holmes

ADJOURN

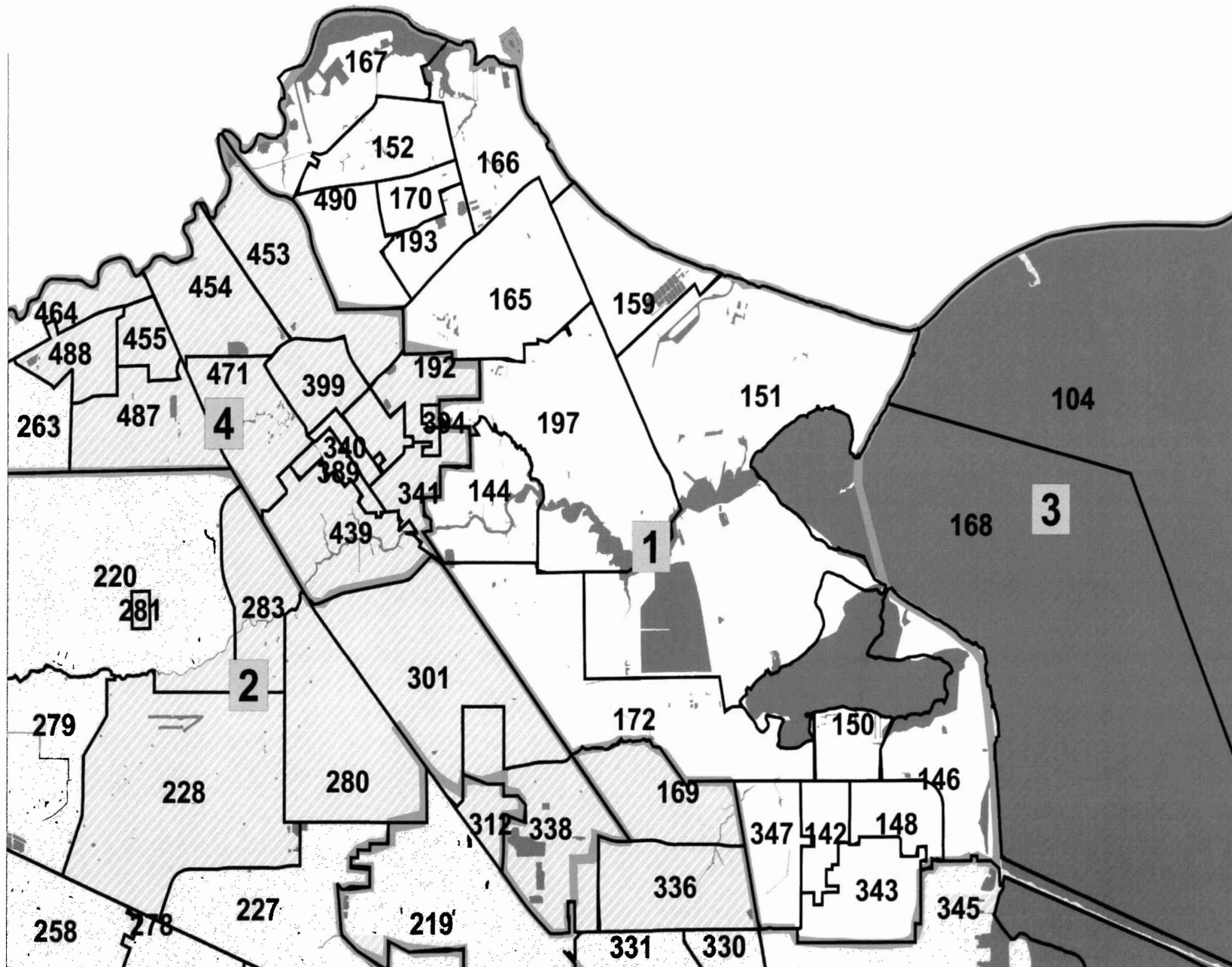
Commissioners Court adjourned at 12:36 P.M. on Monday, August 19, 2013.

AGENDA ITEM #1.a.

