ACCEPTED 14-20-00685-CV FOURTEENTH COURT OF APPEALS HOUSTON, TEXAS 10/6/2020 1:59 PM CHRISTOPHER PRINE CLERK

No._____

IN THE COURT OF APPEALS FOR THE FOURTEENTH DISTRICT OF TEXAS HOUSTON, TEXAS

In re JUAN GERARDO PEREZ PICHARDO AND PUBLIC INTEREST LEGAL FOUNDATION, INC. Relators

Ann Harris Bennett, in her official capacity as Voter Registrar for Harris County, Texas, Respondent

PETITION FOR WRIT OF MANDAMUS

Andy Taylor Andy Taylor & Associates, P.C. 2628 Highway 36S, #288 Brenham, TX 77833 Office: (713) 222-1817 Fax: (713) 222-1855 J. Christian Adams* Noel H. Johnson* PUBLIC INTEREST LEGAL FOUNDATION 32 East Washington Street, Suite 1675 Indianapolis, IN 46204 Tel: 317-203-5599

Counsel for Relators *Application for *pro hac* admission forthcoming

LIST OF PARTIES AND COUNSEL

Relators

Juan Gerardo Perez Pichardo Public Interest Legal Foundation, Inc.

Counsel for Relators

Andy Taylor Andy Taylor & Associates, P.C. 2628 Highway 36S, #288 Brenham, TX 77833 Office: (713) 222-1817 Fax: (713) 222-1855

J. Christian Adams Noel H. Johnson PUBLIC INTEREST LEGAL FOUNDATION 32 East Washington Street, Suite 1675 Indianapolis, IN 46204 Tel: 317-203-5599 Fax: (888) 815-5641

Respondent

Ann Harris Bennett Voter Registrar for Harris County, Texas 1001 Preston St. Houston, Texas 77002

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APPENDIX REFERENCES

The attached Appendix ("App.") consists of the following:
Affidavit of Logan Churchwell1
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Section 273.061 of the Texas Election Code

STATEMENT OF THE CASE

Nature of the Case

Respondent's office has consistently approved applications for voter registration for facially ineligible registrants. In particular, Respondent registers to vote applicants that do not affirm and answer "YES" to the question "Are you a United States citizen?" and also answer "NO" to the same question, even though Texas law requires her to reject those applications. Tex. Elec. Code § 13.072(c).

Respondent

Ann Harris Bennett, in her official capacity as voter registrar for Harris County, Texas.

Relief Requested

Respondent should be required to reject, challenge, or investigate all applications that do not contain a "YES" answer to the question "Are you a United States citizen?" and to undertake (or allow) a complete review of any original voter applications in order to catalog and take appropriate action on all other applications where the applicant states under penalty of perjury they are not a United States citizen.

STATEMENT OF JURISDICTION

This Court has jurisdiction over this petition for a writ of mandamus. *See* Tex. Election Code § 273.061 ("The supreme court or a court of appeals may issue a writ of mandamus to compel the performance of any duty imposed by law in connection with the holding of an election or a political party convention, regardless of whether the person responsible for performing the duty is a public officer.").

STATEMENT REGARDING ORAL ARGUMENT AND REQUEST FOR EXPEDITED BRIEFING AND DECISION

Harris County began mailing absentee ballots in "mid-September."¹ Early in-person voting begins October 13, 2020.² The 2020 General Election will take place November 3, 2020. The records at issue and those supporting this petition are familiar to Respondent because they originate from the Respondent's office. Therefore, Relators respectfully request that the Court expedite this petition by requesting a response no later than October 9, 2020, and a reply no later October 12, 2020, with a decision to be issued by October 13, 2020. *See Davis v. Taylor*, 930 S.W.2d 581, 582 (Tex. 1996) (expediting briefing and oral argument in election-related proceeding).

Because the duties described herein are clear and mandatory, the petition can be granted without oral argument.

¹ https://www.harrisvotes.com/Docs/VotingInfo/VotingByMailFAQs_en-US.pdf (last accessed October 5, 2020).

² https://www.harrisvotes.com/Docs/VotingInfo/VotingByMailFAQs_en-US.pdf (last accessed October 5, 2020).

STATEMENT OF THE ISSUES PRESENTED

1. Is Respondent failing to perform her nondiscretionary, ministerial duties to review and reject, challenge, or investigate applications for voter registration that contain a "NO" answer to the question "Are you a United States citizen?"

2. Is Respondent failing to perform her nondiscretionary, ministerial duties to review and reject, challenge, or investigate applications for voter registration that do not contain a "YES" answer to the question "Are you a United States citizen?"

INTRODUCTION

United States citizenship is a requirement for voter registration in Texas. Tex. Elec. Code § 13.001(a)(2). Yet Respondent's office has for years consistently approved applications for voter registration that do not contain a "YES" answer to the question "Are you a United States citizen?" Those approved applications either contain a "NO" answer or do not contain an answer at all.

Registrar Bennett has no discretion to approve applications that do not contain a "YES" answer to the citizenship question. Rather, Texas law is clear that Registrar Bennett "*shall* reject th[ose] application[s]." Tex. Elec. Code § 13.072(c) (emphasis added). The records included in the attached Appendix demonstrate that she is not complying with her ministerial duty to reject insufficient applications.

When an applicant marks "NO" to the citizenship question under penalty of perjury, but is registered to vote anyway, the resulting harm is significant. If in fact the applicant is *not* a United States citizen, registration alone can cause problems and delays during any subsequent naturalization process. If the registrant casts a vote—even if under the mistaken belief that she can—she may subject herself to severe penalties. Even one ineligible vote cast by accident cancels out the vote of another Texan.

However, for purposes of this petition, it makes no difference whether the applicant is or is not a citizen of the United States. What matters is whether the

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applicant and Registrar Bennett have complied with the requirements of Texas law because "compliance with state election laws . . . is mandatory." *Bejarano v. Hunter*, 899 S.W.2d 346, 350 (Tex. App. 1995). "Failure to perform her duty subjects [Registrar Bennett] to mandamus." *Id*.

STATEMENT OF FACTS

Juan Gerardo Perez Pichardo

Juan Gerardo Perez Pichardo ("Mr. Pichardo") is a registered voter in Harris County, Texas. App. at 170. Mr. Pichardo was born in 1942 in Mexico. App. at 170. In 1969, Mr. Pichardo immigrated to the United States of America and became a legal permanent resident. App. at 170. In 2000, Mr. Pichardo became a naturalized citizen of the United States of America. App. at 170. Mr. Pichardo intends to vote in the 2020 General Election and in other future elections in Harris County, Texas. App. at 170.

The Foundation's Purpose and Mission

The Public Interest Legal Foundation, Inc. (the "Foundation") is a nonpartisan, public interest organization incorporated and based in Indianapolis, Indiana. Appendix ("App.") at 2. The Foundation's mission is to promote the integrity of elections nationwide through research, education, remedial programs, and litigation. App. at 2. The Foundation also seeks to ensure that voter qualification laws and election administration procedures are followed. App. at 2. Specifically, the Foundation seeks to ensure that the nation's voter rolls are accurate and current, working with election administrators nationwide and educating the public about the same. App. at 2. The Foundation relies on state and federal open records laws to assess the accuracy of voter registration records and compliance with voter list maintenance laws. App. at 2-3.

After More than Two Years of Litigation, the Foundation Obtains Voter List Maintenance Records from Registrar Bennett

In December 2017, the Foundation submitted a request to Registrar Bennett asking to inspect or receive copies of records concerning Registrar Bennett's programs and activities conducted for the purpose of ensuring the accuracy of the voter roll. App. at 3. The request was made pursuant to the open records provision of the National Voter Registration Act of 1993 ("NVRA"), 52 U.S.C. § 20507(i). App. at 3. Registrar Bennett refused to provide access to the requested records and the Foundation thereafter filed an action in federal court to compel Registrar Bennett's compliance with the NVRA, *Public Interest Legal Foundation v. Bennett*, No. 4:18-cv-00981 (S.D. Tex., filed March 29, 2018). App. at 3.

More than two years after the request for records was made—and after her motion to dismiss was denied³—Registrar Bennett agreed to resolve the dispute through a court-ordered settlement. App. at 3. On March 17, 2020, the court entered the Agreed Order, which obligates Registrar Bennett to provide to the Foundation approximately seven years of voter list maintenance records, *See* Doc.

³ Public Interest Legal Found. v. Bennett, No. 4:18-CV-00981, 2019 U.S. Dist. LEXIS 38686 (S.D. Tex. Mar. 11, 2019), adopting recommendation of Public Interest Legal Found. v. Bennett, No. H-18-0981, 2019 U.S. Dist. LEXIS 39723 (S.D. Tex. Feb. 6, 2019).

76, *Public Interest Legal Foundation v. Bennett*, No. 4:18-cv-00981 (S.D. Tex., filed March 13, 2020). App. at 3-4. Although the Agreed Order obligated Registrar Bennett to produce all records within ninety days of entry of the order—or by June 15, 2020—Registrar Bennett began producing records on a rolling basis on June 22, 2020. App. at 4. As of the date of this Petition, the Foundation has not yet received all records to which it is entitled under the terms of the Agreed Order. App. at 4. This delay in compliance with both federal laws mandating disclosure and indeed even the Agreed Order to disclose records is relevant as it impairs, if not extinguishes entirely, the equitable defense of laches to this action.

The Foundation incurred substantial costs obtaining Registrar Bennett's voter list maintenance records. App. at 4. After entry of the Agreed Order, the Foundation moved for an award of attorneys fees, costs, and expenses reasonably expended in the litigation in an amount totaling more than \$210,000, Doc. 85, *Public Interest Legal Foundation v. Bennett*, No. 4:18-cv-00981 (S.D. Tex., filed March 13, 2020). App. at 4. The Foundation has incurred additional costs of time and money reviewing and cataloging the records and analyzing Registrar Bennett's compliance with state and federal voter list maintenance laws. App. at 4.

Registrar Bennett's Ministerial Duties Under the Texas Election Code

"To be eligible for registration as a voter in [Texas], a person must . . . be a United States citizen[.]" Tex. Elec. Code § 13.001(a)(2). "A person desiring to register to vote must submit an application to the registrar of the county in which the person resides." Tex. Elec. Code § 13.002(a). The "registration application must include . . . a statement that the applicant is a United States citizen." Tex. Elec. Code § 13.002(c)(3). Both the Texas voter registration application and the federal voter registration application ask the applicant to affirm his or her citizenship by checking "YES" or "NO" to a variation of the question "Are you a United States citizen?"⁴ The Texas voter registration form instructs that the citizenship question "MUST BE COMPLETED BEFORE PROCEEDING."⁵ The Texas Election Code provides, "The registrar shall review each submitted application for registration to determine whether it complies with Section 13.002 and indicates that the applicant is eligible for registration." Tex. Elec. Code § 13.071(a) (emphasis added). "[I]f the registrar determines that an application does not comply with Section 13.002 or does not indicate that the applicant is eligible for registration, the registrar shall reject the application." Tex. Elec. Code § 13.072(c) (emphasis added). Furthermore, "[if] after determining that an application complies with Section 13.002 and indicates that the applicant is eligible for registration, the registrar has reason to believe the applicant is not eligible for

⁴ See Section 1, Texas Voter Registration Application, available at https://eforms.com/download/2017/10/Texas-Voter-Registration-Application.pdf (last accessed October 5, 2020).

⁵ Id.

registration or the application was submitted in an unauthorized manner, the registrar shall challenge the applicant." Tex. Elec. Code § 13.074(a). Registrar Bennett "may use any lawful means to investigate whether a registered voter is currently eligible for registration in the county" so long as the investigation is not "based solely on residence." Tex. Elec. Code § 16.033(a). If Registrar Bennett "has reason to believe that a voter is no longer eligible for registration, the registrar shall deliver written notice to the voter indicating that the voter's registration status is being investigated by the registrar." Tex. Elec. Code § 16.033(b). Registrar Bennett "shall cancel a voter's registration if" the voter confirms she is ineligible, no reply is received within thirty days, or the notice is returned undeliverable with no forwarding information. Tex. Elec. Code § 16.033(d).

Records Received from Registrar Bennett

1. Registrar Bennett's Office is Approving Voter Applications on Which the Applicant Answered "NO" to the Citizenship Question.

The Appendix to this petition contains true and correct copies of voter list maintenance records obtained from Registrar Bennett relating to applicants who answered "NO" to the citizenship question on the voter registration form but were nevertheless added to the official list of eligible voters. App. at 4-5. Each registrant was later removed from the voter roll after the registrant purportedly made another attestation of non-citizenship or otherwise did not affirm citizenship. App. at 5. On the following page is a representative example of the records contained in the Appendix. The first image below shows the application for voter registration. App. at 5. The red arrows show that the applicant answered "NO" to the question "Are you a United States Citizen?" App. at 5. The green arrows show that the applicant noted on his form that he was a "legal" resident and "not yet" a United States citizen. App. at 5-6. The blue arrows provide the date the application was completed, June 12, 2012.⁶ App. at 6.

⁶ The records included with this petition came to the Foundation with certain information redacted, such as driver's license and social security numbers. The Foundation has further redacted name, address, birth date, signature information, and voter ID number. If the Court orders, the Foundation will file these records unredacted under seal.

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The second image shows a screen capture of the Texas voter registration system. App. at 8. The light blue arrows show two things: the original date of registration of June 26, 2012 ("ORIG. REG") and the effective date of registration of July 26, 2012 ("EDR"). App. at 8. The light green arrow shows that a new registration certificate ("CERT" "NEW") was created for this applicant on July 5, 2012 and mailed out on July 27, 2012. App. at 8. The red arrow shows that the applicant was credited in the system with voting in 2012 ("Last Year Voted"). App. at 8. The two dark blue arrows show that the registration was cancelled ("Status" "C"), the reason for cancellation ("CITZ" or citizenship), and the date the registration was effectively cancelled ("DATE OF REC"). App. at 8. The pink arrow repeats this information and shows further that the registrant received a cancellation letter on November 14, 2014. App. at 8. The black arrow shows comments made by the user. App. at 8. In this instance, the comment reads "NOT a citizen (see image)." App. at 8.

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Attachment B to the Churchwell Affidavit, App. at 20-151, contains fortynine (49) examples of this type of record, App. at 10. Attachment D to the Churchwell Affidavit summarizes these records. App. at 10, 167-68. The summary identifies each record using the CERT #, which is found next to the orange arrow in image two, above. App. at 10.

2. Registrar Bennett's Office is Approving Applications on Which the Applicant Did Not Answer the Citizenship Question.

The Appendix to this petition also contains true and correct copies of Registrar Bennett's voter list maintenance records relating to applicants who did not answer the citizenship question on the voter registration form but were nevertheless added to the official list of eligible voters. App. at 5. Each registrant was later removed from the voter roll after the registrant purportedly made a subsequent attestation of non-citizenship or otherwise did not affirm citizenship.⁷ App. at 5.

Attachment C to the Churchwell Affidavit contains six examples of this type of record, each of which is summarized in Attachment D to the Churchwell Affidavit. App. at 5-6. The summary identifies each record using the CERT #, which is found next to the orange arrow in image two, above. App. at 10.

⁷ The records in Attachment C to the Churchwell contain one instance where a registrant is currently listed in the voter registration system as active. *See* App. at 154.

ARGUMENT

I. Mandamus is Appropriate to Compel Compliance with a Non-Discretionary, Ministerial Duty.

"A writ of mandamus will issue to compel a public official to perform a ministerial act." *Anderson v. Seven Points*, 806 S.W.2d 791, 793 (Tex. 1991) (citing *Womack v. Berry*, 156 Tex. 44, 291 S.W.2d 677, 682 (1956); *Turner v. Pruitt*, 161 Tex. 532, 342 S.W.2d 422, 423 (1961)). "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*, 291 S.W.2d at 793. That is the case here.

II. Registrar Bennett Has a Ministerial Duty to Comply with and Enforce the Requirements of the Texas Election Code.

A. Registrar Bennett has a Ministerial Duty to Review Each Application and Ensure that the Applicant Has Checked "YES" to the Citizenship Question.

Texas Election Code Section 13.001(a) provides the requirements for voter registration in Texas. One of those requirements is United States citizenship. Tex. Elec. Code § 13.001(a)(2). "A person desiring to register to vote must submit an application to the registrar of the county in which the person resides," Tex. Elec. Code § 13.002(a), and that "registration application must include . . . a statement that the applicant is a United States citizen." Tex. Elec. Code § 13.002(c)(3).

Texas Election Code Section 13.071(a) provides, "The registrar shall review each submitted application for registration to determine whether it complies with Section 13.002 and indicates that the applicant is eligible for registration." Tex. Elec. Code § 13.071(a) (emphasis added). The duty to review each application is not discretionary; it is mandatory. In re Robinson, 175 S.W.3d 824, 830 (Tex. App. 2005) ("The use of the word *shall* in a statute is generally construed as creating a nondiscretionary duty."). This duty includes the specific obligation to ensure that each application contains "a statement that the applicant is a United States citizen." Tex. Elec. Code § 13.002(c)(3). The Texas voter registration form requires the applicant to make that statement by checking "YES" to the question "Are you a United States citizen?" Registrar Bennett thus has a ministerial duty to review each application to ensure that the applicant has answered (or checked) "YES" to the citizenship question.

B. Registrar Bennett has a Ministerial Duty to Reject an Application for Voter Registration that Does Not Contain a "YES" Answer to the Citizenship Question.

Texas Election Code Section 13.072(c) provides, "[I]f the registrar determines that an application does not comply with Section 13.002 or does not indicate that the applicant is eligible for registration, the registrar *shall* reject the application." (Emphasis added). The obligation to reject insufficient applications is not discretionary; it is mandatory. *See In re Robinson*, 175 S.W.3d at 830. An application "does not comply with Section 13.002" and "does not indicate that the applicant is eligible for registration" if the application does not contain a "YES" answer to the citizenship question. *See* Tex. Elec. Code § 13.002(c)(3) (application must contain "a statement that the applicant is a United States citizen"). Registrar Bennett thus has a ministerial duty to reject applications that contain a "NO" answer to the citizenship question or do not contain an answer to the citizenship question. *See Bejarano*, 899 S.W.2d at 350 ("The clerk's duty to reject all insufficient applications for a place on the ballot is ministerial.").⁸

C. Registrar Bennett has a Ministerial Duty to Challenge or Investigate a Registration That Does Not Include an Application with a "YES" Answer to the Citizenship Question.

