

NO. _____

SOUTHWEST VOTER REGISTRATION
EDUCATION PROJECT

Plaintiff,

v.

JACQUELYN F. CALLANEN, in her
official capacity as Elections
Administrator of the Bexar County
Elections Department; NELSON
WOLFF, in his official capacity as
Bexar County Judge; and SERGIO
RODRIGUEZ, PAUL ELIZONDO,
KEVIN A. WOLFF, and TOMMY
CALVERT, in their official capacities
as Bexar County Commissioners

Defendants.

IN THE DISTRICT COURT,

OF BEXAR COUNTY, TEXAS

FILED
DONNA KAY MCINNIS
DISTRICT CLERK
BEXAR COUNTY
2016 OCT 28 P 13
DEPUTY
BY: _____
JUDICIAL DISTRICT

**PLAINTIFF'S ORIGINAL PETITION FOR DECLARATORY JUDGMENT AND
APPLICATION FOR TEMPORARY RESTRAINING ORDER, TEMPORARY
INJUNCTION, AND PERMANENT INJUNCTION**

PLAINTIFF Southwest Voter Registration Education Project files this petition
and, in support, shows the Court as follows:

This action challenges Bexar County's failure to comply with provisions of the
Texas Election Code requiring the County to give critical information about voter
identification (Voter ID) requirements to voters in the November 8, 2016 General
Election. This action also challenges Bexar County's implementation of restrictive Texas
Voter ID requirements that were invalidated by a federal court and are no longer in effect.
Since the start of early voting on October 24, 2016, Bexar County has posted and
announced incorrect and unauthorized Voter ID requirements in early voting polling
places throughout the county, as well as in its recorded telephone message to voters and

on its website. The information Bexar County has posted and announced is not authorized or provided by the Texas Secretary of State. PLAINTIFF seeks emergency and permanent injunctive relief to require DEFENDANTS to provide correct information and procedures related to Voter ID requirements.

DISCOVERY CONTROL PLAN

1. Pursuant to Texas Rule of Civil Procedure 190.1, PLAINTIFF intends to conduct discovery under Discovery Level 2.

PARTIES

2. PLAINTIFF SOUTHWEST VOTER REGISTRATION EDUCATION PROJECT (SVREP) is a non-profit and non-partisan organization committed to improving the participation of Latino and other minority communities across the United States in the democratic process through voter registration, voter education and voter participation activities. In Texas and in Bexar County, SVREP conducts voter registration and organizes nonpartisan get-out-the-vote drives to remind voters of election dates and inform them about requirements for voting including Voter ID. In the 2016 General Election, SVREP is conducting voter registration and get-out-the-vote drives in Bexar County which include educating voters about Voter ID requirements.

3. DEFENDANT JACQUELYN F. CALLANEN is the Elections Administrator of the Bexar County Elections Department and is sued in her official capacity only. DEFENDANT CALLANEN's duties include voter registration and

conducting elections for Bexar County. She may be served with process at 1103 S. Frio, Ste. 100, San Antonio, Texas 78207.

4. DEFENDANT Nelson W. Wolff is the Bexar County Judge and is sued in his official capacity only. The County Judge is the presiding officer of the Bexar County Commissioners Court and is responsible generally for the conduct of elections in Bexar County, including conducting the November 8, 2016 General Election. He may be served with process at Paul Elizondo Tower, 101 W. Nueva, 10th Floor, San Antonio, TX 78205.

5. DEFENDANT Sergio “Chico” Rodriguez is the Bexar County Commissioner for Precinct 1 and is sued in his official capacity only. He is a voting member of the Bexar County Commissioner’s Court, the governing body of Bexar County. He is responsible generally for the conduct of elections in Bexar County, including conducting the November 8, 2016 General Election. He may be served with process at Paul Elizondo Tower, 101 W. Nueva, 10th Floor, San Antonio, TX 78205.