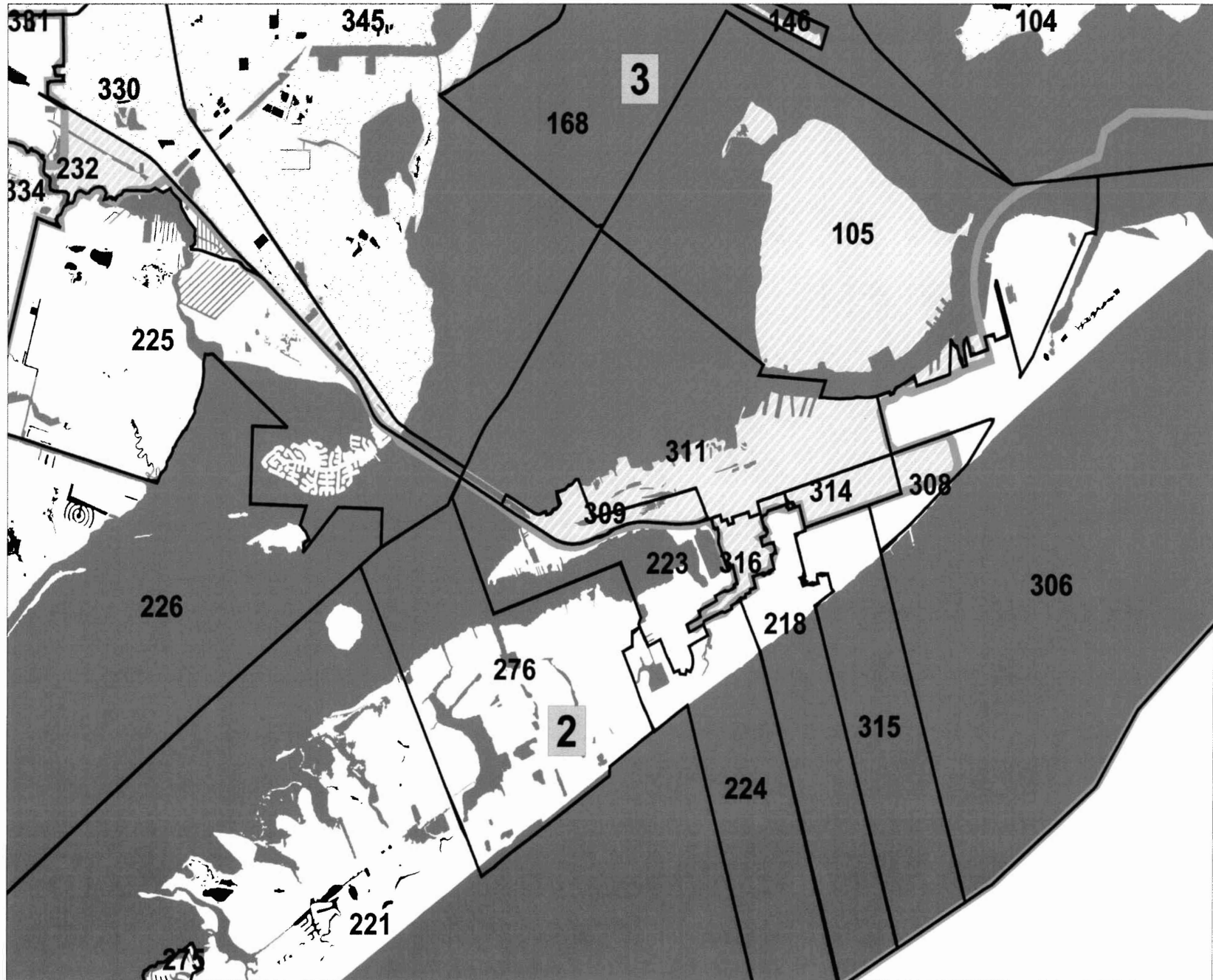
Proposed Justice of the Peace Precincts



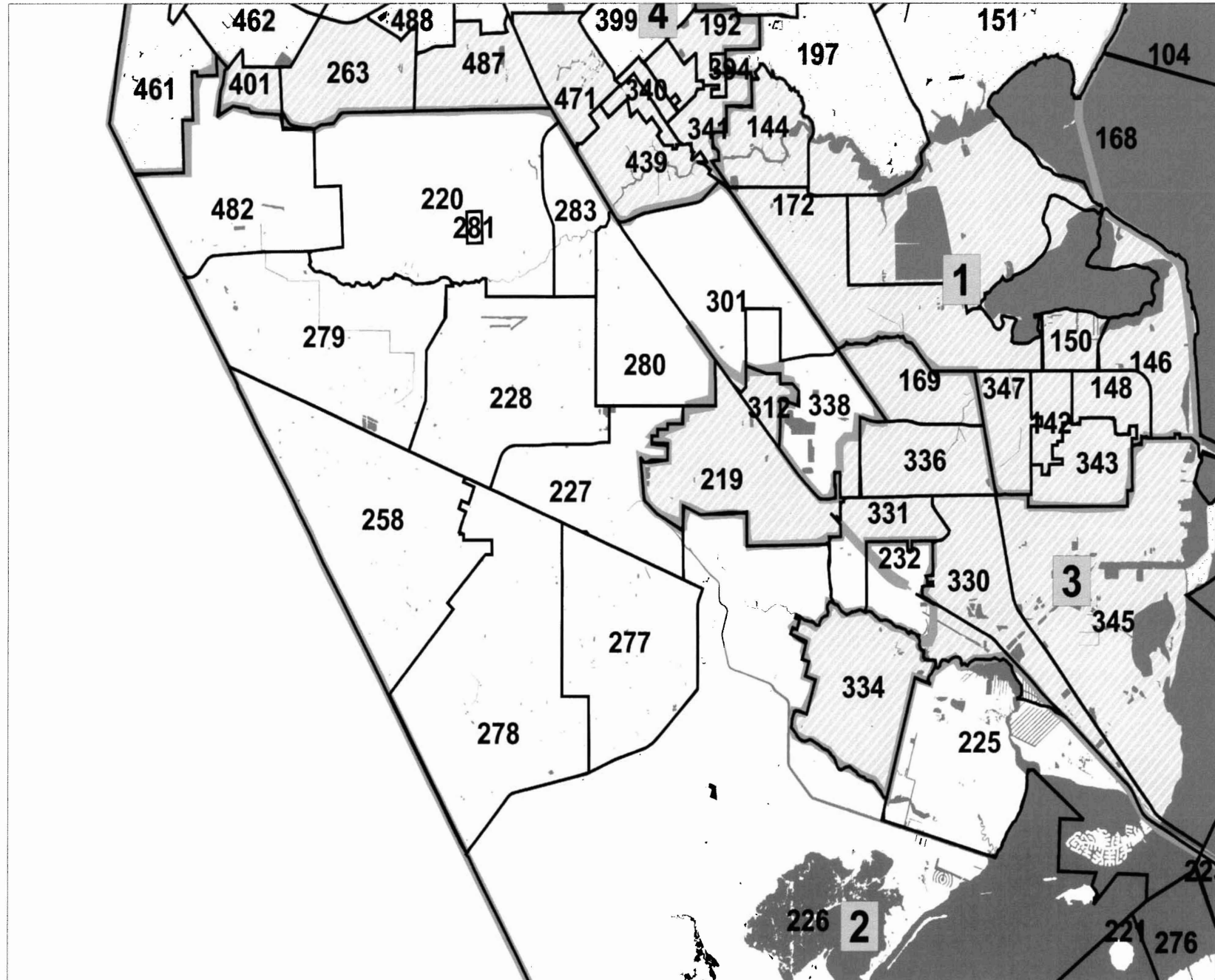
Proposed Justice of the Peace Precinct 1



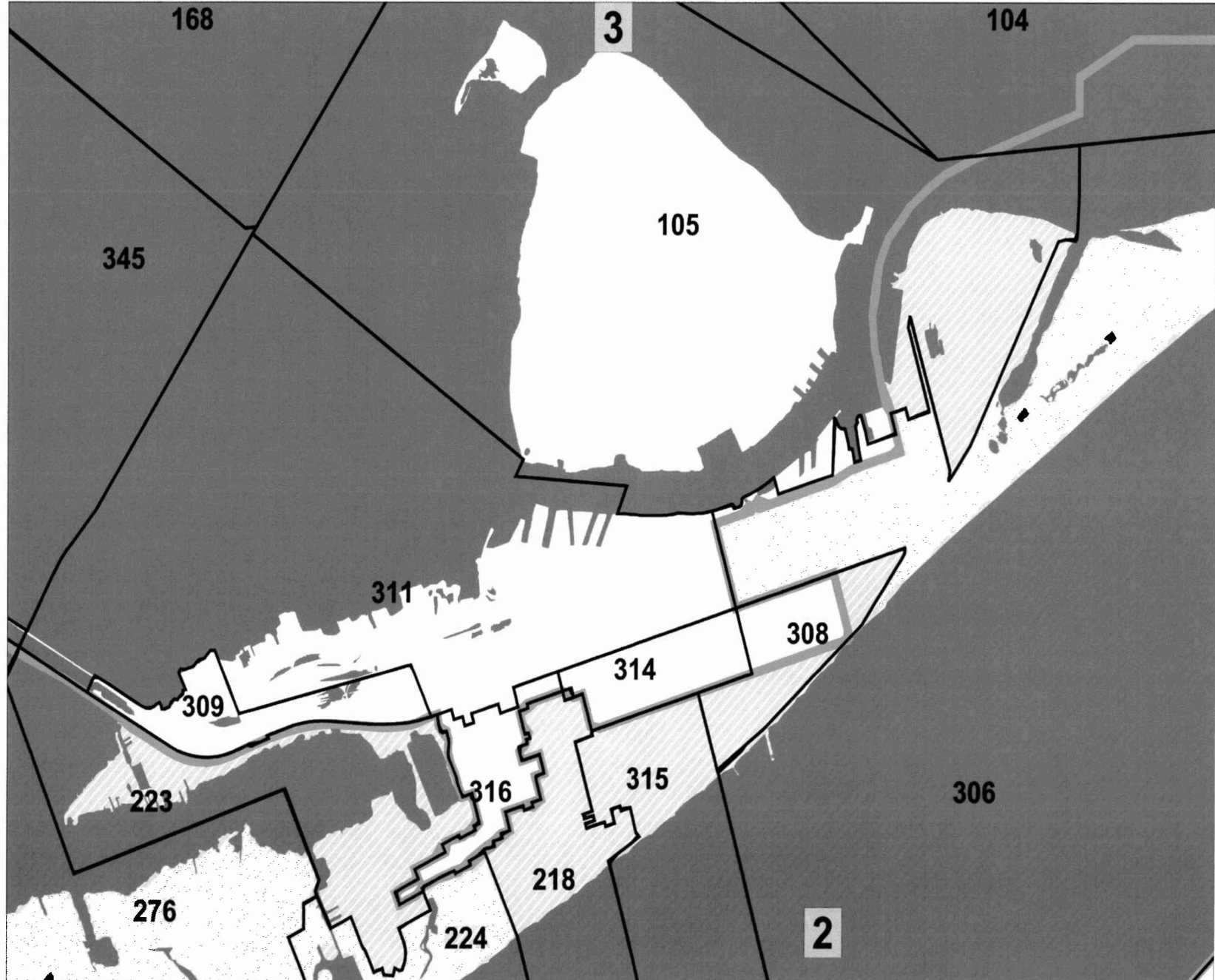
Proposed Justice of the Peace Precinct 2 - Island