Texas Election Code Section 13.074(a) provides, "[if] after determining that an application complies with Section 13.002 and indicates that the applicant is eligible for registration, the registrar has reason to believe the applicant is not eligible for registration or the application was submitted in an unauthorized manner, the registrar *shall* challenge the applicant." (Emphasis added). The duty to challenge ineligible registrants is not discretionary; it is mandatory. *In re Robinson*,

⁸ This is true even though the applicant, by signing the application, affirms he or she is an U.S. Citizen. *See* Section 10, Texas Voter Registration Application, *available at* https://eforms.com/download/2017/10/Texas-Voter-Registration-Application.pdf (last accessed October 5, 2020). The application states that the questions in Section 1, which includes the citizenship question, "MUST BE COMPLETED BEFORE PROCEEDING." *See id.* at Section 1. The applicant is thus instructed to not complete and sign the application unless she first answers the citizenship question.

175 S.W.3d at 830. A registrant is "not eligible for registration" if he or she has submitted an application that does not contain a "YES" answer to the citizenship question. Tex. Elec. Code § 13.002(c)(3) (application must contain "a statement that the applicant is a United States citizen"). Registrar Bennett thus has a ministerial duty to initiate challenge procedures for registrants who have not submitted an application with a "YES" answer to the citizenship question.⁹

Texas Election Code Section 16.033 provides, "If the registrar has reason to believe that a voter is no longer eligible for registration, the registrar *shall* deliver written notice to the voter indicating that the voter's registration status is being investigated by the registrar." Tex. Elec. Code § 16.033(b) (emphasis added). A "registrar has reason to believe that a voter is no longer eligible for registration" if the registrant submitted an application with a "NO" or blank answer to the citizenship question. After delivering the required notice, the "the registrar *shall* cancel a voter's registration if: (1) after considering the voter's reply, the registrar determines that the voter is not eligible for registration; (2) no reply is received from the voter on or before the 30th day after the date the notice is mailed to the voter under Subsection (b); or (3) each notice mailed under Subsection (b) is returned undelivered to the registrar with no forwarding information available."

⁹ The Texas Election Code gives registrars two days to initiate challenge procedures after approving an application. Tex. Elec. Code § 13.074(c). However, Texas Election Code Section 16.033 does not appear to have a time limitation.

Tex. Elec. Code § 16.033(d) (emphasis added). The duty to deliver written notice of investigation to registrants who have given the registrar reason to believe they are ineligible is not discretionary; it is mandatory. *See In re Robinson*, 175 S.W.3d at 830. Registrar Bennett thus has a ministerial duty to initiate investigation and cancellation procedures (where appropriate) for registrants who submitted an application with a "NO" or blank answer to the citizenship question.

III. The Record Demonstrates that Registrar Bennett is Not Complying with Her Ministerial Duties under the Texas Election Code.

The Appendix attached to this petition contains true and correct copies of voter list maintenance records produced by the Respondent concerning registrants who answered "NO" to the citizenship question or did not answer the citizenship question.¹⁰ App. at 4-6. Registrar Bennett had a ministerial duty to reject these applications, but she did not do so. "Failure to perform her duty subjects [Registrar Bennett] to mandamus." *Bejarano v. Hunter*, 899 S.W.2d 346, 350 (Tex. App. 1995). Absent an order compelling Registrar Bennett to comply with her ministerial duties under the Texas Election Code, applications that do not contain "a statement that the applicant is a United States citizen," Tex. Elec. Code § 13.002(c)(3), will continue to be approved.

¹⁰ The Foundation makes no statement as to whether these applicants are or are not United States citizens. The Foundation is stating only that official government records indicate that they answered "NO" to the citizenship question or did not answer the question.

The registrations included in the Appendix were canceled only because each registrant purportedly made a subsequent attestation of non-citizenship after being added to the voter roll.¹¹ App. at 5. It is therefore nearly assured that additional applicants who did not answer "YES" to the citizenship question remain registered to vote. Absent an order compelling Registrar Bennett to review applications in her possession for sufficiency, Tex. Elec. Code § 13.071(a), and initiate challenge or investigation procedures for registrations that do not include an application containing a "YES" answer to the citizenship question, ineligible registrants may remain registered.¹²

IV. The Foundation Has Standing Because it Is Being Harmed, and Will Continue to be Harmed, Absent Relief.

Registrar Harris's non-compliance with the law is harming the Foundation and will continue to harm the Foundation, absent relief. As an integral part of its public interest mission, the Foundation disseminates information about compliance by state and local election officials with voter list maintenance statutes. App. at 2. The Foundation also promotes election integrity and compliance with federal and state statutes that ensure the integrity of elections. Registrar Bennett's non-

¹¹ This typically occurs when the registrant submits a subsequent application for voter registration or responds to a jury summons.

¹² Relators are not requesting that any registration be canceled without full compliance with all necessary procedures found in state and/or federal law.

compliance with Texas Law has impaired and will continue to impair the Foundation from carrying out its mission. App. at 2-4.

The Foundation has diverted resources and incurred substantial costs to obtain Registrar Bennett's voter list maintenance records and monitor her compliance with the Texas Election Code. App. at 4. Absent relief, the Foundation will be forced to divert additional resources to Harris County and incur additional costs to continue to engage in similar record gathering and monitoring activities, as well as the promotion of remedial measures. App. at 4.¹³

V. Mr. Pichardo Has Standing Because He is Threatened With a Violation of His Right to Vote.

"Undeniably the Constitution of the United States protects the right of all qualified citizens to vote, in state as well as in federal elections." *Reynolds v. Sims*, 377 U.S. 533, 554 (1964). This right "can neither be denied outright . . . nor destroyed by alteration of ballots . . . nor diluted by ballot-box stuffing." *Id.* "The right to vote is 'individual and personal in nature,' and 'voters who allege facts showing disadvantage to themselves as individuals have standing to sue' to remedy

¹³ The Foundation acknowledges that this Court previously held that the Foundation does not have standing to seek mandamus relief. *See* Memorandum Opinion, *In re Public Interest Legal Foundation*, No. 14-20-00665-CV (entered September 30, 2020) (original proceeding). The Foundation repeats these arguments to preserve the issue for review by the Supreme Court of Texas, if necessary.

that disadvantage." *Gill v. Whitford*, 138 S. Ct. 1916, 1920 (2018) (quoting *Reynolds*, 377 U. S. at 561 and *Baker v. Carr*, 369 U.S. 186, 206 (1962)).

Mr. Pichardo is a registered voter in Harris County, Texas. App. at 170. Mr. Pichardo intends to vote in the 2020 General Election and in other future elections in Harris County, Texas. App. at 170. The records in the Appendix show that applicants who answered "NO" to the citizenship question were registered to vote anyway. The records further show that Registrar Bennett's office has credited some of those registrants with voting in an election. App. at 167-68. There is thus a real risk that registrants who answered "NO" to the citizenship question (or did not answer the question)—but have not yet been removed from the voter roll—will cast ballots in the 2020 General Election. Mr. Pichardo is therefore at risk of having his vote canceled out by an ineligible vote. The risk of injury to his right to vote gives Mr. Pichardo standing.

VI. Relators Have No Other Adequate Remedy.

"Mandamus will not issue where there is 'a clear and adequate remedy at law[.]" *Walker v. Packer*, 827 S.W.2d 833, 840 (Tex. 1992) (quoting *State v. Walker*, 679 S.W.2d 484, 485 (Tex. 1984)). Relators have no such remedy. While the NVRA permits private parties to sue election officials for inadequate voter list maintenance, 52 U.S.C. § 20510(b), the NVRA does not expressly require election officials to conduct voter list maintenance based on the answer to the citizenship question, *see* 52 U.S.C. § 20507(a)(3)-(4). The NVRA is therefore not a "clear and adequate remedy." *Walker*, 827 S.W.2d at 840.

Remedies found in Texas law are also not "clear and adequate" to achieve the remedy sought in this petition. Texas Election Code Section 273.081 is limited to "injunctive relief" to "prevent" violations from occurring. Relators do not seek injunctive relief; they seek affirmative compliance with ministerial duties. It is therefore not "clear" that Section 273.081 is "adequate" under these circumstances.

Even where "a remedy at law may technically exist . . . it may nevertheless be so uncertain, tedious, burdensome, slow, inconvenient, inappropriate or ineffective as to be deemed inadequate." *Smith v. Flack*, 728 S.W.2d 784, 792 (Tex. Crim. App. 1987). Whether mandamus is appropriate "depends heavily on the circumstances and is better guided by general principles than by simple rules." *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 137 (Tex. 2004) (orig. proceeding). Given the proximity to election day and the importance of the issues presented, "the benefits of mandamus review outweigh the detriments." *Id.* at 136. To proceed in any other manner would be too uncertain, slow, inconvenient, and ineffective under these circumstances. *Flack*, 728 S.W.2d at 792.

Finally, the instances presented to this Court of the Respondent failing to comply with Texas law by approving registration applications that do not affirmatively answer "YES" to the citizenship question are only those which were detected by the Respondent through various circumstances. Unquestionably more exist and have not been detected. In many instances the original application records exist and given the Respondent's past failures to comply with Texas law, this Court should order the Respondent to review—or to permit Relators to review the universe of original documents to catalog any additional and heretofore undetected instances of failure to comply with Texas law related to the citizenship question.

VII. Conclusion and Prayer for Relief

For these reasons, Relators respectfully request that the Court grant this petition for writ of mandamus and enter an order compelling Registrar Bennett to do the following:

- Review all new applications received for compliance with Texas Election Code Section 13.002(c)(3), as required by Texas Election Code Section 13.071(a);
- Reject any application that contains a "NO" answer to the citizenship question or does not answer "YES" to the citizenship question, as required by Texas Election Code Section 13.072(c);
- Review all previously filed applications of registered voters, or permit the Foundation to review them, and initiate challenge or investigation procedures under Texas Election Code Sections 13.074 or 16.033 for any

registrant who has not submitted an application that contains a "YES" answer to the citizenship question.

- 4. Review all previously filed applications of registered voters, or permit the Foundation to review them, and initiate challenge or investigation procedures under Texas Election Code Sections 13.074 or 16.033 for any registrant who has submitted an application that contains a "NO" answer to the citizenship question.
- Report findings of any such review to this Court and to the Secretary of State of Texas.

Dated: October 6, 2020.

Respectfully submitted,

/s/ Andy Taylor

Andy Taylor Andy Taylor & Associates, P.C. 2628 Highway 36S, #288 Brenham, TX 77833 Office: (713) 222-1817 Fax: (713) 222-1855

J. Christian Adams Noel H. Johnson PUBLIC INTEREST LEGAL FOUNDATION 32 East Washington Street, Suite 1675 Indianapolis, IN 46204

Tel: 317-203-5599 Fax: (888) 815-5641

Counsel for Relators

RULE 52.3(J) CERTIFICATION

I have reviewed the petition and concluded that every factual statement in the petition is supported by competent evidence in the appendix or record.

> /s/ Andy Taylor Andy Taylor

CERTIFICATE OF SERVICE

I certify that, because of the imminent nature of this proceeding, copies of

the foregoing were served in electronic form at the same time the foregoing

document was filed with the Court to the counsel below.

Vince Ryan Harris County Attorney 1019 Congress St., 15th Floor Houston, Texas 77002 Attorney for Harris County, Texas Email: vince.ryan@cao.hctx.net

Barbara Callistien Managing Attorney, Litigation Laura Hedge Deputy Managing Attorney, Litigation 1019 Congress St., 15th Floor Houston, Texas 77002 Email: barbara.callistien@cao.hctx.net Email: laura.hedge@cao.hctx.net

Dated: October 6, 2020

/s/ Andy Taylor

Andy Taylor

CERTIFICATE OF COMPLIANCE

This brief complies with the type-volume limitation of Tex. R. App. P. 9(i)(2)(B) because it contains 4,483 words, excluding the parts of the petition exempted by Tex. R. App. P. 9.4(i)(1).

This brief also complies with the typeface requirements of Tex. R. App. P. 9.4(e) because it has been prepared in a proportionally spaced typeface in 14-point font.

/s/ Andy Taylor Andy Taylor

IN THE COURT OF APPEALS FOR THE FOURTEENTH DISTRICT OF TEXAS HOUSTON, TEXAS

In re JUAN GERARDO PEREZ PICHARDO AND PUBLIC INTEREST LEGAL FOUNDATION, INC. Relators

Ann Harris Bennett, Voter Registrar for Harris County, Texas, Respondent

APPENDIX

Andy Taylor Andy Taylor & Associates, P.C. 2628 Highway 36S, #288 Brenham, TX 77833 Office: (713) 222-1817 Fax: (713) 222-1855 J. Christian Adams* Noel H. Johnson* PUBLIC INTEREST LEGAL FOUNDATION 32 East Washington Street, Suite 1675 Indianapolis, IN 46204 Tel: 317-203-5599

Counsel for Relators *Application for *pro hac* admission forthcoming

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IN THE COURT OF APPEALS FOR THE FOURTEENTH DISTRICT OF TEXAS HOUSTON, TEXAS

In re JUAN GERARDO PEREZ PICHARDO AND PUBLIC INTEREST LEGAL FOUNDATION, INC. Relators

Ann Harris Bennett, Voter Registrar for Harris County, Texas, Respondent

AFFIDAVIT OF LOGAN CHURCHWELL IN SUPPORT OF PETITION FOR WRIT OF MANDAMUS

Andy Taylor Andy Taylor & Associates, P.C. 2628 Highway 36S, #288 Brenham, TX 77833 Office: (713) 222-1817 Fax: (713) 222-1855 J. Christian Adams* Noel H. Johnson* PUBLIC INTEREST LEGAL FOUNDATION 32 East Washington Street, Suite 1675 Indianapolis, IN 46204 Tel: 317-203-5599

Counsel for Relators *Application for *pro hac* admission forthcoming

State of Oklahoma § Scounty of Oklahoma §

BEFORE ME, the undersigned personally appeared Logan Churchwell who, swore the following:

1. My name is Logan Churchwell. I am over 18 years of age, of sound mind, and competent to make this affidavit. I have personal knowledge of the facts stated herein, and they are true and correct to the best of my knowledge.

2. I am resident of Oklahoma.

3. I am Communications and Research Director for Public Interest Legal Foundation, Inc.

4. The Public Interest Legal Foundation, Inc. (the "Foundation") is a non-partisan, public interest organization incorporated and based in Indianapolis, Indiana. The Foundation's mission is to promote the integrity of elections nationwide through research, education, remedial programs, and litigation. The Foundation also seeks to ensure that voter qualification laws and election administration procedures are followed. Specifically, the Foundation seeks to ensure that the nation's voter rolls are accurate and current, working with election administrators nationwide and educating the public about the same. As an integral part of its public interest mission, the Foundation gathers and disseminates information about compliance by state and local election officials with voter list maintenance laws. The Foundation relies on state and federal open records laws to

assess the accuracy of voter registration records and compliance with voter list maintenance laws.

5. In December 2017, the Foundation submitted a request to Ann Harris Bennett, Voter Registrar for Harris County, Texas ("Registrar Bennett") asking to inspect or receive copies of records concerning Registrar Bennett's programs and activities conducted for the purpose of ensuring the accuracy of the voter roll. The request was made pursuant to the open records provision of the National Voter Registration Act of 1993 ("NVRA"). 52 U.S.C. § 20507(i). Registrar Bennett did not provide access to the requested records and the Foundation thereafter filed an action in federal court to compel Registrar Bennett's compliance with the NVRA. *Public Interest Legal Foundation v. Bennett*, No. 4:18-cv-00981 (S.D. Tex., filed March 29, 2018).

6. More than two years after the request for records was made—and after her motion to dismiss was denied¹¹—Registrar Bennett agreed to resolve the dispute through a court-ordered settlement. On March 17, 2020, the court entered the Agreed Order, which obligates Registrar Bennett to provide to the Foundation seven years of voter list maintenance records. *See* Doc. 76, *Public Interest Legal Foundation v. Bennett*, No. 4:18-cv-00981 (S.D. Tex., filed March 13, 2020).

¹¹ Public Interest Legal Found. v. Bennett, No. 4:18-CV-00981, 2019 U.S. Dist. LEXIS 38686 (S.D. Tex. Mar. 11, 2019), adopting recommendation of Public Interest Legal Found. v. Bennett, No. H-18-0981, 2019 U.S. Dist. LEXIS 39723 (S.D. Tex. Feb. 6, 2019).

Attachment A to this affidavit is a true and correct copy of the Agreed Order. The Agreed Order obligated Registrar Bennett to produce the records within ninety days of entry of the order—or by June 15, 2020. However, Registrar Bennett began producing records on a rolling basis on June 22, 2020. As of the date of the Foundation's petition, the Foundation has not yet received all records to which it is entitled under the terms of the Agreed Order.

7. The Foundation incurred substantial costs of time and money obtaining Registrar Bennett's voter list maintenance records. After entry of the Agreed Order, the Foundation moved for an award of attorneys fees, costs, and expenses reasonably expended in the litigation in an amount totaling more than \$210,000. Doc. 85, *Public Interest Legal Foundation v. Bennett*, No. 4:18-cv-00981 (S.D. Tex., filed March 13, 2020). The motion is pending. The Foundation has incurred additional costs of time and money reviewing and cataloging the records and analyzing Registrar Bennett's compliance with state and federal voter list maintenance laws. If this petition is not granted, the Foundation will likely be forced to divert additional resources to Harris County and incur additional costs to continue to engage in similar record gathering and monitoring activities, as well as the promotion of remedial measures.

8. Attachments B and C to this affidavit contain true and correct copies of voter list maintenance records produced to the Foundation by Registrar Bennett

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in compliance with the Agreed Order entered in *Public Interest Legal Foundation v. Bennett*, No. 4:18-cv-00981 (S.D. Tex., filed March 29, 2018).

9. Attachment B contains true and correct copies of voter list maintenance records relating to applicants who answered "NO" to the question "Are you a United States citizen?" on the voter registration form. According to Registrar Bennett's records, each of these applicants was registered to vote anyway. It is my understanding that each of these registrants was removed from the voter roll after making a subsequent attestation of non-citizenship.

10. Attachment C to this affidavit contains true and correct copies of voter list maintenance records relating to applicants who did not answer the question "Are you a United States citizen?" on the voter registration form. According to Registrar Bennett's records, each of these applicants was registered to vote anyway. It is my understanding that each of these registrants was removed from the voter roll after making a subsequent attestation of non-citizenship.