6. DEFENDANT Paul Elizondo is the Bexar County Commissioner for Precinct 2 and is sued in his official capacity only. He is a voting member of the Bexar County Commissioner’s Court, the governing body of Bexar County. He is responsible generally for the conduct of elections in Bexar County, including conducting the November 8, 2016 General Election. He may be served with process at Paul Elizondo Tower, 101 W. Nueva, 10th Floor, San Antonio, TX 78205.

7. DEFENDANT Kevin A. Wolff is the Bexar County Commissioner for Precinct 3 and is sued in his official capacity only. He is a voting member of the Bexar County Commissioner's Court, the governing body of Bexar County. He is responsible generally for the conduct of elections in Bexar County, including conducting the November 8, 2016 General Election. He may be served with process at Paul Elizondo Tower, 101 W. Nueva, 10th Floor, San Antonio, TX 78205.

8. DEFENDANT Tommy Calvert is the Bexar County Commissioner for Precinct 4 and is sued in his official capacity only. He is a voting member of the Bexar County Commissioner's Court, the governing body of Bexar County. He is responsible generally for the conduct of elections in Bexar County, including conducting the November 8, 2016 General Election. He may be served with process at Paul Elizondo Tower, 101 W. Nueva, 10th Floor, San Antonio, TX 78205.

9. DEFENDANTS County Judge and Commissioners created the position of Bexar County Elections Administrator. DEFENDANTS County Judge and Commissioners further are responsible for setting the number of the Election Administrator's deputies and other staff, providing office space and equipment to the Elections Administrator, and providing operating expenses to the Elections Administrator. Tex. Elec. Code § 31.031, 31.039.

10. At all times relevant hereto, all DEFENDANTS were and have been acting under color of statutes, ordinances, regulations, customs and usages of the State of Texas and Bexar County, Texas.

JURISDICTION AND VENUE

11. The Court has jurisdiction over DEFENDANTS because the doctrine of governmental immunity is inapplicable to county officials sued in their official capacity for ultra vires actions, which is the claim PLAINTIFF brings against DEFENDANTS.

12. PLAINTIFF seeks monetary relief of \$100,000 or less and non-monetary relief of declaratory and injunctive relief. The damages sought are within the jurisdictional limits of the Court.

13. This Court's jurisdiction to enter declaratory relief in this lawsuit is established by Tex. Civ. Prac. & Rem. Code § 37.001, *et seq.*

14. This Court's jurisdiction to enter injunctive relief in this lawsuit is established by Tex. Civ. Prac. & Rem. Code § 65.001, *et seq.*

15. Bexar County is the proper venue for this lawsuit because DEFENDANTS are Bexar County residents and the actions of which PLAINTIFF complains occurred and are occurring in Bexar County. *See* Tex. Civ. Prac. & Rem. Code § 15.002.

16. PLAINTIFF does not seek relief under any federal law, and no federal law is at issue in any part of this lawsuit, which concerns DEFENDANTS' dereliction of their mandatory duties under Texas law and DEFENDANTS' actions outside of their legal authority.

STATEMENT OF FACTS

17. On October 24, 2016, early voting commenced in Bexar County for the November 8, 2016 General Election. Bexar County is currently conducting early voting at 43 early voting polling places throughout the county.

18. Beginning with the first day of early voting, voters at many of the early voting polling places in Bexar County encountered posters, signs and other displayed documents incorrectly advising them that they had to provide one of seven forms of government-issued photo identification in order to cast a regular ballot.

19. The posters, signs and other displayed documents with incorrect Voter ID information were outdated materials used in previous elections conducted by Bexar County and are no longer correct.

20. In September 2016, pursuant to a federal court order expanding Texas Voter ID requirements for the November 8, 2016 General Election, the Texas Secretary of State promulgated revised Voter ID polling place materials for use by Texas counties.

21. The new Voter ID requirements are intended to allow voters who lack a government-issued photo identification, and who cannot reasonably obtain one before the election, to show alternative, non-photo identification and receive a regular ballot. The expanded list of acceptable forms of identification, and the requirement for Texas to promulgate new polling place materials, was created by the U.S. District Court for the Southern District of Texas following a ruling by the United States Court of Appeals for

the Fifth Circuit, sitting *en banc*, that the strict Texas Voter ID law violated the federal Voting Rights Act.