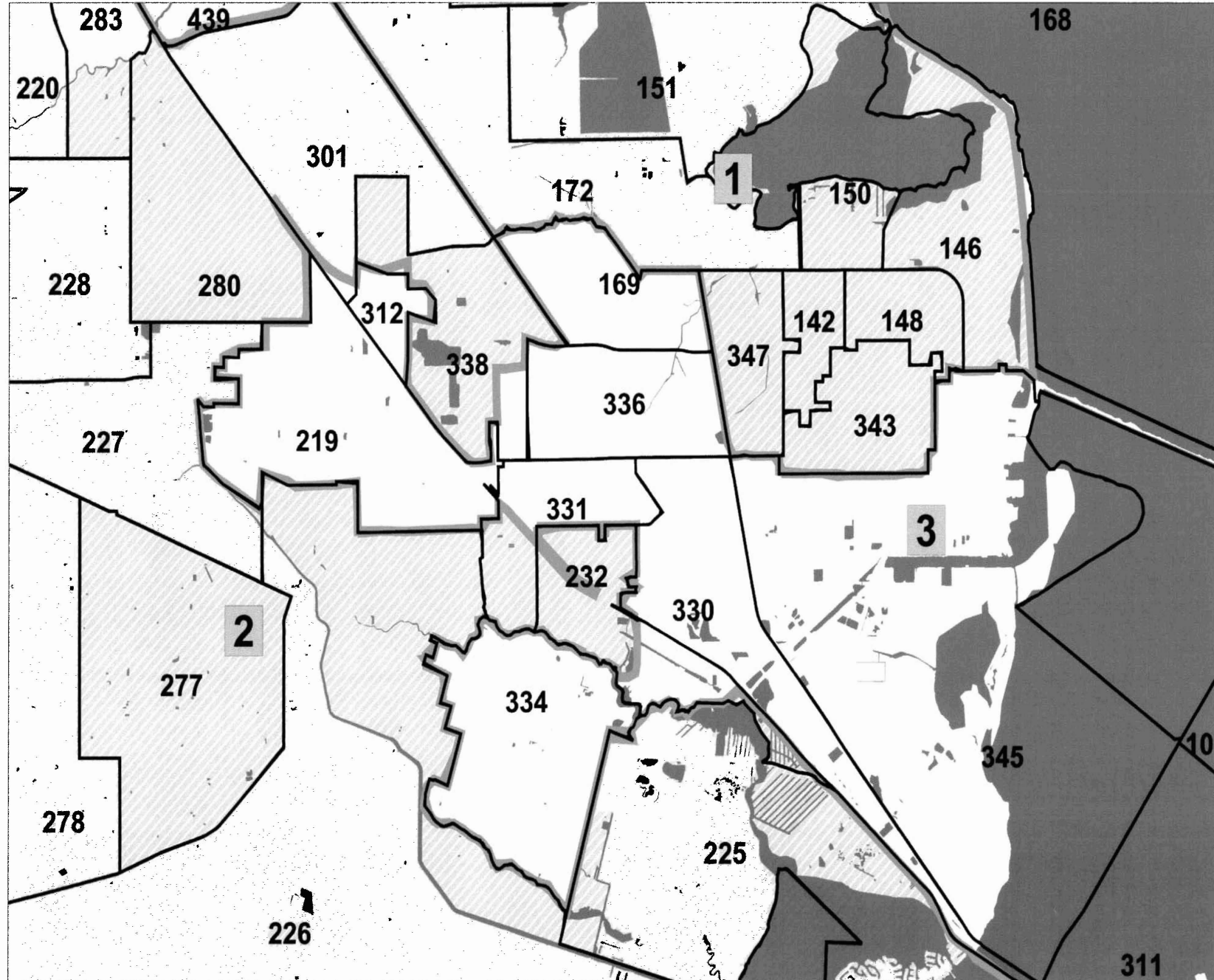
Proposed Justice of the Peace Precinct 2 - Mainland



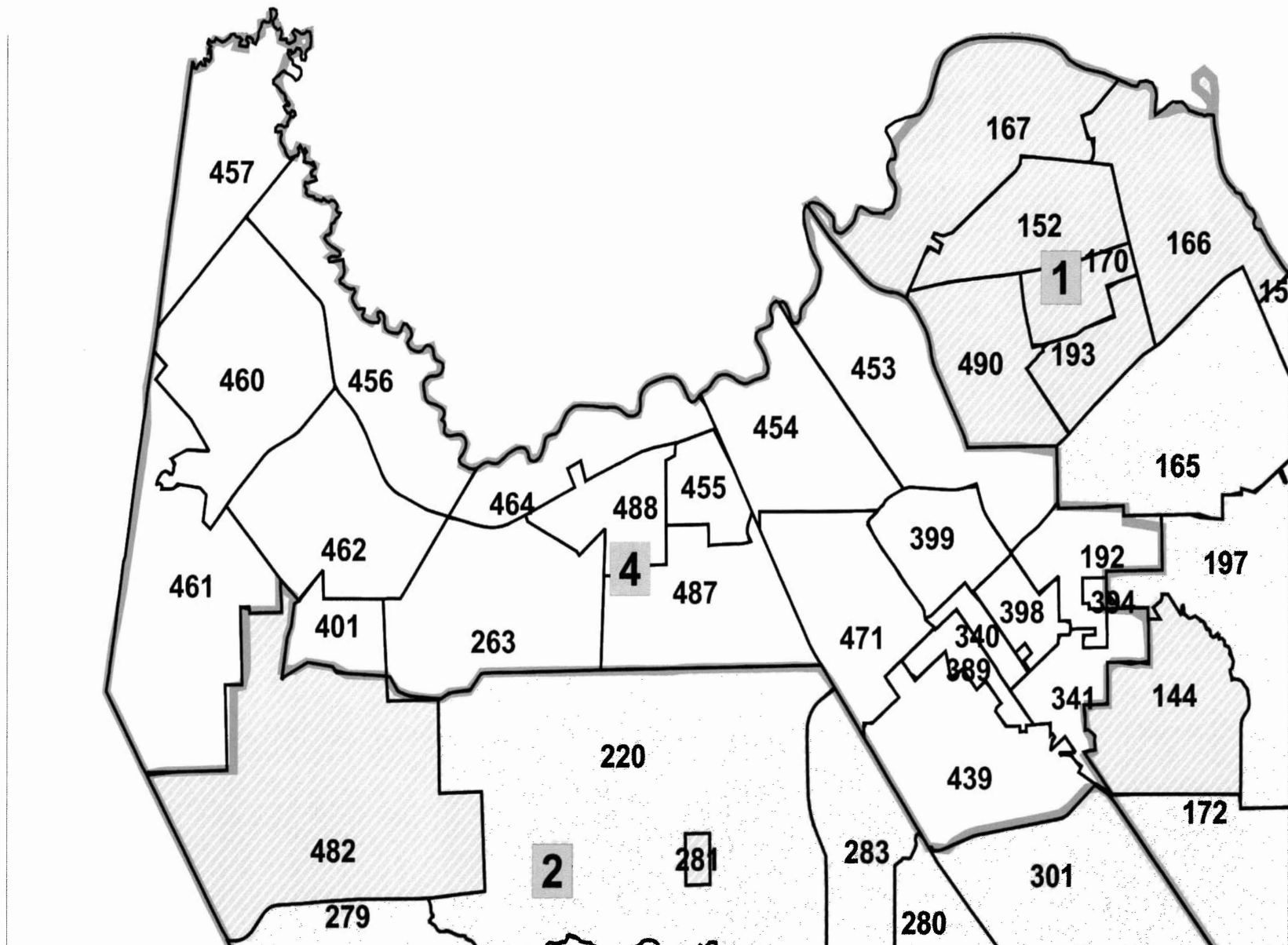
Proposed Justice of the Peace Precinct 3 - Island



Proposed Justice of the Peace Precinct 3 - Mainland



Proposed Justice of the Peace Precinct 4



**GALVESTON COUNTY COMMISSIONERS COURT
REDISTRICTING ORDER
ESTABLISHING JUSTICE OF THE PEACE PRECINCT BOUNDARIES**

WHEREAS, pursuant to the Constitution and Laws of the State of Texas, and other laws, the Galveston County Commissioners Court desires to reduce and divide the Justice of the Peace Precinct Boundaries; and,