11. The following is a representative example of the records contained in Attachments B and C to this Affidavit. The first image below shows the application for voter registration. The red arrows show that the applicant answered "NO" to the question "Are you a United States Citizen?" The green arrows show that the applicant noted on his form that he was a "legal" resident and "not yet" a

5

United States citizen. The blue arrows provide the date the application was completed, June 12, 2012.¹²

¹² The records included with this petition came to the Foundation with certain information redacted, such as driver's license and social security numbers. The Foundation has further redacted name, address, birth date, signature information.

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The second image shows a screen capture of the Texas voter registration system. The light blue arrows show two things: the original date of registration of June 26, 2012 ("ORIG. REG") and the effective date of registration of July 26, 2012 ("EDR"). The light green arrow shows that a new registration certificate ("CERT" "NEW") was created for this applicant on July 5, 2012 and mailed out on July 27, 2012. The red arrow shows that the applicant was credited with voting in 2012 ("Last Year Voted"). The two dark blue arrows show that the registration was cancelled ("Status" "C"), the reason for cancellation ("CITZ" or citizenship), and the date the registration was effectively cancelled ("DATE OF REC"). The pink arrow repeats this information and shows further that the registrant received a cancellation letter on November 14, 2014. The black arrow shows comments made by the user. In this instance, the comment reads "NOT a citizen (see image)."

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12. Attachment B to this Affidavit contains forty-nine (49) examples of similar records that contain a "NO" answer to the citizenship question.

13. The Appendix to this petition also contains true and correct copies of Registrar Bennett's voter list maintenance records relating to applicants who did not answer the citizenship question on the voter registration form but were nevertheless added to the official list of eligible voters. Each registrant was later removed from the voter roll after the registrant made a subsequent attestation of non-citizenship. Attachment C to this Affidavit contains six examples of this type of record, each of which is summarized in Attachment D to this Affidavit.

14. Attachment D to this affidavit contains a summary of certain information contained in the records contained in Attachments B and C. The summary identifies each record using the CERT #, which is found next to the orange arrow in image two, above.

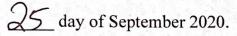
APPENDIX PAGE 10

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SIGNED this 25.4 day of September 2020.

ogan Churchwell

SUBSCRIBED and SWORN TO before me, the undersigned authority, on the





Lei A

Notary in and for the State of Oklahoma

Case 4:18-cv-00981 Document 76 Filed on 03/17/20 in TXSD Page 1 of 8

United States District Court

Southern District of Texas

ENTERED March 17, 2020 David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

)

)

PUBLIC INTEREST LEGAL FOUNDATION,

Plaintiff,

v.

Civil Action No. 4:18-cv-00981

ANN HARRIS BENNETT, in her official capacity as voter registrar for Harris County, Texas,

Defendant.

AGREED ORDER

Upon consideration of the Motion for Entry of Agreed Order filed by the parties to this

action, it is hereby ORDERED, ADJUDGED, and DECREED as following:

I. BACKGROUND

1. On March 29, 2018, Plaintiff Public Interest Legal Foundation filed this action

pursuant to the National Voter Registration Act of 1993 ("NVRA"), 52 U.S.C. §§ 20501 et seq.

for alleged violations of Section 8 of the NVRA, 52 U.S.C. § 20507.

2. Section 8(i) of the NVRA provides, in relevant part,

Each State shall maintain for at least 2 years and shall make available for public inspection and, where available, photocopying at a reasonable cost, all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters, except to the extent that such records relate to a declination to register to vote or to the identity of a voter registration agency through which any particular voter is registered.

52 U.S.C. § 20507(i)(1).

3. Plaintiff is seeking from Defendant the following records:

a. Documents regarding all registrants who were identified as potentially not satisfying the citizenship requirements for registration from any official information source,

including information obtained from the various agencies within the U.S. Department of Homeland Security, Texas Department of Public Safety, and from the Texas Secretary of State since January 1, 2006. This request extends to all documents that provide the name of the registrant, the voting history of such registrant, the nature and content of any notice sent to the registrant, including the date of the notice, the response (if any) of the registrant, and actions taken regarding the registrant's registration (if any) and the date of the action. This request extends to electronic records capable of compilation.

b. All documents and records of communication received by your office from registered voters, legal counsel, claimed relatives, or other agents since January 1, 2006 requesting a removal or cancellation from the voter roll for any reason related to non-U.S. citizenship/ineligibility. Please include any official records indicating maintenance actions undertaken thereafter.

c. All documents and records of communication received by your office from jury selection officials—state and federal—since January 1, 2006 referencing individuals who claimed to be non-U.S. citizens when attempting to avoid serving a duty call. This request seeks copies of the official referrals and documents indicating where your office matched a claim of noncitizenship to an existing registered voter and extends to the communications and maintenance actions taken as a result that were memorialized in any written form.

d. All communications regarding your list maintenance activities relating to #1 through 3 above to the District Attorney, Texas Attorney General, Texas State Troopers/DPS, any other state law enforcement agencies, the United States Attorney's office, or the Federal Bureau of Investigation.

4. The parties have negotiated in good faith and now jointly enter into this Agreed

Order to resolve Plaintiff's claims without prolonged and costly litigation.

II. JURISDICTION

5. This Court has jurisdiction over this matter, pursuant to 28 U.S.C. § 1331 and 52

U.S.C. § 20510.

III. APPLICABILITY

6. The provisions of this Agreed Order shall apply to and bind the parties and their

successors and assigns.

7. This Agreed Order is effective as of the date it is entered by this Court.

CHURCHWELL AFFIDAVIT - ATTACHMENT A

IV. TERMS AND CONDITIONS

Lists, Reports, and Catalogs of Registrants Cancelled Due to Non-U.S. Citizenship

8. Defendant shall provide to Plaintiff all lists, reports, and catalogs of occurrences showing registrants whose voter registrations were cancelled because the registrant did not satisfy the citizenship requirements for voter registration.

9. The lists, reports, and catalogs described in paragraph 9 shall include, but are not limited to:

- Registrants whose voter registration records contain the cancellation code (or other notation) used to indicate that the registration was cancelled due to non-U.S. citizenship; and
- b. Registrants who requested cancellation of their voter registrations due to non-U.S. citizenship.

Lists, Reports, and Catalogs of Registrants Who Were Sent a "Notice of Examination"

10. Defendant shall provide to Plaintiff all lists, reports, and catalogs of occurrences showing registrants who, for reasons relating to the citizenship of the registrant, received a "Notice of Examination," the notice described by Texas Election Code § 16.033 or § 16.0332, or any other similar notice.

11. The lists, reports, and catalogs described in paragraph 11 shall include, but are not limited to, registrants whose voter registration records contain the notation "con-exam."

Lists, Reports, and Catalogs of Applicants or Registrants Who Answered "No" to the Citizenship Question on the Voter Registration Form or Left the Question Blank

12. Defendant shall provide to Plaintiff all lists, reports, and catalogs of occurrences showing registrants who answered "No" to the citizenship question on the voter registration form or left the question blank.

CHURCHWELL AFFIDAVIT - ATTACHMENT A

List of Registrants Disqualified from Jury Service Due to Citizenship Defects

13. Separately and apart from the lists and reports described in paragraph 9, Defendants shall provide to Plaintiff all lists and reports showing registrants disqualified from jury service due to non-U.S. citizenship. These reports shall include the lists described in Texas Government Code § 62.113, Texas Election Code § 16.0332, and Texas Election Code § 18.068.

Records of Voter Registration Activities, Correspondence, and Applications

14. For each registrant included in the lists, reports, and catalogs described in paragraphs 8-13, Defendant shall provide the following:

- A summary of voter registration activities, including but not limited to a copy of the registrant's "Voter Update" page, or a similar record that shows a summary or history of the registrant's voter registration activities;
- b. All documents associated with the registrant, including but not limited to a copy of the registrant's original voter registration application and any subsequent voter registration applications submitted by the registrant, and any correspondence sent to or received from the registrant.

Communications with Law Enforcement

15. Defendant shall provide to Plaintiff records of all correspondence between Defendant and any law enforcement body, including, but not limited to, the Harris County District Attorney, concerning registrants whose registrations were cancelled due to non-U.S. citizenship. These records shall include, to the extent they are still in Defendant's possession, the correspondence referenced by former Harris County Tax Assessor-Collector Mike Sullivan in his testimony before the Texas House Elections Committee on May 2, 2015.

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CHURCHWELL AFFIDAVIT - ATTACHMENT A

Time Period for the Records

16. Defendant shall provide the records described in this Agreed Order for the time period starting on January 1, 2013 and ending on the date this Agreed Order is entered by this Court.

Time to Produce the Records

17. Defendant shall provide the records described in this Agreed Order to Plaintiff within 90 days of the date this Agreed Order is entered by this Court.

Permissible Redactions

18. Defendants may redact the following information on the records described in this Agreed Order:

- a. The registrant's driver's license number;
- b. The registrant's social security number;
- c. The registrant's telephone number; and,
- d. The registrant's response to the question regarding service as a poll worker.

V. RETENTION OF JURISDICTION AND DISPUTE RESOLUTION

- 19. This Court retains jurisdiction over this action for purposes of the following:
 - a. Implementing and enforcing the terms and conditions of this Agreed Order;
 - b. Resolving disputes involving this Agreed Order; and,
 - c. Adjudicating any motion for attorney's fees, costs, and expenses filed pursuant to 52 U.S.C. § 20510(c).

20. This case may be reopened without a filing fee so that the parties may enforce this Agreed Order or resolve disputes regarding its terms and conditions.

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21. In the event of a dispute regarding compliance with this Agreed Order, the parties must first attempt to resolve the dispute by meeting or by using other means of communication to discuss the dispute and the measures for resolving the dispute. If no resolution is reached within 30 days of the first communication regarding the dispute, either party may file a motion with this Court to resolve the dispute.

22. The provisions of 52 U.S.C. § 20510(c), regarding an award of attorney's fees, costs, and expenses to the prevailing party, if any, shall apply to any proceeding to enforce the terms and conditions of this Agreed Order.

23. This Agreed Order may be modified only upon motion and the approval of this Court.

24. If for any reason this Court should decline to approve this Agreed Order in the form presented, the parties shall continue negotiations in good faith in an attempt to cure any objection raised by this Court to entry of this Agreed Order.

VI. ATTORNEY'S FEES AND COSTS

25. Each of the parties consents to allow this Court to determine at a later time whether Plaintiff, Defendant, or neither party is a prevailing party in this action for purposes of 52 U.S.C. § 20510(c).

26. Upon entry of this Agreed Order by this Court, Plaintiff and/or Defendant may file a motion for attorney's fees, costs, and expenses.

VII. FUTURE REQUESTS FOR RECORDS UNDER NVRA

27. In the event Plaintiff makes additional requests under Section 8(i) of the NVRA for records described by this Agreed Order and covering time periods after the effective date of this Agreed Order, Defendant shall permit Plaintiff to inspect or receive the requested records in

CHURCHWELL AFFIDAVIT - ATTACHMENT A

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the same categories as listed in Section IV, numbers 8-16, with redactions as listed in Section IV, number 18, subsections a-d.

VIII. RESOLUTION OF ALL CLAIMS

28. This Agreed Order constitutes a full settlement of and shall resolve all civil liability of Defendant for the alleged violations of the NVRA alleged in this action, with the exception of any party's claim for attorney's fees, costs, and expenses pursuant to 52 U.S.C. § 20510(c).

IX. CONSENT TO ENTRY OF AGREED ORDER

29. Each of the parties consents to entry of this Agreed Order, subject to the Court's approval of this Order. The undersigned representatives of each party certify that they are fully authorized by the party to enter into the terms and conditions of this Order and to execute and legally bind the represented parties to it. This Order can be signed in counterparts.

Judgment is hereby entered in accordance with this Agreed Order this 17^{-1} day of 2020.

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Andrew S. Hanen United States District Judge

CHURCHWELL AFFIDAVIT - ATTACHMENT A

and the second second

AGREED AND CONSENTED TO:

For Plaintiff

Y. Christian Adams
President
Public Interest Legal Foundation, Inc.
32 E. Washington St., Ste. 1675
Indianapolis, IN 46204

Date: 3-3-2020

For Defendant:

Amy Magness VanHoose Assistant County Attorney 1019 Congress, 15th Floor Houston, TX 77008

-3-20 Date:

CHURCHWELL AFFIDAVIT - ATTACHMENT A

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CHURCHWELL AFFIDAVIT - ATTACHMENT B APPENDIX PAGE 20

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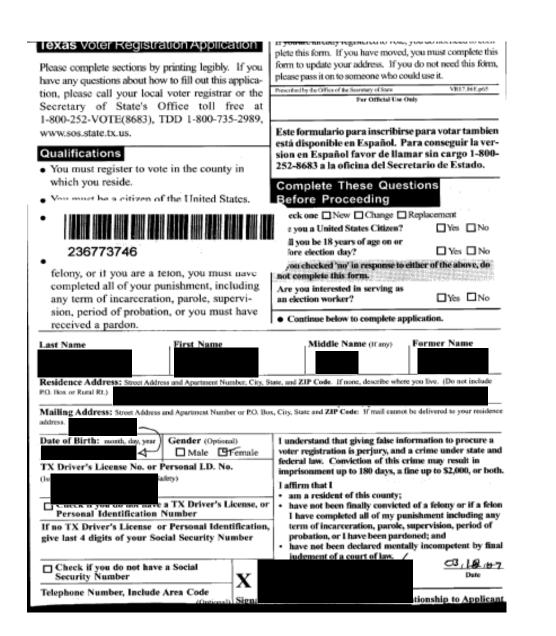
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CHURCHWELL AFFIDAVIT - ATTACHMENT B

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CHURCHWELL AFFIDAVIT - ATTACHMENT B APPENDIX PAGE 31

	·,			
Texas Voter Registration Application	www.sos.state.tx.us			
Please complete sections by printing legibly. If you have any questions about how to fill out this applica-	Prescribed by the Office of the Secretary of State 17.04 BPML1-04 For Official Use Only			
tion, please call the Secretary of State's Office toll free at 1-800-252-VOTE(8683), TDD 1-800-735- 2989. Qualifications	Este formulario para inscribirse para votar tambien está disponible en Español. Para conseguir la ver- sion en Español favor de llamar sin cargo 1-800- 252-8683 a la oficina del Secretario de Estado.			
 You must register to vote in the county in which you reside. 	Complete These Questions Before Proceeding			
• You must be a citizen of the United States.	Check one New Change Replacement			
 You must be at least 17 years and 10 months old to register, and you must be 18 	Will you be 18 years of age on or before election day?			
years of age by election day.You must not be finally convicted of a	If you checked 'no' in response to either of these ques- tions, do not complete this form,			
felony, or if you are a felon, you must have completed all of your punishment, including	Have you ever voted in this county for a federal office?			
any term of incarceration, parole, supervi- sion, period of probation, or you must have	If you answered "no" to this question, be sure to see special instructions regarding identification requirements on the re- verse side of the application.			
received a pardon.	 Continue below to complete application. 			
Last Name First Name Residence Address: Sweet Address and Apartment Number, City, Si Or Recal Rt.)	Middle Name (If any) Former Name use, and ZIP. If none, describe where you live. (Do not include P.O. Box			
Mailing Address: Address, City, State and ZIP: If mail cannot be de	elivered to your residence address.			
Date of Birth: month, day, year Gender (Optional)	I understand that giving false information to procure a voter registration is perjury, and a crime under state and federal law.			
TX Driver's License No. or Personal LD. No. (Issued by the Department of Public Safety) If none, give last 4 digits of your Social Security Number University of the social security, driver's license, or personal identification number	 I affirm that I am a resident of this county; have not been finally convicted of a felony or if a felon I have completed all of my punishment including any term of incarceration, parole, supervision, period of probation, or I have been pardoned; and 			
Telephone Number, Include Area Code	have not been declared mentally incompetent by final judgment of a court of law, <u></u>			
City and County of Former Residence In Texas Signature	of Applicant or Agent and Relationship to Applicant			
for Printe	d Name of Applicant if Signed by Witness and Date.			

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	Check appropriate box: 1 AM A UNITED STATES CITIZEN Vs. (No)	TX Driver's License No. or Personal LD. No. (Issued by a Dept. of Public Safety) (Optional) (Nonero de su licencia tejara de matejar n de su Cédala de Identidad expedida por el Departamento de Separidad Pública de Tejasi (optaivo)
	I understand that giving false information to procure a voter registration is perjury, and a crime under state and federal law. (Extends que el becto de propercionar dutos falses a fin de obteacr inscripción en el region de votante, constituye el delino de projecio declaración falsa y es una infracción suncionable por ley foderal y estuda).	Telephone Number (Optional) (Néresro telefónico) (optativo) Check one (Marque el cuadro) New (Neevo) Change (Cambiar) (2, /23.103
	I affirm that I (Declaro que soy) am a resident of this county; (residente del condado) may aresident of this county; (residente del condado) have unot been finally convicted of a felony or if a felon I am eligible for registration under section 13.001, Election Code; and (que ro he sido condenador an definity a per un defino pend, o en caso de tal condena, que essay habilitativa para inscribirme, a tenor de lo dispuesto condena, que essay habilitativa pendiactiva feloratul Nam	Date (fecha) nature of Applicant or Agent and sectors and Date. (Ferm delde la solicitate o ne of Applicant if Signed by Witness and Date. (Ferm delde la solicitate o upoderado ly qué parettesco tiene eUn apoderado con eUn solicitate. Si la firma eu a(a) instigo, escriba el nombre delde la solicitate usando letra de receitr y porga la fecha.

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Comments Election Role Last Year Voted Processor ErrorVoter marked NO to citzn;	Updated by MUNOZA 08/31/2016 04:34 PM

riease complete sections by printing regiony. It you have any questions about how to fill out this application, please call the Secretary of State's Office toll free at 1-800-252-VOTE(8683), TDD 1-800-735-2989.

Qualifications

- · You must register to vote in the county in which you reside.
- · You must be a citizen of the United States.
- · You must be at least 17 years and 10 months old to register, and you must be 18 years of age by election day.
- · You must not be finally convicted of a felony, or if you are a felon, you must have completed all of your punishment, including any term of incarceration, parole, supervision, period of probation, or you must have received a pardon.

FOR OTHERM CREATING

Este formulario para inscribirse para votar tambien está disponible en Español. Para conseguir la ver-sion en Español favor de llamar sin cargo 1-800-252-8633 a la oficina del Secretario de Estado.