22. The restrictive and incorrect Voter ID materials posted by Bexar County officials fail to advise voters that if they lack government-issued photo identification there are alternative, non-photo documents that they can use to prove their identity and be allowed to vote. Instead, the incorrect materials advise that without one of seven specified forms of government-issued photo ID, voters would be ineligible to receive a regular ballot.

23. On October 24, 2016, counsel for PLAINTIFF spoke twice by telephone to DEFENDANT JACQUELYN F. CALLANEN to notify her that early voting polling places were advising voters of incorrect Voter ID requirements through posters, signs and announcements by poll workers that voters must show “photo ID.”

24. On the afternoon of October 25, 2016, DEFENDANT CALLANEN held a press conference at which she addressed the incorrect information on Voter ID at early voting polling places. DEFENDANT CALLANEN announced “[The] wrong one was put out there. We rectified that this morning. The staff visited every poll when they opened. Every sign up there is correct.” Ex. 2, SPECTRUM NEWS, “Incorrect Signs About ID Law Greet Voters Around Bexar County,” Tuesday, October 25, 2016, at 08:38 PM, <http://www.twcnews.com/tx/san-antonio/news/2016/10/25/incorrect-signs-about-id-law-greet-voters-around-bexar-county.html>.

25. Although DEFENDANT CALLANEN stated on October 25, 2016, that incorrect polling place signs had been replaced with the materials promulgated by the Texas Secretary of State for this election, a significant portion of early voting polling places continue to display the restrictive and incorrect Voter ID requirements.

26. At the early voting polling place at Collins Garden Library, located at 200 North Park, San Antonio, the voter check-in desk displays a bound set of pages titled “Acceptable Forms of Identification for Voting in Texas,” with the date “9/16/2013” printed in the bottom left corner on the first page. This document sets out only seven forms of government-issued photo ID as acceptable. This document does not explain that there are alternatives for voters who lack a photo ID. A poll worker at Collins Garden Library insisted that this document was correct when notified by counsel for Plaintiffs that the document was out-of-date and incomplete. Ex. 3, Salmon Dec. As of October 27, 2016, over 2,394 individuals had voted at this early voting polling place.

27. At the early voting polling place at the Encino Branch Library, located at 2515 East Evans Rd., San Antonio, Texas, a sign taped to a pole inside the polling place door is titled “Photo ID required for Texas Voters” and sets out only seven forms of government-issued photo ID as acceptable. This sign does not explain that there are alternatives for voters who lack a photo ID. The Voter ID sign was placed directly below a sign containing the seal of Bexar County and “Elections Department,” and placed directly above a sign advising voters to turn off their electronic devices. Ex. 4,

Maldonado Dec. As of October 27, 2016, 4,701 individuals had voted at this early voting polling place.

28. At the early voting polling place at the Great Northwest Library, located at 9050 Wellwood, San Antonio, Texas, there is a sign posted on the door titled “Photo ID required for Texas Voters.” This sign sets out only seven forms of government-issued photo ID as acceptable. This sign does not explain that there are alternatives for voters who lack a photo ID. Ex. 5, Gonzales Dec. As of October 27, 2016, 5,730 individuals had voted at this early voting polling place.

29. At the early voting polling place at the Henry A. Guerra Library, located at 7978 W. Military Dr., San Antonio, TX, there is a signpost in front of the door with an attached sign titled “Photo ID required for Texas Voters” and another one underneath it translated into Spanish titled “Identificación con Foto se Requiere para Votantes Tejanos.” The signs advise that only seven forms of government-issued photo ID are acceptable, and do not explain that there are alternatives for voters who lack a photo ID. These same signs are posted inside the polling place on a window near the door leading to the voting booth area. About three feet away, two green papers titled “Notice of Required Identification” —one in English and one in Spanish— are posted next to other notices. The green sheets list the seven acceptable forms of photo ID and also acceptable forms of non-photo ID that a voter can present. Ex. 1, Herrera Dec. As of October 27, 2016, 3,650 individuals had voted at this early voting polling place.