WHEREAS, Galveston County currently has eight Justice of the Peace Precincts, served by nine Justices of the Peace, and eight Constables; and,

WHEREAS, Galveston County Commissioners Court has conducted a thorough review and analysis of its Justice of the Peace court system, including as follows:

In 2011, Galveston County held five public hearings about Justice of the Peace redistricting in different parts of the County, and multiple hearings at Commissioners Court, and every current member of Commissioners Court attended a majority of those hearings;

In 2011, Galveston County collected and reviewed case load and other operational data regarding its Justice of the Peace courts from the Texas Office of Court Administration;

In 2013, Galveston County again collected and reviewed case load and other operational data about its Justice of the Peace courts from the Texas Office of Court Administration;

In 2013, Galveston County held two workshop hearings on Justice of the Peace courts' structure, staff, and budgeting;

In 2013, one or more members of Commissioners Court met individually with every Galveston County Justice of the Peace, and met with some Justices of the Peace multiple times, and discussed structure, staffing and general operations of each individual Justice of the Peace court; and

Members of Commissioners Court met with the County's Justice Administration Department, which coordinates various administrative functions for the county's Justice of the Peace courts, including reports to the Office of Court Administration, and discussed the operation of the Justice Courts; and,

WHEREAS, the Galveston County Commissioners has determined based upon a review of the Annual

Statistical Report for the Texas Judiciary for Fiscal Year 2012 published by the Texas Office of Court Administration and the Galveston County budget proposals for fiscal year 2014 that the caseload of the current Justice of the Peace Precincts is as follows:

Justice of the Peace Precinct 1 constitutes 8.13% of the average total caseload of Justice of the Peace Courts for Galveston County;

Justice of the Peace Precinct 2 constitutes 2.10% of the average total caseload of Justice of the Peace Courts for Galveston County;

Justice of the Peace Precinct 3 constitutes 7.60% of the average total caseload of Justice of the Peace Courts for Galveston County;

Justice of the Peace Precinct 4 constitutes 17.71% of the average of the total caseload of Justice of the Peace Courts for Galveston County;

Justice of the Peace Precinct 5 constitutes 16.15% of the average total caseload of Justice of the Peace Courts for Galveston County;

Justice of the Peace Precinct 6 constitutes 7.18% of the average total caseload of Justice of the Peace Courts for Galveston County;

Justice of the Peace Precinct 7 constitutes 19.31% of the average total caseload of Justice of the Peace Courts for Galveston County; and

Justice of the Peace Precinct 8, Place 1 constitutes 20.04% of the average total caseload of Justice of the Peace Courts for Galveston County; and

Justice of the Peace Precinct 8, Place 2 constitutes 1.73% of the average total caseload of Justice of the Peace Courts for Galveston County; and,

WHEREAS, the Galveston County Commissioners Court has determined that the interests of the people of the county are best served by administering the county's justice court system through fewer Justice of the Peace Precincts, which will significantly reduce the cost of operating that court system and free up resources for use on other pressing matters such as law enforcement and infrastructure, and will also enable Galveston County to more easily establish consistent processes among its justice courts and thereby improve the quality of service to the public; and,

WHEREAS, the Galveston County Commissioners Court has determined that the interests of the people of the county are best served by balancing the caseload of Justices of the Peace by reducing the number

of Justice of the Peace Precincts to four and establishing new Justice of the Peace Precinct boundaries:
and,

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF GALVESTON COUNTY, TEXAS. that the following offices are hereby abolished:

Justice of the Peace Precinct 4,
Justice of the Peace Precinct 5,
Justice of the Peace Precinct 6,
Justice of the Peace Precinct 7,
Justice of the Peace Precinct 8, Place 2,
Precinct 4 Constable,
Precinct 5 Constable,
Precinct 6 Constable,
Precinct 7 Constable; and

pursuant to article V, section 18(c) of the Texas Constitution, a justice of the peace or constable elected to a four-year term in one the above abolished offices is entitled to serve out his or her term of office in the newly created precinct in which he or she resides when this Redistricting Order takes effect; and

IT IS FURTHER ORDERED BY THIS COURT that Justice of the Peace Precinct 8, Place 1 is hereby designated as Justice of the Peace Precinct 4 and Constable Precinct 8 is designated Constable Precinct 4; and

IT IS FURTHER ORDERED BY THIS COURT that the remaining Justice of the Peace Precincts are hereby composed as follows:

Justice of the Peace Precinct 1 shall contain all of Voting Precincts 142,144, 146, 148, 150, 151, 152, 159, 165, 166, 167, 170, 172, 193, 197, 343, 347, 394 and 490, as well as portions of the following Voting Precincts:

Voting Precinct 168: That portion of the Voting Precinct contained in Moses Lake as well as that portion of Galveston Bay west of a line running from the east side of the Moses Lake Tide Gate to April Fool Point in the City of San Leon;

Justice of the Peace Precinct 2 shall contain all of Voting Precincts 218, 220, 221, 224, 226,

227, 228, 258, 274, 275, 276, 277, 278, 279, 281, 283, 315, and 482 as well as the portions of the following Voting Precincts:

Voting Precinct 105: That portion east of 4th Street and 4th Street extended to the center of the Galveston Channel, and also east of the center of the Galveston Channel.

Voting Precinct 306: That portion not contained in Justice of the Peace Precinct 3

Voting Precinct 223: That portion not contained in Justice of the Peace Precinct 3

Voting Precinct 225: That portion not contained in Justice of the Peace Precinct 3

Voting Precinct 232: That portion not contained in Justice of the Peace Precinct 3

Voting Precinct 231: That portion not contained in Justice of the Peace Precinct 3

Voting Precinct 280: That portion not contained in Justice of the Peace Precinct 3

Voting Precinct 308: That portion not contained in Justice of the Peace Precinct 3

Voting Precinct 338: That portion not contained in Justice of the Peace Precinct 3

Voting Precinct 301: That portion not contained in Justice of the Peace Precinct 3;

Justice of the Peace Precinct 3 shall contain all of Voting Precincts 103, 104, 169, 219, 309, 311, 312, 314, 316, 329, 330, 334, 336, and 345 as well as portions of the following Voting Precincts:

Voting Precinct 306: That portion north of Harborside Drive (Water Street) and west of 4th street, excluding the block bounded by Harborside Drive (Water Street), 21st Street, Wharf Road and 20th Street

Voting Precinct 308: That portion both north of Avenue O and west of 14th Street

Voting Precinct 223: That portion north of the frontage road on the south side of Interstate 45 and including all portions of Interstate 45

Voting Precinct 225: That portion north of the frontage road on the south side of Interstate 45 and including all portions on Interstate 45

Voting Precinct 232: That portion north of the frontage road on the south side of Interstate 45 and including all portions of Interstate 45; as well as that area bounded as follows: beginning at the intersection of Interstate 45 and Bayou Rd running south for 1130 yard along Bayou Rd, thence west for approximately 532 yards to Highland Bayou, thence generally eastward along the south boundary of the Precinct until its intersection with the railroad spur of the AT&SF railroad running generally northeastern into Texas City, thence north easterly along the AT&SF railroad spur to the point at which it crosses Interstate 45, thence generally northwesterly along Interstate 45 to the point of beginning.