Complete These Question	s
Before Proceeding	
Check one YNew Change Repla	
Are you a United States Citizen?	TYes Trivo
Will you be 18 years of age on or before election day?	Yes 🗆 No
If you checked 'no' in response to either tions, do not complete this form.	of these ques-
Have you ever voted in this county for a federal office?	🗆 Yes 🖾 No
If you answered "no" to this question, be su instructions regarding identification require verse side of the application.	

Continue below to complete application.

Las <u>t Name</u>	First Name	Middle Name (f any) Former Name
or Rural Rt.)		nber, City, State, and ZIP. If none, describe where you live. (Do not include P.O. But Houston, TX 77066
Mailing Address: Add		cannot be drivered to your residence address.
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Houston, Harris or Printed Name of Applicant of Signed by Witness and Date.

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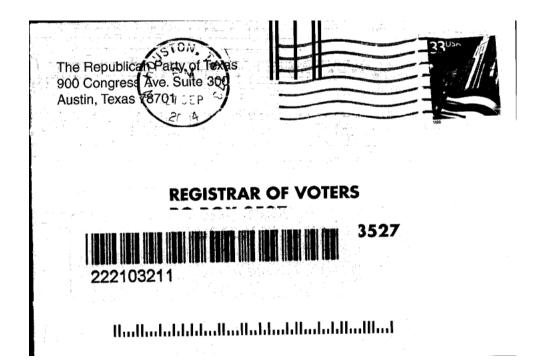
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List of Voter		03.06] Print <u>C</u> ertified	Print ID Now	Force Status	Create Notice
Notices for					notclist v 0311 click or press o choose
Notice #	Created	Notice Code & S	ub Mailed	Returned	Return Code
20268679 5695988 4638850 2918598	09/01/2016 02/08/2007 12/21/2005 10/27/2004	CAN CERT F	DJTZ 09/03/2016 DTZ 02/16/2007 EEN 01/06/2006 EEW 11/11/2004		

	STEP 3	and the second se
KATY TX 77449-7647	procur	rstand that giving false information to e a voter registration is perjury, and a under state and federal law.
200,800,000 € 100,000 € 100,000 100,000 € 100,000 € 100,000 100,000 € 100,000 € 100,000	 am have felor 	n that I: a resident of this county; e not been finally convicted of a ny, or if a felon, I have completed all
STEP 2 COMPLETE THESE QUESTIONS	of m inca of p and • have	y punishment including any term of recertion, parole, super vision, period robation, or I have been pardoned; not been declared mentally moretent by final judgment of a
Check one: New Change Replacement	cour	a 78 AL
Are you a United States Citizen? Yes No	- 19 <u>4</u> 3	Date
Will you be 18 years of age	X Signatu	re of applicant or Agens and Relationship to at or Printed Name of Applicant if Signed by
Have you ever voted in this Yes Yes	Witness	and Date.

🔊 Voter Update [c1update 03.06]				×
► ► E	El <u>e</u> ction Role	_	D <u>i</u> stricts	Updt Vot Hst
NEW ADD SAVE EXIT View Prov Blts Cance	el NVRA <u>D</u> up	Polling Place	<u>R</u> eg Hist	View Vot <u>H</u> ist
NVRA Source Date Submitted Statu	is / Reason Pre CITZ 08	cinct 85	Sub CER 02 57	स # /807075
File Number	VU	ID		ID Compliant Y
Last First	Middle	Former		Suffix V
Residence Address Street # Fract Dir Name)ir Unit Type	Unit #	
City HU Zip 77346 Muni HUMBLE	Post Office	BLE	Address Exception	
Mail Address	Gender DOB			Former
	DL#			County Former Resid
	SSN	SSN4	Has No ID N	
City State	Citizen?Y PW Inte	erest Signed?	Y Language	
Zip - Non US Addr Clear Mail Addr	Birth Place	Jury	Privacy	
ORIG. REG 10/01/2004 EDR 10/31/2004		Begin Date	Disab	oility <u>M</u> ore
TEAM REG 10/01/2004 VALID FROM 10/31/2004	Email			ID Rovd N
DATE OF REC 09/06/2017				
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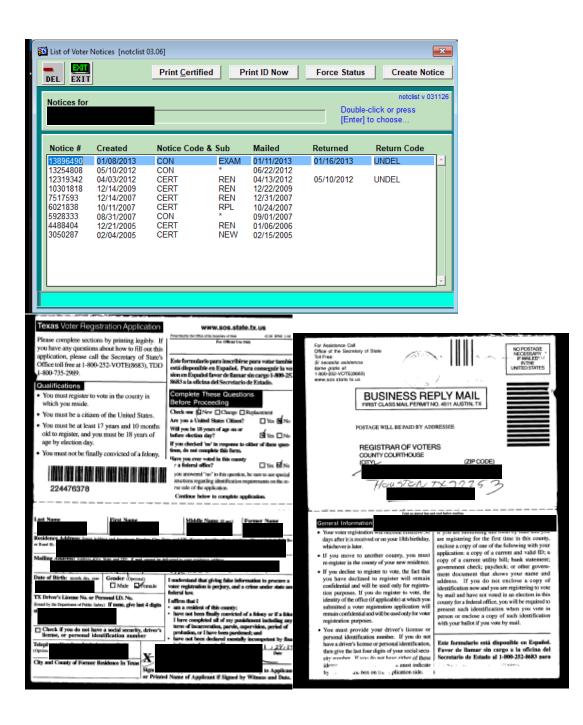
STEP 1 TEXAS VOTER REGIS	
HUMBLE TX 77346-3264 DOB:	I understand that giving false information to procure a voter registration is perjury, and a crime under state and federal law. I affirm that I: • am a resident of this county; • have not been finally convicted of a felony, or if a felon, I have completed all of my punishment including any term of incarceration, parole, supervision, period of probation, or I have been pardoned; and • have not been declared mentally
Check one: New Change Replacement Are you a United States Citizen? Yes No Will you be 18 years of age on or before election day? Have you ever voted in this county for a federal office?	incompetent by final judgment of a court of law. X Sign Sign Applicant or Printed Name of Applicant if Signed by Witness and Date.



	Notices [notclist	03.06]				×
DEL EXIT		Print <u>C</u> ertifi	ed P	rint ID Now	Force Status	Create Notice
Notices for						notclist v 031126 lick or press o choose
Notice #	Created	Notice Code	& Sub	Mailed	Returned	Return Code
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Voter Update [c1update 03.	06]					X
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	on US Addr C <u>l</u> ear M	Place		Signed? Y Jury	Language Privacy	m Moro
		lail Addr Birth /2005 FPCA /2005		Signed? Y Jury	Language	ility <u>M</u> ore

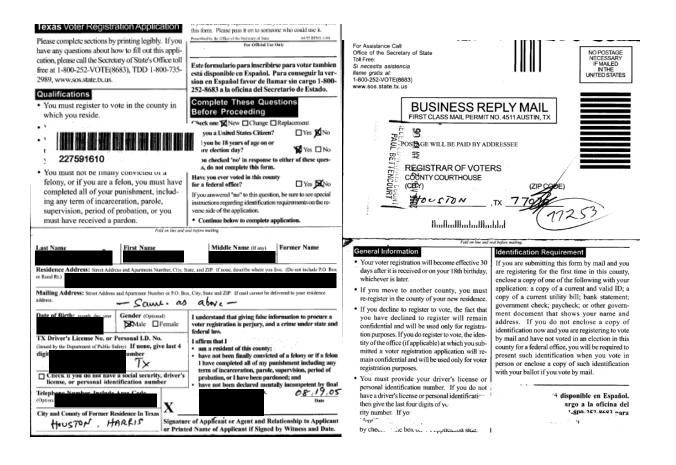
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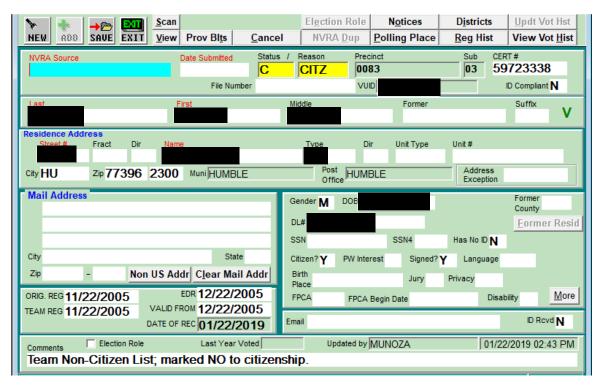


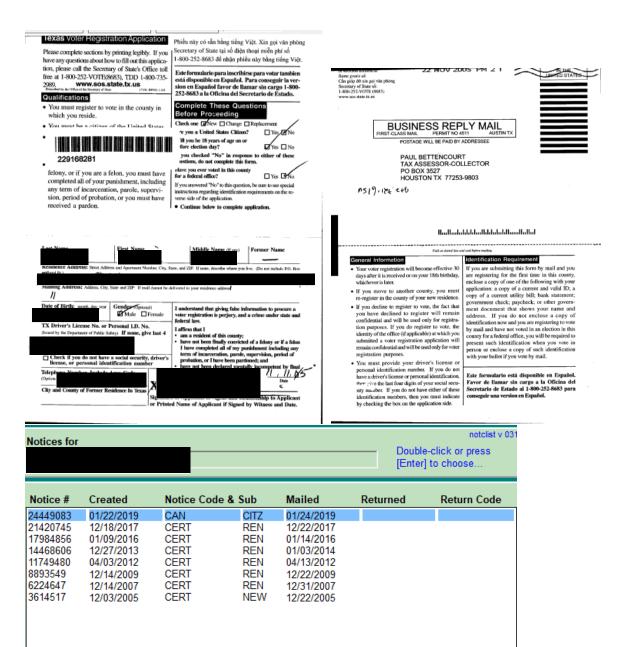
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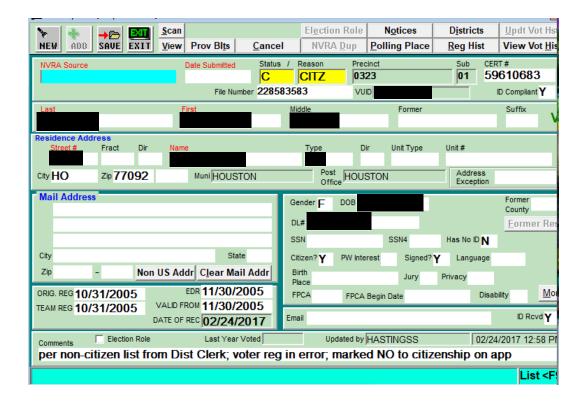
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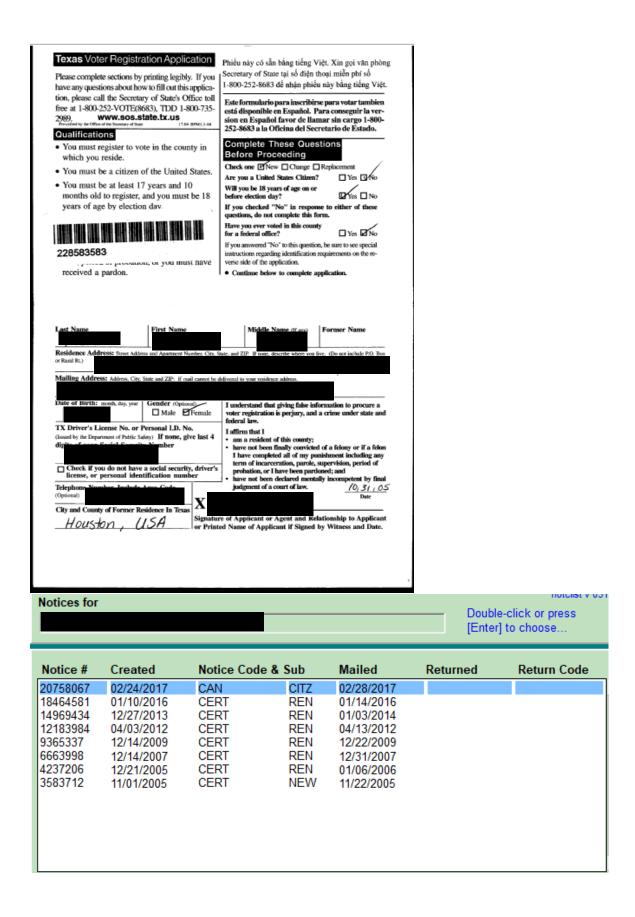
Prescribed by the Secretary of State B5-2c40 10/05	TER REGISTRATION AD	DRESS CON	FIRMAT	ION
Last Name	First Name	Middle Name	e (If any)	Former Name
Residence Address: Street A	ddress and Apartment Number, City, Stat	e, and ZIP. If none, o	lescribe whe	re vou live.
Ma				
	one		Date of B	irth: month, day, year
I affirm the <u>changes made</u>		(Issued by the De	partment of]	(X
Printed Name of Voter if	ent and Relationship to Voter or Signed by Witness and Date.	Check if you personal ider	do not have : itification_n	a driver's license, or umber
FOR AGENT Changes may be oter of this county or have sub- nust otherwise be eligible to vol- vife, father, mother, son or dau	made by agent, who must be qualified nitted a registration application and	If no TX Driver's Social Security N	License, giv umber	e last 4 digits of your Social Security Number
	24 SEP 2007 PM	5 T -	CEDERCHARMAN AND CEDRCHARMAN AN	UNTED STATES
		A CONTRACTOR		000077667
	<u>(</u> •			539228395
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PO	STAGE WILL BE PAID BY			
T/ P(AUL BETTENCOURT AX ASSESSOR-COLLEC D BOX 3527 DUSTON TX 77253-9974		I	
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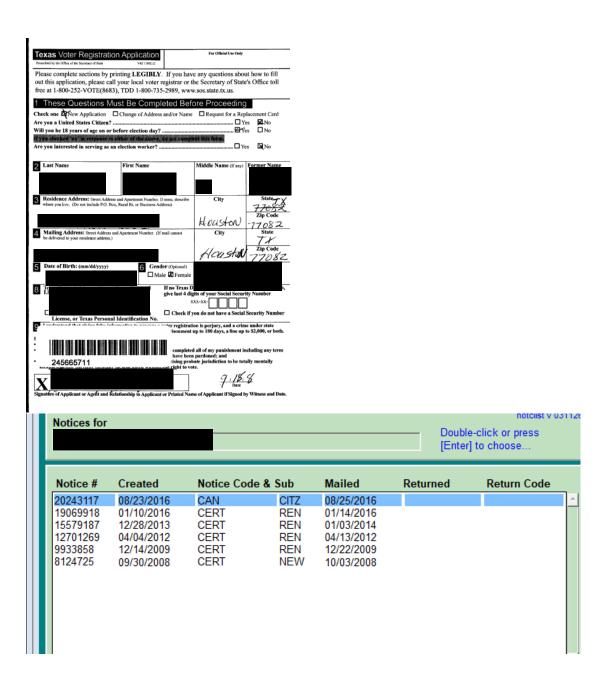








🚰 Voter Update [c1update 03.06]				×
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NEW ADD SAUE EXIT View Prov Blts Cano	el NVRA <u>D</u> up	Polling Place	<u>R</u> eg Hist	View Vot <u>H</u> ist
NVRA Source Date Submitted State	us / Reason Pred		Sub CER	T# 137201
File Number 245	Joinz			ID Compliant Y
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Residence Address Street # Fract Dir Name	Type D		Unit #	
City HO Zip 77082 Muni HOUSTON	Post Office	STON	Address Exception	
Mail Address	Gender 🖵 DOB			Former
	DL#			County Former Resid
	SSN	SSN4	Has No ID N	
City State	Citizen? N PW Inte	rest Signed? Y	Language	
Zip - Non US Addr Clear Mail Addr	Birth Place	Jury	Privacy	
ORIG. REG 09/23/2008 EDR 10/23/2008		Begin Date	Disab	ility <u>M</u> ore
TEAM REG 09/23/2008 VALID FROM 10/23/2008 DATE OF REC 08/23/2016	Email			ID Rovd N
Comments Election Role Last Year Voted	Updated by	TATES	08/23	/2016 08:01 AM
Agency or Source of registration for statistical	purposes.			List <f9></f9>



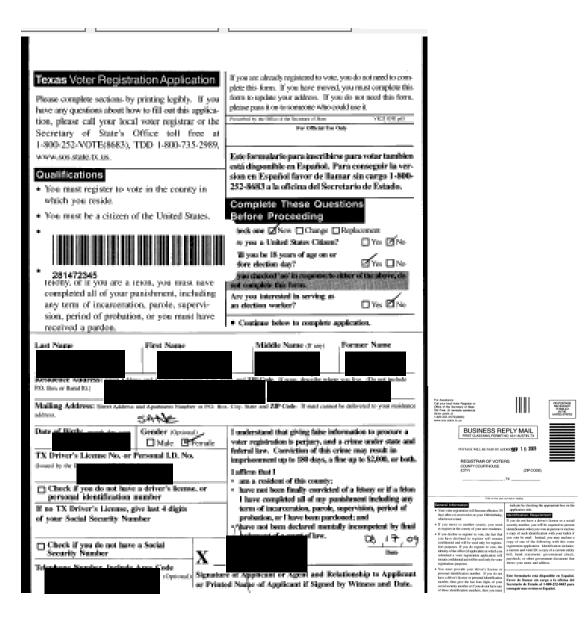
🚮 Voter Update [c1update 03.06]					
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NEW ADD SAUE EXIT View F	Prov Bl <u>t</u> s <u>C</u> ancel	NVRA <u>D</u> up	Polling Place	<u>R</u> eg Hist	View Vot <u>H</u> is
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City HO Zip 77089	Muni HOUSTON	Post Office HOUS	TON	Address Exception	
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🚺 List of Voter	Notices [notclist	03.06]				×
DEL EXI	u	Print <u>C</u> ertifie	d P	rint ID Now	Force Status	Create Notice
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Notice #	Created	Notice Code &	& Sub	Mailed	Returned	Return Code
20243087 13968071 13096893 10367430 8679783	08/23/2016 03/13/2013 04/04/2012 12/14/2009 10/07/2009	CAN CON CERT CERT CERT	CITZ * REN REN NEW	08/25/2016 03/15/2013 04/13/2012 12/22/2009 10/13/2009		×

Please complete sections out this application, pleas free at 1-800-252-VOTE(e call your local voter regi	istrar or the Se	cretary of State	
1 These Questions	Must Be Complete			
Are you a United States Citiz				
Will you be 18 years of age o				
f you checked 'no' in respon	se to either of the above, do	not complete th	is form.	
Are you interested in serving	as an election worker?			
2 Last Name	First Name	Mid	dle Name (If any)	Former Name
	Address and Apartment Number. If nor O. Box, Rural Rt. or Business Address		city susten	State TX Zip Code 170 89
Mailing Address: Street Ad be delivered to your residence add Same	dress and Apartment Number. (If mail lress.)	cannot .	city Same	State - Sa.ML Zip Code Sa.ML
Date of Birth: (mm/dd/yy	yy) 6 Gender (Male)		elephone Number	(Optional)
Texas Driver's License N I.D. No. (Issued by the Depart	ment of Public Safety) giv	e last 4 digits of xxx-x	your Social Secur	
Check if you do not h	ave a Texas Driver's 🛛 🖵 sonal Identification No.	Check if you do	not have a Social	Security Number
9			erjury, and a crin 80 days, a fine up	te under state to \$2,900, or both.
< 281946156 have not used or partfally me	ntally incapacitated without the	ve been parde .ng probate ju		acluding any term ally mentally
X	t Dalationskin to Annik		0 <u>9,23,</u> Date	
Mgnatu	d Relationship to Applicant or I	ranted Name of A	ppnicant if Signed b	by witness and Date.