30. At the early voting polling place at the Memorial Library, located at 3222 Culebra, San Antonio, TX, poll workers have placed on the check-in table for voters a spiral bound document titled “Acceptable Forms of Identification for Voting in Texas.” This document sets out only seven forms of government-issued photo ID as acceptable. The document does not explain that there are alternatives for voters who lack a photo ID. In addition, on Tuesday, October 25, 2016, a poll worker walked down the line of waiting voters and announced that everyone should “have their ID ready.” Ex. 6, Medina Dec. As of October 27, 2016, 3,268 individuals had voted at this early voting polling place.

31. At the early voting polling place at the Northside Activity Center, located at 7001 Culebra, San Antonio, TX, there is a sign posted immediately before the area where voters check in that is titled “Photo ID required for Texas Voters.” This sign sets out only seven forms of government-issued photo ID as acceptable. This sign does not explain that there are alternatives for voters who lack a photo ID. Ex. 5, Gonzales Dec. As of October 27, 2016, 3,763 individuals had voted at this early voting polling place.

32. At the early voting polling place at the Mission Library, located at 3134 Roosevelt Ave., San Antonio, TX, there is an incorrect Spanish-language sign posted on a door inside the polling place. The sign advises that only seven forms of government-issued photo ID are acceptable, and does not explain that there are alternatives for voters who lack a photo ID. This document is posted next to two green flyers in English advising that voters who lack photo ID can use alternative documents. Ex. 4, Maldonado

Dec. As of October 27, 2016, 2,715 individuals had voted at this early voting polling place.

33. At the early voting polling place at the Julia Yates Semmes Library, located at 15060 Judson Road, San Antonio, TX, there is an incorrect Spanish-language sign posted next to a door inside the polling place. It is located to the left of the line of voters and can be seen clearly by voters standing in line. The sign advises that only seven forms of government-issued photo ID are acceptable, and does not explain that there are alternatives for voters who lack a photo ID. On the other side of the door are English and Spanish language signs offering correct information about alternatives for voters who lack photo ID. Ex. 11, Moreno Dec.

34. Also at the early voting polling place at the Julia Yates Semmes Library, on October 28, 2016, there was a poll worker who identified himself as “Jack” who walked down the line and spoke to voters waiting to vote. In his remarks, he informed voters that “picture ID is required,” and did not mention that there are alternatives for voters who lack photo ID. Ex. 11, Moreno Dec. As of October 27, 2016, 5,259 individuals had voted at this early voting polling place.

35. DEFENDANTS also maintain a website that incorrectly claims that photo Voter ID is required to vote. The website, which can be found at <http://www.bexar.org/1568/Elections-Department> states in bold lettering: “**Photo ID Required for Texas Voters.**” Below that incorrect statement, DEFENDANTS further announce “Election Identification Certificates (EIC) Available” with a link to information

that a voter who lacks photo identification may no longer need because of the new alternative requirements to proving identification at the polls. Only following the incorrect announcement that photo identification is required does a voter encounter the more vaguely worded links to “Updated: Acceptable Forms of ID” and “ID Required for Texas Voters” which, when followed through to another web page, advise the voter of alternatives to presenting photo identification at the polls. Ex. 7, Bexar County Elections Department website.

36. In contrast, the Texas Secretary of State website, found at <http://www.votetexas.gov/register-to-vote/need-id>, states simply “Required Identification for Voting in Person” and does not state that photo identification is required. Ex. 8, Texas Secretary of State website.

37. DEFENDANTS further maintain a Bexar County Elections Department hotline, at (210) 335-VOTE, which contains a recorded message that states four times, incorrectly, that voters are required to show photo identification. The recording states: “Welcome to Bexar County Elections . . . If you would like to know more on *photo ID* requirements for voters, press star for complete information. [after pressing *] Voters are now required to present an approved form of *photo identification* in order to vote in all Texas elections . . . to hear a list a list of approved forms of *photo ID*, press 2 now. [after pressing 2] The seven acceptable forms of *photo identification* to be presented at the polling location when voting in person [lists the seven forms of photo ID and requirements that documents be current or recently expired].” (emphasis added) Only

after listening to more than two minutes of the recorded message, and pressing several prompts following the repeated statements that photo identification is required, does a voter hear “If a voter does not have one of these forms of photo id, they may provide one of the following, as well as complete and sign a declaration stating they have a reasonable impediment to obtaining a photo ID. . . [lists alternative IDs].”