Also that portion between the northern and southern frontage roads running parallel to Interstate 45 between Lake Road and the western boundary of the Voting Precinct near Vauthier Road

Voting Precinct 331: That portion of the Precinct north of the southern frontage road running parallel to Interstate 45

Voting Precinct 338: That portion of the Precinct south of the northern frontage road running parallel to Interstate 45, and also that portion of the Precinct both east of N Amburn Road and south of Monticello Drive

Voting Precinct 280: That portion of the Voting Precinct north of the south frontage road running parallel to Interstate 45 between the eastern boundary of the Voting Precinct and the intersection of Interstate 45 with the Galveston County Water Canal

Voting Precinct 301: That portion of the Voting Precinct south of the northern frontage road running parallel to Interstate 45 between the eastern boundary of the precinct near Mall of Mainland Parkway and the intersection of Interstate 45 and the Galveston County Water Canal

Precinct 146: That portion east and northeast of the seawall running along Galveston Bay from just south of the Texas City Dike north to the Moses Lake Tide Gate, and also including the Texas City Dike extending into Galveston Bay

Voting Precinct 168: That portion not contained in Justice of the Peace Precinct 1

Voting Precinct 105: That portion not contained in Justice of the Peace Precinct 2;

Justice of the Peace Precinct 4 shall contain all of Voting Precincts 192, 220, 263, 281, 283, 301, 338, 340, 389, 391, 398, 399, 401, 439, 453, 487, 454, 455, 456, 457, 460, 461, 462, 464, 471, 482 and 488;

as depicted in the attached map, affixed hereto as “Exhibit A” and fully adopted and incorporated in this Order. Additionally, if there is any difference between the forgoing Voting Precincts included in each of the listed Justice of the Peace Precincts and the legal description of those Voting Precincts, the legal description is hereby altered only to the extent necessary to ensure that the statistics, populations and persons included in the Justice of the Peace Precincts are the same as reported in the attached map “Exhibit A.”

IT IS FURTHER ORDERED BY THIS COURT that this Justice of the Peace Redistricting Order

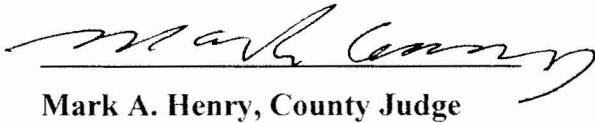
shall take effect the 8th day of November 2013.

DULY ADOPTED BY VOTE OF THE COMMISSIONERS COURT OF GALVESTON
COUNTY, TEXAS, THIS 19TH DAY OF AUGUST A.D. 2013 COMMISSIONER HOLMES "OPPOSED."
MOTION PASSED FOUR TO ONE.

Attest:

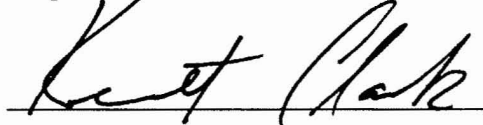
County of Galveston

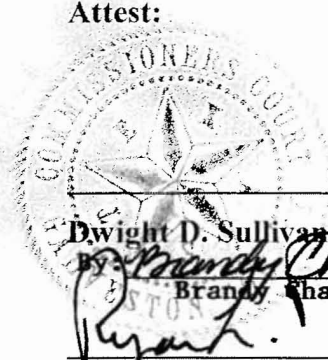
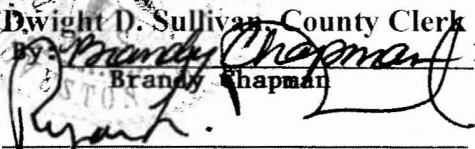
By:


Mark A. Henry, County Judge

OPPOSED

Stephen D. Holmes, Comm., Pct. #3


Kenneth Clark, Comm., Pct. #4


Dwight D. Sullivan, County Clerk
By:  Deputy
Brandy Chapman

Ryan L. Dennard, Comm., Pct. #1

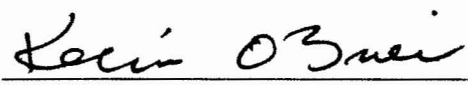
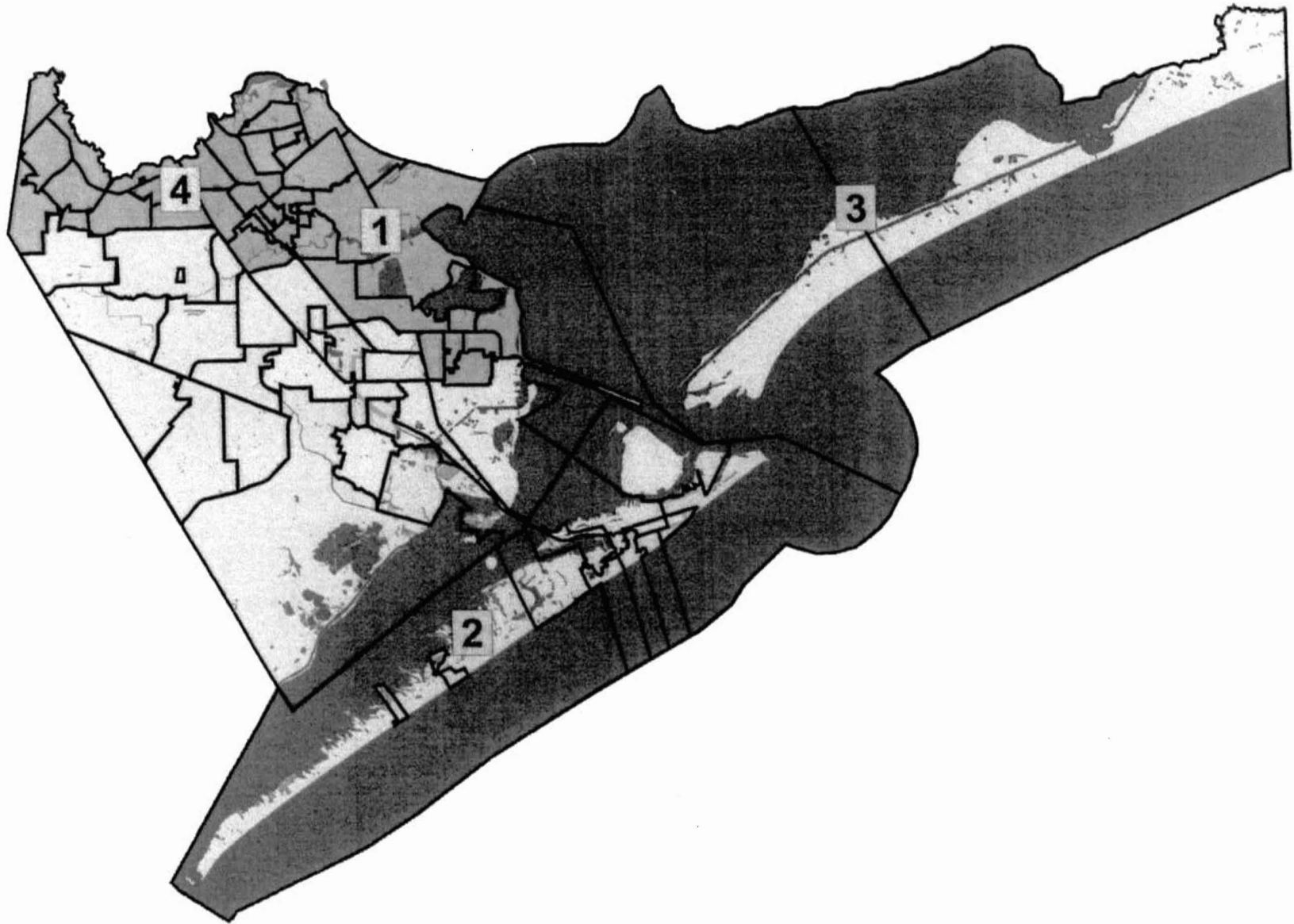
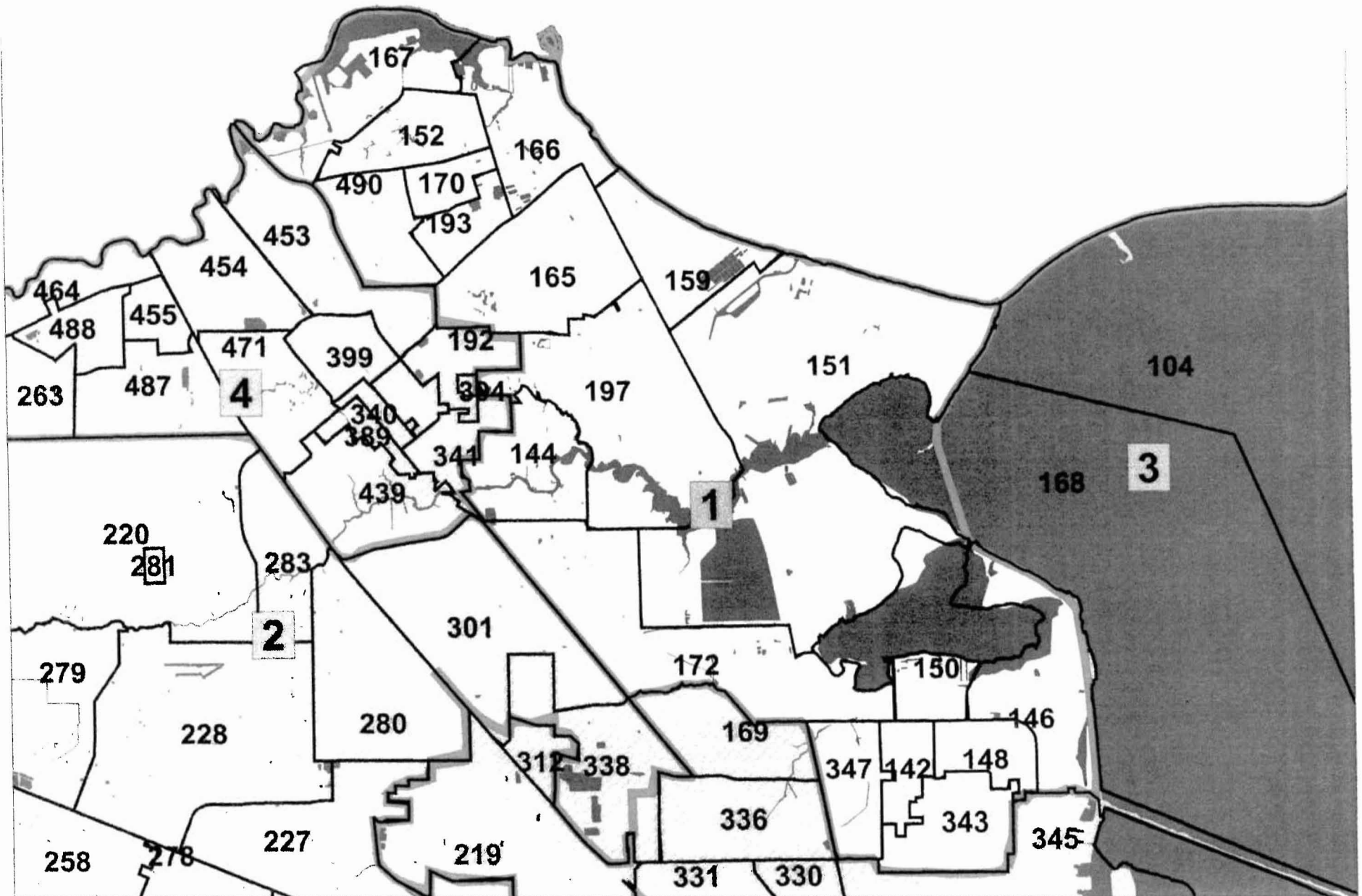