Voter Update [c1update 03.	06]					×
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NVRA Source	Date Submittee	Status /	Reason Pred	cinct 21		स# 8 44532
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Last	First	M	iddle	Former		Suffix V
Residence Address Street # Fract Dir	Name		Type D		Unit #	
City HO Zip 77017	MuniHOU	STON	Post Office HOUS	STON	Address Exception	
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			L# SN	SSN4	Has No ID N	<u>F</u> ormer Resid
City	S	tate Ci	itizen? N PW Inte	rest Signed?	Y Language	
Zip – No	on US Addr C <u>l</u> ear M	P	irth lace	Jury	Privacy	
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TEAM REG	DATE OF REC 04/17		ail			ID Rovd N
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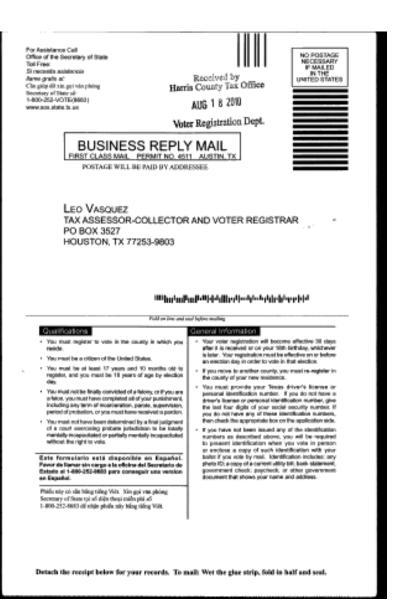
List of Voter Notices [notclist 03.	06]			×
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Voter Update [c1update 03	.06]								×
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NEW ADD SAVE EXI	T <u>V</u> iew	Prov Blts	<u>C</u> ancel	NVRA	. <u>D</u> up	Polling Place	<u>R</u> eg Hi	st View	Vot <u>H</u> ist
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		File Nur			VUI			ID Compli	
Last	Fi	rst		Middle		Former		Suffix	v
Residence Address Street # Fract Di City HO Zip 77091		MuniHOUS	TON	Type Post	Dii ce HOUS		Unit # Addre Excep		
Mail Address			Ξ	Gender M DL# SSN	DOB	SSN4	łas No IE		
City Zip – <u>N</u>	on US Add	Sta Ir C <u>l</u> ear Ma		Citizen? Y Birth Place	PW Inter	rest Signed? Jury	Y Langu Privacy	age	
ORIG. REG08/15/2010 TEAM REG08/15/2010		OR 09/14/2		FPCA	FPCA I	Begin Date		Disability	More
TEAM REG 06/15/2010		REC 11/23/2		Email				ID	Rovd N
Comments Election Ro		Last Year g in ERR	· · · · ·			SEALEMASON Sue Cancel		11/23/2015 ()8:23 AM
Agency or Source of	registrat	ion for sta	tistical p	Irposes	_				ist <f9></f9>

List of Voter Notices [notclist 0	3.06]						×
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Notice # Created	Notice Code &	Sub	Mailed	Return	ned	Return Code	
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Please complete sections by print have any constitute about how to	Ill out this application,				
pleane call your local Vider Regis State's Office tol free at 1-800-25 1-800-735-2008, www.coc.state.to	0-VOTE(HERAL TOD		28	5235	512
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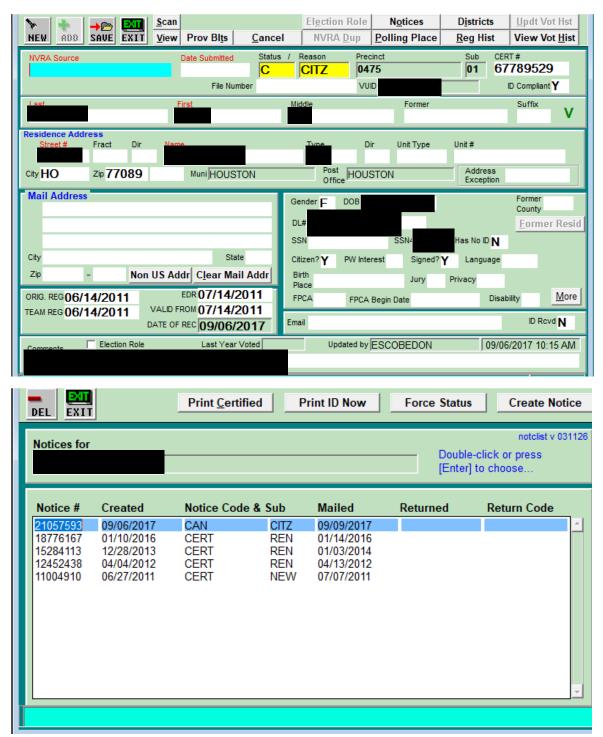
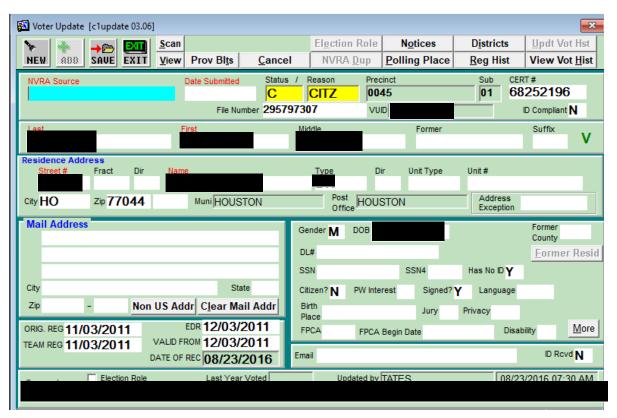


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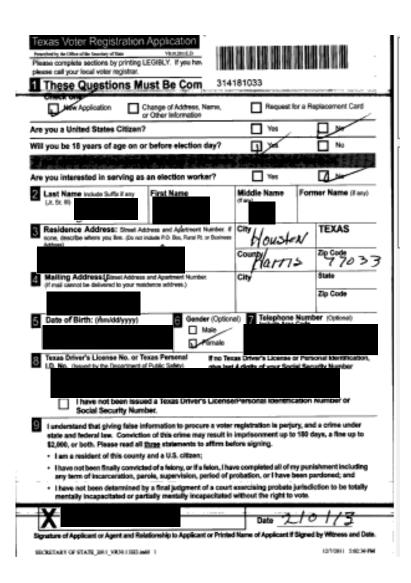
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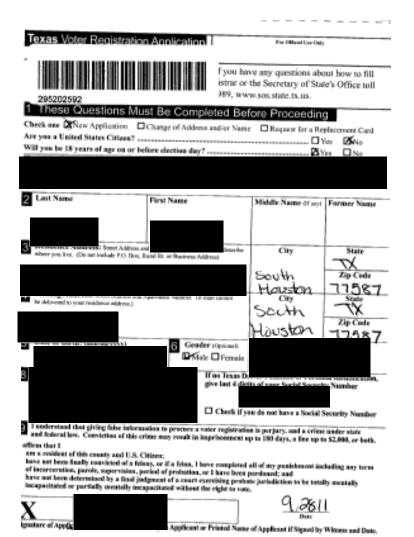
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4 Maining Address: street (If mail cannot be delivered to)	vooress and Apartment Number. your residence address.)	City	State
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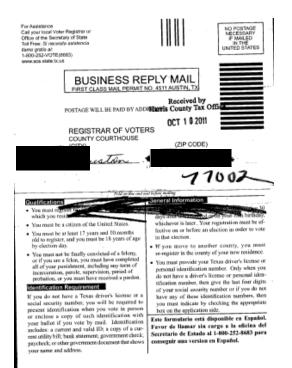
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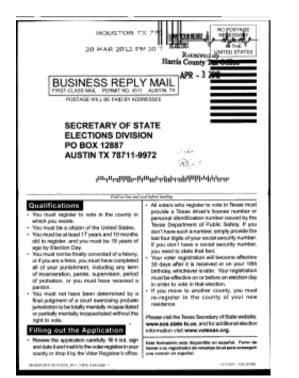
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List of Voter	Notices [notclist	03.06] Print <u>C</u> ertified	Print ID Now	Force Status	Create Notic
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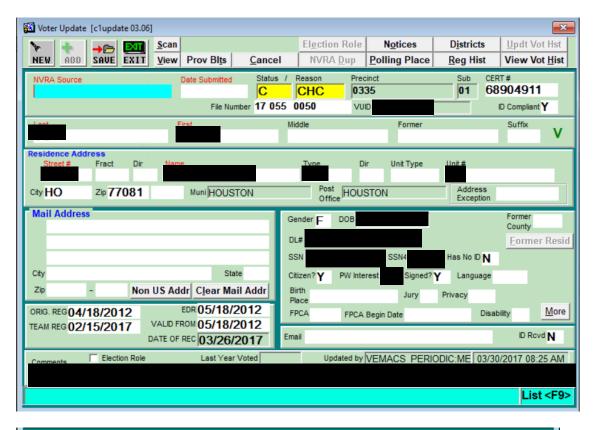
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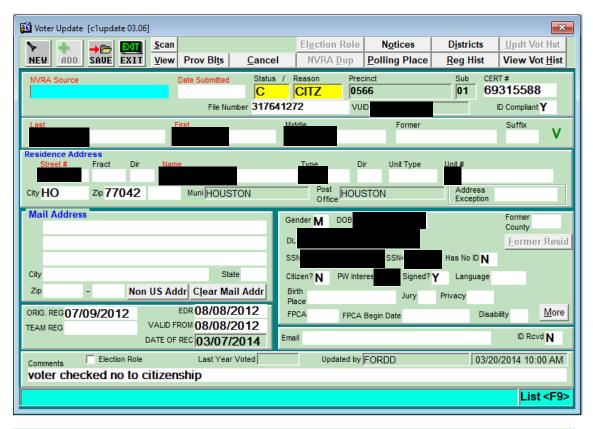
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have any questions about how to Ni o please cell your local Voter Registrer State's Office tot free at 1-850-252-W 1-800-735-2980, www.scs.state tx.us.	or the Secretary of OTE(8663), TDD	289633	594	
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				ounty YAHYi S	Zip Code
				<u>14 rr / 3</u> ity	State
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5	Date of Birth: (mm/dd/yyyy)	<u> </u>	r (Optional) fale emale	7 Telephone	Number (Optional) Code
8	Texas Driver's License No. or Te I.D. No. (Issued by the Department of	xas Personal	If no Texas		r Personal Identification,
_	na no coso y ne seperanti o	r duite Salety)	-	XXX-XX-	al Security Number
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Signature or approach or agreement remaxmiship to Applicant or Printed Name of Applicant If Signed by Witness and Date.

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Texas Voter Registration	Application	Eco Albeida	ine die be
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Will you be 18 years of age on o	r before election day?	Yes	E No
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Are you interested in serving as	an election worker?		
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(a), (b)		(r ary)	NID
3 Kesidence Address: Street Ad	dress and Apartment Number. If	City	TEXAS
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manning reserved at order retriese	an charater second.	City	State
(If mail cannot be delivered to your resid	fence address.)		Zip Code
AS above			
5 Date of Birth: (mm/dd/yyyy)	6 Gender (Options	al) 7 Telephone	Number (Optional)
	Female		
8 Texas Driver's License No. or Te		as Driver's License o	r Personal Identification.
LD. No. (Issued by the Department of	Public Safety) give last	4 digits of your Socia	al Security Number
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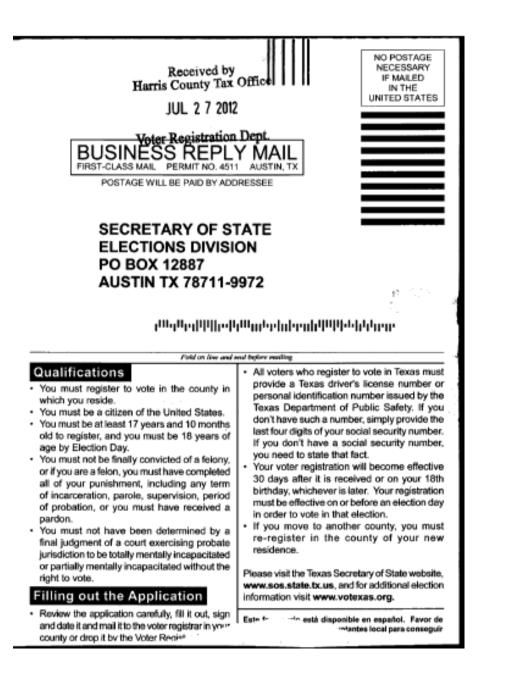
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Comments Election Rol Report from SOS/Ju	irors that marked N	o for Citizen	ship; Sent cl		· · · · · ·	0/2015 07:08 AM

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Texas Voter Registration . Practical by the Office Security of Security	Application -	hama			
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please call your local voter registrar.					
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Will you be 18 years of age on or	before election day?		Yes		E No
If you checked 'No' in response	e to either of the abr	ve, do	not compl	lete this	form
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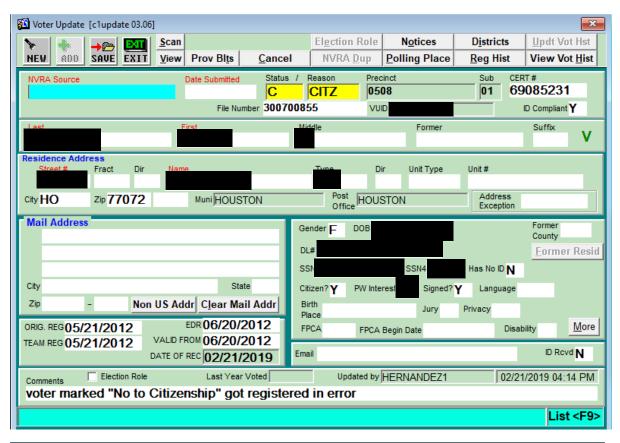
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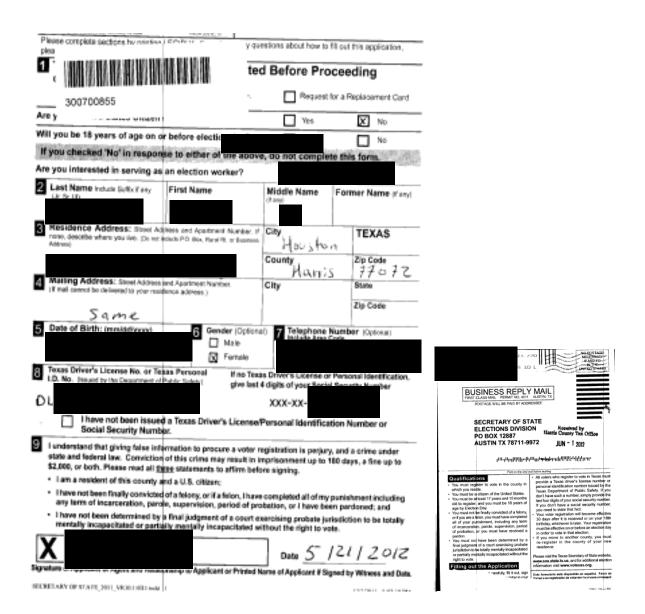
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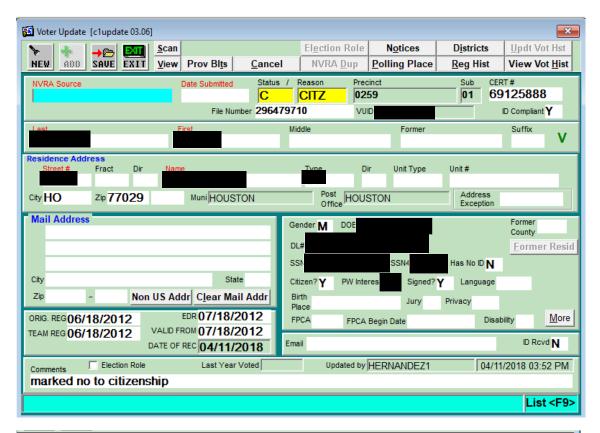
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Texas Voter Registration Applic	ation	Ter Official List	Unity
Inst? Plee	IN RAY VIEW DIE NAME	ins about how to fill	out this application,
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or Other	nomution	Yes -	11-10
Are you a United States Citizen?			No.
Will you be 18 years of age on or before		conception of the second se	NAMES OF TAXABLE PARTY.
If you checked 'No' in response to e		de	CORPORTS
Are you interested in serving as an electronic	ction worker?		Former Name (Famp)
2 Last Name Include Suffa Finny First	Name	Middle Name (Tanyi	Pormer Marrie (Famp
Residence Address: Street Address an	d Apartment Number. If J. Box. Funsi Rt. or Businessi	Houston	TEXAS
		County	71829
Mailing Address: Struct Address and Add	atment Number.	City	State
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5 Date of Birth: (mm/dd/yyyy)	6 Gender (Option	al) 7 Telephone Include Area	Number (Optional) Code
	Famale		
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state and federal law. Conviction of the \$2,000, or both. Please read all three	statements to affirm b	a statistic the second second second	io 180 days, a fine up to
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 I am a resident or this convicted of any term of incarceration, parole, t 			
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Signature of Applicant or Agent and Relations	rep to Applicant or Print	ed Name of Applicant	If Signed by Witness and Data.
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List of Voter Notices [notclist 0	3.06] Print <u>C</u> ertified	Print ID Now	Force Status	Create Notice
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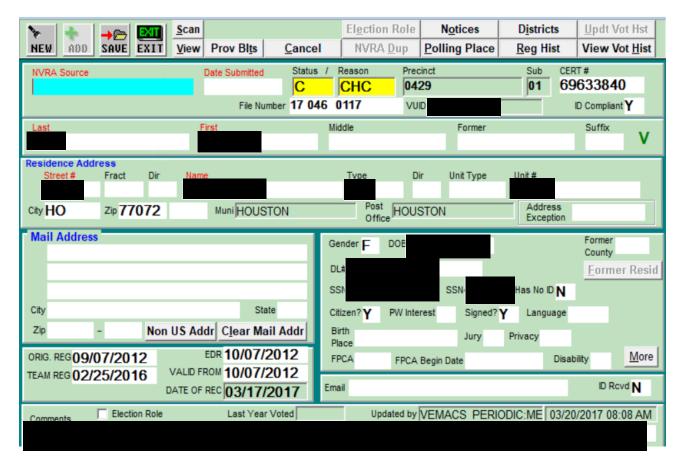
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Will you be 18 years of age on or before ele	ection day?	Yes	No	
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Are you interested in serving as an election	n worker?		1.1.1.1.1.1.1	
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		County	Zip Code 77099	
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5 Date of Birth: (mm/dd/yyyy) 6	Male Female		Number (Optional) Code	
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I understand that giving false information to state and federal law. Conviction of this crin \$2,000, or both. Please read all three statements	ne may result in i	imprisonment up to		PO BOX 12887 AUSTIN TX 78711-9972 Voter Registration Dept.
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I have not been determined by a final judg mentally incapacitated or partially mentall	ment of a court of	xercising probate ju	risdiction to be totally	 too many contact or a way contact or a way. too many contact or a way contact or a way of the contac
X		Date 05	10/ 12013-	production be tetrally retrainly respectively or partially mentally negocitated without the right to vate. Filling out the Application thomation visit www.vetexas.org.
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Texas Voter Registration Application Impletely define the Segment of Segmento Segment of Segment of Segmentor Segment of	301903527			
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If you checked 'No' in response to either of th	e above, do not complete t	his form.		
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	r (Optional) tale emaie If no Texas Driver's License or Pi give last 4 digits of your Social S XXX-XX-	se ersonal identification,	BUSINESS REPL PRSTCASS MAL PERMIN FOR THE POSTAGE MALL BEING FOR	AUSTIN, TX
I have not been issued a Texas Driver's Social Security Number.		on Number or	SECRETARY OF S ELECTIONS DIVISI PO BOX 12887 AUSTIN TX 78711-5	ON Harris County Tax Office SEP 12 2012
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SECRETARY OF STATE, 201, VIOL HER AND 1		137201 5453094	and date it and mail it to the voter registrar in your county or drop it by the Voter Registrar's office. societTART OF STATE, 2011, YOU (1823-94). 1	una menaino esta dagonole en español. Parer de Tamar a su registrador de votartes local para conseguir una versión en español. 1370011 340.00 M