38. The incorrect and restrictive Voter ID requirements displayed and announced at Bexar County early voting polling places confuse and deter voters. Faced with a long line to enter the polling place, a voter without photo identification who hears from a poll worker walking the line that photo ID is required is at risk of leaving the polling place under the impression that she will not be allowed to vote. Similarly, a voter without photo identification is at risk of leaving the polling place without voting after seeing a poster, sign or other materials stating that “You must present one of the following forms of photo ID when voting in person” and that does not contain language about alternatives for voters who lack photo identification.

39. Similarly, the incorrect and restrictive Voter ID requirements announced on the Bexar County Elections Department website and phone hotline confuse and deter voters. A voter without photo identification who contacts the Elections Department for information, either through the website or telephone hotline, is going to receive the incorrect and restrictive Voter ID requirements and could be deterred from voting.

40. Because the federal courts, including the Fifth Circuit Court of Appeals, have determined that restricting Voter ID to seven forms of government-issued photo

documents has an illegal disparate impact on minority voters in Texas, it is certain that the voters deterred in Bexar County will be disproportionately minority.

41. PLAINTIFF SVREP is harmed in its get-out-the-vote efforts in Bexar County when DEFENDANTS post and announce incorrect Voter ID requirements. PLAINTIFF SVREP works to encourage and assist voters to turn out to vote whether or not those voters possess photo Voter ID. When Bexar County purposefully announces incorrect and restrictive photo Voter ID requirements, it deters voters that PLAINTIFF SVREP is working to bring to the polls.

42. In order to counteract the incorrect information distributed by Bexar County, PLAINTIFF SVREP is required to divert its resources to address the confusion and further educate voters about Voter ID requirements. This diversion of resources to counteract the incorrect information distributed by Bexar County harms PLAINTIFF SVREP by preventing it from dedicating those resources to other get-out-the-vote activities.

43. Early voting turnout in Texas, and Bexar County, has broken records this week. On the first day of early voting, 35,431 individuals voted, up from 30,087 in 2012. *See* Ex. 9, San Antonio Express-News, “After Records Set on First Day of Early Voting, Bigger Turnouts Seen on Second Day,” October 26, 2016, at <http://www.mysanantonio.com/news/local/article/After-records-set-on-first-day-of-early-voting-10357796.php#photo-11611455>.

44. As of October 27, 2016, more than 153,637 individuals had voted in Bexar County. *See* Ex. 10, Bexar County, “Bexar County Early Vote Counts,” October 27, 2016, <http://apps.bexar.org/earlyvotecounts>.

45. On Election Day, Bexar County will operate over 700 polling places. All of those polling places are required to provide the mandated posters, signs, and other materials to voters about Voter ID. If the 43 early voting polling places were not provided by DEFENDANTS with correct Voter ID materials, PLAINTIFF fears that the packets already assembled for Election Day polling places are similarly deficient.

Statutory Background

46. Under Texas law, DEFENDANT CALLANEN, as Bexar County Elections Administrator, shall perform the duties and functions of the voter registrar and county clerk. *See* Tex. Elec. Code § 31.043.