Kevin D. O'Brien, Comm., Pct. #2

EXHIBIT A

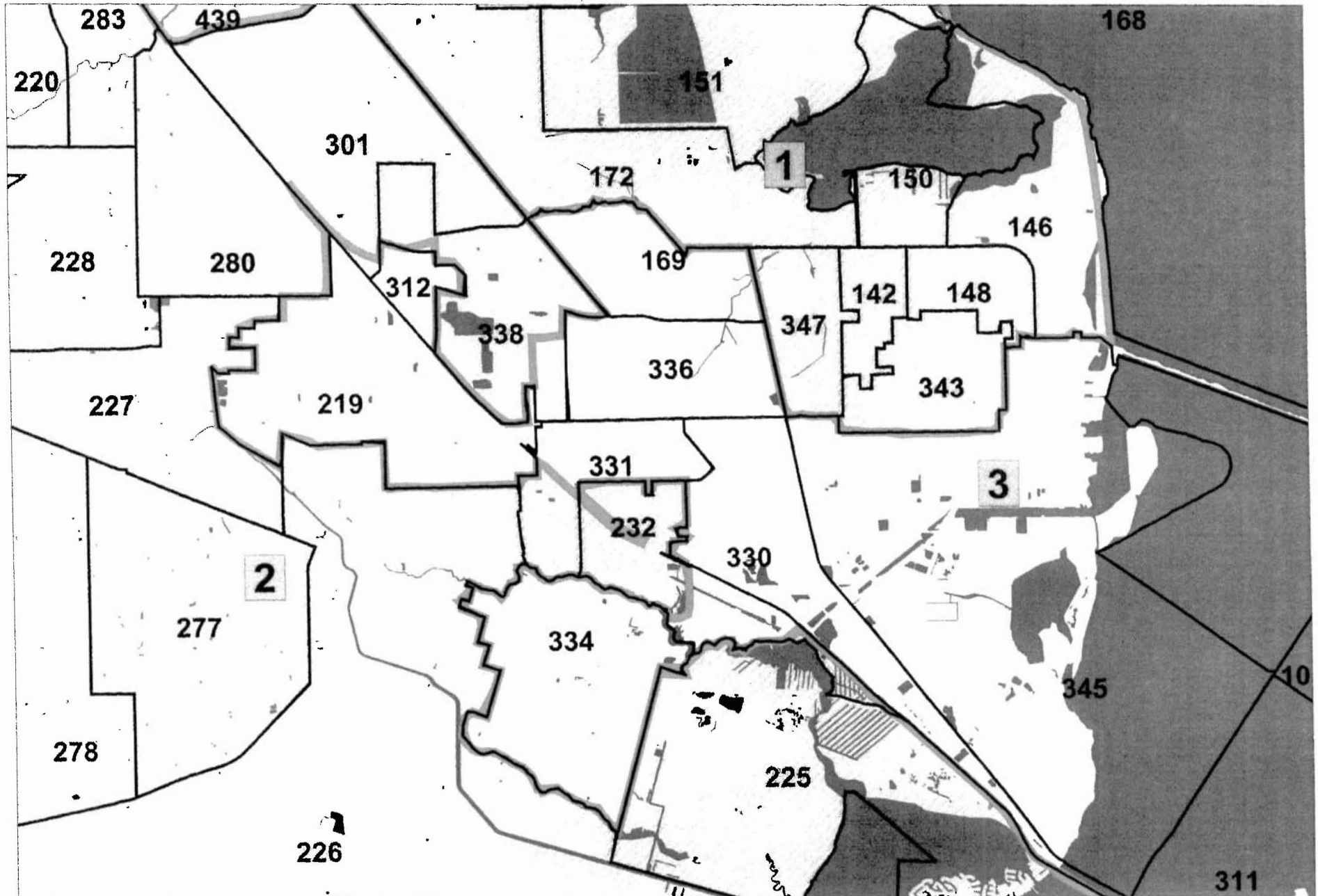
Proposed Justice of the Peace Precincts



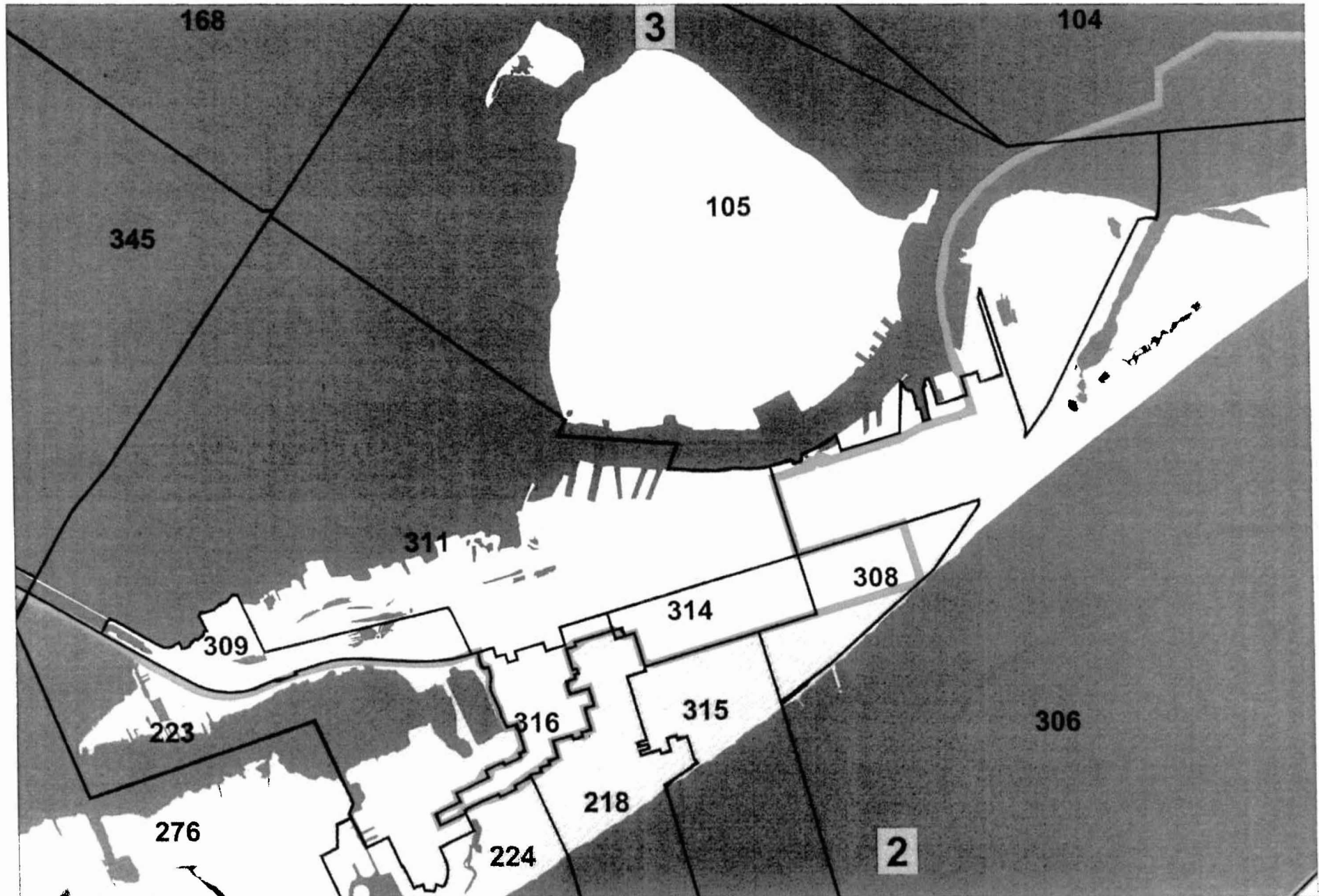
Proposed Justice of the Peace Precinct 1



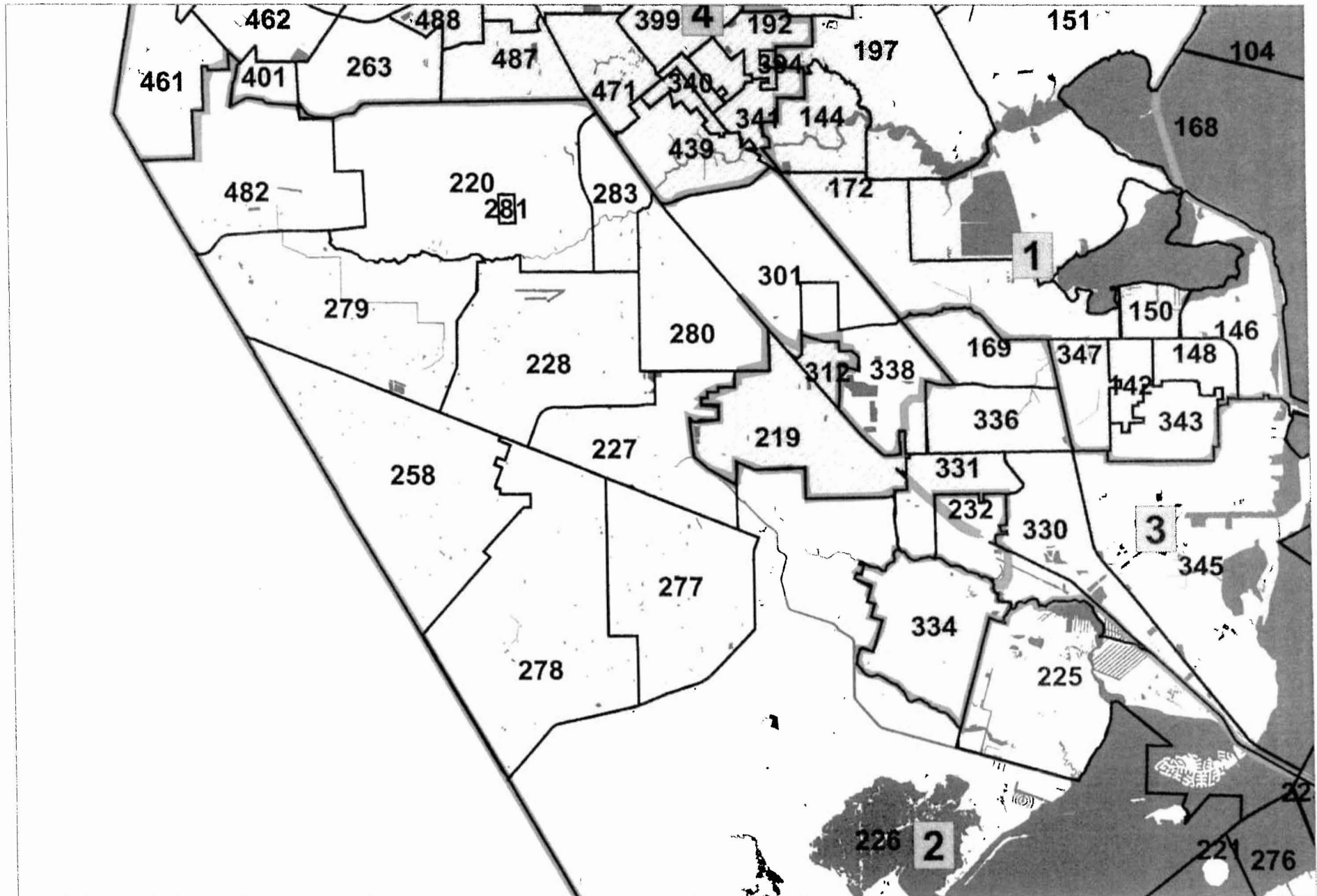
Proposed Justice of the Peace Precinct 3 - Mainland