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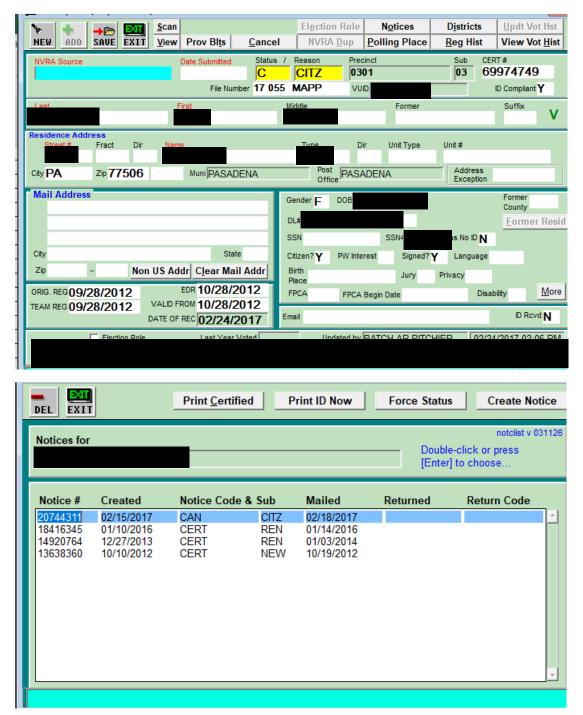
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Texas Voter Registration Application			
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Texas voter Registration Application	Pre-Official Use Only	
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For Assistance Call your local Voter Registrar of ACRITH HOLESTON Office of the Secretary of State Toll Free: *Si necesita asistencia lame gratis al*: 1-800-252-VOTE(8683) www.sos.state.tx.us





POSTAGE WILL BE PAID BY ADDRESSEE

REGISTRAR OF VOTERS COUNTY COURTHOUSE (CITY)

Houston

(ZIP CODE)

Qualifications

General Information

Fold on line and seal before mailing

TX 77253

- You must register to vote in the county in which you reside.
- You must be a citizen of the United States.
- You must be at least 17 years and 10 months old to register, and you must be 18 years of age by election day.
- You must not be finally convicted of a felony, or if you are a felon, you must have completed all of your punishment, including any term of incarceration, parole, supervision, period of probation, or you must have received a pardon.

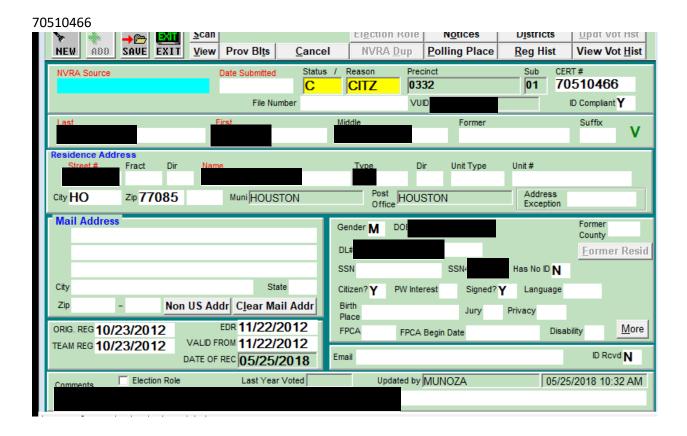
Identification Requirement

If you do not have a Texas driver's license or a social security number, you will be required to present identification when you vote in person or enclose a copy of such identification with your ballot if you vote by mail. Identification includes: a current and valid ID; a copy of a current utility bill; bank statement; government check; paycheck; or other government document that shows your name and address. Your voter registration will become effective 30 days after it is received or on your 18th birthday, whichever is later. Your registration must be effective on or before an election in order to vote in that election.

• If you move to another county, you must re-register in the county of your new residence.

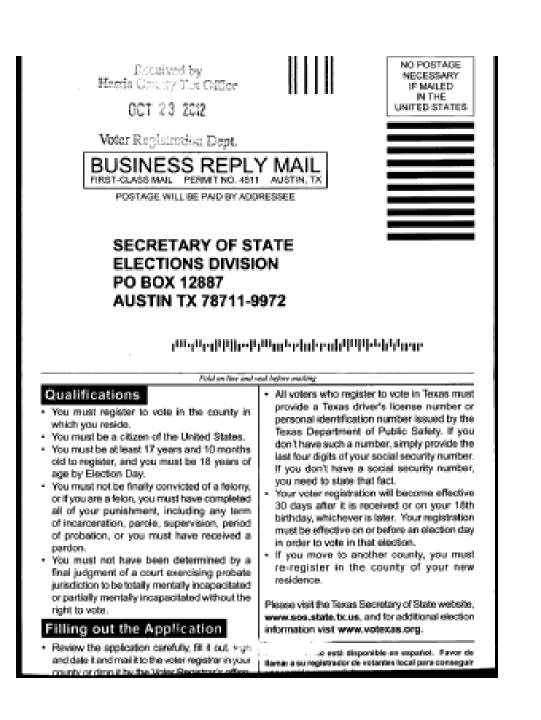
 You must provide your Texas driver's license or personal identification number. Only when you do a shave a driver's license or personal identification number, then give the last four digits of your social security number or if you do not have any of these identification numbers, then yournust indicate by checking the appropriate box in the application side.

Este Tormulario está disponible en Español. Favor de llamar sin cargo a la oficina del Secretario de Estado al 1-800-252-8683 para conseguir una versión en Español.

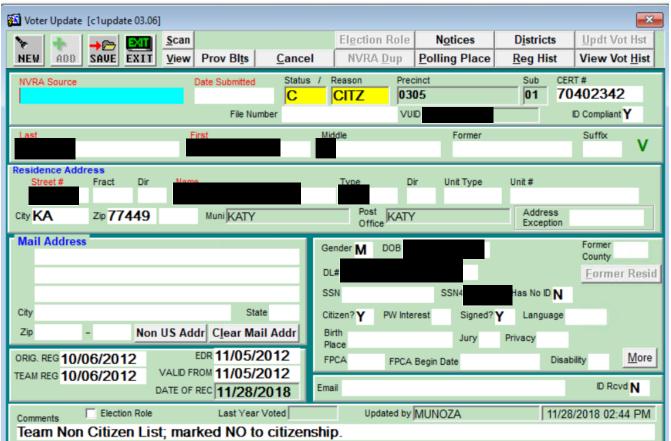


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13713855	10/22/2012	CERT	NEW	10/26/2012		

Texas Voter Registration	Application	Fer Official Us	Only
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General Information			
 Your voter registration will become effective 30 days after it is received or on your 18th birthday, whichever is later. Your registration must be effective on ar before an election day in order to vote in that election. If you move to another county, you must re-register in the county of your new residence. 			
In the county of your new residence. You must provide your Texas driver's license or personal identification number. If you do not have a driver's license or personal identification number, give the last four digits of your social security number. If you do not have any of these identification numbers, then check the appropriate box on the application site.			

don. You must not have been detarmined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote.

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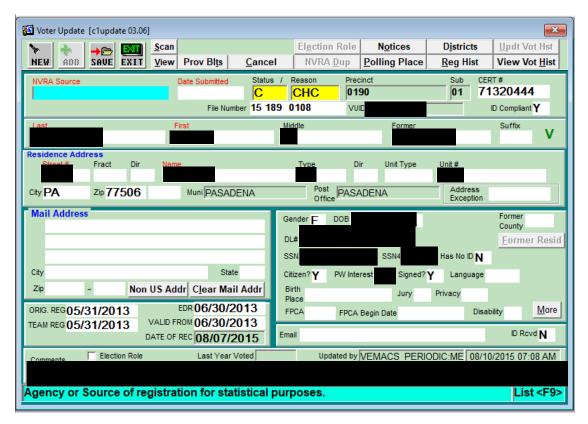
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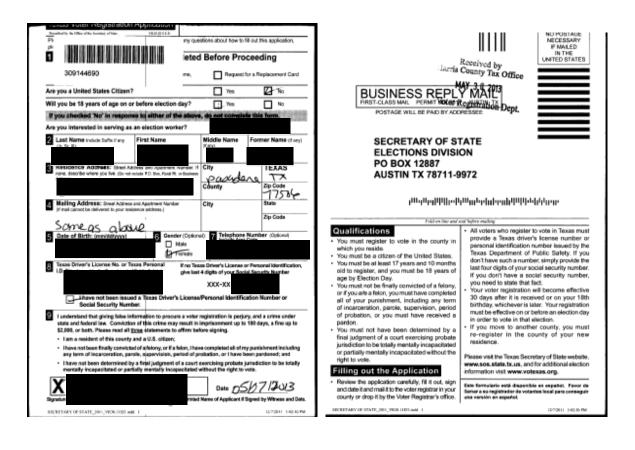
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NAME AND ADDRESS OF A DECEMBER	rio Texas Driver's License or Personal Identification. ve last 4 eligits of your Social Security Number XXX-XX- Cense/Personal Identification Number or	and date it and mail it to the voter registrar in your	Exte formularilo end disponitible en engelate. Parer de Januar a su registrator de ostantas local pare conseguir una versión en aspañol. 12700/1 3/02/0196
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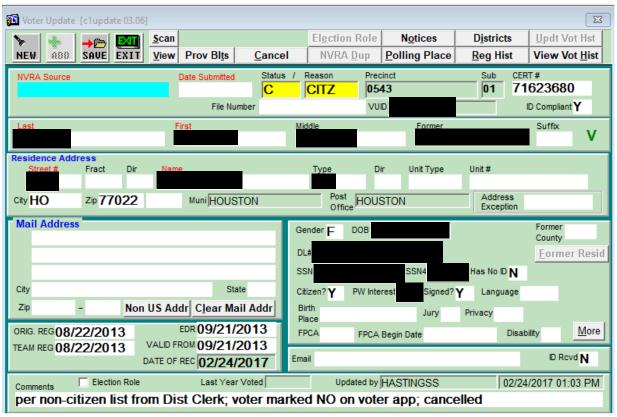


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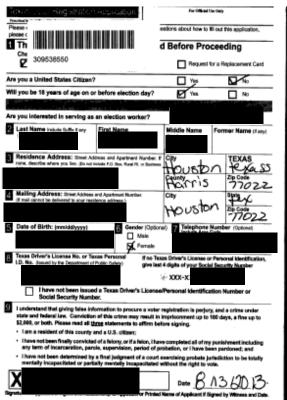
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XXX-XX- Inave not been issued a Texas Driver's License/Personal Identification Number or Social Security Number. I understand that giving false information to procure a voter registration is perjury, and a crime under state and federal law. Conviction of this crime may result in imprisonment up to 180 days, a fine up to \$2,000, or both. Please read all <u>three</u> statements to affirm before signing. I am a resident of this county and a U.S. citizen: I have not been finally convicted of a felony, or if a felon, I have completed all of my punishment including any term of incarceration, parole, supervision, period of probation, or I have been pardoned; and I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. Date D7/27/2074	man may produce by the Department of Public Public Public	s Driver's License or Pe	rsonal Identification
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		l	on	For Official U	e Only		
			ou have any questions about how to fill out this application.				
309503560			Before Proc	ceeding			
New Application	n 🗆 ch	ange of Ada Other Inform	iress, Name, nation	Request fo	or a Replacement Card		
Are you a United Stat	es Citizen?			Yes	X №		
Will you be 18 years of	of age on or I	before ele	ction day?	⊠ Yes	□ No		
If you checked No.	In mapping	do altre	nel the shore	do not complia	o this form.		
Are you interested in	serving as a	n election	worker?		_		
2 Last Name Include 8 (Jr. Sc III)	Suttix if any	First Nam	e	Middle Name	Former Name (if any)		
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3 Residence Addre none, describe where yo Address)				Housto	I LAAS		
Accessio				County	Zip Code		
				town?	State 5		
4 Mailing Address: (If mail cannot be delive				City	10		
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E Date of Birth: (mr	n/dd/yyyy)	6	Gender (Optiona	al) 7 Telephone	Number (Optional) Code		
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			R Female				
8 Texas Driver's Lice LD. No. (Issued by the				as Driver's License o 4 digits of your Soci	r Personal Identification, al Security Number		
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X				_	16/2013		
Signatur	C	9	nted	Name of Applicant if 1	Signed by Witness and Date.		
SECRETARY OF STATE_201	1_V830-11ED3 indd	1			12/7/2011 5/02/30 PM		

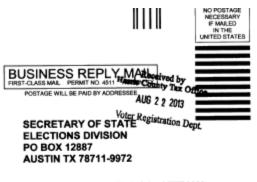


Notices for						notclist v 03112 e-click or press] to choose
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20758068 18947905 15455800 14157459	02/24/2017 01/10/2016 12/28/2013 09/11/2013	CAN CERT CERT CERT	CITZ REN REN NEW	02/28/2017 01/14/2016 01/03/2014 09/17/2013		×



SECRETARY OF STATE 2011, VR0011EELindd 1

DOMESTIC: LOCALING



Full on line and seal lighter mailing All voters who register to vote in Texas must provide a Texas driver's license number or personal identification number issued by the Texas Department of Public Safety. If you You must register to vote in the county in Sou Trues register to your at the County in which you reside. You must be a citizen of the United States. You must be at least 17 years and 10 months old to register, and you must be 18 years of age by Election Day. You must not be finally convicted of a feitory. don't have such a number, simply provide the don't have such a number, simply provide the last four cigits of your social security number. If you don't have a social security number, you need to state that fact. Your voter registration will become effective 30 days after it is noosived or on your 16th bitthday, which wer is later. Your registration must be effective on or before an election day in order to work in that election. or if you are a faion, you must have completed all of your punishment, including any term of incarceration, percie, supervision, period of probation, or you must have received a

re-register in the county of your new residence.

Please visit the Texas Secretary of State website, www.sos.state.tx.us, and for additional election information visit www.votexas.org.

Este tormalarlo está disponible en español. Pavor de lamar a se registedor de votantes local para conseguir una versión en español.