47. Texas law requires DEFENDANT CALLANEN to procure the election supplies necessary to conduct an election and distribute the supplies for the election. *See* Tex. Elec. Code § 51.003-04. Election supplies include materials necessary to conduct an election. *See* Tex. Elec. Code § 51.001. Among these necessary election materials is an instructional poster in each voting station and other locations at each polling place, with form and content prescribed by the Texas Secretary of State, that includes information on voting rights under state and federal law. *See* Tex. Elec. Code § 62.011. Necessary election materials also include a list of the acceptable forms of identification for voting in Texas. *See* Tex. Elec. Code § 62.016. In contrast, necessary election

materials do not include any sign, card, or poster that is not authorized or required by law or that is in a form or contains information that is not authorized or required by law. *See* Tex. Elec. Code § 62.013. In fact, an election officer commits an offense if the officer knowingly posts at a polling place, a sign, card, or poster that is not authorized or required by law or is in a form or contains information that is not authorized or required by law. *See* Tex. Elec. Code § 62.013.

48. Texas law also requires DEFENDANT CALLANEN to provide notice of the identification requirements for voting prescribed by Texas law on the Bexar County Elections Department website. *See* Tex. Elec. Code § 31.012. The Secretary of State prescribes the wording of the notice to be included on the website. *See* Tex. Elec. Code § 31.012.

CONDITIONS PRECEDENT

49. All conditions precedent have been performed or have occurred.

50. PLAINTIFF has joined all indispensable parties in compliance with Tex. R. Civ. P. 39.

CAUSE OF ACTION: ULTRA VIRES ACTION

51. PLAINTIFF re-alleges and incorporates by reference all of the allegations contained in all of the preceding paragraphs.

52. Under Texas law, DEFENDANTS are responsible for the administration of elections in Bexar County, Texas. Texas law both constrains DEFENDANTS'

election authority and prescribes specific, ministerial acts for elections administration that DEFENDANTS must perform.

53. DEFENDANTS have failed to perform their required ministerial acts by failing to procure and distribute necessary election supplies to election judges at each Bexar County polling location. Additionally, DEFENDANTS have acted without legal authority by procuring and distributing unnecessary materials that give incorrect or incomplete election information and confuse voters.

54. Further, under Texas law, DEFENDANTS are required to provide notice on their website of the identification requirements for voting prescribed by Texas law. DEFENDANTS have failed to perform their required ministerial acts by failing to provide correct notice on their website in conformity with Texas law. Additionally, DEFENDANTS have acted without legal authority by providing incorrect notice on their website that conflicts with Texas law and confuses voters.

55. Further, DEFENDANTS have acted without legal authority by providing incorrect election information on their telephone system that conflicts with Texas law and confuses voters.

56. DEFENDANTS' failure to perform ministerial acts required by Texas law and DEFENDANTS' actions undertaken without legal authority are ultra vires acts. PLAINTIFF is entitled to a declaration that DEFENDANTS' acts are ultra vires and injunctive relief preventing DEFENDANTS from acting ultra vires.

**APPLICATION FOR TEMPORARY RESTRAINING ORDER, TEMPORARY
INJUNCTION, AND PERMANENT INJUNCTION**

57. PLAINTIFF re-alleges and incorporates by reference all of the allegations contained in all of the preceding paragraphs.

58. There is a substantial likelihood that PLAINTIFF will prevail on the merits of its ultra vires claims, which describe actions by government officials in violation of or exceeding their legal authority.

59. PLAINTIFF has no adequate remedy at law and will suffer immediate, imminent, and irreparable harm, including the diversion of its resources to educate voters about the correct Voter ID requirements. DEFENDANTS' actions prevent PLAINTIFF from dedicating its resources, including its scarce allotment of time before the election, to other get-out-the vote activities. Additionally, money damages are unavailable in ultra vires actions.

60. The equities in this matter weigh heavily in favor of PLAINTIFF. In contrast to PLAINTIFF'S irreparable injuries without an injunction, DEFENDANTS will not be harmed by the issuance of an injunction requiring DEFENDANTS to act within their legal authority.

61. Granting injunctive relief will benefit the public's interest by shielding the public from the costs and consequences of unlawful action by government officials.

62. PLAINTIFF is ready, willing, and able to post a bond. PLAINTIFF is a non-profit organization, and PLAINTIFF requests that the Court sets a nominal bond of \$100.