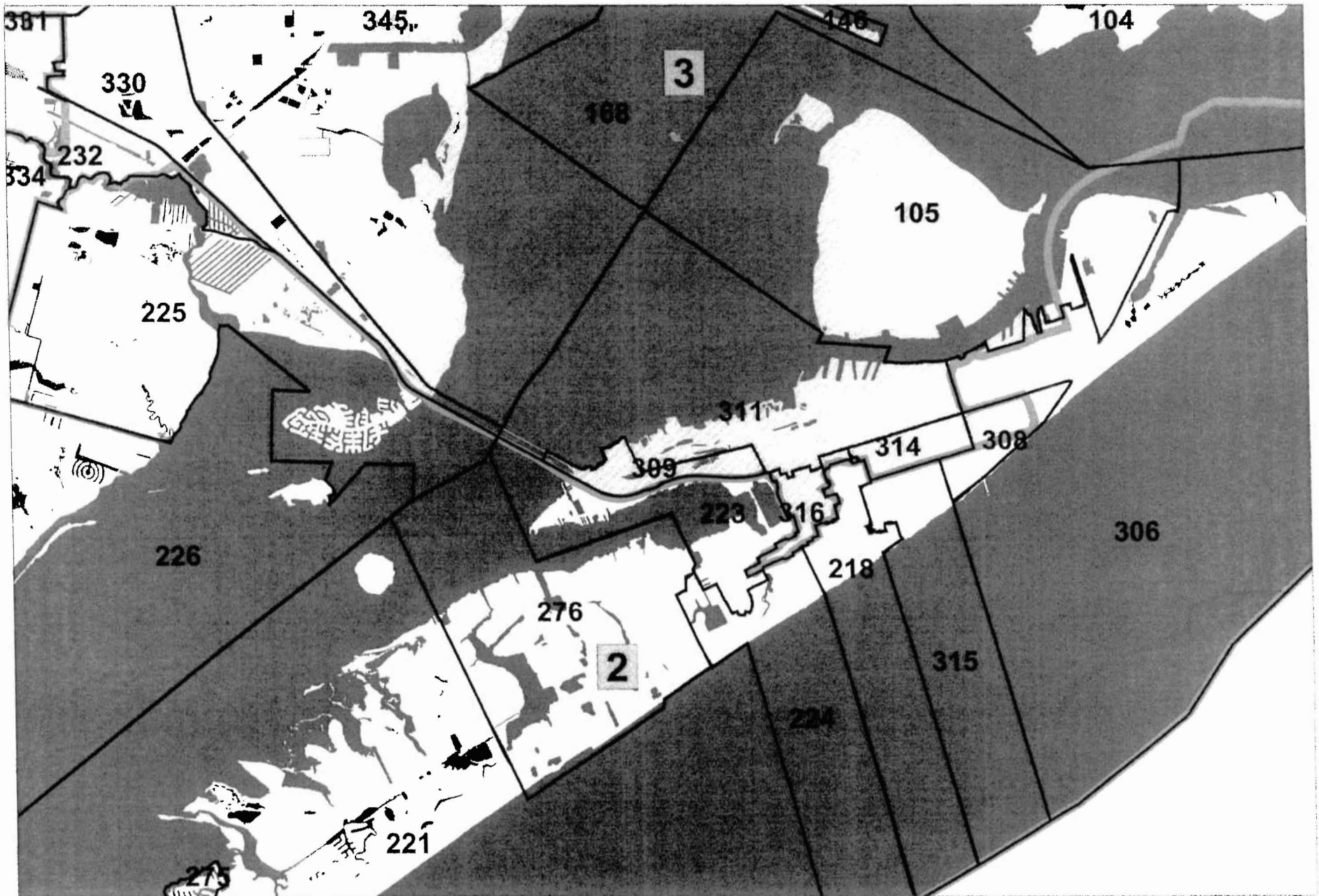
Proposed Justice of the Peace Precinct 3 - Island



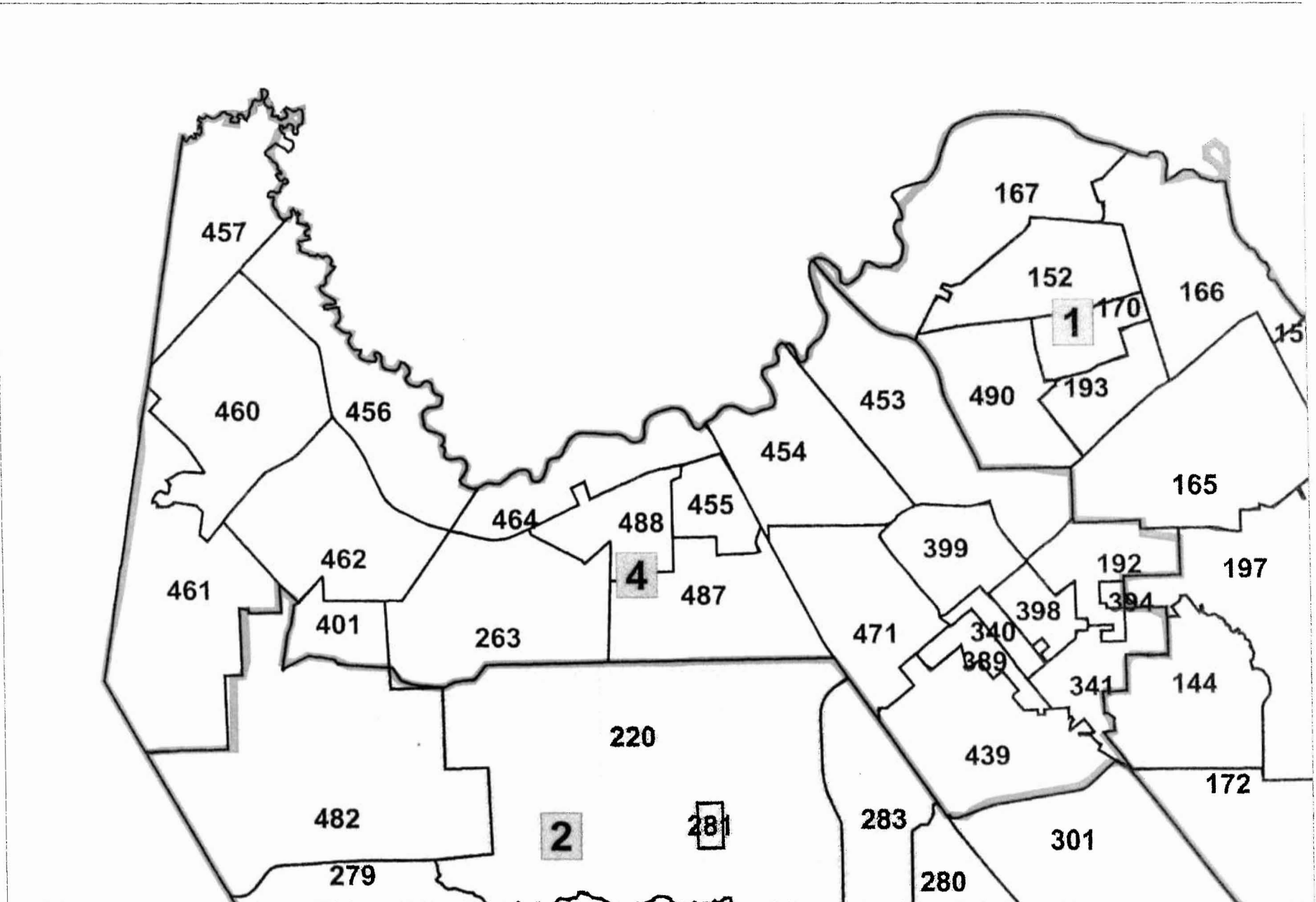
Proposed Justice of the Peace Precinct 2 - Mainland



Proposed Justice of the Peace Precinct 2 - Island



Proposed Justice of the Peace Precinct 4



Automated Certificate of eService

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Gwen Kelly on behalf of Chad Dunn

Bar No. 24036507

gwen@brazilanddunn.com

Envelope ID: 118259060

Filing Code Description: Petition

Filing Description: Original Emergency Petition for Writ of Mandamus

Status as of 8/5/2026 2:27 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Neil G. Baron		neil@ngbaronlaw.com	8/5/2026 2:19:07 PM	SENT
Bernadette Reyes		bernadette@uclavrp.org	8/5/2026 2:19:07 PM	SENT
Gwen Kelly		gwen@brazilanddunn.com	8/5/2026 2:19:07 PM	SENT
Simone Leeper		sleeper@campaignlegal.org	8/5/2026 2:19:07 PM	SENT
Valencia Richardson		vrichardson@campaignlegal.org	8/5/2026 2:19:07 PM	SENT
Mark P. Gaber		mgaber@campaignlegal.org	8/5/2026 2:19:07 PM	SENT
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Scott Brazil		scott@brazilanddunn.com	8/5/2026 2:19:07 PM	SENT