MERITARY OF STATE, DOI, VIOLANDER 1

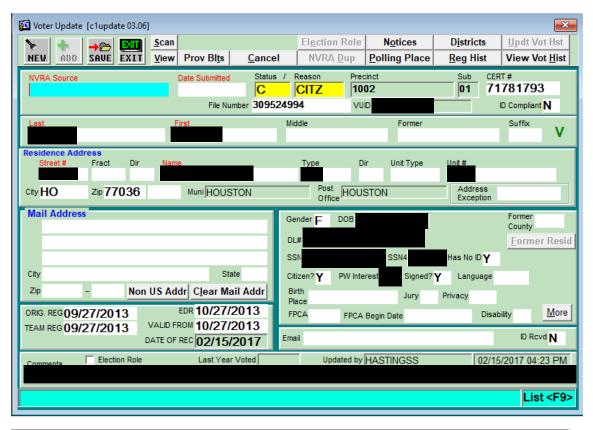
Filling out the Application Review the application carefully, fill it out, sign and date it and mail it to the voter negistrar in your county or drop it by the Voter Registrar's office.

or processor, or you must nave received a parton. You must not have been determined by a final juridiction to be totally mentally incapacitated or partially mentally incapacitated without the detail to use

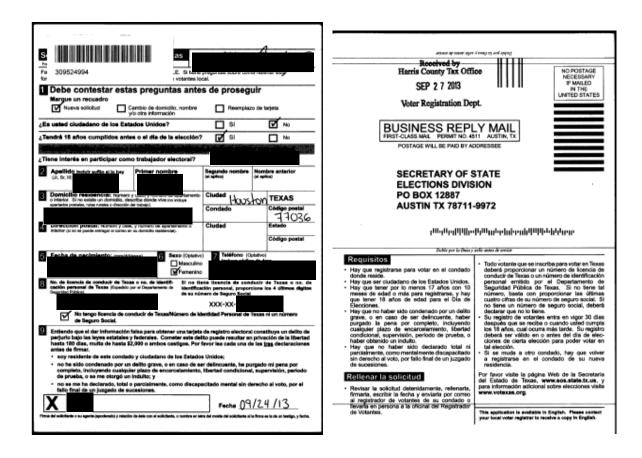
Qualifications

right to vote

12/7/2011 14:00 PM



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Voter Update [c1update 03	.06]				×			
▶ ● ●		Election Role	Notices	D <u>i</u> stricts	Updt Vot Hst			
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Mail Address	Gender M DOB County							
		DL# SSN	SSN4	Has No ID N	<u>F</u> ormer Resid			
City	State	Citizen? Y PW Inter	rest Signed? Y	Language				
Zip – <u>N</u>	on US Addr C <u>l</u> ear Mail Addr	Birth Place	Jury	Privacy				
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TEAM NON-CIUZEN II	st dated 06/02/2016							
		Agency or Source of registration for statistical purposes. List <f9></f9>						
Agency or Source of	registration for statistical	purposes.			List <f9></f9>			

Notices [notclist	03.06]				23
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					notclist v 031126 click or press to choose
Created	Notice Code	& Sub	Mailed	Returned	Return Code
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	Created 01/09/2016	Created Notice Code	Print <u>Certified</u> P Created Notice Code & Sub 01/09/2016 CERT REN	Print Certified Print ID Now Created Notice Code & Sub Mailed 01/09/2016 CERT REN 01/14/2016	Print Certified Print ID Now Force Status Double- [Enter] 1 Created Notice Code & Sub Mailed Returned 01/09/2016 CERT REN 01/14/2016

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please call your local Votar Re	gistrar at (713) 368-2000,		3069	54176
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New Application	Change of Address, or Other Information	Name,	Request	for a Replacement Card
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Wyou oneplayed 'No' in a	aspones to plant of a	an an de ing	do not comple	to Bull form.
Are you interested in serv	ing as an election work	er?	Viss	No No
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OR VOLUNTEER DEPU	TY USE ONLY	Vinted Name	of Applicant if Signe	d by Witness and Date.
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(IT applicable)		Of ano	licable)	topic y

Detach the receipt below for your records. To mail: Peel the tape, fold in half and seal-

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BUSINESS REPLY MAIL FIRST CLASS MAIL PERMIT NO. 4511 AUSTIN, TX POSTAGE WILL BE PAID BY ADDRESSEE

ARRIS COUNTY TAX ASSESSOR-COLLECTOR ARRIS COUNTY TAX ASSESSOR-COLLECTOR AND VOTER REGISTRAR O BOX 3527 HOUSTON. TX 77253-9803

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Dual/Activitions Nor must register to vote in the county in which you needs. You must be a citizen of the United States. You must be a citizen of the United States. You must be a citizen of the United States. You must be a citizen of the United States. You must not be finally convicted of a felone, or if you are a felone, you must be 18 years of age by election day. You must not be finally convicted of a felone, or if you are a felone, you must here considered all of your purietment, including any them of tencinetation, particle, waarvase, waarvase, a waarvase, you must have received a pardor. You must not have been determined by a final judgmint of a court correlating previately incapacitated or partially mentally incapacitated antibod the state.strue, y parts informacion adicional sobre electories visite www.vole.state.strue, you www.vole.state.strue, you www.vole.state.strue, you www.vole.state.strue, without the state true, with bidly them them them the off to work some.state.strue, or when one off the state true, with bidly them them them the off to work works.com.	Filling cut the Application carefully, M & out, sign and table & and mail & to the value registrate in your ounly or drop 10 µm Voter Registrate in your ounly or drop 10 µm Voter Registrate office. All voters who registrate to vote in Texas must provide a Texas develop literate must be the Texas must of Public Salety. If you don't have such a mustber, amply prender the solid and digital dynamics of solid security number. If you don't have solid security number. If you don't have a solid security number, you need to state that that. Your voter registrates will become effective 30 days after it is neceived or on your 18th birthday, which were in later. Your work or solid and the vote is that election. If you move to another county, you must an the forea. Procearing of your new residence. Procearing of your new residence. Procearing of your new residence. Procearing of your new residence.
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TEAM REG 09/18/2014 VALID FROM 10/18/2014			-	_	D David M
DATE OF REC 09/18/2018	B Email				ID Rovd N
Comments Election Role Last Year Voted		Updated by	MUNOZA	09/1	8/2018 01:02 PM
					List <f9></f9>

lease call your local voter registrar.	Application ventorito LEGIBLY, If you have		
These Questions M Check one	ust be com	87038	_
	Change of Address, Name, or Other Information	Request to	or a Replacement Card
re you a United States Citizen	7	Yes	E No
fill you be 18 years of age on o	or before election day?	Ves Ves	No No
f you checked "No" in respon	se to either of the above	, do not complet	e this form.
re you interested in serving as	an election worker?	Yes	No No
Last Name Include Sufficit any Classes 10	First Name	Middle Name	Former Name (#any)
Assessment And Assessment Assessment Assessment	coress and Apartment Number, If include P.O. Box, Rural Rt. or Business	Houston	
		County A	Zip Code
Mailing Address: Street Address	s and Apartment Number.	City	State
(If mail cannot be delivered to your ret	sidence address.)		Zip Code
			-
Date of Birth: (mm/dd/yyyy)	6 Gender (Option	al) 7 Telephone Include Area	Number (Optional) Code
	Female		
	of Public Safety) give last	4 digits of your Soci XXX-XX-	
Social Security Num I understand that giving false is state and federal law. Convicti \$2,000, or both. Please read all 1 am a resident of this county	nformation to procure a voter on of this crime may result in <u>three</u> statements to affirm be	imprisonment up to	
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Notices for						notclist v 031126 -click or press to choose
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🔯 List of Voter	Notices [notclist	03.06]					x
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Will you be 18 years of age on o	r before election day?	₽ ×m	D No	
Are you interested in serving a	an election worker?	a de rol porrelida a	and Party of	
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Texas Voter Registration Application	Fair Official Use Only
Presented by the other of the lowester of these Pleases complete sections by printing LEGIBLY. out this application, please call your local voter t free at 1-800-252-VOTE(8683), TDD 1-800-735 31970785	
These Operations Must Be Completed Ben Check one IZ New Application Change of Address and/or Name Are you a United States Citizen?	Request for a Replacement Card
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be definered to your residence address.)	Zip Code
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Check if you do not have a texas prover's Check License, or Texas Personal Identification No.	xxx-x if you do not more a secon occurity Number
 I understand that giving false information to precire a voter register and federal law. Conviction of this crime may result in imprisonme I affers that I am a resident of this county and U.S. Chines; have not been finally convicted of a federa, or if a felora, I have comple of incarceration, parale, supervision, period of probation, or I have h have not been determined by a final judgment of a court energisting incapacitated or partially mentally incapacitated without the right to 	ned all of my punishment including any term ees pardoned; and robate jurisdiction to be totally mentally vote.
Signature of Applicant or Agent, and Researces) to Applicant or Printed	Name of Applicant if Signed by Witness and Date.

Call your local Votar Registracos: SEIP *1:4 Office of the Secretary of State Toll Free: Si results asistened 17 L. Ferre grade at 1-800-252-VOTE(4683)	NO POSTAGE NECESSARY IF MALED NTHE
www.sos.state.tx.us	UNITED STATES
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Qualifications	General Information
 You must register to vote in the county in which you reside. 	 Your voter registration will become effective 30
You must be a citizen of the United States.	days after it is received or on your 18th birthday, whichever is later. Your registration must be of-
 You must be at least 17 years and 10 months old to register, and you must be 18 years of age by election day. 	fective on or before an election in order to vote in that election.
 You must not be finally considered of a data on 	 If you move to another county, you must re-register in the county of your new residence.
of it you are a felon, you must have completed all of your punishment, including any term of incurcoration, purole, supervision, period of probation, or you must have received a pardon.	 You must provide your Texas driver's license or personal identification number. Only when you do not have a driver's license or personal iden- tification number, then give the last four direct.
If you do not have a Texas driver's license or a social security number, you will be required to present identification when you vote in person or enclose a copy of such identification with	of your social security number or if you do not have any of these identification numbers, then you must indicate by checking the appropriate box on the application side.
your hallot if you vote by mail. Identification includes: a current and valid ID; a copy of a cur- rent utility bill; bank statement; government check; phycheck; or other government document that shows your rame and address.	Este formulario está disponible en Español. Favor de llamar sin cargo a la oficina del Secretario de Estado al 1-800-252-8683 para conseguir una version en Español.

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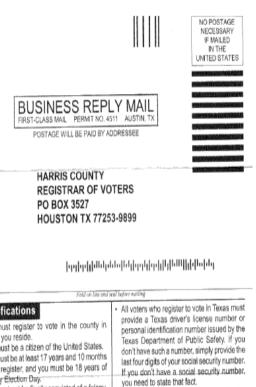
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Preset of the former of New VRUT2RUED Please complete sections by printing LEGIBLY. If you have' please call your local voter registrar.		fill out this application,	
These Questions Must Be Complete Check one New Application Vew Application Change of Address, Name, or Other Information	_	ceeding for a Replacement Card	
Are you a United States Citizen?	Yes	No No	BUSINESS REP
Will you be 18 years of age on or before election day?	Yes	No	FIRST-CLASS MAIL PERMIT NO. 4 POSTAGE WILL BE PAID BY /
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Are you interested in serving as an election worker?	Yes	No No	Patient and the streng ("which of strengt" (A).
2 Last Name Include Suffix if any First Name	Middle Name	Former Name (# ary)	HARRIS COUNTY REGISTRAR OF V PO BOX 3527
3 Residence Address: Street Address and Apartment Number. I none, describe where you live. (De ner include P.O. Boy, Runal Rt. or Business Address)		Zip Code	HOUSTON TX 772
Mailing Address: Street Address and Apartment Number. (If mail cannot be delivered to your residence address.)	HArris	77003 State EX45	իզիզկինել
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LD. No. (Issued by the Department of Public Safety) give lat	tal Include Area () tas Driver's License t 4 digits of your Sec XXX-XX-	or Personal Identification, ial Security Number	 You must register to vote in the county in which you reside. You must be a citizen of the United States. You must be at least 17 years and 10 months old to register, and you must be 18 years of age by Election Day. You must not be finally convicted of a felony, orif you are a felon, you must have completed all of your punishment, including any term of incarceration, parole, supervision, period of probation, or you must have received a
 I understand that giving false information to procure a vote state and federal law. Conviction of this crime may result in \$2,000, or both. Please read all <u>three</u> statements to affirm b I am a resident of this county and a U.S. citizen; I have not been finally convicted of a felony, or if a felon, Int any term of incarceration, parole, supervision, period of in 	n imprisonment up to efore signing. ave completed all of n) 180 days, a fine up to 1y punishment including	 Pardon. You must not have been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote.
I have not been determined by a final judgment of a cour mentally incapacitated or partially mentally incapacitated Signature	Date		 Filling out the Application Review the application carefully, fill tout, sign and date it and mail it to the voter registrar in your county or drop it by the Voter Registrar's office.
FROM	FFICIAL	MAIL MAIL	HASIL TUNKCE



You noter registration will become effective 30 days after it is received or on your 18th birthday, whichever is later. Your registration must be effective on or before an election day in order to vote in that election.

 If you move to another county, you must re-register in the county of your new residence.

Please visit the Texas Secretary of State website, www.sos.state.bx.us, and for additional election information visit www.votetexas.gov.

Este formulario está disponible en español. Favor de llamar a su registrador de votantes local para conseguir una versión en español.



CHURCHWELL AFFIDAVIT - ATTACHMENT C

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CHURCHWELL AFFIDAVIT - ATTACHMENT C APPENDIX PAGE 157



Ուսիսեսերին անհետերություններին

Page/Side: 1 - F nal Information For Official Use Only Prescribed by the VOTER REGISTRATION APPLICATION Sectorary of State 17.97 IBPML 1-97 PCT Cert Nus. (SOLICITUD DE INSCRIPCION DE VOTANTE) EDR. Maddle/Maiden Name (If any) Former Name First Name (NOT HUSBAND'S) (Segundo Nombre Apellelo de Soltem dal espuso) (5-4 mbre anterioc) Cis Cubrofil (Residence Address Street Address and Apartment Number, City, State, and ZIP. If no cribe where you live. (Do not include P.O. Boz or Rurai RL) ae, de (Dornebo Calle V r gumero de aparta muo, Cuuiad. Estado, y Código Postal: A falta de estos datos, describa la localitaci de su rendentita.). (No meluya su apartado postal Na na mate Mailing Address, City, State and ZiP. If stall cannot be delivered to your residence address. (Dresson porbl. Could, Enato y Gender (Optional) (Sexo) (Opservo) Made (Hombre) Terenale (Majer) Códago Populi (Si er unpomble ettiregarle correspondencia a dorucilio) City, County, and State of Former Residence Date of Barth. month, day, year cial Security No. (Onder Chudad, Condiado, Estado de su rendences anteriori Check appropriate box: I AM A UNITED STATES CITIZEN_Yes_No (Maque el madre apropade Sey Crotzdanera de los Estados Unidos) TX Driver's License No. or Personal LD No. (Issued by TX Dept of Public Safety) (Optional) (Numero de su licencia rejana de nejar o de su Codula de Nentadad expedida por el Departamente de I understand that giving false information to procure a voter registration is perjury, and a crime under state and federal law. (Estando quest hecho de proporouge dues false a false obtener unsupron en el reporte de vonner, contemp el deixo de populor d'actanción das y el fills inforcers reasonais por ley. Telephone Number (Optional) (Número telefonco) (op. e. o) de. federal y estatal i Check one (Maxque el cuadro) 1 affirm that I (Deduce que soy) w (Nuevo) Change (Cambar) Replacement (Reemplaze) **NO** • am ~ 4,4,02 n kaŭ e of Applicant or Agent and Relationship to Applicant or Protect Applicant if Signed by Winness and Date. (Funts 60% is solecours a de loss qui permeteo une tifs protection ou et Gandemart Si is firm as it was the i control of the in wasante unedo idea do molicy pergala form.) 202902993

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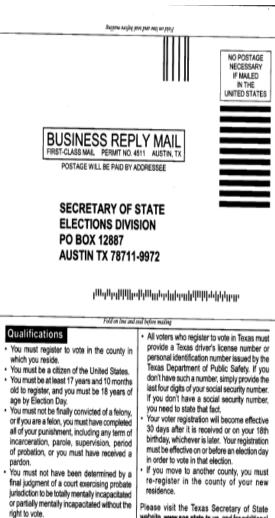
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Are you a United States Citizen?		Yes	No
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Filling out the Application

Review the application carefully, fill it out, sign and date it and mail it to the voter registrar in

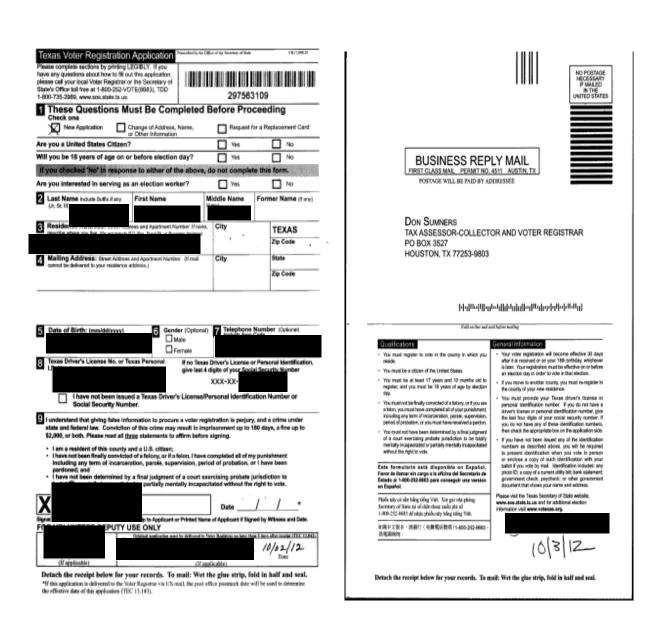
office.

your county or drop it by the Voter Registrar's

website, www.sos.state.tx.us, and for additional election information visit www.votetexas.gov.

Este formulario está disponible en español. Favor de famar a su registrador de votantes local para conseguir una varsión en español.

CHURCHWELL AFFIDAVIT - ATTACHMENT C APPENDIX PAGE 162



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CERT #	Answer to Citizenship Question	ORIG. REG	DATE OF REC	Voting Credit
35411966R	No	1996	2007	No
41441346	No	2000	2018	Yes
42078683	No	2001	2017	No
52461886R	No	2002	2013	No
56368905R	No	2004	2007	No
56238918R	No	2004	2018	No
56833684R	No	2004	2008	No
58354937R	No	2004	2007	No
57807075R	No	2004	2017	Yes
58768235R	No	2005	2017	Yes
59367375	No	2005	2007	No
59723338R	No	2005	2019	No
59610683R	No	2005	2017	No
64137201R	No	2008	2016	No
65902314R	No	2009	2016	No
65844532R	No	2009	2013	No
66886565R	No	2010	2015	No
67026161R	No	2010	2013	No
67789529R	No	2011	2017	No
68252196R	No	2011	2016	No
68118033R	No	2011	2017	No
67217117R	No	2011	2014	Yes
68158369R	No	2011	2016	No
68771179	No	2012	2017	No
68929751	No	2012	2018	No
68904911	No	2012	2017	No
68914449	No	2012	2017	No
69315588	No	2012	2014	No
69342376	No	2012	2015	No
69175008	No	2012	2014	Yes
69085231	No	2012	2019	No
69125888	No	2012	2018	No
69707305	No	2012	2013	No
69633840	No	2012	2017	No
69432821	No	2012	2013	No

69974749	No	2012	2017	No
70543608	No	2012	2018	No
70510466	No	2012	2018	No
70402342	No	2012	2018	No
70733605	No	2013	2017	No
71320444	No	2013	2015	No
71455984	No	2013	2018	No
71491047	No	2013	2014	No
71623680	No	2013	2017	No
71781793	No	2013	2017	No
72668825	No	2014	2016	No
73346306	No	2014	2018	No
73222937	No	2014	2017	No
73291007	No	2014	2016	Yes
40395204R	Blank	1999	2015	No
51991628R	Blank	2002	2015	No
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72469356	Blank	2014	2018	No

IN THE COURT OF APPEALS For the Fourteenth District of Texas Houston, Texas

In re JUAN GERARDO PEREZ PICHARDO AND PUBLIC INTEREST LEGAL FOUNDATION, INC.

