

Cause No. 01-25-00301-CV

**AMICUS CURIAE LETTER BRIEF OF
NUMEROUS STATE OFFICEHOLDERS AND CONSERVATIVE ACTIVIST**

November 18, 2025

Via E-Filing

First Court of Appeals
301 Fannin Street
Houston, Texas 77002-2066

***Re: Annette Ramirez, in her Official Capacity v. Steven F. Hotze, M.D., et al.,
No. 01-25-00301-CV, Court of Appeals of Texas, First District, Houston
Amicus Letter Brief in Support of Appellees and in Support of Affirmance***

Dear Justices of this Honorable Court,

Please accept this letter brief by *amicus curiae*, in support of Appellees and in support of affirmance, in lieu of a more formal submission.

STATEMENT OF INTEREST

Amici curiae, named herein, are Texas Republican officeholders and conservative activists who have a strong interest in maintaining the integrity of voter registration rolls. Allowing illegal voter registrations to persist on election rolls is tantamount to allowing election fraud. Fair and honest elections depend on cleaning the voter registration rolls, which Harris County has not done in nearly a decade.

ARGUMENT

“Texas’s standing test parallels the federal test for Article III standing” *Meyers v. JDC/Firethorne, Ltd.*, 548 S.W.3d 477, 485 (Tex. 2018). “We recently reiterated that the ‘Texas standing requirements parallel the federal test for Article III standing’” *Abbott v. Mexican Am. Legislative Caucus*, 647 S.W.3d 681, 690 (Tex. 2022) (quoting *In re Abbott*,

601 S.W.3d 802, 807 (Tex. 2020)). *See also Pike v. Tex. EMC Mgmt., LLC*, 610 S.W.3d 763, 776 (Tex. 2020) (“Because Texas’s test for constitutional standing parallels the federal test for Article III standing, we look to federal standing jurisprudence for guidance in answering this question.”).

In addition, Section 273.081 of the Texas Election Code reinforces the standing of a candidate to seek injunctive relief against the harm, and risk of being harmed, by the failure of the Harris County officials to clean their voter registration rolls:

A person who is being harmed or is in danger of being harmed by a violation or threatened violation of this code is entitled to appropriate injunctive relief to prevent the violation from continuing or occurring.

TEX. ELEC. CODE § 273.081.

Candidates have standing under Article III, and thus under Texas law, to sue for election integrity. This standing exists because a candidate has a “cognizable interest in ensuring that the final vote tally accurately reflects the legally valid votes cast,” *Carson v. Simon*, 978 F.3d 1051, 1058 (8th Cir. 2020). In this widely cited precedent, the U.S. Court of Appeals for the Eighth Circuit held that “[a]n inaccurate vote tally is a concrete and particularized injury to candidates such as the Electors.” *Id.* at 1058. *See also Trump v. Wis. Elections Comm’n*, 983 F.3d 919, 924 (7th Cir. 2020) (“As a candidate for elected office, the President’s alleged injury is one that affects him in a personal and individual way.”) (cleaned up, inner quotations omitted); *Hotze v. Hudspeth*, 16 F.4th 1121, 1125 (5th Cir. 2021) (Oldham, J., dissenting) (“At the time the plaintiffs filed this action, at least one candidate for office had standing. The candidate’s injury-in-fact should be self-evident. Candidates for office spend money, devote time, and otherwise injuriously rely

on provisions of the Election Code in organizing, funding, and running their campaigns.”).

Even the highest state of New York held, nearly unanimously, that non-citizens must be barred from voting there, and that candidates had standing to successfully challenge a New York City ordinance which had allowed non-citizens to vote. Plaintiffs were “a group of current and former elected officials, individuals and entities representing or associated with the Republican Party, and a group of New York City registered voters,” and standing existed to grant their requested injunctive relief. *Fossella v. Adams*, 2025 NY Slip Op 01668, ¶ 1 (the existence of standing was so self-evident that the court apparently did not even discuss it). The group of plaintiffs in the New York case is conceptually similar to the group of plaintiffs here, who likewise include a current statewide public official running for reelection, prior Republican Party nominees for public office, registered voters, and taxpayers.

Moreover, “[f]or standing purposes, [federal courts] accept as valid the merits of appellees’ legal claims.” *FEC v. Ted Cruz for Senate*, 596 U.S. 289, 298 (2022). In *Ted Cruz for Senate*, the U.S. Supreme Court rejected the federal government’s argument that Ted Cruz and his campaign “lack standing because their injuries were ‘self-inflicted.’” *Id.* at 296. In a 6-3 affirmance of the Fifth Circuit, the U.S. Supreme Court found standing by Sen. Cruz and his campaign committee to challenge a ban on using post-election funds to repay a candidate’s personal loans. *Id.* at 298.