63. Therefore, PLAINTIFF requests a temporary restraining order, a temporary injunction, and a permanent injunction against DEFENDANTS, and their agents, servants, employees, independent contractors, attorneys, representatives, and those persons in active concert or participation with them who receive actual notice of the order by personal service or otherwise, ordering DEFENDANTS:

- a. to remove the signs and other materials with the illegal requirements and replace them with the signs promulgated by the Texas Secretary of State for this election, at all early voting polling locations;
- b. to change the recorded telephone message at the Bexar county elections department to say “ID” instead of “photo ID;”
- c. to change the webpage of the Bexar County Elections Department to say “ID” instead of “photo ID;”
- d. to ensure that the materials provided to poll workers for early voting and on November 8, 2016, are the materials promulgated by the Texas Secretary of State for this election; and
- e. to notify early voting and Election Day poll workers that they cannot display materials that contain the illegal requirements.

REQUEST FOR RELIEF

64. PLAINTIFF requests that the Court grant it the following relief:

- a. a judgment declaring that DEFENDANTS have acted ultra vires;

- b. a temporary restraining order, temporary injunction, and permanent injunction as requested herein;
- c. court costs;
- d. attorneys' fees under Texas Civil Practice and Remedies Code § 37.009; and
- e. any other relief to which PLAINTIFF may be entitled.

Date: October 28, 2016

Respectfully submitted,

Nina Perales
State Bar No. 24005046
Jack Salmon
State Bar No. 24068914
MEXICAN AMERICAN LEGAL DEFENSE AND
EDUCATIONAL FUND
110 Broadway St., Suite 300
San Antonio, TX 78205
Phone: (210) 224-5476
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**CERTIFICATE OF COMPLIANCE WITH LOCAL RULES
REGARDING APPLICATION FOR A TEMPORARY RESTRAINING ORDER**

I, Nina Perales, certify that pursuant to Local Rule 6, I am aware that Defendants are represented by counsel, including Edward Schweninger, Chief of the Civil Division for the Bexar County Criminal District Attorney's Office, and Clarkson F. "Clark" Brown of the Civil Division for the Bexar County Criminal District Attorney's Office. I have made counsel aware of this application for a temporary restraining order, and I have provided to defense counsel a complete copy of this petition and application for a temporary restraining order and all exhibits referenced in this petition and application for temporary restraining order. I further spoke by telephone to Mr. Clark Brown on this

day, October 28, 2016 and he advised that he would come to the courthouse to appear before the judge hearing this application for a temporary restraining order.

Nina Perales

EXHIBIT LIST AND VERIFICATION

I, John Paul (Jack) Salmon, counsel for Plaintiffs, whose date of birth is January 25, 1984, whose work address appears above, and whose home address is 1801 San Pedro Ave., San Antonio, Texas 78212, United States, declare under penalty of perjury pursuant to Tex. Civ. Prac. & Rem. Code § 132.001, that the exhibits that are cited above and attached next are true and correct copies of the originals.

John Paul (Jack) Salmon

Exhibit #	Title
1	Ernest Herrera Declaration
2	SPECTRUM NEWS, "Incorrect Signs About ID Law Greet Voters Around Bexar County," Tuesday, October 25, 2016, at 08:38 PM, http://www.twcnews.com/tx/san-antonio/news/2016/10/25/incorrect-signs-about-id-law-greet-voters-around-bexar-county.html
3	Jack Salmon Declaration
4	Javier Maldonado Declaration
5	Marina Gonzales Declaration
6	Luis Medina Declaration
7	Bexar County Elections Department website, http://www.bexar.org/1568/Elections-Department
8	Texas Secretary of State website, http://www.votetexas.gov/register-to-vote/need-id

- 9 San Antonio Express-News, “After Records Set on First Day of Early Voting, Bigger Turnouts Seen on Second Day,” October 26, 2016, at <http://www.mysanantonio.com/news/local/article/After-records-set-on-first-day-of-early-voting-10357796.php#photo-11611455>
- 10 Bexar County, “Bexar County Early Vote Counts,” October 27, 2016, <http://apps.bexar.org/earlyvotecounts>
- 11 Celina Moreno Declaration