Relators

Ann Harris Bennett, Voter Registrar for Harris County, Texas, Respondent

AFFIDAVIT OF JUAN GERARDO PEREZ PICHARDO IN SUPPORT OF PETITION FOR WRIT OF MANDAMUS

Andy Taylor Andy Taylor & Associates, P.C. 2628 Highway 36S, #288 Brenham, TX 77833 Office: (713) 222-1817 Fax: (713) 222-1855 J. Christian Adams* Noel H. Johnson* PUBLIC INTEREST LEGAL FOUNDATION 32 East Washington Street, Suite 1675 Indianapolis, IN 46204 Tel: 317-203-5599

Counsel for Relator Public Interest Legal Foundation *Application for pro hac admission forthcoming

PICHARDO AFFIDAVIT

State of Texas	§
	§
County of Harris	§

BEFORE ME, the undersigned personally appeared Juan Gerardo Perez Pichardo who, swore the following:

1. My name is Juan Gerardo Perez Pichardo. I am over 18 years of age, of sound mind, and competent to make this affidavit. I have personal knowledge of the facts stated herein, and they are true and correct to the best of my knowledge.

2. I was born in 1942 in Mexico.

3. In 1969, I immigrated to the United States of America and became a legal permanent resident.

4. In 2000, I became a naturalized citizen of the United States of

America.

5. I am a registered voter in Harris County, Texas.

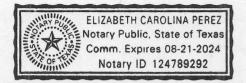
6. I intend to vote in the 2020 General Election and in other future elections in Harris County, Texas.

SIGNED this 3rd day of October 2020.

Juan Gerardo Perez Pichardo

SUBSCRIBED and SWORN TO before me, the undersigned authority, on the

<u>3</u> day of October 2020.



Notary in and for the State of Texas

PICHARDO AFFIDAVIT

Tex. Elec. Code § 13.001

This document is current through the 2019 Regular Session, 86th Legislature, and 2019 election results.

Texas Statutes & Codes Annotated by LexisNexis® > Election Code > Title 2 Voter Qualifications and Registration (Chs. 11 — 20) > Chapter 13 Application for Registration; Initial Registration (Subchs. A — F) > Subchapter A Eligibility; Manner of Applying for Registration (§§ 13.001 — 13.030)

Sec. 13.001. Eligibility for Registration.

(a)To be eligible for registration as a voter in this state, a person must:

(1)be 18 years of age or older;

(2)be a United States citizen;

(3)not have been determined by a final judgment of a court exercising probate jurisdiction to be:

(A)totally mentally incapacitated; or

(B)partially mentally incapacitated without the right to vote;

(4) not have been finally convicted of a felony or, if so convicted, must have:

(A)fully discharged the person's sentence, including any term of incarceration, parole, or supervision, or completed a period of probation ordered by any court; or

(B)been pardoned or otherwise released from the resulting disability to vote; and

(5)be a resident of the county in which application for registration is made.

(b)To be eligible to apply for registration, a person must, on the date the registration application is submitted to the registrar, be at least 17 years and 10 months of age and satisfy the requirements of Subsection (a) except for age.

(c)For purposes of Subsection (a)(4), a person is not considered to have been finally convicted of an offense for which the criminal proceedings are deferred without an adjudication of guilt.

History

Enacted by Acts 1985, 69th Leg., ch. 211 (S.B. 616), § 1, effective January 1, 1986; am. *Acts 1987, 70th Leg., ch. 54* (*S.B. 280*), § *23*, effective September 1, 1987; am. *Acts 1991, 72nd Leg., ch. 16* (*S.B. 232*), § *6.02*, effective August 26, 1991; am. Acts 1993, 73rd Leg., ch. 916 (H.B. 74), § *27*, effective September 1, 1993; am. Acts 1997, 75th Leg., ch. 850 (H.B. 1001), § *2*, effective September 1, 1997; am. Acts 2007, 80th Leg., ch. 614 (H.B. 417), § *23*, effective September 1, 2007; am. Acts 2011, 82nd Leg., ch. 744 (H.B. 1226), § *2*, effective June 17, 2011.

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Tex. Elec. Code § 13.002

This document is current through the 2019 Regular Session, 86th Legislature, and 2019 election results.

Texas Statutes & Codes Annotated by LexisNexis® > Election Code > Title 2 Voter Qualifications and Registration (Chs. 11 — 20) > Chapter 13 Application for Registration; Initial Registration (Subchs. A — F) > Subchapter A Eligibility; Manner of Applying for Registration (§§ 13.001 — 13.030)

Notice

This section has more than one version with varying effective dates.

Sec. 13.002. Application Required. [Effective until January 1, 2021]

(a)A person desiring to register to vote must submit an application to the registrar of the county in which the person resides. Except as provided by Subsection (e), an application must be submitted by personal delivery, by mail, or by telephonic facsimile machine in accordance with Sections 13.143(d) and (d-2).

(b)A registration application must be in writing and signed by the applicant.

(c)A registration application must include:

(1)the applicant's first name, middle name, if any, last name, and former name, if any;

(2) the month, day, and year of the applicant's birth;

(3) a statement that the applicant is a United States citizen;

(4) a statement that the applicant is a resident of the county;

(5) a statement that the applicant has not been determined by a final judgment of a court exercising probate jurisdiction to be:

(A)totally mentally incapacitated; or

(B)partially mentally incapacitated without the right to vote;

(6) a statement that the applicant has not been finally convicted of a felony or that the applicant is a felon eligible for registration under Section 13.001;

(7)the applicant's residence address or, if the residence has no address, the address at which the applicant receives mail and a concise description of the location of the applicant's residence;

(8) the following information:

(A)the applicant's Texas driver's license number or the number of a personal identification card issued by the Department of Public Safety;

(**B**)if the applicant has not been issued a number described by Paragraph (A), the last four digits of the applicant's social security number; or

(C)a statement by the applicant that the applicant has not been issued a number described by Paragraph (A) or (B);

(9) if the application is made by an agent, a statement of the agent's relationship to the applicant; and

(10)the city and county in which the applicant formerly resided.

(d)The omission of the applicant's middle or former name under Subsection (c)(1) or the applicant's zip code under Subsection (c)(7) does not affect the validity of a registration application, and the registrar may not reject the application because of that omission.

(e)A person who is certified for participation in the address confidentiality program administered by the attorney general under Subchapter C, Chapter 56, Code of Criminal Procedure, is not eligible for early voting by mail under Section 82.007 unless the person submits an application under this section by personal delivery. The secretary of state may adopt rules to implement this subsection.

(f)Instead of the statement required by Subsection (c)(5), an applicant who has been determined to be partially mentally incapacitated without the right to vote by a court and who is eligible to register because of Section 1.020(b) shall include in the application a statement that the person's guardianship has been modified to include the right to vote or the person's mental capacity has been completely restored, as applicable, by a final judgment of a court.

(g)Instead of the statement required by Subsection (c)(5), an applicant who has been determined to be totally mentally incapacitated by a court and who is eligible to register because of Section 1.020(a) shall include in the application a statement that the person's mental capacity has been completely restored by a final judgment of a court.

(h)The submission of a federal postcard application constitutes an application for registration under this section at the voting residence address stated on the application. This subsection does not apply to a person who indicates on the person's federal postcard application that the person is residing outside the United States indefinitely. The secretary of state shall prescribe rules to implement this subsection, including:

(1)rules providing directions to court clerks regarding the inclusion on jury lists of persons who submit federal postcard applications; and

(2)rules relating to whether a person who submits a federal postcard application is to be considered a registered voter of the applicable authority for the purposes of determining the number of signatures required on a petition.

(i)An applicant who wishes to receive an exemption from the requirements of Section 63.001(b) on the basis of disability must include with the person's application:

(1)written documentation:

(A)from the United States Social Security Administration evidencing the applicant has been determined to have a disability; or

(**B**)from the United States Department of Veterans Affairs evidencing the applicant has a disability rating of at least 50 percent; and

(2) a statement in a form prescribed by the secretary of state that the applicant does not have a form of identification acceptable under Section 63.0101.

History

Enacted by Acts 1985, 69th Leg., ch. 211 (S.B. 616), § 1, effective January 1, 1986; am. Acts 1987, 70th Leg., ch. 436 (S.B. 1441), § <u>1</u>, effective September 1, 1987; am. Acts 1987, 70th Leg., ch. 920 (H.B. 613), § <u>1</u>, effective September 1, 1987; am. Acts 1987, 70th Leg., ch. 920 (H.B. 613), § <u>1</u>, effective September 1, 1987; am. Acts 1989, 71st Leg., ch. 2 (S.B. 221), § 7.02, effective August 28, 1989; am. Acts 1993, 73rd Leg., ch. 916 (H.B. 74), § <u>30(c)</u>, effective September 1, 1993; am. Acts 1995, 74th Leg., ch. 390 (H.B. 1914), § <u>1</u>, effective September 1, 1995; am. Acts 1997, 75th Leg., ch. 454 (S.B. 500), § <u>1</u>, effective September 1, 1995; am. Acts 2003, 78th Leg., ch. 1315 (H.B. 1549), § <u>1</u>, effective January 1, 2004; am. Acts 2005, 79th Leg., ch. 1049 (H.B. 1268), § <u>1</u>, effective January 1, 2006; am. Acts 2007, 80th Leg., ch. 614 (H.B. 417), § <u>24</u>, effective September 1, 2007; am. Acts 2007, 80th Leg., ch. 1295 (S.B. 74), § <u>4</u>, effective June 15, 2007; am. Acts 2009, 81st Leg., ch. 87 (S.B. 1969), § <u>27.001(11)</u>, effective September 1, 2009; am. Acts 2009, 81st Leg., ch. 91 (H.B. 536), § <u>1</u>, effective September 1, 2009; am. Acts 2009, 81st Leg., ch. 91 (H.B. 536), § <u>1</u>, effective September 1, 2009; am. Acts 2009, 81st Leg., ch. 91 (H.B. 536), § <u>1</u>, effective September 1, 2009; am. Acts 2011, 82nd Leg., ch. 123 (S.B. 14), § <u>1</u>, effective January 1, 2012; am. Acts 2013, 83rd Leg., ch. 1178 (S.B. 910), § <u>2</u>, effective September 1, 2013.

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Tex. Elec. Code § 13.071

This document is current through the 2019 Regular Session, 86th Legislature, and 2019 election results.

Texas Statutes & Codes Annotated by LexisNexis® > Election Code > Title 2 Voter Qualifications and Registration (Chs. 11 — 20) > Chapter 13 Application for Registration; Initial Registration (Subchs. A — F) > Subchapter C Action On Application By Registrar (§§ 13.071 — 13.100)

Sec. 13.071. Review of Application.

(a)The registrar shall review each submitted application for registration to determine whether it complies with Section 13.002 and indicates that the applicant is eligible for registration.

(b)The registrar shall make the determination not later than the seventh day after the date the application is submitted to the registrar.

History

Enacted by Acts 1985, 69th Leg., ch. 211 (S.B. 616), § 1, effective January 1, 1986.

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Tex. Elec. Code § 13.072

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Texas Statutes & Codes Annotated by LexisNexis® > Election Code > Title 2 Voter Qualifications and Registration (Chs. 11 — 20) > Chapter 13 Application for Registration; Initial Registration (Subchs. A — F) > Subchapter C Action On Application By Registrar (§§ 13.071 — 13.100)

Sec. 13.072. Action on Application.

(a)Unless the registrar challenges the applicant, the registrar shall approve the application if:

(1)the registrar determines that an application complies with Section 13.002 and indicates that the applicant is eligible for registration; and

(2) for an applicant who has not included a statement described by Section 13.002(c)(8)(C), the registrar verifies with the secretary of state:

(A)the applicant's Texas driver's license number or number of a personal identification card issued by the Department of Public Safety; or

(B)the last four digits of the applicant's social security number.

(b)After approval of an application by an applicant who was registered in another county at the time of application, the registrar shall deliver written notice of the applicant's change of residence to the other county's registrar and include in the notice the applicant's name, former residence address, and former registration number, if known.

(c)Except as provided by Subsection (d), if the registrar determines that an application does not comply with Section 13.002 or does not indicate that the applicant is eligible for registration, the registrar shall reject the application.

(d)If an application clearly indicates that the applicant resides in another county, the registrar shall forward the application to the other county's registrar not later than the second day after the date the application is received and, if the other county is not contiguous, shall deliver written notice of that action to the applicant not later than the seventh day after the date the application is received. The date of submission of a completed application to the wrong registrar is considered to be the date of submission to the proper registrar for purposes of determining the effective date of the registration.

(e)[Repealed by Acts 2003, 78th Leg., ch. 1316 (H.B. 1695), § 44, effective September 1, 2003.]

History

Enacted by Acts 1985, 69th Leg., ch. 211 (S.B. 616), § 1, effective January 1, 1986; am. Acts 1989, 71st Leg., ch. 415 (H.B. 1563), § <u>1</u>, effective September 1, 1989; am. Acts 1991, 72nd Leg., ch. 559 (H.B. 879), § <u>1</u>, effective September 1, 1991; am. Acts 1997, 75th Leg., ch. 1349 (H.B. 331), § <u>4</u>, effective September 1, 1997; am. Acts 2003, 78th Leg., ch. 1316 (H.B. 1695), §§ <u>5</u>, 44, effective September 1, 2003; am. Acts 2005, 79th Leg., ch. 1105 (H.B. 2280), § <u>1</u>, effective January 1, 2006.

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Tex. Elec. Code § 13.074

This document is current through the 2019 Regular Session, 86th Legislature, and 2019 election results.

Texas Statutes & Codes Annotated by LexisNexis® > Election Code > Title 2 Voter Qualifications and Registration (Chs. 11 — 20) > Chapter 13 Application for Registration; Initial Registration (Subchs. A — F) > Subchapter C Action On Application By Registrar (§§ 13.071 — 13.100)

Sec. 13.074. Challenge of Applicant.

(a)If after determining that an application complies with Section 13.002 and indicates that the applicant is eligible for registration, the registrar has reason to believe the applicant is not eligible for registration or the application was submitted in an unauthorized manner, the registrar shall challenge the applicant.

(b)The registrar shall indicate on the application of a challenged applicant that the applicant's eligibility or the manner of submission of the application has been challenged and the date of the challenge.

(c)The registrar may not challenge an applicant later than the second day after the date the application is determined to comply with Section 13.002 and indicate that the applicant is eligible for registration.

History

Enacted by Acts 1985, 69th Leg., ch. 211 (S.B. 616), § 1, effective January 1, 1986.

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Tex. Elec. Code § 16.033

This document is current through the most recent legislation which is the 2019 Regular Session, 86th Legislature, and the 2019 election results.

Texas Statutes & Codes Annotated by LexisNexis \mathbb{B} > Election Code > Title 2 Voter Qualifications and Registration (Chs. 11 — 20) > Chapter 16 Cancellation of Registration (Subchs. A — D) > Subchapter B Cancellation (§§ 16.031 — 16.060)

Sec. 16.033. Cancellation Following Investigation by Registrar.

(a)The registrar may use any lawful means to investigate whether a registered voter is currently eligible for registration in the county. This section does not authorize an investigation of eligibility that is based solely on residence.

(b)If the registrar has reason to believe that a voter is no longer eligible for registration, the registrar shall deliver written notice to the voter indicating that the voter's registration status is being investigated by the registrar. The notice shall be delivered by forwardable mail to the mailing address on the voter's registration application and to any new address of the voter known to the registrar. If the secretary of state has adopted or recommended a form for a written notice under this section, the registrar must use that form.

(c)The notice must include:

(1) a request for information relevant to determining the voter's eligibility for registration; and

(2) a warning that the voter's registration is subject to cancellation if the registrar does not receive an appropriate reply on or before the 30th day after the date the notice is mailed.

(d)Except as provided by Subsection (e), the registrar shall cancel a voter's registration if:

(1)after considering the voter's reply, the registrar determines that the voter is not eligible for registration;

(2) no reply is received from the voter on or before the 30th day after the date the notice is mailed to the voter under Subsection (b); or

(3)each notice mailed under Subsection (b) is returned undelivered to the registrar with no forwarding information available.

(e)A voter's registration may not be canceled under Subsection (d) if the voter's name appears on the suspense list unless the notice mailed to the voter indicated that the registrar had reason to believe that the voter is not eligible for registration because of a ground other than a ground based on residence.

(f)The registrar shall retain a copy of the notice mailed to a voter under this section on file with the voter's registration application. If the voter's reply to the notice is in writing, the registrar shall also retain the reply on file with the application. If the reply is oral, the registrar shall prepare a memorandum of the reply, indicating the substance and date of the reply, and shall retain the memorandum on file with the application.

History

Enacted by Acts 1985, 69th Leg., ch. 211 (S.B. 616), § 1, effective January 1, 1986; am. Acts 1995, 74th Leg., ch. 797 (H.B. 127), § <u>18</u>, effective September 1, 1995; am. Acts 2003, 78th Leg., ch. 1316 (H.B. 1695), § <u>8</u>, effective September 1, 2003; am. Acts 2013, 83rd Leg., ch. 1093 (H.B. 3593), § <u>1</u>, effective September 1, 2013.

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Tex. Elec. Code § 273.061

This document is current through the 2019 Regular Session, 86th Legislature, and 2019 election results.

Texas Statutes & Codes Annotated by LexisNexis® > Election Code > Title 16 Miscellaneous Provisions (Chs. 271 — 279) > Chapter 273 Criminal Investigation and Other Enforcement Proceedings (Subchs. A - E) > Subchapter D Mandamus By Appellate Court (§§ 273.061 — 273.080)

Sec. 273.061. Jurisdiction.

The supreme court or a court of appeals may issue a writ of mandamus to compel the performance of any duty imposed by law in connection with the holding of an election or a political party convention, regardless of whether the person responsible for performing the duty is a public officer.

History

Enacted by Acts 1985, 69th Leg., ch. 211 (S.B. 616), § 1, effective January 1, 1986.

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Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Christian Adams		a@electionlawcenter.com	10/6/2020 1:59:07 PM	SENT
Noel Johnson		njohnson@publicinterestlegal.org	10/6/2020 1:59:07 PM	SENT