Here, Plaintiff Sid Miller is the Texas Agriculture Commissioner and has recently filed his candidacy form to run again for reelection in 2026. Harris County, as the Texas county having the most voters in Texas, is enormously important to the election of any

statewide candidate, including Plaintiff Miller. Plaintiff Miller clearly has standing in this action as illegal votes puts his reelection in jeopardy, which would cause him substantial personal injury.

Under the “one plaintiff rule,” standing by the candidate Plaintiff Miller for reelection in 2026 is sufficient to establish jurisdiction: “the presence of one party with standing is sufficient to satisfy Article III’s case-or-controversy requirement.” *Rumsfeld v. F. for Acad. & Institutional Rts., Inc.*, 547 U.S. 47, 52 n.2 (2006); *see also, e.g., Horne v. Flores*, 557 U.S. 433, 445 (2009) (“Here, as in all standing inquiries, the critical question is whether *at least* one petitioner has ‘alleged such a personal stake in the outcome of the controversy as to warrant *his* invocation of federal-court jurisdiction.’”) (first emphasis added) (quoting *Summers v. Earth Island Inst.*, 555 U.S. 488, 493 (2009)); *Nat’l Ass’n for the Advancement of Multijurisdiction Prac. v. Castille*, 799 F.3d 216, 218 n.1 (3d Cir. 2015) (“We are satisfied that at least one Appellant has standing, allowing us to proceed to the merits.”) The one-plaintiff rule is applicable when multiple plaintiffs are seeking the same relief, as is the case here. *Town of Chester, N.Y. v. Laroe Ests., Inc.*, 581 U.S. 433, 439-40 (2017) (“At least one plaintiff must have standing to seek each form of relief requested in the complaint.”).

CONCLUSION

For the foregoing reasons and those set forth by Appellees’ brief, this Court should uphold the ruling below in finding jurisdictional standing by Plaintiffs.

Thank you for your consideration of this letter brief.

Respectfully submitted,

/s/ Briscoe Cain

Briscoe Cain
SBN: 24073602
briscoe@attorneybriscoecain.com
Law Office of Briscoe Cain, PLLC
P.O. Box 164
Deer Park, TX 77536
tel: (832) 955-1777

/s/ Cody T. Vasut

Cody T. Vasut
SBN: 24084012
cvasut@vasutlaw.com
Vasut Law PLLC
P.O. Box 1311
Angleton, TX 77516
tel: (979) 481-0715

/s/ Brent A. Money

Brent A. Money
SBN: 24049530
brent@moneylaw.com
Money Law Firm
2606 Lee Street
Greenville, TX 75401
tel: (903) 755-4746

IDENTITIES OF AMICI CURIAE

Members of the Texas Senate—Senators: Brent Hagenbuch; Adam Hinojosa; Bob Hall; Bryan Hughes; Robert Nichols; Mayes Middleton; Tan Parker; Charles Perry

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Conservative Leaders—Cindy Siegel, Chair, Harris County Republican Party; Hon. Rick Green, Founder of Patriot Academy; Cathy Adams, Vice-President of Texas Eagle Forum; Jeff Yates, GOP political consultant; Keith Nielsen, State Republican Executive Committee, SD 6; Robin Armstrong, MD, Republican National Committeeman; JoAnn Fleming, Grassroots America-We the People PAC.

CERTIFICATE OF COMPLIANCE

Microsoft word reports that this document contains 994 words, excluding any parts exempted by Tex. R. App. P. 9.4(i)(1).

/s/ Briscoe Cain
Briscoe Cain

RULE 11(C) DISCLOSURE

Pursuant to Tex. R. App. P. 11(c), no fee has been or will be paid for the preparation of this letter brief.

CERTIFICATE OF SERVICE

On November 18, 2025, this document was served on each counsel or party in accordance with the rules.

/s/ Briscoe Cain
Briscoe Cain

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Briscoe Cain on behalf of Briscoe Cain
Bar No. 24073602
briscoe@attorneybriscoecain.com
Envelope ID: 108207597
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Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Christopher Garza		Christopher.Garza@harriscountytexas.gov	11/18/2025 10:49:02 PM	SENT
Eleanor Matheson		eleanor.matheson@harriscountytexas.gov	11/18/2025 10:49:02 PM	SENT
Jared Woodfill		woodfillservice@gmail.com	11/18/2025 10:49:02 PM	SENT